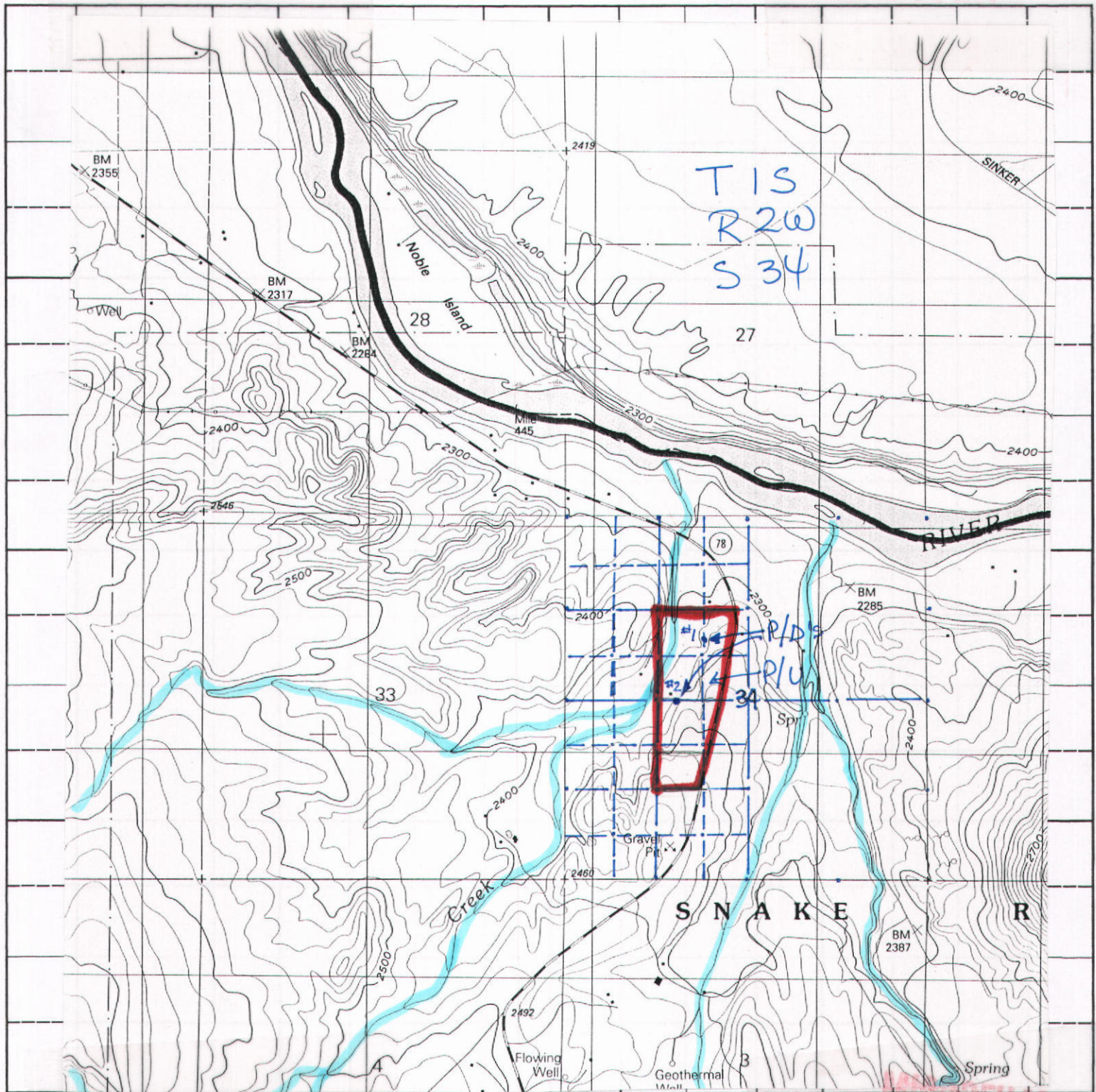


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



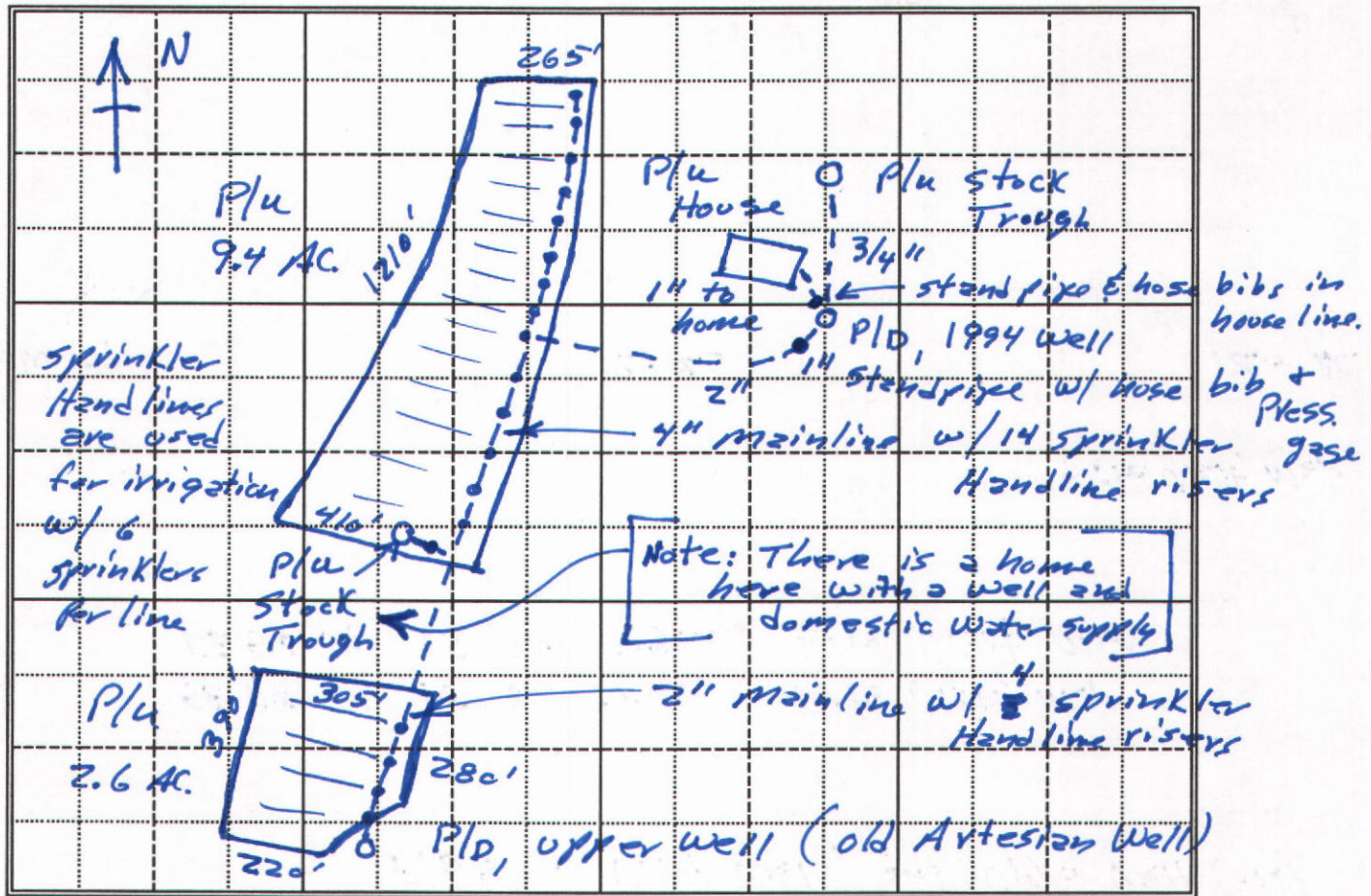
Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Earl M. Elsner
(Applicant)

JUL 26 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = None

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1994 Well		5			
Upper Well		2			

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

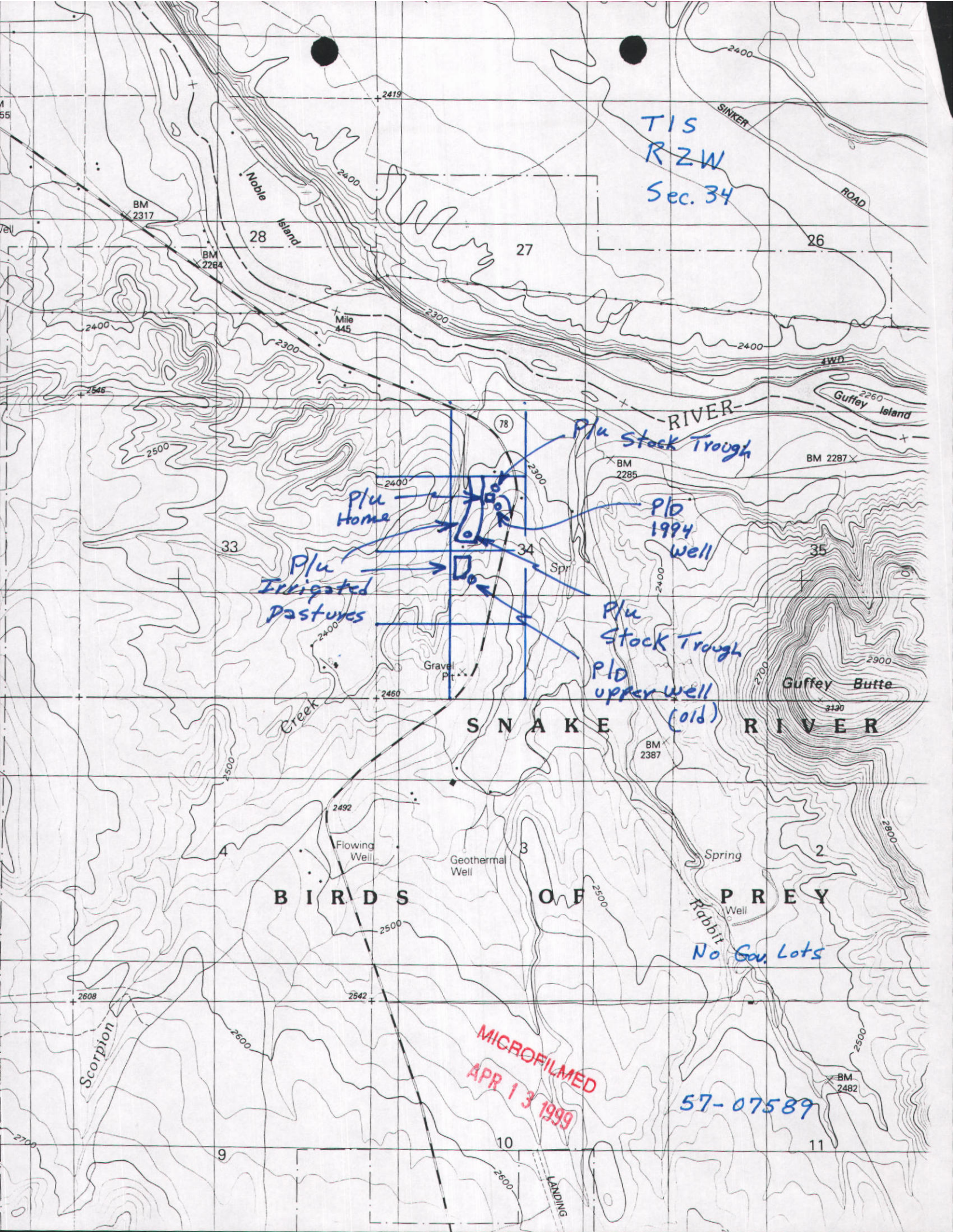
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None - operating pressure is 35 psi - 65 psi

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APR 13 1999



TIS
RZW
Sec. 34

P/u Stock Trough
P/u Home
P/u Irrigated Pastures
P/d 1994 Well
P/d upper well (old)
P/u Stock Trough

No Cow Lots

MICROFILMED
APR 13 1999

57-07589

1995
Photo

28|27
33|34

Highway
78

Plu
Stock
Trough

Plu
Home

P/D
1994
Well

Plu
Irrigated
Pastures

Plu
Stock
Trough

P/D
upper
well
(old)

33|34
4|3

MICROFILMED
57-07589
APR 13 1999

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

Jan Tomich, Water Rights Examiner
Signature of Dept. Representative & Title

9-29-98
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



MICROFILMED
APR 13 1999

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

This is an old well that had Artesian flow when it was first developed. The well may also have been a hot/warm well used for 2 bath houses located on the property. With the development of other wells in the area, the groundwater dropped down, the bath houses have been abandoned and now this well is used for irrigation + stockwater.

Dan Tomich Water Rights Examiner
Signature of Dept. Representative & Title

9-29-98
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

Well has 6" gate valve
on top of casing. This was

once
used
to
control
Artesian
Pressure.



Brown Gate Valve
is on well casing.

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APR 13 1999

1 of 3

P/D

1994
well



P/D

1994 well
at right
foreground.

P/u
Home



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APR 13 1999

57-07589

2 of 3



P/u

Stock
Trough
by
House



P/u

9.4 AC.
irrigated
Pasture.

Home in
right
back-
ground.

Stock
Trough
at South
Fence

View Looking
North

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APR 13 1999

57-07589

3 of 3

P/O
Upper (old)
Well

6" Brown
Gate
Valve

Mounted
on top
of Casing.



This well was
once Artesian.

P/u

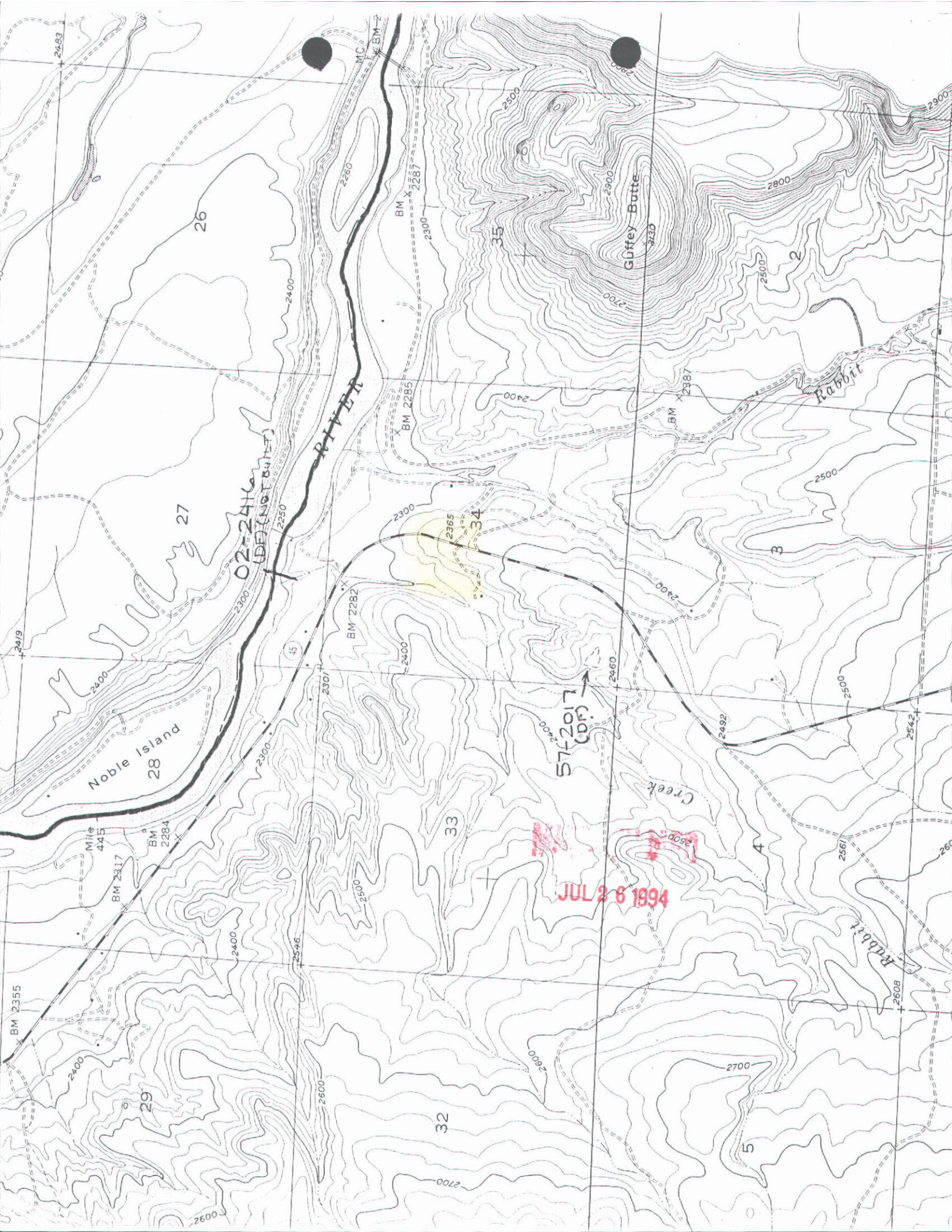
2.6 AC.
irrigated
Pasture.

The home
in back-
ground
has a
domestic
well.



MICROFILMED View Looking
APR 13 1999 North

57-07589



USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Resources

RECEIVED

AUG 24 1976

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Allen L. Richards</u> Address <u>Star Rt, Melba, Ida.</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>60</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature <u>60</u> ° F. Quality <u>good</u> Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		8. WELL TEST DATA ☐ Pump ☐ Bailor ☐ Other Discharge G.P.M. <u>10</u> Draw Down <u>20 ft</u> Hours Pumped <u>3</u>	
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____ ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection		9. LITHOLOGIC LOG Hole Diam. Depth From To Material Water Yes No <u>8</u> <u>0</u> <u>70</u> <u>Dirt, Sand, Gravel</u> <u>6</u> <u>71</u> <u>235</u> <u>Blue clay with thin layers of white sand in the last 23 ft.</u>	
4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other			
5. WELL CONSTRUCTION Diameter of hole <u>6</u> inches Total depth <u>235</u> feet Casing schedule: ☒ Steel ☐ Concrete Thickness Diameter From To _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number From To _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Model No. _____ Type _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ feet to _____ feet Placed from _____ feet to _____ feet Surface seal depth <u>70</u> Material used in seal ☐ Cement grout ☒ Puddling clay ☐ Well cuttings Sealing procedure used ☐ Sherry pit ☐ Temporary surface casing ☒ Overbore to seal depth			
6. LOCATION OF WELL Sketch map location must agree with written location. <u>S-2</u> County <u>Owyhee</u> Subdivision Name _____ Lot No. _____ Block No. _____ SE 1/4 NW 1/4 Sec. 34 T. 25 N. R. 2 W. E. 1		10. Work started <u>April 1973</u> finished <u>April 1973</u>	
		11. DRILLER'S CERTIFICATION Firm Name <u>Johnston Drilling</u> Date <u>8-22-76</u> Address <u>Oreana, Idaho</u> Date <u>12-1-76</u> Signed by (Firm Official) <u>Charles Johnston</u> and _____ (Operator)	

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said

newspaper, in

2 (two)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

May 4 and 11, 1994

Signed

Subscribed and sworn to before me this 11th day of May A.D., 1994

Couine Bowling

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997

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JUN 01 1994

WATER RESOURCES
WESTERN REGION

JUL 26 1994

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following
application(s) have been filed
to appropriate the public
waters of the State of Idaho:

57-07589

ELSNER, EARL
ELSNER, MARYGRACE
HC 79 BOX 261
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: NESENW Sec
34 T 01S R 02W in OWYHEE
County.
NWSENW Sec 34 T 01S R
02W in OWYHEE County
SWSENW Sec 34 T 01S R
02W in OWYHEE County
NWNESW Sec 34 T 01S R
02W in OWYHEE County
Use: IRRIGATION (1.000
CFS)
STOCKWATER (.030 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (1.000 CFS)
Date Filed: 4/20/1994
In: OWYHEE County
T01S R02W S34 SENW
NESW
50.0 ACRES TOTAL
57-07590

US DEPARTMENT OF THE
INTERIOR
BUREAU OF LAND
MANAGEMENT
3948 DEVELOPMENT AVE
BOISE, ID 83705
Source: UNNAMED STREAM
Tributary: SQUAW CREEK
Diversion Pt: NWSESE Sec
13 T 01S R 05W in OWYHEE
County.
Use: STOCKWATER (.090
CFS)
STOCKWATER STORAGE
(3.00AF)
WILDLIFE (.020 CFS)
WILDLIFE STORAGE (3.00
AF)
Total Diversion: (.110 CFS)
Date Filed: 4/20/1994
In: OWYHEE County
T01S R05W S13 SESE
57-07591

US DEPT OF THE INTERIOR
BUREAU OF LAND
MANAGEMENT
3948 DEVELOPMENT AVE
BOISE, ID 83705
Source: SPRING Tributary:
SALMON CREEK
Diversion Pt: SWSENE Sec
33 T 01S R 04W in OWYHEE
County.
Use: STOCKWATER (.120
CFS)
WILDLIFE (.020 CFS)
Total Diversion: (.140 CFS)
Date Filed: 4/20/1994
In: OWYHEE County
T01S R04W S33 SENE

Permits will be subject to
all prior water rights.
Protests may be submitted
based on the criteria of Sec.
42-203A, Idaho Code.
Protests must be filed with
the Director, Dept. of Water
Resources, Western Region,
2735 Airport Way, Boise,
Idaho 83705 on or before
MAY 23, 1994.

R. KEITH HIGGINSON,
Director

Publish May 4 & 11, 1994

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 57-07589

Priority: April 20, 1994

Maximum Diversion Rate:

0.31 CFS

Maximum Diversion Volume:

56.0 AF

This is to certify, that EARL ELSNER
MARYGRACE ELSNER

HC 79 BOX 259

MELBA ID 83641

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 20, 1994; and has submitted Proof of Beneficial Use on January 21, 1998. An examination indicates that the works have a diversion capacity of 0.360 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.24 CFS	54.0 AF
STOCKWATER	01/01 to 12/31	0.03 CFS	1.4 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	Totals	0.31 CFS	56.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 34, Township 01S, Range 02W
NESW , Sec. 34, Township 01S, Range 02W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	02W	34	SENW 9	NESW 3		12

Total number of acres irrigated: 12

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. Right 57-04048 is also diverted through the point of diversion within NESW, S34, T01S, R02W.
3. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

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APR 13 1999

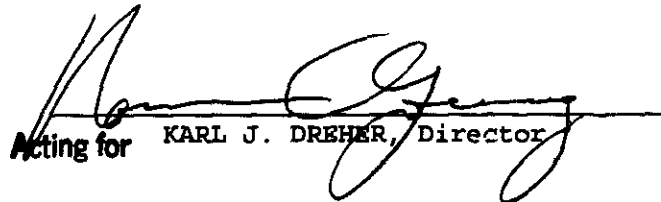
State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 57-07589

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 29th day of

MARCH, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED
APR 13 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JAN 21 1998

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 57-07589 Telephone No. 208-495-1148
2. Name(s) of Permit Holder(s): Earl Elsner Marygrace Elsner
3. Mailing Address: H.C. 79 Box 259 Mella Idaho 83641
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 9 yr. 94
one well was on property when land was purchased
- a. Well Driller: Dave Well Drilling Drilling Permit Number: 57-94-C-0020
- b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 2 Stockwater (No. and type of stock): 100 head

Irrigation (No. of acres): 16 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .5 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____	or	No <u>✓</u>
	Has the measuring device been installed?	Yes _____	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>✓</u>
	Has the measurement port been installed?	Yes _____	or	No <u>✓</u>

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Earl Elsner Telephone Number: 495-1148

Address: H.C. 79 box 259 Mella Idaho 83641

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

FEB 25 1998

Signature of permit holder: Earl Elsner Date: 1-19-98
(include your title, if on behalf of company of organization)

Marygrace Elsner 1-19-98

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 9 - 1996

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 57-07589

Name(s) of Permit Holder: Earl Elsner - Marygrace Elsner

Mailing Address: H.C. 79 Box 261 (Correction - Box 259)
Melba, Idaho 83441

Date Proof is Due: July 1, 1996 Telephone No. (208) 495-1148

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Drilled well, installed pump + pressure system. Dug,
basement, put manufactured home on it, moved in.
Watered 30 cows this winter. Installed valve for irrigation.

Costing \$ 10,133 for
water system

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Not enough time. One consultant contacted was busy,
until the last of June 96. Am contacting others.

Permit holder(s) request an extension to July, 19 98.

FEE: \$50.00

Earl Elsner - Marygrace Elsner
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to July 1, 1996.

Signed this 15th day of May, 19 96

J. Glen Saylor
JUN 28 1996
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 57-07589

Proposed Priority: April 20, 1994

Maximum Diversion Rate:

1.00 CFS

This is to certify, that **EARL ELSNER**
MARYGRACE ELSNER
HC 79 BOX 261
MELBA ID 83641

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	1.00 CFS
STOCKWATER	01/01 to 12/31	0.03 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	1.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESENW , Sec. 34, Township 01S, Range 02W
NWSENW , Sec. 34, Township 01S, Range 02W
SWSENW , Sec. 34, Township 01S, Range 02W
NWNESW , Sec. 34, Township 01S, Range 02W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	02W	34	SE	NW	30	50

Total number of acres irrigated: 50

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1996.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED
JUL 26 1994

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 57-07589

CONDITIONS/REMARKS:

6. One point of diversion is located on or near the line between NESENW and NWSNW, S34, T01S, R2W; and one point of diversion is located on or near the line between NWNESE and SWSNW, S34, T01S, R02W.
7. Stockwater use is for 100 range cattle.
8. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

8th day of July, 1994

R. Keith Higginson

for
R. Keith Higginson, Director

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JUL 26 1994

RECEIVED

APR 21 1994

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- 1 Name of applicant ELSNER, EARL & MARYGRACE Phone (208) 922-5971
msg (208) 495-2137
Post office address HC 79 Box 261 Melba ID 83641
- 2 Source of water supply Groundwater which is a tributary of _____
- 3 Location of point of diversion is ^{well #1} NE ¼ of SE ¼ of NW ¼, Govt Lot _____
Sec 34 Township 1S Range 2W B M Owyhee County, additional
points of diversion if any ^{well #1} NWSENW, S34, T1S, R2W; well #2: NWNESW, S34, T1S, R2W.
- 4 Water will be used for the following purposes
- | |
|--|
| Amount <u>1.0</u> for <u>irrigation</u> purposes from <u>3/15</u> to <u>11/15</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>.04</u> for <u>domestic</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount <u>.03</u> for <u>stockwater</u> purposes from <u>1/1</u> to <u>12/31</u> (both dates inclusive) |
| (cfs or acre-feet per annum) |
| Amount _____ for _____ purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) |
- 5 Total quantity to be appropriated is (a) 1.00 cubic feet per second and/or (b) _____ acre feet per annum
- 6 Proposed diverting works _____
_____itches, flumes, pumps, headgates, etc Well with pump.
- Department of Water Resources
- b Height of storage dam N/A feet, active reservoir capacity _____ acre-feet, total
reservoir capacity _____ acre-feet, period of year when water will be diverted to storage
_____ to _____ inclusive.
- c Proposed well diameter is 8 inches; proposed depth of well is 200 feet
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm Davis _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
5 years (minimum 1 year).

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JUN 29 1994

JUL 26 1994

8 Description of proposed uses (if irrigation only, go to item 9)

- a. Hydropower, show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock 100 Range cattle
- c. Municipal; show name of municipality. _____
- d. Domestic, show number of households. 1 home
- e. Other; describe fully _____

9 Description of place of use

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below See instructions for standard symbols

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15	2W	34								30	20								50

Total number of acres to be irrigated 50

10. Describe any other water rights used for the same purposes as described above. _____

11 a Who owns the property at the point of diversion? Applicant

b Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

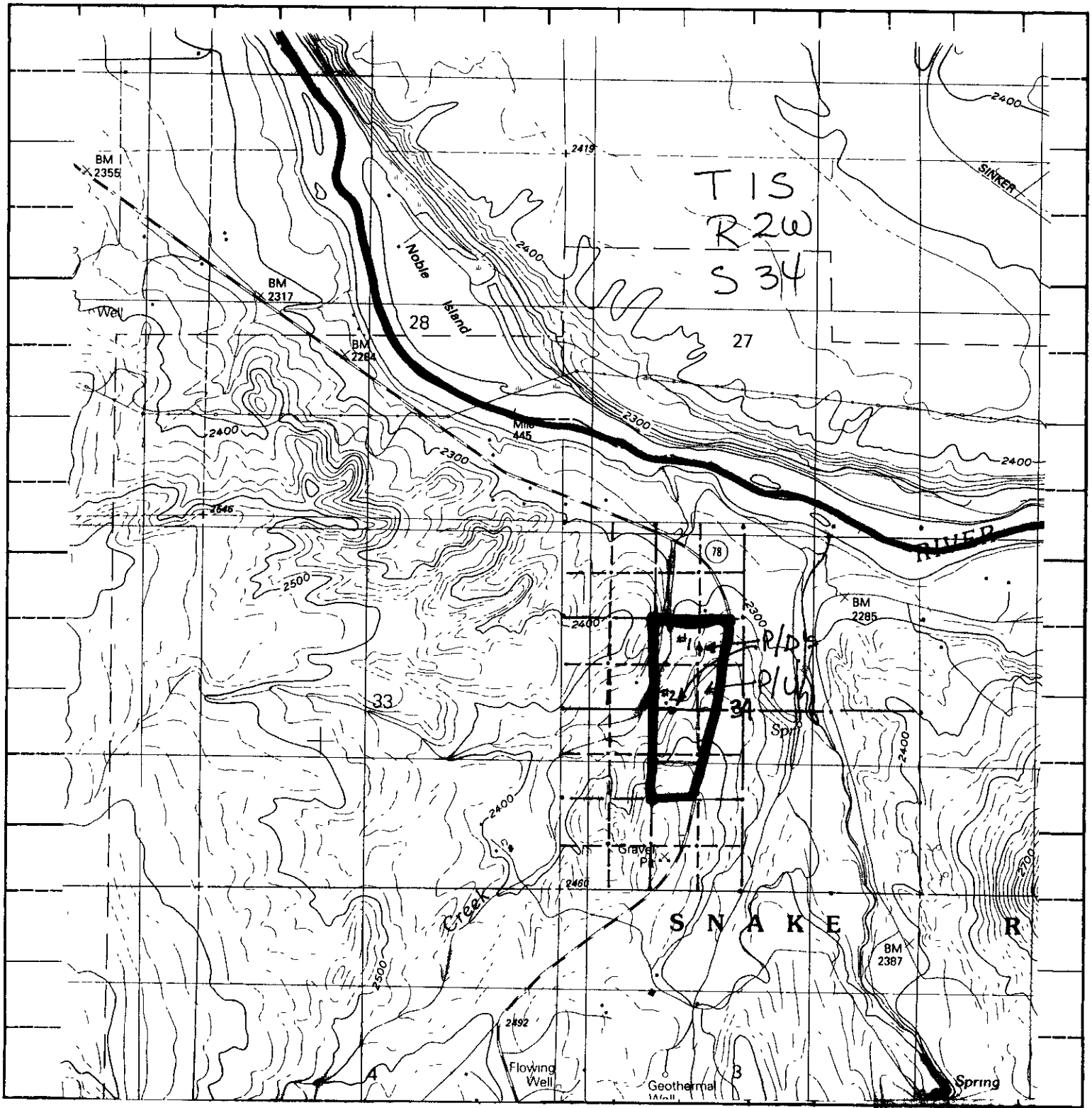
12 Remarks. Two p/d: Well #1 located on or near the line between NESNW & NWSENW, S34, T1S, R2W; and Well #2 located on or near the line between NWNESEW, and SWSENW, S34, T1S, R2W.

Interconnected irrigation system.

MAINTAINED

JUL 26 1994

13. Map of proposed project. show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth. JUL 26 1994

Earl M. Elsner
(Applicant)

Received by C. J. Date 4/20/94 Time 10:50 am Preliminary check by g
Fee \$ 45.00 Receipted by C. J. # C030105 Date 4/20/94
Publication prepared by St Date 4-27-94 Published in Bozeman Ar.
Publication approved St Date 6-7-94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No _____, and said application is hereby _____

1 Approval of said application is subject to the following limitations and conditions

a SUBJECT TO ALL PRIOR WATER RIGHTS

b Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 _____

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land

d The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e Other

RECEIVED

JUL 26 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 31, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EARL ELSNER
MARYGRACE ELSNER
HC 79 BOX 259
MELBA ID 83641

RE: WATER RIGHT NO. 57-07589

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

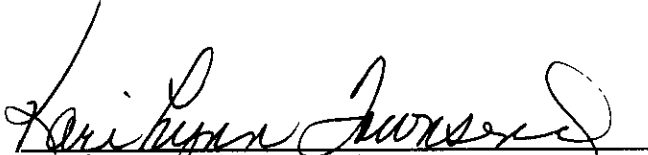
APR 13 1999

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of March, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 57-07589

EARL ELSNER
MARYGRACE ELSNER
HC 79 BOX 259
MELBA ID 83641


Kari Lynn Townsend
Secretary

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APR 13 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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B/U FIELD EXAM REVIEW

By CindyPermit #: 57-7589 Name: Elser Date: 3/24/99 ✓ Lots ✓

NAME	Chng	Same	Or Address Change?
SOURCE		✓	Clarify source _____ Prelim. Order to Void - Source change.
P/D		✓	Amendment Needed? Addn'l 1/4? <u>clarify: SENW & NESW</u> <u>Legal</u> <u>P39</u> Same 1/4? <u>W32</u> <u>P36</u> Overlap(s) <u>P/d in NESW also (dom) 57-4048 decree</u>
P/U		✓	Amendment Needed? <u>reduce: SENW & NESW to 3; 12 ac.</u> <u>P41</u> Overlap(s) <u>none</u> (Gov't use special T's) <u>*P/D & P/U Amend? P37</u>
RATE		✓	Permit/proof fee limits <u>1.0</u> <u>1.0</u> Measured Quantity = _____ cfs Theoretical Quantity = <u>0.36</u> cfs <u>(12 ac x 0.02 cfs/ac = 0.24 cfs) + (stock = 0.03) + (dom = 0.04) = 0.31</u> (HP) <u>8.8 x 0.70 x</u> _____ = <u>(see back)</u> cfs + (2.31 x _____) Recommended capacity <u>0.36</u> cfs Recommended rate <u>0.31</u> cfs
VOLUME		✓	Season: (<u>D</u> / <u>4.5</u>) <u>3/15 - 11/15</u> = <u>246</u> days Calculations: <u>irr: 12 ac x 4.5 AP/ac = 54.0</u> <u>stock: (100 hd x 12 gpd x 365 dy) ÷ 325850 = 1.4</u> } = <u>56.0 AF.</u> <u>dom: in-house = 0.6</u> Flow limit: <u>0.08</u> cfs x _____ days/yr. x 1.9835 = _____ AF Recommended volume <u>56.0</u> AF
USES		✓	Same Nature of Use? _____ <u>P46</u> Amendment Needed? _____
REMARKS		✓	Multiple p/d's in same 1/4? Use W32 <u>① W35/1 ② W36/57-04048</u>
CONDITIONS			Measuring Device (R43) or Lockable Controlling Works (R02) Watermaster Control (R04) - WD # _____ <u>R65</u> Irrigation rate/annual volume overlap GW irrigation replaces surface water (050) GW irrigation supplements surface water (065) Water Quality Other _____
PRIORITY	App Rcd	<u>4/20/94</u>	Due <u>7/1/98</u> Rcd <u>1/21/98</u> Receipt# <u>2041239</u> Fee OK? (Yes/No) <u>\$100</u> Order to Reinstate Needed? Yes (No) Done? _____ Advanced to: _____ Priority <u>4/20/94</u> Examined <u>9/29/98</u>

COMMENTS: reduce irr acres.

USE	CFS	VOLUME
<u>irr / 12.0 ac</u>	<u>0.24</u>	<u>54.0</u>
<u>Stock</u>	<u>0.03</u>	<u>1.4</u>
<u>Dom</u>	<u>0.04</u>	<u>0.6</u>
<u>TOTAL</u>	<u>0.31</u>	<u>56.0</u>

SRBA Overlap (Old well Pd overlap)
Adjustment Memo _____
LICENSE
#1 AMEND: _____/P38
#2 AMEND: (R)P42/(C)P47

Old Well

$$HP = \frac{8.8 \times 0.7 \times}{15 + (2.31 \times 35)} = 0.13$$

New Well

$$HP = \frac{8.8 \times 0.7 \times}{62 + (2.31 \times 35)} = 0.22$$

} 0.35 cfs $\approx$ 0.36 ok

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 21 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 57-07589

1. Owner: Earl & Marygrace Elser Phone No. (208) 495-1148

Current Address: HC 79 Box 259, Melba, ID 83641

2. Accompanied by: Earl Elser EXAM DATE: 9-29-98

Address: (Same) Phone No. 495-1148

Relationship to Permit Holder: (Same)

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None found

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: 2 P/D's - 1994 well, and Upper well (old)

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
(1994)			SE	NW	34	15	2W	Owyhee	Site Visit, Map
(old)			NE	SW	34	15	2W	Owyhee	Site Visit, Map

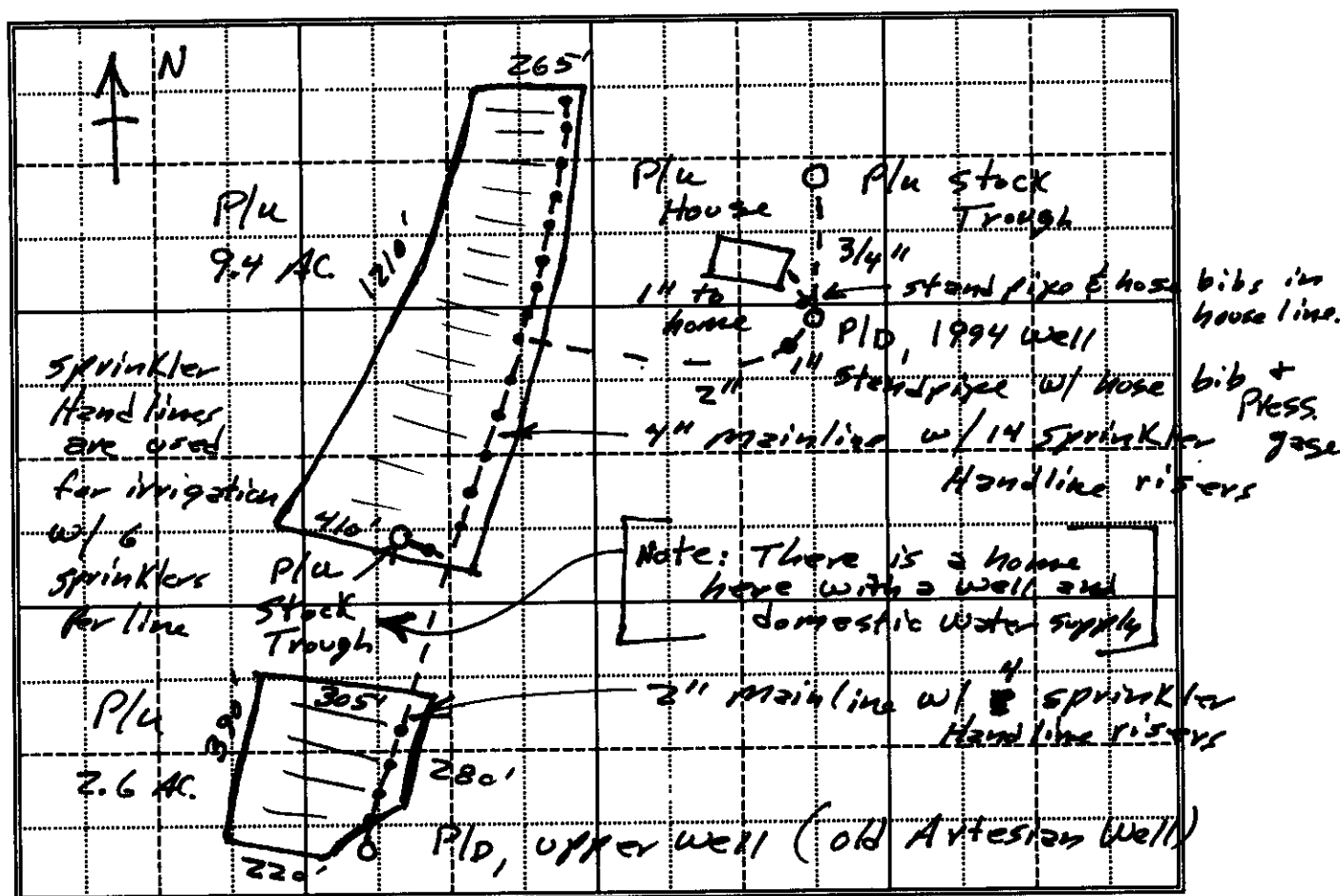
2. Place(s) of Use:

Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15	2W	34							9.4	2.6								12.0	AC.

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = None

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1994 Well		5			
Upper Well		2			

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None - operating pressure is 35 PSI - 65 PSI

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E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for 2 wells, 12 Ac. of irrigation, 1 home, and 2 stock troughs for 100 Head of range cattle. A 9.4 Ac. tract of irrigated pasture is in the SENEW, and a 2.6 ^{Ac.} tract of irrigated pasture is in the NESW.

2. The 1994 Well supplies water for the home(1), one stock trough North of the house, and the irrigation system, through a 2" pipeline. The irrigation system has a 4" mainline in the North tract (9.4 Ac.) with 14 handline risers (turnouts), and a 2" mainline in the South tract (2.6 Ac.) with 4 handline risers. The 2" mainline is connected into the Upper Well (old), and also supplies water to one stock trough. Each sprinkler handline has 6 - 1/2" nozzles.

3. The Upper Well (old) is an old well that once was Artesian, and may have supplied water to two old bath houses on the property. The two bath houses are now abandoned.

4. There is another home in the area between the 2 irrigated tracts. This house has a separate domestic well.

5. There is no measuring devices in the system.
Have conditions of permit approval been met? ☐ yes ☒ no - Cond. 4 - No measuring devices.

6. There is no surface water used.

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F. FLOW CALCULATIONS

Measured Method:

Name: Theoretische Gel.

Additional Computation Sheets Attached

1994 Well: $Q = \frac{(8.8)(514p)(70.2)}{52' + (3515')\left(\frac{34'}{14215'}\right)} = 0.23 \text{ cfr}$

Upper Well: $Q = \frac{(8.8)(24)(0.7)}{15' + (35)\left(\frac{24}{14.7}\right)} = 0.13 \text{ cfs}$
(old)

G. VOLUME CALCULATIONS

1. Volume Calculations

Total 0.36 cfs

$$\phi = (0.02 \frac{\text{cf}}{\text{in.}})(12 \text{ in.}) = 0.24 \text{ cfs}$$

Domestic : $q = 0.04$ cts

Stock: 100 Head
 $q = 0.03$ cts

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (12.0 \text{ AC})(4.5 \frac{\text{AFH}}{\text{AC}}) = 54.0 \text{ AFH}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{(0.24)(246)(1.9835)}{1.9835} = 117.1$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{54.0 \text{ AFA}} = \underline{(0.24)(246)(1.9835)} = 117.1$$

2. Volume Calculations for Other Uses:

Domestic: Allow 0.6 AFA internal - yard is irrigated w/ same system

Stock : $AFR = \left(\frac{12 \text{ GPD}}{\text{Head}} \right) \left(\frac{100 \text{ Head}}{1} \right) \left(\frac{365 \text{ Days}}{\text{Ann}} \right) \left(\frac{AF}{325,850 \text{ Gal.}} \right)$
 (Paced) $= 1.34$, allow 1.4 AFR.

H. RECOMMENDATIONS

1. Recommended Amounts

$$\text{Irrigated A.C.} = \left[\left(\frac{1}{2} \times 265' + 410' \right) (1210') + (305' \times 280') + \left(\frac{1}{2} \right) (305' + 22') (110') \right] \frac{\text{A.C.}}{(66 \times 66 / 10)}$$

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	03/15	11/15	0.24	54.0
Stockwater	01/01	12/31	0.03	1.4
Domestic	01/01	12/31	0.04	0.6
Totals:			0.31	56.0

2. Recommended Amendments

☒ Change P.D. as reflected above
☐ Change P.U. as reflected above

☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

☐ None
☒ Other

1) P/D's (2)

1994 Well: SENW

Upper Well: NESW

2/ AC. = 120 K. Total

31 Total Div. = 0.31 cfs.

I. AUTHENTICATION

Field Examiner's Name

Date 12-10-98

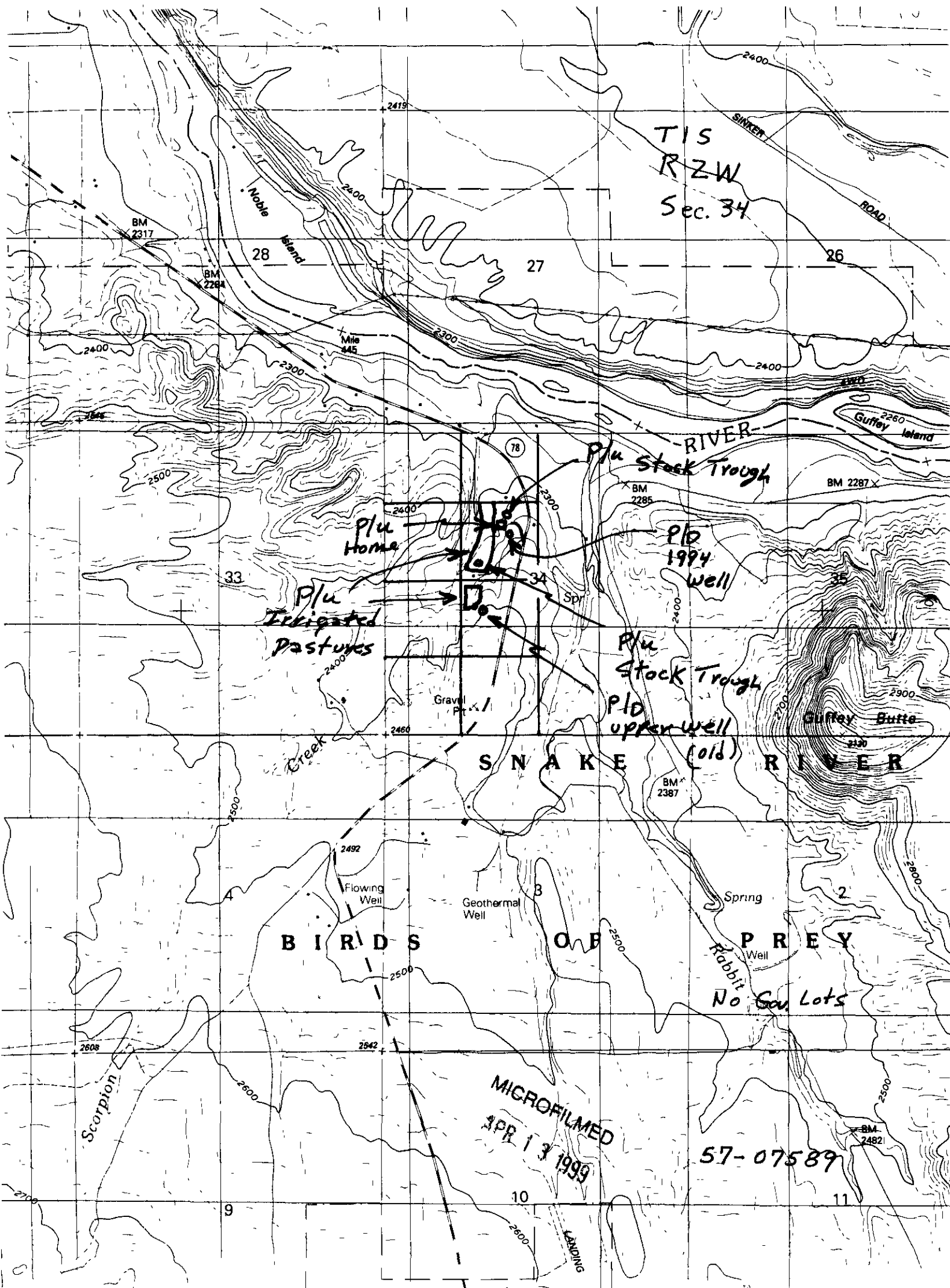
Reviewer

Date _____

SEAL

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APR 13 1999



TIS
RZW
Sec. 34

P/u
Home
P/u
Irrigated
Pastures

P/u Stock Trough

P/u
1994
well

P/u
Stock Trough
P/u
upper well
(old)

BIRDS

OF

PREY

No Cow Lots

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APR 13 1999

57-07589

68 7C

1995

28/27
33/34

Photo

Highway
78

P/u
Stock
Trough

P/D
1994
Well

P/D
upper
well
(old)

MICROFILMED
APR 7 3 07 589
1999

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1994 Well

1. DRILLING PERMIT NO: 57-94-C-0020-000 OTHER APPLICABLE NO: 57-07589
2. OWNER: Earl & Mary Grace Elshner Phone: (208) 495-1148
Address: HC 79 Box 259, Melba, ID 83641
3. WELL LOCATION: Twp 15, Rge. 2W, Sec. 34, SE 1/4 NW 1/4
County Owyhee (Provide sketch map and photo on reverse.)
4. DRILLER: Davis Well Drilling Lic. No. 101
When Drilled? 8/23/94 to 8/26/94
5. WELL CONSTRUCTION:
Casing Diameter 8 inches Water tight cap? ☒ Yes ☐ No Access Port: ☐ Yes ☒ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 58 ft. Method Drilled Air Rotary
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving Good
Auger to a depth of _____ ft. Evidence of Annular Seal ☒ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water 52 ft. Water Temperature Cold °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☒ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

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8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

Jan Tomich, Water Rights Examiner
Signature of Dept. Representative & Title

9-29-98
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



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FR 13 1999

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

Upper Well - This is an old Artesian Well

1. DRILLING PERMIT NO: None Found OTHER APPLICABLE NO: 57-07589
2. OWNER: Earl + Mary grace Elster Phone: (208) 495-1148
Address: HC 79 Box 259, Melba, ID 83641
3. WELL LOCATION: Twp 15, Rge 2W, Sec. 34, NE ^(NESW) 1/4 SW 1/4
County Owyhee (Provide sketch map and photo on reverse.)
4. DRILLER: Unknown Lic. No. _____
When Drilled? Unknown
5. WELL CONSTRUCTION: Has 6" Gate Valve for Cap.
Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☐ Yes ☒ No
Casing $\geq$ 12 inches above ground? ☐ Yes ☒ No - Describe Near Ground level
Depth of Casing ? ft. Method Drilled ?
Condition of Well Casing: ☐ Good ☐ Fair ☐ Poor Describe ?
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving Poor
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☒ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water 15 ft. Water Temperature Unknown °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☐ Domestic ☒ Irrigation ☒ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

APR 13 1999

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8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

This is an old well that had Artesian flow when it was first developed. The well may also have been a hot/warm well used for 2 bath houses located on the property. With the development of other wells in the area, the groundwater dropped down, the bath houses have been abandoned and now this well is used for irrigation & stock water.

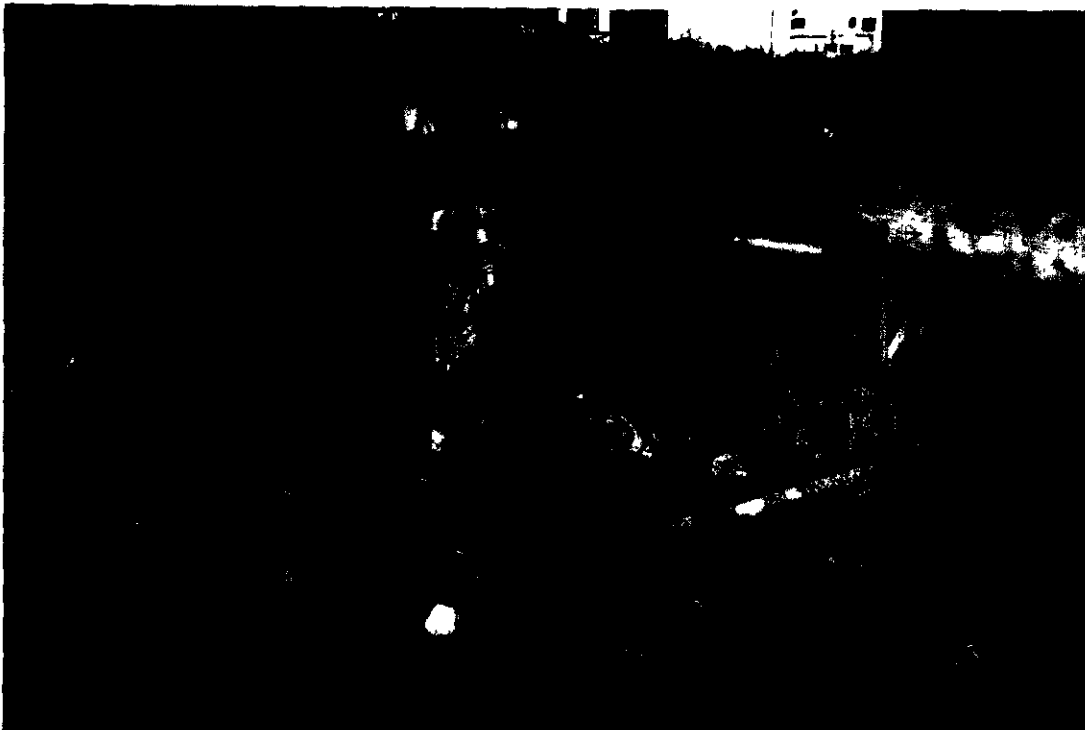
Dan Tomich Water Rights Examiner
Signature of Dept. Representative & Title

9-29-98
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

Well has 6" gate valve on top of casing. This was

once used to control Artesian pressure.



Brown Gate Valve is on well casing.

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SEP 13 1999

1 of 3

P/D

1994

well



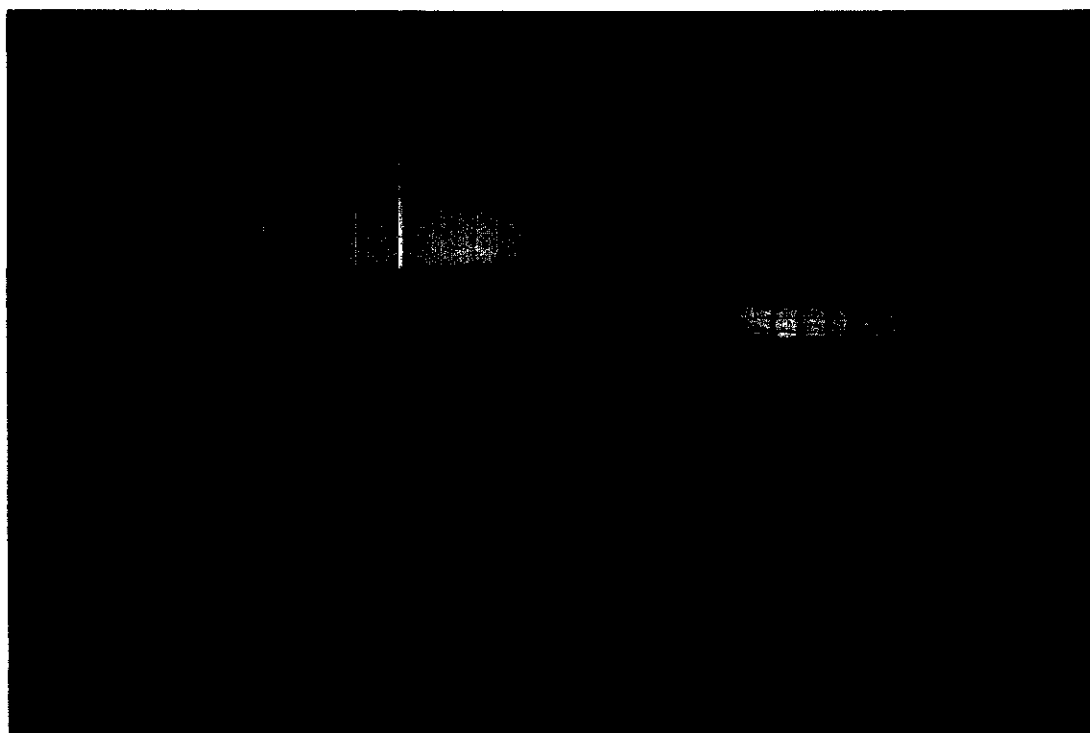
P/D

1994 well

at right
foreground.

P/u

Home



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APR 13 1999

57-07589

2 of 3



P/u

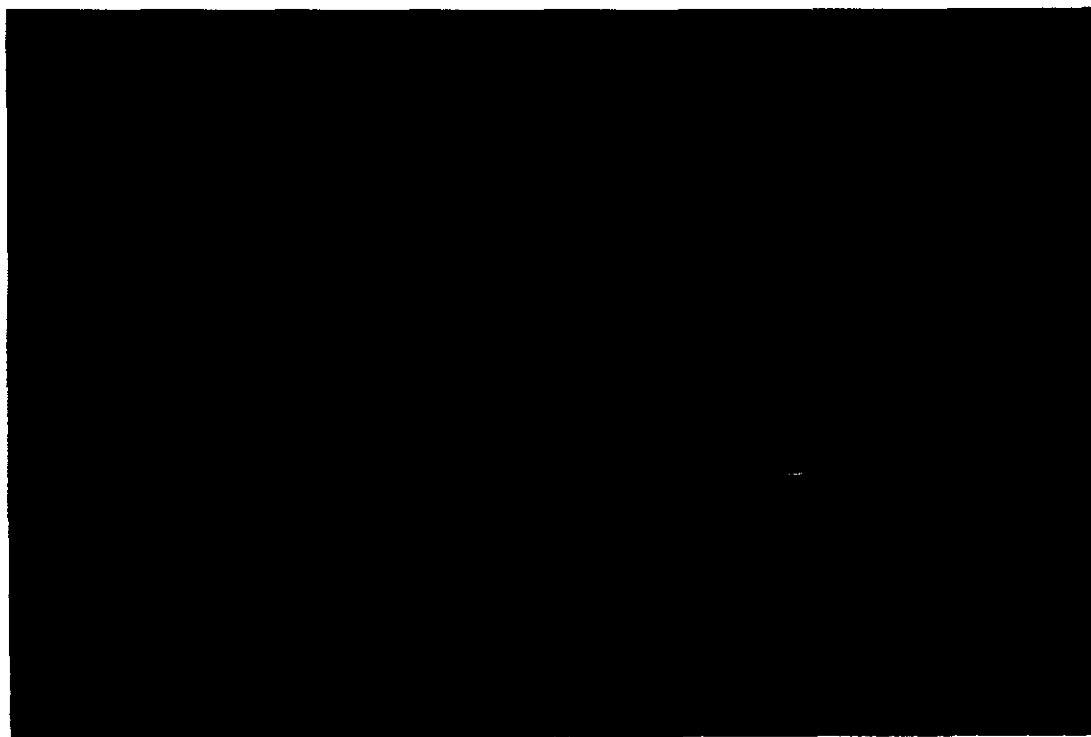
Stock
Trough
by
House

P/u

9.4 AC.
irrigated
Pasture.

Home in
right
back-
ground.

Stock
Trough
at South
Fence



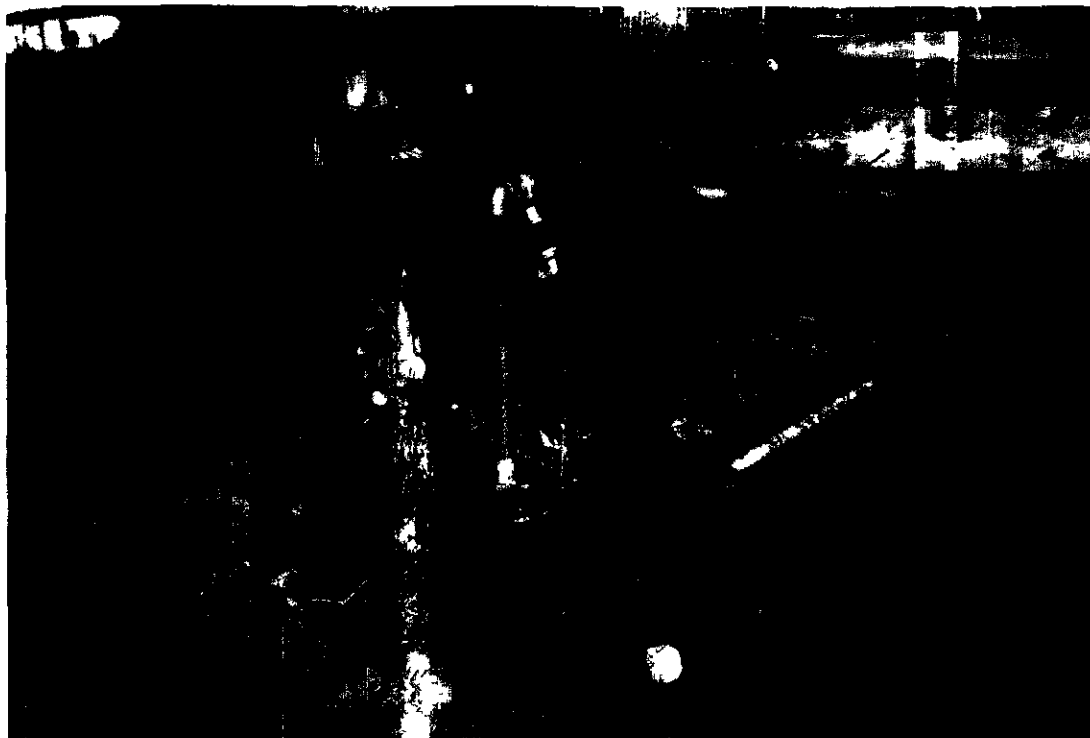
View Looking
North

MICROFILME

APR 13 1969

57-07589

3 of 3

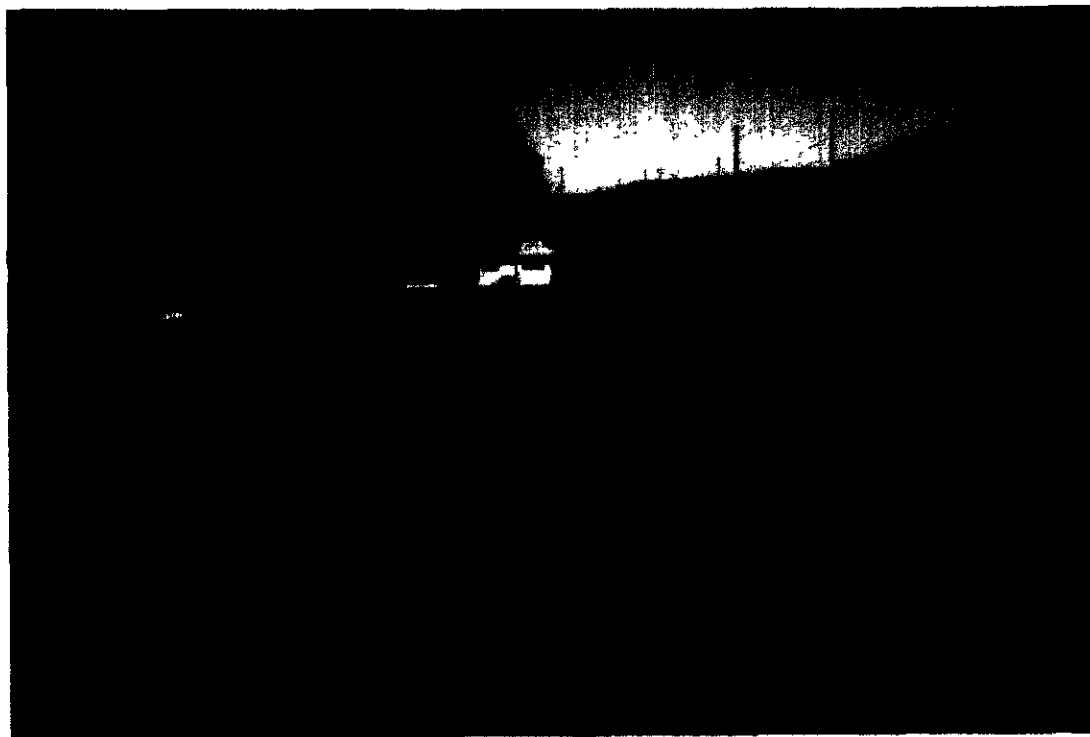


P/O
Upper (old)
Well

6" Brown
Gate
Valve

Mounted
on top
of casing.

This well was
once Artesian.



P/u
2.6 AC.
irrigated
Pasture.

The home
in back-
ground
has a
domestic
well.

MICROFILMED Looking
North
APR 13 1999

57-07589



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

February 23, 1998

Earl Elsner
Marygrace Elsner
HC 79 Box 259
Melba ID 83641

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 57-07589

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the department's Western Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

REC'D - IDWR

FEB 25 1998

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 57-07589 Reviewed by JY Date 5-15-96

BASIC INFORMATION

5-9-96 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Extend to July 1, 1998, on basis of due diligence

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X
Change Proof Due Date 7-1-98
Change Priority Date X



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 28, 1996

Earl & Marygrace Elsner
HC 79 Box 259
Melba, ID 83641

RE: Permit No. ~~63-11746~~ 57-07589 JLY

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **July 1, 1998**. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Please contact me at (208)327-7953 if you have any questions regarding this matter

Sincerely,

A handwritten signature in cursive script that reads 'Julie L. Yarbrough'.

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

JUN 28 1996

April 30, 1996

EARL ELSNER
MARYGRACE ELSNER
HC 79 BOX 261
MELBA ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 57-07589

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

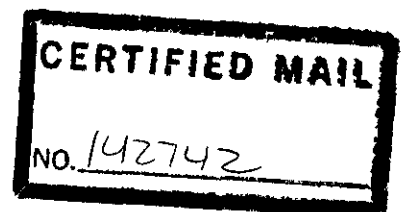
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

JUN 28 1996



1. DRILLING PERMIT NO. 57-94 C -0020 - 000
Other IDWR No. 57-07589

2. OWNER:

Name Earl Elsner
Address HC 79 Box 261
City Melba State ID Zip 83641

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 Twp. 15 North ☐ or South ☒
 Rge. 2 W East ☐ or West ☒
 Sec. 34 1/4 SE 1/4 NW 1/4
10 acres 40 acres 160 acres
 Gov't Lot _____ County Owyhee

Address of Well Site same
400th W. hwy 78 City Murphy
 (Give at least name of road + Distance to Road or Landmark)

Lt Blk Sub. Name

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Bentonite	0	20	9-50[#]	

Was drive shoe used? Y ☒ N ☐

Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
8	+2	58	.250	steel	☒	☐	☒	☐
					☐	☐	☒	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

□ Perforations	Method
----------------	--------

☐ Screens	Screen Type
----------------------------------	-------------

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

_____ 5.2 _____ ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Pumping Level	Time

Water Temp _____ Bottom hole temp. _____

Water Quality test or comments:

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

Completed Depth 400' (Measurable)

Date: Started 8-23-94 Completed 8-26-94

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Davis Well Drilling Firm No 101

Firm Official Carol M. Davis Date 9-1-94

and 21

Supervisor or Operator *Chuck Davis* Date *9-1-94*

(Sign once if Firm Official & Operator)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 20, 1994

EARL ELSNER
MARYGRACE ELSNER
HC 79 BOX 261
MELBA ID 83641

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-07589

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

MAILED
JUL 26 1994

Ident. No. 57-94-C-0020-000
Water Right No. 57-07589

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: MARYGRACE ELSNER O 208-922-5971
Address: HC 79 BOX 261
MELBA ID 83641

Name: EARL ELSNER O 208-922-5971
Address: HC 79 BOX 261
MELBA ID 83641

2. Proposed Well Location: Township 01S, Range 02W, Sec. 34, SENW
OWYHEE County

Street Address of Well Site: 3 TO 400' W. HWY 78
MURPHY ID

3. Proposed Use of Well: Non-Domestic Irrigation

4. Well Construction Information:

- A. New Well
 - B. Proposed Surface Diameter 8 In. Proposed Maximum Depth 200 Ft.
 - C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
- (NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 5/20/1994

6. Anticipated Well Driller: DAVIS WELL DRILLING
NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature Earl Elsner Date 4/20/94
Title _____
(Owner, Firm Representative, Other)

Fee \$ 200⁰⁰ Received by gpc No. C030105 Date 4/20/94

(Continued)

MICHAEL J. VICK
JUL 26 1994

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is Approved.Date: July 13, 1994

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 degrees or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

Mark S. Shiff
Signature of Authorized Dept. Representative

Section Manager
Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

RECEIVED
JUL 26 1994

Ident. No. 57-94-C-0020-000
Water Right No. 57-07589

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: MARYGRACE ELSNER O 208-922-5971
Address: HC 79 BOX 261
MELBA ID 83641

Name: EARL ELSNER O 208-922-5971
Address: HC 79 BOX 261
MELBA ID 83641

2. Proposed Well Location: Township 01S, Range 02W, Sec. 34, SENW
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 - C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
- (NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 5/20/1994

6. Anticipated Well Driller: DAVIS WELL DRILLING (No. 0101)
NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature _____ Date _____

Title _____
(Owner, Firm Representative, Other)

Fee \$ 245.00 Received by _____ No. C030105 Date 4/20/1994

(Continued)

6 1994

ACTION OF THE DEPARTMENT OF WATER RESOURCES

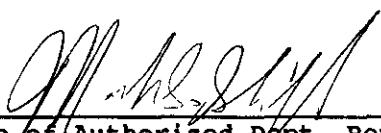
This permit is APPROVED

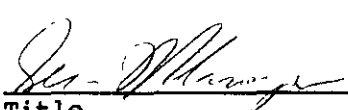
Date: 7/13/1994

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 degrees or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. A well drilled pursuant to this permit must be located at least 500 ft. from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
9. Bottom hole temperatures will be taken at 20' intervals below 100'.
10. If temperatures reach 85oF drilling will cease and the department will be contacted so that low temperature geothermal rules can be complied with.


Signature of Authorized Dept. Representative


Title

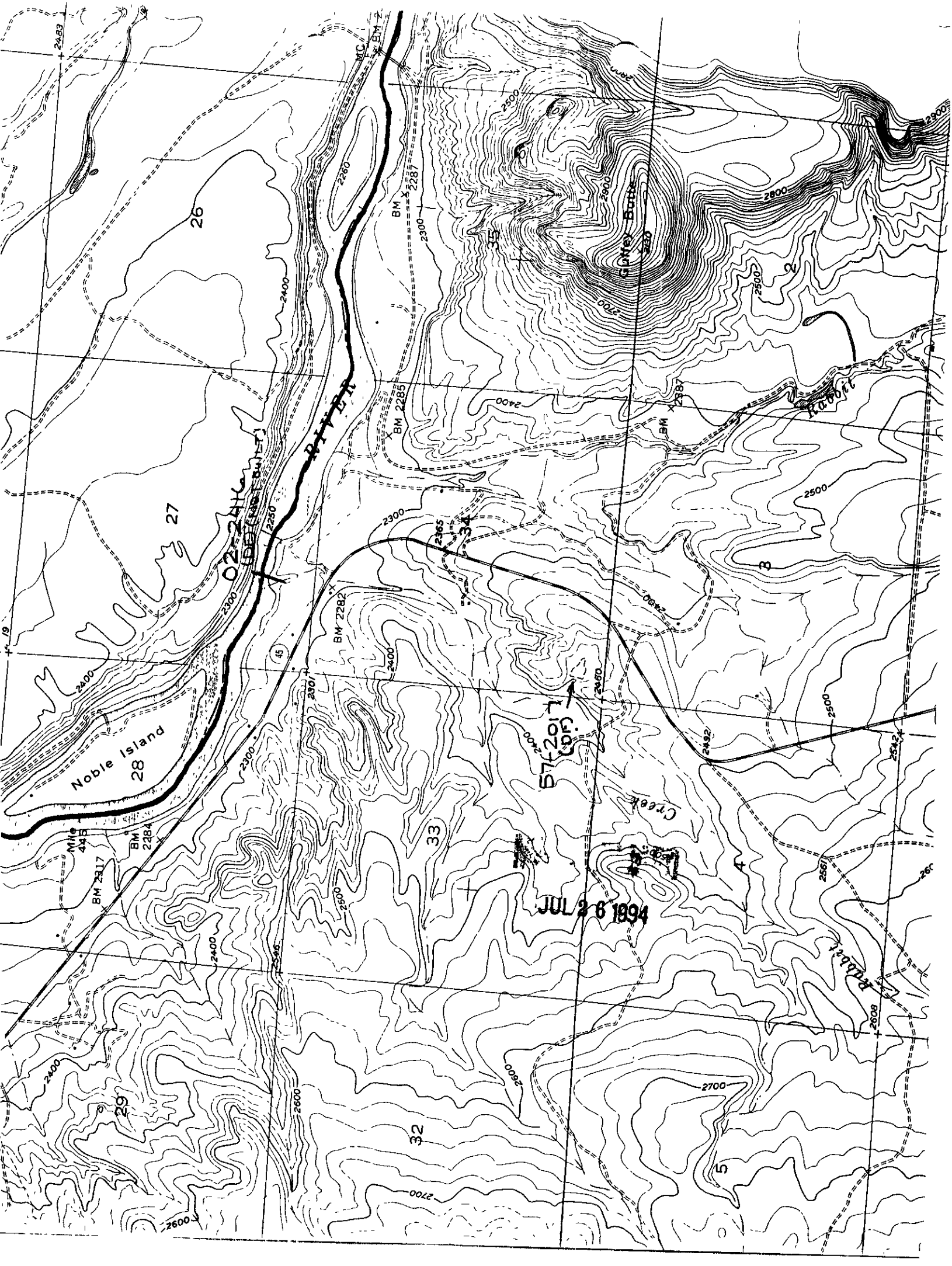
EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

JUL 14 1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

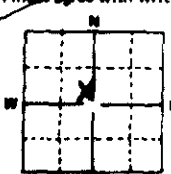
USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well

1. WELL OWNER Name <u>Stan Negley</u> Address <u>Star Rt. Melba Ida 83641</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>43'</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ OF Quality _____ Artesian closed in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																								
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☒ Bailer ☐ Other <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Drawdown</th> <th>Head Pumped</th> </tr> <tr> <td><u>2.6</u></td> <td><u>12.6</u></td> <td><u>3</u></td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	Discharge G.P.M.	Drawdown	Head Pumped	<u>2.6</u>	<u>12.6</u>	<u>3</u>																																																		
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4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other																																																									
5. WELL CONSTRUCTION Diameter of hole <u>8</u> inches Total depth <u>540</u> feet Casing schedule ☒ Steel ☐ Concrete <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> <th>Feet</th> <th>Feet</th> </tr> <tr> <td><u>2.0</u></td> <td><u>8</u></td> <td><u>0</u></td> <td><u>52</u></td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Number</th> <th>From</th> <th>To</th> <th>Feet</th> <th>Feet</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☒ Yes ☐ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>51</u> Material used in seal ☐ Cement grout ☒ Pudding clay ☐ Well cuttings Sealing procedure used ☐ Slurry pit ☐ Temporary surface casing ☒ Overbore to seal depth	Thickness	Diameter	From	To	Feet	Feet	<u>2.0</u>	<u>8</u>	<u>0</u>	<u>52</u>																											Number	From	To	Feet	Feet																
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6. LOCATION OF WELL Sketch map location must agree with written location Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Oneida</u> <u>N 1/4 Sec. 34 T. 1 N. R. 2 E. W.</u>	10. Work started <u>3/14/78</u> finished <u>3/22/78</u> 11. DRILLERS CERTIFICATION Firm Name <u>Johnson Drilling Co.</u> Firm No. <u>92</u> Address <u>Crossman Ida 83654</u> Date <u>3/21/78</u> Signed by (Firm Official) <u>James L. Johnson</u> and <u>Alfred R. Johnson</u> (Operator)																																																								

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

State of Idaho
Department of Water Administration
WELL DRILLER'S REPORT

1 WELL OWNER Name <u>ALEX L RICHARDS</u> Address <u>STAR ROUTE MILWAUKEE TOWNSHIP 83641</u> Owner's Permit No _____	7 WATER LEVEL Static water level <u>66</u> feet below land surface Flowing? Yes ☒ No ☐ GPM flow _____ Temperature <u>64</u> F Quality _____ Artesian closed in pressure _____ PSI Controlled by ☐ Valve ☐ Cap ☐ Plug																																
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5 WELL CONSTRUCTION Diameter of hole <u>6</u> inches Total depth <u>23.5</u> feet Casing schedule ☒ Steel ☐ Concrete <table style="width: 100%;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>2.50</u> inches</td> <td>_____ inches</td> <td><u>±</u> feet</td> <td><u>2.5</u> feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table style="width: 100%;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal? ☒ Yes ☐ No To what depth <u>76</u> feet Material used in seal ☐ Cement grout ☒ Puddling clay	Thickness	Diameter	From	To	<u>2.50</u> inches	_____ inches	<u>±</u> feet	<u>2.5</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	
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6 LOCATION OF WELL Sketch map location must agree with written location  County <u>OWYHEE</u> <u>SE 1/4 NW 1/4 Sec. 34 T 2S N 1/2 R 2W S 1/4</u>	10 Work started <u>April, 73</u> finished _____ 11 DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge <u>Johnston Drilling</u> Number <u>92</u> Driller's or Firm's Name <u>Owhee</u> Address <u>Clinch Johnston</u> City <u>Clatsop</u> Signed By Date																																

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

FORWARD THE WHITE COPY TO THE JAPANESE:

TERITOR
POINT PEN

State of Idaho
Department of Water Resources

RECEIVED

WELL DRILLER'S REPORT

AUG 24 1976

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Allen L Richards Star Rt, Melba, Ida. Owner's permit tag		7. WATER LEVEL Static water level 60 feet below land surface Flowing? ☐ Yes ☒ No GPM flow Temperature 60° F Quality good Artesian closed in pressure 6.1 Controlled by ☐ Valve ☐ Cap ☐ Plug	
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement Abandoned (describe method of abandonment)		8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Other Discharge G.P.M. 20 ft 3	
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Irrigation		9. LITHOLOGIC LOG Hole Depth Diam From To Material 8 0 70 Dirt, Sand, Gravel 6 71 235 Blue clay with thin layers of white sand in the last 23 ft.	
4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other			
5. WELL CONSTRUCTION Diameter of hole 6 inches Total depth 235 feet Casing schedule ☒ Steel ☐ Concrete Thickness Diameter From To inches inches feet feet inches inches feet feet inches inches feet feet inches inches feet feet inches inches feet feet Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation inches by inches Number From To perforations feet feet perforations feet feet perforations feet feet Well screen installed? ☐ Yes ☒ No Manufacturer's name Type Model No. Diameter Slot size Set from feet to feet Diameter Slot size Set from feet to feet Gravel packed? ☐ Yes ☒ No Size of gravel Placed from feet to feet Gravel and sand 20' placed next to well ☐ Gravel only ☐ Gravel and sand Gravel and sand ☐ Gravel ☐ Gravel and sand Gravel and sand ☐ Gravel ☐ Gravel and sand			

The Owyhee Avalanche

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said

newspaper, in

2 (two)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

May 4 and 11, 1994

Signed

Joe E. Aman

Subscribed and sworn to before me this 11th day of May A.D., 1994

Cornie Bowling

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1994

RECEIVED

JUN 01 1994

WATER RESOURCES
WESTERN REGION

FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

57-07589

ELSNER, EARL

ELSNER, MARYGRACE

HC 79 BOX 261

MELBA, ID 83641

Source: GROUNDWATER

Diversion Pt: NESENW Sec

34 T 01S R 02W in OWYHEE

County.

NWSENW Sec 34 T 01S R

02W in OWYHEE County

SWSENW Sec 34 T 01S R

02W in OWYHEE County

NWNESW Sec 34 T 01S R

02W in OWYHEE County

Use: IRRIGATION (1.000

CFS)

STOCKWATER (.030 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (1.000 CFS)

Date Filed: 4/20/1994

In: OWYHEE County

T01S R02W S34 SENW

NESW

50.0 ACRES TOTAL

57-07590

US DEPARTMENT OF THE

INTERIOR

BUREAU OF LAND

MANAGEMENT

3948 DEVELOPMENT AVE

BOISE, ID 83705

Source: UNNAMED STREAM

Tributary: SQUAW CREEK

Diversion Pt: NWSESE Sec

13 T 01S R 05W in OWYHEE

County.

Use: STOCKWATER (.090

CFS)

STOCKWATER STORAGE

(3.00AF)

WILDLIFE (.020 CFS)

WILDLIFE STORAGE (3.00

AF)

Total Diversion: (.110 CFS)

Date Filed: 4/20/1994

In: OWYHEE County

T01S R05W S13 SESE

57-07591

US DEPT OF THE INTERIOR

BUREAU OF LAND

MANAGEMENT

3948 DEVELOPMENT AVE

BOISE, ID 83705

Source: SPRING Tributary:

SALMON CREEK

Diversion Pt: SWSENE Sec

33 T 01S R 04W in OWYHEE

County.

Use: STOCKWATER (.120

CFS)

WILDLIFE (.020 CFS)

Total Diversion: (.140 CFS)

Date Filed: 4/20/1994

In: OWYHEE County

T01S R04W S33 SENE

Permits will be subject to

all prior water rights.

Protests may be submitted

based on the criteria of Sec.

42-203A, Idaho Code.

Protests must be filed with

the Director, Dept. of Water

Resources, Western Region,

2700 N. W. v

57-07589

ELSNER, EARL
ELSNER, MARYGRACE
HC 79 BOX 261
MELBA, ID 83641

Source: GROUNDWATER

Diversion Pt: NESENW Sec 34 T 01S R 02W in OWYHEE County.
 NWSSENW Sec 34 T 01S R 02W in OWYHEE County.
 SWSSENW Sec 34 T 01S R 02W in OWYHEE County.
 NWNESW Sec 34 T 01S R 02W in OWYHEE County.

Use: IRRIGATION (1.000 CFS)
 STOCKWATER (.030 CFS)
 DOMESTIC (.040 CFS)
 Total Diversion: (1.000 CFS)

Date Filed: 4/20/1994

In: OWYHEE County
 T01S R02W S34 SENW NESW

50.0 ACRES TOTAL

RECEIVED
JUL 26 1994