

U.S.
GOV'T.

Q353 654
126 T747

CRP
86-95
8316

57-07552
57-07553

GATED PIPE

All of
NESE

Steady
well

U.S.
GOV'T.

82.9 CRP 1987-1996

SECTION
CORNERS

CRP 1987-1996
5 39.6

GATED PIPE

plc for
57-0488

CRP 1987-1996
44.6

DIVERGENT
GRAVITY
FLOW

X700
X4 DEEP
APPL.

LIVE FLOW
from
well

LIVE FLOW
from
150 ft
22
336
30.16

Well
57-09117
Application
57-07553
37.8 39.6

LIC. ARTESIAN OVERLAP

Stat. claim
twenty mile CR 4088

SRBA
FIELD WORK
RESULTS
MAY 19 1992

MICROFILMED

LIC. ARTESIAN 7117

STORAGE USED
(APPL. NEEDED)

So ac. in yellow have no valid
rights at time of original appl. on 8/15/90.

29

28

27

stockwater storage - per max
beneficial use 5/400:
 $(400)(.0134) = 5.4 \text{ afa}$

Jensen

192
Does 11111 = P/O

XXXX = acres covered by
57-07117 & 102
57-04088 at 1" per source

32

33

34



T55

T65

P/O (creek)

P/O 57-07552

LOT 4
Point of injection
into creek

Ditch from
well to
creek

P/O (well)

57-07553

Whitson Ranch

Artesian Wells

R3E

MICROFILMED
MAY 19 1992

57-07552 & 57-07553

26 af storage per source - supplements existing
water on ~~XX~~ acres. Also applied to
80 acres without existing rights 111.

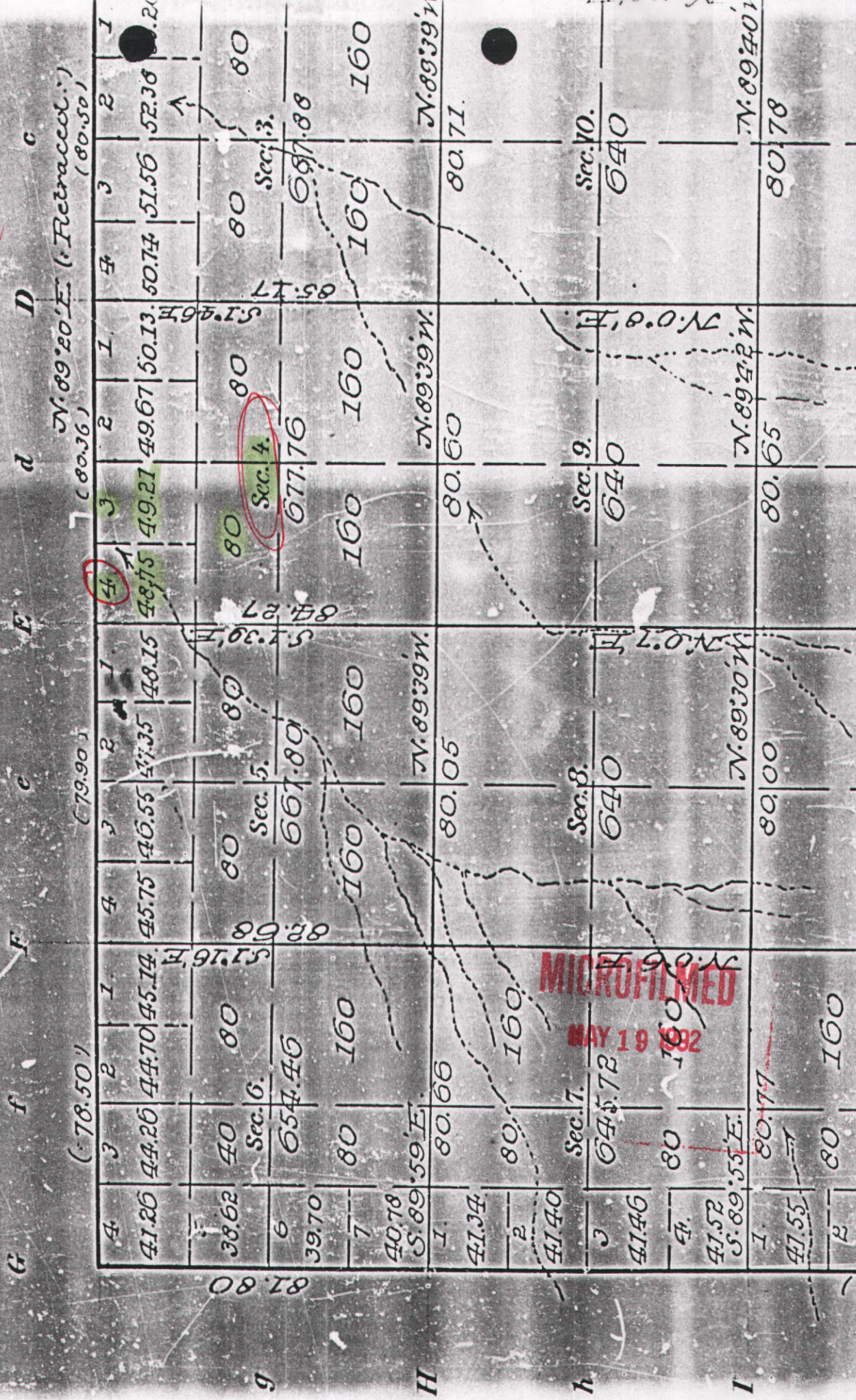
1.60 g/s per source - full allotment for
80 acres without existing rights 111.

11/13/92

Artesian Wells

(No lots in
55 36 533)

Township N: 6 South, Range N: 3 East of the



29 28 27

32 33 34

38 5 3

Wash

Jensen

PROPOSED SPRINKLER LINE HEAD

SENT NEW REDUCTION PROPOSED CANAL IN 20 MILE CR

PID ARTESIAN SW 1/4 NW 1/4 SEE 4

PIPE (20)

40 (20)

40 (20)

40 (20)

YELLOW IS EXISTING PROPERTY IN RS.

192 ACRES

RES from CREEK BETWEEN SECTION 33

CE CAN DIVERSION

PUMP

Artesian Wells

Whitson Ranch

T. 5 S.

T. 6 S.

R3E

MICROFILMED MAY 19 1992

MICROFILMED
MAY 19 1992

Dept of Water

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 two(2)

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

February 5 & 12, 1992

Signed

Joe E. Aman

Subscribed and sworn to before me this 12th day of February A.D., 1992

Corine Bowling

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

NOTICE OF APPLICATION FOR WATER RIGHT

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

57-07552
SIMPER, HAROLD A
SIMPER, MERRILAN
PO BOX 367
GRAND VIEW, ID 83624
Source: TWENTYMILE
GULCH Tributary: SHOOFLY
CREEK
Diversion Pt: SESWSE Sec 33
T 05S R 03E in OWYHEE
County.
Use: IRRIGATION (1.600
CFS)
IRRIGATION STORAGE
(26.00 AF)
IRRIGATION FROM
STORAGE (26.00 AF)

STOCKWATER (.090 CFS)
STOCKWATER STORAGE
(5.40 AF)
STOCKWATER FROM
STORAGE (5.40 AF)
DIVERSION TO STORAGE
(1.600 CFS)
Total Diversion: (1.690 CFS)
Date Filed: 8/15/1990
In: OWYHEE COUNTY
T05S R03E S33 NESW SESW
NESE NWSE SWSE
192.0 ACRES TOTAL
57-07554
MALMBERG, BRUCE
RT 1 BOX 314
MARSING, ID 83639
Source: WASTE WATER
Tributary: JUMP CREEK
Diversion Pt: NWNESE Sec 8
T 02N R 05W in OWYHEE
County..
Use: IRRIGATION (1.420
CFS)

STOCKWATER (.050 CFS)
Total Diversion: (1.470 CFS)
Date Filed: 1/14/1992
In: OWYHEE County
T02N R05W S05 SESE
S08 NENE SENE
71.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before FEBRUARY 24, 1992.

R. KEITH HIGGINSON,
Director

Publish February 5 & 12, 1992

RECEIVED

APR 28 1997

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFOR OFFICE USE ONLY
Amt. of Fee \$: 125.00
Receipt No. C038736
Receipt By: JW
Date Received: 4-28-97RECEIVED
APR 28 1997

PROOF OF BENEFICIAL USE

Department of Water Resources

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. 57-07552 Telephone No. 834-24982. Name(s) of Permit Holder(s): Merrilan Simper Harold A. Simper3. Mailing Address: H.C. 85 Box 340 B Grand View Idaho 836244. Source of Water: Twenty mile Gulch If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____

b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): 400 range cattleIrrigation (No. of acres): 192 Other: _____6. Total rate of diversion and/or volume for which proof is submitted: 1.69 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 ☐

Has the measuring device been installed?

Yes ☐ or No ☒

Flow Measurement Port: Is a flow measurement port required?

Yes ☐ or No ☐

Has the measurement port been installed?

Yes ☐ or No ☐scheduled to be installed this summer8. Fee Enclosed: \$ 125.00 (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: Harold A. Simper Telephone Number: 834-2498Address: H.C. 85 Box 340 B Grand View Idaho 83624

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.

Signature of permit holder: Harold A. Simper MICROFILMED Date: 25 April 97

(include your title, if on behalf of company or organization)

JUN 10 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

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

MAY 01 1995

WATER RESOURCES
WESTERN REGION

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. 57-07552

Name(s) of Permit Holder: Harold A. Simper, Merrilan Simper

Mailing Address: HC 85 Box 340 B, Grand View, Idaho 83624

Date Proof is Due: 1 May 1995 Telephone No. 834-2498

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".)

3/4 mile of under ground main line & 3/4 mile gated pipe
have been purchased and installed and put to use

Costing \$ approx \$11,000

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

Need to do some more land leveling to make system
work more efficiently. Main crop is alfalfa which only
allow the leveling to be done every 4 to 5 years between rotational crops

Permit holder(s) request an extension to 1 May, 19 97.

FEE: \$50.00

Harold A. Simper
(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 May 1, 1997.

Signed this 11 day of May, 19 95.

J. New Saylor
Chief, Water Administration

MAY 31 1995

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 57-07552

Proposed Priority: August 15, 1990 Maximum Diversion Rate: 1.69 CFS

This is to certify, that **MERRILAN SIMPER**
HAROLD A SIMPER
PO BOX 367

GRAND VIEW ID 83624

has applied for a permit to appropriate water from:

TWENTYMILE GULCH

tributary of **SHOOFLY CREEK**

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>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.60 CFS	
IRRIGATION STORAGE	01/01 to 12/31		26.0 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		26.0 AF
STOCKWATER	01/01 to 12/31	0.09 CFS	
STOCKWATER STORAGE	01/01 to 12/31		5.4 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		5.4 AF
DIVERSION TO STORAGE	01/01 to 12/31	1.60 CFS	
	Totals	1.69 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 33, Township 05S, Range 03E
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>
05S	03E	33	NESW 40	SESW 38	NESE 40	
			NWSE 40	SWSE 34		192

Total number of acres irrigated: 192

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: STOCKWATER FROM STORAGE, 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 **May 1, 1995**.
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.

MICROFILMED

MAY 19 1992

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

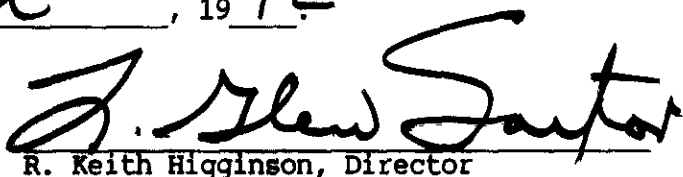
NO. 57-07552

CONDITIONS/REMARKS:

4. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
7. For licensing purposes, a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing and approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.
8. 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.
9. Stockwater use is for 400 range cattle.

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

27th day of April, 1992

for 
R. Keith Higginson, Director

MAY 19 1992

MAY 19 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: HAROLD A. SIMPER 208-834-2498
 Address: PO BOX 367
 GRAND VIEW ID 83624
 AND/OR
 Name: MERRILAN SIMPER 208-834-2498
 Address: PO BOX 367
 GRAND VIEW ID 83624

2. Source: TWENTYMILE GULCH Trib. to: SHOOFLY CREEK
3. Location of Point of Diversion: SESWSE Sec. 33, Township 05S, Range 03E
 OWYHEE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	1.600		
IRRIGATION STORAGE	01/01	12/31			26.00
IRRIGATION FROM STORAGE	03/15	11/15			26.00
STOCKWATER	01/01	12/31	0.090		
STOCKWATER STORAGE	01/01	12/31			5.40
STOCKWATER FROM STORAGE	01/01	12/31			5.40
DIVERSION TO STORAGE	01/01	12/31	1.600		

5. Total quantity to be appropriated is:
 1.690 CFS (and/or) AF

6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
 HEADGATE & DITCH TO RESERVOIR
 - b. Height of storage dam 7 feet; active reservoir capacity 26.00
 acre-feet; total reservoir capacity 26.00 acre-feet; period of
 year when water will be diverted to storage: 1/01 to 12/31 inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
 feet.
 - d. Is groundwater with a temperature greater than 90F being used? NO

7. Time required for the completion of the works and application of
 the water to the proposed beneficial use is 3 years.

8. Description of proposed uses:
 IRRIGATION & STOCKWATER; IRRIG. FROM STORAGE IS PARTLY SUPPLEMENTAL

FINAL REVISION

- SEE 'COMMENTS' IN DATABASE -

NOT REFILED
MAY 19 1992

9. Place of Use: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
05S	03E	33	NESW	40	SESW	38	NESE	40	192
			NWSE	40	SWSE	34			

Total number of acres irrigated: 192

Place of Use: IRRIGATION FROM STORAGE, same as IRRIGATION use

Place of Use: STOCKWATER, same as IRRIGATION use

Place of Use: STOCKWATER FROM STORAGE, same as IRRIGATION use

10. Describe any other water rights used for the same purposes.
57-04088, 57-07117

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:

Stockwater use is for 400 cattle.

Reservoir is located in SWSE, S.33, T05S, R03E.

This application proposes diversion of trustwater.

13. Map of proposed point of diversion and place of use attached? ☒

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.

SEE ORIGINAL FOR signature & see
Applicant
"Comments" in DATABASE

Received by RdH Date 8/15/90 Time 10:01 Preliminary check by SL

Fee \$ 65⁰⁰ Receipted by RdH # W012639 Date 8/15/90

Publication prepared by GG Date 1-29-92 Published in Owyhee Avalanche
2/5 & 2/12/92

Publication approved _____ Date _____

MICROFILMED
MAY 19 1992

U.S.
GOV'T

0353 654

126 T747

CRP

86-95

8316

PLNG

57-07554

57-07553

ALL AC
WESSE

GATED PIPE

U.S.
GOV'T

82.9 CRP 1987
1996

SECTION

CRP

CRP

CRP 1987
1996

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39.6

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TWENTY
MILE

LIVE FHW

from
well

1980
1782

Well

57-0917

3

37.8

57-0953

39.6

LIC. ARTESIAN OVERLAP

Stat. claim

Twenty mile ch. 4088

LIC. ARTESIAN 7117

STORAGE USED

(APP. ACCORD)

X26

STORAGE USED

(APP. ACCORD)

X26

STORAGE USED

(APP. ACCORD)

X26

STORAGE USED

(APP. ACCORD)

X26

SRBA
FIELD WORK
RESULTS

MICROFILMED

MAY 19 1992

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$$W^{a sh}$$

32

57-1711-10A
57-44088 of 1" dia per. comca

(33)

34

Reservoir

Pump

TSS

T65

-P/O 57-77552

~~101~~ 4

Point of injection

ditch from
well to
creek

p/o 26

Whitson Ranch

2580^y

57-0755

Artesian Wells

R3E

MICROFILMED
MAY 19 1992

2674
57-07552-5 57-07553

10

26 at storage per source - Supplemental
water on 100 acres. Also on
80 acres without existing right

1.60 yd per square - full attention
 50 acres without existing rights 14.

82-11362

Artesian Wells

BM 2636

(No lots in
55 36 533)

Township No 6 South Range No 3 East of line

T 6 S 36 E (80.50)											
T 6 S 36 E (80.50)											
4125	4126	4127	4128	4129	4130	4131	4132	4133	4134	4135	4136
4137	4138	4139	4140	4141	4142	4143	4144	4145	4146	4147	4148
4149	4150	4151	4152	4153	4154	4155	4156	4157	4158	4159	4160
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4209	4210	4211	4212	4213	4214	4215	4216	4217	4218	4219	4220
4221	4222	4223	4224	4225	4226	4227	4228	4229	4230	4231	4232
4233	4234	4235	4236	4237	4238	4239	4240	4241	4242	4243	4244
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4437	4438	4439	4440	4441	4442	4443	4444	4445	4446	4447	4448
4449	4450	4451	4452	4453	4454	4455	4456	4457	4458	4459	4460
4461	4462	4463	4464	4465	4466	4467	4468	4469	4470	4471	4472
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4497	4498	4499	4500	4501	4502	4503	4504	4505	4506	4507	4508
4509	4510	4511	4512	4513	4514	4515	4516	4517	4518	4519	4520
4521	4522	4523	4524	4525	4526	4527	4528	4529	4530	4531	4532
4533	4534	4535	4536	4537	4538	4539	4540	4541	4542	4543	4544
4545	4546	4547	4548	4549	4550	4551	4552	4553	4554	4555	4556
4557	4558	4559	4560	4561	4562	4563	4564	4565	4566	4567	4568
4569	4570	4571	4572	4573	4574	4575	4576	4577	4578	4579	4580
4581	4582	4583	4584	4585	4586	4587	4588	4589	4590	4591	4592
4593	4594	4595	4596	4597	4598	4599	4600	4601	4602	4603	4604
4605	4606	4607	4608	4609	4610	4611	4612	4613	4614	4615	4616
4617	4618	4619	4620	4621	4622	4623	4624	4625	4626	4627	4628
4629	4630	4631	4632	4633	4634	4635	4636	4637	4638	4639	4640
4641	4642	4643	4644	4645	4646	4647	4648	4649	4650	4651	4652
4653	4654	4655	4656	4657	4658	4659	4660	4661	4662	4663	4664
4665	4666	4667	4668	4669	4670	4671	4672	4673	4674	4675	4676
4677	4678	4679	4680	4681	4682	4683	4684	4685	4686	4687	4688
4689	4690	4691	4692	4693	4694	4695	4696	4697	4698	4699	4700
4701	4702	4703	4704	4705	4706	4707	4708	4709	4710	4711	4712
4713	4714	4715	4716	4717	4718	4719	4720	4721	4722	4723	4724
4725	4726	4727	4728	4729	4730	4731	4732	4733	4734	4735	4736
4737	4738	4739	4740	4741	4742	4743	4744	4745	4746	4747	4748
4749	4750	4751	4752	4753	4754	4755	4756	4757	4758	4759	4760
4761	4762	4763	4764	4765	4766	4767	4768	4769	4770	4771	4772
4773	4774	4775	4776	4777	4778	4779	4780	4781	4782	4783	4784
4785	4786	4787	4788	4789	4790	4791	4792	4793	4794	4795	4796
4797	4798	4799	4800	4801	4802	4803	4804	4805	4806	4807	4808
4809	4810	4811	4812	4813	4814	4815	4816	4817	4818	4819	4820
4821	4822	4823	4824	4825	4826	4827	4828	4829	4830	4831	4832
4833	4834	4835	4836	4837	4838	4839	4840	4841	4842	4843	4844
4845	4846	4847	4848	4849	4850	4851	4852	4853	4854	4855	4856
4857	4858	4859	4860	4861	4862	4863	4864	4865	4866	4867	4868
4869	4870	4871	4872	4873	4874	4875	4876	4877	4878	4879	4880
4881	4882	4883	4884	4885	4886	4887	4888	4889	4890	4891	4892
4893	4894	4895	4896	4897	4898	4899	4900	4901	4902	4903	4904
4905	4906	4907	4908	4909	4910	4911	4912	4913	4914	4915	4916
4917	4918	4919	4920	4921	4922	4923	4924	4925	4926	4927	4928
4929	4930	4931	4932	4933	4934	4935	4936	4937	4938	4939	4940
4941	4942	4943	4944	4945	4946	4947	4948	4949	4950	4951	4952
4953	4954	4955	4956	4957	4958	4959	4960	4961	4962	4963	4964
4965	4966	4967	4968	4969	4970	4971	4972	4973	4974	4975	4976
4977	4978	4979	4980	4981	4982	4983	4984	4985	4986	4987	4988
4989	4990	4991	4992	4993	4994	4995	4996	4997	4998	4999	5000

Revised Appl. based on
SRBA Field work.

STATE OF IDAHO

8/29/90

Ident No _____

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- 1 Name of applicant Harold A. or Merrilee M. Simpson Phone 834-2498
Post office address P.O. Box 367 Grand View Id. 83624
2. Source of water supply { groundwater Twenty mile gulch which is a tributary of { N/A Shoofly Creek
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot —
Sec. 4 Township 6S Range 3E B.M. Omylee County; additional
points of diversion if any: SESWSE S. 33 T5S R3E
4. Water will be used for the following purposes:
Amount 4.88 for Diversion to storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 26.0 for Irrigation storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 26.0 for Irrigation from storage purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 26.0 for Stockwater storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 4.88 and/or (b) 26.0
cubic feet per second acre feet per annum
6. Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. HOT ARTESIAN WELL WITH PUMP,
HEADGATE/Ditch from creek, comingled water to reservoir for gravity &
sprinkler irrigation
b. Height of storage dam 7 feet; active reservoir capacity 26 acre-feet, total
reservoir capacity 26 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive.
c. ~~Proposed~~ ^{Existing} well diameter is 20 inches; proposed depth of well is 800 feet.
d Is ground water with a temperature of greater than 90°F being sought? yes (see remarks)
- 7 Time required for the completion of the works and application of the water to the proposed beneficial use is
3 years (minimum 1 year).

item 4 continued

→ 26.0 AFA Stockwater from storage
.09 cfs Stockwater

RECORDED

MAY 19 1992

1/1 12/31
1/1 12/31

SI REVISION

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

- Hydropower; show total feet of head and proposed capacity in KW _____
- Stockwatering; list number and kind of livestock 400 hd. cattle
- Municipal, show name of municipality. _____
- Domestic, show number of households _____
- Other, describe fully. _____

9 Description of place of use

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below
- 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	
55	3E	33									40			38	40	40	34		192
											S			S	S	S	S		

Total number of acres to be irrigated 192

10. Describe any other water rights used for the same purposes as described above. 57-07117 (same well), 57-04088 (same gulch) cover some of same acres (live flow rights)

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

12 Remarks. Point of injection of ground water into Twenty mile Gulch is T6S R3E S.4 LOT 4 (SENNW).
Ground water temperature is 118°F.
Reservoir located in T5S R3E S.33 SWSE.

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

See attached maps -

Now ID 57.07552

JL 1/13/92

MICROFILMED
MAY 19 1992

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

See original application for
(Applicant)
signature

Received by Rdh Date 8/15/90 Time 10:01 Preliminary check by SR
Fee \$ 125⁰⁰ Receipted by Rdh # W012639 Date 8/15/90
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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:

MICROFILMED
MAY 19 1992

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- Name of applicant HAROLD A. OR MERRILAN M. SIMPER Phone 834-2498
Post office address P.O. Box 367 GRAND VIEW ID 83624
- Source of water supply ARTESIAN/20 MILE CR which is a tributary of NA/SNAKE RIVER
(ARTESIAN)
- Location of point of diversion is SW 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____
Sec. 4 Township 6S Range 3E B.M. OWYHEE County; additional
points of diversion if any: (REDIVERSION) SENW NW 1/4 20 MILE DIVERSION IS SESWISE
6S 3E SEC 4 OWYHEE SEC. 33 6S 3E OWYHEE

4. Water will be used for the following purposes:

Amount 4.88 for DIV to STORAGE purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 25.71 for IRRIG for Storage purposes from 03/01 to 11/01 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 25.71 for IRRIG from Storage purposes from 03/01 to 11/01 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 25.71 for Stockwater for Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 25.71 Stockwater from Storage and/or (b) 1/1 12/31
cubic feet per second acre feet per annum

6. Proposed diverting works: 0.09 Stockwater 4.88 cts 1/1 to 12/31
25.71 AF

a. Description of ditches, flumes, pumps, headgates, etc. 400' X 700' X 4' AVE DEPTH
WATER FLOWS FROM ARTESIAN INTO 20 MILE CR AND MIXES TOGETHER (REDIVERSION)
Then is Diverted by ck Dam from 20 MILE CR INTO RESERVOIR. System
Now has gated pipe, gravity ditch and will HAVE ASPRIMER SYSTEM ADDED

b Height of storage dam 7 feet; active reservoir capacity 25.71 acre-feet, total
reservoir capacity 25.71 acre-feet; period of year when water will be diverted to storage:
Jan 1 to Dec 31 inclusive.

c. Proposed well diameter is _____ inches, proposed depth of well is _____ feet.

d Is ground water with a temperature of greater than 90°F being sought? _____

7 Time required for the completion of the works and application of the water to the project use is
3 yrs years (minimum 1 year).

MICROFILMED
MAY 19 1992

Original application

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

- Hydropower, show total feet of head and proposed capacity in KW. _____
- Stockwatering, list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic, show number of households. _____
- Other; describe fully. _____

9. Description of place of use.

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
5S	3E	33									40				38	40	40	34	192

Total number of acres to be irrigated 192

10 Describe any other water rights used for the same purposes as described above. A57-07117
A57-04088

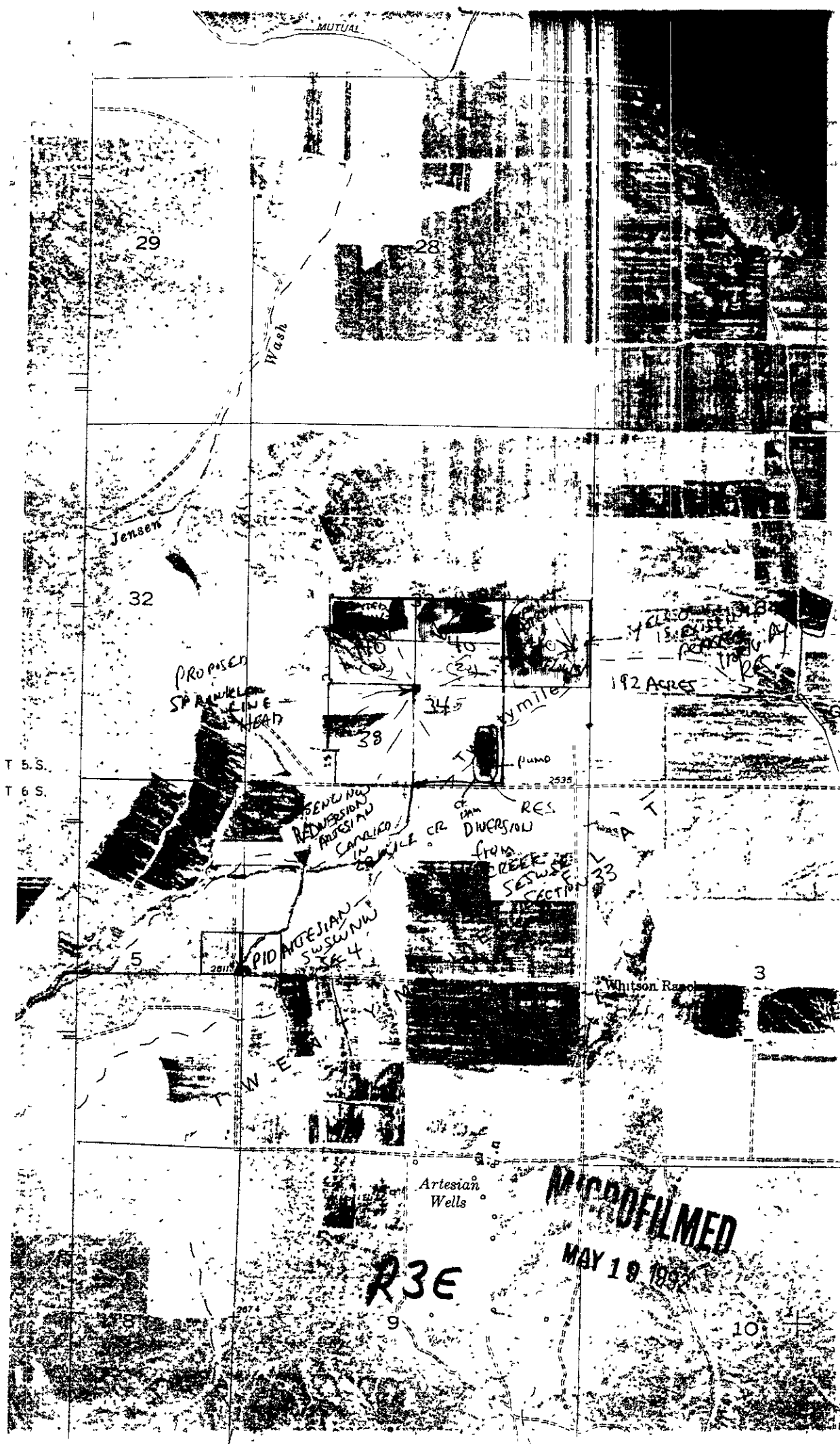
- Who owns the property at the point of diversion? APPLICANT
- Who owns the land to be irrigated or place of use? APPLICANT
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks. SEE MAPS FOR ADMINISTRATION PK ATTACHED

MICROFILMED

MAY 19 1992

T5S
T6S



[illegible]

Harold A. Linger
(Applicant)

Received by Rdh Date 8/15/90 Time 10:01 Preliminary check by _____
Fee \$ 125.00 Receipted by Rdh # W012639 Date 8/15/90
Publication prepared by _____ Date _____ Published in _____
Publication approved st Date 3-5-92

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

MICROFILMED
MAY 19 1992

201 of water.

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 two(2)

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

February 5 & 12, 1992

Signed

Joe E. Aman

MICROFILMED
MAY 19 1992

Subscribed and sworn to before me this 12th day of February A.D., 1992

C. Orin Bowling

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

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

57-07552

SIMPER, HAROLD A.
SIMPSON, MERRILAN
PO BOX 387

GRANDVIEW, ID 83624
Source: TWENTYMILE
CULCH Tributary: SHOOT
CREEK

Diversion Pt: SESWSE
T 05S R 03E in OWYHEE
County

Use: IRRIGATION (1.600
CFS)

IRRIGATION STORAGE
(25.00 AF)

IRRIGATION FROM

ROCKWATER FROM
DITCH (5.40 AF)

IRRIGATION TO STORAGE
(1.600 CFS)

Diversion: (1.690 CFS)
Filed: 8/15/1990

OWYHEE COUNTY
R 03E S 33 N 5W SE 1/4

1/4 NWSE SWSE

1.0 ACRES TOTAL
57-07554

BERG, BRUCE
PO BOX 314

HOMEDALE, ID 83630

Source: WASTE WATER

Tributary: JUMP CREEK

Diversion Pt: NWN 1/4
T 05S R 05W in OWYHEE
County

Use: IRRIGATION (1.420
CFS)

Date Filed: 1/14/1992

In: OWYHEE County

R 02N R 05W S 05 SESE
1/4 NE NE SENE

1.0 ACRES TOTAL

The permit(s) will be

subject to all prior water

rights. Protests must be filed

with the Director, Dept. of

Water Resources, Western

Region, 2735 Airport

Boise, Idaho 83705 on or

before FEBRUARY 24, 1992

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 57-07552 Reviewed by [Signature] Date 5-9-97

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

Irr

yes Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit

_____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?

yes Required?

125 Amount Submitted

no Installed?

yes Correct?

will be 500 Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

_____	-	_____
_____	=	_____
_____	+	_____
_____		_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [X]

Proof Made 4-28-97



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 22, 1997

MERRILAN & HAROLD SIMPER
HC 85 BOX 340 B
GRAND VIEW ID 83624

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 57-07552

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.

Please be advised that Section 42-248, Idaho Code, which became affective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have questions concerning the field examination, contact the **WESTERN** Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

C: IDWR - Region

MICROFILMED

JUN 10 1997

February 28, 1997

MERRILAN SIMPER
HAROLD A SIMPER
HC 85 BOX 340 B
GRAND VIEW ID 83624

PROOF DUE NOTICE

RE: PERMIT NO. 57-07552

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 May 1, 1997.

(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.

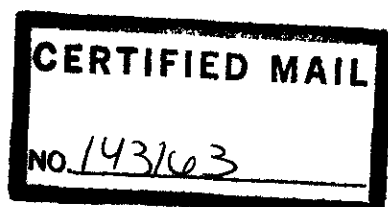
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JUN 10 1997



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 57-87552 Reviewed by [Signature] Date 5-10-95

BASIC INFORMATION

5-1-95 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
yes 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 Recommend Extend to May 1, 1997, 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 HC 85 Box 340 B
Change Proof Due Date 5-1-97
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 11, 1995

Harold and Merrilan Simper
HC 85 Box 340 B
Grand View, ID 83624

RE: Permit No. 57-07552

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 **May 1, 1997**. 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.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

RECEIVED
MAY 31 1995

February 28, 1995

MERRILAN SIMPER
HAROLD A SIMPER
PO BOX 367
GRAND VIEW ID 83624

PROOF DUE NOTICE

RE: PERMIT NO. 57-07552

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 May 1, 1995.

(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.

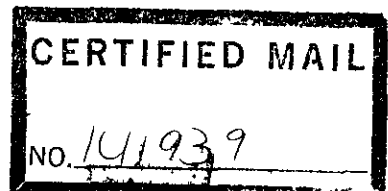
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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



April 29, 1992

HAROLD A SIMPER
MERRILAN SIMPER
PO BOX 367
GRAND VIEW ID 83624

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-07552

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

BRENDA MILLER
Technical Records Specialist

Enclosure

MAY 19 1992

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 57-7552/Trust Water Processing

DATE: 4-24-92

The above application is a trust water filing which has been forwarded to the state office for final review and processing.

Maps and comments submitted by Steve Lester at Western Region along with a place of use overlap of the SRBA R-files indicates that the application represents new development of about 80 acres (actually 82 acres per POU overlap). This development was made after 1984. The application supplements the remaining 110 acres. The 82 acres shall be counted as trust acreage. All trust conditions are applicable.

MICROFILMED
MAY 19 1992

APPLICATION FOR PERMIT REVIEW

Brenda

Application #: 57-07552
Date: 4-22-92

Reviewer: Brenda Miller

SYSTEM COMPLETED:

- No - (26A-P17)
- Complete in 1 year - P16
- Yes
- Proof not submitted - P16
- Proof submitted - N/A

GROUNDWATER:

- GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
- No measurement required <flow chart>
- LT. 0.2 cfs - No measurement required <flow chart>
- Drilling Permit:
- Approved w/permit - P99
- Not included - 046-P23 (All GW, even existing wells)
- SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>
- LOCATION:
- Water Districts - WD No. _____
- Surface water - 005, 005-01H-P01 (LT.2 w/pump)
- 005-01J-P08 (GT.2), NMR <flow chart>
- Groundwater - P05
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 058 (Groundwater)
- Swan Falls Flag - 7 (1, Blank or Other)
- Trust - 051-052-053-P74 (Consumptive Uses)
- Non Trust <1> - 048-049

RIVER BASINS:

- (Surface Water) Water District Control Condition &....
- Boise (63) - 05A & 11E
- Payette (65) - 047-P04, 059-P71
- Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.)

USE:

- Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
- 042(req.), 002-P06 (MD), 07A (Spec.),
- 044 (Policy 5G)
- Power - Use Power Review
- Mining - 06A, 010, or 09E-P10 & 054 (req.)
- Storage - 18A-for multiple measuring devices (In WD),
- 18B-P09 (Size)
- Rec/Wildlf/Aes - 027 (Non-Consumptive)
- Domestic - 021 (restricted areas)

OWNERSHIP:

- Non land owner - 004

PROTESTED:

- Agreement - 020

Beneficial Use Due Date: -

Other Conditions Recommended

05-01-1995

IN BRUNEAU-GRANDVIEW GMA
Route for Trust Review

01A (region)

*

TRUST WATER APPL.,
SEND COPIES

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SL DATE: 1/13/92 APPLICATION: 57 07552

REQUIRED INFORMATION

☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
☒ Address:
☒ Source: (See USGS Quad for names of water sources)
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
☒ County:
☒ Quantity: (flow and/or volume)
☒ Period of use: Gov't. Lots: N P/D
☒ Nature of proposed use: (Include description of use) N P/U
☒ Description of diverting works:
☒ Time required for beneficial use of water:
☒ Place of use or acres irrigated:
☒ Map:
☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee:
☒ Yes ☐ No* In form to receipt:

ADDITIONAL INFORMATION

YES	NO	
☒	☐	Overlapping place of use: (Describe source & relationship to present application on the back.)
☒	☐	Overlapping point of diversion:
☐	☐	Field check required: Field check by: _____
☐	☐	Field report attached:
☐	☒	Critical groundwater area:
☐	☒	Groundwater management area:
☐	☒	Diversion within interim protected river area
☐	☒	Send dam safety information:
☐	☒	Send power requirement letter:
☐	☒	Send fish farm requirement letter:
☐	☒	Power residency affidavit:
☒	☐	Power efficiency form:
☐	☐	Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐	☒	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐	☒	*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

☒ DATE REQUESTED: _____
☐ Additional information on reverse side:

RECEIVED
MAR 16 1992

Department of Water Resources

PROCESSING

APPLICATION NO. 57-07552

YES NO

☒ ☐
☐ ☒
☒ ☐

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☒ ☐

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other PER TRUST WATER

APPL. PROCESSING
sent 2/3/92 HCU

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

☒ ☐
☐ ☒

Publication dates and paper recorded on application:

Protests received. Final date for protest February 24, 1992

Protest dates, resolution of protest recorded on application:

☐ ☒
☒ ☐

Recommendations attached: Approve, OK

Measuring device required: (for licensing)

☒ ☐
☐ ☒

Measuring port required:

☐ ☒
☒ ☐

Water delivered by water master? District #

☐ ☒
☒ ☐

Special conditions of approval or cover letter:

26A (Allow 3 years), DIA

☒ See below for additional information

Recommended Date or Priority 8/15/1990 (See Lester memo)

Recommended by: OK Date 5/12/92

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

SEE DATABASE COMMENTS FOR SUMMARY OF HOW APPLICATION WAS PREPARED.
THIS APPL BUINDS ON SRBA RECOMMENDATIONS (R57-0408, R57-07117). RETAINS PRIORITY
OF THE ORIGINAL 8-15 90 APPLICATION.
OVERLAP -

1) R57-0408 SAME SOURCE BUT PINS IN SWSWSG S33 - LIVE FLOW COVERAGE
@ .02 cfs/pc. FOR 34 PINS IN SWSG S33. LIVE FLOW PORTION OF
APPL DOES NOT APPLY TO THESE 34 PINS.

2) R57 07117 NOT CATCHING WELL * FOR SOME OF SAME PINS AS IN APPLICATION

STORAGE H2O - FOR SUPPLEMENTAL USE ON ALL 192 PINS.

LIVE FLOW H2O - FOR .02 cfs/pc. ON 80 PINS IN N1/2 OF NESW & NWSG PLUS ALL OF NESG

* Same well as Appl. 57-07553 - SEE SUMMA HOLD FILE.

INTER-DEPARTMENT MEMO

TO: Sue & Gail

SUBJECT: Singer Application

FROM: Steve Lexter

DATE: 1-18-92

For 57-07552 and 57-07553:

These are 2 applications resulting from 1 appl. filed on 8/15/40 by Singer. The original appl. was not data-entered or advertised (it had no appl. #).

Now 2 files are created.

DSI-07552 can be advertised as a Trust water Appl with
a dup. of 8-15-40.

② 57-07553 cannot be advertised. It shall be filed in
the H2O file due to Gwma concerns.

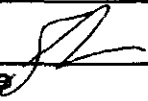
Thanks

☒ For your information

☐ Response required

RECEIVED

MAY 19 1992

signature 

Orig - with 07552

, copy - with 07553



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 28, 1991

Harold and Merrilan Simper
PO Box 367
Grand View, Id. 83624

Re: Application for Permit

Dear Applicants:

Your 8/15/90 application for permit for the hot well and water from Twentymile Gulch (locally known as Twentymile Creek) has been held for one year due to complications related to the Snake River Basin Adjudication (SRBA) and to the Bruneau-Grand View Ground Water Management Area. Delays related to these items do not affect the date of priority of the application.

Now that the SRBA recommendations for your existing rights are close to being completed and delivered to the court, we can look at the application again. For a new right involving the well, the location falls within the Bruneau-Grand View Ground Water Management Area (GWMA). Idaho Code 42-233b provides for the establishment of a GWMA to protect declining water tables. For the department to approve a new water right application in a GWMA, the applicant must prove that ground water is available and that a new appropriation will not adversely affect existing water rights or contribute to an additional decline in the aquifer. Although anyone may submit the convincing evidence, you may need to hire a qualified expert to conduct a study and submit a report to this office to address the GWMA questions before your application can receive further consideration. This requirement applies to proposed uses and to existing uses not protected by a valid water right. As far as I can determine, no applicant has successfully furnished such evidence in a GWMA.

One alternative to a new appropriation involves the use of an existing right. You may be able to buy or lease an existing valid but unused ground water right. Considerable amounts of irrigated lands are currently enrolled in the ten year USDA Conservation Reserve Program (CRP), which means that irrigation will not occur for at least ten years. CRP acres are a potential source of water rights that one may buy or lease. The best way to locate such lands is to contact the local ASCS office to identify land owners enrolled in the CRP. This office can provide water right information when given legal land descriptions (Township, Range, Section, and 1/4-1/4). Purchasing water also involves filing a transfer application with the Department of Water Resources.

Also, the well in question is a hot well within the definition of Idaho Code 42-233 (copy attached). Any new right proposing the use of such water must include using the heat value first and other uses second.

RECORDED

MAY 19 1992

Harold and Merrilan Simper Application
August 28, 1991
Page 2

You may request an exemption from this requirement based on the three items described in 42-233(1)(i-iii).

Because it is difficult to obtain a new ground water right in a GWMA, you may want to consider splitting the application into two applications. One would include the surface water, and such an application could be advertised and processed for approval. The other application would concern the well and would be held pending further information. In this way you could at least move forward with the Twentymile Gulch water development. The only question for the surface water is the amount of creek water for which you would apply. Once that is determined by you, the application fee could be settled.

To summarize this rather confusing situation, consider the following points.

1. The approval of a new right involving a hot well must include heating value unless an exemption is requested and granted as shown in the statute.
2. The approval of a new right for a well in a GWMA cannot occur unless the applicant can provide convincing information that allows approval.
3. Based on the difficulty of succeeding in no. 2 above, two applications could be prepared. These would include a creek water application to be advertised and processed and a second application for the well to be held pending additional information from the applicant.

A copy of the current application is enclosed. Please let me know how you would like to proceed within 30 days. Additional information is available by contacting me at 334-2190.

Sincerely,



Steve Lester
Sr. Water Resource Agent

Enclosure

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MAY 19 1992

INTER-DEPARTMENT MEMO — 1

FROM Steve Lester

DATE 9/5/90

TO Simpson Appl. File

SUBJECT Explanation of Appl. - Comingling & Storage

Based on recommended acres in SRBA claims A57-07117 (hot Artesian well) & A57-04088 (Twenty mile gulch), a new application was drafted by Ron Howerton & revised by me for storage water for some of the same acres (112 ac.) in the two SRBA rights & for 80 additional acres that cannot be allowed in the existing rights since owner did not & apparently does not want to ~~amend~~ amended SRBA claims to expand acres.

MAY 19 1992

The application can include land already served by the same sources at 102 cfs/ac because the application addresses storage water. Storage water from the same ground & surface sources SIGNATURE for the same land can be approved as a supplement to existing live flow rights

-over-

IT is acceptable show ground & surface sources on the appl.
Since g.w. is injected into the stream. Coning water is
diverted to the reservoir downstream from the injection point.

JK

MICROFILMED

MAY 19 1992

INTER-DEPARTMENT MEMO — 1

FROM

John Lester

DATE

8/30/90

TO

Simpson Appl. File

SUBJECT

DATE OF CHANGE FOR 57-07117 & 57-04088

SRBA claims were filed that showed no change in the above rights. ON 8/12/90, RON HUNGERFORD CONDUCTED ADJUD. FIELD EXAMS AND FOUND SOME CHANGES. RON ~~OBSERVED~~ NOTED A CONCRETE CHECKDAM IN TWENTY MILE CREEK. THE DIVERSION IS USED TO DIVERT COMINGLED GROUND & SURFACE WATER TO THE RESERVOIR. THE SYSTEM CHANGE WAS MADE IN 1986 AS EVIDENCED BY RON'S OBSERVATION OF THE 1986 DATE ENGRAVED IN THE CONCRETE CHECKDAM. THIS IMPLIES THAT A RECOMMENDATION WILL BE MADE BY ~~THE~~ **RECOMMENDED** TO REFLECT THE CHANGES IN ACTUAL USE.

MAY 19 1992

SIGNATURE

SL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

JANUARY 29, 1992

Owyhee Avalanche
P.O. Box 97
Homedale, ID 83628

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 24, 1992.

Yours truly,

GAIL GARRETT
Secretary

Encl.

MICROFILMED
MAY 19 1992

57-07552

SIMPER, HAROLD A
SIMPER, MERRILAN
PO BOX 367
GRAND VIEW, ID 83624

Source: TWENTYMILE GULCH

Tributary: SHOOFLY CREEK

Diversion Pt: SESWSE Sec 33 T 05S R 03E in OWYHEE County.

Use: IRRIGATION	(1.600 CFS)	
IRRIGATION STORAGE		(26.00 AF)
IRRIGATION FROM STORAGE		(26.00 AF)
STOCKWATER	(.090 CFS)	
STOCKWATER STORAGE		(5.40 AF)
STOCKWATER FROM STORAGE		(5.40 AF)
DIVERSION TO STORAGE	(1.600 CFS)	
Total Diversion:	(1.690 CFS)	

Date Filed: 8/15/1990

In: OWYHEE County				
T05S R03E S33	NESW	SESW	NESE	NWSE
	SWSE			

192.0 ACRES TOTAL

MAY 19 1992