

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

R1W

7011 52 1252

MICROFILMED

T6N

16

pt
pu

MICROFILMED

JAN 23 1989

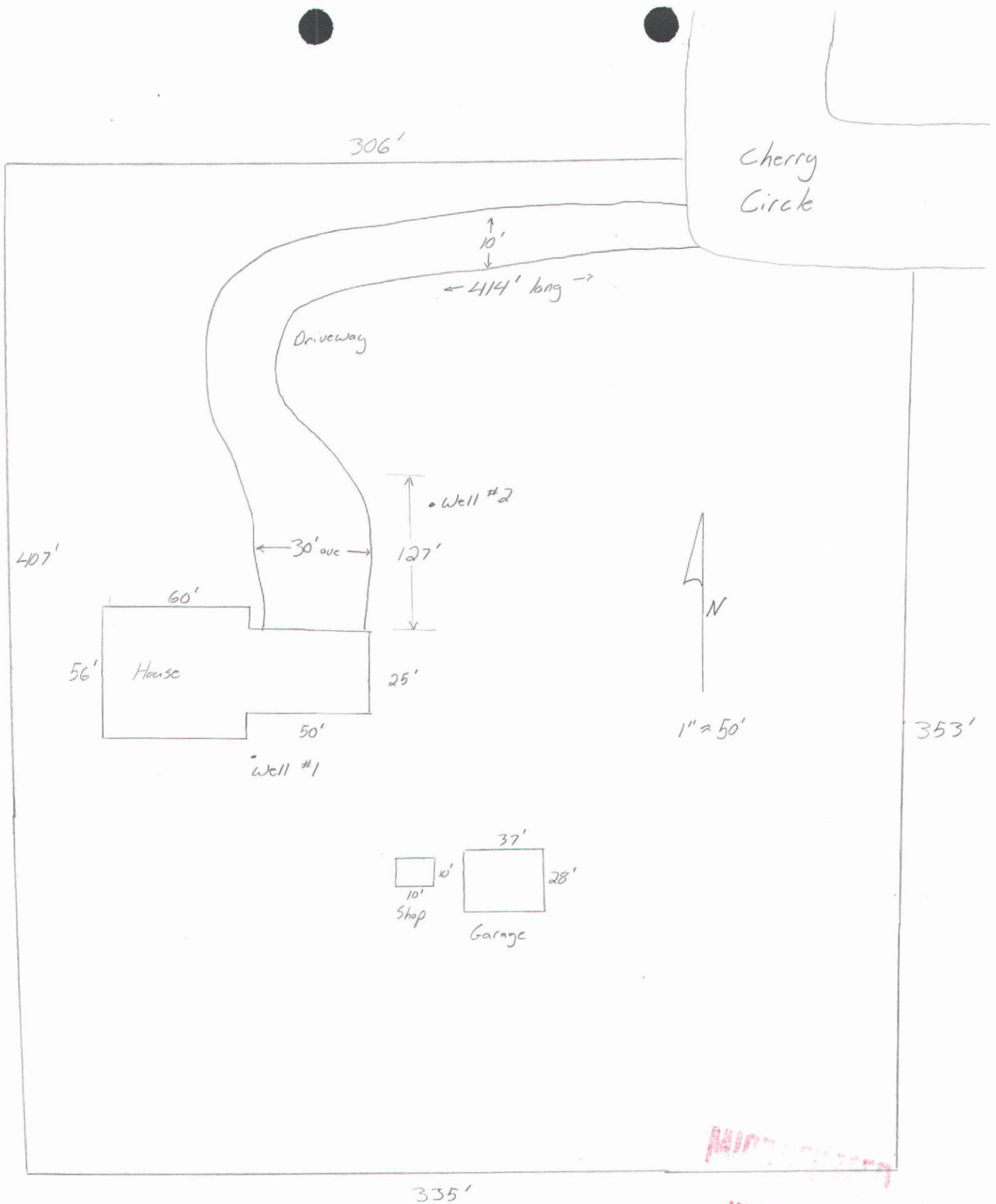
Scale: 2 inches equal 1 mile.

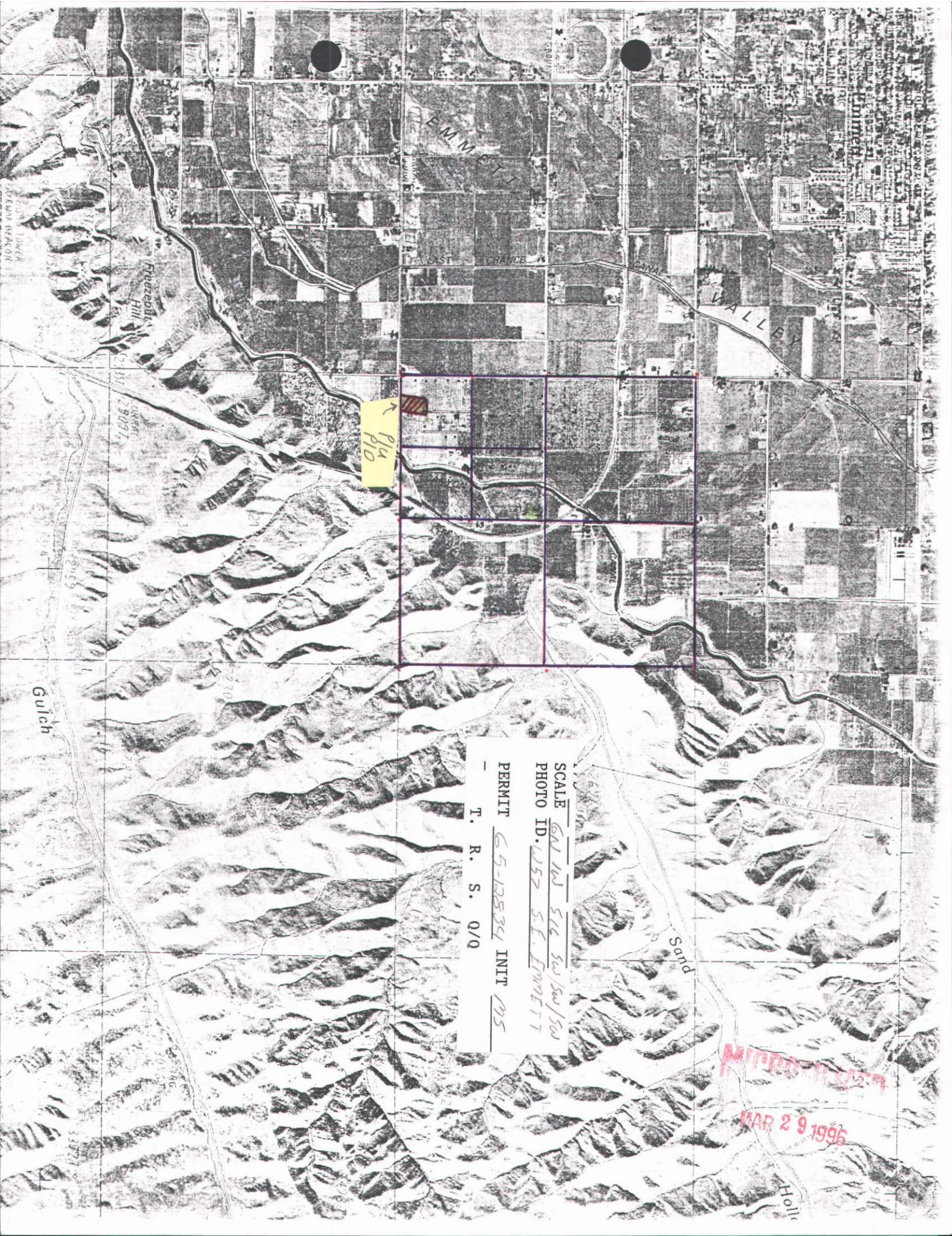
R1W

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.

Harold A. Powers
(Applicant)

Evea H. Powers





EMMETT

EAST GRANCE

VALLEY

Freeport Hill

Gulch

Sand

Hollis

P14
P10

SCALE 60' 165' 516' 50' 50' 50'
PHOTO ID. 1252 S.E. EMMETT
PERMIT 65-12834 INIT MS
T. R. S. 0/0

MAR 29 1996

65-12834



Irrigated
Lawn.
Now with
grass
6-8-92



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MAR 29 1996

65-12834



#1

Point of diversion.

Well #1 From
diagram.



#2

Point of injection.

Well #2

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MAR 29 1996

65-12834



#3

Place of use
Facing southeast.

Sprinkler head
marked.



#4

Facing northeast.

← Well #2

MIPDS-7
MAR 29 1995

#5

Place of
use.



#6

Facing southwest.



RECORDED

MAR 29 1996

RECEIVED
NOV 7 1988

Department of Water Resources
Western Regional Office

NOTICE OF CORRECTION DK

Notice is hereby given that Application for a Water Right Permit in the name of Harold A. and/or Evea H. Powers of 2685 Cherry Circle, Emmett, ID., 83617, was published in error on May 4 and 11, 1988.

The Number was not listed. WHEREAS, the notice for the Powers should have listed the Water Right as No. 65-12834.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID. 83705 on or before July 5, 1988.

R. Keith Higginson, Dir.

Legal Notice No. 000261

Published in the Messenger Index
6-15, 22-88

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Mary Ann Hanson, being first duly sworn, on his oath deposes and says that ^{she} is the ^{chief} printer of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly and continuously for more than 78 weeks prior to the first publication of the annexed document; and that the document notice, process, or advertisement hereunto annexed was published in the regular edition of

Messenger-Index for Two (2) consecutive weekly issues thereof, be-

ginning with the issue of JUNE 15,
1988, and ending with the issue of

JUNE 22, 1988

Mary Ann Hanson

Subscribed and sworn to before me this

10th day of

October, 1988

Deborah Crawford

Notary Public,

Residing at Emmett, Idaho.

MICROFILMED

JAN 23 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12834

Priority: April 12, 1988

Maximum Diversion Rate:

0.09 CFS

This is to certify, that HAROLD A POWERS
EVEA H POWERS

2685 CHERRY CIRCLE
EMMETT ID 83617

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 12, 1988; and has submitted Proof of Beneficial Use on November 8, 1989. An examination indicates that the works have a diversion capacity of 0.140 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	0.08 CFS	
HEATING	01/01 to 12/31	0.02 CFS	
COOLING	01/01 to 12/31	0.02 CFS	
DOMESTIC	01/01 to 12/31	0.02 CFS	
	Totals	0.09 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 16, Township 06N, Range 01W
GEM 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>
06N	01W	16	SWSW	2.5		2.5

Total number of acres irrigated: 2.5

PLACE OF USE:

HEATING, same as IRRIGATION use

PLACE OF USE:

COOLING, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

1989-2-9 1096

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 65-12834

CONDITIONS OF APPROVAL AND REMARKS

4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.
6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor exceed a combined annual irrigation diversion volume of 11.3 af for the lands above.
7. The heating and cooling uses shall not exceed a combined annual diversion volume of 5.6 af.
8. Domestic use is for 1 home and shall not exceed an annual diversion volume of .6 af.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 21st day of MARCH, 1996.

Acting for


KARL J. DREHER, Director

APR 26 1996

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NOV 8 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 65-12834 Telephone No 208-365-3776

Name(s) of Permit Holder(s): Harold A. and/or Evea H. Powers ✓

Post Office Address: 2685 Cherry Circle, Emmett, Idaho 83617 ✓

Source of Water: Groundwater ✓

If ground water, well driller's name: Driscoll Well Drilling Date drilled: June 1984

Extent of Use:
Domestic 1 ✓ (No. of households) Irrigation 3 ✓ (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .09 ✓ cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: July 1984

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes k No Installed? Yes No

OR

Flow Measurement Port: Required? Yes k No Installed? Yes No

Fee Enclosed: \$ 50.00 ✓ (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Harold A. Powers

Name

208-365-3776

Telephone No

2685 Cherry Circle, Emmett, Idaho 83617

Address

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The above information is my true statement of the extent to which the above number of permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

11/7/89
Date

Harold A. Powers Evea H. Powers
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Harold A. & Evea H. Powers Phone (208) 365-3776
Post office address 2685 Cherry Circle, Emmett, Idaho 83617

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 16 Township 6 North Range 1 West B.M. Gem County; additional
points of diversion if any: two water wells

4. Water will be used for the following purposes:

Amount .09 cfs for Irrigation purposes from Mar. 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 cfs for Heating-Cooling purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 cfs for Domestic purposes from Jan. 1 to Dec. 31 (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) .09 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Two wells 85' deep with six
inch casings perforated bottom 10 feet. 1½ HP deep well pump.

b. Height of storage dam _____ 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 6 inches; proposed depth of well is 85 feet

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water for beneficial use is
One years (minimum 1 year).

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JAN 23 1989

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 _____
- c. Municipal; show name of municipality _____
- d. Domestic; show number of households. One
- e. Other; describe fully. Water for geothermal heat pump used for household heating and cooling

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	
6 N	1 W	16											D GL 2AC						3 ac

Total number of acres to be irrigated 3.0

10. Describe any other water rights used for the same purposes as described above. One inch per acre is available for irrigation from Emmett Irrigation District.

- 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: The irrigation water from the Emmett Irrigation District is not available early enough in the spring and late enough in the fall for many items grown in the area. The District water has to be supplemented with groundwater.

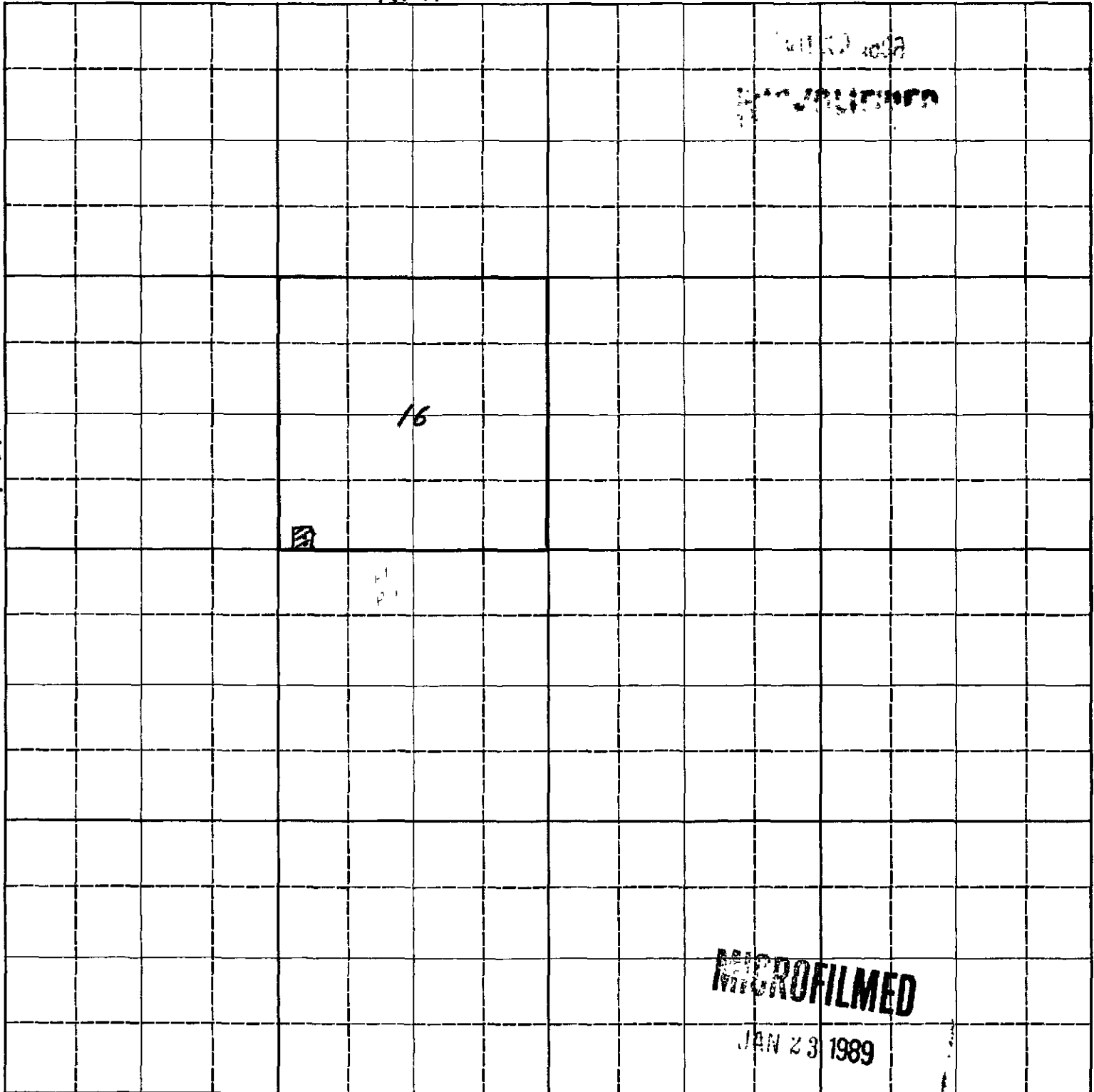
Wells were drilled in 1984.

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JAN 23 1989

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

R/W



Scale 2 inches equal 1 mile

R/W

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.

Harold A. Powers
(Applicant)

Ernest H. Powers

Proposed Priority 4/12/88

Received by kw Date 4-15-88 Time 4:00 pm Preliminary check by BD

Fee \$ 30.00 Receipted by JP # W000110 Date 4/18/1988

Publication prepared by GG Date 4-27-88 Published in Emmett Messenger-Index

Publication approved JP Date 5/15/88

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. 65-12834, and said application is hereby APPROVED

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 January 1, 19 90
- 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:

Witness my hand this 16th day of December, 1988.

J. Blum Saylor

MICROFILMED

JAN 23 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

October 25, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RONALD WEBER
JUDY WEBER
2685 CHERRY CIR
EMMETT ID 83617

RE. Change in Ownership of Water Right 65-12834

Dear Mr. & Mrs. Weber:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below

☒ **Filing Fee** of \$25 per water right

☒ **Evidence of Water Right Ownership:** copy of Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question

☒ **Legal Description of Property**

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. We have determined that the filing fee for your notice will be \$25 00

Because the Department cannot process the ownership change without proper documentation and fees, we will hold any action on your notice pending receipt of the necessary information and fees. If we do not receive the necessary information and fees **within 30 days** we will return your notice and all attachments and your notice will not be processed.

I am returning your ownership change request and ask that you re-submit it with the appropriate support data and filing fee. Please return your request to the address at the top of this letter.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter please call me at 287-4952.

Sincerely,

Kari Lynn Townsend
Secretary

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**SEP 21 2004****WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

- 1 Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	65-12834				

 RECEIVED
 SEP 27 2004
 DEPARTMENT OF
 WATER RESOURCES

 RECEIVED
 SEP 27 2004

2. The following **REQUIRED** information must be submitted with this form:

☒ The appropriate **FILING FEE**. See instructions for fee amounts. \$25.00

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Harold Powers
7680 APUJUSO Lane

4. New Owner/Claimant(s) Emmett Id. (83617)
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address Ronald & Judy Weber

City, State and ZIP Code 2685 Cherry Cir.
Emmett, Id 83617

New Telephone Number 208-398-8829

5. Date you acquired the property Sept 10 2003

COPY

6

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary) If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Ronald W. Leary

Janet W. Leary

For Snake River Basin Adjudication Claims. Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No _____
Processed by _____	AJ Date _____	WR _____ Date _____



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

March 25, 1996

HAROLD A POWERS
EVEA H POWERS
2685 CHERRY CIRCLE
EMMETT ID 83617

RE: WATER RIGHT NO. 65-12834

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

MAR 29 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 605-12834 DATE 3-19-96



NAME Change OK ☒ Assignment Needed _____

PRIORITY DATE _____ ☒ Advance? _____ Advanced to: _____
 Order to reinstate needed? _____
 Incorrect fee for rate recommended? _____

SOURCE _____ ☒ Changes or just clarification of originally intended source? _____
 Notice of Intent to Void necessary? _____

POINT OF DIV _____ ☒ Amendment needed? _____
_____ ☒ Overlaps? _____

PLACE OF USE _____ ☒ Amendment needed? _____
_____ ☒ Overlaps? _____

DIV RATE ☒ Permit/fee limits: .09 CFS
 Meas Q = spunkl ~~meas~~ Q = .14 Recommend: .09
2.5 x .02 = .08 H+C OK @ .02
Dom/INT = .02
 Combined rates exceed capacity _____

IRR @ .09 for 3 acres
 H+C @ .02
 Dom @ .02

ANNUAL VOLUME _____ ☒ Volume Limit: NEW Season: 14.5 (3-15 to 11-15)
 Calculations: 2.5 x 4.5 = 11.3
Dom/INT = .6 H+C = 5.6
 Flow limit: _____ cfs x _____ x 1.9835 = _____
 Combined volumes exceed capacity/allowable _____

USES _____ ☒ Change in Nature of Use or additional uses? _____
 Amendment necessary? _____

NEW CONDITIONS _____ ☒ Irrigation Overlap _____ Replaces Surface Water 050
YES Supplemental GW 065
_____ Water Quality/Dam Safety/Heat-Cool/Fish YES
_____ WM Control- District _____ Meas/Lock Devices _____
_____ Other _____

NEW REMARKS YES Supplemental GW [in Snake River Plain] WB8/WB7
YES Irr/Dom Combination WB5 PPU Recommendation _____
_____ Boise River/Wood River Source Aes/Rec Uses W38
_____ Multiple p/d(s) in ¼ ¼? _____
_____ Fire Protection WB6
_____ Other _____

COMMENTS: Heating & Cooling limited by rate.
NO well log available for source temp info.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed <u>withdrawn</u>
<u>Irrigation</u>	<u>.08</u>	<u>11.3</u>	Adjustment Memo Needed <u>YES</u>
<u>Domestic</u>	<u>.02</u>	<u>.6</u>	LICENSE ☒
<u>H + Cooling</u>	<u>.02</u>	<u>1.8</u>	1ST AMEND LETTER <u>_____</u>
<u>Heating</u>	<u>.02</u>	<u>4.3</u>	2ND AMEND LETTER <u>_____</u>
<u>TOTAL</u>	<u>.09</u>	<u>17.9</u>	

MEMORANDUM

TO: File 65-12834 / Harold Powers
FROM: Brenda Chapman
DATE: March 19, 1996
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 65-12834 are based on the information below:

G. VOLUME CALCULATIONS

The heating and cooling volume recommendations have been adjusted based on the usual entire season of use.

a) Average heating season is 10-1 to 5-1 or 212 days.
System average run time used is 12 hrs per day.

$.02 \text{ cfs} \times [12/24] \times 212 \text{ days} \times 1.9835 = 4.2 \text{ af}$

b) Average cooling season is 5-1 to 9-30 or 90 days
System average run time used is 12 hrs per day.

$.02 \text{ cfs} \times [12/24] \times 90 \text{ days} \times 1.9835 = 1.8 \text{ af}$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	3-15 to 11-15	.08	11.3
Domestic	1-01 to 12-31	.02	.6
Heating	1-01 to 12-31	.02	4.2
Cooling	1-01 to 12-31	.02	1.8

The irrigation season of use volume has been changed to the current recommended guidelines for the per acre field headgate requirement of crops/lawns in that area.
[4.5 afa per acre]

MAR 29 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 20 1996

A. GENERAL INFORMATION

Department of Water Resources
Permit No. 65-12834

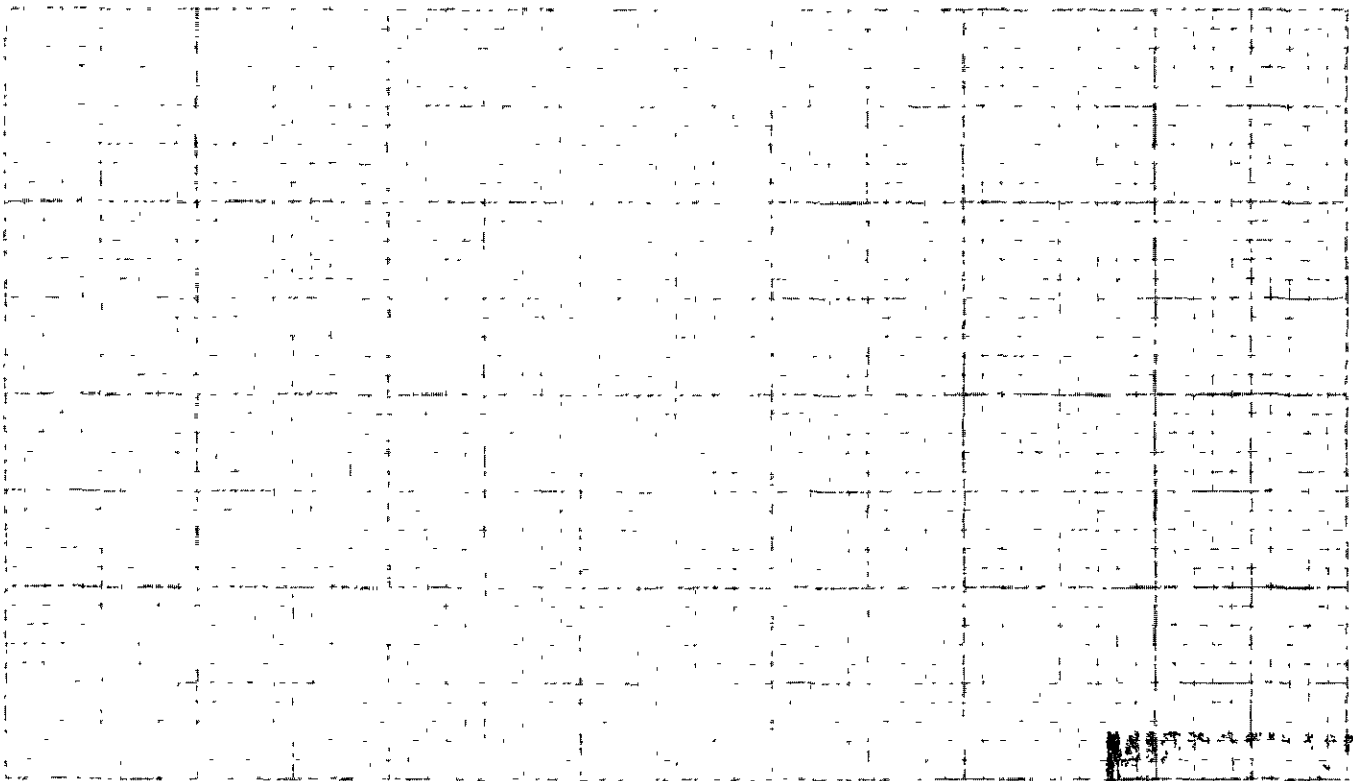
1. Owner: Harold & Evva Powers Phone No. 365-3776
Current Address: 2685 Cherry Circle Emmett, Id 83617
2. Accompanied by: Harold Powers EXAM. DATE: 6-5-91
Address: Same Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



Scale: 1" = _____.

MAR 29 1996

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

A 1 1/2 hp pump draws water from well #1. The well discharges ~~under~~ underground into the house. The water The water is used for internal domestic uses and a sprinkler system operating off of a pressure tank. Two and one-half acres were irrigated by eight sprinkler heads. The water is also used in a heat pump, and all estimates are based per owner's estimate. All flow measurements were conducted on 8-28-91

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1 1/2			

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	SW	16	6N	1W	Gem	USGS Photo Quad/Owner Confirmation

6. Place(s) of Use:

Indicate Method of Determination Pacing, USGS Quad

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	1W	16											2.5						2.5
													4/6						

Do not use this space

MAR 29 1996

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure Gauge						
5 gallon bucket						

2. Measurements:

Attached

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

See attached

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses:

MAR 29 1996

H. REMARKS AND OVERLAP REVIEW ANALYSIS

by Mel Schulte.

No other rights affect this permit.

There is actually only one P.D. Well #2 is an injection well.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* Irrigation	3/1	10/31	.08	11.3
Heating-Cooling	1/1	12/31	.02	5.6
Domestic	1/1	12/31	.02	.6
Totals:			.08	17.5

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

Mark Senior

Signature

Mark Senior

Certification Date

Field Report Preparation Date

5-22-92

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

* See adjustment memo. BC

MAR 29 1996

MEMORANDUM

February 16, 1996

TO: Brenda Chapman
FROM: Cindy Hodges
RE: 65-12834

The attached B/U report is one I've had in my office for some time. I have questions as to the extent of beneficial use as of the dates of both proof filing in 1989 and field exam in 1991. Mel Schulte (and/or Mark Sonius) conducted an exam in 1991 and took field measurements. Mark completed the report preparation in 1992 after Mel had moved to Southern. Mel's pictures show a home and small irrigated yard, and a large area which looks prepped for seeding or sod but otherwise not irrigated. Mark's 1992 photos show the same area fully established to grass and all 3 acres are recommended for license.

The missing information is the disposition of the non-irrigated area at the time of the 1991 exam, and before. Mel does not fully remember all the circumstances, but does remember being impressed by the irrigation system and his perception was that the system itself (buried lines and sprinklers) had been in place for at least a few years. We both presume that the land in Mel's 1991 photos had been recently seeded, hence Mark's effort in 1992 to provide verification photos.

What we do not know is if the land preparation found in 1991 represents a *first planting* or a *re-plant*. I can't imagine either Mark or Mel overlooking the fact that beneficial use had to occur before proof filing in order for the land to qualify as developed under the permit. It is possible that an initial planting of rough grass or cover crop was being replaced with permanent lawn; in fact Mel has a vague memory of just that situation. Unfortunately, the file was not documented either way.

Other information of record does little to support our presumptions. An SRBA claim filed by permit holders and based on this permit showed a 1984 DOP (permit DOP = 1988). The claim was withdrawn. Proof also claims first use in 1984. However, 1987 NAPP photography *does not* show irrigation in excess of the area immediately around the home. I suspect the well was constructed in 1984; no well log is available.

I've been waiting for divine intervention or something similar to provide the answers to this, to no avail! It is entirely possible that the acres were developed in accordance with the permit, which would be after the NAPP photo was shot, so I am hesitant to reduce the recommendation based on that evidence alone. If you are not comfortable with the recommendation as it stands, I would suggest you contact the permit holder for more information.

PERMIT NO. 65-12834

FLOW:

IRRIGATION MEASUREMENTS:

THE SYSTEM OPERATES WITH EIGHT(8) HUNTER G-SERIES, LOW PROJECTILE SIZE #10 NOZZLES. THE SPRINKLER PRESSURE WAS MEASURED AT 55 PSI. A FIVE GALLON BUCKET TEST WAS ALSO DONE AT DIFF. HEADS.

5 GALLONS IN 37 SEC. PER HEAD AVG.

5 gal/37 sec. * 60 sec./min. = 8.11 GPM

8.11 GPM/head * 8 heads /448.4 = .14 cfs

FROM HUNTER CHARTS

7.3 GPM AT 50 PSI

8.0 GPM AT 60 PSI

AT 55 PSI:

7.65 GPM/head * 8 heads /448.4 = .14 cfs

LIMITER IS PERMIT

2.5 ac x .03

.09 cfs

✓ .08 cfs

INTERNAL DOMESTIC:

.02 cfs

HEATING-COOLING:

9 GPM /448.4

.02 cfs

VOLUME:

IRRIGATION:

2.5 ACRES * 4.5(irrig. req.) = 11.25 afa

.09 cfs * 245 days * 1.9835 = 43.74 afa

11.3 afa

DOMESTIC:

.6 afa

HEATING:

ASSUME HEATING FROM OCT. TO MAY, AND HEAT PUMP OPERATES FOR 12 HRS PER DAY.

8 mos. * 30 days/mo. * .5 day * 1.9835 * .02 cfs =

4.76 afa

COOLING:

ASSUME COOLING FROM JULY TO AUG., AND COOLER OPERATES FOR 8 HRS. PER DAY.

2 mos. * 30 days/mo. * .33 day * 1.9835 * .02 cfs =

.8 afa

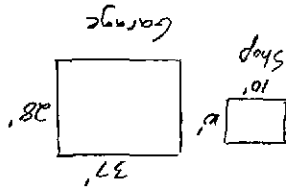
TOTAL:

5.6 afa

MAR 29 1996

MAY 29 1996

355'



353'

1" ≈ 50'



Well #1

50'

House

56'

60'

25'

127'

30' alc

Well #2

Driveway

414' long

10'

Cherry
Creek

306'

407'

Total Acreage

Lawn Area:

$$\text{Avg Width: } 335' + 306' / 2 = 321'$$

$$\text{Avg Length } 407' + 353' / 2 = 380'$$

$$\text{Area} = 380' \times 321' = 121,980 \text{ sq. Ft.}$$

House Area

$$60' \times 56' + 50' \times 25' = 4610 \text{ sq. Ft.}$$

Driveway

$$\begin{array}{l} 414' \times 10' + 30' \times 127' = 7950 \text{ sq. Ft.} \\ \text{Drive} \quad + \quad \text{Parking} \end{array}$$

Shops:

$$10' \times 10' + 37' \times 58' = 2246 \text{ sq. Ft.}$$

Irrigated area:

$$121,980 - 4610 - 7950 - 2246 = 107,174 \text{ sq. Ft.}$$

$$107,174 / 43,560 = 2.46 \text{ acres}$$

4 1/2" x 11" x 1/4"

MAR 29 1996

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 65-12834

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 6N, Rge 1W, Sec. 16, SW 1/4 SW 1/4 or Lot _____.

2. Owner: Harold & Fuca Powers

Address 2685 Cherry Circle, City Emmett, St ID
83617

3. Casing $\geq$ 12 inches above ground: Yes ☒ No _____

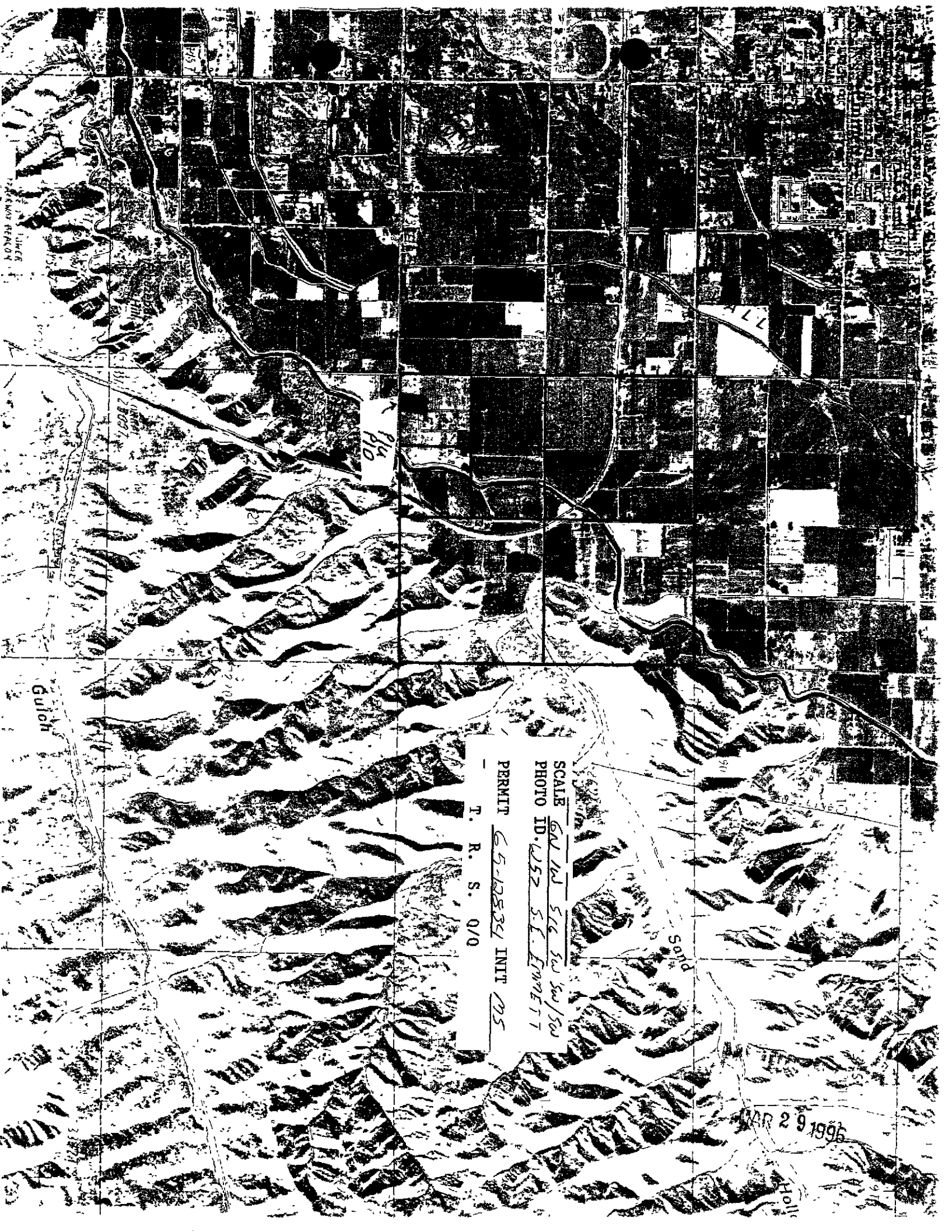
4. Access Port: Yes ☒ No _____ Static Water Level: _____
Pressure Gauge: Yes _____ No ☒ Casing Diameter: 6"
Flowing: Yes _____ No ☒ Temperature: _____

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes _____ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: _____

MAR 29 1996



P14
P10

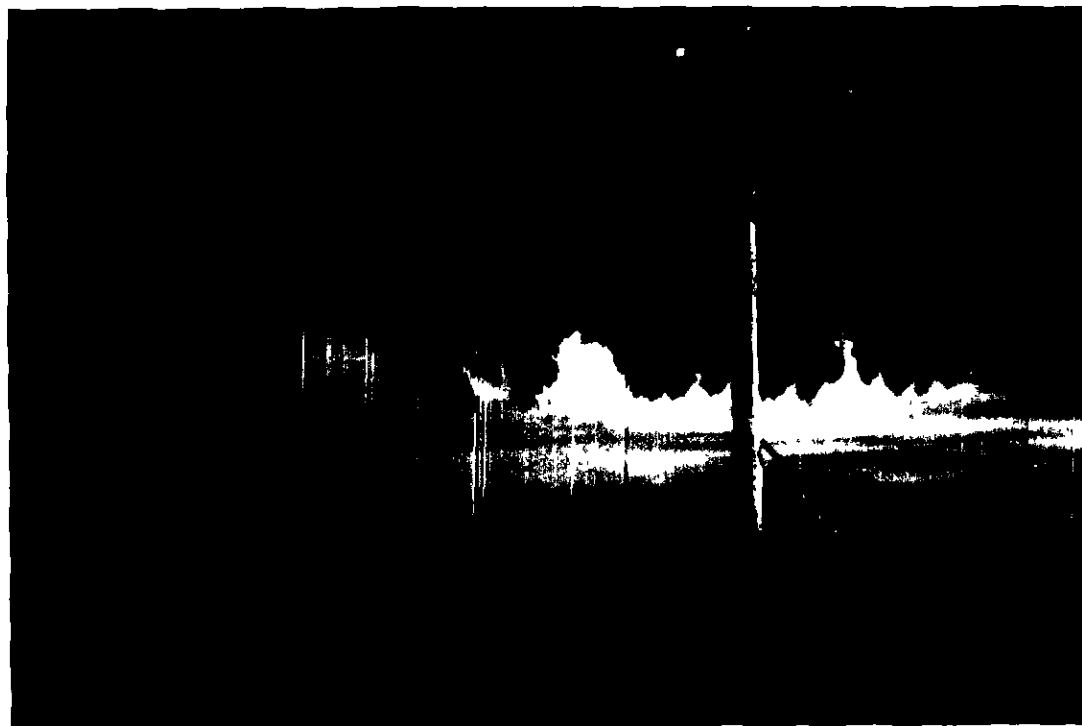
SCALE 64' 161' 516' 50' 50' 50'
PHOTO ID. 1252 S.E. FINEST

PERMIT 65-12534 INIT MS
T. R. S. 0/0

MAR 29 1996

MAR 29 1996

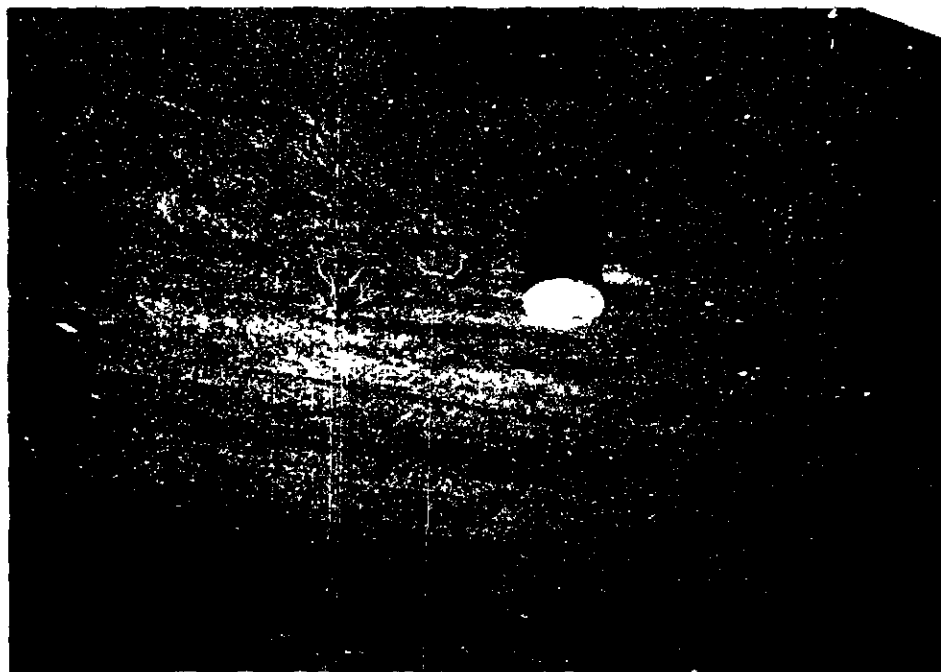
10:00 AM



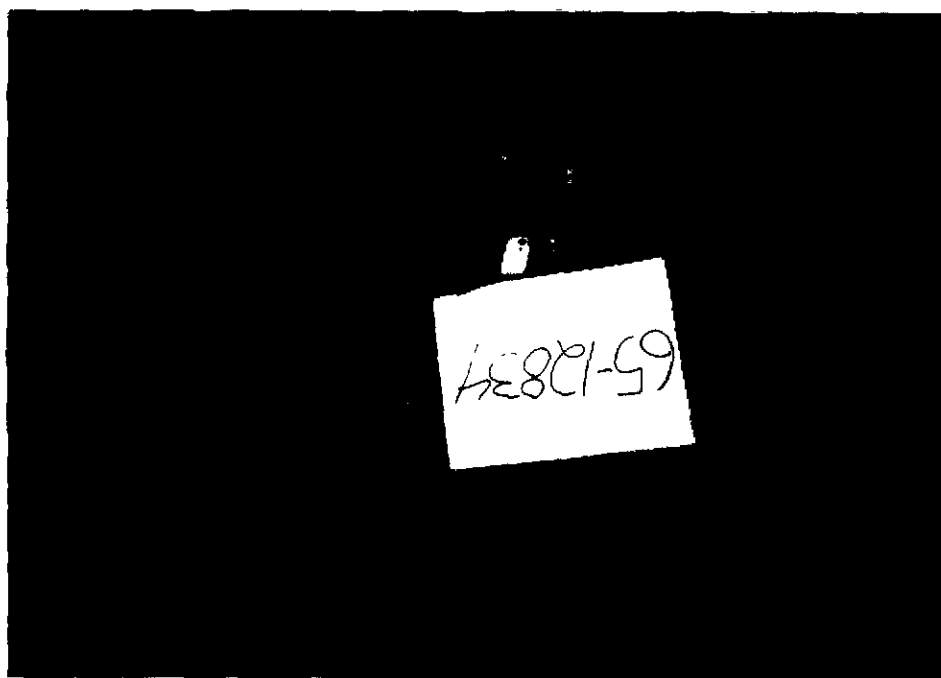
Irrigated
Lawn.
Now with
grass
6-8-92

65-12834

MAR 29 1996



#2
Point of injection
Well #2



#1
Point of diversion
Well #1 from
diagram

65-12834

65-12834



#3

Place of use
Facing southeast.

Sprinkler head
marked



#4

Facing northeast.

← Well #2

MAR 29 1966

MAR 28 1996

000000



Facing Southeast

#9



Place of use.

#5

65-12834

February 12, 1990

HAROLD A. POWERS
EVEA H. POWERS
2685 CHERRY CIRCLE
EMMETT, ID 83617

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-12834

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.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

FEB 27 1990

138820

October 31, 1989

HAROLD A. POWERS
EVEA H. POWERS
2685 CHERRY CIRCLE
EMMETT, ID 83617

PROOF DUE NOTICE

RE: PERMIT NO. 65-12834

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 January 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MicroFILMED

FEB 27 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
December 21, 1988

HAROLD A. POWERS
EVEA H. POWERS
2685 CHERRY CIRCLE
EMMETT, ID 83617

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-12834

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also

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JAN 23 1989

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS: SC
Enclosures

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JAN 23 1989

RECEIVED
NOV 7 1988

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, SS.
COUNTY OF GEM,

Wayne Anderson, being first

duly sworn, on his oath deposes and says that he is the ~~printer~~ ^{owner} of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly and continuously for more than 78 weeks prior to the first publication of the annexed document; and that the document notice, process, or advertisement hereunto annexed was published in the regular edition of

Messenger-Index for July 1988
consecutive weekly issues thereof, be-

ginning with the issue of June 15,

1988, and ending with the issue of

June 22, 1988

Wayne Anderson

Subscribed and sworn to before me this

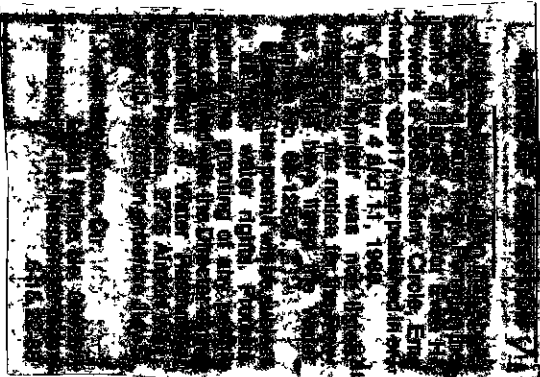
19th day of

October, 1988

David Crawford

Notary Public

Residing at Emmett, Idaho.



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JAN 23 1989



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

June 8, 1988

Emmett Messenger-Index Newspaper
Attn: Legal Dept.
P.O. Box 577
Emmett, ID 83617

Re: Error on Advertising of Application for Permit 65-12834, in the Name of
Harold A. &/or Evea H. Powers

Dear Legal Section:

Enclosed is a copy of the original notice for the above-referenced application and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We would appreciate you advertising this at your expense. As soon as we receive a copy of the correct advertisement and the affidavit of publication, we will forward the bill to our Accounting Department.

If you have any questions, please don't hesitate to me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Judy Pense", is written above the typed name.

Judy Pense
Secretary

Enclosures: Original Notice
Affidavit
Legal Notice (correction)

RECEIVED

JAN 23 1989

NOTICE OF CORRECTION

Notice is hereby given that Application for a Water Right Permit in the name of Harold A. &/or Evea H. Powers of 2685 Cherry Circle, Emmett, ID., 83617, was published in error on May 4 and 11, 1988.

The Number was not listed. WHEREAS, the notice for the Powers should have listed the Water Right as No. 65-12834.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before July 5, 1988.

R. Keith Higginson, Dir.

Published in the Messenger-Index on 6/26 & 6/23/1988.

MICROFILMED

JAN 23 1989

#225
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Jan Woods, being first
duly sworn, on his oath deposes and
says that he is the ^{clerk} printer of Messenger-
Index, a legal weekly newspaper pub-
lished at Emmett, in Gem County, Idaho;
that said newspaper is in general circu-
lation in said county and has been pub-
lished uninterruptedly and continuously
for more than 78 weeks prior to the first
publication of the annexed document;
and that the document notice, process,
or advertisement hereunto annexed was
published in the regular edition of

Messenger-Index for 2
consecutive weekly issues thereof, be-

ginning with the issue of 5-4,
1988, and ending with the issue of

5-11, 1988

Jan Woods
Subscribed and sworn to before me this

12th day of

MAY, 1988

Ira S. Yokum

Notary Public,
Residing at Emmett, Idaho.

NOTICE OF APPLICATION
FOR WATER RIGHT

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

No 65-12832

UNIMIN CORP.

258 ELM ST.

NEW CANAAN, CT 06840

Source: PAYETTE RIVER. Tributary:
SNAKE RIVER. Diversion Pt: LOT 3
(NWNW) Sec 7 T 06N R 01W.

Use:

INDUSTRIAL STORAGE (2.00 AF);
INDUSTRIAL FROM STORAGE
(2.00 AF); DIVERSION TO
STORAGE (5.000 CFS)

Date Filed: 4/04/1988

In: LOT 6 (NESW) Sec 11 T 06N
R 02W FOR (0) ACRES.

LOT 6 (SESW) Sec 11 T 06N R
02W FOR (0) ACRES.

LOT 7 (NWSE) Sec 11 T 06N R
02W FOR (0) ACRES.

SWSE Sec 11 T 06N R 02W
FOR (0) ACRES

NWNE Sec 14 T 06N R
02W FOR (0) ACRES.

NENW Sec 14 T 06N R
02W FOR (0) ACRES

POWERS, HAROLD A.

POWERS, EVEA H.

2685 CHERRY CIRCLE

EMMETT, ID 83617

Source: GROUNDWATER
Diversion Pt: SWSWSW Sec 16 T
06N R 01W

Use: IRRIGATION (.090 CFS)

HEATING (.020 CFS)

COOLING (.020 CFS)

DOMESTIC (.020 CFS)

Date Filed: 4/12/1988

In: SWSW Sec 16 T 06N R 01W
FOR 3.0 ACRES

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 MAY 23, 1988.

R. KEITH HIGGINSON,
Director

Legal Notice No. 000225
Published in the Messenger Index
5-4, 11-88

No. 65-12834

RECEIVED

MAY 17 1988

Department of Water Resources
Western Region

MICROFILMED

JAN 23 1989

55-12834

POWERS, HAROLD A.
POWERS, EVEA H.
2685 CHERRY CIRCLE
EMMETT, ID 83617

Source: GROUNDWATER

Diversion Pt: SWSWSW Sec 16 T 06N R 01W

Use: IRRIGATION	(.090 CFS)
HEATING	(.020 CFS)
COOLING	(.020 CFS)
DOMESTIC	(.020 CFS)

Date Filed: 4/12/1988

In: SWSW Sec 16 T 06N R 01W FOR 3.0 ACRES

MICROFILMED
JAN 23 1989