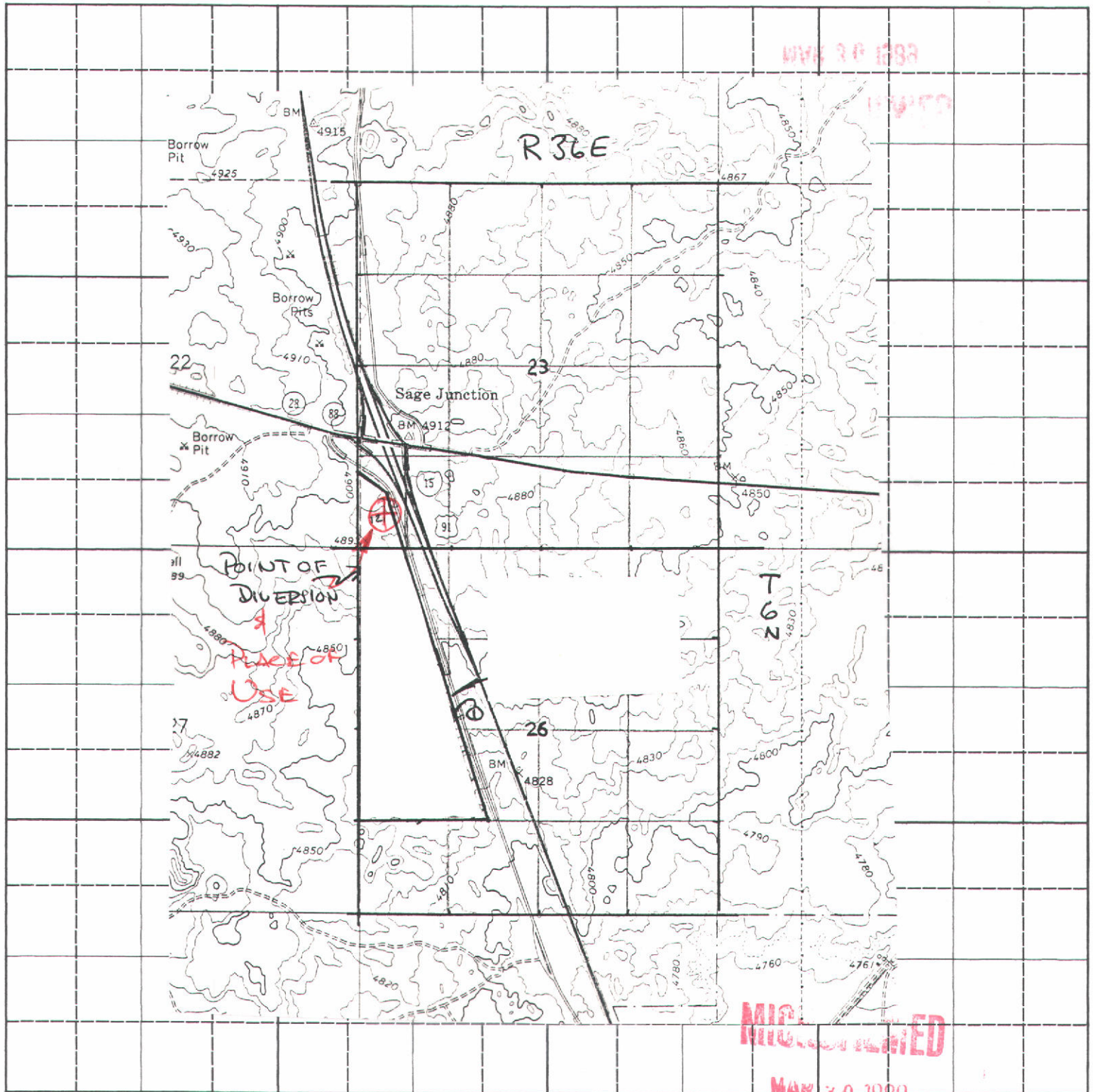


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Harold Brown
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD STREET
BOISE, IDAHO 83706-2237



MICROFILMED

MAR 10 1997

MICROFILMED

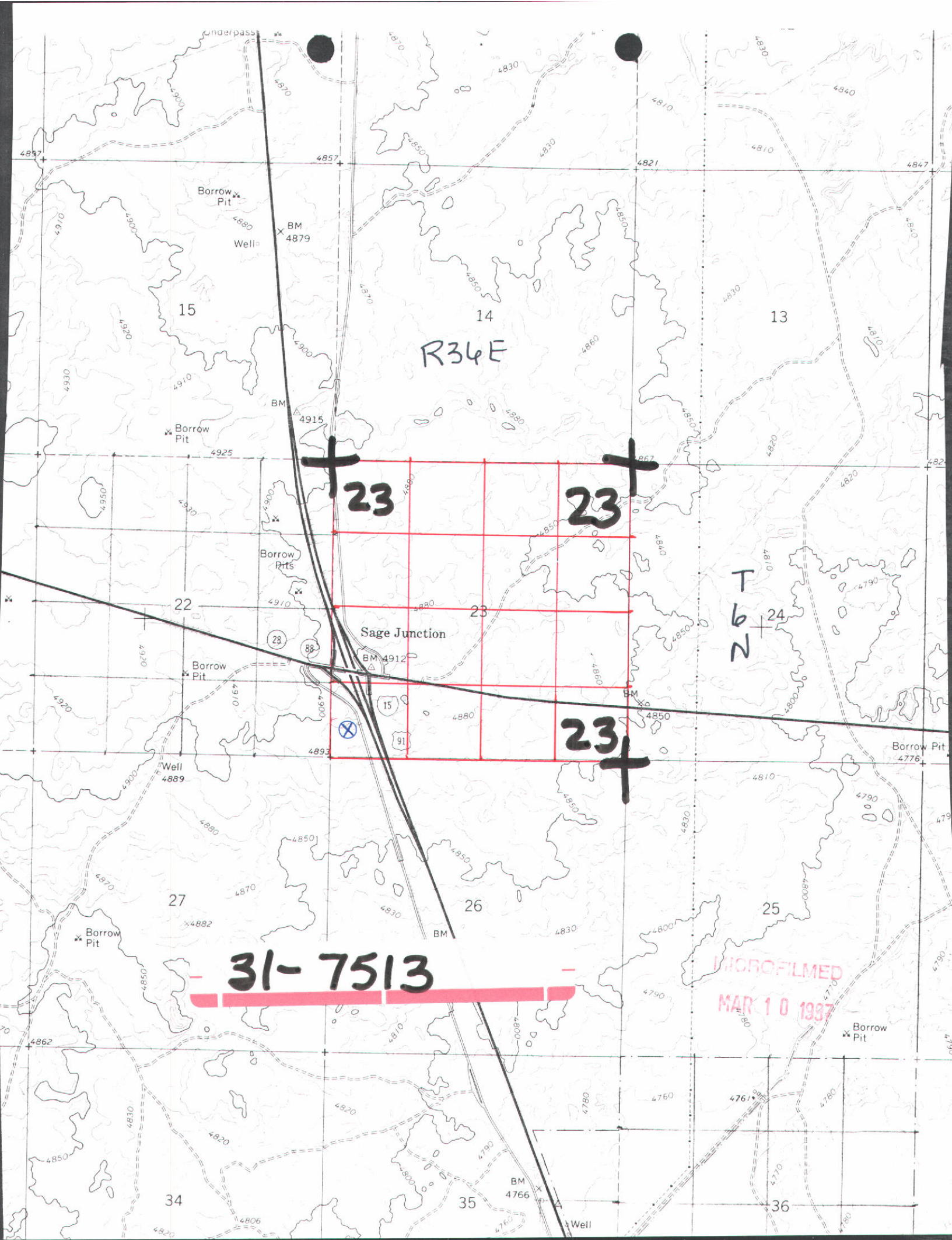


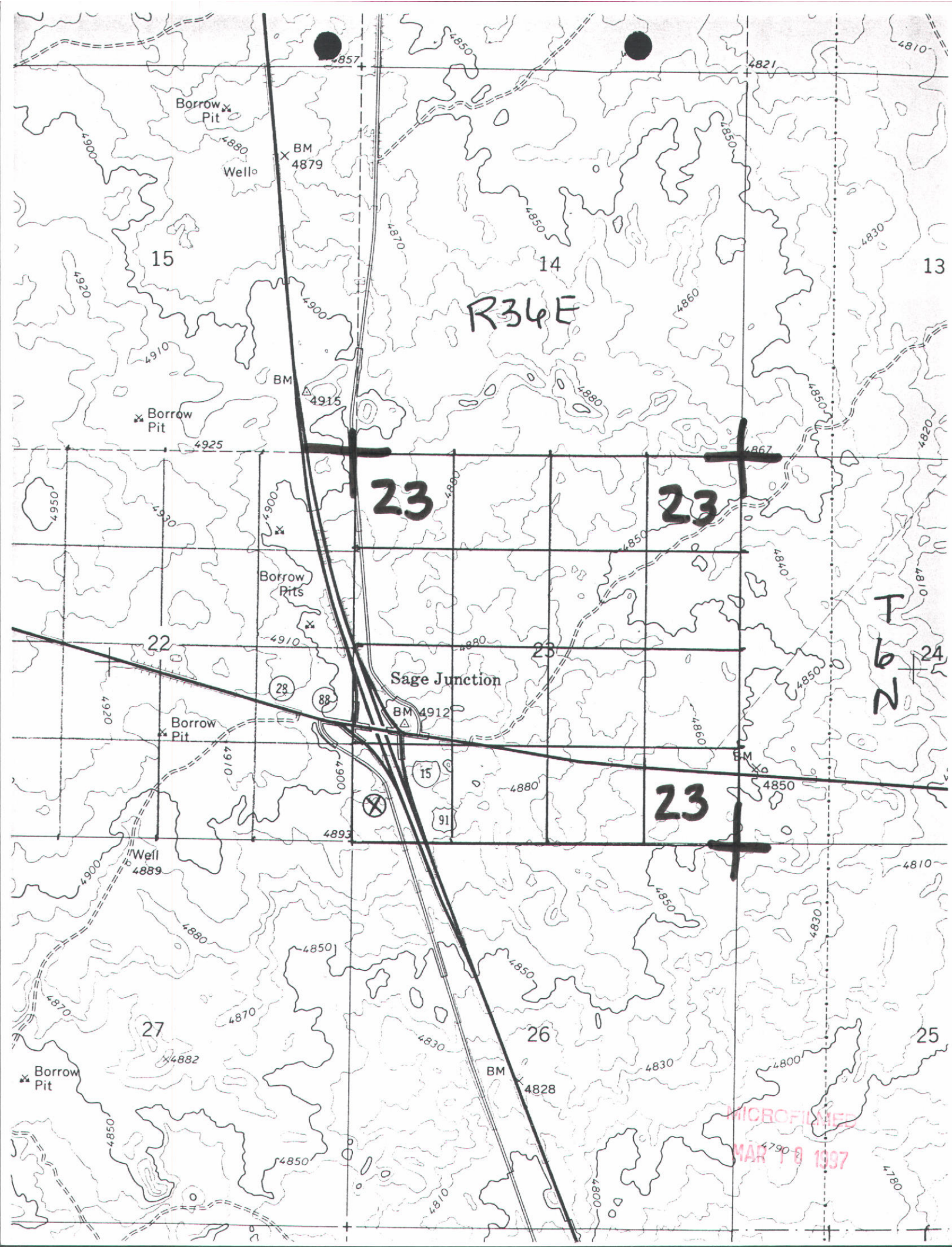
Forward expired

31-07512
HAROLD BROWN
PO BOX 61
TETTERTON

ID 83750

RECEIVED
MAR 03 1997
Department of Water Resources





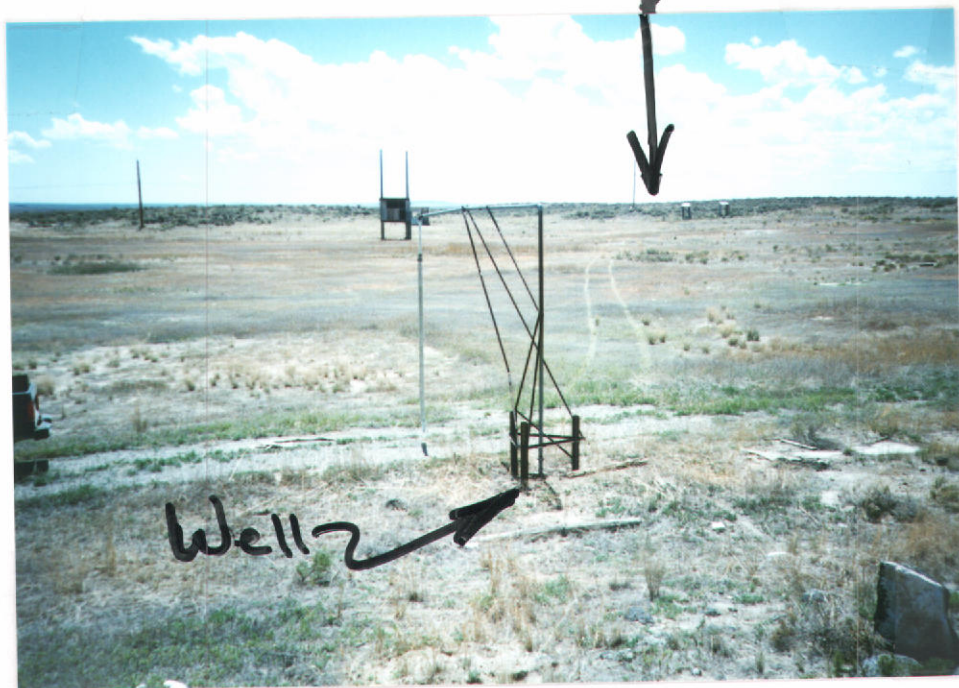
Corner Marker
22-23/27-26



31-7513

MICROFILMED

MAR 10 1997



31-7513

VIEW TO SW

MICROFILMED
MAR 10 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 31-07513

Priority: November 23, 1988

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that HAROLD BROWN
PO BOX 81

TERRETON ID 83450

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 23, 1988; and has submitted Proof of Beneficial Use on March 19, 1991. An examination indicates that the works have a diversion capacity of 0.070 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>
COMMERCIAL	01/01 to 12/31	0.07 CFS	0.6 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.07 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 23, Township 06N, Range 36E
JEFFERSON County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

06N 36E 23

SWSW

PLACE OF USE:

DOMESTIC, same as COMMERCIAL use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
6. Commercial use is for dust control for land leveling.

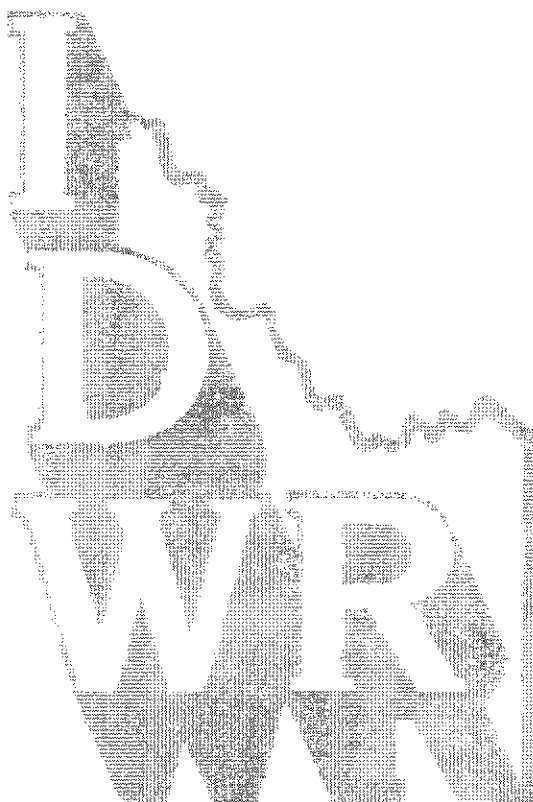
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 31-07513

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 FEBRUARY, 1997.


Acting for KARL J. DREHER, Director



For Office Use Only
Amt. of Fee \$ 50.00
Date 3/17/91
Receipt No. 6019768
Received by J. J. J.

RECEIVED
MAR 19 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources **PROOF OF BENEFICIAL USE**

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.

1. Permit No. 31-07513 Telephone No. 663-4604

2. Name(s) of Permit Holder(s): Harold Brown

3. Post Office Address: P.O. Box 81 Tamarac, ID 83450

4. Source of Water: Groundwater

a. If ground water, well driller's name: Dennis Date drilled: 1978

b. Pump horsepower: 5 Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic one (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock)

Other Dust control for land trucking
Commercial

6. Total rate and/or volume for which proof is submitted 0.14 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

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

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

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

See above
Name Telephone No.

Address

10. The above information 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.

3-12-91
Date

Harold Brown
Signature (and title if on behalf of a company or organization)

APR 19 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant HAROLD BROWN Phone (208) 663-4604
Post office address P.O. Box 81, TEREETON, ID 83450

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. 23 Township 6N Range 36E B.M. JEFFERSON County; additional
points of diversion if any: —

4. Water will be used for the following purposes:

Amount 0.12 for COMMERCIAL purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount — for — purposes from — to — (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) 0.14 and/or (b) —
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. —

WELL & PUMP; 5" CASING 213' DEED TO ONE TRAILER HOUSE
COMMERCIAL USE - DUST CONTROL FOR LAND LEVELING

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.

~~Existing~~ c. Proposed well diameter is 5" inches; proposed depth of well is 213 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 to the proposed beneficial use is
2 years (minimum 1 year).

APPROVED

MAR 30 1989

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. _____

e. Other; describe fully. _____

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.

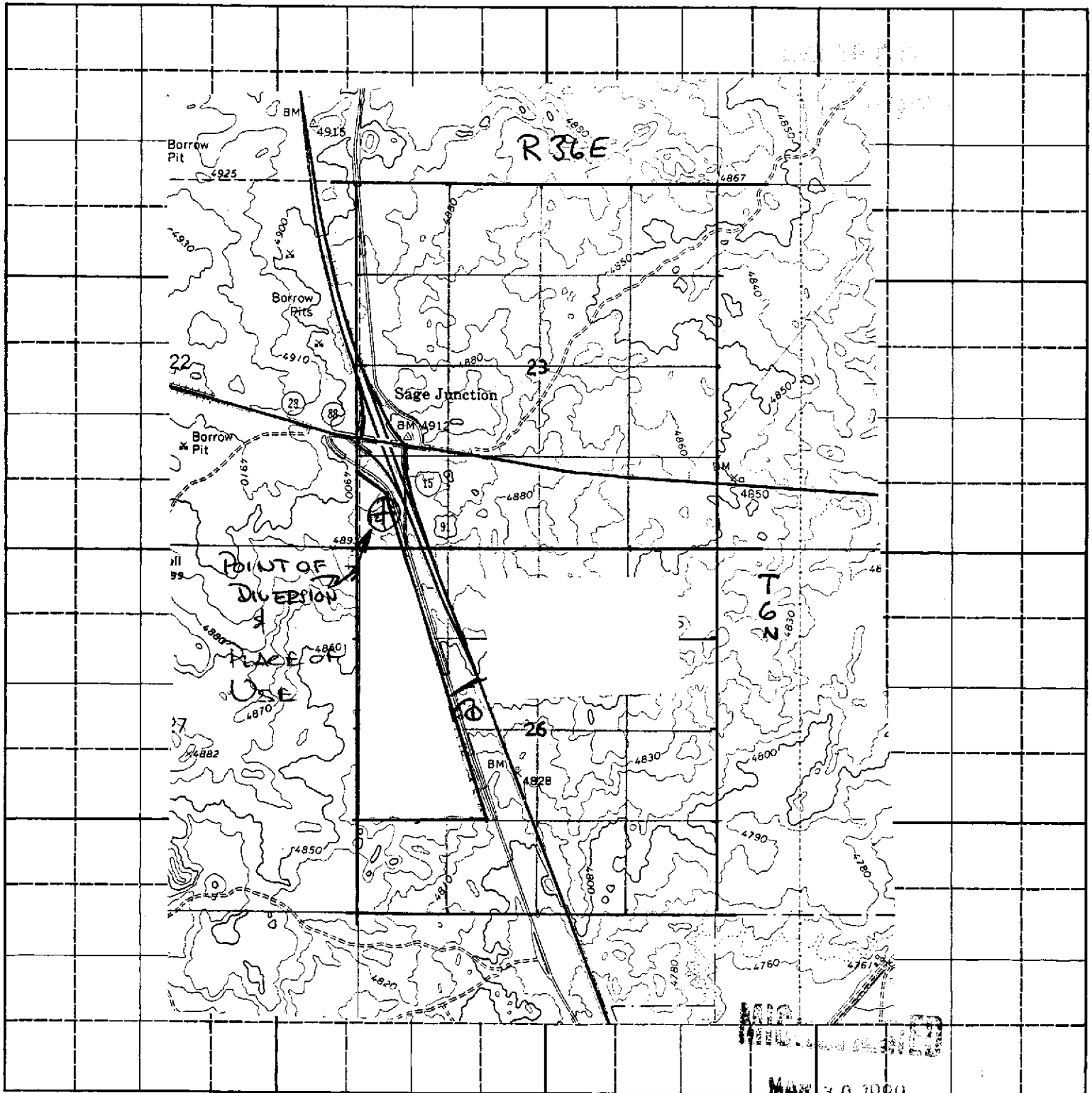
[illegible]

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

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

Prismata cet.

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



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 Brown
(Applicant)

Received by PM Date 11-23-88 Time 1635
Preliminary check by DM
Fee \$ 30.00
Received by PM Date 11-23-88
E004395 Date 11-23-88
Publication prepared by AB Date 12-6-88
Published in Tolson Star Date 12-28-88
Publication approved AB Date 12-28-88

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. 31-7513 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

April 1, 19 91.

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:

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 2nd day of March, 1989.

J. Mausberger
Chief, Water Allocation Bureau

RECORDED

MAR 30 1989

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)

County of Jefferson)

I, Crystal Foster
of the Jefferson Star, published
weekly at Rigby, Jefferson County,
Idaho, do solemnly swear that the

Notice of Application
a copy of which notice appears at-
tached hereto, was published in the
regular and entire issue of said
newspaper, and not in any supple-

ment issue thereof for Two (2)
consecutive issues, the first publica-

having been made on 12/14/88
and the last publication having been

made on 12/21/88.

Further, that said newspaper is one
of general circulation in said coun-
ty; that it is a legal newspaper, con-
forming to legal specifications
under the Idaho Statutes; that it has
as least two hundred bona fide
subscribers living within the county
of publication; and that it has been
continuously and uninterruptedly
published in said county during a
period of seventy-eight consecutive
weeks prior to the first publication
of the said notice.

Crystal Foster

On this 22nd day of December

in the year of 1988, before
me, a Notary Public, personally ap-

peared Crystal Foster,
known or identified to me to be the
person whose name subscribed to
the within instrument, and being by
me first duly sworn, declared that
the statements therein are true, and
acknowledged to me that she ex-
ecuted the same.

Richard Barker

Notary Public for Idaho
Residing at Shelley, Idaho
My commission expires: 4-23-93

NOTICE OF APPLICATION
FOR WATER RIGHTS

The following applications have been filed
to appropriate the public waters of the State
of Idaho:

25-07461

CAMPBELL, DON A.
365 N. 4450 E.
RIGBY, ID 83442
Source: GROUNDWATER
Diversión Pt: NWSWNE Sec 13 T 04N R 39E
Use: IRRIGATION (.090 CFS)
Date Filed: 11/10/1988
In: T04N R39E S13 SWNE
3.0 ACRES TOTAL
25-07462

MARSHALL, DON W.
261 N. 4570 E.
RIGBY, ID 83442
Source: GROUNDWATER
Diversión Pt: SESENE Sec 19 T 04N R 40E
Use: DOMESTIC (.060 CFS)
IRRIGATION (.030 CFS)
Date Filed: 11/10/1988
In: T04N R40E S19 SENE
1.0 ACRES TOTAL
25-07463

CLAYTON, J. LLOYD
CLAYTON, CHRISTINE L.
1985 BEAR ISLAND DR.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversión Pt:
LOT 7 (SENWSE) Sec 35 T 04N R 37E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.040 CFS)
Date Filed: 11/25/1988
In: T04N R37E S35 Lot 7 (NWSE)
2.0 ACRES TOTAL
25-07464

SWENDSEN, BRENT
SWENDSEN, NANCY
670 N. 4200 E.
RIGBY, ID 83442
Source: GROUNDWATER
Diversión Pt: SENWSW Sec 8 T 04N R 39E
Use: COMMERCIAL (.040 CFS)
Date Filed: 11/30/1988
In: T04N R39E S08 NWSW
26-07466

BRIGGS, DAVID L.
BRIGGS, JEANIE K.
183 E. 2 N.
RIGBY, ID 83442
Source: GROUNDWATER
Diversión Pt: NENENW Sec 20 T 04N R 39E
Use: Commercial (.040 CFS)
Date Filed: 11/17/1988
In: T04N R39E S20 NENW

31-07510

BROWN, SID E.
BROWN, JAN A.
MOMBERGER, JESSE
HC 60 BOX 1670
HAMER, ID 83425
Source: GROUNDWATER
Diversión Pt: SWSWNE Sec 5 T 07N R 36E
Use: IRRIGATION (.060 CFS)
DOMESTIC (.060 CFS)
STOCKWATER (.030 CFS)
Date Filed: 11/14/1988
In: T07N R36E S05 SWNE
2.0 ACRES TOTAL
31-07511

SIMMONS, WILLIAM T.
HC 69 BOX 2510
HAMER, ID 83425
Source: GROUNDWATER
Diversión Pt: NENENW Sec 24 T 06N R 34E
Use: COMMERCIAL (.040 CFS)
Date Filed: 11/30/1988
In: T06N R34E S24 NENW
31-07512

SCOTT, STANLEY K.
P.O. BOX 59
MONTEVIEW, ID 83435
Source: GROUNDWATER
Diversión Pt: NWNWNW Sec 16 T 07N R 33E
Use: DOMESTIC (.060 CFS)
STOCKWATER (.180 CFS)
Date Filed: 11/30/1988
In: T07N R33E S16 NWNW
31-07513

BROWN, HAROLD
P.O. BOX 81
TERRETON, ID 83450
Source: GROUNDWATER
Diversión Pt: SWSWSW Sec 23 T 06N R 36E
Use: COMMERCIAL (.120 CFS)
DOMESTIC (.020 CFS)
Date Filed: 11/23/1988
In: T06N R36E S23 SWSW
31-07514

SCOTT, STANLEY K.
P.O. BOX 59
MONTEVIEW, ID 83435
Source: GROUNDWATER
Diversión Pt: NENWNW Sec 16 T 07N R 33E
Use: DOMESTIC (.080 CFS)
Date Filed: 11/30/1988
In: T07N R33E S16 NWNE

The permits will be subject to all prior
water rights. Protest may be submitted based
on the criteria of Sec. 42-203 A, Idaho Code
and/or the new public interest criteria of Sec.
42-203C, Idaho Code. Protest must be filed
with the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls, Idaho
83402 on or before JANUARY 2, 1989.
R. Keith Higginson, Director
Published in the Jefferson Star, Rigby,
Idaho, December 14 and 21, 1988.

MICROFILMED

MAR 30 1989

RECEIVED

DEC 23 1988

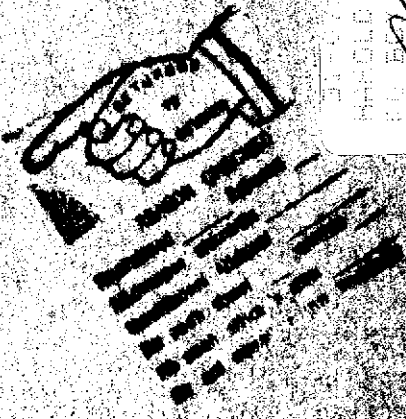
Department of Water Resources
Eastern District Office

30156
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RECEIVED
 09/13/84

forward expired

2/26/77
 HAROLD BROWN
 60 E. 1ST ST
 TOLSON



MICROFILMED
 MAR 10 1997
 MICROFILMED

DEPARTMENT OF WATER RESOURCES
 1001 NORTH OREGON STREET
 PORTLAND, OREGON 97201

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 31-07513

Priority: November 23, 1988

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that HAROLD BROWN

PO BOX 81

TERRETON ID 83450

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 23, 1988; and has submitted Proof of Beneficial Use on March 19, 1991. An examination indicates that the works have a diversion capacity of 0.070 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>
COMMERCIAL	01/01 to 12/31	0.07 CFS	0.6 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.07 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 23, Township 06N, Range 36E
JEFFERSON County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

06N 36E 23

SWSW

PLACE OF USE:

DOMESTIC, same as COMMERCIAL use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
6. Commercial use is for dust control for land leveling.

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

WATER RIGHT NO. 31-07513

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 FEBRUARY, 1997.


Acting ~~for~~ KARL J. DREHER, Director





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 24TH 1997

HAROLD BROWN
PO BOX 81
TERRETON IDAHO 83450

RE: WATER RIGHT NO. 31-07513

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

If you have questions, please contact me at (208) 327-7946.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SWK:vrr

c: Eastern Region

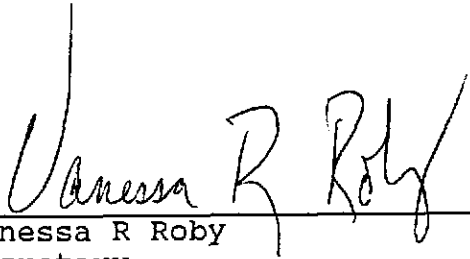
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 31-07513

**HAROLD BROWN
PO BOX 81
TERRETON IDAHO 83450**



Vanessa R Roby
Secretary

LICENSE REVIEW CHECKLIST

PERMIT NO. 31-07513

DATE 2/7/97

REVIEWER: SHARLA

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	<u>—</u>	<u>✓</u>	Is change clarification of originally intended source? <u>—</u>
POINT OF DIV	<u>—</u>	<u>✓</u>	If not, prepare Notice of Intent to Void <u>—</u>
PLACE OF USE	<u>—</u>	<u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

NO GOVT LOTS

RATE OF DIV

Permitted Rate	<u>.14</u>	cfs
Fee limit	<u>.20</u>	cfs <u>\$50⁰⁰</u>
Measured	<u>—</u>	cfs
Theoretical	<u>.07</u>	cfs

Recommended Total Div Rate .07 cfs

ANNUAL VOLUME/
NATURE OF USES —

Use ✓

Comm. <u>.07</u>	Volume Calculation
Dom. <u>.02</u>	<u>.6 (as in house)</u>
<u>—</u>	<u>.6 in house</u> af
<u>—</u>	<u>—</u> af
<u>—</u>	<u>—</u> af
SUBTOTAL	<u>1.2</u> af

Flow rate .07 cfs X 365 days X 1.98 af = 50.6 af
 Total volume recommended 1.2 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1/1 home - irrig not incl
2/1 dust control for land leveling

CONDITIONS — Watermaster Control WD# —
— GW Measurement/Measuring Device
— Overlap
— Use-specific conditions

Advancement of Priority Date Required — yes — no

SRBA Claim Filed N/A
 Adjustment Memo —

1st Amend Letter N/A
 2nd Amend Letter —

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 16 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 31-7513

1. Owner: Harold Brown Phone No. _____

Current Address: P.O. Box 81, Territon, Id 83450

2. Accompanied by: NO ONE EXAM. DATE: 7-14-1994

Address: _____ 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

SEE ATTACHED PHOTOS

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

1000013152

JAN 16 1997

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

Well pump with tank filling set up.

☐ See Remarks on page 4 for continuation

He observed

Well or Diversion Identification No.*	Motor Make	Hp *	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	luck	3			

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

Ident. No.	Ident. Gov't.	Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
------------	---------------	-----	-----	-----	-----	------	------	------	--------	---------------------------------

[illegible]

Indicate Method of Determination.

[illegible]

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Theoretical

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: Assume 3 hp @ 35 psi and 70% eff

$$Q = \frac{hp(8.814)(\text{eff})}{LH + (PSI \times 2.308)} = \frac{3(8.814)(.7)}{175 + (35 \times 2.308)} = 0.07 \text{ cfs}$$

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

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Domestic use (one home) = 0.6 AF/A

Commercial = 0.6 AF/A

MEASURED

MADE 10/10/11

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Static water level from closest well with in Section is a test well with a static H₂O level of 175 ft. Assume 3 hp pump @ 35 psi

Well is being used a couple times/year on an irregular bases.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use		Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (af)
Commercial	Domestic	From	To		
01/01	01/01	12/31	12/31	0.07	0.6 af/A
				0.02	0.6 af/A
Totals:				0.07	1.2 af/A

2. Recommended Amendments

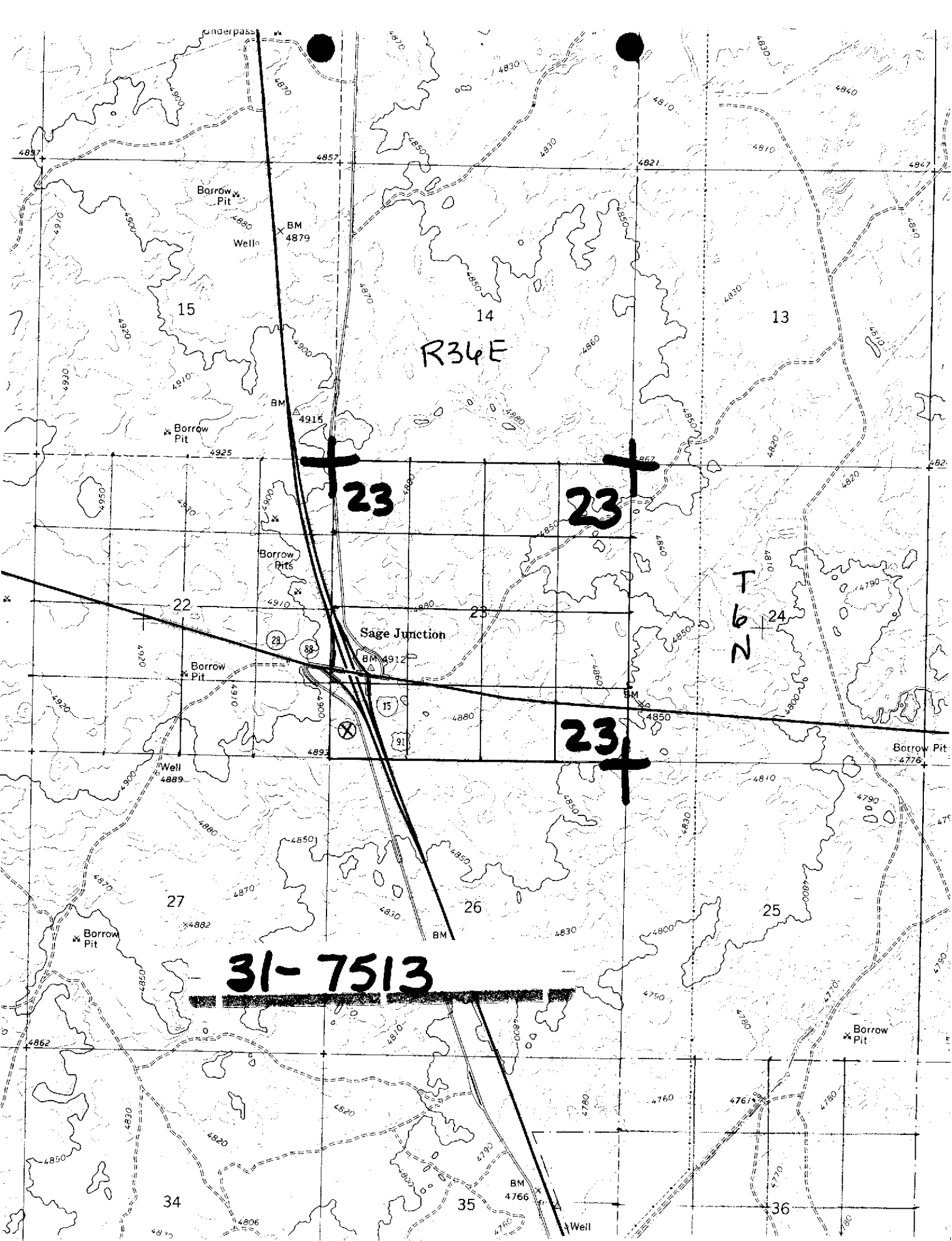
- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☒ None
- ☐ Other
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above

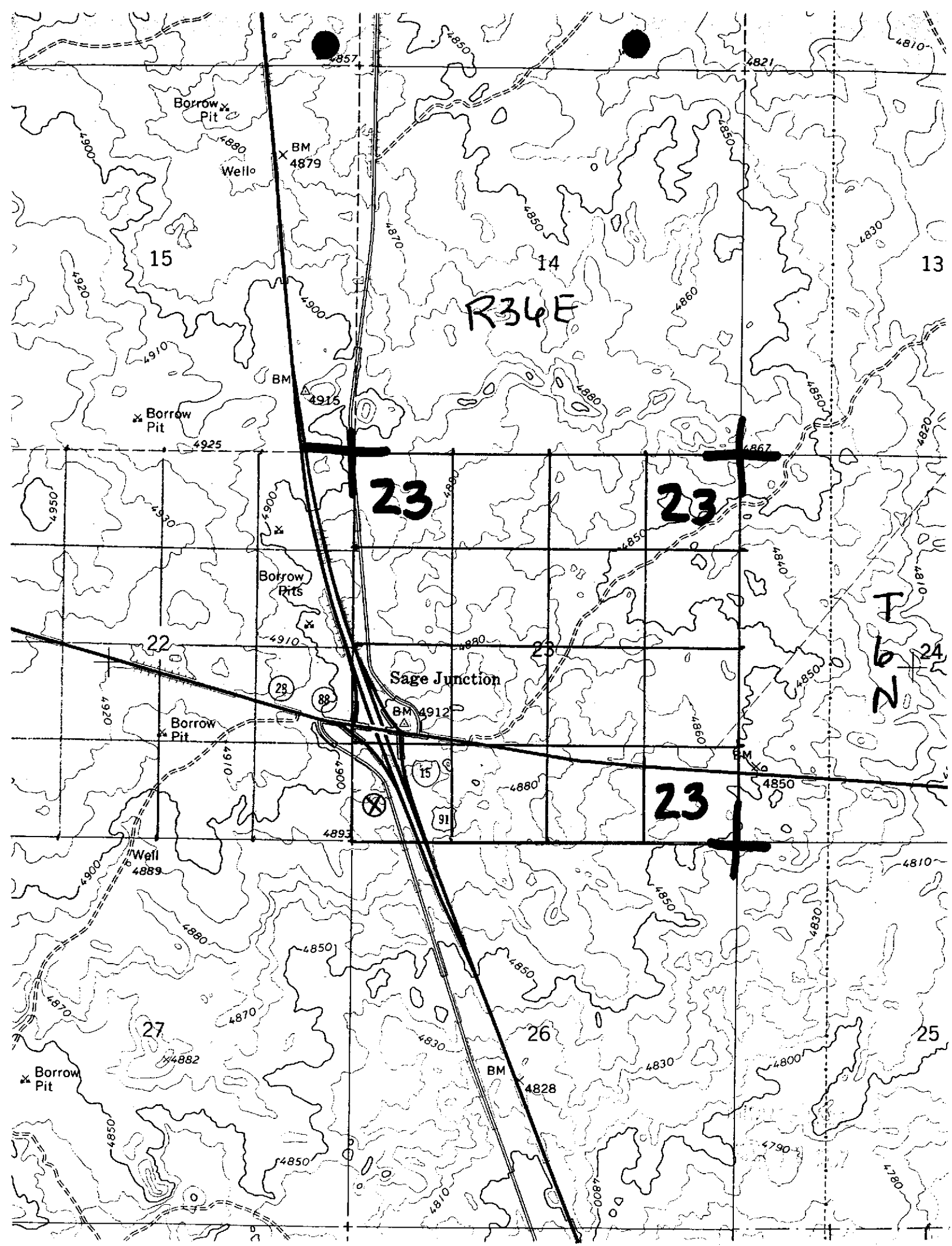
J. AUTHENTICATION

Field Examiner's Name DAVE CARSON
Signature _____
Certification Date _____
Field Report Preparation Date 1/13/97 DAVE CARSON

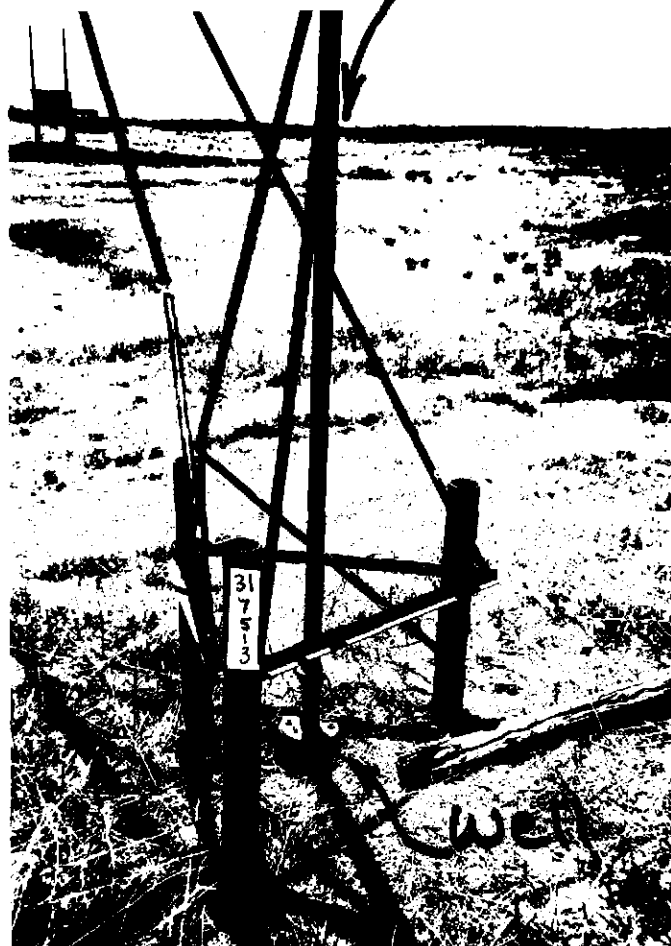
CONSULTANT SEAL

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



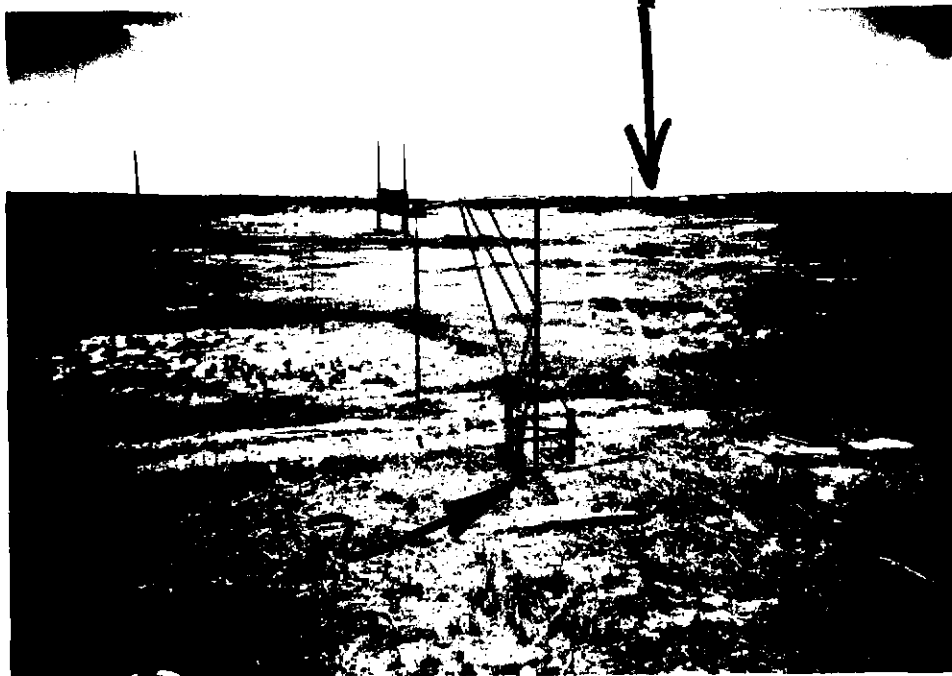
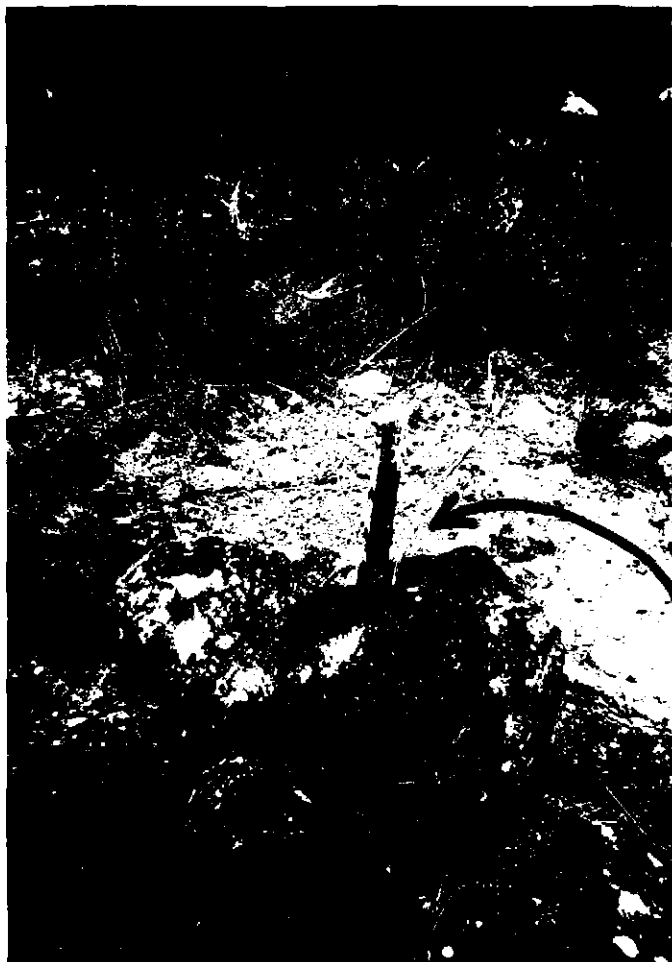


Corner Marker
22-23/27-26



31-7513

WELL
MAR 18 1957



31-7513

VIEW TO SW

413111

April 5, 1991

HAROLD BROWN
P.O. BOX 81
TERRETON, ID 83450

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 31-07513

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED

APR 19 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 31-7513

Date 3-29-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, prepare data entry form.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source
NA Drill permit req'd?
1978 ☒ Copy in file? Drill permit no. _____
☒ Well log in file?
☒ Amt paid for drilling permit? _____ Correct?

LICENSE EXAMINATION FEE

- ☒ Required?
50.00 Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- NO Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

proof acceptable

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

<u>NA</u>		
	-	
	=	
	+	
	=	

138984
January 31, 1991

HAROLD BROWN
P.O. BOX 81
TERRETON, ID 83450

PROOF DUE NOTICE

RE: PERMIT NO. 31-07513

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 April 1, 1991. (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

APR 19 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
March 14, 1989

HAROLD BROWN
P.O. BOX 81
TERRETON, ID 83450

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 31-07513

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.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

MICROFILMED

MAR 30 1989

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED
MAY 30 1970

MAY 30 1970

Form No. 202a
/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY Dennis Summ DATE 2 Dec 88 APPLICATION NUMBER 31~7515
BrownREQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ 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 signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☒ Yes ☐ No Field check required
Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☐ No Send dam safety information
- ☐ Yes ☐ No Send power requirement letter
- ☐ Yes ☐ No Send fish farm requirement letter
- ☐ Yes ☐ No Power residency affidavit
- ☐ Yes ☐ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED
JAN 16 1989

Department of Water Resources

PROCESSING

☒ Yes ☐ No Inform for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

END COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 1-2-89
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☐ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 31
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information
Date of priority recommended 11-23-88
By HWT Date 1-12-89

STATE OFFICE REVIEW

AS P17 P23 26 46

☐ See below for additional information
By JDM Date 2/27/89
KW 2/27/89

ADDITIONAL INFORMATION

2 yrs. is reasonable for B/U development.

LOCAL PUBLIC INTEREST

Comments received from:

- | | | |
|---------------------------------------|---|--|
| ☐ City | ☐ Idaho Fish & Game | ☐ Irrigation District |
| ☐ County | ☐ Idaho Health & Welfare | ☐ Canal Company |
| ☐ Reservations | Division of Environment | ☐ Other _____ |

Project impacts/implications report

COMMENTS

December 7, 1988

Harold Brown
P.O. BOX 81
Terreton, ID 83450

Application for Permit No. 31-07513

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 31-07513. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the JEFFERSON STAR. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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MAR 30 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 6, 1988

THE JEFFERSON STAR
P.O. BOX 37
RIGBY, ID 83442

Gentlemen:

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 JANUARY 2, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

INDEXED

MAR 30 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

RECORDED

MAR 30 1989

31-07513

BROWN, HAROLD
P.O. BOX 81
TERRETON, ID 83450

Source: GROUNDWATER

Diversion Pt: SWSWSW Sec 23 T 06N R 36E

Use: COMMERCIAL (.120 CFS)
DOMESTIC (.020 CFS)

Date Filed: 11/23/1988

In: T06N R36E S23 SWSW

31-07513
BROWN, HAROLD
P.O. BOX 81
TERRETON, ID 83450
Source: GROUNDWATER
Diversion Pt: SWSWSW Sec 23 T 06N R 36E
Use: COMMERCIAL (.120 CFS)
DOMESTIC (.020 CFS)
Date Filed: 11/23/1988
In: T06N R36E S23 SWSW

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-3A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JANUARY 2, 1989.

R. Keith Higginson, Director

Published 12/14/1988 & 12/21/1988

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MAR 30 1989

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG[illegible]