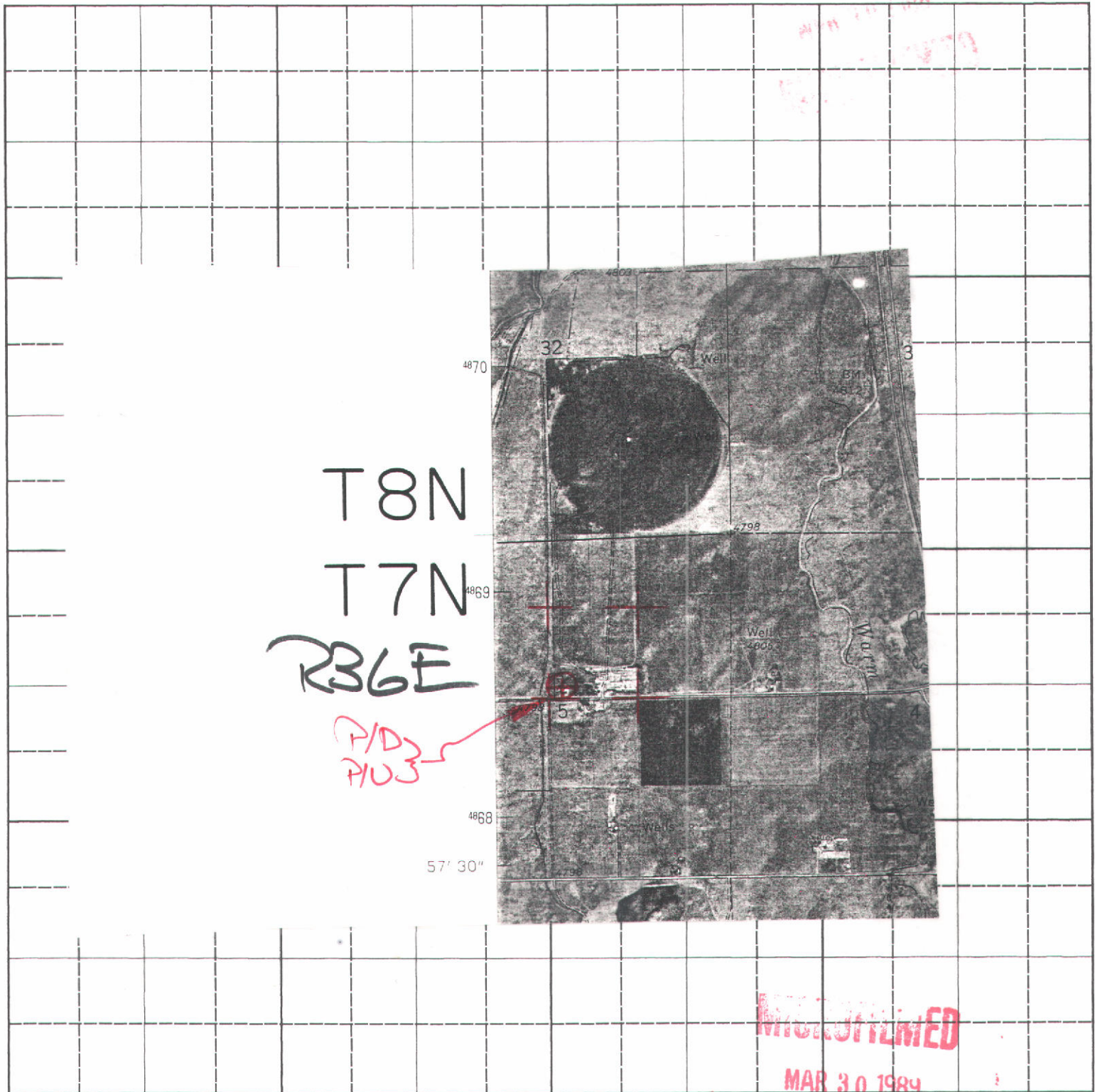


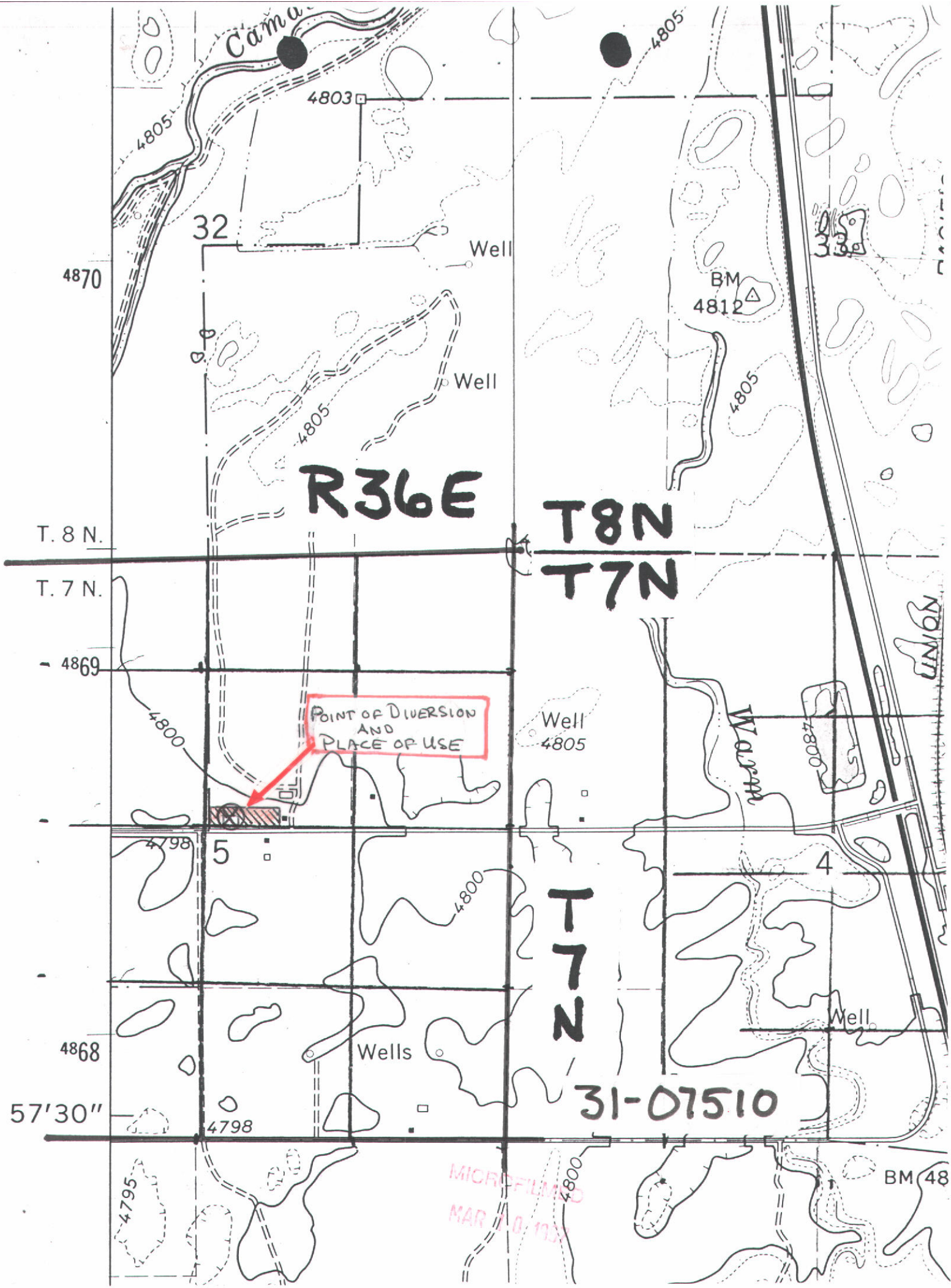
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

X Lid E. Brown
(Applicant)



HEL/NW
③
116.9

X
HEL/NW
①
32.5

32 33 32.5
5 4

#98
(208)

HEL/NW
④
55.5

Mogberg
Modular Unit
Trailer

PLACE OF USE

⑤ NW

⑥ NW

①
135.9

#99
(210)

#11
(51)

#13
(209)

POINT OF DIVERSION

R36E

T
7
N

①
37.1

①
40.3

①
40.6

#1068
(211)

X

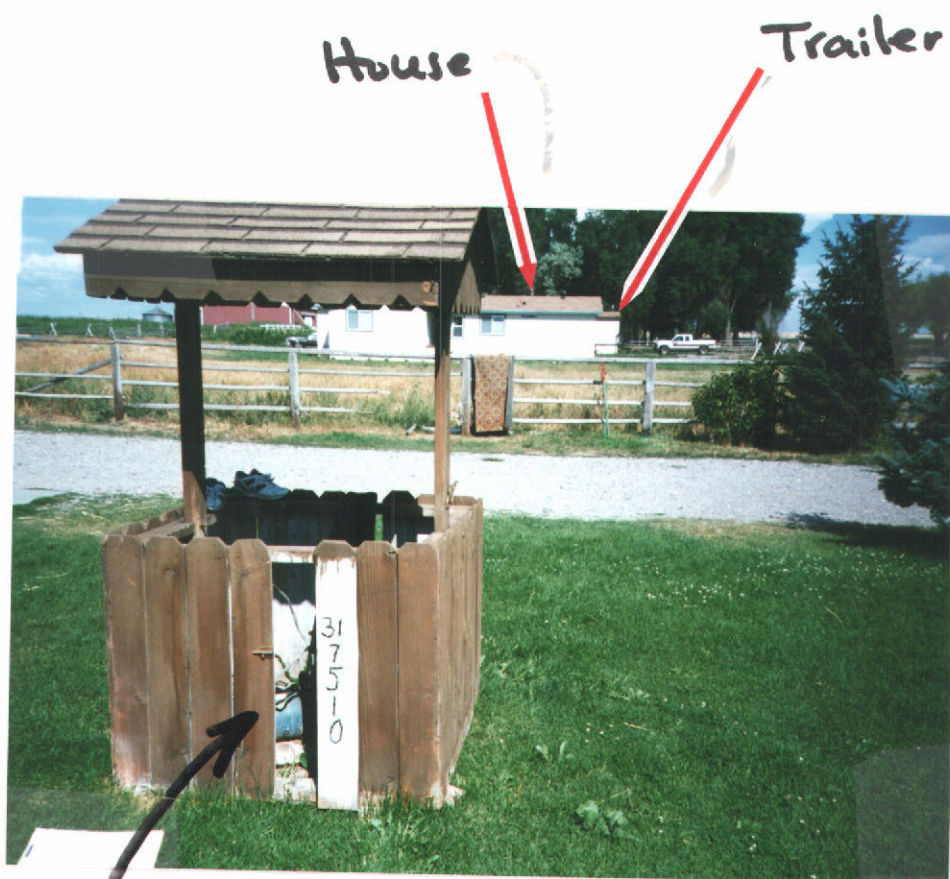
②
27.5

①
9.4

①
75.0

5 4
8 9

31-07510



House

Trailer

Well House

VIEW TO EAST

31-7510

MICROFILMED

MAR 10 1997

HOUSE
2



Well House
View to West

31-7510

MICROFILMED
MAR 10 1997



IRRIGATION
↓
DOMESTIC WELL

IRRIGATION PUMP

31-7510

MICROFILMED
MAR 10 1987

31-07510

BROWN, SID E.
BROWN, JAN A.
MOMBERGER, JESSE
HC 60 BOX 1670
HAMER, ID 83425

Source: GROUNDWATER

Diversion 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

31-07510
BROWN, SID E.
BROWN, JAN A.
MOMBERGER, JESSE
HC 60 BOX 1670
HAMER, ID 83425
Source: GROUNDWATER
Diversion 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

MICROFILMED
MAR 30 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 31-07510

Priority: November 14, 1988

Maximum Diversion Rate:

0.11 CFS

Maximum Diversion Volume:

9.0 AF

This is to certify, that JESSE MOMBERGER
SID E BROWN
JAN A BROWN

2257 E 2350 N
HAMER ID 83425

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 14, 1988; and has submitted Proof of Beneficial Use on March 29, 1990. An examination indicates that the works have a diversion capacity of 0.110 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	04/15 to 10/15	0.06 CFS	7.0 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	0.8 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.11 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNE , Sec. 5, Township 07N, Range 36E
JEFFERSON 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>
07N	36E	5	SWNE	2		2

Total number of acres irrigated: 2

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION 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.

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

WATER RIGHT NO. 31-07510

CONDITIONS OF APPROVAL AND REMARKS

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. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Domestic use is for 2 homes and 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 FEBRUARY, 1997.

Acting for

KARL J. DREHER, Director

RECEIVED
FEB 13 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 31-7510 IN)
THE NAME OF SID E. OR JAN A. BROWN OR)
JESSE MOMBERGER)
_____)

ORDER OF REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before April 1, 1990; and,

WHEREAS, Section 42-218a Idaho Code provides that the Department notify permit holders sixty days prior to the proof due date; and,

WHEREAS, the Department sent notice to the permit holders by certified mail that proof was due with instructions as to the steps to be taken to make said proof; and,

WHEREAS, the Department notified the permit holders that the permit lapsed for failure of the permit holders to submit proof of beneficial use form and proper fee; and,

WHEREAS, on March 29, 1990, the permit holders submitted the proof of beneficial use and fee for this water right; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holders provided a reasonable showing as to why said permit should be reinstated by submitting the proof of beneficial use form and fee timely;

MICROFILMED

JUL 23 1990

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 31-7510 be REINSTATED
with no advance in priority.

Dated this 25th day of June, 1990.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

JUL 23 1990

For Office Use Only
Fee Received \$50
Date 3-29-90
Receipt # ED12606
Receipt by RB
Reviewed by 3.5.31.90
Sent to region

STATE OF IDAHO

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 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. 31-07510

Name(s) of Permit Holder: Sid + Jon Brown or J.C. Mamberger

Post Office Address: HC 69 Box 1670 Hamer Idaho 83925

Telephone No. 662-5424

Source of Water: Ground water

Extent of Use:

Domestic ONE (number of households) Stockwater 60 cows (number and type of stock)

Irrigation Two & half (acres) Other/Remark

Total rate and/or volume for which proof is submitted .15 cts acre-feet

Show the date water was first diverted and beneficially used under this permit: 1975 as per phone conv. 8.11.90

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Fee enclosed \$
(See License Examination Fee Schedule)

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

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

Sid Brown

(Name)

662-5424

(Telephone Number)

HC 69 BOX 1670 HAMER, ID 83425

(Address)

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.

APR 20 1990

3/28/90
Date

Sid Brown
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

OR Nowhere, Jesse

1. Name of applicant Brown, Sid E. or Jan A. Phone 662-5424

Post office address HC 69 Box 1670, Hamer ID 83425

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 NE $\frac{1}{4}$, Govt. Lot

Sec. 5 Township 7N Range 36E B.M. JEFFERSON County; additional

points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.06 for IRRIGATION purposes from 04/01 to 11/01 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.06 for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.03 for STOCKWATER 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)

5. Total quantity to be appropriated is (a) 0.15 and/or (b)
cubic feet per second acre feet per annum

6. Proposed diverting works:

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

WELL AND PUMPS (2) 1 HP SUBMERSIBLE PUMP TO HOMES AND
STOCK. 2 HP PUMP FOR IRRIGATION

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 240 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

1 years (minimum 1 year).

MINUTEMED

MAR 30 1989

1975
EXISTING

~~MARK 0 2 XMM~~

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.

X. Lid E. Brown
(Applicant)

THE JEFFERSON STAR
RIGBY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO)
County of Jefferson) ss

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 Dec

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 Barber
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: 11/17/1988
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.
1965 BEAR ISLAND DR.
IDAHO FALLS, ID 83402
Source: GROUNDWATER
Diversión Pt:

LOT 7 (SESWSE) 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: NENWNE Sec 16 T 07N R 33E
Use: DOMESTIC (.080 CFS)
Date Filed: 11/30/1988
In: T07N R33E S16 NWNW

The permit 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 21, 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



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 24, 1997

JESSE MOMBERGER
SID E BROWN
JAN A BROWN
2257 E 2350 N
HAMER IDAHO 83425

RE: WATER RIGHT NO. 31-07510

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

RECORDED
FEB 25 1997



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

Department retains the right to review the preliminary order on its own motion.

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RECEIVED
MAY 16 1997

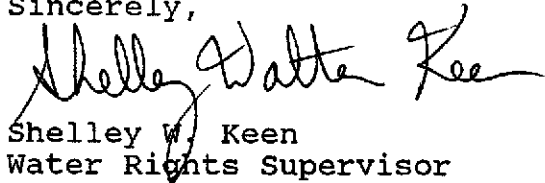
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district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



Shelley W. Keen
Water Rights Supervisor

SWK:vrr

c: Eastern Region

Enclosures

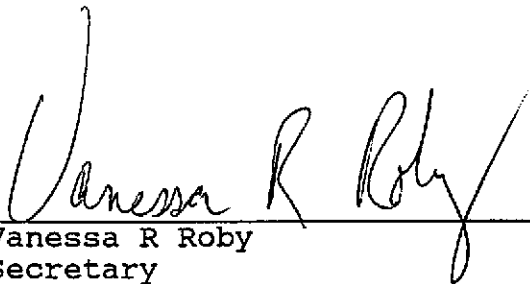
RECEIVED
MAY 10 1997

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. 31-07510

**JESSE MOMBERGER
SID E BROWN
JAN A BROWN
2257 E 2350 N
HAMER IDAHO 83425**



Vanessa R Roby
Secretary

RECEIVED 4

FEB 24 1997

MEMORANDUM

TO: File 31-07510

FROM: Sharla

DATE: February 11, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Right 31-07510 are based on the following:

H. RECOMMENDATIONS

Irrigation	4/15 - 10/15	0.06 cfs	7.0 afa
Stockwater	1/1 - 12/31	0.01 cfs	0.8 afa
Domestic	1/1 - 12/31	0.04 cfs	1.2 afa

The domestic rate and volume have been based on in-house use only; the irrigation component for 2 acres encompasses all lawn/garden areas associated with the homes.

Examiner: Keith Wilson
Exam Date: August 4, 1994

RECEIVED

FEB 16 1997

LICENSE REVIEW CHECKLIST

PERMIT NO. 31-07510

DATE 2/7/97

REVIEWER: SHARLA

NAME Change OK

Address Change yes - home addresses given for both

SOURCE Change OK

Is change clarification of originally intended source? no

POINT OF DIV Change OK

If not, prepare Notice of Intent to Void no

PLACE OF USE Change OK

Amendment required no

Amendment required no

Does map agree with written description? yes no

OVERLAPS P/D

P/U

looked at 31-02267

RATE OF DIV

Permitted Rate .20 cfs

Fee limit .20 cfs \$5000

Measured .11 cfs

Theoretical .11 cfs

acres to north - no overlap

NO GOVT LOTS

Recommended Total Div Rate .11 cfs

ANNUAL VOLUME/

NATURE OF USES Use

Use

Is .06
Stock .01
Dom .04

Volume Calculation

2 x 3.5 = 7.0 af

.8 af

1.2 (in house) af

9.0 af

SUBTOTAL 9.0 af

Flow rate .04 cfs X 365 days X 1.98 = 29.0 af

Total volume recommended 9.0 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

WBS

CONDITIONS Watermaster Control WD#

GW Measurement/Measuring Device

REO Overlap

Use-specific conditions

Advancement of Priority Date Required yes no

SRBA Claim Filed N/A

Adjustment Memo

dom volume/rate
(in house)
stock not

1st Amend Letter

2nd Amend Letter

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 02 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 31-7510

1. Owner: Jesse Mombberger or
Sid E. or Jan A. Brown

Phone No. 662-5424

Current Address: 2251 E 2350 N Hamer Id 83425

2. Accompanied by: - EXAM DATE: 4 Aug 1994

Address: - Phone No. -

Relationship to Permit Holder: -

3. Source: GROUNDWATER tributary to -

B. OVERLAP REVIEW

1. Other water rights with the same place of use: -

2. Other water rights with the same point of diversion: -

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NE	5	7N	36E	Jefferson	

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	36E	5			0/2														
					2														2

MAR 10 1997

[illegible]

•

Well or Diversion Identification No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
IRRICAT00	Jacuzzi	2hp			

•

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

Photo of Diversion and System Attached

2. Measurements:

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

E. NARRATIVE/REMARKS/COMMENTS

Well with two pumps

3/4 to 1 hp pump submersible to 3 single domestic homes

2 hp pump for irrigation system

use 30 ft deep static water level as per neighbors well logs

Third home added later

System serves

2251 E 2350 N Sid or Jan A Brown

2257 E 2350 N } J.C. Mombberger

2259 E 2350 N

Stockwater: Area is fenced could hold stock & allow stockwater

Have conditions of permit approval been met? ☒ yes ☐ no

UNRECORDED
MAR 10 1987

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$Q = 0.11 \text{ cfs}$$

Q LIMITED BY CAPACITY

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2 \times 3.5 = 7.0 \text{ cfs}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.06 (183) 1.9835 = 21.8$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 7.0$$

2. Volume Calculations for Other Uses:

$$V_{DUR} = 1.2 \text{ cfs} \times 2 = 2.4 \text{ cfs}$$

$$V_{STACK} = 0.0134 \times 575 \text{ stack} = 0.76 = 0.8 \text{ cfs}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic (2 units)

Irrigation

Stack

Period of Use

To

12/31

10/15

12/31

Rate of Diversion

Q (cfs)

0.06

0.06

0.03001

Annual Volume

V (afa)

2.4 cfs

7.0 cfs

0.8 cfs

Totals:

0.11 cfs

10.2 cfs

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

I. AUTHENTICATION

Field Examiner's Name

Keith C. Miller

Date

4 Aug 97

Reviewer

Date 12-6-97

SEAL

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \frac{2}{}$$

$$Eff = \text{Efficiency} = \frac{70\%}{} \quad (\text{Usually } 70\%)$$

$$\text{Lift: } (\text{Static Level} + \text{Assumed Draw down})$$

$$\text{Static Water Level} = \frac{30}{} \text{ ft.}$$

$$\text{Assumed Draw down} = + \frac{10}{} \text{ ft.}$$

$$\text{Lift} = \frac{40}{}$$

OR

$$\text{Measured Dynamic Water Level} = \frac{\quad}{} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \frac{30}{} \text{ psi}$$

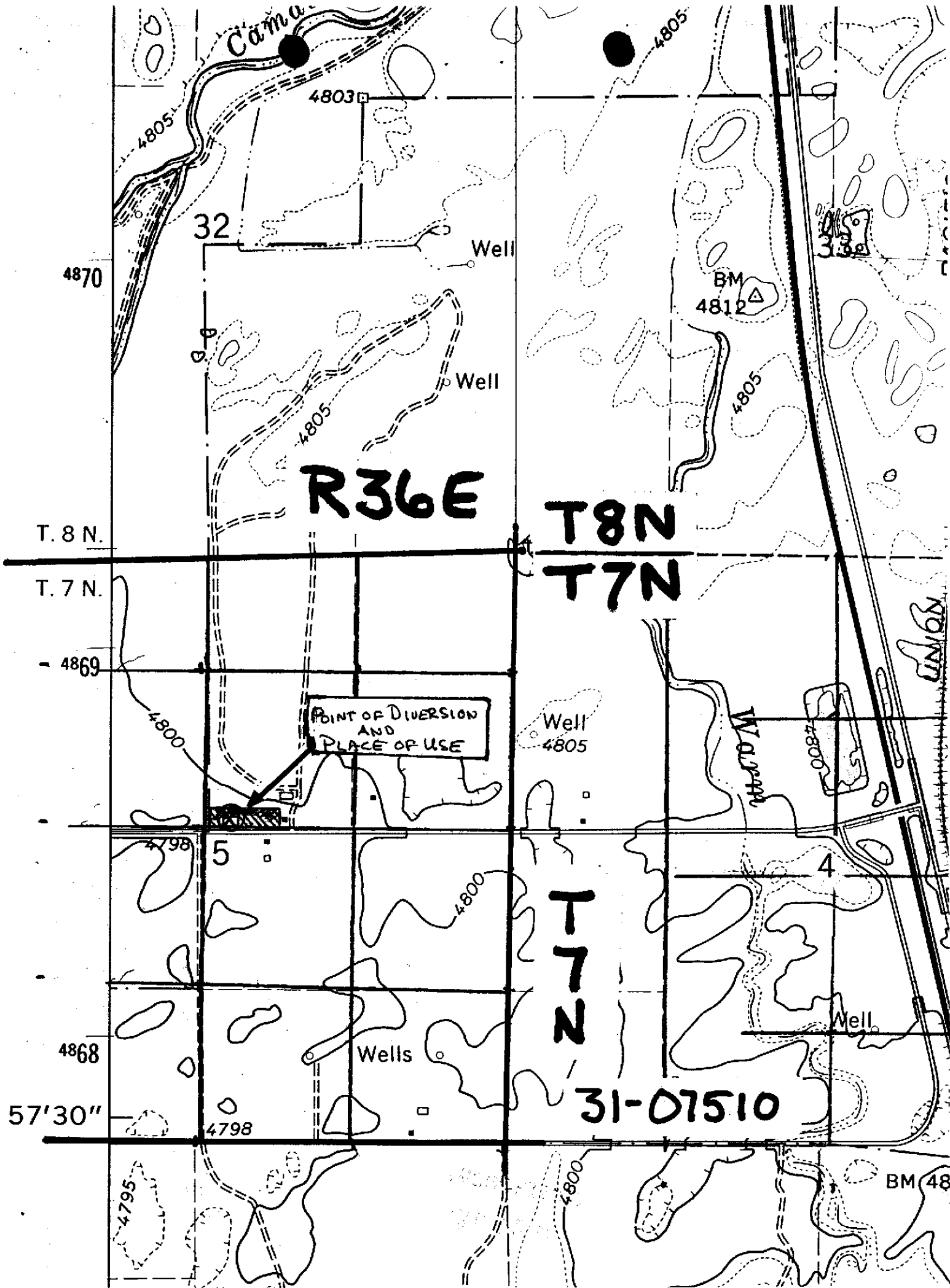
$$Q_{cfs} = \left[\frac{2}{Hp} \times 8.814 \times \frac{0.7}{eff} \right] \div \left[\frac{40}{Lift} + \left(\frac{30}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\frac{12.3396}{} \right] \div \left[\frac{109.24}{} \right]$$

$$Q_{cfs} = \frac{0.11}{} \text{ cfs}$$

RECEIVED
MAY 15 1972

PERMIT NO. 31-7510



Cama

4803

4805

4870

32

Well

BM
4812

Well

R36E

T8N

T7N

T. 8 N.

T. 7 N.

4869

POINT OF DIVERSION
AND
PLACE OF USE

Well
4805

4800

5

T
7
N

4800

Wells

4

Well

4868

57'30"

4798

31-07510

BM 48

4795

4800

HEL/NW

③

116.9

32

18
203

PLACE OF USE

POINT OF DIVERSION

R36E

T

7

N

#106

(27)

②

275

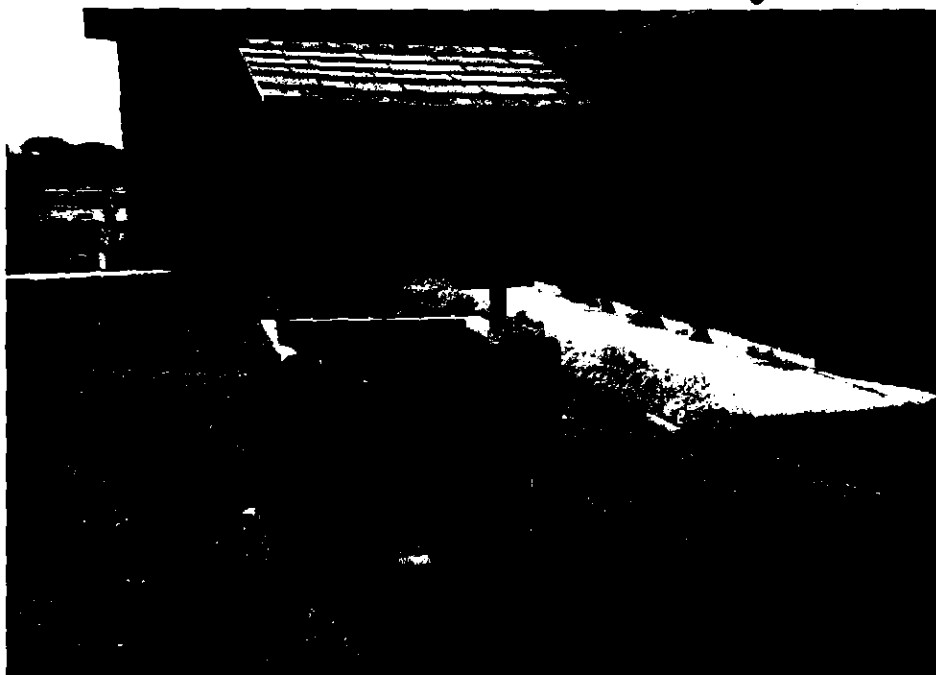
②

94

54
119

31-07510

HOUSE
↓



Well House
View to West

31-7510

1. 10/1/1961
2. 10/1/1961



IRRIGATION
↓
DOMESTIC WELL

IRRIGATION PUMP

31-7510

June 26, 1990

SID E. BROWN
JAN A. BROWN
JESSE MOMBERGER
HC 69 BOX 1670
HAMER, ID 83425

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 31-07510

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

RECEIVED
JUL 20 1990

1/80

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 31-7510

Date: 5-31-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
 1. well log in file Existing
 2. drilling permit NA
 3. amount of drilling fee paid for proposed uses NA

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

Copy acceptable

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

<u>NA</u>	

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

April 16, 1990

SID E. BROWN
JAN A. BROWN
JESSE MOMBERGER
HC 69 BOX 1670
HAMER, ID 83425

LAPSE NOTICE

RE: PERMIT NO. 31-07510

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated January 31, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

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JUL 20 1990

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

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JUL 20 1990

CERTIFICATION OF MAILING

I hereby certify that on 4-18-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

138092
January 31, 1990

SID E. BROWN
JAN A. BROWN
JESSE MOMBERGER
HC 69 BOX 1670
HAMER, ID 83425

PROOF DUE NOTICE

RE: PERMIT NO. 31-07510

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, 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

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JUL 23 1990

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 15, 1989

SID E. BROWN
JAN A. BROWN
JESSE MOMBERGER
HC 69 BOX 1670
HAMER, ID 83425

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

RE: PERMIT NO. 31-07510

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.

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.

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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MAR 30 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 Right Permits Section

GS: SC
Enclosures

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MAR 30 1989

Form No. 202a
1/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY KC Wilson DATE 11-16-88 APPLICATION NUMBER 31-510
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 Received

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 11-14-88
 By HWT Date 1-12-89

STATE OFFICE REVIEW

P23 P16 P05 41 46
 By [Signature] ☐ See below for additional information
 Date 2/27/89
kw 2/27/89

ADDITIONAL INFORMATION

Conditions, <417
app. in trust water area-

December 7, 1988

Jesse Momberger or
Sid E. or Jan A. Brown
HC 69 Box 1670
Hamer, ID 83425

Application for Permit No. 31-07510

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. 31-07510. 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.

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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:

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MAR 30 1989

31-07510

BROWN, SID E.
BROWN, JAN A.
MOMBERGER, JESSE
HC 60 BOX 1670
HAMER, ID 83425

Source: GROUNDWATER

Diversion 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

31-07510
BROWN, SID E.
BROWN, JAN A.
MOMBERGER, JESSE
HC 60 BOX 1670
HAMER, ID 83425
Source: GROUNDWATER
Diversion 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

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MAR 30 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, 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

