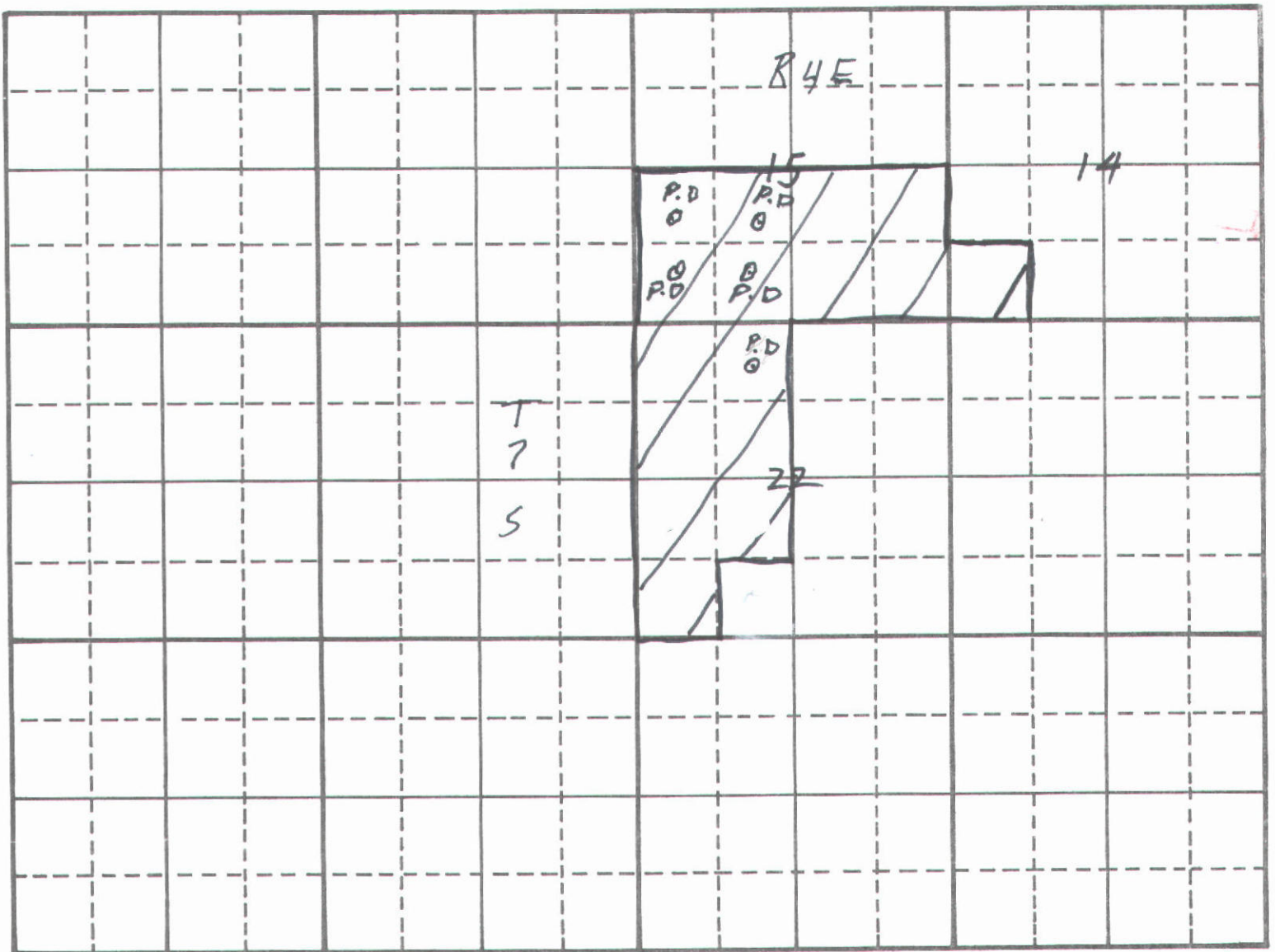


Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Dallas, Texas, this 27th day of November, 19 79.

Kenton Russell

CONNECTICUT GENERAL LIFE INSURANCE COMPANY

William Williams
(Signature)

William Williams, Investment Officer

FOR DEPARTMENT USE ONLY

Preliminary check by J.K.V. Fee = \$20.00

Received by J.K.V. Date 12/4/79 # 15259

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Chief, Operations Bureau of the Department of Water Resources hereby

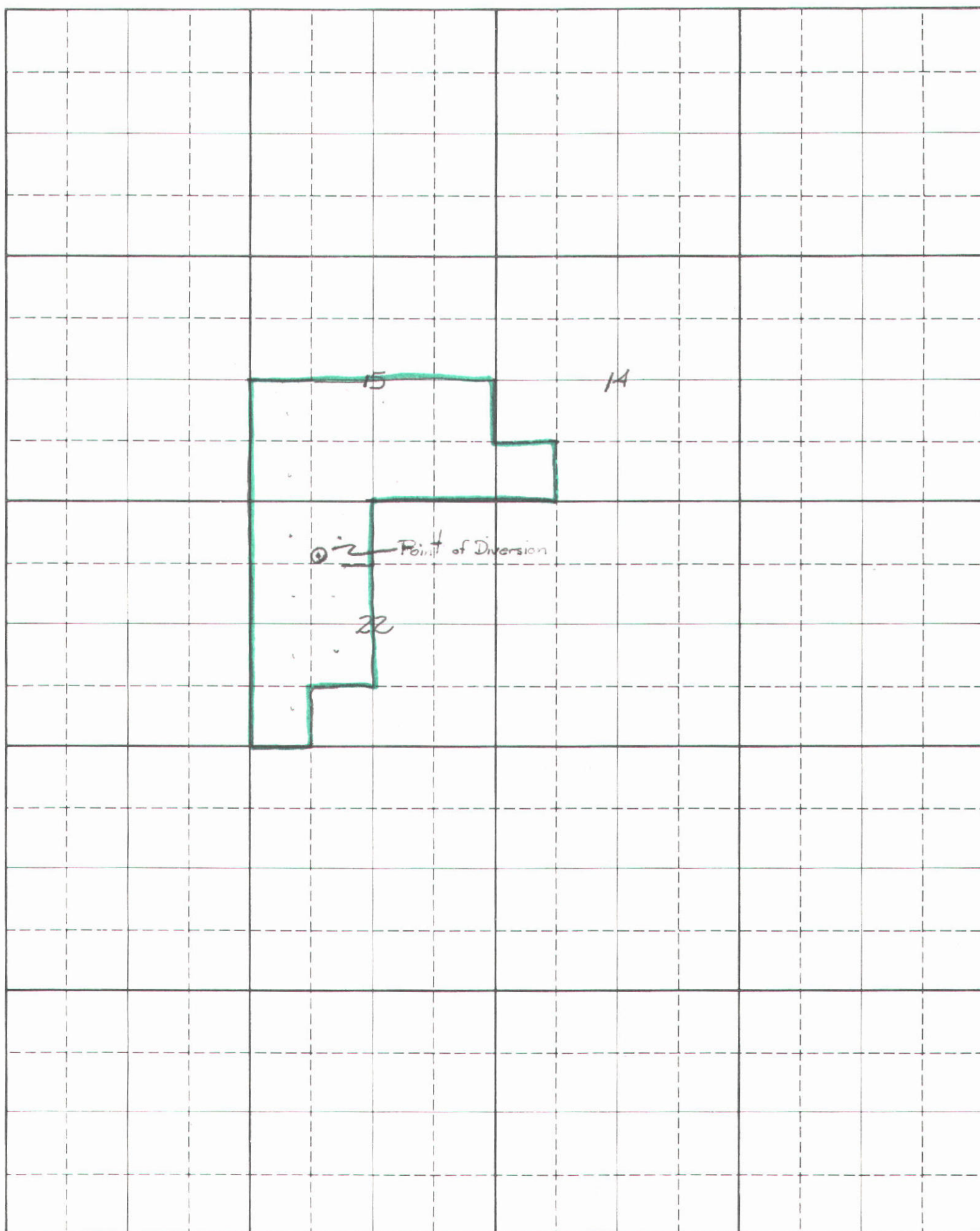
Approve the above referenced Amendment for Permit No. 51-7091 provided ok
the conditions as set forth on page 4 of above referenced permit are met.

Witness my hand this 12th day of September

19 80

L. Glen Saxton
Chief, Operations Bureau

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



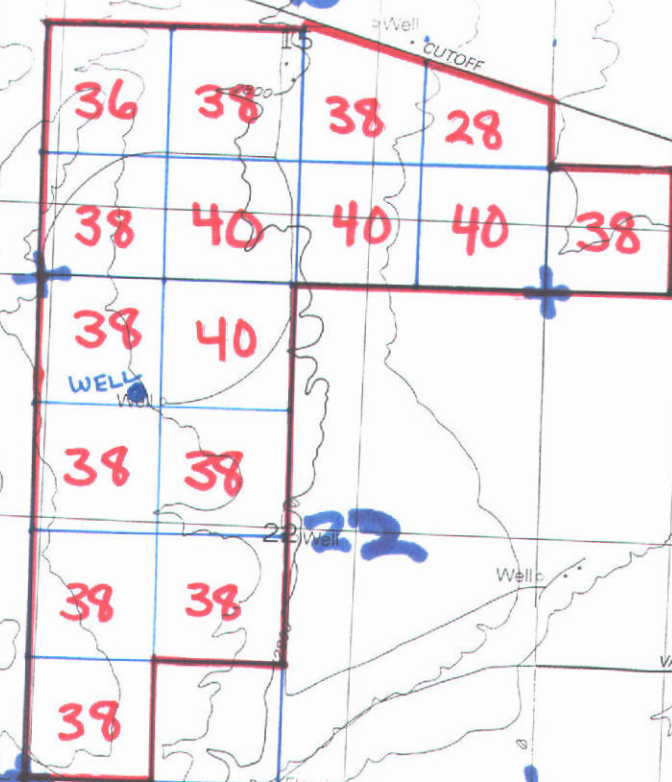
Scale: 2 inches equal 1 mile

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.

Clarence Alfred Russell
(Applicant)



Scale = $\frac{1}{24,000}$



Right
51-07091

Hegerhorst

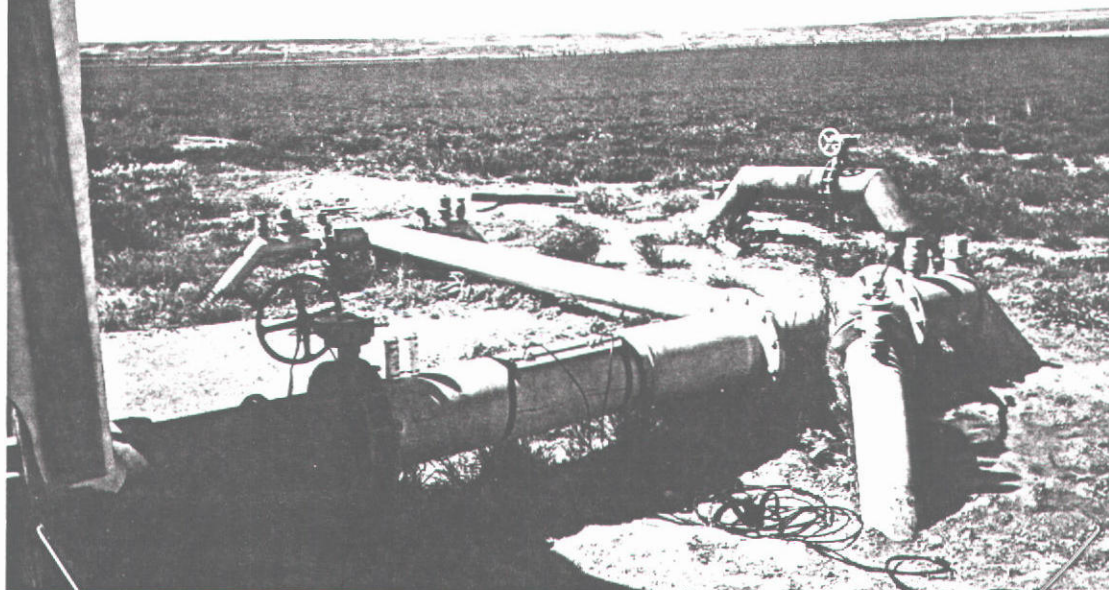
FAX 845-2085

JAN 30 1996

1-07003

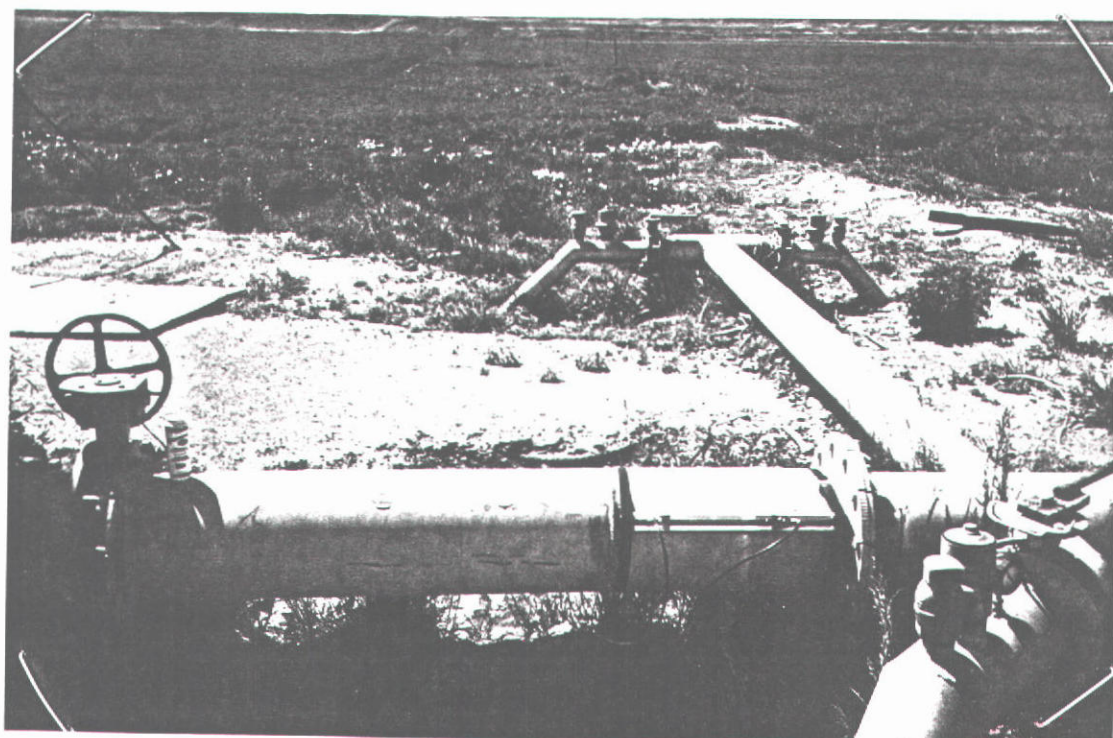
51-07091

Originals in A51-07003



5-3-94

First placement site of transducer. No reading obtained due to interference of flow / or lack of pipe length.



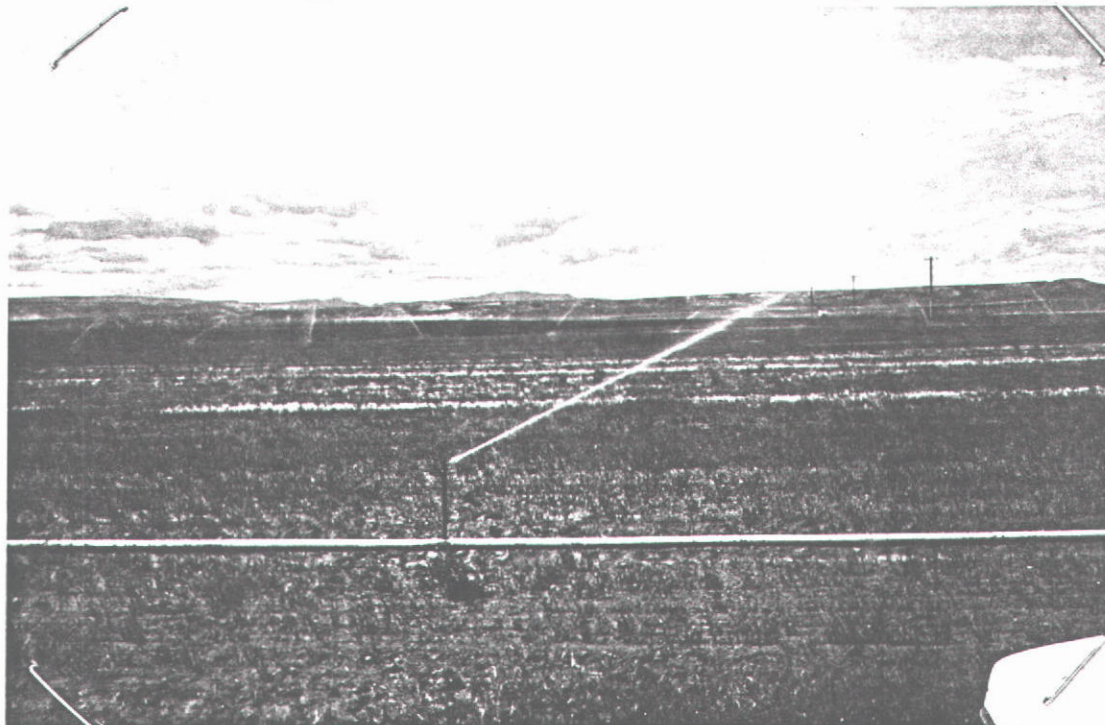
5-3-94

Second site where transducer was placed. A reading was obtained now.

JAN 30 1996

Photo taken by A. Brown

~~51-07003~~
51-07091



5-3-94

Nozzle where pressure reading was obtained.

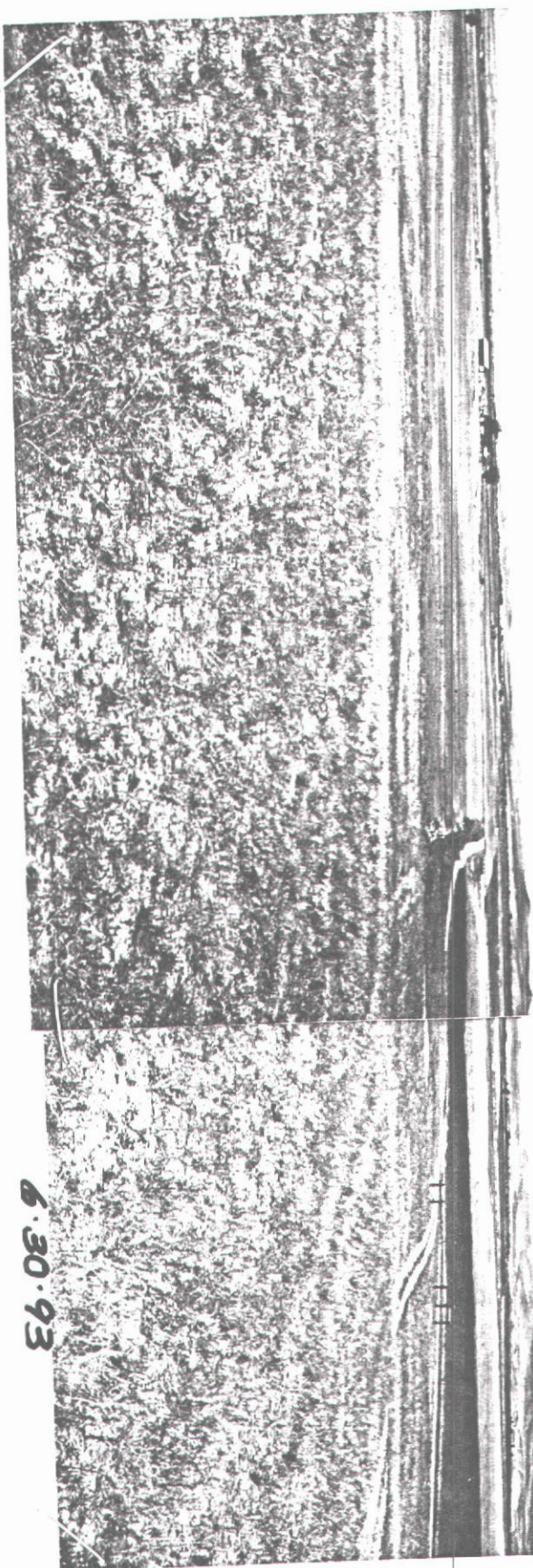
Originals in A51-07003

INDEXED
JAN 30 1936

~~A51-07003~~ & ~~A51-07029~~

51-07091

Originals in A51-07003



6.30.93

Place of use. Sec. 15, S1/2

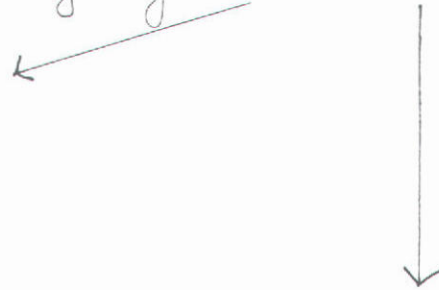
RECEIVED
JAN 30 1936

~~A51-07003 & A51-07024~~

51-07091

Originals in A51-07003

Well in Sec. 22 shows mainline
going west & south.



6-30-93



JAN 30 1996

6-30-93

PERMIT 51-07091 INIT MTS
T. R. S. Q/Q
P/D 7S 4E 22 SENWNNW
SCALE _____
PHOTO ID. AA 01

2810X

ROAD

BM 2746

FOIA 700

JAN 30 1996

~~517003 August 7~~

T 7S, R 4E, S 22 SENWNNW

51-07091

2810

14

7003-38 7003-38 7003-38 7003-40
7091-40 7091-40 7091-40 7091-40

(36)

(38)

(38)

(28)

BM 2746

7029-38 7003-40 7003-40 7003-40 7003-38
7091-40 7091-40 7091-40 7091-40 7091-40

(38)

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7029-38 7003-40
7091-40 7091-40

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7091-40 7091-40

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7029-38
7091-40

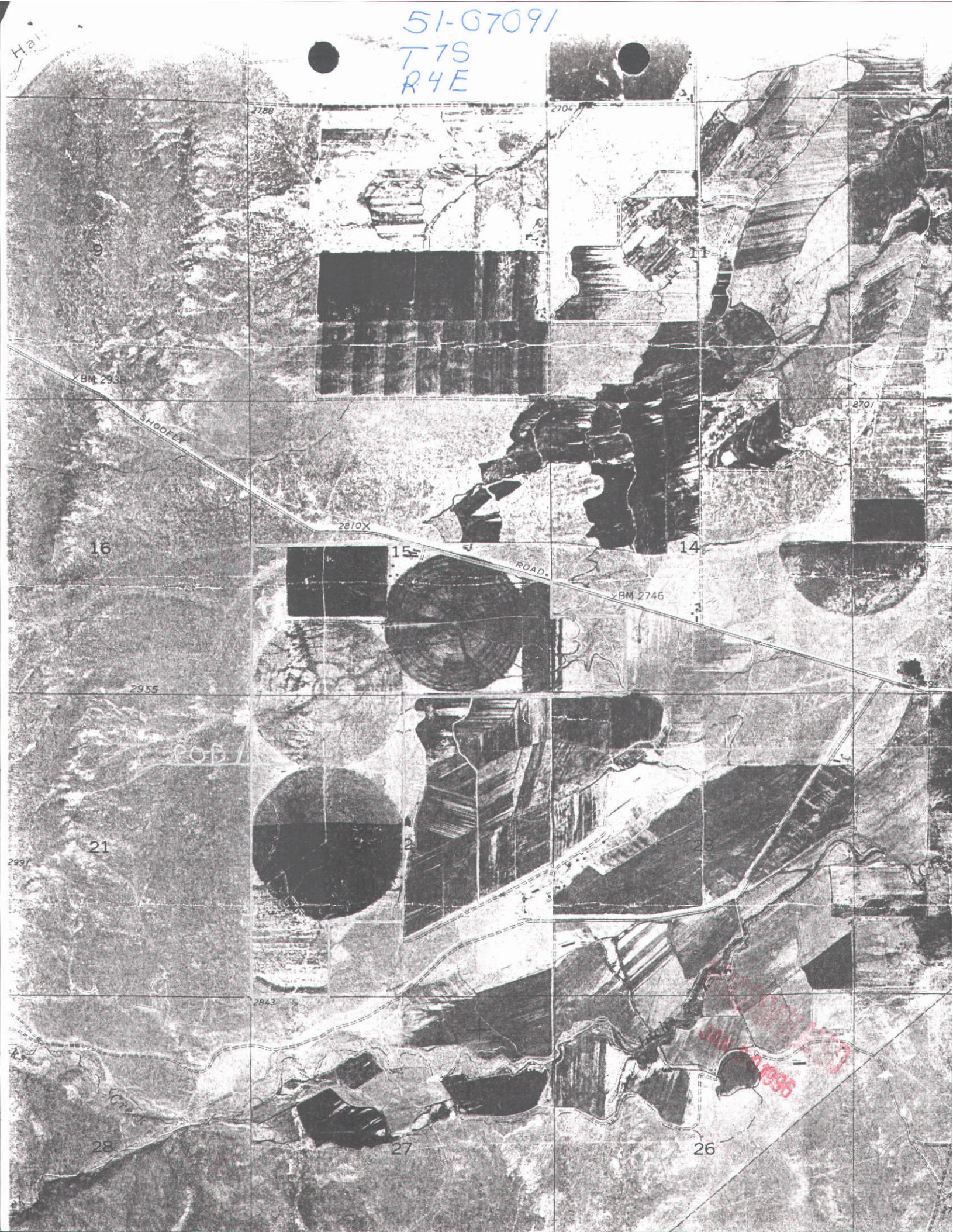
(38)

2843

26

3 8 1996

51-67091
T7S
R4E



PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 29 day of May, 1980, and the last publication being on the 5 day of June, 1980;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 5 day of

June, 19 80.

Laurel L. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that Application No. 51 - 7091 in the name of Clarence Alfred and /or Hildred H. Russell was filed on 9/11/1974 for the diversion of .92 cfs of water from a ground-water source with a point of diversion within the NENW, Sec. 22, T 7S, R 4E, B. M., Owyhee County to be used for irrigation from 4/1 to 10/31 for land within portions of Sections 14, 15, and 22, T 7S R 4E, B. M.

The application holder now proposes to amend the application by adding additional points of diversion within the NESW, NWSW, SWSW, and SESW, Section 15, T 7S, R 4E, B. M.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before JUNE 16th, 1980.

C. STEPHEN ALLRED,
Director

Published May 29, 1980, and June 5, 1980 in Owyhee Nugget, Marsing, Owyhee County, ID.

RECEIVED

JUN 9 1980

Department of Water Resources
Western Regional Office

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 26 consecutive weeks, the first publication being on the 26 day of October, 1974, and the last publication being on the 3 day of October, 1974;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 3 day of Oct, 1974.

Lana Spawer
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that CLARENCE ALFRED &/OR MILDRED H. RUSSELL, Rt. 2, New Plymouth, ID has on September 18, 1974 submitted Application No. 51-7091 for a permit to appropriate 0.92 cubic feet per second of water from a groundwater source by means of well, pump, and sprinkler system within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 7 S., R. 4 E., B. M., Owyhee County, to be used from April 1 to Oct. 31 for irrigation of 640 acres within the SW $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 14, S $\frac{1}{2}$, Sec. 15, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, T. 7 S., R. 4 E., B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Oct. 14, 1974.

R. KEITH HIGGINSON,
Director

Published in the Owyhee Nugget, Marsing, ID on Sept. 1974, and Oct. 3, 1974.

Ok
10-7-74
ca

RECEIVED

OCT 7 1974

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 51-07091

Priority: April 1, 1976

Maximum Diversion Rate:

0.92 CFS

This is to certify, that CLARENCE A RUSSELL
MILDRED RUSSELL

C/O WM HEGERHORST FAMILY TRUST

HC 85 BOX 952

BRUNEAU ID 83604

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 18, 1974; and has submitted Proof of Beneficial Use on October 22, 1979. An examination indicates that the works have a diversion capacity of 9.410 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	01 to 10/31	0.92 CFS	
------------	-------------	----------	--

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 22, Township 07S, Range 04E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	04E	14	SWSW 38	NWSW 38	SWSW 38	38
		15	NESW 38	NWSE 28	NWSE 38	
			SESW 40	NESE 40		298
			SWSE 40	NENE 40		
		22	NENW 40	NENW 38	SWNW 38	
			SENW 38	NWSW 38	NWSW 38	
			GWSW 38			268

Total number of acres irrigated: 604

CONDITIONS OF SPECIAL 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.

JAN 30 1996

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

WATER RIGHT NO. 51-07091

CONDITIONS OF APPROVAL AND REMARKS

4. Rights 51-07003 and 51-07029 are also diverted through the point of diversion described above.
5. Use of this right with the rights listed below is limited to a total combined diversion rate of 8.92 cfs, a total combined annual diversion volume of 2416.0 af, and to the irrigation of a combined total of 604 acres in a single irrigation season.
6. The combined rights include: 51-07003 and 51-07029.
7. This right when combined with Right 51-07003 and 51-07029 and all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

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 11TH day of JANUARY, 1996.

Acting for

KARL J. DREHER, Director

JAN 30 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 51-07091

Date of Priority: April 1, 1976 Maximum Diversion Rate: 0.92 CFS
Comes now CLARENCE A RUSSELL
MILDRED RUSSELL
C/O WM HEGERHORST FAMILY TRUST
HC 85 BOX 952
BRUNEAU ID 83604 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 51-07091, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.92 CFS	

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 22, Township 07S, Range 04E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	04E	14	SWSW 38			38
		15	NESW 38	NWSW 36	SWSW 38	
			SESW 40	NESE 28	NWSE 38	
			SWSE 40	SESE 40		298
		22	NENW 40	NWNW 38	SWNW 38	
			SENW 38	NESW 38	NWSW 38	
			SWSW 38			268

Total number of acres irrigated: 604

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Bruneau, ID, this 5 day of January, 1996.

Grant Hegerhorst
(Signature)

JAN 30 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 51-07091

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Received by JW #C034369 Date 1-9-96

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 51-07091 with the following;

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.
4. Rights 51-07003 and 51-07029 are also diverted through the point of diversion described above.
5. Use of this right with the rights listed below is limited to a total combined diversion rate of 8.92 cfs, a total combined annual diversion volume of 2416.0 af, and to the irrigation of a combined total of 604 acres in a single irrigation season.
6. The combined rights include: 51-07003 and 51-07029.
7. This right when combined with Right 51-07003 and 51-07029 and all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Witness my hand this 11TH day of JANUARY, 1996


KARL J. DREHER, Director
Acting for

JAN 30 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 51-07091)
IN THE NAME OF CLARENCE A. RUSSELL) ORDER OF REINSTATEMENT
AND/OR MILDRED RUSSELL)
_____)

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 51-07091 for the issuance of a license, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 51-07091 in the name of Clarence A. and/or Mildred Russell (permit holders) to appropriate the public waters of the State of Idaho with a proposed priority of September 18, 1974.

2. On April 3, 1987 the Department advised the permit holders that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The notice was returned to the Department as undeliverable. The Owyhee County Assessor's Office informed the Department that the property had been sold to the William Hegerhorst Family Trust.

3. On October 1, 1987 the Department sent a copy of the Examination Fee Notice to the new owners.

IAN 30 1991

4. On December 1, 1988 the Department notified the William Hegerhorst Family Trust that Permit No. 51-07091 had lapsed for failure to submit the licensing examination fee.

5. The fee was due on June 2, 1987, 60 days from the date of the original notice; however, the fee was not received until December 14, 1988, 560 days late.

CONCLUSIONS OF LAW

1. The Director may reinstate a lapsed permit upon payment of the examination fee.

2. The Director may advance the priority date of the permit one day for each day the fee was late, pursuant to the provisions of Section 42-217, Idaho Code.

3. Permit No. 51-07091 should be reinstated with the date of priority advanced 560 days.

ORDER

IT IS HEREBY ORDERED that Permit to Appropriate Water No. 51-07091 is reinstated.

IT IS FURTHER ORDERED that the date of priority of Permit No. 51-07091 is advanced to April 1, 1976.

Dated this 29th day of November, 1995.


L. GLEN SAXTON
Chief, Water Allocation Bureau

JAN 30 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
51-07091 IN THE NAME OF)
CLARENCE A. & MILDRED RUSSELL)
_____)

ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of an exception filed to a Preliminary Order of the department, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On June 30, 1993, the department conducted a field examination to determine the extent of beneficial use under Permit No. 51-07091. The examination found that the rate of diversion when considering prior licenses 51-07003 and 51-07029 was not more than the rate diverted under the prior licenses. i.e. a combined total of 8.0 cfs. The department did not remeasure the rate of diversion, since the permit holder advised the examiner that the pump and motor had not been changed.

2. On September 28, 1993, the department issued a Preliminary Order Voiding Permit No. 51-07091.

3. On October 20, 1993, Grant Hegerhorst, filed an exception to the Preliminary Order stating that his diversion system has a larger capacity than that found during the field examination since he has changed the pump bowl assembly.

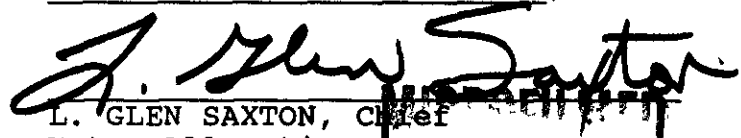
CONCLUSIONS OF LAW

1. The department should set aside the Preliminary Order issued on September 28, 1993, to provide for the measurement of the rate of ground water being simultaneously diverted under water rights 51-07003, 51-07029 and 51-07091.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the Preliminary Order of the department issued on September 28, 1993, is **SET ASIDE** to allow the department to measure the capacity of the rate of flow under water right licenses 51-07003, 51-07029 and permit no. 51-7091.

Dated this 20th day of October, 1993.


L. GLEN SAXTON, Chief
Water Allocation Bureau

JAN 30 1996

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
NO. 51-07091 IN THE NAME	)	
OF CLARENCE A. &/OR MILDRED	)	PRELIMINARY ORDER
RUSSELL	)	VOIDING A PERMIT

This matter having come before the Department of Water Resources (Department) as a result of an examination by Department staff to determine the extent of beneficial use of water, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On September 18, 1974, Clarence A. &/or Mildred H. Russell applied to the Department for a permit to appropriate 0.92 cubic feet per second for irrigation of 640 acres using groundwater from a well located within the NENW Section 22, Township 7S, Range 4E, B.M., Owyhee County.
2. On November 5, 1974 the Department approved the Application for Permit.
3. On October 25, 1979, the Department received Proof of Beneficial Use for the permit.
4. On July 7, 1993 Department staff conducted a field examination and the examiner's report indicated that the water use developed was already fully covered by previous water right Nos. 51-7003 and 51-7029, therefore, no additional beneficial use of water was made under this permit.

RECORDED
JAN 30 1996

CONCLUSIONS OF LAW

1. Section 42-219, Idaho Code, states:

In the event that the Department shall find that the applicant has not fully complied with the law and the conditions of the permit, it may issue a license for that portion of use which is in accordance with the permit, or may refuse issuance of a license and void the permit.

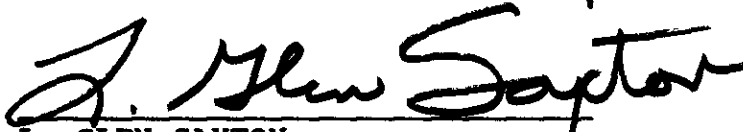
2. The examination by Department staff revealed that the permit holder has not complied with the conditions of the permit by not beneficially placing water to the proposed use(s) beyond that already allowed from previous water rights as required by the permit and Section 42-219, Idaho Code.

3. The Department should void Permit No. 51-07091 as provided in Section 42-219, Idaho Code.

ORDER

IT IS HEREBY ORDERED that Permit No. 51-07091 is VOIDED in accordance to the provisions of Section 42-219, Idaho Code.

Dated this 28th day of September, 1993.



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED
JAN 30 1996

1/86
RECEIVED

DEC 14 1988

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received \$100.00
Date 12/15/88
Receipt # C003932
Receipt by CP
Sent to S.O.

RECEIVED

DEC 19 1988

1. Permit No. 51-7091

Department of Water Resources
Western Regional Office

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: William Hegerhorst Family Trust

3. Post Office Address: HC 85 Box 152 BrunEAU
Idaho 83604 Telephone No. 855-2975

4. Source of Water: Well

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 541 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted _____ cfs 0.92 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

March April 1979

8. Person to contact to accompany the department representative during the field examination:

Grant Hegerhorst
(Name)

HC 85 Box 152 BrunEAU ID. 83604 855-2085
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

JAN 30 1986

Date _____

William Hegerhorst
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Clarence A. &/or Mildred Russell

of (address) Star Rt. B, Box 154A, Bruneau, Idaho, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 51-7091, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 7S, Range 4E, B.M.,
County of Owyhee. Other points of diversion: NESW, NWSW, SWSW,
SESW, Sec. 15, T. 7S, R. 4E.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.92 for Irrigation purposes from 4/1 to 10/31 (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)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	4E	14											40						40
7S	4E	15									40	40	40	40	40	40	40	40	320
7S	4E	22					40	40	40	40	40	40	40						280

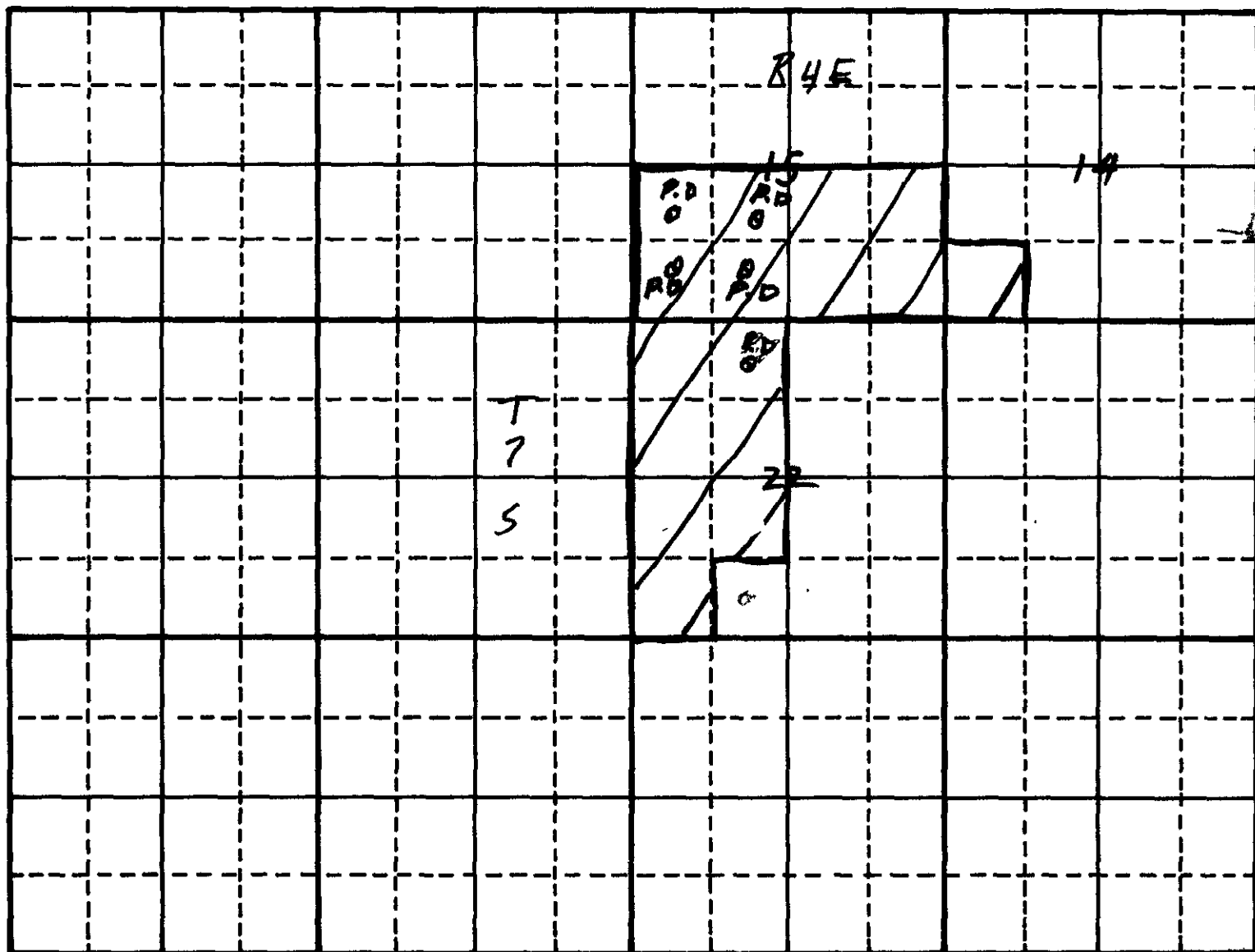
Total number of acres to be irrigated = 640

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the 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: _____

RECEIVED
JUL 10 1978
IDAHO DEPT. OF WATER RESOURCES

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Dallas, Texas, this 27th day of November, 19 79.

[Signature]

CONNECTICUT GENERAL LIFE INSURANCE COMPANY

[Signature]
(Signature)

William Williams, Investment Officer

FOR DEPARTMENT USE ONLY

Preliminary check by J.K.V. Fee = \$20.00

Received by J.K.V. Date 12/4/79 # 15259

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Chief, Operations Bureau of the Department of Water Resources hereby

Approve the above referenced Amendment for Permit No. 51-7091 provided

the conditions as set forth on page 4 of above referenced permit are met.

Witness my hand this 12 day of September

, 19 80

[Signature]
Chief, Operations Bureau

Identification No. _____

Application No. 51-7091

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

- 1 Name of applicant Clarence Alfred &/or Mildred H. Russell Phone 278-5440
post office address Route #2, New Plymouth, ID 83655
- 2 Source of water supply Groundwater which is tributary of _____
- 3 a Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22 Township 7S
Range 4E B.M. Owyhee County; additional points of diversion if any _____
- b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes.
Amount 0.92 for Irrigation purpose from Apr. 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- 5 Total quantity to be appropriated:
a 0.92 cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. Existing well, pump, & sprinkler system

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive
(Mo Day) (Mo Day)
c Proposed well diameter is 20 inches, proposed depth of well is 800 feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years
b Estimated construction cost is \$ _____.
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe _____

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below

TWP	RANGE	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	
7S	4E	14											40						40
7S	4E	15									40	40	40	40	40	40	40	40	320
7S	4E	22					40	40	40	40	40	40	40						280

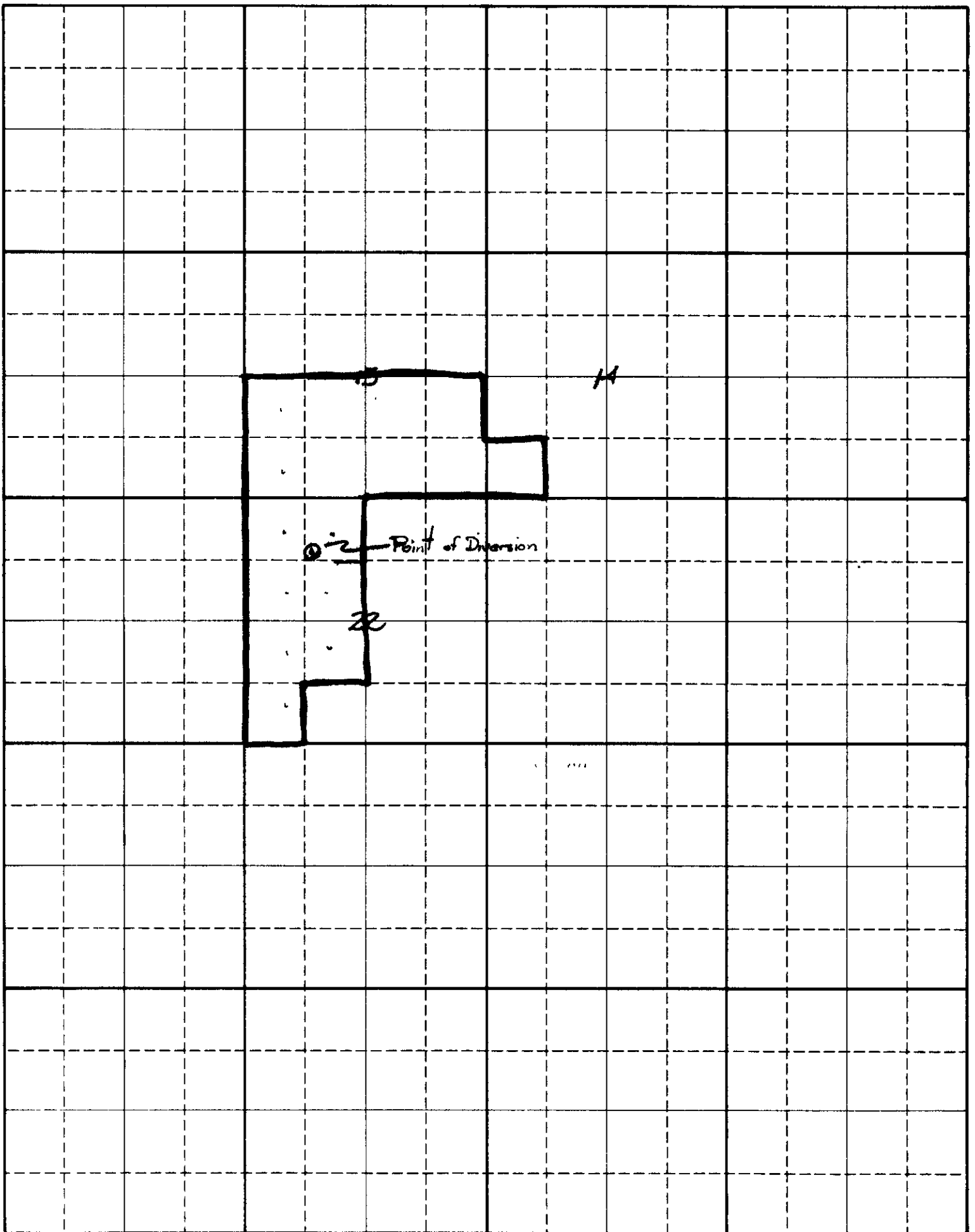
Total number of acres to be irrigated 640

c. Describe any other water rights used for the same purposes as described above. 51-7003 and 51-7029
use the same point of diversion

- 9 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 _____

10. Remarks The entire acreage is included so that the capacity of the pump can be increased to deliver 4000 gallons per minute of water to the land at any time.

11 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.

Clarence Alfred Russell
(Applicant)

9-18-1974
~~Proposed~~ ~~Final~~

Received by WJ Date 9-18-74 Time 3:50pm
Preliminary check by BDF Fee \$ 25.00
Received by WJ Date 9-18-74 Receipt # 68
Publication prepared by Ca Date 9-19-74
Published in Owyhee Nugget
Publication dates Sept 26 ? Oct 3
Publication approved Ca Date 10-7-74
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by WJ BDF

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 51-7091, 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 November 1, 19 79.
- c. Other A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons _____

Witness my hand this 5 day of November 19 74.

R. Keith Higin
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

January 11, 1996

CLARENCE A RUSSELL
MILDRED RUSSELL
C/O WM HEGERHORST FAMILY TRUST
HC 85 BOX 952
BRUNEAU ID 83604

RE: WATER RIGHT NO. 51-07091

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

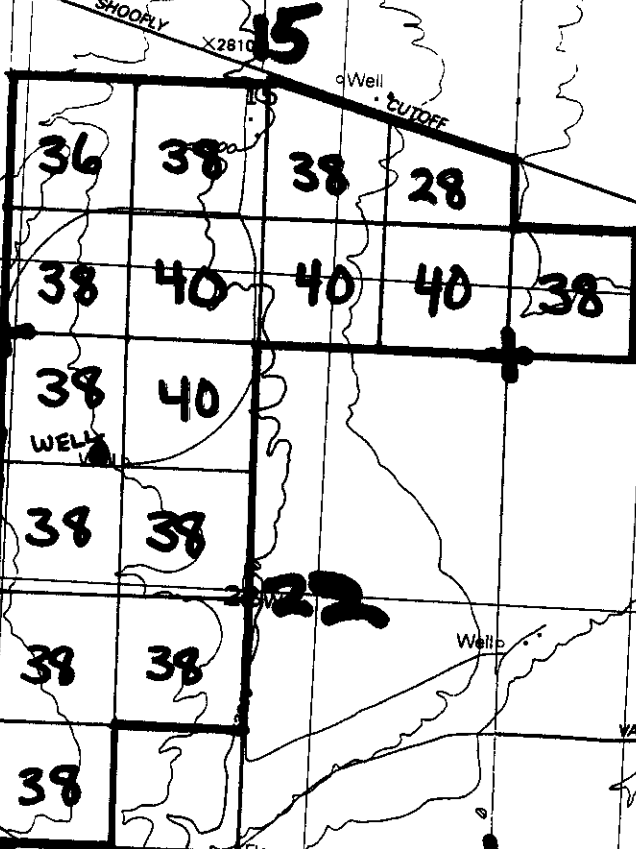
Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
JAN 30 1996

Scale = $\frac{1}{24,000}$



Right
51-07091

Hegerhorst

FAX 845-2085

JAN 30 1996



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

DECEMBER 11, 1995

WILLIAM HEGERHORST FAMILY TRUST
HC 85 BOX 952
BRUNEAU ID 83604

RE: WATER RIGHT NO. 51-07091

Dear Mr. Hegerhorst,

I am writing to you about Water Right Permit No. 51-07091, which was originally issued to Clarence and Mildred Russell. The permit is being reviewed for licensing. Before a water right license can be issued, however, the permit must be amended to depict the water right as it has actually been developed. I have sent an Application for Amendment form to the permit holders of record, but I have received no reply. Because our field examiner indicated that you may now own the property on which the water development occurred, I am writing to give you the opportunity to complete the process necessary to establish a water right.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. The last page of the Application for Amendment form contains a list of CONDITIONS and REMARKS proposed for the license when it is issued. These conditions and remarks may be modified upon further administrative review.

Please review the amendment form carefully. If you concur with the information presented, sign the form and return it with the \$50.00 filing fee within 14 days if possible.

In order for the department to issue the water right license in your name, the permit holders of record must assign the permit to you. I have enclosed an Assignment of Permit form to help you obtain the required information and signatures. If you do not obtain an assignment from Clarence and Mildred Russell, the department may still issue a license if you submit the necessary Application for Amendment and fee. Once the license is issued, the water right becomes appurtenant to the land, regardless of the name listed on the document.

Handwritten signature

JAN 30 1996

William Hegerhorst Family Trust
Re: Water Right No. 51-07091
December 11, 1995
Page 2

Also enclosed is an Order of Reinstatement. The permit had lapsed because the licensing examination fee was not paid timely. Therefore, note that the priority date has been advanced according to the number of days the fee sheet was late.

If you have any questions about this information, please contact me at (208) 327-7946 in Boise.

Sincerely,



Shelley Walter Keen
Water Rights Supervisor

SWK:rl

enc.

JAN 30 1996

**CALCULATION OF NEW PRIORITY DATE
LATE EXAM FEES or INFORMATION SHEET**

PERMIT NO. 51-07091
 BY: Frederic Chapman
 DATE: 11-29-95

	DATE	JULIAN
A. Examination Fee Notice Sent	<u>April 3, 1987</u>	<u>93</u>
B. Exam Fee/ Info Sheet Received	<u>DEC 14, 1988</u>	<u>713</u>
C. Exam Fee / Info Sheet Due	<u>JUN 2 1987</u>	<u>153</u>
D. Number of Days Late [B-C]	_____	<u>560</u>
E. Original Priority Date	<u>SEPT 18, 1974</u>	<u>261</u>
- or -		
1st Advanced Priority Date	_____	_____
F. To Following Year if Applicable [D + E - 365]		<u>91 (DATE + 2 yrs)</u>
G. New Priority Date [D+E or F]	<u>APRIL 1, 1976</u>	<u>91 (DATE + 2 yrs)</u>

Fee or information sheet received before the lapse date? NO

If not, the permit must also be reinstated.

RECEIVED

JAN 30 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 51-07091

DATE 11-28-95



NAME	☒ Change OK	Or Address Change? <u>never been assigned to the Hegerhorst family</u>
PRIORITY DATE	☒	Advance? <u>YES</u> Advanced to: <u>4-1-1976</u> Order to reinstate needed? <u>YES-DO</u> Incorrect fee for rate recommended? <u>NO</u>
SOURCE	☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	☒	Amendment needed? <u>(CHANGE to NUNWOT)</u> <u>SECTION 22)</u> Overlaps? <u>51-07003 + 51-07029 (limited to 8 cfs)</u>
PLACE OF USE	☒	Amendment needed? _____ Overlaps? <u>51-07003 + 5-07029</u>
DIV RATE	☒	Permit/fee limits: <u>.92 CFS</u> Meas Q = <u>9.41 x 8.8</u> Theo Q = _____ Recommend: <u>.92</u> <u>604 x .02 = 12.08</u> <u>Other 2 rights are limited to a combined total of 8 cfs</u> Combined rates exceed capacity _____
ANNUAL VOLUME	☒	Volume Limit: _____ Season: <u>4.0 (4-1 to 10-31)</u> Calculations: <u>604 x 4 = 2416 of</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable <u>YES</u>
USES	☒	Change in Nature of Use or additional uses? _____ Amendment necessary? _____
ADDITIONAL INFO		Supplemental Groundwater <u>NO</u> <u>(for the other 2 addresses in remarks)</u> Irr/Dom Combination <u>NO</u> PPU Scenario <u>NO</u> Shared G/W System <u>YES</u>
NEW REMARKS	<u>NO</u> <u>YES</u>	Multiple p/d(s) in 1/4 1/4? Other <u>W36, W28, W44 (epit)</u>
NEW CONDITIONS	☒	Watermaster control - District _____ Measuring/Locking Devices _____ Irrigation Overlap _____ Other _____ Water Quality _____ Heat/Cool/Fish verified _____

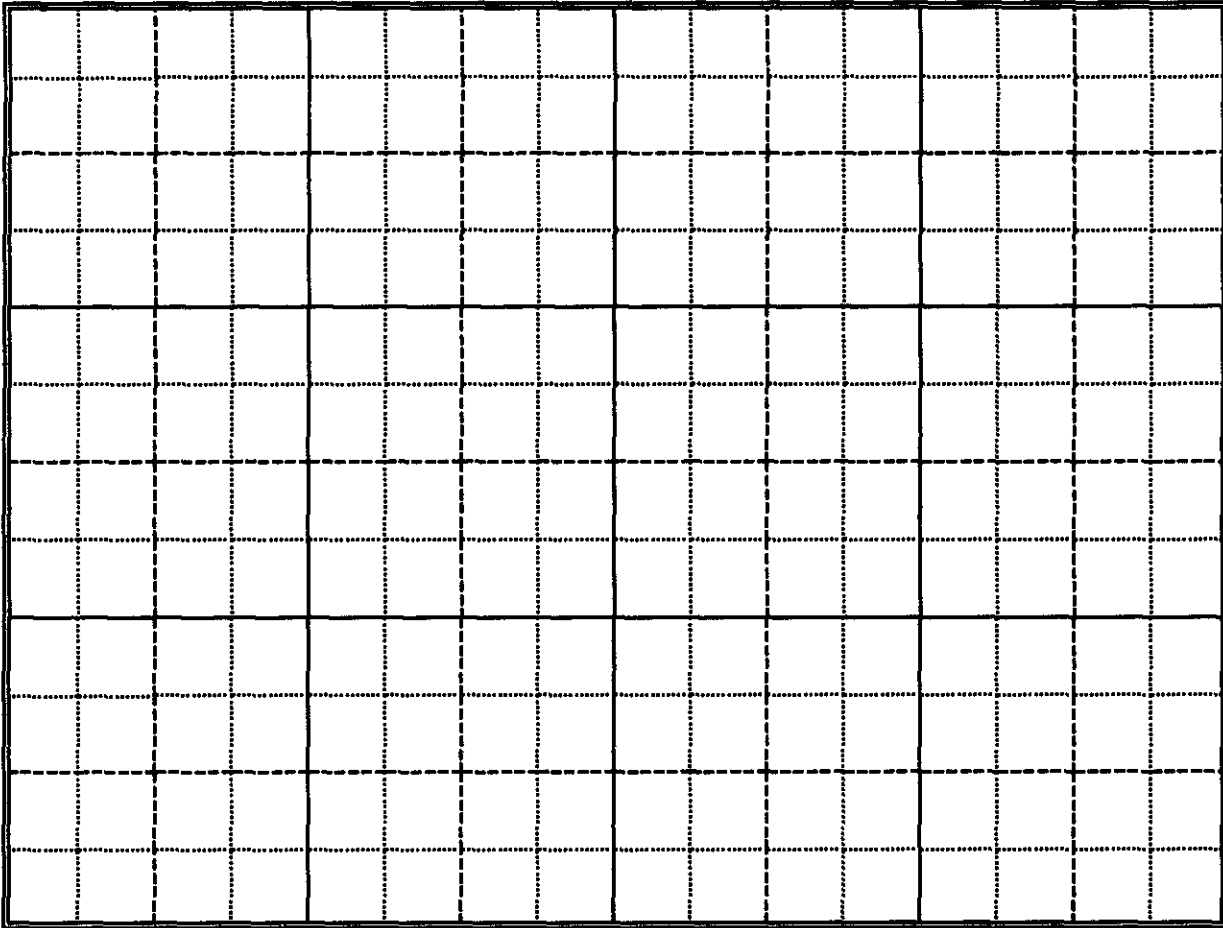
COMMENTS: _____

 _____ Amend P/D

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed
<u>Irrigation</u>	<u>.92</u>	<u>0</u>	<u>YES</u>
		<u>Remark</u>	<u>Adjustment Memo Needed YES</u>
			LICENSE
			<u>Special +</u>
			1ST AMEND LETTER <u>P39 + P38</u>
			2ND AMEND LETTER <u>P47</u>

[illegible]

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



Scale: 1" = _____

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

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

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	450	DGT40721	Layne/Boulton	12"

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic		TimeFlyte	TF-P	150231		
Pitot tube + pressure gauge						

2. Measurements: A polysonic measurement was taken at the well site (see photos attached) and pressure readings taken on 3/4" nozzles (see attached notes)

JAN 30 1996

E. NARRATIVE/REMARKS/COMMENTS

This report is a rewrite of the BU Zield Report Dated 7-7-93. This report incorporates the system measurement completed 5-3-94 and an overlap analysis. A field exam on 6-30-93 found 604 acres irrigated by the current system from one well. The prior approved Amendment and Transfer that adds 4 more P/D's was not developed.

The measured system capacity on 5-3-94 was 9.41 cfs. compared to 8.0 cfs on 6-27-74. This permit was intended to license the system to 4000 gpm by adding an additional .92 cfs to the prior system capacity of 8.0 cfs covered by rights 51-07003 & 51-07029.

There are no additional acres nor additional volume to add with this right. The P/U described is a P/U of 604 acres for the three rights. This right when combined with 51-07003 & 51-07029 is limited to 8.92 cfs and 2416 afa.

Summary of Rights under the system:

	Acres	DR #	DV
L 51-07003	314	6.28	1570
L 51-07029	302	6.04	1570
P 51-07091	604 PPU	.92	0

* Limited to 8.92 cfs when all three rights are combined.

Measured system capacity = 9.41 cfs.

$V_{dr} = 9.41 \times 1.9835 \times 214 = 3994.3 \text{ afa}$

$V_{ir} = 604 \times 4 \text{ afa} = 2416 \text{ afa}$

$DR_{per\ acre} = 8.92 \text{ cfs} / 604 = .0148 \text{ cfs}$

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

JAN 30 1996

Additional Computation Sheets Attached

Polysonic measurement = 3953 gpm
 Wheel & hand lines = $\frac{268.8''}{422.8 / 448.8} = 9.41 \text{ cfs}$

NOV 28 1995

Department of Water Resources

1. Volume Calculations for Irrigation: *See Narrative*

V = Smaller of V_{IR} and V_{DR} =

NA

1. Recommended Amounts

Negation

To

4-1

10-31

Q (cfs)

95

92 *cf*

Y (afa)

2

Totals:

.92 $\frac{1}{10}$

0

*

Other

I. AUTHENTICATION
 This Report by Mel Schutte 10-6-95
 Field Examiner's Name Linda Werner Date

Field Examiner's Name

Linda Weener

Date _____

Reviewer

Date _____

* See attached adjustment memo 2C

JAN 20 1996

MEMORANDUM

TO: File 51-07091 / Clarence A. Russell
[William Hegerhorst Family Trust is the current owner
but the permit has not been assigned to them]

FROM: Brenda Chapman

DATE: November 29, 1995

RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 51-07091 are based on the information below:

H. RECOMMENDATIONS

2. Recommended Amendments

☒ Change P.D.	☐ Add P.D.	☐ None
☐ Change P.U.	☐ Add P.U.	☐ Other

The exam confirms a change in the point of diversion to the NWNW $\frac{1}{4}$ of Section 22, T07S, R04E.

NOV 30 1996

(A) 51-07001, A51-07003, A51-07029

5-3-94

Originals in A51-07003

0427.6 MMSEC
097.46 % T0

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

05-03 11:4800 *R
+002.20 % AI2

ZERO MODE
ZERO OPR

MODE SELECT
T0 CHECK

0427.6 MMSEC
097.46 % T0

MODE SELECT
INPUT

OUTER DIAMETER
12.0476 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1531 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1520 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.691 IN U

05-03 11:5900 *R
+002.30 % AI2

MODE SELECT
T0 CHECK

0427.6 MMSEC
099.59 % T0

0429.9 MMSEC
100.13 % T0

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

05-03 12:0300 *R
+002.60 % AI2

MODE SELECT
T0 CHECK

0429.9 MMSEC
100.13 % T0

DAMPING SET
01 SEC

05-03 12:0600 *R
+ 3.953E 3GPM -

3.953 x 10³ = 3953.

CHECK SIG ABN

MM-DD HH:MM
05-03 11:00

MODE SELECT
DATA SET

DATA SET MODE
? PRINTER

PRINTER USE
? YES

MODE SELECT
INPUT

OUTER DIAMETER
1.0055 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1530 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? YES

CHANGE DATA
? PIPE

OUTER DIAMETER
12.0476 IN

CHANGE DATA
? END

SPACING
9.354 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

05-03 11:3700 *R
+001.80 % AI2

05-03 11:3900 *R
+ 3.813E 3GPM

MODE SELECT
T0 CHECK

0426.4 MMSEC
097.18 % T0

should
be
2070
redo

JAN 30 1995

Overlap analysis for Permit 51-07091 vs.
L51-07003 and L51-07029

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
Permit	51-07091	7S	4E	14									40								40	
				15									40	40	40	40	40	40	40	40	320	
				22					40	40	40	40	40	40	40						280	640
Found at exam																						
		7S	4E	14									38								38	
				15									38	36	38	40	28	38	40	40	298	
				22					40	38	38	38	38	38	38						268	604
License	51-07003																					
		7S	4E	14									38								38	
				15									38			40	40	38	40	40	236	
				22					40												40	314
License	51-07029																					
		7S	4E	15									36	38							74	
				22					38	38	38	38	38	38							228	302
New acres	51-07091																					
		7S	4E	14									0								0	
				15									0	0	0	0	0	0	0	0	0	
				22					0	0	0	0	0	0	0	0	0	0	0	0	0	

JAN 30 1976

5-3-94

Arant Higurhast ~~51-07003~~
51-07091

78 PSI - $\frac{9}{64}$ nozzle = 5.17 GPM

52 heads w/ $\frac{9}{64}$ nozzles @ 5.17 GPM =
268.8 gpm = 0.60 cfs

He has 1 line (32 hd) which wasn't
running plus an extra 20 hd.

Flow from well measured by polysonic =
3953.0 gpm. Plus additional flow
from nozzles (above) = 0.60 cfs (268.8 gpm)

3953 gpm
+ 268.8 gpm
4221.8 gpm

$\frac{4221.8 \text{ gpm}}{448.9 \text{ gpm}} = 9.4 \text{ cfs}$

pipe circumference = 37.85"

pipe thickness 0.153"

steel pipe

diameter = 12.05

Well located in T7S, R4E, Sec. 22, NWRW

Original in A51-07003

JAN 30 1996

5/3/94 of

Abant Higurhorst - ~~51-07003~~

51-07091

67 psi

NOZZLE PRESS CLOSE TO PUMP

1/8"

(ONLY ONE BIRD ON LATERAL)

Flow: 3.8 gpm

78 psi

NOZZLE PRESS AWAY FROM PUMP

9/16"

NOZZLE #4 ON LINE

LEVEL FIELD

PICTURE #5

LINE PRESSURES ARE ADJUSTED AT
LATERAL VALVES

Dairy - milking = 300 lbs
750 - hd feeding
800 - ranging

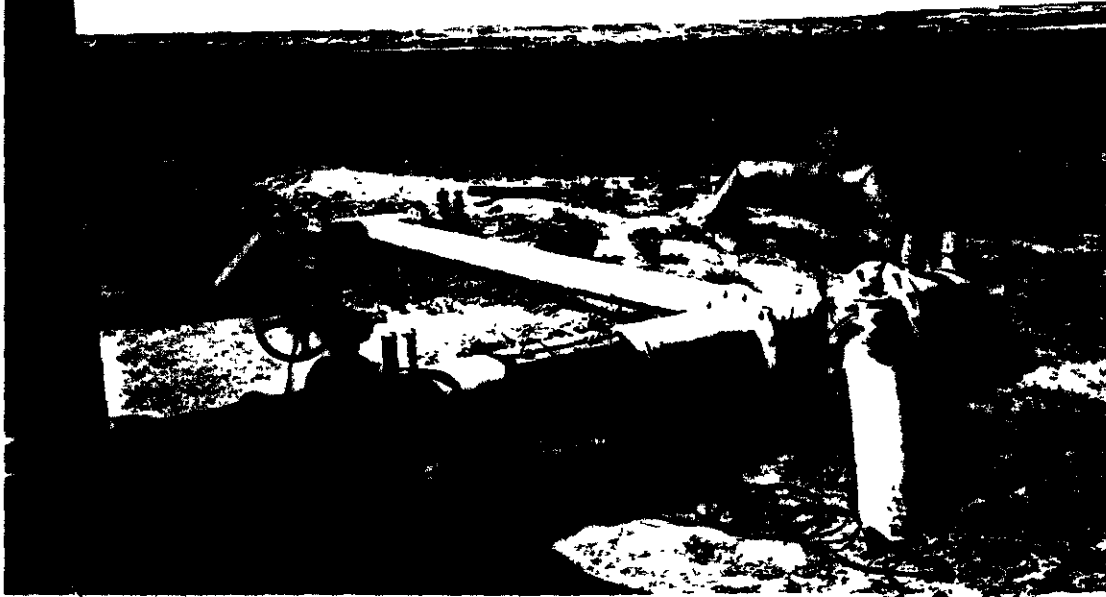
Original in A51-07003

JAN 30 1996

~~51-07003~~

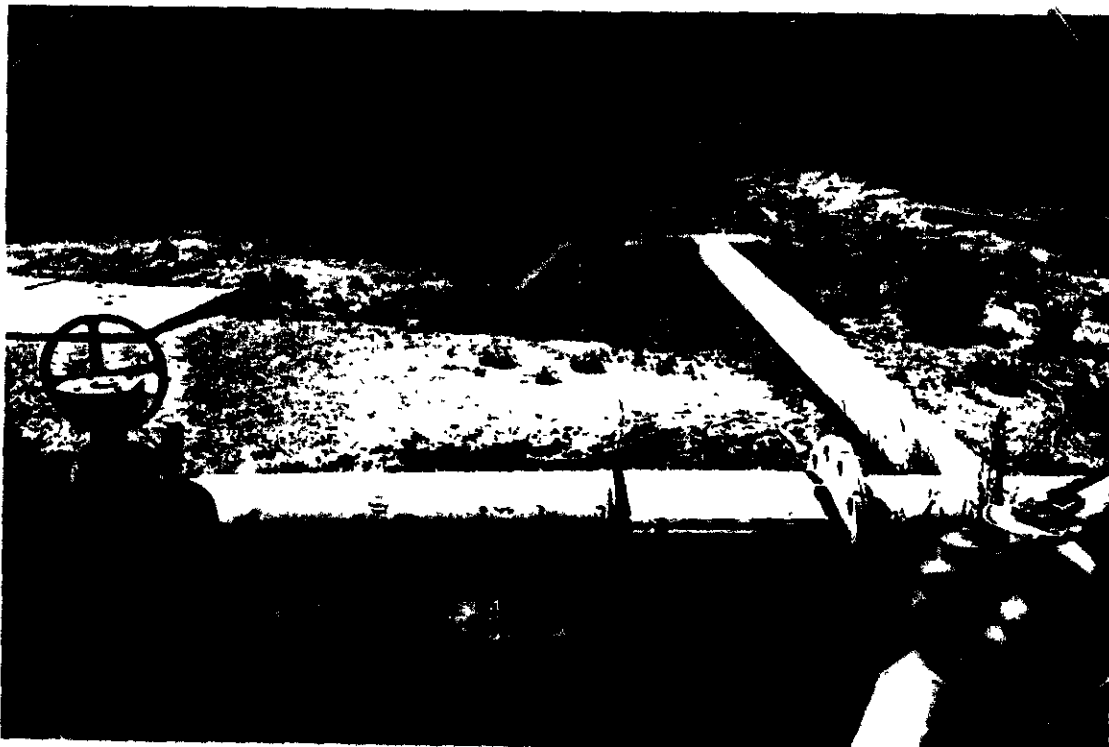
51-07091

Originals in A51-07003



5-3-94

First placement site of transducer. No reading obtained due to interference of flow / or lack of pipe length



5-3-94

Second site where transducer was spaced
A reading was obtained here.

JAN 30 1996

Notes for 5-3-94

~~51-07003~~
51-07091



5-3-94

Nozzle where pressure reading was obtained.

Originals in A51-07003

MAILED

JAN 30 1996

~~A51-07003~~ A51-07003

51-07091

Original in A51-07003



6:30:43

Place of use - Sec. 15, S1/2

JAN 30 1996

~~A51-07003 & A51-07024~~

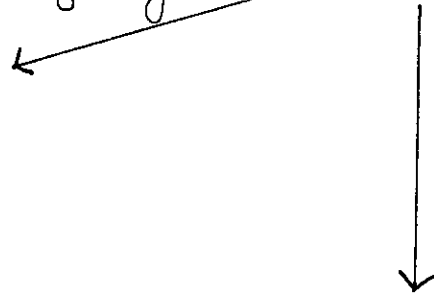
51-07091

Originals in A51-07003



6-30-93

Well in Sec. 22 shows mainline
going west & south.



4413 07996

6-30-93

PERMIT 51-07091 INIT MTS

T. R. S. Q/Q
P/D 75 4E 22 SENUNW

SCALE

PHOTO ID. AA-01

2810X

ROAD

BN 2746

27

26

25

0/1996

~~51-7003 Argentina~~

T 75 R 4E S 22 SENUNW

51-07091

2810

14

7029-36

7003-31

7003-31

7029-36

842746

7029-36

7003-31

7003-31

7029-36

7029-36

POB

7029-38

7029-38

7029-38

7029-38

38

26

1996

MEMORANDUM

DATE: November 24, 1995

TO: File 51-07091

FROM: Shelley W. Keen *SWK*

RE: Examiner's recommendation to void

=====

I have asked Mel Schulte to look into the SRBA recommendations for rights 51-07029 and 51-07003 before proceeding with the recommendation to void 51-07091. Transfer No. 2375 limited 51-07003 and 51-07029 to a combined diversion rate of 8.0 cfs. The most recent measurements for 51-07091 show 8.8 cfs and 9.41 cfs. If capacity above 8.0 cfs has been developed, right 51-07091 should probably be licensed. If it is to be licensed, it should be consistent with the SRBA recommendations for 51-07003 and 51-07029.

RECEIVED
JAN 30 1996

15
RECEIVED
MAY 10 1994
Department of Water Resources

TO: GLEN SAXTON
JULIE YARBROUGH
FROM: LINDA WERNER *ARW*
DATE: MAY 9, 1994
SUBJECT: PERMIT NUMBER 51-07091
ORDER TO REMEASURE WELL CAPACITY

PLEASE BE ADVISED THAT ON 5/3/94 I REMEASURED THE ABOVE WELL PURSUANT TO THE DEPARTMENT'S ORDER DATED 10/20/93. THE MEASURED FLOW AMOUNTED TO 8.8 CFS COMPARED TO 8.0 CFS MEASURED ON 6/27/74. THE SYSTEM WAS OPERATING AT FULL CAPACITY WITH THE EXCEPTION OF TWO HANDLINES. THE METHOD OF MEASUREMENT WAS THE POLYSONIC.

I WILL CONTINUE WITH THE RECOMMENDATION OF THIS RIGHT, ALONG WITH OVERLAPPING RIGHTS 51-07003 AND 51-07029, AS SOON AS POSSIBLE. THANK YOU.

CHECK

SIG ABN

MM-DD HH:MM
05-03 11:00

MODE SELECT
DATA SET

DATA SET MODE
? PRINTER

PRINTER USE
? YES

MODE SELECT
INPUT

OUTER DIAMETER
1.0055 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1530 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? YES

CHANGE DATA
? PIPE

OUTER DIAMETER
12.0476 IN

CHANGE DATA
? END

SPACING
9.354 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

05-03 11:3700 *R
+001.80 % AI2

05-03 11:3900 *R
+ 3.813E 3GPM

MODE SELECT
T0 CHECK

0426.4 MMSEC
097.18 % T0

0427.6 MMSEC
097.46 % T0

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

05-03 11:4800 *R
+002.20 % AI2

ZERO MODE
ZERO OPR

MODE SELECT
T0 CHECK

0427.6 MMSEC
097.46 % T0

MODE SELECT
INPUT

OUTER DIAMETER
12.0476 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1531 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1520 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.681 IN U

05-03 11:5900 *R
+002.30 % AI2

MODE SELECT
T0 CHECK

0427.6 MMSEC
099.59 % T0

0429.9 MMSEC
100.13 % T0

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

05-03 12:0300 *R
+002.60 % AI2

MODE SELECT
T0 CHECK

0429.9 MMSEC
100.13 % T0

DAMPING SET
01 SEC

05-03 12:0500 *R
+ 3.813E 3GPM

3.813E 3GPM - 3.813E 3GPM

JAN 30 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 20, 1993

William Hegerhorst Family Trust
c/o Grant Hegerhorst
HC 85 Box 152
Bruneau, ID 83604

Re: Permit No. 52-07091

Dear Mr. Hegerhorst:

Enclosed is a copy of an order setting aside the Department's previous order to void this permit.

The Department will notify our Western Regional office that your rate of flow needs to be remeasured.

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

Sincerely,

Karen L. Gustafson
Senior Secretary

Enclosure

C: Linda Werner - Western Regional Office

RECEIVED
JAN 30 1998

OCTOBER 18, 1993

RECEIVED

OCT 20 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RE: PERMIT NO. 51-07091

L.GLEN SAXTON

I TAKE EXCEPTION TO THE ORDER. THAT WE ARE USING MORE THE
8 CFS OF WATER "51-7003 & 51-7029" AND REQUEST
REEVALUATION.

WILLIAM HEGERHORST FAMILY TRUST
C/O GRANT HEGERHORST
HC 85 BOX 152
BRUNEAU IDAHO, 83604
845-2085, 845-2975

Grant Hegerhorst

RECORDED

JAN 30 1996

MEMORANDUM

To: File 51-07091
From: L. Glen Saxton *LS*
RE: PRELIMINARY ORDER VOIDING PERMIT
Date: October 18, 1993

Grant Hegerhorst called today and advised that he believes the capacity of his pumping system is larger than the 8.0 cfs licensed under 51-07003 and 51-07029. This belief is based upon his replacement a few years ago of the pump bowls and a measurement of the rate of discharge by Quentin Nesbitt.

I advised Hegerhorst to file an exception to the order.

MEMORANDUM

JAN 30 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 30, 1993

Clarence A. Russell
Mildred H. Russell
Star Rt. B Box 154A
Bruneau ID 83604

RE: Permit No. 51-07091

Dear Permit Holder:

The accompanying order 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 hearing officer within fourteen (14) days of the service date of this order. The hearing officer 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 agency.

to the agency head
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

JAN 30 1996

the Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director 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 Director 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 Director 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

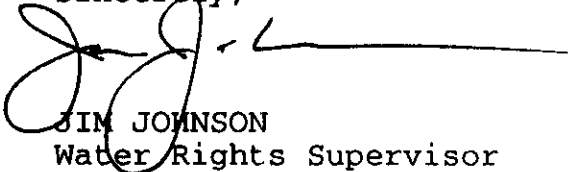
JAN 30 1996

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.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

Enclosure

c: William Hegerhorst Family Trust

MR

JAN 30 1996

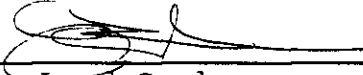
CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 4th day of October, 1993, I mailed a true and correct copy, postage prepaid, of the foregoing Preliminary Order to the following:

Clarence A. Russell
Mildred A. Russell
Star Rt. B Box 154A
Bruneau ID 83604

Another true and correct copy was mailed, postage prepaid, of the foregoing Preliminary Order to:

William Hegerhorst Family Trust
C/O Grant Hegerhorst
HC 85 Box 152
Bruneau ID 83604



Donna Lord Corless
Clerical Specialist

MICROFILMED
JAN 30 1996

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

(WATER RIGHT NUMBERS THAT BEGIN WITH AN 'A' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SE				SUM	
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
5107091	T07S R04E S14	GROUNDWATER																					
	:																						
														40						40			
5102156	GROUNDWATE	:																		64			
A5102156	GROUNDWATE	:						40					24							64			
5102168	GROUNDWATE	:																		33			
A5102168	GROUNDWATE	:	01		32															33			
5102172	GROUNDWATE	:																		85			
A5102172	GROUNDWATE	:						40		40				05						85			
5107003	GROUNDWATE	:						40		40				05						38			
A5107003	GROUNDWATE	:																		38			
5107008	GROUNDWATE	:	10		06															16			
A5107008	GROUNDWATE	:	10		06															16			
5107091	GROUNDWATE	:												38						38			
5107111	GROUNDWATE	:				40		37					16		35	33		39		40	38	278	
A5107111	GROUNDWATE	:				40		37					16		35	33		39		40	38	278	
5107091	T07S R04E S15	GROUNDWATER																					
	:																						
														40		40		40		40		320	
5102172	GROUNDWATE	:	35			35		40														110	
A5102172	GROUNDWATE	:	35			35		40														110	
5107003	GROUNDWATE	:												38				40		38	40	236	
A5107003	GROUNDWATE	:												38				40		38	40	191	
5107029	GROUNDWATE	:																25		27	30	74	
A5107029	GROUNDWATE	:																25		27	30	52	
5107040	GROUNDWATE	:	05			05																10	
A5107040	GROUNDWATE	:	05			05																10	
5107091	GROUNDWATE	:												38		20	32	33		25	27	30	243
5107271	GROUNDWATE	:	05			05																10	
5107091	T07S R04E S22	GROUNDWATER																					
	:																						
								40		40				40		40		40				280	
5102151	GROUNDWATE	:																				12	
A5102151A	GROUNDWATE	:																				12	
5102198	GROUNDWATE	:	38		20	34		39														131	
A5102198	GROUNDWATE	:	38		20	34		39														131	
5107003	GROUNDWATE	:																				40	
A5107003	GROUNDWATE	:																				38	
5107025A	GROUNDWATE	:																				125	
A5107025A	GROUNDWATE	:																				125	
5107025B	GROUNDWATE	:																				17	
A5107025B	GROUNDWATE	:																				23	
5107029	GROUNDWATE	:												38		38		38				228	
A5107029	GROUNDWATE	:												38		38		38				222	
A5107091	GROUNDWATE	:												38		38		38				280	

Reviewed 9-23-93
Jim J.

LICENSE REVIEW CHECKLIST

Permit # 51-7091 Date 9-16-93 Brenda Chapman

	Yes	No	
NAME	☐	☐	Or Address Change?
PRIORITY DATE	☐	☐	Advance? ☐ Memo to Advance ☐
	☐	☐	Order to Reinstate Needed? ☐
	☐	☐	Incorrect Fee for rate recommended? ☐
SOURCE	☐	☐	Changes? ☐ Clarification of Originally Intended source ☐
	☐	☐	Notice of Intent to Void - Source change. ☐
P/D	☐	☐	Amendment Needed? ☐
	☐	☐	Is Overlap Analysis a Consideration? ☐
P/U	☐	☐	Amendment Needed? ☐
	☐	☐	Is Overlap Analysis a Consideration? ☐
TOTAL CFS	☐	☐	Disagree/Measurement ☐
	☐	☐	Pumping Theoretical 8.8 x .70 x
	☐	☐	+ 2.31 x
	☐	☐	System Capacity ☐
	☐	☐	Allowable Amount: ☐
TOTAL VOLUME	☐	☐	Rate/ac ☐ AFA Irr. Season ☐
	☐	☐	Season Recommended ☐
	☐	☐	Disagree with Examiner's Calculations? ☐
	☐	☐	Flow limit: ☐ x ☐ 1.9835 = ☐
USES	☐	☐	Change(s) in Nature of Use? ☐
	☐	☐	Amendment Needed? ☐
REMARKS	☐	☐	Multiple P/Ds in 1/4 1/4? ☐
	☐	☐	Special Overlap Condition ☐
	☐	☐	Other ☐
CONDITIONS	☐	☐	Measuring/Locking Devices ☐ Misc/Dates ☐
	☐	☐	W/Master Control ☐ Water Dist ☐
	☐	☐	Irrigation Overlap ☐ App Rec'd ☐
	☐	☐	Water Quality ☐ Exam Made ☐

COMMENTS: Recommend NOTICE OF INTENT TO VOID - LAND
ALREADY COVERED UNDER LICENSED RIGHTS 51-7003 1/2
 51-7029

RECOMMENDED	CFS	VOL	LICENSE
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐
☐	☐	☐	☐

AMEND ☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 19 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 51-07091

1. Owner: William Hegerhorst Family Trust Phone No. 845-2085

Current Address: % Grant Hegerhorst
HC 85 Box 752 Bruneau ID 83604

2. Accompanied by: Grant Hegerhorst EXAM DATE: 6-30-93

Address: Same Phone No. _____

Relationship to Permit Holder: Son

3. Source: Well tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 51-07003, 51-07029

2. Other water rights with the same point of diversion: 51-07003, 51-07029

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
R0D 1	N/A	SE	NW	NW	22	7S	4E	Owyhee	field, 1987 Napp

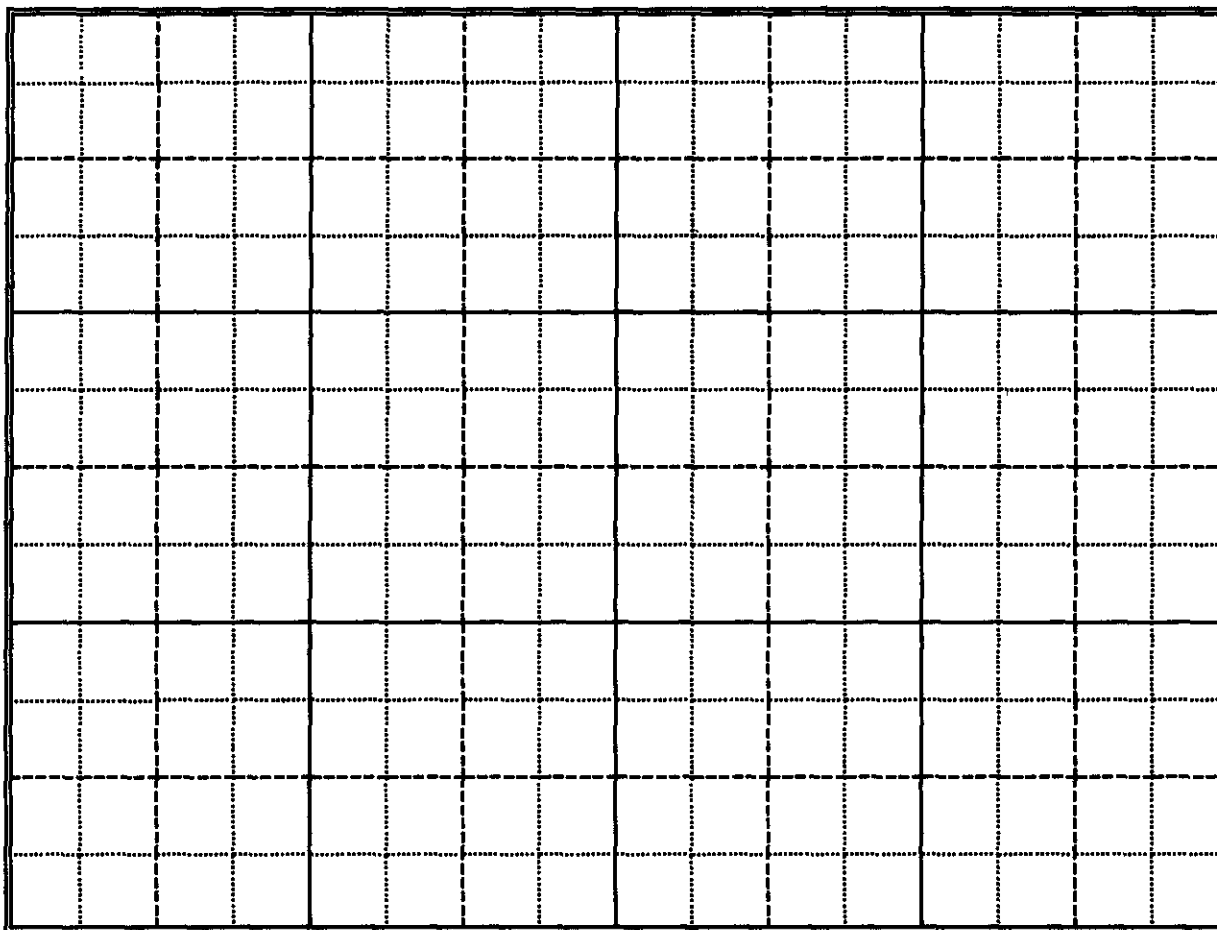
2. Place(s) of Use:

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	
7S	4E	14											38						38
		15									38	36	38	40	28	38	40	40	298
		22					40	38	38	38	38	38	38						268

Minneapolis
JAN 20 1996

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



Scale: 1" = _____



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

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

Photo of Diversion and System Attached

See A51-07003

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
POD 1	G. E.	450	DGT 40721	Wayne + Bowler	12"

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N/A						

2. Measurements: See narrative

JAN 30 1998

Hali

51-07091

T7S

R4E



E. NARRATIVE/REMARKS/COMMENTS

Lands listed under place of use are covered under 51-7003 & 51-7029, from the same well. Each is licensed at 1"/acre. It is believed that the individual that applied for this permit did so because he changed irrigation system from pivot to wheel lines. So he applied for this additional water to cover the corners which were missed by the pivots. The present owner is using a pivot system & has no plans to change. A51-7003 & A51-7029 will be recommended in SRBA as permissible place of use with their original acreage & flow amounts, therefore all lands irrigated are already covered at 1"/acre & this permit is unnecessary.

Have conditions of permit approval been met? ☐ yes

W/CEP - D/A
JAN 30 1996

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

McCrometer - 8.0 cfs total capacity. Measured
on 6-27-74.Motor or pump have not been
changed.**G. VOLUME CALCULATIONS**

N/A

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:

H. RECOMMENDATIONS

CANCELLED

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	_____

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. AUTHENTICATIONField Examiner's Name Linda Werner Date 7-7-93

Reviewer _____ Date _____

SEAL

JAN 30 1996

DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF WATER RESOURCES
The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No.
Name(s) of Permit Holder

Post Office Address: *Chasene Lake, B.C.*

Address: Star At B. Box 1344 22-91

Source of Water, 23604, B. 1344, B. 1344.

Extent of Use: Groundwater Tel. No. 815 201

ment of Use:

	<u>Domestic</u>	<u>Stockwater</u>	<u>(number)</u>
103			

	number of households (number and %)
☐ Irrigation	64/3
☐ Other	

	(number and type of stock)	(acres)
Other	040	

Measuring Device: _____ Required? _____
Access Point: _____

Required? ☐ Yes ☐ No

Required? ☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

Installed? ☐ Yes ☐ No

Installed? ☐ Yes ☐ No

Information is a true statement of the extent of development

Installed

Yes ☐ No ☐

Yes ☐ No ☐

00/22/79

Date _____

100-443887-100

Signature of Permit Holder

Permit Holder

11
I have 23
11

DE
have

EC

McGraw-Hill
Source

281

received paid 1981

888

3

SECRET

ces

100



DEC 28 1988

RECEIVED

Department of Water Resources

Signature of Permit Holder

They should have
measuring device
across path

APPENDIX

JAN 30 1995

DEC 14 1979

Department of Water Resources
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 1, 1988

51-7091
Clarence A. &/or Mildred Russell
c/o William Hegerhorst Family Trust
Rt. B Box 152
Bruneau, ID 83604

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit has lapsed for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of Section 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 3, 1987.

When a permit lapses, it can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department within sixty (60) days of the mailing of this notice, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to reinstate the permit. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

LGS:hm

Enclosure

RECEIVED

JAN 30 1996

FROM Heidi

DATE 10/20/88

TO 51-7091

SUBJECT Wrote to Owyhee County Assessor requesting new address
for Clarence A. &/or Mildred Russell or current property owner:

% William Hegerhorst Family Trust
Rt. B Box 152
Brunear, ID
83604

JAN 30 1996



SIGNATURE

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Not at this
address

JAN 3 0 1996

MAIL ROOM



REASON CHECKED
Backward Addressed
Attempted but known
Incorrect address
No such street
No such office in city
No mail received at this address

PRESENTED
FIRST CLASS



RECEIVED

MAY 12 1988

Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

51-7091
RUSSELL, CLARENCE A.
RUSSELL, MILDRED
RT. 8 BOX 154A
BRUNEAU, ID 83604

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 5, 1988

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on June 3, 1988, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 3, 1987.

If the permit lapses, it can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 1, 1988, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure

4/86

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

1. Permit No. _____

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: _____

3. Post Office Address: _____

_____ Telephone No. _____

4. Source of Water: _____

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (acres) Other/Remark _____

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

7. Show the date water was first diverted and beneficially used under this permit:

8. Person to contact to accompany the department representative during the field examination:

_____ (Name)

_____ (Address) _____ (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

_____ Date

_____ Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

51-7091
RUSSELL, CLARENCE A.
RUSSELL, MILDRED
RT. 8 BOX 154A
BRUNEAU, ID 83604

May 5, 1988

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on June 3, 1988, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 3, 1987.

If the permit lapses, it can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 1, 1988, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure

JAN 30 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address:
Statehouse
Boise, Idaho 837
(208) 334-4441

October 1, 1987

Grant W. Hegerhorst
Btuneau, Id 83604

(51-7091)

RE: Permit to Appropriate Water No. *51-7091*

The Department mailed the original of the enclosed letter in an attempt to inform him that he was required to pay an examination fee on the above referenced permit. The letter was returned to the Department as undeliverable mail. Research of the records of the County Assessor reveals that you own property which may have been listed as the place of use in the permit.

Please read the enclosed letter. It may be necessary that you file an examination fee with the Department to prevent loss of a developed water right. Should we not hear from an interested party within sixty (60) days of the date of this letter, action will be initiated to remove the permit from the Department files.

Respectfully,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC:

Received
JAN 30 1986



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address:
Statehouse
Boise, Idaho 837
(208) 334-4441

October 1, 1987

William Hegerhorst
Bruneau, ID 83604 (51-7091)

RE: Permit to Appropriate Water No. 51-7091

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Respectfully,

A handwritten signature in cursive script, reading "Gary Spackman", is written over a horizontal line.

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC:

RECORDED

JAN 30 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address
Statehouse
Boise, Idaho 837
(208) 334-444

October 1, 1987

Mark Hegerhorst
Bruneau, ID 83604 (51-7091)

RE: Permit to Appropriate Water No. 51-7091

The Department mailed the original of the enclosed letter in an attempt to inform him that he was required to pay an examination fee on the above referenced permit. The letter was returned to the Department as undeliverable mail. Research of the records of the County Assessor reveals that you own property which may have been listed as the place of use in the permit.

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Respectfully,

A handwritten signature in cursive script, reading "Gary Spackman", is written over a horizontal line.

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC:

JAN 30 1996

NEW OWNERS -

HEGERHORST FAMILY
TRUST

GRANT, BILL & MARK.
845-2085 - GRANT
845-2975 - BILL
2973 - MARK

~~██████████~~ HC 85, Box 154
BRUNEAU, 83604

Microfilm

JAN 30 1996

UNKNOWN
Idaho Department of Water Resources
Western Region



DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE IDAHO 83725

sample

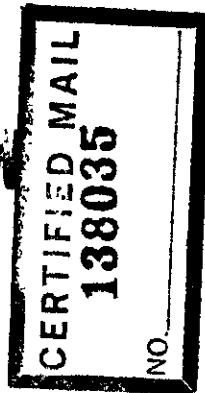
RECEIVED

APR 7 1987

Department of Water Resources
Western Regional Office



JAN 30 1996





Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

51-7091
RUSSELL, CLARENCE A.
RUSSELL, MILDRED
RT. 8 BOX 154A
BRUNEAU, ID 83604

138035

April 3, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information set showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is available from the department upon request. A listing of certified water right examiners is also available.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

280081

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The license examination fee schedule, on the back of the enclosed information sheet, shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be returned to this office. If you have questions or concerns please feel free to call at (208) 334-2190, or to visit the office at our new location near the airport, at 2735 Airport Way.

Sincerely,



DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

51-7091
RUSSELL, CLARENCE A.
RUSSELL, MILDRED
RT. P BOX 154A
BRUNEAU, ID 83604

138035

April 3, 1987

CERTIFIED MAIL

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JAN 30 1996

September 12, 1980

Clarence & Mildred Russell
Star Rt. B, Box 154A
Bruneau, Idaho 83604

Dear Mr. & Mrs. Russell,

RE: Permit No. 51-7091

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

MAY 22, 1980

Owyhee Nussel
Marsing, ID 83639

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 billings to this office before JUNE 16, 1980.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

MICROFILMED

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that Application No. 51-7091 in the name of Clarence Alfred and/or Mildred H. Russell was filed on 9/11/1974 for the diversion of .92 cfs of water from a groundwater source with a point of diversion within the NE¹/₄ Sec. 22, T. 7S, R. 4E, B.M., Owyhee County to be used for irrigation from 4/1 to 10/31 for land within portions of Sections 14, 15, and 22, T. 7S, R. 4E., B.M.

The application holder now proposes to amend the application by adding additional points of diversion within the NE¹/₄ Sec. 15, N¹/₂ Sec. 15, S¹/₂ Sec. 15, and the SE¹/₄ Sec. 15, of Sec. 15, T. 7S, R. 4E., B.M.

C. STEPHEN ALFRED, Director

Published in the Owyhee Nuggett on 12/27/79 and 1/3/80.

Never published.
gll
5/22/80

MICROFILMED

Sorry, but we did not publish the Amended to
Water Right # 51-7091, Russell.

Apparently it was lost in the mail, as I find
no record.

Mrs. Hawes,
Owyhee Nugget
Marsing, Id 83639

5-19-80

RECEIVED

MAY 20 1980

Deposited
MICROFILMED
Western Regional Office

Notice is hereby given that application No. 51-7091 in the name of Clarence Alfred and/or Mildred H. Russell was filed on 9/11/1974 for the diversion of ~~some~~ 1.92 cfs of water from a ground water source with a point of diversion within the NE NW Sec 22 T 75 R 4E, BM, Owyhee County to be used for irrigation from 9/1 to 10/31 within for land within portions of sections 14, 15, ~~16~~ and 22 T 75 R 4E BM.

The application holder now proposes to amend the application by adding additional points of diversion within the NESW, NWSW, SWSW and the SESW of Sec 15 T 75 R 4E BM

C Stephen Alfred, Dir.

Published in the Owyhee Nugget
on 12/27/74, 1/2/80.

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 29 day of May, 1980, and the last publication being on the 5 day of June, 1980;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 5 day of

June, 19 80.

Lance L. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)



O.K.
HWH.

RECEIVED

JUN 9 1980

Department of Water Resources
Western Regional Office

MICROFILMED

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that Application No. 51-7091 in the name of Clarence Alfred and/or Hildred H. Russell was filed on 9/11/1974 for the diversion of .92 cfs of water from a groundwater source with a point of diversion within the NENW, Sec. 22, T 7S, R44E, B.M., Owyhee County to be used for irrigation from 4/1 to 10/31 for land within _____ portions of Sections 14, 15, and 22, T 7S, R 4E, B.M.

The application holder now proposes to amend the application by adding additional points of diversion within the NESW, NWSW, SWSW, and SESW, Section 15, T 7S, R 4E, B.M.

C. STEPHEN ALLRED

Director

Published in the Owyhee Nuggett on 5/29 and 6/5/80

WILSON

334
XXXX
XXX

July 25, 1980

Kenton Russell
Star Rt. B, Box 154 A
Bonneau, Idaho 83604

RE: Application for Amendment of Permit No. 51-7091

Dear Mr. Russell:

According to our records, we have not received the required information to complete processing on the above reference application.

As per your phone conversation with Charpie Bryan on July 2, 1980, the following information is needed:

1. Evidence of your managing Clarence Russell's estate
(i.e., power of attorney)
2. An explanation as to why Connecticut General Life
Insurance Company's name is on the amendment

Please forward the required information so we may continue processing the application. If you have any questions or need more information as to what is required, please contact this office.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

DBS:h1h

RECEIVED

KENT RUSSELL



KEITH RUSSELL

Russell Land & Cattle Co.

BRUNEAU - NEW PLYMOUTH

High Protein Alfalfa

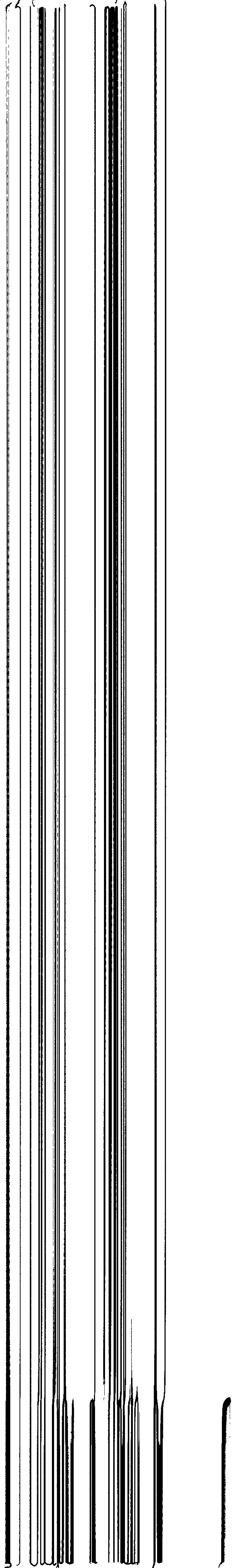
Star Route B - Box 154A
Bruneau, Idaho 93604

MICROFILMED

Phone
208/845-2966

Hudson
439-0048

Horse
Caghead



2 mi E Beacon light
Red Barn & yellow house

4:15
56 Sample 2 miles N
2 mi E Roanoke Light
East Red Barn of yellow house

1100500
939-0048

Russell Land
& Cattle Co.
Star Rt. B.
Box 154A

Brusseau, ID

83604A
Send proof
due notice
to

1 WEEKS, YOST, BRAUNER, WHITE & AHRENS, P.A.
2 ATTORNEYS AND COUNSELORS AT LAW
3 112 9TH AVENUE SOUTH
4 P. O. BOX 247
5 NAMPA, IDAHO 83851
6 (208) 466-9272

FILED
MAGISTRATE'S DIVISION
DISTRICT COURT
THIRD JUDICIAL DISTRICT
PAYETTE, IDAHO
NOV 23 1977
11:25 P.M.
JEANETTE NEESE CLERK
DEPUTY CLERK DEPUTY

Attorneys for Personal Representative

8 IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
9 STATE OF IDAHO, IN AND FOR THE COUNTY OF PAYETTE
10 MAGISTRATE DIVISION

12 In the Matter of the Estate of
13 C. ALFRED RUSSELL,
14 Deceased.

Case No. E-575-
LETTERS TESTAMENTARY

16 The Will of C. Alfred Russell, deceased, having
17 been admitted to informal probate, Kenton C. Russell, the
18 person who is named Personal Representative therein, is
19 hereby appointed Personal Representative.

20 WITNESS: _____, Magistrate
21 of the District Court, County of Payette, State of Idaho,
22 with the seal of the Court affixed, this _____ day of
23 November, 1977.

24 STATE OF IDAHO)
25)
26 County of Canyon) ss.
27)
28)

Magistrate

29 I hereby accept the duties of Personal Representative
30 of the Estate of C. Alfred Russell and do solemnly swear that I
31 will perform, according to law, the duties of Personal
32 Representative.

Kenton C. Russell

LETTERS TESTAMENTARY - 1

COPY

1 SUBSCRIBED AND SWORN to before me this 14th day
2 of November, 1977.

3 CHRISTINE FERDINAND

4 Notary Public for Idaho
5 Residing at Nampa, Idaho

6 (SEAL)
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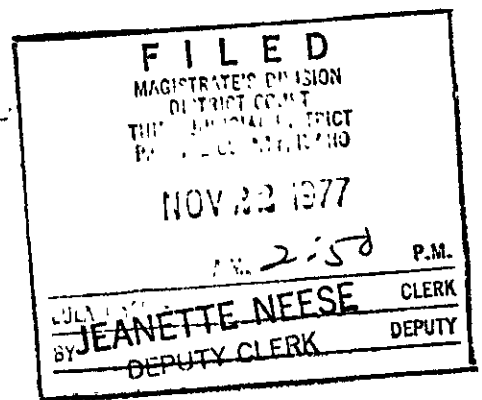
LETTERS TESTAMENTARY - 2.

RECEIVED

OCT 25 1979

Department of Water Resources

WEEKS, YOST, BRAUNER, WHITE & AHRENS, P.A.
ATTORNEYS AND COUNSELORS AT LAW
112 8TH AVENUE SOUTH
P. O. BOX 247
NAMPA, IDAHO 83651
(208) 466-9272



Attorneys for Personal Representative

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF PAYETTE
MAGISTRATE DIVISION

In the Matter of the Estate of
C. ALFRED RUSSELL,
Deceased.

Case No. E-575
LETTERS TESTAMENTARY

The Will of C. Alfred Russell, deceased, having
been admitted to informal probate, Kenton C. Russell, the
person who is named Personal Representative therein, is
hereby appointed Personal Representative.

WITNESS: _____, Magistrate
of the District Court, County of Payette, State of Idaho,
with the seal of the Court affixed, this _____ day of
November, 1977.

Magistrate

STATE OF IDAHO)
: ss.
County of Canyon)

I hereby accept the duties of Personal Representative
of the Estate of C. Alfred Russell and do solemnly swear that I
will perform, according to law, the duties of Personal
Representative.

Kenton C. Russell
Kenton C. Russell

LETTERS TESTAMENTARY - 1

MICROFILMED

COPY
RECEIVED

OCT 22 1979

Department of Water Resources
Western Regional Office

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SUBSCRIBED AND SWORN to before me this 14th day
of November, 1977.

CHRISTINE FERDINAND
Notary Public for Idaho
Residing at Nampa, Idaho

(SEAL)

LETTERS TESTAMENTARY - 2.

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 51-7091.

Name(s) of Permit Holder: Laurence +/or Mildred Russell

Post Office Address: Star Rt B Box 154A BrunEAU
Idaho E 3604 Tel. No. 845-2965

Source of Water: groundwater

Extent of Use. ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation 640 (acres)
☐ Other _____

Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
Access Point: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

10/22/79
Date

Laurence C Russell
Signature of Permit Holder

RECEIVED

OCT 22 1979

Department of Water Resources
Western Regional Office

IDAHO DEPARTMENT OF WATER RESOURCES
WATERHOUSE
BOISE, IDAHO 83720



RECEIVED

OCT 25 1979

Department of Water Resources

PLACE
TEN CENT
STAMP
HERE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 384-2215

RUSSELL, CLARENCE A. & MILDRED
RT. 2
NEW PLYMOUTH, ID 83655

101094

AUGUST 31, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 51-7091 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1979. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED

November 8, 1974

Re: Permit No. 51-7091

Mr. & Mrs. Clarence Russell
Route 2
New Plymouth, Idaho 83655

Dear Mr. & Mrs. Russell:

Enclosed is a copy of your approved Application for Permit No. 51-7091 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Jim Booker

DATE Oct. 30, 1974

TO 51-7091

SUBJECT Total quantity appropriated

The applicants visited with Bob Fleenor on Oct. 29, and it was agreed that the amount asked for (.92 c.f.s.) is actually the correct amount due to restrictions on the other licenses involved.

MICROFILMED

A handwritten signature, likely "Jim", written in dark ink over a horizontal line.

SIGNATURE

C
October 23, 1974

Clarence Alfred &/or Mildred H. Russell
Route 2
New Plymouth, Idaho 83655

Re: Application for Permit No. 51-7091

Dear Mr. and Mrs. Russell:

P
During a final review of your Application No. 51-7091, we have found a minor change that it will be necessary to make. When the above referenced application is combined with License No. 51-7003 and 51-7029, the maximum amount that can be allowed on this permit is .48 c.f.s.

We will make this change and approve the permit if you concur. Please notify this department within 10 days if you do not agree with this change.

V
If you should have any questions concerning this matter, please feel free to contact this office.

Sincerely,

JAMES E. BOOKER
W. R. Technician II

JEB:sw

*See Memo
JEB*

MICROFILMED

001 66 4

INTER-DEPARTMENT MEMO — 1 .

FROM Darlene

TO Jim

SUBJECT App 51-7091

DATE 10/21/74

We can only allow 0.48 cfs under the above subj app; see Licenses 51-7003 and 51-7029.

Advise applicant of the reduction and resubmit for final action.

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SIGNATURE

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

} s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 26 day of October, 1974, and the last publication being on the 3 day of October, 1974;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

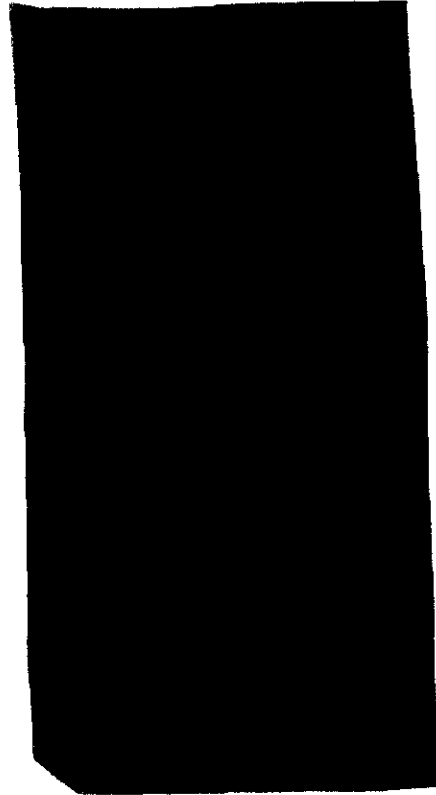
Subscribed and sworn to before me this 3 day of Oct, 1974.

Lana Spawer
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

MICROFILMED



Ok
10-7-74
ca

RECEIVED

OCT 7 1974

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse Annex 2
Boise Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resources Planning
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

September 20, 1974

Owyhee Nugget
Marsing, ID 83639

Re: Application for Permit NO. 02-7167 - Seamons Development Company
02-7170 - Silver Sage
51-7091 - Clarence Alfred &/or Mildred H. Fussell

Gentlemen

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

Bill Submitted

10-7-74

CW

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NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~CLARENCE ALFRED &/OR MILDRED H. RUSSELL~~

~~Rt. 2, New Plymouth, ID~~
has on ~~September 18, 1974~~ submitted Application No. ~~51-7091~~
for a permit to appropriate ~~0.92~~ cubic feet per second ~~XXXXXXX~~ acre feet
per annum of water from ~~XXXXXXX~~ ~~a groundwater source~~
by means of ~~well, pump, and sprinkler system~~
within the ~~NE 1/4, Sec. 22, T. 7 S, R. 4 E, B.M. Owyhee County~~

to be used from ~~April 1 to Oct. 31~~
for ~~irrigation of 640 acres~~

within the ~~SW 1/4, Sec. 14, S 1/2, Sec. 15, NW 1/4, NE 1/4, SW 1/4, Sec. 22, T. 7 S,~~
~~R. 4 E, B.M.~~

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before
~~Oct. 14, 1974~~

R. KEITH HIGGINSON

Director

Published in the ~~Owyhee Nugget, Marsing, ID~~
on ~~Sept. 26, 1974~~ and ~~Oct. 3, 1974~~

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