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Neal Brown
(Applicant)

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 16 day of Nov., 1972, and the last publication being on the 23 day of Nov., 1972;

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 23 day of Nov., 1972.

Leona S. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MEARL ROW, Rogerson, Idaho has on November 6, 1972, submitted Application No. (51 - 7071) for a permit to appropriate 0.04 cubic feet per second of water from a ground water source by means of pump and stock tank within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 15 S., R. 11 E., B. M., Owyhee County to be used from January 1 to December 31 for stockwater purposes within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 15 S., R. 11 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 Administration, Statehouse, Boise, Idaho, 83707, on or before Dec. 4, 1972.

R. KEITH HIGGINSON,
Director

Published in the Owyhee Nugget, Marsing, Idaho on November 16, 1972, and November 23, 1972.

RECEIVED
NOV 24 1972

Department of Water Administration

51 7071

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 51-7071 Priority November 6, 1972 Amount .04 cfs

THIS IS TO CERTIFY, that Mearl Row
of Rogerson, ID, has complied with the terms and conditions of Permit
No. 51-7071 issued pursuant to Application for Permit dated November 6, 1972,
and has submitted proof to the Department of Water Resources on October 12, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .06 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Stockwater	from Jan 1 to Dec 31	at .04 cfs and	4.1 acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than .04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
4.1 acre feet per year, said waters to be diverted within the SENE Section 19, Twp 15S,
Rge 11E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Section																Totals
		NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	NEW	NW¼	SW¼	SE¼	
15S	11E	19																

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
November, 19 81.

Acting for the Director

Norman C. Young

Identification No. _____

Application No. 51-7071

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

- 1 Name of applicant MEARL ROW
post office address Rodgerson, Idaho 83302
2. Source of water supply Groundwater which is a tributary of _____
- 3 a Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 15S
Range 11E 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 0.04 for Stockwater purpose from 1/1 to 12/31 (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 0.04 cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works.
a Description of ditches, flumes, pumps, headgates, etc. _____
Pump and stock tank

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 _____ inches; proposed depth of well is _____ 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 \$ 3,300.00.
- 8 Description of proposed uses
a If water is **not** for irrigation.
(1) Give the place of use of water. SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 15S
Range 11E 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 stockwater for 300 head

(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 _____

51 7071

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

[illegible]

Total number of acres to be irrigated-

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

9. a. Who owns the property at the point of diversion. B.L.M.

b. Who owns the land to be irrigated or place of use. B.L.M.

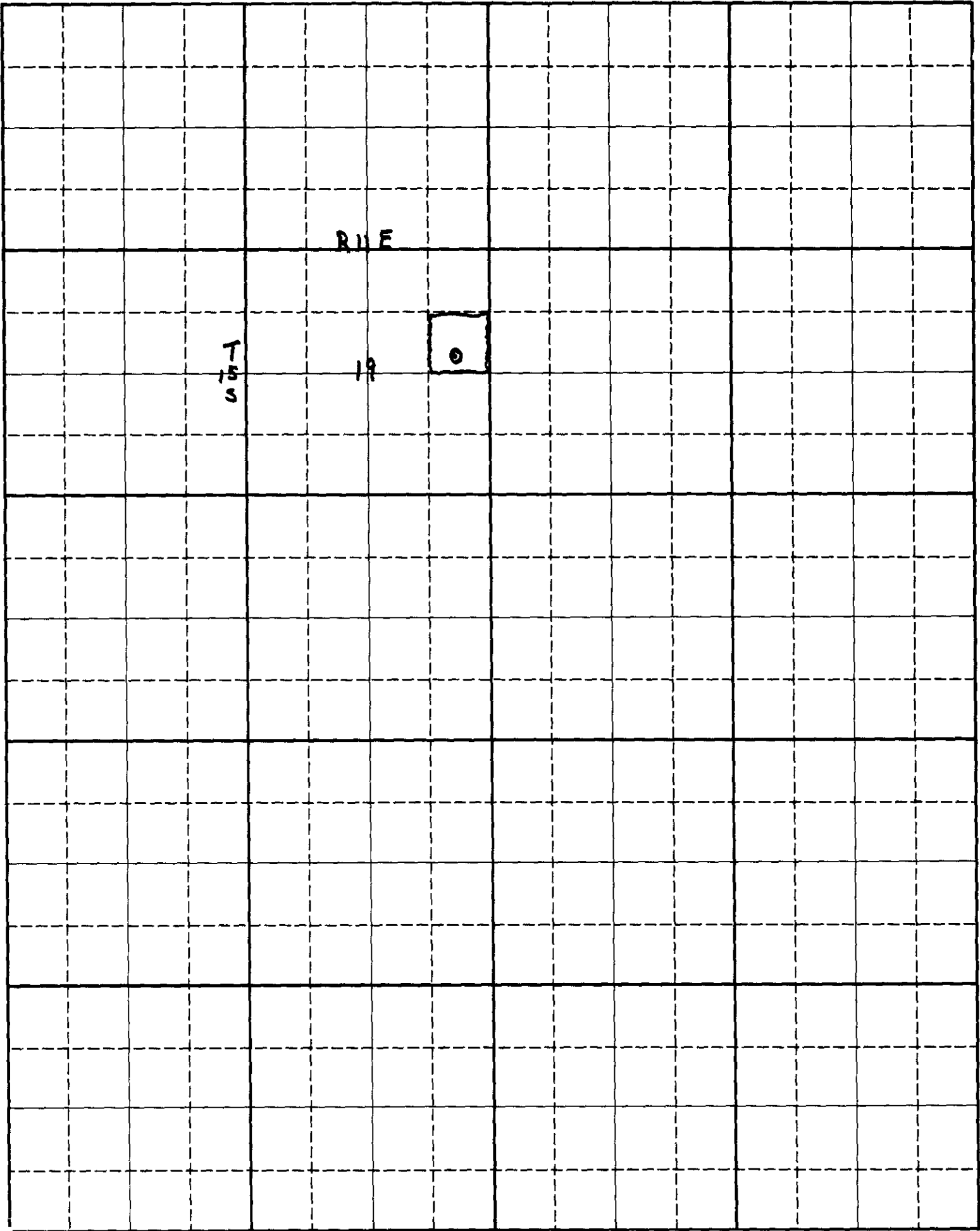
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing-

Has a special use permit from B.L.M.

10. Remarks

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.

Michael D. Brown
(Applicant)

Received by W. J. [Signature] Date 11-6-73 Time 10:45 AM.
Preliminary check by W. J. [Signature] Fee \$ 10.00
Received by W. J. [Signature] Date 11-6-73
Publication prepared by W. J. [Signature] Date 11-9-72
Published in Idaho Falls Post
Publication dates 11-16, 23, 1972
Publication approved W. J. [Signature] Date 11-24-72
Priority reduced to 11/6/72 Reason _____
Protests filed by _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval [initials] denial by LHF [initials]

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 51-7071, 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 December 1, 19 77.

c. Other: _____

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

Witness my hand this 18th day of December, 19 72.

Deputy Director

[Signature]

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	JEB	9 Nov	Application No. <u>51-7071</u> Name <u>Row</u>
(2)	JEB	9 Nov	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	JEB	9 Nov	Send copies to: ☐ Idaho State Health Department ☒ Idaho Fish and Game Department ☒ Bureau of Land Management
(4)	JEB	9 Nov	Request Special Use Permit from U.S.F.S. Request Easement from B.L.M.
(5)	JEB	9 Nov	Inform for advertising <u>yes</u>
(6)	RA	11-24-72	Affidavit of Publication received <u>yes</u>
(7)	SJP	12/7/72	Final date for protests <u>12/7/1972</u> Protests received: yes <u>no</u>
(8)		NA	Date and Place of hearing _____ Decision reached at hearing _____
(9)	SJP	12/7/72	Located within Water District No. <u>51</u>
(10)	SJP	12/7/72	Critical groundwater area: yes _____ no <u>✓</u>
(11)	SJP	12/7/72	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) <u>No record</u> ☐ Increasing (comment) _____
(12)			Comments: _____
(13)	SJP	12/7/72	Action recommended: ☒ Approve Priority <u>11/6/72</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval
(14)	KAR	12/8	No conditions for approval District <u>Western</u> By <u>Ken Fort</u> Date <u>12/8/72</u> Title <u>WDE</u>

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 16 day of Mar., 1972, and the last publication being on the 23 day of Mar., 1972.

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.

Robert H. Jones
PUBLISHER

Subscribed and sworn to before me this 23 day of Nov.,
1972.

Leana J. Hawer
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

NOTICE OF EXHAUSTION
PERMITS

Notice is hereby given that **MEARL RAY** Register, Idaho has on November 8, 1922, exhausted his permit for a period of operation and public use for water of water from a ground water source by means of pump and back tank system in the State of Idaho, T. 12 N., R. 12 E., S. 22.

It is noted this permit will be subject to all laws, rules, regulations, orders, and decrees of the Department of Water Administration, State of Idaho, and the Department of Water Administration, State of Idaho, on or before the 1st day of January, 1923.

A. M. RICHMOND, JR.,
Register

Published in the **Owyo** News, Monday, November 12, 1922, and November 19, 1922.

OK. D.J.
11-24-72

RECEIVED
21 1972

May 21 1972

Department of Water Administration

December 2, 1981

RE: Permits Nos. 51-2221, 51-2222 and 51-7071

Harl Row
Rogerson,
Idaho 83302

Dear Mr. Row:

Enclosed herewith are copies of the water right licenses issued on the above referenced permits.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosures

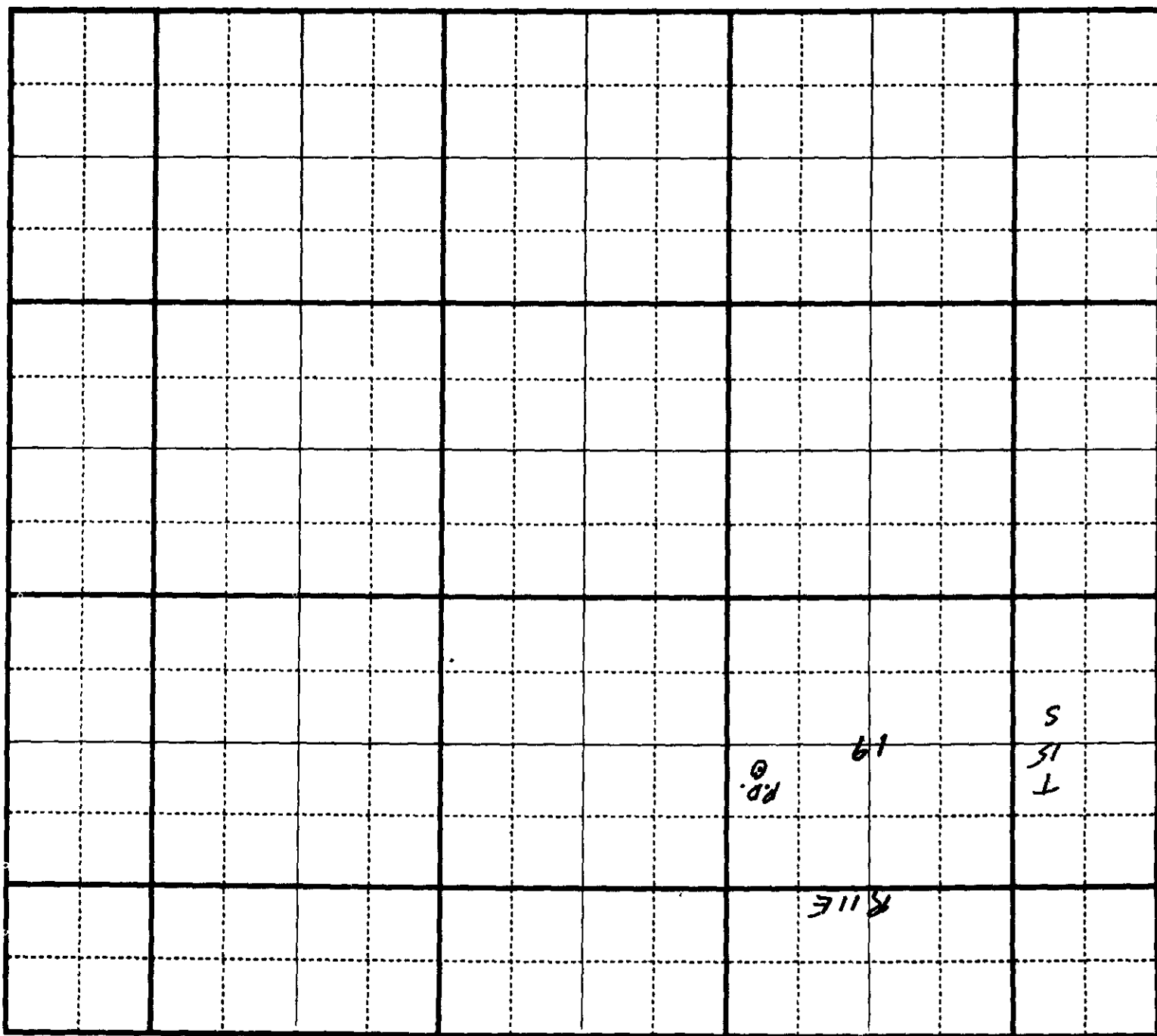
DEC 2 1981

FIELD REPORT

TOTAL ACREAGE _____

RECEIVED

Diagram of System



DATE OF EXAM 4/29/81

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= 1.04 c.f.s. V= 4.02 AF/Ann. from 1/1 to 12/31
4.1

Is water co-mingled? yes _____ no _____

Name source: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 1.06 Method of measurement Hand Power

Total Q recommended 1.04 Meter No. _____ Type _____ Condition _____

Total V recommended 4.02 4.1

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:

$Q = 1 \text{ HP} \times 8.8 \times 80 \text{ ft} = 7.04$ $401.43 \text{ ft} \times 40 \text{ ft} = 16057.2$ $16057.2 / 143.02 = 112.28$
 $112.28 / 7.04 = 15.95$ 06 capacity recommended 0.4 cfs $300 \text{ gal} / \text{range} \times 12 = 3600$
 $= 1.06$ $V = 3600 \times 1.06 = 3816$ $3816 / 930 = 4.1$ ALLOW 4.1 AF AS per stack table

SYSTEM DESCRIPTION:

Grind casing - 20 ft deep - 1 HP motor - generator operated.
3000 gallon storage tank - 3 troughs

REMARKS:

P.D. & P.V. on BLM land. Applicant obtained special use permit.

Owner's Signature John K. Meyer Date 5/1/81

Checked by DBS Date 5/11/81

Approved by [Signature] Date 11/6/81

No Overlapping rights

4/29/51 JK IV-

6" casing - 200 ft deep
1 HP submersible pump - generator
300 hp/mange on BLM ^{port.} ck with BLM
on filing - 3 troughs - 3000 gal storage
tank
obtained special use permit

6'

RECEIVED

IDENT. NO. 51-7071

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

October 18, 1977

Re: Permit No. 51-7071

Mearl Row
Rogerson,
Idaho 83302

Dear Mr. Row:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

Identification No. 1977-001

Permit No. Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Mearl Row
b) Post Office Address Rogerson, ID. 83302
2. Permit Number 51-2071
3. Date of Priority that you are prepared to establish Nov. 6 - 1972
4. a) Source from which water was appropriated Groundwater
b) Location of the point of diversion: SE 1/4 NE 1/4, Section 19
Township 15S, Range 11E Boise Meridian, Other points of diversion:
Owyhee County
5. a) The amount of water and use to which the water has been applied:
Amount 0.04 for Stockwater purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 100 in. cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Well driller, Arnold Elsing.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
B L M
b) Describe the agreement or understanding by which you take water from the works:
I have a special use permit from B L M.
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) pump size is 1 Hp. submersible. 6 in well casing. depth of well 200 ft.
b) Describe the type and size of measuring device which you have installed at your point of diversion:
none
c) Give well driller's name and address and the date the well was completed:
Arnold Elsing, Twin Falls, Id. 4-26-73
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Stock water at point of well. Installed 1500 gal. storage tank, 2 round 3000 gal. troughs, and one reservoir.

Exam typed

10/18/77

If you are irrigating 15 or more acres, please submit an aerial photo of the property with this affidavit.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

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

10-11-77
(Date)

Michael W. Orr
(Signature)

State of Idaho)
County of Twin Falls) ss.

On this 11th day of October, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Christa Walpenny
Notary Public residing at Twin Falls

My commission expires 10-30-78

September 30, 1977

CERTIFIED MAIL

138975

Re: Permit No. 51-7071

Mearl Row
Rodgerson, Idaho
83302

Dear Mr. Row:

One of the conditions of approval of your water Permit No. 61-7071 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 1977. Enclosed is an affidavit form which must 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 affidavit 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.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

RECEIVED
SEP 30 1977

January 5, 1973

Re: 51-7071

Mearl Row
Rodgerson, Idaho 83302

Dear Mr. Row:

Enclosed is a copy of your approved Application for Permit No. 51-7071. We
direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

51 7071

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 Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 24, 1972

Re: Applications for Permit Nos. 02-7106 Berta Nielson
02-7105 Ivan F. Nielson
02-7103 Artell A. Aslett
02-7104 Phillip G. Aslett
51-7071 Mearl Row

Owyhee Nugget
Marsing, Idaho 83639

Gentlemen:

We have received your affidavits of publication for the above referenced permits on November 24, 1972, but did not receive the required certified bills. We cannot proceed with the processing of these permits nor make payment on the billings until we receive the required certified bills.

Therefore, we request that you submit certified bills on these application at your earliest convenience.

Sincerely,

DEANNA E. FELDT
Secretary

51 7071

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 Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 9, 1972

RE: APPLICATION FOR PERMIT NO. 51-7071 Mearl Row

Owyhee Nugget
Marsing
Idaho 83639

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,

51 7071

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MEARL ROW, Rodgerson, Idaho

has on Nov. 6, 1972 submitted Application No. 51-7071
for a permit to appropriate 0.04 cubic feet per second ~~XXXXXX~~
~~XXXXXXXXXX~~ of water from a groundwater source
by means of pump and stock tank
within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 15 S., R. 11 E., B.M., Owyhee County

to be used from Jan. 1 to Dec. 31
for stockwater purposes
within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 15 S., R. 11 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 Administration, Statehouse, Boise, Idaho, 83707, on or before Dec. 4, 1972.

R. KEITH HIGGINSON

Director

Published in the Owyhee Nugget, Marsing, Idaho
on Nov. 16, 1972 and Nov. 23, 1972 51-7071