

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 19 day of November, 1970, and the last publication being on the 26 day of November, 1970;

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 26 day of Nov., 1970.

Leona S. Hawes
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Mearl Row, Rogerson, Idaho, has received an approved Permit No. 33277/51 - 2221 issued by the Idaho Department of Water Administration authorizing the diversion of 0.10 cubic feet per second of water from a spring, tributary to Cherry Creek.

The priority to be established under this permit is October 10, 1966 and the permit was approved October 19, 1966.

Water is to be diverted by pond from a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, T. 16 S., R. 11 E., B. M., Owyhee County, to be used for stock watering in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, T. 16 S., R. 11 E., B. M.

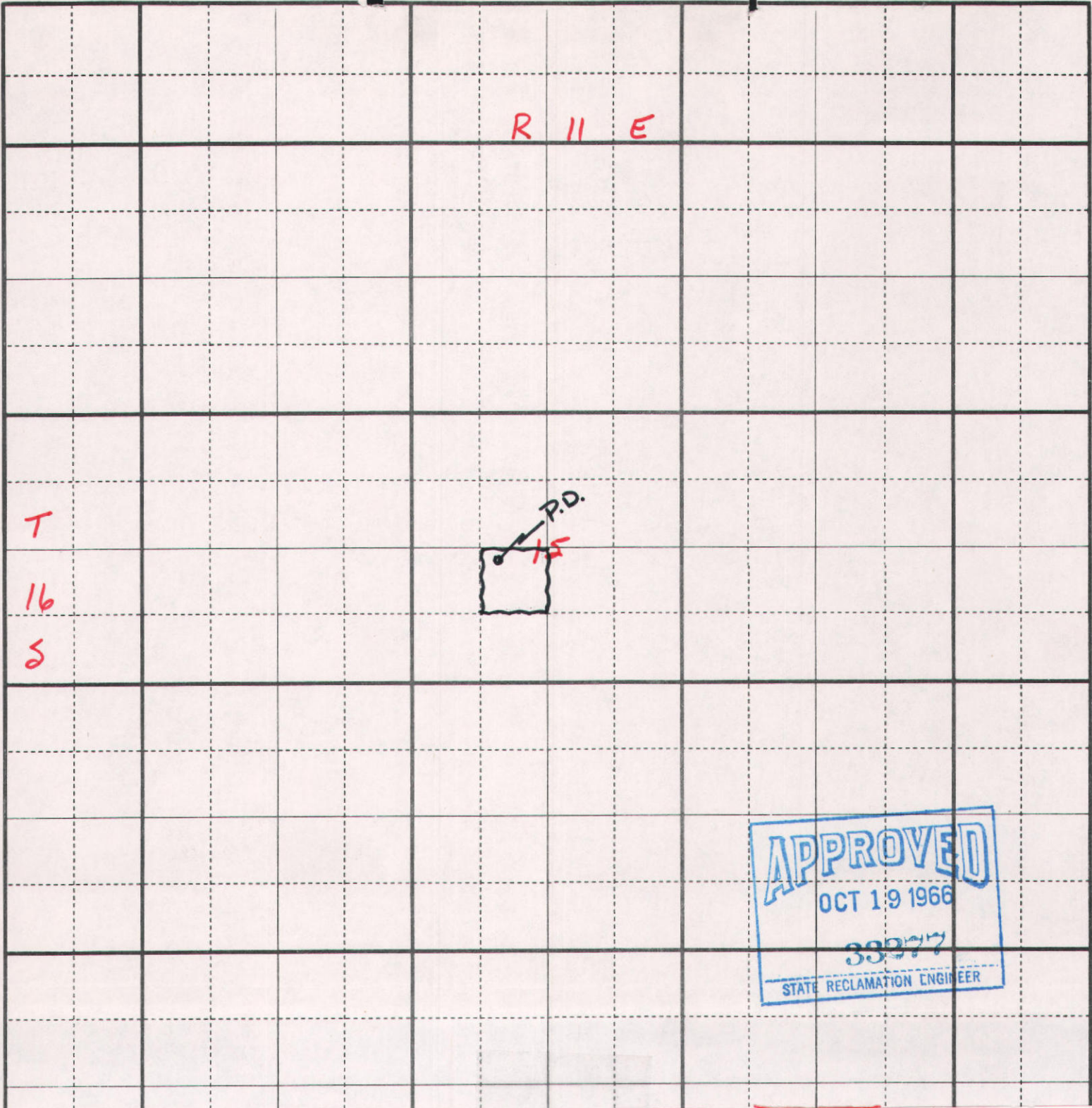
Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 19, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director

Idaho Department of
Water Administration

Published in the Owyhee
Nugget, Marsing, Idaho, on November 19 and November 26, 1970.

51 2221



ACKNOWLEDGEMENT

33277

Date: _____

Re: Application No. _____

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. _____, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed: Meard W. Row

Applicant

33277

33277

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 51-2221 Priority October 10, 1966 Amount 0.03 cfs

THIS IS TO CERTIFY, that Mearl Row
of Rogerson, Idaho, has complied with the terms and conditions of Permit
No. 51-2221 issued pursuant to Application for Permit dated October 10, 1966,
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 0.03 cfs of water from spring,
tributary to Cherry Creek, 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 <u>January 1</u> to <u>December 31</u>	at <u>0.03</u> cfs and	<u>2.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.03 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.0 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15, Twp.
16S, Rge. 11E in the County of Owyhee

Description and location of place of use:

Twp.	Range	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 $\frac{1}{4}$	
16S	11E	15									X								

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



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 19 day of November, 1970, and the last publication being on the 26 day of November, 1970;

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 26 day of Nov., 1970.

Leona S. Hawes
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

NO EXISTING WATER PERMIT

Notice is hereby given that Mearl Row, Rogerson, Idaho, has received an approved Permit No. 33277/51 - 2221 issued by the Idaho Department of Water Administration authorizing the diversion of 0.10 cubic feet per second of water from a spring, tributary to Cherry Creek.

The priority to be established under this permit is October 10, 1966 and the permit was approved October 19, 1966.

Water is to be diverted by pond from a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, T. 16 S., R. 11 E., B. M., Owyhee County, to be used for stock watering in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, T. 16 S., R. 11 E., B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 19, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director

Idaho Department of
Water Administration

Published in the Owyhee
Nugget, Marsing, Idaho, on Nov-
ember 19 and November 26,
1970.

51 2221

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33277/51-2221)
in the name of MEARL ROW) ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

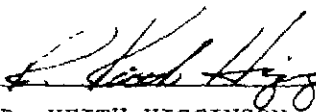
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33277 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Water Administration of the application of the water to beneficial use on or before October 19, 1977. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for completion of works may be grounds for cancellation at the instance of the Department.

Dated this 8th day of October, 1970.


R. KEITH HIGGINSON
Director

51-2221

33277

✓ 33277
K.D.
51-

**Application For Permit
To Appropriate the Public Waters of the State of Idaho**

APPLICATION No. 41474
PERMIT No. 33277
DISTRICT No.

1. Name of Applicant: Mearl Row

Postoffice address: Rogerson

County: Twin Falls

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: .10

cubic feet per second.

3. Source of water supply: Spring

which is a tributary of Cherry Creek

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$

of section 15 , T. 16 S , R. 11 E , B. M., County of Owyhee

5. Water is to be used for stock watering

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: clean out spring and create stock pond

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

/s/ MEARL W. ROW Applicant.

By Agent.

Date of first receipt at Department of Reclamation: October 10, 1966 9:30 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33277
Recorded in Book 116 Page 33277 Approved October 19, 1966
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before December 19, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before April 19, 1969
The whole of said work to be completed on or before October 19, 1971
Beneficial use of water appropriated in accordance herewith, to be made on or before October 19, 1977

WITNESS My hand this 19th day of October, 1966. /s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 19th
day of October, 1966. STATE OF IDAHO
Countersigned:
(SEAL) By s/ LOUIS E. CLAPP Secretary of State. By s/ ROBERT E. SMYLIE Governor.

REMARKS: This spring rises on own property

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
											STOCK WATERING								

Fee 5.00

Address all communications to

Form No. 1
5M 1-65

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41474

Permit No. 33277

District No.

1988
9:30 A.M.
MAY 11

1 Name of Applicant: MEAKL Row
Post Office address ROGERSON County TWIN FALLS State IDAHO

If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of Capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

The financial resources of the applicant are: (a) Cash on hand. \$

(b) Treasury stock: (c) Bonds to be issued:

(d) Other resources:

2 Quantity of water claimed: 10 cubic feet per second

3 Source of water supply: SPRING
which is tributary of CHERRY CREEK

4 Location of point of diversion: feet distant from the corner
of Section , Twp. , Rge , B. M., and is in the NE 1/4 SW 1/4
of Section 15 , Twp. 16S , Rge 11E B.M., County of Owyhee

5 Water is to be used for: STOCK WATERING

6 If for any non-irrigation purpose, give:

(a) Point of use of water: feet distant from corner of Section
Twp. , Rge , B. M., in the of Section , Twp. , Rge , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section , Twp. , Rge , B. M., in the
of Section , Twp. , Rge , B. M.

7 Estimated cost of works: \$500.00

8 Kind of works: CLEAN OUT SPRING & CREATE STOCK POND.
(Reservoir, dam, ditch, flume, pipe, etc.)

9 Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations)

10 Size of headgate: Width feet; Height feet

11 Ditch Width at bottom feet; Width at water line feet; Depth of water feet;
Dimensions of flume ; Diameter of pipe inches;
Length of conduit miles. Average grade per mile feet

OK

33277

H

12 The time required for the completion of such work is years

13 The time required for the complete application of the water to the proposed use is _____ additional years

14 The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

Total Number of Acres to be Irrigated.....

15 Existing water rights and/or valid permits appurtenant to the lands to be navigated are:

33277

16. (a) Is reservoir to be used? (If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit:

(c) Date of filing of Application for Storage Permit and Name of Applicant:

Remarks. This Spring Rises on own property.

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.

[Signature]

Applicant.

By _____, Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, _____, of _____, County of _____, State of _____, do hereby certify that I am the owner of the land on which the spring mentioned in the application of _____ is located, to-wit: _____

and that I do hereby grant unto the said _____ permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO)
County of _____) ss.

On this _____ day of _____, 19____, before me, a Notary Public for the State of Idaho, residing at _____, personally appeared _____ known to me to be the person.. whose name.. _____ subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires _____ Notary Public

33077

Approval of State Reclamation Engineer

The number of this permit is .

33277

OCT 19 1966

Recorded in Book 116 Page 33277 Approved

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.

Bond in the sum of \$ to be filed before

Work to begin on or before December 19, 1966, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 19, 1969

The whole of said work to be completed on or before October 19, 1971

Beneficial use of water appropriated in accordance herewith, to be made on or before October 19, 1977

Witness my hand this 19th day of October, 19 66.

R. Keith Higgins
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ... ROBERT E. SMYLIE Governor of the State of Idaho,

and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to

be hereunto affixed, this 19th day of October, 19 66.

Countersigned
By *Louis E. Clapp*
Secretary of State

STATE OF IDAHO
By *Robert E. Smylie*
Governor

No. 33277

PERMIT

Date of first receipt at office of State
Reclamation Engineer

October 10, 1966 9:30 A.M.

Returned to applicant for correction

Corrected application received

Fees \$ 5.00

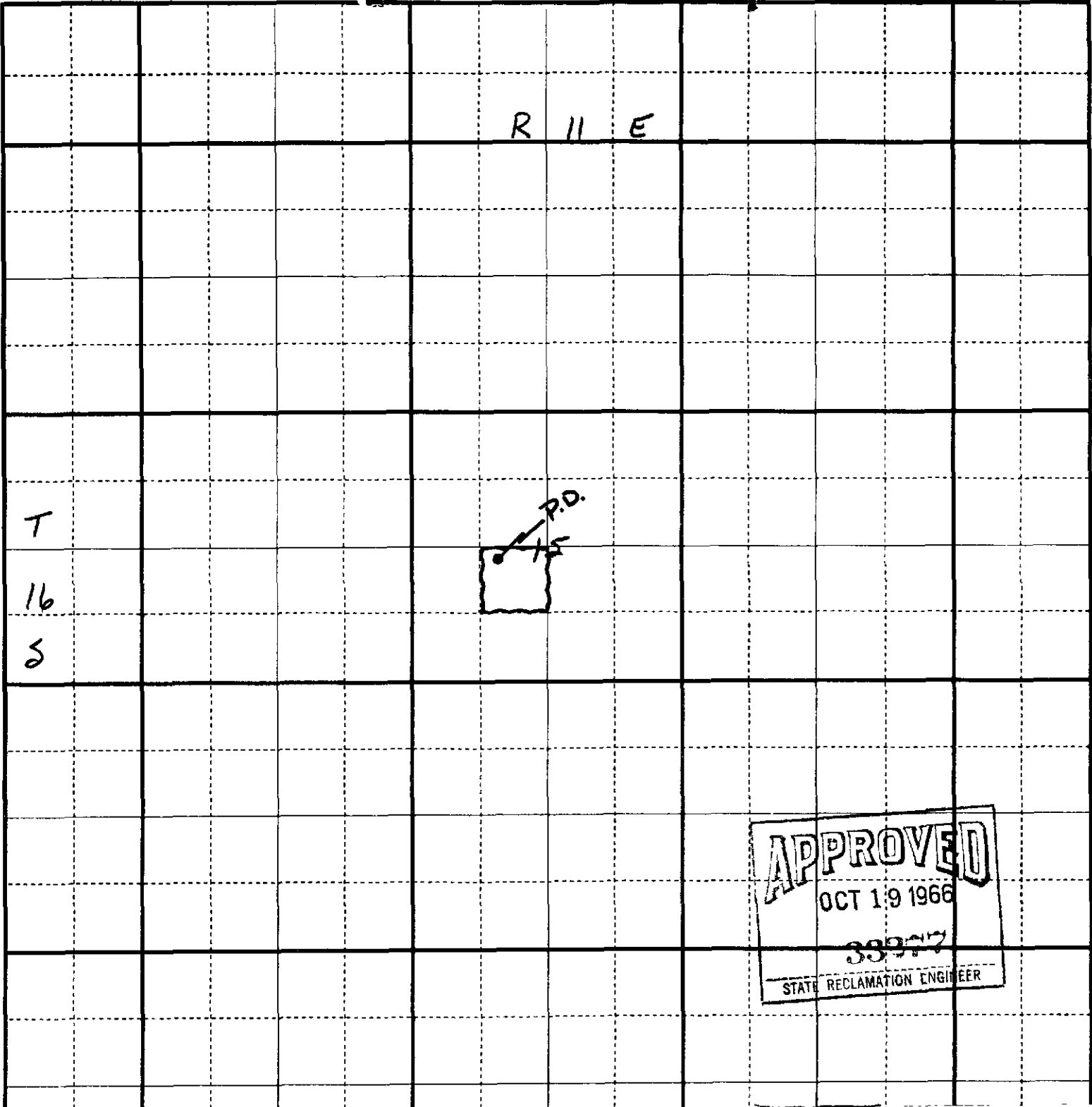
FILING FEES FOR USE PERMIT:

For the first Sec Ft \$5 00

For each additional Sec. Ft or Fraction

Thereof 25

33277



ACKNOWLEDGEMENT

33277

Date: _____

Re: Application No. _____

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. _____, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed: Marion W. Row

Applicant

33277

33277

December 2, 1981

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

Merl 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 10 1981
FBI - IDAHO



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 9, 1981

RE: Permit No. 51-2221

Moatt Row
Rogerson,
Idaho 83302

Dear Mr. Row:

A representative of this Department has made an examination of the works covered by your Permit No. 51-2221, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.02 cfs Source: spring trib. to Cherry Creek

The maximum quantity diverted shall not exceed 2.0 acre feet per year.

Point(s) of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 16S, Rge. 11E, Owyhee County

Beneficial use: Stockwater use within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 16S, Rge. 11E

Priority date established: October 10, 1966

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Mearl Row

Post office address Rogerson, ID Phone

Person to contact Phone

2. Source of water supply Groundwater ☐ Surface water ☒ Spring
(name spring, stream, etc.)
Tributary to _____

3 Water will be used for the following purposes.

Amount 0.10 cfs for Stockwater (
AF/Annum (nature of use) Department

Period of Use: from Jan. 1 to Dec. 31 Weste.
(mo.-day) inclusive (mo.-day)

Amount _____ c f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use, from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4 Total amount to be appropriated.

Max Rate of Diversion 0.10 cubic feet per second and annual volume _____ AF/Annum.

5 Location of Point(s) of Diversion.

Township 16S N/S, Range 11E E/W, B.M., Section 15, Subdivision NE $\frac{1}{4}$ SW $\frac{1}{4}$, Owyhee County

Township _____ N/S, Range _____ E/W, B M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Other Points of Diversions:

Description of diverting works- stockpond

Measuring device required. yes ☐ no ☒

6 Lands to be irrigated or place of use

[illegible]

TOTAL ACREAGE _____

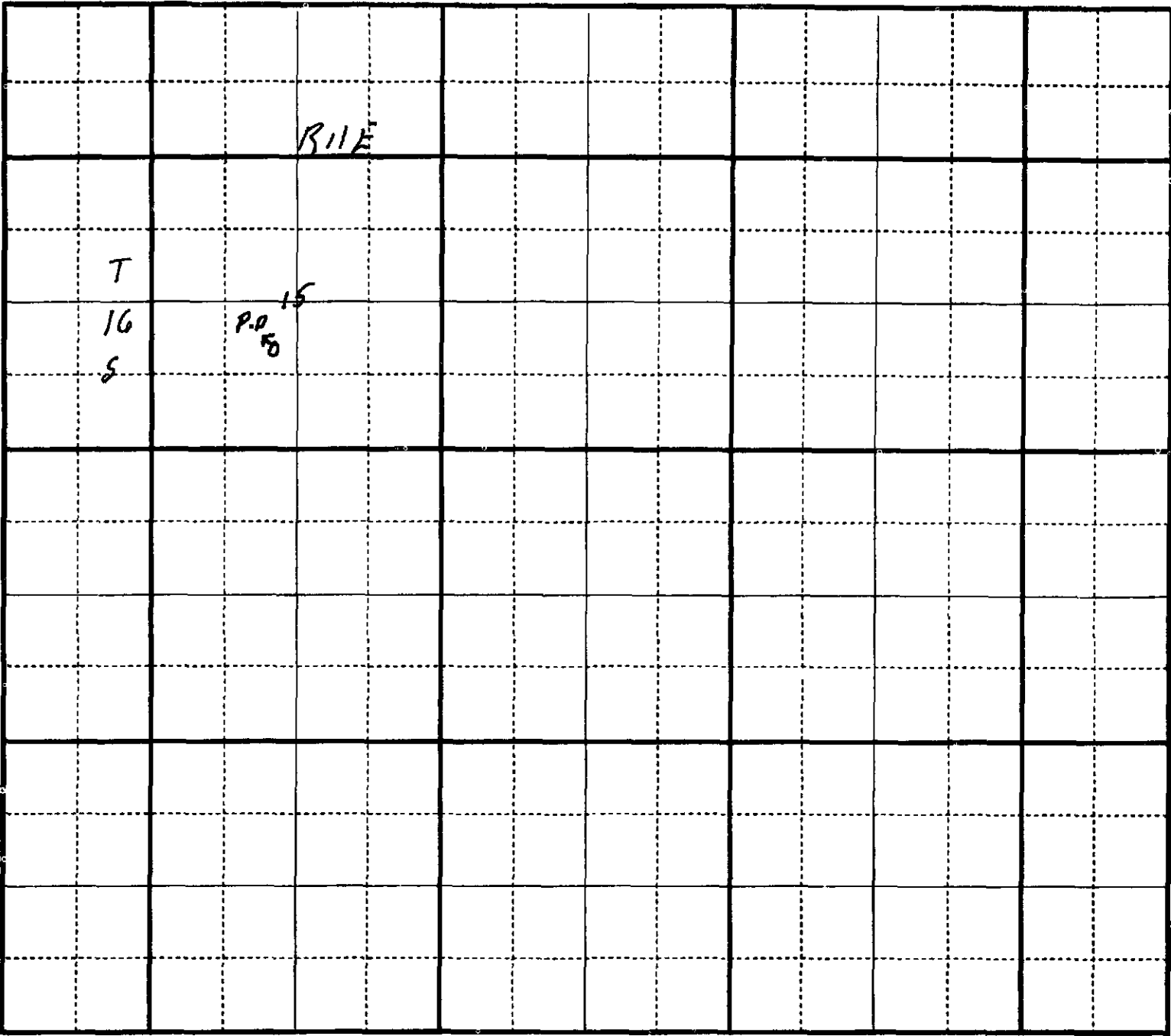


Diagram of System

10-11-12

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= .03 c.f.s. V= 2.0 AF/Ann. from 1/1 to 12/31

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 .03 Method of measurement consumptive use

Total Q recommended .03 Meter No. _____ Type _____ Condition _____

Total V recommended 2.0

Recommended Amendments:

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

MEASUREMENT CALCULATION:

150 hd/range X 12 = 1800 1800 X .001118 = 2.0 RFA ✓
1800 = 1800 = .03 ✓
2 hr x 60' / hr x 450 gpm = 54000

SYSTEM DESCRIPTION:

3 spring feeds into small pond.

REMARKS:

Examiner's Signature John K Noyes Date 5/1/81

Checked by DBS Date 5/11/81

Approved by Reyn Date 11/5/81

No Overlapping rights

November 1, 1977

Re: Permit No. 51-2221 (Old No. 33277)

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

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Merle Row
b) Post Office Address Aggerson, Id. 85302
2. Permit Number (33277 old #) New # 51-2221
3. Date of Priority that you are prepared to establish Oct. 10, 1966
4. a) Source from which water was appropriated Spring
b) Location of the point of diversion: NE 1/4 SW 1/4, Section 15
Township 16 S, Range 11 E, Boise Meridian, Other points of diversion:
Cwyhee County

5. a) The amount of water and use to which the water has been applied:
Amount 10 for Stock water 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 10 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: None

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) Describe the agreement or understanding by which you take water from the works: _____

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) Clear out spring & create Stock pond

- 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: _____

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Stock water - NE 1/4 - SW 1/4, Sec. 15, T. 16 S, R. 11 E

Exam type 11/1/77
df

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: Work has been completed since Dec. '66.

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

10-11-77
(Date)

Maui W. Row
(Signature)

State of Idaho)
County of Twin Falls) ss.

On this 11th day of October, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Christ M. Malmgren
Notary Public residing at Twin Falls

My commission expires 10-30-78

July 29, 1977

CERTIFIED MAIL

138798

Re: Permit No. 51-2221 (Old No. 33277)

Mearl W. Row
Rogerson, Idaho
83302

Dear Mr. Row:

One of the conditions of approval of your water Permit No. 51-2221 (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 October 19, 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
JUL 31 1977
IDAHO DEPT. OF AGRICULTURE

December 18, 1970

Re: Permit No. 33277/51-2221

Mr. Mearl W. Row
Rogerson,
Idaho 83302

Dear Mr. Row:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until October 19, 1977, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

51 2221

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

November 9, 1970

Re: Permit Nos. G-33276/51-2220
 33277/51-2221
 G-33305/51-2222

Mr. Mearl W. Row
Rogerson,
Idaho 83302

Dear Mr. Row:

The legal notices for the above referenced permits are being published in the Owyhee Nugget, Marsing, Idaho on November 19 and November 26, 1970.

You will be required to submit an affidavit of publication for each permit to this department. The affidavits may be obtained from the Owyhee Nugget upon payment of the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

51-2221

33277

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

November 9, 1970

Re: Permit Nos. G-33276/51-2220
 33277/51-2221
 G-33305/51-2222

Owyhee Nugget
Marsing,
Idaho 83639

Gentlemen:

Enclosed are three legal notices which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us galley proofs for our review before publication.

After sending us galley proofs, proceed with the publication on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notices on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publications is to be paid by Mearl W. Row, Rogerson, Idaho, to whom you should furnish an affidavit of publication for each notice.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DC

Enc: three legal notices

51-2221

33277

NOTICE OF EXISTING WATER PERMIT

REF

Notice is hereby given that Mearl Row, Rogerson, Idaho,
Department of
has received an approved Permit No.
33277/51-2221 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 0.10 cubic feet per second ~~at the~~ ~~of~~ ~~water~~ from a spring, tributary to Cherry Creek.
The priority to be established under this permit is October 10, 1966
and the permit was approved October 19, 1966.

Water is to be diverted by pond
from a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, T. 16S, R. 11E, B.M., Owyhee County,
to be used for stock watering
in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, T. 16S, R. 11E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 19, 1977. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration

Published in the Owyhee Nugget, Marsing, Idaho,
on November 19 and November 26, 1970.

Permit No. 33277/51-2221

Director:

You are hereby authorized to have the above notice published at my expense in the Owyhee Nugget of Marsing, Idaho; published in the county in which the works are situated.

Mearl M. Row
(Signature)

Rogerson
(Address)

Nov. 2 - 1970
(Date)

Idaho 83302

51-2221

33277

October 14, 1970

Re: Permit No. G-33276 (New No. 51-2220)
" " 33277 (New No. 51-2221)

Mr. Mearl Row
Rogerson
Idaho 83302

Dear Mr. Row:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed orders modify your permits to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notices to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Orders (2)
Advertising packages (2)

51-2221
33277

ILO-1813-14
7/67

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Land Office
P.O. Box 2237
Boise, Idaho 83701

Dec. 6, 1968

Memorandum

To: District Manager, I-1

From: Land Office Manager

Subject: Land status changes

The following action has been taken and noted on the status records in the BLM Land Office:

<u>Serial No.</u>	<u>Name</u>	<u>Action Taken</u>
<u>Idaho 015596</u>	<u>Harold L. Row</u>	<u>Application relinquished,</u> <u>T. 16 S., R. 11 E.; Sec. 21 -</u> <u>E 1/4 NE 1/4, NW 1/4 SE 1/4; Sec. 22 - SW 1/4 NE 1/4,</u> <u>NE 1/4 SE 1/4 - 100 ac.</u>

Later Permit No. - G-33305

*This has been
relinquished so he
may join to parcels
of land - connected
to permits H 33305,
H-33276, H-33277*

51-2141

33277

51-2221
33277

October 27, 1966

Re: Permit No. G-33276 and 33277

Harri R. Row
Regerson, Idaho

Dear Mr. Row:

G-33276 &

We enclose Permit No. 33277 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~XXXXXXXXXXXX~~ We also enclose Departmental Receipt No. G-10945 & 33431 which was issued covering payment in the amount of \$5.00 ea. for the filing fee of the above mentioned permit, which were given to you at the time you were in our office.

Very truly yours,

Enc. permit (2)

M. R USSELL BOSCH
Office Manager

MRB:fw

33277