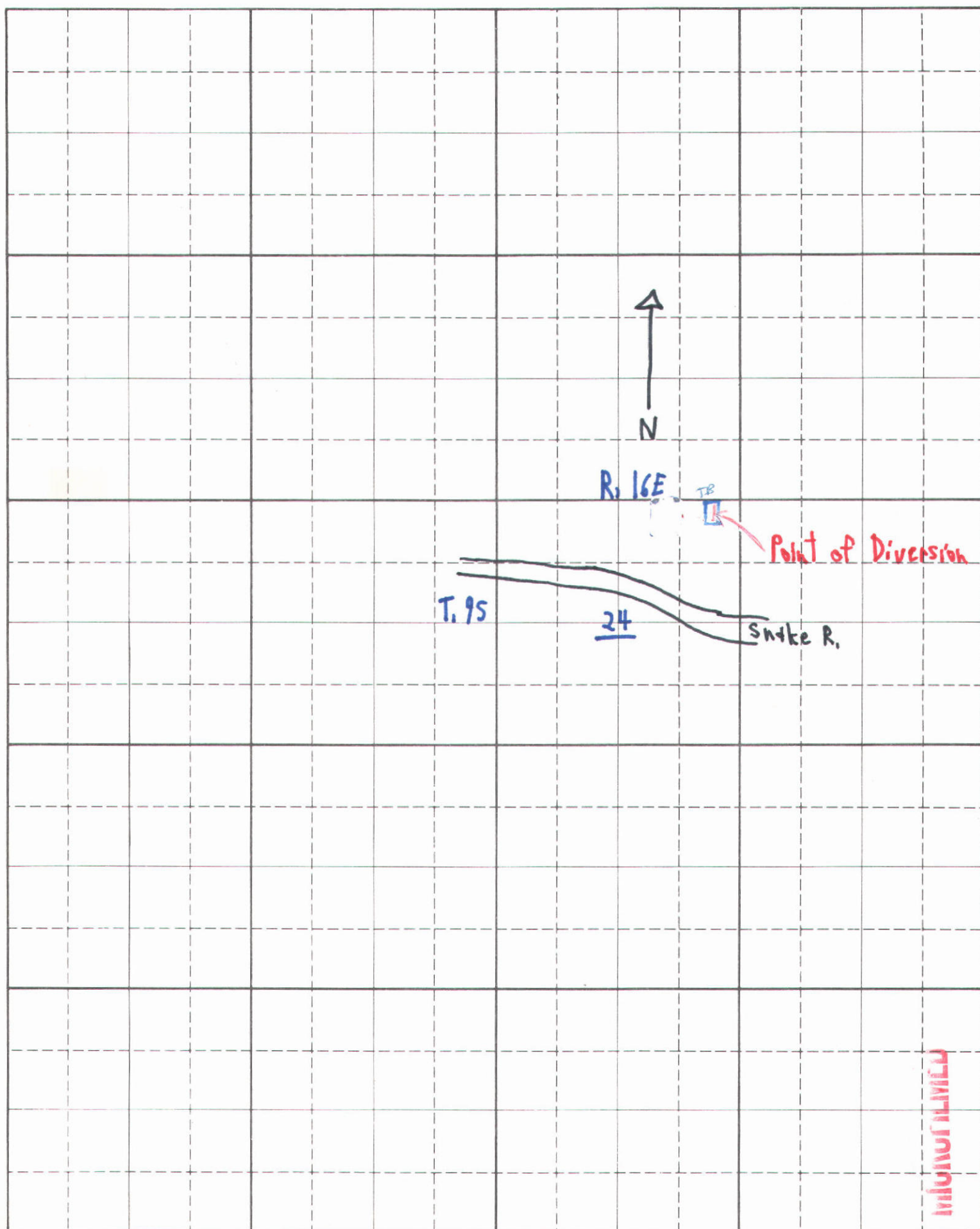


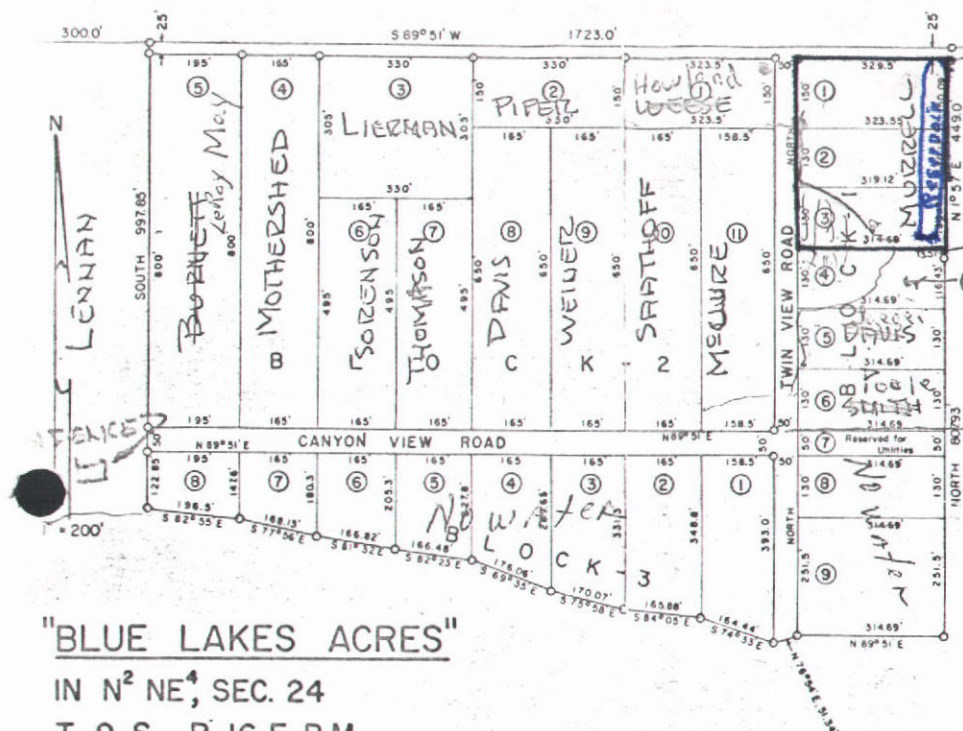
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Stuart L. Murrell
(Applicant)



"BLUE LAKES ACRES"
IN N² NE⁴, SEC. 24
T. 9 S., R. 16 E., B.M.
JEROME COUNTY, IDAHO

EDICATION

This is to certify that the undersigned are owners in fee simple of the property herein described; that the correct description of the land this plot is as follows: A tract of land in the NW/2 NE/4 of Sec. 24, T. 9 S., R. 16 E., B.M., described as follows: Beginning at the south 1/4 Corner of said Section 24; Thence N 89° 51' E, 300.0 feet to the true point of beginning; Thence South, 997.85 feet; Thence S 82° 55' E, 196.5 feet; Thence S 77° 56' E, 168.13 feet; Thence S 81° 32' E, 166.82 feet; Thence S 82° 23' E, 166.48 feet; Thence S 69° 35' E, 176.06 feet; Thence S 75° 58' E, 170.07 feet; Thence S 84° 05' E, 165.68 feet; Thence S 74° 33' E, 164.44 feet; Thence N 76° 54' E, 51.34 feet; Thence N 89° 51' E, 314.69 feet; Thence North, 807.93 feet; Thence N 1° 57' E, 449.0 feet; Thence S 89° 51' W, 1723.0 feet to the point of beginning.

It is the intention of the undersigned to and they do hereby include said land in this plat; That the undersigned owners, do by these presents, grants, bargains, sells, convey, confirm and dedicate to the public, for public use forever, all streets, thoroughfares and alleys shown on this plat.

Clarence F. Yungst
Carol J. Burnett
Carol J. Burnett
Carol J. Burnett
Carol J. Burnett
Carol J. Burnett
Carol J. Burnett
Carol J. Burnett
Carol J. Burnett
Carol J. Burnett

Thelma Gertrude Yungst
Thelma Gertrude Yungst
Thelma Gertrude Yungst
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Thelma Gertrude Yungst
Thelma Gertrude Yungst
Thelma Gertrude Yungst
Thelma Gertrude Yungst

SURVEYOR'S CERTIFICATE

This is to certify that I, ORVIE A. JENSEN, a duly qualified LAND SURVEYOR, surveyed the land described in the foregoing edication, and that this plat is a true and correct representation of said survey as made by me on said land and designated herein as "BLUE LAKES ACRES SUBDIVISION."



ACKNOWLEDGMENT

STATE OF IDAHO)
County of Jerome)
On this 13th day of March, 1970, before me, the undersigned, a Notary Public in and for said State, personally appeared CLARENCE F. and THELMA GERTRUDE YINGST, DARREL L. and JOANN WOLFE, DARREL D. and CAROL J. BURNETT, A.A. and FUTH M. MOTHERSHEAD, R.J. and ELIZABETH M. PIPER, ROBERT DURHAM and BERNICE DURHAM, KENNETH and MARY M. FULLER, DARREL E. and GEORGIA S. SMITH, JAMES A. GAST, R., known to me to be the persons whose names are subscribed to the foregoing dedication, and acknowledged to me that they executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

R. D. Mordern
NOTARY PUBLIC
My Comm. expires May 15, 1972

ACKNOWLEDGMENT

STATE OF IDAHO)
County of Jerome)
On this 15th day of January, 1970, before me, the undersigned, a Notary Public in and for said State, personally appeared ORVIE A. JENSEN, known to me to be the person whose name is subscribed to the foregoing Surveyor's Certificate, and acknowledged to me that he executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

R. D. Mordern
NOTARY PUBLIC
My Comm. expires 4-1-70

COUNTY ZONING COMMISSION APPROVAL

The foregoing plat was approved by the JEROME COUNTY ZONING COMMISSION on the ___ day of ___, 1970.

Chairman

COUNTY COMMISSIONER'S ACCEPTANCE

The foregoing plat was duly accepted and approved by the Board of Commissioners of the County of Jerome, Idaho on the 28th day of April, 1970.

Ever Mary
Clerk

Chris Ambrose
Chairman

COUNTY RECORDER'S CERTIFICATE

This is to certify that the foregoing plat was filed for record in the office of the Recorder of Jerome County, Idaho, this ___ day of ___, 1970 at ___ M., at the request of ___ and duly recorded in Plat Book No. ___, at page ___.

Deputy

Ex-Officio Recorder

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Jerome } SS.

AUG 2 1977

L. L. LANGDON
ASST. PUBLISHER

Department of Water Resources
Southern District

_____, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 21 day of July

1977, and the date of the last publication was on the 28

day of July, 1977.

L. L. Langdon

Subscribed and sworn to before me this 1st

day of August, 1977.

(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice 34

Number of Insertions 2

_____ Lines tabular at 315c

34 Lines straight at 21c 7.14

32 Subsequent lines at 15c 4.80

TOTAL COST 11.94

COPY OF NOTICE

(Paste Here)

Water Permit

TITLE OF NOTICE

#36-7724

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

OK 8/8/77

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Stuart L. & or Shirley Murrell, Jerome, ID 83338, has on 6-27-77 submitted Application No. 36-7724 for a permit to appropriate .20 cubic feet per second of water from wastewater by means of storage pond, pump, sprinklers within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 9S, Rge. 16E., B.M., Jerome County to be used from Mar. 15 to Nov. 15 for irrigation purposes of 3.5 acres, from Jan. 1 to Dec. 31 for livestock purposes, and from Jan. 1 to Dec. 31 for storage purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 9S, Rge. 16E., 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, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before August 8, 1977.

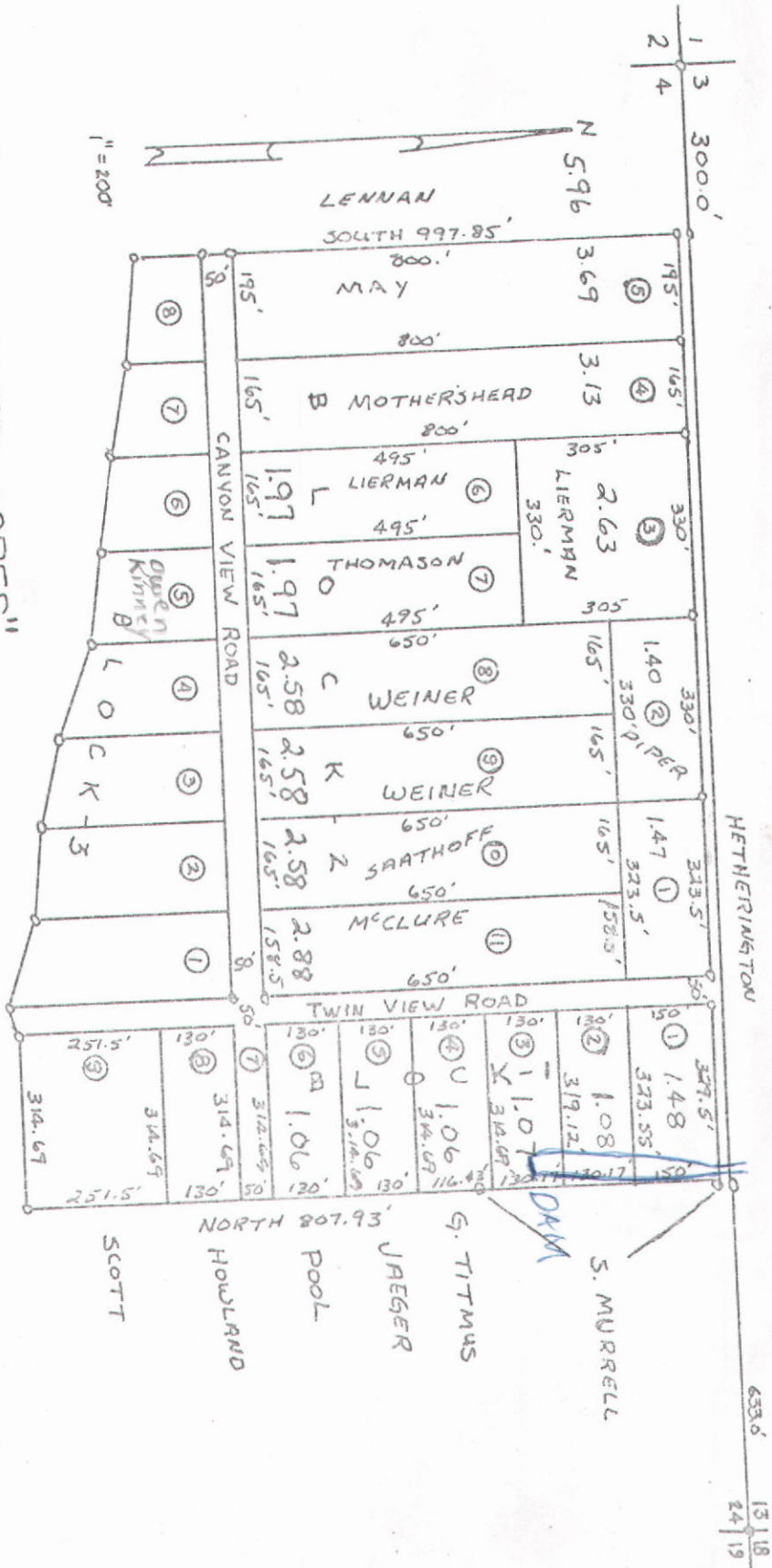
C. Stephen Allred
Director

7-21-2tc

No 3635

"BLUE LAKES ACRES"
 IN N² NE⁴ SEC. 24
 T. 9 S., R. 16 E., B.M.
 JEROME COUNTY, IDAHO

AS OF
 2/1/75



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7724 Priority June 27, 1977 Amount .08 cfs

THIS IS TO CERTIFY, that STUART L. &/or SHIRLEY MURRELL
of Jerome, Idaho, has complied with the terms and conditions of Permit
No. 36-7724 issued pursuant to Application for Permit dated June 27, 1977,
and has submitted proof to the Department of Water Resources on October 5, 1978,
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 .08 cfs of water from waste water,
tributary to SNAKE RIVER, 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
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>.08</u> cfs and	<u>14</u> acre feet
Storage for irrigation	from <u>January 1</u> to <u>December 31</u>	at <u>N/A</u> cfs and	<u>1</u> acre foot
Irrigation from storage	from <u>March 15</u> to <u>November 15</u>	at <u>N/A</u> cfs and	<u>1</u> acre foot
Stockwater	<u>January 1</u> to <u>December 31</u>	<u>.01</u>	<u>.1</u> acre feet

Subject, however, to the condition that no more than .08 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
15.1 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 9S,
Rge. 16E, B.M. in the County of Jerome

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 $\frac{1}{4}$	
9S	16E	24	3.5																3.5

Total number of acres irrigated 3.5

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 26 day of
September, 19 80.

Director

Identification No. _____

Application No. 36-7724

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Stuart L. &/or Shirley Murrell Phone: 324-5960
post office address Rte. 3, Jerome, Id.

2. Source of water supply waste water which is a tributary of Snake River

3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24 Township 9S
Range 16E B.M. Jerome County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Snake R. at a point in SE $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 24 Township 9S Range 16E B.M. _____

4. Water will be used for the following purposes:

Amount 18 cfs ^{22m} for irrigation purpose from Mar 15 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.2 cfs for livestock purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1 A.F. for Storage purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .20 cfs ^{22m} cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. storage pond, pump, sprinklers

b. Height of storage dam 10 feet, active reservoir capacity 1 acre feet; total reservoir
capacity 1 acre feet, materials used in storage dam: rock core, earth covering

Period of year during which storage will occur Jan 1 to Dec 31 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 1 years.

b. Estimated construction cost is \$ 0.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24 Township 9S
Range 16E 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 3 cows, 1 horse

(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: _____

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	16E	24	3.5																3.5

Total number of acres to be irrigated 3.5

c. Describe any other water rights used for the same purposes as described above. North Side Canal Co. water

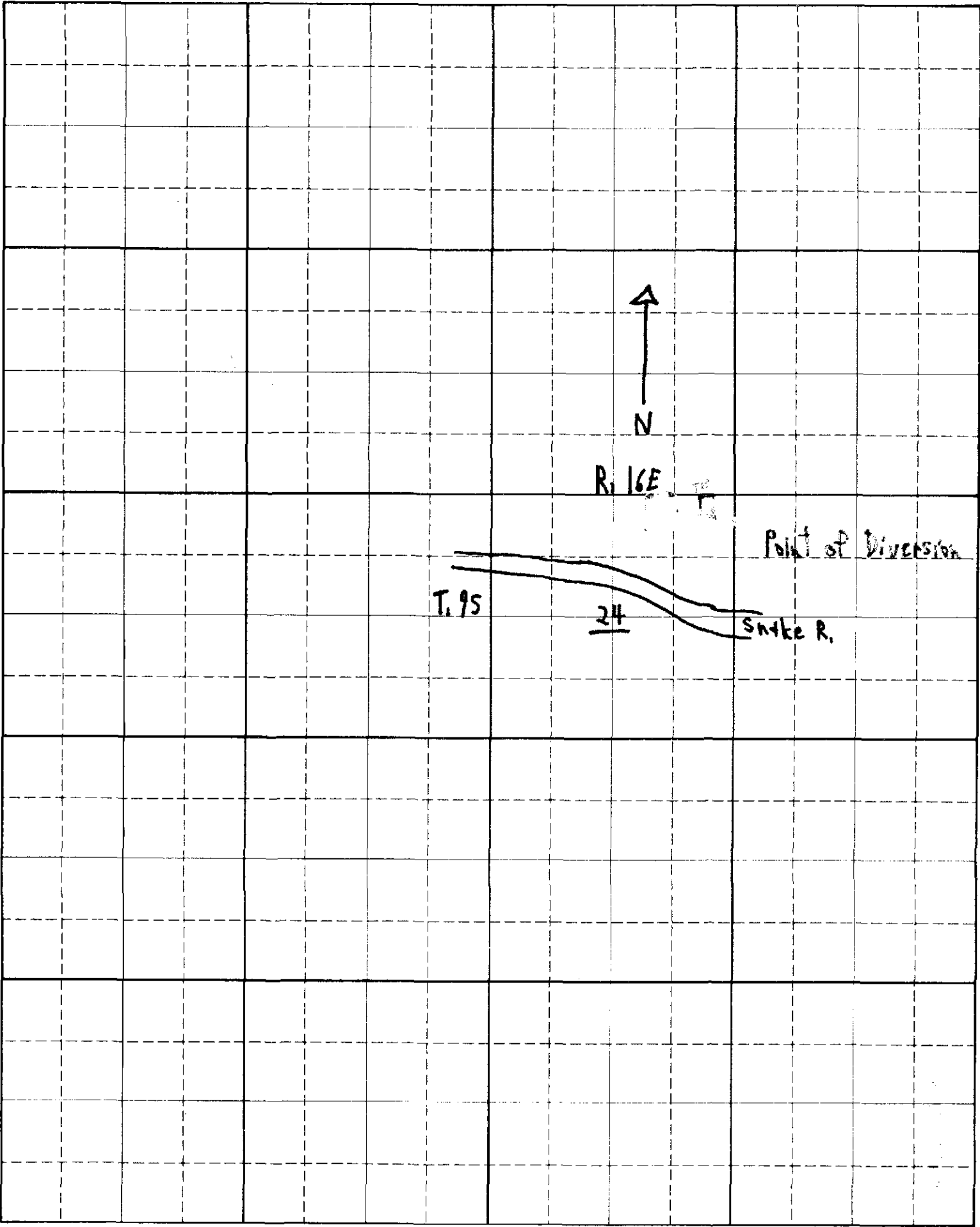
9. a. Who owns the property at the point of diversion applicants

b. Who owns the land to be irrigated or place of use applicants

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

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.

Stuart L. Murrell
(Applicant)

Proposed Priority 6/27/1977

Received by JA Date 6-27-77 Time 2 pm
Preliminary check by JGB Fee \$ 10.00
Received by JA Date 6-27-77 # 8611
Publication prepared by Am Date 7/12/77
Published in North Side News
Publication dates 7/1 & 7/28/77
Publication approved RF Date 8-8-77
Priority reduced to _____ Reason _____

Protests filed by: David Dauch 8/4/77
(withdrawn 9/27/77)

Copies of protests forwarded by Sm 9/9/77

Hearing held by _____ Date _____

Recommended for approval denial by ms 5 jg

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. 36-7724, and said application is hereby APPROVED.

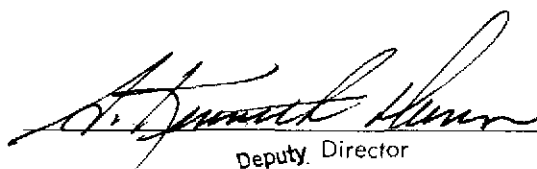
1. Approval of said application is subject to the following limitations and conditions:

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 78.

c. Other: The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land. (2) The availability of water under this permit may be affected by the water agreement dated September 26, 1977.

Witness my hand this 14 day of October, 19 77.


Deputy Director

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

L. L. LANGDON
ASST. PUBLISHER

_____, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 21 day of July, 1977, and the date of the last publication was on the 28 day of July, 1977.

L. L. Langdon

Subscribed and sworn to before me this 1st

day of August, 1977.
(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice _____ 34

Number of Insertions _____ 2

_____ Lines tabular at _____ 315c

34 Lines straight at _____ 21c 7.14

32 Subsequent lines at _____ 15c 4.80

TOTAL COST _____ 11.94

COPY OF NOTICE

(Paste Here)

Water Permit

TITLE OF NOTICE

#36-7724

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

NOTICE OF FORFEITURE

Notice is hereby given that Stuart L. & or Shirley Murrell, Jerome, ID 83338, has on 6-27-77 submitted Application No. 36-7724 for a permit to appropriate .20 cubic feet per second of water from wastewater by means of storage pond, pump, sprinklers within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 9S, Rge. 16E., B.M., Jerome County to be used from Mar. 15 to Nov. 15 for irrigation purposes of 3.5 acres, from Jan. 1 to Dec. 31 for livestock purposes, and from Jan. 1 to Dec. 31 for storage purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 9S, Rge. 16E., 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, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before August 3, 1977.

C. Stephen Allred
Director

7-21-21c

N^o 3635

May 19, 1992

STUART L. MURRELL
SHIRLEY MURRELL
RT. 3
JEROME ID 83338

RE: Water Right No. 36-07724

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement

purposes. This type of coordination could minimize the impact on existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]



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

October 6, 1980

Stuart & Shirley Murrell
Route 3
Jerome, Idaho 83338

Dear Mr. & Mrs. Murrell,

RE: License No. 36-7724

Enclosed is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr.

Enclosure

MICROFILMED



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:
Storehouse
Boise, Idaho 83720
(208) 334-4440

August 28, 1980

Stuart & Shirley Murrell
Route 3
Jerome, Idaho 83338

Dear Mr. & Mrs. Murrell,

A representative of this Department has made an examination of the works covered by your Permit No. 36-7724, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .08 cfs Source: waste water

The maximum quantity diverted shall not exceed 15.1 acre feet
per year.

Point(s) of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 9S, Rge. 16E, B.M.

Beneficial use: Irrigation of 3.5 acres, storage for irrigation, irrigation from
storage and stockwater use within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 9S,
Rge. 16E.

Priority date established: 6/27/77.

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,

JAN GROVER
JIM JOHNSON
Water Rights Supervisor

RECEIVED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

1. Name of permit holder Stuart A. & Shirley M. Merrill
 Post office address Rt 3, Jerome, Idaho Phone NDV 2 1978
 Person to contact _____
 2. Source of water supply: Groundwater ☐ Surface water ☒ waste water
 (name spring, stream, etc.) _____
 Tributary to _____

3. Water will be used for the following purposes:

Amount 0.18 c.f.s. for irrigation
 _____ AF/Annum (nature of use)

Period of Use: from 3-15 to 11-15
 (mo.-day) inclusive (mo.-day)

Amount 0.02 c.f.s. for livestock
 _____ AF/Annum (nature of use)

Period of Use: from 1-1 to 12-31
 (mo.-day) inclusive (mo.-day)

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

Period of Use: from 1-1 to 12-31
 (mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 36-7724
 Examination for 5/4

4. Total amount to be appropriated:

Max Rate of Diversion 0.2 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 9S N/S, Range 16E E/W, B.M., Section 24, Subdivision NE 1/4 NE 1/4 Jerome
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____
 County _____
 Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____
 County _____

Other Points of Diversions: _____

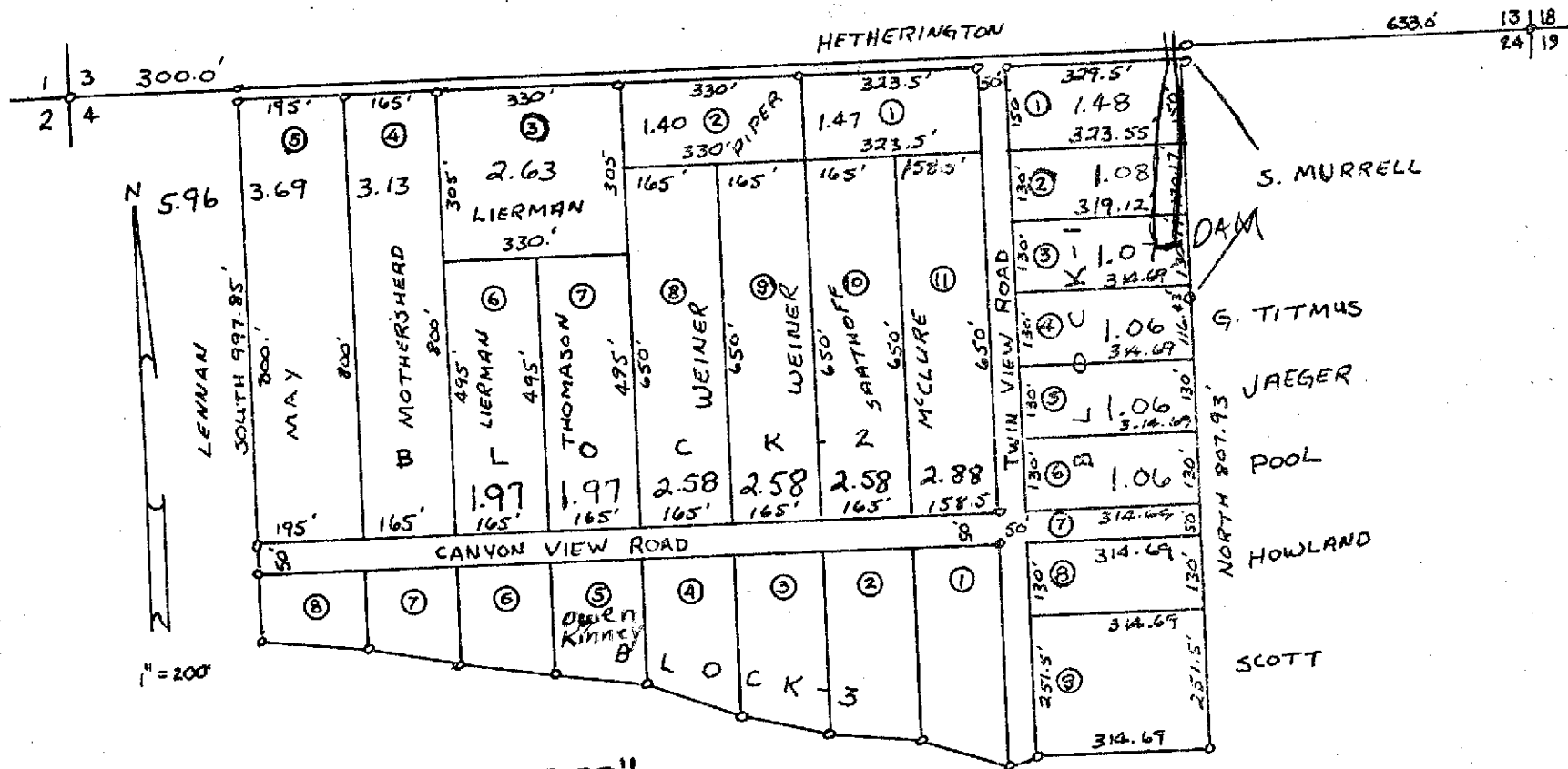
Description of diverting works: storage pond, pump, sprinkler,
rock & earth storage dam, 10 ft. high, 1 acre ft
storage capacity, 2740 irrigation pump

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

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	
<u>9S</u>	<u>16E</u>	<u>24</u>	<u>3.5</u>																<u>3.5</u>

TOTAL ACREAGE 3.5



"BLUE LAKES ACRES"

IN N² NE⁴, SEC. 24

T. 9 S., R. 16 E., B.M.

JEROME COUNTY, IDAHO

DATE OF EXAM _____

ACREAGE
Found 3.5
Recommended 3.5

$$3.5 \times 4.0 = 14 \text{ AFA}$$

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = .08 c.f.s. V = 14.0 AF/Ann. from 3-15 to 11-15 ok
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Stockwater/Livestock Q = .01 c.f.s. V = .04 AF/Ann. from JAN 1 to Dec 31 ok
STORAGE Q = N/A c.f.s. V = 1.0 AF/Ann. from JAN 1 to Dec 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 .08 C.F.S. Method of measurement PRESSURE GAUGE / No 332

Total Q recommended .08 C.F.S. Meter No. 4 Type ✓ Condition ✓

Total V recommended 15.4 Ac.Ft./ANN.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒ ok

MEASUREMENT CALCULATION:
 $MEASURED (36.6 \text{ gal/min} \div 448.8 \frac{\text{gal/min}}{\text{C.F.S.}}) = .08 \text{ C.F.S.}$ ✓ $14.0 \text{ Ac.Ft./ANN.} = 3.5 \text{ Acres}$
 $\times 4.0 \text{ Ac.Ft./Ac}$
 $V = 14.0 \text{ Ac.Ft./ANN.}$ IRRIGATION, LIVESTOCK $.01 \text{ Ac.Ft./ANN.}$ ✓ 14.0 Ac.Ft./ANN.
 $(3) \text{ Hd Range Cattle} \times .0134 \text{ Ac.Ft./ANN.}$

SYSTEM DESCRIPTION:
WESTINGHOUSE 2HP SERIAL # S312P367 Sub-Pump
(3) RAIN TROL #260 & (1) RAINBIRD 65D
45 P.S.I. = 12.2 gal/min. ea Hd = $(36.6 \text{ gal/min} \div 448.8 \frac{\text{gal/min}}{\text{C.F.S.}}) = .08 \text{ C.F.S.}$
3 Head RANGE CATTLE

REMARKS:
SHIRLEY MURRELL WAS PRESENT DURING THE EXAM.

Examiner's Signature Doug Funderburg Date 11-30-79
Checked by Lern S Blaw Date 4-10-80
Approved by Robyn Jim / 8/28/80 Date 8/4/80



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

October 31, 1978

Stuart L. &/or Shirley Murrell
Route 3
Jerome, ID 83338

Dear Mr. Murrell:

Re: Permit No. 36-7724

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 just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Twin Falls.

Sincerely,

RITA FLECK
Water Rights

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 5 1978

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of permit holder Stuart L. &/or Shirley M. Murrell

b) Post office address Rt. 3, Jerome, Idaho 83338

2. Permit number 36-7724

3. Date of priority that you are prepared to establish June 27, 1977

4. a) Source from which water was appropriated waste water

b) Location of the point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24

Township 9S, Range 16E Boise Meridian. Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount .18 cfs for irrigation purposes from March 15 to Nov. 15 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount .02 cfs for livestock purposes from Jan. 1 to Dec. 31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount 1 A.F. for storage purposes from Jan. 1 to Dec. 31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

b) Total amount appropriated .20 cfs 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:
Personnel of the Dept. of Water Resources, Twin Falls office, inspected
diversion and pond at time of water application.

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 of 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):

storage pond, pump, sprinklers

Rock and earth storage dam, 10 feet high; reservoir capacity 1 acre
foot; 2 h.p. irrigation pump.

b) Describe the provision for making a measurement which you have at your point of diversion:
(i.e., installed measuring device, access port, other)

Examined 10/25/78 af

Stuart L. Murrell
Route 3
Jerome, Idaho 83338



Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

CERTIFIED MAIL

August 31, 1978

Re: Permit No. 36-7724

100104

Stuart L. &/or Shirley Murrell
Route 3
Jerome, ID 83338

Dear Mr. & Mrs. Murrell:

One of the conditions of approval of your water Permit No. 36-7724 (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 November 1, 1978. 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.

RITA FLECK

Water Rights

Encl: Proof affidavit

MICROFILMED

November 1, 1977

Re: Permit No. 36-7724

Stuart L. &/or Shirley Murrell
Rte. 3
Jerome, ID

Dear Mr. and Mrs. Murrell:

Enclosed is a copy of your approved Application for Permit No. 36-7724. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 36-7724 - Stuart L. &/or Shirley Murrell

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

TGB 7-5-77

In form to receipt

(1) TGB 7-5-77

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(2) _____

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(3) DL 7/13/77

In form for advertising

(4) _____

Platted on Map No. _____

(5) _____

Located within Water District No. _____

(6) mls 7-15-77

Critical groundwater area: yes _____ no ☒

(7) _____

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(8) _____

Other rights on the same place of use none

(9) _____

Comments: _____

(10) DL 8/8/77

Affidavit of Publication received(date) 8/4/77

(11) DL 7/12/77

Final date for protests 8/8/77
Protests received: yes _____ no ☒

(12) _____

All requested information received from agencies or applicant: yes _____ no _____

(13) mls 7-15-77

Action recommended:

☒ Approve _____ Deny

6-27-77 Proposed Priority

Reason for Reduction _____

Measuring device required _____

See attached sheet for other conditions of approval

(Supplemental cond.)
No special conditions for approval

By Michael Steele Date 8-9-77

(14) _____

Sent to Boise 7/13/77

Note: the applicant has filed on waste water. In this area on the north side canal. Co. emits of waste water none from none to a great deal of excess. The applicant would fill the pond at a high diversion rate because of the frequency of the waste water.

WASTE WATER AGREEMENT

This is an agreement between David Dauch, owner of property herein described Section 24 Township 9 So. Range 16 EMB
Tax #13

and Stuart L. Murrell, owner of property herein described
LOTS 1, 2, and 3 Block 1, Blue Lakes Acres, SEC 24 T 9 R 16
CODE 4
concerning water rights.

It is agreed that the owner, heirs, representatives and grantees of Section 24 Township 9 So. Range 16 EMB
Tax #13

shall have the right to waste water overflow from the present headgate on the east side of the dam located on LOT 3, BLOCK 1, Blue Lakes Acres
for use in irrigating the land at Section 24 Township 9 So. Range 16 EMB

Access shall be granted to that headgate when necessary for irrigation and maintenance.

This agreement pertains only to excess water which would overflow the dam at the present headgate level and does not include any storage right in the dam and reservoir itself. The agreement provides for regular maintenance of the dam and reservoir which includes periodic cleaning and deepening to remove accumulated silt to increase storage.

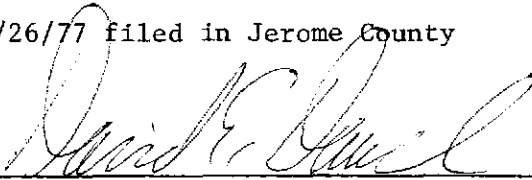
Dated: 9/26/77

Stuart L. Murrell
Stuart L. Murrell

David Dauch
David Dauch

Dwight L. Buehler
Notary Public

I, David E. Dauch, hereby withdraw protest on Application No. 36-7724,
subject to waste water Agreement dated 9/26/77 filed in Jerome County
Courthouse.


David E. Dauch

STATE OF IDAHO,)
) ss.
COUNTY OF TWIN FALLS.)

On this 27th day of September, 1977, before me, the undersigned, a
Notary Public for Idaho, personally appeared David E. Dauch, known to me
to be the person whose name is subscribed to the foregoing instrument, and
acknowledged to me that he executed the same.


Notary Public for Idaho
Residing at Twin Falls, Idaho

RECORDED
INDEXED
SEP 27 1977
TWIN FALLS, IDAHO

LAW OFFICES
HART AND BURDICK
AREA CODE 208 PHONE 324-8131
221 SOUTH LINCOLN
P. O. BOX 445
JEROME, IDAHO 83338

J. WILLIAM HART
ROGER S. BURDICK

August 2, 1977

Idaho Water Resources Board
Mike Steele,
Regional Supervisor
1021 Blue lakes Blvd North
Twin Falls, Idaho 83301

Re: Permit #36-7724 - David Dauch

Dear Mr. Steele:

This letter is written notification under I.C. 42-203 of a protest to the granting of permit application #36-7724 filed with your office on June 27, 1977, by Stuart L. and/or Shirley Murrell, Jerome, Idaho.

Mr. David Dauch, South of Jerome, Jerome, Idaho, has retained our lawfirm to protest the matter and protect what he believes to be rights in the water which is the subject of the above-mentioned permit.

His objections are as follows:

1. Mr. and Mrs. Dauch have had continual usage of that water for a period of five (5) years or more and has been applying it to beneficial use on his property which is in the same subdivision as the Murrell thus acquiring appropriation rights.
2. Mr. Dauch indicates that the grantor of the subject property, Mr. Darrell L. Wolfe and Jo Ann Wolfe, husband and wife, in 1971 entered into a contract with those members of the subdivision and all privately agreed to the usage and the requisite easements for the carrying of this water to the Dauch property for beneficial use. That this contract binds the heirs, representatives and grantees on that land and Mr. and Mrs. Murrell are parties to that contract and are estopped by that contract from acquiring water rights to the injury of Mr. and Mrs. Dauch.
3. It is also the contention of Mr. Dauch that the recapture of this water is not to be used on the land from which it has run off, rather it is to be used on a new parcel of dry land recently purchased by Mr. and Mrs. Murrell.

August 3, 1977
Mr. Mike Steele
Page 2

Mr. Dauch also objects on the grounds that it is an absolute necessity that he have this water, otherwise his outdoor landscaping and pasture which he has developed over a period of more than five years will suffer irreparable harm and will dry up. The injury to the downstream user, Mr. and Mrs. Dauch, of this water would be not only a substantial lessening of his water rights but an absolute denial of any rights in that water.

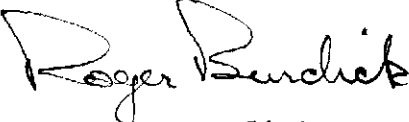
Although I.C. 42-203 indicates that this written notice shall "clearly set forth objection" Mr. Dauch reserves the right to investigate this matter and prepare further objections for a hearing if necessary. Mr. Dauch is forced because of a prior business commitment to leave the Jerome area on August 3, 1977, and probably will not return until after the date deadline set for August 8, 1977.

If your department has any questions of Mr. Dauch or myself, feel free to contact our office. If there is to be a hearing, please give notification not only to Mr. Dauch at his residence, but also to our office.

Thank you for your time in this matter.

Sincerely,

HART & BURDICK

A handwritten signature in cursive script that reads "Roger Burdick". The signature is written in dark ink and is positioned above the typed name.

Roger S. Burdick

RSB:res

September 9, 1977

Mr. Stuart L. Murrell
Route #3
Jerome, ID 83338

Re: Application for Permit No. 36-7724

Dear Mr. Murrell:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 36-7724. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm
Enc.

P.S. Please excuse the delay as we have been waiting for this file to be returned from Boise.

September 9, 1977

Mr. Roger S. Burdick
Hart & Burdick
P. O. Box 445
Jerome, ID 83338

Re: Application for Permit No. 36-7724 - Stuart L. &/or Shirley Murrell

Dear Mr. Burdick:

Your protest submitted in behalf of David Dauch against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sm

P.S. Please excuse the delay as we have been waiting for this file to be returned from Boise.

FROM Jim Stanton, Water Resources Agent

DATE July 14, 1977

TO Mike Steck, Regional Supervisor

SUBJECT Pre-Permit Exam for Stuart &/or Shirley Murrell, #36-7724

In connection with the application of Stuart &/or Shirley Murrell, #36-7724, to divert 120 cfs for irrigation and livestock, and 1 acre-foot of storage for these uses, I have on this date examined the point of diversion, place of use, and water source. Although there was little, if any, wastewater flowing into their storage pond at this time, it appears that sufficient flow is available at some time during the year to satisfy this application. It appears that downstream users would not be damaged by this application. Other aspects of the application appear to be as stated.

James E. Stanton

SIGNATURE

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Stuart L. &/or Shirley Murrell

Jerome, ID 83338

has on 6/27/77 submitted Application No. 36-7724

for a permit to appropriate 20 cubic feet per second ~~acre feet per annum~~

of water from wastewater

by means of storage pond, pump, sprinklers

within the NE1/4NE1/4, Sec. 24, Twp. 9S, Rge. 16E., B.M., Jerome, County

to be used from Mar. 15 to Nov. 15 for irrigation purposes of 3.5 acres, from

~~for~~ Jan. 1 to Dec. 31 for livestock purposes, and from Jan. 1 to Dec. 31 for storage
purposes

within the NE1/4NE1/4, Sec. 24, Twp. 9S, Rge. 16E., 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, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before August 8, 1977.

C. Stephen Allred

Director

Published in the North Side News

on 7/21 and 7/28/77

MICROFILMED

LEGA GALLEY PROOF

NOTICE OF APPLICATION
FOR WATER PERMIT

8-10-77 7/20/77
Notice is hereby given that Stuart L. & or Shirley Murrell, Jerome, ID 83338, has on 6-27-77 submitted Application No. 36-7724 for a permit to appropriate .20 cubic feet per second of water from wastewater by means of storage pond, pump, sprinklers within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 9S, Rge. 16E., B.M., Jerome County to be used from Mar. 15 to Nov. 15 for irrigation purposes of 3.5 acres, from Jan. 1 to Dec. 31 for livestock purposes, and from Jan. 1 to Dec. 31 for storage purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, Twp. 9S, Rge. 16E., 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, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before August 8, 1977.

C. Stephen Allred
Director

7-21-2tc

July 12, 1977

North Side News
P. O. Box 468
Jerome, ID 83338

Re: Application for Permit No. 36-7704 - Stuart L. &/or Shirley Murrell

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS;sm

Enclosure

Bill submitted: _____

MICROFILMED