STATEMENT

MEL BROWN COMPANY

Irrigation Pumps and Sprinklers

PHONE JA 2-7001 BOX NO. 884 SO. UTAH AVE.

IDAHO FALLS, IDAHO

Willard Bell
Arco, Idaho

INVOICE NUMBER	DATE	DESCRIPTION — CODE	CHARGES	PAYMENTS	CURRENT BALANCE
	1961	1960 Balance Brought Forward			1140 30
07556	Jan. 13	Overcharge on Contract		271	1468 50
08733	Mar. 18	Pull 100' Pump - 12 hrs	312 50		1681 00
08769	" 23	Check Comm Credit		970	710 50
09063	May 8	Check on account		300 00	410 50
09067	" 8	Labor Column, bowls, Suct	1200 00		1610 50
09235	June 8	Steel, elbo + check Valve	952 80		2563 30
09502	" 12	1 - 8" Check Valve	60 00		2623 30
10340	Aug 10	Pull 200' Pump - 2 hrs	120 00		2743 30
10466	" 17	Bush, Spring, Bowls etc	278 63		3021 93
10531	" 22	Labor 3 men + rig - Shop	849 40		3871 33
10648	Sept. 6	Head, Column, Motor, Pump	6200 00		10,071 33
10649	" 6	Suction, Bowls, Tube, etc	2320 00		12,391 33
10874	Oct. 11	Check on Account		6191 33	6200 00

08556
09502

Cole Drill - 1500
700
2200 00

PLEASE PAY LAST AMOUNT IN THIS COLUMN

INTEREST WILL BE CHARGED ON ALL BILLS 30 DAYS PAST DUE

THIS IS A [illegible] FAX® DRY COPY OF YOUR ACCOUNT AS IT APPEARS ON YOUR LEDGER CARD

MICROFILMED
JUL 16 2002

$337.50 Yearly Minimum — 75 H.P. — Reading x 10

REA FORM FI-188

CONSUMERS LEDGER CARD

NAME Bell, Willard O. - Irrigation Pump #2 — See Reverse — A2 — ACCOUNT NUMBER 99J

ADDRESS Arco (B) — FIRST DATE 1961 — FIRST READING

READING DATE — DUE DATE — DELINQUENT DATE — DELINQUENT RATE

DATE READ	REMARKS	READINGS	KWH USED	✓	NET SALE	SALES TAX	ARREARS	NET BILL	PEN-ALTY	GROSS BILL	AMOUNT PAID	DATE PAID	BALANCE DUE
BROUGHT F'RD.													
DEC.		0654	0		—		276 35						
NOV.		0654	0		—				2694	296 35			
OCT.		0654	0		—		269 41	269 41		269 41			
SEPT.		0654	0		—		269 41				200	8 - 30 - 62	269 41
AUGUST		0654	0		—		269 41				101 43	J.V. 32-30-62	271 41
JULY		0654	0		—		375 17	375 17		375 17	233	7 - 31 - 62	312 84
JUNE		0654	0		—		375 17						
MAY		0654	0		—		375 17						
APRIL		0654	0	✓	33750		37 67	375 17		375 17			
MARCH		0654	0		—		37 67						
FEB.		0654	0		—		37 67						
JAN.		0654	0		—		37 67						
TOTAL	0654						37 67						

METER RECORD

NUMBER	AMPS	DATE SET	DATE REMOVED
0-264-[illegible]	30	[illegible]-7-61	

DEPOSIT DATA

NUMBER	AMOUNT	DATE ISSUED	DEBIT	BALANCE	DATE RETIRED
[illegible]		✓ 1962 H.P. Chg.			
		Oct Penalty			

SHUT OFF RECORD

DATE SHUT OFF	DATE TURNED ON

$337.50 Yearly Minimum — 75 H.P.

NAME Bell, Willard O. - Irrigation Pump #2 — ACCOUNT NUMBER A2 Reading x 10 99J

Arco (B) — See Reverse — First Date: 1961

DATE READ	REMARKS	READINGS	KWH USED	✓	NET SALE	SALES TAX	ARREARS	NET BILL	PEN-ALTY	GROSS BILL	AMOUNT PAID	DATE PAID	BALANCE DUE
BROUGHT F'RD.							638 00						
DEC.		0654	0		—		638 00				17 22	12 - 2 - 6[illegible]	638 00
NOV.		0654	0		—		633 85				11 81	DV 12-19-6[illegible]	
OCT.		0654	0	x	33750		296 35	633 85					
SEPT.		0654	0		—		296 35						
AUGUST		0654	0		—		296 35						
JULY		0654	0		—		296 35						
JUNE		0654	0		—		296 35						
MAY		0654	0		—		296 35						
APRIL		0654	0		—		296 35						
MARCH		0654	0		—		296 35						
FEB.		0654	0		—		296 35						
JAN.		0654	0		—		296 35						
TOTAL	0654						296 35						

DATE — 63.10 REMARKS — 11 81

x 1962

MICROFILMED

JUL 16 2002

$337.50 Yearly Minimum — 75 H.P. — Reading x 10

NAME Bell, Willard O. - Irrigation Pump #2 — ACCOUNT NUMBER 82 99J

Arco (B) — See Reverse — first date: 1961

DATE READ	REMARKS	READINGS	KWH USED	✓	NET SALE	SALES TAX	ARREARS	NET BILL	PENALTY	GROSS BILL	AMOUNT PAID	DATE PAID	BALANCE DUE
BROUGHT F'RD.							37 67						
DEC.		0654	0		—		37 67						
NOV.		0654	0		—		63 42				25 75	12-9-61	37 67
OCT.		0654	0		—		63 42				247 00	10-12-61	63 42
SEPT.		1654	24700		247 00		38 42	285 72	24 70	310 42	310 00	9-11-61	38 42
AUGUST		8184	31080		310 80		35 20	346 00	3 52	349 52	406 45	8-11-61	35 20
JULY		5076	34540	×	408 20		175	438 45	3 20	441 65	326 15	7-10-61	1 75
JUNE	9999	1632	16220		324 40			324 40		324 40	289 00	6-7-61	—
MAY				✓	289 00			289 00		289 00			
APRIL													
MARCH													
FEB.													
JAN.													
TOTAL		106,540			1611 40								

DATE — REMARKS — 422.21

✓ 6/7 of 1961 H.P. Chg.

× 3/7 of difference in H.P. Chg for 75 H.P. & 100 H.P. pump the 100 H.P. was used for a part of June & July '61 the 25 block on this account was computed for a 75 H.P. pump per Kinsman instructions 7-25-61

CONSUMERS LEDGER FI 188 TIPP. PRESS INC., SHELBYVILLE, IND.

MICROFILMED
JUL 16 2002

NAME Crater Farms, Inc. - Irrig. #1 ACCOUNT NUMBER A2 208J

Arco (B) See Reverse First Date: 6-65*

DATE READ	REMARKS	READINGS	KWH USED	✓	NET SALE	SALES TAX	ARREARS	NET BILL	PEN-ALTY	GROSS BILL	AMOUNT PAID	DATE PAID	BALANCE DUE
BROUGHT F'RD.													
DEC.													
NOV.		7352	0		—		8 52				79 77	11 - 8A - 66	—
OCT.		7352	170		136		7617		14	7831			
SEPT.		9335	8910		7128		1838		713	9679	349 84	9 - 13 - 66	18
AUGUST		8444	38730		32984		1671		167	24822	167 10	8 - 15 - 66	167
JULY		5571	20890		16712					12382			
JUNE		3480	12660		241 40					241 40	241 40	6 - 16 - 66	—
MAY 19		1777	0		—		300 00			300 00	300 00	5 - 19 - 66	—
APRIL		1177	0	✓	300 00					300 00			
MARCH		1777	0		—								
FEB.		1777	0		—								
JAN.		1777	0		—								
TOTAL	1777												

DATE REMARKS ✓1967 H.P. Chg. * Contract signed by Willard O. Bell #3

CONSUMERS LEDGER FI 188 TIPP. PRESS INC., SHELBYVILLE, IND.

$300.00 Yearly Minimum 75 H.P. Reading x 10

REA FORM FI-188

CONSUMERS LEDGER CARD

NAME Crater Farms, Inc. - Irrig. #1 Sep. Connect pd ACCOUNT NUMBER A2 208J

ADDRESS Arco c/o Bob Weaver Jr., Sec. (B) FIRST DATE 6-65* FIRST READING _____

READING DATE _____ DUE DATE _____ DELINQUENT DATE _____ DELINQUENT RATE _____

DATE READ	REMARKS	READINGS	KWH USED	✓	NET SALE	SALES TAX	ARREARS	NET BILL	PEN-ALTY	GROSS BILL	AMOUNT PAID	DATE PAID	BALANCE DUE
BROUGHT F'RD													
DEC.		1777	0		—								
NOV		1777	0		—						116 08	11 — 14 - 66	—
OCT.		1777	14510		11608					11608	103 28	10 - 11 — 66	—
SEPT.		0326	12910		103 28					103 28	139 28	9 — 9 — 66	—
AUGUST		9625	17410		139 28					139 28	192 23	8 - 10 - 66	—
JULY		7294	20700		20606		1383			19223	192 23	7 — 7 — 66	1383
JUNE		5224	9220		13830					13830			
MAY 25		4302	0		—		300 00			300 00	300 00	6 - 24 - 66	—
APRIL		4302	0	✓	300 00					300 00			
MARCH		4302	0		—								
FEB.		4302	0		—								
JAN. 28	4302												
TOTAL			74750		100300								

METER RECORD 95.8

NUMBER	AMPS	DATE SET	DATE REMOVED	NUMBER	AMOUNT
10-264-925	30	1-28-66		480v	

DEPOSIT DATA

DATE ISSUED	DEBIT	BALANCE
✓ H.P. Chg.	*Contract signed by Willard O. Bell #3	

SHUT OFF RECORD

DATE RETIRED	DATE SHUT OFF	DATE TURNED ON

MICROFILMED JUL 16 2002

Water Resources skip navigation

Data Category: Surface Water | Geographic Area: Idaho | GO

Daily Streamflow for Idaho

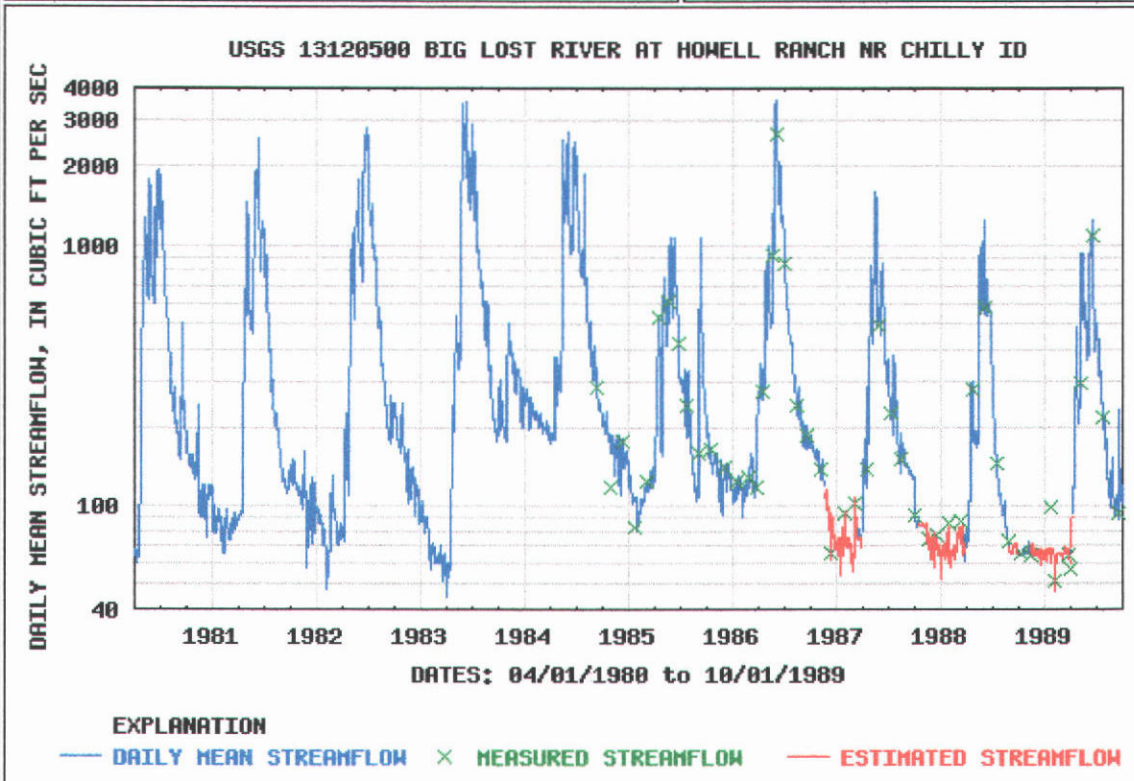
USGS 13120500 BIG LOST RIVER AT HOWELL RANCH NR CHILLY ID

Available data for this site: Surface-water: Daily streamflow | GO

Custer County, Idaho
Hydrologic Unit Code 17040218
Latitude 43°59'54", Longitude 114°01'12" NAD27
Drainage area 450.00 square miles
Contributing drainage area 450 square miles
Gage datum 6,621.95 feet above sea level NGVD29

Output formats

- Tab-separated data file
- Graph
- Reselect output format



Download a presentation-quality graph

Questions about data gs-w-id_NWISWeb_Data_Inquiries@usgs.gov
Feedback on this website gs-w-id_NWISWeb_Maintainer@usgs.gov

Return to top of page

Surface Water for Idaho: Daily Streamflow
http://water.usgs.gov/id/nwis/discharge?

Retrieved on 2002-04-12 01:37:13 EDT
Department of the Interior, U.S. Geological Survey
USGS Water Resources of Idaho

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JUL 16 2002

USGS

Water Resources skip navigation

Data Category: Surface Water | Geographic Area: Idaho | GO

Daily Streamflow for Idaho

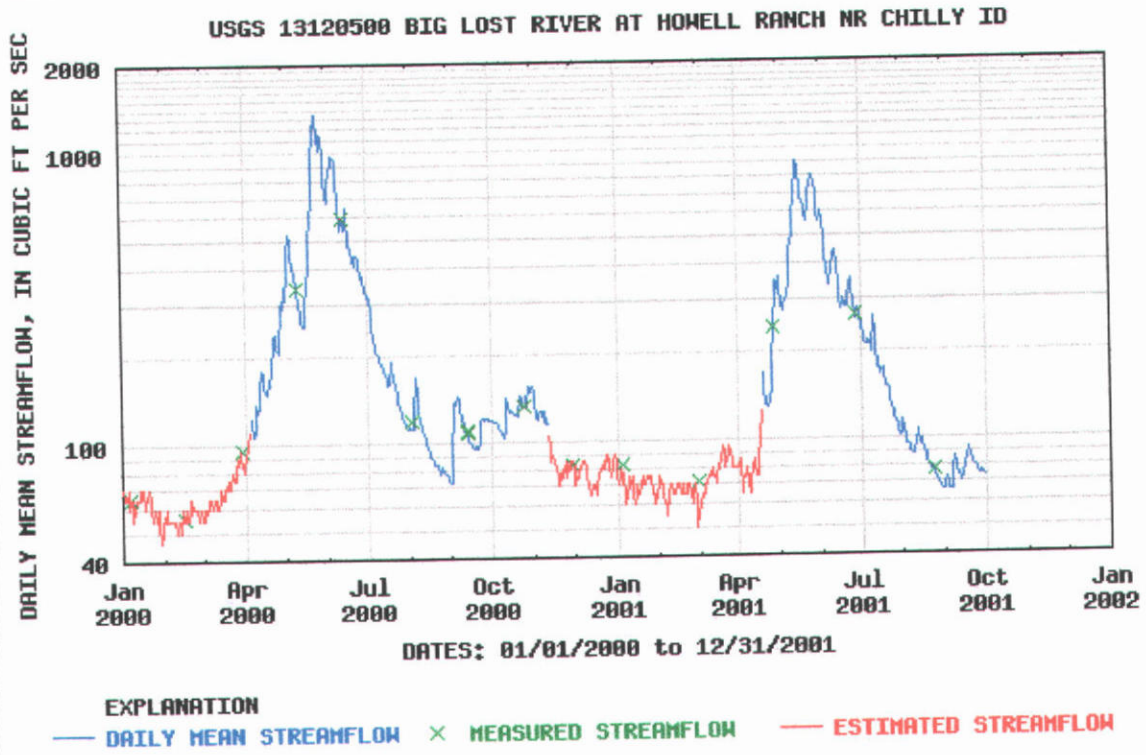
USGS 13120500 BIG LOST RIVER AT HOWELL RANCH NR CHILLY ID

Available data for this site: Surface-water: Daily streamflow | GO

Custer County, Idaho
Hydrologic Unit Code 17040218
Latitude 43°59'54", Longitude 114°01'12" NAD27
Drainage area 450.00 square miles
Contributing drainage area 450 square miles
Gage datum 6,621.95 feet above sea level NGVD29

Output formats

- Tab-separated data file
- Graph
- Reselect output format



Download a presentation-quality graph

Questions about data gs-w-id_NWISWeb_Data_Inquiries@usgs.gov
Feedback on this website gs-w-id_NWISWeb_Maintainer@usgs.gov

Return to top of page

Surface Water for Idaho: Daily Streamflow
http://water.usgs.gov/id/nwis/discharge?

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JUL 16 2002

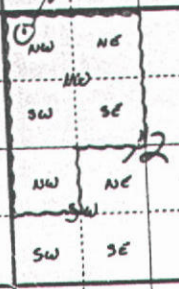
Department of the Interior, U.S. Geological Survey
USGS Water Resources of Idaho

NAME OF APPLICANT W. O. Bell

Form No. 0

Rge. 26E. B.M.

P.O.



Twp. 3N.

APPROVED
AUG 25 1966
33109
STATE RECLAMATION ENGINEER

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

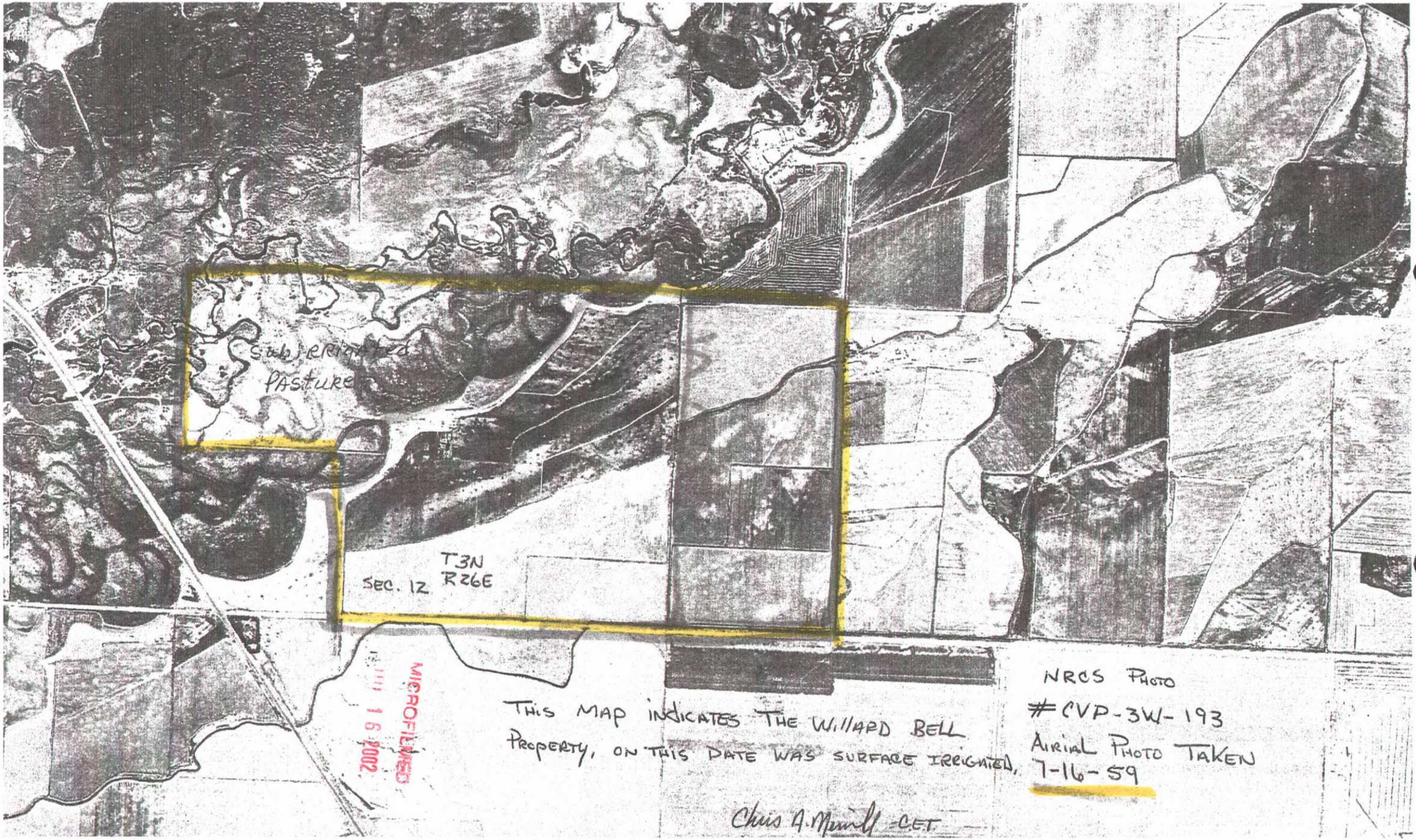
33109



THIS AERIAL PHOTOGRAPH INDICATES THAT THE WILLARD BELL PROPERTY IS SURFACE IRRIGATED.

Chris A. Merrill CET
MAY 23, 2002

NRCS PHOTO # CVP-5JJ-5
7-24-68

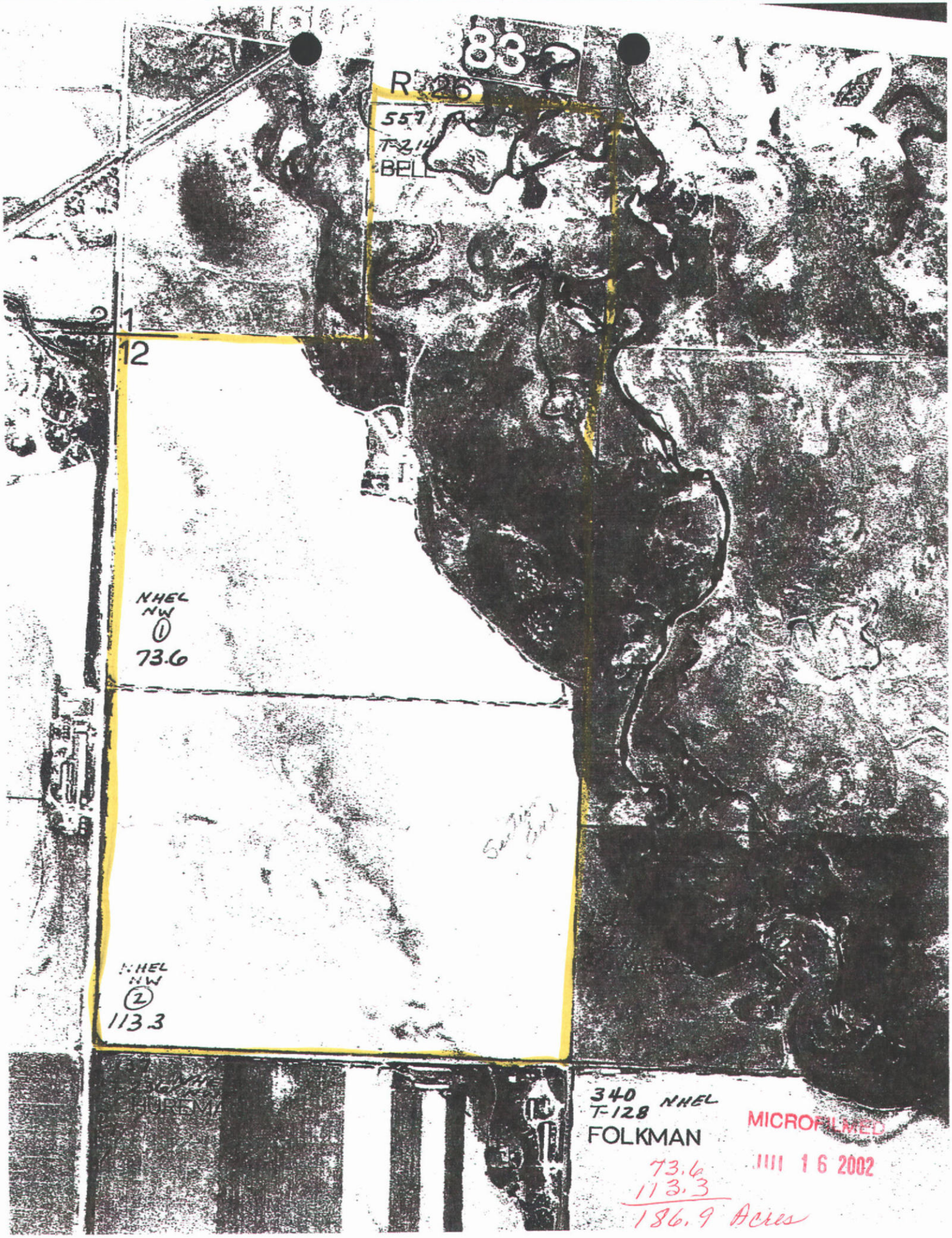


MICROFILMED
2002 9 16

THIS MAP INDICATES THE WILLARD BELL PROPERTY, ON THIS DATE WAS SURFACE IRRIGATED.

NRCS PHOTO
#CVP-3W-193
AIRIAL PHOTO TAKEN
7-16-59

Chris A. Merrill - C.E.T.



Recent photo showing farmable acres.

FORM DS—136 (7-12-45) Tipp. Press, *Shelbyville, Ind.*
United States Department of Agriculture
Rural Electrification Administration

STAKING SHEET

Budget Bureau No. 40-R-1315
Expiration Date 3/31/46

Work Order No. 66-40

Sheet No. 1 of 1

System Designation Idaho 19 Buzzs

Location 1/2 Mi. So. of Arco

Twp 3N R 26E Sec. 12

Map Reference 47

Line _____ Lead _____

ENGINEER

Staked _____

Checked _____

Released for Const. _____

Pri. Wire: Size Kind Ruling Span

SKETCH OF WORK

POLE NO.	PRI. (BACK) SPAN	POLES H & C MISC	PRI. UNIT MISC.	R-W CLEARING	LINE ANGLE	TRANS. "G"	GR. "M2"	GUY NO.	GUY UNIT "E"	GUY LEAD	ANCHOR "F"	SECONDARY SPAN UNDER-BUILD	SECONDARY SPAN SEC. ☆ ONLY	SECONDARY UNIT NO.	SECONDARY UNIT J OR K	SERVICE SPAN	SERVICE UNIT NO.	SERVICE UNIT K	SEC. OR SER. WIRE SIZE	METER LOOP	METER SIZE METER	MISC. & REMARKS
FX																						
						310-25																
FX																						

FX 1A743-1 465 35-4 C 1/1 12 1 1/2 28 1-2

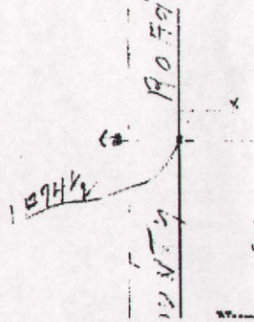
Add 3 Lens Lightning Arresters
1-☆ 3U.K Transformer Conn

FX 25-6 M P 2 15" 1K14.

#2 Bare

Consumer Loop
1Ø Meter
Base.

MICROFILMED
JUL 16 2002



310-25 = 1.
Cont. Cut-out Fuse = 3.
#3U Transformer Lugs = 1.
K14 Quadplex = 2
M Base = 1.

No. of Members 1
Primary Line Ft. _____
Sec. Only ☆ Ft. 15X4
Service Drops Ft. _____

Number poles on sketch at top, corners, transformers and deadends. Indicate retired units with ☆. Replaced units with ◯. Reset meters and transformers with □.



34-2486







BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33109/34-2486 in the name of Willard O. Bell	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. G-33109 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:

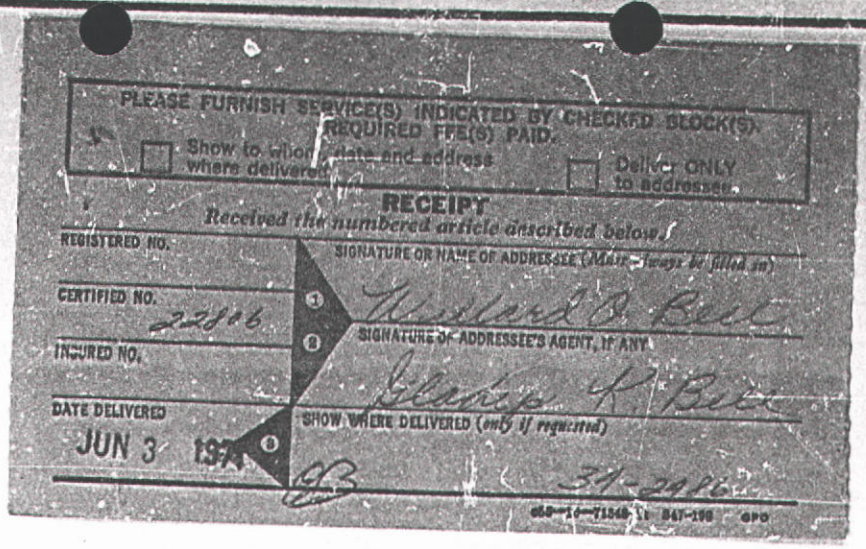
   a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 21st day of September, 1970.

R. KEITH HIGGINSON
Director

RKH/DG

34-2486



PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S). REQUIRED FEE(S) PAID.

1. ☐ Show to whom, date, and address where delivered

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO. 22806

INSURED NO.

DATE DELIVERED JUN 3 1974

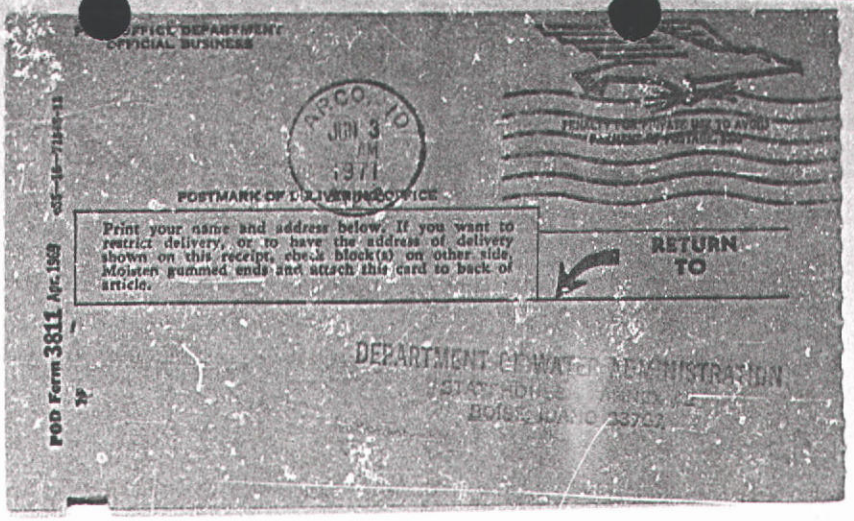
1. SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Howard B. Burt

2. SIGNATURE OF ADDRESSEE'S AGENT, IF ANY Glenda K. Burt

3. SHOW WHERE DELIVERED (only if requested) 31-2486

GB

GPO 16—71545 1 847-198


POSTAGE AND FEES PAID
POST OFFICE DEPARTMENT
OFFICIAL BUSINESS
ARCO, ID
JUN 3
AM
1971
POSTMARK OF DELIVERING OFFICE
Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moisten gummed ends and attach this card to back of article.
RETURN TO
DEPARTMENT OF WATER ADMINISTRATION
BOISE, IDAHO 83702
POD Form 3811 Apr. 1969

RECEIVED
APR 1 8 2002
Department of Water Resources

WILLARD O. BELL

REQUEST FOR REINSTATEMENT

LAPSED PERMIT 34-2486

MICROFILMED
JUL 1 6 2002

Copy

Willard O. Bell
756 15th Avenue East
Jerome, Idaho 83338
Phone: (208)324-8984 or (208)589-1329

RECEIVED
APR 18 2002
Department of Water Resources

April 12, 2002

Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Lapsed Permit No 34-2486

To Whom it May Concern:

I am resubmitting the request for reinstatement of the above water permit with additional information as follows:

- Exhibit A: Permits: #28058 dated July 1959 & #33109 dated August 1966
- Exhibit B: Receipts, bills, & checks for drilling, pumps, and installation
- Exhibit C: Well logs
- Exhibit D: Power records
- Exhibit E: Summaries of Annual Reports from District 34
- Exhibit F: Receipt No. E005926 from Idaho Dept of Water Resources, dated 2/28/89, for Adjudication fee and LATE Proof of Beneficial Use
- Exhibit G: Affidavits from neighbors
- Exhibit H: Geological Survey Graphs
- Exhibit I: Amended Moratorium Order

One well was drilled in 1960 under permit #28058, Exhibit A. Exhibit B shows installation of pump, drilling, and etc. Exhibit D includes the power records from 1961, 1962, and 1963. In 1966 Permit #33109, Exhibit A, was applied for. That number was later changed to #34-2486. There are well logs for two wells from Cope Drilling, Exhibit C. I don't know which wells these logs were for. There were holes drilled for four (4) wells during the 1960 through 1966 period. One was abandoned because of drill-ing problems and one didn't have enough water. April Kooch at IDWR's Microfilm center was called. There were no well logs for Section 12, Twp 3N, Range 26 EBM on file at the center for the 1960-1966 period. She said logs were not required to be filed at that time. A diesel motor was used on one of the wells, but no records still exist.

The ranch was rented to Crater Farms for a few years and the power records are in their name. According to the consumer ledger cards, Exhibit D, the contracts were signed by Willard Bell. Affidavits from Neighbors, Exhibit G, testifying as to the use of the wells

are included with this letter.

The wells were drilled and used as supplemental water for the following water rights:

RIGHT #	Priority Date	Max. Qnty	Basis of Claim	Source	Canal
34-00258	08/01/1888	.40 CFS	Decreed	Big Lost	Munsey
34-00855	05/09/1899	2.80 CFS	Decreed	Big Lost	Munsey
34-00862	09/01/1899	.80 CFS	Decreed	Big Lost	Munsey

These wells were only pumped when water was required and the above decrees were off. The summaries of annual reports from District 34 for years 1966 through 1970, Exhibit E, are marked to show when the above decrees would have been on. The Mackay office had misplaced their copy for 1971 and the Boise office can't find microfilm for that year.

There have been numerous visits to the IDWR's Offices and a considerable amount of correspondence over the last 10 to 12 years. In almost every letter from IDWR, a request for a "reasonable reason" why the license was not filed in a timely manner, was asked. I don't know what constitutes a "reasonable reason". I can only offer an explanation. There were more good than bad water years during the 1970's and early 1980's, Exhibit H. I never gave much thought to the wells, since they were supplemental wells, until the adjudication process began. I paid an Adjudication fee and Late Proof of Beneficial Use fee, Exhibit F , on February 28, 1989.

On about December 1, 1989 a moratorium order was issued on the Mud Lake and Vicinity area. On April 30, 1993, R. Keith Higginson, Director of Idaho Department of Water Resources, signed an Amended Moratorium Order, Exhibit I. I would appreciate the reconsideration of my permit under the Amended Moratorium Order - Order - Paragraph 9, (b) "The Director determines that the development and use of the water pursuant to an application will have no effect on prior surface and ground water rights because of its location, insignificant consumption of water or mitigation provided by the applicant to offset injury to other rights". Paragraph 3, page 11 of the report Considerations for Water Use and Management in the Big Lost River Basin, Idaho; A Supplemental Report, by E. G. Crosthwaite, C. A. Thomas, and K. L. Dyer states: "South of Arco the wells that have the best yields are about 100 feet deep and produce from gravel near Big Lost River. These wells are in secs. 11, 12, and 13, T. 3N., R. 26 E., and are several miles downstream from the major irrigation diversions on the river. Because several of the wells are closely spaced, pumping from one well lowers the water level in others, but no significant overall depletion of the ground-water supply is apparent." The wells are only about 2 miles from the desert on the southern end of the Big Lost River Valley. I believe the above reasons support reconsideration of my permit.

Paragraph 12 of the Amended Moratorium Order states: "This moratorium supercedes the Final Order of the department issued on August 7, 1990 which established a moratorium on the issuance of new permits within the Big Lost River drainage. Pending applications for permit or applications for transfer will be treated under terms of this amended moratorium order and may be considered for approval by the department in

connection with proposed mitigation or compensation for prior water rights." I believe the acceptance of fees by the IDWR, Exhibit F, should have reinstated permit #34-2486 and make it eligible under Paragraph 12.

If there is any other information that would be helpful, please call me. It would be greatly appreciated, if you would reconsider the application. Thank you for your time and patience.

Sincerely,

Willard O Bell.

Willard O. Bell

EXHIBIT A

EXHIBIT A

Permits

MICROFILMED
JUL 16 2002

Form No. 3
5 M-1-65

Address all communications to:

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41309
33109

Permit No. G

Water District No.

RECEIVED
AUG 17 1966
9:00 A.M.
Department of Reclamation

1. Name of applicant: Willard O. Bell

Post office address Box 91 Arco County Butte State Idaho

2. Quantity of water claimed: 200 miners inches or 4 cfs

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NW ¼ of the NW ¼ of Section 12

Twp. 3 N., Rge. 26 E., B.M., County of Butte

5. Water is to be used for: Irrigation

6. If for domestic, municipal, industrial or recreational purposes give:

(a) Point of use of water is in the ¼ of the ¼ of Section,

Twp., Rge., B.M.

(b) Waste water or sewage effluent is to be returned to

at a point in the ¼ of the ¼ of Section, Twp., Rge., B.M.

7. Kind of Works: Drilled well & pump

8. Estimated cost of works: $ 6000.00

9. (a) Is reservoir to be used?

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock $ (c) Amount paid in: $

(d) Names and addresses of directors:

(Continued)

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

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

(d) Other resources: _____

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

(Give irrigable acreage in each 40-acre subdivision)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N.	26E	12					40	40	40	40		40							200

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

(a) 4 (Cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.

(b) None (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks:

AUG 2 3 1956

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.

Please sign → Willard O. Bell
Applicant

By_____, Agent

MICROFILMED

JUL 16 2002

Approval of State Reclamation Engineer

The number of this permit is G 33109

Recorded in Book 116 Page 33109 Approved AUG 25 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 before _____

One-fifth of the work above specified to be completed on or before February 25, 1969
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before August 25, 1971

Witness my hand this 25th day of August 19 66.

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 25th day of August, 19 66.

Countersigned:

By Louis E. Clapp
Secretary of State

STATE OF IDAHO

By Robert E. Smylie
Governor.

No. G 33109

PERMIT

Date of first receipt at office of State Reclamation Engineer: August 17, 1966 9:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, $ 5.75

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. . . $5.00

For each additional Sec. Ft. or Fraction Thereof . . .25

MICROFILMED
JUL 16 2002

FHA

(Form No. 8)

Address all communications to:

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 36020

Permit No. G 28058

District No.

1. Name of applicant: Hillard O. Bell,

Post office address Arco County Butte State Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 4 or Idaho Miner's inches 200 or gallons per minute

(b) ~~Annual withdrawal in acre feet per annum~~

3. Source of water supply: underground

4. Location of point of diversion or well is in the N.W. ¼ of the N.W. ¼ of Section 12, Twp. 3 N., Rge. 26 E., B. M., County of Butte

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes give:

(a) Point of use of water is in the ~~N.W.~~ ¼ of the ~~____~~ ¼ of Section ~~12~~, Twp. ~~3 N.~~, Rge. ~~26 E.~~, B. M.

(b) Waste water or sewage effluent is to be returned to

at a point in the ¼ of the ¼ of Section, Twp., Rge., B. M.

7. Kind of Works: Pump & Turbine

8. Estimated cost of works: $ 6000.00

9. (a) Is reservoir to be used?

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is ~~X~~ 5 years.

OK for approval

11. If applicant is a corporation, give:

I. (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: $ 3500.00

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

(d) Other resources: $ 75000

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

(Give irrigable acreage in each 40-acre subdivision)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
~~3N~~	~~26~~	~~12~~		[redacted]															
				40															
3N	26E	12					20	40	40	20	40	40							200

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

(a) ~~1.0~~ 4.0 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.

(b) _____ (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: Due to the severe water shortage in some years we practically have to have a well to irrigate with. Some years it would not be used.

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.

Willard O. Bell,
Applicant

By _____, Agent

MICROFILMED
JUL 15 2002

Approval of State Reclamation Engineer

The number of this permit is G 28058

Recorded in Book 99 Page 28058 Approved JUL 27 1959

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 _____, 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 January 27, 1962
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before July 27, 1964

Witness my hand this 27th day of July, 1959.

Geo. M. Carter
State Reclamation Engineer

IN TESTIMONY WHEREOF, We ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, 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 27th day of July, 1959.

Countersigned:

By Arnold Williams
Secretary of State

STATE OF IDAHO

By _____
Governor.

No. G 28058

PERMIT

Date of first receipt at office of State Reclamation Engineer
2:30 P. M. July 22, 1959

Returned to applicant for correction

Corrected application received

Fees, $ 5.75

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. $5.00

For each additional Sec. Ft. or Fraction ..... .25

Thereof

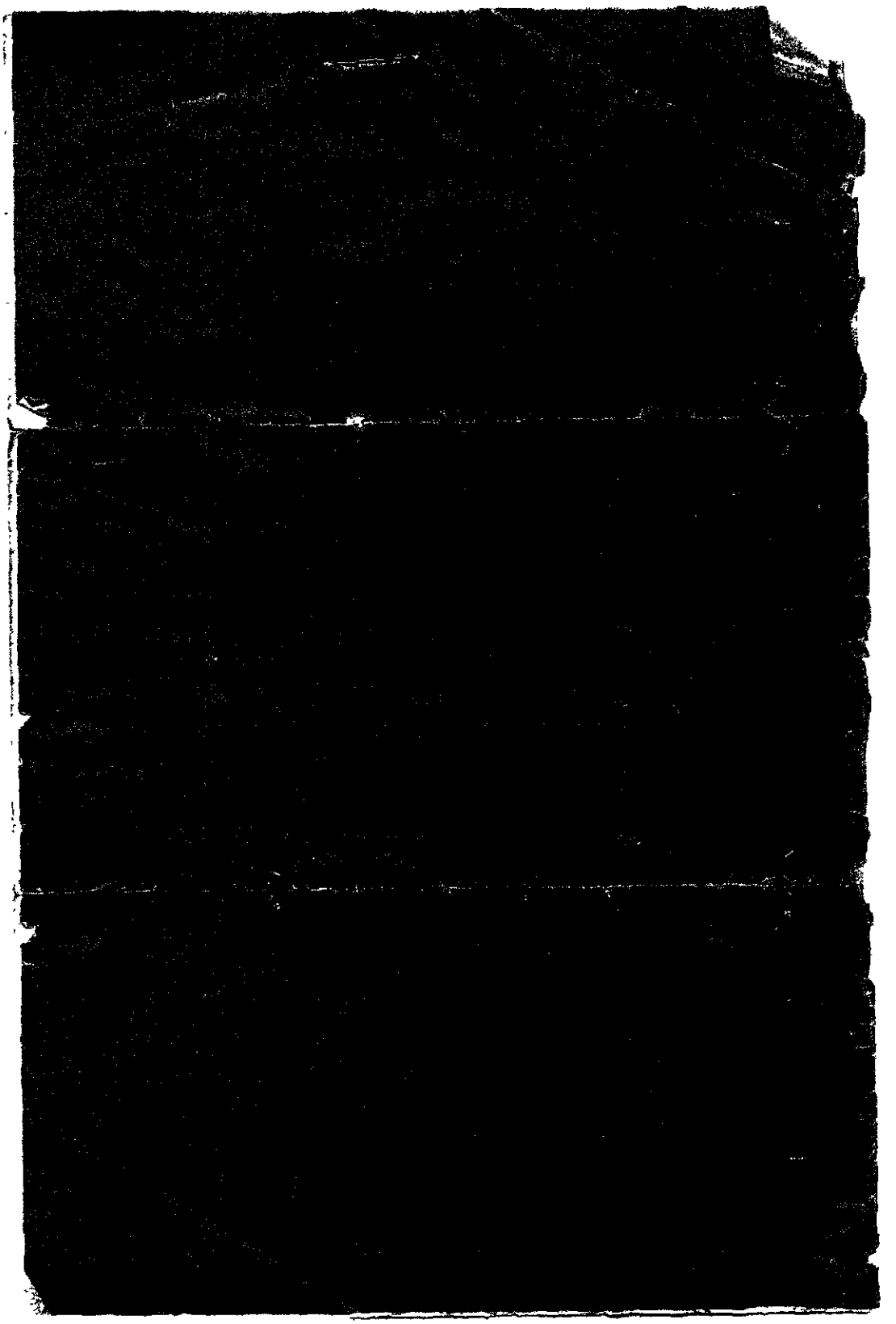
MICROFILMED
JUL 16 2002

EXHIBIT B

EXHIBIT B

Receipts, bills, & checks

MICROFILMED
JUL 16 2002



MICROFILMED
JUL 16 2002

JA 2-7001

MEL BROWN COMPANY

WHOLESALE DISTRIBUTORS OF

IRRIGATION PUMPS AND SPRINKLERS — STEEL, ALUMINUM AND PLASTIC PIPE

SO. UTAH AVE. — IDAHO FALLS, IDAHO — P. O. BOX 884

Customer's Order No. _____ Date 12 1 19 61

M [illegible]

Address [illegible]

Sold By	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RETD	PAID OUT	
				✓			

QUANTITY	DESCRIPTION	PRICE	AMOUNT
	[illegible]		2460 83
	Less Rebate on FHA		276 00
	Check.		
			1891 83

TERMS

$ _____ Down and $ _____ on the _____

Day of Each Month Beginning _____ 19 _____

Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name until this note is fully paid and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 8% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

No. 10874

Rec'd By _____

THANK YOU

UARCO INC. - OAKLAND 89781

MICROFILMED
JUL 16 2002

WILLARD O. BELL
GROWER AND SHIPPER
U. S. No. 1
CERTIFIED RUSSETT SEED POTATOES
PHONE 194 ARCO, IDAHO

92-263
1241

NO 1478

ARCO, IDAHO 4/2 196 0

PAY [redacted] Dollars and 00/100 $ 1500 00

TO THE ORDER OF Cope Drilling Co.

Willard O. Bell

BUTTE COUNTY BANK, ARCO, IDAHO

19-985

FORM 7-CVC

WILLARD O. BELL
GROWER AND SHIPPER
U. S. No. 1
CERTIFIED RUSSETT SEED POTATOES
PHONE 194 ARCO, IDAHO

92-263
1241

ARCO, IDAHO [illegible] 196 1

NO 2523

PAY Five Hundred and 00/100 $ 500 00

TO THE ORDER OF Hopkins Drilling Co

Willard O. Bell

BUTTE COUNTY BANK
ARCO, IDAHO

19-985

WILLARD O. BELL
GROWER AND SHIPPER
U. S. No. 1
CERTIFIED RUSSETT SEED POTATOES
PHONE 194 ARCO, IDAHO

92-263
1241

ARCO, IDAHO 4/28 196 1

NO 2193

PAY Seven Hundred Forty two and 84/100 — $ 742 84

TO THE ORDER OF Cope Drilling Co.

Willard O. Bell

BUTTE COUNTY BANK
ARCO, IDAHO

19-985

MICROFILMED

MAY 15 2002

NAME

PAY PERIOD ENDING	HOURS	RATE	GROSS EARNINGS	DEDUCTIONS						NET EARNINGS PAID
				FICA	FEDERAL INC TAX	STATE INC TAX				
	REG TIME									
	OVERTIME									

NOTICE THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS FOR THE PERIOD INDICATED KEEP THIS FOR YOUR PERMANENT RECORD

WILLARD O. BELL, ARCO, IDAHO

PAYEE DETACH THIS STATEMENT BEFORE DEPOSITING CHECK

WILLARD O. BELL

DATE	DESCRIPTION	AMOUNT	DISC'T OR DEDUCTION	NET AMOUNT
	Int 102.84 Principal 640.00 742 84 Balance 1100 00			

WILLARD O. BELL
BROWER AND SHIPPER
U. S. No. 1
CERTIFIED RUSSETT SEED POTATOES
PHONE 194 ARCO, IDAHO

P-17

92-263
1241

No 2193

ARCO, IDAHO 4/26 1961

PAY Seven Hundred Forty two and 84/100 — $ 742 84

TO THE ORDER OF Cope Drilling Co.

NOT NEGOTIABLE

BUTTE COUNTY BANK

MICROFILMED
JUL 16 2002

NAME

PAY PERIOD ENDING	** HOURS	RATE	GROSS EARNINGS	DEDUCTIONS						NET EARNINGS PAID
				FICA	FEDERAL INC TAX	STATE INC TAX				
	REG TIME									
	OVERTIME									

EE THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS FOR THE PERIOD INDICATED KEEP THIS FOR YOUR PERMANENT RECORD

WILLARD O. BELL, ARCO, IDAHO

EE DETACH THIS STATEMENT BEFORE DEPOSITING CHECK

WILLARD O. BELL

DATE	DESCRIPTION	AMOUNT	DISC'T OR DEDUCTION	NET AMOUNT
	Drilling on Field			

WILLARD O. BELL
GROWER AND SHIPPER
U. S. No. 1
CERTIFIED RUSSETT SEED POTATOES
PHONE 194 ARCO, IDAHO

92-263
1241

ARCO, IDAHO Oct 14 19 61 **No 2523**

PAY Five Hundred and no/100 — $500.00

TO THE ORDER OF Hopkins Drilling Co

NOT NEGOTIABLE Willard O Bell

BUTTE COUNTY BANK

VC

WILLARD O. BELL
GROWER AND SHIPPER
U. S. No. 1
CERTIFIED RUSSETT SEED POTATOES
PHONE 194 ARCO, IDAHO

92-263
1241

92-263 ARCO, IDAHO 92-263 19 61 **No 2238**

PAY One thousand Five Hundred and no/100 — $1500.00

PAID
MAY 6 61 X

TO THE ORDER OF Cole Drilling Co

92-263 92-263

Willard O Bell

BUTTE COUNTY BANK
ARCO, IDAHO

19-985

CVC

MICROFILMED
JUL 16 2002

NAME PAY PERIOD ENDING	HOURS	RATE	GROSS EARNINGS	DEDU FICA	 FEDERAL INC TAX	 STATE INC TAX	TONS			NET EARNINGS PAID
	REG TIME OVERTIME									

EE THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS FOR THE PERIOD INDICATED KEEP THIS FOR YOUR PERMANENT RECORD

WILLARD O. BELL, ARGO, IDAHO

PAYEE DETACH THIS STATEMENT BEFORE DEPOSITING CHECK

WILLARD O. BELL

DATE	DESCRIPTION	AMOUNT	DISC'T OR DEDUCTION	NET AMOUNT
	Payment on M Revamps			

WILLARD O. BELL
BROWER AND SHIPPER
U. S. No. 1
CERTIFIED RUSSETT SEED POTATOES
PHONE 194 ARGO, IDAHO

~~62-263~~
1241

No 2206

ARGO, IDAHO 5/2 196 1

PAY Three Hundred and no/100 $300.00

TO THE ORDER OF Mel Brower. Revamp Co

NOT NEGOTIABLE

BUTTE COUNTY BANK

MICROFILMED
JUL 16 2002

ARCO, IDAHO

EMPLOYEE'S NAME

PAY PERIOD ENDING	HOURS	RATE	GROSS EARNINGS	DEDUCTIONS						NET EARNINGS PAID
				F.I.C.A	FEDERAL INC. TAX	STATE INC. TAX				
	REG. TIME									
	OVERTIME									

EMPLOYEE: THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS FOR THE PERIOD INDICATED. KEEP THIS FOR YOUR PERMANENT RECORD.

PAYEE: DETACH THIS STATEMENT BEFORE DEPOSITING CHECK. WILLARD O. BELL

DATE	DESCRIPTION	AMOUNT	DISC'T. OR DEDUCTION	NET AMOUNT
	Well Drilling			

5001

WILLARD O. BELL
GROWER AND SHIPPER
U. S. No. 1 CERTIFIED RUSSETT SEED POTATOES
PHONE 394-W ARCO, IDAHO

Nov 27 64 92-263/1241

One thousand and no/100 ——— 1000 00/—

Hopkins Bros Drilling Co.

Willard O. Bell,
DO NEGOTIABLE

BUTTE COUNTY BANK
ARCO, IDAHO

⑆124⑆0263⑈ 19⑈9851⑈

MICROFILMED
JUL 16 2002

NAME

PAY PERIOD ENDING	HOURS	RATE	GROSS EARNINGS	DEDUCTIONS						NET EARNINGS PAID
				FICA	FEDERAL INC TAX	STATE INC. TAX				
	REG TIME OVERTIME									

EE THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS FOR THE PERIOD INDICATED KEEP THIS FOR YOUR PERMANENT RECORD

WILLARD O. BELL, ARCO, IDAHO

PAYEE DETACH THIS STATEMENT BEFORE DEPOSITING CHECK

WILLARD O. BELL

DATE	DESCRIPTION	AMOUNT	DESC'T OF DEDUCTION	NET AMOUNT
	No Prin. & Interest $619.90			

92-263
1241

WILLARD O. BELL
GROWER AND SHIPPER
U. S. No. 1
CERTIFIED RUSSETT SEED POTATOES
PHONE 194 ARCO, IDAHO

No 3292

ARCO, IDAHO Dec 29 1952

PAY Six Hundred Nineteen and 90/100 619 90

TO THE ORDER OF Sayre & Bowler Pump Co NOT NEGOTIABLE

BUTTE COUNTY BANK

10 885

CVC

MICROFILMED
JUL 16 2002

WILLARD O. BELL
ARCO, IDAHO

EMPLOYEE'S NAME

PAY PERIOD ENDING	HOURS	RATE	GROSS EARNINGS	DEDUCTIONS						NET EARNINGS PAID
				F.I.C.A	FEDERAL INC. TAX	STATE INC. TAX				
	REG TIME									
	OVERTIME									

EMPLOYEE: THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS FOR THE PERIOD INDICATED. KEEP THIS FOR YOUR PERMANENT RECORD.

PAYEE: DETACH THIS STATEMENT BEFORE DEPOSITING CHECK.

WILLARD O. BELL

DATE	DESCRIPTION	AMOUNT	DISC'T. OR DEDUCTION	NET AMOUNT
	Well Drilling			

4314

WILLARD O. BELL
GROWER AND SHIPPER
U. S. No. 1 CERTIFIED RUSSETT SEED POTATOES
PHONE 394-W ARCO, IDAHO

March 16 64 92-263/1241

Five Hundred and 00/100 ——— 500.00

Hopkins Bros Drilling Co

Willard O. Bell

NOT NEGOTIABLE

BUTTE COUNTY BANK
ARCO, IDAHO

⑆124100263⑆ 19-985⑈

MICROFILMED
JUL 16 2002

ARCO, IDAHO

EMPLOYEE'S NAME

PAY PERIOD ENDING	HOURS	RATE	GROSS EARNINGS	DEDUCTIONS					NET EARNINGS PAID
				F.I.C.A	FEDERAL INC. TAX	STATE INC. TAX			
	REG. TIME OVERTIME								

EMPLOYEE: THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS FOR THE PERIOD INDICATED. KEEP THIS FOR YOUR PERMANENT RECORD.

PAYEE: DETACH THIS STATEMENT BEFORE DEPOSITING CHECK. WILLARD O. BELL

DATE	DESCRIPTION	AMOUNT	DISC'T. OR DEDUCTION	NET AMOUNT
	Payroll Payment			

WILLARD O. BELL 4791

GROWER AND SHIPPER

U. S. No. 1 CERTIFIED RUSSETT SEED POTATOES

PHONE 394-W ARCO, IDAHO

92-263
1241

Aug 31 64

Thirteen and 00/100 ——— 13⁰⁰

Mel Brown Pump Co

NOT NEGOTIABLE

BUTTE COUNTY BANK
ARCO, IDAHO

⑆124100263⑆ 19-985⑈

MICROFILMED

JUL 16 2002

EXHIBIT C

EXHIBIT C

Well Logs

MICROFILMED
JUL 16 2002

COPE DRILLING & PUMP CO.

P. O. BOX 1134 Phone JA 2-8431

IDAHO FALLS, IDAHO

Customer's Order No. _____ Date August 9 & 11 1965

Sold To Willard Bell

Address Arco, Idaho

SOLD BY	CASH	C. O. D.	CHARGE	ON ACCT.	MDSE. RETD.	PAID OUT	

QUANTITY	DESCRIPTION	PRICE	AMOUNT	
Well #1	56 feet of drilling and			
	perforated casing included	20.00	1120	00
Well #2	64 feet of drilling and			
	casing included	18.00	1152	00
	TAX		2272	00
	TOTAL		1136	00

I, as purchaser, understand that the amount of this invoice shall be due and payable on or before the 10th of the month following purchase date and that legal interest rates will be charged if not paid by that time. If this bill be placed with an attorney or collector for collection or suit, I promise to pay a reasonable attorney's or/and collector's fee.

No. 4333 Received by

HOLLADAY'S TYPEWRITER CO., INC., IDAHO FALLS, IDAHO 4B90S

MICROFILMED
JUL 16 2002

WELL LOG FOR: WILLARD BELL.....ARCO, IDAHO

FURNISHED BY: COPE DRILLING & PUMP CO. .....IDAHO FALLS,IDAHO BOX1196

DRILLER: JERRY THORPE.....REVERSE ROTARY

HELPER: JACK LEMONS

26 IN.

0-2	Silt
2-17	Med. gravel
17-21	Brown clay
21-34	Fine gravel and sand
34-47	Brown gravel
47-49	Brown sand
49-62	White clay
62-62½	Sandstone
62½-64	White clay

Used 42 feet of perforated and 20 feet of blank
Used customer choice of gravel pack

Rate of penetration

6:00	Started drilling
6:45	Added stem #1
7:15	Added stem #2
7:50	Added ste #3
8:10	Added stem #4
8:30	Added stem #5

Hole size: 26"
Feet drilled: 64
Casing used: 62'
Casing size: 12"
Water stands: approx. 23 ft.

MICROFILMED
JUL 16 2002

WELL LOG FOR: WYLIAM DUTY.....ARCO, IDAHO

DRILLED BY: COPE DRILLING & PUMP CO. .....IDAHO FALLS, IDAHO BOX1196

DRILLER: JERRY THORPE.....REVERSE ROTARY

HELPER: JACK [illegible]

26 IN.

8/9/66	0-2	Clay
	2-13	Cement and gravel
	13-20	Medium brown sand and pea gravel
	20-21	Brown gravel
	21-26	Brown sand med.
	26-34	Hard pan
	34-42	Brown clay
	42-44	Brown sand med.
	44-47	Brown clay
	47-56	White clay

Used 58 feet of casing
Used customers choice of gravel pack 5 yards
Water stands at 7 feet
Broke both bearings on vertical rotation shaft
Replaced with new bearings

Rate of penetration 10 stems

8:45	Started drilling
9:20	Added stem #1
10:05	Added stem #2
12:25	Added stem #3
12:45	Added stem #4
1:15	Added stem #5

Hole size; 26"
Feet drilled; 56
Casing used; 58' of perforated
Casing size; 16"
Water stands; 7 feet

MICROFILMED
JUL 16 2002

EXHIBIT D

EXHIBIT D

Power Records

MICROFILMED
JUL 1 3 2002

REA FORM FI-188

CONSUMERS LEDGER CARD

NAME _____ ACCOUNT NUMBER _____

ADDRESS ...120 (R) FIRST DATE 1941 FIRST READING _____

READING DATE _____ DUE DATE _____ DELINQUENT DATE _____ DELINQUENT RATE _____

DATE READ	REMARKS	READINGS	KWH USED	✓	NET SALE	SALES TAX	ARREARS	NET BILL	PENALTY	GROSS BILL	AMOUNT PAID	DATE PAID	BALANCE DUE
BROUGHT F'RD													
DEC		0654	0		—		276 35						
NOV		0654	0		—				26.94	296 35			
OCT		0654	0		—		269 41	269 41					
SEPT		0654	0		—		269 41						
AUGUST		0654	0		—		269 41				2 00	5 - 30 - 42	269 41
JULY		0654	0		—		375 17	375 17		315 17	101 43 233	T.V. 12-30-42 7 - 31 - 42	271 41 312 84
JUNE		0654	0		—		375 17						
MAY		0654	0		—		375 17						
APRIL		0654	0	✓	337 50		37 67	375 17		315 17			
MARCH		0654	0		—		37 67						
FEB		0654	0		—		37 67						
JAN.		0654	0		—		37 67						
TOTAL		0654					37 67						

METER RECORD

NUMBER	AMPS	DATE SET	DATE REMOVED	NUMBER	AMOUNT
[illegible]	20	[illegible]			

DEPOSIT DATA

DATE ISSUED	DEBIT	BALANCE	DATE RETIRED
✓ 1962 H.P. Chg.			
Via Company			

SHUT OFF RECORD

DATE SHUT OFF	DATE TURNED ON

NAME Bell, Willard O. - Irrigation Pump #2 (R) ACCOUNT NUMBER A2 [illegible] 49J

DATE READ	REMARKS	READINGS	KWH USED	✓	NET SALE	SALES TAX	ARREARS	NET BILL	PENALTY	GROSS BILL	AMOUNT PAID	DATE PAID	BALANCE DUE
BROUGHT F'RD							638 00						
[illegible]		[illegible]	0		—		[illegible]				11 21	12 - 2 - 43	638 00
NOV.		0654	0		—		638 00				11 21	[illegible]	
OCT		0654	0	✓	337 50		296 35	633 85					
[illegible]		[illegible]	0				[illegible]						
AUGUST		[illegible]	0		—		[illegible]						
JULY		0654	0		—		296 35						
[illegible]		[illegible]	0		—		[illegible]						
MAY		0654	0		—		296 35						
APRIL		0654	0		—		296 35						
MARCH		[illegible]	0		—		[illegible]						
FEB		0654	0		—		296 35						
JAN.		0654	0		—		296 35						
TOTAL		0654					296 35						

DATE _____ 63.10 REMARKS _____

A 1956

MICROFILMED

JUL 16 2002

$332.50 Yearly Minimum — 75 H.P. — Reading x 10 — 82 99J

NAME Bell, Willard O. - Irrigation Pump #2 — ACCOUNT NUMBER See Reverse — First date: 1967

Arco (B)

DATE READ	REMARKS	READINGS	KWH USED		NET SALE	SALES TAX	ARREARS	NET BILL	PENALTY	GROSS BILL	AMOUNT PAID	DATE PAID	BALANCE DUE
BROUGHT F'RD.							37 67						
DEC.		[illegible]	[illegible]		[illegible]		[illegible]						
NOV.		0654	0		—		63 42				25 75	Dec 11-9-61	37 67
OCT.		0654	0		—		63 42				247 00	10-10-61	63 42
SEPT.		[illegible]	[illegible]		[illegible]		[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
AUGUST		8184	[illegible]		310 80		35 20	346 00	352	349 52	406 45	8-11-61	35 20
JULY		5076	[illegible]	×	408 20		175	438 45	320	441 65	326 15	7-10-61	1 75
JUNE	[illegible]	[illegible]	[illegible]		[illegible]			[illegible]		[illegible]	[illegible]	[illegible]	—
MAY				✓	289 00			289 00		289 00			
APRIL													
MARCH													
FEB.													
JAN.													
TOTAL		106	370		1611 40								

DATE — REMARKS — 422.21

✓ 6/7 of 1961 H.P. Chg.

× 3/7 of Difference in H.P. Chg for 75 H.P. & 100 H.P. pump

The 100 H.P. was used for a part of June & July '61

The 2nd block on this account is computed for a 75 H.P. pump per Kansas instructions 7-25-61

CONSUMERS LEDGER FI 188 TIPP PRESS INC., SHELBYVILLE, IND.

MICROFILMED

JUL 16 2002

Reading x 10

NAME [illegible] Irrig. #2 ACCOUNT NUMBER A2 208J

Arco (B) See Reverse First Date 6-65

DATE READ	REMARKS	READINGS	USED	NET SALE	SALES TAX	ARREARS	NET BILL	PENALTY	GROSS BILL	AMOUNT PAID	DATE PAID	BALANCE DUE
DEC												
NOV.				—						79 77	11 [illegible]	—
OCT.		[illegible]	[illegible]	[illegible]		[illegible]						
SEPT		0335	8918	71 38		18 20						18
AUGUST		4444	32 70	229 84		16 71		167	048 22	16 7 13	15	16 7
JULY		5571	20870	167 12					12			
JUNE		3 [illegible]	19 60	[illegible]					[illegible]			—
MAY 19		1777	0	—		300 00			[illegible]			—
APRIL		1177	0	✓300 00					300 00			
MARCH		1777	0	—								
FEB		1777	0	—								
JAN.		1777	0	—								
TOTAL		[illegible]										

DATE REMARKS ✓1967 H.P. Chg. * Contract signed by [illegible] Bell #3

CONSUMERS LEDGER FI 188 TIPP PRESS INC., SHELBYVILLE, IND

$300.00 Yearly Minimum 12 H.P. Reading x 10

REA FORM FF-188

CONSUMERS LEDGER CARD

NAME Crater Farms, Inc. - Irrig. #2 Sep. Connect pd A2 ACCOUNT NUMBER 208J

ADDRESS Arco c/o Pob Weaver Jr., Sec. FIRST DATE 6-65* FIRST READING —

(B)

READING DATE — DUE DATE — DELINQUENT DATE — DELINQUENT RATE —

DATE READ	REMARKS	READINGS	KWH USED	NET SALE	SALES TAX	ARREARS	NET BILL	PENALTY	GROSS BILL	AMOUNT PAID	DATE PAID	BALANCE DUE
BROUGHT FWD												
DEC.		1777	0	—								
NOV		1777	0	—						[illegible]	11 — 14 - 66	—
OCT		1777	1[illegible]1[illegible]	116 08					116 08	103 28	10 - 11 — 66	—
SEPT		0326	1[illegible]10	103 28					103 28	139 25	9 — 9 — 66	—
AUGUST		[illegible]	[illegible]16	139 25					139 25	119 33	8 - 8 - 66	—
JULY		7294	2[illegible]90	196 00		13 83			192 33	152 13	7 — 7 — 66	13 83
JUNE		5224	9220	138 30					138 30			
MAY 19		[illegible]	0	—		[illegible]			[illegible]	[illegible]	5 - 24 66	—
APRIL		4302	0	✓300 00					300 00			
MARCH		4302	0	—								
FEB		[illegible]	[illegible]	—								
JAN 28		4302										
TOTAL		[illegible]										

METER RECORD

NUMBER	AMPS	DATE SET	VOLTS	AMOUNT	DATE ISSUED	DEBIT	BALANCE	DATE RETIRED	DATE SHUT OFF	DATE TURNED ON
10-261-925	30	1-28-66	480v		✓H.P. Chg.					

*Contract signed by Willard O. Bell #3

MICROFILMED JUL 16 2002

EXHIBIT E

EXHIBIT E

Summaries of Annual Reports District 34

MICROFILMED
APR 15 2002

The natural flow of the river filled the decrees as follows

DATE		DATE OF PRIORITY
5/1		All Decrees
5/4		All of 1884
5/6		5/1/1886
5/9		All of 1886
5/10		1/1/1895
5/13		7/17/1886
5/16		6/1/1885
5/18		Started Storage
5/19		6/1/1885
5/23		10/22/1887
5/26		All of 1887
5/27		6/30/1891
5/28		5/23/1893
5/29		8/1/1896
5/30		9/28/1896
6/1		3/27/1896
6/2		5/21/1894
6/3		2/1/1893
6/4		6/1/1890
6/7		6/1/1889
6/9		8/1/1888
6/13		6/1/1888
6/16		5/1/1889
6/17		6/1/1890
6/20		6/30/1891
6/22		5/31/1889
6/23		8/1/1888
6/24		10/22/1887
6/27		6/30/1887
6/28		5/13/1887
6/29		3/13/1887
7/1		6/30/1886
7/4		6/1/1885
7/5		2/18/1885
7/21		10/12/1884
7/29, 7/30 & 7/31	10%	10/12/1884
8/1,	40%	10/12/1884
8/4 thru 8/7	50%	10/12/1884
8/8 thru 10/15		10/12/1884

1966

MICROFILMED
JUL 16 2002

ANNUAL SUMMARY OF REPORT OF BIG LOST RIVER, NOVEMBER 1, 1966 to OCTOBER 31, 1967.

The fall of 1966 was extremely dry but the snow pack was very heavy. The water forecast on March 1st was 181 % of fifteen (15) year average. In addition, there was a heavy rain during May and June that made 1967 one of the high water years for Big Lost River. There was some flooding along several of the streams and considerable flooding along the valley floor.

The Corps of Army Engineers came in and did some snagging and clearing along the river which helped restore the river channel. Also, they did some rip-rap work along the river in several places.

It was a good year and the farmers grew excellent crops.

All decrees were on during the entire irrigation season.

The following expenses were incurred from November 1, 1966 to October 31, 1967

	Butte	Custer	Total
Watermaster's Salary	$ 2,386.80	$ 2,813.20	$ 5,200.00
Assistant Watermaster salary	1,377.00	1,623.00	3,000.00
Other Expenses	1,586.72	1,874.24	3,460.96
		Total	$ 11.660.96

Cost per 24 hour c.f.s. 0.07745

1967

MICROFILMED
NOV 16 2002

ANNUAL SUMMARY OF REPORT OF WATER DISTRICT NO. 27, NOVEMBER 1, 1967 TO OCTOBER 31, 1968.

The 1968 water season was one of the very best water years that Big Lost River has enjoyed. The March 1st river flow forecast was one hundred sixty-five thousand (165,000) acre feet near Mackay, or one hundred eight percent (108%) of the fifteen (15) year average.

The total accumulated 24 hour second feet at Howell's Ganging Station was 111,997, indicating the forecast was a little less than the total runoff.

There was no damage from flooding, and the farmers had a good crop year.

The following decrees were filled:

May 1 - 12	All Decrees
" 13	6/1/1884
" 14	3/13/1887
" 15 - 20	7/1/1887
" 21 - 23	8/1/1887
" 24 - 29	4/10/1889
" 30	5/23/1893
" 31	6/1/1896
June 1 - 2	9/28/1896
" 3	7/1/1901
" 4 - 24	6/1/1920
" 25 - 28	9/1/1901
" 29 - 30	10/31/1898
July 1 - 2	10/31/1898
" 3 - 8	6/1/1888
" 9	5/23/1893
" 10	3/27/1896
" 11 - 17	6/30/1888
" 18 - 21	9/1/1887
" 22 - 25	3/13/1887
" 26	6/1/1886
" 27 - 31	5/1/1886

all on 1888-90 - off 1888-1890

1968

1968 May 23 to July 18 1988 Decree on From

1988 Decree on From May 23 to

1899 Decree on From June 2 To June 9.80 CFS

MICROFILMED
JUL 15 2002

Aug. 1 - 4	10/2/1885
" 5 - 6	6/1/1885
" 7 - 12	10/2/1885
" 13	6/1/1886
" 14	9/1/1886
" 15 - 31	9/14/1886
Sept. 1 - 14	9/14/1886
" 15 - 30	All Decrees
Oct. 1 - 15	All Decrees

The following expenses were incurred from November 1, 1967 to October 31, 1968.

	Butte	Custer	Total
Watermaster's Salary	$ 2,704.91	$ 2,995.09	$ 5,700.00
Assistant Watermaster Salary	1,566.00	1,734.00	3,300.00
Other Expenses	2,703.56	2,995.56	5,699.12
Total	$ 6,974.47	$ 7,724.65	$ 14,699.12

Cost per 24 hour c.f.s. 0.10977

MICROFILMED
JUL 1 8 2002
MICROFILM

SUMMARY OF ANNUAL REPORT FOR 1969

Following a rather low precipitation year in 1968, the early precipitation of the 1969 season was one of the very highest of record. The April 1st forecast was 190% of the fifteen year average at Mackay. It appeared to have flood possibilities but the snow melt was slow and steady. There was very little precipitation during the spring and summer so no flooding was done during the season.

All decrees were on during the irrigation season. It was a good growing season in spite of the late frost in the spring and an early frost in the fall. The farmers were able to grow a good crop even though the season was short.

The expenses for delivering the water were:

	Butte	Custer	Total
Watermaster	2,550.00	3,150.00	5,700.00
Deputies	1,475.60	1,823.91	3,299.51
Other Expenses	1,638.19	2,024.66	3,662.85
	$ 5,663.79	$ 6,998.57	$ 12,662.36

JUL 16 2002

SUMMARY OF ANNUAL REPORT FOR 1970

The 1970 season began with a rather short water outlook. The April 1st forecast was only 97% of normal. But in June and July there was 4.12 inches of rain making 1970 a very good year for water and crops.

The runoff came in such a manner that there was very little damage to the irrigation systems and very little damage to any irrigated lands.

The cost of operations were as follows:

Cost per 24 hour c.f.s. - $.08955

	Watermaster	Deputies	Other	Total
Custer County	$ 3,079.71	$ 1,306.05	$ 2,558.84	$6,944.60
Butte County	$ 2,620.29	$ 1,109.20	$ 2,177.13	$5,906.62
	$ 5,700.00	$ 2,415.25	$ 4,735.97	$ 12,851.22

The decrees were filled in this order:

Date	Date of Priority
May 1	All Decrees On
May 26	5/3/1915
June 10	All Decrees On
July 19	5/3/1915
July 24	9/1/1899
July 27	6/1/1888
Aug. 1	5/1/1887
Aug. 13	6/1/1886
Aug. 28	5/12/1885
Sept. 4	5/31/1885
Oct. 15	5/31/1885

1970

Decrees on all Decrees on From May 1 to July 27

MICROFILMED
NOV 16 2002

EXHIBIT F

EXHIBIT F

Receipt # E005926 from IDWR

MICROFILMED
JUL 16 2002

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO)
County of Butte) ss.

I hereby certify that the foregoing is a full, true and correct copy of the original as the same appears of record in my office.

Witness my hand and official seal this 9 day April 2002.

CLERK OF THE DISTRICT COURT
EX-OFFICIO AUDITOR AND RECORDER
By Gayle Nowak

Receipt No: 600592o

Date: 02/28/89
Time: 15:28:58

Received
From: BELL, WILLARD D.

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	$338.00
PROOF OF BENEFICIAL USE 34-2486 (LATE)	0630122 1238 6490	$175.00
Total		$513.00

CHECK 2893

WR/NO: A34-00258 A34-00855 A34-00862

Idaho Department of Water Resources

Region: EASTERN Signature: Keith C Wilson

MICROFILMED

JUL 16 2002

EXHIBIT G

EXHIBIT G

Affidavits from Neighbors

MICROFILMED
JUL 16 2002

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW1/4 of the NW1/4 of Section 12 Twp 3N, Range 26 EBM, County of Butte, have been in existence for many years. They are in beneficial us at this time on the above mentioned property.

I personally witnessed the use of these wells during the time period between the years 1966 and 1971.

Eric Aikele

Residing at: 3533 W. 2500 N
Moore, Id 83255

STATE OF IDAHO}
}
County of Butte }

On this 19th day of March, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared ERIC AIKELE known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho
My Commission Expires 6-20-2003

MICROFILMED
JUL 16 2002

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW1/4 of the NW1/4 of Section 12 Twp 3N, Range 26 EBM, County of Butte, have been in existence for many years. They are in beneficial us at this time on the above mentioned property.

I personally witnessed the use of these wells during the time period between the years 1966 and 1971.

Leon Forkan

Residing at: Box 823
Arco, Idaho 83213

STATE OF IDAHO}
}
County of Butte }

On this 19 day of March, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Leon Forkan known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho
My Commission Expires 6-20-2003

MICROFILMED
JUL 16 2002

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW1/4 of the NW1/4 of Section 12 Twp 3N, Range 26 EBM, County of Butte, have been in existence for many years. They are in beneficial us at this time on the above mentioned property.

I personally witnessed the use of these wells during the time period between the years 1966 and 1971.

Darrell E McDonald
Residing at: 230 W.
U.S. Hwy 93

STATE OF IDAHO}
}
County of Butte }

On this 19TH day of March, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Darrell E McDonald known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho
My Commission Expires 6-20-2003

MICROFILMED
JUL 16 2002

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW1/4 of the NW1/4 of Section 12 Twp 3N, Range 26 EBM, County of Butte, have been in existence for many years. They are in beneficial us at this time on the above mentioned property.

I personally witnessed the use of these wells during the time period between the years 1966 and 1971.

Troy Buxton
Residing at: 2700 N. 3369 W
Moore Id 83225

STATE OF IDAHO}
}
County of Butte }

On this 9th day of April, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Troy Buxton known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho
Residing at Arco, Idaho
My Commission Expires 6-20-03

MICROFILMED

JUL 16 2002

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW1/4 of the NW1/4 of Section 12 Twp 3N, Range 26 EBM, County of Butte, have been in existence for many years. They are in beneficial us at this time on the above mentioned property.

I personally witnessed the use of these wells during the time period between the years 1966 and 1971.

Douglas Schuerman
Residing at: 3059W 2230N
Arco, Ida 83213

STATE OF IDAHO}
}
County of Butte }

On this 9TH day of April, ~~1966~~ 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Douglas Schuerman known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

NOTARY PUBLIC STATE OF IDA

Notary Public for Idaho
Residing at Arco, Idaho
My Commission Expires 6-20-03

MICROFILMED
JUL 16 2002

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW1/4 of the NW1/4 of Section 12 Twp 3N, Range 26 EBM, County of Butte, have been in existence for many years. They are in beneficial use at this time on the above mentioned property.

I personally witnessed the use of these wells during the time period between the years 1966 and 1971.

C Brooks Burton
Residing at: 3102 W US 93
ARCO ID 83213

STATE OF IDAHO}
}
County of Butte }

On this 9TH day of APRIL, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared C BROOKS BURTON known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho
My Commission Expires 6-20-03

MICROFILMED
JUL 16 2002

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW1/4 of the NW1/4 of Section 12 Twp 3N, Range 26 EBM, County of Butte, have been in existence for many years. They are in beneficial use at this time on the above mentioned property.

I personally witnessed the use of these wells during the time period between the years 1966 and 1971.

Ralph A. Parkinson
Residing at: RT I Box 228
Arco, Idaho 83213

STATE OF IDAHO}
}
County of Butte }

On this 9TH day of April, ~~1909~~ 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared RALPH S PARKINSON known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

LARRY P. BAILEY NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho
Residing at Arco, Idaho
My Commission Expires 6-20-03

MICROFILMED

JUL 16 2002

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW1/4 of the NW1/4 of Section 12 Twp 3N, Range 26 EBM, County of Butte, have been in existence for many years. They are in beneficial use at this time on the above mentioned property.

I personally witnessed the use of these wells during the time period between the years 1966 and 1971.

Mary Burton
Residing at: 3102 W US 93
Arco, ID. 83213

STATE OF IDAHO}
}
County of Butte }

On this 9TH day of April, ~~1999~~ 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Mary Burton known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

CAROL Y. HARRIS NOTARY PUBLIC STATE OF IDAHO

Notary Public for Idaho
Residing at Arco, Idaho
My Commission Expires 6-20-03

MICROFILMED
JUL 16 2002

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW1/4 of the NW1/4 of Section 12 Twp 3N, Range 26 EBM, County of Butte, have been in existence for many years. They are in beneficial us at this time on the above mentioned property.

I personally witnessed the use of these wells during the time period between the years 1966 and 1971.

Theda E. Parkinson

Residing at: Rt. 1 Box 228
Arco, Idaho 83213

STATE OF IDAHO}
}
County of Butte }

On this 9TH day of APRIL, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared THEDA E PARKINSON known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho
My Commission Expires 6-20-03

MICROFILMED

JUL 16 2002

TO WHOM IT MAY CONCERN:

I have personal knowledge that the wells located on the NW1/4 of the NW1/4 of Section 12, Twp 12, Range 26 EBM, County of Butte during 1962 through 1967 were of beneficial use, because I helped farm the property pertaining to these well during that period.

Darrell E. McDonald

Darrell E. McDonald
Residing at 2310 W US Hwy 93, Butte County, Idaho

STATE OF IDAHO)
)
County of Butte)

On this 19th day of March, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Darrell E. McDonald known to me to be the person whose name is subscribed above, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho
My commission expires 6-20-2003

MICROFILMED
JUN 16 2002

EXHIBIT H

EXHIBIT H

Geological Survey Graphs

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JUL 16 2002

Water Resources skip navigation

Data Category: Surface Water | Geographic Area: Idaho

Daily Streamflow for Idaho

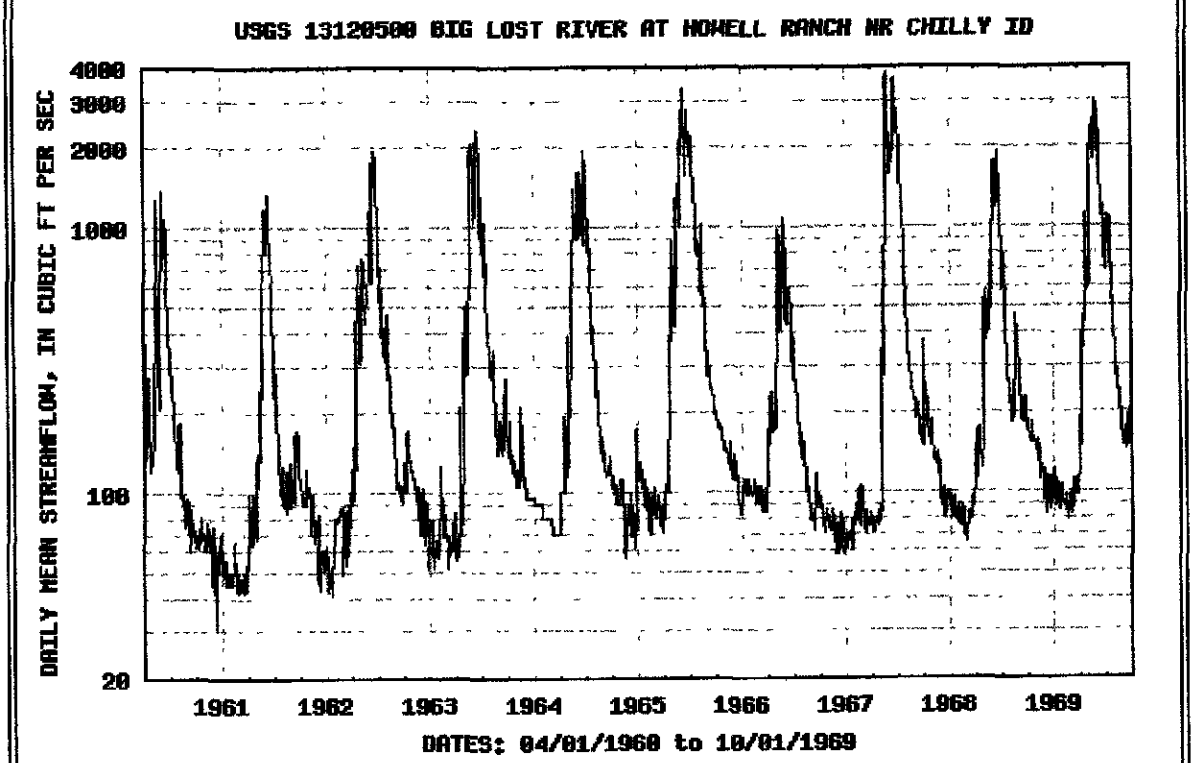
USGS 13120500 BIG LOST RIVER AT HOWELL RANCH NR CHILLY ID

Available data for this site: Surface-water: Daily streamflow

Custer County, Idaho
Hydrologic Unit Code 17040218
Latitude 43°59'54", Longitude 114°01'12" NAD27
Drainage area 450.00 square miles
Contributing drainage area 450 square miles
Gage datum 6,621.95 feet above sea level NGVD29

Output formats

Tab-separated data file
Graph
Reselect output format



Download a presentation-quality graph

Questions about data gs-w-id_NWISWeb_Data_Inquiries@usgs.gov
Feedback on this website gs-w-id_NWISWeb_Maintainer@usgs.gov

Return to top of page

Surface Water for Idaho: Daily Streamflow
http://water.usgs.gov/id/nwis/discharge?

Retrieved on 2002-04-12 01:50:09 EDT
Department of the Interior, U.S. Geological Survey
USGS Water Resources of Idaho

MICROFILMED
JUL 16 2002

Water Resources skip navigation

Data Category: Surface Water Geographic Area: Idaho

Daily Streamflow for Idaho

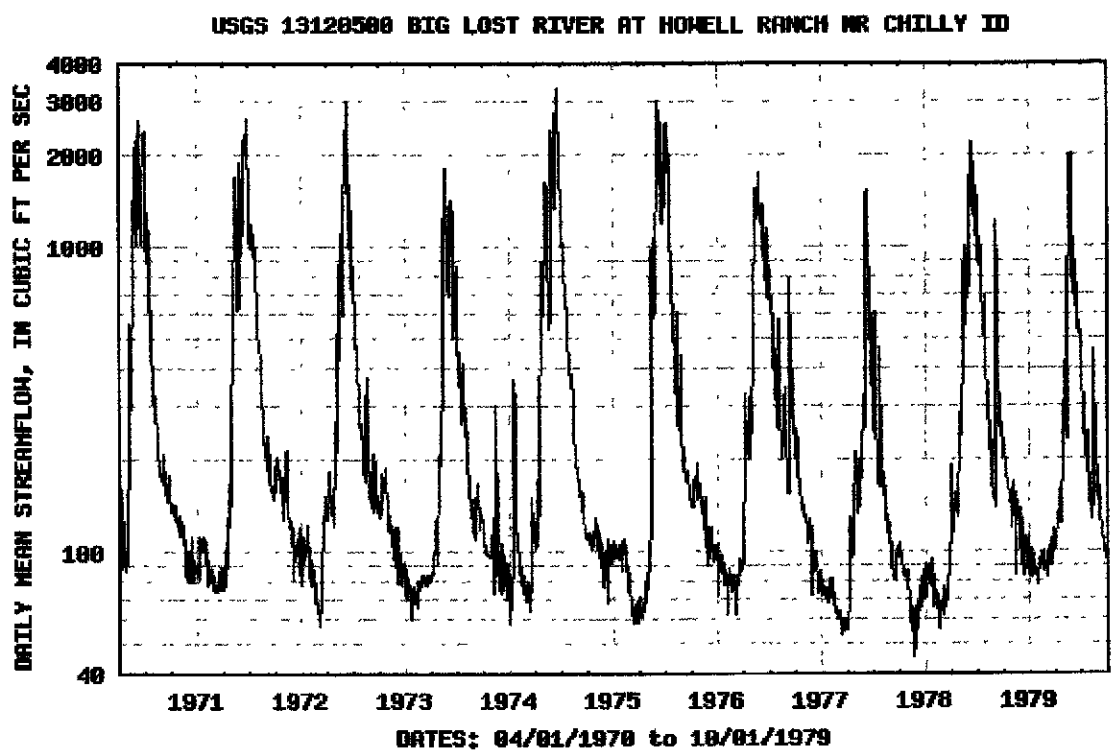
USGS 13120500 BIG LOST RIVER AT HOWELL RANCH NR CHILLY ID

Available data for this site: Surface-water: Daily streamflow

Custer County, Idaho
Hydrologic Unit Code 17040218
Latitude 43°59'54", Longitude 114°01'12" NAD27
Drainage area 450.00 square miles
Contributing drainage area 450 square miles
Gage datum 6,621.95 feet above sea level NGVD29

Output formats

Tab-separated data file
Graph
Reselect output format



Download a presentation-quality graph

Questions about data gs-w-id_NWISWeb_Data_Inquiries@usgs.gov
Feedback on this website gs-w-id_NWISWeb_Maintainer@usgs.gov

Return to top of page

Surface Water for Idaho: Daily Streamflow
http://water.usgs.gov/id/nwis/discharge?

Retrieved on 2002-04-12 01:34:41 EDT
Department of the Interior, U.S. Geological Survey
USGS Water Resources of Idaho

MICROFILMED
APR 16 2002

USGS

Water Resources skip navigation

Data Category: Surface Water Geographic Area: Idaho

Daily Streamflow for Idaho

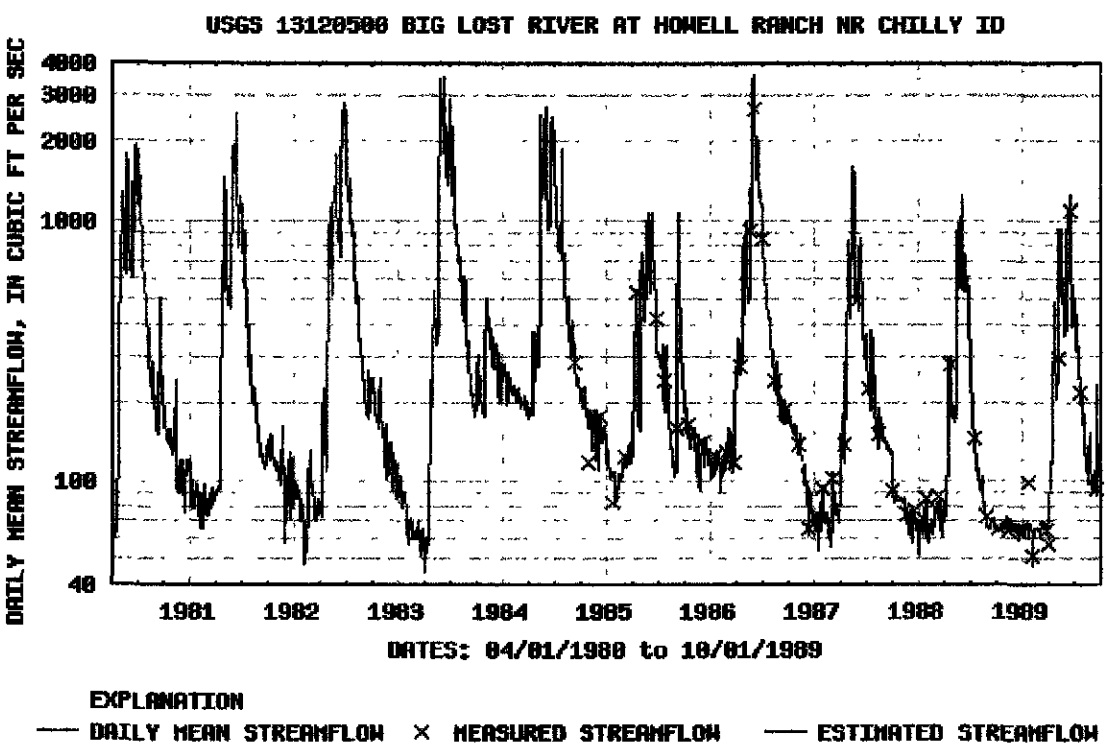
USGS 13120500 BIG LOST RIVER AT HOWELL RANCH NR CHILLY ID

Available data for this site: Surface-water: Daily streamflow

Custer County, Idaho
Hydrologic Unit Code 17040218
Latitude 43°59'54", Longitude 114°01'12" NAD27
Drainage area 450.00 square miles
Contributing drainage area 450 square miles
Gage datum 6,621.95 feet above sea level NGVD29

Output formats

Tab-separated data file
Graph
Reselect output format



Download a presentation-quality graph

Questions about data gs-w-id_NWISWeb_Data_Inquiries@usgs.gov
Feedback on this website gs-w-id_NWISWeb_Maintainer@usgs.gov

Return to top of page

Surface Water for Idaho: Daily Streamflow
http://water.usgs.gov/id/nwis/discharge?

Retrieved on 2002-04-12 01:37:13 EDT
Department of the Interior, U.S. Geological Survey
USGS Water Resources of Idaho

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Water Resources skip navigation

Data Category: Surface Water | Geographic Area: Idaho

Daily Streamflow for Idaho

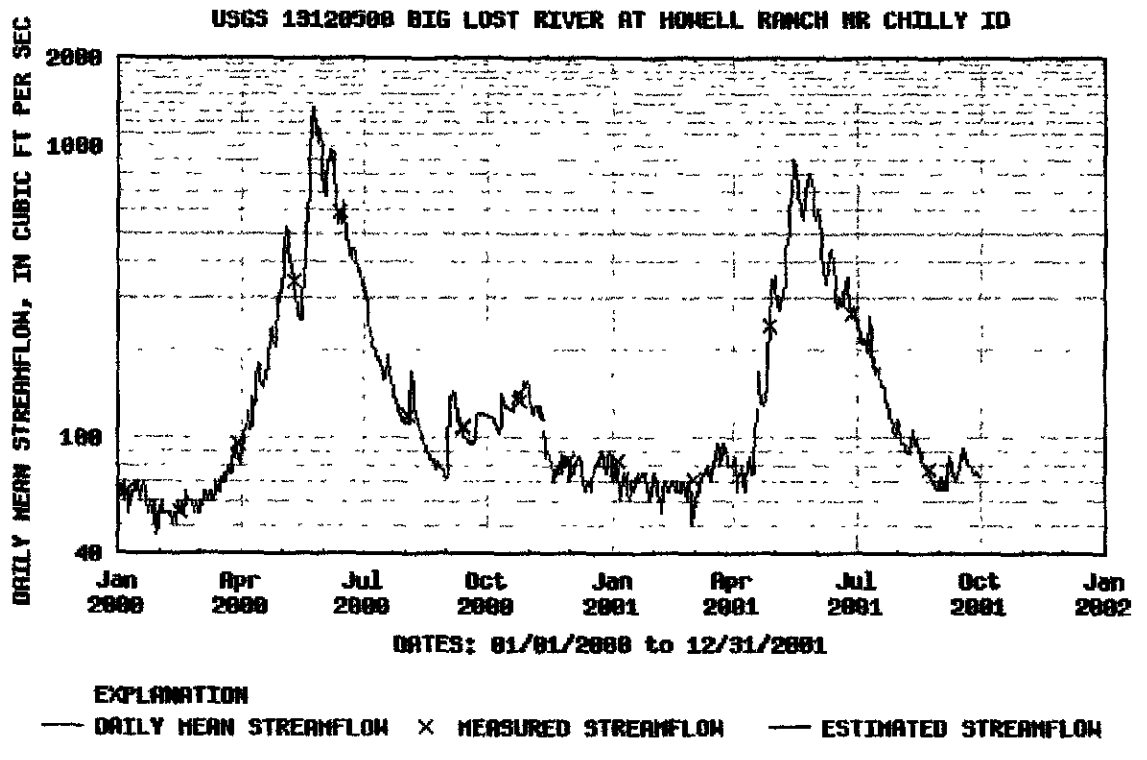
USGS 13120500 BIG LOST RIVER AT HOWELL RANCH NR CHILLY ID

Available data for this site: Surface-water: Daily streamflow

Custer County, Idaho
Hydrologic Unit Code 17040218
Latitude 43°59'54", Longitude 114°01'12" NAD27
Drainage area 450.00 square miles
Contributing drainage area 450 square miles
Gage datum 6,621.95 feet above sea level NGVD29

Output formats

Tab-separated data file
Graph
Reselect output format



Download a presentation-quality graph

Questions about data gs-w-id_NWISWeb_Data_Inquiries@usgs.gov
Feedback on this website gs-w-id_NWISWeb_Maintainer@usgs.gov

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Surface Water for Idaho: Daily Streamflow
http://water.usgs.gov/id/nwis/discharge?

Retrieved on 2002-04-12 01:46:54 EDT

Department of the Interior, U.S. Geological Survey
USGS Water Resources of Idaho

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EXHIBIT I

EXHIBIT I

Amended Moratorium Order

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JUL 16 2002

BEFORE THE DEPARMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMITS FOR THE DIVERSION AND USE OF SURFACE AND GROUND WATER WITHIN THE EASTERN SNAKE RIVER PLAIN AREA AND THE BOISE RIVER DRAINAGE AREA	AMENDED MORATORIUM ORDER

The Director of the Department of Water Resources, having responsibility for the administration of the appropriation of the water of the state of Idaho, the protection of rights to the use of water within the state, the protection of the public interest in the waters of the state, and the conservation of the water resources of the state, enters the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On May 15, 1992, the Director of the department issued a moratorium order against the approval of certain new applications in the Snake River Basin upstream from the USGS gaging station at Weiser, Idaho. On January 6, 1993, the Director amended the moratorium order to eliminate the non-trust water area from the scope of the May 15, 1992 moratorium order. Conditions have since changed making further amendment of the May 15, 1992 order appropriate.

2. The Snake River Basin in Idaho has experienced six consecutive years of drought, and while the snowpack and precipitation are now near or above average across much of southern Idaho, residual effects of the drought are still evident in ground water levels, spring flows and anticipated stream flows.

3. Ground water aquifers have become stressed by the reduction in natural recharge due to changes in diversion and use of surface waters throughout the basin and by the increased volume of pumping occurring to augment scarce surface water supplies during the drought period. The lowered water levels in the

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aquifers across much of the Snake River Basin in southern Idaho have resulted in numerous wells, often those used for domestic and municipal water supply purposes becoming unusable. Lowered ground water levels also reduce spring and base flow discharge needed to maintain stream and river flows.

4. The need to supplement or replace inadequate surface supplies has prompted many waterusers to pursue ground water as an alternative source of supply.

5. Many wells throughout the Snake River Basin, including domestic wells in the Boise River Area, have either been replaced or drilled deeper during the duration of the drought.

6. The 1993 Idaho legislature authorized a three year study to determine the relationship between the Snake Plain Aquifer and the flow of the Snake River.

7. Even though the water supplies in the state are approaching normal for the 1993 irrigation season, ground water levels which have been declining will not fully recover in 1993.

8. The term "non-trust water area" means that area depicted as such on Exhibit "A" attached hereto and by this reference incorporated herein.

9. The term "Eastern Snake River Plain Area" means the trust water area of the Snake Plain Aquifer upstream from the USGS gaging station on the Snake River at King Hill. To further define the western boundary of this area, department designated hydrologic basin nos. 37 and 47, among other basins, are included in the area and hydrologic basin nos. 51 and 61, among other basins, are not included in the area.

10. The term "Boise River Drainage Area" means hydrologic basin no. 63 as designated in department records.

11. This Amended Moratorium Order does not pertain to the non-trust water area.

12. The Snake River Basin Moratorium Order issued by the department on May 15, 1992 and amended on January 6, 1993, includes and overlaps both the Big Lost River drainage for which the department has previously issued a moratorium order on August 7,

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1990 and the Mud Lake and Vicinity Area for which the department issued a moratorium order on December 1, 1989.

CONCLUSIONS OF LAW

1. The Director of the Department of Water Resources is responsible for administration of the appropriation and use of the water of the state of Idaho. Section 42-202, Idaho Code, reads in pertinent part:

> For the purpose of regulating the use of the public waters and of establishing by direct means the priority right to such use, any person, association or corporation hereafter intending to acquire the right to the beneficial use of the waters of any natural streams, springs or seepage waters, lakes or ground water, or other public waters in the state of Idaho, shall, before commencing of the construction, enlargement or extension of the ditch, canal, well, or other distributing works, or performing any work in connection with said construction or proposed appropriation or the diversion of any waters into a natural channel, make an application to the department of water resources for a permit to make such appropriation.

2. The Director of the Department of Water Resources is responsible for supervision of water distribution in the state of Idaho. Section 42-602, Idaho Code, reads, in pertinent part,

> It shall be the duty of the department of water resources to have immediate direction and control of the distribution of water from all of the streams to the canals and ditches diverting therefrom. The department must execute the laws relative to the distribution of water in accordance with rights of prior appropriation.

3. The Director of the Department of Water Resources is authorized under the provisions of Section 42-1805(7), Idaho Code, as follows:

> After notice, to suspend the issuance or further action on permits or applications as necessary to protect existing vested water rights or to ensure compliance with the provisions of chapter 2, title 42, Idaho Code, or to prevent violation of the minimum flow provisions of the state water plan.

4. Rule 7,1. of the Department of Water Resources Rules and Regulations for Water Appropriation provides that a moratorium on processing of applications for permit shall be entered by issuance of an order of the Director of the Department of Water Resources.

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Notice of the order shall be by certified mail to affected applicants and permit holders and by publishing a legal notice in newspapers of general circulation in the area.

5. A moratorium on issuance of permits to divert and use surface and ground water from the Eastern Snake River Plain Area and tributary drainages and the Boise River Drainage Area should be established to protect existing water rights.

6. The department should rescind the moratorium order issued on August 7, 1990 for the Big Lost River drainage and the moratorium order issued on December 1, 1989 for the Mud Lake and Vicinity Area to remove the duplicate effect associated with this Amended Moratorium Order.

7. This amended moratorium order is not intended to affect the provisions of the moratorium order issued by the department on January 6, 1993 in the non-trust water area.

ORDER

IT IS, THEREFORE HEREBY ORDERED that prior order of the department dated May 15, 1992 and amended January 6, 1993 in connection with the Snake River Basin upstream from the USGS gaging station at Weiser, Idaho is superceded by this Amended Moratorium Order.

IT IS, FURTHER HEREBY ORDERED that a moratorium is established on the processing and approval of presently pending and new applications for permits to appropriate water from all surface and ground water sources within the Eastern Snake River Plain Area and all tributaries thereto and within the Boise River Drainage Area. The following provisions apply to the administration of the moratorium:

1. The moratorium shall be in effect on and after its entry and shall remain in effect until withdrawn or modified by order of the Director.

2. The moratorium includes applications filed on all public water sources within the Eastern Snake River Plain Area and all tributaries thereto and within the Boise River Drainage Area.

3. The moratorium applies to all applications proposing a

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consumptive use of water filed after the date of the order and to all applications filed prior to the entry of the order for which approval has not been given, except as herein provided.

4. The moratorium does not affect the authorization to continue development of any existing approved application (permit).

5. The moratorium does not apply to any application for domestic purposes as such term is defined in Section 42-111, Idaho Code. For the purposes of this exception, applications for ground water permits seeking water for multiple ownership subdivisions or mobile home parks will be considered provided each unit satisfies the definition for the exception of requirement to file an application for permit as described in said section.

6. The moratorium does not apply to any application proposing a non-consumptive use of water as the term is used in Section 42-605A, Idaho Code.

7. The moratorium does not apply to applications for drilling permits to replace or deepen existing wells having valid existing water rights nor to applications for transfer of existing water rights.

8. This moratorium does not change or affect the administration of any area that has been previously designated as a critical ground water area, pursuant to Section 42-233a, Idaho Code, or a ground water management area pursuant to Section 42-233b, Idaho Code.

9. The moratorium does not prevent the Director from reviewing for approval on a case-by-case basis an application which otherwise would not be approved under terms of this moratorium if,

a) Protection and furtherance of the public interest as determined by the Director, requires consideration and approval of the application irrespective of the general drought related moratorium; or

b) The Director determines that the development and use of the water pursuant to an application will have no effect on prior surface and ground water rights because of its location, insignificant consumption of water or mitigation provided by the applicant to offset injury to other rights.

10. This moratorium does not change or supercede any of the

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provisions of the moratorium order issued by the department on January 6, 1993 in the non-trust water area of the Snake River Basin and shall not be interpreted as declaring an end to the drought emergency as referenced in provision 8(b) of the moratorium order for the non-trust water area.

11. This moratorium supercedes and rescinds the Moratorium Order issued on December 1, 1989 for the Mud Lake and Vicinity Area. Pending applications for permit or applications for transfer will be treated under the terms of this amended moratorium order.

12. This moratorium supercedes and rescinds the Final Order of the department issued on August 7, 1990 which established a moratorium on the issuance of new permits within the Big Lost River drainage. Pending applications for permit or applications for transfer will be treated under terms of this amended moratorium order and may be considered for approval by the department in connection with proposed mitigation or compensation for prior water rights.

Dated this 30TH day of April, 1993.

R. KEITH HIGGINSON
Director

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JUN 16 2002

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF LAPSED PERMIT)
NO. 33109/34-02486 IN THE NAME OF)
WILLARD O. BELL)
_____)

AMENDED PRELIMINARY ORDER REINSTATING PERMIT

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On August 25, 1966, the Department issued Permit No. 33109/34-02486 ("permit") to Willard O. Bell ("permit holder") authorizing the diversion of 4.0 cubic feet per second ("cfs") of ground water to be used for the irrigation of 200 acres in parts of Section 12, T3N, R26E, B.M. Butte County, Idaho. A condition of permit approval required the permit holder to submit proof of beneficial use of water ("proof") to the Department on or before August 25, 1971.

2. On June 1, 1971, the Department notified the permit holder by certified mail that proof was due on or before August 25, 1971. The permit holder did not respond to the proof due notice.

3. On September 7, 1971, the Department sent a Lapse Notice to the permit holder, since the permit holder had not submitted either the proof or a request for extension of time in which to submit the proof. The permit holder did not respond resulting in the permit becoming of no further force nor effect.

4. On June 7, 2002, the permit holder submitted to the Department adequate supporting information for the filing of proof.

CONCLUSIONS OF LAW

1. Section 42-218a.2, Idaho Code, provides as follows:

> That upon receipt of proof of beneficial use after sixty (60) days after such notice of lapsing, the director shall require sufficient evidence to be submitted by the permit holder to clearly establish the extent of beneficial use made during the time authorized by the permit and any extensions of time previously approved. Upon finding that beneficial use had

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occurred during the authorized period and upon a showing of reasonable cause for filing a late proof of beneficial use, the director may reinstate the permit with the priority date advanced to the day that proof of beneficial use was received;

2. On June 7, 2002, the permit holder provided sufficient information to support the proof affidavit and reasonable cause for the Department to reinstate the permit.

3. The Department should reinstate the permit with the priority advanced to the date that an acceptable proof together with supporting information was submitted to the Department.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Permit No. 34-02486 in the name of Willard O. Bell is **REINSTATED** with the priority advanced to June 7, 2002.

IT IS FURTHER HEREBY ORDERED as follows:

1. Reinstatement of the permit does not establish the annual volume of water that the permit holder is entitled to pump.

2. Reinstatement of the permit does not authorize additional development of water use under the permit.

3. The Department retains jurisdiction of the permit to provide notice of proposed licensing to potentially affected water users within the drainage.

Dated this 17th day of June, 2002.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of June, 2002, the above and foregoing document was served upon the following by placing a copy of the same in the United States Mail, postage prepaid and properly addressed to the following:

Willard O. Bell
756 15th Avenue East
Jerome, ID 83338

Doug Rosenkrance
Watermaster – Water District 34
P.O. Box 53
Mackay, ID 83251

Harold Jones
IDWR - Eastern Regional Office
900 N Skyline Dr., Ste A
Idaho Falls, ID 83402-1718

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

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JUL 16 2002

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF LAPSED PERMIT)
NO. 33109/34-02486 IN THE NAME OF) **PRELIMINARY ORDER**
WILLARD O. BELL) **REINSTATING PERMIT**
_____)

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On August 25, 1966, the Department issued Permit No. 33109/34-02486 ("permit") to Willard O. Bell ("permit holder") authorizing the diversion of 4.0 cubic feet per second ("cfs") of ground water to be used for the irrigation of 200 acres in parts of Section 12, T3N, R26E, B.M. Butte County, Idaho. A condition of permit approval required the permit holder to submit proof of beneficial use of water ("proof") to the Department on or before August 25, 1971.

2. On June 1, 1971, the Department notified the permit holder by certified mail that proof was due on or before August 25, 1971. The permit holder did not respond to the proof due notice.

3. On September 7, 1971, the Department sent a Lapse Notice to the permit holder, since the permit holder had not submitted either the proof or a request for extension of time in which to submit the proof. The permit holder did not respond resulting in the permit becoming of no further force nor effect.

4. On June 7, 2002, the permit holder submitted to the Department adequate supporting information for the filing of proof.

CONCLUSIONS OF LAW

1. Section 42-218a.2, Idaho Code, provides as follows:

> That upon receipt of proof of beneficial use after sixty (60) days after such notice of lapsing, the director shall require sufficient evidence to be submitted by the permit holder to clearly establish the extent of beneficial use made during the time authorized by the permit and any extensions of time previously approved. Upon finding that beneficial use had

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JUL 16 2002

occurred during the authorized period and upon a showing of reasonable cause for filing a late proof of beneficial use, the director may reinstate the permit with the priority date advanced to the day that proof of beneficial use was received;

2. On June 7, 2002, the permit holder provided sufficient information to support the proof affidavit and reasonable cause for the Department to reinstate the permit.

3. The Department should reinstate the permit with the priority advanced to the date that an acceptable proof together with supporting information was submitted to the Department.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Permit No. 34-02486 in the name of Willard O. Bell is **REINSTATED** with the priority advanced to June 7, 2002.

IT IS FURTHER HEREBY ORDERED as follows:

1. The rate of diversion for the reinstated permit shall not exceed 1.6 cfs.

2. Reinstatement of the permit does not establish the annual volume of water that the permit holder is entitled to pump.

3. Reinstatement of the permit does not authorize additional development of water use under the permit.

4. The Department retains jurisdiction of the permit to provide notice of proposed licensing to potentially affected water users within the drainage.

Dated this 10th day of June, 2002.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

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JUL 16 2002

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of June, 2002, the above and foregoing document was served upon the following by placing a copy of the same in the United States Mail, postage prepaid and properly addressed to the following:

Willard O. Bell
756 15th Avenue East
Jerome, ID 83338

Doug Rosenkrance
Watermaster – Water District 34
P.O. Box 53
Mackay, ID 83251

Harold Jones
IDWR - Eastern Regional Office
900 N Skyline Dr., Ste A
Idaho Falls, ID 83402-1718

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

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NOTICE

This file has been REPRODUCED from MICROFICHE because :

File is being Reinstated

Darla Block
Person Recreating File

June 18, 2002
Date

Form 03/86

RECEIVED
FEB 2 , 1989
Department of Water Resources
Eastern District Office

RECEIVED
MAR 02 1989
Hamilton KSY

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received 175.00
Date 2-28-1989
Receipt # 6005926
Receipt by KCW
Reviewed by
Sent to region

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 34-02486

Name(s) of Permit Holder: Willard O. Bell

Post Office Address: P.O. Box 91 Arco Idaho 83213

Telephone No. 527-8903

Source of Water: Groundwater

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

Irrigation 200 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 4.0 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: June 1967

Measuring Device: Required? __ Yes ✓ No
Installed? __ Yes ✓ No
Fee enclosed $_____
(See License Examination Fee Schedule)

Flow Measurement Port: Required? __ Yes ✓ No
Installed? __ Yes ✓ No

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

Willard O. Bell 527-8903
(Name) (Telephone Number)

Same
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

28 Feb 1989 Willard O Bell
Date Signature of Permit Holder (and title, if appropriate)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41309
Permit No. G- 33109
District No.

LAPSED

1. **Name of Applicant:** Willard O. Bell

   Postoffice address: Box 91 Arco **County:** Butte **State:** Idaho

2. **Quantity of water claimed:**

   (a) Rate of withdrawal in cubic feet per second 4 or Idaho Miners' inches 200 or gallons per minute

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NW ¼ of the NW ¼ of Section 12 Twp. 3 N. , Rge. 26 E , B.M., County of Butte

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp. Rge. , B.M.

   (b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp Rge , B M

7. Kind of works. Drilled well and [illegible]

8. Estimated cost of works. $ 2,000.00

9. (a) Is reservoir to be used?

   (b) Capacity of reservoir.

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years

11. If applicant is a corporation, give:

    I (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) Bonds to be issued:

    (d) Other resources.

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

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

    (a) 4 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights

    (b) None (cubic feet per second, inches or gallons per minute) is for new lands.

34-2486

Remarks:

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

/s/ Willard O. Bell *Applicant.*

By *Agent.*

Date of first receipt at Department of Reclamation. August 17, 1966 9:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 33109

Recorded in Book 116 Page 33109 Approved August 25, 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 and to continue deligently 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* February 25, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before August 25, 1971

Witness my hand this 25th day of August, 1966

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and LOUIS E. CLAIR, 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 25th day of August, 19 66

Countersigned

(SEAL)

By /s/ LOUIS E. CLAIR
Secretary of State

STATE OF IDAHO

By /s/ ROBERT E. SMYLIE
Governor

12

Twp	Range	Sec	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3 N	20 E	12					x	x	x	x		x							200

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41309
Permit No. G- 33109
District No.

1. Name of Applicant: Willard O. Bell

   Postoffice address: Box 91 Arco County: Butte State: Idaho

2. Quantity of water claimed:

   (a) Rate of withdrawal in cubic feet per second 4 or Idaho Miners' inches 200 or gallons per minute

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NW ¼ of the NW ¼ of Section 12 Twp. 3 N. , Rge. 26 E , B.M., County of Butte

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp. Rge. , B.M.

   (b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp , Rge. , B.M.

7. Kind of works: Drilled well and pump

8. Estimated cost of works. $ 1,000.00

9. (a) Is reservoir to be used?

   (b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years

11. If applicant is a corporation, give:

   I (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) Bonds to be issued:

   (d) Other resources:

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

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

   (a) 4 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.

   (b) None (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks

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.

/s/ Willard C. Bell *Applicant*

By *Agent*

Date of first receipt at Department of Reclamation. August 17, 1966 9:00 A.M.

Returned to applicant for correction.

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 33109

Recorded in Book 116 Page 33109 Approved August 25, 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 and to continue deligently 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 February 25, 1969

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith to be made and proofs offered on or before August 25, 1971

Witness my hand this 25th day of August, 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 25th day of August, 19 66.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ LOUIS E. CLAPP
Secretary of State

By /s/ ROBERT E. SMYLIE
Governor

12

Twp	Range	Sec	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	Totals
[illegible]	[illegible] E	17					x	x	x	x		x							200

Form No. 3
5 M-1-65

Address all communications to:

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41309
Permit No. G 33109
Water District No.

RECEIVED
AUG 17 1966
9:00 A.M.
Department of Reclamation

1. Name of applicant: Willard O. Bell
Post office address Box 91 Arco County Butte State Idaho
2. Quantity of water claimed 200 miners inches or 4 cfs
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW ¼ of the NW ¼ of Section 12,
Twp. 3 N., Rge. 26 E., B.M., County of Butte
5. Water is to be used for: Irrigation
6. If for domestic, municipal, industrial or recreational purposes give:
(a) Point of use of water is in the ¼ of the ¼ of Section,
Twp., Rge., B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the ¼ of the ¼ of Section, Twp., Rge., B.M.
7. Kind of Works: Drilled well & pump
8. Estimated cost of works: $ 6000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock $ (c) Amount paid in: $
(d) Names and addresses of directors:

33109 H

(Continued)

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

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

(d) Other resources _____

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

(Give irrigable acreage in each 40-acre subdivision)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
31N.	26E	12					40	40	40	40		40							

13 Existing water rights and/or valid permits appurtenant to the lands to be irrigated are D.C. 1.C.C.

(a) 4 (Cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.

(b) N/A (cubic feet per second, inches or gallons per minute) is for new lands.

33109

Remarks:

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.

Please sign → Willard O. Bell
Applicant

By_____, Agent

33109

Approval of State Reclamation Engineer

The number of this permit is G 33109 AUG 25 1966

Recorded in Book 116 Page 33109 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 _____

One-fifth of the work above specified to be completed on or before February 25, 1969
The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before August 25, 1971

Witness my hand this 25th day of August 19 66

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 25th day of August, 19 66

Countersigned:
By Louis E. Clapp
Secretary of State.

STATE OF IDAHO
By Robert E. Smylie
Governor.

No. G 33109

PERMIT

Date of first receipt at office of State Reclamation Engineer August 17, 1966 9:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, $ 5.25

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. $5.00

For each additional Sec. Ft. or Fraction Thereof. .25

33109

NAME OF APPLICANT: G. O. Bell

Form No.

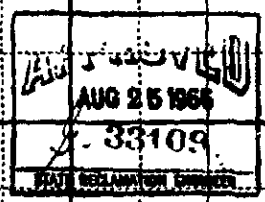
Rge. 26 E. B. M.

P.O.

NW NE
SW SE

NW NE
SW SE

Twp. 3 N.



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

33109

SENDER:

- Complete items 1 a[illegible]2 for additional services.
- Complete items 3, [illegible] 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I al[illegible]ish to receive the fol[illegible]g services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee

3. Article Addressed to:

WILLARD O BELL
756 15TH AVE EAST
JEROME ID 83338

MICROFILMED

34-02486

IIII 16

4a. Article Number

70001670001391298822

4b. Service Type

☐ Registered ☑ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

JUN 20 2002

5 Received By: *(Print Name)*

8. Addressee's Address *(Only if requested and fee is paid)*

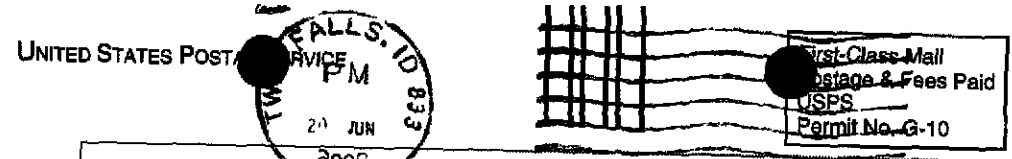
6. Signature: *(Addressee or Agent)*

X Willard O Bell

PS Form **3811,** December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.


UNITED STATES POST
RVICE
PM
JUN
2002
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10
• Print your name, address, and ZIP Code in this box •
IDAHO DEPT OF WATER
RESOURCES
ATTN DEBORAH GIBSON
1301 N ORCHARD ST
BOISE ID 83706
RECEIVED
JUN 24 2002
MICROFILMED
JUN 26 2002
Department of Water Resources

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage P

7000 1670 0013 9129 8822

Postage	$
Certified Fee	MICROFILMED
Return Receipt Fee (Endorsement Required)	JUN 26 2002
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

6/18/02
Postmark Here

Sent To: Willard O. Bell
Street, Apt No., or PO Box No.: 756 15th Ave. East
City, State, ZIP+4: Twin Falls ID 83334

Certified Mail Provides:

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- A unique identifier for your mailpiece
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- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested." To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement *"Restricted Delivery."*
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

WILLARD O BELL
756 15TH AVE EAST
JEROME ID 83338

Re: Permit No. 34-02486

Dear Water Right Holder(s):

The Department of Water Resources (the department) has issued the enclosed preliminary order. Pursuant to Section 67-5243, Idaho Code, it can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at (208) 327-7953.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures
Cc: Regional Office
Doug Rosenkrance

MICROFILMED
JUL 16 2002

FAX COVER SHEET

Date: 06/14/2002

TO: Mr. Glenn Saxton
Department of Water Resources

FAX NO. 208-327-7866

FROM: Willard Bell

Pages (including cover sheet): 3

MICROFILMED
JUL 16 2002

Willard O. Bell
756 15th Avenue East
Jerome, Idaho 83338
Phone (208)324-8984 or (208)589-1329

June 14, 2002

Mr. Glenn Saxton
Department of Water Resources
1301 N. Orchard Street
P. O. Box 83720
Boise, Idaho 83720-0098

Re: Preliminary Order Reinstating Permit

Dear Mr. Saxton:

According to the Order for Permit No. 34-02486 reinstatement, the diversion rate was reduced from 4.0 cfs to 1.6 cfs. The two wells, that evidence was given on, are almost side by side. They are in the same quarter section. Evidence was introduced on both wells. One well was electric and pumped approximately 120 inches and, the second well was diesel and pumped approximately 80 inches. In Darrell McDonald's letter, he attested to these facts. A marked copy of his letter is attached.

The farm has been converted from surface irrigation to sprinkler irrigation. The system is designed to use approximately 4 cfs. Also, the cost would be prohibitive to only pump one well and then operate the pump that pressurizes the system for only 1.6 cfs. It would be greatly appreciated if you would reconsider the reduction. Thank you.

Sincerely,

Willard O Bell.

En: 1

MICROFILMED
JUL 16 2002

SENDER:

- Complete items 1 and [illegible] for additional services.
- Complete items 3, 4a, [illegible]b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also [illegible] to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

RECEIVED
JUN 17 2002
Department of Water Resources

3. Article Addressed to:

DOUG ROSENKRANCE
WATERMASTER - W.D. 34
PO BOX 53
MACKAY ID 83251

34-02486

4a. Article Number
7000167000139129886O

4b. Service Type
☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☒ COD

7. Date of Delivery

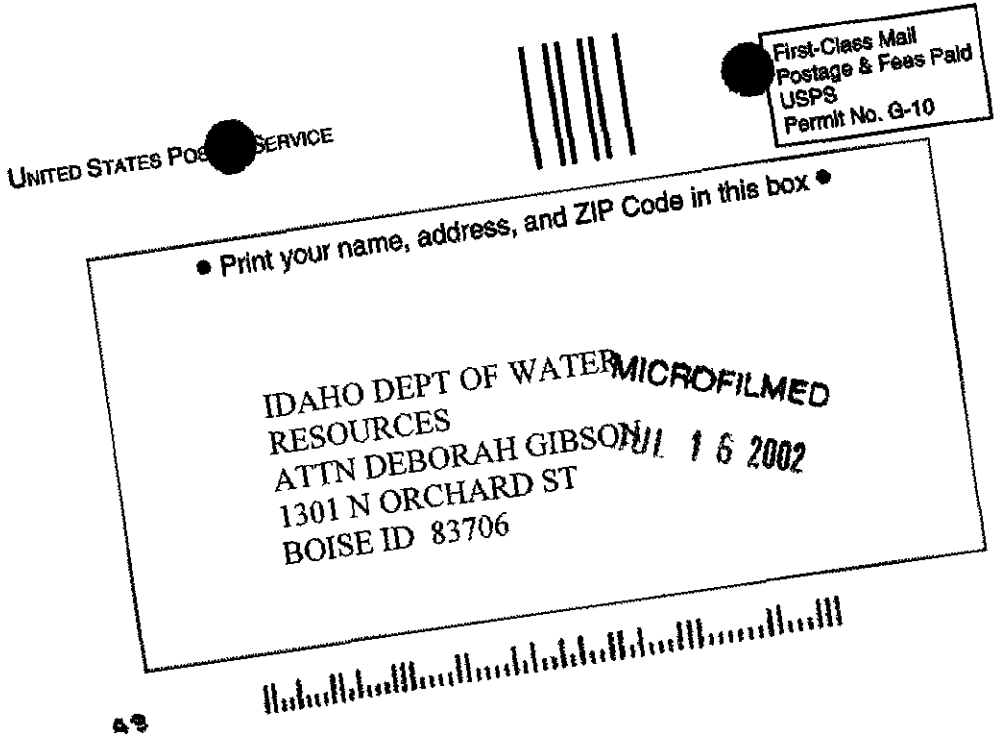
5. Received By: *(Print Name)*
Shauna Nelson

6. Signature: *(Addressee or Agent)*
X Shauna Nelson

8. Addressee's Address *(Only if requested and fee is paid)*

PS Form **3811**, December 1994 Domestic Return Receipt

Thank you for using Return Receipt Service.


UNITED STATES POSTAL SERVICE
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10
• Print your name, address, and ZIP Code in this box •
IDAHO DEPT OF WATER RESOURCES
ATTN DEBORAH GIBSON
1301 N ORCHARD ST
BOISE ID 83706
MICROFILMED
JUL 16 2002

Is your RETURN A... completed on the reverse side?

SENDER:

- Complete items 1 and [illegible] for additional services.
- Complete items 3, 4[illegible] 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

MICROFILMED JUL 16 2002

WILLARD O BELL
756 15TH AVE EAST
JEROME ID 83338

34-02486

4a. Article Number

70001670001391298877

4b. Service Type

☐ Registered ☑ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

6-13-02

5. Received By: *(Print Name)*

Willard O. Bell

8. Addressee's Address *(Only if requested and fee is paid)*

6. Signature: *(Addressee or Agent)*

X Willard O Bell

PS Form **3811**, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

RECEIVED
JUN 7 2002
Department of Water Resources

IDAHO DEPT OF WATER
RESOURCES
ATTN DEBORAH GIBSON
1301 N ORCHARD ST
BOISE ID 83706

MICROFILMED
JUL 16 2002

7000 1670 0013 9129 8460

CERTIFIED MAIL RECEIPT

Domestic Mail Only; No Insurance Coverag

OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

6/11/02

Postmark Here

MICROFILMED

JUL 16 2002

Sent To
Doug Rosenbrannen

Street, Apt. No.; or PO Box No.
P.O. Box 53

City, State, ZIP+4
Marion N. 83751

Certified Mail Provides:

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- A u[redacted]dentifier for your mailpiece
- A si[redacted]re upon delivery
- A record of delivery kept by the Postal Service for two years

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IMPORTANT: Save this receipt and present it when making an inquiry.

CERTIFIED MAIL RECEIPT

Domestic Mail Only; No Insurance Coverag

7000 1670 0013 9129 8877

OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	JUL 16 2002

6/11/02

Postmark Here

MICROFILMED

Sent To: Willard O. Bell

Street, Apt. No., or PO Box No.: 150 15th Ave. East

City, State, ZIP+4: Cut Bank, MT 59427

Certified Mail Provides:

- A mailing receipt
- A u[redacted]identifier for your mailpiece
- A si[redacted]re upon delivery
- A record of delivery kept by the Postal Service for two years

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IMPORTANT: Save this receipt and present it when making an inquiry.

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 11, 2002

WILLARD O BELL
756 15TH AVE EAST
JEROME ID 83338

Re: Permit No. 34-02486

Dear Water Right Holder(s):

The Department of Water Resources (the department) has issued the enclosed preliminary order. Pursuant to Section 67-5243, Idaho Code, it can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at (208) 327-7953.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures
Cc: Regional Office
Doug Rosenkrance

MICROFILMED
JUL 16 2002

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a **"Preliminary Order"** issued by the Department of Water Resources (Department) pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after a) the service date of a preliminary order, b) the service date of a denial of a petition for reconsideration from this preliminary order, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho

MICROFILMED
JUL 16 2002

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01 01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
JUL 16 2002

RECEIVED
JUN - 7 2002
Department of Water Resources

Willard O. Bell
756 15th Avenue East
Jerome, Idaho 83338
Phone: (208)324-8984 or (208)589-1329

May 27, 2002

Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Lapsed Permit No 34-2486

Dear Mr. Saxton:

In response to your letter dated May 17, 2002, I would like to continue with the reinstatement option, at this time. I am including some additional information for your consideration.

1. Aerial photos obtained from the Soil Conservation Office, Arco, Idaho. These photos were taken July 16, 1959 and July 24, 1968. The hi-lighted area indicates the place of use covered by the above permit. Both aerial photos indicate the Bell Farm was gravity irrigated during the above period. Copies of both aerial photos are included with this letter. Please note the signed message at the bottom of the photos. About 185 acres were farmed at that time. There are 186.9 farmable acres in the farm at the present time, since the ditches have been removed, according to a recent aerial photo, also included. The balance of the farm is sub-irrigated pasture, about 80 acres. The approximate 185 acres were farmed during the entire period in question. Alfalfa, grain, and an occasional 40 acres of potatoes were usually planted. The ASCS Office didn't microfilm the records for the 1960's, which would have shown the exact crops for each year.

2. Power records for the well with the electric pump for 1961, with records showing just the demand was paid for 1962, and 1963 were included with the April information. This well was drilled approximately 220 feet; had a 75 hp motor; and an 8 inch discharge. Lost River Electric has not been able to trace a specific co-op number to this pump for the 1966 through 1971 period. However, they did find a work order for reinstallation of power to that pump in 1966. A copy of this work order and a letter from Lost River Electric is attached.

3. Individual diaries for each year since 1964 have been kept. On June 9, 1966 the entry states, "Started diesel pump today." On June 23, 1966 the entry states, "Worked on diesel, started pump again." The entry of August 6, 1966 reads "Turned on diesel and electric pumps here at Arco." Copies of these pages are included. The diesel engine was an International UD-9, rated at 50 to 55 hp. If memory serves me correctly this well was

MICROFILMED
JUL 15 2002

about 100 ft deep and pumped about 80 inches of water from 28 feet. I have no idea of exactly how many days this pump was used during 1966.

Neither pump was used during 1967. The decree records from District 34, included with the April letter showed that all the decrees were on for 1967 & 1969 and there are not any entries in diary to indicate otherwise. However, the diary entries for 1968 indicate that the diesel was used. On July 18, 1968, the diary states, "Started diesel pump here at Arco; July 31, 1968 states, "Started pump here at Arco." Copies of these entries are also included. The "Summary of Annual Report for 1970" states, "But in June and July there was 4.12 inches of rain making 1970 a very good year for water and crops." There aren't any entries indicating the pumps being turned on for 1970.

Darrell E. McDonald worked for me from 1961 through 1967. A letter from him is also enclosed which states what he remembers from that time.

The original well or wells were drilled under permit number 28058, dated July 22, 1959. Most of the checks, bills from pump companies, and well drilling companies were actually for proving up on the wells under that permit. The expiration date on that permit was 1964. I have attempted to show a connection between the two permits. Instead of filing for a new permit, I probably should have just entered proof of beneficial use, but I thought I could hit better wells. However, the entries on September 1, and September 4, all in 1966 show that these new wells weren't any good. The wells were drilled as supplemental wells, not with the intention of continuous use.

I hope the information submitted with this letter answers your questions. If it is still insufficient, please send me a copy of the regulations. If any other information is required and that information can not be found, I will proceed with one of the other options. Thank you.

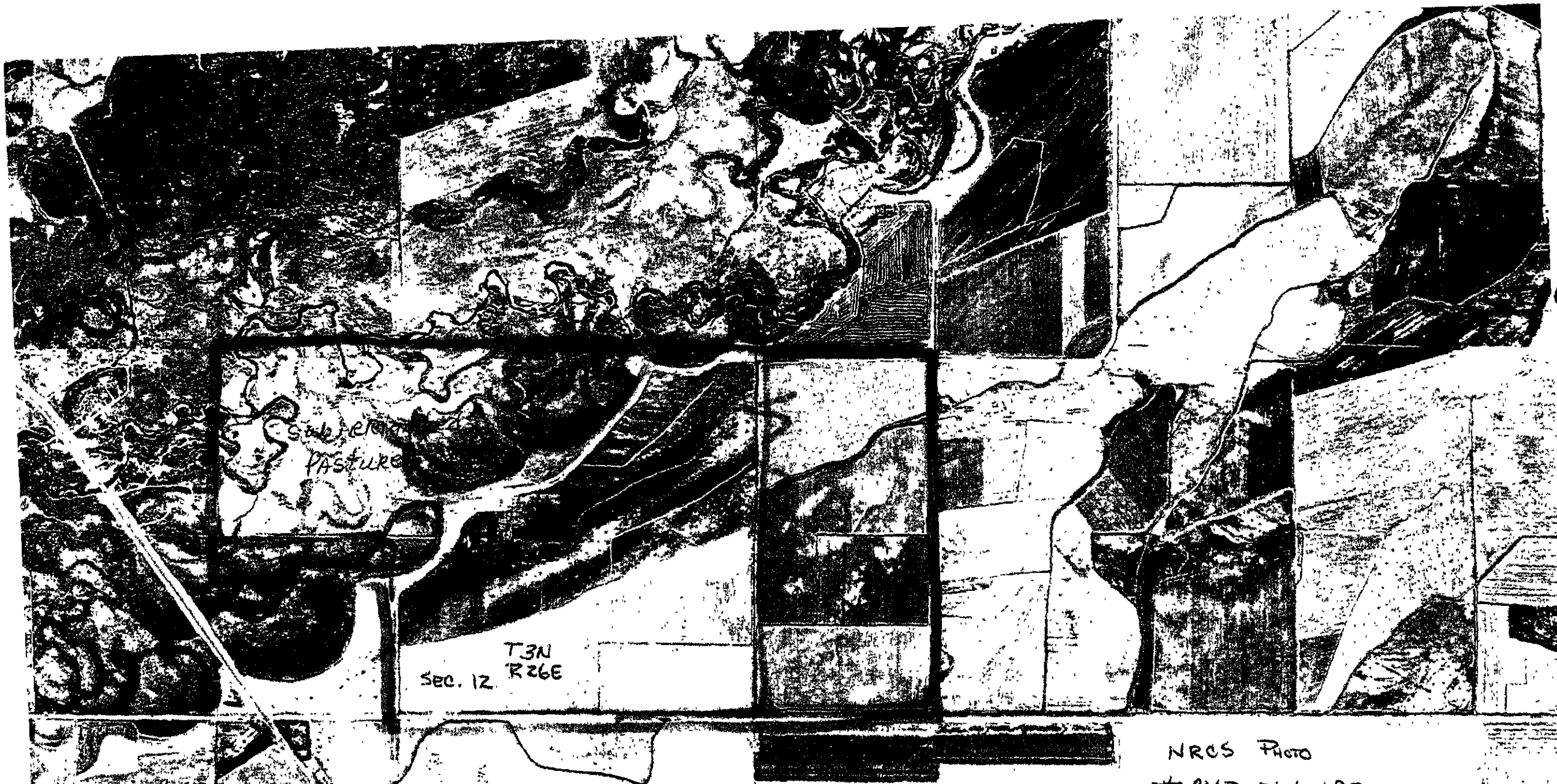
Sincerely,

Willard O. Bell

Willard O. Bell

MICROFILMED
JUN 16 2002

MICROFILMED



THIS MAP INDICATES THE WILLARD BELL PROPERTY, ON THIS DATE WAS SURFACE IRRIGATED.

Chris A. Mirelli CET

NRCS PHOTO
#CVP-3W-193
AIRIAL PHOTO TAKEN
7-16-59



Recent photo showing farmable acres.

P. O. Box 420
305 Pine Street
Mackay, Idaho 83251-0420
Telephone (208) 588-3311
FAX (208) 588-3038
Office@LRECOOP.com • www.LRECOOP.com

Lost River Electric Cooperative, Inc.

May 20, 2002

To Whom It May Concern:

According to the records at Lost River Electric Cooperative, Inc., the enclosed workorder sets tie the pump location together for the pump in Section 12. Workorder #66-40 was a new installation in 1966. The site had a pump on it prior to 1966, but was retired due to sand.

If you have any questions, feel free to call me at 588-3311.

LOST RIVER ELECTRIC COOPERATIVE, INC.

Thank you,

Donald E. "Bo" Betzer, Line Superintendent

DEB/ll

Enclosures

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JUN 16 2002

PNGC Power
Smart. Local. Connected.

FORM DS—138 (7-12-45) Tipp. Press, Shelbyville, Ind.
United States Department of Agriculture
Rural Electrification Administration

STAKING SHEET

Budget Bureau No. 40-R-1818
Expiration Date 3/31/46

Work Order No. 66240

System Designation IDAHO 19 BUTTE

Sheet No. 1 of 1

Location 1/2 MI. SO. OF FARM

Line _____ Lead _____

Twp 3N R 26E Sec. 12

ENGINEER

Staked _____

Checked _____

Released for Const. _____

Map Reference 47

Pri. Wire: Size Kind Ruling Span

SKETCH OF WORK

POLE NO.	PRI. (BACK) SPAN	POLES H & C MISC	PRI. UNIT MISC.	R-W CLEARING	LINE ANGLE	TRANS. "G"	GR. "M2"	GUY NO.	GUY UNIT "E"	GUY LEAD	ANCHOR "F"	SECONDARY SPAN UNDERBUILD	SECONDARY SPAN SEC. ONLY	SECONDARY UNIT NO.	SECONDARY UNIT J OR K	SERVICE SPAN	SERVICE UNIT NO.	SERVICE UNIT K	SEC. OR SER. WIRE SIZE	METER LOOP	METER SIZE METER	MISC. & REMARKS
FX IA743-1	465	35-4"CP-1					12	1	1-2	28	1-2											THIS IS THE WAY THAT WILLARD WILL QUIT RUNNING DUCTS SO MUCH SPA'd
FOR					3-1	3Ø-25								1	1K7							
					1-A	S.P. TRANSFORMER																
FX		25-6"NP					2						15'	1	K14				#2 DUP			CONSUMER'S LOOP AT METER BASE.

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310-25 = 1
Cond. cut out protector = 3.
#3/5 Lead wire w/ insulator = 1.
K14 = 1.
#2 Quadplex = 1.
SM BASE = 1.

No. of Members 1
Primary Line Ft. _____
Sec. Only ✱ Ft. 18X4
Service Drops Ft. _____

Number poles on sketch at top corners, transformers and deadends. Indicate retired units with ✱. Replaced units with ( ). Reset meters and transformers with [ ].

Thursday, June 9, 1966
160th Day—205 days to follow

Started Diesel
Pump today.
Nate is going to
be on call Service,
Cloudy and
Windy. No rain to
do any good

Thursday, June 23, 1966
174th Day—191 days to follow

Ran Oyster today
Jim cultivated
Worked on Diesel
Started pump again
Windy and Friendly
no amount
Snow on top of
Mountains
Pat called baby
and he are O.K.
Billie Jean came
back from T.F. today

Saturday, August 6, 1966
218th Day—147 days to follow

Jim went to
Oklahoma today
Bob sprayed
weeds
Turned on Diesel
on Elec. pump
Real Nice
Hot

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Thursday, September 1, 1966
244th Day—121 days to follow

Cut Hay today
Dee Combined grain
Jim worked on cellar
Bob watered Hay
Cloudy & Cool today
Going to take Wade
Sam to Yellowstone
~~in~~ morning.
tested well on Hill
no good.

Sunday, September 4, 1966
247th Day—118 days to follow

tested Allen well
today no water
Started to bale
Hay
Bob was up and
Dick don't look to
good.
35 last night

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Thursday, July 18, 1968
200th Day—166 days to follow

Started Diesel
Irrig at Arno
Killed 2 Rattlers
tonight
Ken came home
this morning
brought Mom
with him
Hot and windy
today

1½ Hours for Relon
Baling Hay
Odell Coburn
gave me $250.00
on Seed.

Wednesday, July 31, 1968
213th Day—153 days to follow

Done all jobs
Worked on tractor
Started Pump Irr
at Arno.
Settled up with
Relon on Spuds,
owe him 596.00
yet
Set Fudge pickup

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JUN 16 2002

Darrell E. or Nancy McDonald
2310 W US Hwy 93
P.O. Box 102
Arco, Idaho 83213
Phone: (208)527-3413 or (208)589-2888

May 28, 20002

State of Idaho
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Willard O. Bell wells

To Whom it May Concern:

I worked for Willard Bell most of 1961 through 1967. As I remember, the diesel engine and pump were installed on the first well drilled. This well discharged the same 80 inches of water when the diesel idled as when it was revved up. The only difference was the depth. When it idled, it pumped 80 inches from about 28 feet; when it was revved it pumped 80 inches from about 60 feet. We lived just across the field from the pump and in the summer when it was pumping, you always new when it quit. The quiet immediately woke you up. I don't believe this pump was replaced until probably in the late 1970's.

The electric pump, which was a couple hundred feet farther east than the diesel, pumped so much sand that some mornings the ditch would be full of sand. Then it would pump fine for days, then another batch of sand. This well pumped about 120 inches. During the years when the water wasn't needed, Willard had more work done on this well. They drilled deeper; hit cinders and then we had to fill it up with rocks etc. and cement it back to about the original depth.

We only used the pumps on the dry years when the decrees were insufficient. After so many years it is impossible to remember exactly which years. All the farmable acres were farmed during that time, if I remember correctly.

Sincerely,

Darrell E. McDonald

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JUL 16 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 17, 2002

Willard O. Bell
756 15th Avenue East
Jerome, ID 83338

RE: REINSTATEMENT REQUEST - LAPSED PERMIT NO. 34-2486

Dear Mr. Bell:

Department staff have reviewed the information you compiled and submitted to the Department on April 18, 2002 seeking reinstatement of the above referenced permit. Your submittal provides most of the information needed to consider reinstatement of the permit, although some additional information as described in option 1 below is needed.

The three (3) options you could pursue relative to continued use of the wells are as follows:

1. Continue with the reinstatement option you have already started with the information submittal of April 18, 2002. To continue this option, evidence to show the extent of use of the well(s) in 1966 and 1967 is needed. Evidence is needed to show the number of acres irrigated with ground water during those years, the maximum volume of water pumped in acre feet and the maximum rate of diversion diverted during the permit period. Information to tie a specific power record to a particular well is needed. The number of acres irrigated perhaps can be established by aerial photographs or by specifically addressing the matter in affidavits. The Department can estimate the diversion rate if a detailed description of the pump/motor/delivery system is provided and can estimate the value if pumping time can be determined from power records or detailed affidavits. If the permit is reinstated under this option, the priority would be advanced to the date proof of beneficial use is accepted by the Department, i.e. in 2002.

2. File a new application for permit for use of the wells. Even though there is a moratorium in connection with new applications in the basin, the Department can consider approval of such applications if use occurred prior to November 1987, which is the date the Snake River Basin Adjudication ("SRBA") started. Information to show pre-1987 development may be more readily available than finding the additional information to support option 1 above. The priority associated with this option would be the date of filing of the application, i.e. in 2002.

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3. Request the SRBA court to accept a late adjudication claim for use of ground water from the wells. I don't know whether the court would allow the filing of a late claim, but this option would provide you the opportunity to claim a 1961 priority of use.

The options and associated requirements described above are provided in statute and are not discretionary requirements that the Department is asking you to comply with. If you have questions about this letter, please feel free to contact me or others within the Department.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: Norman C. Young
Jeff Peppersack
IDWR - E. Region
Adjudication Bureau

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JUL 16 2002

MEMORANDUM

Date: April 26, 2002

To: Water Right File – Lapsed Permit No. 34-2486

From: Jeff Peppersack

Re: Review of Request for Reinstatement of Lapsed Permit No. 34-2486 in the Name of Willard Bell

Mr. Bell submitted a request for reinstatement of lapsed permit no. 34-2486 along with documentation to support his request. There were actually two permits that were cancelled or lapsed for the proposed use. This memo summarizes the permits and review of the evidence submitted.

Permit 28058 (no new number issued)
This permit was issued in July, 1959 to Willard O Bell for a ground water source in the NWNW of Sec. 12, T3N, R26E. The priority date was July 22, 1959. The permit was issued for 4 cfs for irrigation use in the NW1/4 and the N1/2SW of Sec. 12. Proof was due on July 27, 1964. A proof notice was sent, certified mail, in May, 1964 and a cancellation order was issued on October 23, 1964.

Permit 33109 (34-2486)
This permit was issued in August, 1966 to Willard O. Bell for a ground water source in the NWNW of Sec. 12, T3N, R26E. The priority date was August 17, 1966. The permit was issued for 4 cfs for irrigation use in the NW1/4 and the NWSW of Sec. 12. Proof was due on August 25, 1971. A proof notice was sent, certified mail, in June, 1971 and a lapse notice was sent on September 7, 1971.

A late proof statement was received in 1989 along with a $175 exam fee. The Department sent a letter requiring additional information in order to reinstate the permit. Mr. Bell submitted several affidavits in 1989 stating that the wells have been in existence and are being beneficially used. The Department responded that the affidavits did not provide sufficient information to reinstate the permit.

In February, 1992, the Department responded to an office visit by Mr. Bell; the letter clarified the need for additional information in order to reinstate the permit and also informed Mr. Bell regarding potential need for mitigation or compensation to surface water users who are determined to be adversely affected by junior ground water diversions in the area based on SRBA determinations.

Request for Reinstatement
Mr. Bell submitted a letter and supporting documents on April 18, 2002 asking for consideration of a reinstatement of the permit. In his letter, Mr. Bell explained, "There were more good than bad water years during the 1970's and early 1980's.... I never gave

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JUL 16 2002

much thought to the wells, since they were supplemental wells, until the adjudication process began." Mr. Bell included several exhibits in support of his request.

- Exhibit A – Permits
  Copies of the two permits were provided; same as shown in water right file (on microfiche).

- Exhibit B – Receipts, Bills & Checks
  Includes copies of several billing statements, receipts, and checks from or to Mel Brown Co., Cope Drilling Co., Hopkins Drilling Co., and Layne and Bowler Pump Co. dated between 1960 and 1964 for well drilling, pump and related services. Establishes that a well or wells were likely drilled and pump(s) installed. No indication of location of wells or extent of completion for beneficial use.

- Exhibit C – Well Logs
  Includes copy of billing statement for two wells (identified as well #1 and well #2) dated August of 1966, and two well logs for Willard Bell from Cope Drilling and Pump Co. Well #1 shows a 64-foot depth and 12-inch casing to 62 feet with a water level of 23 feet. Well # 2 shows a 56-foot depth with 16-inch casing and a water level of 7 feet. No indication of location of wells.

- Exhibit D – Power Records
  Includes ledger cards for power use in the name of Willard Bell or Crater Farms, Inc. (contract in the name of Willard Bell). There are three statements with "Irrigation Pump #2" and two statements with "Irrig. #1" identified. The statements for "Irrigation Pump #2" show a 75 hp pump and usage as follows: 1961 – 106,540 total kwh used, 1962 – 0 kwh used, 1963 – 0 kwh used. The statements for "Irrig. #1" show a 75 hp pump and usage as follows: 1966 – 74,750 kwh used, 1967 – 75,750 kwh used. No indication of location of pumping plants.

- Exhibit E – Summaries of Annual Reports District 34
  Mr. Bell notes that the wells have been used to supplement his surface water rights – one with an August, 1888 priority, one with a May, 1899 priority, and one with a September, 1899 priority. This exhibit included summary information from Water District 34 for the years 1966 through 1970. The 1966 summary shows the 1888 priority on in parts of May and June and the 1899 priority off for the entire season. The 1967 summary shows all decrees on for the entire season. The 1968 summary shows the 1888 priority on in parts of May, June, July, September and October and the 1899 priority on for part of June, September and October. The 1969 summary shows all decrees on for the entire season. The 1970 summary shows both the 1888 and 1899 priorities on from May 1 to July 27.

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JUL 16 2002

- Exhibit F – Receipt #E005926 from IDWR
  Includes a copy of receipt for $175 for proof of beneficial use for Permit No. 34-2486 paid to the Department in February, 1989.

- Exhibit G – Affidavits from Neighbors
  Includes 9 affidavits stating:

  "To the best of my knowledge, the pipeline and wells located on the NW1/4 of the NW1/4 of Section 12 Twp 3N, Range 26 EBM, County of Butte, have been in existence for many years. They are in beneficial use at this time on the above-mentioned property.

  I personally witnessed the use of these wells during the time period between the years 1966 and 1971."

  One additional affidavit stated:

  "I have personal knowledge that the wells located on the NW1/4 of the NW1/4 of Section 12, Twp 12, Range 26 EBM, County of Butte during 1962 through 1967 were of beneficial use, because I helped farm the property pertaining to these wells during that period."

  The affidavits provide some support of beneficial use from well(s) located in NWNW of Sec. 12, but they aren't specific as to the quantity of water used or the extent of use (number and location of acres irrigated).

- Exhibit H – Geological Survey Graphs
  Includes stream flow graphs for Big Lost River at Howell Ranch near Chilly, ID for years 1961 through 2001.

- Exhibit I – Amended Moratorium Order
  Includes copies of April 30, 1993 Amended Moratorium Order for Eastern Snake River Plain area.

Summary of Review and Recommendations

It appears from Mr. Bell's letter and documentation that there were four wells drilled between 1960 and 1966; apparently two of those wells were not useable. There is evidence of pumping in 1961 from one pump and in 1966/67 from another pump, but nothing to tie the use to any particular well locations. There are five records for ground water rights in the database that list Willard Bell and/or Crater Farms as a previous owner in Basin 34 during the same time period as the development period for the lapsed permits. The five records and their priority dates are as follows: 34-2302 (1953), 34-2459 (1965), 34-2460 (1965), 34-2461 (1965) and 34-2462 (1965). Without a location reference, there is no way to determine which permit the power records support.

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JUL 16 2002

The affidavits provided by Mr. Bell appear to support the use of wells in the NWNW of Sec. 12, T3N, R36E; however, there is no indication of the extent of use of those wells. We need to clarify the number and location of wells in use during the development period (the lapsed permit only authorized one well) and the quantity of water used and number and location of acres irrigated by the wells during the same period. A description of the system and how it was used in relation to the existing surface water rights would be helpful.

Section 42-218a(2) requires that for proof submitted after sixty days after notice of lapse, the permit holder shall submit evidence to clearly establish the extent of beneficial use made during the time authorized by the permit. The extent of beneficial use has not been clearly established. It is recommended that the proof of beneficial use be rejected and the exam fee applied to a new application for a pre-1987 development (moratorium area). The fee for a new permit for 4 cfs would be $370 minus the credit of $175 for the exam fee equals $195. A pre-1987 development application would likely be easier to establish and would provide the public scrutiny necessary for a new water right in Basin 34.

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JUL 16 2002

RECEIVED
APR 1 8 2002
Department of Water Resources

Willard O. Bell
756 15th Avenue East
Jerome, Idaho 83338
Phone: (208)324-8984 or (208)589-1329

April 12, 2002

Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Refer to
Linder with
these exhibits
dg

Re: Lapsed Permit No 34-2486

To Whom it May Concern:

I am resubmitting the request for reinstatement of the above water permit with additional information as follows:

- Exhibit A: Permits: #28058 dated July 1959 & #33109 dated August 1966
- Exhibit B: Receipts, bills, & checks for drilling, pumps, and installation
- Exhibit C: Well logs
- Exhibit D: Power records
- Exhibit E: Summaries of Annual Reports from District 34
- Exhibit F: Receipt No. E005926 from Idaho Dept of Water Resources, dated 2/28/89, for Adjudication fee and LATE Proof of Beneficial Use
- Exhibit G: Affidavits from neighbors
- Exhibit H: Geological Survey Graphs
- Exhibit I: Amended Moratorium Order

One well was drilled in 1960 under permit #28058, Exhibit A. Exhibit B shows installation of pump, drilling, and etc. Exhibit D includes the power records from 1961, 1962, and 1963. In 1966 Permit #33109, Exhibit A, was applied for. That number was later changed to #34-2486. There are well logs for two wells from Cope Drilling, Exhibit C. I don't know which wells these logs were for. There were holes drilled for four (4) wells during the 1960 through 1966 period. One was abandoned because of drill-ing problems and one didn't have enough water. April Kooch at IDWR's Microfilm center was called. There were no well logs for Section 12, Twp 3N, Range 26 EBM on file at the center for the 1960-1966 period. She said logs were not required to be filed at that time. A diesel motor was used on one of the wells, but no records still exist.

The ranch was repted to Crater Farms for a few years and the power records are in their name. According to the consumer ledger cards, Exhibit D, the contracts were signed by Willard Bell. Affidavits from Neighbors, Exhibit G, testifying as to the use of the wells

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JUL 1 6 2002

are included with this letter.

The wells were drilled and used as supplemental water for the following water rights:

RIGHT #	Priority Date	Max. Qnty	Basis of Claim	Source	Canal
34-00258	08/01/1888	.40 CFS	Decreed	Big Lost	Munsey
34-00855	05/09/1899	2.80 CFS	Decreed	Big Lost	Munsey
34-00862	09/01/1899	.80 CFS	Decreed	Big Lost	Munsey

These wells were only pumped when water was required and the above decrees were off. The summaries of annual reports from District 34 for years 1966 through 1970, Exhibit E, are marked to show when the above decrees would have been on. The Mackay office had misplaced their copy for 1971 and the Boise office can't find microfilm for that year.

There have been numerous visits to the IDWR's Offices and a considerable amount of correspondence over the last 10 to 12 years. In almost every letter from IDWR, a request for a "reasonable reason" why the license was not filed in a timely manner, was asked. I don't know what constitutes a "reasonable reason". I can only offer an explanation. There were more good than bad water years during the 1970's and early 1980's, Exhibit H. I never gave much thought to the wells, since they were supplemental wells, until the adjudication process began. I paid an Adjudication fee and Late Proof of Beneficial Use fee, Exhibit F , on February 28, 1989.

On about December 1, 1989 a moratorium order was issued on the Mud Lake and Vicinity area. On April 30, 1993, R. Keith Higginson, Director of Idaho Department of Water Resources, signed an Amended Moratorium Order, Exhibit I. I would appreciate the reconsideration of my permit under the Amended Moratorium Order - Order - Paragraph 9, (b) "The Director determines that the development and use of the water pursuant to an application will have no effect on prior surface and ground water rights because of its location, insignificant consumption of water or mitigation provided by the applicant to offset injury to other rights". Paragraph 3, page 11 of the report Considerations for Water Use and Management in the Big Lost River Basin, Idaho; A Supplemental Report, by E. G. Crosthwaite, C. A. Thomas, and K. L. Dyer states: "South of Arco the wells that have the best yields are about 100 feet deep and produce from gravel near Big Lost River. These wells are in secs. 11, 12, and 13, T. 3N., R. 26 E., and are several miles downstream from the major irrigation diversions on the river. Because several of the wells are closely spaced, pumping from one well lowers the water level in others, but no significant overall depletion of the ground-water supply is apparent." The wells are only about 2 miles from the desert on the southern end of the Big Lost River Valley. I believe the above reasons support reconsideration of my permit.

Paragraph 12 of the Amended Moratorium Order states: "This moratorium supercedes the Final Order of the department issued on August 7, 1990 which established a moratorium on the issuance of new permits within the Big Lost River drainage. Pending applications for permit or applications for transfer will be treated under terms of this amended moratorium order and may be considered for approval by the department in

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JUL 16 2002

connection with proposed mitigation or compensation for prior water rights." I believe the acceptance of fees by the IDWR, Exhibit F, should have reinstated permit #34-2486 and make it eligible under Paragraph 12.

If there is any other information that would be helpful, please call me. It would be greatly appreciated, if you would reconsider the application. Thank you for your time and patience.

Sincerely,

Willard O Bell.

Willard O. Bell

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JUL 16 2002

NOTICE

This file has been REPRODUCED from MICROFICHE because :

File is being Reinstated

Darla Block
Person Recreating File

June 18, 2002
Date

INTER-DEPARTMENT MEMO

TO: File

FROM: Karen

SUBJECT: [redacted]

DATE: 5/4/92

Mr. Bell met with Norm Young today. Per Norm, Mr. Bell is still trying to collect the necessary info, please hold the file for an additional 60 days

5 7/8/92 - Per Norm, Mr. Bell has not contacted him again. The issue will be raised in the next Court filing on the SFBA director's report for Basin 34. He suggested we put the file back on the vault shelves. However, since the permit lapsed I will have to micro for film & destroy.

Karen Mastagni
signature

( ) For your information

( ) Response required

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 20, 1992

Willard O. Bell
P.O. Box 91
Arco, ID 83213

Re: Lapsed Permit No. 34-02486

Dear Mr. Bell:

On February 14, 1992, Glen Saxton of this office corresponded with you requesting further information needed in order to possibly reinstate your permit. A copy of that letter is attached for your convenience. You visited with Tim Luke of this office on February 19, 1991. It has been 60 days since that time, and this office still has not received the requested information.

Since the permit lapsed in September of 1971, it is of no further force nor effect. If you are currently using the water, you are doing so in violation of Idaho Code.

I will hold your file for an additional 15 days in order that you may submit the earlier requested information. If I have not heard from you by that time, I will once again prepare your file for film and destroy.

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

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

Enclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 14, 1992

Willard O. Bell
P.O. Box 91
Arco, ID 83213

RE: LAPSED PERMIT NO. 34-2486

Dear Mr. Bell:

This letter is a follow-up to your recent visit with Tim Luke of this office about the status of your 1989 request to reinstate the above referenced permit.

Tim's letter of September 11, 1989, essentially advises you with respect to the information you had submitted prior to his letter. Since there have been a number of water right developments in the Big Lost River drainage subsequent to Tim's letter, I want to provide some additional information to you.

Section 42-218a.2., Idaho Code, provides that upon a showing satisfactory to the Director that a use did occur during the period authorized for development by a lapsed permit and upon a showing of reasonable cause why the proof was submitted late, the Director may reinstate the permit with the priority advanced to the date the late proof was received.

In August 1989, you did submit some information in the form of affidavits from your neighbors relative to the use of a well, but the affidavits are not specific enough to meet the criteria described in the code. More specifically, the code requires that you need to provide information to show that water from the well in the NWNW Section 12, T3N, R26E,BM was used for irrigation purposes upon the NW1/4 and NW1/4SW1/4 Section 12, T3N, R26E,BM, between the dates of August 25, 1966 and August 25, 1971. In addition you must provide a reasonable cause why you did not timely submit proof of beneficial use (proof). The water right file shows that on June 3, 1971, you did receive certified mail article no. 22806 from the department which advised you that proof was due on or before August 25, 1971.

Assuming you can provide the information which will allow the Director to reinstate the permit, there are other considerations which need to be met. The location of the well is within the area of the Big Lost River Drainage where ground water diversions will

be administered as a part of the Big Lost River and its tributaries. The Proposed Director's Report for Basin 34 issued January 20, 1992, provides that these ground water uses in most years will be curtailed unless the ground water users provide a plan acceptable to the Director to mitigate or compensate the holders of prior surface water rights which are adversely affected by the junior ground water diversion. You would be required to develop such a plan before you could use the well if the permit is reinstated.

I hope this letter satisfactorily advises you of the status of your 1989 request to reinstate the permit and of actions you need to take if you wish to pursue the reinstatement. If you have questions, please feel free to contact the department.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR E. Region
Adjud. Bureau

34-2486 2-19

MR. Bell visited
Again on 2/19
He will try & get
Addl information.
Advise Holding File for
@ least 60 Days.

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 11, 1989

Re: Permit No. 34-2486

Willard O. Bell
Box 91
Arco, ID 83213

Dear Mr. Bell:

I wish to acknowledge receipt of the affidavits which you submitted in support of reinstating the above referenced lapsed permit.

I believe the affidavits which you submitted are not completely satisfactory because there is a lack of reference concerning dates of first use. When considering reinstatements of permits, the department needs specific evidence that beneficial use commenced prior to the proof due date imposed by the permit. I do not feel that I can recommend reinstatement at this time based solely on the affidavits which you submitted. The level of detail in the affidavits does not provide sufficient evidence to show the use commenced prior to the proof due date, which was August 25, 1971.

I must ask that you provide additional evidence to the department. Examples of additional forms of evidence may include well logs, receipts for installation of well and irrigation equipment, power bills or other power records, etc.

While I regret to have to ask you for this additional information, I must honestly inform you that I don't believe your reinstatement request can be approved based on the information you have thus far provided. The department will again hold your proof of beneficial use and other supporting documentation for an additional 60 days to allow you time to provide the requested information.

Please feel free to contact me if you have questions concerning this matter.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

34-2486

RECEIVED
AUG 28 1989
Department of Water Resources

Arco Idaho
Aug 24, 1989

Dear Mr Luke

Enclosed are Pictures of the Hello Motors Sprinkler Lines and Pumps - Also are Affidavits of Neighbors who have lived here for this time

For many years we did not need these for irrigation as they were for use only to supplement the Decreed water on the property -

Any other information you need please let me know

Yours Sincerely
Willard O Bell

Box 91
Arco
Idaho 83213

RECEIVED
AUG 28 1989
Department of Water Resources

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW¼ of the NW¼ as Section 12 Twp 3 N, Range 26 EBM, County of Butte, have been in existence and are in beneficial use at this time on this property.

Troy Buxton

STATE OF IDAHO

County of Butte

On this 24 day of August, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Troy Buxton known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have herunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho

RECEIVED
AUG 28 1989
Department of Water Resources

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW¼ of the NW¼ as Section 12 Twp 3 N, Range 26 EBM, County of Butte, have been in existence and are in beneficial use at this time on this property.

Leon Folkman

STATE OF IDAHO

County of Butte

On this 24 day of August, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Leon Folkman known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have herunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho

RECEIVED
AUG 28 1989
Department of Water Resources

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on of the NW¼ as Section 12 Twp 3 N, Range 26 EBM, County of Butte, have been in existence and are in beneficial use at this time on this property.

Eric Ricks

STATE OF IDAHO

County of Butte

On this 24 day of August, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Eric Ricks known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have herunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho

RECEIVED
AUG 28 1989
Department of Water Resources

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW¼ of the NW¼ as Section 12 Twp 3 N, Range 26 EBM, County of Butte, have been in existence and are in beneficial use at this time on this property.

C. Brooks Buxton

STATE OF IDAHO

County of Butte

On this 24 day of August, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared C. Brooks Buxton known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have herunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho

RECEIVED
AUG 28 1989

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW¼ of the NW¼ as Section 12 Twp 3 N, Range 26 EBM, County of Butte, have been in existence and are in beneficial use at this time on this property.

Mary K. Buxton

STATE OF IDAHO

County of Butte

On this 24 day of August, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Mary K Buxton known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have herunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho

RECEIVED
AUG 28 1989
Department of Water Resources

TO WHOM IT MAY CONCERN:

To the best of my knowledge, the pipeline and wells located on the NW¼ of the NW¼ as Section 12 Twp 3 N, Range 26 EBM, County of Butte, have been in existence and are in beneficial use at this time on this property.

Darrell E McDonald

STATE OF IDAHO

County of Butte

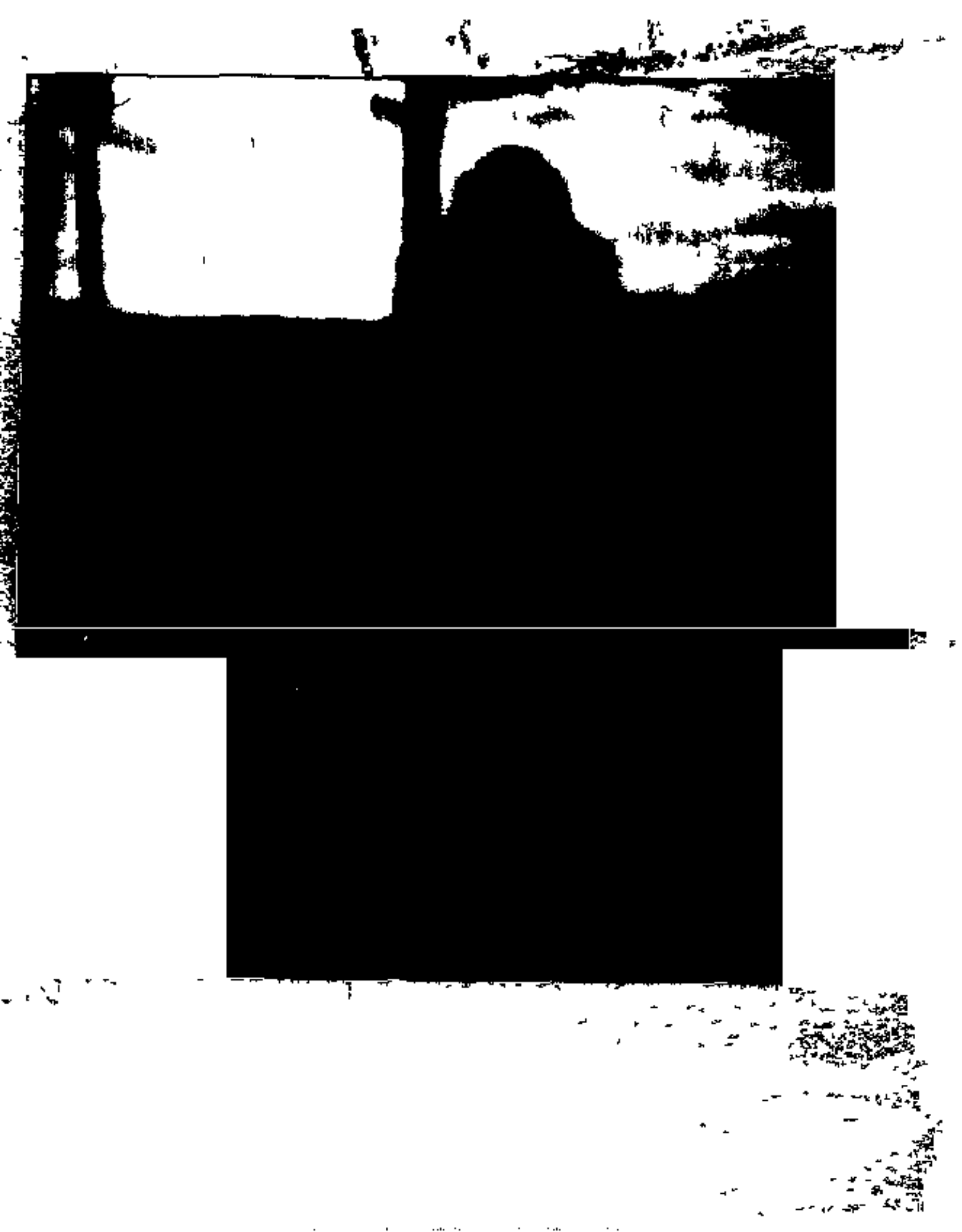
On this 24 day of August, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared Darrell E McDonald known to me to be the person whose name is subscribed above, and acknowledged to me that he/she executed the same.

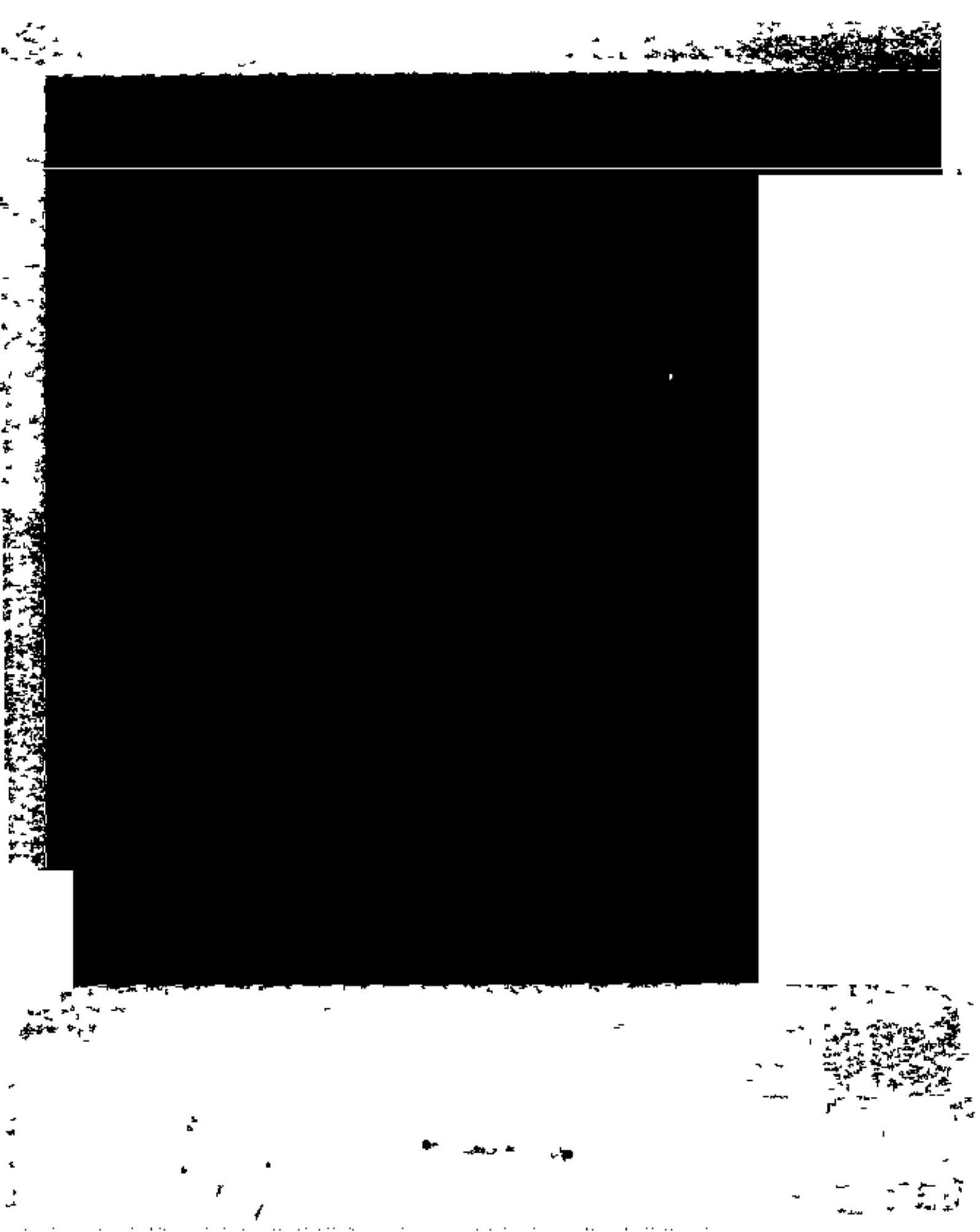
IN WITNESS WHEREOF, I have herunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for Idaho
Residing at Arco, Idaho



94-2486





MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 8, 1989

RE: Lapsed Permit No. 34-2486

Willard O. Bell
Box 91
Arco, ID 83213

Dear Mr. Bell:

Over 90 days have passed since I last sent correspondence to you concerning the reinstatement of the above referenced lapsed permit. I have not yet received a response to my last correspondence (copy enclosed).

This is a final reminder to you that Permit No. 34-2486 will remain lapsed until such time as you provide the necessary information previously requested.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

Enclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 22, 1989

RE: Permit No. 34-2486

Willard O. Bell
P.O. Box 91
Arco, ID 83213

Dear Permit Holder(s):

The Department received your proof of beneficial use statement for the above referenced permit on February 25, 1989. The permit lapsed August 25, 1971, so the 60-day late period during which the permit can be readily reinstated has passed.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can now be reinstated only if you submit the following:

a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date.

b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

Please feel free to contact this office if you have additional questions.

Sincerely,

Timothy J. Luke

TIM LUKE
Sr. Water Rights Agent

TL:hm
Enclosure

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Willard O. Bell, Box 91, Arco, Idaho has received an approved Permit No. G-33109/34-2486 issued by the Idaho Department of Water Administration authorizing the diversion ~~storage~~ of 4.0 cubic feet per second ~~acre/feet per annum~~ of water from a ground water source.

The priority to be established under this permit is August 17, 1966 and the permit was approved August 25, 1966.

Water is to be diverted by well and pump from a point within the NW¼NW¼, Sec. 12, T. 3 N, R. 26 E, B. M., Butte County

to be used for irrigation

in the NW¼, NW¼SW¼, Sec. 12, T. 3 N, R. 26 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before August 25, 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 Dept. of Water Administration

Published in the Arco Advertiser, Arco, Idaho

on _____ and _____.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33109/34-2486
in the name of Willard O. Bell

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. G-33109 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.

Dated this 21st day of September, 1970.

R. KEITH HIGGINSON
Director

RKH/DG

34-2486

September 25, 1970

Re: Permit No. G-33109 (new no. 34-2486)

Mr. Willard O. Bell
Box 91
Arco, Idaho

Dear Mr. Bell:

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 order modifies your permit 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 notice 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/DG
Enc: order
advertising package

34-2486

June 1, 1971 CERTIFIED MAIL #22806

Re: Permit No. G-33109/34-2486

Willard O. Bell
Box 91
Arco, Idaho 83213

Dear Mr. Bell:

One of the conditions of approval of your water Permit No. G-33109/34-2486 (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 August 25, 1971. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

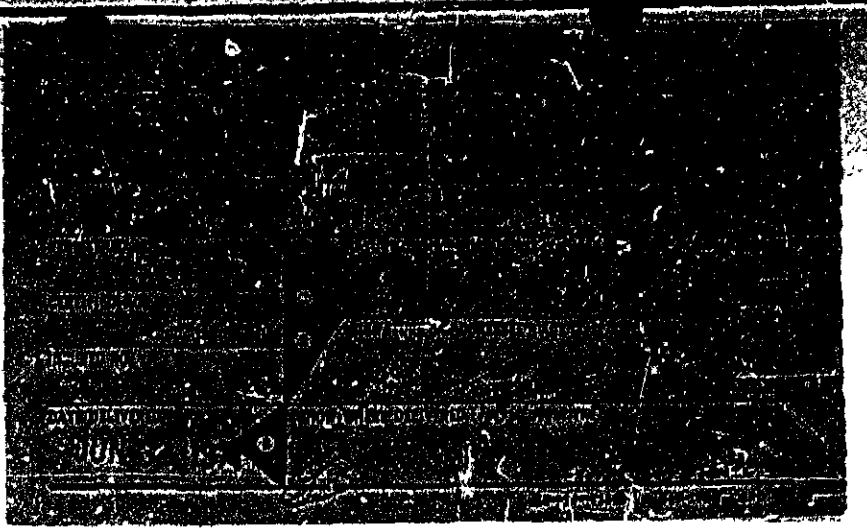
If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

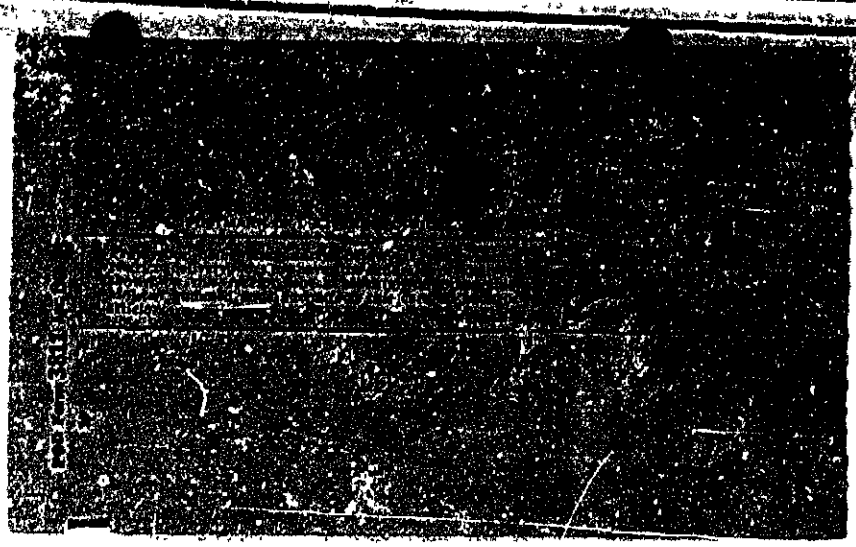
Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

34-2486





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

September 7. 1971

Re: Permit No. G-33109/34-2486

Willard O. Bell
Box 91
Arco, Idaho 83213

Dear Mr. Bell:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit G-33109/34-2486 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.

R. KEITH HIGGINSON
Director

RKH:DR

34-2486

-ptember 12, 1956

Re: Permit No. G-33109

Willard O. Bell
Box 91
Arco, Idaho

Dear Mr. Bell:

We enclose Permit No. G-33109 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-10742 which was issued covering payment in the amount of $ 5.75 for the filing fee of the above mentioned permit.

Very truly yours,

Enc. permit
receipt

H. RUSSELL BOSCH
Office Manager

MRB:ejw

33109

August 12, 1966

Re: Permit Applications

Mr. Willard O. Bell,
Box 91,
Arco, Idaho.

Dear Mr. Bell:

Returned herewith are your applications for water right and check for $10.50.

Your reply to our letter of August 9, 1966, has indicated two wells are to be drilled within the same 40 acre subdivision. Also indicated is that both wells will comingle their water and this comingled water will irrigate all the land shown under both applications.

If this interpretation of your reply is correct, then you are advised to file only one permit. This permit should show two wells in the NW¼NW¼, Section 12, Twp. 3 N., Rge. 26 E.B.M. Also, you should list all the land to be irrigated by the wells.

If, for some reason, you desire to file two permits and comingle the water, then both permits must show all of the land to be covered by both wells instead of half of the land on each application.

We are also enclosing a new application form completed by our department, as you have indicated you intended to use the system.

Please advise us as to your intent.

Very truly yours,

DONALD W. ROBERTSON
State Water Rights Clerk

Encl: Applications for Permit (3)
Check No. 6694 for $10.50
Instructions & Regulations
Letter of Instructions
DWR:pmk

33109

33109

August 9, 1956

Re: Application for Permit

Mr. Willard O. Bell,
Box 91,
Arco, Idaho.

Dear Mr. Bell:

Returned herewith are your applications to appropriate the subterranean waters of the State of Idaho, and your personal check for $11.00.

The correct filing fee for an application of 2 cfs is $5.25, therefore, the total remittance should be $10.50 for both applications.

Application No. 1 shows the point of diversion as the NW¼NW¼, Section 12, Twp. 3 N., Rge. 26 E. B. M., whereas, the map indicates the point of diversion as the NE¼NW¼, Section 12. Please correct your application.

The land list shown for application No. 1 is the N½NW¼, N½SE¼NW¼, however, the map indicates the lands to be the N½NW¼, N½SE¼NW¼, Section 12; please clarify this for us.

Application No. 2 also lists the point of diversion as the NW¼NW¼, Section 12, however, you have failed to indicate the point of diversion on the map. The land list of application No. 2 overlaps the lands applied for under application No. 1, wherein the SW¼NW¼, Section 12, Twp. 3 N., Rge. 26 E. is apparently covered by both applications. Please advise us as to your intent.

Please comply with the above and your applications will most probably be in acceptable form.

Contact us if you have any further questions.

Very truly yours,

DONALD W. McELDOWNEY
State Water Rights Clerk

Encl: Applications for Permit (2)
Check No. 8676 for $11.00

DWMc:pmk

33109

Dear Sir:

the wells are both in the same 1/4 section a pipe line will connect them together

the map on #2 shows the lower half of a 1/4 However the water will be used on all the land.

Thank you

Thilard Bell,

33109

ROBERT E SMYLIE
Governor

CARL E TAPPAN
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

August 9, 1966

Re: Application for Permit

Mr. Willard O. Bell,
Box 91,
Arco, Idaho.

Dear Mr. Bell:

Returned herewith are your applications to appropriate the subterranean waters of the State of Idaho, and your personal check for $11.00.

The correct filing fee for an application of 2 cfs is $5.25, therefore, the total remittance should be $10.50 for both applications.

Application No. 1 shows the point of diversion as the NW¼NW¼, Section 12, Twp. 3 N., Rge. 26 E. B. M., whereas, the map indicates the point of diversion as the NE¼NW¼, Section 12. Please correct your application.

The land list shown for application No. 1 is the W½NW¼, N½SE¼NW¼, however, the map indicates the lands to be the N½NW¼, N½SE¼NW¼, Section 12; please clarify this for us.

Application No. 2 also lists the point of diversion as the NW¼NW¼, Section 12, however, you have failed to indicate the point of diversion on the map. The land list of application No. 2 overlaps the lands applied for under application No. 1, wherein the SW¼NW¼, Section 12, Twp. 3 N., Rge. 26 E. is apparently covered by both applications. Please advise us as to your intent.

Please comply with the above and your applications will most probably be in acceptable form.

Contact us if you have any further questions.

Very truly yours,

Donald W. McEldowney

DONALD W. McELDOWNEY
State Water Rights Clerk

Encl: Applications for Permit (2)
Check No. 6670 for $11.00
DWMc:pmk

33109