

WARRANTY DEED

For Value Received

DONALD R. SOUZA AND MARY E. VANKLEECK, both single persons

The grantor s do hereby grant, bargain, sell and convey unto

GEORGE R. SOULIER AND JERI L. MIDDLETON, both single persons

the grantees, whose current address is
1267 LONG ROAD, WEISER, ID 83672
the following described premises, in WASHINGTON

County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S
 THEIR heirs and assigns forever. And the said Grantor S do hereby covenant to and
 with the said Grantee S, that THEY the owners in fee simple of said premises; that they are free
 from all incumbrances

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JAN 04 1999

and that The Y will warrant and defend the same from all lawful claims whatsoever.

Dated: Sept. 30, 1991

DONALD R. SOUZA

MARY E. VANKLEECK

STATE OF IDAHO, COUNTY OF WASHINGTON
 On this 30th day of Sept. 19 91
 before me, a notary public in and for the said State, personally
 appeared

DONALD R. SOUZA AND MARY E.
VANKLEECK

known or identified to me to be the person S whose name S
 subscribed to the within instrument, and acknowledged to me
 that THEY executed the same.

Residing at
 Comm. Expires

WEISER
 3/27/97

Notary Public
 Idaho

STATE OF IDAHO, COUNTY OF WASHINGTON
 hereby certify that this instrument was filed for record at the
 request of WEISER VALLEY TITLE

at 15 minutes past 4:00 o'clock p.m.
 this 30TH day of SEPTEMBER
 19 91 in my office, and duly recorded in Book
 of Deeds at 152889

MARY KAUTZ
 Ex-Officio Recorder

Fees \$ 6.00
 Mail to: WEISER VALLEY TITLE

Deputy
 Comp. Index
 Comp. Rel.
 Film
 Compare
 Care Rel.
 ny Rel.

Exhibit "A"

In Washington County, Idaho:

A tract of land situated in the SW1/4SE1/4 of Section 27, Township 12 North, Range 5 West of the Boise Meridian, more particularly described as follows:

BEGINNING at the Southwest corner of said SW1/4SE1/4;
Thence N 0° 38' 34" W a distance of 629.54 feet along the center line of said Section 27, to a point 700 feet South of the South 1/16 corner;

Thence N 89° 52' 30" E a distance of 112 feet; thence N 0° 38' 34" W 700 feet to a point on the North line of said SW1/4SE1/4;

Thence N 89° 52' 30" E a distance of 280.14 feet, more or less, along the North side line of said SW1/4SE1/4 to the center line of Monroe Creek; thence following the center line of Monroe Creek:

S 8° 23' 50" E a distance of 101.00 feet;

S 31° 50' 09" E a distance of 221.02 feet;

S 1° 20' 32" E a distance of 160.48 feet;

S 5° 42' 03" E a distance of 335.16 feet;

S 63° 26' 06" W a distance of 33.54 feet;

S 63° 26' 06" E a distance of 33.54 feet;

S 42° 09' 08" E a distance of 269.53 feet;

S 7° 40' 57" W a distance of 320.57 feet to the South side line of said SW1/4SE1/4;

Thence S 89° 54' W a distance of 663.65 feet along the South side line of said SW1/4SE1/4 to the POINT OF BEGINNING.

SUBJECT TO a perpetual easement for ingress and egress over the West 13 feet of the South 629.54 feet of the above described tract.

SAVE AND EXCEPT THE FOLLOWING TRACT OF LAND:

Beginning at the Southwest corner of said SW1/4SE1/4, thence N 0 degrees 38' 34" W a distance of 629.54 feet along the centerline of said Section 27, to a point 700 feet South of the South 1/16 corner, the TRUE POINT OF BEGINNING;

Thence East 162 feet;

Thence South 274 feet;

Thence West 162 feet to a point on the center line of said Section 27;

Thence N 0 degrees 38' 34" W along said centerline a distance of 274 feet, more or less, to the TRUE POINT OF BEGINNING.

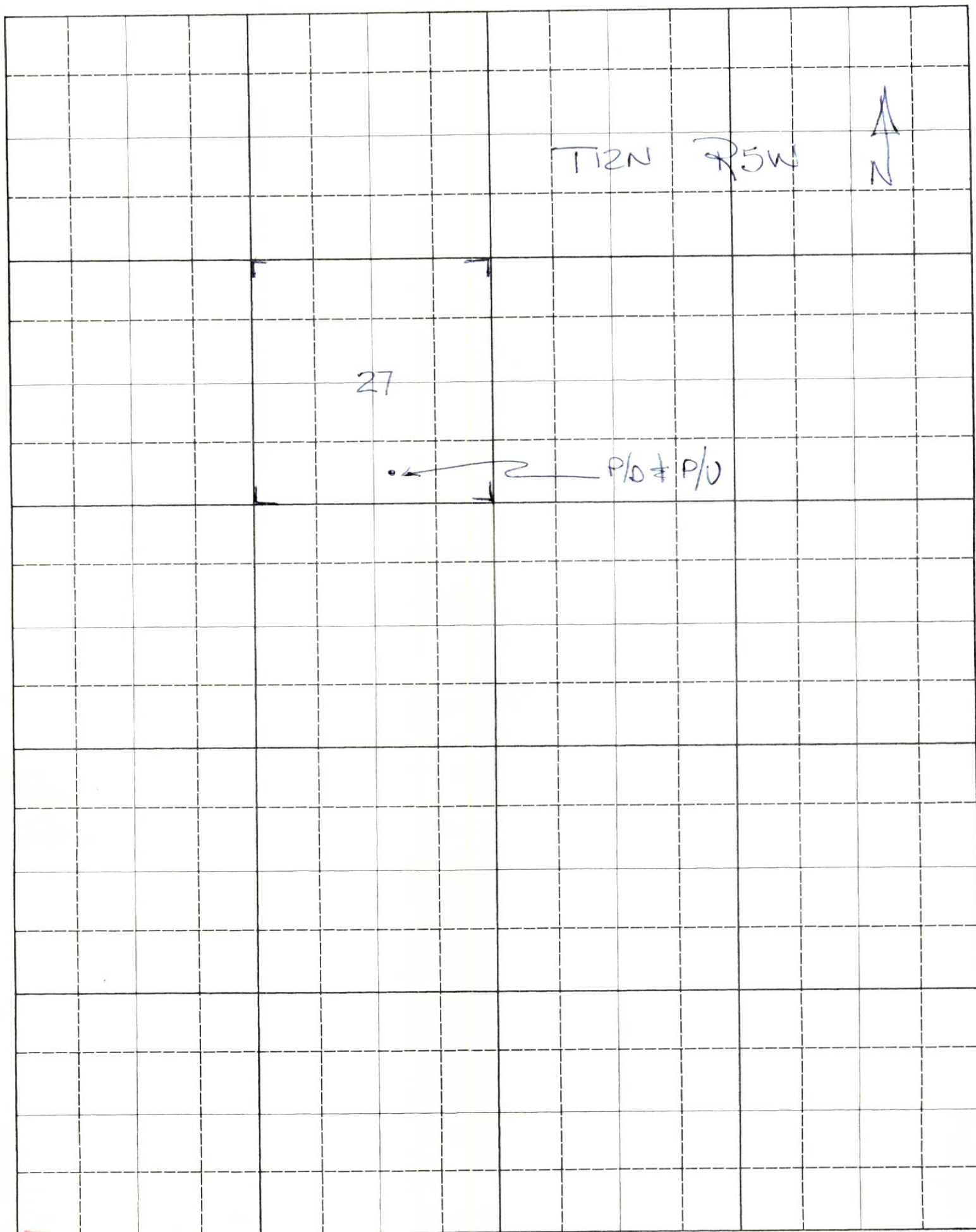
TOGETHER WITH AND SUBJECT TO a perpetual easement for ingress and egress over the West 13 feet of the South 629.54 feet of the SW1/4SE1/4 of Section 27, Township 12 North, Range 5 West, Boise Meridian.

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JAN 04 1999



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



Scale: 2 inches equal 1 mile.

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

William David Nowlin
(Applicant)

RECORDED

Nº 691

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Dorothy A. Booth, being duly sworn,
deposes and says:

That he is the Clerk of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was pub-
lished in said newspaper once a week for Two consecu-
tive weeks in the regular and entire issue of said paper dur-
ing the period and time of publication, and was published in
the newspaper proper and not in a supplement; that said
paper has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
first publication of said advertisement.

Such notice was published in the issue beginning with
May 6, 1982, and ending
with the issue of May 13, 1982

Dorothy A. Booth
Fees, \$ 28.50

Subscribed and sworn to before me this 13
day of May, 1982

[Signature]
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 1-2, 1983

NO. 691 NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been
submitted for permit to appropriate the public waters of the State of
Idaho:

67-7568 150

NOWLIN, DAVID WILLIAM &/or RONDA
RT. 2 BOX 152 B, WEISER, ID 83672

Source: MONROE CREEK tributary to WEISER RIVER
Date Filed: 04/27/1982

Amount: 0.20 CFS

Diversion Point: SWSE Sec 27 T 12N R 05W, WASHINGTON Co.

Use: IRRIGATION (0.20 CFS) from 03/15 to 11/15

STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: SWSE Sec 27 T 12N R 05W FOR 10 ACRES

Diversion Means: PUMP & SPRINKLER SYSTEM

If issued, the permit(s) will be subject to all prior water rights. Protests
against the granting of any permit must be filed with the Director of
the Idaho Department of Water Resources, 92 S. Cole Road, Boise,
Idaho 83709 on or before MAY 24, 1982.

A. KENNETH DUNN
Director

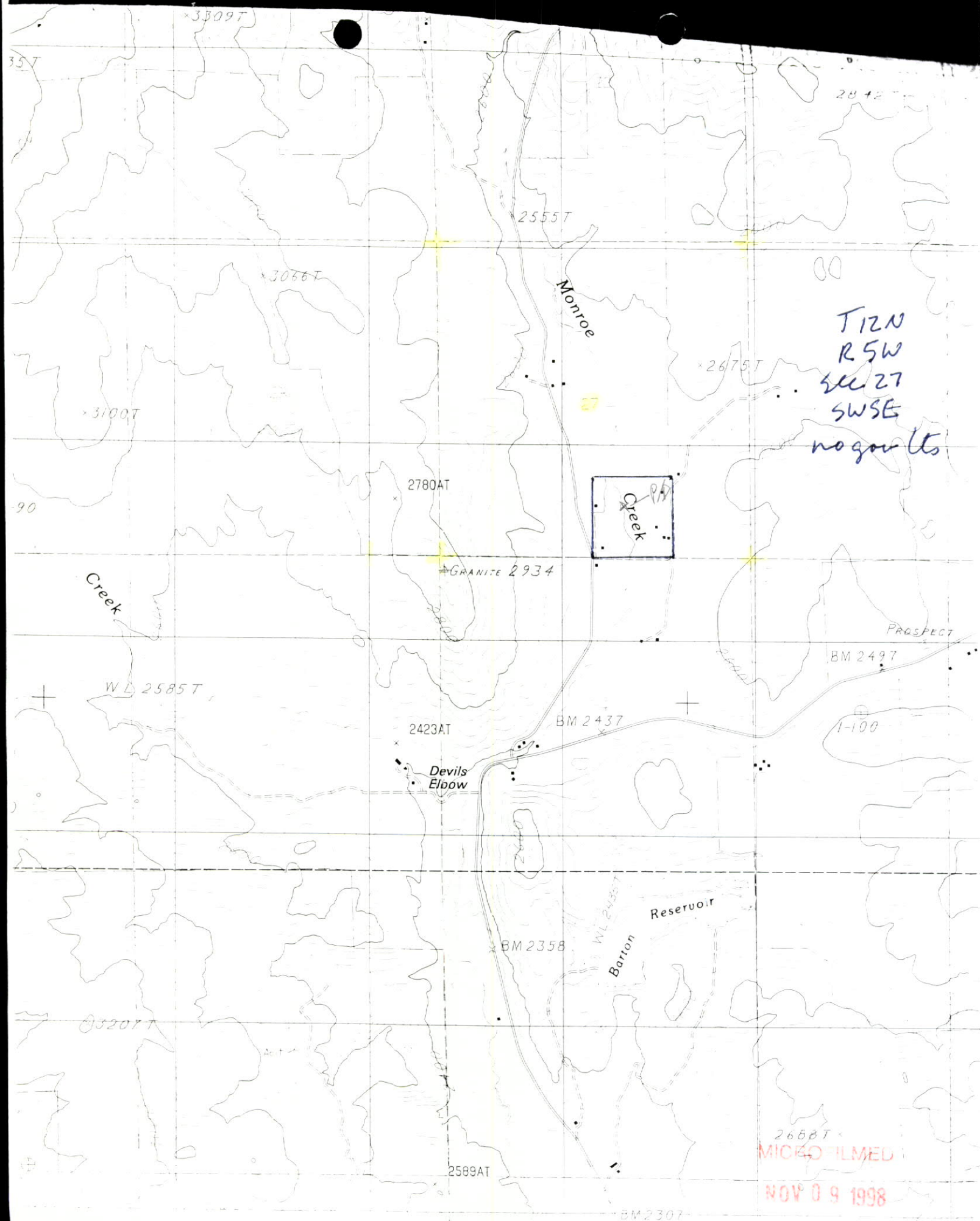
Published 05/06 & 05/13/82

18-25

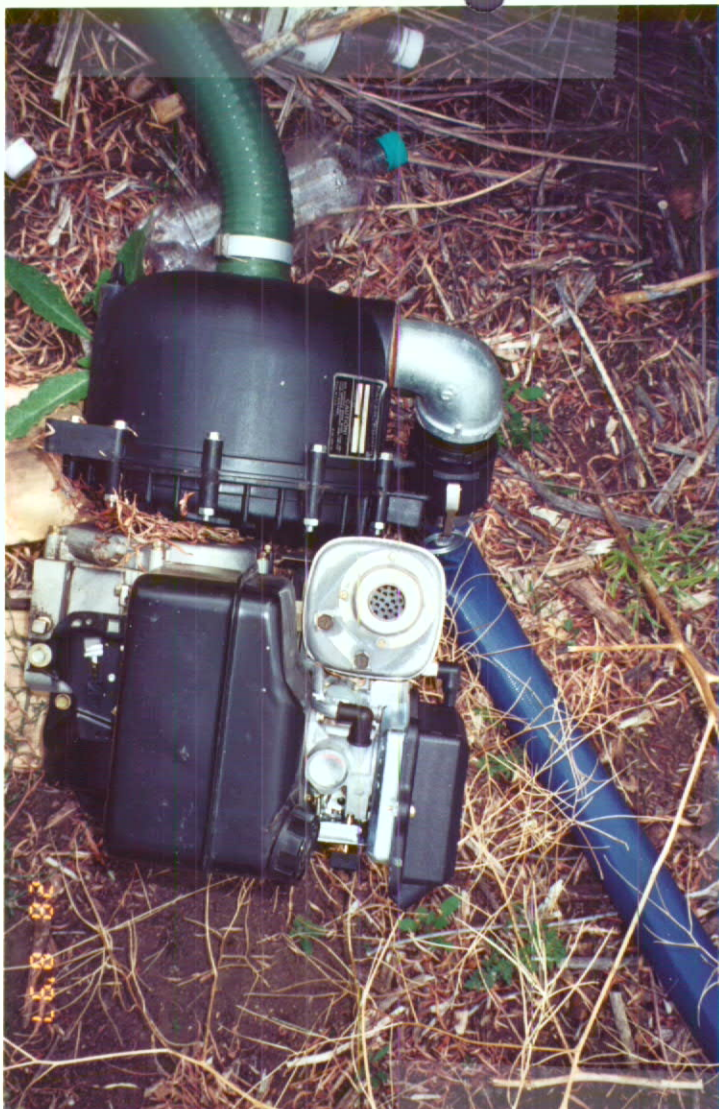
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JUN 3 1982

Department of Water Resources
Western Regional Office



67-07568



5HP PACER GAS PUMP

INTAKE FROM
MONROE CREEK

MICROFILMED
NOV 09 1998

67-07508





P/u

MICROFILMED
NOV 09 1998

65-07568

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP RECEIVED

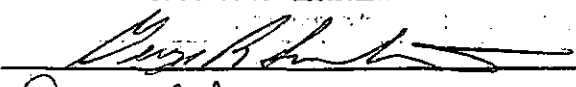
Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

NOV 09 1998
WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 21 1998

Department of Water Resources

1. Water Right Number(s) 67-07568
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - * A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) DONALD SOUZA + MARY E. VAN KLEECK
1267 LONG RD WEISER (NEW ADDRESS UNKNOWN)
4. New Owner/Claimant(s) GEORGE E. + JERI L. SOULIER
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 1267 LONG RD
City, State and ZIP Code WEISER ID 83672
New Telephone Number (208) 549-0009
5. Date you acquired the property SEPT. 30/1991
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
N/A
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s)  Date 11/6/98
Jeri L. Soulier Date 11/6/98
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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JAN 04 1999

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

RECORDED
JAN 04 1999

WARRANTY DEED

For Value Received

DONALD R. SOUZA AND MARY E. VANKLEECK, both single persons

The grantor s do hereby grant bargain, sell and convey unto

GEORGE E. SOULDER AND JERI L. MIDDLETON, both single persons

the grantees, whose current address is

1267 LONG ROAD, WEISER, ID 83672

the following described premises, in WASHINGTON

County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S
 THEIR heirs and assigns forever. And the said Grantor S do hereby covenant to and
 with the said Grantee S, that THEY the owners in fee simple of said premises; that they are free
 from all incumbrances

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and that The Y will warrant and defend the same from all lawful claims whatsoever.

JAN 04 1999

Dated: Sept. 30, 1991

DONALD R. SOUZA

MARY E. VANKLEECK

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 30th day of Sept. 1991
 before me, a notary public and for the said State personally
 appeared

DONALD R. SOUZA AND MARY E.
 VANKLEECK

known or identified to me to be the person S whose names
 subscribed to the within instrument, and acknowledged to me
 that THEY executed the same

Residing at: WEISER
 Comm. Expires: 3/27/97

Notary Public
 Idaho

STATE OF IDAHO, COUNTY OF WASHINGTON

hereby certify that this instrument was filed for record at the
 request of WEISER VALLEY TITLE

at 15 minutes past 4:00 o'clock p.m.
 this 30TH day of SEPTEMBER
 19 91, in my office, and duly recorded in Book
 of Deeds at BOOK # 152889

MARY KAUTZ
 Ex-Officio Recorder

Fees \$ 6.00
 Mail to: WEISER VALLEY TITLE

Deputy
 Comp. Index
 Cmp. Rel.
 Film
 Compare
 Card Rel.
 Rel.

Exhibit "A"

In Washington County, Idaho:

A tract of land situated in the SW1/4SE1/4 of Section 27, Township 12 North, Range 5 West of the Boise Meridian, more particularly described as follows:

BEGINNING at the southwest corner of said SW1/4SE1/4;
Thence N 0° 38' 34" W a distance of 629.54 feet along the center line of said Section 27, to a point 700 feet South of the South 1/16 corner;

Thence N 89° 52' 30" E a distance of 112 feet; thence N 0° 38' 34" W 700 feet to a point on the North line of said SW1/4SE1/4;

Thence N 89° 52' 30" E a distance of 280.14 feet, more or less, along the North side line of said SW1/4SE1/4 to the center line of Monroe Creek; thence following the center line of Monroe Creek:

S 8° 23' 50" E a distance of 101.00 feet;

S 31° 50' 09" E a distance of 221.02 feet;

S 1° 20' 38" E a distance of 160.48 feet;

S 5° 42' 03" E a distance of 335.16 feet;

S 63° 26' 06" W a distance of 33.54 feet;

S 63° 26' 06" E a distance of 33.54 feet;

S 42° 05' 08" E a distance of 269.33 feet;

S 7° 40' 57" W a distance of 320.57 feet to the South side line of said SW1/4SE1/4;

Thence S 89° 54' W a distance of 553.55 feet along the South side line of said SW1/4SE1/4 to the POINT OF BEGINNING.

SUBJECT TO a perpetual easement for ingress and egress over the West 13 feet of the South 629.54 feet of the above described tract.

SAVE AND EXCEPT THE FOLLOWING TRACT OF LAND:

Beginning at the Southwest corner of said SW1/4SE1/4, thence N 0 degrees 38' 34" W a distance of 629.54 feet along the center line of said Section 27, to a point 700 feet South of the South 1/16 corner, the TRUE POINT OF BEGINNING;

Thence East 162 feet;

Thence South 274 feet;

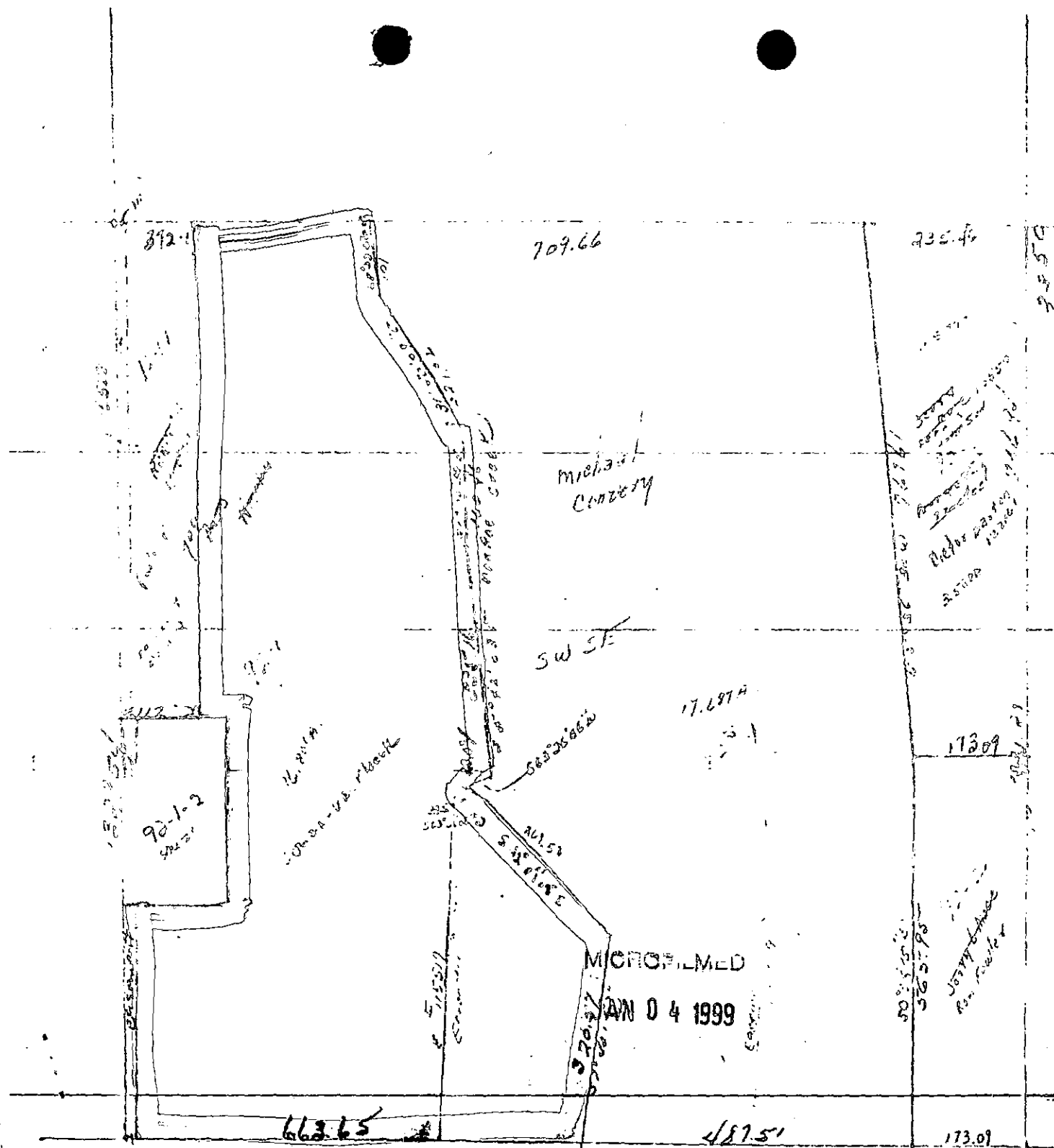
Thence West 162 feet to a point on the center line of said Section 27;

Thence N 0 degrees 38' 34" W along said center line a distance of 274 feet, more or less, to the TRUE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO a perpetual easement for ingress and egress over the West 13 feet of the South 629.54 feet of the SW1/4SE1/4 of Section 27, Township 12 North, Range 5 West, Boise Meridian.

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JAN 04 1999



State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 67-07568

Priority: June 4, 1983

Maximum Diversion Rate: 0.20 CFS

Maximum Diversion Volume: 41.5 AF

This is to certify, that DONALD SOUZA
MARY E VAN KLEECK

1267 LONG RD

WEISER ID 83672

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 1, 1983; and has submitted Proof of Beneficial Use on February 2, 1989. An examination indicates that the works have a diversion capacity of 0.450 cfs of water from:

MONROE CREEK

tributary to WEISER RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 05/01	0.20 CFS	41.4 AF
STOCKWATER	11/16 to 05/01	0.02 CFS	0.1 AF
	Totals	0.20 CFS	41.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 27, Township 12N, Range 05W
WASHINGTON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N	05W	27	SWSE	9		9

Total number of acres irrigated: 9

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

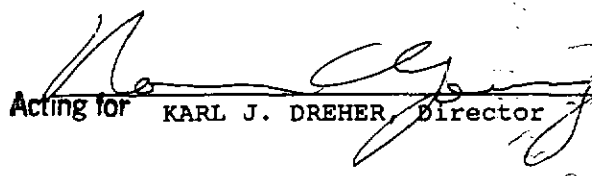
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NOV 09 1998

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-07568

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 30TH day of

OCTOBER, 1978.


Acting for KARL J. DREHER, Director

MICROFILMED

NOV 09 1998

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	67-7568	Nowlin, David William Ronda	0.20 tota
Full Assignment	67-7568	Souza, Donald	0.20 tota
Full Assignment (addition of another owner - no correspondence req'd)	67-7568	Souza, Donald Van Kleeck, Mary E.	0.20

REPROFILMED

SEP 19 1990

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JUL 18 1990

State of Idaho

Department of Water Resources

Department of Water Resources

ASSIGNMENT OF PERMIT

I, Donald Souza, hereby assign to Donald & or Mary E. Van Kleeck
of 1267 Long Rd. Weiser, ID 83672
Address

All my right, title, and interest in and to Permit No. 67-7568
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 13th day of July, 19 90

Donald Souza
Permit Holder

Spouse of Permit Holder

State of Idaho)

SS

County of Washington)

On this 13th day of July, 19 90, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

MICROFILMED

seal

SEP 19 1990

My commission expires:

11-16-93

Altha M. Spill
Notary Public residing at

Weiser Idaho

RECEIVED

APR 25 1990

State of Idaho

Department of Water Resources

Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED

APR 23 1990

Department of Water Resources
Western Regional Office

I, David Nowlin, hereby assign to Donald Souza
of 1267 Long Road, Weiser, Idaho 83672
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 67-07568
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

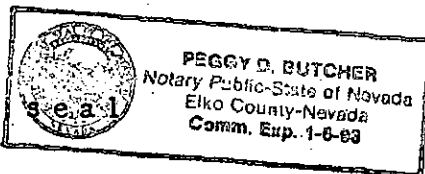
Made this _____ day of _____, 19____.

David William Nowlin
Permit Holder

Ronda Nowlin
Spouse of Permit Holder

State of NEVADA)
County of ELKO) ss.

On this 20TH day of APRIL, 19 90, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.



Peggy D. Butcher
Notary Public residing at
ELKO, NEVADA

My commission expires:
1-6-93

RECORDED

JUN 26 1990

ok

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 67-7568 IN THE
NAME OF DAVID W. AND/OR RONDA NOWLIN

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before September 1, 1988; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on February 2, 1989;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 67-7568 be REINSTATED and the priority advanced to June 4, 1983.

Dated this 16th day of February, 1989.

MICROFILMED

MAR 16 1989

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED

FEB 2 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Western Regional Office

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received 50.00

Date 2/2/89

Receipt # W082150

Received by Don

Reviewed by Don

Sent to region Don

FEB 03 1989

Department of Water Resources

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. 67-075681

Name(s) of Permit Holder: David W. Nowlin i/or Ronda Nowlin

Post Office Address: 1267 Long Road Weiser, ID. 83672

Telephone No. 549-3075

Source of Water: Mumma Creek

Extent of Use:

Domestic (number of households) Stockwater 10 hdl. horses/cows (number and type of stock)

Irrigation 10 (acres) Other/Remark

Total rate and/or volume for which proof is submitted .20 cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: Spring 1984

Measuring Device: Required? Yes X No
Installed? Yes X No

Fee enclosed \$ 50
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes X No
Installed? Yes X No

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

AS above

(Name)

(Telephone Number)

(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.

X 2/2/1989
Date

X David Nowlin
Signature of Permit Holder (and title, if appropriate)

MAR 16 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho
AND OR RONDA NOWLIN

1. Name of applicant DAVID William NOWLIN Phone 549-3075
Post office address RT. 2 Box 152 B Weiser Idaho 83672
2. Source of water supply MONROE CREEK which is a tributary of Weiser River
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 12 N
Range 5W B.M. WASHINGTON County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.20 DN for IRRIGATION purposes from MAR-15 to NOV-15 (both dates inclusive)
(cfs or acre-feet per annum) Allow March 15 to May 1* LGS 9/6/83
Amount 0.02 DN for STOCK WATER purposes from JAN-1 to DEC-31 (both dates inclusive)
(cfs or acre-feet per annum) Allow November 16 to May 1*
Amount 0.02 for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. 0.22, 20 DN cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Pump, SPRINKLER System

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27 Township 12 N
Range 5W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 10 head

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12 N	5 W	27															10		10

Total number of acres to be irrigated 10

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

NONE

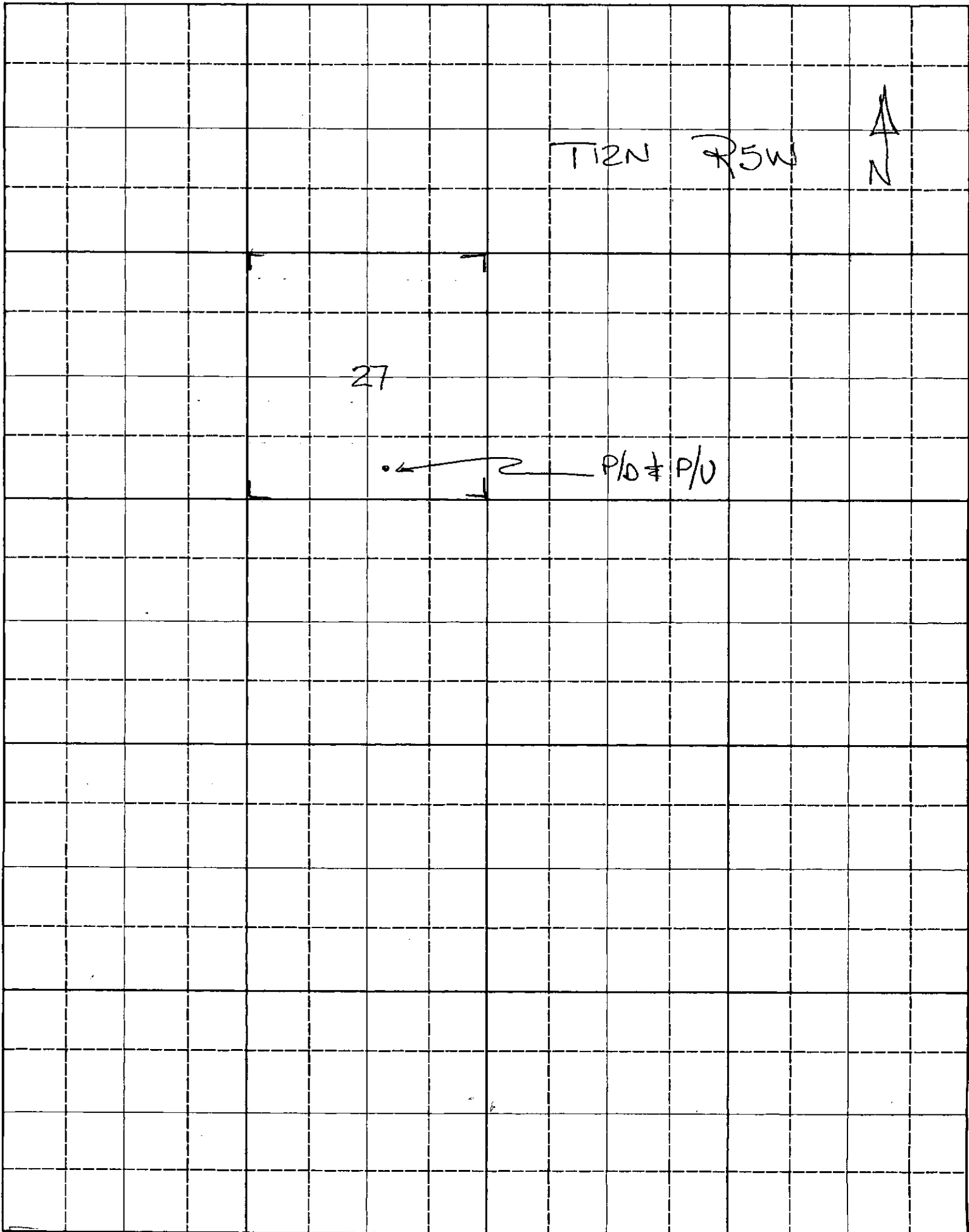
9. a. Who owns the property at the point of diversion Applicant

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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



Scale: 2 inches equal 1 mile.

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

William
David Nowlin
(Applicant)

RECORDED

Proposed Priority 1/1/1983

Received by RC

Date 4-27-82

Time 11:15 AM

2:00 p.m.

Preliminary check by jc

Fee \$ 30.00

Receipted by sg

Date 4-27-82

22760

Publication prepared by jp

Date 4/29/82

Published in Signal Americal

Publication dates 5/6 & 5/13/82

Publication approved JP

Date 6/4/82

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____

Date _____

Recommended for approval

denial

by DBS

Jim

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 67-7568, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 88.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other:

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Use of water under this permit is subject to control by the watermaster of State Water District No. 67, Weiser River.

The period of use for irrigation shall be March 15 through May 1.

The period of use for stockwater shall be November 16 through May

1.

Witness my hand this 6th day of September, 1983.

L. Glen Saxton
Chief, Operations Bureau

Nº 691

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Washington }

Dorothy A. Booth, being duly sworn,
deposes and says:

That he is the Clerk of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was pub-

lished in said newspaper once a week for Two consecu-
tive weeks in the regular and entire issue of said paper dur-
ing the period and time of publication, and was published in
the newspaper proper and not in a supplement; that said
paper has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
first publication of said advertisement.

Such notice was published in the issue beginning with

May 6, 1982, and ending
with the issue of May 13, 1982

Dorothy A. Booth
Fees, \$ 28.50

Subscribed and sworn to before me this 13
day of May, 1982

[Signature]
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 1-2, 1983

NO. 691

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been
submitted for permit to appropriate the public waters of the State of
Idaho:

67-7568 ✓

NOWLIN, DAVID WILLIAM &/or RONDA
RT. 2 BOX 152 B, WEISER, ID 83672

Source: MONROE CREEK tributary to WEISER RIVER

Date Filed: 04/27/1982

Amount: 0.20 CFS

Diversion Point: SWSE Sec 27 T 12N R 05W, WASHINGTON Co.

Use: IRRIGATION (0.20 CFS) from 03/15 to 11/15

STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: SWSE Sec 27 T 12N R 05W FOR 10 ACRES

Diversion Means: PUMP & SPRINKLER SYSTEM

If issued, the permit(s) will be subject to all prior water rights. Protests
against the granting of any permit must be filed with the Director of
the Idaho Department of Water Resources, 92 S. Cole Road, Boise,
Idaho 83709 on or before MAY 24, 1982.

A. KENNETH DUNN

Director

Published 05/06 & 05/13/82

18-2S

RECEIVED

Department of Water Resources
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

December 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GEORGE R. SOULIER
JERI L. SOULIER
1267 LONG RD
WEISER ID 83672

RE: WATER RIGHT 67-07568

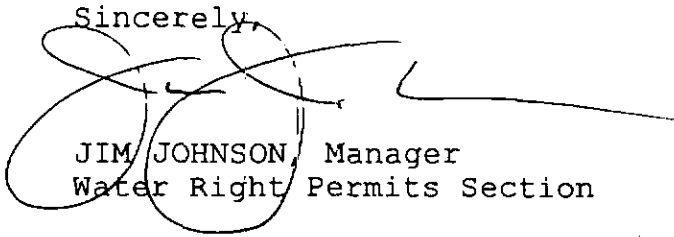
Dear Mr. & Mrs. Soulier:

The Department is in receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

JAN 04 1999

M E M O R A N D U M

DATE: November 5, 1998

TO: File 67-07568

FROM: Kari Lynn Townsend

RE: Returned mail/Telephone conversation

=====

The WR license in the name of Donald Souza/Mary E Van Kleeck that was mailed on 11-2-98 was returned today by the postoffice marked **forwarding expired**.

I telephoned Jeri Soulier (current owners per the FE report) to see if she had a forwarding address for Souza/Van Kleeck. She said the only information that she had was that they were somewhere in North Carolina and the info was 7 years old.

Shelley said it would be okay to resend the license to Soulier's and to also include an ownership change form. That was done today.

Report of Major Resources

1301 North Orchard St.

P.O. Box 83720

Boise, ID 83720-0098

(208) 327-7900

of

05-0297

DONALD SOUZA

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03471

2010-01-20

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

November 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DONALD SOUZA
MARY E VAN KLEECK
1267 LONG RD
WEISER ID 83672

RE: WATER RIGHT NO. 67-07568

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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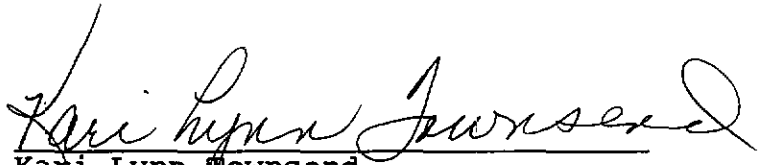
NOV 09 1998
3

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of November, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 67-07568

DONALD SOUZA
MARY E VAN KLEECK
1267 LONG RD
WEISER ID 83672


Kari Lynn Townsend
Secretary

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NOV 09 1998

MEMORANDUM

TO: File 67-07568

FROM: Sharla

DATE: October 28, 1998

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 67-07568 are as follows:

H. RECOMMENDATIONS

Irrigation	3/15 - 5/1	0.20 cfs	41.4 afa
Stockwater	11/16 - 5/1	0.02 cfs	0.1 afa
	TOTALS	0.20 cfs	41.5 afa

The seasons for both uses were limited by special conditions on the permit. Those same seasons are to be carried to the license.

Exam Date: August 28, 1997
Examiner: Lori Graves

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NOV 09 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 67-07568 DATE 10/29/98 REVIEWER: SHARLA

NAME Change/OK
Address OK no assignment - license Souza/Vankleeck

SOURCE OK Does change clarify orig. intended source? If no, Void permit

POINT OF DIV OK Change (P39 /P47) Add (P45/P42) Feds - P40

W32 (multiple in 1/4)
W36 (overlap)
W59 (subd. desc)

Overlaps: Right(s): _____
File reviewed _____ Profile reports printed _____

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43

W60 (subd. desc)
W27 (ppu acre limit)

Overlaps: Right(s): _____
File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .20 cfs

Fee limit .20 cfs \$5000

Measured _____ cfs .45 pump rating

Theoretical _____ cfs

Recommended Total Div Rate .20 cfs

WATER USES

OK Change (P46)
Dom .10 cfs 9.2 x 4.5 = 41.4 irrig -
Stock .02 cfs .1 af
____ cfs _____ af
____ cfs _____ af
____ cfs _____ af
____ cfs _____ af
____ cfs _____ af

TOTALS

.20 cfs 41.5 af

overlap (R58-R61, R62-R65, R66-R69)
supp. gw (WB7/065/079)
overlap spec. combined rts (W35)
<1acre (W31)
Domestic (W01/WB5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .18 cfs X _____ days X 1.98 = _____ af

REMARKS

ADD'L CONDITIONS

R04 Watermaster Control WD# 67
____ GW Measurement/Measuring Device
____ Others

Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority _____ yes ✓ no

SRBA Claim NA

Adjust Memo seasons ltd by perm
Amend letters _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 18 1998

DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 67-07869

07568

1. Owner: DONALD SOUZA Phone No. _____

Current Address: 1267 LONG RD WEISER ID 83672

2. Accompanied by: GEORGE + JERI SOULIER EXAM DATE: 8/28/97

Address: SAME Phone No. 549-0009

Relationship to Permit Holder: CURRENT OWNERS

3. Source: MONROE CREEK tributary to WEISER RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SE	27	12N	SW	WASH	USGS QUAD, CFSA PHOTO

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	N/E				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	SW	27															9.2		9.2

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NOV 09 1998

[illegible]

Photo of Diversion and System Attached

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		5	SEBZUL-ESC	PACER	
				(GAS)	

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: rated @ 200 GPM per pump plate

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NOV 09 1998

E. NARRATIVE/REMARKS/COMMENTS

Monroe Creek water is pumped via 5 HP gas pump with a 2" intake and a 2" 300' flexible mainline used to gravity irrigate 9.2 acres of pasture. Total lift from creek to P/M is ~22'. Applicant participates in an intense grazing management program and has the acres fenced off in cells (small square sections). All 9.2 acres are irrigated. A ground water well is used for domestic purposes (467-14033). No other water rights are used.

Please send an ownership change form with license recommendations to new owners.

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

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NOV 09 1998

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$200 \text{ gpm} \times .00223 = .45 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 9.2 \times 4.5 = 41.4$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .18 \times 246 \times 1.9835 = 87.8$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 41.4$$

2. Volume Calculations for Other Uses:

$$10 \text{ RANGE} \times .0134 = .1 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/15	11/15	.18	41.4
STOCKWATER	1/1	12/31	.02	.1
Totals:			.20	41.5

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

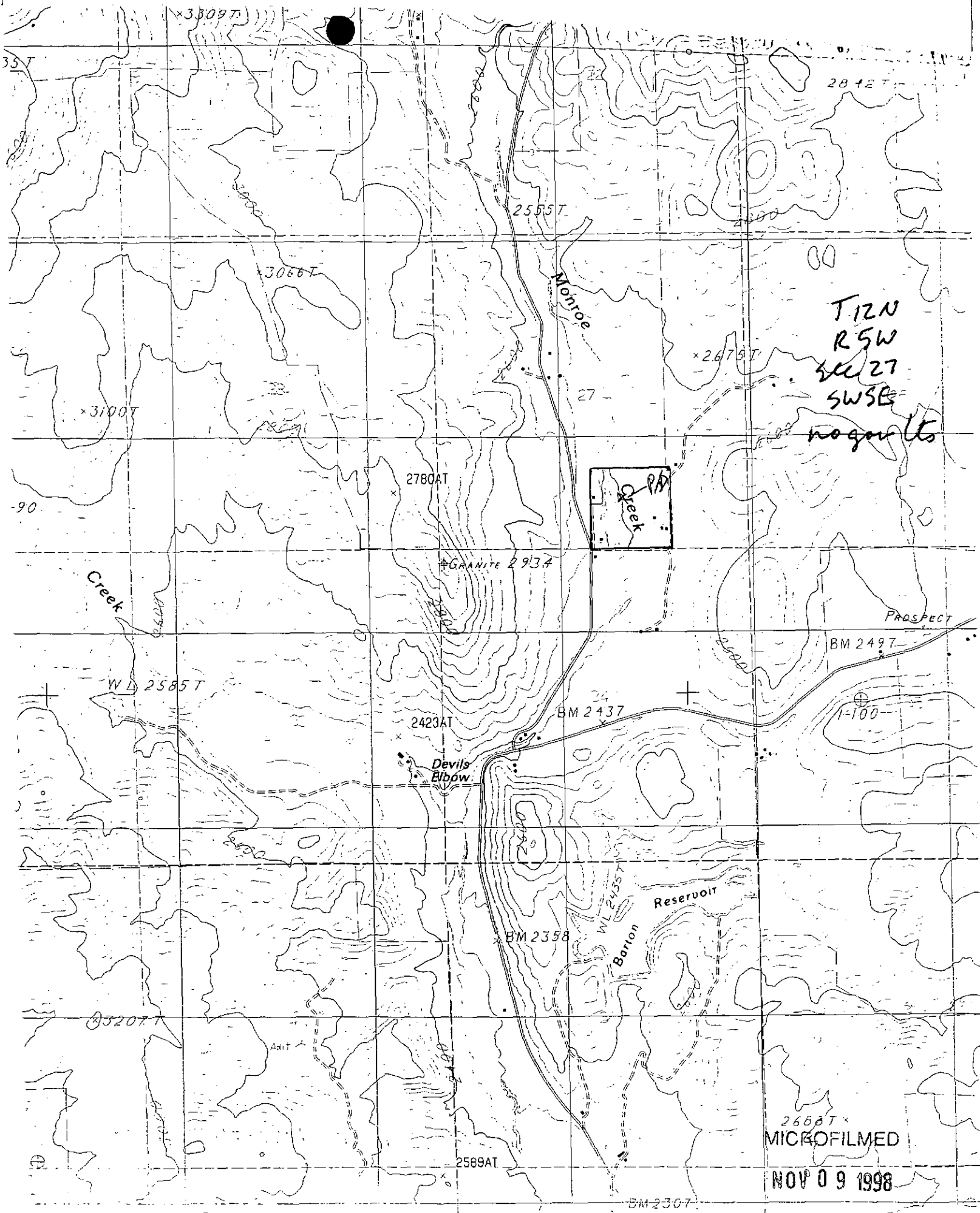
I. AUTHENTICATIONField Examiner's Name Lon Granger Date 9/16/98

Reviewer _____ Date _____

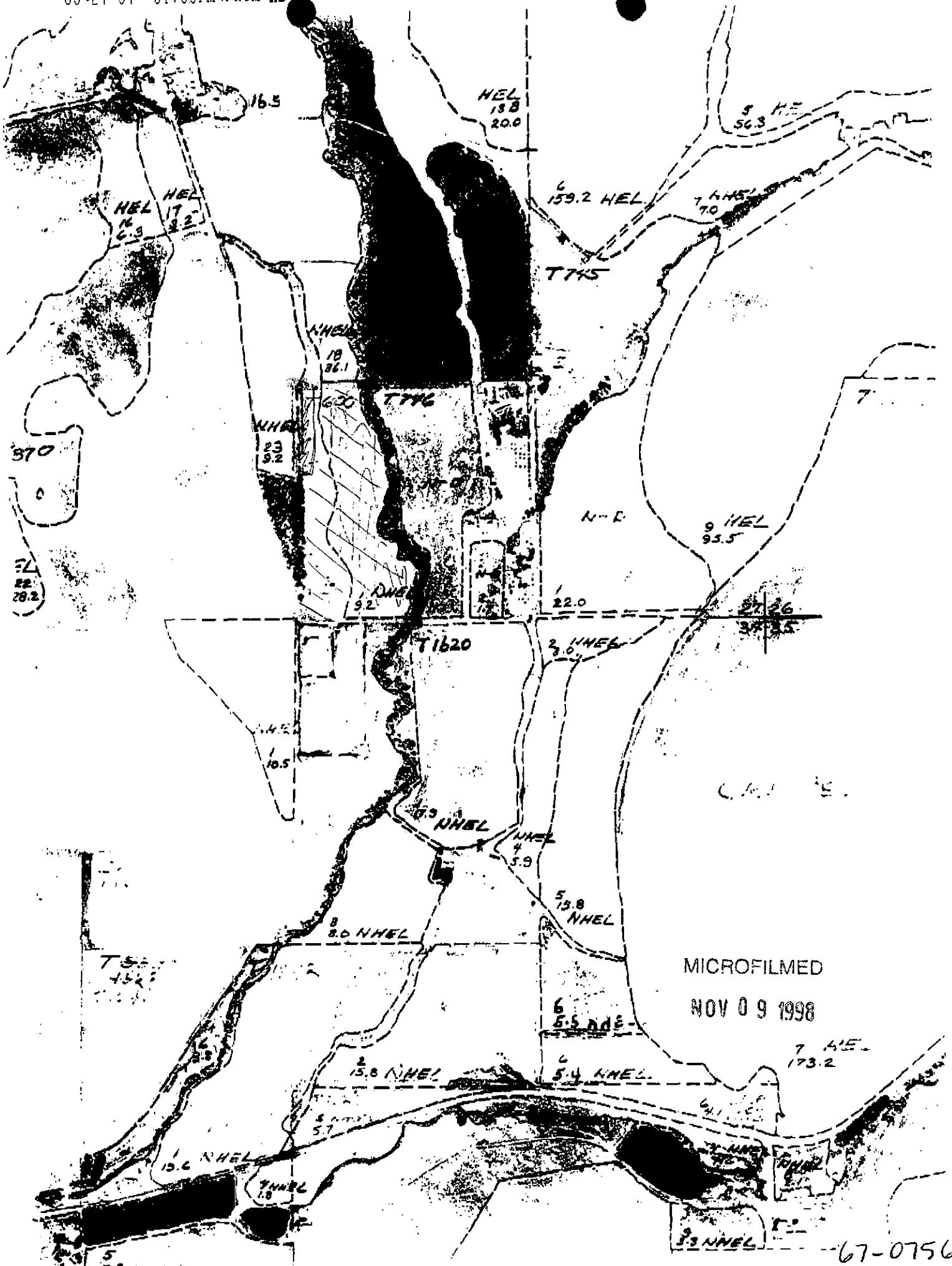
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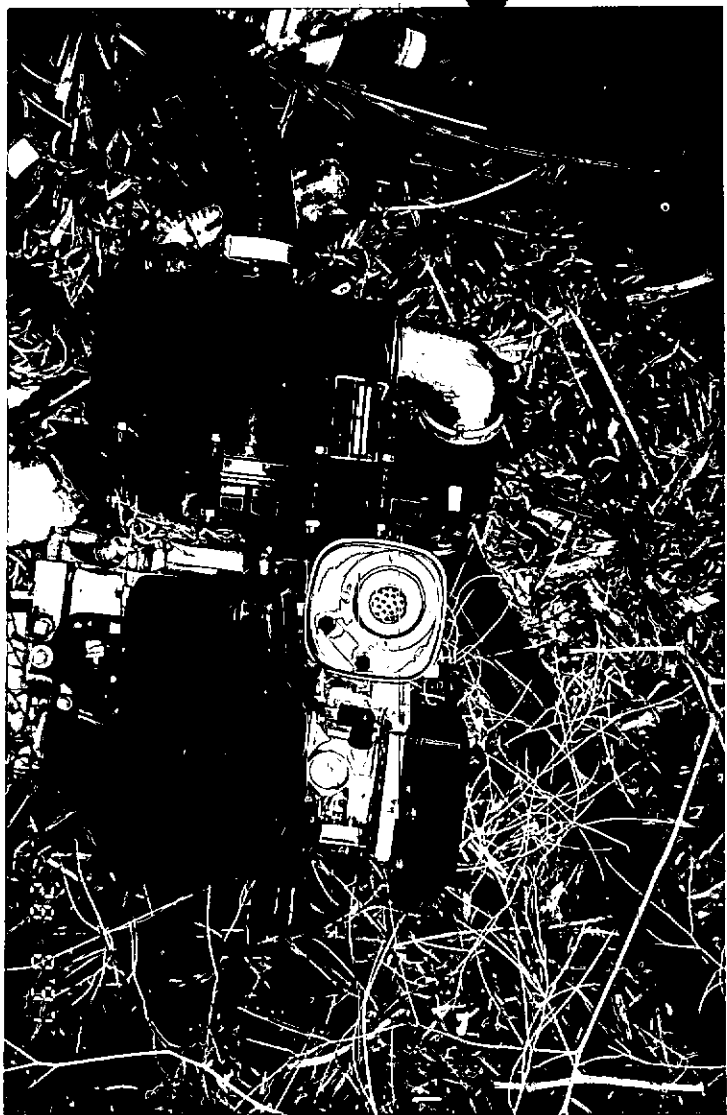
NOV 09 1998



67-07568



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5HP PACER GAS PUMP

INTAKE FROM
MONROE CREEK

MICROFILMED
NOV 09 1998

67-07568





P/n

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NOV 09 1998

65-07568

CONVERSATION MEMORANDUM

DATE 3/16/98

FILE 67-07568

NAME OF PARTY Jeri Soulier 549-0009

EMPLOYEE J

RECEIVED

MAR 18 1998

Department of Water Resources

RE: Change in Ownership for Permit

She called & discussed Monroe Co. right to irrigate 10 acres. Did not have # or i.d. of staff who was out in 8/97 for field exam.

Wants to get irrig. water in Soulier name

Said filed change in ownership for D/I well in 12/97 & was told would get something back from IOWA to help change ownership for permit. Has not received anything yet.

Legal 12N 5W 5.27 → WAS NOWLIN, THEN TOWSA,*
now George & Jeri Soulier.

Form 67-07568 examined 8/21/97 by LG.

Will forward this info to Examiner who will

1) check 12/97 change in owner info to see if it describes the permit acres

2) if so, can send change own. form ~~WAV 03/1998~~ owner to record " " for permit.

3) If not, work with them to figure out best way to record change in ownership for permit

*Said TOWSA not available to do assignment

MICROFILMED

May 19, 1992

DONALD SOUZA
1267 LONG RD.
WEISER ID 83672

RE: Water Right No. 67-07568

Dear Water Right Holder(s):

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

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

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

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

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

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NOV 09 1998

existing water users and reduce the need to curtail diversions.

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

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

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

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

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

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NOV 09 1998



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

May 1, 1990

Re: Water Right No. 67-7568

Donald Souza
1267 Long Road
Weiser, ID 83672

Dear Water Right Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

We assume you are aware of requirements remaining to finalize the permit into a license.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

SHARLA CURTIS
Clerical Specialist

SC:js

INDEXED

JUN 26 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 67-7548

Date: 2.13.89

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
Y Address change _____ If yes, prepare a data entry
N Proof received timely
Y Reinstated

Source of Water:

Y Surface water
Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

Is a measuring device or access port required?
N/A Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Reinstate — Proof due 9.1.88. Lapse Notice sent 12.16.88

<u>Y</u>	Priority Calculation:		
	Date proof received	<u>Feb. 2, '89</u>	<u>365</u> <u>+ 33</u>
	Date proof due	<u>Sept. 1, '88</u>	<u>398</u> <u>- 244</u>
	No. of days late		<u>= 154</u>
	Priority date	<u>Jan. 1, '83</u>	<u>+ 1</u>
	NEW PRIORITY DATE	<u>June 4, '83</u>	<u>= 155</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

WARNING

~~CANCELLED~~ OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

December 16, 1988

DAVID W. NOWLIN
RT. 2, BOX 152B
WEISER, ID 83672

Dear Mr. Nowlin:

Re: Permit No. 67-7568

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time or a response to Rita Fleck's letter of October 13, 1988.

Your permit cannot be reinstated unless you submit the proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal including the examination fee or a completed field examination report or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which brings title to the water in question.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

MAR 16 1989

CERTIFICATION OF MAILING

I hereby certify that on 12-16-88
a copy of original notice was
deposited in the United States mail,
postage prepaid and addressed to the
individual(s) named above.

Jodi L. Schultz

October 13, 1988

David W. Nowlin
Rt. 2 Box 152B
Weiser, ID 83672

Dear Mr. Nowlin:

Re: Permit No. 67-7568

Returned is your check No. 139 (92-1/1241) in the amount of \$50.00.

Please return the completed proof of beneficial use form along with filing fee. Enclosed is another form for your convenience.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

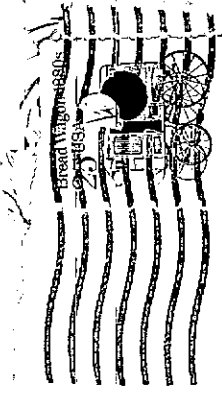
c: Acct. Sec.

*Received
Oct. 11, 1988*

MICROFILMED

MAR 16 1989

David Nowlen
1267 Long Rd.
Weiser ID.



Dept. of Water Resources
1301 North Orchard St.
Statehouse mail
Boise ID, 83720

September 14, 1988

David W. Nowlin
Rt. 2, Box 152B
Weiser, ID 83672

RE: Permit No. 67-7568

Dear Mr. Nowlin:

You recently contacted this office and inquired whether the season for irrigation use for the above referenced permit could be changed from May 1 to June 1.

A review of the water right file shows that before the department could process your application in 1983, the question of the season of use as originally proposed on your application (November 15) needed to be addressed, since there was not enough water in Monroe Creek to provide irrigation water through the normal season for a right with a 1982 priority.

The department corresponded with you in June 1982 and April 1983 in this regard. You then contacted the Monroe Creek Irrigation District (district) who advised the department that they had no objection to your application if the cutoff date was May 1 each year. The district had protested three (3) pending water right applications on Monroe Creek which predated your application.

Based on correspondence from the district, the department issued your permit with a cutoff date of May 1 for the irrigation use. For this reason, the department cannot change the cutoff date.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

c: W. Region

MICROFILMED

MAR 16 1989

138071
CERTIFIED MAIL
June 30, 1988

NOWLIN, DAVID WILLIAM & RONDA
RT. 2 BOX 152 B
WEISER, ID 83672

PROOF DUE NOTICE

RE: Permit No. 67-7568

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1988. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this Department on or before the above described proof due date, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MAR 16 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

NOWLIN, DAVID WILLIAM & RONDA
RT. 2 BOX 152 B
WEISER, ID 83672

SEPTEMBER 14, 1983

RE: PERMIT NO. 67-7568

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

RECEIVED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan J. Jover

APPLICATION NUMBER: 67-7568

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
Final date for protests: 5/24/82
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 6/3/82
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 30.00 / 22760
☒ Publication dates and paper, recorded on application. 5/16 & 5/13/82 Signal American
☐ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☐ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 67
1/1/83 Date of priority recommended.

Special conditions of approval or cover letter. I.P. letter
The period of use for irrigation shall be
Mar 15 through May 1.
The period of use for stock water shall be
Nov 16 through May 1.

By: DBS Date: 8/23/83

STATE OFFICE REVIEW:

417, 05 (67 Weiser R.), 26,

also use above conditions

- ☐ See attached sheet for more information.

By: J. Jover Date: 8/30/83

RECEIVED
AUG 30 1983
Department of Water Resources

see
letter
dated
6/21/83
kw
MICROFILMED

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

June 21, 1983

David William and/or Ronda Nowlin
Route 2, Box 152B
Weiser, ID 83672

Re: Application for Permit No. 67-7568

Dear Mr. & Mrs. Nowlin:

Enclosed is a copy of the letter we received from Mr. Chandler, Chairman of the Monroe Creek Irrigation District. He has proposed your application be approved with a May 1 date to stop using water each year and a 1983 priority date.

If you object to the approval of your application with these conditions please notify this Department by July 25, 1983. If you do not object to these conditions the Department will proceed with processing your application.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

cc: Laurie Chandler

Encl:

JUNE 11, 1983

Department of Water Resource

Dear Sir

Recently David Nowlin ask us as the Monroe Creek Irr. Dis. if we would write a letter to you stating our disition on his request to use water on a piece of his property earling in the spring, he gave May 1.

We have decided that if he had a May 1st cutt of date and a 1983 filing date we would have No objection.

Laurie Chandler
Chairman Monroe Creek Irr. Dis.

Route 2 Box 154
Weiser Idaho

RECEIVED

JUN 15 1983

Department of Water Resources
Western Regional Office

MICROFILMED

May 9, 1983

David William &/or Rhonda Nowlin
Rt. 2 Box 152B
Weiser, ID 83672

Re: Application for Permit No. 67-7568

Dear Mr. & Mrs. Nowlin:

The Department has received your correspondence dated April 28, 1983 stating you wish to use only the first run-off water when the creek is high. Your application for permit, however, shows an irrigation season from March 15 thru November 15, and stockwater use from January 1 thru December 31. I believe there is sufficient data to show that water isn't available for appropriation from Monroe Creek during the entire period requested on your application for permit.

It may be possible, however, as you suggest to obtain excess run-off water during some years from Monroe Creek. In order for the Department to determine a reasonable cut-off date for a permit, we will need additional data on the historical run-off characteristics of Monroe Creek. To determine this information I will ask that you meet with the Monroe Creek Irrigation District Board to determine an acceptable date to which you would be able to use water for irrigation. If an agreement can not be reached between yourself and the irrigation district, then provide the Department with any information you can which shows the times when appropriated water is available in Monroe Creek.

Please provide this information by June 15, 1983. If you need additional time, contact the Department and estimate the additional time you will need to obtain the requested information.

If you have questions about specific information the Department is seeking, please feel free to contact this office.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

MICROFILMED

Permit NO 67-7568
Mr. David Shaw: 4-28-83

I do not care to withdraw
my application for water. All I wanted
was first run off water when creek
is full. All I need is maybe one
watering. I do not want to take
water away from anyone, just the
excess.

Thank you
David Nowlin

RECEIVED

MAY 2 1983

Department of Water Resources
Western Regional Office

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

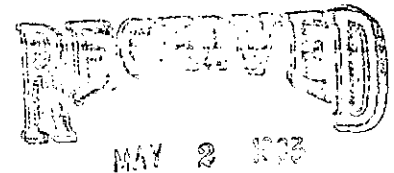
JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

April 11, 1983

David William &/or Ronda Nowlin
Rt. 2 Box 152B
Weiser, ID 83672



Re: Application for Permit No. 67-7568

Department of Water Resources
Western Regional Office

Dear Mr. & Mrs. Nowlin:

In my letter of June 10, 1982 concerning your application for permit to appropriate water from Monroe Creek, I explained your application would be held until the earlier in time applications from Monroe Creek had been resolved. The two earliest in time applications have been withdrawn and another appears that it will be dismissed in the near future. The Department is now ready to give final consideration to your application for permit.

As you may recall in my earlier letter I explained that the waters of Monroe Creek have been decreed and one of the Findings of Fact in that Decree is that "There are periods during each year when the amount of water flowing in Monroe Creek and its tributaries is insufficient to meet and satisfy the various demands by claimants of appropriative rights." What this means is that during each year there is not sufficient water in Monroe Creek to meet all the existing uses without considering any new uses of the water.

There are several options which you may wish to pursue at this time. You could withdraw your application from further consideration by the Department or you could ask the Department to consider and make a final decision on your application based either on information currently available to the Department or you may wish to seek additional information that would show there is unappropriated water available for your use in Monroe Creek.

Please inform the Department by May 1, 1983 of your wishes for this application. For your convenience I have enclosed a withdrawal form if you should decide to withdraw your application. If you have any questions about your application, feel free to contact this office.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp
Enclosure

MICROFILMED

April 11, 1983

David William &/or Brenda Nowlin
Rt. 2 Box 152B
Weiser, ID 83672

Re: Application for Permit No. 57-7564

Dear Mr. & Mrs. Nowlin:

In my letter of June 10, 1982 concerning your application for permit to appropriate water from Monroe Creek, I explained your application would be held until the earlier in time applications from Monroe Creek had been resolved. The two earliest in time applications have been withdrawn and another appears that it will be dismissed in the near future. The Department is now ready to give final consideration to your application for permit.

As you may recall in my earlier letter I explained that the waters of Monroe Creek have been decreed and one of the Findings of Fact in that Decree is that "there are periods during each year when the amount of water flowing in Monroe Creek and its tributaries is insufficient to meet and satisfy the various demands by claimants of appropriative rights." What this means is that during each year there is not sufficient water in Monroe Creek to meet all the existing uses without considering any new uses of the water.

There are several options which you may wish to pursue at this time. You could withdraw your application from further consideration by the Department or you could ask the Department to consider and make a final decision on your application based either on information currently available to the Department or you may wish to seek additional information that would show there is unappropriated water available for your use in Monroe Creek.

Please inform the Department by May 1, 1983 of your wishes for this application. For your convenience I have enclosed a withdrawal form if you should decide to withdraw your application. If you have any questions about your application, feel free to contact this office.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp
Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

June 10, 1982

David William &/or Ronda Nowlin
Route 2, Box 152 B
Weiser, ID 83672

Re: Application for Permit No. 67-7568

Dear Mr. & Mrs. Nowlin:

The Department has reviewed your application for permit to appropriate water from Monroe Creek for irrigation and stockwater purposes.

In January, 1979 the waters of Monroe Creek were decreed by Judge Dunlap in a Third District Court decision. One of the Findings of Fact in that decision is that "There are periods during each year when the amount of water flowing in Monroe Creek and its tributaries is insufficient to meet and satisfy the various demands by claimants of appropriative rights."

At this time there are four earlier in time water right applications filed on Monroe Creek. Three of these applications have been protested and a resolution of those protests is currently being sought by the Department.

I believe your application should be held until final action has been taken on the four earlier in time applications. However, if you have some information which shows that your application should be considered separately please provide that information to me. If I do not receive any additional information this application will be considered only when a final decision has been reached on the four previous applications.

If you have any questions about your application or this letter, please feel free to contact this office.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: DIZT APPLICATION NUMBER: _____

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
→ ☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
→ ☒ Signature.
→ ☒ Fee.
☐ Yes ☐ No Field check required.
☐ Yes ☐ No Critical groundwater area.
☐ Yes ☐ No Request dam safety information. Sent by: _____ Date: _____
☐ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☐ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received. Date: _____
☐ Application published correctly. If not, record action taken: _____
☐ Fee amount, receipt date & number, recorded on application.
☐ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☐ Recommendation & initial, recorded on application.
☐ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
Date of priority recommended. _____

Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.
By: _____ Date: _____

MICROFILMED

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

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lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

WATER RIGHT
DATA ENTRY LOG

[illegible]

62-2568-

NOWLIN, DAVID WILLIAM &/or RONDA

RT. 2 BOX 152 B, WEISER, ID 83672

Source: MONROE CREEK tributary to WEISER RIVER

Date Filed: 04/27/1982

Amount: 0.20 CFS

Diversion Point: SWSE Sec 27 T 12N R 05W, WASHINGTON Co.

Use: IRRIGATION	(0.20 CFS)	from 03/15 to 11/15
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

Place of Use: SWSE Sec 27 T 12N R 05W FOR 10 ACRES

Diversion Means: PUMP & SPRINKLER SYSTEM

MICROFILMED