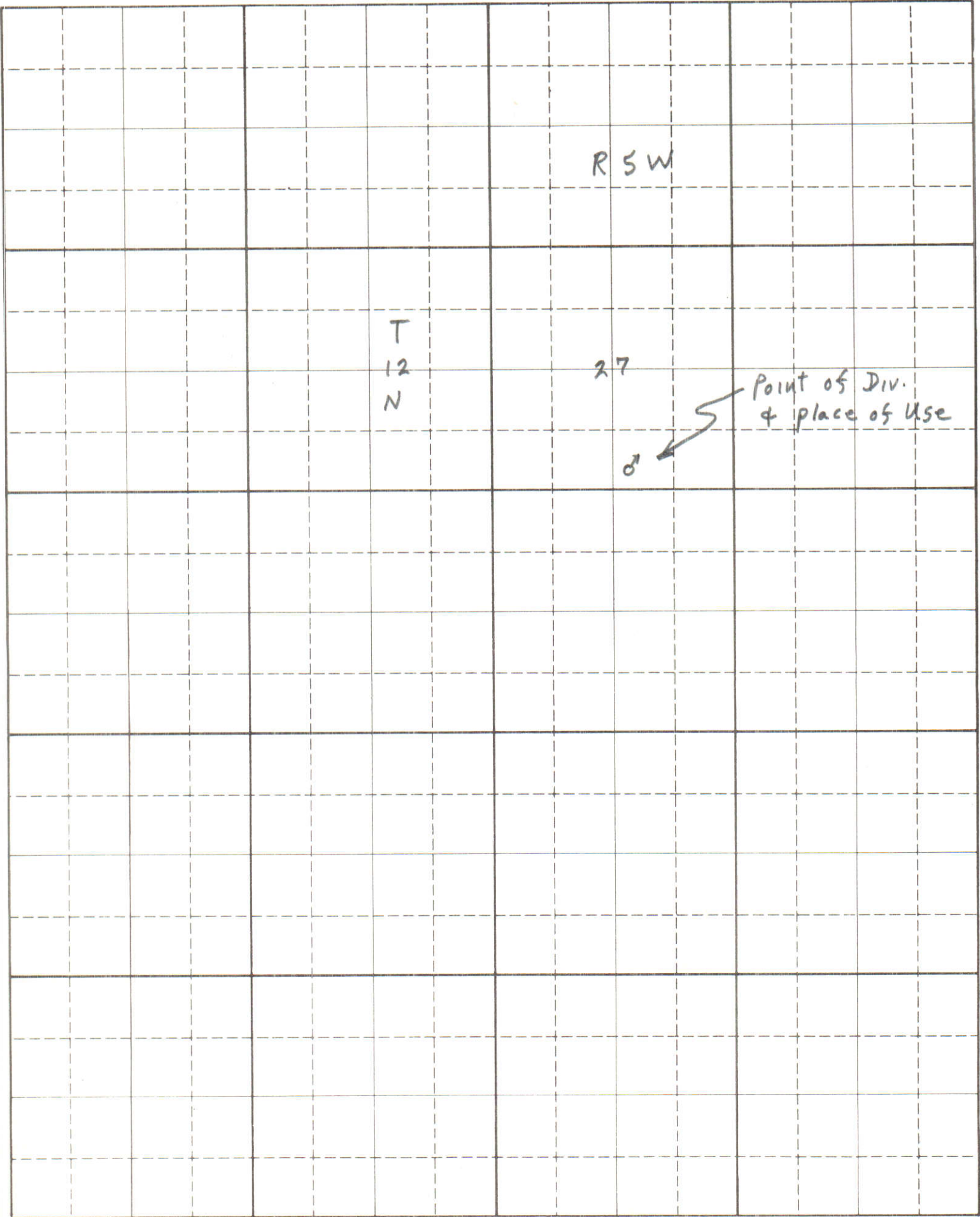


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Ronald L. Lawler  
(Applicant)  
Linda Fowler

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

SEP 3 - 1993

Department of Water Resources

**A. GENERAL INFORMATION**

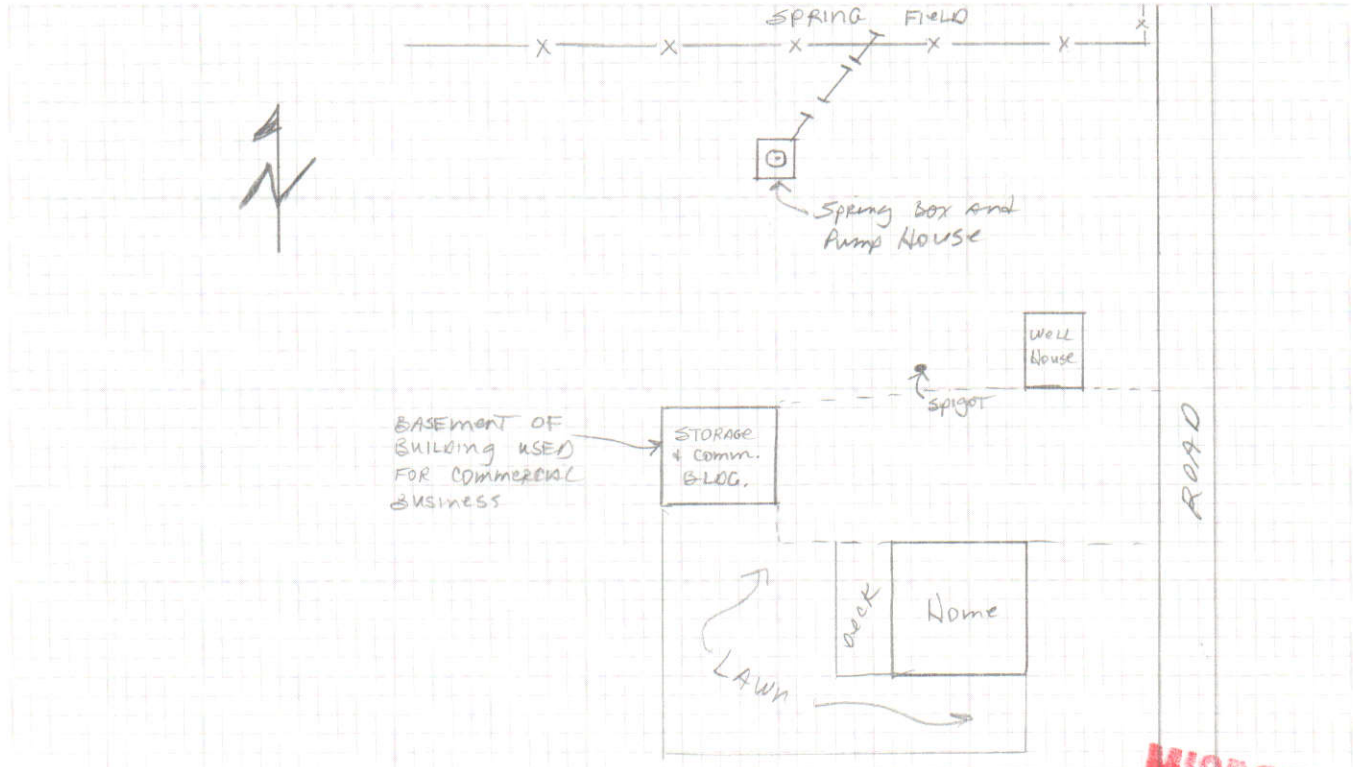
1. Owner: Ronald Fowler Permit No. 67-7291  
Current Address: RT. 2, Box 150, Weiser, ID 83672 Phone No. 549-0547  
2. Accompanied by: Ron Fowler EXAM. DATE: 5/25/93  
Address: SAME Phone No. SAME  
Relationship to Permit Holder: Applicant  
3. Source: Spring tributary to Monroe Creek

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: 67-7861  
☐ Copies Attached  
2. Other water rights with same point of diversion: 67-7861, 67-7554, 67-00723A, 67-00723B, 67-04411, 67-07762  
☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

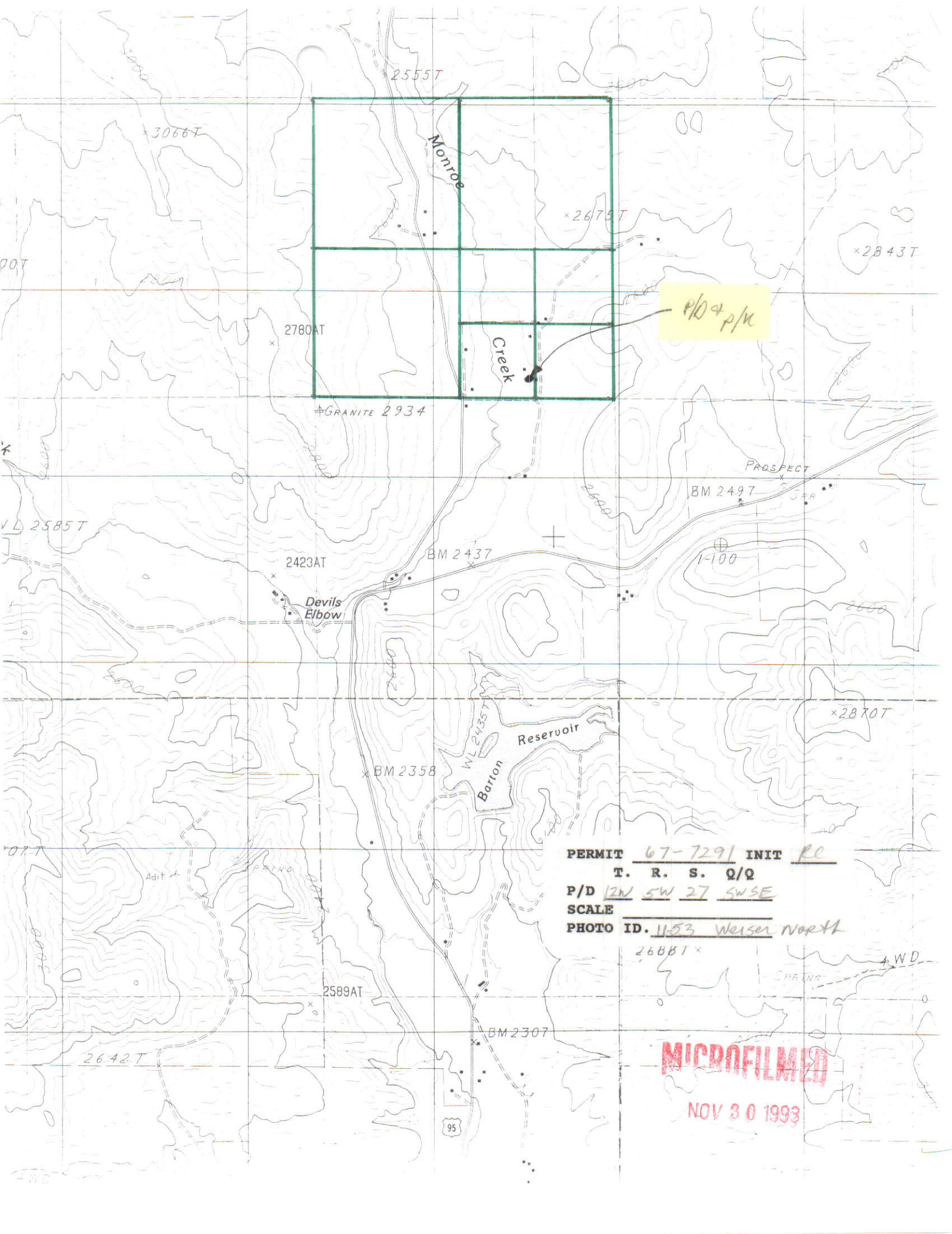


Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).  
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).  
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

MICROFILMED

NOV 30 1993



2555T

x3066T

Monroe

x2679T

x2843T

2780AT

#104 p/m

Creek

GRANITE 2934

PROSPECT

BM 2497

2423AT

BM 2437

Devils Elbow

1-100

x2870T

Reservoir

x BM 2358

Barton

PERMIT 67-7291 INIT RC

T. R. S. Q/Q

P/D 12N 5W 27 SWSE

SCALE

PHOTO ID. 1153 Weiser North

2688T x

WD

2589AT

BM 2307

2642T

MICROFILMED

NOV 30 1993

95



PHOTO ONE- View northerly of pump house located on top of Spring box. Actual spring is located behind pump house in neighbors pasture. Mr Fowler has a pipe to southerly fence line of pasture to tap into spring.

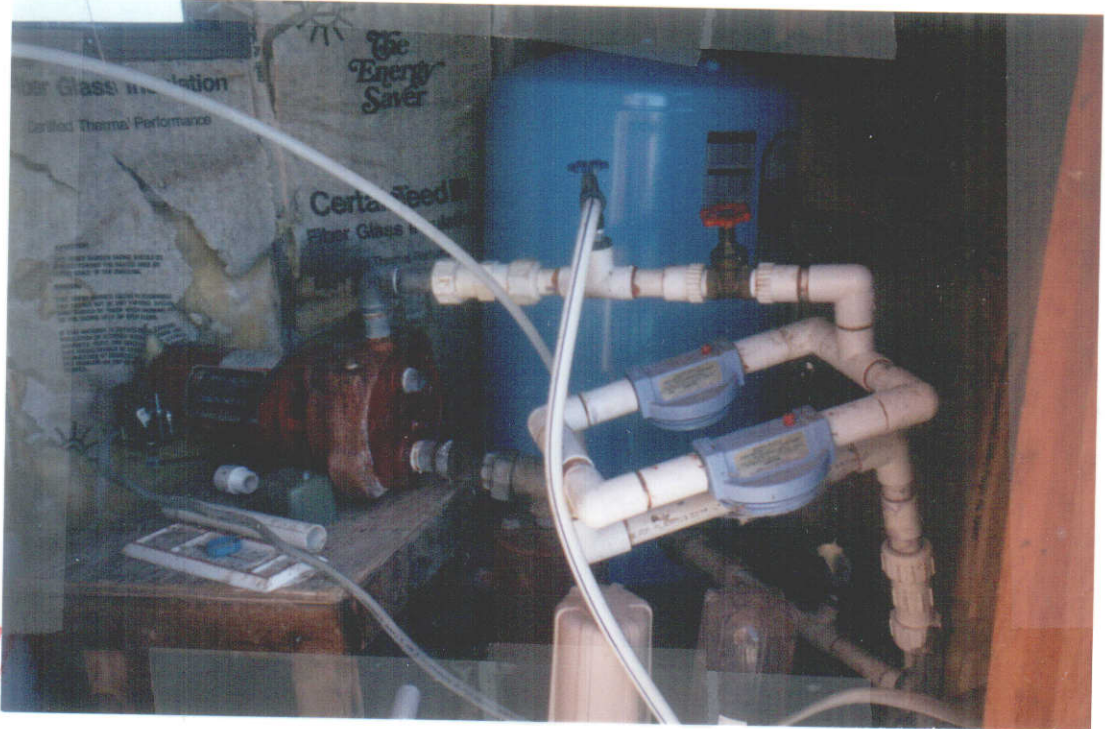


PHOTO TWO-

Pump and pressure Tank in pump house. Casing shown is connected to Spring box.

Nº 1098

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.  
County of Washington }

Dorothy A. Bath, 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 2 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

Oct. 28, 1976, and ending  
with the issue of Nov. 4, 1976.

Dorothy A. Bath

Fees, \$ 12.58

Subscribed and sworn to before me this 4

day of Nov, 1976

Paul Lee  
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 1-2, 1979

RECEIVED  
DEC 2 1976

Department of Water Resources  
Western Regional Office

No. 1098  
NOTICE OF APPLICATION  
FOR WATER PERMIT

Notice is hereby given that  
RONALD L. & LINDA  
FOWLER, Weiser, ID has on  
October 6, 1976 submitted  
Application No. 67-7291 for a  
permit to appropriate 0.09  
cubic feet per second of  
water from an unnamed  
spring trib. Monroe Creek by  
means of springbox, pump  
and pressure system within  
the SW 1/4 SE 1/4 Sec 27 T12N-  
R5W B.M., Washington  
County to be used from Jan 1  
to Dec 31 for domestic pur-  
poses and from Apr 1 to Oct  
31 for irrigation of 2.5 acres  
within the SW 1/4 SE 1/4 Sec 27  
T12N-R5W B.M.

If issued, this permit will  
be subject to all prior water  
rights. Protests against the  
granting of the permit must  
be filed with the Idaho  
Department of Water Re-  
sources, Statehouse, Boise,  
Idaho, 83720, on or before  
November 15, 1976.

R. KEITH HIGGINSON  
Director  
Published in The Signal,  
Weiser, ID on October 28,  
1976 and November 4, 1976.  
66-25

OK  
12-3-76  
M

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 67-07291

Priority: October 6, 1976

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that RONALD L FOWLER  
LINDA FOWLER

1305 LONG RD

WEISER ID 83672

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 6, 1976; and has submitted Proof of Beneficial Use on January 1, 1900. An examination indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER 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> |
|-----------------------|----------------------|--------------------------|----------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 | 1.2 AF               |

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: DOMESTIC

TWN RGE SEC

12N 05W 27

SWSE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The total combined rate of diversion under this right and Right No. 67-07861 shall not exceed .04 cfs nor a combined volume of 1.2 af.
6. The diversion facility for this right is an underground drain, collection box and pump.

RECORDED

NOV 20 1993

State of Idaho  
Department of Water Resources

Page 2

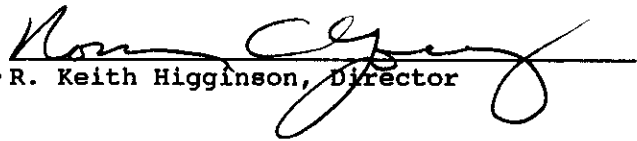
## WATER RIGHT LICENSE

WATER RIGHT NO. 67-07291

CONDITIONS/REMARKS:

7. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 1st  
day of November, 1993.

Acting for  R. Keith Higginson, Director

NOV 30 1993

Identification No. \_\_\_\_\_

Application No. 67-7291

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR PERMIT**

**APPROVED**

**To Appropriate the Public Waters of the State of Idaho**  
(TYPE OR PRINT IN INK)

1. Name of applicant Ronald L. and/or Linda Fowler Phone: 549-0547  
post office address Rt. 2, Box 150, Weiser, ID 83672
2. Source of water supply Unnamed Spring which is a tributary of Monroe Creek
3. a. Location of point of diversion is SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 27 Township 12N  
Range 5W B.M. Washington County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 0.04 for Domestic purpose from Jan 1 to Dec 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.05 for Irrigation purpose from Apr 1 to Oct 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:  
a. 0.09 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. Spring box with pump & pressure 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 during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)  
c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 5 years.  
b. Estimated construction cost is \$ \_\_\_\_\_.
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 12N  
Range 5W B.M.  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water one.  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 12N  | 5W    | 27   |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 2.5 |     | 2.5    |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

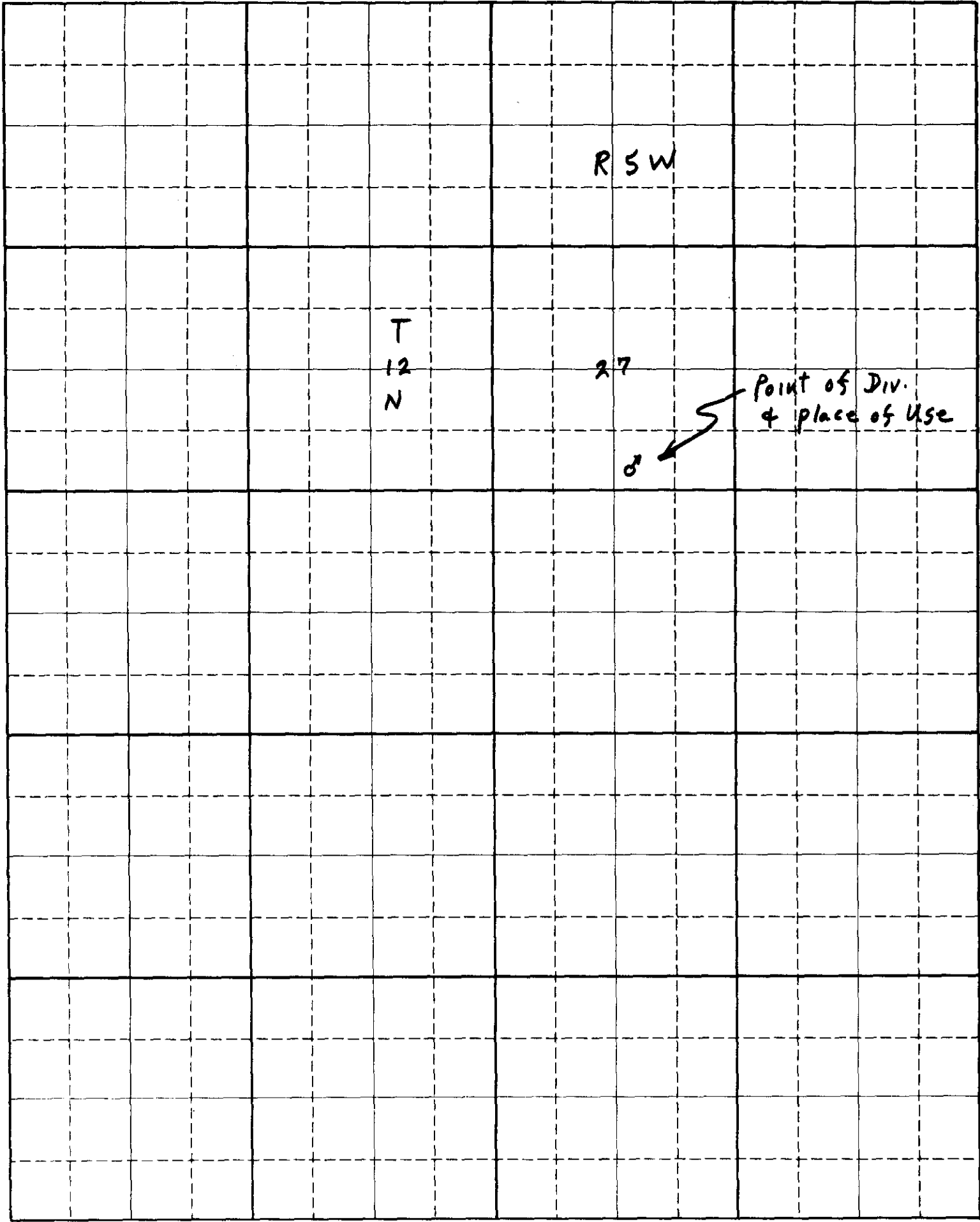
Total number of acres to be irrigated 2.5

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.

Ronald L. Sawlee  
(Applicant)  
Linda Fowler

Proposed Priority 10-06-76

Received by 24 Date 10/6/76 Time 3:30

Preliminary check by 144 Fee \$ 10.00

Receipted by ry Date Sept 7; 1976 # 5141

Publication prepared by ry Date 10-21-76

Published in The American Signal

Publication dates Oct 28 + Nov 4

Publication approved ry Date 12-3-76

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by 144

#### 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. 67-7291, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1981.

c. Other: \_\_\_\_\_

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

Witness my hand this 11 day of December, 19 76.

[Signature]  
Director



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

November 2, 1993

RONALD L FOWLER  
LINDA FOWLER  
1305 LONG RD  
WEISER ID 83672

RE: WATER RIGHT NO. 67-07291

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON  
Water Rights Supervisor

JJ:dc

Enclosure

**RECEIVED**

NOV 30 1993

DATE: 10/27/93  
PAGE: 1

Audit: 10/27/93 CHAPMAN

# LICENSE REVIEW CHECKLIST

Permit # 67-7291 Date 9-30-93 Brenda Chapman

|               |                                 |                                                                          |
|---------------|---------------------------------|--------------------------------------------------------------------------|
| NAME          | Yes <u>    </u> No <u>  ✓  </u> | Or Address Change?                                                       |
| PRIORITY DATE | <u>    </u> <u>  ✓  </u>        | Advance? <u>    </u> Memo to Advance <u>    </u>                         |
|               | <u>    </u> <u>  ✓  </u>        | Order to Reinstate Needed?                                               |
|               | <u>    </u> <u>  ✓  </u>        | Incorrect Fee for rate recommended?                                      |
| SOURCE        | <u>  ✓  </u> <u>    </u>        | Changes? Clarification of Originally Intended source <u>CHANGE TO GW</u> |
|               | <u>    </u> <u>  ✓  </u>        | Notice of Intent to Void - Source change.                                |
| P/D           | <u>    </u> <u>  ✓  </u>        | Amendment Needed? <u>    </u>                                            |
|               | <u>    </u> <u>  ✓  </u>        | Overlap(s) <u>    </u>                                                   |
| P/U           | <u>    </u> <u>  ✓  </u>        | Amendment Needed? <u>    </u>                                            |
|               | <u>    </u> <u>  ✓  </u>        | Overlap(s) <u>    </u>                                                   |
| TOTAL CFS     | <u>    </u> <u>  ✓  </u>        | Disagree/Measurement <u>DONE DONE</u>                                    |
|               | <u>    </u> <u>  ✓  </u>        | <u>DOMESTIC @ .04</u>                                                    |
|               | <u>    </u> <u>  ✓  </u>        | Theoretical 8.8 x .70 x                                                  |
|               | <u>    </u> <u>  ✓  </u>        | + 2.31 x                                                                 |
|               | <u>    </u> <u>  ✓  </u>        | Capacity <u>    </u>                                                     |
|               | <u>    </u> <u>  ✓  </u>        | Allowable Amount: <u>    </u>                                            |
| TOTAL VOLUME  | <u>    </u> <u>  ✓  </u>        | Disagree with Examiner's Calculations?                                   |
|               | <u>    </u> <u>  ✓  </u>        | <u>1 DOMESTIC @ 1.2</u>                                                  |
|               | <u>    </u> <u>  ✓  </u>        | Flow limit: <u>.04</u> x 365 x 1.9835 = <u>28.9</u>                      |
|               | <u>    </u> <u>  ✓  </u>        | Season <u>    </u>                                                       |
| USES          | <u>    </u> <u>  ✓  </u>        | Change(s) in Nature of Use? <u>DELETE</u>                                |
|               | <u>    </u> <u>  ✓  </u>        | Amendment Needed? <u>IRRIGATION</u>                                      |
| REMARKS       | <u>  ✓  </u> <u>  ✓  </u>       | Multiple P/Ds in 1/4 1/4? <u>    </u>                                    |
|               | <u>  ✓  </u> <u>  ✓  </u>       | Special Overlap <u>W26 (67-07861)</u>                                    |
|               | <u>  ✓  </u> <u>  ✓  </u>       | Other <u>    </u>                                                        |
| CONDITIONS    | <u>    </u> <u>  ✓  </u>        | Measuring/Locking Devices Misc/Dates                                     |
|               | <u>    </u> <u>  ✓  </u>        | W/Master Control Water Dist                                              |
|               | <u>    </u> <u>  ✓  </u>        | Irrigation Overlap <u>10-6-76</u> App Rec'd                              |
|               | <u>    </u> <u>  ✓  </u>        | Water Quality <u>    </u> Exam Made                                      |

COMMENTS: Delete irrigation use - 1/2 acre or less. Change source to GW per Dave Tutthill's 9-27-93 letter.

|             |     |         |
|-------------|-----|---------|
| RECOMMENDED | CFS | DIV VOL |
|-------------|-----|---------|

|                 |             |             |
|-----------------|-------------|-------------|
| <u>Domestic</u> | <u>.04</u>  | <u>1.2</u>  |
| <u>    </u>     | <u>    </u> | <u>    </u> |
| <u>    </u>     | <u>    </u> | <u>    </u> |

LICENSE   ✓  

AMEND     

Condition explaining "GW" source.



State of Idaho  
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

September 27, 1993

Ronald Fowler  
1305 Long Road  
Weiser, ID 83672

Edwin and Linda Svancara  
1323 Long Road  
Weiser, ID 83672

RE: Use of "Spring" Water

Dear Interested Parties:

I have reviewed the latest documents in this matter received from Mr. Fowler and from Mr. Svancara on September 2, 1993. Based on this review and my field inspection of the site, I draw the following conclusions.

From my perspective, it is difficult to determine conclusively that the Svancara diversion has damaged the ability of Mr. Fowler to divert water from his water system. My assessment of this situation is that both the Fowler "spring" and the Svancara "trenches" are diverting ground water.

The Department defines ground water as water found and diverted beneath the surface of the ground. A spring is water that bubbles up and is diverted on the surface. It appears that the systems used by both parties rely upon water that is collected below the surface of the earth as opposed to being collected at ground surface.

Idaho Code §42-226 states in part that:

The traditional policy of the state of Idaho, requiring the water resources of this state to be [diverted] to beneficial use in reasonable amounts through appropriation, is affirmed with respect to the ground water resources of this state as said term is hereinafter defined and, while the doctrine of "first in time is first in right" is recognized, a reasonable exercise of this right shall not block full economic development of underground water resources.

RECORDED

SEP 30 1993

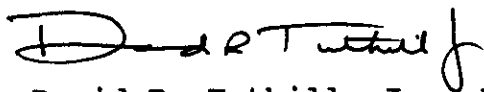
This section has guided the Department to consider that if one ground water use is dried up by a neighboring ground water use, normally it is incumbent on the appropriator who is dried up to dig or drill deeper to seek additional supplies. This deepening of systems continues until (1) an equilibrium point is reached, (2) the ground water source is exhausted, or (3) a reasonable pumping level (normally considered to be deeper than 200 feet) is reached.

In your situation the anticipated response is precisely what appears to have happened. For whatever reason Mr. Fowler ceased to be able to obtain sufficient water through his collection system, so he sought additional/replacement ground water supplies by drilling a well. There has been no allegation that this replacement well is insufficient to divert the water required by Mr. Fowler.

Mr. Fowler has requested that this determination be appealed to a higher authority. I have discussed this matter with the Department Administration and I am not able to recommend to you an avenue to pursue other than to make this a civil matter. Again, where Mr. Fowler has been able to obtain ground water at a deeper level I do not see any merit in pursuing the matter further.

In order to make the records consistent in this matter, by copy of this letter I am recommending to our state office that the source of water under Permit No. 67-07291 be corrected to read "GROUNDWATER" rather than "SPRING". There should be no requirement for an amendment to the permit to complete this change, because this is a clarification of the source that was originally proposed to be developed rather than a change in the intent of the permit. If this modification is not satisfactory to you, please advise.

Sincerely,



David R. Tuthill, Jr., P.E.  
Manager, Western Regional Office

Enclosure: Copy of \$42-237d

CC: State Office (Pam Skaggs)

NOV 30 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

SEP 3 - 1993

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 67-7291

1. Owner: Ronald Fowler Phone No. 549-0547

Current Address: RT. 2, Box 150, Weiser, ID 83672

2. Accompanied by: Ron Fowler EXAM. DATE: 5/25/93

Address: SAME Phone No. SAME

Relationship to Permit Holder: Applicant

3. Source: Spring tributary to Monroe Creek

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: 67-7861

☐ Copies Attached

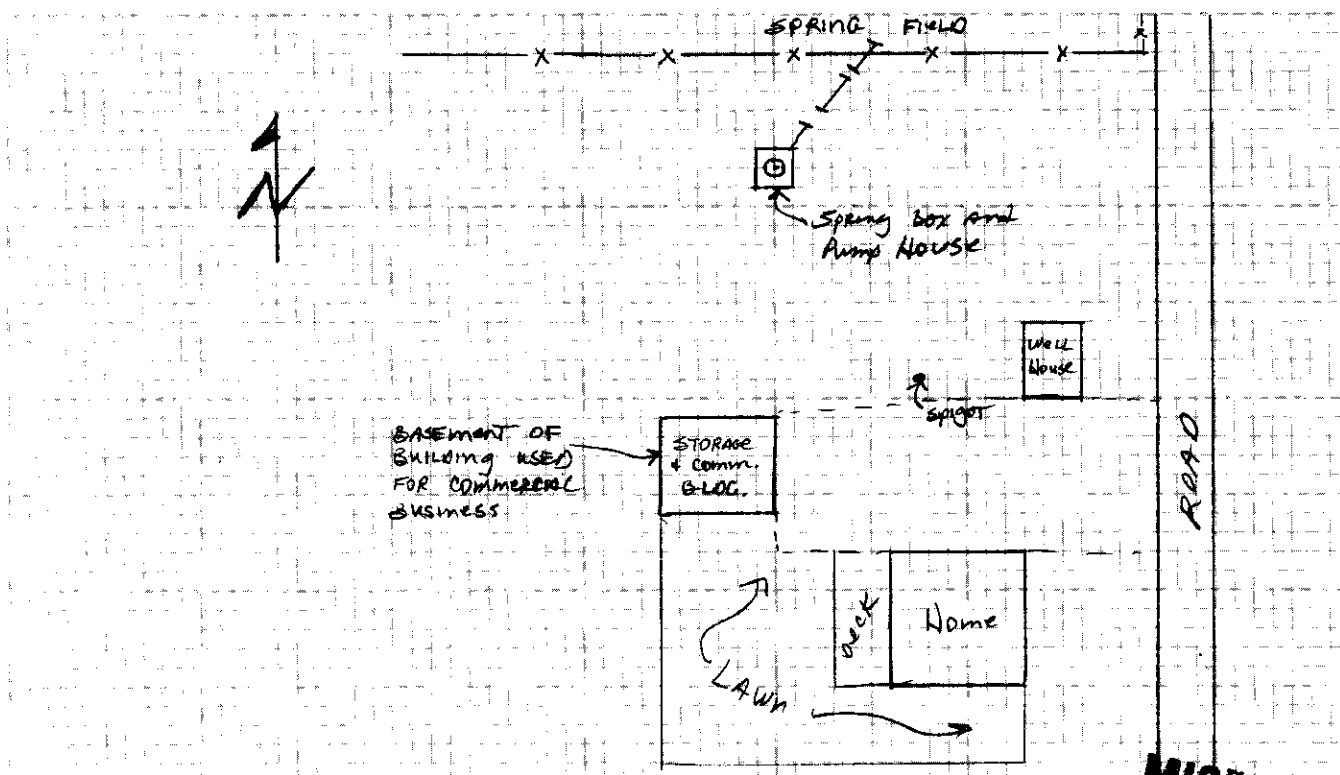
2. Other water rights with same point of diversion: 67-7861, 67-7554, 67-00723A, 67-00723B, 67-04411, 67-07762

☐ Copies Attached

☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. Quadrangle Attached  
Showing location(s) of point(s) of diversion and  
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.)

☐ Aerial Photo Attached

(required for irrigation of 10 acres or more).

RECEIVED

NOV 26 1993

**System Description (continued)**

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

5/25/93 - Spring Flow has been lost due to new neighbor, 1991, installing own spring-fed irrigation system. Since system is inoperable, no exam could be conducted. Possible legal action pending against neighbor. When spring was operating, water was used for home and lawn.

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No.           | Pump Make  | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|----------------------------|------------|-----------------------------------|
|                                       | Red Jacket | 1  | <del>4862081A10</del> 7E87 | Red Jacket | 20185                             |
|                                       |            |    |                            |            |                                   |
|                                       |            |    |                            |            |                                   |
|                                       |            |    |                            |            |                                   |

\*Code to correspond with No. on map and aerial photo

5. **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  | 5W   | Washington | Aerial Map                      |
|            |            |     |     |     |      |      |      |            |                                 |
|            |            |     |     |     |      |      |      |            |                                 |
|            |            |     |     |     |      |      |      |            |                                 |

6. **Place(s) of Use:**

Indicate Method of Determination

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 12N  | 5W   | 27   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | D      |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

NOT RECORDED

NOV 30 1993

Do not use this space

Do not use this space

**D. FLOW MEASUREMENTS**

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

---

---

---

---

---

**E. FLOW CALCULATIONS**

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

**F. PUMP EFFICIENCY DATA (Optional)**

Discharge Pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)

Total Head: (1) + (2) = \_\_\_\_\_ (3) ; Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)

Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x .001732 = \_\_\_\_\_ (6)

Panel Input HP: (6) x 1.34 = \_\_\_\_\_ (7) Efficiency: (5)/(7) x 100 = \_\_\_\_\_ %

**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$V(\text{internal}) = 0.6 \text{ AF}$

$V(\text{external}) = 0.6 \text{ AF}$

**MICROFILMED**

NOV 30 1993

## H. REMARKS AND OVERLAP REVIEW ANALYSIS

OVERLAPS - B/U Same uses, different area

Water from spring box is pumped to home by a 1 h.p. pump. Water is used for domestic, internal and external, and for commercial sprout business in basement of storage/garage building. Irrigation for lawn only, which is less than 0.5 ac, not 2.5 as shown on permit. Irrigation use on application should be ignored.

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| DOMESTIC       | 01/01         | 12/31 | .04                          | 1.2                      |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .04                          | 1.2                      |

### 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

## J. AUTHENTICATION

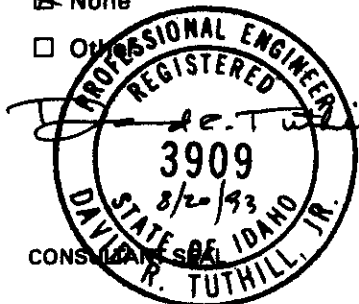
Field Examiner's Name

Rick Collingwood by D. Tuthill

Signature

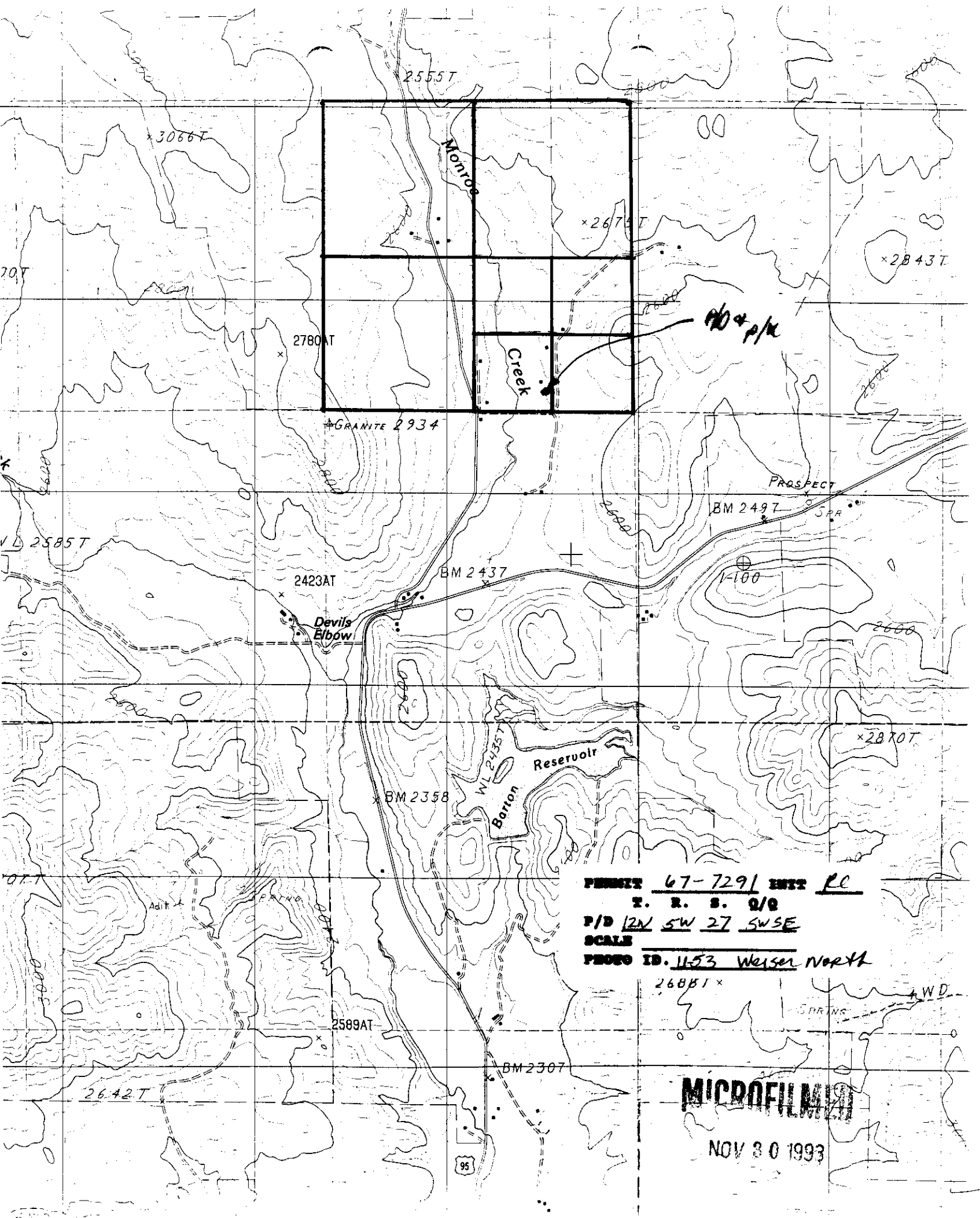
Certification Date

Field Report Preparation Date



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

NOV 30 1993



PERMIT 67-7291 INTT RC  
T. R. S. Q/Q  
P/D 12N 5W 27 SWSE  
SCALE  
PHOTO ID. 1153 Weiser North

MICROFILMED

NOV 30 1993



PHOTO ONE-

View northeerly of pump house located on top of Spring box. Actual spring is located behind pump house in neighbors pasture. Mr Fowler has a pipe to southerly fence line of pasture to tap into spring.

&gt;



MICROFILM

NOV 21

PHOTO TWO-

Pump and pressure tank in pump house. Casing shown is connected to spring box.

5/25

11:00

GENERAL INFO

NAME: Ron Fowler

PERMIT #: 67-7291

PHONE #: 549-0547

CASING:

HP:

DYNAMIC:

STATIC:

DEPTH:

PSI:

ACRES IRRIGATED: Lawn

SPRINKLER INFO:

# LATERALS:

SIZE:

LENGTH:

STOCK:

DOMESTICS: ✓

OTHER USES:

OTHER RTS:

DIRECTIONS:

Left on Devils Elbow Rd.

Left on Market Creek Rd. (2 miles from Hwy 95)

RT. Across Bridge, on Top of Bench

RT on Long Road

Water Home, 1305 Long Road

EXAM DATE:

5/25/93

11:00

MICROFILMED

NOV 30 1993



Cecil D. Andrus  
Governor

State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Western Region

2735 Airport Way  
Boise, Idaho 83705  
(208) 334-2190

**RECEIVED**  
SEP 17 1987

MEMORANDUM

Department of Water Resources

Date: 9/2/87

To: Permit No. 67-7291

From: Jan Shurte *JS*

Subject: Field exam for licensing.

Mr. Fowler was sent an exam fee information notice and called in to state that he believed I had been out & completed the exam earlier.

Lee Sisco & I did visit Mr. Fowler's home on a matter related to Water Right No. 67-0723 and some problems he had been having with neighbors on Rush Creek. It seems to me that at that time I also looked at his spring to conduct the exam. However, the report was written up by Lee Sisco on Rush Creek and my exam was lost in the shuffle. I have not been able to locate it and feel Mr. Fowler should not pay an exam fee and the exam will have to be conducted again.

NOV 30 1993



Cecil D. Andrus  
Governor

State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Western Region

2735 Airport Way  
Boise, Idaho 83705  
(208) 334-2190

67-7291  
FOWLER, RONALD L.  
FOWLER, LINDA  
RT. 2 BOX 150  
WEISER, ID 83672

138220

April 10, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

RECEIVED

NOV 30 1993



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

December 1, 1981

Ronald L. and Linda Fowler  
Rt. 2 Box 150  
Weiser, ID 83672

RE: 67-7221

Dear Mr. and Mrs. Fowler:

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

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for \_\_\_\_\_.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

*Judy Pense*

Judy Pense  
Secretary

jd

RECEIVED

## DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 67-7291.

Name(s) of Permit Holder: Ronald L. and LINDA FOWLER

Post Office Address: Rt 2 Box 150

Weiser, Ida

Tel. No. 549-0547

Source of Water:

WELLS

Extent of Use:

☒ Domestic

1

(number of households)

☐ Stockwater

(number and type of stock)

☐ Irrigation

(acres)

☒ Other

Business

Measuring Device:

Required?

☐ Yes

☒ No

Installed?

☐ Yes

☐ No

Access Port:

Required?

☐ Yes

☒ No

Installed?

☐ Yes

☐ No

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

10-5-81

Date

Linda Fowler

Signature of Permit Holder

Ron AND LINDA M TOWER  
RT 2 Box 1520 S OCT  
Weiser Idaho 83672



MICROFILMED



RECEIVED

OCT 6 1981

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720 Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
CERTIFIED MAIL

138864

FOWLER, RONALD L. & LINDA  
RT. 2 BOX 150  
WEISER, ID 83672

SEPTEMBER 30, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 67-7291 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK  
SR. SECRETARY

ENCLOSURES

RECEIVED  
SEP 30 1981

December 14, 1976

Re: Permit No. 67-7291

Ronald L. &/or Linda Fowler  
Rt. 2, Box 150  
Weiser, ID 83672

Dear Mr. and Mrs. Fowler:

Enclosed is a copy of your approved Application for Permit No.67-7291 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:mef

Enclosure

Nº 1098

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.  
County of Washington }

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

That he is the S 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 2 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  
Oct. 28, 1976, and ending  
with the issue of Nov. 4, 1976.  
Dorothy A. Both  
Fees, \$ 12.58

Subscribed and sworn to before me this 4  
day of Nov, 1976.  
Thy. Lee  
Notary Public, Residing at Weiser, Idaho.  
My Commission Expires 1-2, 1979

RECEIVED

DEC 2 1976

Department of Water Resources  
Western Regional Office

No. 1098  
NOTICE OF APPLICATION  
FOR WATER PERMIT

Notice is hereby given that  
RONALD L. & LINDA  
FOWLER, Weiser, ID has on  
October 6, 1976 submitted  
Application No. 67-7291 for a  
permit to appropriate 0.09  
cubic feet per second of  
water from an unnamed  
spring trib. Monroe Creek by  
means of springbox, pump  
and pressure system within  
the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Sec 27 T12N-  
R5W B.M., Washington  
County to be used from Jan 1  
to Dec 31 for domestic pur-  
poses and from Apr 1 to Oct  
31 for irrigation of 2.5 acres  
within the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$  Sec 27  
T12N-R5W B.M.

If issued, this permit will  
be subject to all prior water  
rights. Protests against the  
granting of the permit must  
be filed with the Idaho  
Department of Water Re-  
sources, Statehouse, Boise,  
Idaho, 83720, on or before  
November 15, 1976.

R. KEITH HIGGINSON

Director  
Published in The Signal,  
Weiser, ID on October 28,  
1976 and November 4, 1976.  
66-2s

OK  
12-3-76  
M



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

October 22, 1976

Re: Notice of Application for Permit NO. 67-7291 - Ronald &/or Linda Fowler  
67-7292 - Frank &/or Treva Land

The American Signal  
P. O. Box 709  
Weiser, ID 83672

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

Sincerely,

-----  
(Signature of Claimant)  
Bill Submitted  
12-3-76  
y

No. 1098  
NOTICE OF APPLICATION  
FOR WATER PERMIT

OK  
28/11-74

Notice is hereby given that RONALD L. & LINDA FOWLER, Weiser, ID has on October 6, 1976 submitted Application No. 67-7291 for a permit to appropriate 0.09 cubic feet per second of water from an unnamed spring trib. Monroe Creek by means of springbox, pump and pressure system within the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 27 T12N-R5W B.M., Washington County to be used from Jan 1 to Dec 31 for domestic purposes and from Apr 1 to Oct 31 for irrigation of 2.5 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 27 T12N-R5W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before November 15, 1976.

R. KEITH HIGGINSON  
Director

Published in The Signal,  
Weiser, ID on October 28,  
1976 and November 4, 1976.  
66-2s

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that RONALD L. &/or LINDA FOWLER,  
Weiser, ID  
has on October 6, 1976 submitted Application No. 67-7291  
for a permit to appropriate 0.09 cubic feet per second ~~zero feet~~  
~~per second~~ of water from an unnamed spring trib. Monroe Creek  
by means of ~~springbox~~ springbox, pump and pressure system  
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 27 T12N-R5W B.M., Washington County  
  
to be used from Jan 1 to Dec 31  
for domestic purposes and from Apr 1 to Oct 31 for irrigation of 2.5  
acres  
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec 27 T12N-R5W B.M.

If issued, this permit will be subject to all prior water rights. Pro-  
tests against the granting of the permit must be filed with the Idaho Depart-  
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before  
November 15, 1976.

R. KEITH HIGGINSON

Director

Published in the The American Signal, Weiser, ID  
on October 28, 1976 and November 4, 1976.

September 15, 1976

Re: Claim to a Water Right No. 67-4162

Ronald L. Fowler  
Route 2, Box 150  
Weiser, ID 83872

Dear Mr. Fowler:

A review of the Claim to a Water Right which you submitted on September 7, 1976 indicates that you should, in fact, file an Application for Permit rather than a claim.

Please find enclosed a partially completed Application for Permit which you should sign as your name appears in Item 1 and return to this office. Please note that no additional filing fee will be necessary since the fee submitted with the claim will suffice for the necessary fee on the Application for Permit.

If you have further questions concerning this matter, please contact this office.

Sincerely,

L. GLEN SAXTON, P.E.  
Western Regional Supervisor

LGS:rf

Enc.

RECEIVED  
SEP 16 1976  
FBI - BOISE