

- [illegible]

Application for permit to appropriate the public waters of

Al. Anelson Morrow
(Applicant)

AFFIDAVIT of PUBLICATION

RECEIVED
JUN 21 1991

State of Idaho, }
County of Blaine } ss.

Department of Water Resources

DANIEL J. GORHAM

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

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 1st day of May 1991, and

the date of the last publication was on the 8th day of May 1991.

David J. Gorham
Subscribed and sworn to before me this 8th day of May 1991.
(SEAL)

Roberta McKencher
NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 33.75
Number of Insertions _____

Lines tabular at _____ 6¢ / Pica
33.75 Lines straight at 18.56 5¢ / Pica
33.75 Subsequent lines at 14.85 4¢ / Pica
TOTAL COST 38.41 5.00

COPY OF NOTICE
(Paste Here)

Morrow files
TITLE OF NOTICE
on trust

37-08693
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Boise Dept of water
BILL TO Resources

Morrow files on trust water right

NOTICE OF APPLICATION
FOR TRUST WATER RIGHT
37-08693

MORROW, A.J. DONELSON
P.O. BOX 357
CAREY, ID 83320

Source: GROUNDWATER
Division Pt: NENWSW Sec 17
01N R 22E

Use: IRRIGATION (2,000 CFS)
Total Division: (2,000 CFS)
Date Filed: 11/20/1990
In: T01N R22E S01 SWNW SENW
NESW NWSW NWSE; S02 NESE
108.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720, on or before MAY 20, 1991.

R. Keith Higginson, Director
Publish: Wood River Journal-
May 1 & 8, 1991.

MICROFILMED

JUL 11 1991

Publication Rates As of Jan., 1990

(Idaho Code,
Reb. Statutes 1984)
7-8 pt./line straight: 5¢ pica
7-8 pt./line tabular: 6¢ pica
7-8 pt./line successive
insertion: 4¢ pica

No 7632

OK
FJL
6-21-91

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~ORIGINAL PERMIT~~	~~37-08693~~	~~MORROW, A.J.DONELSON~~	~~2.00~~
FULL ASSIGNMENT	37-08693	SKELTON, LEON & FRANCES	2.00

JULY 14, 1997

MICROFILMED
AUG 12 1997

For Office Use Only
 \$25.00 Filing Fee
 Receipt # 1020361
 Date 07/08/97

✓ #12094 FROM
 SAWTOOTH TITLE
 COMPANY

JUL 08 1997

Department of Water Resources
 Southern Region

State of Idaho
 DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 14 1997

Department of Water Resources

ASSIGNMENT OF PERMIT
 To change the ownership of a permit

I, A.J. Donelson Morrow, hereby assign to Leon and Frances Skelton
 of 445 Gustafson, Idaho Falls, ID 83402
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 37-08693
 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
 Permit No. 37-08693 * to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

Made this X 1st day of July, 1997.

X A.J. Donelson Morrow
 Permit Holder(s)

Tennessee
 State of ~~Idaho~~
 County of X SHELBY ss

On this X 1st day of July, 1997, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

X [Signature]
 Notary Public

SEAL

My commission expires:



Signature

* by Jim J. 7/14/97

MICROFILMED
 AUG 12 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE)
FLOW MEASUREMENT PORT OR)
MEASURING DEVICE CONDITION)
OF APPROVAL FOR PERMIT NO.)
37-08693.)

ORDER

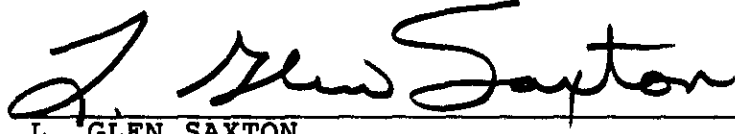
WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install a flow measurement port or other device to facilitate the measurement and determination of the rate of diversion by the department; and

WHEREAS, the department has determined that the rate of diversion for certain ground water uses can be estimated by the department without the use of an installed flow measurement port; and,

WHEREAS, the department has determined that the rate of flow for the above captioned permit can be estimated without the use of a flow measurement port;

IT IS THEREFORE, HEREBY ORDERED that the condition of approval requiring the installation of a flow measurement port or other device for the above captioned permit is WAIVED. The department retains the jurisdiction to require the condition be reinstated in the future upon a finding of need by the department.

Dated this 24th day of June, 1994.


L. GLEN SAXTON
Chief, Water Allocation Bureau

JUL 25 1994

RECEIVED

MAY 17 1994

Department of Water Resources

RECEIVED

JUN 6 1994

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 100.00
Date 6/6/94
Receipt No. 030445
Received by dw

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have 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.

1. Permit No. 37-08693 Telephone No. 208-726-1462

2. Name(s) of Permit Holder(s): A. J. Donelson Morrow

3. Post Office Address: Box 357 Carey Id 83320

4. Source of Water: _____

a. If ground water, well driller's name: Vollmer Drilling Date drilled: 10/91

b. Pump horsepower: 15 H.P. + 15 H.P. Booster Pressure (psi): w/booster 50 PSI Dynamic pumping level (ft.): 136'

5. Extent of Use:

Domestic _____ (No. of households)

Irrigation 70± (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

6. Total rate and/or volume for which proof is submitted .80 has measured 23-30" coming out of well under no pressure acre/feet with booster we expect 40" (minerals inches)

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No Installed? Yes ☐ No

OR
Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☒ No request waiver

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

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

A. J. Donelson Morrow 788-3142 ext. 7569
Name Telephone No.

Fish C. Ranch - Carey
Address

10. 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.

17 May 94
Date

A. J. Donelson Morrow
Signature (and title if on behalf of a company or organization)

RECEIVED

JUL 25 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08693

Proposed Priority: November 20, 1990 Maximum Diversion Rate: 2.00 CFS

This is to certify, that **A.J. DONELSON MORROW**
P.O. BOX 357
CAREY, ID 83320

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	2.00 CFS

LOCATION OF POINT(S) OF DIVERSION: NENWSW Sec. 1, Township 01N, Range 22E
BLAINE 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>
01N	22E	1	SWNW 12	SENW 7	NESW 30	93
		2	NWSW 22	NWSE 22		15
			NESE 15			

Total number of acres irrigated: 108

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **July 1, 1994**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

MICROFILMED

JUL 11 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08693

8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

2nd day of July, 1991.

[Signature]
for R. Keith Higginson, Director

REGISTERED

JUL 11 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 32-08693

To appropriate the public waters of the State of Idaho

1. Name of applicant A. J. Dohelson Morrow Phone 788-2142 Ranch
726-4325
Post office address P.O. Box ~~537~~ 357, Carey, ID 83320
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 1 Township 1N Range 22E B.M. Blaine County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2.0 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 2.0 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well & pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is 10-12 inches; proposed depth of well is 200 feet.
d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
3 years (minimum 1 year).

RECORDED
JUL 11 1991

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	22E	1							12	7	30	22							93
		2							10	30	35					20			105
															15				15

Total number of acres to be irrigated 108

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

150 shares Fish Creek Reservoir

11. a. Who owns the property at the point of diversion?

Applicant

JUL 11 1991

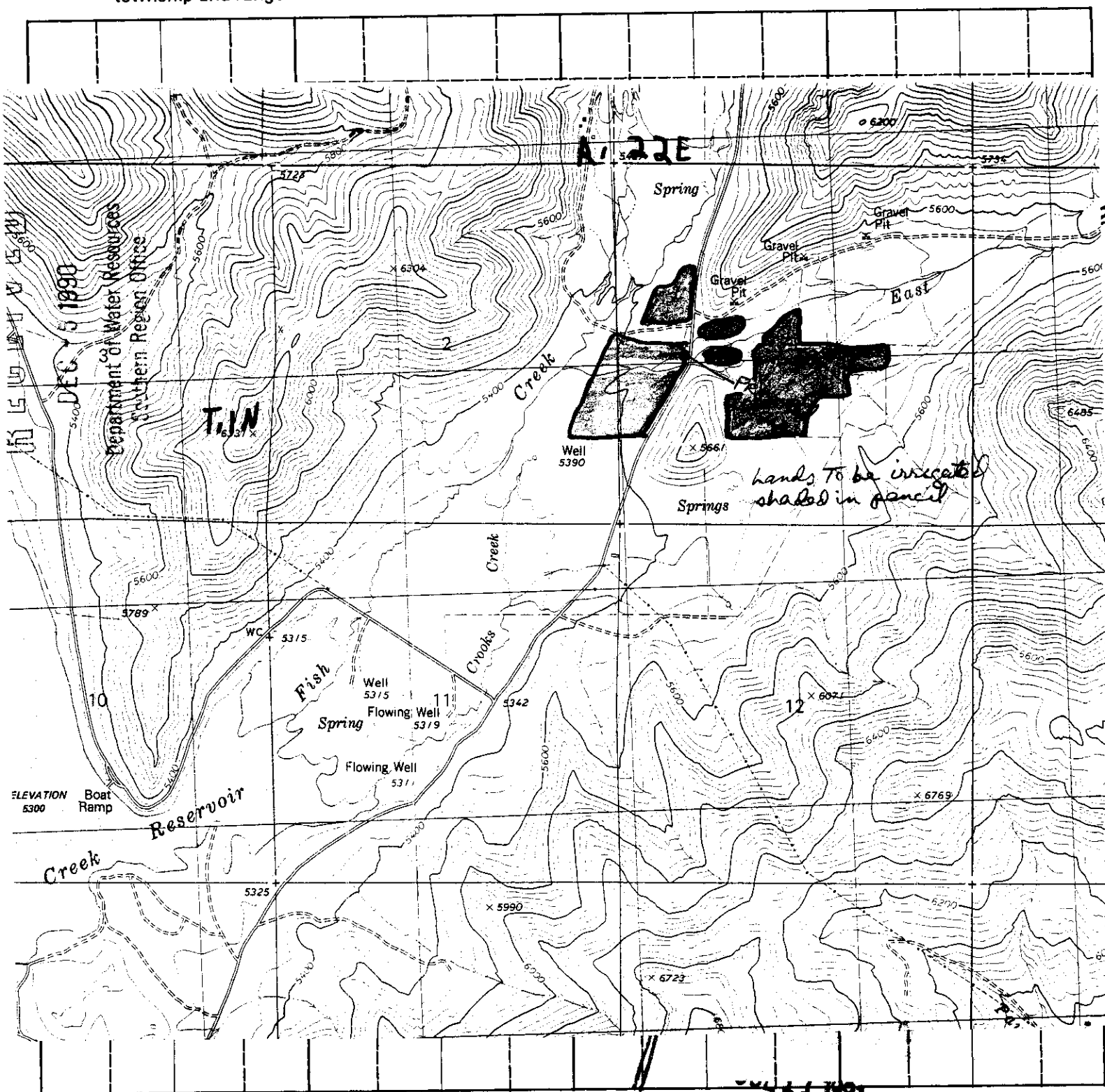
b. Who owns the land to be irrigated or place of use?

"

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

12. Remarks: Well will be used in addition to existing surface rights. Farm has historically been short of water.

13. 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.

✓
Caring

Al Anelson Morrow
(Applicant)

Check # 442 65⁰⁰

Received by LRP Date 11-20-90 Time 10:50AM Preliminary check by DBL
Fee \$ 65⁰⁰ Receipted by JA # 5012829 Date 11-21-90
Publication prepared by BLM Date 4-24-91 Published in WOOD RIVER JOURNAL
Publication approved TJL Date 6-21-91

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. _____, and said application is hereby _____.

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 _____, 19____.

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED
JUL 11 1991

AFFIDAVIT of PUBLICATION

RECEIVED
JUN 21 1991

State of Idaho, }
County of Blaine } SS.

Department of Water Resources

DANIEL J. GORHAM

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

annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first

publication of said advertisement was on the 1st day of May 1991, and

the date of the last publication was on the 8th day of May 1991.

Subscribed and sworn to before me this 8th day of May 1991.
(SEAL)

Roberta McKercher

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line
Number of Lines in Notice 33.75
Number of Insertions
Lines tabular at 33.75 6¢ / Pica
Lines straight at 18.56 5¢ / Pica
Subsequent lines at 14.85 4¢ / Pica
TOTAL COST \$38.41 5.00

COPY OF NOTICE
(Paste Here)

monday files
TITLE OF NOTICE
on June
37-08693
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Boise Dept of Water Resources
BILL TO

NOTICE OF DECISION
FOR THE STATE OF IDAHO
ON THE PETITION OF
MIDFROW, A. I. DONELSON
P.O. BOX 302, 30 JEFFERSON
CANEY, ID 83320
Source: GROUNDWATER
Division: RE. NEWSW. Sec. 1.1
DIA # 22E
Use: IRRIGATION (2,000 CFS)
Total Allocation: (2,000 CFS)
Date Filed: 1/20/1991
K. THIN 22E BOX 302 NEW
NORTH MAPLE WISE, BOX 250
1080 ACRES TOTAL
This permit will be subject to all
state water laws. Prostate may
be submitted based on the criteria
of Sec. 4, Idaho Code,
and/or the public interest
criteria of Sec. 2B-3C, Idaho
Code. Prostate may be filed with
the Director of Water Re-
sources, State of Idaho, Boise,
Idaho 83720, MAY
20, 1991.
R. K. [Signature] Director
Publish: [Signature] Journal-
[Signature] 1 & B

OK
JH
6-21-91

RECEIVED
JUN 11 1991

Publication Rates
As of Jan., 1990
(Idaho Code,
Reb. Statutes 1984)
7-8 pt./line straight: 5/pica
7-8 pt./line tabular: 6/pica
7-8 pt./line successive
insertion: 4/pica

No 7632



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 14, 1997

LEON SKELTON
FRANCES SKELTON
445 GUSTAFSON
IDAHO FALLS ID 83402

RE: ASSIGNMENT OF PERMIT NO. 37-08693

Dear Water Right Holder(s):

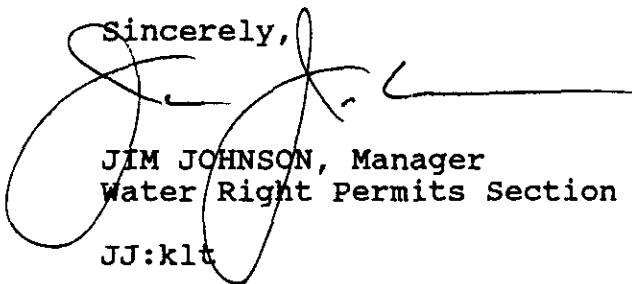
We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

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

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address **PRIOR** TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

MICROFILMED

AUG 12 1997

WR0749NP
No. 37-08693

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/14/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEON SHELTON	11/20/1990	IRRIGATION	04/01 11/01	2.000 CFS	
C	FRANKIE SHELTON					
	1000 WINTARSON					
	IDAHO FALLS ID 83402					
TOTAL DIVERSION:					2.000 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T01N R22E S01 NENWSW BLAINE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---	
01N	22E	1	:					:			12	07	:	30	22			:			22			:	93.0
01N	22E	2	:					:					:					:		15			:	15.0	
TOTAL ACRES																						108.0			

Pou County: BLAINE

Other Rights: 37-00759/00761/00762/01215, 150 SHARES FISH CREEK RESERVOIR

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
 - date of permit issuance and shall proceed diligently to
 - completion unless it can be shown to the satisfaction of the
 - Director of the Department of Water Resources that delays were
 - due to circumstances over which permit holder had no control.
- 01G - Prior to the diversion of water under this right a flow
 - measurement port or other device as specified by the Department
 - shall be installed to provide for the installation of measuring
 - equipment and the determination of the rate of diversion by the
 - Department.
- 046 - Right holder shall comply with the drilling permit
 - requirements of Section 42-235, Idaho Code.
- 051 - Any license issued by IDWR pursuant to the right or portion
 - thereof for the use of trust water is subject to a term review
 - of 20 years after the date of this approval to determine
 - availability of water for the use and to re-evaluate the public
 - interest at the end of the term.
- 052 - Diversion and use of water under this right is subject to an
 - annual use fee if rules are subsequently promulgated which
 - provide for the submittal of the fee.
- 053 - The Director retains jurisdiction over this right and may
 - change, add, or remove any requirement as determined to be
 - appropriate.
- 03A - The rate of diversion of water for irrigation under this right
 - and all other water rights on the same land shall not exceed 0.02
 - cubic feet per second for each acre of land.

WR0749NP

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: 07/14/97

No. 37-08693

WATER RIGHT PROFILE REPORT

PAGE: 2

=====

Dates:	App. Received:	11/20/1990	Priority Date:	11/20/1990
	Proof Due Date:	07/01/1994	Proof Made Date:	06/06/1994
	Exam Made Date:		Exam Sent to S.O.:	
	Licensed Date:			

Misc: Water District Number: Field Exam Fee: R (Received)

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 3708693

Reviewed by [Signature]

Date 5-25-94

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

irr.
Correct Uses? yes

SOURCE OF WATER

✓ Surface water source
✓ Ground water source

yes Drilling permit required?
no Copy in the file? Drilling Permit No. 3791-S-0123-000
200.00 Amount paid for permit yes Correct?
no Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
0 Amount Submitted
no Correct?

MEASURING DEVICE

yes Required?
no Installed?
yes Waiver requested?

PRIORITY CALCULATION

Date proof received			
Date proof due		-	
No. of days late		=	
Priority Date		+	
New Priority Date			

DEFICIENCIES OR ACTION ITEMS

Return & request \$100.00 license exam fee
6/22- Fee Received, should waive flow port
requirement
Proof acceptable

DATA ENTRY

New Address _____

Proof Made 6-6-94

June 24, 1994

A J DONELSON MORROW
P O BOX 357
CAREY ID 83320

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 37-08693

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Additionally, enclosed is an Order waiving the flow measurement port condition on your water right permit.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Idaho Falls, at (208)736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

RECEIVED
JUL 20 1994

May 26, 1994

A.J. Donelson Morrow
P.O. Box 357
Carey, ID 83320

RE: Permit No. 37-08693

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, it can not be accepted as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license exam fee. They are:

1. The water right must use a groundwater (well) source.
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

As you can see, you do not meet requirement #2 since you use 40 miners inches or 0.80 cfs. The license examination fee for 0.80 cfs is \$100.00.

Please return the original proof and license exam fee within thirty (30) days of receipt of this letter.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

JUL 25 1994

April 30, 1994

A.J. DONELSON MORROW
P.O. BOX 357
CAREY ID 83320

PROOF DUE NOTICE

RE: PERMIT NO. 37-08693

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 July 1, 1994. (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 complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

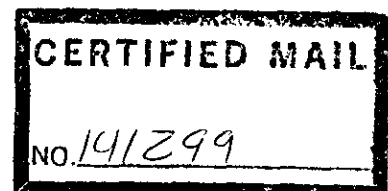
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





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

July 8, 1991

A.J. DONELSON MORROW
P.O. BOX 357
CAREY, ID 83320

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08693

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

MAILED
JUL 11 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED
JUL 11 1991

APPLICATION FOR PERMIT REVIEW

Application #: 37-8693
Date: 7-1-91

Reviewer: Pam Skaggs *CS*

- ✓ Existing:
 - ✓ No - 26A-P17
 - Complete in 1 year - P16
 - Yes
 - Proof not submitted - P16
 - Proof submitted - N/A
- ✓ Groundwater:
 - ✓ GT. 0.2 cfs - 01G-P03 01C-P03(existing well)
 - LT. 0.2 cfs - N/A
- ✓ Drilling Permit:
 - Approved w/permit - P99
 - ✓ Not included - 046-P23 (All GW, even existing wells)
- Location:
 - ✓ Water Districts
 - Surface water - WD No. 370
 - 005, 005-01H-P01(LT.2 w/pump)
 - 005-01J-P08(GT.2)
 - ✓ Groundwater - P05
 - Irrigation Districts - 023
 - Canal Co. Areas - 023
 - Drainage Districts - 024
 - Boise Front (63) - 058 (Groundwater)
 - ✓ Swan Falls Flag - 7 (1, Blank or Other)
 - ✓ Trust - 051-052-053-P74 (Consumptive Uses)
 - Non Trust - 048-049
- River Basins:
 - (Surface Water) Water District Control Condition &....
 - Boise (63) - 05A & 11E
 - Payette (65) - 047-P04, 059-P71
 - Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)
- Use:
 - Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One), 042(req.), 002-P06(MD), 07A(Spec.), 044(Policy 5G)
 - Power - Use Power Review
 - Mining - 06A or 010, 09E-P10 & 054(req.)
 - Storage - 18A-for multiple measuring devices(In WD), 18B-P09(Size)
 - Rec. & Aesthetic - 027(Non-Consumptive)
 - Domestic - 021(restricted areas)
- Ownership:
 - Non land owner - 004
- Protested:
 - Agreement - 020

MICROFILMED

✓ Beneficial Use Due Date: 07-01-1994
Other Conditions Recommended

JUL 11 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

APRIL 24, 1991

Wood River Journal
Box 988
Hailey, ID 83333

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 20, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

Handwritten: Mailed

JUL 11 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08693

MORROW, A.J. DONELSON
P.O. BOX 357
CAREY, ID 83320

Source: GROUNDWATER

Diversion Pt: NENWSW Sec 1 T 01N R 22E

Use: IRRIGATION (2.000 CFS)
Total Diversion: (2.000 CFS)

Date Filed: 11/20/ 1990

In: T01N R22E S01	SWNW	SENW	NESW	NWSW
S02	NWSE			
	NESE			

108.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before MAY 20, 1991.

Published 5/ 1/1991 & 5/ 8/1991

R. Keith Higginson, Director

RECORDED
JUL 11 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NO. 37-8693/Trust Water Processing

DATE: 4-18-91

The above application has come up for sequential trust water processing. The applicant returned the trust water questionnaire and states that the project represented by the application has not been developed prior to 1984, but that the source would be supplemental to surface water diversions and decreed surface water rights.

My review of a 1977 infrared aerial photo and a 1974 black and white orthophoto, both on file at the department, confirms that all of the land under the application has been irrigated prior to 1984. The acreage therefore will not count as trust acreage.

MICROFILMED

JUL 11 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

Application No. 37-8693

INSTRUCTIONS: IF YOU ARE NOT INTERESTED IN HAVING THE APPLICATION PROCESSED, PLEASE COMPLETE AND RETURN THE ENCLOSED WITHDRAWAL FORM.

IF YOU WISH TO HAVE THE APPLICATION PROCESSED, PLEASE ANSWER THE FOLLOWING QUESTIONS AS THOROUGHLY AS POSSIBLE. FAILURE TO RETURN EITHER THE WITHDRAWAL FORM OR QUESTIONNAIRE IS CAUSE FOR THE DEPARTMENT TO VOID THE APPLICATION.

1a. Are you the current owner of the land or place of use described under this application? Yes ☒ No ☐

b. If you are not the property owner, please describe the arrangement enabling you to develop the proposed project.

2a. Has the source of water listed on this application been used to irrigate any of the land described under this same application prior to October 1, 1984? Yes ☐ No ☒

b. If yes, please describe the extent of development and number of acres irrigated. (Note: Uses developed after October, 1984 are considered trust water diversions and may be subject to certain conditions. You may be asked to verify uses established prior to October, 1984.)

3. If you answered NO to ques #2a, please state the number of acres you have irrigated with this source after October 1, 1984. 0

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. 108

5. If the permit is a supplemental filing please identify other water rights which are used on the same land.

Various early decrees out of Fish Cr. and 150 shares Reservoir water

Use the reverse side of this form if you wish to add any comments. You may mark changes on the enclosed application to designate any proposed amendments. (Note: Proposed changes which result in an expansion of use will not be considered by the department.)

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application.

Applicant Al. Jonelson Mayor

Date 14 Apr. 91

MICROFILMED

JUL 11 1991

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3708693																							
3700759	MC DOUGAL	D	FISH CREEK, EAST FOR 01N 22E	1			:	X	:	:	X	:	:	:	:	:	:	:	:	:	:	:	
3700762	MC DOUGAL	D	FISH CREEK, EAST FOR 01N 22E	1			:	:	:	:	X	:	X	:	:	:	:	:	:	:	:	X	
3700764	MC DOUGAL	D	FISH CREEK, EAST FOR 01N 22E	1			:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
3701214	MC DOUGAL	D	FISH CREEK, EAST FOR 01N 22E	1			:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
3702578	DRAGE	L	GROUNDWATER	01N 22E	1		:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	20
3708693	MORROW	A	GROUNDWATER	01N 22E	1		:	:	:	:	12	7	:	:	:	:	:	:	:	:	:	:	93
	1986 MAPPING DATA ----	-	COUNTY 13 QUAD Y	28	01N	22E	1	4	:	:	33	27	:	:	:	:	:	:	:	:	:	:	171
3708693																							
3700758	MC DOUGAL	D	FISH CREEK, EAST FOR 01N 22E	2			:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
3700761	MC DOUGAL	D	FISH CREEK, EAST FOR 01N 22E	2			:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
3701163	HURST	D	FISH CREEK, EAST FOR 01N 22E	2			:	X	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
3701195	CROOKS	D	FISH CREEK, EAST FOR 01N 22E	2			:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
3701215	MC DOUGAL	D	FISH CREEK, EAST FOR 01N 22E	2			:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	
3702578	DRAGE	L	GROUNDWATER	01N 22E	2		:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	70
3708693	MORROW	A	GROUNDWATER	01N 22E	2		:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	15
	1986 MAPPING DATA ----	-	COUNTY 13 QUAD Y	28	01N	22E	2	31	:	:	:	:	:	:	:	:	:	:	:	:	:	:	186

MICROFILMED

JUL 11 1991



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

April 10, 1991

RE: APPLICATION FOR PERMIT NO. _____

Dear APPLICANT:

Due to the Swan Falls litigation and subsequent backlog of pending applications, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, or if the application proposes diversion of more than 5.0 cfs, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

MICROFILMED

JUL 11 1991

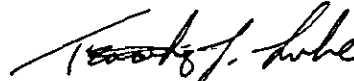
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE
Sr. Water Resource Spec.

Enclosures

MICROFILMED

JUL 11 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

A. J. Dohelson Morrow

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY D. J. DATE 12/10/90 APPLICATION NUMBER 37-08693

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt ***PROPOSED PRIORITY DATE 11/20/90

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☒ No Field check required
Field check by _____
☐ Yes ☒ No Field report attached
☐ Yes ☒ No Critical groundwater area
☐ Yes ☒ No Groundwater management area
☐ Yes ☒ No Send dam safety information
☐ Yes ☒ No Send power requirement letter
☐ Yes ☒ No Send fish farm requirement letter
☐ Yes ☒ No Power residency affidavit
☐ Yes ☒ No Power efficiency form
☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.) SWAN FALLS HOLD? Yes
☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT _____

_____ Date Requested _____

SEND COPIES TO _____ Idaho Dept. of Health & Welfare _____ U.S. BLM
 _____ Idaho Dept. of Fish & Game _____ U.S. Forest Service
 _____ Idaho Dept. of Lands _____ Water District
 _____ Adjudication Bureau Unit _____ Other

☐ Yes ☐ No Affidavit of publication received
☐ Yes ☐ No Application published correctly. If not, record action taken.

<u> </u>	<u> </u>	Yes	No	Publication dates & paper, recorded on application
<u> </u>	<u> </u>	Yes	No	Protests received
				Final date for protest _____
<u> </u>	<u> </u>	Yes	No	Protests, dates, resolution of protest, recorded on application
<u> </u>	<u> </u>	Yes	No	Recommendations attached
<u> </u>	<u> </u>	Yes	No	Measuring device required
<u> </u>	<u> </u>	Yes	No	Access port required
<u> </u>	<u> </u>	Yes	No	Will water be delivered by watermaster? If yes, what Dist. _____
<u> </u>	<u> </u>	Yes	No	Special conditions of approval or cover letter below.

_____ See below for additional information

Date of priority recommended _____
By _____ Date _____

By _____ See below for additional information
Date _____

Supplemental groundwater to existing surface rts: 37-0759, -0761, -0762, -1225

LOCAL PUBLIC INTEREST

Comments received from:

<u> </u> City	<u> </u> Idaho Fish & Game	<u> </u> Irrigation District
<u> </u> County	<u> </u> Idaho Health & Welfare	<u> </u> Canal Company
<u> </u> Reservations	<u> </u> Division of Environment	<u> </u> Other <u> </u>

Project impacts/implications report

COMMENTS



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

17-Dec-1990

R. KEITH HIGGINSON
Director

A J DONELSON MORROW
PO BOX 357
CAREY ID 83320

Re: Application for permit No. 37-08693

Dear Mr. Morrow:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

Because your application proposes to appropriate water which has been identified as "trust water" in the Swan Falls agreement, it will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your application.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineering Specialist

DJ:MB

MICROFILMED

JUL 11 1991