

R18E

F
3
N

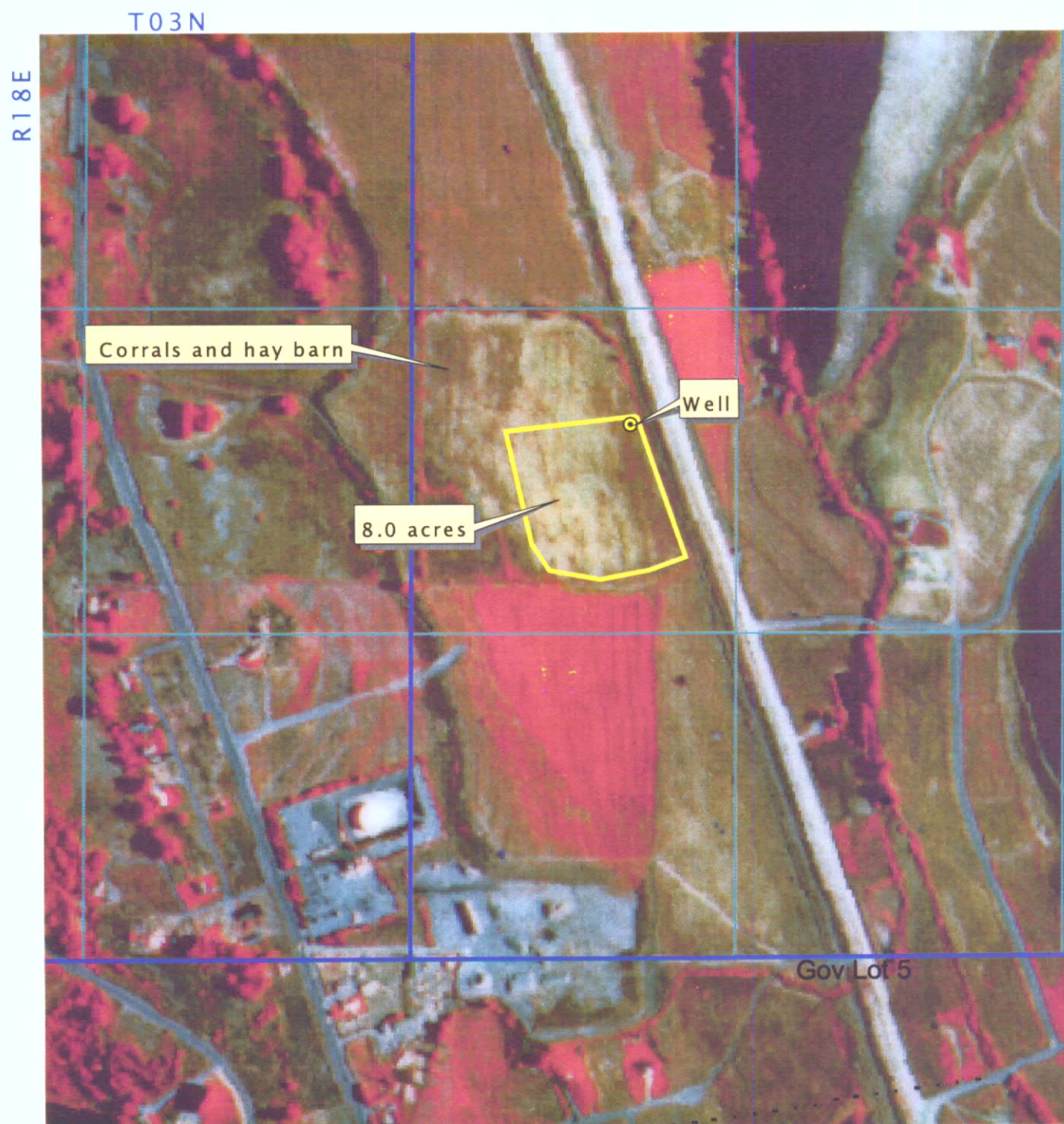
well Sec 33
8 Acres Domestic & livestock

James Dale Meyer
(Applicant)

Idaho Department of Water Resource

Recommendation for 37-8085

James Dale Mizer



-  Point of Diversion
-  Section Lines
-  Quarter-quarter lines
-  Place of Use



Point of Diversion and Place of Use
T03N R18E S33
Data entry on August 1, 2001
Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By: Amanda Folsom

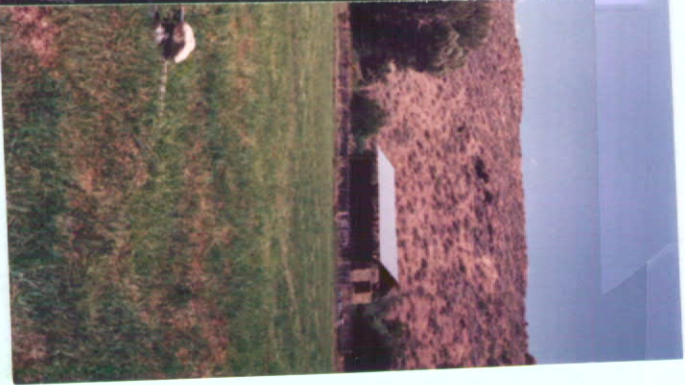
Mizer, James. D. 57-8085

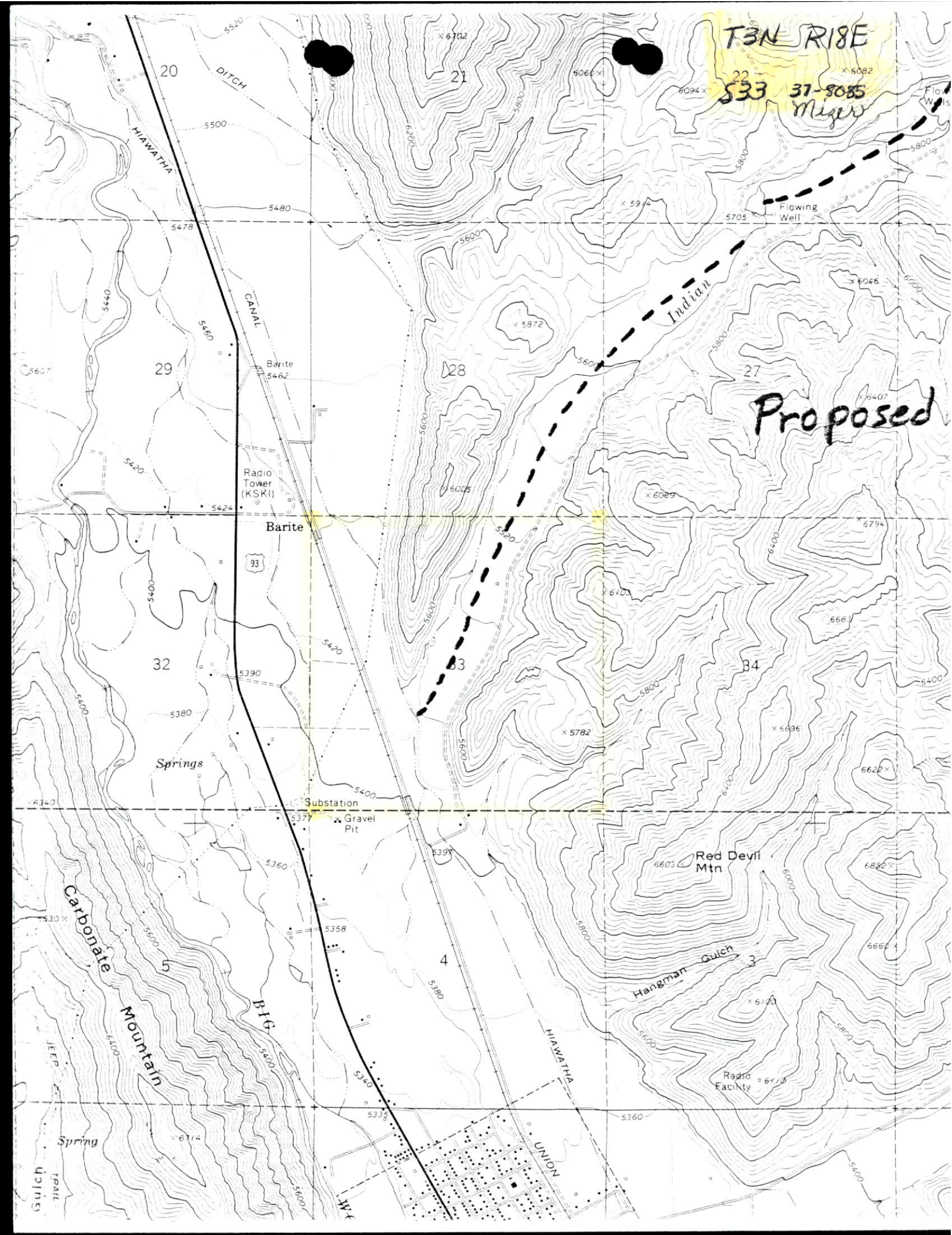


Well's
well house
stock
tanks at
canna!



Place of use w/ sprinklers & well house





T3N R18E

S33 37-5085 Mizer

Indian

Proposed

Barite

Springs

Red Devil Mtn

Hangingman Gulch

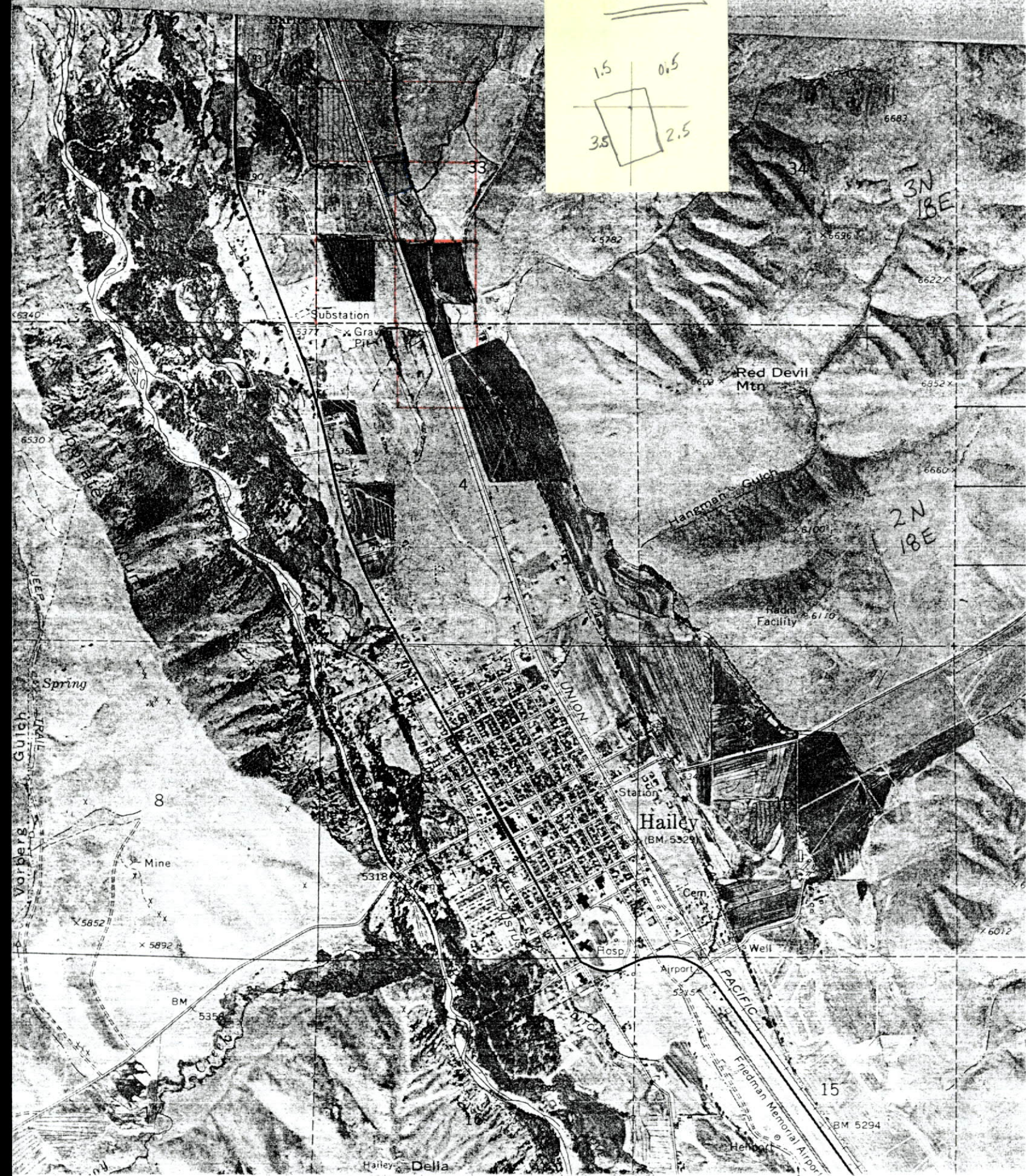
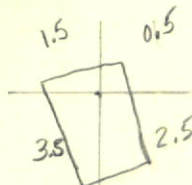
Radio Facility

Carbonate Mountain

Spring

UNION

8 Acres



21
46.3

30|29
31|32

31|30
05

T15

1 5.7 2 8.4

3 33.2

29|28
32|33

1 15.7

2 30.0

4 26.1

5 18.7

3 34.0

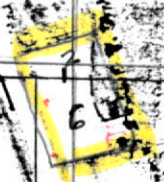
6 15.1

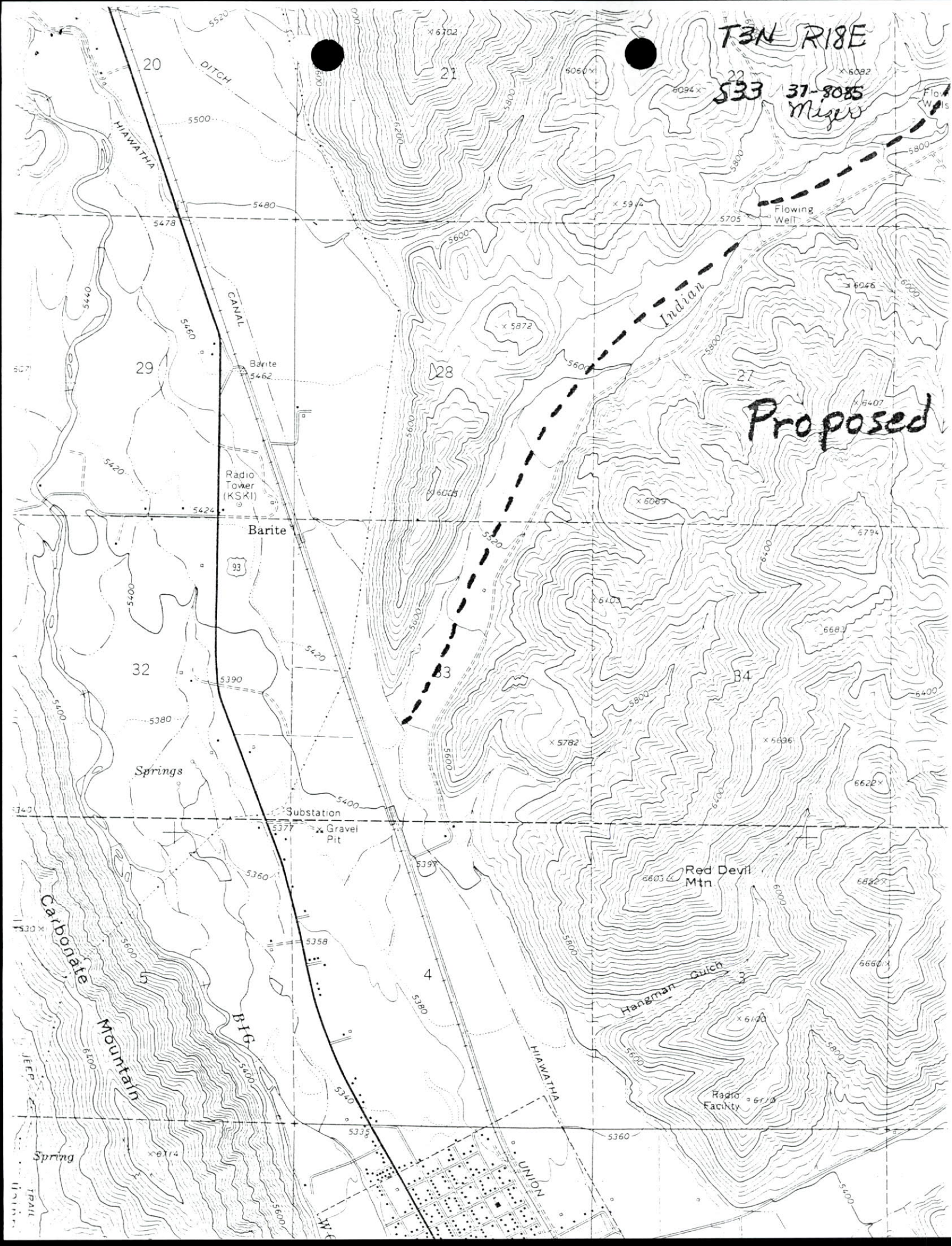
4 5.1

5 24.3

7 15.8

32|33
34|35





T3N R18E

S33 37-8085 Mgr

Indian

Proposed

B4

Red Devil Mtn

Hangman Gulch

Radio Facility

HIAWATHA

CANNAL

Barite

Radio Tower (KSKI)

Barite

93

Substation

Gravel Pit

Springs

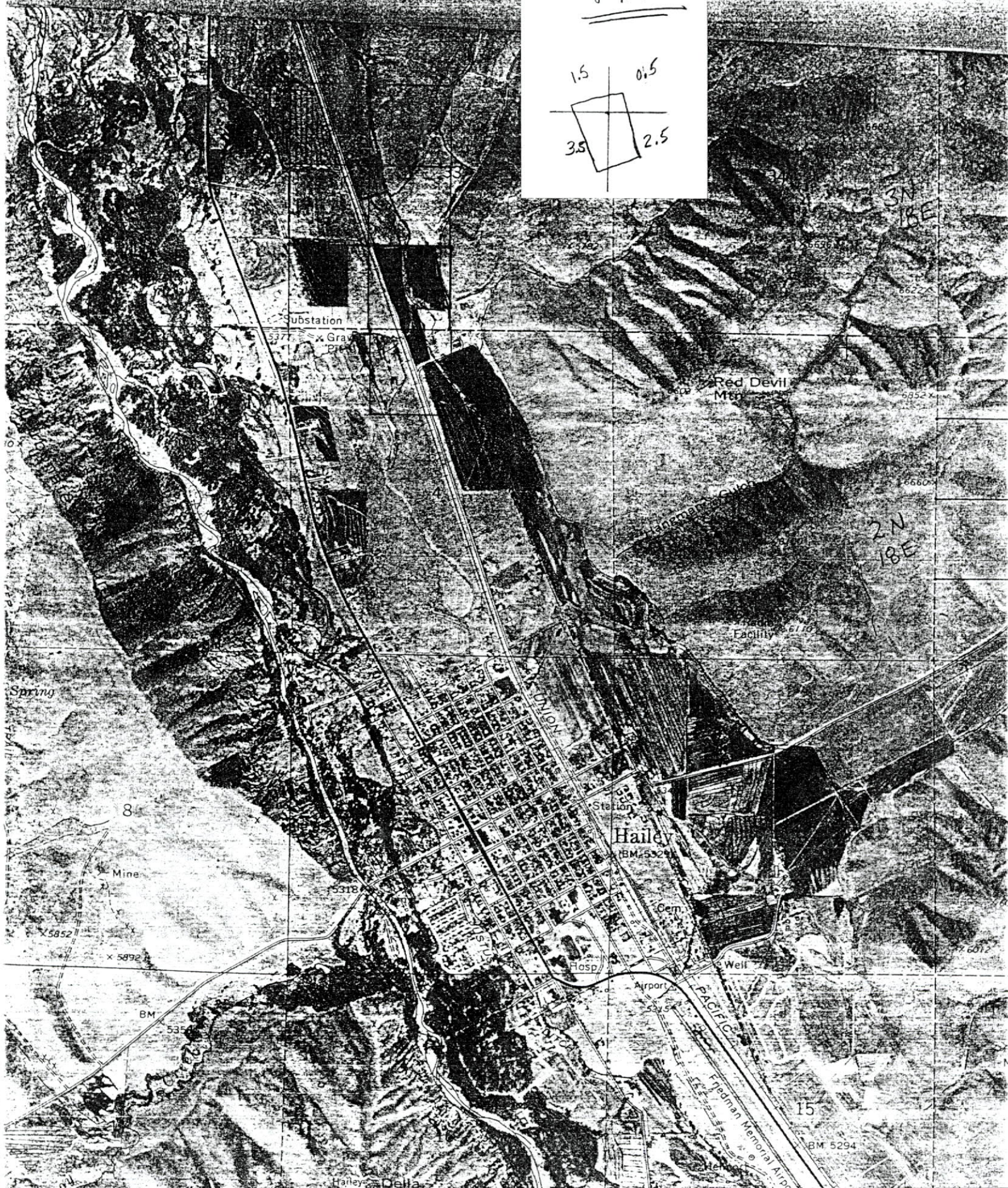
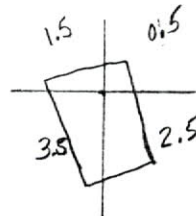
Carbonate Mountain

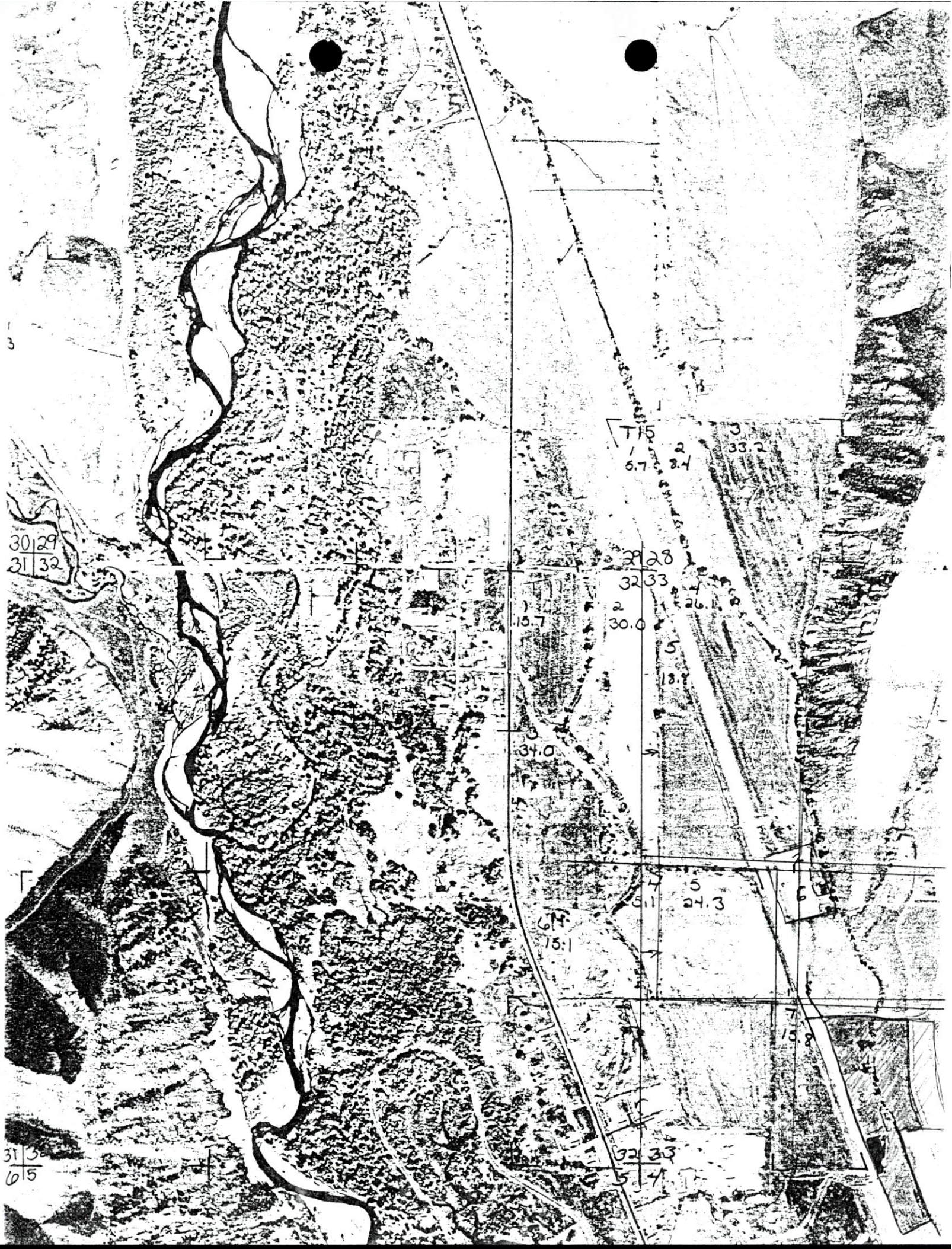
Spring

BIG

HIAWATHA

UNION





30 29
31 32

T 15
1 6.7
2 8.4

3 33.2

29 28
32 33

1 15.7

2 30.0

4 26.1

5

18.8

3 34.0

6 15.1

4 5.1

5 24.3

6

7 15.8

32 33

5 4

31 3
0 5

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 37-08085

Proposed Priority: April 18, 1983

Maximum Diversion Rate:

0.23 CFS

This is to certify, that **JAMES DALE MIZER**

P.O. BOX 728

HAILEY, ID 83333

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	0.16 CFS
STOCKWATER	01/01 to 12/31	0.03 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
Totals		0.23 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSW Sec. 33, Township 03N, Range 18E
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>
03N	18E	33	NWSW	8		8

Total number of acres irrigated: 8

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1991**.
2. Subject to all prior water rights.
3. 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.
4. 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.
5. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
6. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. 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.

MICROFILMED
MAY 23 1990

Permit To Appropriate Water

NO. 37-08085

CONDITIONS/REMARKS:

8. Domestic use is for 1 home.

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

28th day of December, 1989

for R. Keith Higginson, Director

MICROFILMED

MAY 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Mizer, James Dale Phone 788-2903
Post office address Bx 728 HAILEY, IDAHO 83333
2. Source of water supply groundwater which is a tributary of _____
3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33 Township 3N
Range 18E B.M. BLAINE County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.16 for IRR purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.03 for livestock purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.04 for Domestic purposes from 1-1 to 12-31 (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. 0.23 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. well, moto
w/pump

- 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 8 inches; proposed depth of well is 80 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: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33 Township 3N
Range 18E 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 75 Hol. Cattle

(4) Name of municipality to be served P, or number of families to be supplied with domestic water 1.

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

MicroFILMED

MAY 23 1990

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	
3N	18E	33										8							8
		33										(x)							
												(x)	Stock WATER						
													Domestic						

Total number of acres to be irrigated 8

c. Describe any other water rights used for the same purposes as described above. NO

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

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

10. Remarks

RECEIVED

MAY 23 1990

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

R18E

F
3
N

well Sec 33
8 Acres Domestic & livestock

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.

MICROFILMED
 MAY 23 1990

James Hale Smyer
(Applicant)

Received by AA Date 4/18/83 Time 1:32 P.M.
Preliminary check by LA Fee \$ 45⁰⁰ = 2703.3
Receipted by man Date 4/18/83
Publication prepared by _____ Date _____
Published in Wood River Journal
Publication dates 11-15, 22-89
Publication approved _____ Date _____
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by tw

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. Other:

APPROVED

MAY 23 1990.

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } ss.

RECEIVED
NOV 28 1989

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 15th day of Nov. 1989, and

the date of the last publication was on the 22nd day of Nov. 1989.

Daniel J. Gorham
Subscribed and sworn to before me this 24th day of Nov. 1989.
(SEAL)

Roberta McKenney
NOTARY PUBLIC

WOOD RIVER JOURNAL MAY 23 1990
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice 61
Number of Insertions 2
Lines tabular at _____ 5.5¢/Pica
61 Lines straight at 33.55 4.5¢/Pica
61 Subsequent lines at 26.84 3.5¢/Pica
TOTAL COST 60.37

COPY OF NOTICE
(Paste Here)

3 Applications
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
BILL TO (Boise)

Three file on trust water rights

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08082

MC NEAL, THORNTON W.
P.O. BOX 2850
HAILEY, ID 83333

Source: GROUNDWATER
Diversion Pt. SWNW Sec. 31 T
02N R 19E

Use: IRRIGATION (.100 CFS)
STOCKWATER (.010 CFS)
DOMESTIC (.040 CFS)

Date Filed: 4/21/1983
In: T02N R19E S31 SWNW
5.0 ACRES TOTAL

37-08085

MIZER, JAMES DALE
P.O. BOX 728
HAILEY, ID 83333

Source: GROUNDWATER
Diversion Pt. NWSW Sec. 33 T
03N R 18E

Use: IRRIGATION (.160 CFS)
STOCKWATER (.030 CFS)
DOMESTIC (.040 CFS)

Date Filed: 4/18/1983
In: T03N R18E S33 NWSW

8.0 ACRES TOTAL

37-08102

THOMAS, E. PARRY
P.O. BOX 642
SUN VALLEY, ID 83353

Source: GROUNDWATER
Diversion Pt. NESE Sec 5 T 02N R
18E

Use: IRRIGATION (.100 CFS)
COMMERCIAL (.160 CFS)
DOMESTIC (.040 CFS)

FIRE PROTECTION (.200 CFS)
Date Filed: 5/11/1983

In: T03N R18E S04 SWNW
NWSW; S05 SENE NESE
5.0 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 DECEMBER 4, 1989.

R. Keith Higginson, Director
Publish: Wood River Journal
November 15 & 22, 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MIZER, JAMES D.

37-8085
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

RECEIVED

AUG 28 2001

DEPARTMENT OF WATER RESOURCES

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☐ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index 6-4-90 A.S. (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index 6-4-90 A.S. (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☒ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed AD 7/21/90 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent _____ (Initial and date)

Exam Reviewed by Manager of Regional Office AD 8/24/01 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office / (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

RECEIVED

AUG 28 2001

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 37-8085

1. Owner: James Dale Mizer Phone No. 788-2903

Current Address: PO Box 728 Hailey ID 83333

2. Accompanied by: Dale Mizer EXAM DATE: May 30, 2001

Address: Same Phone No. Same

Relationship to Permit Holder: Owner

3. Source: Groundwater tributary to _____

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:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination *GLS*

[illegible]

A blank sheet of graph paper featuring a uniform grid of squares. The grid consists of solid black lines forming the outer boundaries and dashed black lines forming the internal divisions. There are 10 columns and 8 rows of squares in total.

☒ 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
		3		Red Jacket	
		1/2		Red Jacket	40087661X4

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

2. Measurements: Please see narrative

E. NARRATIVE/REMARKS/COMMENTS

PERMIT: 37-8085
FROM: Amanda Folsom
DATE: August 1, 2001

I met with Dale Mizer and his son on May 30, 2001. This permit was issued for irrigation, stockwater, and domestic use.

POINT OF DIVERSION

There is one well located in the NWSW $\frac{1}{4}$ of Sec 33, Twp 03N, Rge 18E. There are two pumps used to pull water from the well. The first is a 3horsepower Red Jacket. The pump supplies water to the irrigation. The second pump is a $\frac{1}{2}$ horsepower Red Jacket that supplies water to the stockwater. The Mizer's were using 19 Rainbirds at the time of the exam. At one time they were able to use 30 Rainbirds at one time, however, due to certain circumstances the pressure dropped to 20psi. Now they use around 19 Rainbirds at a time.

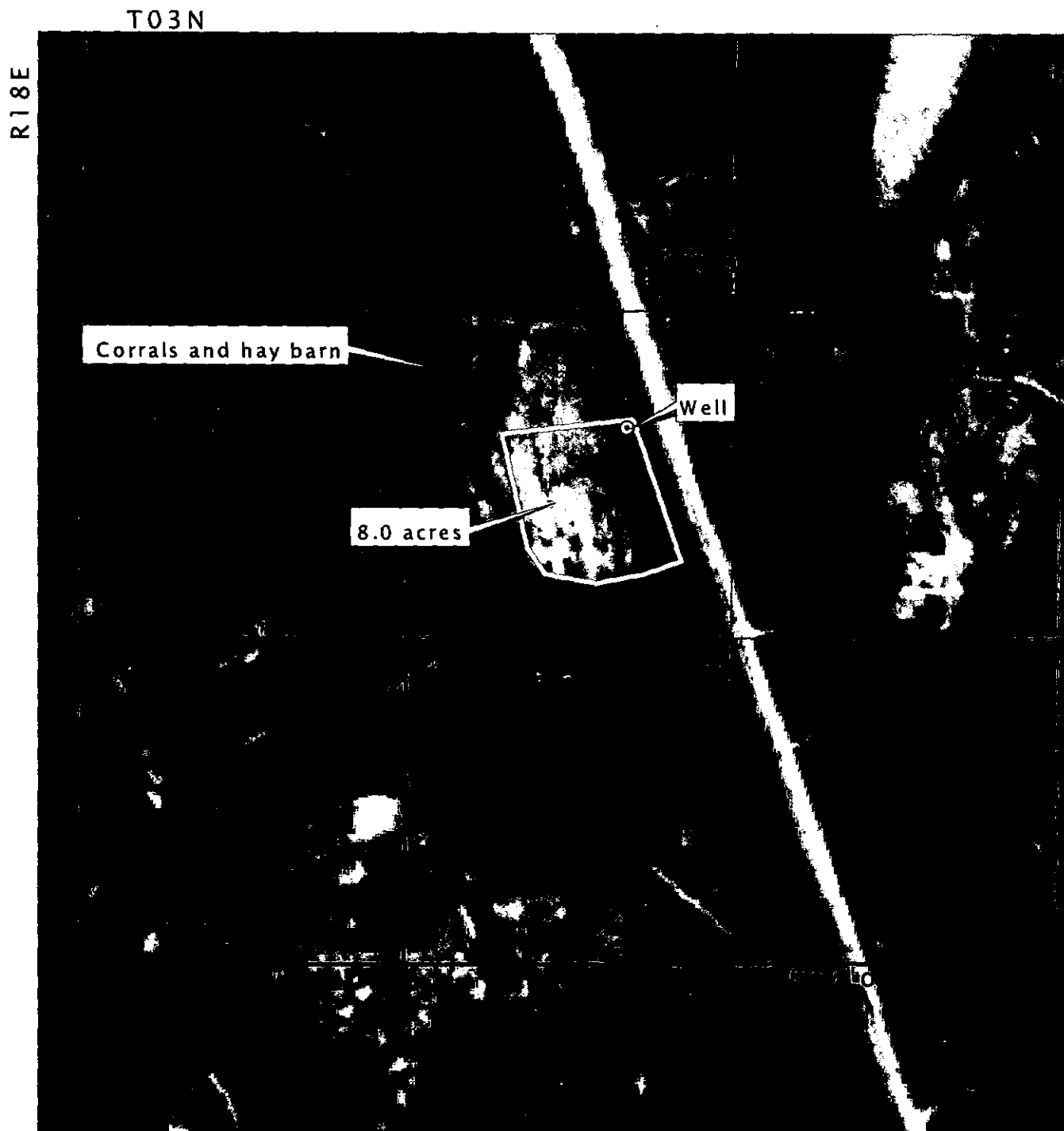
I calculated the diversion rate using the Rainbirds and also doing a theoretical. Both calculate a total diversion rate of 0.15cfs. For the stockwater I had to use a theoretical. Both wells are very old, however, the Mizer's had the original pump information with the wells. This calculated to be 0.03cfs for stockwater.

PLACE OF USE

The place of use is located in the NWSW $\frac{1}{4}$ of Sec 33. The Mizer's are irrigating 8 acres of pastureland for the horses and other stock kept there on the property. They keep a maximum of 75 head of cattle on the property. There are 5 watering troughs that hold 200 gallons apiece. There was no house or domestic use at the time of the exam.

I am recommending 0.15cfs for irrigation and 0.03cfs for stockwater. For the volume I am recommending 28.0afa for irrigation and 1.0afa for the stockwater.

Idaho Department of Water Resource
Recommendation for 37-8085
James Dale Mizer



⊙ Point of Diversion

□ Section Lines

□ Quarter-quarter lines

□ Place of Use



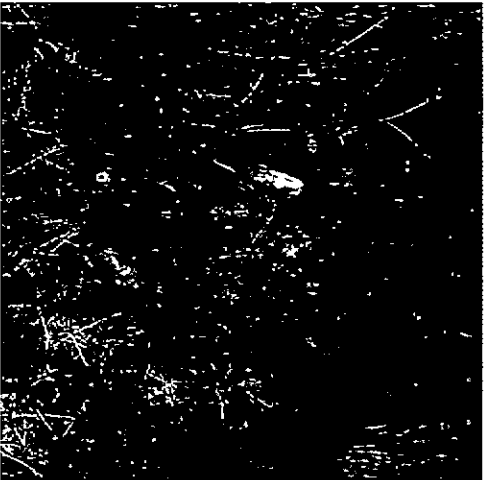
Point of Diversion and Place of Use
T03N R18E S33

Data entry on August 1, 2001

Point of Diversion Presentation
1987/1988 NAPP Photography
Data Entry By: Amanda Folsom

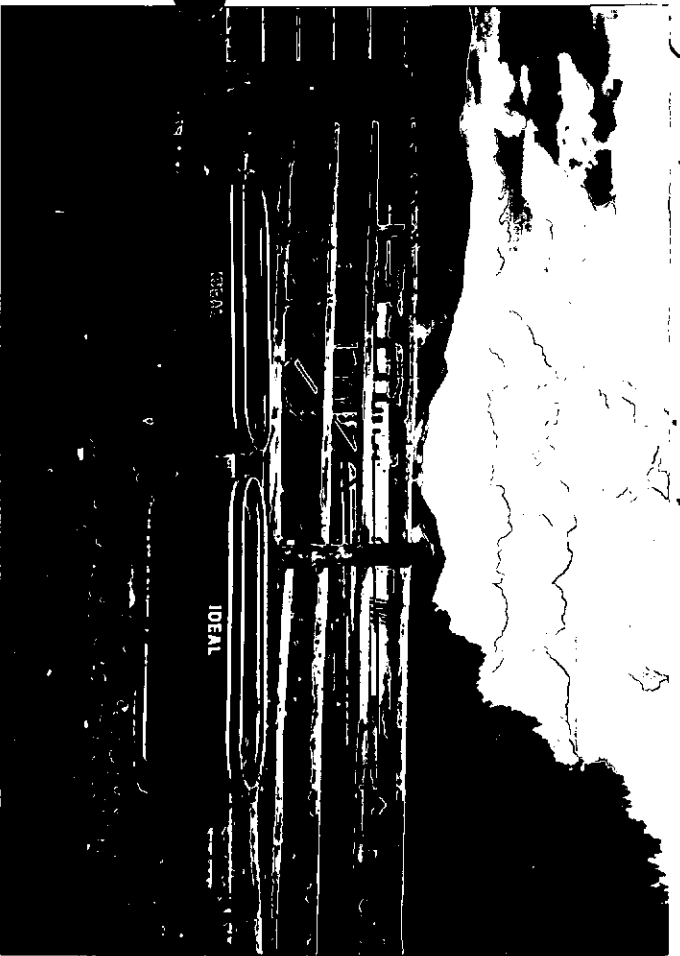


Corrals, hay barn, shed, and pastureland



Well and vinyl main line

1113er, James W. 21-8005

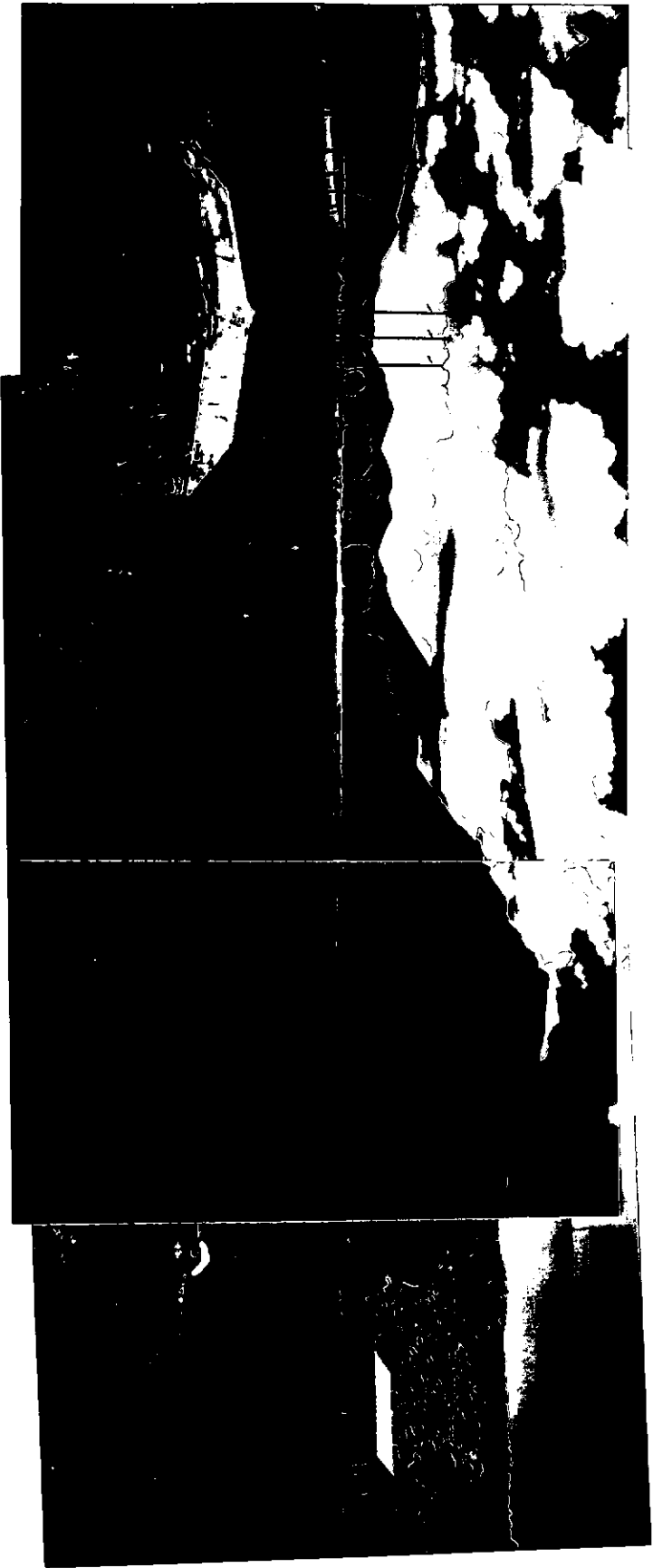


stock
tanks at
corn!

well's
well house



Place of use w/ sprinklers & well house



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08085

Priority: April 18, 1983

Maximum Diversion Rate: 0.18 CFS
Maximum Diversion Volume: 29.0 AF

It is hereby certified that JAMES DALE MIZER
PO BOX 728

HAILEY ID 83333 has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated April 18, 1983; and has submitted Proof of Beneficial Use on January 12, 1990. An examination indicates that the works have a diversion capacity of 0 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.03 CFS	1.0 AF
IRRIGATION	04/01 to 11/01	0.15 CFS	28.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE1/4NW1/4SW1/4 Sec. 33, Twp 03N, Rge 18E, B.M.
BLAINE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N 18E 33																	8.0

Total Acres: 8

CONDITIONS OF APPROVAL

1. 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.
2. 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.
3. The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.
4. 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.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 37-08085

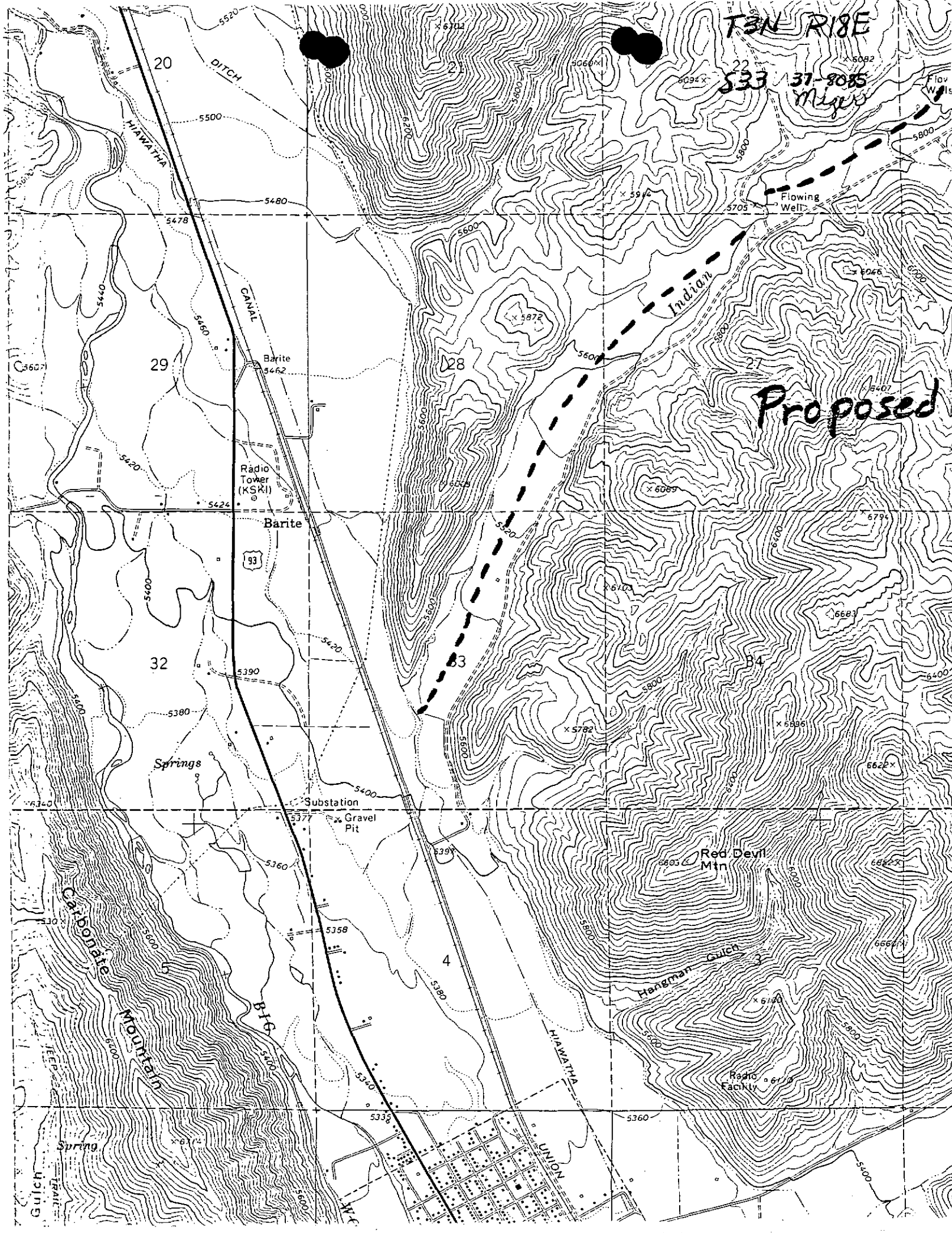
5. This right is limited to the irrigation of 8.0 acres within the place of use described above in a single irrigation season.

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 used in accordance with Idaho law and applicable rules of the Department of Water Resources.

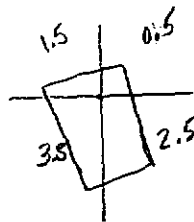
Signed and sealed this _____ day of _____, 2001.

KARL J. DREHER
Director

THP	RNG	SECT	TRACT	LOT	WATER USE CODE	WATER RIGHT NO.	LAST NAME	O	STG	PRIORITY	POD DATE	FLAG	WATER SOURCE
03N	18E	29	NW SE	01		37-00658	TROEGER	0	D	06/15/1891	R		BIG HOOD RIVER
			SW SE	01		37-07672	HIBBARD HIBBARD POPPY	C C C					GROUNDWATER
			SW SE	01		37-08422	MONK MONK MC NAMARA	O O C					GROUNDWATER
			SW SE	2 43		37-07190	HARRIS PRICE	C C	P	10/17/1988			GROUNDWATER
30			SE SW	01.04		37-04294	DEER CREEK RANCH	C	S	04/01/1880			UNNAMED STREAM
32			NW NE	01		37-00521B	OSBORN	C	D	06/01/1886			BIG HOOD RIVER
			NW NE	01		37-00521E	OSBORN	C	D	06/01/1886			BIG HOOD RIVER
			NW NE	01		37-00521G	OSBORN	C	D	06/01/1886			BIG HOOD RIVER
			NW NE	01		37-00522B	OSBORN	C	D	05/04/1889			BIG HOOD RIVER
			NW NE	01		37-00522C	OSBORN	C	D	05/04/1889			BIG HOOD RIVER
			NW NE	01		37-00522E	OSBORN	C	D	05/04/1889			BIG HOOD RIVER
			NW NE	01		37-00523B	OSBORN	C	D	05/21/1890			BIG HOOD RIVER
			NW NE	01		37-00523C	OSBORN	C	D	05/21/1890			BIG HOOD RIVER
			NW NE	01		37-00523D	OSBORN	C	D	05/21/1890			BIG HOOD RIVER
			NW NE	49.43		37-07588	BODNER G U C INC.	C C	L	05/20/1977			GROUNDWATER
			SE NE	01.43		37-02507	CHAPMAN	O	L	01/05/1950			GROUNDWATER
			SE NE	01		37-02640	HOLLINGSWORTH CHAPMAN	C C	L	09/16/1960			GROUNDWATER
			NE NW	01		37-00577AK	RILEY	O	D	03/24/1883			BIG HOOD RIVER
			NE NW	01		37-08322	MC CARTNEY MC CARTNEY	C C					
			NE SW	01		37-04106	NORRIS CHAPMAN	C C	L	11/10/1987			GROUNDWATER
			NE SE SW	01		37-00558	CHAPMAN PURDUM	C O	S D	01/01/1941			SPRING
			NE SE SW	01		37-00559	PURDUM ASPEN LAKES LTD.	O C	D	06/01/1886			BIG HOOD RIVER
			NE SE SW	01		37-00557	PURDUM ASPEN LAKES LTD.	O C	D	06/01/1888			BIG HOOD RIVER
			SW SE	46		37-00557	PURDUM ASPEN LAKES LTD.	O C	D	05/15/1884			BIG HOOD RIVER
			SW SE	01		37-07767	FLYING HEART RANCH	C	P	02/27/1979			UNNAMED SPRINGS
			SW SE	01		37-08370	JEFFERSON	C	L	08/02/1988			GROUNDWATER
			SW SE	43.49		37-07146	IDAHO POWER CO.	C	L	05/23/1972			GROUNDWATER
			SW SE	43		37-07396	IDAHO POWER CO.	C	L	10/29/1974			GROUNDWATER
			SW NE	04.28, 46.49, 52		37-07915	OVERFIELD	C	L	06/05/1981			GROUNDWATER
			NW NE	43		37-07909	INDIAN CREEK HOME	C	A	03/11/1981			INDIAN CREEK
			NW SW	01.04, 43		37-08035	INDIAN CREEK HOME	C	P	09/01/1982			GROUNDWATER
			SE SW	10		37-08085	HIZER	C	P	04/18/1983			GROUNDWATER
			SE SW	43.01		37-08409	CHAPMAN	C	P	11/30/1988			GROUNDWATER
			SE SW	43.01		37-08508	THORNTON	C	P	05/22/1989			GROUNDWATER
			SW SW SE	01		37-08448	BUTTRAM FRIEDLY	C C					
			NW SE	46.52		37-08252	DALE	C	P	10/27/1988			GROUNDWATER
19E	18E		SW SE	01.43		37-02358	SAUNDERS	C	P	01/06/1986			BIG HOOD RIVER, EAST FORK
20E	19E		NE NE	01.43		37-02358	SAUNDERS	C	L	10/04/1917			BAUGH CREEK
			NW NW	01.43		37-02358	SAUNDERS	C	L	10/04/1917			FISHER CANYON
			NW NW	01.43		37-02358	SAUNDERS	C	L	10/04/1917			BAUGH CREEK



8 Acres



21
15.3

30 29
31 32

31 30
05

T15
1 6.7
2 8.4

3
33.2

29 28
32 33

1 15.7

2 30.0

3 34.0

5 18.1

6 15.1

5 24.3

7 15.8

32 33
5 4

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

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

$$19 \text{ Rainbirds } (3.5 \text{ gpm}) = \frac{66.5 \text{ gpm}}{448.83} = \boxed{0.15 \text{ cfs}}$$

$$\frac{8.8(1/2)(1.7)}{70 + (20 \cdot 2.31)} = \frac{3.08}{116.2} = \boxed{0.03 \text{ cfs}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 8(3.5) = 28.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.15(1.9835)(215) = 63.9$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 28.0$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	11/01	0.15	28.0
Stockwater	1/1	12/31	0.03	1.0
Totals:			0.18	29.0

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

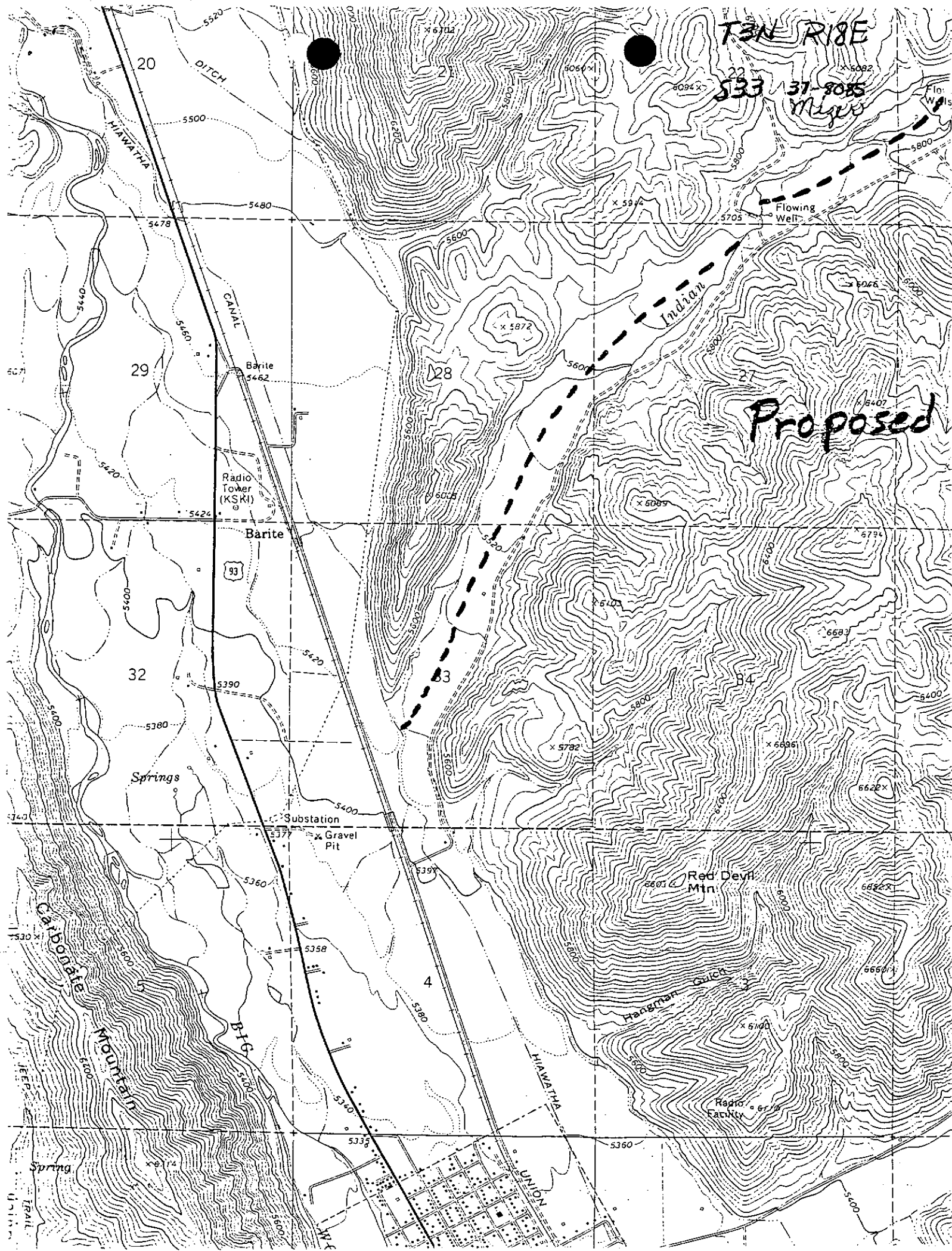
I. AUTHENTICATION

Field Examiner's Name Amanda Lobos Date 8/1/01

Reviewer _____ Date _____

SEAL

THP	RNG	SECT	TRACT	LOT	WATER USE CODE	WATER RIGHT NO.	LAST NAME	O	STG	PRIORITY	POD	WATER SOURCE
			1 4 1 4 1 4					C		DATE	FLAG	
03N	18E	29	NH SE	01		37-00658	TROEGER	O	D	06/15/1891	R	BIG HOOD RIVER
							HIBBARD	C				
							HIBBARD	C				
			SW SE	01		37-07672	POPPY	C	L	09/15/1977		GROUNDWATER
							HONK	O				
							HONK	O				
			SW SE	01		37-08422	MC NAMARA	C	P	10/17/1988		GROUNDWATER
			SW SE	2 43		37-07190	HARRIS	C	L	01/08/1973		GROUNDWATER
							PRICE	C				
30			SE SW	01.04		37-04294	DEER CREEK RANCH	C	S	04/01/1880		UNNAMED STREAM
32			NH NE	01		37-00521B	OSBORN	C	D	06/01/1886		BIG HOOD RIVER
			NH NE	01		37-00521E		C				
			NH NE	01		37-00521G	OSBORN	C	D	06/01/1886		BIG HOOD RIVER
			NH NE	01		37-00522B	OSBORN	C	D	05/04/1889		BIG HOOD RIVER
						37-00522C		C				
			NH NE	01		37-00522E	OSBORN	C	D	05/04/1889		
			NH NE	01		37-00523B	OSBORN	C	D	05/21/1890		BIG HOOD RIVER
			NH NE	01		37-00523C	OSBORN	C	D	05/21/1890		BIG HOOD RIVER
			NH NE	01		37-00523D	OSBORN	C	D	05/21/1890		BIG HOOD RIVER
							BODNER	C				
			NH NE	49.43		37-07588	G U C INC.	C	L	05/20/1977		GROUNDWATER
			SE NE	01.43		37-02507	CHAPMAN	O	L	01/05/1950		GROUNDWATER
							HOLLINGSWORTH	C				
			SE NE	01		37-02640	CHAPMAN	C	L	09/16/1960		GROUNDWATER
			NE NW	01		37-00577AK	RILEY	O	D	03/24/1883		BIG HOOD RIVER
							MC CARTNEY	C				
							MC CARTNEY	C				
			NE NW	01		37-08322	NORRIS	C	L	11/10/1987		GROUNDWATER
			NE SW	01		37-04106	CHAPMAN	C	S	01/01/1941		SPRING
							CHAPMAN	C				
			NE SE SW	01		37-00558	PURDUM	O	D	06/01/1886		BIG HOOD RIVER
							ASPEN LAKES LTD.	C				
			NE SE SW	01		37-00559	PURDUM	O	D	06/01/1888		BIG HOOD RIVER
							ASPEN LAKES LTD.	C				
			NE SE SW	01		37-00557	PURDUM	O	D	05/15/1884		BIG HOOD RIVER
							ASPEN LAKES LTD.	C				
			SW SE	46		37-07767	FLYING HEART RANCH	C	P	02/27/1979		UNNAMED SPRINGS
			SE SE	01		37-08370	JEFFERSON	C	L	08/02/1988		GROUNDWATER
			SE SE	01		37-07146	IDAHO POWER CO.	C	L	05/23/1972		GROUNDWATER
			SE SE	43.49		37-07396	IDAHO POWER CO.	C	L	10/29/1974		GROUNDWATER
			SE SE	43		37-07915	QUERFIELD	C	L	06/05/1981		GROUNDWATER
			NH NE	04.28, 46.43, 52		37-07909	INDIAN CREEK HOMEQ	C	A	03/11/1981		INDIAN CREEK
			NH NE	43		37-08035	INDIAN CREEK HOMEQ	C	P	09/01/1982		GROUNDWATER
			NH SW	01.04, 43		37-08085	MIZER	C	P	04/18/1983		GROUNDWATER
			SE SW	10		37-08409	CHAPMAN	C	P	11/30/1988		GROUNDWATER
			SE SE SW	43.01		37-08508	THORNTON	C	P	05/22/1989		GROUNDWATER
							BUTTRAM	C				
			SW SW SE	01		37-08448	FRIEDLY	C	P	10/27/1988		GROUNDWATER
			NH SE	46.52		37-08252	DALE	C	P	01/06/1986		BIG HOOD RIVER, EAST FORK
12E			SW SE	01.43		37-02358	SAUNDERS	C	L	10/04/1917		BAUGH CREEK
30E			NE NE	01.43		37-02359	SAUNDERS	C	L	10/04/1917		FISHER CANYON
			NH NH	01.43		37-02358	SAUNDERS	C	L	10/04/1917		BAUGH CREEK



T3N R18E

S33 37-8085
Miles

Flowing Well

Indian

Proposed

Barite

Radio Tower (KSKI)

Substation

Gravel Pit

Springs

Red Devil Mtn

Hangman Gulch

Radio Facility

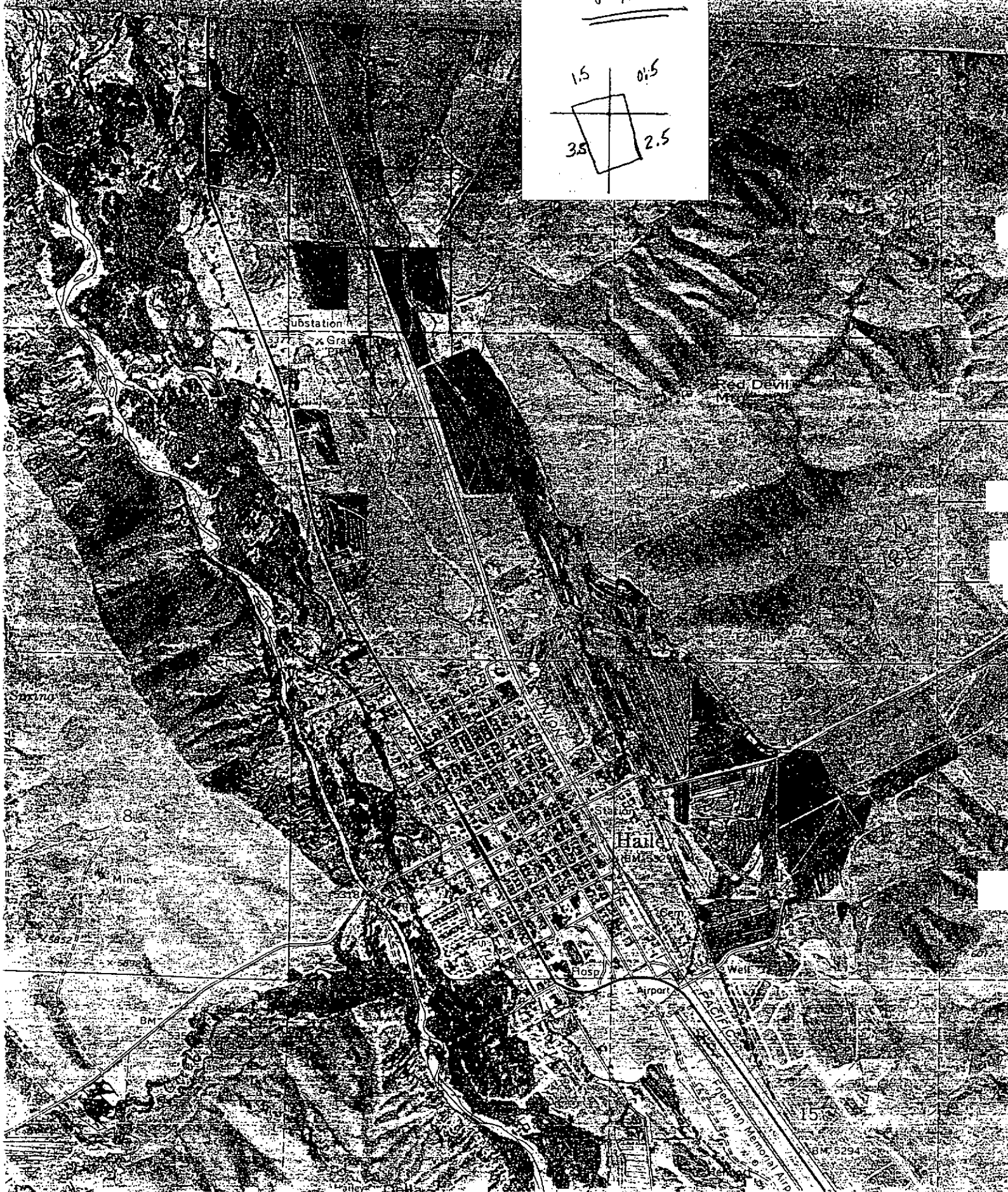
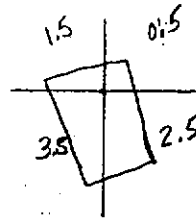
Spring

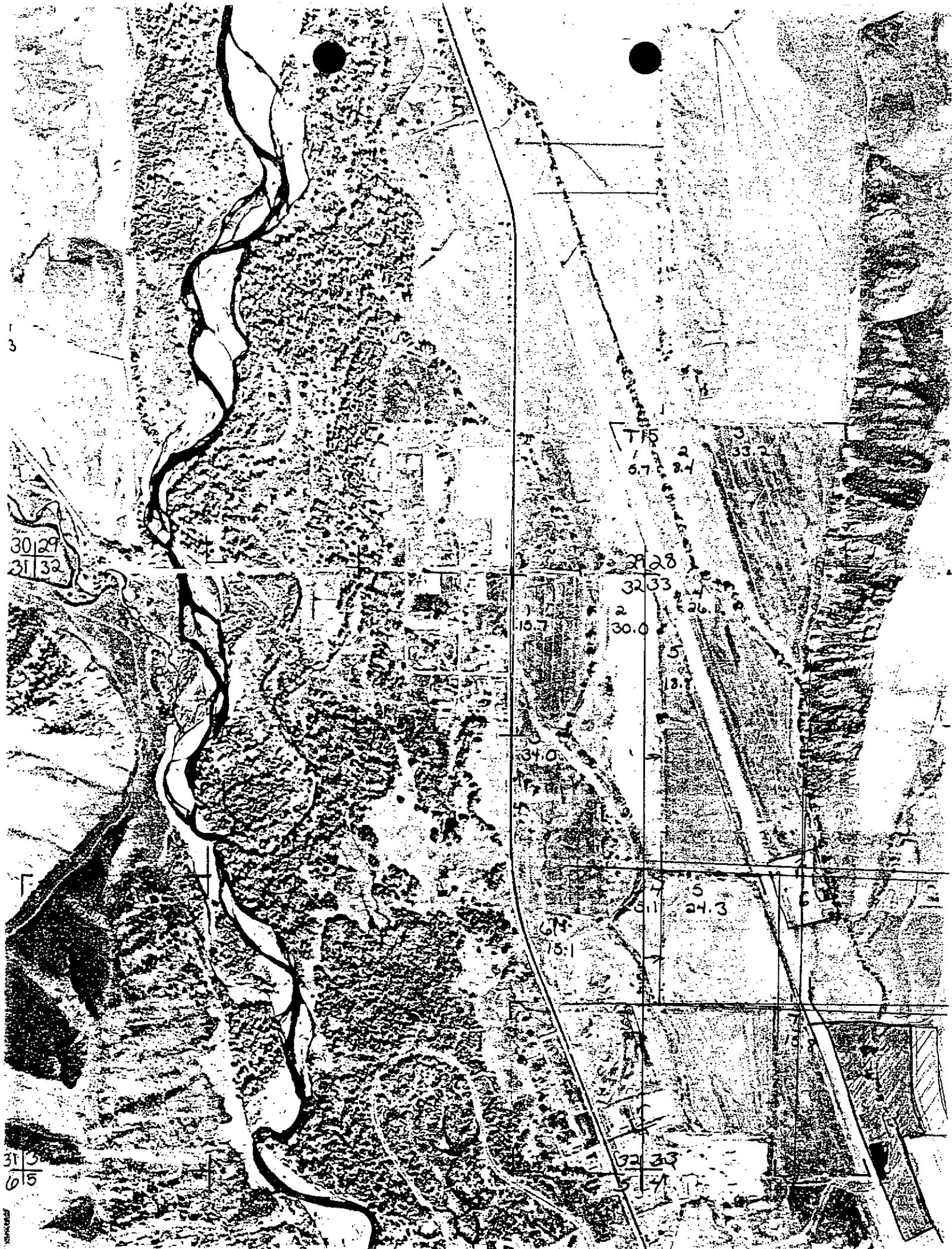
4

HAWAIIA

UNION

8 Acres





7

May 15, 1990

JAMES DALE MIZER
P.O. BOX 728
HAILEY, ID 83333

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08085

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.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
MAY 23 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 37-8085

Date: 5-14-90

General Considerations:

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

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks: Proof acceptable

4/18 Priority Calculation:
Date proof received _____
Date proof due _____ -
No. of days late _____ =
Priority date _____ +
NEW PRIORITY DATE _____ =

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED
JAN 12 1990

For Office Use Only
Amt. of Fee \$ 50.00
Date 1/12/90
Receipt No. 6013923
Received by J. Harrison

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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.

Permit No. P37-08085 Telephone No. 788-2903

Name(s) of Permit Holder(s): James Dale Mizer

Post Office Address: Box 728

Source of Water: Ground

If ground water, well driller's name: Carl Roessler Date drilled: Sept 1975

Extent of Use:
Domestic 1 (No. of households) Irrigation 8 (No. of acres)
Stockwater 75 cattle and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.23 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: Nov 1975

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☒ No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

James Dale Mizer 788-2903
Name Telephone No.
Box 728, Hailey, Idaho 83333
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.

MAY 23 1990

Jan 11, 1990
Date

James Dale Mizer
Signature (and title if on behalf of a company or organization)

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 29, 1989

JAMES DALE MIZER
P.O. BOX 728
HAILEY, ID 83333

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P37-08085

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

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.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

RECEIVED

MAY 23 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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MAY 23 1990

Swan Falls
Hold

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: LD

MIZER, Dale

APPLICATION NUMBER: 37-8085

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. X-74
☐ 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? 37-P05
4-18-83 Date of priority recommended.
Special conditions of approval or cover letter. _____

TRUST Water App.

Allow 1yr. to develop -

By: _____

Date: _____

STATE OFFICE REVIEW:

P05, P23 P16 51 52 53 46

- ☐ See attached sheet for more information.

By: KW

Date: 12-20-89

OCT 16 1989

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

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

NOVEMBER 8, 1989

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 DECEMBER 4, 1989.

Yours truly,

SHARLA CURTIS
Secretary

Encl.

MICROFILMED

MAY 23 1990

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08085-

MIZER, JAMES DALE -
P.O. BOX 728 -
HAILEY, ID 83333 -

Source: GROUNDWATER -

Diversion Pt: NWSW - Sec 33 T 03N R 18E -

Use: IRRIGATION (.160 CFS) -
STOCKWATER (.030 CFS) -
DOMESTIC (.040 CFS) -

Date Filed: 4/18/1983 -

In: T03N R18E S33 - NWSW -

8.0 ACRES TOTAL -

Permits 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 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 DECEMBER 4, 1989.

R. KEITH HIGGINSON, Director

Published 11/15/1989 & 11/22/1989

MICROFILMED

MAY 23 1990

MEMORANDUM

TO: FILE/APPLICATION NO. 37-8085

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING

DATE: 10-27-89

The applicant has returned the trust water questionnaire and claims that a portion of the project was completed prior to October 1, 1984. In particular, applicant claims that the well was completed in 1975 and that the irrigation use commenced in 1976. The questionnaire further indicates that five acres were completed prior to 1984 and that three acres remain undeveloped.

I have reviewed the department's 1974 orthophoto and found about five acres of irrigation in the tract described by this application. These five acres though appear to be part of a larger field which extends into an adjacent 40 acre tract. It is difficult to ascertain if these five acres are the same five acres described in the questionnaire. The departments Blaine County remote sensing report shows only 2 acres in the NWSW tract classified as irrigated in 1986. This data conflicts with the water rights data base, which shows one licensed right with 27 acres of irrigation in the same NWSW tract.

Based on the conflicting data outlined above and the fact that the applicant has claimed that at least a portion of the application is still undeveloped, I recommend we treat the entire application as a trust water filing and count the total 8 acres as trust water.

MICROFILMED

MAY 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED

OCT 27 1989

Application No. 37-8085

Department of Water Resources

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 restrictions and/or conditions. You may be asked to verify uses established prior to October, 1984.)

The Well was drilled in Oct 1975 I started using it in Dec 1975 for cattle & domestic use. Spring 1976 started irrigate

3. Please state the number of acres you have irrigated under this application since October 1, 1984. *five acres*

4. If you have not irrigated lands under this application, please state the number of acres you plan to complete. *3 acres*

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

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

James Dale Mizer

Date

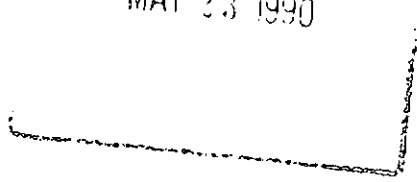
Oct 25-1989

MICROFILMED

MAY 23 1990

[illegible]

MAY 23 1990





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

October 23, 1989

RE: APPLICATION FOR PERMIT NO. 37-8085

DEAR APPLICANT:

Due to the Swan Falls litigation, 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 your 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, the department asks that you complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments and/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.

RECEIVED

MAY 23 1990

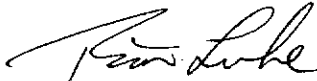
Page 2

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 should be returned within thirty (30) days to:

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

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

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

TL:sc

cc: Region

MICROFILMED
MAY 23 1990