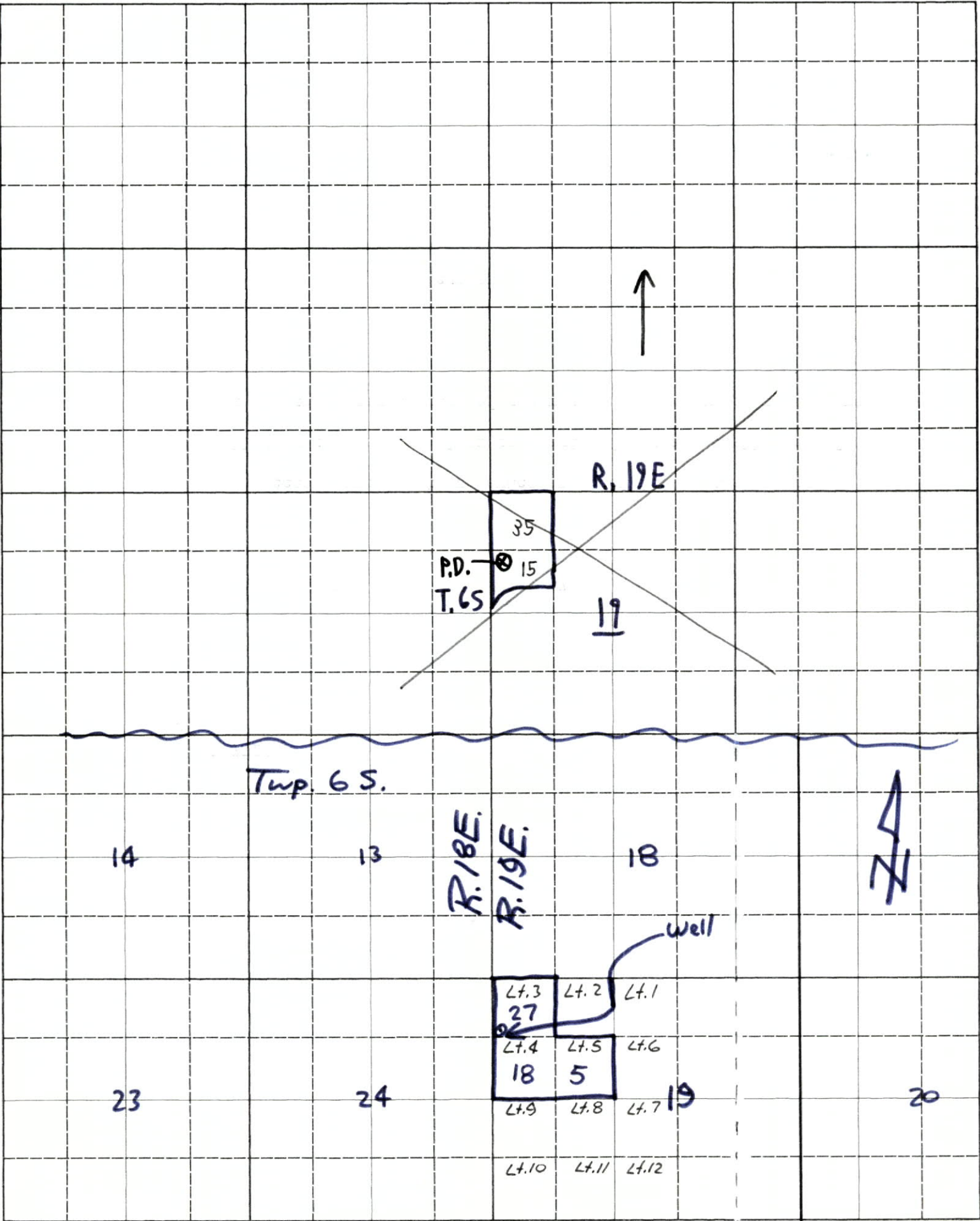


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

*Amel J. Fowler*  
(Applicant)

# AFFIDAVIT of PUBLICATION

State of Idaho, }  
County of Lincoln } SS.

Melba Thorne, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, 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 two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 31 day of aug, 1978, and the date of the last publication was on the 7 day of September, 1978.

Melba Thorne  
Subscribed and sworn to before me this 7 day of September, 1978.  
(SEAL)

Margaret Hagen  
NOTARY PUBLIC

## LINCOLN COUNTY JOURNAL

Shoshone, Idaho

## COST OF PUBLICATION

Number of Lines in Notice .....  
Number of Insertions .....  
Lines tabular at ..... 315c  
40 Lines straight at ..... 21c 8.40  
40 Subsequent lines at ..... 15c 2.70  
TOTAL COST .... 11.10

## COPY OF NOTICE

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Notice app. water permit  
TITLE OF NOTICE  
# 37-7726

PLAINTIFF ATTORNEY

Arvel J. & June E. Fowers  
DEFENDANT

PLAINTIFF

## NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Arvel J. &/or June E. Fowers, Dietrich, has on 8/10/78 submitted Application No. 37-7726 for a permit to appropriate 1.00 cubic feet per second of water from ground water by means of existing well, pump, sprinklers within the Lot 3, Sec. 19, Twp. 6S, Rge. 19E to be used from Mar. 15 to Nov. 15 for irrigation purposes for 50 acres within the Lots 3, 4, 5, Sec. 19, Twp. 6S, Rge. 19E.

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, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before Sept. 18, 1978.

/s/ C. Stephen Allred  
Director

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Department of Water Resources  
Southern District Office

T.6S., R.19E., B.M.



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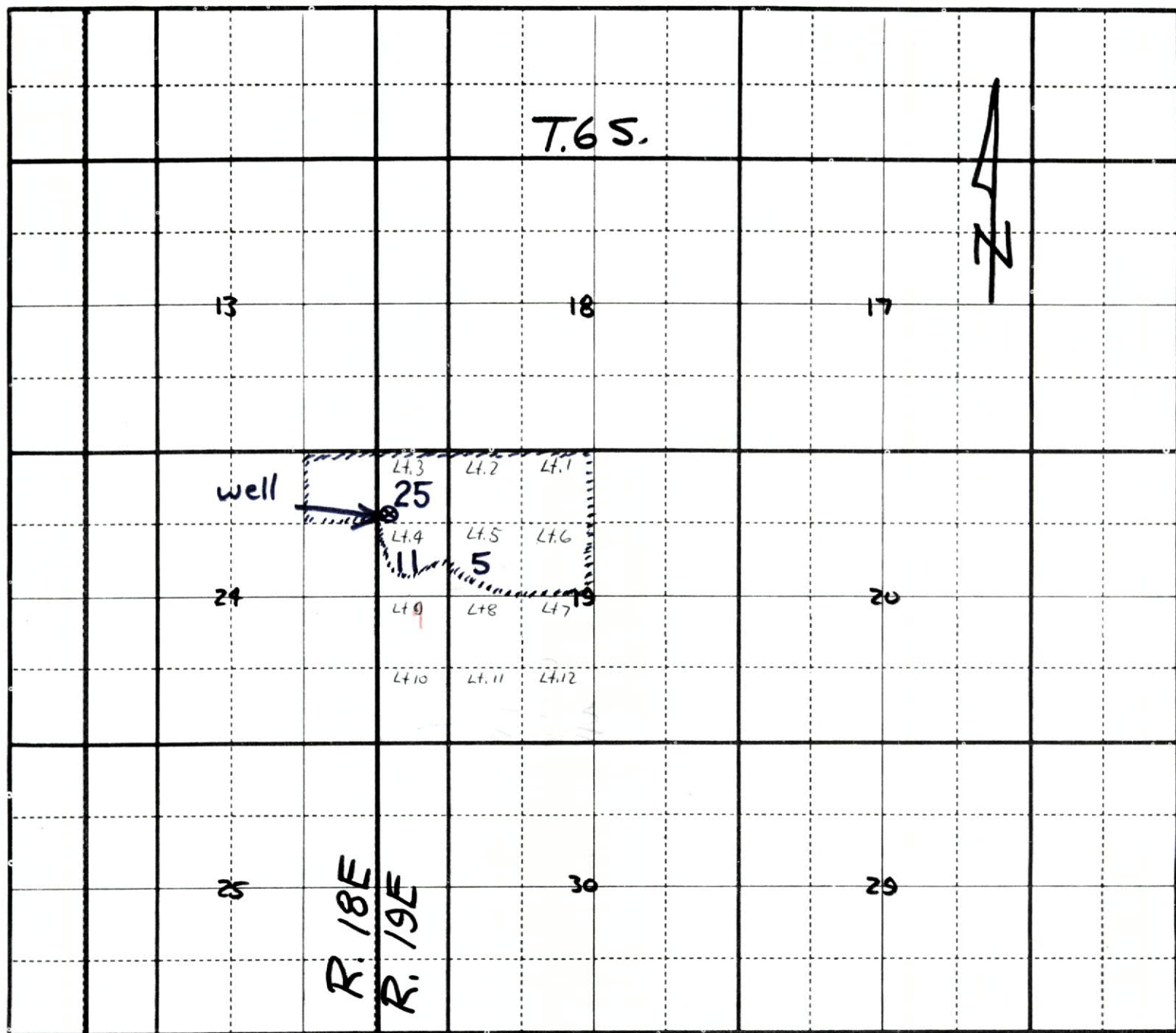
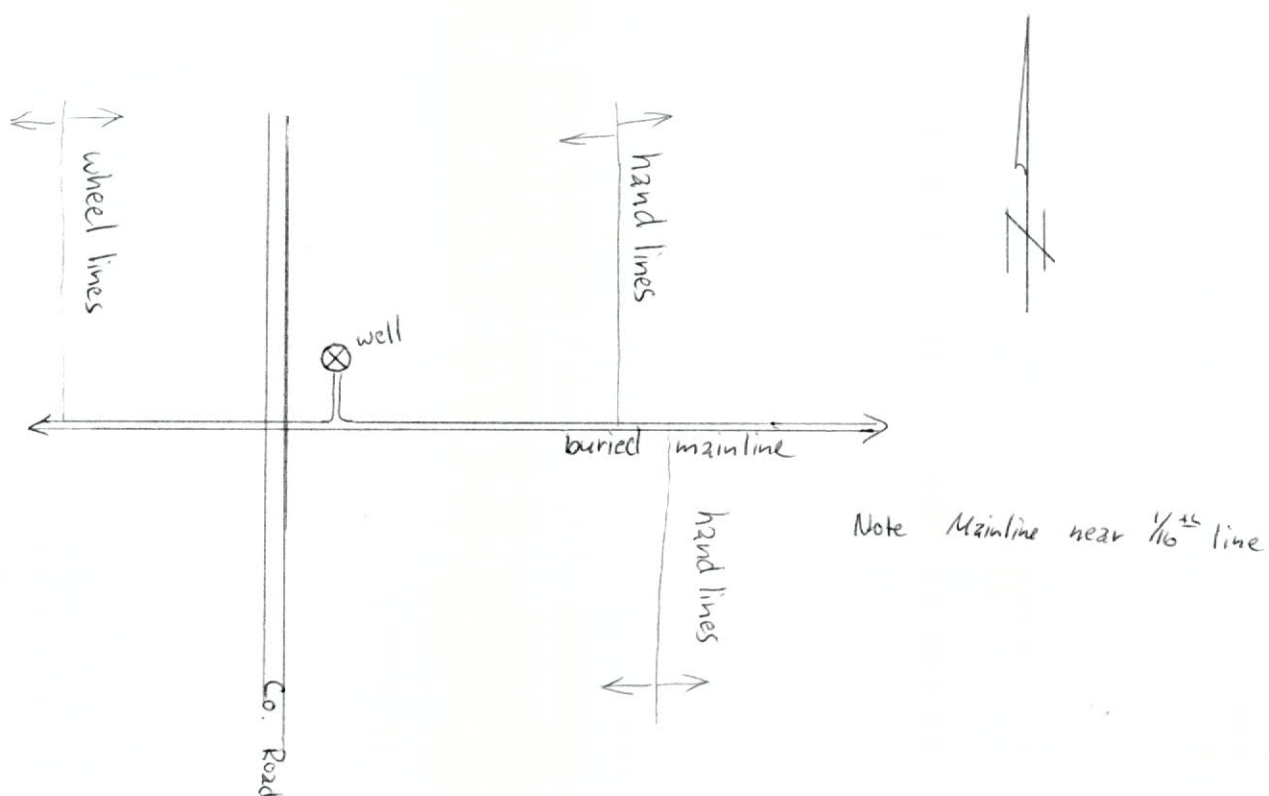


Diagram of System



State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7726 Priority August 10, 1978 Amount 0.82 cfs

THIS IS TO CERTIFY, that ARVEL J. &/or JUNE FOWERS  
of Dietrich, Idaho, has complied with the terms and conditions of Permit  
No. 37-7726 issued pursuant to Application for Permit dated August 10, 1978,  
and has submitted proof to the Department of Water Resources on November 1, 1978,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 3.3 cfs of water from a groundwater source,  
tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use    | Period of Use                              | Rate of Diversion      | Annual Volume        |
|-------------------|--------------------------------------------|------------------------|----------------------|
| <u>Irrigation</u> | from <u>March 15</u> to <u>November 15</u> | at <u>0.82</u> cfs and | <u>164</u> acre feet |
| _____             | from _____ to _____                        | at _____ cfs and       | _____                |
| _____             | from _____ to _____                        | at _____ cfs and       | _____                |

(both dates inclusive)

Subject, however, to the condition that no more than 0.82 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
164 acre feet per year, said waters to be diverted within the Lot 3, Sec. 19, Twp. 6S,  
Rge. 19E, B.M. in the County of Lincoln

Description and location of place of use:

| Twp. | Range | 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 |        |
| 6S   | 19E   | 19   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 25     |
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Total number of acres irrigated 41

CONDITION:

The maximum rate of diversion for the well covered by this license  
when combined with License No.'s 37-7314 and 37-7716 shall not  
exceed 3.30 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho  
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use  
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of  
November, 19 79.

Director

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Arvel J. &/or June E. Fowers Phone 544-2409

Post office address Dietrich, Idaho - 83324 - Rt. 1 - Box 5

2. Source of water supply Ground Water which is a tributary of \_\_\_\_\_

3. Location of point of diversion is Lot 3 \* as per phone call 8/18/78 ADM  
SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 19 Township 6S

Range 19E B.M. Lincoln County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 1.00 for irrigation purposes from Mar 15 to Nov 15 (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:

a. 1.00 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. existing well, pump, sprinklers

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

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

c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is 200 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 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: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_

Range \_\_\_\_\_ 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 \_\_\_\_\_

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

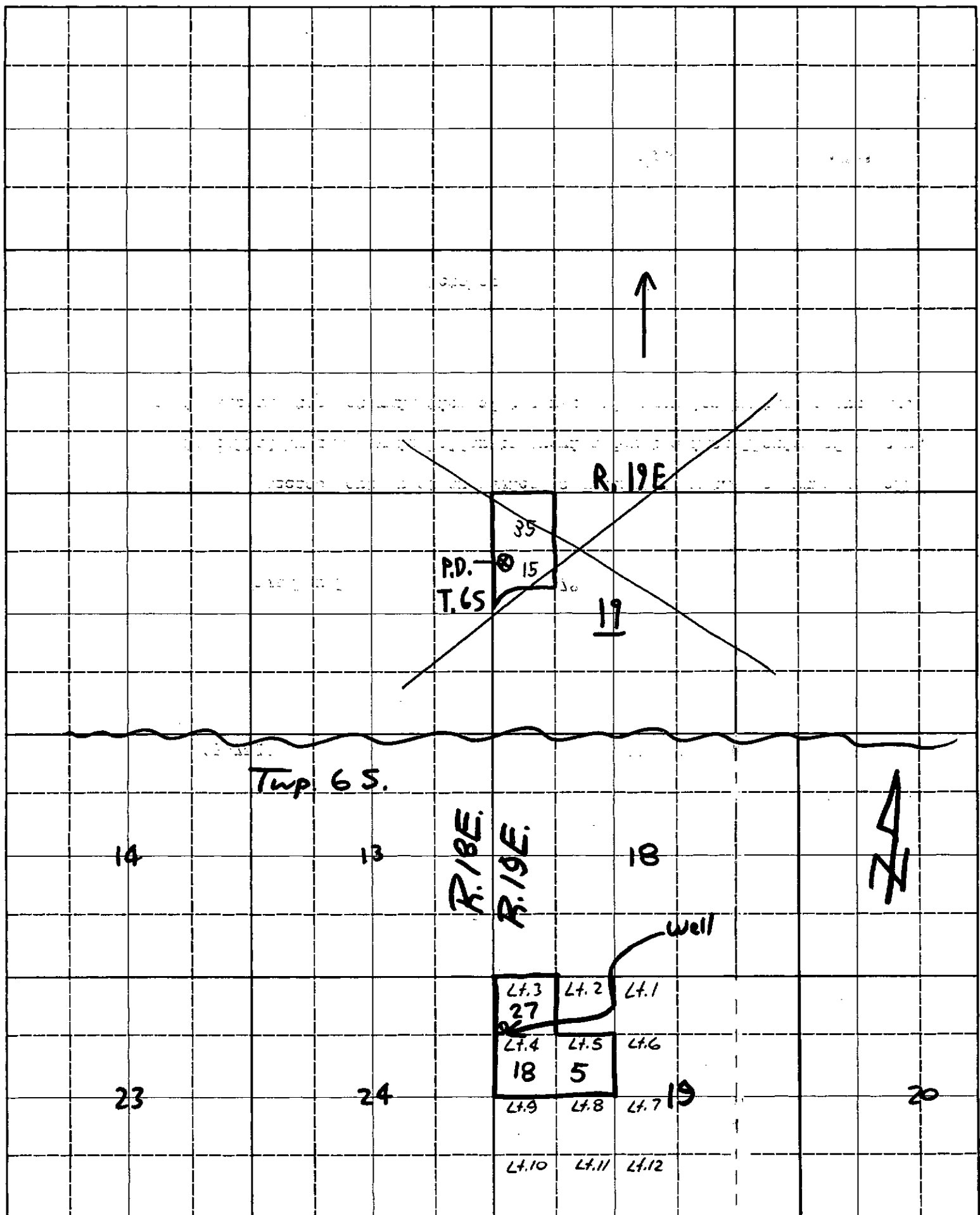
(5) If water is to be used for other purposes describe: \_\_\_\_\_

MICROFILMED

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 | NE¼   | NW¼ | SW¼ | NE¼   | NW¼ | SW¼ | NE¼                           | NW¼ | SW¼ |        |
| 6S  | 19E   | 19   |       |     |     |       |     |     |       |     |     |                               |     |     | 50     |
|     |       |      | Lot 3 |     |     | Lot 4 |     |     | Lot 5 |     |     | as per phone call 8/18/78 ADM |     |     |        |
|     |       |      | 35-15 |     |     | 27-18 |     |     | 5     |     |     |                               |     |     |        |
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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.

*Amel J. Fournier*  
(Applicant)

Received by JS Date 8-10-78 Time 3 pm  
 Preliminary check by ADM Fee \$ 35.00  
 Receipted by maria Date 8-10-78 # 10528 - 92-92  
 Publication prepared by maria Date 8/18/78  
 Published in Lincoln Co. Journal  
 Publication dates 8/31/78 & 9/7/78  
 Publication approved maria Date 7/1/78  
 Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_  
 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
 Recommended for approval denial by LH JS

## 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. 37-7726, 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 November 1, 19 79.
- 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: An access port or other device as specified by the Department shall  
be installed by the permit holder to provide for the installation of measuring  
equipment and the determination of the rate of diversion by the Department.

Witness my hand this 20<sup>th</sup> day of October, 19 78.

J. Glen Saxton  
 Chief, Operations Bureau

# AFFIDAVIT of PUBLICATION

State of Idaho, }  
County of Lincoln } SS.

Melba Thorne, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, 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 two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 31 day of aug, 1978, and the date of the last publication was on the 7 day of September, 1978.

Melba Thorne  
Subscribed and sworn to before me this 7 day of September, 1978.  
(SEAL)

May Ann Hagen  
NOTARY PUBLIC

## LINCOLN COUNTY JOURNAL

Shoshone, Idaho

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Notice app. water permit  
TITLE OF NOTICE  
# 37-7726

PLAINTIFF ATTORNEY

Arvel J. &/or June E. Fowers  
DEFENDANT

PLAINTIFF

## NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Arvel J. &/or June E. Fowers, Dietrich, has on 8/10/78 submitted Application No. 37-7726 for a permit to appropriate 1.00 cubic feet per second of water from ground water by means of existing well, pump, sprinklers within the Lot 3, Sec. 19, Twp. 6S, Rge. 19E to be used from Mar. 15 to Nov. 15 for irrigation purposes for 50 acres within the Lots 3, 4, 5, Sec. 19, Twp. 6S, Rge. 19E.

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, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83441, on or before Sept. 18, 1978.

/s/ C. Stephen Allred  
Director

(Id)

7 pt.

7 pt.

7 pt.

L/2t/8-31

per line, successive

insertions

15c

RECEIVED

No. 1863

SEP 11 1978

Department of Water Resources  
Southern District Office

VERIFIED DJ

3-21-85

WATER RIGHT NUMBER 37-7726

OWNER LAST NAME - FOWERS  
OWNER LAST NAME - FOWERS  
ADDRESS LINE 1 - RT. 1, BOX 5  
ADDRESS LINE 3 -

FIRST NAME - ARVEL J.  
FIRST NAME - JUNE E.

ORIG OWNER -  
ORIG OWNER -

ADDRESS LINE 2 -  
CITY - DIETRICH  
TRIBUTARY OF -

STATE - ID ZIP CODE - 83324

STAGE - LICENSE STATUS - PRIORITY - 08-10-1978 COUNTY - LINCOLN TOTAL DIV. RATE - .8200 -CFS  
TOTAL DIV. VOLUME - 164.00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -  
DIVERSION POINT - NWNW 19 06S 19E LOT 03 REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0  
FROM - 03-15 TO - 11-15 USE - IRRIGATION USE DIV. RATE - 1.0000 CFS USE DIV. VOLUME - 164.00 AFA  
USE - IRRIGATION PLACE OF USE - TWN 06S RNG 19E SEC 19 TRACT NWNW LOT 03 AC 25 TRACT SWNW LOT 04 AC 11  
TRACT SENW LOT 05 AC 05

DECREE NAME -

DATE -

TOTAL ACRES 41

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE - PERMITS 37-7314 &amp; 37-7716.

PROOF DUE - 11-01-1979 PERMIT/DENIED - 10-20-1978 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL - 01B 05 08

DIVERSION MEANS - WELL, PUMP &amp; SPRINKLERS.

IDENT. NO. 37-7726

WATER RIGHT  
DATA ENTRY LOG

[illegible]

# WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 37-7726  
 Old No. \_\_\_\_\_ New No. \_\_\_\_\_

## Record

1. Original Owner: Gene Arvel y. & June E. Fowers

Present Owner: \_\_\_\_\_

2. Address: Rt. 1, Box 5

3. City: Dietrich State: Id Zip: 83324

4. A. Source of Water: GW

B. Tributary of: \_\_\_\_\_

5. A. Stage (A,P,L,D,S,J): P

B. Status (D,L,R,C,A,I,F - leave blank if valid): \_\_\_\_\_

C. Priority Date: 8-10-78

D. County: 63

E. Total Diversion Rate: 1.

F. Total Diversion Volume: \_\_\_\_\_

G. Transfer/Amendment (P,T of A or blank): \_\_\_\_\_

H. Water District: \_\_\_\_\_

I. DLE/Carey Act (D,C or blank): \_\_\_\_\_

J. Right Basis (for adjudication claims A,B,C only): \_\_\_\_\_

|                          | Tract       | Sec.      | Twp.      | Rge.       | Gov't<br>Lot | Rediv. |
|--------------------------|-------------|-----------|-----------|------------|--------------|--------|
| 6. A. Point of Diversion | <u>NWWN</u> | <u>19</u> | <u>6S</u> | <u>19E</u> | <u>3</u>     | _____  |
|                          | _____       | _____     | _____     | _____      | _____        | _____  |
|                          | _____       | _____     | _____     | _____      | _____        | _____  |
|                          | _____       | _____     | _____     | _____      | _____        | _____  |
|                          | _____       | _____     | _____     | _____      | _____        | _____  |

7. Period of Use, Use, Diversion Rate/Volume:

from 3-15 to 11-15 for A purposes. Amount 1.  
 (cfs or AC-FT/yr)

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.  
B.  
C.  
D.  
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use: permits 37-7314 & 37-7716.

13. A. Proof Due Date: 11-1-79

B. Date Permit Approved or Denied: 10-20-78

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: O. B.

14. Diversion Means (brief narrative):  
well, pump & sprinklers.

CH 5-9-79



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

December 12, 1979

Arvel & June Fowers  
Route # 1 Box 7A  
Dietrich, Idaho 83324

Dear Mr. & Mrs. Fowers,

RE: Permit No. 37-7726

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

Sincerely,

*Jan Grover*  
JAN GROVER  
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

November 8, 1979

Re: Permit No.'s 37-7716 & 37-7726

Arvel J. &/or June E. Fowers  
Route #1, Box 7A  
Dietrich, ID 83324

Dear Mr. & Mrs. Fowers:

A representative of this Department made an examination of the works covered by your Permit No.'s 37-7716 and 37-7726 on May 31, 1979, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 37-7716 - 0.78 cfs      Source: groundwater  
37-7726 - 0.82 cfs

The maximum quantity diverted shall not exceed 156 acre feet - 37-7716 and 164 acre feet - 37-7726 per year.

Point of diversion: Lot 3, Sec. 19, Twp. 6S, Rge. 19E, B.M.

Beneficial Use: 37-7716 - Irrigation of 39 acres within Lot 6, Sec. 19;  
37-7726 - Irrigation of 41 acres within Lot 3, Lot 4, & Lot 5, Sec. 19, all in Twp. 6S, Rge. 19E, B.M.

Priority date established: 37-7716 - May 22, 1978  
37-7726 - August 10, 1978

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued for each permit as set forth above.

Sincerely,

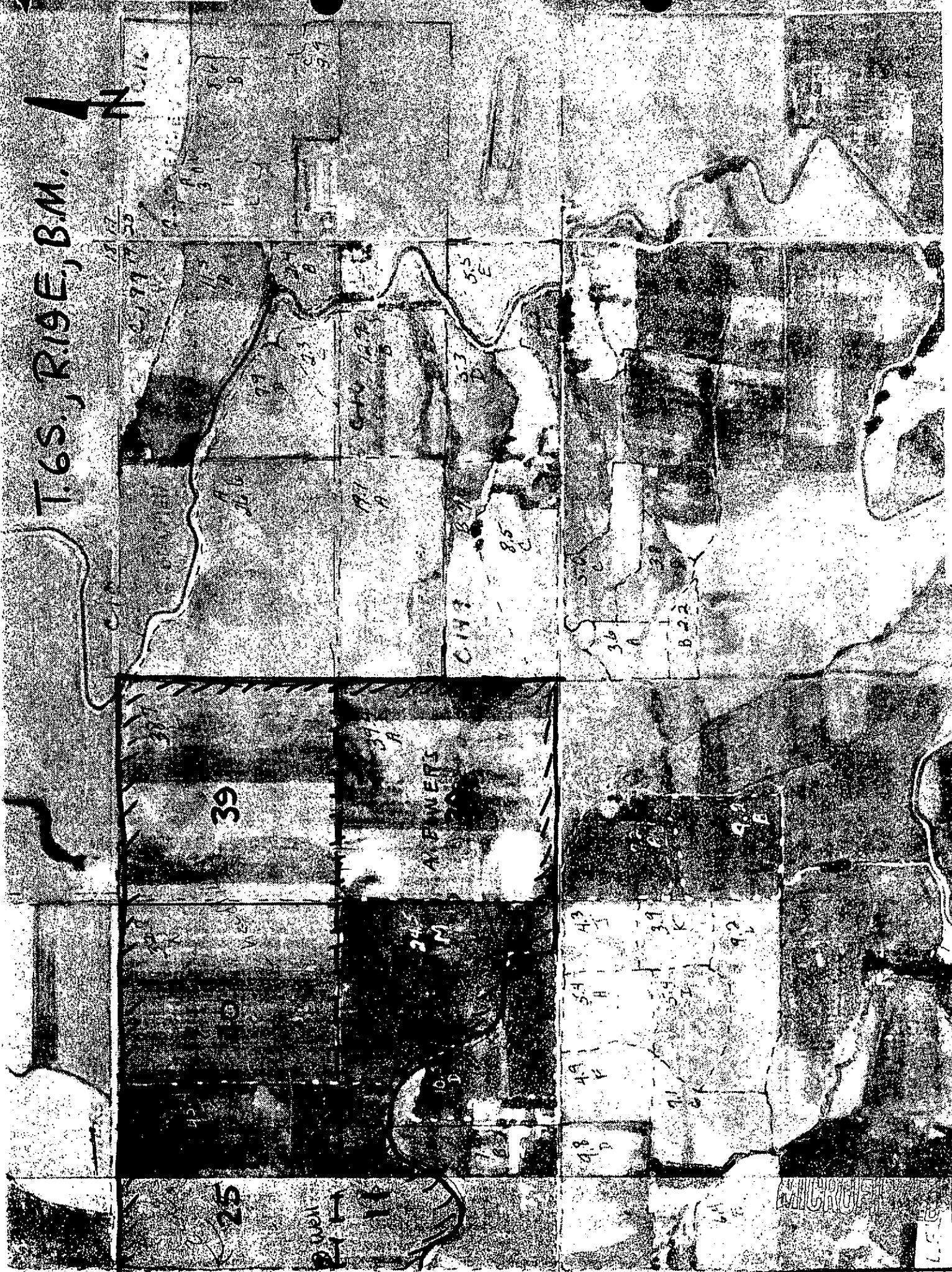
JAN GROVER  
Water Rights Supervisor

Condition: The maximum rate of diversion for the well covered by these two licenses shall not exceed 3.30 cfs when they are combined with Water Right No. 37-7314.

T.6S., R.19E., B.M.



NOT TO SCALE



RECEIVED

Post office address

Person to contact

DEC

Phone 544-2409

Department of Water Resources  
Shumen District Office

3. Water will be used for the following purposes:

Amount 1.0 c.f.s. for irrigation  
AF/Annum (nature of use)

Period of Use: from 3-15 to 11-15  
(mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
 \_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

Amount \_\_\_\_\_ c.f.s. for \_\_\_\_\_  
 \_\_\_\_\_ AF/Annum (nature of use)

Period of Use: from \_\_\_\_\_ to \_\_\_\_\_  
(mo.-day) inclusive (mo.-day)

Other uses: \_\_\_\_\_

4. Total amount to be appropriated:

Max Rate of Diversion 1.0 cubic feet per second and annual volume \_\_\_\_\_ AF/Annum.

5. Location of Point(s) of Diversion:

Township 6S N/S, Range 19E E/W, B.M., Section 19, Subdivision 1/4 1/4, \_\_\_\_\_  
County

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4, \_\_\_\_\_ County

Township \_\_\_\_\_ N/S, Range \_\_\_\_\_ E/W, B.M., Section \_\_\_\_\_, Subdivision \_\_\_\_\_  $\frac{1}{4}$  \_\_\_\_\_  $\frac{1}{4}$ , \_\_\_\_\_ County

Other Points of Diversions: \_\_\_\_\_

Description of diverting works: 20" x 250', 200 Hp Pump, mainline,  
handline sprinklers

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

**TOTAL ACREAGE** 50

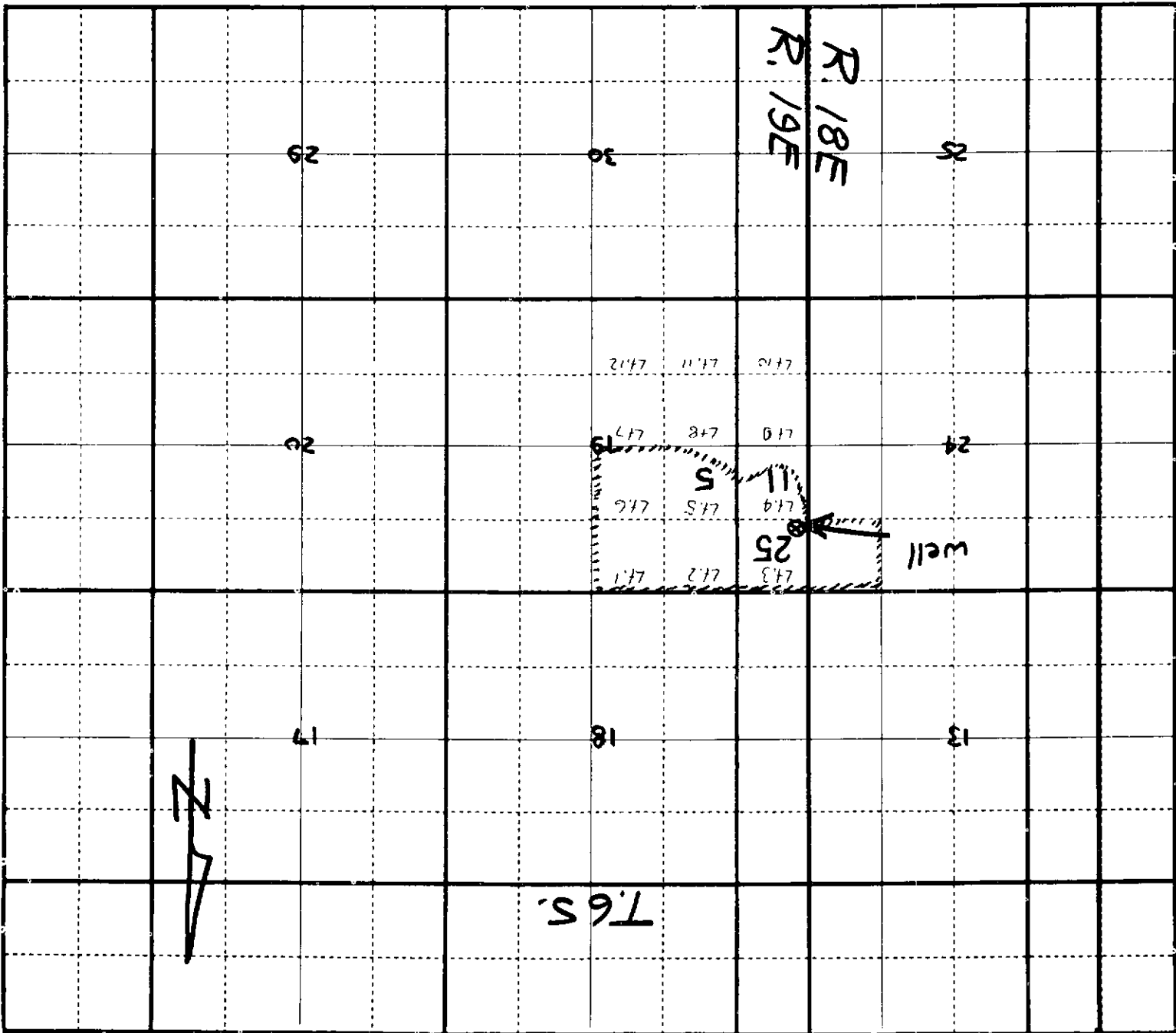
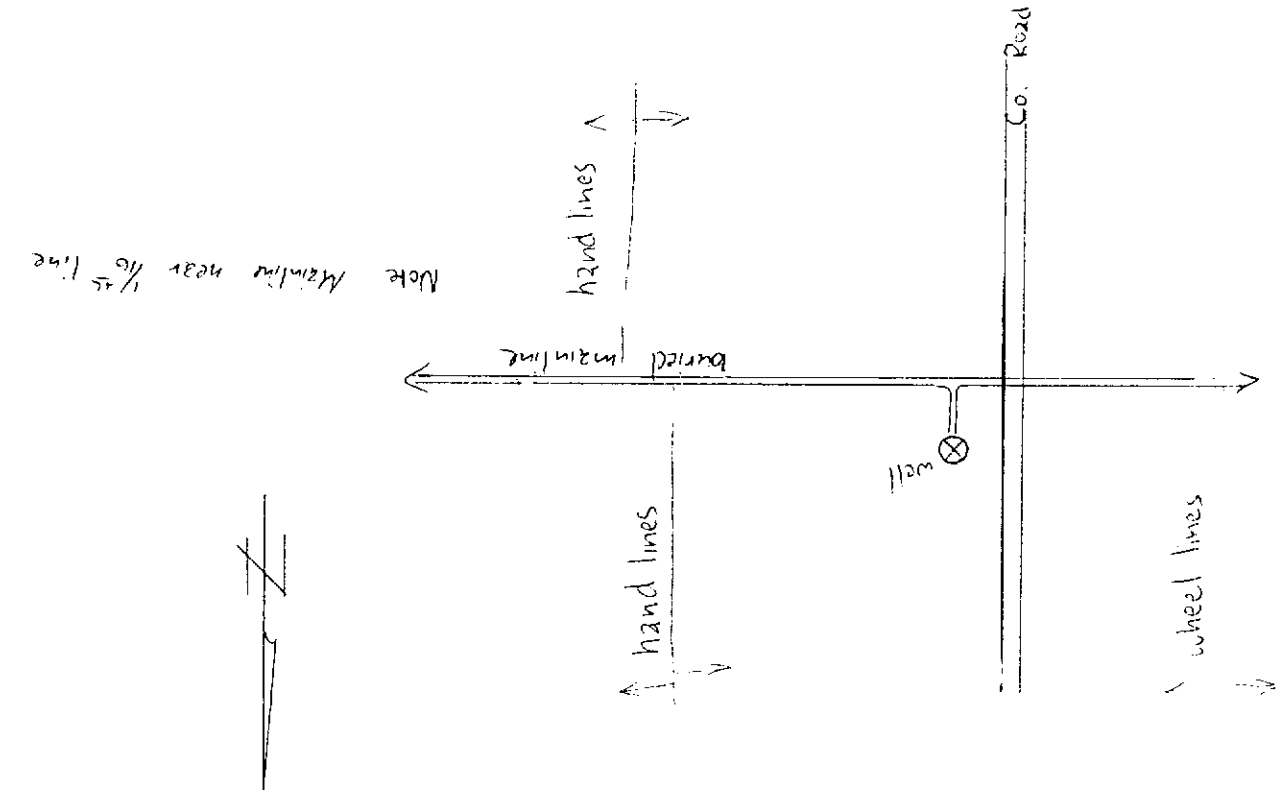


Diagram of System



DATE OF EXAM May 31, 1979

ACREAGE  
Found 220  
Recommended 41

Irrigation Requirement 4.0 Ac Ft/Ac

USE  
Irrigation Q = 0.82 c.f.s. V = 164.0 AF/Ann. from Mar. 15 to Nov. 15  
Domestic Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no X

Name source: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Exchange? yes \_\_\_\_\_ no X

Name source exchanged with: \_\_\_\_\_  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of injection:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Point of exchange:  
twp. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
County \_\_\_\_\_

Total Q measured 3.30 cfs Method of measurement In line pipe meter

Total Q recommended 0.82 cfs Meter No. 74 10 359 Type McCrometer Condition Good

Total V recommended 164.0 A.F./Ann.

Recommended Amendments:

P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None ✓

MEASUREMENT CALCULATION:

$Q_{meas.} = (0.010 \text{ A.F.} / 2 \text{ min } 12.2 \text{ sec}) \Rightarrow 3.30 \text{ cfs}$

$Q_{rec.} = (41 \text{ Acres} \times 0.02 \text{ cfs/acre}) \Rightarrow 0.82 \text{ cfs}$

$V_{rec.} = (41 \text{ Acres}) (4.0 \text{ A.F./Ann./Acre}) \Rightarrow 164.0 \text{ A.F./Ann.}$

SYSTEM DESCRIPTION:

A 200 H.P. U.S. Motors, ID # C2691-01-241 84-00366 drives a Verti-Line Aurora pump, Serial V74-00433 which is 8 stage 1450 gpm @ 430' TDH. This pumping system irrigates the 220 Acres with 12 hand lines and 2 wheel lines. Nozzle size on the hand lines are 9/64" with 30WS Rainbird sprinklers.

REMARKS:

Mr. Fowers was present during exam.  
At time of exam pipeline at pump was pressurized at 60 psi.  
Other rights covering remainder of land being irrigated are 37-7716 & 37-7314. - Same well, not same land.

Examiner's Signature Allen D. Merritt Date 6/4/79

Checked by J.E. Stanton Date 6-7-79

Approved by \_\_\_\_\_ Date \_\_\_\_\_



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

December 6, 1978

Arvel J. &/or June E. Fowers  
Route 1, Box 5  
Dietrich, ID 83324

Dear Mr. and Mrs. Fowers:

Re: Permit No. 3797726

We acknowledge receipt of the affidavit submitted as proof of 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Twin Falls.

Sincerely,

RITA FLECK  
Water Rights

**MICROFILMED**

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

Permit No. 37-7726

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 11 1978

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources  
Southern District Office

1. a) Name of Permit Holder Arvel J. &/or June E. Fowers  
b) Post Office Address Dietrich, Idaho (Route 1 Box 7A)
2. Permit Number 37-7726
3. Date of Priority that you are prepared to establish 8-10-78
4. a) Source from which water was appropriated ground water  
b) Location of the point of diversion: 1/4 Lot 3 1/4, Section 19  
Township 6S, Range 19E Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:  
Amount 1.0 cfs for irrigation purposes from Mar 15 to Nov 15 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)  
b) Total amount appropriated 1.0 cfs and/or acre-feet per annum  
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: amount applied for
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:  
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:  
\_\_\_\_\_  
b) Describe the agreement or understanding by which you take water from the works: \_\_\_\_\_
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Well (20" X 250'), 200 hp pump, main line to hand-line sprinklers  
b) Describe the type and size of measuring device which you have installed at your point of diversion: 10" McCrometer flow meter  
c) Give well driller's name and address and the date the well was completed: George Roessler, Shoshone, Idaho. Completed in 1973.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: \_\_\_\_\_

MICROFILMED

Exam typed 12-6-80





State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

October 23, 1978

Re: Permit No. 37-7726

Arvel J. &/or June E. Fowers  
Route 1, Box 5  
Dietrich, Idaho 83324

Dear Mr. and Mrs. Fowers:

Your approved copy of your Application for Permit is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. The Department will provide the specifications for the installation to you.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right. If you have any questions, please let us know.

Sincerely,

*L. Glen Saxton*

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:kw Enclosure

MICROFILMED

STAFF REVIEW - STATE OFFICE

- 37-7726
- |                                         |                                                                   |
|-----------------------------------------|-------------------------------------------------------------------|
| 1. <u>✓</u> Name vs. Signature          | 7. <u>N/A</u> Place of Use for other than irrig.                  |
| 2. <u>G.W.</u> Source                   | 8. <u>✓</u> Place of Use for irrigation (add acres)               |
| 3. <u>✓</u> Point of Diversion          | 9. <u>App</u> Property Owner at Pt. <u>✓</u> of Div. & Pl. of Use |
| 4. <u>✓</u> Amnt. & Period of Use       | 10. <u>✓</u> Map                                                  |
| 5. <u>✓</u> Descrip. of Diverting Wrks. | 11. <u>35</u> Fee & Rec't. No.                                    |
| 6. <u>1</u> Time req. for Proof of B/U  |                                                                   |

Copies Sent To:

|                                   |                    |
|-----------------------------------|--------------------|
| <u>No</u> Idaho Health Department | <u>No</u> U.S.F.S. |
| Idaho Fish & Game Dept.           | Dept. of Lands     |
| Bureau of Land Management         | Other              |

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land 37-7314 - 37-7716 use same P.D.  
No overlap

N/A Withdrawals of all protests received yes no

Conditions:

ID Power Co. Letter - Snake R. No

ID Power Co. Letter - G.W. & Tribs. Yes

Snake River Condition No

Payette River Letter No

Priority Date 8-10-78

Water Quality #16 N/A

Water Quality #10 N/A  
 intrastate interstate

Meas. Dev. or Sc. Meas. Yes

Totalizing meter No

Supplemental No

Right-of-Way Cond. No

Watermaster Cond. No  
 Wtr. Dist No.

Meas. Dev. Cond. for apps within a Water Dist. No

John  
10/12/78  
 Reviewer  
 Date  
 MICROFILMED

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. 37-7726 - Fowers, Arvel J. &/or June E

☒ Source  
☒ Point of Diversion  
☒ County  
☒ Quantity of Water and Period of Use  
☒ Description of Diverting Works  
☒ Time required for B/U of water  
☒ Place of Use or Acres Irrigated  
☒ Map  
☒ Signature  
☒ Fee

(1) ADM 8-15-78

In form to receipt

(2) ADM 8-15-78

Send Copies to:

Idaho State Health Department  
Idaho Fish and Game Department  
Bureau of Land Management

(3) ADM 8-15-78

Request Special Use Permit from U.S.F.S.  
Request Easement from B.L.M.  
Request Information from Applicant  
Request Dam Safety Information

(4) JP 8-16-78

In form for advertising

(5) \_\_\_\_\_

Platted on Map No. \_\_\_\_\_

(6) \_\_\_\_\_

Located within Water District No. \_\_\_\_\_

(7) \_\_\_\_\_

Critical groundwater area: yes \_\_\_\_\_ no \_\_\_\_\_

(8) \_\_\_\_\_

Groundwater levels:

\_\_\_\_\_ Declining, \_\_\_\_\_ Stable, \_\_\_\_\_ Increasing

(comment) \_\_\_\_\_

(9) \_\_\_\_\_

Other rights on the same place of use

(10) \_\_\_\_\_

Comments: \_\_\_\_\_

(11) \_\_\_\_\_

Affidavit of Publication received(date) \_\_\_\_\_

(12) Sm 8/21/78

Final date for protests 9/18/78

Protests received: yes \_\_\_\_\_ no \_\_\_\_\_

(13) LH 10-10-78

All requested information received from agencies or applicant: yes ☒ no \_\_\_\_\_

(14) LH 10-10-78

Action recommended:

☒ Approve \_\_\_\_\_ Deny

**RECEIVED**  
OCT 11 1978

Department of Water Resources

8-10-78 Proposed Priority

Reason for Reduction \_\_\_\_\_

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District S By Loren O Halmer Date 10-10-78

cc sent to Luis - maria 8/18/78

INTER-DEPARTMENT MEMO — 1

FROM Allen Mervitt

DATE 8-18-78

TO File 37-7726

SUBJECT Correction of Applic.

On 8-16-78 I made a field exam of Fowers Applic #37-7314. It was found that Sec 19 has 12 lots in the W $\frac{1}{2}$  of the Section. Mr. Fowers stated that he had made two recent applications and that they were all for the same well. On 8-18-78 I found that Applic. 37-7726 did not take into account the lots in Sec. 19 so I cancelled the publication and corrected the application as per phone conversation with Mr. Fowers.

RECORDED

ADM

SIGNATURE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Arvel J. &/or June E. Fowers

Dietrich

has on 8/10/78 submitted Application No. 37-7726

for a permit to appropriate 1.00 cubic feet per second ~~acre feet per annum~~

of water from ground water

by means of existing well, pump, sprinklers

within the Lot 3, Sec. 19, Twp 6S, Rge 19E

to be used from Mar. 15 to Nov. 15

for irrigation purposes for 50 acres

within the Lots 3, 4, 5, Sec. 19, Twp 6S, Rge 19E

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, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before Sept. 18, 1978.

**C. STEPHEN ALLRED**

Director

Published in the Lincoln County Journal

on 8/31/78 and 9/7/78

MICROFILMED

August 18, 1978

Lincoln County Journal  
P. O. Box 704  
Shoshone, Idaho 83352

Re: Application for Permit # 37-7726 - Arvel J. &/or June E. Powers  
~~Sent to you~~

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill  
Secretary

for

Loren O. Holmes  
Southern Region Supervisor

Encl:

Bill submitted: \_\_\_\_\_

RECEIVED