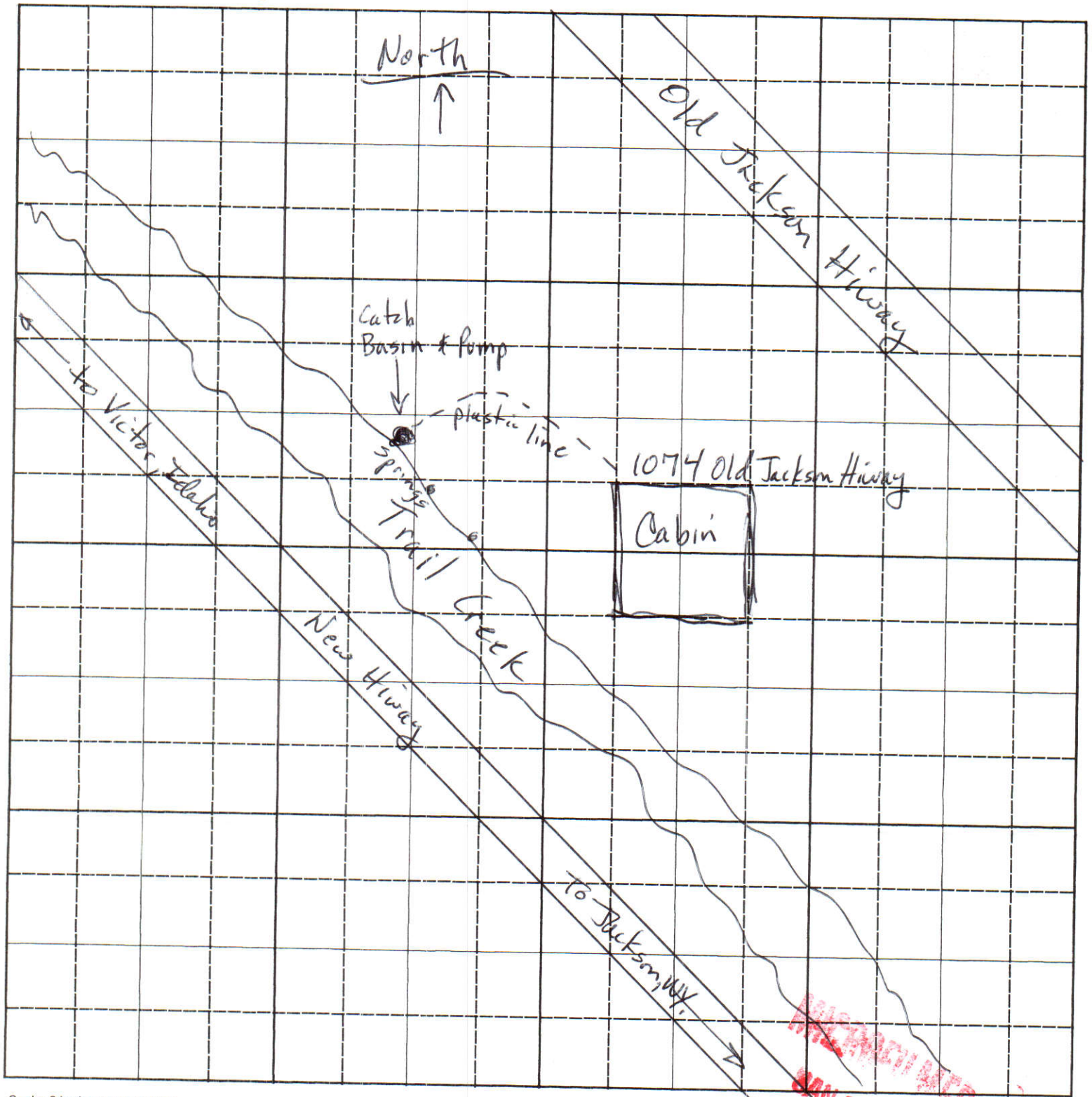


Sec. 19, T 51N, R 46E Teton Co., ID

NW 1/4 of SW 1/4 of SE 1/4

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

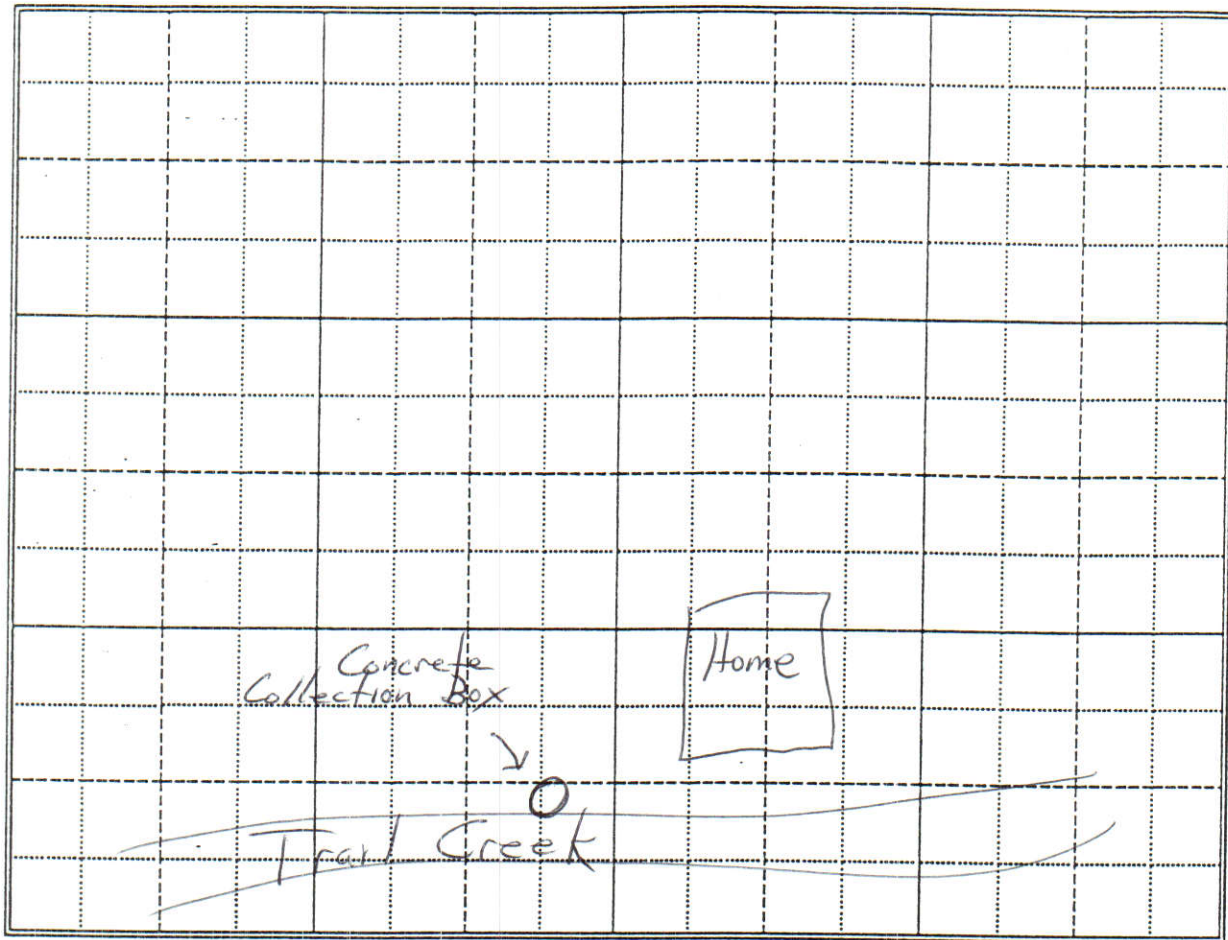


Scale: 2 inches equal 1 mile.

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.

Fornie D. Modrow
(Applicant)

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

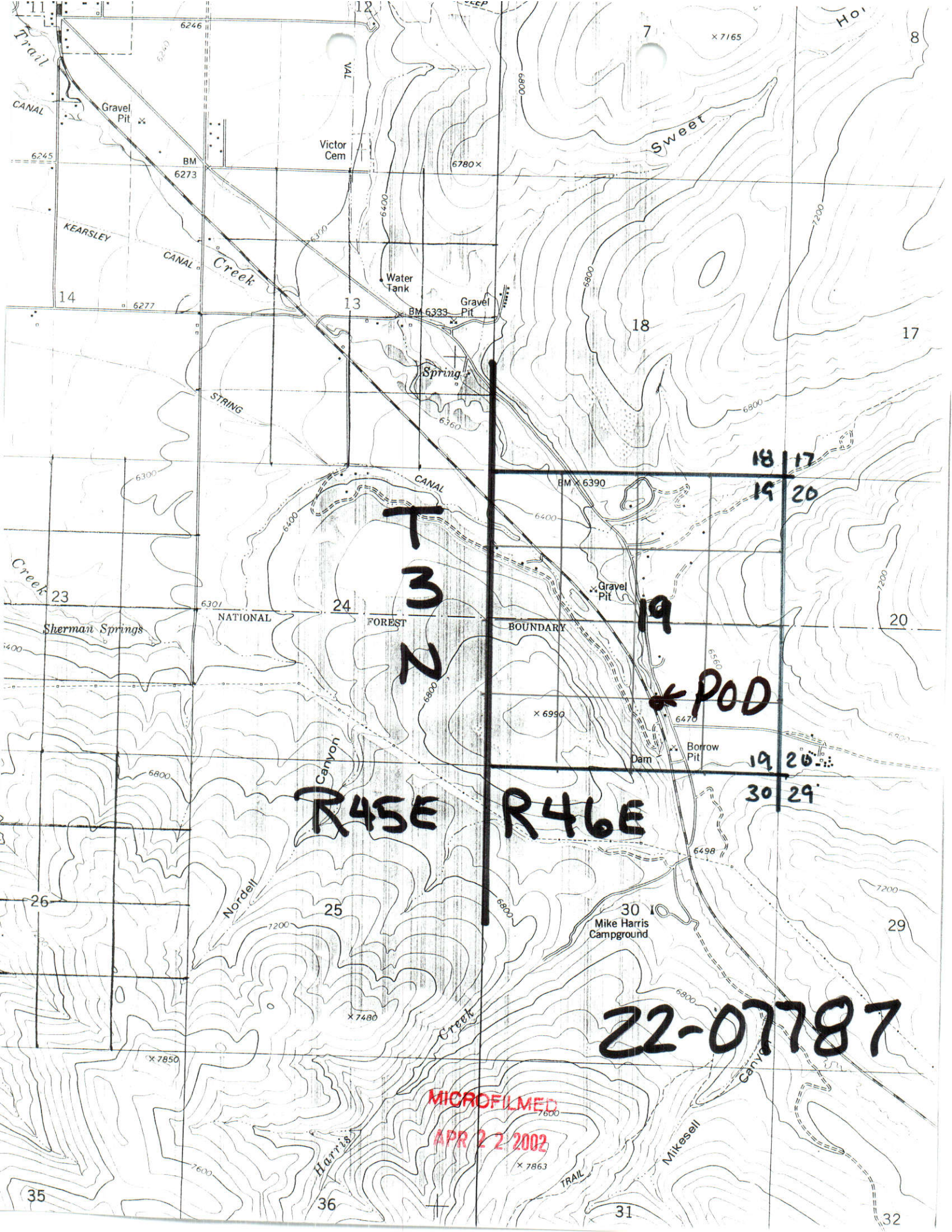
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
	5 gallon bucket					

2. Measurements: Spring maintains a certain level

4 gallons in 25 seconds = 0.02 cfs

MICROFILMED

APR 22 2002



T
3
N

R45E

R46E

POD

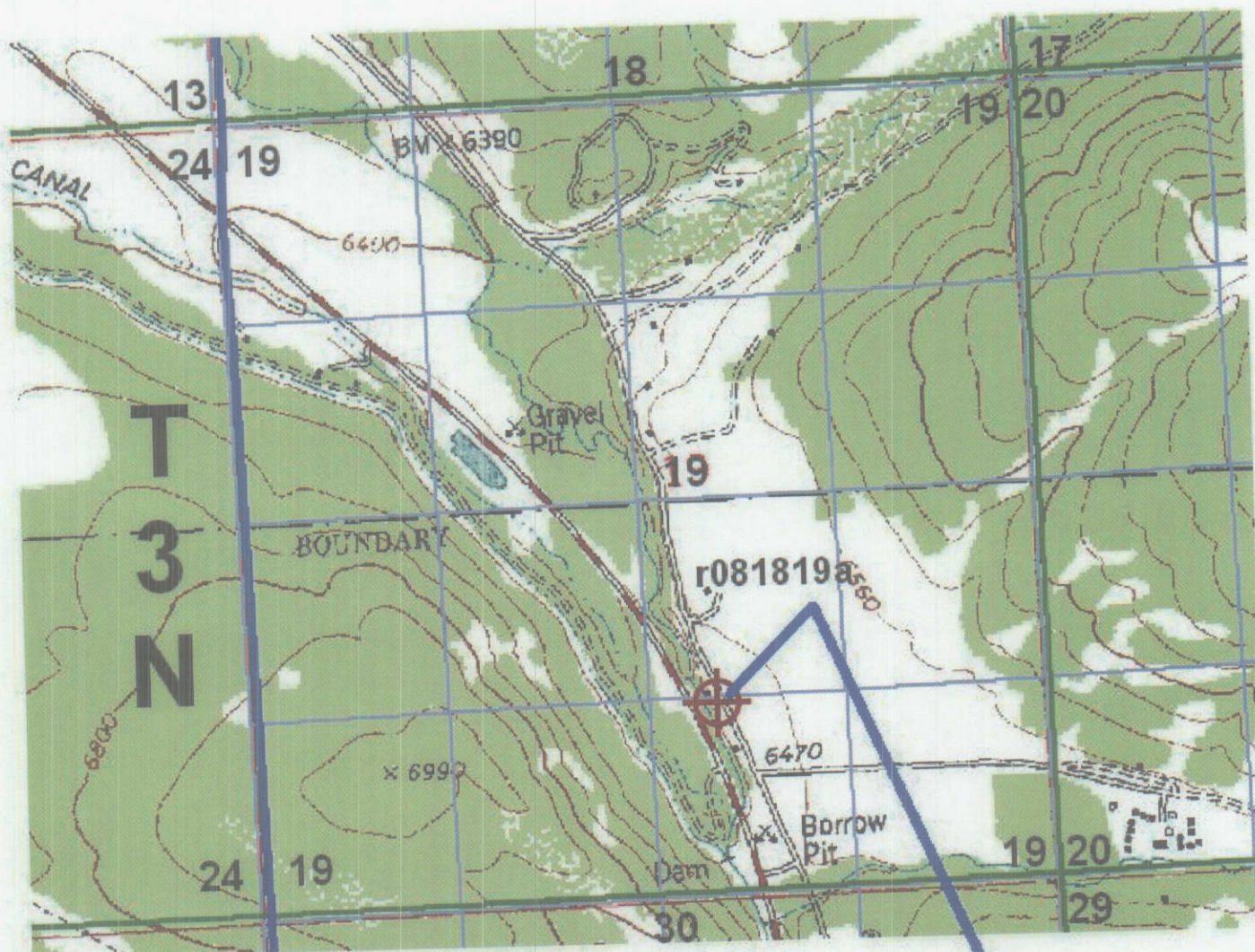
22-07787

MICROFILMED
APR 22 2002



22-7787

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APR 22 2002



R45E | R46E

-  Tandr.shp
-  Sections.shp
-  T03n46e.shp

**Point of Diversion
&
Place of Use**

22-07787

MICROFILMED
APR 22 2002

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Nadine Soose
being first duly sworn, depose and say that I am
the secretary of the Teton Valley News,
a newspaper as defined by Idaho Codes An-
notated, Section 58-106, as amended, and that
said newspaper is a weekly newspaper printed and
published at Driggs, in Teton County, Idaho,
having a general circulation in said county, and
that said newspaper has been printed in said
county for more than 78 consecutive weeks prior
to the first publication of the attached notice, ad-
vertisement, or publication of

notice of application
for water right

And affiant further says that said attached notice,
advertisement, or publication, as per clipping at-
tached, was published in said newspaper, in the
regular and entire issue thereof, and not in any
supplement issue thereof, for two consecutive
issues thereof; first publication having been
made on the 21 day of Dec
1995.

And affiant further says that at the times herein
mentioned said newspaper was made up of at
least eight pages of at least five columns each,
printed from typed matter, of at least sixteen in-
ches deep.

Nadine Soose

State of Idaho)

County of Teton)

On this 22nd day of December
in the year of 1995, before me, a Notary Public,
personally appeared Nadine Soose
known or identified to me to be the person whose
name subscribed to the within instrument, and
being by me first duly sworn, declared that the
statements therein are true, and acknowledged to
me that he executed the same.

Bonnie Johnson

Notary Public for Idaho

Residing at Driggs Idaho

My commission expires 10/24/98

NOTICE OF APPLICA-
TION FOR WATER
RIGHT

The following application(s) have
been filed to appropriate the public wa-
ters of the State of Idaho:

22-07787
MODROW, RONNIE D
60 N 3167 E
IDAHO FALLS, ID 834025663

Source: SPRINGS
Tributary: TRAIL CREEK

Diversion Pt: NWSWSE Sec 19 T
03n R 46E in TETON County.

Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 11/28/1995

In: TETON County
T03N R46E S19
SWSE

The permit(s) will be subject to all
prior water rights. Protests must be filed
with the applicant and the Director, Dept.
of Water Resources, along with a \$25
filing fee, Eastern Region, 900 N. Sky-
line, Idaho 83402 on or before JANU-
ARY 8, 1996.

KARL J. DREHER,
Director

Published in the Teton Valley News
December 21 and 28, 1995.

MICROFILMED

JAN 20 1996

RECEIVED

JAN 02 1996

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 22-07787

Priority: November 28, 1995

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that RONNIE D MODROW
60 N 3167 E
IDAHO FALLS ID 83402-5663 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 28, 1995; and has
submitted Proof of Beneficial Use on March 13, 1996. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

SPRING

Tributary: TRAIL CREEK

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>
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

LOCATION OF POINT OF DIVERSION:

SPRING NW¼SW¼SE¼ Sec. 19, Twp 03N, Rge 46E, B.M., TETON County

PLACE OF USE: DOMESTIC

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	46E	19																	X

CONDITIONS OF APPROVAL

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

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 8th day of April, 2002.


KARL J. DREHER
Director

Acting for
MICROFILMED

APR 22 2002

RECEIVED

MAR 13 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 22-07787 Telephone No. (208) 522-7541

2. Name(s) of Permit Holder(s): Rennie D. Modrow

3. Mailing Address: 60 N. 3167 E. Idaho Falls, ID 83402-5663

4. Source of Water: Springs If GROUNDWATER (well), Date Drilled: mo. N/A / yr.

a. Well Driller: N/A Drilling Permit Number: N/A - - -

b. **OPTIONAL:**
Pump Horsepower: N/A Pressure (psi): N/A Dynamic pumping level (ft): N/A

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): one Stockwater (No. and type of stock): none

Irrigation (No. of acres): none Other: NONE

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes or No X
Has the measuring device been installed? Yes or No X

Flow Measurement Port: Is a flow measurement port required? Yes or No X
Has the measurement port been installed? Yes or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Rennie D. Modrow Telephone Number: (208) 522-7541

Address: 60 N. 3167 E. Idaho Falls, ID 83402-5663

10. The information given on this form 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.

Signature of permit holder: Rennie D. Modrow Date: 3/10/96
(include your title, if on behalf of company or organization)

MAR 26 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 22-07787

Proposed Priority: November 28, 1995

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **RONNIE D MODROW**
60 N 3167 E

IDAHO FALLS ID 83402-5663

has applied for a permit to appropriate water from:

SPRINGS

tributary of **TRAIL CREEK**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSWSE , Sec. 19, Township 03N, Range 46E
TETON County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03N 46E 19

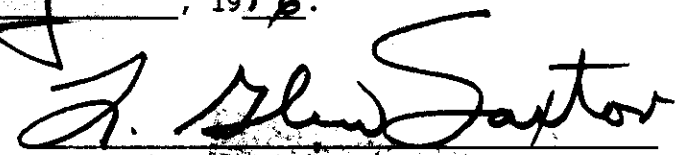
SWSE

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 1997.**
2. Subject to all prior water rights.
3. Use of water for domestic purposes under this right shall be limited to in-house use and watering of household stock.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 01.
5. Domestic use is for 1 home.

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

26th day of January, 1996.


for Karl J. Dreher, Director

JAN 30 1996

RECEIVED
JAN 24 1996
1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 22-7282

To appropriate the public waters of the State of Idaho

1. Name of applicant RONNIE D. MODROW Phone Work 526-1021
Home 522-7541
- Post office address 60 N. 3167 E. Idaho Falls, Idaho 83402-5663
2. Source of water supply unimproved springs which is a tributary of Trail Creek which flows into Teton River.
3. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 19 Township 3N Range 46 E B.M. Teton County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount 0.04 cfs for domestic purposes from Jan 1 to Dec 31 (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) 0.04 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Catch basin at springs, shallow well pump, plastic pipe to cabin, pressure tank.
- b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet; period of year when water will be diverted to storage: N/A to _____ inclusive.
- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
- d. Is ground water with a temperature of greater than 85°F being sought? No
- e. If well is already drilled, when? N/A; Drilling firm N/A
Well was drilled for (well owner) N/A
7. Time required for the completion of the works and application of the water to be proposed beneficial use is 1 week years (minimum 1 year).

JAN 30 1996

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 household
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. 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	
3N	46E	19											~~ROW~~				D.		0.04cs

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Ron D. Modrow
- b. Who owns the land to be irrigated or place of use? N/A
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

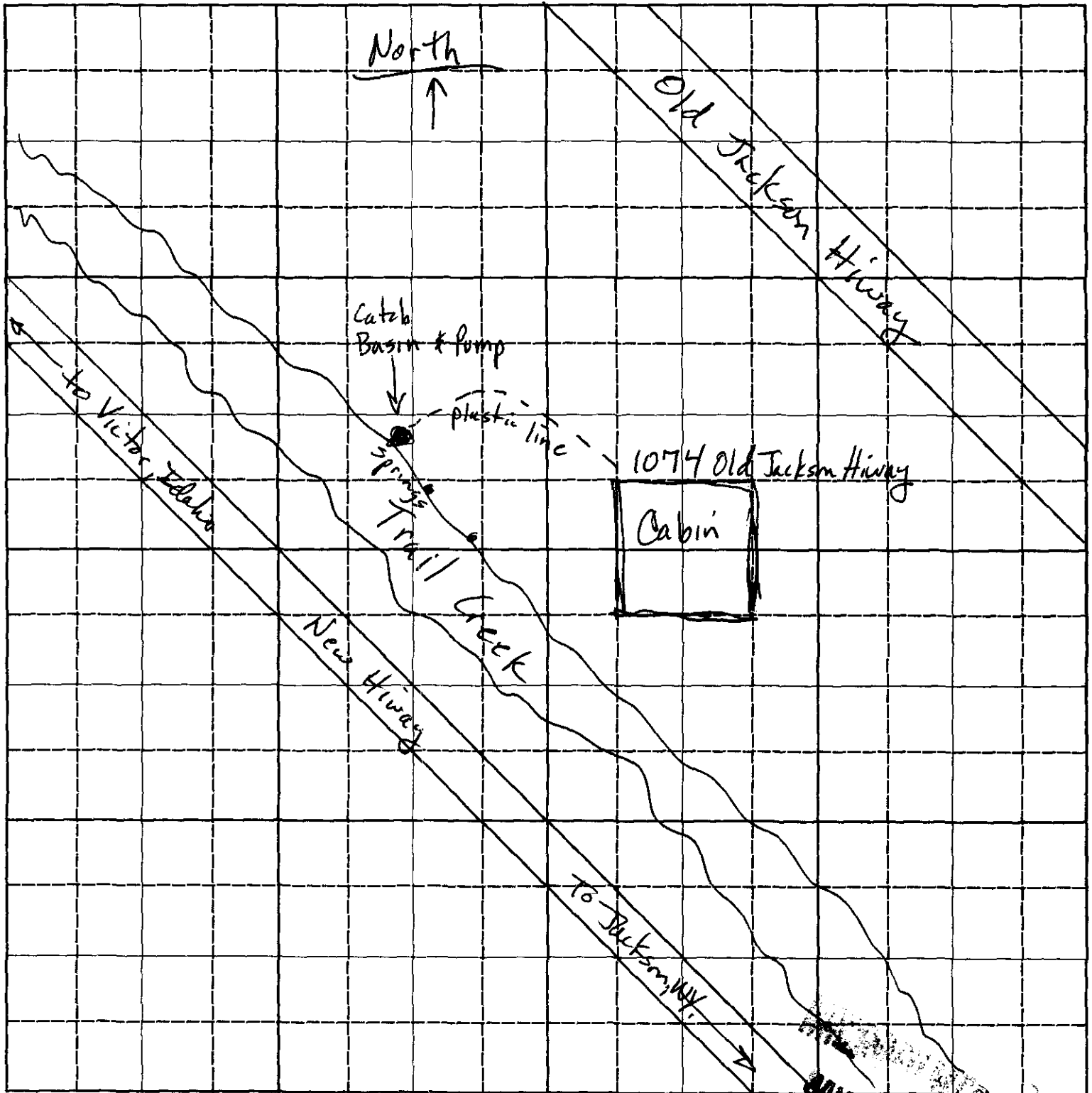
12. Remarks: The springs are wholly contained within my land.

JAN 30 1996

Sec. 19, T 31N, R 46E Teton Co., ID

NW 1/4 of SW 1/4 of SE 1/4

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.

Ronnie D. Morrow
(Applicant)

Received by Lh Date 11/28/95 Time 12:59 p.m. Preliminary check by HWT
Fee \$ 50.00 Received by HWT # E021738 Date 11-28-95
Publication prepared by RB Date 12-21-95 Published in Teton Valley News
Publication approved RB Date 1-5-96

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:

RECORDED
JAN 30 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 9, 2002

RONNIE D MODROW
60 N 3167 E
IDAHO FALLS ID 83402-5663

RE: License No. 22-7787 - Issuance of License

Dear Water Right Holder(s):

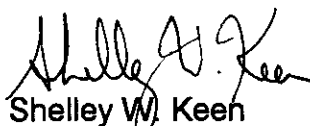
The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to 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 or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
APR 22 2002

CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 22-7787

**RONNIE D MODROW
60 N 3167 E
IDAHO FALLS ID 83402-5663**


Kari Lynn Townsend
Secretary

MICROFILMED

APR 22 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

APR 22 2002

Comment Report

22-7787

1. kwalker 3/28/2002 Recommended Volume

Comment: Examiner recommended volume of 1.2 af but I reduced to 0.6 af since permit did not allow use of water for any type of irrigation.

2. VAULT 3/13/1996 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

MICROFILMED

APR 22 2002

LICENSE REVIEW CHECKLIST

Permit No. 22-7787 Date: 3-28-02 Reviewer: Kay Walker

Change/OK

Name/Address OK

Source OK
Point of Diversion: OK

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use OK

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

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

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs
Fee Limit 0.2 cfs
Measured _____ cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.04

Water Uses OK

Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.04 cfs 0.4 af
_____ cfs _____ af
_____ cfs _____ af
Total 0.04 cfs 0.4 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks: _____

Additional Conditions 01 Watermaster Control yes
_____ ~~GW~~ Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

~~GW~~-Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim? No -

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 25 2001

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 22-7787

1. Owner: Ronnie D. Modrow Phone No. 522-7541

Current Address: 60N 3167 E, Idaho Falls, ID 83402

2. Accompanied by: Ronnie Modrow EXAM DATE: 8-18-00

Address: _____ Phone No. (208) 522-7541

Relationship to Permit Holder: Same

3. Source: Spring tributary to Trail Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: No

2. Other water rights with the same point of diversion: No

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	SW	SE	19	3N	46E	Teton	USGS GPS R081819A

2. Place(s) of Use:

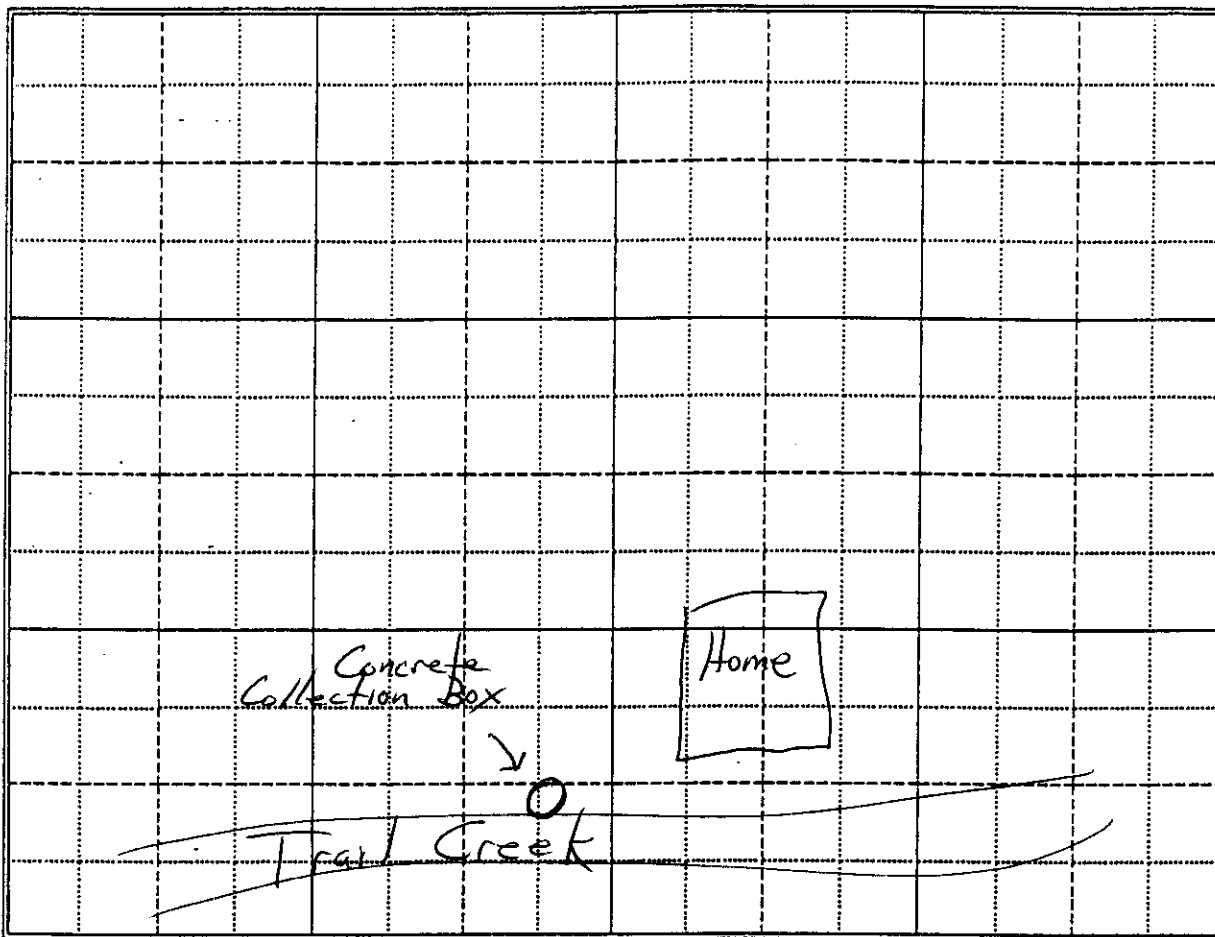
Indicate Method of Determination ON SITE USGS Qued

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3N	46E	19																D	

MICROFILMED

APR 22 2002

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
	5 gallon bucket					

2. Measurements:

Spring maintains a certain level

4 gallons in 25 seconds = 0.02 cfs

MICROFILMED

APR 22 2002

Shallow well submersible pump pumps water to home's pressure tank. Water is used for home and for watering a few trees around the house.

5 gallon bucket test filled 4 gallons in 25 seconds. Only one hose bib was available for testing flow.

It wasn't possible to determine how fast the spring fills the collection box. Spring reaches a level and basically stays there. Owner has collection box covered and insulated. Bottom of collection box is rocks and gravel.

I recommend we just approve it as applied for. Owner didn't know the size of the small submersible pump that is in the collection box.

While the owner doesn't have a yard he waters, he does water a few trees in a dry year.

Owner didn't know how long water could be on before running the spring dry.

NOTE: GPS FILE LOST LOCATION from field examiner map.

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

MICROFILMED

APR 22 2002

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

DOMESTIC = 0.04 cfs Denominus

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{LR} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

$V_{DOM} = 1.2$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic (1 unit)	1/1	12/31	0.04 cfs	1.2 cfs
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	_____

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

KEITH C WILSON 10/19/2001

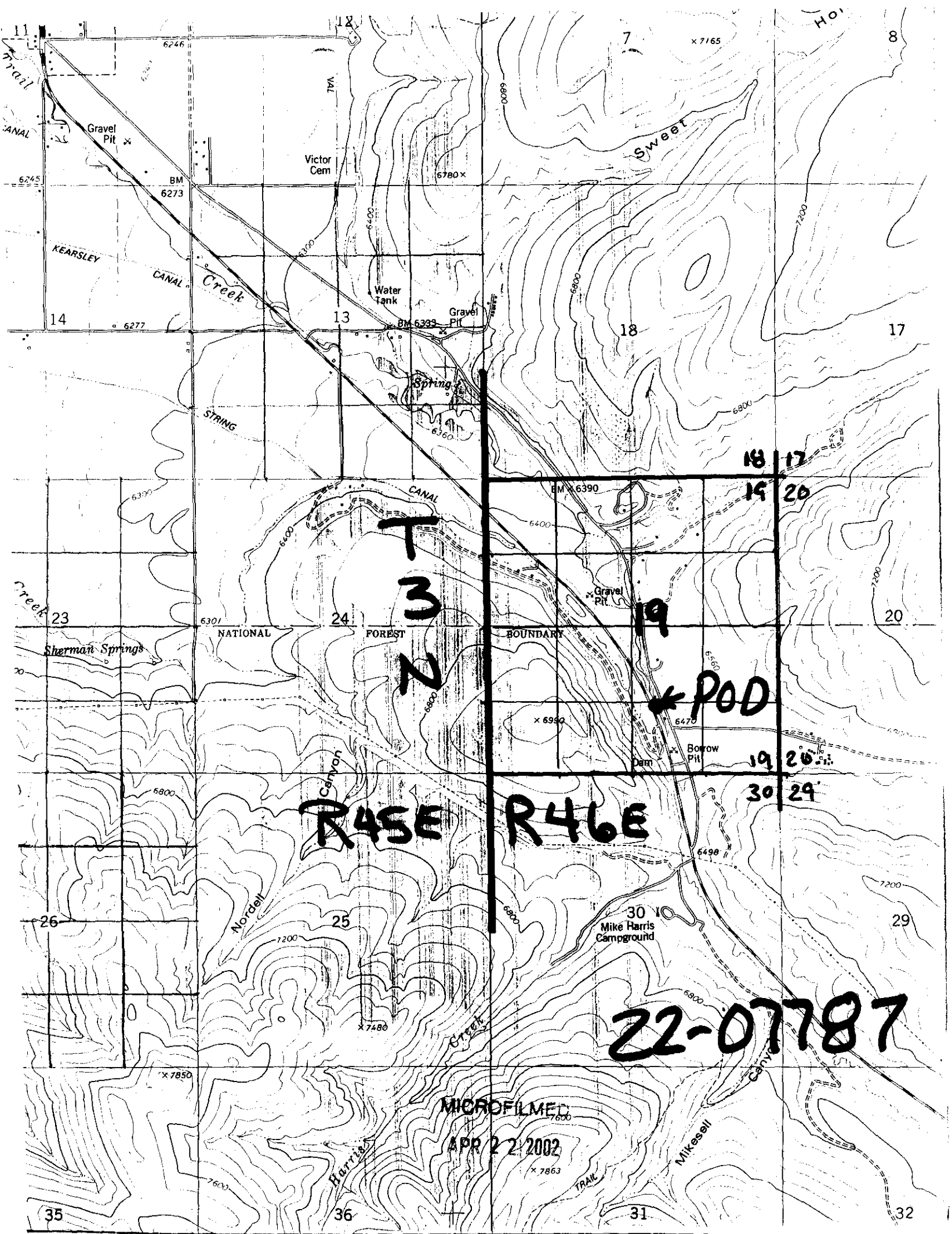
Date 8-18-00

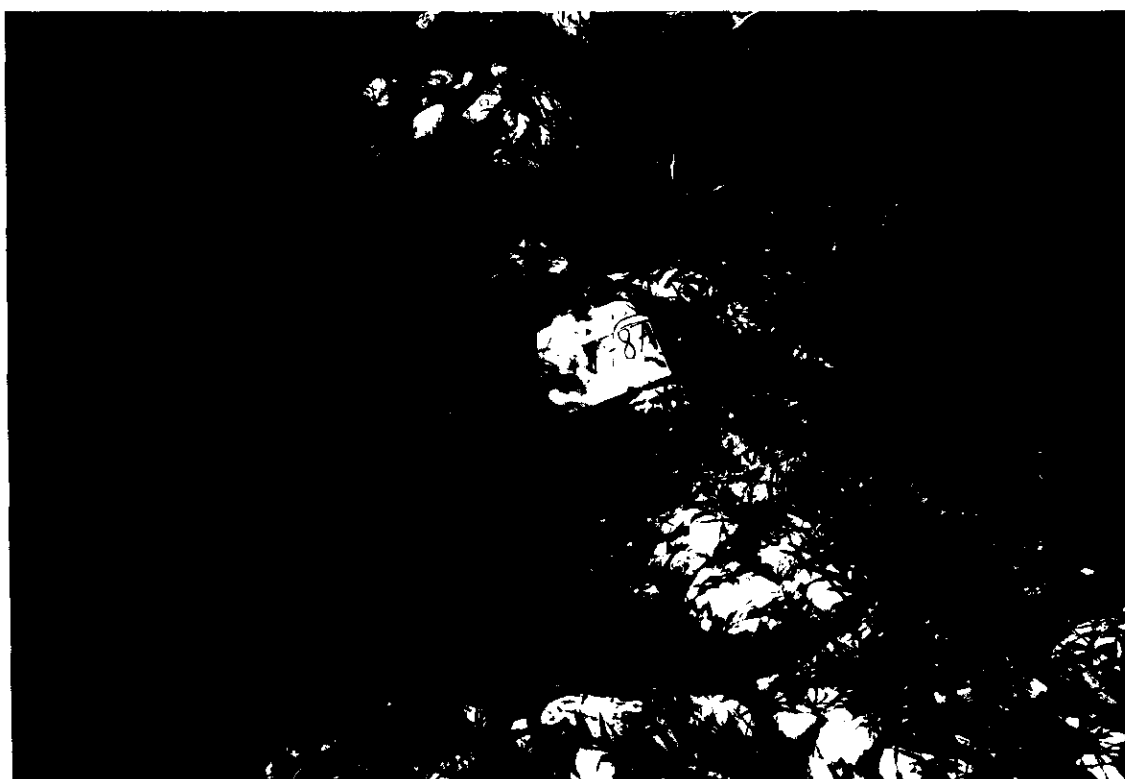
Reviewer

Date

SEAL

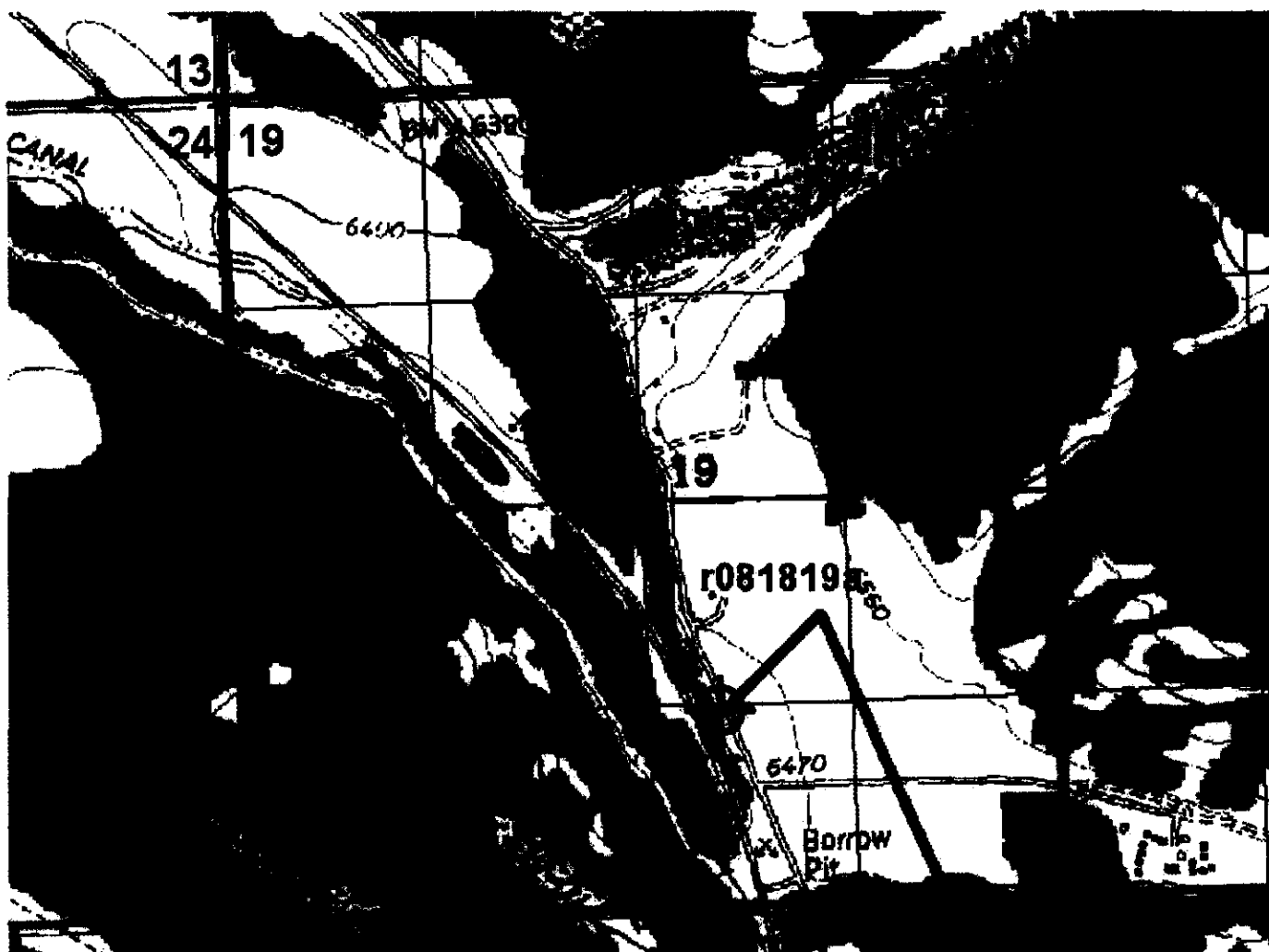
MICROFILMED
APR 22 2002





22-7787

MICROFILMED
APR 22 2002



R45E | R46E

- ☐ Tandr.shp
- ☐ Sections.shp
- ☐ T03n46e.shp

**Point of Diversion
&
Place of Use**

22-07787

MICROFILMED
APR 22 2002

March 15, 1996

RONNIE D MODROW
60 N 3167 E
IDAHO FALLS ID 834025663

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 22-07787

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 EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

MAR 26 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 22-077187 Reviewed by [Signature] Date 3-15-96

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
☐ Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☐ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
1 Installed?
1 Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority Date	_____	_____
New Priority Date	_____	_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [X] Proof Made 3-13-96



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 29, 1996

RONNIE D MODROW
60 N 3167 E
IDAHO FALLS ID 83402-5663

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 22-07787

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

JAN 30 1996

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 22-7787 Name: Madrow Date: 1/25/96 Ad OK? ✓
Correct Fee? ✓ Receipt #: E021738 Priority: 11/28/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes ESRP Mor GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17
GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):
Water District(~~dem~~) - 05 (req) WD # 01 <SEE MAP & LISTING>
+ 0.2 cfs - ~~028(may report)~~-01J(meas dev)-P08
=/- 0.2 cfs - ~~028(may report)~~-01H(lock dev)-P01 or No MD
=/+ 5 a. irr. - ~~028(may report)~~
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M
RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA
USE:
Domestic (surface) - ~~041(Boise R + E Peak)~~; 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - C <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU)
OTHER CONDITIONS: - ~~*021~~
STANDARD REMARKS: - W01/1
BENEFICIAL USE DUE: - 2-1-1997
COMMENTS: -

*per region request

RECEIVED
JAN 24 1996

Form No. 202a
4/87 Department of Water Resources

Dist. for staffing 12-1-95
Submitted for advertising 12-1-95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY AWJ DATE 12-1-95 APPLICATION NO. _____

Ronnie Modrow
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

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.)
☐ 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

Many or most rights on Trail Creek diverted in this 40 acre unit
Date Requested _____

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO NONE ☐ 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 _____

FINAL REGIONAL PROCESSING REVIEW

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

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 1-8-96
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations, attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01
☒ Yes ☒ No Special conditions of approval or cover letter below. _____

Date of priority recommended _____ See below for additional information
By HWS 11-28-95
Date 1-17-96

STATE OFFICE REVIEW

By _____ See below for additional information
Date _____

ADDITIONAL INFORMATION

*I believe this rt should be limited to in-house use only!
This creek is heavily appropriated. Heck

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 _____

Project impacts/implications report

COMMENTS

[illegible]

AFFIDAVIT OF PUBLICATION

State of Idaho)

County of Teton)

I, Nadine Soose
being first duly sworn, depose and say that I am
the secretary of the Teton Valley News,
a newspaper as defined by Idaho Codes An-
notated, Section 58-106, as amended, and that
said newspaper is a weekly newspaper printed and
published at Driggs, in Teton County, Idaho,
having a general circulation in said county, and
that said newspaper has been printed in said
county for more than 78 consecutive weeks prior
to the first publication of the attached notice, ad-
vertisement, or publication of

notice of application
for water right

And affiant further says that said attached notice,
advertisement, or publication, as per clipping at-
tached, was published in said newspaper, in the
regular and entire issue thereof, and not in any
supplement issue thereof, for two consecutive
issues thereof; first publication having been
made on the 21 day of Dec.
1995.

And affiant further says that at the times herein
mentioned said newspaper was made up of at
least eight pages of at least five columns each,
printed from typed matter, of at least sixteen in-
ches deep.

Nadine Soose

State of Idaho)

County of Teton)

On this 22nd day of December
in the year of 1995, before me, a Notary Public,
personally appeared Nadine Soose
known or identified to me to be the person whose
name subscribed to the within instrument, and
being by me first duly sworn, declared that the
statements therein are true, and acknowledged to
me that he executed the same.

Bonnie Zolner

Notary Public for Idaho

Residing at Driggs Idaho

My commission expires 10/24/98

WATER RIGHT APPLICATION

The following information
is being submitted to the
State of Idaho:

22-07701
McGROW, RONNIE D
60 N 3167 E
IDAHO FALLS, ID 83402

Source: SPRINGS
Tributary: TRAIL CREEK

Division: FURNACE CREEK
R 40E in TETON County.

Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 11/22/1995

In: TETON County

Water Right No. 22-07701
is being submitted to the Division
of Water, along with
a fee of \$100.00, 900 N.
Main St. ID 83402 on or before JAN
2, 1996.

RECEIVED

JAN 0 1996

RECEIVED

JAN 02 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 13, 1995

RONNIE D MODROW
60 N 3167 E
IDAHO FALLS ID 83402-5663

RE: Notice of Application for Permit No. 22-07787

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the applications in the Teton Valley News on December 21 & 28, 1995. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

Harold W. Jones
Harold W. Jones
Water Right Supervisor

HWJ/rb

JAN 30 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DECEMBER 12, 1995

TETON VALLEY NEWS
P.O. BOX 509
DRIGGS, ID 83422

Gentlemen:

Enclosed you will find a legal notice 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 JANUARY 8, 1996.

Yours truly,

Rita Bodell
Secretary

Encl.

RECEIVED
DEC 13 1995

22-07787

MODROW, RONNIE D
60 N 3167 E
IDAHO FALLS, ID 834025663

Source: SPRINGS

Tributary: TRAIL CREEK

Diversion Pt: NWSWSE Sec 19 T 03N R 46E in TETON County.

Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 11/28/1995

In: TETON County
T03N R46E S19 SWSE

JAN 30 1996

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before JANUARY 8, 1996.

Published: 12/21/1995 & 12/28/1995

KARL J. DREHER, Director

JAN 30 1996