

T-2 R.42-E

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① T-1955

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1596 B461
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23 24

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172 B251
T253

HEL ④
93.5

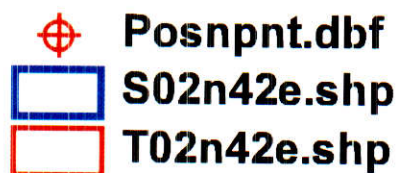
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MICROFILMED
MAY 23 1990

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23-07173

7137

MICROFILMED
DEC 12 2001

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PLACE OF USE

SEC
14

POINT OF DIVERSION

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DEC 12 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 23-07137

Priority: August 29, 1989

Maximum Diversion Rate: 0.08 CFS
Maximum Diversion Volume: 35.6 AF

It is hereby certified that **GEORGE L LOVELL**
PO BOX 398

RIRIE ID 83443 has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated August 29, 1989; and has submitted Proof of Beneficial Use on May 15, 1991. An examination indicates that the works have a diversion capacity of 0.08 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	0.04 CFS	2.7 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
IRRIGATION	04/15 to 10/31	0.08 CFS	31.7 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SW¼SW¼NW¼ Sec. 14, Twp 02N, Rge 42E, B.M., BONNEVILLE County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 42E 14							X										

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 42E 14							X										

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 42E 14							11.0										11.0

Total Acres: 11

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State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 23-07137

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
3. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

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 28TH day of NOVEMBER, 2001.

Acting for

KARL J. DREHER
Director

MICROFILMED
DEC 12 2001

RECEIVED

MAY 17 1991

STATE OF IDAHO

For Office Use Only
 Amt. of Fee \$ 50.00
 Date 5-15-91
 Receipt No. E016078
 Received by RB

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. 23-07137 Telephone No. 538-7468
- Name(s) of Permit Holder(s): George L. Lovell
- Post Office Address: P.O. Box 398 Ririe, Idaho 83443
- Source of Water: Groundwater
 - If ground water, well driller's name: _____ Date drilled: 1979 El. 2 per permit
 - Pump horsepower: 5 Pressure (psi): 50 Dynamic pumping level (ft.): 350
- Extent of Use:

Domestic <u>1</u> (No. of households)	Irrigation <u>14</u> (No. of acres)
Stockwater <u>200</u> (No. and type of stock)	Other _____
- Total rate and/or volume for which proof is submitted 2.2 cfs _____ acre/feet
- Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes XNo Installed? Yes No
 OR
 Flow Measurement Port: Required? Yes XNo Installed? Yes No
- Fee Enclosed: \$ _____ (See License Examination Fee Schedule)
- Person to contact to accompany the Department representative during the field examination:

Clyde A. Cook 538-7215
 Name Telephone No.
P.O. Box 566 Ririe, Idaho 83443
 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.

RECEIVED

JUL 01 1991

5/15/91
 Date

Clyde A. Cook
 Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 23-07137

Proposed Priority: August 29, 1989 Maximum Diversion Rate: 0.30 CFS
This is to certify, that **GEORGE L. LOVELL**

P.O. BOX 398
RIRIE, ID 83443

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	0.22 CFS
STOCKWATER	01/01 to 12/31	0.04 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
Totals		0.30 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSWNW Sec. 14, Township 02N, Range 42E
BONNEVILLE 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>
02N	42E	14	SWNW	11		11
Total number of acres irrigated:						11

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 June 1, 1991.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. 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.

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MAY 29 1990

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 23-07137

CONDITIONS/REMARKS:

7. Stockwater use is for 200 cattle and horses; domestic use is for one 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

25th day of May, 1990

for R. Keith Higginson
R. Keith Higginson, Director

MICROFILMED

MAY 29 1990

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23 7137

Form 202
6/85

Ident. No. 23-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Lovell, George L. Phone 208-538-7468
Post office address P.O. Box 398 Ririe Idaho 83443
2. Source of water supply Groundwater which is a tributary of N/A
3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 14 Township 2N Range 42E B.M. Bonneville County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.22 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Livestock purposes from 01/01 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 is (a) 0.30 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Well is used to water yard and pasture, it is pumped through plastic lines
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
- c. Proposed well diameter is 8" inches; proposed depth of well is 380' feet.
- d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year).

MAY 29 1990

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. Up to 200 Head Beef/Horses
- 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	
2N	42E	14							11										11
									D/S										

Total number of acres to be irrigated 11

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?

Applicant

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

Applicant

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

12. Remarks:

System has been in existence for 8-10 years and replaced springs as source for Domestic and Stock water

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1595 B461

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HEL

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HEL

⑦

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172 B25

T258

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93.5

⑧

6.3

HEL

①

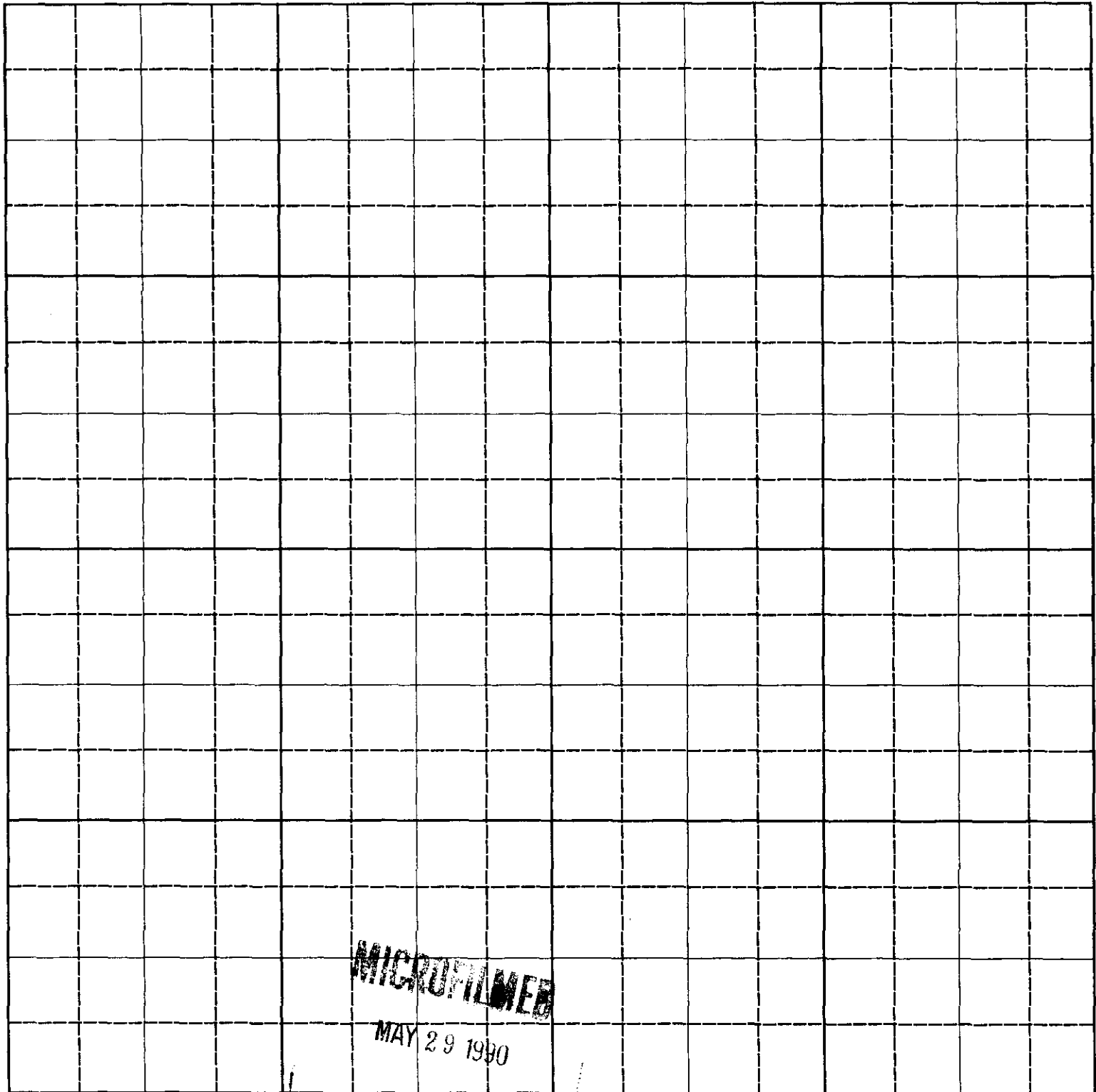
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T19

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MAY 23 1990



MICROFILMED
MAY 29 1980

George Lovell
(Applicant)

Received by Jo Date 8-29-89 Time _____ Preliminary check by _____
Fee \$ 45.00 Receipted by Jo # E010025 Date 8-29-89
Publication prepared by RB Date 4-5-90 Published in Last-Register
Publication approved aw Date 4-25-90

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:



MAY 29 1990

NOTICE OF APPLICATION

FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

23-07126
BAKER, RUTH F.
3911 LEGEND CIR.
HUNTINGTON BEACH, CA 92649
Source: SNAKE RIVER, SOUTH FORK;
Tributary: SNAKE RIVER
Diversion Pt: SESWSW Sec 5 T 03N R 41E
Use: IRRIGATION (.100 CFS)
Total Diversion: (.100 CFS)
Date Filed: 6/30/1989
In: T03N R41E S05 SWSW.
5.0 ACRES TOTAL

23-07135
VAN WINKLE, JOHN DEAN
VAN WINKLE, JOLANE P.
2057 W. 4250 S.
ROY, UT 84067
Source: RAINEY CREEK; Tributary:
SNAKE RIVER
Diversion Pt: SWSE Sec 6 T 01N R 44E
Use: IRRIGATION (.030 CFS)
Total Diversion: (.030 CFS)
Date Filed: 7/24/1989
In: T01N R44E S06 SWSE
1.0 ACRES TOTAL

23-07136
ALEXANDER, LOREN C.
HC 34 BOX 10
SWAN VALLEY, ID 83449
Source: GROUNDWATER
Diversion Pt: SWNWSE Sec 17 T 01N R 44E
Use: IRRIGATION (.140 CFS)
COMMERCIAL (.060 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.240 CFS)
Date Filed: 8/22/1989
In: T01N R44E S17 NWSE
7.0 ACRES TOTAL

23-07137
LOVELL, GEORGE L.
P.O. BOX 398
RIRIE, ID 83443
Source: GROUNDWATER
Diversion Pt: SWSWNW Sec 14 T 02N R 42E
Use: IRRIGATION (.220 CFS)
STOCKWATER (.040 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.300 CFS)
Date Filed: 8/29/1989
In: T02N R42E S14 SWNW
11.0 ACRES TOTAL

23-07138
FULLMER, ELAINE BUCKLAND
6281 E. HEISE RD.
RIRIE, ID 83443
Source: SPRINGS; Tributary: SINKS
Diversion Pt: SWSW Sec 11 T 03N R 42E
Use: IRRIGATION (.160 CFS)
Total Diversion: (.160 CFS)
Date Filed: 8/31/1989
In: T03N R42E S11 NESW
8.0 ACRES TOTAL

23-07139
HENKEN, RAYMOND N.
HENKEN, ELAINE L.
1307 E. 25TH ST.
IDAHO FALLS, ID 83404
Source: PALISADES CREEK; Tributary:
SNAKE RIVER, SOUTH FORK
Diversion Pt: SWSWSE Sec 26 T 01N R 44E
Use: IRRIGATION (.030 CFS)
Total Diversion: (.030 CFS)
Date Filed: 10/04/1989
In: T01N R44E S35 NWNE
1.0 ACRES TOTAL

23-07140
TAYLOR, HARRY JOSEPH
TAYLOR, BEVERLY JOAN
870 E. 1400 N.
SHELLEY, ID 83274
Source: PALISADES CREEK; Tributary:
SNAKE RIVER, SOUTH FORK
Diversion Pt: SWSWSE Sec 26 T 01N R 44E
Use: IRRIGATION (.030 CFS)
Total Diversion: (.030 CFS)
Date Filed: 9/27/1989
In: T01N R44E S35 NWNE
1.0 ACRES TOTAL

P.O. BOX 2077
IDAHO FALLS, ID 83403
Source: GROUNDWATER
Diversion Pt: SESE Sec 28 T 02N R 38E
Use: IRRIGATION (.380 CFS)
Total Diversion: (.380 CFS)
Date Filed: 4/10/1989
In: T02N R38E S28 SESE
19.0 ACRES TOTAL

25-07511
KELSEY, DANNY
KELSEY, SHERRY
648 E. 97 S.
IDAHO FALLS, ID 83404
Source: SAND CREEK; Tributary: WIL-
LOW CREEK
Diversion Pt: NENWNW Sec 20 T 01N R 38E
Use: IRRIGATION (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 6/26/1989
In: T01N R38E S20 NWNW
2.0 ACRES TOTAL

25-07512
RHOADES, ARVIN
P.O. BOX 1422
IDAHO FALLS, ID 83403
Source: TWIN CREEK; Tributary: WIL-
LOW CREEK
Diversion Pt: NESWSW Sec 28 T 01S R 40E
SWSWSW Sec 28 T 01S R 40E
Use: IRRIGATION (.400 CFS)
Total Diversion: (.400 CFS)
Date Filed: 6/15/1989
In: T01S R40E S28 SWSW
20.0 ACRES TOTAL

25-07525
LINCOLN CEMETERY DISTRICT
C/O CECIL SCOTT
3242 LINCOLN RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: NWNWNW Sec 15 T 02N R 38E
Use: IRRIGATION (.090 CFS)
Total Diversion: (.090 CFS)
Date Filed: 8/15/1989
In: T02N R38E S15 NWNW
4.5 ACRES TOTAL

25-07545
PARKER, JERRY L.
P.O. BOX 358
RIRIE, ID 83443
Source: GROUNDWATER
Diversion Pt: SESW Sec 22 T 03N R 39E
Use: IRRIGATION (7.540 CFS)
Total Diversion: (7.540 CFS)
Date Filed: 11/02/1989
In: T03N R39E S22 SWSW SESW SWSE
SESE
S27 NENE NWNE SWNE SENE NENW
NWNW SWNW SENW NESW NWSW
377.0 ACRES TOTAL

25-07547
SCHEUERMANN, KEITH W.
756 S. FOOTHILL RD.
IDAHO FALLS, ID 83401
Source: GROUNDWATER
Diversion Pt: SENE Sec 19 T 02N R 39E
Use: IRRIGATION (.300 CFS)
Total Diversion: (.300 CFS)
Date Filed: 8/25/1989
In: T02N R39E S19 SENE
15.0 ACRES TOTAL

25-07561
NEIBAUR, RYAN
2320 ROSS
IDAHO FALLS, ID 83406
Source: GROUNDWATER
Diversion Pt: SENW Sec 17 T 01N R 38E
Use: IRRIGATION (4.000 CFS)
Total Diversion: (4.000 CFS)
Date Filed: 3/02/1990
In: T01N R38E S17 NENW NWNW
SWNW SENW NWSW SWSW
S18 NESE NWSE SWSE SESE
S19 NENE NWNE SWNE
383.0 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, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 23, 1990.

R. Keith Higginson, Director
Published: April 5, 12, 1990



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

December 3, 2001

GEORGE L LOVELL
PO BOX 398
RIRIE ID 83443

RE: License No. 23-7137 - Issuance of License

Dear Water Right Holder(s):

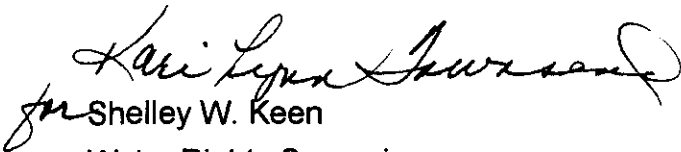
The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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,


for Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
DEC 12 2001

CERTIFICATE OF MAILING

I hereby certify that on December 3, 2001 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. 23-7137

**GEORGE L LOVELL
PO BOX 398
RIRIE ID 83443**


**Kari Lynn Townsend
Secretary**

MICROFILMED

DEC 12 2001

**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).

MICROFILMED
DEC 12 2001

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.

LICENSE REVIEW CHECKLIST

Permit No. 23-7137 Date: 11-23-01 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): none -
File reviewed _____ Profile reports printed _____

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

Rate of Diversion:

Permitted rate 0.30 cfs
Fee Limit 0.30 cfs
Measured 0.08 cfs
Theoretical 0.08 cfs

Recommended Total Diversion Rate 0.08

Water Uses OK

Change (P46)

Season of Use per new Standards

4/15 10/31

Irrigation 0.08 cfs 31.7 af
Stockwater 0.04 cfs 2.7 af
Domestic 0.04 cfs 1.2 af
_____ cfs _____ af
_____ cfs _____ af
Total 0.08 cfs 35.6 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 (081/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

meas. 0.08

Volume Determination

0.08 cfs x 1.9835 x 200 days = 31.7 af (vs) 11 acres x 3.5 (FHR) = 38.5 af
2.5 (con)

Remarks: _____

Additional Conditions _____ Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048/049)

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

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

SRBA Claim?

No - not req'd

Adjust memo _____

Amend Letters _____ P87, S06 Second Amendment Notice _____ S06

E. NARRATIVE/REMARKS/COMMENTS

Dean/Wright Teton water works put well in

Well pump-pressure tank to SINGLE DOMESTIC Home - stock trough
- mainline to sprinkler system

No stock in corral - recommend stock water for 200 cattle/horses

NOTE: Theoretical Flow ($Q = 0.0772 \text{ cfs} = 34.67 \text{ gpm}$) and the
Measured Flow ($Q = 35.294 \text{ gpm} = 0.0786 \text{ cfs}$) are very
close.

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

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DEC 12 2001

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$(30 \text{ gal} / 51 \text{ sec}) (60 \text{ sec} / \text{min}) = 35.3 \text{ gpm} = 0.0786 \text{ cfs} = 0.08 \text{ cfs}$$

$$\text{IRR LIMITED BY CAPACITY} = 0.08 \text{ cfs}$$

$$\text{Domestic} = 0.04 \text{ cfs}$$

$$\text{Stockwater (200 various)} = 0.04 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 11 \text{ ac} (3.5) = 38.5 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.08 (199) 1.9835 = 31.6$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 31.6 \text{ afa}$$

2. Volume Calculations for Other Uses:

$$V_{\text{stock}} = 2.7 \text{ afa}$$

$$V_{\text{Dom}} = 1.2 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/31	0.08	31.6 afa
Domestic (1 unit)	1/1	12/31	0.04	1.2
Stockwater (various)	1/1	12/31	0.04	2.7 afa
Totals:			0.08 cfs	35.5 afa

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. AUTHENTICATIONField Examiner's Name Keith C. Wilor Date 11-7-2001

Reviewer _____ Date _____

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SEAL

DEC 12 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 23 2001

KW
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 23-07137

1. Owner: GEORGE L. LOVELL (209) Phone No. 538-7215

Current Address: P.O. Box 398, Rivie, Id, 83443

2. Accompanied by: Clyde Cook EXAM DATE: 11-7-2001

Address: P.O. Box 566, Rivie, Id 83443 (208) Phone No. 538-7215

Relationship to Permit Holder: OPERATOR

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:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	NW	14	2N	42E	Bonneville	P110717A / 6th SITE

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	42E	14							15										15
~~RECOMMENDED~~																			
2N	42E	14							11										11

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DEC 12 2001

2. Measurements: $30 \text{ gal} / 51 \text{ sec} = 35.3 \text{ gpm} = 0.078 \text{ cfs} = 0.08 \text{ cfs}$

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

D. FLOW MEASUREMENTS

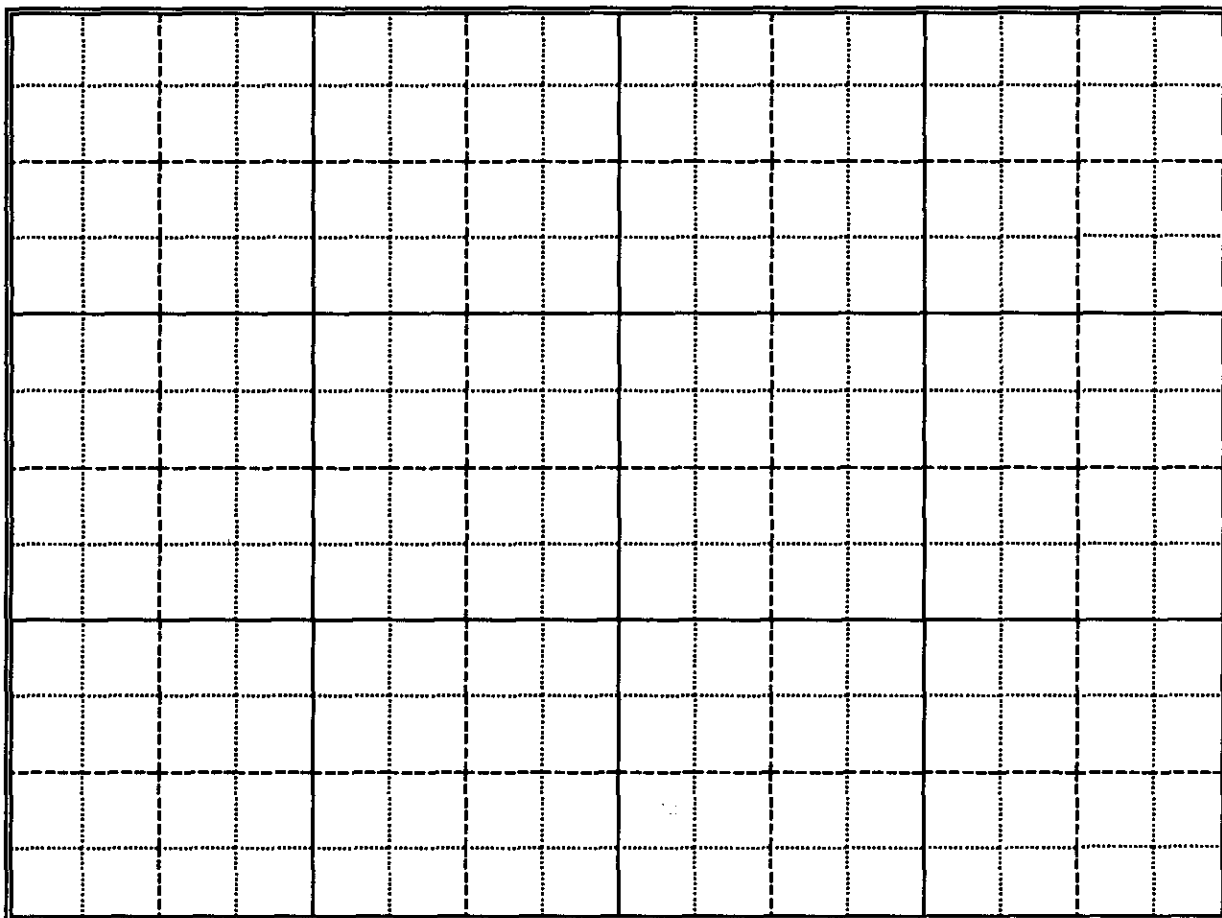
*Code to correspond with No. on map and aerial photo

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

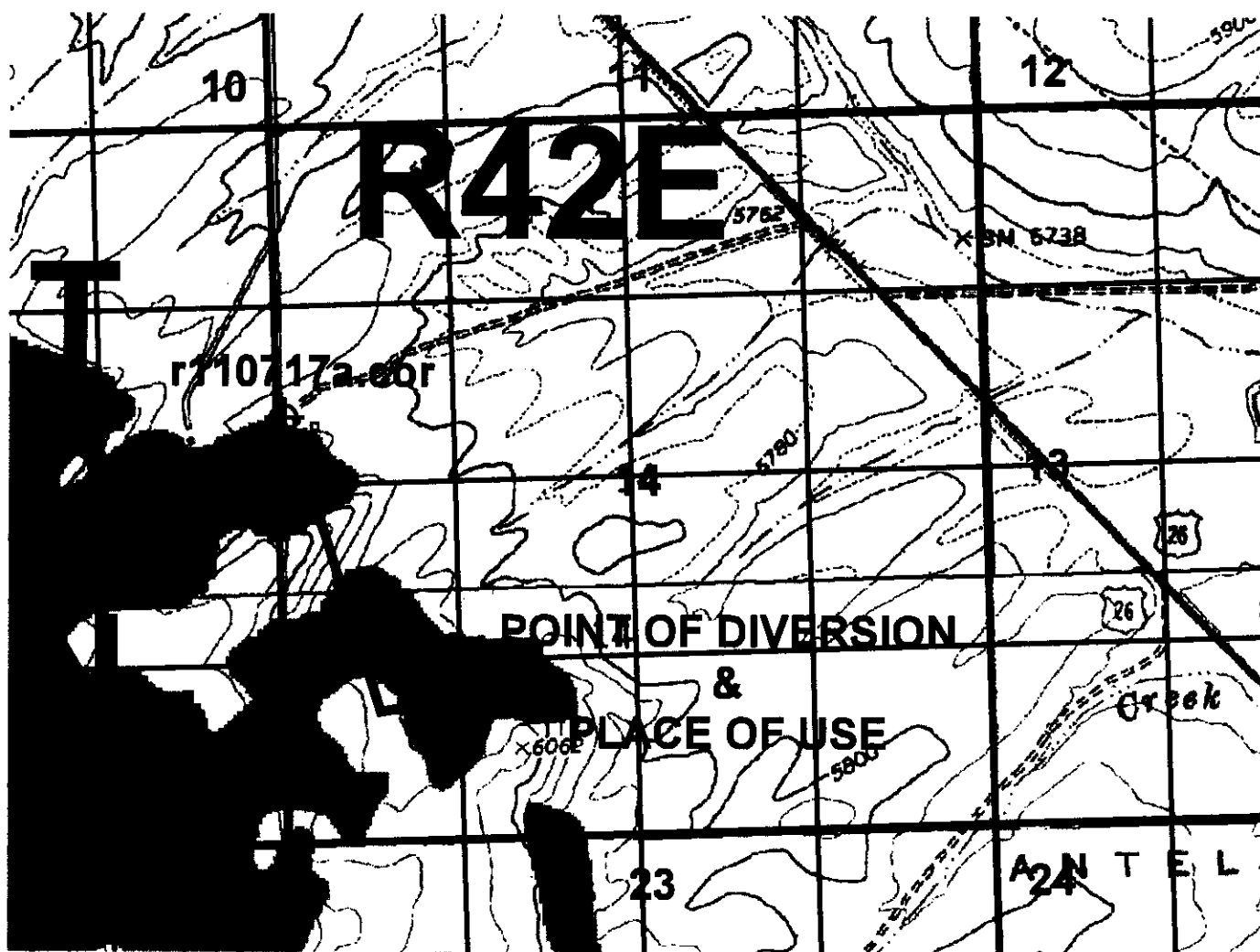
4.

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
Aerial Photo Attached of (required for irrigation of 10+ acres)
Photo of Diversion and System Attached

Scale: 1" =



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



- ⊕ Posnpnt.dbf
- S02n42e.shp
- T02n42e.shp

23-07173

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DEC 12 2001

7137

③
31.1

①
77.6

HEL

HEL

HEL

2580
T/953

10 11
12
13

②
1850

⑥
11.0

HEL

PLACE OF USE

T
2
N

R4

SEC
14

POINT OF DIVERSION

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DEC 1 2 2001

THEORETICAL PUMP FLOW CALCULATIONS

$$Q_{cfs} = [(Hp) (8.814) (Eff.)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 5

Eff. = Efficiency = 70% (Usually 70.0%)

Lift = Static Water Level + Draw down

Static Water Level = _____ ft.

Assumed Draw down = _____ ft.

Lift = _____ ft.

OR

ASSUMED

~~Measured~~ Dynamic Water Level = 330 ft.

Psi = Operating Pressure = 30 psi

$$Q_{cfs} = [\frac{5}{HP} \times 8.814 \times \frac{0.70}{EFF}] \div [\frac{330}{LIFT} + (\frac{30}{PSI} \times 2.308)]$$

$$= [30.849] \div [399.24]$$

$$Q_{cfs} = \underline{0.08} \text{ cfs}$$

23-07137

Permit Number

MICROFILMED
DEC 12 2001

May 24, 1991

GEORGE L. LOVELL
P.O. BOX 398
RIRIE, ID 83443

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 23-07137

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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JUL 01 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 23-7137

Date 5-23-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source
1979 ☒ Drill permit req'd?
☒ Copy in file? Drill permit no. _____
☒ Amt paid for drilling permit? _____ Correct?
10/1981 ☒ Well log in file?

LICENSE EXAMINATION FEE

- yes Required?
50.00 Amount submitted?
yes Correct amount?

MEASURING DEVICE

- 19 Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

not acceptable

PRIORITY CALCULATION

Date proof received 6/4
Date proof due _____ - _____
No. of days late _____ = _____
Priority date _____ + _____
NEW PRIORITY DATE _____ = _____

LB

GEORGE L. LOVELL
P.O. BOX 398
RIRIE, ID 83443

135249
March 31, 1991

PROOF DUE NOTICE

RE: PERMIT NO. 23-07137

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

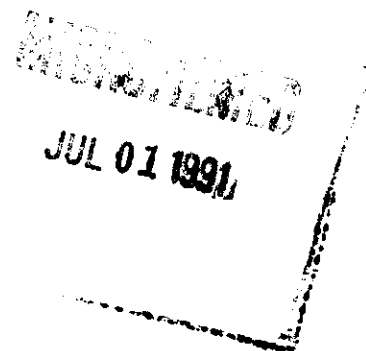
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures



S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 29, 1990

GEORGE L. LOVELL
P.O. BOX 398
RIRIE, ID 83443

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P23-07137

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

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MAY 29 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 20 1990

1st. for staffing 8-31-89 RB

Submitted for advertising 10-5-89 HWT

Form No. 202a
/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NON-TRUST
How

APPLICATION FOR PERMIT ANALYSIS SHEET

23 7137

INITIAL REVIEW BY +DM DATE 9-8-89 APPLICATION NUMBER Lovell, George L.

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
- ___ Yes ___ No 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

Date Requested

MAY 04 1990

Department of Water Resources

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

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

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 4-23-90
☐ 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 ^{P05}
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

Date of priority recommended 8-29-87 See below for additional information
By HWS Date 5-22-90

STATE OFFICE REVIEW P05, P23 P16 48 49 46

By KW See below for additional information
Date 5-17-90

ADDITIONAL INFORMATION

App. in NON-TRUST area-

13-Mar-1990

George L. Lovell
P.O. Box 398
Ririe , ID 83443

RE: Application for Permit No. 23-7137

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Post-Register on April 5 & 12, 1990. 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 application 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
Water Rights Supervisor

HWJ/rb

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MAY 29 1990

23-07137

LOVELL, GEORGE L.
P.O. BOX 398
RIRIE, ID 83443

Source: GROUNDWATER

Diversion Pt: SWSWNW Sec 14 T 02N R 42E

Use: IRRIGATION	(.220 CFS)
STOCKWATER	(.040 CFS)
DOMESTIC	(.040 CFS)
Total Diversion:	(.300 CFS)

Date Filed: 8/29/1989

In: T02N R42E S14 SWNW

11.0 ACRES TOTAL

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MAY 29 1990