

✓ 33174
63

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41336
Permit No. G- 33174
District No.

1. Name of Applicant: Melvin and Earl Huter
Postoffice address: Route #2, Nampa County: Canyon State: Idaho
2. Quantity of water claimed:
(a) Rate of withdrawal in cubic feet per second 1.0 or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18
Twp. 3 N, Rge. 1 W, B.M., County of Canyon
5. Water is to be used for: Drainage and irrigation
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Twp. 3 N
Rge. 1 W, B.M.
(b) Waste water or sewage effluent is to be returned to irrigation ditch or waste ditch
at a point in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Twp. 3 N, Rge. 1 W, B.M.
7. Kind of works: Pumped well
8. Estimated cost of works: \$ 4500.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir: no
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 1 year.
11. If applicant is a corporation, give:
I (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

1. Name of Applicant: Melvin and Earl Huter

Postoffice address: Route #2, Nampa County: Canyon State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 1.0 or Idaho
Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10

Twp. 3 N, Rge. 1 W, B.M., County of Canyon

5. Water is to be used for: Drainage and irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Twp. 3 N
Rge. 1 W, B.M.

(b) Waste water or sewage effluent is to be returned to irrigation ditch or waste ditch
at a point in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Twp. 3 N, Rge. 1 W, B.M.

7. Kind of works: Pumped well

8. Estimated cost of works: \$ 4500.00

9. (a) Is reservoir to be used? no

(b) Capacity of reservoir: no

10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 1 year.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 75" from artesian well. 12" constant flow furnished by Nampa Meridian Irrigation District.

(a) 75" (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be appurtenant to the existing water rights. main use is for sub-surface drainage.

(b) 12" (cubic feet per second, inches or gallons per minute) is for new lands.
C-17492 for 1.2

Rec. No. 8-10784

Form No. 3
5 M-1-65

Address all communications to:

P. O. _____

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. G 41336

Permit No. G 33174

Water District No. _____

RECEIVED

JUL 11 1968

8:00 AM
Department of Reclamation

1. Name of applicant: MELVIN AND EARL HUTER
NAMPA
Post office address RT-2 ART-5 County CANYON State IDAHO
2. Quantity of water claimed: APPROX. 500 GALLONS PER MINUTE 1.0 cfs
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18
Twp 3N, Rge 1W, B.M., County of CANYON
5. Water is to be used for: DRAINAGE & IRRIGATION
6. If for domestic, municipal, industrial or recreational purposes give:
 - (a) Point of use of water is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18
Twp 3N, Rge 1W, B.M.
 - (b) Waste water or sewage effluent is to be returned to IRRIGATION DITCH OR WASTE DITCH
at a point in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Twp 3N, Rge 1W, B.M.
Pumped well
7. Kind of Works: PERMIT WELL FOR SUBTERRANEAN DRAINAGE IRRIGATION
8. Estimated cost of works: \$4500.00
9. (a) Is reservoir to be used? NO
(b) Capacity of reservoir: NO
10. The time required for the completion of such work and complete application of the water to the proposed use is
WITHIN YEAR 1 year.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation: _____
 - (b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____
 - (d) Names and addresses of directors: _____

(Continued)

II. The financial resources of the applicant are: (a) Cash on hand: \$

(b) Treasury stock: _____ (c) Bonds to be issued: _____

(d) Other resources: _____

13. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 75" from Artesian well

135 MINERS INCHES CONSTANT FLOW FURNISHED BY NAPA MERIDIAN
(a) ⁵⁰ ~~20~~ DISCHARGE (Cubic feet per second, inches or gallons per minute) of the water herein applied for IRRIGATION DIST

(a) ~~220~~ ¹⁰⁰ cubic feet per second, inches or gallons per minute) of the water herein applied for is

to be supplemental to the existing water rights. **NEW USE IS FOR SURFACE DRAINAGE**

(b) _____ (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: THE MAIN PURPOSE OF THIS WELL IS FOR
SUBSURFACE DRAINAGE, HOWEVER THE WATER WILL
BE USED FOR IRRIGATION WHEN NEEDED.

This well is in the irrigation ditch & as pumped into the
ditch & is used by other people as down. It is surplused into
his other water & when not used for irrigation it goes out
a drain & saves his property. This well is pumped at
all times to lower the ground water table & it is my
understanding that at no time will it exceed the
statute regarding 1" per acre

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.

EARL & MELVIN HUNTER
Applicant

By Melvin Hunter Agent

16
60
10

Approval of State Reclamation Engineer

The number of this permit is G 33174

Recorded in Book 116

Page 33174

Approved SEP 12 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed before _____

One-fifth of the work above specified to be completed on or before March 12, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before: September 12, 1971

Witness my hand this 12th day of September 19 66

R. Keith Higgins
State Reclamation Engineer

IN TESTIMONY WHEREOF, We ROBERT E. SHULTZ, Governor of the State of Idaho,

and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be

hereunto affixed, this 12th day of September 19 66

Countersigned

STATE OF IDAHO

By

Louis E. Clapp
Secretary of State

By

Robert E. Shultz
Governor

33174

No. G.

PERMIT

Date of first receipt at office of State Reclamation Engineer

July 11, 1966 8:00 A.M.

Returned to applicant for correction

Corrected application received

Fee, \$ 5.75

FILED FEE FOR ONE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .75

452 received

NAME OF APPLICANT EARL & MELVIN HUTER

Form No. 0

RIW

78

11/18/77

Proposed well

T

3/7



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Canyon,

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Melvin and Earl Butler, Route 2, Nampa, Idaho, have received an approved Permit No. G-35414-63-3541 issued by the Idaho Department of Water Administration authorizing the diversion of 1.0 cubic feet per second of water from a ground water source. The priority to be established under this permit is July 11, 1966 and the permit was approved September 12, 1966.

Water is to be diverted by well from a point within the NE 1/4 Sec. 18, T. 3N, R. 1W, B.M., Canyon County, to be used for irrigation and drainage in the NE 1/4 Sec. 18, T. 3N, R. 1W, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department not before September 12, 1971. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten days of the last date of publication of this notice. If prior to the licensing of the permit, licensing has commenced prior to the date of publication, proof is due without further notice.

D. KEITH BROWN, ON,
DIRECTOR
Idaho Dept. of Water Administration
STATEHOUSE, Boise, IDAHO
November 26, December 3, 1966

of _____, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the _____ a daily, (except Sunday) newspaper published in the City of _____, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of _____, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

_____ in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

Subscribed and sworn to before me this _____

_____ day of _____, 19 _____

Adam J. Kew

Notary Public, Residing at Nampa, Idaho

35414
G-35414

STATEMENT

The Idaho Free Press

P. O. Box 88 — Nampa, Idaho, 83651

Date December 3, 1970

RECEIVED

Melvin A. Huter
Route 2
Nampa, Idaho

DEC 7 1970

11-10-1970

NOTICE OF EXISTING WATER PERMIT - G-33174/63-3541

43 lines 2 days - November 26;
December 3, 1970

1 day @ .14 per col. line	36.30
1 day @ .10 per col. line	4.50
	<u>10.80</u>

Upon payment of this statement, affidavit
will be sent on last date of publication.

33174
63-3541

LAPSED

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41336
Permit No. G- 33174
District No.

1. Name of Applicant: Delvin and Earl Huter
Postoffice address: Route #2, Hampa County: Canyon State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 1.0 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17
Twp. 3 N, Rge. 1 E, B.M., County of Canyon
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Twp. 3 N
Rge. 1 E, B.M.
 - (b) Waste water or sewage effluent is to be returned to irrigation ditch or waste ditch
at a point in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17, Twp. 3 N, Rge. 1 E, B.M.
7. Kind of works: Drill well
8. Estimated cost of works: \$ 100.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir: no
10. The time required for the completion of such work and complete application of the water to the proposed use is
years: 1 year
11. If applicant is a corporation, give:
 - I (a) Date and place of incorporation:
(b) Amount of capital stock: \$
(c) Amount paid in: \$
(d) Names and addresses of directors:
 - II The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
 - a) Existing water rights and/or valid permits appurtenant to the lands to be irrigated are none
 - (b) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplied
mental to the existing water rights. The use is for irrigation
 - (c) (cubic feet per second, inches or gallons per minute) is for new lands.

127
83 10
PERMIT 63-3541 INIT MTS
T. R. S. Q/Q
P/D 3N 1W 18 SENE
SCALE
PHOTO ID.

T2198

60.9

P/U

67.0

2
28.1

P/D

T2718

P/U

T3285

T2717

T2715

T2719

T2714

T2716

2 3 4 5
40 8.5 6.3 10.3

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T3985

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11 10 9
18 6.3 4.5 5.7

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20

NOV 19 1991

T2872

34

PERMIT 63-3541 INIT MTS
T. R. S. Q/Q
P/D 3N 1W 18
SCALE _____
PHOTO ID. X56

PERMIT 63-3541 INIT MTS
T. R. S. Q/Q
P/D 3N 1W 18 SENE
SCALE _____
PHOTO ID. X57



63-3541



Picture #1
Well head & Pump



Picture #2
Place of diversion
and place of fuse
Looking North and
West.

NOV 19 1991

63-3541



Picture #3

Pump and 8" open
discharge line.

RECEIVED
NOV 19 1991

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below.

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (*only if requested*)

63-3541
50-10-71348-11 5-67-195 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Moistened gummed ends and attach this card to back of article.

RETURN
TO

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

POD Form 3811 Apr. 1969 65-16-7158-11

October 21, 1970

Re: Permit No. G-33174/63-3541

Melvin and Earl Huter
Route #2
Nampa, Idaho

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: order
advertising package

33174
63-3541

RECEIVED

NOV 12 1970

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Melvin A. Butler, Sr. and Earl Butler, Sr. Administration
Nampa, Idaho, have had received an approved Permit No.
G-33174/63-3541 issued by the Idaho Department of Water Administration auth-
orizing the diversion ~~of~~ of 1.0 cubic feet per second ~~of~~ of water from a ground water source.
The priority to be established under this permit is July 11, 1966
and the permit was approved September 12, 1966.

Water is to be diverted by well
from a point within the SE 1/4 Sec. 18, T. 3N, R. 1W, B.M., Canyon County,
to be used for irrigation and drainage
in the NE 1/4 Sec. 18, T. 3N, R. 1W, B.M.

Proof of the application of the water to beneficial use is to be sub-
mitted to the Department on or before September 12, 1971. Any protests
against the issuance of the license for the above referenced permit should
be filed with the Idaho Department of Water Administration within ten (10)
days of the last date of publication of this notice or prior to the licensing
of the permit. Licensing may commence prior to the date beneficial use proof
is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Idaho Free Press, Nampa, Idaho,
on November 26, and December 3, 1970

Permit No. G-33174/63-3541

Director:

You are hereby authorized to have the above notice published at my expense
in the Idaho Free Press of Nampa, Idaho;
published in the county in which the works are situated.

Melvin A. Butler
(Signature)
Nov 9, 1970
(Date)

Rt. Box 257 A Nampa, Idaho
(Address)

63-3541
33174

November 16, 1970

The Idaho Free Press
Post Office Box # 88
Pampa, Idaho 83651

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our 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 date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by Melvin A. Huter, Route.
Pampa, Idaho, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

DMH:CM

Enc: Legal Notice

33174
63-3541

November 16, 1970

Re: Permit No. G-33174/63-3541

Melvin and Earl Huter
Route # 2
Nampa, Idaho 83651

Gentlemen:

The legal notice for the above-referenced permit is being published in the
~~Idaho Free Press, Nampa, Idaho~~ on November 26,
and December 3, 1970.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

DMW:CM

63-3541
33174

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33174/63-3541)

in the name of MELVIN AND EARL HUTER)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-33174 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

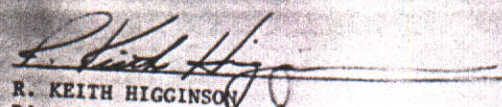
1. The above numbered permit will be completed under the terms of Title 42,

Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.

2. The conditions of the above numbered permit are modified as follows:

- a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 12th day of October, 1970.


R. KEITH HIGGINSON
Director

633-33341
533177H

July 12, 1966

Melvin and Earl Huter
 Route 22, Box 246
 Idaho

1990

Returned to your application for a permit to approve for 100 inches of water from a well in large flow purchase together with your check for \$2.75. You are advised that the State has made appropriations of water for various other purposes and one which that you want. Unless you can give the office sufficient reasons why you feel that for more than 100 inches of water for this year.

You should also understand that there is an exception in the law for drainage wells but that the water may be used only on the lands drained. We would also appreciate knowing what arrangements, if any, have been made with the owner of the drain or waste ditch into which you intend to put the drain water to see the effect for this purpose.

10

33174

ROBERT L. SMYTHE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83721

July 12, 1966

Melvin and Earl Huter
Route #2, Box 246
Mampa, Idaho

B. 33174

Dear Sirs:

Returned is your application for a permit to appropriate 200 inches of water from a well for irrigation purposes together with your check for \$5.75. You are advised that the Idaho law limits appropriations of water to a maximum rate of diversion of one miner's inch per acre. Unless you can give this office sufficient reason you may not file for more than 105 inches of water for this land.

You should also understand that there is an exception in the law for drainage wells but that the water may be used only on the lands drained. We would also appreciate knowing what arrangements, if any, have been made with the owner of the drain or waste ditch into which you intend to put the drain water to use the ditch for this purpose.

Very truly yours,


R. KEITH HIGGINSON, Deputy
State Reclamation Engineer

RKH:ew

33174

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-03541

Priority: January 18, 1990

Maximum Diversion Rate: 1.00 CFS
Maximum Diversion Volume:¹ 487.9 AF

This is to certify, that MELVIN HUTER
EARL HUTER

1410 N. 59TH
NAMPA, ID 83687

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 11, 1966; and has submitted Proof of Beneficial Use on January 18, 1990. An examination indicates that the works have a diversion capacity of 1.340 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.00 CFS	487.9 AF

LOCATION OF POINT(S) OF DIVERSION: SENE, Sec. 18, Township 03N, Range 01W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	01W	18	NENE 40	NWNE 40	SWNE 10	115
			SENE 25			

Total number of acres irrigated: 115

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

NOV 19 1991

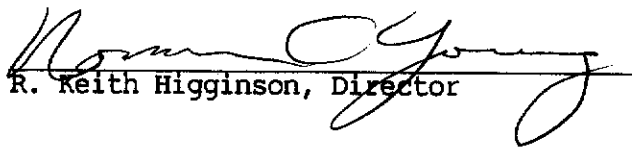
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-03541

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 17th
day of OCTOBER, 1991.

Attest to


R. Keith Higginson, Director

NOV 19 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
63-3541 IN THE NAME OF)
MELVIN & EARL HUTER)

ORDER OF REINSTATEMENT

This matter having come before the Idaho Department of Water Resources (Department) the Department finds as follows:

FINDINGS OF FACT

1. On September 12, 1966, the Director of the Department of Water Resources issued Permit No. 63-3541 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before September 12, 1971.

2. On July 1, 1971, the Department sent a proof due notice to the permit holders.

3. On October 5, 1971, the Department sent a lapse notice to the permit holders since neither proof of beneficial use nor a request for extension of time had been received from the permit holders.

4. On January 18, 1990, Proof of Beneficial Use was received by the Department from the permit holders.

5. Section 42-218a, Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the

MICROFILMED

MAR 13 1990

extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holders submitted evidence to confirm that water has been put to beneficial use. Evidence includes power service records from Idaho Power Company confirming that service was established prior to the proof due date, and three records of receipts or invoices dated from 1966 for well drilling and purchase and installation of a well pump.

7. The permit holders have stated that they simply committed an oversight and failed to submit proof at the time it was originally due. Upon filing claims in the Snake River Basin Adjudication, the permit holders discovered that the permit had lapsed and then submitted proof late and requested a reinstatement.

CONCLUSIONS OF LAW

1. The permit holders have submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holders have shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

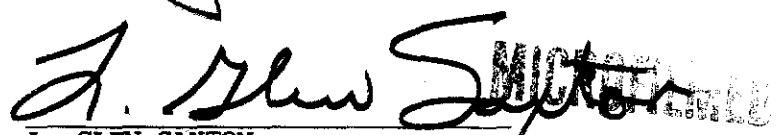
3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 63-3541 is reinstated.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to January 18, 1990.

Dated this 22nd day of February, 1990.


L. GLEN SAXTON
Chief, Water Allocation Bureau
MAR 13 1990

33174

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41336
Permit No. G- 33174
District No.

1. Name of Applicant: Melvin and Carl Huter

Postoffice address: Route #2, Twp. County: Canyon State:

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 1.0 or Idaho
Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

Source of water supply: Subterranean

3. Location of point of diversion or well is in the SE 1/4 of the NE 1/4 of Section 1

Twp. 3 N, Rge. 1 W, B.M., County of Canyon

Water is to be used for: Drainage and Irrigation

4. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the SE 1/4 of the NE 1/4 of Section 18, Twp. 3 N

Rge. 1 W, B.M.

(b) Waste water or sewage effluent is to be returned to Irrigation ditch or canal
at a point in the SE 1/4 of the NE 1/4 of Section 18, Twp. 3 N, Rge. 1 W, B.M.

Kind of works: Pumped well

Estimated cost of works: \$ 4500.00

(a) Is reservoir to be used? no

(b) Capacity of reservoir: no

The time required for the completion of such work and complete application of the water to the proposed use is
years: 1 year.

If applicant is a corporation, give:

I (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II The financial resources of the applicant are (a) Cash onhand: \$

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

12 The land to be irrigated is described in the following tabulation:

13 Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

1. Name of Applicant: Melvin and Earl Huter
Postoffice address: Route #2,ampa County: Canyon State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 1.0 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annumSource of water supply: Subterranean
3. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10
Twp. 3 N , Rge. 1 W , B.M., County of Canyon
4. Water is to be used for: Drainage and Irrigation
If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10 , Twp. 3 N
Rge. 1 W , B.M.
 - (b) Waste water or sewage effluent is to be returned to irrigation ditch or waste ditch
at a point in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 13 , Twp. 3 N , Rge. 1 W , B.M.Kind of works: Pumped well
5. Estimated cost of works: \$ 4500.00
6. (a) Is reservoir to be used? no
(b) Capacity of reservoir: no
7. The time required for the completion of such work and complete application of the water to the proposed use is
years 1 year.
8. If applicant is a corporation, give:
 - (a) Date and place of incorporation:
 - (b) Amount of capital stock: \$ (c) Amount paid in: \$
 - (d) Names and addresses of directors:
9. II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
10. The land to be irrigated is described in the following tabulation:

Existing water rights and/or valid permits appurtenant to the land to be irrigated are: 75" of water from the
inches constant flow furnished by Nampa Irrigation District.
- (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be appur-
mental to the existing water rights. Main use is for sub-surface drainage.
- (b) (cubic feet per second, inches or gallons per minute) is for new lands.
1.2

Remarks

Applicant.

Agent.

Returned to applicant for correction:

Approval of State Reclamation Engineer

Approved: _____ 1966

Work to begin on or before

and to continue diligently and uninterruptedly to completion, unless

temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before **March 12, 1967**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before September 12, 1971

Witness my hand this 19th

day of September, 1965.

/s/ R. KEITH HIGGINSON
STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, ROBERT C. SMYLLIE, Governor of the State of Idaho
and LETTIE C. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th
day of September, 1966.

Countersigned.

STATE OF IDAHO

(5FAL)

114.

W. L. CLAPP

By /s/ ROBERT E. SMYLLIE

Governer

Secretary of State.

12.

[illegible]

Rec. No. 8-10784

Form No. 3
5 M-1-65

Address all communications to:

P. O. _____

APPLICATION FOR PERMIT

TO APPROPRIATE THE SUBTERRANEAN WATERS OF THE STATE OF IDAHO

Application No. 41336

Permit No. 33174

Water District No. _____

RECEIVED
JUL 11 1968

Department of Reclamation

Name of applicant: MELVIN R. EARL HINTER

Post office address: NAMPA County CANYON State IDAHO

2. Quantity of water claimed: 10.0 cfs

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18

Twp 3N, Rge 1W, B.M., County of CANYON

5. Water is to be used for: DRAINAGE & IRRIGATION

6. If for domestic, municipal, industrial or recreational purposes give:

(a) Point of use of water is in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18

Twp 3N, Rge 1W, B.M.

(b) Waste water or sewage effluent is to be returned to IRRIGATION DITCH OR WASTE DITCH

at a point in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, Twp 3N, Rge 1W, B.M.

7. Kind of Work: Partial well for subterranean drainage irrigation

8. Estimated cost of work: \$1500

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir: 0

10. The time required for the completion of such work and complete application of the water to the proposed use is

WITHIN YEAR 1 year.

11. If applicant is a corporation, give:

1. (a) Date and place of incorporation: _____

(b) Amount of capital stock \$ _____ (c) Amount paid in: \$ _____

(d) Names and addresses of directors: _____

(Continued)

II. The financial resources of the applicant are: (a) Cash on hand: \$

(b) Treasury stock: _____ (c) Bonds to be issued: _____

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision.)

[illegible]

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 75" / sec. 40' - 100'

135 MINERS INCHES CONSTANT FLOW FURNISHED BY Nampa Meridian
(a) ⁵⁰ ~~20~~ ~~PIPS~~ (Gross feet per second, based on surface per minute) of the water herein described
IRIGATOR DIST

to be supplemental to the primary drainage system. IS FOR SURFACE DRAINAGE

(S) _____ Available Date _____

Remarks: THE MAIN PURPOSE OF THIS WELL IS FOR
SUBSURFACE DRAINAGE, HOWEVER THE WATER WILL
BE USED FOR IRRIGATION WHEN NEEDED.

This well is in the irrigation ditch & as you can see the
ditch is used by other people around it as a drainage ditch
for other water & when not used for irrigation it goes out
a drain & flows to the property. This well is going to be
all time to lower the ground water table & it is very
important that at one time well it should be
stationed regularly & get over

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.

EARL & MELVIN HINTER

Applicant

Melvin H. H. H.

Agent

Approval of State Reclamation Engineer

The number of this permit is G 33174
 Recorded in Book 116 Page 33174 Approved SEP 12 1966

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Flow in the sum of \$ _____ to be filed before _____

One-fifth of the work above specified to be completed on or before March 12, 1967

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before September 12, 1971

Witness my hand this 12th day of September 1966

L. Keith Higgins
 State Reclamation Engineer

IN TESTIMONY WHEREOF, We ROBERT E. SHULTS Governor of the State of Idaho,

and LOUIS E. CLAPP Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 12th day of September 1966

Countersigned
Louis E. Clapp Secretary of State
Robert E. Shults Governor

33174

PERMIT

Date of first receipt of office of State Reclamation Engineer

July 11, 1966 8:00 A.M.

Returned to applicant for completion

Corrected application received

Permit Fee Paid

Permit Fee Paid for this permit

Permit Fee Paid for

Permit Fee Paid for

Permit Fee Paid for

452 new

NAME OF APPLICANT EARL + MELVIN HUTER

Form No. 8

APPROVED
SEP 12 1966
33174
PLANNING ENGINEER

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Canyon

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Melvin and Earl Ruter, Route 1, Nampa, Idaho, have received an approved Permit No. 63-1174-61-3541 issued by the Idaho Department of Water Administration authorizing the diversion of 12 cubic feet per second of water from a ground water source. The priority to be established under this permit is July 11, 1966 and the permit was approved September 12, 1966.

Water is to be diverted by well from a point within the NE 1/4 Sec. 18, T. 3N, R. 1W, B.M., Canyon County, to be used for irrigation and drainage in the NE 1/4 Sec. 18, T. 3N, R. 1W, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department of Water Administration before September 12, 1971. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within 30 days of the date of publication of this notice. It is the duty of the Department of Water Administration to advise the licensing of the permit, late filing may be made prior to the date of beneficial use proof is due, with further notice.

By: KATHLEEN DUNN, Clerk
Idaho Dept. of Water Administration
STATION ONE, Boise, IDAHO
November 26, December 3, 1966

of _____, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the _____ a daily, (except Sunday) newspaper published in the City of _____, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of _____, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

_____ in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

Subscribed and sworn to before me this _____

_____ day of _____, 19 _____

William J. Kane

Notary Public, Residing at Nampa, Idaho

3311
65-51-11

pa. Idative.

Upon payment of this statement, affidavit
will be sent on last date of publication.

LAPSED

APPLICATION FOR PERMIT

To appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41236
Permit No. G- 33174
District No.

1. Name of Applicant: Edwin and Earl Butler
Postoffice address: Route 12, Nampa County: Canyon State: Idaho
2. Quantity of water claimed:
 - (a) Rate of withdrawal in cubic feet per second 1.0 or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Groundwater
4. Location of point of diversion or well is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 1
Twp. 3 N., Rge. 1 E., B.M., County of Canyon
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 10, Twp. 3 N.
Rge. 1 E., B.M.
 - (b) Waste water or sewage effluent is to be returned to Irrigation ditch or waste ditch
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 1, Twp. 3 N., Rge. 1 E., B.M.
7. Kind of works: 11
8. Estimated cost of works: \$ 10,000
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir: 0
10. The time required for the completion of such work and complete application of the water to the proposed use is
years. 1
11. If applicant is a corporation, give:
 - (a) Date and place of incorporation:
 - (b) Amount of capital stock: \$ (c) Amount paid in: \$
 - (d) Names and addresses of directors:
12. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:

The land to be irrigated is described in the following tabulation:

- Existing water rights and/or valid permits appurtenant to the lands to be irrigated are
No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 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822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097,

October 18, 1991

MELVIN HUTER
EARL HUTER
1410 N. 59TH
NAMPA ID 83687

RE: WATER RIGHT NO. 63-03541

Dear Water Right Holder(s):

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

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

RECEIVED

NOV 19 1991

MEMORANDUM

TO: File 63-3541
FROM: Sharla
DATE: October 1, 1991
RE: Rate of Flow

This permit was filed for 1.0 cfs. The theoretical calculation made by the examiner produced a discharge of 10.3 cfs. By the magnitude of this calculation, it appeared that either the pumping plant was extremely oversized for the irrigated area or else one or more components of the calculation were in error. After locating a well log and looking at the depth of the well, the component most likely in error was depth to water.

The examiner estimated 15 feet to groundwater level. However, the well log shows the depth of this well is 78 feet, the standing water level is 8 feet and the amount of drawdown in testing was 40 feet. Although no indication is given in the file as to the "pumping" water level, an assumption of 100 feet is logical (considering well depth and drawdown). With this information, the theoretical calculation is as follows:

$$25 \times 8.8 \times .7/100 + \cancel{2.31 \times 0} = 1.54 \text{ cfs}$$

This figure corresponds closely to the amount of water actually being diverted.

NOV 19 1991

RECEIVED
JUL 11 1966

REPORT OF WELL DRILLER

State of Idaho

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name McLain, Earl Huter

Address Basile 2

Hamma, Idaho

Owner's Permit No. _____

NATURE OF WORK (check): Replacement well ☐

New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: irrigation

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒

Dug ☐ Other _____

(explain)

CASING SCHEDULE: Threaded _____ Welded _____

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

Thickness of casing: 1/2" Material: _____

Steel ☒ concrete ☐ wood ☐ other ☐

(explain)

PERFORATED? Yes ☒ No ☐ Type of

perforator used: rotary

Size of perforations: _____ " by _____ "

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☒

No. ☐ size of gravel _____ Gravel

placed from _____ ft. to _____ ft. Surface seal

provided? Yes ☐ No ☒ To what depth?

_____ ft. Material used in seal: _____

Did any strata contain unusable water? Yes ☐

No. ☒ Type of water: _____

Depth of strata _____ ft. Method of sealing

strata off: _____

Surface casing used? Yes ☐ No ☒

Cemented in place? Yes ☐ No ☒

Locate well in section

Sec. _____

NOV 19 1983

LOCATION OF WELL: County _____

_____ Sec. _____ T. _____ N/S R. _____ E/W

Use other side for additional remarks

Size of drilled hole: _____ Total
depth of well: 78 Standing water
level below ground: 8 1/4 Temp
Fahr. _____ Test delivery: 1400 gpm
or _____ cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:

Length of time of test: _____ Hrs. _____ Min.

Drawdown: 40 ft. Artesian pressure: ft.

above land/surface Give flow _____ cfs

or _____ gpm. Shutoff pressure: _____

Controlled by: Valve ☐ Cap ☐ Plug ☐

No control ☐ Does well leak around casing?

Yes ☐ No ☐

DEPTH		MATERIAL	WATER YES OR NO
FROM	TO		
FEET	FEET		

LICENSE REVIEW CHECKLIST

Permit No. 63-3541

Name/Address change? ok ☒

Priority date Advance? yes no ☒
Memo to advance

Total cfs Order to reinstate needed? yes no ☒
Limited by fee ok
Limited by capacity

Total volume Limited by flow
Chart checked for AF rate/ac ✓ 4.5

Capacity Actual measurement checked
Theoretical checked
If greater than permit, check for other rts

Source Changed? yes no ☒
If so, is memo needed to clarify?

P/D Verify with map ✓ permit ✓
More than one per 1/4? Remember remark
Check p/d overlap

Uses Check irrigation period of use w/ chart

P/U Verify with map ✓ permit ✓
> 5 acres irrigated, run overlap

Remarks More than one p/d in 1/4
Description of non-irrig uses
Special overlap condition

Conditions -
Measuring device
W.Master control
Overlap 132
Water quality
Other

Dates/Misc. -
Water Dist
App Rec'd ✓
Proof Rec'd ✓

CHECK FOR ADJ. CLAIM Needed according to proof filed
Filed - needs amended
Add'l fee required
Not filed -
Not needed ✓ proof made 1990

Comments/Changes to Examiner's Recommendations:

License ✓ 10-day 30-day

Back of field report signed? ✓
Reviewer OCurtis Date 2/21/91 Review time 10 min.

WR5810NP
(OD-138)IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORTDATE: 05/20/91
PAGE: 1

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM			
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
L6303541	NO MATCHES FOR THIS POU IN AJ-POU-TEMP																									
6302388	U.S. DEPT. OF INTERIOR	L	BOISE RIVER	03N	01W	18	:	:	:	:	:	:	:	:	:	:	:	:	:	:						
A6302388	AMERICA, ACTING THROUG	L	BOISE RIVER	03N	01W	18	:	:	:	:	:	:	:	:	:	:	:	:	:							
6302537	KING	L	GROUNDWATER	03N	01W	18	:	24	35	25	20	:	:	:	:	:	:	:	:	104						
A6302537	HUTER	L	GROUNDWATER	03N	01W	18	:	30	30	22	22	:	:	:	:	:	:	:	:	104						
6302540	TIEGS	L	GROUNDWATER	03N	01W	18	:	:	:	:	:	40	40	:	:	:	:	:	:	80						
A6302540	OPP	L	GROUNDWATER	03N	01W	18	:	:	:	:	:	40	40	:	:	:	:	:	:	80						
6303541	HUTER	P	GROUNDWATER	03N	01W	18	:	40	40	5	30	:	:	:	:	:	:	:	:	115						
L6303541	HUTER	L	GROUNDWATER	03N	01W	18	:	40	40	10	25	:	:	:	:	:	:	:	:	115						
A6320787	RAE	J	GROUNDWATER	03N	01W	18	:	:	:	:	:	:	:	1	:	:	:	:	:	1						
	1986 MAPPING DATA ---	-	COUNTY 27 QUAD X 56	03N	01W	18	:	39	39	21	36	:	40	:	34	:	42	:	40	31	40	40	36	:	438	
	1986 MAPPING DATA ---	-	COUNTY 1 QUAD X 56	03N	01W	18	:	40	40	26	34	:	42	:	32	:	43	:	42	:	39	40	39	33	:	450

WR0722NP
(OD-22)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

DATE: 05/20/91
PAGE: 1

WATER RIGHT NO.	LAST NAME	STG	PRIORITY DATE	P F	WATER SOURCE	WATER USE	RATE cfs	CAPACITY	TWP	RNG	SECT	TRACT	LOT
63-03541	HUTER HUTER	P	01/18/1990		GROUNDWATER	IRR	1.00		03N	01W	18	SENE	
L63-03541	HUTER HUTER	L	01/18/1990		GROUNDWATER	IRR	1.00	1.34	03N	01W	18	SENE	

19-S.A.
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

63-3541
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

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

☒ Blank Field Report Form

☒ Copy of Permit

☒ Copies of any Amendments/Orders with conditions of approval (*Order of Reinstatement dated 2-22-90*)

yes Well Inspection Form Needed

☒ Copy of U.S.G.S. Quad

No lots Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index MTS 6-8-90 (Initial and date)

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

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

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index MTS 6-8-90 (Initial and date)

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

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: Interstream well used at same place of use - 63-2537

Aerial Photo

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

Scheduling Letter sent? 6-4-90 (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

☒ Fully completed and signed Field Report Form

☒ Photographs of Point of Diversion and Place of Use

C. Review and Processing:

Exam Completed _____ (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent CH 1-15-91 (Initial and date)

Exam Reviewed by Manager of Regional Office DM 2/14/91 (Initial and date)

Exam Date Entered in Computer ✓ (Initial and date)

Exam sent to State Office 2-15-91 JT (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 19 1991

A. GENERAL INFORMATION

Permit No. 63-3541

1. Owner: Melvin & Earl Huter
Current Address: 1410 N. 59th, Nampa, Idaho 83687

Phone No. 466-3853

2. Accompanied by: Melvin Huter
Address: same
EXAM. DATE: 6-12-90
Phone No. _____

Relationship to Permit Holder: same

3. Source: groundwater tributary to None

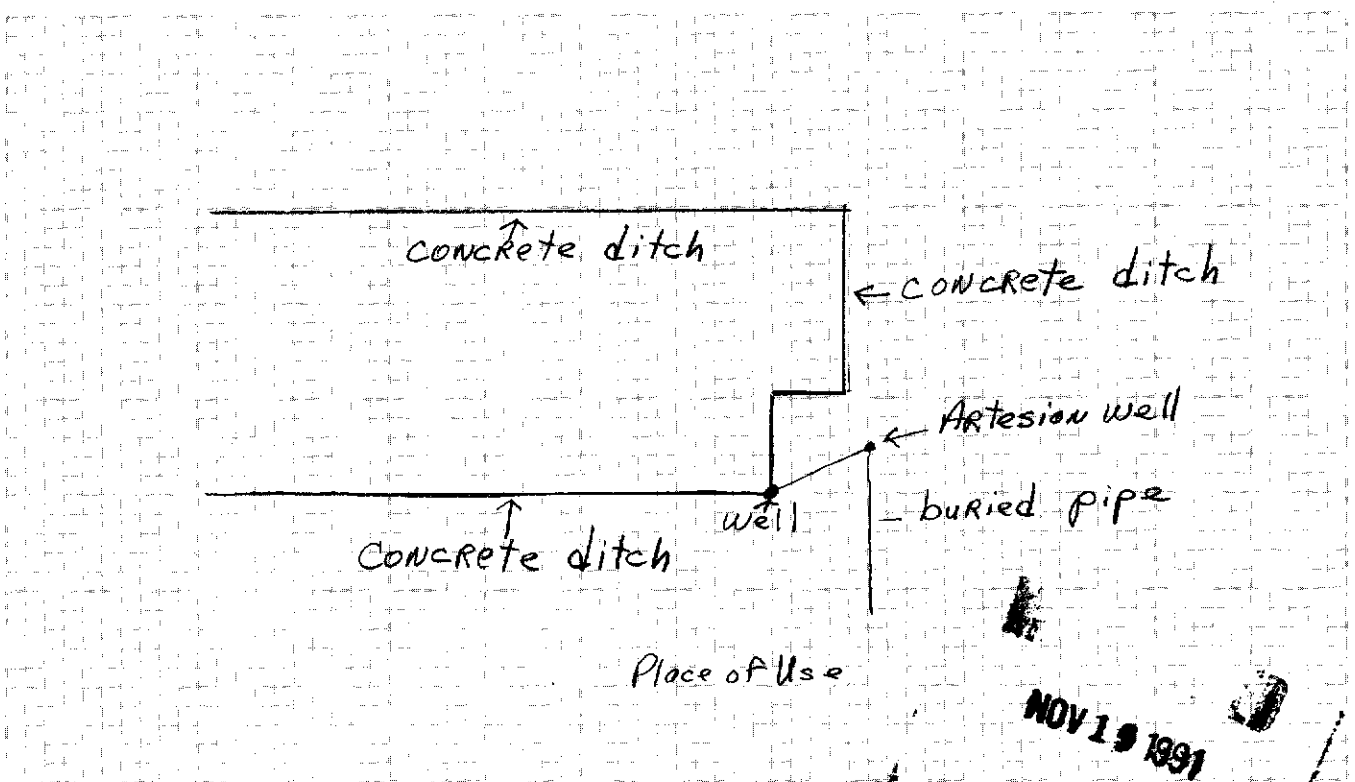
B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-2537
_____ ☒ Copies Attached

2. Other water rights with same point of diversion: None
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = not to scale

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The system consists of a 25 Hp pump with an 8" open discharge to a concrete ditch. The concrete ditch flows West and North from the well. Water is provided to the fields by siphon tubes. Water supplements water from an artesian well and provides water to approx 10.5 acres on the south side of I 84 by an underground line.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	U.S. Motors	25	R3921587	Layne-Brook	8" 44313

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	18	3N	1W	Canyon	Ortho photo map

6. **Place(s) of Use:**

Indicate Method of Determination *aerial photo*

Twp.	Rge.	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	
3N	1W	18	40	40	10	25													115

Do not use this space

RECORDED

NOV 19 1991

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

5 gallons in .5 seconds.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: $5 \text{ gal} / .5 \text{ sec} \times \frac{60 \text{ sec}}{1 \text{ min}} = 600 \text{ gpm} = 1.34 \text{ cfs}$
license limit $\underline{1 \text{ cfs}}$

2. Alternate Method for Checking Purposes:

see theoretical calculations

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

$$115 \times 4.5 = 517.5$$

see theoretical attached to

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.0 \times 246 \times 1.9835 = 487.9$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{487.9}$

2. Volume Calculations for Other Uses:

NOV 19 1991

Theoretical volume is greater than calculated
so no measurement required, however one was
taken

H. REMARKS AND OVERLAP REVIEW ANALYSIS

License # 63-2537 is the artesian well that is part of the water used for the place of use of this permit # 63-3541. Waters received 63-2537 when they purchased the land from George King.

*→ Recommend license for 63-3541 approved on the condition that all rights combined not exceed .02 CFS per acre and priority date be advanced to the date the proof of beneficial use was received.

Note: groundwater levels were checked at 4 sites in pipes installed by SC5 within 100 yds of well location and provided groundwater depths of 11', 9', 9' + 0.5'. Draw-down was estimated at 5'-6' during operation of system.

Due to the large variation between the Irrigation Requirement and theoretical AFA a 5 gallon bucket measurement was performed.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	1.0	517.5 487.9
Totals:			1.0	517.5 487.9

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
- ☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None

☐ Other

J. AUTHENTICATION

Field Examiner's Name

Melvin T. Schulte

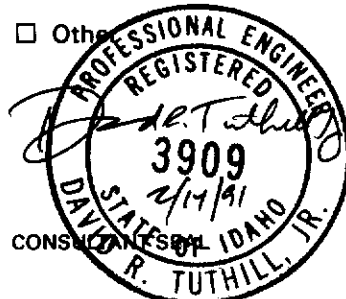
Signature

Melvin T. Schulte

Certification Date

7-6-90

Field Report Preparation Date



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

NOV 19 1991

IRRIGATION RIGHT FROM A GROUND WATER SOURCE

A theoretical calculation is necessary to determine if a measurement is required for irrigation from a groundwater source.

=====

1. Using the found acres (or an estimate by the permit holder) calculate the acre-foot per annum limit. This is the volume that the system must be able to theoretically produce to exclude a rate of flow measurement.
2. Next, given the pump hp and the estimated dynamic water level, calculate the theoretical rate of flow that the system can produce.
3. Using the rate found in step 2 and the days in the permitted irrigation season, calculate the theoretical AFA that the system could produce. This volume is then compared to the first AFA calculation. If the theoretical volume (step 3) is greater than the irrigation requirement volume (step 1) then no measurement is necessary. If it is less, then you must make a diversion rate measurement during the field examination.

1.
$$\frac{115}{\text{Found Acres}} * \frac{4.5}{\text{Irr. Req.}} = \frac{517.5}{\text{AFA}}$$
2.
$$\frac{(25) \text{ HP} * 8.8 * (.7) \text{ EFF}}{(15) \text{ Dyn Level} + (2.3 * \{0\} \text{ PSI})} = \frac{10.3}{\text{Theor. Div. Rate}} \text{ CFS}$$
 however, limited by license to 1.0 CFS
3.
$$\frac{10.3}{\text{Theoretical Div. Rate}} * \frac{246}{\text{Days in season}} * 1.9835 = \frac{5,026.8}{\text{AFA}}$$

Note: for electrical motors
EFF = 0.70
for diesel motors
EFF = 0.60

Data Requires Verification ☐
Measurement Required -- ☐
Measurement Not Required ☒

Calculation data sources:

Found acres = 114.6 per aerial photo & confirmation by owner
HP = 25 - field exam
Dyn Level = Measured groundwater level at 4 locations during exam
PSI = 0 - open discharge

$1 \text{ CFS} * 246 * 1.9835 = 487.9$ ~~AFA~~
Smaller value

NOV 19 1991

State of Idaho
Department of Water Resources

MEASUREMENT DEVICE REQUIREMENT DETERMINATION
FOR IRRIGATION FROM A GROUNDWATER SOURCE

Permit No. 63-3541

If your permit is an irrigation right from groundwater and your system is designed to satisfy the volume requirements of the permit the measurement device requirement for your permit may possibly be removed.

To determine if your system is capable of satisfying the volume requirements we will need the following information.

Total acres irrigated from this system (well)	<u>116-A</u>
Depth to the water level in the well -- --	<u>445' - 2nd</u> <u>210' - Spring</u>
Pump horsepower -- -- -- -- --	<u>25 hp</u>
System operating pressure if it is a closed system -- -- -- -- --	<u>—</u>

Per call from Nelson Winter

Please have this information available when you contact the Department to schedule the field examination.

NOV 19 1991

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 03-3541

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 3N, Rge 1W, Sec. 18, NE1/4 SE1/4 or Lot ____.

2. Owner: Melvin & Earl Huter

Address 1410 N. 59th, City Omaha, St NE

3. Casing $\geq$ 12 inches above ground: Yes _____ No _____

4. Access Port: Yes _____ No ☒ Static Water Level: 10'
Pressure Gauge: Yes _____ No ☒ Casing Diameter: 8"
Flowing: Yes _____ No ☒ Temperature: _____

5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes _____ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: _____

NOV 19 1991

1.27
3370
PERMIT 63-3541 INIT MTS
T. R. S. Q/Q
P/D 3N 1W 18 SE NE
SCALE _____
PHOTO ID. _____

T2198

60.9

P/U

67.0

2
28.1

P/D

P/U

T3285

T2713

T2714

T2719

T2714

T2716

2 3
4.0 8.5

5
10.3

3.2

3.6

4.5

18 6.3

10
4.5

9
5.7

3.7

10

2.8

3.8

1.6

1.6

2.0

19 1997

PERMIT 63-3541 INIT MTS
T. R. S. Q/Q
P/D 3W 1W 18 _____
SCALE _____
PHOTO ID. 456 _____

PERMIT 03-3541 INIT MTS
T. R. S. Q/Q
P/D 3N 141 18 SENE
SCALE _____
PHOTO ID. X57

03-3541

$$115 A \times .02 = 2.3 cFs = 1.2 -$$

$$\text{Otesean Well under } 03-2537 (\text{King}) = 1.3 cFs \quad (65'')$$

$$\text{Nampa-Mendocino (per app. for } 03-3541) = 2.7 cFs \quad (135'')$$

RECEIVED

NOV 19 1991

63-3541



Picture #1
Well head & Pump



Picture #2
Place of diversion
and place of fuse
Looking North and
West.

NOV 19 1991

63-3541



Picture #3

Pump and 8" open
discharge line.

NOV 19 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 26, 1990

RE: Permit No. 63-3541

Melvin and Earl Huter
1410 N. 59th
Nampa, ID 83687

Dear Permit Holder(s):

We acknowledge receipt of the statement of beneficial use and the supporting documentation for reinstating the above referenced permit. Before a license can be issued, a field examination will be made by a representative of this Department. Enclosed is an Order of Reinstatement. Please note that the priority date has been advanced to January 18, 1990.

If you have any questions regarding this matter, please contact this office or our Western Regional Office at 334-2190.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:js

Enclosure

MICROFILMED

MAR 13 1990

Feb 12, 1990

Dear Tim

I'm answering your letter on Well Permit No. 63-3541 of reasonable cause of why proof of beneficial use was ~~not~~ filed late and my answer is oversight.

I'm sorry to have caused you this problem and hopefully to get our well reinstated

Melvin A. Husted

RECEIVED

FEB 12 1990

Department of Water Resources

MICROFILMED

MAR 13 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 8, 1990

RE: Permit No. 63-3541

Melvin and Earl Huter
1410 N. 59th
Nampa, ID 83687

Dear Permit Holder(s):

The Department received your proof of beneficial use statement for the above referenced permit on January 31, 1990. The permit lapsed on October 5, 1971, so the 60-day late period during which the permit can be readily reinstated has passed.

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can now be reinstated only if you submit the following:

a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date.

b) Reasonable cause why the proof of beneficial use was filed late.

The evidence you submitted with the beneficial use statement is adequate for determining commencement and extent of use prior to the 1971 proof due date. As per part B above, you must still submit a written statement providing reasonable cause as to why proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

Please feel free to contact this office if you have additional questions.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

Enclosure

MICROFILMED

MAR 13 1990

RECEIVED

JAN 31 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 100
Date JAN 18 1990
Receipt No. W007718 + 7717
Received by JW

Department of Water Resources

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. 63-3541Telephone No. 466-1018 EARL
466-3853 MELVINName(s) of Permit Holder(s): Melvin + EARL HuterPost Office Address: 1410 N 59th Nampa. 83687Source of Water: GROUNDWATERIf ground water, well driller's name: DAVIS WELL DRILLING Date drilled: JULY 5 (JFW)
4-1/- 1966Extent of Use:
Domestic _____ (No. of households) Irrigation 115 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____Total rate and/or volume for which proof is submitted 1.0 cfs _____ acre/feetShow date water was first diverted and beneficially used under this permit: 7/25/
5/1/1966

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

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

OR

Flow Measurement Port: Required? Yes No Installed? Yes NoFee Enclosed: \$ 100⁰⁰ (See License Examination Fee Schedule)

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

Name EARL OR Melvin Huter Telephone No. SAME AS above.
1410 N 59th Nampa 83687 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.

Date Jan 18 1990Signature (and title if on behalf of a company or organization)
Earl Huter Melvin A. Huter**RECORDED**
MAR 13 1990

RECEIVED

JAN 31 1990

TO: TIM LUKE

FROM: JOHN WESTRA, WESTERN REGION

Department of Water Resources

SUBJECT: Lapsed Permit #63-3541

In filing their adjudication claims Melvin and Earl Huter of Nampa realized that Permit #63-3541 had lapsed. The proof of beneficial use and exam fees had not been submitted. They felt it had been an oversight on their part, as neither could recall any reason they would let the permit lapse. The partners would like to reinstate the permit submitting proof of beneficial use and fees required.

Attached are copies of well construction, pump, and power billing invoices as proof of use and development.

Please contact me if you have any questions.

Thank you,
John

MICROFILMED

MAR 13 1990

BOX 640 • PHONE 733-3284
TWIN FALLS, IDAHO

Invoice 7-6-P-2658

Date 7-6 19 66

Cust. Order No. _____

Our P. O. No. _____

Date Desired_____

MICROFILMED
MAR 13 1990

TERMS — Net 10th prox. — 8 % interest per annum will be charged on past due accounts after 30 days.

DAVIS WELL DRILLING

273 DAVIS AVE.

Domestic and Irrigation Wells Pump Installation

PHONE 466-6119
OR 466-5765

NAMPA, IDAHO

July 5-1966

Melvin & Earl Huter
Route 2
Mammoth, Idaho

TERMS CASH: CREDIT IS ADVANCED FOR YOUR CONVENIENCE. DO YOUR PART BY PAYING PROMPTLY.

ITEM		CHARGE		CREDIT	BALANCE	
22 $\frac{1}{2}$ ft	24" casing	11	75		262	38
78 $\frac{3}{4}$ ft	16" casing	7	75		601	31
8 ft	8" casing	3	00		24	00
22 ft	24" drilling	12	00		264	00
56 ft	16" drilling	8	00		448	00
Total					1608	69

MICROFILMED

MAR 13 1990

IDAHO POWER COMPANY

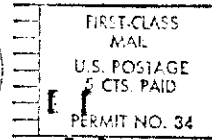
P. O. BOX 30, BOISE, IDAHO 83707

RETURN
POSTAGE
GUARANTEED

I WORKED
ALL THESE HOURS



FOR ONLY
THIS MUCH PAY



READING DATES		FOR INFORMATION REGARDING YOUR ACCOUNT, RATES OR SERVICE, CALL THE NAMPA OFFICE.				
PREVIOUS	PRES.					
0910100970		MELVIN HUTER IRR				
24	41850	17	900	2080	12973CR	
TOTAL AMOUNT DUE						
1045557011027						108.93CR

MELVIN HUTER IRR

RT 2

NAMPA ID 83651

1045557011027 10893-

BOX 30-BOISE, IDAHO 83707

IDAHO POWER COMPANY

P. O. BOX 30, BOISE, IDAHO 83707

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I WORKED
ALL THESE HOURS



FOR ONLY
THIS MUCH PAY

READING DATES		FOR INFORMATION REGARDING YOUR ACCOUNT, RATES OR SERVICE, CALL THE NAMPA OFFICE.				
PREVIOUS	PRES.					
0811091070		MELVIN HUTER IRR				
24	40950	17	5220	7260	20233CR	
TOTAL AMOUNT DUE						
1045557010928						129.73CR

MELVIN HUTER IRR

RT 2

NAMPA ID 83651

1045557010928 12973-

BOX 30-BOISE, IDAHO 83707

IDAHO POWER COMPANY

P. O. BOX 30, BOISE, IDAHO 83707

RETURN
POSTAGE
GUARANTEED

I WORKED
ALL THESE HOURS



FOR ONLY
THIS MUCH PAY

READING DATES		FOR INFORMATION REGARDING YOUR ACCOUNT, RATES OR SERVICE, CALL THE NAMPA OFFICE.				
PREVIOUS	PRES.					
0706071070		MELVIN HUTER IRR				
24	34980			108MN	24200CR	
TOTAL AMOUNT DUE						
1045557010728						240.92CR
SERVICE ADDRESS						
Explanation of symbols		CUSTOMER NO.		PAID DATE		TOTAL AMOUNT DUE
CR Credit		1045557010728				240.92CR
SC Short						
A Advance						
AR Advance						
E Electric						
E Electric						

MELVIN HUTER IRR

RT 2

NAMPA ID 83651

1045557010728 24092-

BOX 30-BOISE, IDAHO 83707

MICROFILMED
MAR 13 1990

IDAHO POWER COMPANY

P. O. BOX 30, BOISE, IDAHO 83707



FOR INFORMATION REGARDING YOUR
ACCOUNT, RATES OR SERVICE, CALL THE
NAMPA OFFICE.

1008110971MELVIN HUTER IRR

24 78940 17 5220 7049
1812CR

TOTAL AMOUNT DUE

1045557011126 52.37

IDAHO POWER COMPANY

P. O. BOX 30, BOISE, IDAHO 83707



RETURN
POSTAGE
GUARANTEED

I WORKED
ALL THESE HOURS

FOR ONLY
THIS MUCH PAY

READING DATES		FOR INFORMATION REGARDING YOUR ACCOUNT, RATES OR SERVICE, CALL THE NAMPA OFFICE.			
PREVIOUS	PRESENT	712 81071MELVIN HUTER IRR			
RATE	READING	DEMAND	KWH USED	AMOUNT	DATE
24	64050	17	10910	10313	

TOTAL AMOUNT DUE

1045557010826 103.13

IDAHO POWER COMPANY

P. O. BOX 30, BOISE, IDAHO 83707



FOR INFORMATION REGARDING YOUR
ACCOUNT, RATES OR SERVICE, CALL THE
NAMPA OFFICE.

511 61071MELVIN HUTER IRR

24 50220 427

TOTAL AMOUNT DUE

1045557010628 4.27

IDAHO POWER COMPANY

P. O. BOX 30, BOISE, IDAHO 83707



FOR INFORMATION REGARDING YOUR
ACCOUNT, RATES OR SERVICE, CALL THE
NAMPA OFFICE.

610 71271MELVIN HUTER IRR

24 53140 17 2920 6146

TOTAL AMOUNT DUE

1045557010728 61.46

IDAHO POWER COMPANY

P. O. BOX 30, BOISE, IDAHO 83707



RETURN
POSTAGE
GUARANTEED

I WORKED
ALL THESE HOURS

FOR ONLY
THIS MUCH PAY

READING DATES		FOR INFORMATION REGARDING YOUR ACCOUNT, RATES OR SERVICE, CALL THE NAMPA OFFICE.			
PREVIOUS	PRESENT	0710081170MELVIN HUTER IRR			
RATE	READING	DEMAND	KWH USED	AMOUNT	DATE
24	35730	17	750	3859 24092CR	

SERVICE ADDRESS

Explanation
of Symbols

CR - Credit
S - Service
MD - Month Due
A - Amount Due
P - Previous Billing
E - Electric Heat Contract

CUSTOMER NO

PAST DUE
ON

TOTAL AMOUNT DUE

1045557010827

202.33CR

PLEASE BRING ENTIRE BILL WHEN PAYING BY CHECK



FIRST CLASS
MAIL

U.S. POSTAGE

1 CTS PAID

PERMIT NO. 34

MELVIN HUTER

RT 2

NAMPA ID 83651

MICROFILMED

MAR 15 1980

1045557010827

20233

PLEASE SEND MAIL PAYMENTS WITH THIS BILL TO
BOX 30-BOISE, IDAHO 83707

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

October 5, 1971

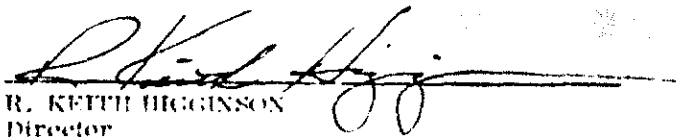
Re: Permit No. G-33174/63-3541

Melvin & Earl Huter
Route 2 - Box 259A
Nampa, Idaho 83651

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code,
Permit 63-3541 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a
showing of reasonable cause within sixty days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:DR

63-3541

July 1, 1971

CERTIFIED MAIL # 22901

Re: Permit No. G-33174/63-3541

Malvin & Earl Huter
Route 2 - Box 259A
Nampa, Idaho 83651

Gentlemen:

One of the conditions of approval of your water Permit No. G-33174/63-3541 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 12, 1971. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.


R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

63-3541

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐	Show to whom, date and address where delivered	☒	Deliver ONLY to addressee
--------------------------	--	-------------------------------------	---------------------------

RECEIPT

Received the numbered article described below.

ART. NO.	1	SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
DATE DELIVERED		
INVOICE NO.	2	
DATE DELIVERED	3	SHOW WHERE DELIVERED (only if requested)

63-3541

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to restrict delivery, or to have the address of delivery shown on this receipt, check block(s) on other side. Minimum payment ends and attach this card to back of article.

RETURN
TO

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX 2
BOISE IDAHO 83707

POD Form 3511 Apr 1969 40-10-110-1

October 21, 1970

Re: Permit No. G-33174/63-3541

Melvin and Earl Huter
Route #2
Nampa, Idaho

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McElldowney
Appropriation Supervisor

DWM/DG
Enc: order
advertising package

33174
63-3541

RECEIVED

NOTICE OF EXISTING WATER PERMIT

12 1970

Notice is hereby given that Malvin A. and Earl Ruter, Sons, Inc. Idaho, have been received an approved Permit No. G-33174/63-3541 issued by the Idaho Department of Water Administration authorizing the diversion approximately of 1.0 cubic feet per second approximately of water from a ground water source. The priority to be established under this permit is July 31, 1966 and the permit was approved September 12, 1966.

Water is to be diverted by well from a point within the SE1/4 Sec. 18, T. 3N, R. 1W, B.M., Canyon County to be used for irrigation and drainage in the NE1/4 Sec. 18, T. 3N, R. 1W, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before September 12, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Idaho Free Press, Nampa, Idaho on November 26, and December 3, 1970.

Permit No. G-33174/63-3541

Director

You are hereby authorized to have the above notice published at my expense in the Idaho Free Press of Nampa, Idaho published in the county in which the works are situated.

Malvin A. Ruter (Signature) Earl Ruter, Sons, Inc. (Address)
Nov 9, 1970 (Date)

November 16, 1970

The Idaho Free Press
Post Office Box # 88
Pampa, Idaho 83651

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our 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 date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by Melvin A. Huter, Route,
Pampa, Idaho, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

88174
88-5541

November 16, 1970

Re: Permit No. G-33174/63-3541

Melvin and Earl Huter
Route # 2
Hampa, Idaho 83651

Gentlemen:

The legal notice for the above-referenced permit is being published in the
Idaho Free Press, Hampa, Idaho on November 26,
and December 3, 1970

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

DWM:CH

63-3541
33174

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-33174/63-3311)

in the name of MELVIN AND ELEANOR

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31,
1967; and,

WHEREAS, on August 1, 1965, the Department of Water Administration adopted Rules
of Practice and Procedure for the processing of such permits issued prior to May 31,
1967; and,

WHEREAS, Permit No. G-33174 was issued previous to that date

NOW THEREFORE, the requirements for completion of the above numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

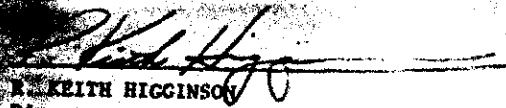
1. The above numbered permit will be completed under the terms of Chapter 12,

Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature

2. The conditions of the above numbered permit are modified as follows:

a. Notice of the issuance of the permit will be published at the
permit holders expense for two weekly issues in the official
newspaper of the county in which the point of diversion is located.

Dated this 12th day of October, 1967


KEITH HIGGINSON
Director

153-33174/1
10-11-67

December 7, 1970

Re: Permit No. G-33174/63-3541

Melvin and Earl Huter
Route #2, Box 259A
Nampa, Idaho 83651

Gentlemen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until September 12, 1971, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

63-3541
33174

September 26, 1966

Re: Permit No. 6-33174

Melvin and Earl Hater
Route #2
Hampden, Idaho

Gentlemen:

We enclose Permit No. 6-33174 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~XXXXXXXXXXXX~~ Departmental Receipt No. 6-10784 which was issued covering payment in the amount of \$ 5.50 for the filing fee of the above mentioned permit., was given to you at the time you were in our office.

Very truly yours,

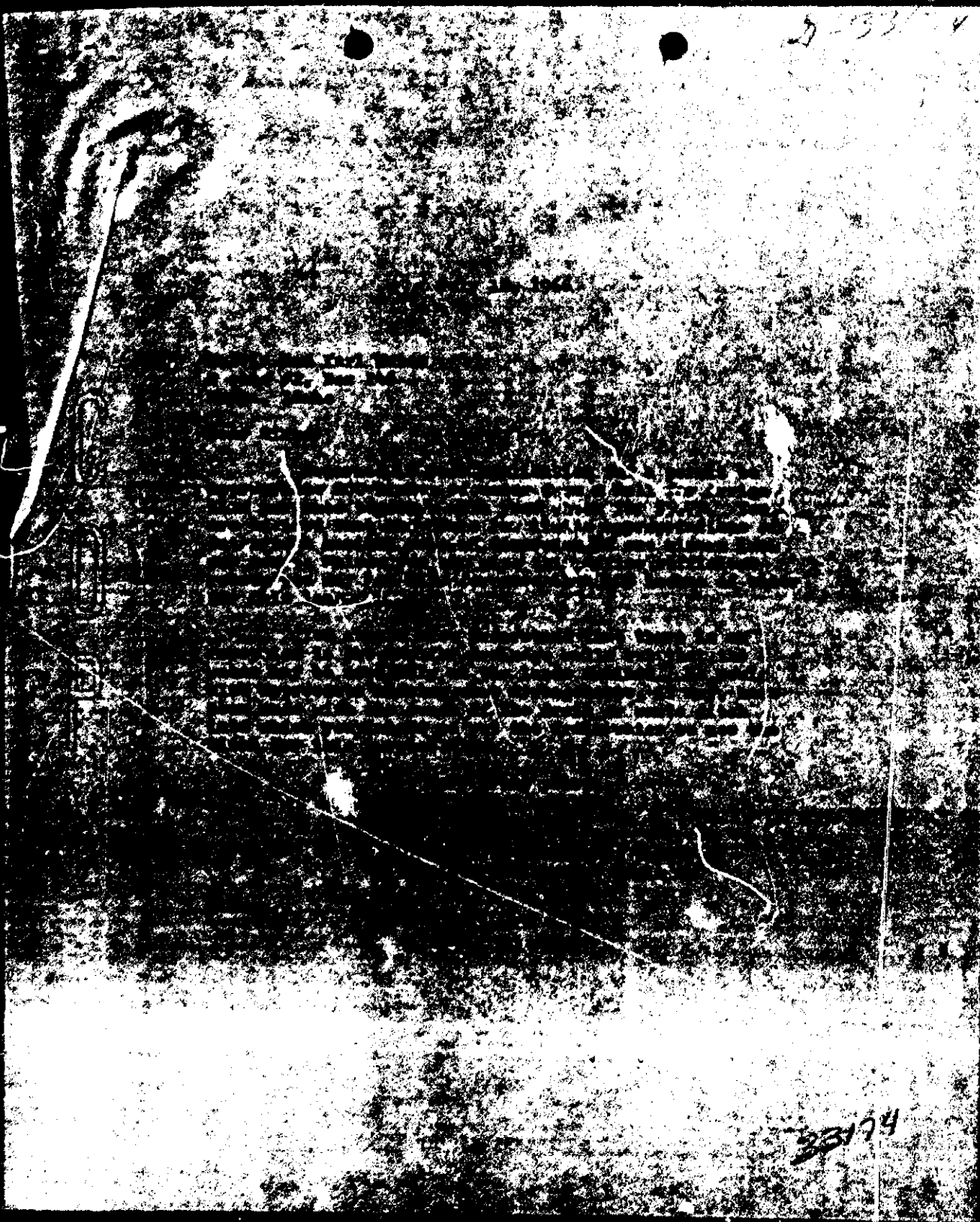
Enc. permit

H. RUSSELL BOSCH
Office Manager

MRS:jw

33174

3374



3374

ROBERT L. SAMPSON
Governor



CARE E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
167 STATE HOUSE
BOISE, IDAHO 83726

July 12, 1966

Melvin and Earl Hater
Route #2, Box 295
Nampa, Idaho

B. 33174

Dear Sirs:

Returned is your application for a permit to appropriate 200 inches of water from a well for irrigation purposes together with your check for \$5.75. You are advised that the Idaho law limits appropriations of water to a maximum rate of diversion of one miner's inch per acre. Unless you can give this office sufficient reason you may not file for more than 105 inches of water for this land.

You should also understand that there is an exception in the law for drainage wells but that the water may be used only on the lands drained. We would also appreciate knowing what arrangements, if any, have been made with the owner of the drain or waste ditch into which you intend to put the drain water to use the ditch for this purpose.

Very truly yours,

Handwritten signature of Care E. Tappan.
CARE E. TAPPAN, Deputy
State Reclamation Engineer

RKH:ew

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