

**AFFIDAVIT
OF
PUBLICATION**

STATE OF IDAHO, }
COUNTY OF BOISE } S.S.

T. R. Adams, being
duly sworn, deposes and says:
That he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City, in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

once a week for Two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning
with July 10, 1969

and ending with the issue of
July 17, 1969

Fees \$ T. R. Adams

Subscribed and sworn to before

me this 21 day of Sept

1970

Frank Browney
Clerk District Court

Deputy

Notary Public

Idaho County, Idaho

**NOTICE OF EXISTING
WATER RIGHT**

Notice is hereby given that
Lewis E. Rowell, Box 4033, Ida-
ho City, Idaho, has received an
approved permit No. 32370 OK 8-10-70
issued by the Idaho State Reclam-
ation Department authorizing
the diversion of 0.02 cubic feet
per second of water from an un-
named spring, tributary of Mor-
es Creek subject to all prior
rights. The priority to be estab-
lished under this permit is May
21, 1965 and the permit was ap-
proved May 24, 1965. Water is
to be diverted by storage tank
and pipe from a point within the
NE 1/4 SW 1/4, Sec. 25, T. 5N., R.
4E., B.M. Boise County to be
used for domestic purposes in
the SE 1/4 NW 1/4, Sec. 25, T. 5N.,
R. 4E., B.M.

Proof of the application
of the water to beneficial
use is to be submitted to the
Department on or before May
24, 1976. Any protests against
the issuance of a license for the
above referenced permit should
be filed with the Department of
Reclamation within ten (10)
days of the last date of publica-
tion of this notice or prior to
the licensing of the permit. Lic-
ensing may commence prior to
the date beneficial use proof is
due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Pub.. July 10 - 17, 1969

62-3449
32370

AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO

COUNTY of BOISE

} ss.

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regular issue of every number of
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and time of publication, and was
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per and not in a supplement;
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lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issues beginning

with July 10, 1969

and ending with the issue of

July 17, 1969

Fees \$.....

T.R. Adams

Subscribed and sworn to before

me this 5 day of Sept

1969

Kathleen M. Dugan
Clerk District Court

Deputy

PAGE FOUR

NOTICE OF EXISTING
WATER RIGHT

Notice is hereby given that
Lewis E. Rowell, Box 4033, Ida-
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per second of water from an un-
named spring, tributary of Mor-
es Creek subject to all prior
rights. The priority to be estab-
lished under this permit is May
21, 1963 and the permit was ap-
proved May 24, 1965. Water is
to be diverted by storage tank
and pipe from a point within the
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 5N., R.
4E., B.M. Boise County to be
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Reclamation within ten (10)
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tion of this notice or prior to
the licensing of the permit. Lic-
ensing may commence prior to
the date beneficial use proof is
due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Pub. July 10 - 17, 1969

Received
9-10-69
Dept. of Reclamation
OK

63-3449
32370

R 4 E



Q measured 102
Q recommended .02
Volume .57 → 1.2 *PSA*

Acreage -
Found 1 or less
recommended 11
Subdv. 1

Amendments

- ☒ None
☐ P.D.
☐ Place of use
☐ _____

NAME OF APPLICANT

Lewis D. Rowell

Form No. 0

R 4 E

T
S
N

25
Spring

Permit Map No. 32370
As Approved
CARL E. TAPPAN MAY 24 1965
State Reclamation Engineer

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32370/63-3449 Priority May 21, 1965 Amount 0.02 cfs

THIS IS TO CERTIFY, that LEWIS D. ROWELL
of Idaho City, Idaho, has complied with the terms and conditions of Permit
No. 32370/63-3449 issued pursuant to Application for Permit dated May 21, 1965,
and has submitted proof to the Department of Water Administration on August 3, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from an unnamed spring
tributary of Mores Creek, is hereby confirmed in the following amounts:
Amount 0.02 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 0.02 cfs of water be diverted at
any one time, said waters to be diverted within the _____
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25, Twp. 5 N, Rge. 4 E, B.M.
in the county of Boise, and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1.2 acre feet per year ~~xx~~

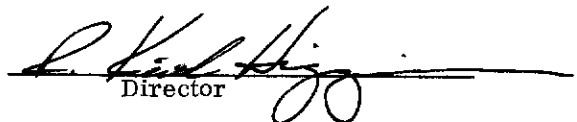
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 N	4 E	25							X										

Total number of acres irrigated _____

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 14 day of
March, 19 73.


Director

63 3449

**AFFIDAVIT
OF
PUBLICATION**

STATE OF IDAHO, }
COUNTY OF BOISE } S.S.

T. R. Adams, being
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lished and regularly and contin-
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this notice. Such notice was pub-
lished in the issue beginning

with July 10, 1970
and ending with the issue of

July 17, 1970

Fees \$ T. R. Adams

Subscribed and sworn to before

me this 21 day of Sept
1970

Frank H. Brown
Clerk District Court

Deputy

Notary Public

Boise County, Idaho

NOTICE OF EXISTENCE

Lewis E. Rowell, D.R. 1965, Ida-
ho 000, has received an
approved permit No. 10000
issued by the Idaho State Reclam-
ation Department authorizing
the diversion of 0.05 cubic feet
per second of water from an un-
named spring, tributary of Mor-
ce Creek subject to all prior
rights. The priority to be estab-
lished under this permit is May
21, 1965 and the permit was ap-
proved May 24, 1965. Water is
to be diverted by storage tank
and pipe from a point within the
SE 1/4 Sec. 25, T. 5N., R.
1E., S.M. Boise County to be
used for domestic purposes in
the SE 1/4 Sec. 25, T. 5N.,
R. 1E., S.M.

Proof of the application
of the water to beneficial
use is to be submitted to the
Department on or before May
24, 1970. Any protests against
the issuance of a license for the
above referenced permit should
be filed with the Department of
Reclamation within ten (10)
days of publication of this notice or prior to
the licensing of the permit. Lic-
ensing may commence prior to
the date beneficial use proof is
due without further notice.

E. J. HIGGINSON

OK
8-10-70

63-2449
32370

Application For Permit To Appropriate the Public Waters of the State of Idaho

63- 2411

APPLICATION No. 40519
PERMIT No. 32370
DISTRICT No.

1. Name of Applicant: Lewis D. Rowell

Postoffice address: Idaho City

County: Boise

State: Idaho

I. 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:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 0.02 cubic feet per second.

3. Source of water supply: Spring which is a tributary of Mores Creek

4. Location of point of diversion: feet distant from the

corner of Section 25, T. 5 N., R. 4 E., B.M., and is in the NE SW

of section 25, T. 5 N., R. 4 E., B. M., County of Boise

5. Water is to be used for Domestic

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section ~~25~~ 25, T. 5 N., R. 4 E., B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Storage tank and pipe

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None - See No. 32371

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

By Manetta G. Rowell Agent.

Corrected application received:

The number of this permit is 32370
Recorded in Book 113 Page 32370 Approved May 24, 1965
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 on or before
Work to begin on or before July 24, 1965 and to continue diligently and uninterruptedly to completion,
unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before November 24, 1967
The whole of said work to be completed on or before May 24, 1970
Beneficial use of water appropriated in accordance herewith, to be made on or before May 24, 1976

s/ CARL E. TAPPAN
State Reclamation Engineer.

day of May, 1965
Countersigned:

STATE OF IDAHO

s/ By: Paula L. Fleenor
Deputy Secretary of State

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

LICENSE ISSUED FOR 0.02 SEC. FT.
 LICENSE PAGE NO. _____

LICENSE ISSUED FOR 0-02 SEC. FT.
 LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

dg
OK
9-27-76

1. a) Name of Permit Holder Lewis D. Rowell
b) Post Office Address Box 4033, Idaho City, Idaho 83631
2. Permit Number ~~32371~~ 32371/63/3450 32370/63-3449
3. Date of Priority that you are prepared to establish May 24, 1965
4. a) Source from which water was appropriated Spring, Sec 25, T5N., R4E., NESW
b) Location of the point of diversion: NE 1/4 SW 1/4, Section 25
Township 5^N, Range 4E. Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 0.02 cfs for domestic purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from Jan 1 to Dec 31 ea. yr.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.02 cfs cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pipe line to storage tank to dwelling.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed _____

*Exam typed
September 30, 1976*

63-3450
32371

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated _____

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

ESTATE OF LEWIS D. ROWELL, deceased

July 16, 1970
(Date)

By Marionette G. Rowell
(Signature) Executrix of the will of the Deceased

State of Idaho)
County of Boise) ss.

On this 16th day of July, 19 70, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Steve Wilkerson
Notary Public residing at Idaho City, Idaho

My commission expires April 2, 1971

**AFFIDAVIT
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STATE OF IDAHO

COUNTY of BOISE

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and ending with the issue of

July 17, 1969

Fees \$.....

T.R. Adams

Subscribed and sworn to before
me this *3* day of *Sept*

1969

James M. Bryan
Clerk District Court

Deputy

PAGE FOUR

**NOTICE OF EXISTING
WATER RIGHT**

Notice is hereby given that
Lewis E. Powell, Box 4933, Ida-
ho City, Idaho, has received an
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ued by the Idaho State Reclam-
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NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 5N., R.
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R. KEITH HIGGINSON
State Reclamation Engineer
Exp. July 19 - 17, 1976

*Received
9-10-69
Dept. of Reclamation
OK*

*63-2449
32370*

WRD417

WATER RIGHTS PROOF READING REPORT

04/03/85

PAGE 1

WATER RIGHT NUMBER 63-3449

OWNER LAST NAME - ROWELL
ADDRESS LINE 1 - P.O. BOX 4033
ADDRESS LINE 3 -

SOURCE - SPRING

STAGE - LICENSE
TOTAL DIV. VOLUME - 1.20 AFA TRFR/AMEND -
DIVERSION POINT - NESW 25 05N 04E LOT REDIIV -
FROM - 01-01 TO - 12-31 USE - DOMESTIC
USE - DOMESTIC
DEGREE NAME -
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE -
PROOF MADE -
DIVERSION MEANS -

FIRST NAME - LEWIS D.

ADDRESS LINE 2 -

CITY - IDAHO CITY

TRIBUTARY OF - MORES CREEK

STATUS -

1.20 AFA

NESW 25 05N 04E LOT

FROM - 01-01 TO - 12-31

USE - DOMESTIC

USE - DOMESTIC

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PRIORITY - 05-21-1965

COUNTY - BOISE

DLE/CAREY ACT -

WATER DIST. -

272.0 312.0 84.0

USE DIV. RATE -

.0200 CFS

TRACT SENW LOT

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ORIG OWNER -

STATE - ID

ZIP CODE - 83631

TOTAL DIV. RATE -

.0200 -CFS

RIGHT BASIS -

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USE DIV. VOLUME -

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COUNTY - BOISE

DLE/CAREY ACT -

WATER DIST. -

272.0 312.0 84.0

USE DIV. RATE -

.0200 CFS

TRACT SENW LOT

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ORIG OWNER -

STATE - ID

ZIP CODE - 83631

TOTAL DIV. RATE -

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RIGHT BASIS -

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USE DIV. VOLUME -

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COUNTY - BOISE

DLE/CAREY ACT -

WATER DIST. -

272.0 312.0 84.0

USE DIV. RATE -

.0200 CFS

TRACT SENW LOT

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March 20, 1973

Re: Permit No. 32370/63-3449

Mr. Lewis D. Rowell
Box 4033
Idaho City, Idaho 83631

Dear Mr. Rowell:

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

Enc: Copy of license

63 3449

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. ~~32370/63-3449~~

REPORT ON PROOF OF B/U LEWIS D. ROWELL

68 3449

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 32370/63-3449

This proof is for Beneficial Use In Water District No.

1. Name of applicant LEWIS D. ROWELL, Idaho City, Idaho

2. Source of water supply: spring

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25

T. 5 N R. 4 E County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same:

pipeline to storage tank to dwelling

5. Water is used for: domestic

6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 5 N, R. 4 E, B.M. (place of use)

Very mean dog at this place

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Domestic system buried pipe line
to storage tank and to house.
About 400 + gal storage tank

Water source is a spring

This examination was made on the 12 day of May, 1971

(Signed) James Brocken Examiner.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-
-

ASCS: Boise

SCS: Boise

Permit No. 32370/63-3449

Examination for B/U LEWIS D. ROWELL

County Boise

Sec 25 T. 5N R. 4E

Quantity:

0.02cfs

Source:

spring

P.D.:

NE $\frac{1}{4}$ SW $\frac{1}{4}$

Use:

domestic

Extension:

Protest:

Completion of Works:

Other Rights:

NONE: SEE 32371

Filed: May 21, 1965

Proof made: August 3, 1970

Due: May 24, 1976

Priority: May 21, 1965

63 3449

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-215



Keith Higginson
Director

Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Underground Water Drilling
Flood Plain Management
Irrigation and
Local Control of Districts

September 24, 1970

Re: Permit Nos. 32370/63-3449
32371/63-3450

Mr. Lewis D. Rowell
Box 4033
Idaho City, Idaho 83631

Dear Mr. Rowell:

Please be advised that we have changed the permit number on the affidavit of beneficial use which you submitted on August 3, 1970. Permit No. 32370/63-3449 is now ready to be licensed. However, before a license can be issued, a field examination must be made by a representative from this department. We cannot tell you just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

On January 2, 1970, we sent to you a copy of the notice of existing water rights for permit no. 32371/63-3450 for your signature. As of this date, we have not received the signed authorization to publish. We are enclosing another copy of this notice, and if you will sign it and return it to this office, we will cause the notice to be published at your expense.

If you have any questions regarding these matters, please contact us.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG
ENCLOSURE

32370
63-3449

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

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



R. Keith Higginson
Director

SEP 21 1970

Department of Water Administration

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

August 10, 1970

Re: Permit Nos. 32370/63-3449
32371/63-3450

Mr. Lewis D. Rowell
Box 4033
Idaho City, Idaho 83631

Dear Mr. Rowell:

We are in receipt of the affidavit of publication for permit no. 32370/63-3449 and the affidavit of beneficial use for permit no. 32371/63-3450.

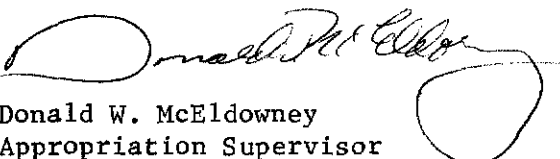
In reviewing your files, it appears that the affidavit of beneficial use was intended for permit no. 32370/63-3449, as all of the descriptions on the affidavit correspond with this permit. However, if it is indeed for permit no. 32371/63-3450, you will be required to file for an amendment to the permit, as the point of diversion and place of use listed on the affidavit do not correspond with the permit.

Also, we are enclosing the affidavit of publication for permit no. 32370/63-3449 which you submitted. Please note that the affidavit has not been notarized. Please have the affidavit notarized and return it to this department

Until these matters are cleared, we will withholding further processing of your permits. Upon response to our letter, we will advise you as to the status of your permits.

If you have any questions, please feel free to contact us.

Very truly yours,


Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: affidavit of publication

5604 be for 32370

63-3449
32370

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

August 10, 1970

Re: Permit Nos. 32370/63-3449
32371/63-3450

Mr. Lewis D. Rowell
Box 4033
Idaho City, Idaho 83631

Dear Mr. Rowell:

We are in receipt of the affidavit of publication for permit no. 32370/63-3449 and the affidavit of beneficial use for permit no. 32371/63-3450.

In reviewing your files, it appears that the affidavit of beneficial use was intended for permit no. 32370/63-3449, as all of the descriptions on the affidavit correspond with this permit. However, if it is indeed for permit no. 32371/63-3450, you will be required to file for an amendment to the permit, as the point of diversion and place of use listed on the affidavit do not correspond with the permit.

Also, we are enclosing the affidavit of publication for permit no. 32370/63-3449 which you submitted. Please note that the affidavit has not been notarized. Please have the affidavit notarized and return it to this department.

Until these matters are cleared, we will withholding further processing of your permits. Upon response to our letter, we will advise you as to the status of your permits.

If you have any questions, please feel free to contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: affidavit of publication

63-3449

32370

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

June 26, 1969

Re: Permit No. 32370
Lewis D. Rowell

Idaho World
Idaho City,
Idaho

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 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 can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Lewis D. Rowell, Box 4033, Idaho City, Idaho,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Order
CC: Lewis D. Rowell

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

63.3449
32370

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE — ANNEX 2
BOISE, IDAHO 83707

September 11, 1969

Re: Permit No. 32370/63-3449

Mr. Lewis E. Rowell
Box 4033
Idaho City, Idaho 83631

Dear Mr. Rowell:

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 May 24, 1976, 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 Examiner

DWM:JMB

32370
63-3449

September 5, 1969

Re: Permit No. 32370 (New No. 63-3449)

Mr. Lewis E. Rowell
Box 4033
Idaho City, Idaho 83631

Dear Mr. Rowell:

As of this date, we have not received the affidavit of publication submitted in connection with the above referenced permit. The permit was advertised the weeks of July 10 and July 17, 1969, in the Idaho World, Idaho City, Idaho.

Many newspapers do not keep copies of these advertisements. Proof of Beneficial Use is not required until May 24, 1976, but without the affidavit we are not able to license the permit. If you are unable to obtain the affidavit, you will again have to pay the cost of advertising.

Therefore, we strongly urge you to contact the newspaper as soon as possible. Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWN:JMB

LAST REQUEST

63-3449
32370

August 19, 1969

Re: Permit No. 32370

Mr. Lewis E. Rowell
Box 4033
Idaho City, Idaho

Dear Mr. Rowell:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until May 24, 1976, however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Idaho World, Idaho City, Idaho, and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

32370
62-3449

NOTICE OF EXISTING WATER RIGHT

Notice is hereby given that Lewis E. Rowell, Box 4033, Idaho City, Idaho, has received an approved permit No. 32370 issued by the Idaho State Reclamation Department authorizing the diversion of 0.02 cubic feet per second of water from an unnamed spring, tributary of Mor-es Creek subject to all prior rights. The priority to be established under this permit is May 21, 1965 and the permit was approved May 24, 1965. Water is to be diverted by storage tank and pipe from a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 5N., R. 4E., B.M. Boise County to be used for domestic purposes in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 5N., R. 4E., B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before May 24, 1976. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation 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
State Reclamation Engineer
Pub.. July 10 - 17, 1969

June 26, 1969

Re: Permit No. 32370
Lewis D. Rowell

Idaho World
Idaho City,
Idaho

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 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 can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by Lewis D. Rowell, Box 4033, Idaho City, Idaho,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc; Order
CC: Lewis D. Rowell

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

32370

June 26, 1969

Re: Permit No. 32370

C
Lewis D. Rowell
Idaho City,
Idaho

O
Dear Mr. Rowell:

P
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.

Y
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, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

As you signed the advertising authorization in our office, we have caused this notice to be published. A copy of the letter to the newspaper is enclosed. Please note that you will be required to submit an affidavit of publication to this office.

Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Order
Copy of letter to paper
Proof package

32370

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Lewis E. Rowell, Box 4033, Idaho City, Idaho,

has received an approved permit No.

32370 issued by the Idaho State Reclamation Department authorizing the

diversion ~~9999999~~ of 0.02 cubic feet per second ~~9999/9999/9999/9999/~~

of water from an unnamed spring tributary of Mores Creek,

subject to all prior rights. The priority to be established under this permit is

May 21, 1965 and the permit was approved May 24, 1965.

Water is to be diverted by storage tank and pipe

from a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 5 N, R. 4 E, B.M., Boise County

to be used for domestic purposes

in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 25, T. 5 N, R. 4 E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before May 24, 1976. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation 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
State Reclamation Engineer

Published in the Idaho World, Idaho City, Idaho on

July 10 and July 17, 1969.

State Reclamation Engineer: Permit No. 32370

You are hereby authorized to have the attached notice published at may expense in the Idaho World of Idaho City, Idaho,

published in the county in which the works are situated.

Lewis E. Rowell
(Signature)

Box 4033 - Idaho City
(Address)

(Date)

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32370)

in the name of Lewis D. Rowell)

Box 4033, Idaho City, Idaho)

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,

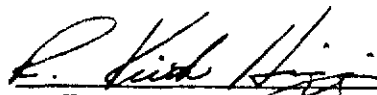
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32370 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 Procedures 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.
 - b. The permittee will not be required to submit proof of completion
of works as originally specified, but will be required to submit
proof to the Department of Reclamation of the application of the
water to beneficial use on or before May 24, 1976. The permit
holder should be aware that failure to complete one-fifth (1/5)
of the works within one-half (1/2) of the time originally set for
Completion of Works may be grounds for cancellation at the instance
of the Department.

Dated this 30th day of JUNE, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

32370

June 3, 1965

Re: Permit No. 32370 & 32371

Mr. Lewis D. Rowell,
Idaho City, Idaho.

Dear Mr. Rowell:

We enclose Permit No. 32370 and 32371 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 32786 which was issued covering payment in the amount of \$ 10.00 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

32-370

NAME OF APPLICANT James H. Thompson

Form No. 0

54

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2000

100

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

4E

30 870