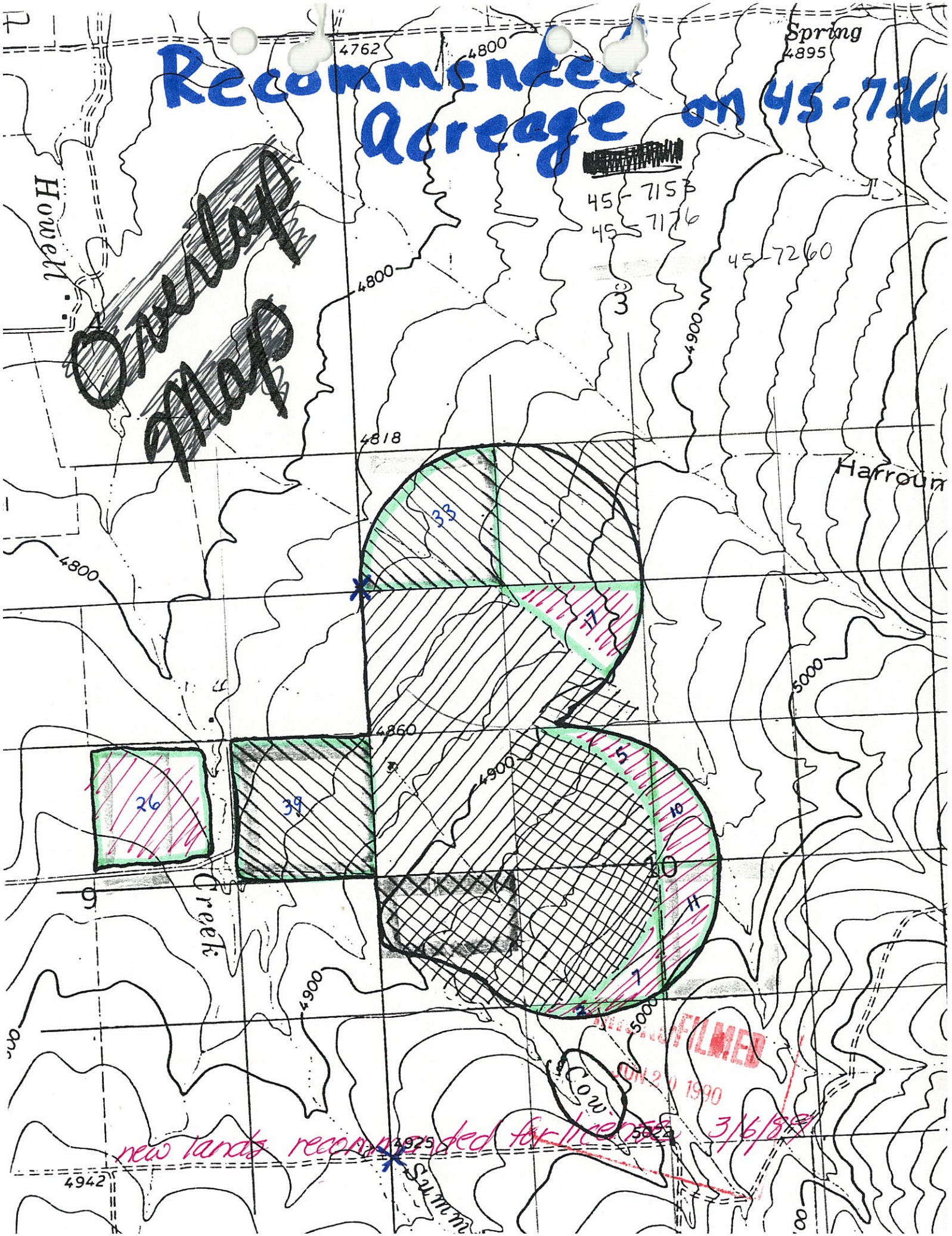

Recommended Acreage on 45-726
Overlay Map
45-7153
45-7176
45-7260
Howell
Spring
4895
4762
4800
4818
Harroun
4860
4900
5000
33
17
26
39
5
10
11
7
Creek
Summ
5024
4942
FILED
JUN 20 1990
new lands recommended for license 3/6/89

RECEIVED
FEB 16 1989

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 45-7260

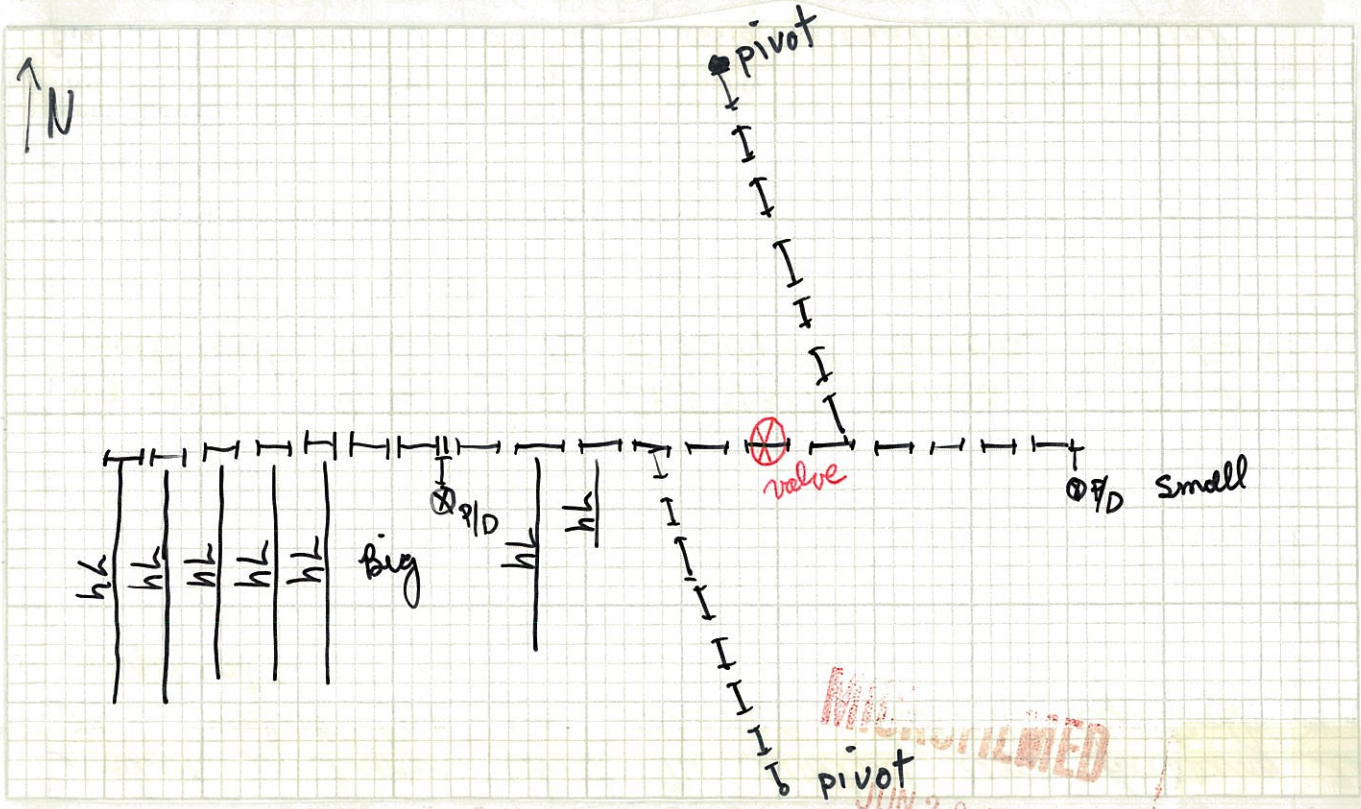
1. Owner: Ester Montgomery Phone No. 673-5331
   Current Address: Star Rt Box 11 Albion Idaho 83311
2. Accompanied by: George Montgomery EXAM. DATE: 8-12-87
   Address: Star Rt Box 13 Albion Idaho 83311 Phone No. 673-6644
   Relationship to Permit Holder: son
3. Source: groundwater tributary to

B. OVERLAP REVIEW

1. Other water rights with same place of use: ☐ Copies Attached
2. Other water rights with same point of diversion: ☐ 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



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Scale: 1" = _____.

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.

6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

45-7260
Permit No.

DO NOT SCAN

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
- N/A ☐ Computer Data Proof Report
- ☑ Copy of U.S.G.S. Quad
- ☑ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index LG 7/13/87 (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: 45-7498, 45-7176

Check of P/U index LG 7/13/87 (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: 45-7176, 45-7153, 45-2091, 45-0278, 45-0279, 45-0572

Aerial Photo

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

Scheduling Letter sent? _____ (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
- N/A ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed DK 8-12-87 (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent ADM 12/18/87 (Initial and date)
Exam Reviewed by Manager of Regional Office LA 2/10/89 (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office _____ (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original Refiled in White File _____ (Initial and date)

DO NOT SCAN

DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE EXAMINATION

CHECKLIST

WATER RIGHT 45-7260

REVIEWER DRJ DATE 1-16-89

[EACH RULE MUST BE CHECKED] SEE FOOTNOTE FOR SYMBOLS

RULE 5 EXAMINATION FOR BENEFICIAL USE;

1,2. ✓	1,3. ✓	1,4. ✓	1,5. N/A
1,6. ✓	1,7. ✓	1,8. ✓	1,9. ±
1,10. N/A	1,11. N/A	1,12. N/A	1,13. ✓
1,14. N/A	1,15. ✓	1,16. ✓	1,17. ✓

RULE 6 MEASUREMENT TERMINOLOGY;

1,1. ✓	1,2. ✓	2. ✓	3. ✓
4. ✓	5. ✓		

RULE 7 DRAWINGS, MAP, AND SCHEMATIC DIAGRAM;

1,1. ✓	1,2. ✓	1,3. ✓	1,4. ✓
1,5. ✓			

RULE 5,2. FIELD REPORT ACCEPTABILITY [STATE OFFICE REVIEW]

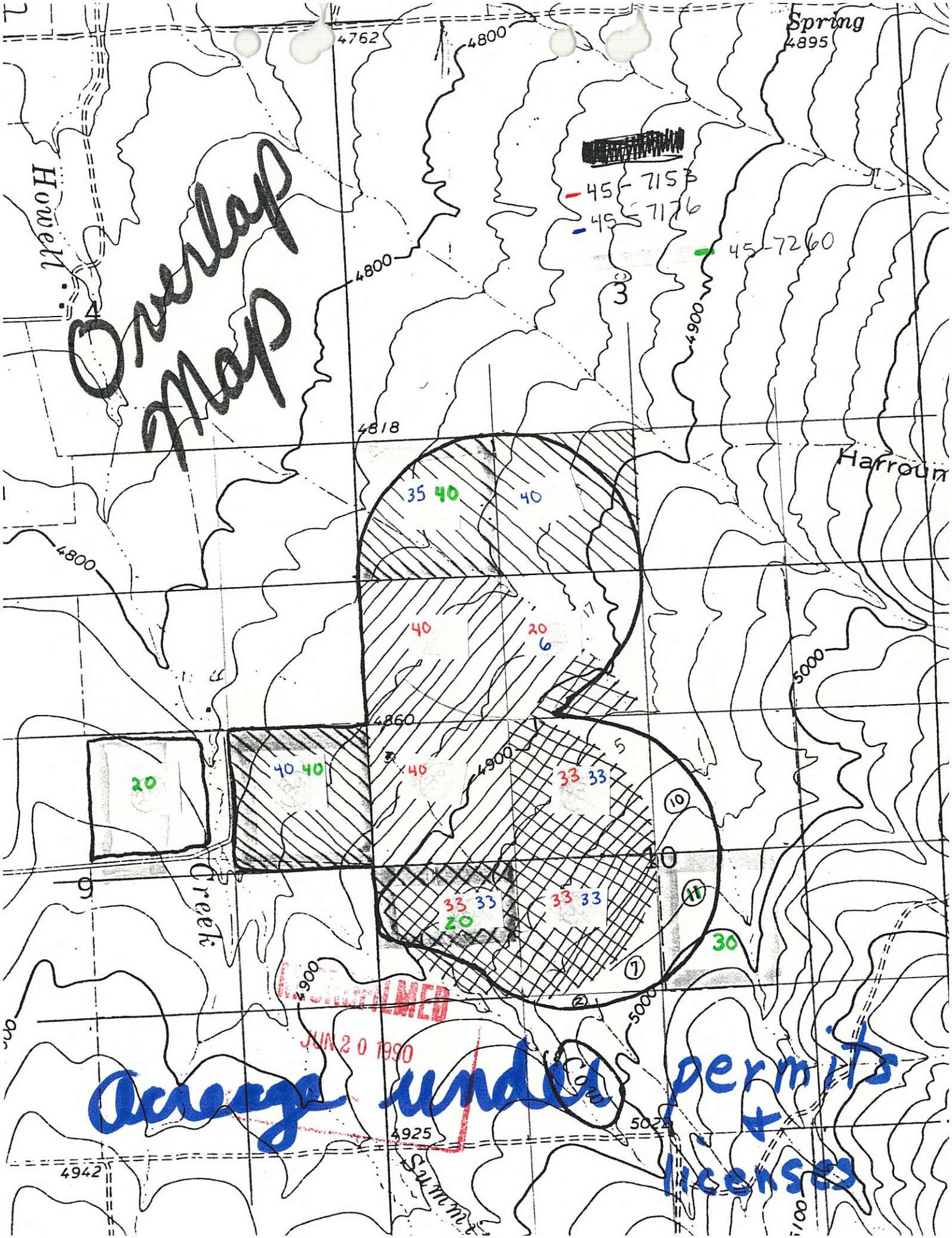
2,1. _____	2,2. _____	2,3. _____	2,4. _____

Reviewer _____ Date _____

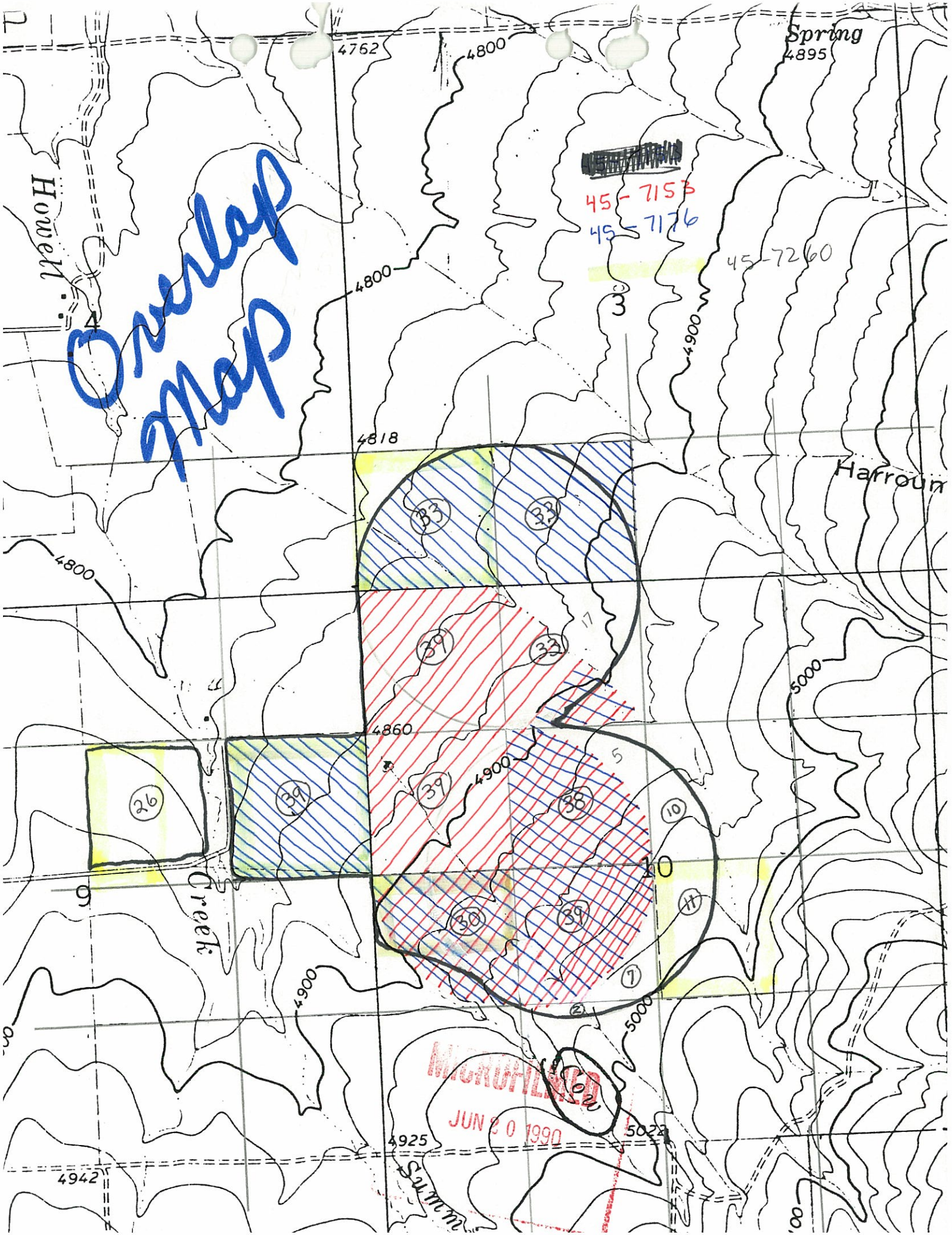
N/A = NOT APPLICABLE
** = SEE ATTACHMENT NO. ____

* = SEE ITEM ____ IN BENEFICIAL USE R
*** = SEE REMARKS ATTACHED

± P/D's were separate at time of exam due to interconnection valve failure



Acreage under permits + licenses


Overlap Map
45-7153
45-7176
45-7260
Howell
Spring
Harroun
Creek
4762
4800
4895
4818
4860
4900
5000
4925
5022
4942
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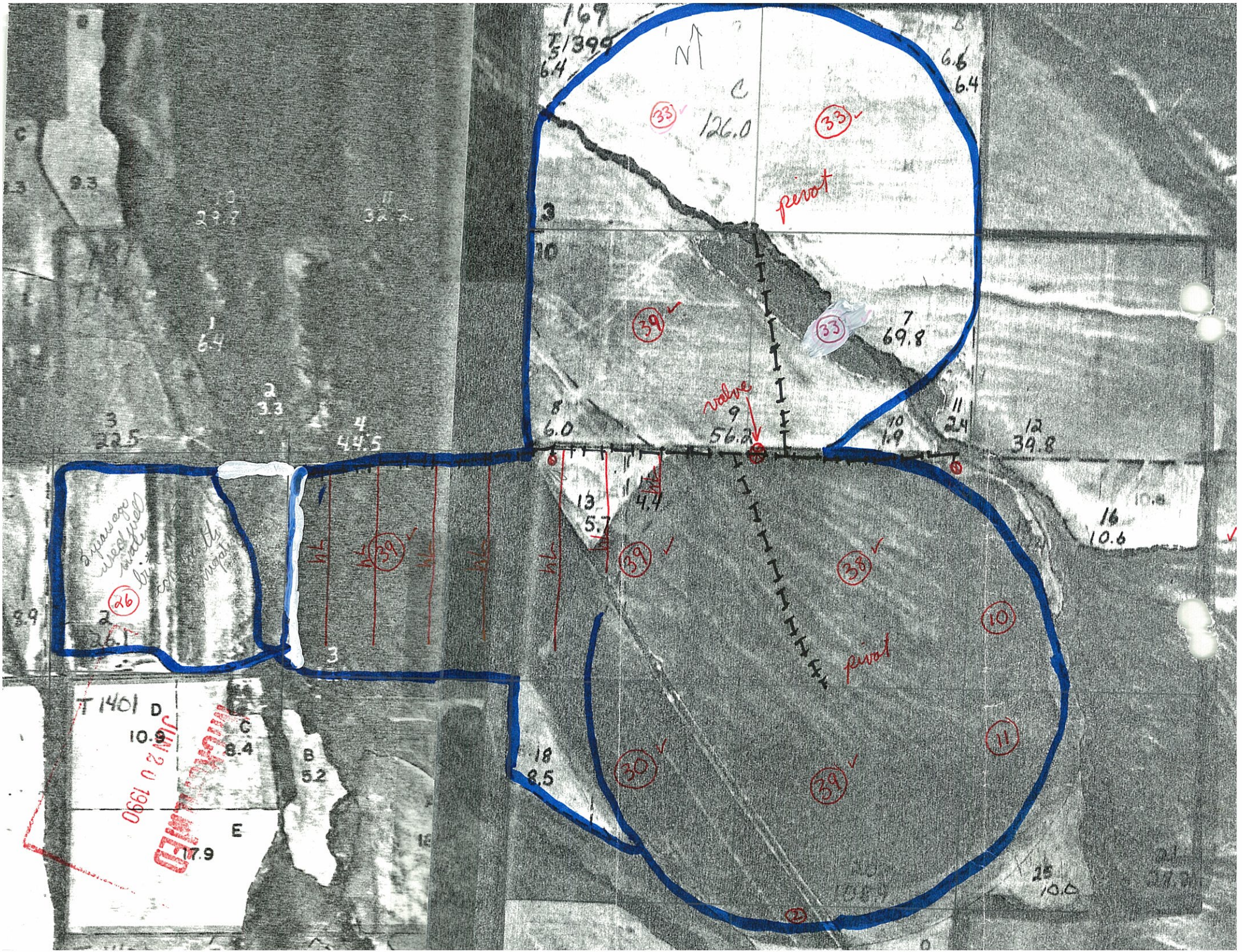
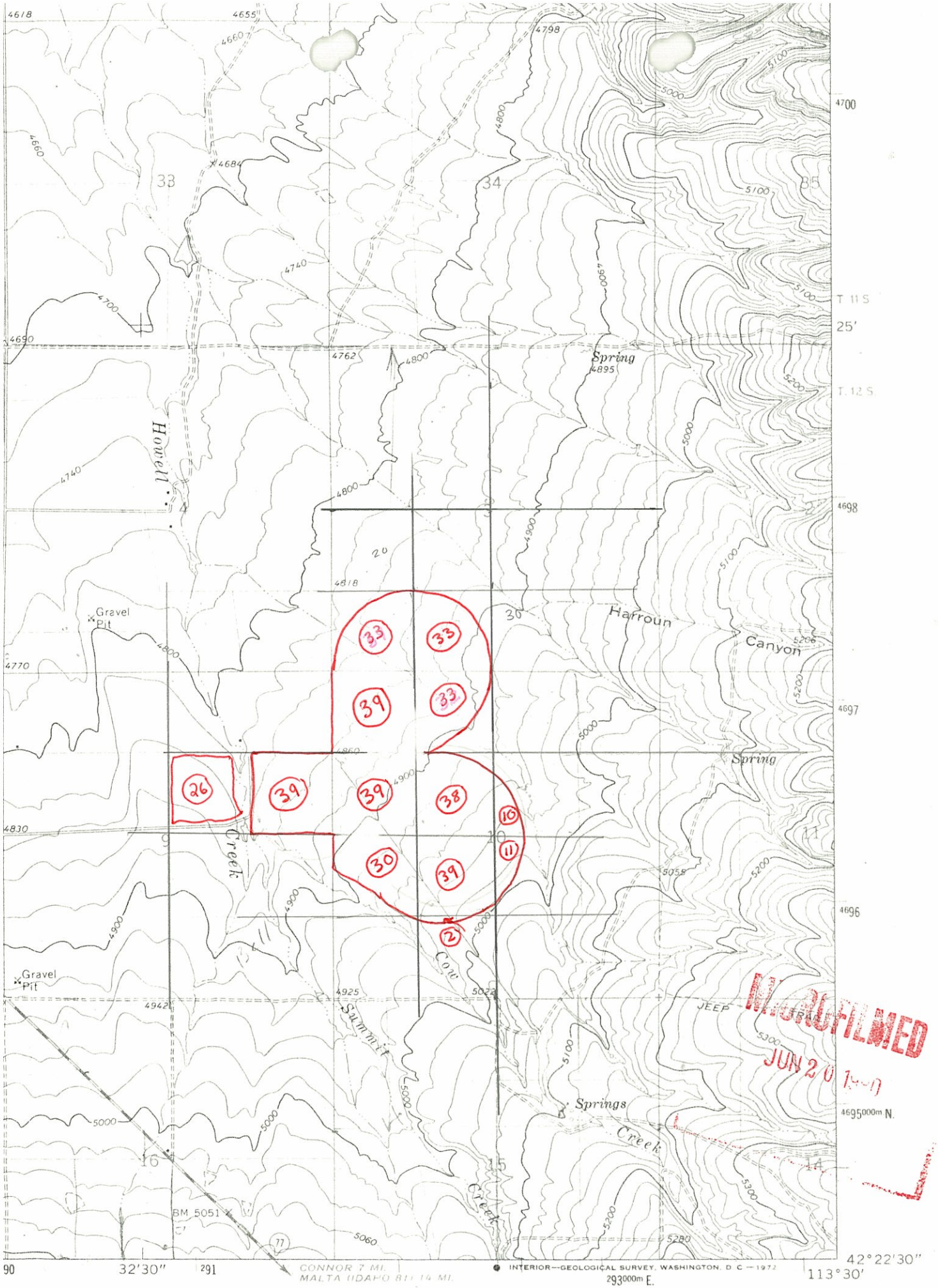

T 1401
D
10.9
C
8.4
B
5.2
E
17.9
JUN 20 1990
pivot
valve
pivot
39.8
56.2
69.8
126.0
6.0
6.6
6.4
4.4
5.7
8.5
10.6
10.0
22.5
44.5
36.1
32.2
27.7
9.3
6.4
3.3



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JUN 20 1980

Bia Well

Point of Diversion and photo showing how measurement was taken

Place of Use

MICROFILMED
JUN 20 1990

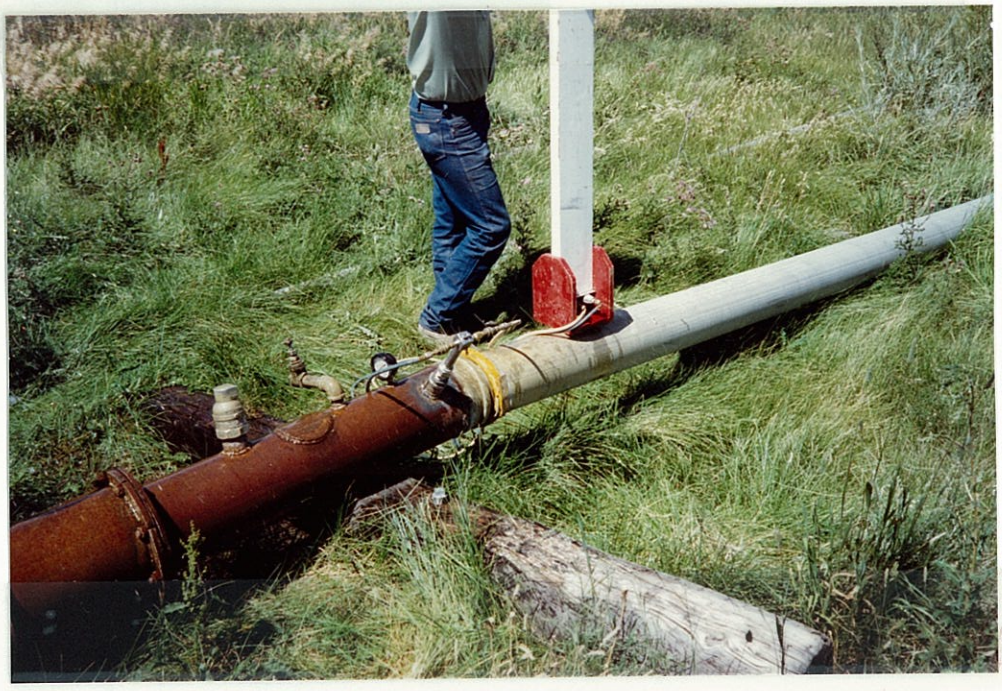
Place of Use

Place of Use

MICROFILMED
JUN 2 0 1997

Small well

Point of Diversion



Point where flow was measured

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Small Well

Place of use (pivot in background)

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DO NOT SCAN

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

45-7260

Application No. Arlo Montgomery

Item	Initial	Date	
			✓ Source
			✓ Point of Diversion
			✓ County
			✓ Quantity of Water and Period of Use
			✓ Description of Diverting Works
			✓ Time required for B/U of water
			✓ Place of Use or Acres Irrigated
			✓ Map
			✓ Signature
			✓ Fee
(1)	ADM	2-25-76	In form to receipt
(2)	ADM	2-26-76	Send Copies to:
			_____ Idaho State Health Department
			_____ Idaho Fish and Game Department
			_____ Bureau of Land Management
			_____
(3)	_____	_____	_____ Request Special Use Permit from U.S.F.S.
			_____ Request Easement from B.L.M.
			_____ Request Information from Applicant
(4)	ADM	2-26-76	In form for advertising
(5)	_____	_____	Platted on Map No._____
(6)	_____	_____	Located within Water District No._____
(7)	mls	3-22-76	Critical groundwater area: yes_____ no ✓
(8)	mls	3-22-76	Groundwater levels:
			_____ Declining, ✓ Stable, _____ Increasing
			(comment)_____
(9)	_____	_____	Other rights on the same place of use
(10)	_____	_____	Comments:_____
(11)	CC	3/2/76	Affidavit of Publication received(date) 3-11-76
(12)	_____	_____	Final date for protests 3-19-76
			Protests received: yes_____ no ✓
(13)	_____	_____	All requested information received from agencies or applicant: yes_____ no_____
(14)	mls	3-22-76	Action recommended:
			✓ Approve _____ Deny
			_____ Proposed Priority
			_____ Reason for Reduction_____
			✓ Measuring device required
			_____ See attached sheet for other conditions of approval
			_____ No special conditions for approval

Field Checked by _____

Date 3-22-76

Comments no field check made.

(15) District Southern By Michael Stute Date _____

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07260

Priority: February 25, 1976

Maximum Diversion Rate: 1.17 CFS
Maximum Diversion Volume:[1] 273.0 AF

This is to certify, that RAY COMMONS
RT. 5 BOX 64
RUPERT, ID 83350 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 25, 1976; and has submitted Proof of Beneficial Use on January 19, 1981. An examination indicates that the works have a diversion capacity of 4.530 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	1.17 CFS	273.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 10, Township 12S, Range 25E
SENW , Sec. 10, Township 12S, Range 25E
CASSIA County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
12S	25E	9	SWNE	26					26
		10	SWNE	10	NENW	17	SENW	5	
			NESW	7	SESW	2	NWSE	11	52

Total number of acres irrigated: 78

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.

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JUN 20 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07260

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. The maximum combined rate of diversion under this right & Rights 45-7153 & 45-7176 shall not exceed 4.53 cfs.

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 6TH day of JUNE, 1990.

Acting for R. Keith Higginson, Director

RECORDED

JUN 20 1990

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Department of Water Resources

State of Idaho
Department of Water Resources

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MAR 30 1990
Department of Water Resources
Southern Region Office

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 45-07260

Date of Priority: February 25, 1976

Maximum Diversion Rate: 1.17 CFS
Maximum Diversion Volume:[1] 273.0 AF

APPROVED

Comes now RAY COMMONS
RT. 5 BOX 64
RUPERT, ID 83350 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 45-07260, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	1.17 CFS	273.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 10, Township 12S, Range 25E
SENW , Sec. 10, Township 12S, Range 25E
CASSIA County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
12S	25E	9	SWNE	26					26
		10	SWNE	10	NENW	17	SENW	5	
			NESW	7	SESW	2	NWSE	11	52

Total number of acres irrigated: 78

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JUN 20 1990

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Department of Water Resources
Southern Region Office

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Rupert Idaho, this 5th day of April, 1990.

X Ray P. Commons
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 45-07260

****

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = $20.00 Receipted by GJ Date 4-6-90 SO11858

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 45-07260 with the following;

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 3.5 afa per acre for the lands above.
6. The maximum combined rate of diversion under this right & Rights 45-7153 & 45-7176 shall not exceed 4.53 cfs.

Witness my hand this 6TH day of June, 1990.

Acting for R. Keith Higginson, Director

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JUN 20 1990

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FEB 8 - 1990

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Esther Montgomery, hereby assign to Ray Commons

of Rt #5 Box 64 Rupert ID 83350
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 45-7260 to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 8 day of February, 19 90.

Deceased
Permit Holder

Esther Montgomery
Spouse of Permit Holder

State of Idaho)
ss.
County of Twin Falls)

On this 8th day of February, 19 90, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Mary A. Baldwin
Notary Public residing at
Rupert, Id

seal

My commission expires:
10/16/1992

MICROFILMED
JUN 26 1990

testamentary

186066

(SPACE BELOW FOR FILING STAMP ONLY)

BARRUS, BYWATER & SNYDER
ATTORNEYS AT LAW
POST OFFICE BOX 487
BURLEY, IDAHO 83318
TELEPHONE: (208) 678-1188

Attorneys for Petitioner

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CASSIA

MAGISTRATE DIVISION

In the Matter of the Estate of:

[redacted],
[redacted] L. MONTGOMERY,
[redacted] MONTGOMERY,

Deceased.

Case No. ES 87-1-1

DECREE VESTING ESTATE IN SURVIVING SPOUSE

Upon consideration of the Petition for Summary Administration of Estate in Which Surviving Spouse is Sole Beneficiary filed by Esther N. Montgomery on the 22nd day of December, 1986, the court finds that:

1. The facts set forth in the Petition are true.

2. The required notice has been given or waived.

3. The decedent, Arlo Lavon Montgomery, died on the 6th day of September, 1986, and was domiciled in Cassia County, Idaho.

4. Venue is proper.

5. The decedent and Esther N. Montgomery were duly married at _____ on the 21st day of Sept., 1938, and remained married until the date of decedent's death.

6. The surviving spouse, Esther N. Montgomery, is the sole heir or devisee of the decedent.

7. The decedent died testate, leaving a Will dated the 2nd day of October, 1981, designating the Petitioner as the sole heir and beneficiary of his estate. The Will was validly executed and is the last Will of the decedent.

8. The schedule of property attached to this Decree is a full and complete inventory of the property owned by the

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decedent and properly characterizes the property as community or separate property.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. Esther N. Montgomery is the surviving spouse of the decedent and is the sole heir or devisee of the decedent.

2. The property of the decedent described on the schedule attached to this Decree is hereby vested in and distributed to Esther N. Montgomery, free and clear of any and all right, title, claim or demand of any person or persons claiming or attempting to claim under the estate of the decedent as heir, devisee or otherwise, except as a proper creditor.

3. The surviving spouse shall assume and be liable for any and all indebtedness that might be a claim against the estate of the decedent.

4. There shall be no administration of the estate of the decedent.

DATED this 10 day of February, 1987.

[signature]
Magistrate Judge

BARRUS, BYWATER & SNYDER
ATTORNEYS AT LAW
Post Office Box 407
SHELLEY, IDAHO 83274
Telephone: (208) 357-3456

FILED

JUN 20 1990

State of Idaho } ss.
County of Caribou }
I hereby certify the foregoing to be a full, true and correct copy of the original on file in this above entitled action.

DATED 2-10-17

Frank S. Kearns
Clerk of the District Court

[signature]
Deputy

FRANK G. ... Clerk of the District Court
BY ...

SCHEDULE "A"

The following constitutes a full and complete inventory of the property owned by the decedent as far as the same had come to the possession or knowledge of the Surviving Spouse herein:

REAL PROPERTY

PARCEL 1:

TOWNSHIP 12 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 12: Beginning at a point 78 rods East of the Northwest corner of the NE¼ of said Section 12;
Thence West 450 feet;
Thence South 500 feet;
Thence East 450 feet;
Thence North 500 feet to the Point of Beginning.

PARCEL 2:

S½SW Sec 3 T 12 R 25, Cassia County, Idaho. Subject to a Contract of Sale, Arlo L. Montgomery & Esther N. Montgomery to George A. Montgomery & Gwendolyn Montgomery dated 6/30/81.

PARCEL 3:

S½NW S½NE Sec 9 T12 R25. SESW Sec 10 T 12 R25, Save and Except the following:

Commencing at a point 1679 feet West of the East Quarter corner of said Section 9, Township 12 South of Range 25, East of the Boise Meridian, thence North 133 feet; thence West 321 feet to a point 133 feet North and 2000 feet West of the East Quarter Corner of said Section 9; thence West 475 feet to a point 133 feet North and 2475 feet West of the East Quarter Corner of said Section 9; thence Westerly 125 feet to a point 103 feet North and 2600 feet West of said East Quarter Corner of said Section 9; thence West 52.5 feet, more or less, to the North-South Quarter Section line of said Section 9; thence South 103 feet, more or less to the Center of said Section 9; thence East along the East-West Quarter Section Line 973.5 feet, more or less, to the beginning point.

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JUN 20 1990

PARCEL 4:

NW¼, W½NE, NWSE, N½SW, S½SW Sec. 10 Twp. 12, Range 25, subject to a Contract of Sale, Arlo L. Montgomery & Esther N. Montgomery to George A. Montgomery & Gwendolyn Montgomery dated 6/30/81

subject to a Contract of Sale, Arlo L. Montgomery & Esther N. Montgomery to George A. Montgo[illegible] & Gwendolyn Montgomery dated 6/30/81.

PARCEL 5:

Beginning at a point on the North boundary of Section 12, which is 80 rods East of the NW corner of the NE¼ of said Section 12; Thence South 500 feet; Thence West 450 feet; Thence North 500 feet; Thence East 450 feet to the Point of Beginning.

Farm Equipment inventory attached hereto as Exhibit "A" and incorporated herein.

Contract receiveable in escrow at D.L. Evans Bank, Albion, Idaho.

PERSONAL PROPERTY (Decedant's Interest):

Brand Name	Description	Serial No.
ACME	4-row 400 potato planter	7303
BIX OX	10' ripper	
CASE	2390 Tractor	9907940
CAT	D 2 crawler	
DURHAM	12' Roller Harrow	
ENGLISH	8' Harrow	
FORD	8N Tractor	
FORD	4500 Tractor w/loader & backhoe	
IHC	460 Tractor	
IHC	12' Press Wheel Drill	03902210
JD	429 Tractor	0007798
JD	4 Bottom Plow	
JD	707 Whipper	
JD	880 12' Swather	051618E
LOCKWOOD	Mark VI Potato Harvestor	299
LOCKWOOD	16' Potato Bed	
MF	1130 Tractor	
NH	880 Corn Chopper w/hay head	
NH	TR 70 Combine	319101
NH	283 Baler	273838
NH	1036 Harrow Bed	1099
SCHAFFER	12' Offset Disc	
WILLIAMSON	20' Potato Bed	
	18' Steel Grain Bed & Hoist	
	14' Spreader Box	
	12' Chisel Plow	
	12' Wood Harrow	
	[illegible] Blade	
	9 Yard Soil Mover	
	40' Grain Auger PTO	
	25' Grain Auger	
	[illegible] Rake	
	[illegible] Spreader	
	Misc Tools	

[illegible] is a true and correct copy of this office.
Deputy

FILED
JUN 20 1990

Recorded for the District Court, Ex-officio Auditor
in the County of Cassia, Idaho

Fee 12 4 PM '90
Cassia Co. Idaho
Recorded

186066

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING DEVICE REQUIREMENT FOR PERMIT NO. 45-7260

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.

C. STEPHEN ALLRED
Director

MICROFILMED

Identification No. _____

Application No. 45-7260

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Arlo Montgomery Phone: 673-5331

   post office address Star Route, Albion, Idaho

2. Source of water supply Groundwater which is a tributary of _____

3. a. Location of point of diversion is NE ¼ of NW ¼ of Section 10 Township 12S

   Range 25E B.M. Cassia County; additional points of diversion if any: _____

   SW¼NW¼, SW¼NE¼, SE¼NW¼, Sec. 10, T12S, R25E, B.M.

   b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼

   of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

   Amount 3.0cfs (cfs or acre-feet per annum) for Irrigation purpose from March 15 to November 15 (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

   a. 3.0 cubic feet per second and/or

   b. _____ acre feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. well, pump, sprinkler system.

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

   Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.

   c. Proposed well diameter is 16 inches; proposed depth of well is 700 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.

   b. Estimated construction cost is $ 25,000.00 .

8. Description of proposed uses:

   a. If water is **not** for irrigation:

   (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____

   Range _____ B.M.

   (2) Amount of power to be generated: _____ hp under _____ feet of head.

   (3) List number of each kind of livestock to be watered _____

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

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

Copy of app to Boise 2/25/76

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	25E	3											40						40
		10										20				30			50
		9			20	40													60

Total number of acres to be irrigated 150

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Applicant

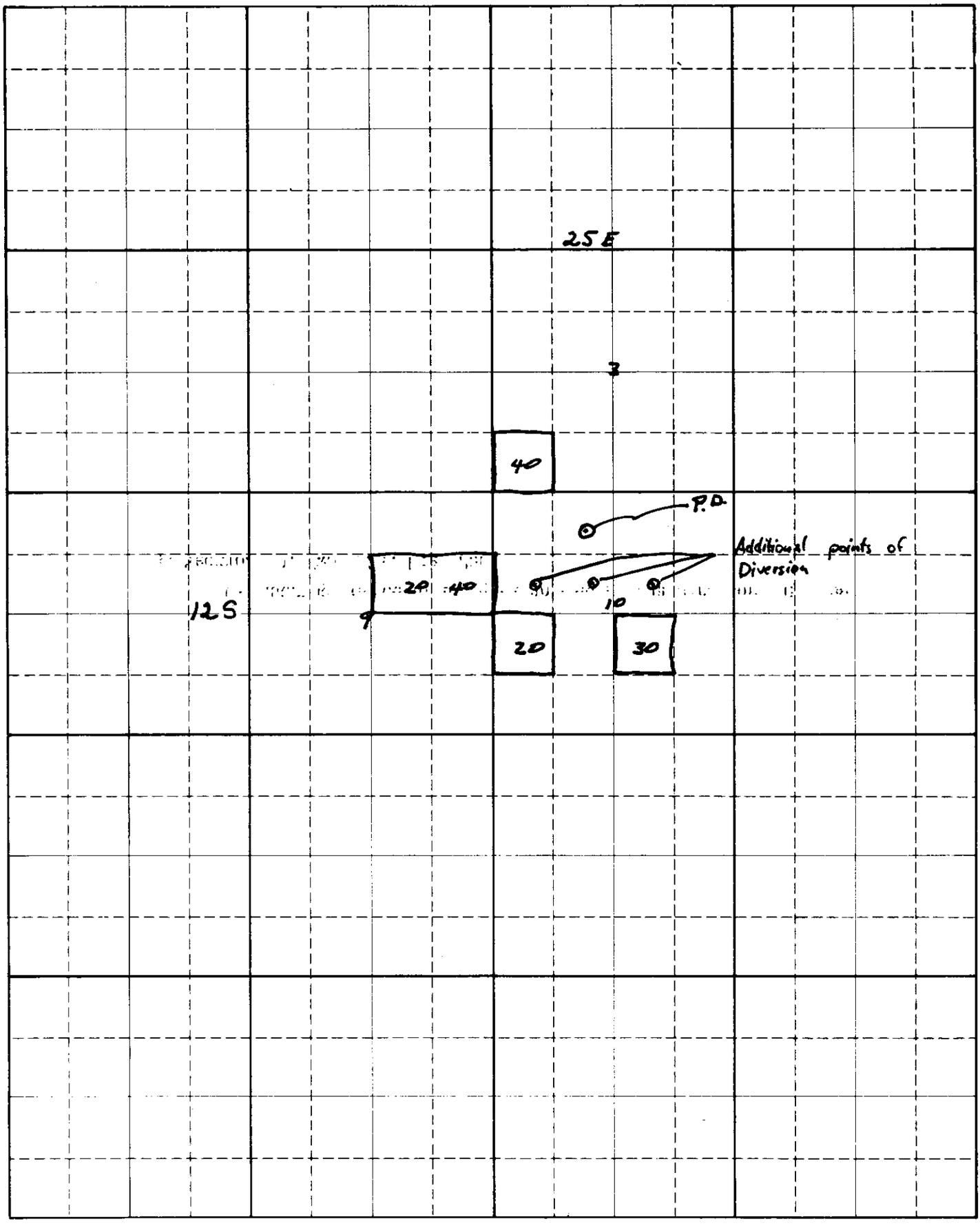
b. Who owns the land to be irrigated or place of use "

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

10. Remarks Permit No. 45-7153 is appurtenant to 20 acres in NW¼SW¼, and 10 acres in NW¼SE¼, Section 10, Twp. 12S, Rge. 25E.

Permit No. 45-7176 is adjacent to lands covered under this permit.

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



Scale: 2 inches equal 1 mile

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

Orlo Montgomery
(Applicant)

Proposed Priority 2-25-76

Received by [illegible] Date 2/25/76 Time 4:00 pm

Preliminary check by ADM Fee $ 45.00 # 2029

Receipted by [illegible] Date 2/25/76

Publication prepared by cc Date 2-25-76

Published in South Idaho Press

Publication dates 3-2 & 3-9-76

Publication approved CC Date 2-12-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by mls DRC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 45-7260, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1981.

   c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 26 day of March 1976.

Director

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Zelma Stevenson, being first duly sworn, deposes and says that she is the bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for 2 consecutive weeks, commencing with the issue dated March 2 1976, and ending with the issue dated March 9, 1976.

Zelma Stevenson

Subscribed and sworn to before me this 10th day of March 1976.

Edith Randall Notary Public

Cost of Publication 10.15

Notary Fee .....

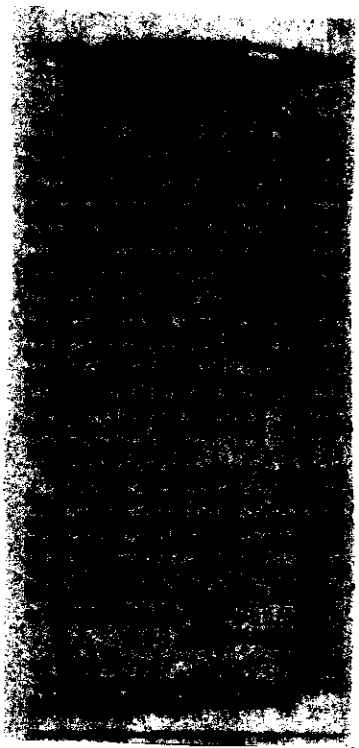
Total Cost .....

My Commission expires October 23, 1979

RECEIVED

MAR 11 1976

Department of Water Resources
Southern District Office



O.K.C.C
3/12/76.

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

Zilva Stevenson, being first duly sworn, deposes and says that ~~he~~ she is the bookkeeper of the South Idaho Press, a daily ~~p~~newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for 2 consecutive weeks, commencing with the issue dated March 2 19 76, and ending with the issue dated March 9, 1976

Zilva Stevenson

Subscribed and sworn to before me this 10th day of March 19 76.

Keith Reinhart Notary Public

Cost of Publication 10.15

Notary Fee .....

Total Cost .....

My Commission expires October 23, 1979

RECEIVED

MAR

76-80

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Arlo Montgomery, Star Route, Albion, Idaho has on 2-25-76 submitted Application No. 45-7260 for a permit to appropriate 3.0 cubic feet per second of water from Groundwater by means of well, pump, sprinkler system within the NE¼NW¼, Sec. 10, Twp. 12S, Rge. 25E, B.M. Cassia County; SW¼NW¼, SW¼NE¼, SE¼-NW¼, Sec. 10, Twp. 12S, Rge. 25E, B.M. to be used from March 15 to November 15 for irrigation of 150 acres within the SW¼SW¼, Sec. 3; NW¼SW¼, NW¼-SE¼, Sec. 10; S½NE¼, Sec. 9, Twp. 12S, Rge. 25E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 19, 1976.

R. KEITH HIGGINSON
Director

Published in the South Idaho Press on 3-2-76 and 3-9-76.

June 8, 1990

RAY COMMONS
RT. 5 BOX 64
RUPERT, ID 83350

RE: PERMIT NO. 45-07260

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
JUN 2 . 1990

March 7, 1990

RAY COMMONS
RT. 5 BOX 64
RUPERT, ID 83350

RE: PERMIT NO. 45-07260

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the $20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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JUN 20 1990

MEMORANDUM

TO:FILE #45-7260

FROM:ROXANNE MCCARTHY

RE: CHANGES TO FIELD EXAM RECOMMENDATIONS

DATE: 6-MAR-1989

This is a complex and confusing right. As the field examiner's overlap maps indicate, the bulk of the lands under this Permit are under previous license using the same points of diversion. The previous lands are supplied at a rate of 0.015 cfs per acre.

I recommend licensing this right to irrigate only those lands found to be new by the examiner. There are a total of 78 new acres. 78.0 acres x 0.015 cfs/acre = 1.17 cfs
78.0 acres x 3.5 = 273.0 afa
In addition, this right should be conditioned to a maximum diversion of 4.53 cfs when used with the other rights.

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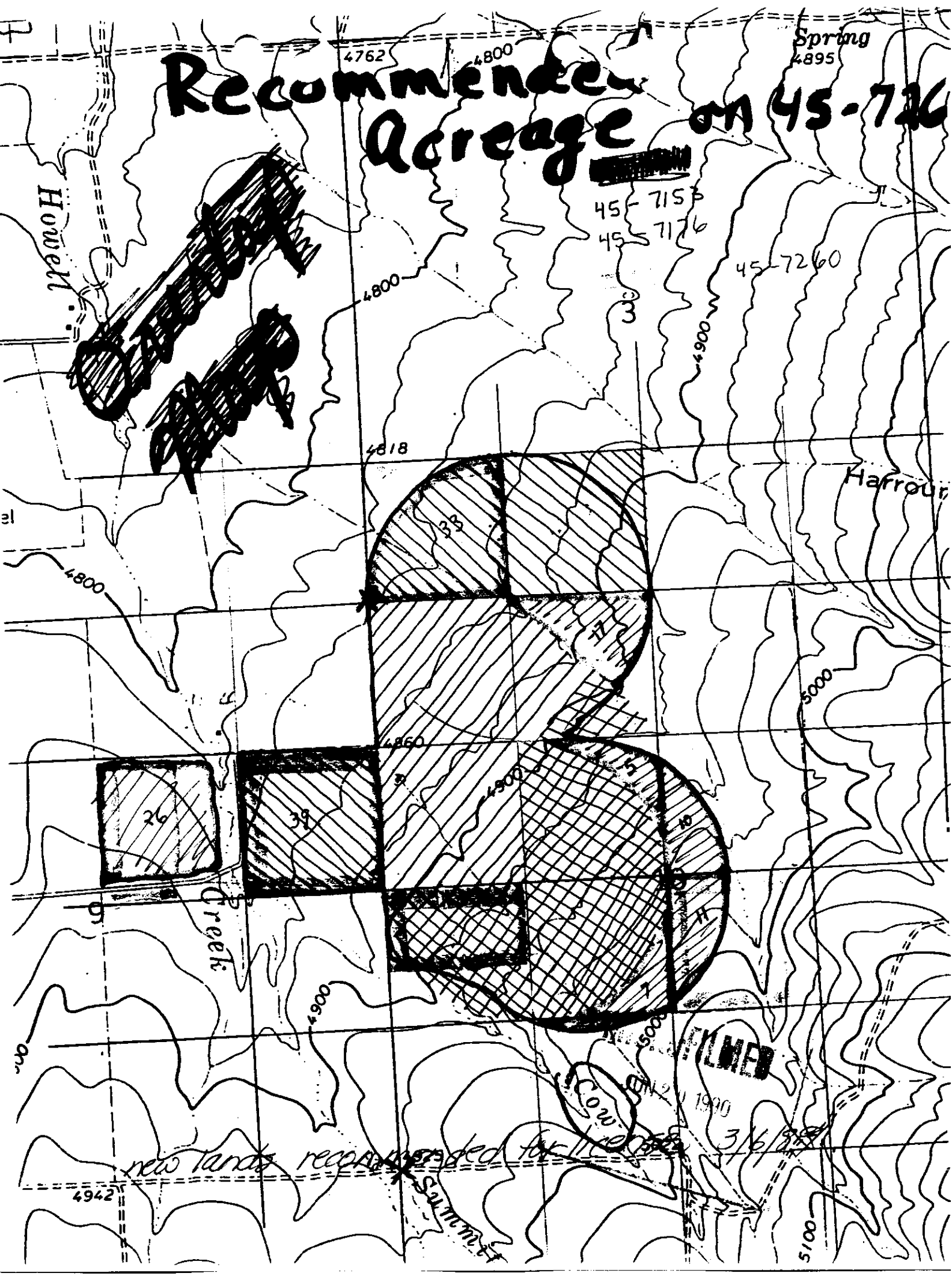
JUN 20 1990



new lands recommended for lease 3/6/88

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FEB 16 1989
Department of Water Resources

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 45-7260

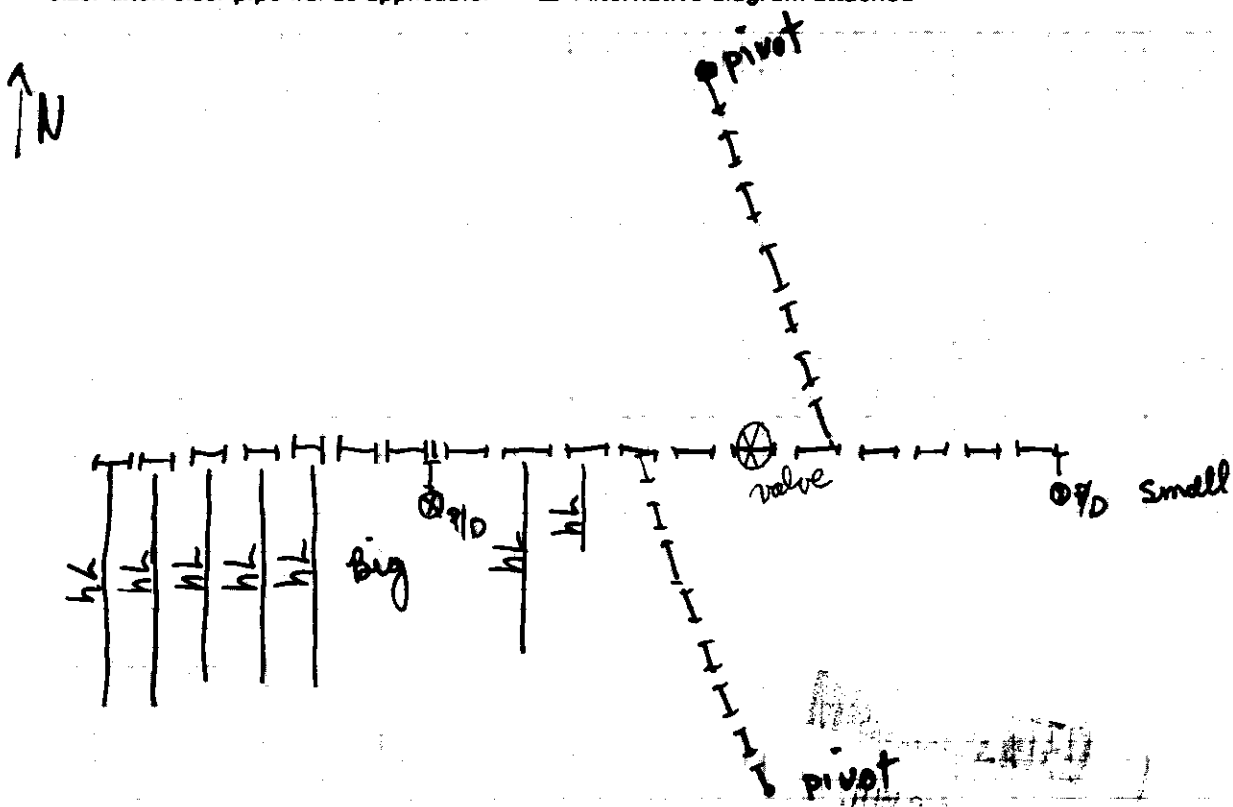
1. Owner: Ester Montgomery Phone No. 673-5331
   Current Address: Star Rt Box 11 Albion Idaho 83311
2. Accompanied by: George Montgomery EXAM. DATE: 8-12-87
   Address: Star Rt Box 13 Albion Idaho 83311 Phone No. 673-6644
   Relationship to Permit Holder: son
3. Source: groundwater tributary to

B. OVERLAP REVIEW

1. Other water rights with same place of use: ☐ Copies Attached
2. Other water rights with same point of diversion: ☐ 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" = _____.

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.)

System consists of 2 wells, 2 pumps, mainlines, 2 - 1/4 mile pivots, and 7 handlines (132 heads on 5 lines and 2 lines have 25+12 heads). The mainlines are connected between the 2 wells. However the valve that lets water comingle is frozen shut and inoperable. There was no water passing from 1 system to the other. So in essence the 2 systems were seperate

☐ 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
Big	G.E.	150	CKJ313171	Aurora	00229
Small	G.E.	75	EJJ509478	Aurora	354-82292

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

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

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
Big			SW	NW	10	12S	25E	Cassia	Aerial Photo / Visual
Small			SE	NW	10	12S	25E	Cassia	Aerial Photo / Visual

6. **Place(s) of Use:** Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	25E	3											33						33
12S	25E	9			26	39													65
12S	25E	10			10		17			5	7			2		11			52

150

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JUN 20 1990

Do not use this space

Big Well

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar					10"	

2. **Measurements:**

$Q_T = Q_R + Q_S = 2.77 + 1.76 = 4.53$ cfs

When large well was tested, 1 pivot and the 7 handlines were running

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$Q = 2.77$ cfs

2. Alternate Method for Checking Purposes:

$$Q = \frac{(150)(8)(.7)}{319.7} = 2.89 \text{ cfs}$$

Big Well

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 54 psi x 2.31 = 124.7 ft (1); Dynamic pumping level: 195 ft (2)
Total Head: (1) + (2) = 319.7 (3) ; Flow rate: 2.77 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = 100.6 (5)
Meter Input KW: 3.6 x 4.8 KH x _____ CTR or _____ MULT x _____ PTR x 2 N/ 27.0 T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

Rafi River Electric # 78 829 338

G. VOLUME CALCULATIONS

Total

1. Volume Calculations for Irrigation:

V_{IR} = (Acres Irrigated) x (Irrigation Requirement) = (372)(3.5) = 1302 Afa

V_{DR} = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = (4.53)(246)(1.9835) = 2210 Afa

V = Smaller of V_{IR} and V_{DR} = 1302 Afa

2. Volume Calculations for Other Uses:

45-7260 (150)(3.5) = 525 Afa ✓
(3)(246)(1.9835) = 1464 Afa

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JUN 20 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

On the permit there are 150 acres. The acres should be amended as indicated in item #6 of the field exam. There is a total of 372 acres under irrigation total volumes + flows are based on total acreage. The overlap map shows how the different licenses and permits actually relate to each other. Place of use descriptions are such that all acres are covered at least by 1 license or permit but not more than 2 seperate ones. Total amount of water, when combined with 45-7153 + 45-7176 shall not exceed 4.53 cfs or 1302 Afa P/D is as noted in item #5 of field exam.
License is for 3.0 cfs recommend 3.0 cfs along with conditional statement in blue ink above

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
irrigation	3-15	11-15	3.00	525
Totals:			3.00	525

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☒ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name: Darren Knuteson

Signature: Darren Knuteson

Certification Date: 5.5.87

Field Report Preparation Date: 8/12/87

PROFESSIONAL ENGINEER ★ LAND SURVEYOR REGISTERED 3845 STATE OF IDAHO LOREN O HOLMES

CONSULTANT SEAL

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

reviewed: Roxanne M Hardy 3/6/89

FILMED

JUN 24 1990

Form 219-Supp.
7/87

State of Idaho

DEPARTMENT OF WATER RESOURCES

SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Darren Knutson Date 8-12-87

Owner: Ester Montgomery Permit No. 45-7260

Description of well &/or measuring site
- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Big Well

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = 33.84"

T = Pipe Thickness in Inches = 1/8

ID = 2 [(0.1592 X CIR) - T] = ... 10.53

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 10"

State ID No.

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.94

DIFFERENTIAL PRESSURE READING IN INCHES OF H2O (H)

High Reading = 36.8

Low Reading = 28.7

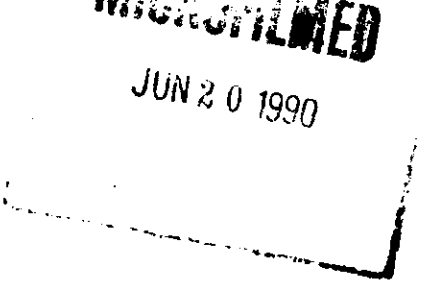
High - Low = H = ... 8.1

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(10.53)^2 \ (\sqrt{8.1}) \ (3.94)}{448.8} = 2.77 \text{ CFS}$$

SKETCH (If not shown on Field Report)



Form 219-Supp.
7/87

State of Idaho

DEPARTMENT OF WATER RESOURCES

SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Daren Knuteson Date 8-12-87

Owner: Ester Montgomery Permit No. 45-7260

Description of well &/or measuring site
- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Small Well

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = 27.72

T = Pipe Thickness in Inches = 1/8

ID = 2 [(0.1592 X CIR) - T] = ... 8.58

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 8"

State ID No. _____

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.87

DIFFERENTIAL PRESSURE READING IN INCHES OF H2O (H)

High Reading = 38.9

Low Reading = 31.2

High - Low = H = ... 7.7

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(8.58)^2 \ (\sqrt{7.7}) \ (3.87)}{448.8} = 1.76 \text{ CFS}$$

SKETCH (If not shown on Field Report)

MICROFILMED
JUN 20 1990

45-7260

Small Well

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annular					8"	

2. **Measurements:**

Q = 1.76 cfs

When small well was tested, 1 pivot was in operation

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Q = 1.76 cfs

2. Alternate Method for Checking Purposes:

$Q = \frac{(75)(8.8)(.7)}{258.5} = 1.79$ cfs

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 21 psi x 2.31 = 48.5 ft (1); Dynamic pumping level: 210 ft (2)
Total Head: (1) + (2) = 258.5 (3) ; Flow rate: 1.76 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = 51.7 (5)
Meter Input KW: 3.6 x 57.6 KH x _____ CTR or _____ MULT x _____ PTR x 2 N/ 6.5 T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

Rafl River Electric # 33 120 041

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

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

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

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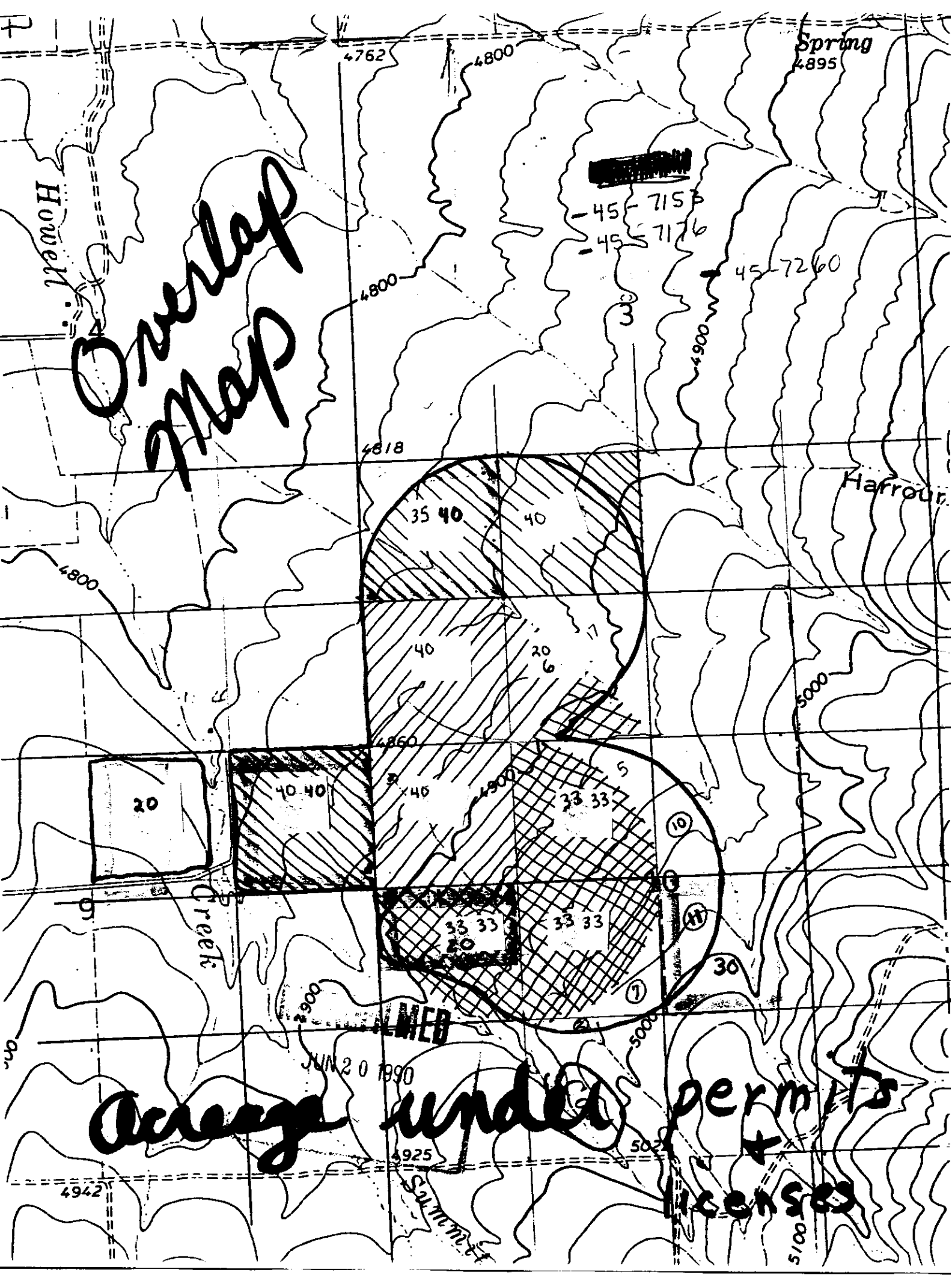
Overlap Map
Howell
Spring
4895
4762
4800
4818
4860
4900
4925
4942
5000
5100
-45-7156
-45-7176
45-7260
Harrour
35 40
40
20
40 40
33 33
30
Creek
2900
MED
JUN 20 1990
Acreage under permits + licenses

Township	Range	Sec	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12S	25E	3											33						33
		9			26	39													65
		10			10		17			5	7			2		11			52
																Total			150
12S	25E	3											35	40					75
		9				40													40
		10					6			33	33	33							10
																			220
12S	25E	10					20	40	40	33	33	33							199
																			199
Newland		3											0						0
		9			26														26
					10		17			5	7			2		11			52
																			78

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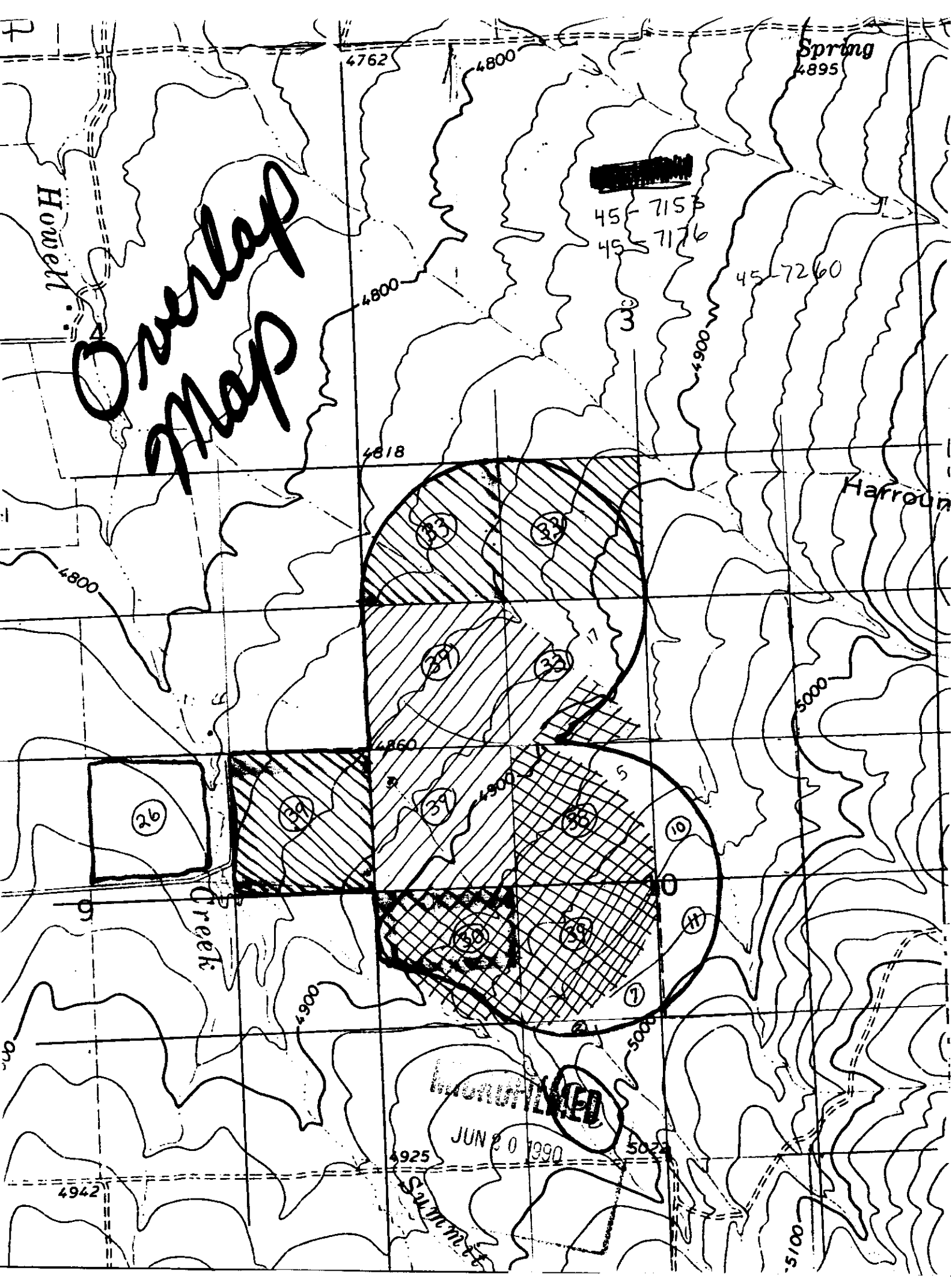
JUN 2 0 1990


Overlap Map
Howell
Spring
4895
4762
4800
4818
4860
4900
4925
4942
5000
5100
45-7158
45-7176
45-7260
Harroun
Creek
Saltillo
RECEIVED
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33
32
39
31
26
38
30
10
11
7

N
126.0
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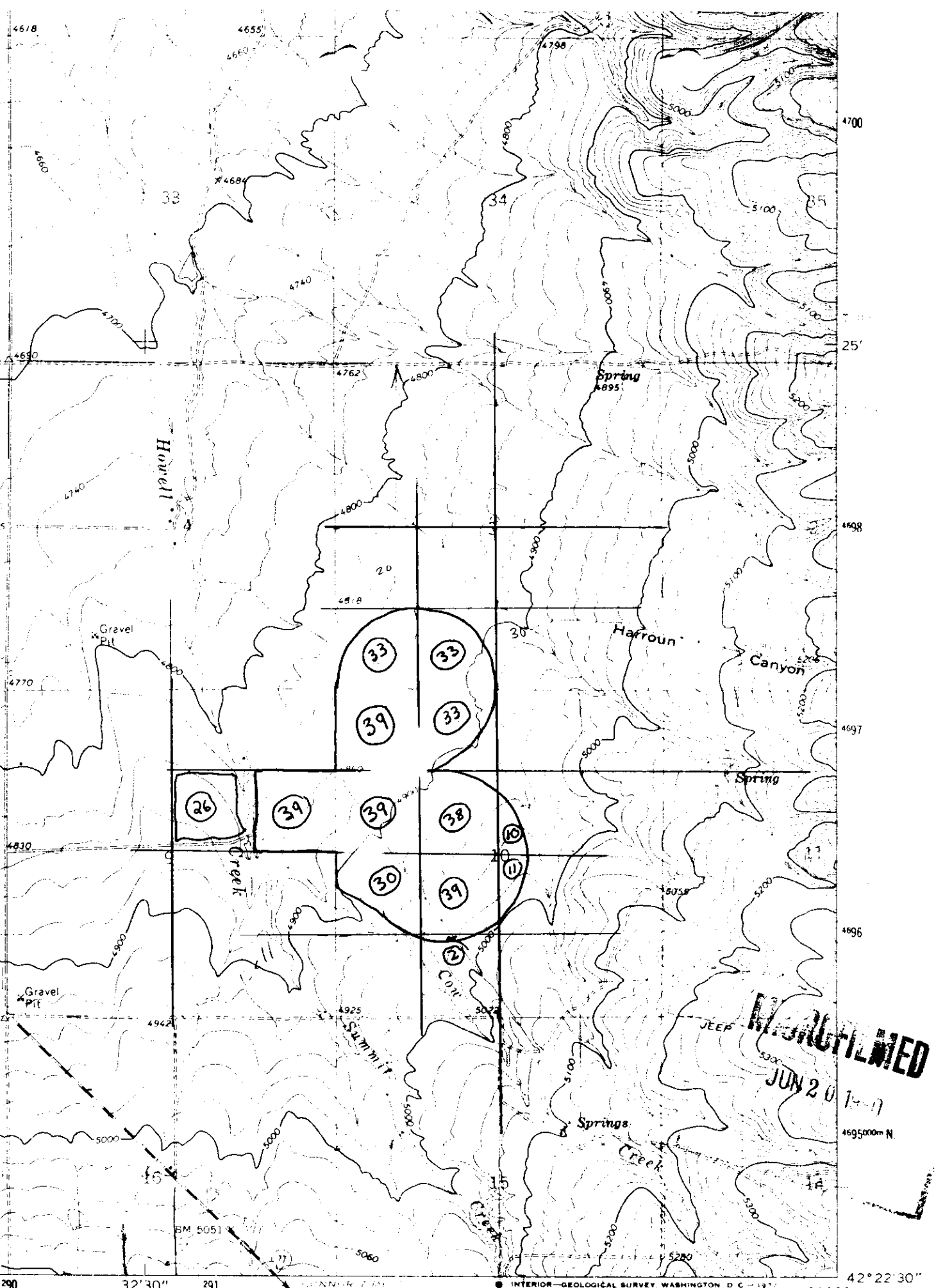
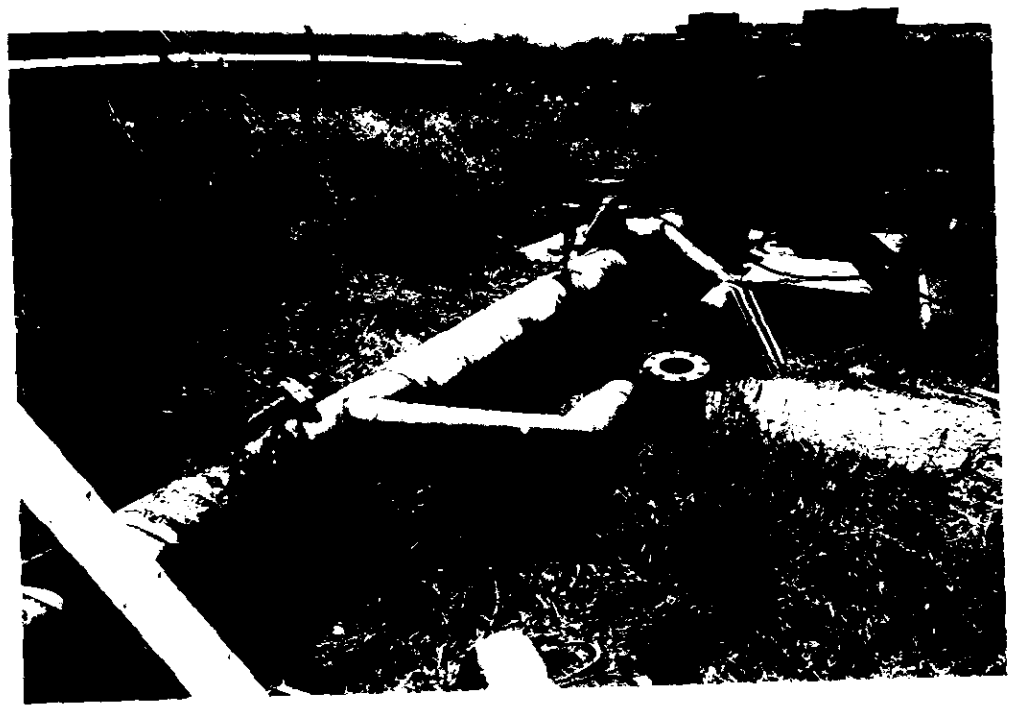
JUN 20 1990



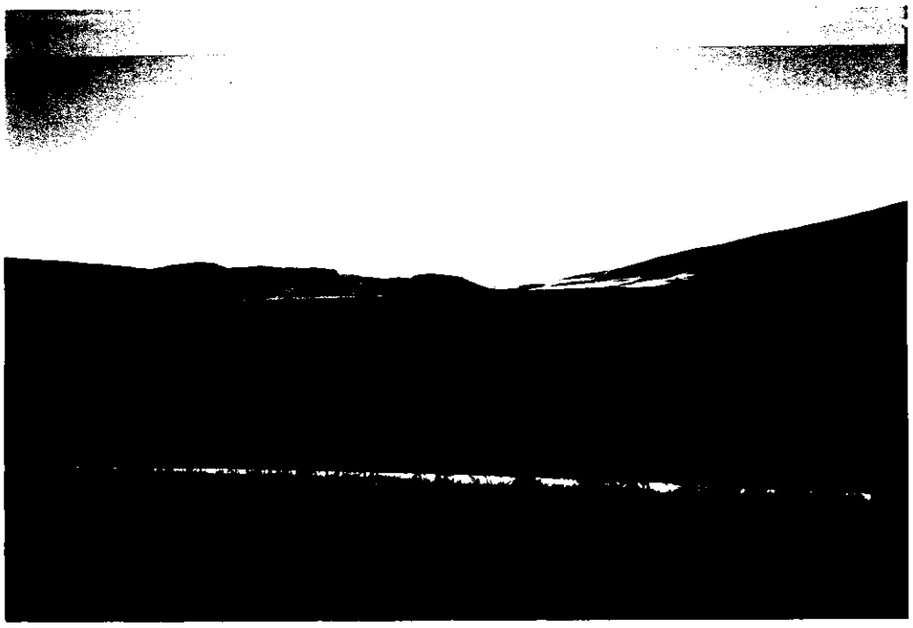
UNCLASSIFIED
JUN 20

Bio Well



Point of Diversion and photo showing how measurement was taken

Place of Use



Place of Use

Place of Use

Small well

Point of Diversion

Point where flow was measured

Small Well

Place of use (pivot in background)

4/86

For Office Use Only
Fee Received $125.
Date 10-8-86
Receipt # 38749
Receipt by
Sent to S.O. 10/9/86

RECEIVED
OCT 10 1986
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

1. Permit No. 45-7260

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Arlo Montgomery

3. Post Office Address: star Rte, Albion, Ida

Telephone No. 673-5331

4. Source of Water: groundwater

5. Extent of Use:

Domestic _____(No. of households) Stockwater _____(No. and type of stock)

Irrigation ~~150~~ 75 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted ~~3.0~~ 1.5 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

~~1976~~ 1976

8. Person to contact to accompany the department representative during the field examination:

Geo. Montgomery 673 6644 673 ~~5331~~
(Name)

Star-Rte Bx 13 Albion
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

RECEIVED
JUN 20 1990

9/30/86
Date

Estelle Montgomery
Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

45-7260
MONTGOMERY, ARLO
STAR RT.
ALBION, ID 83311

138079

August 12, 1986 CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee provided for the department to conduct the field examination, but you may switch to another certified examiner.

Certified water right examiners are licensed engineers or geologists certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water

right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department office.

Southern Region
Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Sincerely,

Loren Holmes

LOREN HOLMES
Southern Regional Manager

Enclosures

RECEIVED
JUN 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

January 27, 1981

Arlo Montgomery
Star Route
Albion, Idaho 83311

Re: Permit No. 45-7260

Dear Mr. Montgomery:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Senior Water Resource Agent

GLF:marya

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 45-7260

Name(s) of Permit Holder: Arlo Montgomery

Post Office Address: Star Rt. Albion, ID 83311

Tel. No. 673-5331

Source of Water: Groundwater

Extent of Use:
- ☐ Domestic _____ (number of households)
- ☐ Stockwater _____ (number and type of stock)
- ☒ Irrigation 150 (acres)
- ☐ Other _____

Measuring Device: Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No

Access Port: Required? ☐ Yes ☒ No Installed? ☒ Yes ☐ No

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

Jan 14, 1981
Date

Arlo Montgomery
Signature of Permit Holder

MICROFILMED

PLACE
TEN CENT
STAMP
HERE

RECEIVED
JAN 19 1981
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

MONTGOMERY, ARLO
STAR RT.
ALBION, ID 83311

DECEMBER 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 45-7260 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF $15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECIEVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 30, 1980

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

MICROFILMED

March 26, 1976

Re: Permit No. 45-7260

Arlo Montgomery
Star Route
Albion, ID 83311

Dear Mr. Montgomery:

Enclosed is a copy of your approved Application for Permit No. 45-7260 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

February 25, 1976

Re: Application For Permit No. 45-7260 - Arlo Montgomery

South Idaho Press
Box 190
Burley, Idaho 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Sincerely,

MICHAEL L. STEELE
Southern Region Supervisor

MLS:cc

Bill submitted: 3-12-76 c.c.

76-80

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Arlo Montgomery, Star Route, Albion, Idaho has on 2-25-76 submitted Application No. 45-7260 for a permit to appropriate 3.0 cubic feet per second of water from Groundwater by means of well, pump, sprinkler system within the NE¼NW¼, Sec. 10, Twp. 12S, Rge. 25E, B.M. Cassia County; SW¼NW¼, SW¼NE¼, SE¼-NW¼, Sec. 10, Twp. 12S, Rge. 25E, B.M. to be used from March 15 to November 15 for Irrigation of 150 acres within the SW¼SW¼, Sec. 3; NW¼SW¼, NW¼-SE¼, Sec. 10; S½NE¼, Sec. 9, Twp. 12S, Rge. 25E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before March 19, 1976.

R. KEITH HIGGINSON
Director

Published in the South Idaho Press on 3-2-76 and 3-9-76.

O.K. e 3/2/76

NOTICE OF APPLICATION FOR WATER PERMIT

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Star Route, Albion, Idaho

has on 2-25-76 submitted Application No. 45-7260

for a permit to appropriate 3.0 cubic feet per second ~~acre feet per annum~~

of water from Groundwater

by means of well, pump, sprinkler system.

within the NE¼NW¼, Sec. 10, Twp. 12S, Rge. 25E, B.M. Cassia County; SW¼NW¼, SW¼NE¼, SE¼NW¼, Sec. 10, Twp. 12S, Rge. 25E, B.M.

to be used from March 15 to November 15

for Irrigation of 150 acres

within the SW¼SW¼, Sec. 3; NW¼SW¼, NW¼SE¼, Sec. 10; S½NE¼, Sec. 9, Twp. 12S, Rge. 25E, B.M.

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R. KEITH HIGGINSON

Director

Published in the South Idaho Press

on 3-2-76 and 3-9-76