

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-08066

Priority: April 17, 1991

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that REX DALE CURRY

PO BOX 1

ARBON ID 83212

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 17, 1991; and has submitted Proof of Beneficial Use on May 18, 1992. An examination indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 11, Township 10S, Range 33E
POWER County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

10S 33E 11

SENE

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. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Commercial use is for a post office building.

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SEP 07 1994

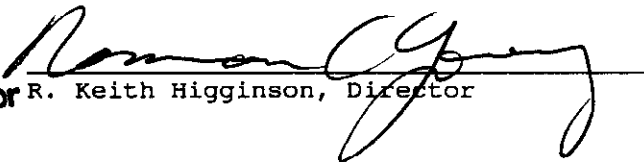
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 29-08066

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 31st
day of August, 1994.

Acting for R. Keith Higginson, Director



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SEP 07 1994

RECEIVED
MAY 18 1992

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ _____
Date _____
Receipt No. _____
Receipt by _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 29-08066 Telephone No. 335-2141
2. Name(s) of Permit Holder(s): REX DALE CURRY
3. Mailing Address: PO Box 1 ARBON IDAHO 83212
4. Source of Water: Well

If **GROUNDWATER**, Well Driller's Name: UNKNOWN Date Drilled: EARLY 1950's

OPTIONAL:

Pump horsepower: 3/4 Pressure (psi): 50 Dynamic pumping level (ft.): 40

5. Extent of Use (as authorized by the permit):

Domestic ~~2~~ (No. of households) Stockwater ~~15 HEAD cattles~~ (No. and type of stock)

Irrigation _____ (No. of acres) Other commercial-postal service trailer

6. Total rate and/or volume for which proof is submitted .04 cfs OR 5/18/92 kg acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ____ Yes X No Installed? ____ Yes ____ No

OR
Flow Measurement Port: Required? ____ Yes X No Installed? ____ Yes ____ No

8. Fee Enclosed: \$ _____ (See License Fee Schedule on back of Instruction Sheet)

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

REX DALE CURRY 208 335-2141
Name Telephone No.

PO Box 1 ARBON ID. 83212
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

SEP 07 1994

5-13-92 Rex Dale Curry owner Arbon Store & Post Office
Date Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-08066

Proposed Priority: April 17, 1991 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **REX DALE CURRY**
P.O. BOX 1
ARBON, ID 83212

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
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COMMERCIAL	01/01 to 12/31	0.04 CFS
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LOCATION OF POINT(S) OF DIVERSION: SENE Sec. 11, Township 10S, Range 33E
POWER County

PLACE OF USE: COMMERCIAL
TWN RGE SEC

10S 33E 11 SENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1992.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
5. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
6. Commercial use is for a postal service trailer.

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

27th day of June, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

JUL 10 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant REX DALE CURRY Phone 208-335-2141
Post office address P.O. Box 1 ARBON ID. 83212
2. Source of water supply WELL which is a tributary of NA
3. Location of point of diversion is _____ ¼ of SE ¼ of NE ¼, Govt. Lot _____
Sec. 11 Township 10 S Range 33 E B.M. POWER County; additional
points of diversion if any: _____
** Rq Phone call 4-19-91 EA*
4. Water will be used for the following purposes:
Amount 0.04 for POSTAL SERVICE purposes from JAN 1 to DEC. 31 (both dates inclusive)
(cfs or ~~acre-feet~~ per annum) DOMESTIC
COMMERCIAL
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 3/4 horse pump & motor in 6 inch casing 40' deep with water at 12'
- b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
- c. EXISTING Proposed well diameter is NA inches; EXISTING proposed depth of well is 40' feet.
6" 40'
- d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is NA years (minimum 1 year).

RECORDED

JUL 10 1991

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. (1) 12X40 POSTAL SERVICE TRAILER
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
105	33E	11				D									*				
						C													

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JUL 10 1991

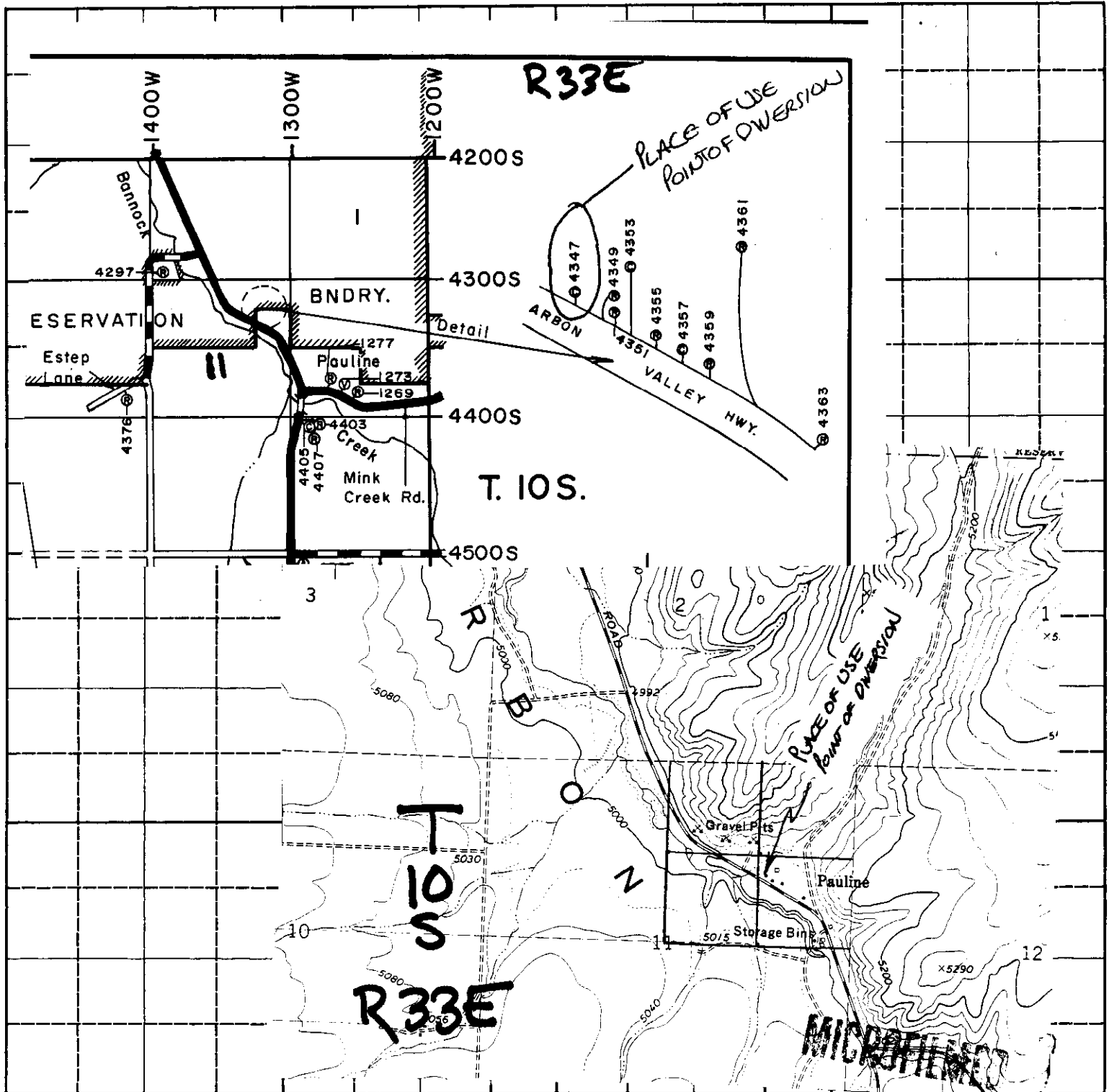
Total number of acres to be irrigated _____

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

- Who owns the property at the point of diversion? REX DALE CURRY
- Who owns the land to be irrigated or place of use? NO IRRIGATION APPLICANT
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: THIS IS FOR WATER FURNISHED TO THE POSTAL SERVICE AS PART THE RENT ON THE GROUND WHERE THE POST OFFICE IS LOCATED. *RURAL ADDRESS LOCATION IS 4347 ARROW VALLEY ROAD.
*Per Phonocover. W 4-19-91 EB

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



Scale: 2 inches equal 1 mile.

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

Rex Dale Curry
(Applicant)

Received by LB Date 4-17-91 Time 1:30 Preliminary check by _____
Fee \$ 30⁰⁰ Receipted by SSV # E015980 Date 4-19-91
Publication prepared by LB Date 5-16-91 Published in Lower County Press
Publication approved LB Date 5-30-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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JUL 10 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 1, 1994

REX DALE CURRY
PO BOX 1
ARBON ID 83212

RE: WATER RIGHT NO. 29-08066

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

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SEP 07 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 31 1994
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-08066

1. Owner: PER DAVE CUREY

Phone No. 335-2141

Current Address: P.O. Box 1, AARON, ID 83212

2. Accompanied by: _____ EXAM DATE: 9-21-93

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: SPRA NOTICE A29-12523

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SE	NE	11	10S	33E	BLAKE	USGS, CUSINE

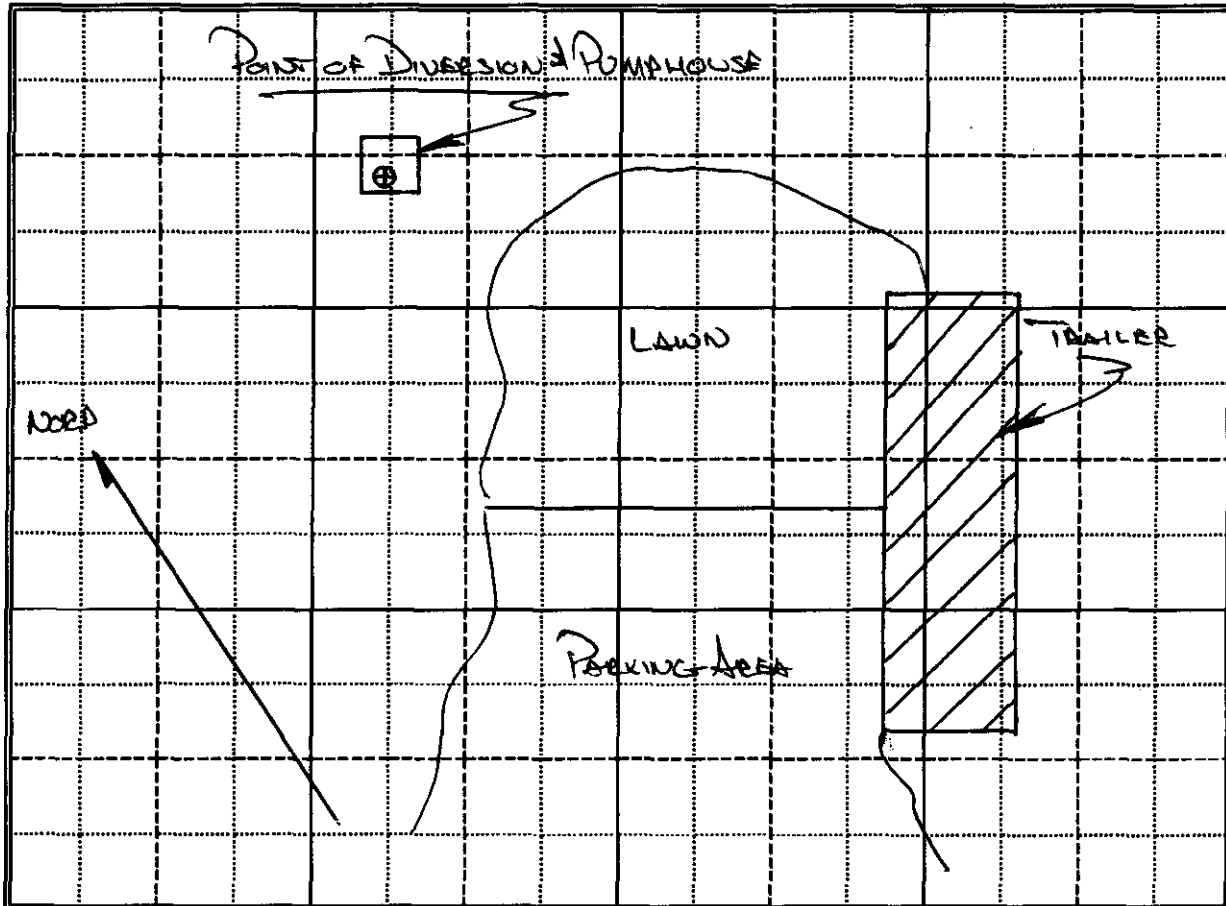
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	33E	11				C													

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



Scale: 1" = _____

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

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

_____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: N/A

SEP 07 1994

E. NARRATIVE/REMARKS/COMMENTS

* WELL, PUMP AND PIPELINES TO COMMERCIAL TRAILER WITH
SMALL LAWN. TRAILER CURRENTLY RENTED TO U.S. POSTAL
SERVICE FOR POST OFFICE BUILDING.

* PLACE OF USE LOCATED AT 4347 ARROW VALLEY HIGHWAY.

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

SEP 07 1994

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

DE MINIMUS COMMERCIAL USE WITH 1/2 ACRE LAWN

 $\Rightarrow 0.04 \text{ cfs}$ **G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

DE MINIMUS COMMERCIAL USE WITH 1/2 ACRE LAWN

 $\Rightarrow 1.2 \text{ AFA}$ **H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1-1	12-31	0.04	1.2
Totals:			0.04	1.2

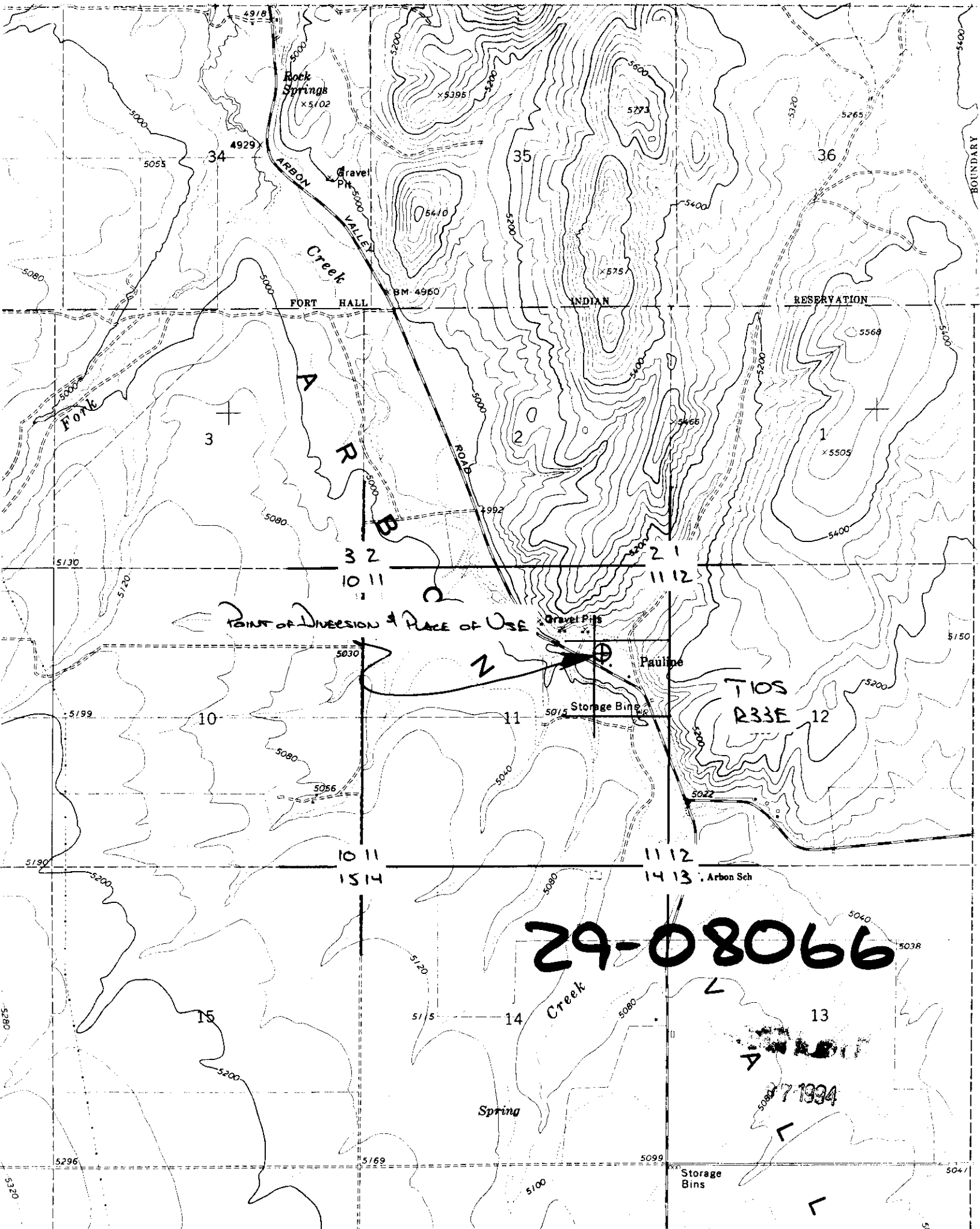
2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name DAVID R. MEYER Date 2-10-94Reviewer Keith C. Wilson Date 4 May 94

SEAL

SEP 07 1994



Rock Springs
x 5102

Gravel Pit

Creek

FORT HALL

INDIAN

RESERVATION

A
R
B
O
N
V
A
L
L
E
Y

POINT OF DIVERSION & PLACE OF USE

Gravel Pits

Pauline

Storage Bins

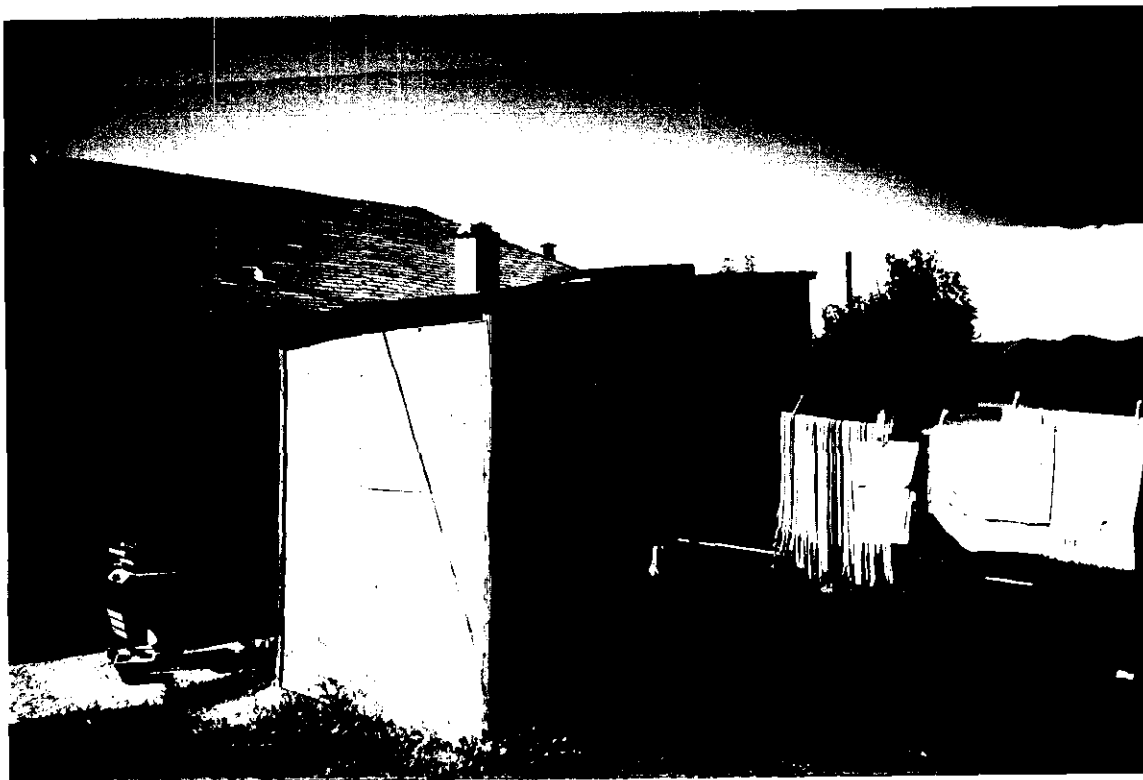
TIOS
R33E

29-08066

7 1994

Spring

Storage
Bins



Point of Division



USE - POST OFFICE

29-08066

May 22, 1992

REX DALE CURRY
P.O. BOX 1
ARBON ID 83212

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-08066

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

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SEP 07 1994

April 30, 1992

REX DALE CURRY
P.O. BOX 1
ARBON ID 83212

PROOF DUE NOTICE

RE: PERMIT NO. 29-08066

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 138843

SEP 07 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 3, 1991

REX DALE CURRY
P.O. BOX 1
ARBON, ID 83212

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-08066

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECORDED
JUL 10 1991

13-May-1991

REX DALE CURRY
PO BOX 1
ARBON ID 83212

RE: Application No. 29-8066

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Power County Press on May 16 & 23, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

JUL 10 1991

Affidavit of Publication

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 15 TH day of MAY 1991 and the date of last publication being the 22 ND day of MAY 1991.

(Signed)

Erma Crompton

State of Idaho

County of Power

On this 22ND day of MAY in the year of 1991, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Brett Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1993

Application for water right

Published in The Power County Press,
May 15, 22, 1991.

29-08066
CURRY, REX DALE
P.O. BOX 1
ARBON, ID 83212

Source: GROUNDWATER
Diversion Pt: SENE Sec 11 T 10S R
33E

Use: COMMERCIAL (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 4/17/1991

In: T10S R33E S11 SENE

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203 C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 3, 1991.

R. Keith Higginson, Director

JUL 10 1991

RECEIVED

MAY 24 1991

Department of Water Resources
Eastern District Office

STATE OF IDAH
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

MAY 10, 1991

THE POWER COUNTY PRESS
P.O. BOX 547
AMERICAN FALLS, ID 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 3, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

JUL 10 1991

29-08066

CURRY, REX DALE
P.O. BOX 1
ARBON, ID 83212

Source: GROUNDWATER

Diversion Pt: SENE Sec 11 T 10S R 33E

Use: COMMERCIAL (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 4/17/ 1991

In: T10S R33E S11 SENE

RECEIVED

JUL 10 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JUNE 3, 1991.

R. Keith Higginson, Director

Published 5/15/1991 & 5/22/1991

OFFICE OF THE DIRECTOR
DEPARTMENT OF WATER RESOURCES

JUL 10 1991