

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-07774

Priority: June 05, 1984

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 8.3 AF

It is hereby certified that MARTIN HACKWORTH
8759 1/2 W BARTON RD
POCATELLO ID 83204 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 05, 1984; and has
submitted Proof of Beneficial Use on June 04, 1990. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

SPRING

Tributary: PORTNEUF RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.04 CFS	8.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.3 AF

LOCATION OF POINT OF DIVERSION:

SPRING SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, Twp 06S, Rge 35E, B.M., BANNOCK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	35E	32							2.0										2.0

Total Acres: 2

PLACE OF USE: STOCKWATER – Same as Irrigation

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 29.
3. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

MICROFILMED
NOV 13 2001

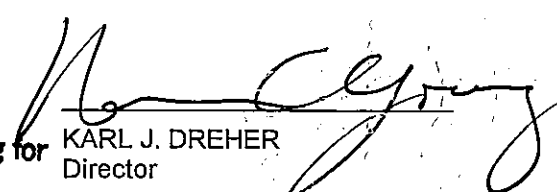
State of Idaho
Department of Water Resources
Water Right License

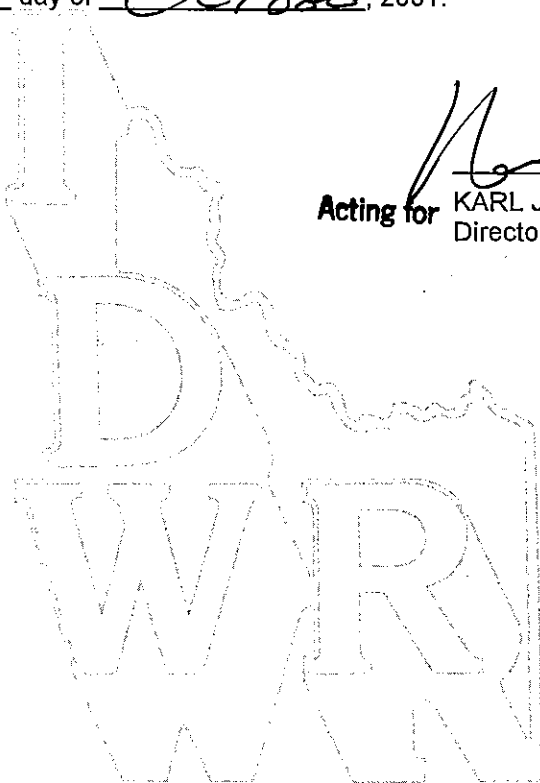
WATER RIGHT NO. 29-07774

4. Rights 29-02139 and 29-07774 when combined shall not exceed the irrigation of 3 acres.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26TH day of OCTOBER, 2001.

Acting for 
KARL J. DREHER
Director



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NOV 13 2001

11/99

For Office Use Only
\$25 filing fee 25.00
Receipt # 056524
Date 9-26-01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 10 2001

ASSIGNMENT OF PERMIT

To change the ownership of a permit

Department of Water Resources

I, LORNA OBERMAYER, hereby assign to Martin Heckworth
of, 8759 1/2 W. Barton, Pocatello ID 83204 208233
(Full Address) (Phone) 7918

All my right, title, and interest in and to Permit No. 29-0774 to
appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 30 day of August, 20 01.

Lorna Obermayer
Permit Holder(s)

PROVINCE OF BRITISH
Columbia)
State of Idaho)ss
County of KOOTENAY

On this 30th day of August, 20 01, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same.

Michael J. Sweeny
Notary Public residing at New Denver B.C.

SEAL

MICHAEL J. SWEENEY

~~BARRISTER & SOLICITOR~~

R.R. #1, S.I. Box 32

New Denver, B.C. V0G 1S0

(604) 358-7227

My commission expires: no expiry date

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OCT 02 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 29, 2001

MARTIN HACKWORTH
8759 1/2 W BARTON RD
POCATELLO ID 83204

RE: License No. 29-7774 - Issuance of License

Dear Water Right Holder(s):

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

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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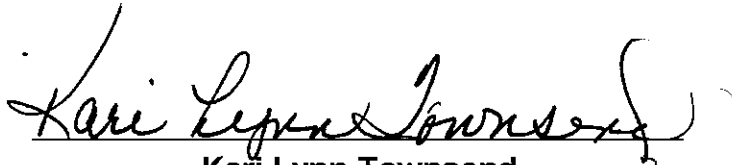
NOV 13 2001

CERTIFICATE OF MAILING

I hereby certify that on October 29, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 29-7774

**MARTIN HACKWORTH
8759 1/2 W BARTON RD
POCATELLO ID 83204**


**Kari Lynn Townsend
Secretary**

MICROFILMED

NOV 13 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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NOV 13 2001

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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NOV 13 2001

LICENSE REVIEW CHECKLIST

Permit No. 29-7774

Date: 10-19-01

Reviewer: Kay Walker

Change/OK

Name/Address

OK

Source

OK

Point of Diversion:

OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44)

Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

OK

Change (P41/P49) Add (P41/P44)

Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

29-2139

File reviewed Profile reports printed

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

Rate of Diversion:

Permitted rate 0.12 cfs

Fee Limit 0.20 cfs

Measured 0.04 cfs

Theoretical cfs

Recommended Total Diversion Rate 0.04

Water Uses

OK Change (P46)

Season of Use per new Standards

4/1 10/31

Irrigation 0.04 cfs 8.0 af
Stockwater 0.02 cfs 0.3 af
Domestic cfs af
cfs af
cfs af
Total 0.04 cfs 8.3 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.04 cfs x 1.9835 x 214 days = 17.0 af (vs)

2 acres x 4.0 (FHR) = 8.0 af
3(con)

Remarks:

W35-3 ac

Additional Conditions

yes Watermaster Control 29
GW Measurement/Measuring Device
Other
Trust R55 - remove 051)
Non-trust (048/049)

GW Dist?

Water Msmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority?

yes
no

If yes, explain why below.

SRBA Claim?

yes-pending

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

**Idaho Dept. of Water Resources
Place of Use Comparison Report**



Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	29 10072	DON STALLSMITH, CHERI STALLSMITH,	GROUND WATER	06S35E32							X										0
Claim	29 10811	GWENDOLYN J ARD, WILLIE J ARD,	GROUND WATER	06S35E32							X										0
Claim	29 11036	DONNA BURNSIDE,	GROUND WATER	06S35E32				X													0
Claim	29 11340	LORI K PICCOLO-STINSON, CHARLES M STINSON,	GROUND WATER	06S35E32							X										0
Claim	29 12262	MARTIN HACKWORTH,	GROUND WATER	06S35E32							X										0
Claim	29 12262	MARTIN HACKWORTH,	GROUND WATER	06S35E32							X										0
Claim	29 12263	MARTIN HACKWORTH,	GROUND WATER	06S35E32							X										0
Claim	29 12263	MARTIN HACKWORTH,	GROUND WATER	06S35E32							X										0
Claim	29 12860	MICHEAL BAVERLE, TERRI BERGMEIER,	GROUND WATER	06S35E32							X										0
Claim	29 12860	MICHEAL BAVERLE, TERRI BERGMEIER,	GROUND WATER	06S35E32							X										0
Claim	29 13106	STEPHEN N AFFA,	GROUND WATER	06S35E32							X										0
Right	29 10072	CHERI STALLSMITH, DON STALLSMITH,	GROUND WATER	06S35E32							X										0
Right	29 10811	GWENDOLYN J ARD, WILLIE J ARD,	GROUND WATER	06S35E32							X										0
Right	29 11036	DONNA BURNSIDE,	GROUND WATER	06S35E32						X											0
Right	29 11340	LORI K PICCOLO STINSON, CHARLES M STINSON,	GROUND WATER	06S35E32						X											0
Right	29 12262	MARTIN HACKWORTH,	GROUND WATER	06S35E32							X										0
Right	29 12262	MARTIN HACKWORTH,	GROUND WATER	06S35E32							X										0
Right	29 12263	MARTIN HACKWORTH,	GROUND WATER	06S35E32							X										0
Right	29 12263	MARTIN HACKWORTH,	GROUND WATER	06S35E32							X										0
Claim	29 12626	UNITED STATES OF AMERICA ACTING THROUGH,	SPRING	06S35E32				X													0
Claim	29 12755	UNITED STATES OF AMERICA ACTING THROUGH,	SPRING	06S35E32					X												0
Claim	29 12755	UNITED STATES OF AMERICA ACTING THROUGH,	SPRING	06S35E32					X												0
Claim	29 13019	UNITED STATES OF AMERICA ACTING THROUGH,	SPRING	06S35E32			X														0
Claim	29 13019	UNITED STATES OF AMERICA ACTING THROUGH,	SPRING	06S35E32			X														0
Claim	29 7774	MARTIN HACKWORTH,	SPRING	06S35E32											2						2
Right	29 2233	TONEY GENTILE,	SPRING	06S35E32			X					X									0
Right	29 2233	TONEY GENTILE,	SPRING	06S35E32	X																0
Right	29 7774	MARTIN HACKWORTH,	SPRING	06S35E32								2									2
Right	29 7774	MARTIN HACKWORTH,	SPRING	06S35E32							X										0
Permit	29 7774	MARTIN HACKWORTH,	SPRINGS	06S35E32											2						2
Claim	29 2139	MARTIN HACKWORTH,	UNNAMED STREAM	06S35E32							X										0
Claim	29 2139	MARTIN HACKWORTH,	UNNAMED STREAM	06S35E32							3										3
Right	29 2139	W H BARTON,	UNNAMED STREAM	06S35E32							3										3
Right	29 7812	JOHN E VAN HORN,	UNNAMED STREAM	06S35E32				X													0



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 29-2139

WATER RIGHT NUMBER: 29-2139

Owner Type Name and Address

Current Owner W H BARTON

Priority Date: 01/05/1912

Basis: License

Status: Active

Source

UNNAMED STREAM

Tributary

PORTNEUF RIVER

Beneficial Use

From To

Diversion RateAnnual Volume

DOMESTIC

/ to /

IRRIGATION

/ to /

0.060 CFS

Total Diversion:

0.060 CFS

Location of Point(s) of Diversion

UNNAMED STREAM

SW1/4NE1/4

Sec. 32, Twp 06S, Rge 35E, B.M.

BANNOCK County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S	35E	32							3.0										3.0

Total Acres: 3

DOMESTIC same as IRRIGATIONConditions of Approval:Remarks:

- General LICENSE IDENTIFIES SOURCE AS UNNAMED GULCH.^^^

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-2139

WATER RIGHT NUMBER: 29-2139

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	W H BARTON
Original Owner	LORNA OBERMAYR
Current Owner	MARTIN HACKWORTH

Priority Date: 01/05/1912

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
IRRIGATION	4/01 to 11/01	0.060 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	SW1/4NE1/4	Sec. 32, Twp 06S, Rge 35E, B.M.
BANNOCK County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	35E	32								X									

Total Acres: 0

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	35E	32							3.0										3.0

Total Acres: 3

Conditions of Approval:Remarks:

Townsend, KariLynn

To: hackmart@allidaho.com
Subject: RE: Water Permit 29-07774/Obermayr

*Sent Friday,
9.21.01*

Dear Mr. Hackworth:

I am e-mailing you to follow up on our request for the required \$25.00 filing fee to process the Assignment of Permit. We are not able to process the assignment until the filing fee has been received.

Please send the \$25.00 filing fee to:

Idaho Department of Water Resources (IDWR)
1301 N. Orchard
Boise, ID 83706-2237

Please reference the permit number (29-07774) and note that the filing fee is for an Assignment of Permit. If you have any questions regarding this matter, please call me at 208-327-7941.

Thank you for your attention to this request.

Kari Lynn Townsend

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OCT 02 2001

Walker, Kay

From: Martin Hackworth [hackmart@allidaho.com]
Sent: Tuesday, August 14, 2001 11:22 AM
To: kwalker@idwr.state.id.us
Subject: letter of July 26 RE: 29-07774

Dear Ms. Walker,

Lorna Obermayr lives in Canada and is hard to track down. I am still trying to reach her. I am confident that I can get all of the necessary paperwork filed in the next 30 days, but not by 8/26. Please do not re issue the license to Ms. Obermayr. Thanks

Martin Hackworth

MICROFILMED

OCT 02 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 26, 2001

MARTIN HACKWORTH
8759½ W BARTON RD
POCATELLO ID 83204

RE: PERMIT NO. 29-07774

Dear Mr. Hackworth:

The Department of Water Resources is reviewing the above referenced permit prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit.

This permit is still in the name of Lorna Obermayr and we need to have an assignment of this permit from her, to you, in order to change the name. In Idaho a permit is considered personal property and in order for us to change our records we require an "Assignment of Permit" form along with a \$25.00 filing fee. Please submit the completed assignment form and filing fee within the next 30 days. If we don't receive the completed assignment form and \$25.00 fee within this 30 day period, we will issue the license in Ms. Obermayr's name as currently shown in our records.

If you have any questions in regard to this matter, please do not hesitate to contact me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosure

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OCT 02 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant LORNA G OBERMAYR Phone 232-5481
Post office address 3001 BARTON RD POCA TELLO 83204
2. Source of water supply SPRINGS IN UNAHEN GULCH which is a tributary of —
3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 32 Township 6S
Range 3SE B.M. BANNOCK County, additional points of diversion if any: —

4. Water will be used for the following purposes:

Amount 0.08 ^{cfs} for DOMESTIC purposes from 1.1 to 12.31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for IRRIGATION purposes from 3.15 to 8.15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 for STOCKWATER purposes from 1.1 to 12.31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.12 cfs cubic feet per second and/or b. — acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. INTAKE AT EXISTING DIVERSION DAM
4" PIPE TO SETTLING TANK 4" PIPE TO EXISTING 2500 g
STORAGE TANK.

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

Period of year when water will be diverted to storage 1.1 to 12.31 inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 YRS years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32 Township 6S
Range 3SE B.M.

(2) Amount of power to be generated: — horsepower under — feet of head.

(3) List number of each kind of livestock to be watered 24 HORSES

(4) Name of municipality to be served —, or number of families to be supplied with domestic water 2.

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

MICROFILMED

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	
6S	35E	32							2										2

Total number of acres to be irrigated 2

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

PERMIT NO. 8068/29-2139

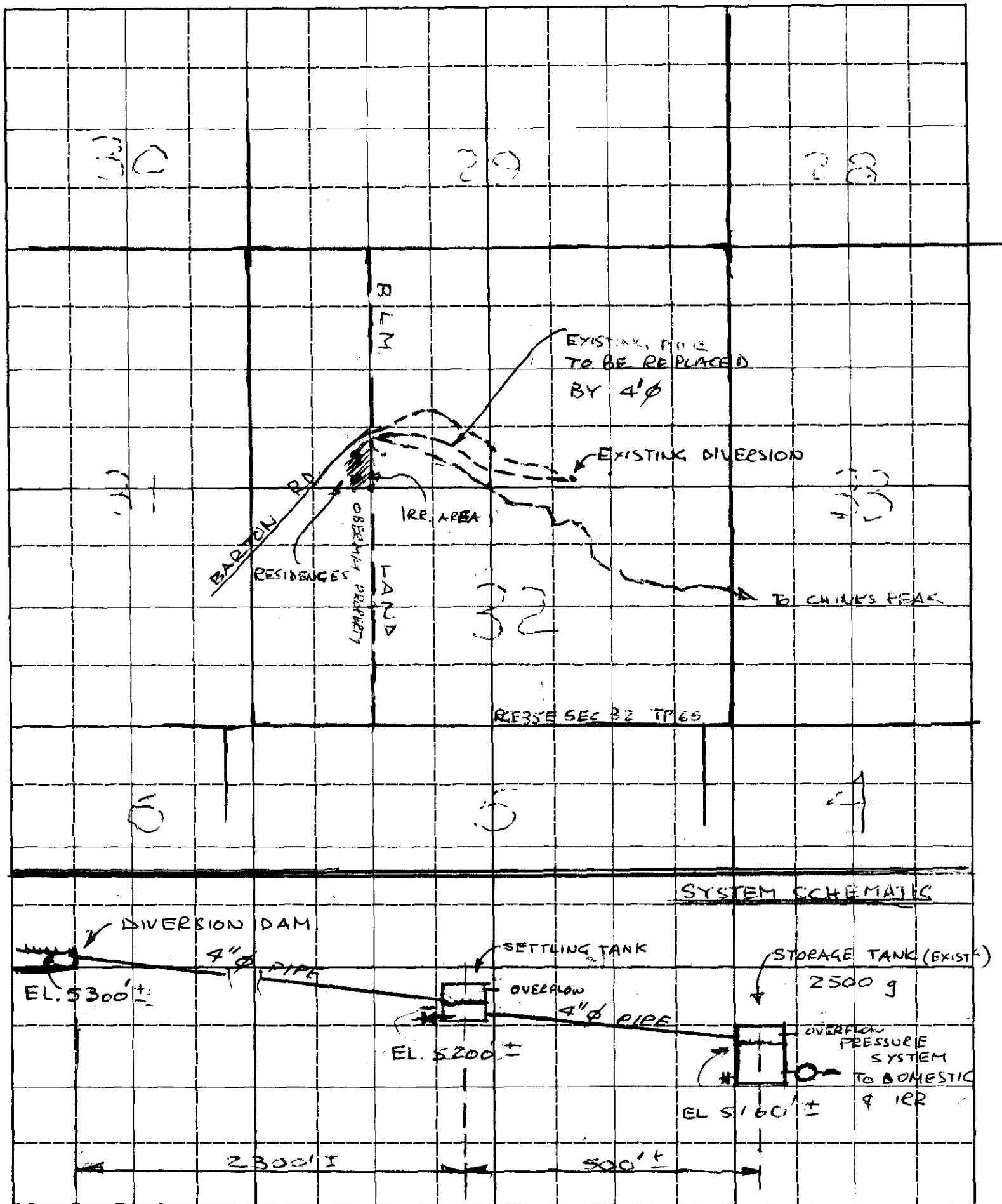
9. a. Who owns the property at the point of diversion B. L. M

b. Who owns the land to be irrigated or place of use L. G. OBERMAYR

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 MY INTENTION IS TO INCREASE THE SYSTEM CAPACITY BY REPLACING EXISTING LINES AND EQUIPMENT. THE EXISTING SYSTEM NEEDS CONSIDERABLE REMEDIAL WORK DUE TO VANDALISM & GENERAL WEAR & TEAR. THE ADDITIONAL WATER QUANTITY INCLUDED IN THIS PERMIT IS CURRENTLY AVAILABLE AT THE DIVERSION FROM THE SPRINGS IN THE UN NAMED GULCH. THE INTENDED BENEFICIAL USE IS FOR SILVICULTURE

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.

Lorna Overman
(Applicant)

MICROFILMED

Proposed Priority 6/5/84

MICROFILMED

Received by CW Date 6-05-84 Time 1:05

Preliminary check by DJR Fee \$ 30.00

Receipted by CZ Date 6-6-84 # 33566

Publication prepared by CW Date 3-27-85

Published in Idaho State Journal

Publication dates 4/04 + 4/11/85 Re-ord. No. 10/04 10/17/85

Publication approved CW Date 4-23-85 & 11-01-85

Protests filed by: ~~BLM~~ WITHDRAWN

Copies of protests forwarded by CW

Hearing held by _____ Date _____

Recommended for approval denial by EMC CW

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. 29-7774, 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 November 1, 19 90.
- 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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
The issuance of this permit in no way grants any right-of-way or easement across the land of another.
Use of water under this permit is subject to control by the watermaster of State Water District No. 29, Portneuf River.

Witness my hand this 12th day of November, 1985.

J. Glen Saylor
Chief, Operations Bureau

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

Sandra K. Herald

NOTICE OF CORRECTION

Notice is hereby given that application No. 29-7774 in the name of Lorna G. Obermayer, Pocatello was advertised incorrectly on April 4 and 11, 1985. The place of use was advertised as being within the SWSW Sec 32 T 06S R 35E for 2 acres.

WHEREAS, the actual place of use is within the SWNW Sec 32 T 06S R 35E.

The permit is 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, Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402 on or before October 28, 1985.

S/A. KENNETH DUNN

Director

October 10, 17, 1985

No. 464

being first duly sworn on oath deposes and says: That she was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

October 10, 19 85, 19
October 17, 19 85, 19
_____, 19, 19
_____, 19, 19
_____, 19, 19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Subscribed and sworn to before me this 25th day of October, 1985

[Signature]

Notary Public, State of Idaho

Residence: Pocatello, Idaho

RECEIVED

OCT 28 1985

Department of Water Resources
Eastern District Office

MICROFILMED BY [illegible]

PROOF OF PUBLICATION

STATE OF IDAHO
County of Bannock

ss.

APR 11 1985

Department of Water Resources
Eastern District Office

Sandra K. Herald

NOTICE OF APPLICATION FOR WATER RIGHT

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

29-7775

MARTIN, ANTHONY
Box 8320, IDAHO STATE UNIVERSITY,
POCATELLO, ID 83201
Source: GROUNDWATER
Date Filed: 06-15-1984
Diversion Pt: NWNE Sec 19 T 07S R 35E
Use: IRRIGATION (0.06 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NWNE Sec 19 T 07S R 35E FOR 2
ACRES

29-7774

OBERMAYR, LORNA G.
3001 BARTON ROAD, POCATELLO, ID
83204
Source: SPRINGS
Date Filed: 06-05-1984
Diversion Pt: SWNE Sec 32 T 06S R 35E
Use: IRRIGATION (0.04 CFS)
STOCKWATER (0.04 CFS)
DOMESTIC (0.08 CFS)
In: SWSW Sec 32 T 06S R 35E FOR 2
ACRES

29-7773

OBERMAYR, LORNA G.
3001 BARTON ROAD, POCATELLO, ID
83204
Source: ELWELL SPRING trib. to
SINKS
Date Filed: 06-05-1984
Diversion Pt: NENW Sec 32 T 06S R 35E
Use: IRRIGATION (0.04 CFS)
DOMESTIC (0.04 CFS)
In: SWNW Sec 32 T 06S R 35E for 2
ACRES

29-7766

DILLER, EVERETT D. &/or FRANCES
L.
Source: GROUNDWATER
Date Filed: 03-19-1984
Diversion Pt: NWNE Sec 19 T 07S R 35E
Use: IRRIGATION (0.06 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NWNE Sec 19 T 07S R 35E FOR 2
ACRES

The permits(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
150 Shoup Ave., Suite 15, Idaho Falls,
Idaho 83402 on or before April 22, 1985

S/Ken Dunn, Dir.
April 4, 11, 1985
No. 824

being first duly sworn on oath deposes and says: That she
was at all times herein mentioned a citizen of the United States of America, more than 21 years of age, and the Principal Clerk of THE IDAHO STATE JOURNAL, a daily newspaper, printed and published at Pocatello, Bannock County, Idaho, and having a general circulation therein.

That the document or notice, a true copy of which is attached, was published in the said IDAHO STATE JOURNAL, on the following dates, to-wit:

April 4	19 85	19
April 11	19 85	19
	19	19
	19	19
	19	19

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice or advertisement and is a newspaper within the meaning of the laws of Idaho.

Sandra K. Herald

Subscribed and sworn to before me this 19th
day of April, 19 85

[Signature]

Notary Public, State of Idaho
Residence: Pocatello, Idaho

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 18 2000

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: Lorna G Obermayer % Martin Hackworth Permit No. 29-07774
Current Address: 8759 1/2 W. Baton Rd, Pocatello 83204 Phone No. 208 233-7918
2. Accompanied by: Martin Hackworth EXAM. DATE: 3 Aug 1998
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Spring 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

See attached Photos

Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required).
☐ 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.)

Spring, diversion dam w/ distribution line w/ overflow and gravity sprinklers (4) and drip system (40 - 2 gal/hr nozzles); stock water (2 horses, 2 goats, 4 dogs) @ time of Exam

Domestic water (in-house use) supplied by well.

☐ 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

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SW	NE	32	6S	35E	Bannock	On Site/FSA Aerial/USGS Quad

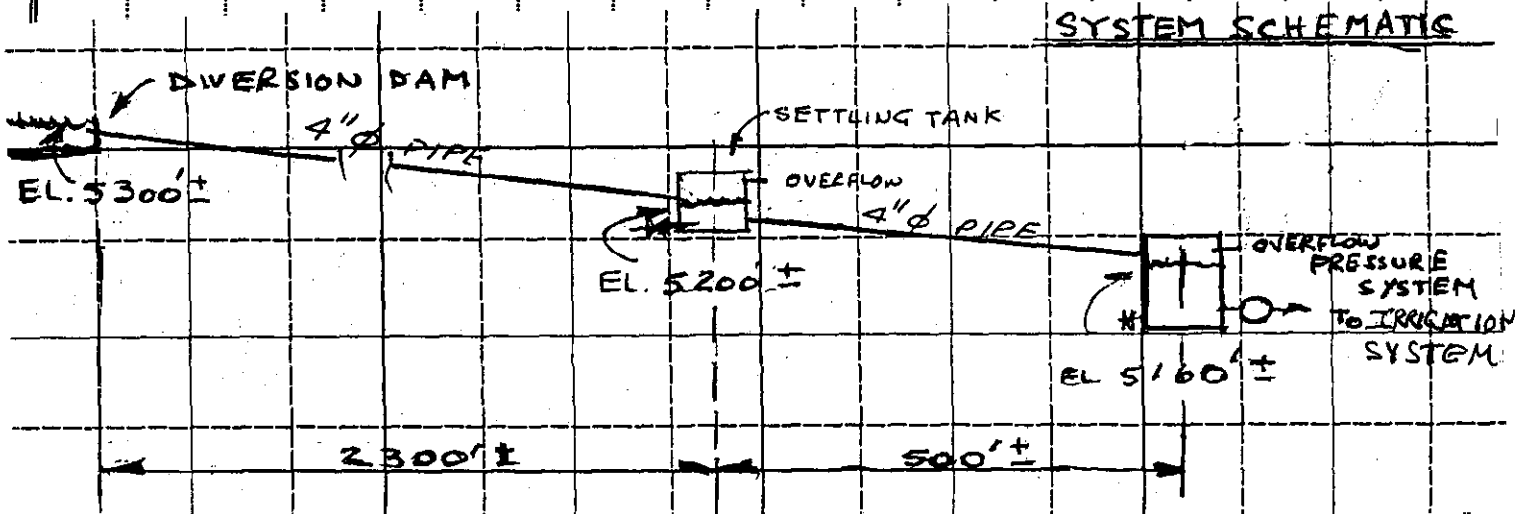
6. **Place(s) of Use:**

Indicate Method of Determination On Site FSA Aerial

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	35E	32							3										
									5										

Do not use this space

SYSTEM SCHEMATIC



PERMIT # 29-07774

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

4-5/32" @ 27 1/2 lb average 40 2 gal/hr Nozzle

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

5/32" @ 27 1/2 lb = 3.83 gpm/nozzle x 4 = 15.3 gpm
 5/32" @ 25 psi = 3.64 gpm
 5/32" @ 20 psi = 4.01 gpm

40 @ 2 g/hr = 80 g/hr = 1.33 gpm Total Q = 15.3 gpm + 1.33 gpm = 16.63 gpm = 0.04 cfs

2. Alternate Method for Checking Purposes:

Q LIMITED BY permit 2 ac x 0.02 cfs/ac = 0.04 cfs

F. PUMP EFFICIENCY DATA (Optional)

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

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$V_{stock} = (24 \text{ hours}) (0.0134) = 0.32 \text{ ac-ft}$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Limit to 2 ac irrigation

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/15	8/15	0.04	8.0
STOCKWATER	1/1	12/31	0.04	0.3
Totals:			0.04	8.3

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

Keith C Wilson

Signature

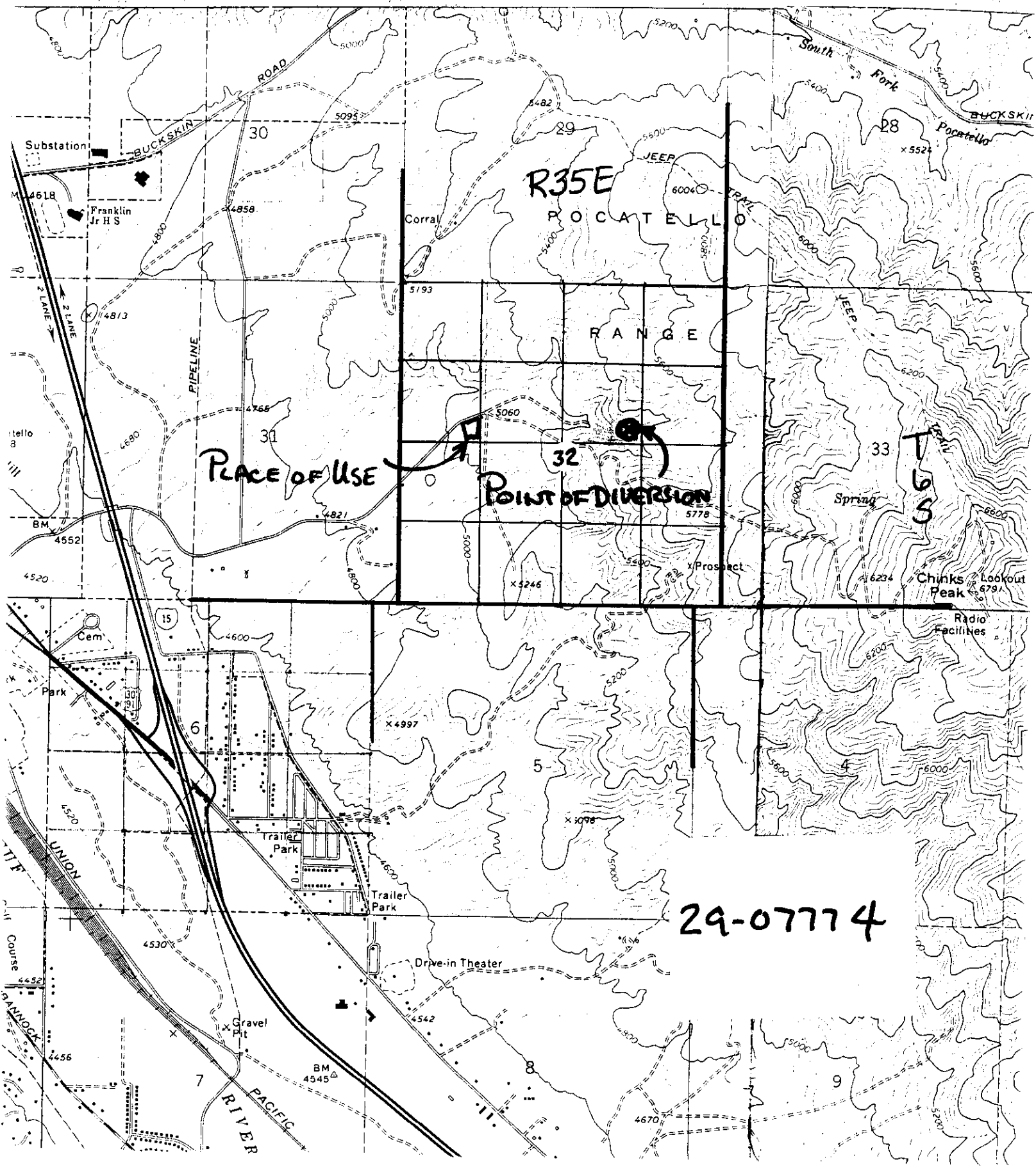
Keith C Wilson

Certification Date

Field Report Preparation Date

CONSULTANT SEAL

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



R35E

T6S

COLLECTION BOX

PLACE OF USE

SMALL
COLLECTION
BOX

32

POINT OF DIVERSION

29-07774

32 31 32

6 5

0 2 2001

17718



POINT OF
DIVERSION

MICROFILMED
OCT 02 2001

29-7774



POINT
OF
DIVERSION



MICROFILM
OCT 02 2001

29-07774



OVERFLOW

MICROFILMED
OCT 02 2001

29-07774



PLACE OF
USE



MICROFILMED
OCT 02 2001

29-07774



PLACE OF USE

MICROFILMED 29- 07774
OCT 02 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

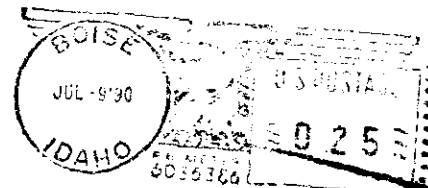
North Orchard Street
Boise, Idaho 83706-2237

*Returned to
same address
8-14-90
JY*

Return for ADDITIONAL Postage
CANADIAN Rate 30¢ 1st oz.
22¢ ea. Additional oz. thru 12 oz.

LORNA OBERMAYR
P.O. 340
New Denver BC VOG 1S0

RETURN TO SENDER
NEED PROOF FOR
CANADA MAIL



JUL 19 1990
Department of Water Resources

AUG 14 1990

July 17, 1990

LORNA G. OBERMAYR
P.O. BOX 340
NEW DENVER, BC VOG ISO

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07774

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

AUG 14 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 29-1774

Date: 6-21-98

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change _____ If yes, prepare a data entry
☒ Proof received timely
_____ Reinstated

Source of Water:

- ☒ Surface water
_____ Groundwater
_____ NH 1. well log in file
_____ 2. drilling permit
_____ NH A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
_____ ☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

very acceptable

Priority Calculation:

Date proof received	<u>NH</u>	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Address Change

already changed

For Office Use Only
Amt. of Fee \$ 50.00
Date 6/5/90
Receipt No. 6017134
Received by J. Morrison

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JUN 4 1990

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

Permit No. 29-7774 (8068-29-2139) Telephone No. (604) 358-7965 OR (208) 232-5481

Name(s) of Permit Holder(s): LORNA OBERMAYR

Post Office Address: PO 340 NEW DENVER BC VOG 150

Source of Water: SPRINGS

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic TWO (No. of households) Irrigation 2 (No. of acres)
Stockwater 3 HORSES (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.12 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 29-7774 - 12 NOV 85
8068-29-2139 - 15 JAN 17

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

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

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

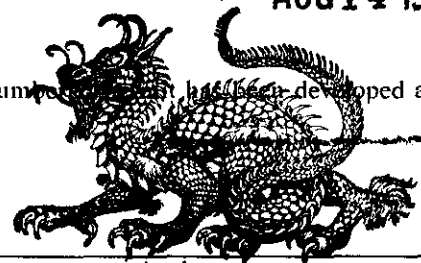
LORNA OBERMAYR (604) 358-7965 OR (208) 232-5481
Name Telephone No. **MICROFILMED**
PO 340 NEW DENVER BC VOG 150
Address

AUG 14 1990

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

25 May 1990
Date

Lorna Obermayer
Signature (and title if on behalf of a company or organization)



DATE 4-26-90

FROM

Sally Frazee

TO

~~Shirley Curtis~~ Files 29-7773 & 29-7774

SUBJECT

Lorna G. Obermayr

Pls change your records to reflect
her new address:

L. Obermayr
P.O. 340
New Denver, BC
VOG ISO

Computer updated
5/21/90
SC

Shanx,

S. Frazee
SIGNATURE

FILED
AUG 14 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 29-7774

Name(s) of Permit Holder(s): LORNA G. OBERMAYR

Post Office Address: 3001 BARTON RD
POCATELLO ID. 83204 5481

☐ I hereby certify that construction of diverting works on the above referenced permit began on 9-19-86 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is not an acceptable reason.

9/20/86
Date

Lorna G. Obermayr
Signature of Permit Holder

06
3001 BAXTON RD
POLATELLO ID. 8321024



RECEIVED



MICROFILMED

AUG 14 1990

SEP 24 1986 IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

Department of Water Resources
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
NOVEMBER 14, 1985

OBERMAYR, LORNA G. ~~& LORNA G.~~
3001 BARTON ROAD
POCATELLO, ID 83204

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 29-7774

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

DRT: SC
ENCLOSURES

MICROFILMED

POCATELLO SOUTH QUADRANGLE IDAHO

7.5 MINUTE SERIES (TC GRAPHIC)

SW 1/4 POCATELLO 15' QUADRANGLE

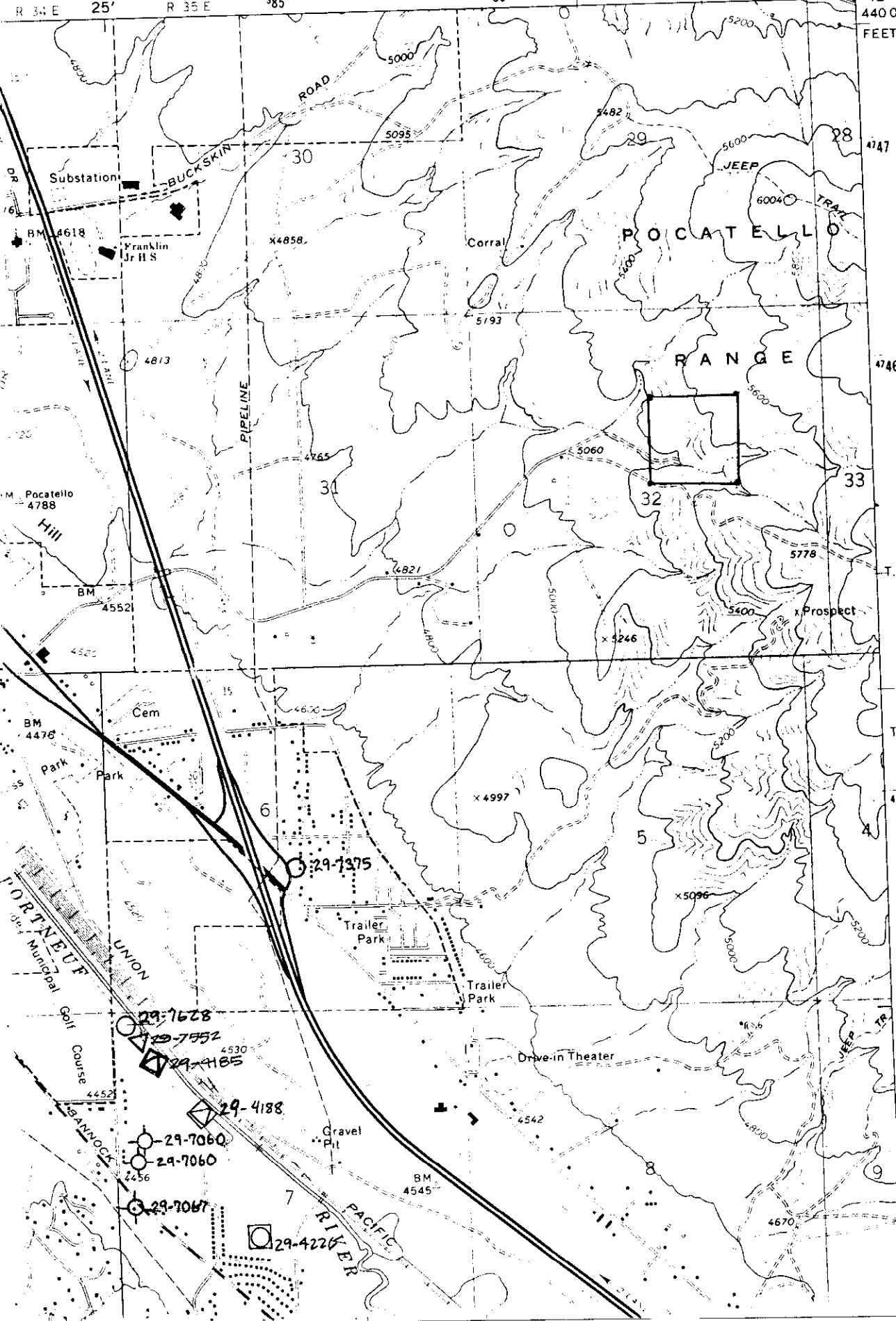
3569 1
(MOONLIGHT)

1 NW
UTNAM M

FALLS 50 MI
TO INTERSTATE 15 W
R 34 E 25' R 35 E 385

386 440 000 FEET 387

112°22'30"
42°52'30"
440 000
FEET



7500
7055
7059

7308
2405
7816
2031
7062

7179
7211
7515
7635

29-7626
29-2542
29-7243
-4239

7279
7281

7512

29-2609
-258

29-7375

29-4177(2)

29-7628
29-7552

29-4185
29-4188

29-7060
29-7060

29-7067

29-7067
29-7060

29-4226
4742 29-4226
MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: G. F. RAMSEY

APPLICATION NUMBER: 29 7774

CHECK: JUN 5 1984

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ Yes ☒ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☒ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: CW

Date: 4-2-85

PROCESSING:

☐ Yes ☒ No

Platted by: _____ Map No. _____

☒ Yes ☐ No

Other rights on same place of use. 29-2172 (consented permit)
29-2139 also new application

☒ Yes ☐ No*

In form for advertising.

Final date for protests: 7-22-85 10-28-85

☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 4-22-85 4-10-30-85

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application.

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No Measuring device required.

☐ Yes ☒ No Access port required.

☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 29

☒ 6-05-84 Date of priority recommended.

Special conditions of approval or cover letter. _____

#26,04

MICROFILMED

app. not identified in S.F. suit - DCM I

appears spring is trib. to an unnamed stream
trib. to Patuxent River - see quad copy

By: Ernest Carlier

Date: July 3, 1985

STATE OFFICE REVIEW:

217

05/29, 1985

26 04

RECEIVED

☐ See attached sheet for more information.

By: CW

Date: 11/6/85

Department of Water Resources

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

NOTICE OF CORRECTION

Notice is hereby given that application No. 29-7774 in the name of Lorna G. Obermayr, Pocatello was advertised incorrectly on April 4 and 11, 1985. The place of use was advertised as being within the SWSW Sec 32 T 06S R 35E for 2 acres.

WHEREAS, the actual place of use is within the SWNW Sec 32 T 06S R 35E.

The permit is 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, Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, Idaho, 83402 on or before October 28, 1985.

A. KENNETH DUNN

Director

Published in the Idaho State Journal, Pocatello on 10/10 & 10/17/85

MICROFILMED

July 10, 1985

RE: Applications for Permits No. 29-7773 and 29-7774
LORNA OBERMAYR

Mr. Wallace A. Evans
Area Manager
Bureau of Land Management
Federal Building, Suite 172
250 South 4th Avenue
Pocatello, ID 83201

Dear Mr. Evans:

The Bureau of Land Management has been identified as co-applicant on application 29-7773, in response to instructions we received from Lorna G. Obermayr. As stated in your letter of June 13, 1985, this action resolves the Bureau's protest against both Obermayr applications. This office will, therefore, recommend both applications for final administrative action.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

cc: Lorna Obermayr

MICROFILMED

RECEIVED

JUN 19 1985

Department of Water Resources
Eastern District Office

Lorna G. Obermayr
3001 Barton Road
Pocatello, ID 83204

Mr. Ronald D. Carlson
Idaho Department of Water Resources
Eastern District Office
150 Shoup Suite 15
Idaho Falls, Idaho 83402

June 13, 1985

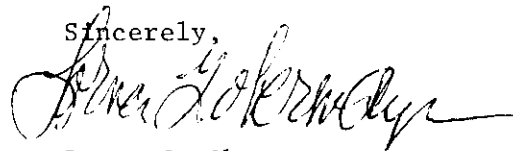
Dear Mr. Carlson,

The BLM has contacted me about two spring filings I made last year, 29-7773 and 29-7774.

As a result of this contact I have agreed to add the Bureau of Land Management, 940 Lincoln Road, Idaho Falls, Idaho 83401, as co-holder on permit 29-7773, Elwell Spring.

I understand that they will drop their protests to both my filings as a result.

Sincerely,



Lorna G. Obermayr

cc: Bureau of Land Management, Pocatello

MICROFILMED



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Pocatello Resource Area
Federal Building, Suite 172
250 S. 4th Avenue
Pocatello, Idaho 83201

IN REPLY
REFER TO: 7250

RECEIVED

JUN 14 1985

Department of Water Resources
Eastern District Office

Mr. Ronald D. Carlson
Idaho Department of Water Resources
Eastern District Office
150 Shoup Suite 15
Idaho Falls, Idaho 83401

June 13, 1985

Dear Mr. Carlson:

We have contacted Lorna Obermayr whose permits 29-7773 and 29-7774 we have protested.

She has agreed to add the BLM as co-holder on 29-7773, Elwell Spring.

We will drop our protest to both filings when the addition of our name to the Elwell Spring permit is complete.

Sincerely,

Wallace A. Evans
Wallace A. Evans
Area Manager

cc: Lorna Obermayr

MICROFILMED



IN REPLY
REFER TO:

7250

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Pocatello Resource Area
Federal Building, Suite 172
250 S. 4th Avenue
Pocatello, Idaho 83201

RECEIVED

MAY 21 1985

Department of Water Resources
Eastern District Office

May 20, 1985

Mr. Ronald D. Carlson
Idaho Department of Water Resources
Eastern District Office
150 Shoup Suite 15
Idaho Falls, ID 83402

Dear Mr. Carlson:

We have contacted Lorna Obermayr whose permit applications 29-7773 and 29-7774 we have protested.

She will be out of town until the early part of June. This could mean that the 20 days you gave us before scheduling a hearing may be up before she returns.

We do not know if our protest will be able to be resolved informally, but are asking you to delay scheduling a conference or hearing until you hear from us. This will give us time to discuss the matter with her before going into formal proceedings.

Sincerely,

Wallace A. Evans
Wallace A. Evans
Area Manager

MICROFILMED

May 14, 1985

Lorna G. Obermayr
3001 Barton Road
Pocatello, ID 83204

Dear Ms. Obermayr:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 29-7773 and 29-7774. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

MICROFILMED

May 14, 1985

RE: Application for Permit No. 29-7773 & 29-7774 OBERMAYR

O'Dell A. Frandsen
District Manager
Bureau of Land Management
940 Lincoln Road
Idaho Falls, ID 83401

Dear Mr. Frandsen:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office
Wallace A. Evans

MICROFILMED



IN REPLY 7250
REFER TO:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Idaho Falls District
940 Lincoln Road
Idaho Falls, Idaho 83401

RECEIVED

APR 22 1985

April 22, 1985

Department of Water Resources
Eastern District Office

Mr. Ernest Carlson
State of Idaho
Department of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83402

Re: Applications for Permit Nos. 29-7773 and 29-7774 by Lorna G. Obermayr

Dear Mr. Carlson:

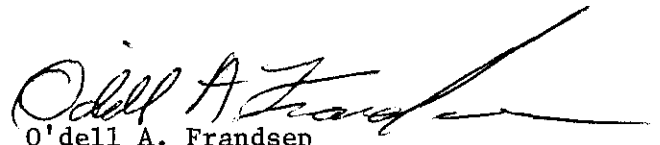
Regarding application 29-7774 by Lorna G. Obermayr, we agree that the point of diversion is located on BLM public lands. Ms. Obermayr will be required to obtain a right-of-way from our agency for this development.

We are unclear whether the spring applied on is developed or not at the present time. We presently have a spring development by Mr. Dale Burkhalter, water right permit #29-7337 on a spring in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, T. 6 S., R. 35 E. He has an approved right-of-way for this spring development.

Ms. Obermayr should plan to meet with our Pocatello Resource Area Office in Pocatello to clarify her plans and to discuss right-of-way requirements for her project. Until these issues can be clarified through a meeting with Ms. Obermayr, we would protest this application for permit.

A protest letter for permit application 29-7773, was mailed under separate cover by our Pocatello Resource Area Office on Friday, April 19, 1985. This protest letter should arrive at your office shortly.

Sincerely,


O'dell A. Frandsen
District Manager

cc: Area Manager, PRA

MICROFILMED

April 2, 1985

RE: Application for Permit No. 29-7774 OBERMAYR
29-7773 "
32-7146 NEWMAN
32-7147 "

Bureau of Land Management
940 Lincoln Road
Idaho Falls, ID 83401

Gentlemen:

We are enclosing a copy of an application(s) that may be of interest to your agency. Please review the application(s) and submit any comments you may have to our Department as soon as possible. The last date of protest is April 22, 1985, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted.

ERNEST CARLSEN
Assistant Regional Supervisor

EC:CW

Enclosure(s)

MICROFILMED

29-2224-

OBERMAYR, LORNA G.

3001 BARTON ROAD, POCA TELLO, ID 83204

Source: SPRINGS

Date Filed: 06/05/1984

Diversion Pt: SWNE Sec 32 T 06S R 35E

Use: IRRIGATION	(0.04 CFS)
STOCKWATER	(0.04 CFS)
DOMESTIC	(0.08 CFS)

In: SWSW Sec 32 T 06S R 35E FOR 2 ACRES

MICROFILMED