

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant William B. or Bonita Howard Phone 766-2529
Post office address Rt. 1, box 238, Malad, ID 83252
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NW 1/4 of SE 1/4, Govt. Lot _____
Sec. 32 Township 14S Range 36E B.M. Oneida* County; additional *kw 7/11/89
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 4.58 for Irrigation purposes from 4/01 to 11/01 (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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 4.58 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well and pump to sprinklers
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is 12 inches; proposed depth of well is 150 feet.
 - 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 3 years (minimum 1 year).

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. _____
- 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	
14S	36E	32									36			38	38	39	39	39	229

Total number of acres to be irrigated 229

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

None

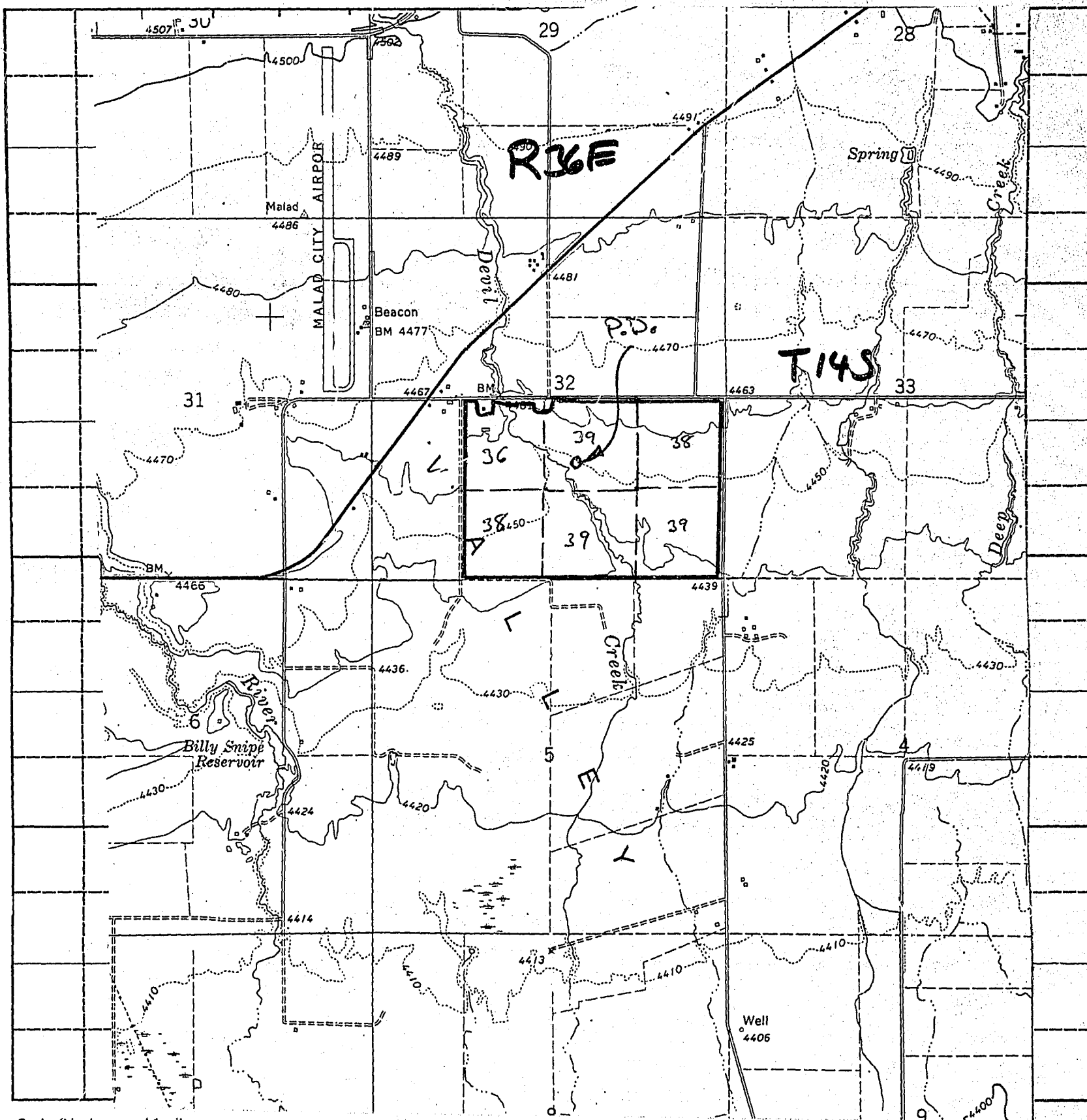
11. a. Who owns the property at the point of diversion? Applicant

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

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

⑫ Remarks: Development plan: 1st year - Drill and test well for amount of water desired. 2nd year - Establish under ground main line to point west of well. 3rd year - Complete main line to east of well. Hand lines to be used until finances permit purchase of wheel line.

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.

William Brent Howard
(Applicant)

Proposed Priority 9/28/88

Received by OW Date 9-28-88 Time 3:00P Preliminary check by KCCW
Fee \$ 125⁰⁰ Receipted by OW # E003208 Date 10-17-88
Publication prepared by CR Date 10-27-88 Published in Idaho Enterprise
Publication approved OW Date 11-29-88

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. 15-7108, 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 February 1, 19 92.
- 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:

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

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.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 13th day of January, 1989

A. Glen Saylor

No 1091

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Sandra Struhs

being duly sworn,
deposes and says: That she is the secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with November 3, 19 88, and ending

with the issue of November 10, 19 88

Sandra Struhs

Fee \$ 34.12

Subscribed and sworn to before me this 17th day
of Nov., 19 88

Barbara Hawkins
Notary Public, Residing at Malad, Idaho

My Commission Expires 5-8, 19 91

Water Application

NOTICE OF APPLICATION FOR WATER RIGHT

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

15-07103

HOWARD, WILLIAM B.
HOWARD, BONITA
Rt. 1, Box 238
Malad, Id 83252
Source: GROUNDWATER
Diversion Pt: NWSE

Sec. 32 T 14S R 36E

Use: IRRIGATION (4.580 CFS)

Date Filed: 9/28/1988

In: T14S R36E S32

NESW

SESW

NESE

NWSE

SWSE

SESE

229.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Department of
Water Resources, Eastern Region,
150 Shoup Avenue, Suite 15, Idaho
Falls, Idaho 83402 on or before
NOVEMBER 21, 1988.

H. KEITH HIGGINS,
Director

Published 11/3 & 11/10, 1988
No. 1091
T2

RECEIVED

NOV 21 1988
Department of Water Resources
Eastern District Office

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 150 Shoup Avenue, Suite 15, Idaho Falls, Idaho 83402 on or before NOVEMBER 21, 1988.

R. KEITH HIGGINSON, Director

Published 11/03/1988 & 11/10/1988

15-07108

HOWARD, WILLIAM B.
HOWARD, BONITA
RT. 1, BOX 238
MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NWSE Sec 32 T 14S R 36E

Use: IRRIGATION (4.580 CFS)

Date Filed: 9/28/1988

In: T14S R36E S32

NESW
SWSE

SESW
SESE

NESE

NWSE

229.0 ACRES TOTAL

NOTI OF APPLICATION FOR WATER HT

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

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

Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 27, 1988

THE IDAHO ENTERPRISE
P.O. BOX 205
MALAD CITY, ID 83252

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 NOVEMBER 21, 1988.

Yours truly,

Rita Bodell
Secretary

Encl.

Form 235-1
4/88

Drilling Permit No. 15-89-2-01
Water Permit No. 15-7108
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED

SEP 28 1988

Department of Water Resources
Eastern District Office

1. Applicant William B. Howard
2. Address Rt. 1 Box 238 Malad, ID 83252
Telephone 766-2529
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location NW 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 32, Twp. 14S, Rge. 36E, County Oneida,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
☒ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☐ Other, Specify _____
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 12" Maximum depth 150'
Anticipated bottom hole temperature: _____
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date Nov 1, 1988
7. Well Driller (if known) Cole Gardner
Address _____
8. Applicant's signature William Brent Howard
Title _____
Date _____

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.

ACTION OF IDWR

(X) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS:

Dated this 13th day of January, 19 89

Signed

Title

D. Glen Saxton
Ch. Water Alloc. Bur.

Received by aw Fee 100⁰⁰ Date 10-17-88

Receipt No. E003208 Construction start extension to _____

Extension approved by _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
January 19, 1989

WILLIAM B. HOWARD
BONITA HOWARD
RT. 1, BOX 238
MALAD, ID 83252

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07108

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.

Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

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.

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.

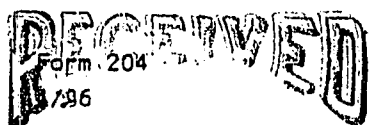
We have enclosed a form entitled "Instructions for Proof of

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS: SC
Enclosures



STATE OF IDAHO

DEC 16 1991

DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Receipted by Kaw
Date 16 Dec 1991
Receipt # E016794

Department of Water Resources
Boise Data Office

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 15-07108Name(s) of Permit Holder: William B Howard - Bonita HowardPost Office Address: 147 West Two Mile Rd. Mabel Idaho83252Telephone No. 766-2529Date Proof is Due: February 1, 1992

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Well has been drilled. Pump has been installed.
More than 1/2 of the projects buried Main line
has been installed.

Costing \$ 12,000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Trying to complete project under present
financial consideration - Crop prices limiting progress

Permit holder(s) request an extension to Feb 1, 1996. William B Howard
(1 yr. minimum) (Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is extended to
February 1, 1995.

Signed this 23rd day of December, 19 91

J. Blum Saxton
Chief, Water Allocation Bureau

138251
November 30, 1991

WILLIAM B. HOWARD
BONITA HOWARD
RT. 1, BOX 238
MALAD ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-07108

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 February 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



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

December 20, 1991

William and Bonita Howard
147 West Two Mile Road
Malad, ID 83252

Re: Permit No. 15-07108

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time.
The time within which to submit proof of beneficial use is
extended to February 1, 1995.

Please note that the department has granted this extension based
on due diligence. It is important that you work diligently toward
the completion of this project during the construction period
allowed. The department may not be able to grant additional
requests.

If you have any questions or if I can be of any further
assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

Form No. 217
7/94

RECEIVED

JAN 05 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

FOR OFFICE USE ONLY
Amt. of Fee \$: 200
Receipt No. 0031932
Receipt By: RT
Date Received: 1-5-94

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 15-07108 Telephone No. 208-766-2529
2. Name(s) of Permit Holder(s): William B. or Bonita Howard
3. Mailing Address: 147 W. Two Mile Rd. Malad, Id. 83252
4. Source of Water: Well If GROUNDWATER (well), Date Drilled: mo. 8 / yr. 89
 - a. Well Driller: Cole Gardner Drilling Permit Number: 15-89-C-001
 - b. **OPTIONAL:**
Pump Horsepower: 100 HP (Diesel) Pressure (psi): 50 Dynamic pumping level (ft): 60
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 229 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 4.58 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____	or	No <u>✓</u>
	Has the measuring device been installed?	Yes _____	or	No <u>✓</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u>✓</u>	or	No _____
	Has the measurement port been installed?	Yes <u>✓</u>	or	No _____
8. Fee Enclosed: \$ 200 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: William B. Howard Telephone Number: 208-766-2529
Address: 147 W. Two Mile Rd. Malad, Id. 83252
10. The information given on this form 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.

Signature of permit holder: William B. Howard Date: 1-3-95
(include your title, if on behalf of company or organization)

November 30, 1994

WILLIAM B. HOWARD
BONITA HOWARD
RT. 1, BOX 238
MALAD ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-07108

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 February 1, 1995. (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.

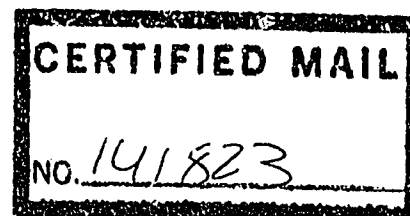
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SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





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

January 10, 1995

WILLIAM AND BONITA HOWARD
147 W TWO MILE RD
MALAD ID 83252

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 15-07108

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,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region