

65
RECEIVED
10/92
OCT 13 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 15-7142

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant NORMAN L HOWELL Family Trust Phone _____
Post office address 1030 LOWER WOODRUFF/CHERRY CREEK RD WALAD ID 83252
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 15 Township 16S Range 36E B.M. Oneda County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2.00 for IRR purposes from * 4/15 to 19/15 (both dates inclusive)
(cfs or acre-feet per annum) 4/01
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) 2.00 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. WELL/PUMP TO MAINLINE AND SPRINKLER SYSTEM
 - 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 16"/14" inches; proposed depth of well is 248 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? 4/92; Drilling firm North Star Drilling;
Well was drilled for (well owner) yes
7. Time required for the completion of the works and application of the water to be proposed beneficial use is 2 years (minimum 1 year).

* standard irrigation season 11/14/94 cty.

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	
109	36E	15					175	2	2	275	38	19							106
		16				11.5									40				51.5

Total number of acres to be irrigated 157.5

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

B. 15-07134 same well

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

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

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: _____

163

36E



Norman L. Howard
(Applicant)

Received by ADC Date 1-19-94 Time 3:38 p.m. Preliminary check by _____
Fee \$ 65⁰⁰ Received by LB # E019430 Date 1-19-94
Publication prepared by RB Date 2-3-94 Published in ID Enterprise
Publication approved LB 9-15-94 Date 10-7-94

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:

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 15-07142

Proposed Priority: January 19, 1994 Maximum Diversion Rate: 2.00 CFS

This is to certify, that **NORMAN L HOWELL FAMILY TRUST**
1030 LWR WOODRUFF CHERRY CK RD
MALAD ID 83252

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>
IRRIGATION	04/15 to 10/15	2.00 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNW, Sec. 15, Township 16S, Range 36E
ONEIDA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
16S 36E 15	NENW 17.5	NWNW 2	SWNW 2	
	SENW 27.5	NESW 38	NWSW 19	106
16	SENE 11.5	NESE 40		51.5

Total number of acres irrigated: 157.5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1996**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
6. The right holder shall use the full allotment of his surface water right, to the extent it is available, in conjunction with groundwater diverted pursuant to this right.

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

21st day of November, 1994.

for R. Keith Higginson
R. Keith Higginson, Director

01-Feb-1994

NORMAN L HOWELL FAMILY TRUST
1030 LOWER WOODRUFF CHERRY CRK RD
MALAD ID 83252

RE: Application No. 15-07142

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 the IDAHO ENTERPRISE on 2-3 & 10-94. 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 Right Supervisor

HWJ:rb

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before FEBRUARY 21, 1994.

R. KEITH HIGGINSON, Director

Published: ~~2/3/1994~~ & ~~2/10/1994~~
3/17 ; 3/24

15-07142

NORMAN L HOWELL FAMILY TRUST
1030 LOWER WOODRUFF CHERRY CRK
MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NWNW Sec 15 T 16S R 36E in ONEIDA County.

Use: IRRIGATION (2.000 CFS)
Total Diversion: (2.000 CFS)

Date Filed: 1/19/1994

In: ONEIDA County
T16S R36E S15

NENW
NESW
SENE

NWNW
NWSW
NESE

SWNW

SENW

S16

157.5 ACRES TOTAL

NOTICE OF APPLICATION FOR WATER RIGHT

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
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

JANUARY 31, 1994

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 ~~FEBRUARY 21~~, 1994.

April 4

Yours truly,

Rita Bodell
Secretary

Encl.

*Was not published
in February
Resubmitted
was faxed for March*

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before OCTOBER 3, 1994.

R. KEITH HIGGINSON, Director

Published: 9/15/1994 & 9/22/1994

15-07142

NORMAN L HOWELL FAMILY TRUST
1030 LOWER WOODRUFF CHERRY CRK
MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NWNW Sec 15 T 16S R 36E in ONEIDA County.

Use: IRRIGATION (2.000 CFS)
Total Diversion: (2.000 CFS)

Date Filed: 1/19/1994

In: ONEIDA County
T16S R36E S15

NENW
NESW
SENE

NWNW
NWSW
NESE

SWNW

SENW

S16

157.5 ACRES TOTAL

NOTICE OF APPLICATION FOR WATER RIGHT

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
900 N Skyline

Idaho Falls, Idaho 83402
(208) 525-7161

SEPTEMBER 6, 1994

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 OCTOBER 3, 1994.

Yours truly,

Rita Bodell
Secretary

Encl.

Nº 1995

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Oneida

ss.

Donna Salhusen
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

September 15, 19 94, and ending

with the issue of September 22, 19 94.

Donna Salhusen

Subscribed and sworn to before me this 29th day

of September, 19 94.

Mylene Jones
Notary Public, Residing at Malad, Idaho

My Commission Expires 9/11, 19 98

NOTICE OF APPLICATION FOR WATER RIGHT

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

15-07142

NORMAN L HOWELL FAMILY TRUST

1030 LOWER WOODRUFF CHERRY CRK

MALAD, ID 83252

Source: GROUNDWATER

Diversion Pt: NWNW Sec 15 T

16S R 36E in ONEIDA County

Use: IRRIGATION (2,000 CFS)

Total Diversion: (2,000 CFS)

Date filed: 1/19/1994

In: ONEIDA County

T16S R36E S15 NENW

NWNW SWNW SENW

NESW NWSW

S16 SENE NESE

157.5 ACRES TOTAL

The permits(s) will be subject to all prior water rights. Protests must be filed with the applicant and the Director, Dept. of Water Resources, along with a \$25.00 filing fee, Eastern Region, 900 N Skyline, Idaho Falls, Idaho 83402 on or before OCTOBER 3, 1994.

R. KEITH HIGGINSON, Director

Published: 9/15/1994 & 9/22/1994

L. 1995



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

November 21, 1994

NORMAN L HOWELL FAMILY TRUST
1030 LWR WOODRUFF CHERRY CK RD
MALAD ID 83252-

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 15-07142

Dear Permit Holder:

Enclosed is a copy of your approved application for permit.
Please be sure to thoroughly review the "CONDITIONS/REMARKS:"
listing on the permit.

As a permit owner you must commence the excavation or
construction of the diverting works within one year of the date
the permit was issued, and you must proceed diligently until the
project is completed. The date shown under condition no. 1
is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately
60 days prior to the above referenced date requesting you to file
either a Proof of Beneficial Use form or a Request for Extension
of Time form.

Sincerely,

A handwritten signature in cursive script, likely belonging to Jim Johnson.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

RECEIVED
NOV 01 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 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. 15-07142 Telephone No. 208 766 2580
2. Name(s) of Permit Holder(s): Norman I. Howell Family Trust
3. Mailing Address: 10003 SD 301 W. Malad ID 83252
4. Source of Water: _____ If **GROUNDWATER** (well), Date Drilled: mo. 4/1 / yr. 92
 - a. Well Driller: Guy Weech Drilling Permit Number: 15-92-C-001
 - b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 124 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 2.51 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 ☐
	Has the measuring device been installed?	Yes ☒ or No ☐
Flow Measurement Port:	Is a flow measurement port required?	Yes ☒ or No ☐
	Has the measurement port been installed?	Yes ☒ or No ☐
8. Fee Enclosed: \$ 150.00 (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: Norman I. Howell Telephone Number: 208 766 2580
Address: 10003 SD 301 W. 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: Norman I. Howell Date: Oct 20 96
(include your title, if on behalf of company or organization)

August 31, 1996

NORMAN L HOWELL FAMILY TRUST
1030 LWR WOODRUFF CHERRY CK RD
MALAD ID 83252

PROOF DUE NOTICE

RE: PERMIT NO. 15-07142

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 November 1, 1996. (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.

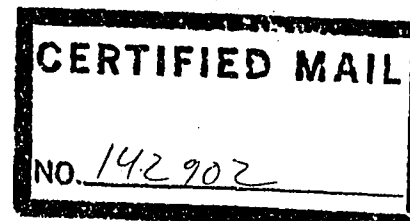
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 19, 1996

NORMAN L HOWELL FAMILY TRUST
10003 S 300 W
MALAD ID 83252

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 15-07142

Dear Permit Holder:

The Department is in receipt of the proof of beneficial use statement and the \$150.00 license examination fee filed in connection with the above referenced water right permit.

Your permit to appropriate water authorizes a maximum rate of diversion of 2.00 cfs. You indicate on the proof form that you are diverting 2.51 cfs and you submitted a license examination fee of \$150.00. The license examination fee for a rate of 2.00 cfs is \$125.00. Therefore, I have initiated the process to refund the excess \$25.00 exam fee. The refund process takes approximately 7 to 10 days and will arrive under separate cover.

Please be advised that Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

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 any questions concerning the field examination, contact the **EASTERN** Regional Office in Idaho Falls, at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

C: IDWR - Region, Fiscal