

MAR-18-1997
0013

RIGHT NUMBER: 71-07021

NAME AND ADDRESS:
WAYNE P FULLER
MARGARET C FULLER
PO BOX 148
WEISER ID 83672

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
1.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/09/1973

POINT OF DIVERSION: T07N R14E S07 NESW Within BLAINE County

PURPOSE AND PERIOD OF USE:
DOMESTIC 1 HOME
PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS
1.2 AFY

PLACE OF USE: DOMESTIC T07N R14E S07 Within BLAINE County NESW

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL:
BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP00C140000310
PROPERTY ALSO KNOWN AS LOT 31, VALLEY VIEW SUMMER HOMES.

*disallowed by D.J.
p/lc con'd add'l
KRC
4-18-97*



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

June 24, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WAYNE FULLER
PO BOX 148
WEISER ID 83672

RE: A71-07021

Dear Mr Fuller:

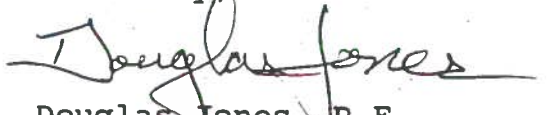
As requested please find enclosed copies of the USFS claims ('93 & '97 submittals), a portion of the USFS-supplied information on which IDWR based our overlap review (with cover letter), a copy of the USFS recommendation from the Director's Report, a copy of Dir. Rpt. recommendation for your claim, and a printout of the present computer record for your claim (71-07021).

I have also included a Standard Form 1 (SF-1) for your use. I believe that the IDWR-State Office was going to forward an SF-1, but understood that you may be filing objection also against the USFS claim in addition to IDWR's recommendation of disallowal for your claim.

Another area of discussion last Friday was in regard to attorneys for the various groups. The '97 amended claim for the USFS references Bruce Bernard, US-DoJ, as their attorney (see the '97 amended claim for addressing data). IDWR's attorneys prefer, at least at this point, that you contact Andrew Helmlinger, Deputy AG, with regard to the Department's position on ownership issues. Andrew can be reached at 327-5446.

If you have any questions or need additional information please feel free to contact me using phone, fax, mail or e-mail (attached card). Requests for information are filled at our earliest opportunity.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor
Southern Adjudication Unit

enc



Idaho Department of Water Resources

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

DOUGLAS JONES, P.E.
WATER RIGHTS SUPERVISOR
SOUTHERN REGIONAL OFFICE
(208) 736-3033
FAX (208) 736-3033
diones@idwr.state.idaho.gov

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

AJ580ANP
(00-26)

Old (D) Number -

Prefix Translation: RESEARCH

Water Right Number - R71-07021

+ - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
FULLER

WAYNE P

1 - PO BOX 148
2 -
3 -

State- ID Zip- 83672

FULLER

MARGARET C

City- WEISER
Phone - 208-549-1820
1 - PO BOX 148
2 -
3 -

State- ID Zip- 83672

City- WEISER
Phone - 208-549-1820

+ - - - - Priority Date - - - - + + - - - - Region - - - - + + - - - - Stage - - - - + + - - - - Status - - - - +
07/09/1973 17 SOUTHERN J - BENEFICIAL USE - L

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Diversion Name

County

Rflg

Lot

Tract

Sec

Rng

(13) BLAINE

07N 14E 7 NE SW

+ - - - - Description - - - - - +

Period From

Period To

Water Use

Diversion Rate

Diversion Volume

1.20

0.040

01/01

12/31

0.040

1.20

43 - DOMESTIC

+ - - - - Total Div. Rate - - - - + + - - - - Total Div. Volume - - - - + + - - - - Total Div. Capacity - - - - + + - - - - Total Consumptive Use - - - - + + - - - - KW Usage - - - - +
0.040 1.20 0.040 0.0

+ - - - - Place of Use - - - - - +

Code

Acres

Lot

Tract

Sec

Rng

Twn

07N 14E 7 NE SW

43 DOMESTIC

(13) BLAINE

+ - - - - Diversion Means - WELL AND PUMP

+ - - - - Non-Irrigation Use - 1 HOME

+ - - - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - No Old Water Right Numbers found.

EXP PARCEL NO. RP00C140000310
PROPERTY ALSO KNOWN AS LOT 31, VALLEY VIEW SUMMER HOMES.

See 71-10242

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

AJ5808NP
(00-26)

Prefix Translation: RESEARCH

Water right number - R71-07021

+ - - - - - Conditions of Approval - - - - - +
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - +
+ - - - - Decree Date - - +
00/00/0000

+ - - Audit Fields - 07/07/92 SMITH 11/14/92 POST-STD 03/30/95 POST-STD 01/13/97 DS1-PROD

+ - - - - - Comments - - - - - +
Date: 07/06/1992 User Id: SMITH Subject: COPIED FROM REMARKS
LAND OWNED BY U.S. FOREST SERVICE AND UNDER PERMIT USE.
Date: 01/13/1997 User Id: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
ANY GEN REMARK CHANGED TO AN EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 07/22/1988 Last Amended Date - 00/00/0000 Temporary Right - P
Proof Due Date - 00/00/0000 Proof Made Date - 00/00/0000 Water District -
Licensed Date - 00/00/0000 Receipt Number - S001050 Federal/State Indicator - S
POU Ownership Flag - N Presumption Flag -
Name Connector - OR Notice of Error Flag -

JUN 28 1995
0331

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
71-07021	WAYNE P FULLER MARGARET C FULLER PO BOX 148 WEISER ID 83672	07/09/1973	DOMESTIC	01-01 12-31	0.04 CFS 1.2 AFY	~~BENEFICIAL USE~~ L
				TOTAL QUANTITY: TOTAL VOLUME:	0.04 CFS 1.2 AFY	Matches License

NON-IRRIGATION USES:
DOMESTIC, 1 HOME
D/ 1 HOUSE

SOURCE: GROUNDWATER
POINT OF DIVERSION:
T07N R14E S07 NESH

PLACE OF USE: DOMESTIC
T07N R14E S07 NESH

REMARKS: PARCEL NO. RP00C140000310
PROPERTY ALSO KNOWN AS LOT 31, VALLEY VIEW SUMMER HOME AREA

shown on USFS special use
permit dated 10-1-1961
copy in license file
7-13-95

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A71-07021
Date Received: 7/22/1988
Receipt No: S001050
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE P. FULLER
Address: P.O. BOX 148
WEISER, ID

208-549-1820

83672

OR
Name: MARGARET C. FULLER
Address: P.O. BOX 148
WEISER, ID

208-549-1820

83672

2. Date of Priority: JUL 09, 1973

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	14E	7	NE	SW			BLAINE

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or)

1.20 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE

A71-07021

Page

1

Date: 07/22/88

MICROFILMED

MAR 17 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	14E	7	NE SW		DOMEST	

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
NONE

14. Remarks:
LOT 31, VALLEY VIEW SUMMER HOMES. LAND OWNED BY U.S. FOREST
SERVICE AND UNDER PERMIT USE.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number A371-07021

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 5 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Wayne P. and Margaret C. Fuller Phone (208) 549-1820Mailing Address P.O. Box 148, Weiser, Idaho Zip 836722. Date of Priority (Only one (1) per claim) July 9, 19733. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 7N Range 14E Section 7,
NE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Blaine
on Lot 31, Valley View Summer Home Area
Additional points of diversion if any: _____b. If instream flow, beginning point of claimed instream flow is: N/A

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 64 foot deep well, with 6-inch well casing pumped to surface by a 1/2 horsepower Sta-rite submersible pump, serial number 8P4C025, then through 155 feet of 1 inch galvanized pipe 4 feet underground in 20 gallon WY-203 pressure tank (with 6 x 1 pitless adaptor) inside cabin. The system was completed Nov. 30, 1976 by Ken Smith Well Drilling, Box 1165, Hail Idaho 83333 and Matthews Pump Co., Box 455, Bellevue, Idaho 83313, but not used until May 28, 1977.

MICROFILMED

Copies: White State, Yellow Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For domestic purposes from Jan. 1 to Dec. 31 amount 0.04 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1.2 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) domestic use for one household

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N	14E	7									D								

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes _____ No x
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (x)

14. Remarks: Lessee. This well is licensed by the State of Idaho Department of Water Resources under Permit No. 71-7021, dated July 20, 1977. The well is on Lot 31, Valley View Summer Homes, Blaine Co, Idaho, which we lease from the Sawtooth National Forest, 2647 Kimberly Road East, Twin Falls, ID 83301, under Special Use Permit 5088-01 09/22/61 SNRA. Well permit, water right license and Special Use Permit are attached.

MICROFILMED

Last Name Fuller Ident No. _____

Copies: White State, Yellow Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License x Permit _____
Decree _____
If applicable provide IDWR Water Right Number 71-7021
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 3 (10 PAGES)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

Wayne P. Fuller

Date June 29, 1988

Margaret C. Fuller

Date June 16, 1988

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this

16th, And
29th

day of June

19 88

SEAL

Notary Public

Altha M. Snell

Residing at Weiser, Idaho 83672

My Commission Expires 11/16/93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Fuller Ident. Number _____

MICROFILMED

MAR 17 1993

Copies White-State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 15x15 grid of graph paper. The grid contains handwritten numbers and letters. The numbers 1 through 22 are written in the center of the grid, arranged in a roughly circular pattern. The letters 'T', 'N', 'R', 'E', 'S', 'W', 'L', 'U', 'V', 'X', 'Y', 'Z' are written in the corners of the grid.

MAR 17 1993

Last Name Fuller

Ident No. _____

Copies: White-State, Yellow-Claimant

Identification No. _____

Application No. 71-7021

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Wayne P. Fuller
post office address 1910 Ray Caldwell, ID 83605
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7 Township 7N
Range 13E B.M. Blaine County; additional points of diversion if any: _____
Located on Lot 31, Valley View Subdivision
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .04 cfs for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump, pitless adapter well
shoe, water lines, pressure 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 during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 6 inches; proposed depth of well is 70 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 years.
b. Estimated construction cost is \$ 1,500.00
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7 Township 7N
Range 13E B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered: _____
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

RECORDED

MAR 17 1993

[illegible]

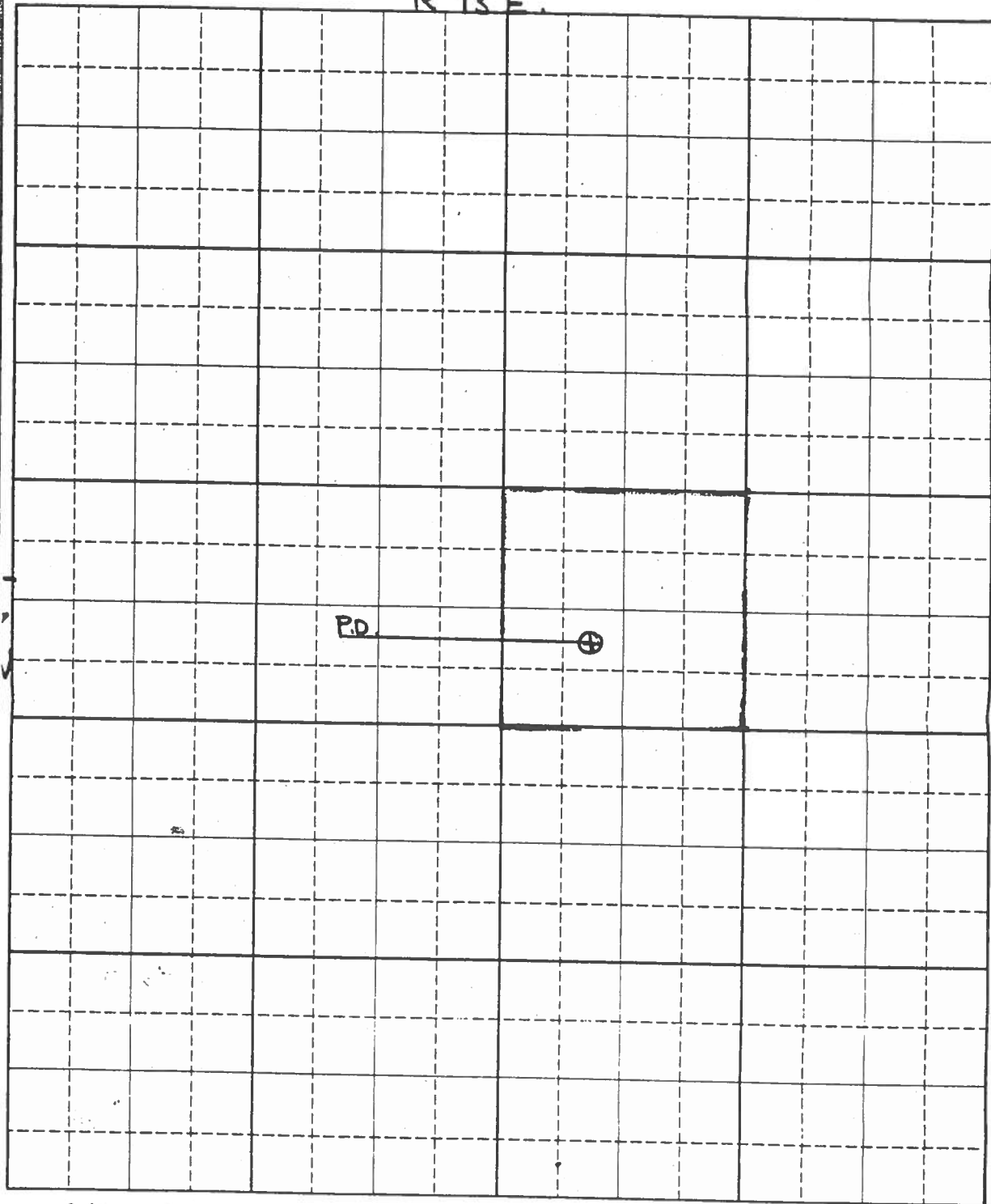
c. Describe any other water rights used for the same purposes as described above.

10. Remarks _____

MAR 17 1993

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

R 13 E.



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.

Walter P. Fuller
(Applicant)

Received by imm Date 7-9-73 Time 2:30 pm

Preliminary check by mls Fee \$ 10.00

mls. Received by imm Date _____

Rest #11239

Publication prepared by imm Date 7-20-73

Published in Wood River Journal

Publication dates 7-26 & 8-2-73

Publication approved imm Date 8-8-73

Priority ~~imm~~ 7-9-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by imm

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 71-7021, 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 September 1, 19 75.

c. Other: _____

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

Witness my hand this 20th day of August, 19 73.

L. Keith H.
Director

MICROFILMED

MAR 17 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 71-7021 Priority July 9, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that WAYNE P. FULLER
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 71-7021 issued pursuant to Application for Permit dated July 9, 1973
and has submitted proof to the Department of Water Resources on July 20, 1977
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the NE 1/4 Sec. 7, Twp. 7N,
Rge. 14E, B. M. in the County of Blaine

Description and location of place of use:

Twp.	Range	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	
7N	14E	7									X								

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 7 day of
November, 19 78.

Director

MICROFILMED

MAR 17 1993

Wayne P. Fuller

Residence

October 1, 1961

2710

SPECIAL USE PERMIT

Act of June 4, 1897, or February 15, 1901
This permit is revocable and nontransferable

REGION	STATE	FOREST	RANGER DISTRICT
4	Idaho	Sawtooth	Sawtooth Valley

Permission is hereby granted to Wayne P. Fuller

of 2410 Washington, Caldwell, Idaho,
hereinafter called the permittee, to use subject to the conditions set out below, the following described
lands or improvements:

Lot. No. 31, Valley View Summer Home Area.

This permit covers 1 acres and/or miles and is issued for the purpose of:

construction and maintenance of a summer home and necessary outbuildings.

The exercise of any of the privileges granted hereby constitutes acceptance of all the conditions of this permit.

1. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of Ten and no/100 Dollars (\$ 10.00) for the period from October 1 1961, to December 31 1961, and thereafter annually on May 1 Forty and no/100 Dollars (\$ 40.00)
provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

construction, if any, shall be completed within 30 months, from the date of the permit. This use shall be actually exercised at least _____ days each year, unless otherwise authorized in writing.

3. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; provided that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

4. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

5. This permit is subject to all valid claims.

6. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

7. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

8. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the national forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

9. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

10. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

11. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

12. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner above provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

13. In case of change of address, the permittee shall immediately notify the forest supervisor.

14. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

15. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

16. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provisions thereof, the preceding printed clauses will control.

17. This permit is accepted subject to the conditions set forth above and to conditions 13 to 20 attached hereto and made a part of this permit.

DATE October 1, 1961	SIGNATURE OF ISSUING OFFICER  E. Maurice Fikes	TITLE Acting Forest Supervisor
-------------------------	--	-----------------------------------

MICROFILMED

MAR 17 1993

No. 15 Clause. NONDISCRIMINATION IN EMPLOYMENT. The permittee will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The permittee will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The permittee agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

a. The permittee will, in all solicitations or advertisements for employees placed by or on behalf of the permittee, state that all qualified applicants will receive consideration for employment without regard to race, creed, color or national origin.

b. The permittee will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding a notice, to be provided by the agency contracting officer, advising the said labor union or workers' representative of the permittee's commitments under this section and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

c. The permittee will comply with all provisions of Executive Order No. 10925 of March 6, 1961, and of the rules, regulations, and relevant orders of the President's Committee on Equal Employment Opportunity created thereby.

d. The permittee will furnish all information and reports required by Executive Order No. 10925 of March 6, 1961, and by the rules, regulations, and orders of the said Committee, or pursuant thereto, and will permit access to his books, records and accounts by the contracting agency and the Committee for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

e. In the event of the permittee's non-compliance with the nondiscrimination clauses of this permit or with any of the said rules, regulations, or orders, this permit may be cancelled in whole or in part and the permittee may be declared ineligible for further Government permits in accordance with procedures authorized in Executive Order No. 10925 of March 6, 1961, and such other sanctions may be imposed and remedies invoked as provided in the said Executive order or by rule, regulation, or order of the President's committee on Equal Employment Opportunity or as otherwise provided by law.

f. The permittee will include the provisions of the foregoing paragraphs (a) through (f) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the President's Committee on Equal Employment Opportunity issued pursuant to Section 303 of Executive Order No. 10925 of March 6, 1961, so that such provisions will be binding upon each subcontractor or vendor. The permittee will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for non-compliance; Provided, however, that in the event the permittee becomes involved in or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the permittee may request the United States to enter into such litigation to protect the interests of the United States.

MICROFILMED

MAR 17 1993

19. Horses, cows, or other domestic livestock will not be maintained on this area, nor will dogs be allowed to roam at large or become a nuisance to other permittees.

20. The use of fire-arms on this area is prohibited.

MICROFILMED

MAR 17 1993

AMENDMENT FOR SPECIAL USE PERMIT Ref: FSM 2714	e. Record no. (1-2) 70	f. Region (3-4) 04	g. Forest (5-6)
	d. District (7-8) SNRA 04	e. User number (9-12) 2720	f. Kind of use (13-15) Recreation 1 Residence
THIS AMENDMENT IS ATTACHED TO AND MADE A PART OF THE	g. State (16-17) Idaho 16	h. County (18-20) Blaine 013	i. Card no. (21)
☐ TERM	☒ ANNUAL PERMIT		

For Recreation Residence issued to _____
Wayne P. Fuller (NAME OF PERMITTEE), on 09/22/61 (DATE OF PERMIT)
(KIND OF PERMIT)

which is hereby amended as follows:

Lot #31

VALLEY VIEW SUMMER HOME AREA

Per our letter of 3/30/77, annual fees for your lot have been increased to \$175 effective in 1978. The fee will be initiated in three yearly steps:

1978 - \$105

1979 - \$140

1980 - \$175

Unless there are major changes in land values, the \$175 rate will remain in effect through the year 1982.

This Amendment is accepted subject to the conditions set forth herein, and to conditions _____
attached hereto and made a part of this Amendment.

PERMITTEE	NAME AND SIGNATURE	TITLE	DATE
ISSUING OFFICER	<i>R. Haag</i>	ACTING FOREST SUPERVISOR	FEB 6 1982

MICROFILMED

MAR 17 1993

Wayne Fuller
P.O. Box 148
Weiser, Id. 83672

Idaho Dept. of Water Resources
1301 North Orchard
P. O. Box 83270
Boise, ID. 83720-0098

83720-0098



Wayne P. Fuller
P.O. Box 148
Weiser, ID
83672

6/16/97 *DI*
Chim 71-0702 disallowed. I sent him the form on
recommended as 6-3-97 Sandy
71-0242
Called 6/16, left msg on
machine.

RECEIVED

JUN 11 1997

Department of Water Resources
Southern Region

Doug Jones —

Note that Mr. Fuller has been sent
an objection form. Plz contact him re.
the remainder of his questions. I would suggest
a telecon in this instance. Thanks, Dave

A71-07021

RECEIVED

JUN 04 1997

Department of Water Resources

P. O. Box 148
Weiser, Idaho 83672
Ph. (208) 549-1820
June 3, 1997

Snake River Basin Adjudication
District Court
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

RECEIVED

JUN 11 1997

Department of Water Resources
Southern Region

Re: Right No. 71-07021
Domestic Water Right in Reporting Area 4, Basin 71

Dear Clerk:

Please send to me the standard objection form so that I may file an objection to the recommendation to disallow made by the Director of the Idaho Department of Water Resources (IDWR) on April 30, 1997.

I recently called the IDWR central office in Boise, Idaho to request this form. However, the receptionist could not help me and could not connect me to anyone who could.

Please also advise if a motion can be filed to require IDWR to provide explanatory material that reveals the IDWR's basis for its recommendation. It merely lists: "Basis of Claim - Disallowed."

I find the IDWR's recommendation not to be in accordance with the established facts and law. On November 7, 1978, the State of Idaho, Department of Water Resources, issued to me, a Water Rights License, No. 71-7021, with a priority of July 9, 1973, that covers the well for 1.2 acre feet per year. This License establishes our water rights relating to Lot 31, Valley View Summer Home Area, in Blaine County, Idaho.

I have also filed with the SRBA an individual application to protect our water rights. My wife, Margaret C. Fuller and I consider that these water rights that we have developed and used for over 20 years belong to us.

Sincerely yours,

Wayne P. Fuller
Wayne P. Fuller

cc: IDWR, Boise, Idaho

COPY

WATER RIGHT NUMBER - A71-07021

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (C) NUMBER -

+ - - - - LAST NAME - - - - + - - - - FIRST NAME - - - - + - - - - ADDRESS - - - - -

*** C - CURRENT OWNER ***
FULLER

WAYNE P.

1 - P.O. BOX 148
2 -
3 -

STATE- ID ZIP- 83672

CITY- WEISER
PHONE - 208-549-1820
1 - P.O. BOX 148
2 -
3 -

FULLER

STATE- ID ZIP- 83672

CITY- WEISER
PHONE - 208-549-1820

+ - - - - PRIORITY DATE - - - - + - - - - REGION - - - - + - - - - STAGE - - - - + - - - - STATUS - - - - +
07/09/1973 17 SOUTHERN L - LICENSE

+ - - - - SOURCE - - - - - + - - - - TRIBUTARY - - - - -

GROUNDWATER

+ - - - - TOWN - - - - - RING - - - - - SECTION - - - - - TRACT - - - - - LOT - - - - - RFLG - - - - - COUNTY - - - - - POINT OF DIVERSION - - - - - STREAM INDEX (BLANK IF NO INDEX CODE)

07N 14E 7 NE SW (13) BLAINE

+ - - - - CODE - - - - - DESCRIPTION - - - - - PERIOD FROM - - - - - WATER USE - - - - - DIVERSION RATE - - - - - DIVERSION VOLUME - - - - -
43 - DOMESTIC 01/01 12/31 0.040 1.20

+ - - - - TOTAL DIV. RATE - - - - + - - - - TOTAL DIV. VOLUME - - - - + - - - - TOTAL DIV. CAPACITY - - - - + - - - - TOTAL CONSUMPTIVE USE - - - - + - - - - KW USAGE - - - - +
0.040 1.20 0.0

+ - - - - TOWN - - - - - RING - - - - - SECTION - - - - - TRACT - - - - - LOT - - - - - ACRES - - - - - PLACE OF USE - - - - - DESCRIPTION - - - - - COUNTY - - - - -
07N 14E 7 NE SW 43 DOMESTIC (13) BLAINE

+ - - - - DIVERSION MEANS - WELL AND PUMP

+ - - - - NON-IRRIGATION USE - D/ 1 HOUSE

+ - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - -
LOT 31, VALLEY VIEW SUMMER HOMES. LAND OWNED BY U.S. FOREST SERVICE AND UNDER PERMIT USE.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED

MAR 17 1993

WATER RIGHT NUMBER - A71-07021

PREFIX TRANSLATION: ADJUDICATION CLAIM

NO CONDITIONS OF APPROVAL FOUND.

DEGREE PLAINTIFF - - - +

DEGREE DEFENDANT - - - +

DEGREE DATE - - - +
00/00/0000

AUDIT FIELDS - 07/22/88 CLELLAND 10/03/89 REFUNDML

COMMENTS - - - - NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 01/28/1985	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 07/22/1988	LAST AMENDED DATE	-	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- S001050	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- N	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- OR	NOTICE OF ERROR FLAG	-

RP 000140000310

PROOF

OCT 23 1991

USFS Special Use Permit 2910

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
JAN 03 1991

CERTIFIED
JAN 11 1991
WATER EXAMINER

DATA ENTRY

ENTERED 11/92 Dufy

CHECKED _____