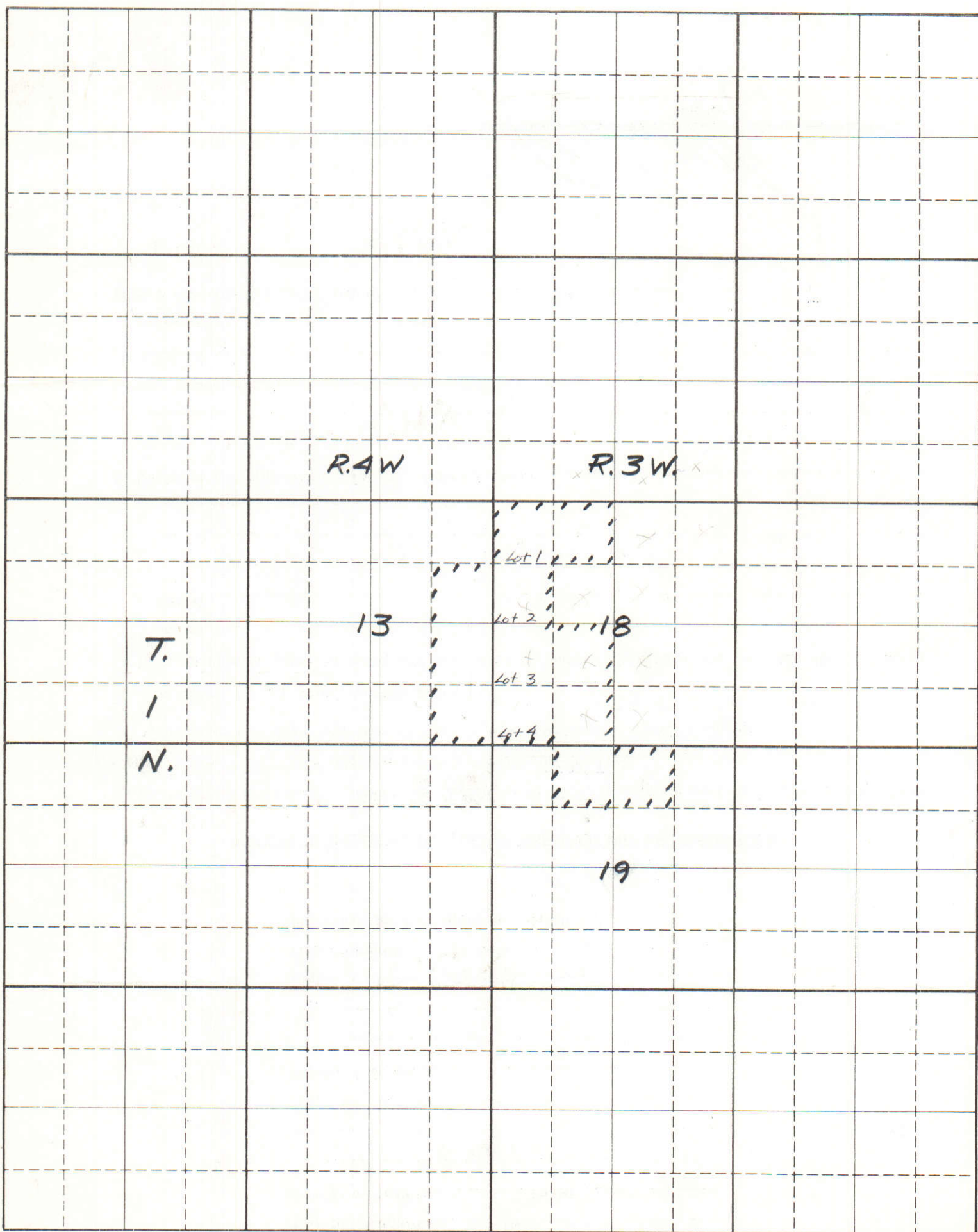


✓ Show Point of Diversion

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



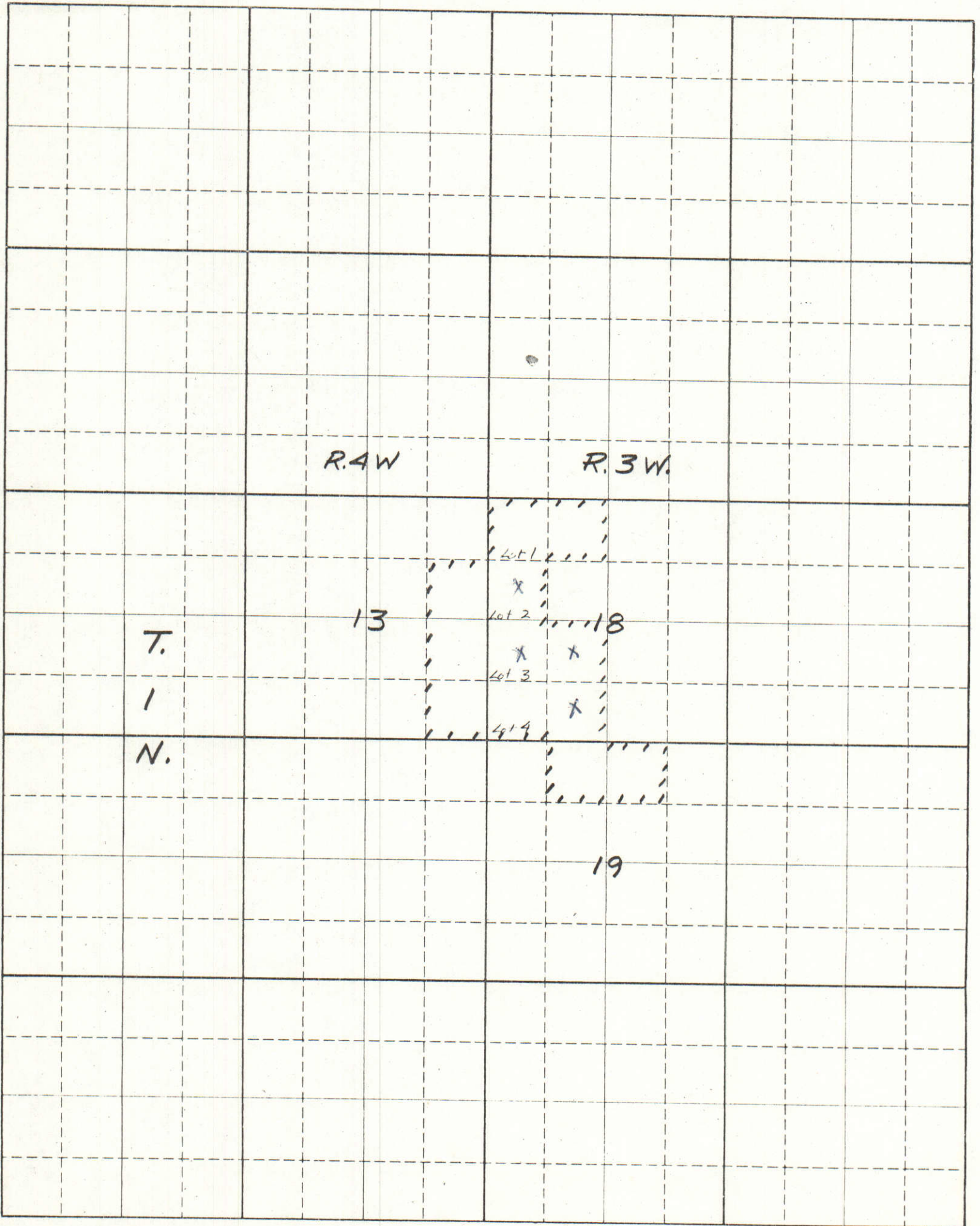
Scale: 2 inches equal 1 mile

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.

X Charles C Young
(Applicant)

✓ Show Point of Diversion

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.

X Charles C Young
(Applicant)

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 28 day of Nov, 1974, and the last publication being on the 5 day of Dec, 1974;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 5 day of Dec, 1974.

Laura L. L. L.
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

RECEIVED

DEC 11 1974

Department of Water Resources
DEC 11 1974

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MICHAEL C. YOUNG & / or Charles C. Young, Star Rt., Melba, ID has on Nov. 18, 1974 submitted Application No. 02-7178 for a permit to appropriate 9.6 cubic feet per second of water from Snake River, trib. to Columbia River by means of pumps, pipeline, ditches, holding pond, and sprinkler system within Lot 3, Sec. 8, T. 1 N., R. 3 W., B. M., Owyhee County, to be used from March 15 to Nov. 15 for irrigation of 480 acres within the Lots 1 and 4, NE $\frac{1}{4}$ -NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 1 N., R. 3 W., B. M.; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ -SE $\frac{1}{4}$, Sec. 13, T. 1 N., R. 4 W., B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Dec. 16, 1974.

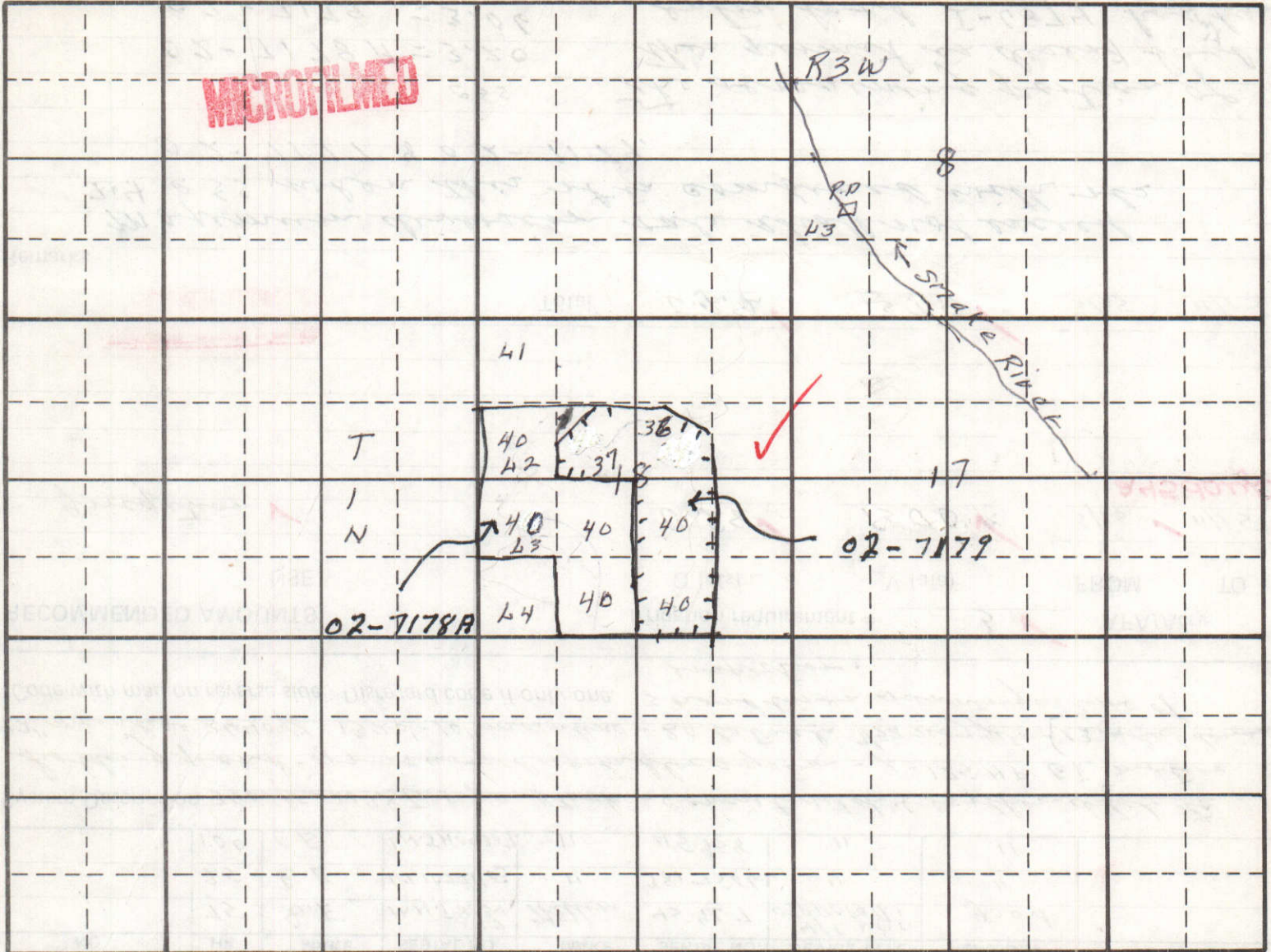
R. KEITH HIGGINSON,
Director.

Published in the Owyhee Nugget, Marsing, ID., on Nov. 28, 1974, and Dec. 5, 1974.

Ok
12-11-74
CW

251
33
4

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NW SW Sec 8 T1N R3W

Place(s) of Use

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
1N	3W	18						40	42		40	40	43	40		40	40		214160

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

Examiner's Signature John K. Meyer

Date 6/24/83

Checked by DBS

Date 7/14/83

Approved by Ray Walker

Date 6-22-84

check over

RT

B233
127B

AL

G
7.2

CHAS.

Young

25.9

22.

12.7
13.18

E
20.6

F
33.1

24

8

H
34.4

R3W

B247
155B

GNS iting

40 Ac

L2

B247
156B

GNE iting

A
72.3

36.2

B245

T
I
N

02-7178A

40 Ac

L3

A
161.0

40 Ac

40.3

40 Ac

40

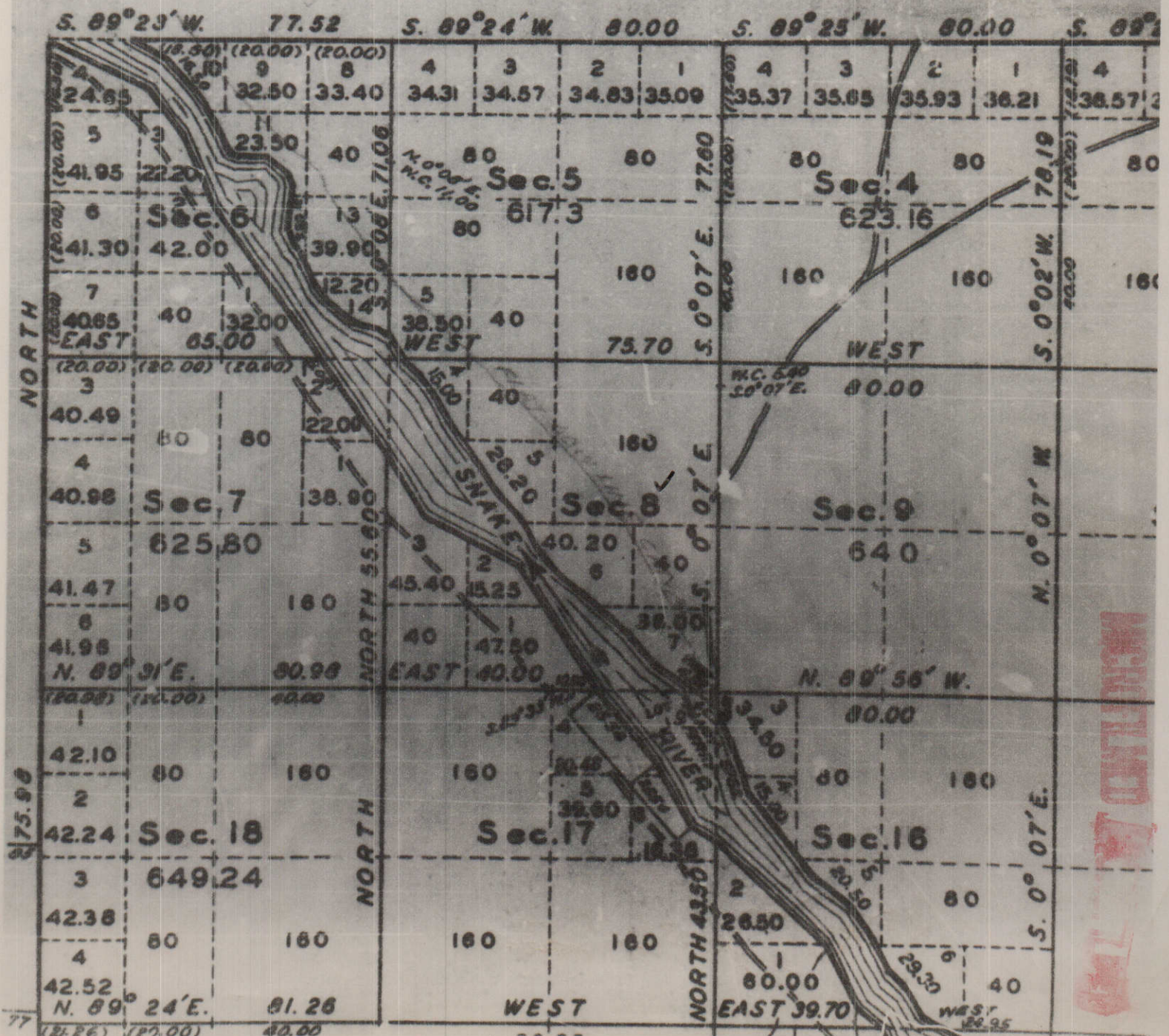
B
80.3

TIN

MICROFILMED

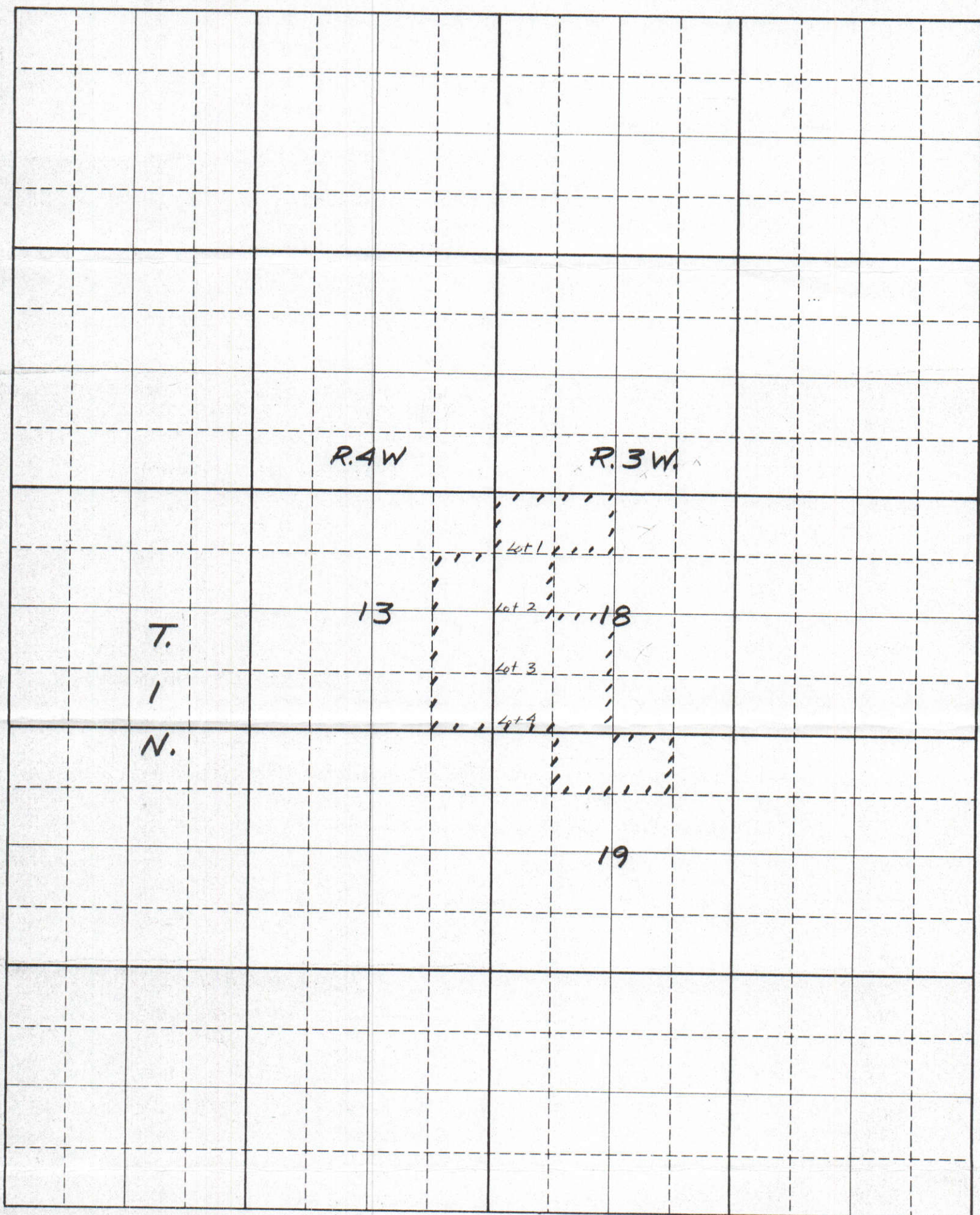
1935

COMPOSITE PLAT
Nº 1 NORTH, RANGE Nº 3, WEST



✓ Show Point of Diversion

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.

X Charles C. Young
(Applicant)

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~02-7178~~	~~Michael C. Young &/or Charles C. Young~~	~~9.6 cfs~~
Partial Assignment	02-7178A	Frankie K. Gneiting	3.20 cfs
~~Remainder Original~~	~~02-7178B~~	~~Michael C. Young &/or Charles C. Young~~	~~6.40 cfs~~
~~Full Assignment~~	~~02-7178B~~	~~Terry L. Gneiting~~	~~6.40 cfs~~

*Licensed
6/84*

*Rejected
8/88*

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7178A Priority November 18, 1974 Amount 3.20 cfs

THIS IS TO CERTIFY, that Frankie K. Gneiting
of Melba, Idaho, has complied with the terms and conditions of Permit
No. 02-7178A issued pursuant to Application for Permit dated November 18, 1974,
and has submitted proof to the Department of Water Resources on June 3, 1982,
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 7.40 cfs of water from Snake River,
tributary to Columbia River, 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
Irrigation	from <u>March 15</u> to <u>November 15</u> at <u>3.20</u> cfs and <u>800.0</u> acre feet		
	from _____ at _____ cfs and _____		
	from _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 3.20 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
800.0 acre feet per year, said waters to be diverted within the Gov. Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
Section 8, Twp 1N, Rge 3W in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1N	3W	18							L.2 40		40	L.3 40		40					160

Total number of acres irrigated 160

This right when combined with Right Nos. 02-7177 and 02-7179 shall not
exceed 7.40 cfs.

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, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of
JUNE, 19 84.

WITNESSED

Acting for the Director

Norman C. Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 02-7178B IN THE)
NAME OF TERRY L. GNEITING)

ORDER REJECTING
APPLICATION

This matter having come before the Idaho Department of Water Resources (Department) as a result of notice to the Department that the Bureau of Land Management (BLM) rejected Desert Land Entry (DLE) Application No. I22252, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On August 23, 1985, Terry L. Gneiting was assigned Application to Appropriate Water No. 02-7178B proposing diversion of 6.4 cubic feet per second from the Snake River which is a tributary of the Columbia River to irrigate land within Sections 18 and 19, T1N, R3W, and Section 13, T1N, R4W, B.M. Owyhee County, in connection with a Desert Land Entry Application.

2. The Department delayed approval of the application until the applicant obtained authorization by BLM to commence development and establish private ownership of the land listed as the place of use under the provisions of the Desert Land Entry Act.

3. The Department received notice that the Desert Land Entry Application was rejected by BLM.

4. On February 3, 1988, the Department corresponded with the applicant stating the Application to Appropriate Water would be rejected for lack of possessory interest in the land unless the applicant provided information within thirty (30) days.

MICROFILMED

DEC 19 1988

showing why the application should not be rejected.

5. The applicant failed to respond to the Department's request to show possessory interest in lands identified under Application to Appropriate Water No. 02-7178B.

CONCLUSIONS OF LAW

1. Section 42-203A(5), Idaho Code, states:

In all applications whether protested or not protested, where the proposed use is such . . . [that] where it appears to the satisfaction of the department that such application . . . is made for delay or speculative purposes, . . . the director of the department of water resources may reject such application and refuse issuance of a permit therefor

2. An applicant who applies to appropriate water of the State of Idaho without owning or possessing the place upon which the water is to be used is speculating that ownership may be obtained.

3. Following denial of an Application for Desert Land Entry by BLM, the applicant has no possessory interest or ownership in the land, nor does the applicant have a pending application which might establish possession or ownership in the future.

4. Application to Appropriate Water No. 02-7178B belonging to Terry L. Gneiting has become a speculative application in that the BLM rejected the applicant's DLE application, and the applicant is not pursuing any valid legal process to gain possession or ownership of the property proposed to be irrigated.

5. Because of the speculative nature of the application, the issuance of a permit should be refused, and the application rejected.

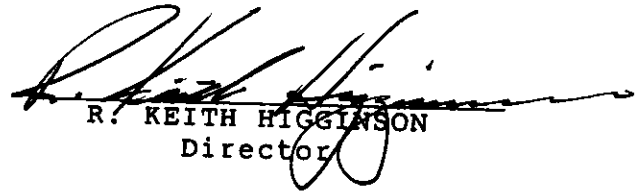
MICROFILMED

DEC 19 1988

ORDER

IT IS HEREBY ORDERED that the issuance of a permit for Application to Appropriate Water No. 02-7178B is REFUSED and FURTHER that Application to Appropriate Water No. 02-7178B is REJECTED.

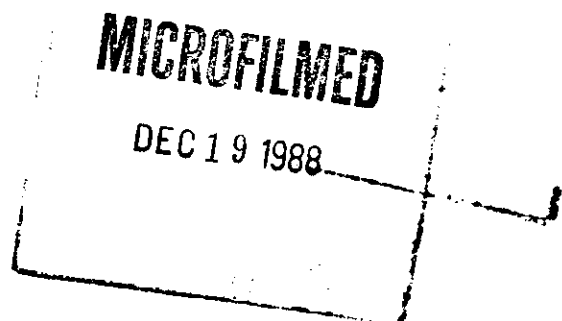
Dated this 26th day of August, 1988.


R. KEITH HIGGINSON
Director

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of August, 1988, I mailed a true and correct copy of the Order Rejecting Application, by U.S. Mail, postage prepaid to: Terry L. Gneiting, 3195 Beverly, Boise, ID 83709.


JANE FOX, Receptionist



State of Idaho
Department of Water Resources

RECEIVED
AUG 28 1985

ASSIGNMENT OF PERMIT

MICHAEL C. YOUNG for
I, CHARLES C. YOUNG, hereby assign to TERRY L. ONEITING
of 3195 BEVERLY, BOISE, ID 83709
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 02-7178B
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this _____ day of _____, 19 _____.

X Charles C. Young
Permit Holder

X
Spouse of Permit Holder

State of Idaho)
County of Owyhee) ss.

On this 23 day of AUGUST, 19 85, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

[Signature]
Notary Public residing at

IDAHO, IDAHO

My commission expires:

12-85

MICROFILMED

9.6 - \$1.00
6.0 - \$1.00

Identification No. _____
Application No. 02-7178 B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant Michael C. Young &/or Charles C. Young Phone: 896-4425
post office address Star Route, Melba, ID 83624
2. Source of water supply Snake River which is a tributary of Columbia River
3. a. Location of point of diversion is Gov't Lot 3 $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8 Township 1 N
Range 3 W B.M. Owyhee County; additional points of diversion if any: _____
- 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 6.4 4.6 for Irrigation purpose from March 15 to Nov. 15 (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. 6.4 9.6 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 150 HP pump with 3000'x20" pipe with
150' vertical (Lift) into a 2600' concrete and earth ditch into holding pond with
150 HP relift pump and sprinkler system
- 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 _____ (Mo. Day) to _____ (Mo. Day) inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 75,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____
If water is to be used for other purposes describe: _____

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	
~~Deeded~~ <u>Deeded</u>																			
1 N	3 W	18							40		40	40		40					160
BLM ~~PRIVATE~~																			
1 N	3 W	18						Lot 1 40	40				Lot 4 40						120
1 N	3 W	19		40			40												80
1 N	4 W	13				40									40			40	120

Total number of acres to be irrigated 480

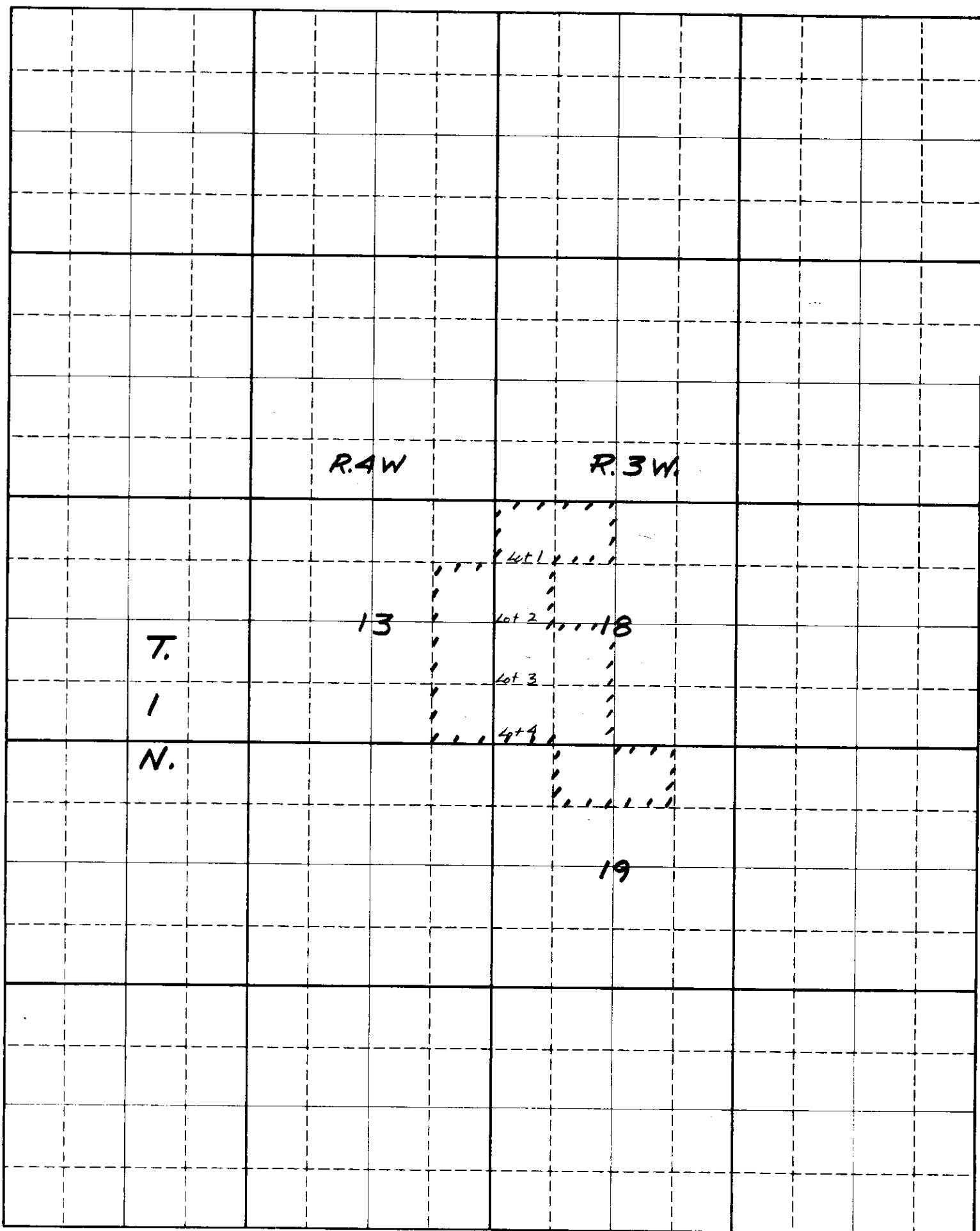
c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion Frank Blick
 b. Who owns the land to be irrigated or place of use Applicant & BLM
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Agreement has been made with Mr. Blick for R/W to river.

10. Remarks I-6874 (943) same system as covered by permit applications filed by Charles C. &/or Muruel B. Young; Norvel &/or Donna Goodloe

✓ Show Point of Diversion

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.

X Charles C Young
(Applicant)

Received by SW Date 11-18-74 Time 9:45 am
Preliminary check by R.W.H. Fee \$ 115.00
Receipted by SW Date 11-18-74 # 15329
Publication prepared by Cu Date 11-21-74
Published in Owyhee Nugget
Publication dates Nov. 28 & Dec. 5
Publication approved Cu Date 12-11-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

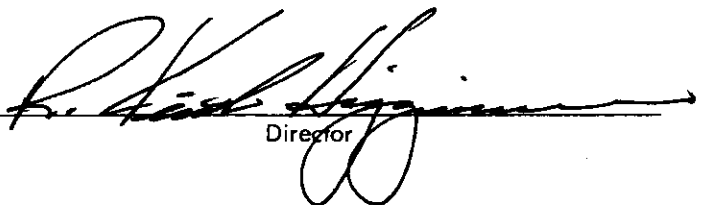
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7178B, and said application is hereby REJECTED.

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. Other: _____

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

Witness my hand this 26th day of AUGUST, 19 88.


Director

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 02-7178B IN)
THE NAME OF MICHAEL C. &/OR)
CHARLES C. YOUNG)
_____)

ORDER TO SHOW CAUSE

WHEREAS, on November 18, 1974 Michael C. and Charles C. Young applied to the Department of Water Resources for a permit to appropriate 3.2 cubic feet per second of water from the Snake River to be diverted within Government Lot 3 Section 8, Township 1 North, Range 3 West, B.M., Owyhee County, to be used for irrigation purposes in connection with a Desert Land Entry; and,

WHEREAS, on December 21, 1983, the Desert Land Entry was rejected by the Bureau of Land Management; and,

WHEREAS, on May 24, 1985, the applicant was sent notice that the Application for Permit would be voided for lack of possessory interest in the land unless said applicant could provide information showing possessory interest in the land; and,

WHEREAS, pursuant to the provisions of Section 42-203, Idaho Code, the Director of the Department of Water Resources is empowered to void Applications for Permit for lack of possessory interest;

MICROFILMED

IT IS, THEREFORE ORDERED, that the applicant show cause before the Director of the Department of Water Resources on or before August 25, 1985 why Application for Permit No. 02-7178B should not be Voided.

Dated this 12th day of July, 1985.


L. GLEN SAXTON
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REINSTATING AND EXTENDING)
THE PROOF DUE DATE IN CONNECTION WITH PERMIT)
NO. 02-7178A IN THE NAME OF FRANKIE K. GNEITING)

O R D E R

WHEREAS, on November 18, 1974, Michael C. and Charles C. Young applied to the Department of Water Resources for a permit to appropriate 3.20 cubic feet per second of water from the Snake River to be diverted within Government Lot 3, Sec. 8, Twp. 1N, Rge. 3W B.M., Owyhee County, to be used for irrigation purposes; and,

WHEREAS, on March 4, 1977, the permit holders assigned a portion of their right, title, and interest in and to Application for Permit No. 02-7178 to Frankie G. Gneiting and identified that portion as 02-7178A; and,

WHEREAS, on March 7, 1977, the Department approved Permit No. 02-7178A with the condition that proof of construction of works and application of water to beneficial use be submitted on or before March 1, 1982; and,

WHEREAS, on March 15, 1982, the Department notified the permit holder that Permit No. 02-7178A had lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, the Department discovered that proper notice was not given to the permit holder pursuant to provisions of Section 42-218a, Idaho Code;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 02-7178A be REINSTATED with no advance in priority and the time within which to submit proof of beneficial use be extended to July 1, 1982.

Dated this 30th day of April, 1982.



L. GLEN SAXTON

Chief, Operations Bureau

State of Idaho
Department of Water Resources

RECEIVED
MAR 4 1977

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Michael C Young &/o- Charles C. Young, hereby assign to Frackie K Greeting
of 3080 South Linder Meridian, ID
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____
to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit
No. 02-7178 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

3.20 cfs to be used on 160 acres in SW 1/4 NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4,
Sec 18, T 1 N, R 3 W, BM

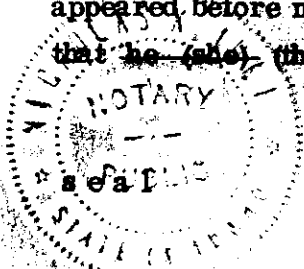
Made this 24th day of January, 19 77.

Charles C Young
Permit Holder

Maribel B. Young
Spouse of Permit Holder

State of Idaho)
County of Owyhee) ss.

On this 24th day of January, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he (she)~~ (they) executed the same.



Nicholas K. Shih
Notary Public residing at
Murphy, ID

My commission expires:
Jan 31, 1980

MICROFILMED

Identification No. _____

Application No. 02-7178A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNED TO: FRANKIE K. GNEITING
3-04-1977 8080 So. Linder
Meridian, ID

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Michael C. Young &/or Charles C. Young Phone: 896-4425
post office address Star Route, Melba, ID 83624 Box 107

2. Source of water supply Snake River which is a tributary of Columbia River

3. a. Location of point of diversion is Gov't Lot 3 ¼ of SW ¼ of Section 8 Township 1 N
Range 3 W B.M. Owyhee County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼
of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

3.20 See Assignment of March 4, 1977
Amount for Irrigation purpose from March 15 to Nov. 15 (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. 3.20 see assignment of March 4, 1977
cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 150 HP pump with 3000'x20" pipe with
150' vertical (Lift) into a 2600' concrete and earth ditch into holding pond with
150 HP relift pump and sprinkler system

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.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
(Mo. Day) (Mo. Day)

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 75,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____
Range _____ 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 _____

(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.	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	
~~Decreed~~ <u>Decreed</u>																			
1 N	3 W	18							40		40	40		40					160
BLM ~~& PRIVATE~~																			
1 N	3 W	18					Lot 1 40	40				Lot 4 40							120
1 N	3 W	19		40			40												80
1 N	4 W	13				40									40			40	120

Total number of acres to be irrigated 480

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion Frank Blick

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

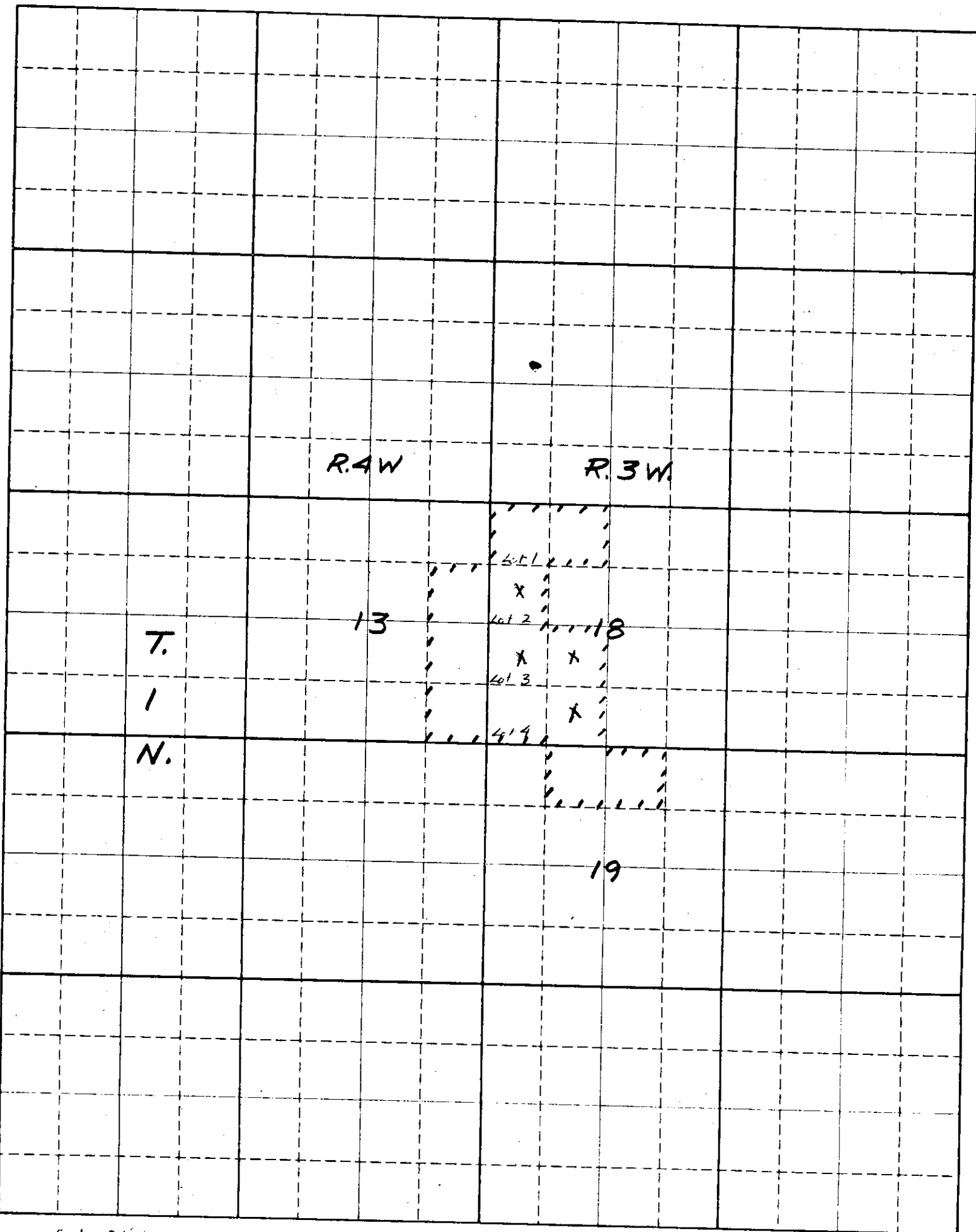
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Agreement has been made with Mr. Blick for R/W to river.

10. Remarks I-6874 (943) same system as covered by permit applications filed by Charles C. &/or Muruel B. Young; Norvel &/or Donna Goodloe

I-

Handwritten notes at the top of the page, partially illegible.

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.

X Charles C Young
(Applicant)

Proposed Priority 11-18-1974

Received by SW Date 11-18-74 Time 9:45 am
Preliminary check by R.W.H. Fee \$ 115.00
Receipted by SW Date 11-18-74 # 153,39
Publication prepared by Ca Date 11-21-74
Published in Owyhee Nugget
Publication dates Nov. 25 & Dec. 5
Publication approved Ca Date 12-11-74
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by ADF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

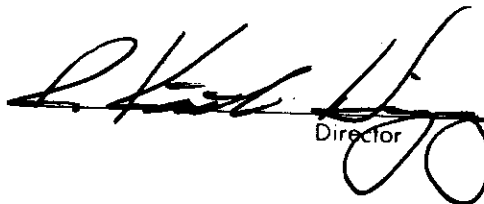
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7178A, and said application is hereby APPROVED.

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 March 1, 19 82.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 7 day of March 19 77.


Director

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 28 day of Nov, 1974, and the last publication being on the 5 day of Dec, 1974;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 5 day of Dec, 1974.

Lance L. Hines
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

Notice is hereby given that MICHAEL C. YOUNG & / or Charles C. Young, Star Bt. Idaho, ID has on Nov. 18, 1974 submitted Application No. 69-7178 for a permit to appropriate 9.6 cubic feet per second of water from Snake River, trib. to Columbia River by means of pipeline, pipeline, ditches, holding pond, and sprinkler system within Lot 4, Sec. 2, T. 1 N., R. 3 W., B. M., Owyhee County, to be used from March 15 to Nov. 15 for irrigation of 400 acres within the Lots 1 and 4, NE 1/4, SW 1/4, NW 1/4, NW 1/4, Sec. 12, NW 1/4, NW 1/4, Sec. 10, T. 1 N., R. 3 W., B. M., SE 1/4, NW 1/4, Sec. 13, T. 1 N., R. 4 W.,

issued, this permit will be subject to all prior water rights. No objection to the granting of this permit must be filed with the Department of Water Resources, Boise, Idaho, on or before Dec.

WILLIAM HUGHENSON,
Director.
at the Owyhee County, Marsing, ID, on Nov. 1974, and Dec. 5, 1974.

OK
2-11-76
OK

02-7178 A



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

July 25, 1984

RE: Permit No. 02-7178A

Frankie K. Gneiting
Star Rt. #106-D
Melba, ID 83641

Dear Mr. Gneiting:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM DAVE TUTHILL

DATE JUNE 27, 1984

TO FILE 02-7178

SUBJECT Information Note

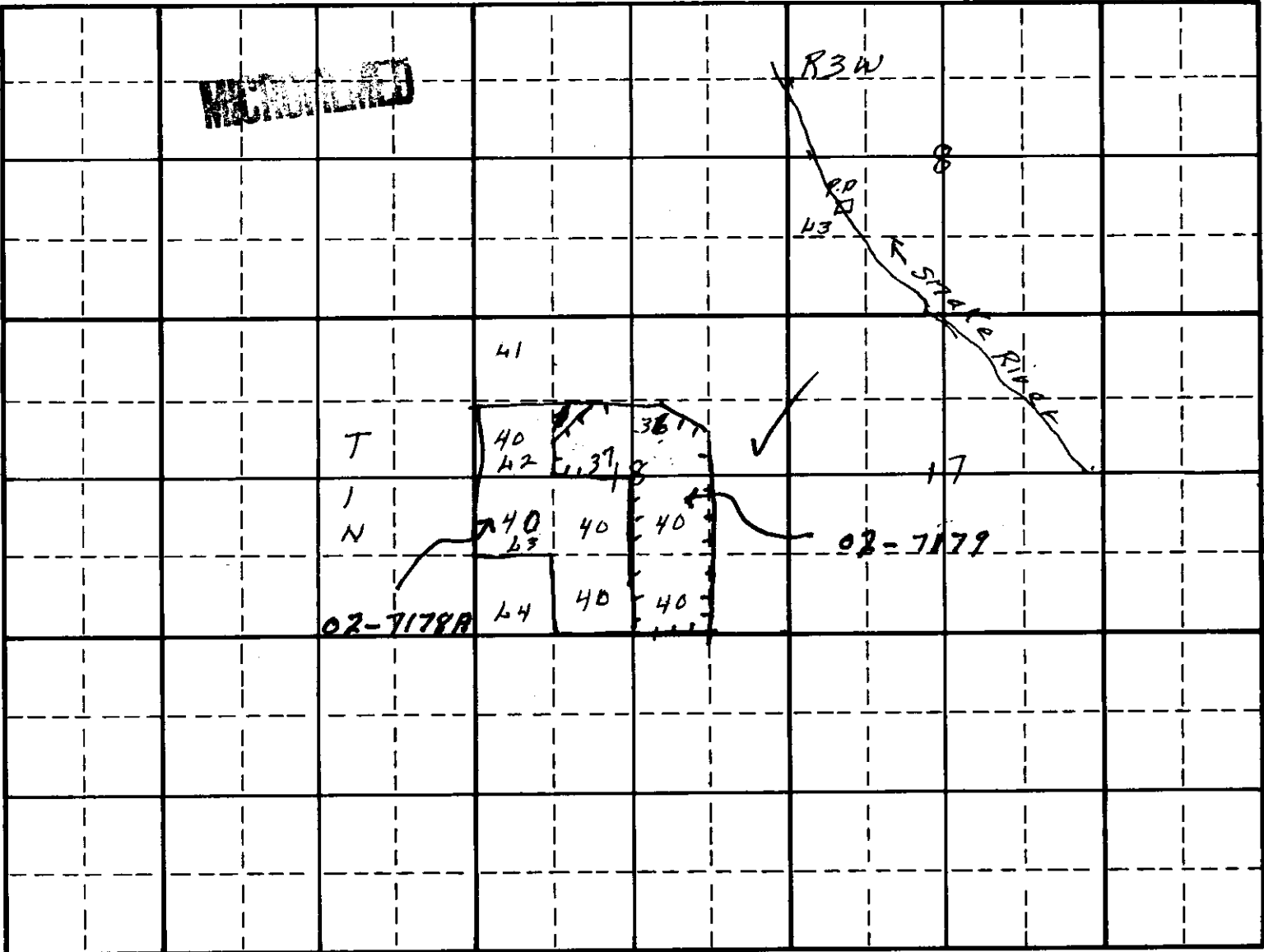
- Part A of this water right is currently being licensed.
- Part B of this water right, for the remaining 6.4 cfs, is still an unapproved application.

MICROFILMED

DRT

SIGNATURE

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NW 5W Sec 8 T1N R3W

Place(s) of Use ✓

TWP.	RGE.	SEC.	NEX				NW				SW				SE				TOTALS
			NEX	NW	SW	SE	NEX	NW	SW	SE	NEX	NW	SW	SE	NEX	NW	SW	SE	
1N	3W	18							40		40	40		40					21160
								42				43							

Recommended Amendments:

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

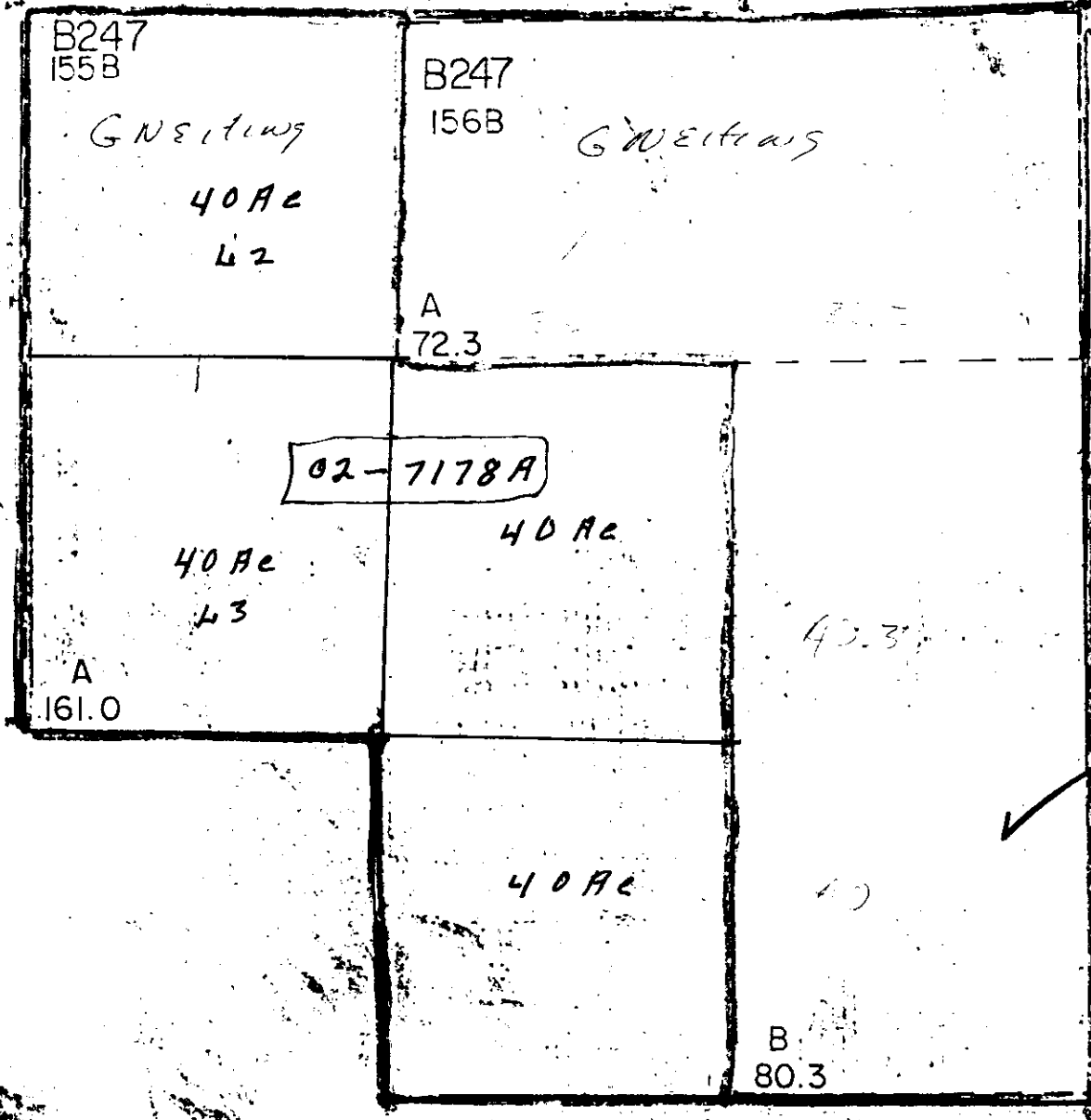
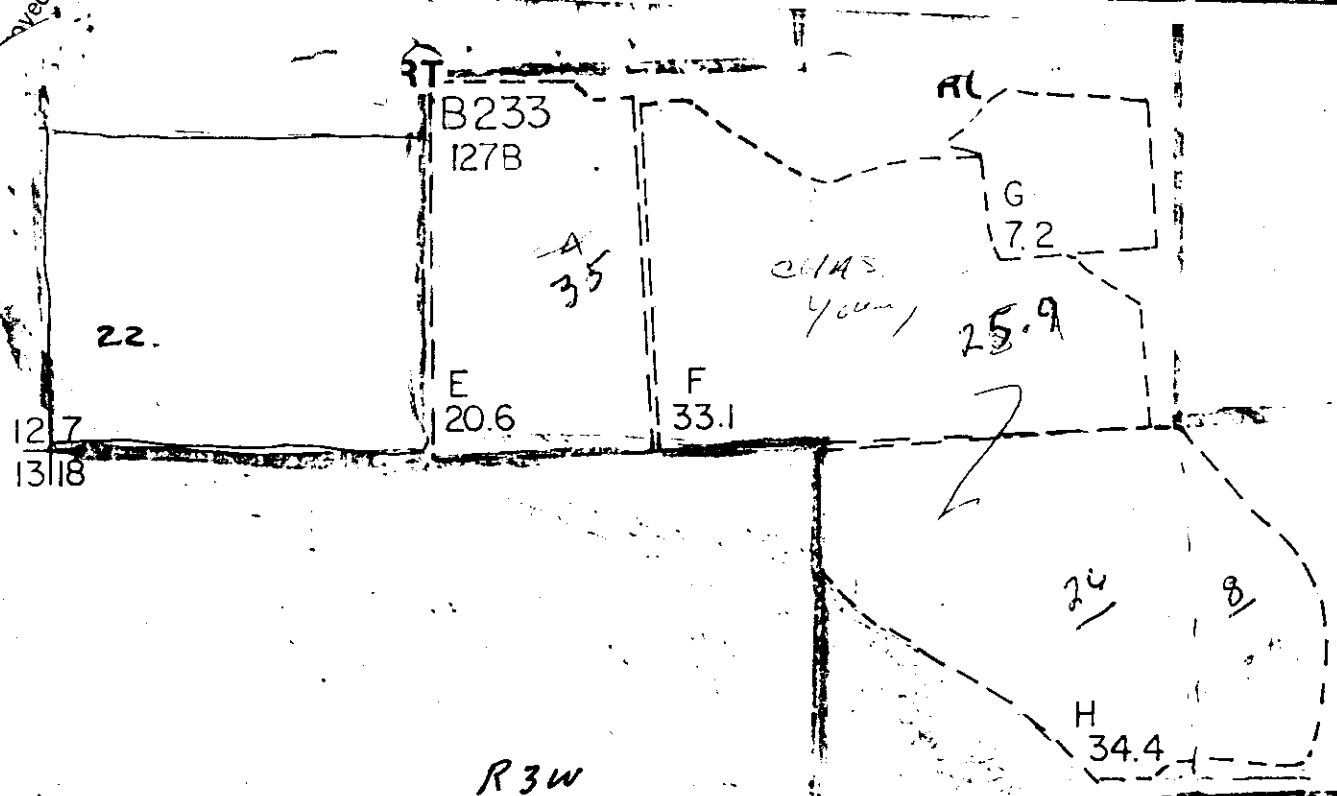
☐ Change P.U. as reflected above
 ☐ Add P.U. as reflected above
 ☐ Other

Examiner's Signature John K. Moyer
 Date 6/24/83

Checked by DBS
 Date 7/14/83

Approved by Randy Walker
 Date 6-22-84

check over

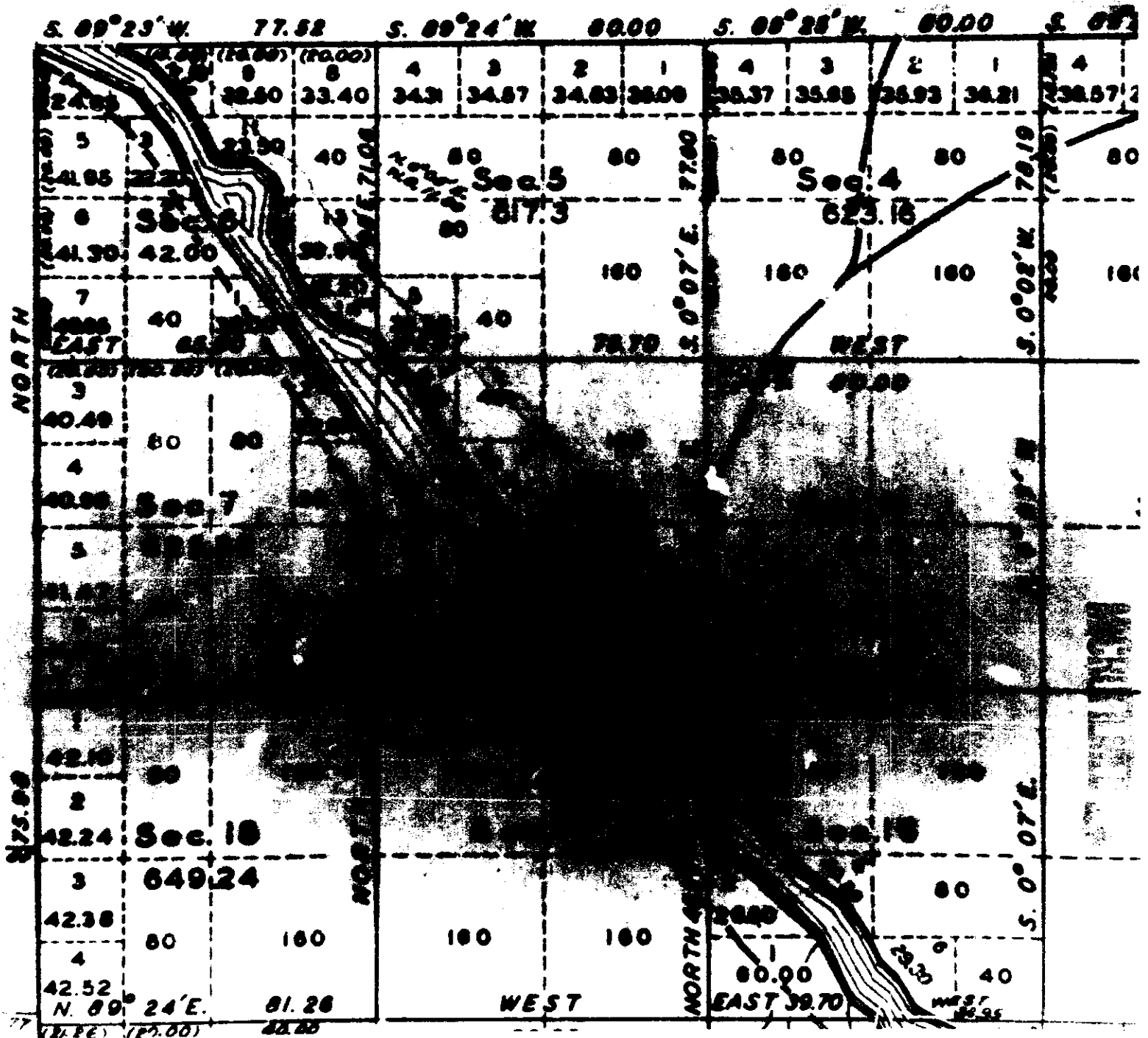


T
I
N

TIN

MICROFILMED

COMPOSITE PL
Nº 1 NORTH, RANGE Nº 3 WES



Overlap Review for 02-7178A

per permit: none

per examiner: 02-7177
02-7179

per micro-fische 6/22/84:

Lt 3 (NWSW) p/d - 02-7140 ✓
02-2072 ✓
02-7089 ✓
02-7177 ✓

NO → still app. 02-7178B - app. for Desert Entry
02-7297 ✓

~~Recommended~~ ← 57-7097 spring ok
~~NO →~~ 57-7156 spring ok
~~diff. sources~~

ok p/u - none

NO OVERLAPS

- ok 02-7089 - also being licensed - different system - pump nos. not same per exams
- ok 02-7140 - lic - same system as 02-7089 above -
- 02-2072 - lic - different system - pump nos. not same per exams.
- 02-7297 - permit - no exam in file



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

October 12, 1983

J. David Brunner
Associate Dist. Manager
Bureau of Land Management
Boise District Office
3948 Development Ave.
Boise, ID 83705

RE: Classification Decisions Described as Follows

Dear Dave:

In reviewing the following classification decisions from the Boise District Office, I offer the following comments:

The following Desert Lands applications are located below Swan Falls Dam and should not be affected by the Supreme Court decision. Those that do not have some type of water right should be advised to file before entry.

4
I-15160 -- Water right appl. 57-7263
I-16255 -- Water right appl. 57-7264
I-11622 -- Water right appl. 57-7262
I-11628 -- No water right appl. on file
I-11629 -- No water right appl. on file
I-5948 --- No water right appl. on file
I-15564 -- 10 acres in the W $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 35, T1N, R3W
Under water right license 02-2258, no record of other water rights.

~~I-11874 -- Water right appl. 02-71789~~

I-11868 -- No water right appl. on file
I-9026 --- No water right appl. on file
I-15563 -- No water right appl. on file
I-8665 & I-8666 -- Water right appl. 02-7155. A Carey Act appl. has been overfiled on the same lands (plus additional acreage which was not classified) by the same applicant. Please advise why the other land was not classified or did Mr. Stowell and Mr. Loucks indicate they would relinquish their Carey Act appl. for classification of their DLE.

J. David Brunner
RE: Classification Decisions
Page 2

The groundwater in the area of the following applications may be tributary to the Snake River above Swan Falls.

I-17206 -- No water right appl. on file.
I-17207 -- " " " " " "
I-17205 -- " " " " " "
I-17246 -- " " " " " "
I-17247 -- " " " " " "

These projects are located within the general boundaries of the area the Department considers to be tributary to the Snake River above Swan Falls Dam. As you know, the Department has been withholding action on any application to appropriate water in the Swan Falls impact area. If water right applications were filed on these five DLE applications, approval of the water right filing would not be given until the Swan Falls issue is resolved by legislation or court action, unless the applicants either reached an agreement to reimburse Idaho Power for any losses or demonstrated that pumping would not affect the Swan Falls right.

Very truly yours,

Norman C. Young
NORMAN C. YOUNG, Administrator
Resources Administration Division

NCY:JDC:ldt

Memo

To File: I-6874

9/21/83

From: John Carlson

RE: Suitable classification of 164.42 Ac.
Unsuitable classification of 160 Ac.
No conflicting Carey Act Applications
Tributary to Snake River Below Seven Falls

02-7178B

The above water right covers all lands described
by classification decision. Copy for water right file

CLASSIFICATION DECISION
(Proposed)

A.

The following described land has been examined and found suitable for agricultural purposes:

T. 1 N., R. 3 W., Boise Meridian, Idaho
sec. 18, Lots 1, 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$ 02-71786
sec. 19, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ 02-71786

Containing 164.42 acres

The land is hereby classified suitable for disposal under provisions of the Desert Land Act, as amended (19 Stat. 377; 43 U.S.C. 321 - 323), and Carey Act, as amended (28 Stat. 422, 43 U.S.C. 641 et seq.), and the regulations thereunder (43 CFR 2520 and 2610).

The above described public land is physically suitable and adaptable to agriculture. There would be no significant adverse impacts resulting from the development.

B.

The following described land has been examined and found unsuitable for agricultural purposes:

T. 1 N., R. 4 W., Boise Meridian, Idaho
sec. 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ 02-71786

T. 1 N., R. 3 W., Boise Meridian, Idaho
sec. 19, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ 02-71786

Containing 160 acres

The land is hereby classified unsuitable for disposal under provisions of the Desert Land Act, as amended (19 Stat. 377; 43 U.S.C. 321 - 323), and Carey Act (28 Stat. 422; 43 U.S.C. 641 et seq.) and the regulations thereunder (43 CFR 2520 and 2610). It is segregated by this classification from disposal under these Acts.

The 160 acres described above are classified unsuitable due to soils.



IN REPLY
REFER TO
I-6874
2520

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Boise District Office
3948 Development Avenue
Boise, Idaho 83705

August 26, 1983

Idaho Department of Water Resources

Certified Mail #
RETURN RECEIPT REQUESTED

August 26, 1983

Idaho Department of Water
Resources
State & Western Reg. Office
450 West State Street
Boise, ID 83720

Attached is a Proposed Decision to classify 164.42 acres of public land in Owyhee County, Idaho, as suitable for Desert Land Entry and 160 acres as unsuitable for agricultural purposes. The official report setting out the facts upon which the decision is based, is available for inspection at the Bureau of Land Management, Boise District Office, 3948 Development Avenue, Boise, Idaho 83705.

If you desire, you may comment upon, or protest the Proposed Decision in writing within 30 days from the date of receipt of this letter. You may present any information which you believe will enable me to make a sound decision concerning the classification of these public lands. Comments should be made to me at the above address.

Sincerely yours,

J. David Brunner
J. David Brunner
Associate District Manager

Enclosure

C.

This Proposed Decision is in accordance with the Endangered Species Act of 1973 (P.L. 93-205, 87 Stat. 884, 16 U.S.C. 1531), Executive Order No. 11593, National Historic Preservation Act of 1966 (80 Stat. 915, 16 U.S.C. 470 et seq.), as amended, National Environmental Policy Act of 1969 (P.L. 91-190, 83 Stat. 852; 42 U.S.C. 4321), Federal Land Policy and Management Act of October 21, 1976 (P.L. 94-579, 90 Stat. 2743 Section 102 (8)), and Section 7 of the Taylor Grazing Act (43 U.S.C. 315, 315a - 315r).

This classification action meets the criteria in, and is made pursuant to 43 CFR 2410.1(a) - (d), 2430.5(e), 2450, and 2520.0-8.

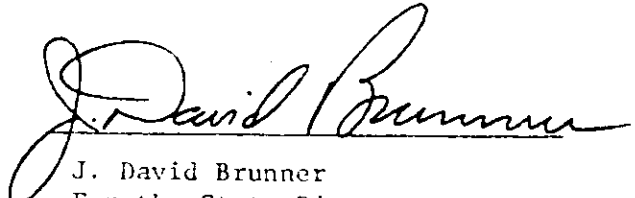
This decision relates only to land classification. Adjudicative action by the appropriate land office will determine at a later date the merits of the application as well as the qualifications of the applicant.

The following petition for classification is affirmed and denied in part:

I-6874

Michael C. Young
Star Route
Melba, Idaho 83641

8/26/83
Date


J. David Brunner
For the State Director



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

December 7, 1982

Frank Smutins
Star Route #106-D
Selba, Idaho 83641

Re: 02-7173A

Dear Mr. Smutins:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐

A field examination of your system has been scheduled for _____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense

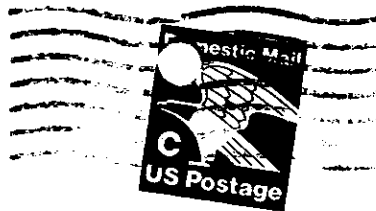
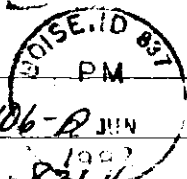
Judy Pense
Secretary

MICROFILMED

ONEITIA

STAR Rte #106-D JUN

MELBA, ID 83644



RECEIVED



JUN 3 1982

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

Department of Water Resources
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card statement that the permit holder(s) has completed development to the extent shown below Permit No. 02-7178A

Name(s) of Permit Holder: Frank Sweeting

Post Office Address: STAR RTE # 106-D

Melba, Id 83641 ²⁰⁸ Tel. No. 896-4852

Source of Water: SNAKE RIVER

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 314 (acres)
☐ Other

Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
 Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

4/30/92
Date

Frank R Sweeting
Signature of Permit Holder



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 30, 1982

Frankie K. Gneiting
8080 S. Linder
Meridian, ID 83647

Dear Mr. Gneiting:

One of the conditions of approval of your water permit No. 02-7178A was that evidence of the extent of development must be submitted to this office on or before July 1, 1982. (See attached order). Enclosed is a postcard which may be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted. A request for extension of time form is enclosed for your convenience. Please note that a fee of \$15.00 must be submitted with this form.

Either the beneficial use postcard or a request for an extension of time must be received by this department on or before the above-mentioned date, otherwise, the permit will lapse and be of no further force or effect within sixty days.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

CLAIM CHECK
NO.

659764

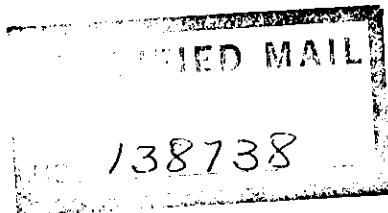
RETURNED TO
ADDRESSER
ADDRESSER UNKNOWN
NOTICE

☐ HOLD

2ND NOTICE

RETURN

Detached from
PS Form 3849-A
May 1975

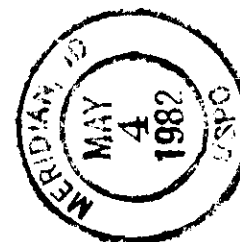


Frankie K. Gneiting
8080 S. Linder
Meridian, ID 83647

At 3 Bowmont
Nampa, Id

83651

MICROFILMED



CERTIFIED MAIL
#138738

April 30, 1982

Frankie K. Gneiting
8080 S. Linder
Meridian, ID 83647

Dear Mr. Gneiting:

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Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State House
P.O. Box 83720
Boise, Idaho 83720

RECEIVED

MAR 22 1982

Department of Water Resources

GNE 80 331805N1 03/18/82

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

GNEITING, FRANK
8080 SO. LINDER
MERIDIAN, ID 83642

MARCH 02, 1982

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 02-7178A HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER A NOTICE THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT, OR A REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR NOTICE TO YOU DATED DECEMBER 31, 1981.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED POSTCARD OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.



L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES



WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

GNEITING, FRANK
8080 SO. LINDER
MERIDIAN, ID 83642

MARCH 02, 1982

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A STATEMENT OF BENEFICIAL USE POSTCARD AND A REQUEST FOR EXTENSION OF TIME FORM ARE ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

CERTIFICATION OF MAILING
I hereby certify that on 3-15-1982
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Rita Fleck

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138955

Michael C. and Charles C. Young
Star Route
Melba, ID

DECEMBER 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 02-7178A WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street
Idaho 83706-2237

RECEIVED
SEP 09 1988

Department of Water Resources

Serry L. Meitling
3195 Beverly
Boise, ID 83709

MICROFILMED

DEC 14 1988

GNE 95X 03062921 09/06/88

RETURN TO SENDER
NO FORWARDING ORDER ON FILE
UNABLE TO FORWARD



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 29, 1988

Terry L. Gneiting
3195 Beverly
Boise, ID 83709

Re: Application for Permit No. 02-7178B

Dear Applicant:

Enclosed is a copy of your rejected Application for Permit No. 02-7178B. Also enclosed is a copy of the order rejecting the application.

Please be advised that if you do not agree with the decision of the Department, you may within fifteen (15) days of receipt of the Order rejecting your application, request a hearing before the Director. Failure to timely petition the Director within fifteen days of the receipt of the Order may prevent you from further contesting the rejection of your application.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosures

BEFORE THE DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 02-7178B IN THE)
NAME OF TERRY L. GNEITING)
_____)

ORDER REJECTING
APPLICATION

This matter having come before the Idaho Department of Water Resources (Department) as a result of notice to the Department that the Bureau of Land Management (BLM) rejected Desert Land Entry (DLE) Application No. I22252, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On August 23, 1985, Terry L. Gneiting was assigned Application to Appropriate Water No. 02-7178B proposing diversion of 6.4 cubic feet per second from the Snake River which is a tributary of the Columbia River to irrigate land within Sections 18 and 19, T1N, R3W, and Section 13, T1N, R4W, B.M. Owyhee County, in connection with a Desert Land Entry Application.
2. The Department delayed approval of the application until the applicant obtained authorization by BLM to commence development and establish private ownership of the land listed as the place of use under the provisions of the Desert Land Entry Act.
3. The Department received notice that the Desert Land Entry Application was rejected by BLM.
4. On February 3, 1988, the Department corresponded with the applicant stating the Application to Appropriate Water would be rejected for lack of possessory interest in the land unless the applicant provided information within thirty (30) days,

showing why the application should not be rejected.

5. The applicant failed to respond to the Department's request to show possessory interest in lands identified under Application to Appropriate Water No. 02-7178B.

CONCLUSIONS OF LAW

1. Section 42-203A(5), Idaho Code, states:

In all applications whether protested or not protested, where the proposed use is such . . . [that] where it appears to the satisfaction of the department that such application . . . is made for delay or speculative purposes, . . . the director of the department of water resources may reject such application and refuse issuance of a permit therefor

2. An applicant who applies to appropriate water of the State of Idaho without owning or possessing the place upon which the water is to be used is speculating that ownership may be obtained.

3. Following denial of an Application for Desert Land Entry by BLM, the applicant has no possessory interest or ownership in the land, nor does the applicant have a pending application which might establish possession or ownership in the future.

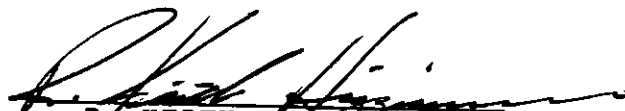
4. Application to Appropriate Water No. 02-7178B belonging to Terry L. Gneiting has become a speculative application in that the BLM rejected the applicant's DLE application, and the applicant is not pursuing any valid legal process to gain possession or ownership of the property proposed to be irrigated.

5. Because of the speculative nature of the application, the issuance of a permit should be refused, and the application rejected.

ORDER

IT IS HEREBY ORDERED that the issuance of a permit for Application to Appropriate Water No. 02-7178B is REFUSED and FURTHER that Application to Appropriate Water No. 02-7178B is REJECTED.

Dated this 26th day of August, 1988.


R. KEITH HIGGINSON
Director

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of August, 1988, I mailed a true and correct copy of the Order Rejecting Application, by U.S. Mail, postage prepaid to: Terry L. Gneiting, 3195 Beverly, Boise, ID 83709.


JANE FOX, Receptionist

9.6 - #1
6.0 - #1

Approved
200 inches

Identification No. _____
Application No. 02-7178 B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

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

1. Name of applicant Michael C. Young &/or Charles C. Young Phone: 896-4425
post office address Star Route, Melba, ID 83624 Box 107
2. Source of water supply Snake River which is a tributary of Columbia River
3. a. Location of point of diversion is Gov't Lot 3 1/4 of SW 1/4 of Section 8 Township 1 N
Range 3 W B.M. Owyhee County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

2c ✓ 4. Water will be used for the following purposes:
Amount 6.4 9.6 for Irrigation purpose from March 15 to Nov. 15 (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. 6.4 9.6 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 150 HP pump with 3000'x20" pipe with
150' vertical (Lift) into a 2600' concrete and earth ditch into holding pond with
150 HP relift pump and sprinkler system

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 _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 75,000.00

8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ 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 _____
If water is to be used for other purposes describe: _____

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

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	
~~Bureau~~ <u>Deeded</u>																			
1 N	3 W	18							40		40	40		40					160
~~BLM~~ <u>BLM</u>																			
1 N	3 W	18						Lot 1 40	40				Lot 4 40						120
1 N	3 W	19		40			40												80
1 N	4 W	13				40									40			40	120

Total number of acres to be irrigated 480

c. Describe any other water rights used for the same purposes as described above. none

9. a. Who owns the property at the point of diversion Frank Blick

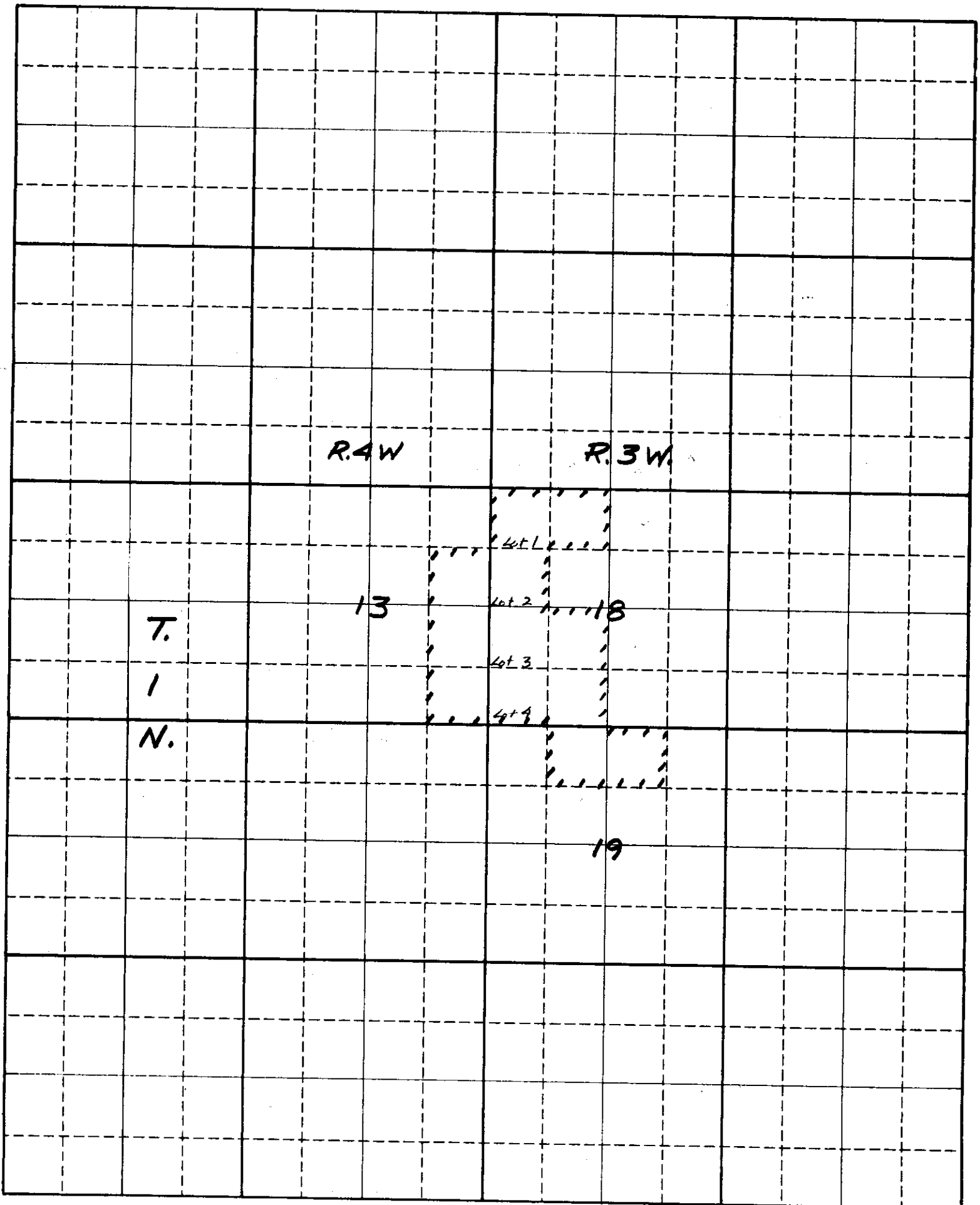
b. Who owns the land to be irrigated or place of use Applicant & BLM

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Agreement has been made with Mr. Blick for R/W to river.

10. Remarks I-6874 (943) same system as covered by permit applications filed by Charles C. &/or Muruel B. Young; Norvel &/or Donna Goodloe

✓ Show Point of Diversion

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.

X Charles C Young
(Applicant)

Received by SW Date 11-18-74 Time 9:45 am
Preliminary check by P.W.H. Fee \$ 115.00
Receipted by SW Date 11-18-74 # 15329
Publication prepared by Cu Date 11-21-74
Published in Owyhee Nugget
Publication dates Nov. 28 & Dec. 5
Publication approved Cu Date 12-11-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

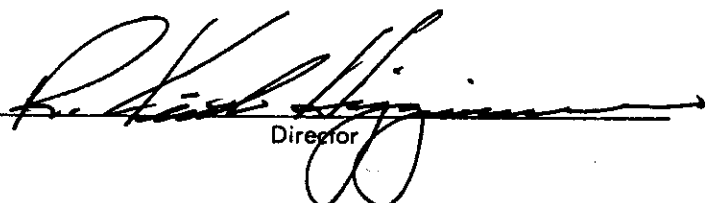
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7178B, and said application is hereby REJECTED.

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. Other: _____

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

Witness my hand this 26th day of AUGUST, 19 88.


Director

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 29, 1988

Terry L. Gneiting
3195 Beverly
Boise, ID 83709

Re: Application for Permit No. 02-7178B

Dear Applicant:

Enclosed is a copy of your rejected Application for Permit No. 02-7178B. Also enclosed is a copy of the order rejecting the application.

Please be advised that if you do not agree with the decision of the Department, you may within fifteen (15) days of receipt of the Order rejecting your application, request a hearing before the Director. Failure to timely petition the Director within fifteen days of the receipt of the Order may prevent you from further contesting the rejection of your application.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

Enclosures

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DEC 19 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

June 15, 1988

Frank L. Gneiting
3195 Beverly
Boise, ID 83709

Re: Application for Permit to Appropriate Water No. 02-7178B

Dear Mr. Gneiting:

After having reviewed this file a second time, I feel that holding it in limbo pending the possibility that you may file another DLE application is not wise. Therefore, I am preparing an order rejecting the application which will be issued at the end of June.

If you wish to contest the decision, you may request a hearing on the decision.

Respectfully,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: Western

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DEC 19 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 18, 1988

Frank L. Gneiting
3195 Beverly
Boise, ID 83709

Re: Application to Appropriate Water No. 02-7178

Dear Mr. Gneiting:

After our conversation in my office on February 18, 1988, we discussed the possibility of your filing another application appropriate water and whether the filing would be grounds for retaining Application No. 02-7178 in our files. My impression after discussing the matter with administrators within the Department of Water Resources is that the application cannot be retained with its original date of priority. You will probably have to refile an application to appropriate water once the new DLE application is filed. This will establish a new date of priority.

I thought this information might be helpful to you in deciding whether you want to refile a Desert Land Entry Application. As I represented to you during our conversation, I will withhold any action on Application 02-7178 until May 1, 1988.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

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JEC 19 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 3, 1988

Terry L. Gneiting
3195 Beverly
Boise, ID 83709

Re: Application to Appropriate Water No. 02-7178B

Dear Mr. Gneiting:

NOTICE OF PENDING ORDER REJECTING APPLICATION

On August 23, 1985, you were assigned application to appropriate water number 02-7178B to irrigate 320 acres of land located within Sections 18 and 19, T1N, R3W, and Section 13, T1N, R4W, B.M. The application states that you were seeking ownership of the lands by means of a Desert Land Entry (DLE) Application.

It has recently come to our attention that your DLE Application was rejected by the Bureau of Land Management. You no longer have possessory interest in the land nor do you have a pending application which might establish possession or ownership in the future.

The purpose of this letter is to request that you withdraw your application or explain why the Department should not reject your application. Enclosed is a withdrawal form that should be signed and returned to this office, unless you have some explanation that would prevent the Department from rejecting your application.

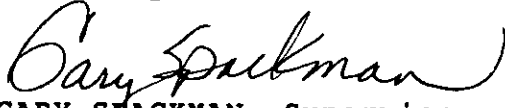
If you fail to respond to this inquiry within thirty (30) days of the date of this letter, the Department will act to reject your application. The application will

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DEC 19 1988

grounds that it is speculative in that you do not have a possessory interest in the proposed place of use.

Sincerely,


GARY SHACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: Western

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of February, 1988, I mailed the original copy of this letter, by U.S. Mail, postage prepaid, to Terry L. Gneiting, 3195 Beverly, Boise, ID 83709.


JANE L. FOX, Receptionist

RECEIVED
DEC 19 1988

DEC 19 1988

CASE ABSTRACT AS OF: 7/ 8/87
03-03-1877;019STAT0377;43USC321-323,325, CASE TYPE SERIAL NUMBER
DESERT LAND ACT 252000 IDI 22252

NAME AND ADDRESS

GNEITING TERRY L
1000 DAMON
SPARKS NV 89431
APPLICANT 100.00000 %

DESCRIPTION OF LAND

BOISE MER
T. 1 N R. 3 W Owyhee COUNTY, ID
BOISE DISTRICT Owyhee RESOURCE AREA
SEC. 18: LOTS 1,4
NENW

LANDS RELINQUISHED, WITHDRAWN, REJECTED, SEGREGATED OR ASSIGNED
SEC. 19: NENE, NENW; REJ

T. 1 N R. 4 W
SEC. 13: SENE, NESE, SESE; REJ
-----END LANDS RELINQUISHED-----

124.620 ACRES

ACTIONS

DATE	CODE	TAKEN	REMARKS	
8/22/1985	124	APLN RECD	2:28PM	MD
10/09/1985	115	AMEND-CORR APLN RQST		SC
11/08/1985	115	AMEND-CORR APLN RQST	REISSUED	JC
1/06/1986	103	ADDTL INFO RECD	CHANGE OF ADDRESS	
1/06/1986	114	AMEND-CORR APLN RECD	8:00AM	SC
1/21/1986	600	RECORDS NOTED		JC
1/27/1986	393	DEC ISSUED	APLN DEFICIENT	JC
2/28/1986	114	AMEND-CORR APLN RECD	3:57PM	JC
3/05/1986	911	REPORT RECEIVED	MINERALS	JC
4/21/1986	020	CL (PROPOSED) ISSUED	SEE GEN RMKS 02	SC
6/25/1986	176	CL ISSUED	INITIAL DECISION	LAC
8/12/1986	042	CASE SENT	TO ISO FOR POSTING	
8/27/1986	550	CL SUITABLE	124.62 ACRES	MD
8/27/1986	551	CL UNSUITABLE	200 ACRES	MD
11/13/1986	042	CASE SENT	I-1	RSP
11/13/1986	600	RECORDS NOTED	AS	
6/05/1987	393	DEC ISSUED	APLN REJ-UNECONOM	MD
6/18/1987	103	ADDTL INFO RECD	CHANGE OF ADDRESS	
6/23/1987	310	RELA ACCEPTED		MD

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DEC 19 1988

02-71788
57-7439
57-2363

CASE ABSTRACT AS OF: 7/ 8/87
03-03-1877;019STAT0377;43USC321-323,325, CASE TYPE SERIAL NUMBER
DESERT LAND ACT 252000 IDI 22252

ACTIONS

DATE	CODE	TAKEN	REMARKS
6/23/1987	970	CASE CLOSED	MD
6/30/1987	042	CASE SENT	TO ISO MD

GENERAL REMARKS

- 01 DWYHEE RA - WATER PERMIT #02-7178 (#02-7178 A & B)
- 02 **124.62 ACRES SUITABLE, 200 ACRES UNSUITABLE**
- 03 JUNIOR APPLICATION TO I-20890

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DEC 19 1988

Memo

10/15/86

Conversation with Blackie Brugman Owyhee Resource Area.
John Carlson.

They have run Robert C. Robb's OER proposal through the Economic Analysis model. It is approved feasible. He has until Nov. 15¹⁹⁸⁶ to decide to proceed or not with the 120 AC. that was classified suitable. If he says yes mining will be denied. If he says no mining will be allowed. However Blackie indicated Enneton filed Bankruptcy last Monday. Oct. 13, 1986. so may not be able to proceed.

2/3/87

Spoke with Blackie Brugman

He sent out rejection notice to AC Robb's after running app through economic feasibility model. There is a 45 day protest period. Then he will work Enneton. They are proving unfeasible for 120 AC because of a lot of Class 4 soils.

If rejection stands he will send some letters to Enneton.

As the app. are rejected he will send copy to me.

JSC

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DEC 3 1988

Memo

To File : 57-7439

7/15/86

From : John C.

RE: Initial Classification Decision.

Per 02-71786 + 57-7439

124.62 Acres classified suitable for DLE

In 60 to 90 days contact Boise Dist. BLM office
to see which water right will they be developing under
and which one can be removed from our records, if no
protesters are received

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DEC 19 1988



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Boise District
3948 Development Avenue
Boise, Idaho 83705

RECEIVED
JUN 27 1986

IN REPLY
REFER TO:

I-20890
I-22252
2520

Department of Water Resources
Western Regional Office

June 25, 1986

Mr. Robert C. Wollney
Box 103
Greenleaf, ID 83626

Dear Mr. Wollney:

Attached is an Initial Decision to classify 124.62 acres of public land in Owyhee County, Idaho, as suitable and 200 acres as unsuitable for agricultural development. The official report, setting out the facts upon which the decision is based, is available for inspection at the Bureau of Land Management, Boise District Office, 3948 Development Avenue, Boise, Idaho 83705.

For a period of 30 days after receipt of this decision, it will be subject to the exercise of the supervisory authority by the Secretary of the Interior for the purposes of administrative review. If the Secretary exercises his supervisory authority, you will be notified by the appropriate office. If he does not, this decision will become the final order of the Secretary.

If you have any comments, objections, or protests, they should be sent to the Secretary of the Interior, LLM 320, Washington D.C. 20240. They must be sent within 30 days of the receipt of this decision. However, they should be sent as soon as possible to insure enough time for their full review.

Once the lands are classified, applications may be processed. Applications on land classified unsuitable are hereby rejected. Applications on land classified suitable will be subjected to engineering and economic feasibility analysis and will require a showing that sufficient water is available. If the analysis and water showing are favorable, entry will be allowed. If not, the application will be rejected.

Sincerely yours,

David B. Vail **MICROFILMED**

David B. Vail
Acting District Manager
DEC 14 1988

Enclosure

CLASSIFICATION DECISION
(Initial)

A.

The following-described land has been examined and found suitable for agricultural purposes:

T. 1 N., R. 3 W., B.M.
sec. 18, lots 1 and 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

02-7178B
57-7439

Containing 124.62 acres

The land is hereby classified suitable for disposal under provisions of the Desert Land Act, as amended (19 Stat. 377; 43 U.S.C. 321-323) and the Carey Act, as amended (28 Stat. 422; 43 U.S.C. 641 et seq.), and the regulations thereunder (43 CFR 2520 and 2610).

The above-described land is physically suitable and adaptable to agriculture. There would be no significant adverse impacts resulting from the development.

B.

The following-described land has been examined and found unsuitable for agricultural purposes:

T. 1 N., R. 3 W., B.M.,
sec. 19, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

same

T. 1 N., R. 4 W., B.M.,
sec. 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$. — 57-2363 - D-Permit Livestock, 96 Acres

Containing 200 acres

The land is hereby classified unsuitable for disposal under provisions of the Desert Land Act, as amended (19 Stat. 377; 43 U.S.C. 321-323) and the Carey Act, as amended (28 Stat. 422; 43 U.S.C. 641 et seq.), and the regulations thereunder (43 CFR 2520 and 2610). It is segregated by this classification from disposal under these Acts.

C.

This Initial Decision is in accordance with the Endangered Species Act of 1973 (P.L. 93-205, 87 Stat. 884, 16 U.S.C. 1531), Executive Order No. 11593, National Historic Preservation Act of 1966 (80 Stat. 915, 16 U.S.C. 470 et seq.), as amended, National Environmental Policy Act of 1969 (P.L. 91-190, 83 Stat. 852; 42 U.S.C. 4321), Federal Land Policy and Management Act of October 21, 1976 (P.L. 94-579, 90 Stat. 2743 Section 102(8)), and Section 7 of the Taylor Grazing Act (43 U.S.C. 315, 315a - 315r).

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DEC 19 1988

This classification action meets the criteria in, and is made pursuant to 43 CFR 2410.1(a) - (d), 2430.5(e), 2450, and 2520.0-8.

This decision relates only to land classification. Adjudicative action by the appropriate land office will determine at a later date the merits of the application as well as the qualifications of the applicant.

Mr. Wollney's application, being the senior application, will be processed first to determine economic feasibility. If feasible, Robert Wollney's application will be allowed and Terry Gneiting's application will be rejected. If, however, Robert Wollney's application is determined economically unfeasible, his application will be rejected. After rejection is final, Terry Gneiting's application will then be processed for economic feasibility. If it is determined to be feasible, it will be allowed. If not, it will be rejected.

The following petitions for classification are affirmed and denied in part:

I-20890 Robert C. Wollney
Box 103
Greenleaf, ID 83626

120# sent

I-22252 Terry L. Gneiting
3195 Beverly
Boise, ID 83709

Date

6/24/86

David R. Wald
For the State Director

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DEC 19 1988

Memo

To File: I-20890 57-7439 - Wollney
I-22252 02-7178 - Kneiting

5/13/86

App. 57-7439
Permit 02-7178

Robert Wollney's DLE App. has priority over
Terry Kneiting's DLE App. Therefore if Robert Wollney's
proposed development proves ~~feasible~~ feasible Kneiting's
App. will be rejected, or the reverse if it is not feasible.

In any event when the classification is final the
App + Permit could be reduced by 200 Acres.

Wait for allowance of entry letter or call BLM in
60-90 days.

JDC.

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DEC 19 1988



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Boise District
3948 Development Avenue
Boise, Idaho 83705

IN REPLY
REFER TO: I-20890
I-22252
2520

RECEIVED
APR 24 1986

April 21, 1986

Department of Water Resource
Western Regional Office

CERTIFIED MAIL NO. 45448
RETURN RECEIPT REQUESTED

Robert C. Wollney
Box 103
Greenleaf, ID 83626

Dear Mr. Wollney:

Attached is a Proposed Decision to classify 124.62 acres of public land in Owyhee County, Idaho, as suitable for and 200 acres as unsuitable for agricultural development. The official report, setting out the facts upon which the decision is based, is available for inspection at the Bureau of Land Management, Boise District Office, 3948 Development Avenue, Boise, Idaho 83705.

If you desire, you may comment upon, or protest, the Proposed Decision in writing within 30 days from the date of receipt of this letter. You may present any information which you believe will enable me to make a sound decision concerning the classification of these public lands. Comments should be made to me at the above address.

Sincerely yours,

J. David Brunner
Associate District Manager

Enclosure

MICROFILMED

DEC 19 1988

CLASSIFICATION DECISION
(Proposed)

A.

The following-described land has been examined and found suitable for agricultural purposes:

T. 1 N., R. 3 W., Boise Meridian, Idaho
sec. 18, lots 1, 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$ *No CA's*

02 7 708
5 11 1439

Containing 124.62 acres

It is hereby proposed to classify the above-described lands as suitable for disposal under provisions of the Desert Land Act, as amended (19 Stat. 377; 43 U.S.C. 321-323) and the Carey Act, as amended (28 Stat. 422; 43 U.S.C. 641 et seq.), and the regulations thereunder (43 CFR 2520 and 2610).

The above-described land is physically suitable and adaptable to agriculture. There would be no significant adverse impacts resulting from the development.

B.

The following-described land has been examined and found unsuitable for agricultural purposes:

T. 1 N., R. 3 W., Boise Meridian, Idaho
sec. 19, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$

T. 1 N., R. 4 W., Boise Meridian, Idaho *No CA's*
sec. 13, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$

Containing 200 acres

It is hereby proposed to classify the above-described lands as unsuitable for disposal under provisions of the Desert Land Act, as amended (19 Stat. 377; 43 U.S.C. 321-323) and the Carey Act, as amended (28 Stat. 422; 43 U.S.C. 641 et seq.), and the regulations thereunder (43 CFR 2520 and 2610). It is segregated by this classification from disposal under these Acts.

C.

This Proposed Decision is in accordance with the Endangered Species Act of 1973 (P.L. 93-205, 87 Stat. 884, 16 U.S.C. 1531), Executive Order No. 11593, National Historic Preservation Act of 1966 (80 Stat. 915, 16 U.S.C. 470 et seq.), as amended, National Environmental Policy Act of 1969 (P.L. 91-190, 83 Stat. 852; 42 U.S.C. 4321), Federal Land Policy and Management Act of October 21, 1976 (P.L. 94-579, 90 Stat. 2743 Section 102(8)), and Section 7 of the Taylor Grazing Act (43 U.S.C. 315, 315a - 315r).

This classification action meets the criteria in, and is made pursuant to 43 CFR 2410.1(a) - (d), 2430.5(e), 2450, and 2520.0-8.

MICROFILMED

DEC 19 1988

This decision relates only to land classification. Adjudicative action by the appropriate land office will determine at a later date the merits of the applications as well as the qualifications of the applicants.

Mr. Wollney's application, being the senior application, will be processed first to determine economic feasibility. If feasible, Robert Wollney's application will be allowed and Terry Gneiting's application will be rejected. If, however, Robert Wollney's application is determined economically unfeasible, his application will be rejected. After rejection is final, Terry Gneiting's application will then be processed for economic feasibility. If it is determined to be feasible, it will be allowed. If not, it will be rejected.

The following petitions for classification are affirmed and denied in part:

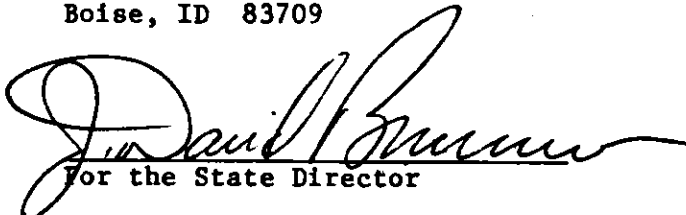
I-20890

Robert C. Wollney
Box 103
Greenleaf, ID 83626

I-22252

Terry L. Gneiting
3195 Beverly
Boise, ID 83709

4/21/86
Date


For the State Director

MICROFILMED

DEC 19 1988

A copy of the Proposed Decision for I-20890 and I-22252 was sent to the following:

Robert C. Wollney
Box 103
Greenleaf, ID 83626

Certified Mail

Terry L. Gneiting
3195 Beverly
Boise, Idaho 83709

Certified Mail

Owyhee County Commissioners
Owyhee County Commissioners
Murphy, Idaho 83650

Certified Mail

Executive Office of the Governor
Division of Financial Management
Attn: Lance Lind
Statehouse, Room 122
Boise, Idaho 83720

Certified Mail

Idaho Fish & Game Department
600 S. Walnut
Boise, Idaho 83702

Regular Mail

Boise District Advisory Board
c/o Gene Davis
Bruneau, Idaho 83604

Regular Mail

Boise District Multiple Use
Advisory Council
c/o Walt Yarbrough, Chairman
Box 76, Route B
Grand View, Idaho 83624

Regular Mail

Honorable James McClure
United States Senator
304 N. 8th Street, Room 149
Boise, Idaho 83702

Regular Mail

Honorable Steve Symms
United States Senator
304 N. 8th Street, Room 338
Boise, Idaho 83702

Regular Mail

Honorable Larry Craig
Member, U.S. House of Representatives
304 N. 8th Street, Room 134
Boise, Idaho 83702

Regular Mail

Honorable Richard Stallings
Member, U.S. House of Representatives
304 N. 8th Street, Room 434
Boise, Idaho 83702

Regular Mail

MICROFILMED

DEC 19 1988

Idaho Department of Water Resources
State and Western Regional Office
450 West State Street
Boise, Idaho 83720

Regular Mail

Elaine Martin, Executive Chairperson
Idaho Carey Act Development Assn.
Route 4, Box 4634
Jerome, Idaho 83338

Regular Mail

Idaho Wildlife Federation
c/o Russ Heughins
700 East Fairview, No. 68
Meridian, Idaho 83642

Regular Mail

Michael C. Young
Star Route
Melba, Idaho 83641

Certified Mail

Henry Brandau
Star Route, Box 66
Melba, Idaho 83641

Certified Mail

Richard H. Brandau
Star Route, Box 61
Melba, Idaho 83641

Certified Mail

Brandau Farms
c/o Gertrude McMahan
Star Route, Box 56
Melba, Idaho 83641

Certified Mail

Bruce Malmberg
Route 1, Box 74
Marsing, ID 83639

Certified Mail

H. J. Heath
Star Route
Marsing, ID 83639

Certified Mail

Lawrence Walker
Box 218
Marsing, ID 83639

Certified Mail

Chipmunk Grazing Association
c/o Adam Blackstock
Box 175
Marsing, Idaho 83639

Certified Mail

Anna Mary Curtis
Route 1, Box 1187
Homedale, ID 83628

Certified Mail

MICROFILMED

Calvin Johnston
Star Route
Melba, ID 83641

Certified Mail
JUL 16 1988

November 7, 1985

Terry L. Gneiting
106D Star Rt.
Melba, ID 83641

Dear Ms. Gneiting:

Re: Application for Permit No. 02-7178B

Returned is the Proof of Beneficial Use Form submitted to this office on May 16, 1985.

The proof was submitted on a water right application which has not yet been approved. No further action will be taken on the application until the Bureau of Land Management classifies the land suitable for entry.

If you have any questions concerning your water right, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

August 29, 1985

RE: Application for Permit No. 02-7178B
DLE #I-22252 & #I-22253

Terry L. Gneiting
3195 Beverly
Boise, ID 83709

Dear Ms. Gneiting:

We acknowledge receipt of the assignment of the above referenced application for permit to you. Enclosed for your records is a copy of the application.

Please be advised that your application for permit has been processed. However, since your application is filed in connection with a desert land entry with the Bureau of Land Management, the Department of Water Resources will take no further action until such time as we receive evidence in writing that this land has been classified as suitable for desert entry.

If you have any questions on this matter, please feel free to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Technical Records Specialist

KW:sc

Enclosure

cc: BLM
Western Region

MICROFILMED

Permit No. 02-7178B

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? ✓
 2. Notary? ✓
 3. a. Full Assignment? ✓
b. Partial Assignment?
 4. "No assignment" condition on ~~permit~~ ^{application?} *NO - filed in connection with a DLE - see new DLE Filing made by Terry Greiting. She brought it in on 8-22-85.*
 5. Commencement of Works received?
 - a. Commencement of works requested?
 - b. Show Cause Order drafted & sent?
 - c. Cancellation necessary?
 6. Affidavit of residency required? *NO*
 7. Extension granted due to litigation? *NO*
(If yes, commencement of works is not required.)
-
1. Type permit summary sheet. ✓
 2. Coding sheet. ✓
 3. Acknowledgement letter type. *see special -*
 4. Copy to region. ✓

Date 8-28-85

Employee K. Walker

MICROFILM

CONVERSATION MEMORANDUM

DATE 8-22-1985FILE 02-7178BNAME OF PARTY Terry Gneiting & fatherEMPLOYEE Kay WalkerRE: Show Cause Order for 02-7178B

Terry Gneiting is the ex-wife of Frankie R. Gneiting (owner of 02-7178A). Per divorce decree Terry ended up with the land & water rights under Lic. 02-7178A.

Terry is also ~~assured~~ in the belief that the Youngs will assign their portion of this right (02-7178B) to her, and took an assignment form for their signature. It will be coming in the mail. Terry has filed a DLE app. on the lands under 02-7178B (see copy of BLM's letter of 8/22/85 and copy of DLE app.)

Do not take any further action towards voiding 02-7178B for at least 6 months. If assignment is not returned by that date we will take further action towards canceling 02-7178B.

MICROFILMED



IN REPLY
REFER TO:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Boise District
3948 Development Avenue
Boise, Idaho 83705

August 22, 1985

Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Gentlemen:

This letter is to advise that desert land applications have been filed with the Bureau of Land Management as shown on the attached copies.

The applications are I-22252 filed by Terry L. Gneiting and I-22253 filed by Donna F. York.

Sincerely yours,

Sally Carpenter
Sally Carpenter, Chief
Land Services Section

Enclosures

MICROFILMED

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 1004-0004
Expires: June 30, 1984

DESERT LAND ENTRY APPLICATION

Serial Number

I-22252

1. Name (first, middle initial, last)

Terry L. GNEITING

Address (include zip code)

STAR RTE #106-D, MELBA, IDAHO 83641

hereby applies to enter, under the Desert Land Act for the purpose of reclaiming the lands by permanent irrigation and cultivation within four (4) years from allowance of this application, the public lands described as follows:

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION
1N	3W	BOISE MERIDIAN	18	LOT 1, NE 1/4 NW 1/4, LOT 4 107.14A
1N	3W	" "	19	NW 1/4 NE 1/4, NE 1/4 NW 1/4 80.4
1N	4W	" "	13	SE 1/4 NE 1/4, NE 1/4 SE 1/4, SE 1/4 120.4
State of Idaho				containing a total of 307.14 acres

2. Enclose filing fee of \$15 plus advance payment of 25¢ per acre, or fraction thereof \$

Total \$ 98.00

3a. Are you of the age of majority? ☒ Yes ☐ No

b. Of what State are you a bona fide resident? Idaho

c. Are you a citizen? ☒ Yes ☐ No

d. If naturalized give: Date in the Court of
in (city and state) N.A.

e. If not a citizen, have you filed a Declaration of Intention to become a citizen of the United States?
☐ Yes ☐ No (If "yes," attach full details) N.A.

f. Are you an employee, the spouse, or an agent of an employee of the Department of the Interior? ☐ Yes ☒ No

4a. Have you made any other application under the Desert Land Act? ☐ Yes ☒ No (If "yes," give office and serial number)

b. Have you ever received by assignment any lands under the Desert Land Act? ☐ Yes ☒ No (If "yes," give office and serial number)

c. Have you entered, acquired title, or are you now claiming an entry under any of the nonmineral public land laws since August 30, 1890? ☐ Yes ☒ No (If "yes," state total number of acres)

5. Have you made a personal on-the-ground examination of every legal subdivision of the above described land?
☒ Yes ☐ No

MICROFILMED

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

FORM APPROVED
OMB NO. 1004-0004
Expires: June 30, 1984

DESERT LAND ENTRY APPLICATION

Serial Number

I-22253

1. Name (first, middle initial, last)

DONNA F. York

Address (include zip code)

Star Route #106-D, Melba, Idaho 83642

hereby applies to enter, under the Desert Land Act for the purpose of reclaiming the lands by permanent irrigation and cultivation within four (4) years from allowance of this application, the public lands described as follows:

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION	
1N	3W	Boise Meridian	18	E 1/2 SE 1/4	80
1N	3W	" "	19	NE 1/4 NE 1/4 LOT 1	82.52
1N	4W	" "	24	NE 1/4 NE 1/4	40
1N	4W	" "	13	SW 1/4 NE 1/4, W 1/2 SE 1/4	120
					322.52

State of

Idaho

containing a total of

322.52 acres

2. Enclose filing fee of \$15 plus advance payment of 25¢ per acre, or fraction thereof \$

Total \$ 95.75

3a. Are you of the age of majority? ☒ Yes ☐ No

b. Of what State are you a bona fide resident? Idaho

c. Are you a citizen? ☒ Yes ☐ No

d. If naturalized give: Date in the Court of
in (city and state) N.A.

e. If not a citizen, have you filed a Declaration of Intention to become a citizen of the United States?
☐ Yes ☐ No (If "yes," attach full details) N.A.

f. Are you an employee, the spouse, or an agent of an employee of the Department of the Interior? ☐ Yes ☒ No

4a. Have you made any other application under the Desert Land Act? ☐ Yes ☒ No (If "yes," give office and serial number)

b. Have you ever received by assignment any lands under the Desert Land Act? ☐ Yes ☒ No (If "yes," give office and serial number)

c. Have you entered, acquired title, or are you now claiming an entry under any of the nonmineral public land laws since August 30, 1890? ☐ Yes ☒ No (If "yes," state total number of acres)

5. Have you made a personal on-the-ground examination of every legal subdivision of the above described land?
☒ Yes ☐ No

COPY

FILED
11/22 AM. P.M.

OCT 05 1984

BARBARA JAYO, CLERK
IRINA AMAN

Richard B. Eismann
Attorney at Law
P. O. Box 36
Homedale, Idaho 83682
Telephone: (208) 337-3134

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE
MAGISTRATE DIVISION

TERRY GNEITING,	)	
	)	
Plaintiff,	)	
	)	
-vs-	)	Case No. D-97
	)	
FRANK K. GNEITING,	)	
	)	
Defendant.	)	

JUDGMENT OF DIVORCE
AFTER WAIVER OF FINDINGS OF FACT
AND CONCLUSIONS OF LAW

THIS CAUSE come on regularly for trial before the Court on the date of September 18, 1984. R. Scott Pasley appeared as counsel for the plaintiff. Richard B. Eismann appeared as counsel for the defendant.

THE TRIAL was held on the issues raised by the pleadings of the parties on file herein and the case was submitted to the Court for decision.

MICROFILMED

RICHARD B. EISMANN -- ATTORNEY AT LAW -- HOMEDALE, IDAHO 83628 --

motors, and 1.5 mile of main line); chain hoist; misc. tools in wife's possession; scrap iron.

- ITEM 7. Motor vehicle. One 1984 Volkswagon Getta.
- ITEM 8. Trailer. That trailer described as follows: one 1956 American Trailer House.
- ITEM 9. Accounts receivable. Those accounts receivable described as follows: Steve Campbell, Notus, Idaho (sale of hay), \$465.00; Norm Trimmell, Meridian, Idaho (sale of hay), \$1,000.00; Les Loucks, Marsing, Idaho (cash rent on 310 acres - approx.) \$19,000.00.
- ITEM 10. Buyer's interest in real estate contract. All of the interest of the buyer in the contract and the premises hereafter described together with each and every right which the buyer now has or may hereafter have against the seller including but not limited to the right to demand and receive a conveyance of the premises under the contract and the right to pursue any remedy provided in the contract or allowed by law if the seller defaults under the contract. The contract referred to above was entered into by J.T. SMITH and IONE SMITH, husband and wife, and C. NORVAL GOODLOE and DONNA GOODLOE, husband and wife (herein called seller) and BILL R. GNEITING, a single man (herein called buyer) and is dated December 21, 1976. The contract is held in escrow by The Idaho First National Bank, Marsing Branch. The contract provides, among other things, that the seller shall sell and the buyer shall buy the premises referred to above which are situated in Owyhee County, Idaho and are described as follows:

The W $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, Twp. 1 N, Rge. 3 W, B.M.

Together with all water rights, ditch rights, rights of way, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

- ITEM 11. Real property. The real property situated in Owyhee County, Idaho and described as follows:

A tract of land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, T1N, R3W, B. M., Owyhee County, Idaho, more particularly described as follows:

BEGINNING at the NW corner of SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T1N, R3W, B. M.; thence South 89°56' East along the North boundary line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, a distance of 370.0 feet to the TRUE POINT OF BEGINNING; thence South 32°57' East a distance of 511.0 feet to an iron pin; thence North 55°21'15" East a distance of 752.5 feet to the North boundary line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence North 89°56'

West along the North boundary line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 897.0 feet to the POINT OF BEGINNING.

AND

Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), E $\frac{1}{2}$ SW $\frac{1}{4}$ and Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 18, Twp. 1 N, Rge. 3 W, B.M.

TOGETHER with all water rights, ditch rights, rights of way, buildings, structures, improvements, fixtures, tenements, hereditaments and appurtenances now or hereafter thereto belonging or used in connection therewith.

Subject to all liens and encumbrances thereon.

July 22, 1985

CERTIFIED MAIL #33159

RE: Application for Permit No. 02-7178B

Michael G. &/or Charles C. Young
Star Rt., Box 106C
Melba, ID 83641

Gentlemen:

Enclosed is an Order to Show Cause why Application for Permit No. 02-7178B in your name should not be voided.

Note that any information in response to this Order must be submitted by August 25, 1985. Please contact this office if you have any questions.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosure

MICROFILMED

May 24, 1985

RE: Application for Permit No. 02-7178B
DLE# I-6874

Michael C. &/or Charles C. Young
Star Rt., Box 106C
Melba, ID 83641

Gentlemen:

Recently it has come to the attention of the Department that the above referenced water right Application filed in connection with a desert land entry is pending further processing based upon a showing of possessory interest in the land.

We contacted the Bureau of Land Management about the status of your Desert Land Entry Application. They informed us that your DLE Application had been rejected and that the case was closed. If you have any information to show you have possessory interest in the land, please submit it to our office, or if you have no possessory interest in the land, please complete the enclosed relinquishment form and return it to our office in order that the Department can clear its records. If we have not heard from you by June 30, 1985, we will assume you have no possessory interest in the land and will start procedures to void the water right Application.

Please contact me if you have any questions concerning this matter.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure: Relinquishment Form

MICROFILMED

● **SENDER: Complete items 1, 2, 3 and 4.**

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☒ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:

Michael G. &/or Charles C. Young
Star Rt., Box 106C
Melba, ID 83641

4. Type of Service:

- ☒ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Article Number

33159

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature — Addressee

X

6. Signature — Agent

X

7. Date of Delivery

B. C. Young 7-24-85

8. Addressee's Address (ONLY if requested and fee paid)

MICROFILMET

02-7178B

DOMESTIC RETURN RECEIPT

**UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS**

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



JUL
24
PM
1985



PENALTY FOR PRIVATE
USE, \$300

DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

RETURN

**TO
RECEIVED**

JUL 25 1985

(Name of Sender)

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

(City, State, and ZIP Code)

Department of Water Resources

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Glen
TO ~~Dave~~ ^{Don} Kay Walker

DATE 4-8-85

SUBJECT applic. 02-7178 B

- DLE app in conn. w/app 02-7178 B has been rejected by BLM.
- Let's send show cause order to water vt applicant.

VZJ

SIGNATURE

Legal Reference	File Code	Serial Number
Desert Land Application, Act 3-3-1877	2520	I-6874
Name and Mailing Address C. Michael B. Young Star Route, Box 106C Melba, Idaho 83624 83641		
Description of Land T. 1 N., R. 4 W., B. M., Idaho Sec. 15: E $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ T. 1 N., R. 3 W., B. M., Idaho Sec. 18: Lots 1 and 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 19: NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Owyhee County 324.67 acres		
DATE OF ACTION	ACTION TAKEN	
April 20, 1973 6/19/73 12/21/1983 2/22/1984	Application filed. Rect. #432419 - \$96.25 filing fee and 1st payment of 1/5. cc of SR to GS and DM I-1. TRANSFERRED TO ROISE Application rejected. Case Closed.	

MICROFILMED
RECEIVED
APR 5 1985

FROM Bob Fleenor

DATE 3-04-1977

AKD

~~TO~~ Ken Dunn

TO RKH

SUBJECT 02-7178

Part of this DLE application is on private property and has been assigned to Frank Gneiting. Although this application is from the Snake River, it has a priority of November 18, 1974 and 28 applications with priorities of a later date have been approved.

Bob

SIGNATURE

January 31, 1977

Re: Permit No. 02-7178

Michael Young &/or Charles C. Young
Star Route, Box 107
Melba, Idaho 83624

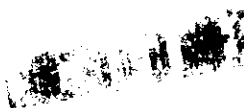
Dear Sirs:

We acknowledge receipt of the assignment conveying the above referenced permit to Frankie K. Gneiting. However, we cannot accept this assignment as we need to have the original for our files. Please send us the original as soon as possible so that we can make the change in ownership with our records.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr



State of Idaho
Department of Water Resources

RECEIVED
JAN 27 1977

ASSIGNMENT OF PERMIT

Department of Water Resources
see original assignment in 02-7178

I, Michael C. Young &/o- Charles C. Young, hereby assign to Frankie K. Greeting
of 8080 South Linder Meridian, ID
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____
to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit
No. 02-7178 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

3.20 cfs to be used on 160 acres in SW 1/4, 1/2 SW 1/4, SE 1/4 SW 1/4,
Sec 18, T 14N, R 34W, B1M

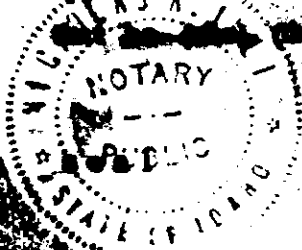
Made this 24th day of January, 19 77.

Charles C. Young
Permit Holder

Michael B. Young
Spouse of Permit Holder

State of Idaho)
County of Boyer) ss.

On this 24th day of January, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
~~that he/she~~ (they) executed the same.



Nicholas K. Shih
Notary Public residing at
Murphy, Id.

Commission expires:
Jan 31, 1980

IDENT. NO. 02-7178 B

WATER RIGHT
DATA ENTRY LOG[illegible]

March 25, 1975

Re: Application for Permit No. 02-7178

Michael C. Young
Star Route
Melba, ID 83624

Dear Mr. Young:

Please be advised that your application for permit has been processed. However, since your application is filed in connection with a desert land entry with the Bureau of Land Management, the Department of Water Resources will take no further action until such time as we receive evidence in writing that this land has been classified as suitable for desert entry.

Please contact us if we may be of further assistance.

Very truly yours,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:cla

cc: Bureau of Land Management
DE I-6874

RECEIVED

November 25, 1974

Re: Application for Permit No. 02-7178 - Michael C. Young &/or Charles C. Young

Vincent S. Strobel
Branch of L & M Operations
Bureau of Land Management
Rm 398, Federal Building
550 West Fort St.
Boise, ID 83724

Dear Mr. Strobel:

We wish to advise you that the above referenced application has been filed with our office in connection with a Desert Land Entry on the following lands:

Lots 1 and 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T. 1 N, R. 3 W, B.M.; SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 13, T. 1 N, R. 4 W, B.M.

If we can be of further assistance, please contact us.

Very truly yours,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:cla

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Planning
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 22, 1974

Owyhee Nugget
Marsing, ID 83639

Re: Application for Permit No. 02-7175 - Snake River Potatoe Farmers, Inc.
02-7177 - Charles C. &/or Muriel B. Young
02-7178 - Michael C. Young &/or Charles C. Young
02-7179 - Norval &/or Donna Goodloe
57-7128 - J. W. Englebert &/or Carrol Englebert

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

Bill submitted
12-11-74
CC

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~MICHAEL C. YOUNG &/or Charles C. Young~~
~~Star Rt., Melba, ID~~
has on ~~Nov. 18, 1974~~ submitted Application No. ~~02-7178~~
for a permit to appropriate ~~9.6~~ cubic feet per second ~~acre feet~~
~~XXXXXXX~~ per annum of water from ~~Snake River, trib. to Columbia River~~
by means of ~~pumps, pipeline, ditches, holding pond, and sprinkler system~~
within the ~~Lot 3, Sec. 8, T. 1 N, R. 3 W, B.M. Owyhee County~~

to be used from ~~March 15 to Nov. 15~~
for ~~irrigation of 480 acres~~
within the ~~Lots 1 and 4, NE 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4, Sec. 18, NW 1/4 NE 1/4, NE 1/4 NW 1/4, Sec. 19, T. 1 N, R. 3 W, B.M., SE 1/4 NE 1/4, E 1/2 SE 1/4, Sec. 13, T. 1 N, R. 4 W, B.M.~~

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before ~~Dec. 16, 1974~~.

R. KEITH HIGGINSON

Director

Published in the ~~Owyhee Nugget, Marsing, ID~~
on ~~Nov. 28, 1974~~ and ~~Dec. 5, 1974~~.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

November 19, 1974

Michael C. Young &/or Charles C. Young
Star Route
Melba, ID 83624

Dear Mr. Young:

Enclosed is your Receipt No. 15329 in the amount of \$ 115.00 for
~~Application for Permit No. 02-7178~~ which was received in this office
on Nov. 18, 1974.

Sincerely,

CATHY L. ATKINSON
Stenographer

CLA:c

Enclosure

MICROFILMED

March 25, 1977

Re: Permit No. 02-7178A

Farmers Home Administration
Attn: Dennis Dines, County Supr.
Marsing, Idaho 83639

Dear Mr. Dines:

Enclosed is a copy of the assignment and the approved permit issued to Frankie K. Gneiting, which they requested we send to you. If you have any further questions, please contact our office.

Sincerely,

JANICE RENK
Water Rights

Encls.

See file 325 2949

March 25, 1977

March 15, 1977

Re: Permit No. 02-7178A

Michael C &/or Charles C. Young
Star Route, Box 107
Melba, ID 83624

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 02-7178A. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

INTER-DEPARTMENT MEMO — 1

DATE 3-04-1977

FROM Bob Fleenor

TO Ken DunnTO RKH
SUBJECT 02-7178

AKD

Part of this DLE application is on private property and has been assigned to Frank Gneiting. Although this application is from the Snake River, it has a priority of November 18, 1974 and 28 applications with priorities of a later date have been approved.

301
MICROFILMED TURE