

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

12/6/2019

Water Permit 37-8224

**Owner Type**      **Name and Address**

Current Owner      MELVIN WEBB  
                             , ZZ

Current Owner      LARRY FICKEL  
                             , ZZ

Current Owner      CALVIN WEBB  
                             , ZZ

**Status:** Cancelled

**Source**

**Tributary**

**Beneficial Use**

**From**

**To**

**Diversion Rate**

**Volume**

**Source and Point(s) of Diversion**

**Place Of Use**

**Conditions of Approval:**

**Comments:**

**Dates and Other Information**

Water District Number: TBD

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

12/6/2019

Water Application 37-8224

**Owner Type**      **Name and Address**

Current Owner      LARRY FICKEL  
                             , ZZ

Current Owner      CALVIN WEBB  
                             , ZZ

Current Owner      MELVIN WEBB  
                             , ZZ

**Status:** Closed

**Source**

**Tributary**

**Beneficial Use**

**From**

**To**

**Diversion Rate**

**Volume**

**Source and Point(s) of Diversion**

**Place Of Use**

**Conditions of Approval:**

**Comments:**

**Dates and Other Information**

Number of Protests: 0

Water District Number: TBD

Application Type: New Appropriation

Mitigation Plan: False

**Combined Use Limits**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 2, 1990

RE: Application for Permit No. 37-8224

Melvin Webb, Larry Fickel and Calvin Webb  
c/o Melvin Webb  
Box 416  
Bellevue, ID 83313

Gentlemen:

Your application for permit filed in August of 1985, has again surfaced for processing. In reviewing the water right file, we found that you have not responded to our correspondence of April 30, 1987 (copy enclosed). In that correspondence, we requested the submittal of written permission to appropriate the waters of the spring from the owners of the property on which the spring is located. Subsequently, you contacted Loren Holmes of our Southern Regional Office and requested more time to submit the documentation for our file. As of this date, we have not received the required information regarding permission to appropriate the spring.

We will continue to hold your application for permit for thirty (30) days from the date of this letter. If we have not received the requested information by June 2, 1990, we will recommend that this application be voided for failure to submit the documentation.

If you have any questions regarding this matter, please feel free to contact this office or our regional office in Twin Falls.

Sincerely,

KAY WALKER  
Technical Records Specialist

KW:k  
Enclosure

cc: Southern Region

RECEIVED

MAY 4 1990

Department of Water Resources  
Southern Region Office

37-8224



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

CECIL D. ANDRUS  
Governor

A. KENNETH DUNN  
Director

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

April 30, 1987

RE: Application for Permit No. 37-8224

Melvin Webb  
Larry Fickel  
Clavin Webb  
c/o Melvin Webb  
Box 416  
Bellevue, ID 83313

Gentlemen:

We have received your application for permit, as referenced above, from our Southern Regional Office for final review.

Please be advised that prior to any final action being taken on this application, we must have in our file a written statement that the owners of the spring do not object to your use of the water. As Mr. Holmes advised you in his correspondence of September 4, 1986 (copy enclosed), the owners of the spring are Montgomery Developers. Please contact them and request their written permission to appropriate the waters of said spring.

We will withhold final action on your application pending receipt of the above requested information for thirty (30) days. If we do not hear from you within the 30-day period, the priority date of your application may be advanced. Failure to submit the additional information is cause for the Director to void the application.

If you have any questions regarding this matter, please feel free to contact either our office or our Southern Regional Office.

Sincerely,

KAY WALKER  
Technical Records Specialist

KW:sc  
Enclosure  
cc: Loren Holmes, Southern Region

RECEIVED

Form 202  
6/86 R 24 1987

Department of Water Resources  
Southern Region Office  
AMENDED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident. No. 37-8224

To appropriate the public waters of the State of Idaho

Melvin Webb, Larry Fickel, Calvin Webb

M. Webb-788-4830

C. Webb-788-9369

1. Name of applicant \_\_\_\_\_ Phone \_\_\_\_\_

Post office address c/o Melvin Webb Box 416 Bellevue, ID 83313

2. Source of water supply Spring which is a tributary of Sinks

3. Location of point of diversion is NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Govt. Lot \_\_\_\_\_

Sec. 29 Township 1N Range 16E B.M. Camas County; additional  
points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

*Allow 0.08 cfs .08*  
*2-24-87* Amount .77 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

*84* Amount .02 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount .59 for Fire Protection purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .59 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headbox, pipeline

b. Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage:  
\_\_\_\_\_ to \_\_\_\_\_ inclusive.

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

d. Is ground water with a temperature of greater than 90°F being sought? No

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

37-8224

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. \_\_\_\_\_
- Stockwatering; list number and kind of livestock. 15 Horses & cows
- Municipal; show name of municipality. \_\_\_\_\_
- Domestic; show number of households. 3 households - 3 households
- Other; describe fully. \_\_\_\_\_

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	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	
1N	16E	29														X	Lot 2		

Total number of acres to be irrigated \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. None

- Who owns the property at the point of diversion? Montgomery Developers
- Who owns the land to be irrigated or place of use? Applicants
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12. Remarks: \_\_\_\_\_

1) The place of use is further described as Lots 1, 3 & 4 of Block 3, Princess Mine Ranch Planned Unit Development.

2) Send copies of all correspondence to Larry Fickel or Calvin Webb, P.O. Box 1441, Hailey, ID 83333

Send to: Corrected Calvin Webb  
Box 416  
Bretton, Idaho

- [illegible]

Calvin Webb Calvin Webb King Jr. (Applicant)

(Original 8/1/85)

Received by M. Baldwin Date 2/24/87 Time 4 pm Preliminary check by JD  
Fee \$ 20<sup>00</sup> Receipted by M. Baldwin # 40690 Date 2/24/87  
Publication prepared by M. Baldwin Date 2/26/87 Published in Gooding Co. Leader  
Publication approved M. Baldwin Date 3/31/87

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

\_\_\_\_\_, 19 \_\_\_\_.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:





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

CECIL D. ANDRUS  
Governor

A. KENNETH DUNN  
Director

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

April 30, 1987

RE: Application for Permit No. 37-8224

RECEIVED

MAY 4 1987

Department of Water Resources  
Southern Region Office

Melvin Webb  
Larry Fickel  
Clavin Webb  
c/o Melvin Webb  
Box 416  
Bellevue, ID 83313

Gentlemen:

We have received your application for permit, as referenced above, from our Southern Regional Office for final review.

Please be advised that prior to any final action being taken on this application, we must have in our file a written statement that the owners of the spring do not object to your use of the water. As Mr. Holmes advised you in his correspondence of September 4, 1986 (copy enclosed), the owners of the spring are Montgomery Developers. Please contact them and request their written permission to appropriate the waters of said spring.

We will withhold final action on your application pending receipt of the above requested information for thirty (30) days. If we do not hear from you within the 30-day period, the priority date of your application may be advanced. Failure to submit the additional information is cause for the Director to void the application.

If you have any questions regarding this matter, please feel free to contact either our office or our Southern Regional Office.

Sincerely,

KAY WALKER  
Technical Records Specialist

KW:sc  
Enclosure  
cc: Loren Holmes, Southern Region

37-8224

## CONVERSATION MEMORANDUM

DATE 5/21/87FILE 37-8224NAME OF PARTY Melvin WebbEMPLOYEE Loren HolmesRE: Request for Extension of time to provide information

Mel Webb called to request additional time to submit evidence of permission to divert private water.

He says the property has changed hands & is now owned by Mike Justin - Phoenix, AZ. He has been unable to contact Mr. Justin & requested that we hold action until July 1, 1987 to allow time to get proper permission

LH.

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

RECEIVED

OCT - 4 1990

Department of Water Resources  
Southern Region Office

IN THE MATTER OF APPLICATION FOR PERMIT )  
 )  
NO. 37-8224 IN THE NAME OF MELVIN WEBB, )  
 )  
LARRY FICKEL AND CALVIN WEBB )  
 )

ORDER VOIDING  
APPLICATION

This matter having come before the Idaho Department of Water Resources (Department) as a result of application made to the Department for a permit to appropriate water, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On August 1, 1985, Melvin Webb, Larry Fickel and Calvin Webb filed with the Department of Water Resources Application to Appropriate Water No. 37-8224 proposing diversion of 0.59 cubic feet per second from a spring for domestic, stockwater and fire protection purposes within NESENW, Section 29, T1N, R16E, B.M., Camas County.

2. In its review of the application for approval, the Department determined that the applicant had not shown proof of permission to use the spring from the owners of the property on which the spring is located.

3. The Department sent notice on April 30, 1987, to the applicant that written permission was needed in order to approve the application.

37-8224

4. On May 7, 1990, the Department again corresponded with the applicant stating the Application to Appropriate Water would be voided for failure to respond to the request for information unless the applicant provided the information within thirty (30) days showing why the application should not be voided.

5. The applicant failed to respond to the Department's request to show permission from the owners of the property.

#### CONCLUSIONS OF LAW

1. Section 42-204, Idaho Code, states:

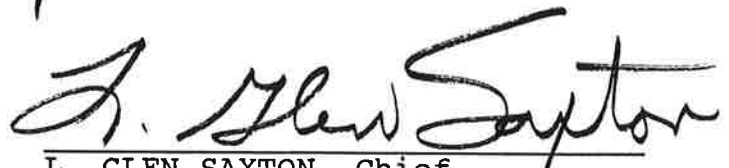
"If . . . the department shall request additional information and the applicant fails to . . . supply the needed information within thirty (30) days, the department may void the record of said application and notify the applicant of such action."

2. Application for Permit No. 37-8224 should be voided for failure of the applicant to supply requested information within thirty (30) days.

#### ORDER

IT IS HEREBY ORDERED that Application for Permit No. 37-8224 is VOIDED pursuant to Section 42-204, Idaho Code.

Dated this 27<sup>th</sup> day of September, 1990.

  
L. GLEN SAXTON, Chief  
Water Allocation Bureau

ORDER REJECTING APPLICATION