

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

6/3/2020

Water Permit 41-7044

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN HAYES , ZZ

Status: Lapsed

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



JOHN HAYES  
STAR RT. BOX 29  
ROCKLAND, ID 83271

May 9, 1989

RE: PERMIT NO. 41-07044 LAPSE NOTICE

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated February 28, 1989.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

LGS:RF

5-10-1989

*[Handwritten signature]*

For Office Use Only
Fee Received <u>1505.00</u>
Date <u>6-11-84</u>
Receipt # <u>34730</u>

RECEIVED  
JUN 27 1984  
Department of Water Resources  
Southern District Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit  
proof of beneficial use on a water right permit

JUN 11 1984

Department of Water Resources

John R. Hayes of Star Rt. Box 29 Rockwood  
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder\*, of Permit to appropriate the Public Water of the State of Idaho No. 41-7044

That under the terms and conditions of said permit, work thereunder was required to be completed on or before May 1, 19 84.

That he has heretofore performed the following work described under said permit: Because of  
(This must be filled out! If no work has been completed put none.)  
the Swan Falls controversy could not justify  
outlay of capital to drill well until case  
settled (have not received our summons; therefore  
it is not included). Costing \$ \_\_\_\_\_

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to MAY 1, 19 89.  
(1 yr. minimum, 5 yrs. maximum)

NOTE  
AS OF JULY 1, 1980,  
THERE IS A \$15.00  
CHARGE FOR REQUESTS  
FOR EXTENSION OF  
TIME.

John Hayes  
(Signature)\*  
\*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to May 1, 1989.

The Department reserves jurisdiction of this permit for the purpose of adding any applicable conditions to protect the public interest. IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to September 19, 1979, pursuant to Sec. 42-

Signed this 25<sup>th</sup> day of June, 19 84.

L. Glen Saylor  
Chief, Operations Bureau

41-7044

RECEIVED  
MAY 16 1978

Identification No. \_\_\_\_\_

Application No. 41-7044

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

RECEIVED  
APPROVED  
JAN 8 1978

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

Department of Water Resources  
Southern District Office

1. Name of applicant John Hayes Phone: 548-2613  
post office address Route # 1 Rockland, Idaho 83271

2. Source of water supply groundwater which is a tributary of \_\_\_\_\_

3. a. Location of point of diversion is NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 10 Township 12 S.  
Range 31 E. B.M. Power 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 6.4cfs 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. cfs cubic feet per second and/or

b. \_\_\_\_\_ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Deep well, pump, diesel motor & mainline

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 16 inches; proposed depth of well is 375 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 \$ 45,000.00

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 \_\_\_\_\_

(5) If water is to be used for other purposes describe: \_\_\_\_\_

41-7044

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	
12 S	31E	10	40	40	40	40									40	40	40	40	320

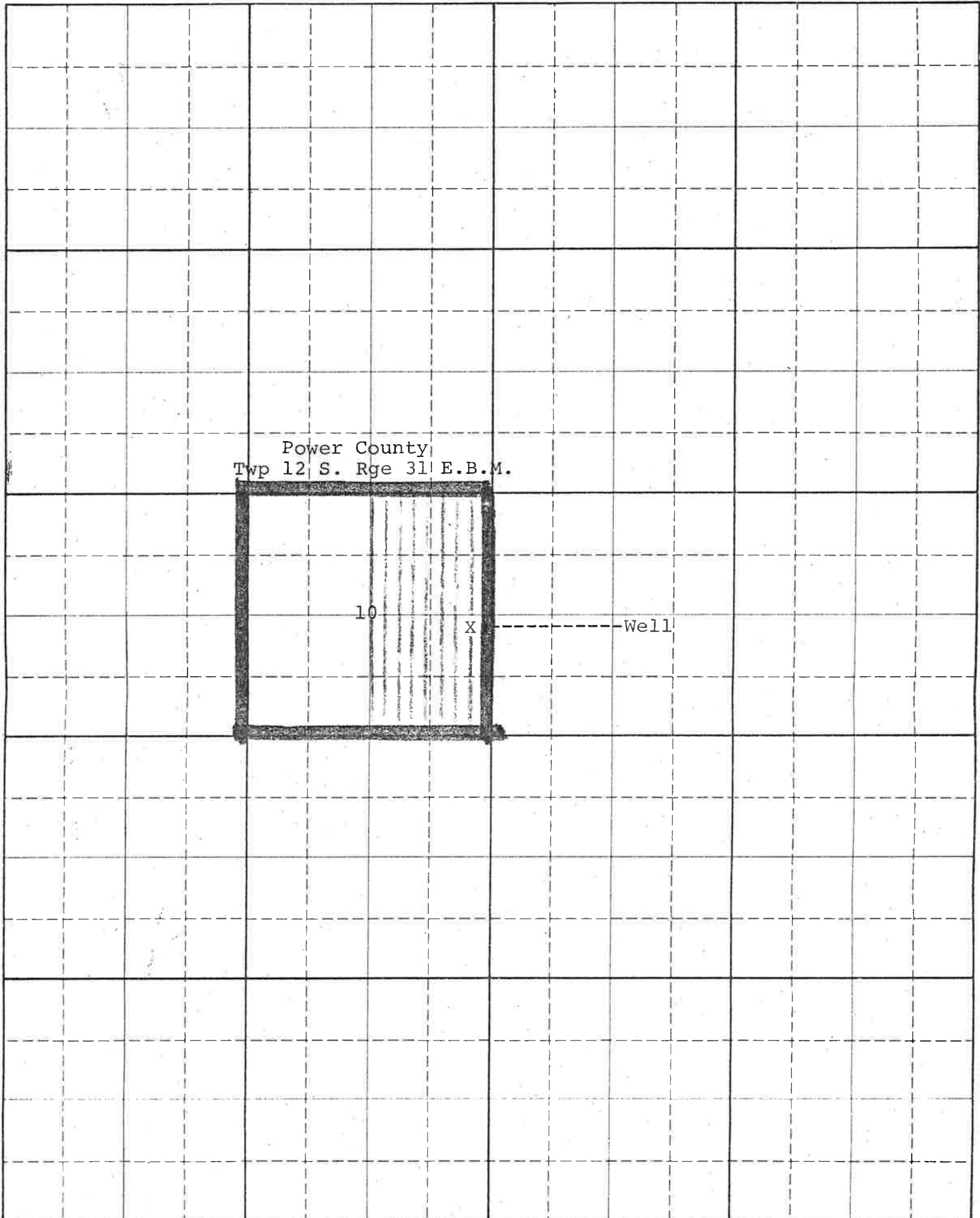
Total number of acres to be irrigated 320

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

9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Applicant owns 1/2 interest in above land and is purchasing other one half interest from Mother on contract.

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.

John Hayes  
(Applicant)

Proposed Priority 1-8-79

Received by merip Date 1/8/79 Time 4:00 pm

Preliminary check by JA Fee \$ 95.00

Receipted by merip Date 1/10/79 12662

Publication prepared by ADM Date 1/15/79

Published in power co. press

Publication dates 1/31/79 + 2/7/79

Publication approved 1/30/79 Date merip

Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: unthruw w.s. ditch etc  
STIPULATED AGREEMENT REACHED 3/28/79

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by LA S.S.

#### 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. 41-7044, 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 May 1, 19 84.

c. Other: (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.  
(2) The issuance of this permit in no way grants any right-of-way or easement across the land of another. (3) The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land. (4) Unperforated well casing shall be used to a minimum depth of 80 feet and shall be extended into the next confining layer.

Witness my hand this 7<sup>th</sup> day of \_\_\_\_\_ May \_\_\_\_\_ 19 79.

J. Glen Saxton  
Chief, Operations Bureau