

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

6/3/2020

Water Permit 41-7043

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

Status: Lapsed

<u>Source</u>	<u>Tributary</u>
---------------	------------------

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
-----------------------	-------------	-----------	-----------------------	---------------

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. 41-07043 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

John Flick

For Office Use Only
Fee Received <u>15.00</u> rg
Date <u>6-11-84</u>
Receipt # <u>34730</u>

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

Department of Water Resources

John R. Hayes

Star Route Box 29, Rockland

(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. 41-7043.

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: None

(This must be filled out! If no work has been completed put none.)

Because of the Swan Falls controversay, I cannot justify the outlay of capitol to drill a well until the case is settled. (I have not received my summons).

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 the 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, Sec. 42-218a.

Signed this 25 day of June, 19 84.

A. Glen Saxton
Chief, Operations Bureau

41-7043

RECEIVED
MAY 16 1979

Identification No. _____

Application No. 41-7043

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

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 SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 11 South
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 6.4 cfs 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
and 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 400 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: _____

41-7043

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

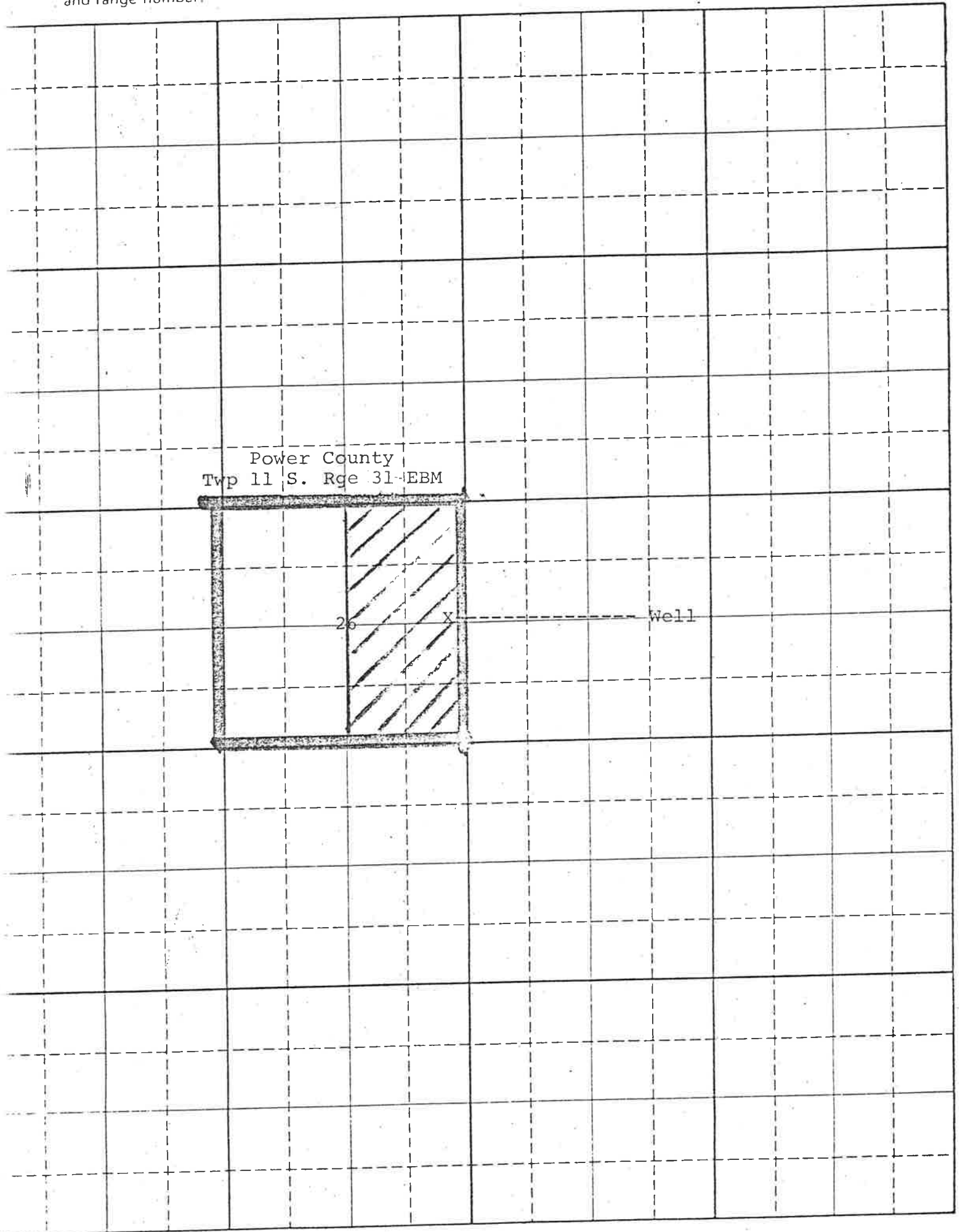
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11 S	31 E	26	40	40	40	40									40	40	40	40	320

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 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 H. Boyce
(Applicant)

Proposed Priority 1-8-79

Received by myer Date 1/8/79 Time 4:00 PM
Preliminary check by JA Fee \$ 95⁰⁰
Receipted by myer 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 myer Date 1/30/79
Priority reduced to _____ Reason _____

Protests filed by: waterusers - m. ditch
SITUATED AGREEMENT REACHED 3/29/79

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JA J.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. 41-7043, 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 175 feet and shall be extended into the next confining layer.

Witness my hand this 7th day of May 1979.

J. Glen Saxton
Chief, Operations Bureau