

Identification No. _____

Application No. 63-8620

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 Layton E. Noe & Teila E. Noe Phone 722-6507
post office address Rt. #1 Parma, Idaho 83660
2. Source of water supply Ross East End Drain which is a tributary of Boise River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 27 Township 5N
Range 5W B.M. Canyon County County; additional points of diversion if any: _____
- b. If water is not consumed it will be discharged into same at a point in same $\frac{1}{4}$ of _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .9 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. .9 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 4" Tractor Driven Impeller pump into existing ditch

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 immediate 1 year
b. Estimated construction cost is \$ _____
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: _____

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

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 $\frac{1}{4}$	
5N	5W	27			40				5										45

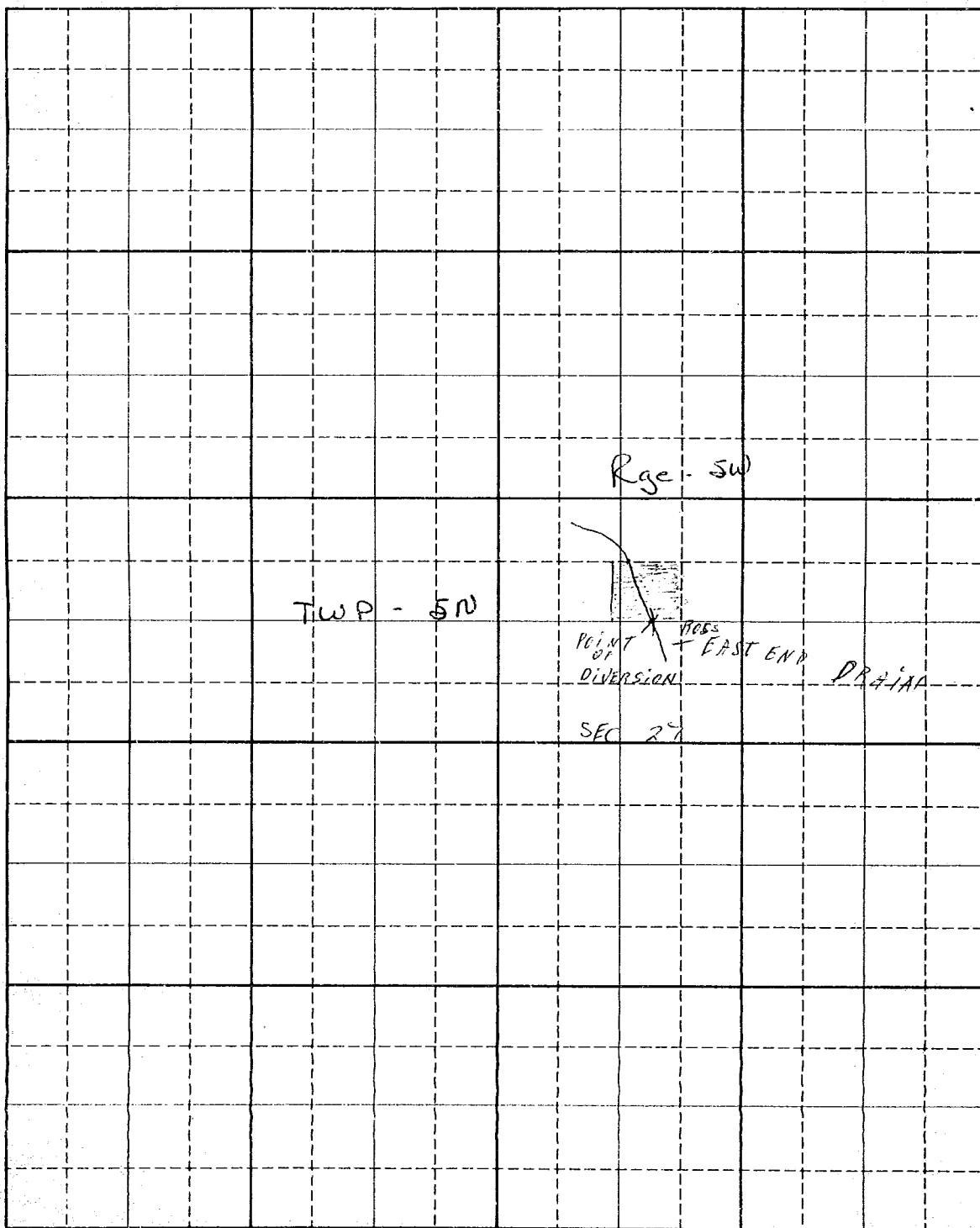
Total number of acres to be irrigated 45

c. Describe any other water rights used for the same purposes as described above. 15 Acres or 1 1/2 shares Riverside Irrigation Dist.

9. a. Who owns the property at the point of diversion Self
- b. Who owns the land to be irrigated or place of use _____
- 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 Supplemental or Standby use

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.

Layton Noe
(Applicant)
Lila Noe

Proposed Priority 3/28/77

Received by jc Date 3/28/77 Time 11:45

Preliminary check by jc Fee \$ 25.00

Receipted by KW Date #6872 3-28-77

Publication prepared by W Date 3-3-77

Published in Idaho Tribune

Publication dates Apr 14 re-ad May 5+12

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by WJ

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. 63-8620 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 July 1, 1978.
- c. Other: 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 per second for each acre of land.

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

Witness my hand this 17 day of June, 1977.

[Signature]
Deputy Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
) ss.
County of Canyon.)

Verla Harker
of Caldwell, Canyon County, Idaho, being first duly
sworn, deposes and says:

NOTICE OF CORRECTION

Notice is hereby given that
notice of Application for Permit
No. 63-8820 in the name of
LAYTON NOE & TEILA NOE
was published in error on April 7
& 14, 1977.

The point of diversion was ad-
vertised as being within the
SW1/4SE1/4 Sec. 27 T5N-R5W.
WHEREAS, the actual point of
diversion is the SW1/4NE1/4 Sec
27 T5N-R5W B.M.

Any protest against approval
of this application must be filed
with the Director of the Idaho
Department of Water Resour-
ces, 92 S. Cole Road, Boise, ID
83705 on or before May 23, 1977.

C. STEPHEN ALLRED
Director
May 5, 12, 1977

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

2. That I am the Principle Clerk of the News-Tribune,
a daily, (except Sunday) newspaper published in the City of
Caldwell, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two Times
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

May 5, 12, 1977

Verla Harker

Subscribed and sworn to before me this

19 77 12th day of May

Adam & Laila
Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

OK 148

5-13-77

AFFIDAVIT OF PUBLICATION

RECEIVED
APR -9 1977

STATE OF IDAHO,)
) ss.
County of Canyon.)

Department of Water Resources
Western Regional Office

NOTICE OF PUBLICATION
LAYTON NOE & TEILA NOE,
Route 1 Parina, ID has on Mar-
ch 28, 1977, submitted Ap-
plication No. 63-3620 for a permit
to appropriate 0.9 cubic feet per
second of water from Ross East
End Drain trib. Boise River by
means of pump and ditch within
the SW 1/4 SE 1/4 Sec. 27, T5N-R5W
B.M., Canyon County to be used
from March 15 to Nov. 15 for
irrigation of 45 acres within the
SW 1/4 NE 1/4 SE 1/4 NW 1/4 Sec. 27
T5N-R5W 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
Director of the Idaho Depart-
ment of Water Resources, 92
South Cole Road, Boise, Idaho
83705 on or before April 25, 1977.
C. STEPHEN ALLRED
Acting Director
April 7, 14, 1977

Verla Harker
of Caldwell, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

2. That I am the Principle Clerk of the News-Tribune,
a daily, (except Sunday) newspaper published in the City of
Caldwell, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Caldwell, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two Times
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

April 7, 14, 1977

Verla Harker

Subscribed and sworn to before me this _____

14th day of April,
19 77.
Cedam D. Law

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 22, 1979.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that

LAYTON NOE & TEILA NOE,

Route 1 Parma, ID

has on March 28, 1977 submitted Application No. 63-8620

for a permit to appropriate 0.9 cubic feet per second acre feet
XXXXXXXXXX

per annum of water from
XXXXXXXXXX

Ross East End Drain trib. Boise River

by means of

pump and ditch

within the

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 27 T5N-R5W B.M., Canyon County

to be used from

Mar 15 to Nov 15

for

Irrigation of 45 acres

within the

SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 27 T5N-R5W 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 Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before

April 25, 1977

C. STEPHEN ALLRED

Acting Director

Published in the

News-Tribune, Caldwell, ID

and

April 7, 1977

April 14, 1977

PUBLISHED IN THE NEWS-TRIBUNE, CALDWELL, IDAHO ON APRIL 7 & 14, 1977

Notice of Claim to a Water Right

63-4443	Albert &/or Odessa Eidemiller
63-4442	Albert &/or Odessa Eidemiller
63-4444	Harry &/or Anna May Elston

Notice of Application for Water Permit

63-8612	Earl M. Tuckness
63-8616	Herman R. &/or Bessie Krantz
63-8617	Albert &/or Odessa Eidemiller
63-8619	Darwin G. &/or Annabelle Noe &/or Alan Noe
63-8620	Layton Noe & Teila Noe
63-8621	Max M. Takasugi
63-8622	Max M. Takasugi
63-8626	L. W. &/or Barbara J. Ragains



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

April 1, 1977

Re: See attached sheet

News-Tribune
P. O. Box 1179
Caldwell, ID 83605

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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)

Please send the affidavit of publication and publication billing to this office before April 25, 1977.

Sincerely,

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit No. 63-8620 in the name of LAYTON NOE & TEILA NOE was published in error on April 7 & 14, 1977.

The point of diversion was advertised as being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 27 T5N-R5W. WHEREAS, the actual point of diversion is the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 27 T5N-R5W B.M.

Any protest against approval of this application must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, ID 83705 on or before May 23, 1977.

C. STEPHEN ALLRED

Director

Published in the News-Tribune, Caldwell, Idaho on May 5 & 12, 1977.

April 29, 1977

Re: Application for Permit No. 63-8620

C
The News-Tribune
P. O. Box 1179
Caldwell, ID 83605

Gentlemen:

O
Enclosed is a copy of the original notice for the above referenced application and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We are requesting that you publish the enclosed correction notice at your expense.

P
Upon receipt of an affidavit of publication for the correction notice, we will forward the bill for the first publication to our accounting section.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Y
RITA FLECK
Secretary

Enc: Copy of original notice
Copy of affidavit
Legal notice (correction)

April 29, 1977

Re: Application for Permit No. 63-8620

The News-Tribune
P. O. Box 1179
Caldwell, ID 83605

Gentlemen:

Enclosed is a copy of the original notice for the above referenced application and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We are requesting that you publish the enclosed correction notice at your expense.

Upon receipt of an affidavit of publication for the correction notice, we will forward the bill for the first publication to our accounting section.

Your cooperation in this matter is greatly appreciated.

Sincerely,

RITA FLECK
Secretary

Enc: Copy of original notice
Copy of affidavit
Legal notice (correction)

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 163

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) CEB 27 Mar 77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) ~~CEB~~ 29 Mar 77

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(4) CEB 29 Mar 77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels: N/A

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: None platted in

(11) _____

Affidavit of Publication received (date) 5-13-77

(12) _____

Final date for protests 5-23-77

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction

NO _____ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W

By 121

Date 5-23-77

Supplemental

June 21, 1977

Re: Permit No. 63-8620

Layton & Teila Noe
Route #1
Parma, ID 83660

Dear Mr. and Mrs. Noe:

Enclosed is a copy of your approved Application for Permit No. 63-8620. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 28, 1978

CERTIFIED MAIL

122629

Re: Permit No. 63-8620

Layton Noe & Teila Noe
Route 1
Parma, Idaho 83660

Dear Mr. & Mrs. Noe:

One of the conditions of approval of your water Permit No. 63-8620 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before July 1, 1978. Enclosed is an affidavit form which must 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 affidavit 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.


NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

July 11, 1978

Re: Permit No. 63-8620

Layton Noe & Teila Noe
Route #1
Parma, ID 83660

Dear Mr. & Mrs. Noe:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 63-8620 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated April 28, 1978.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.

C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

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.

~~MICROFILMED~~