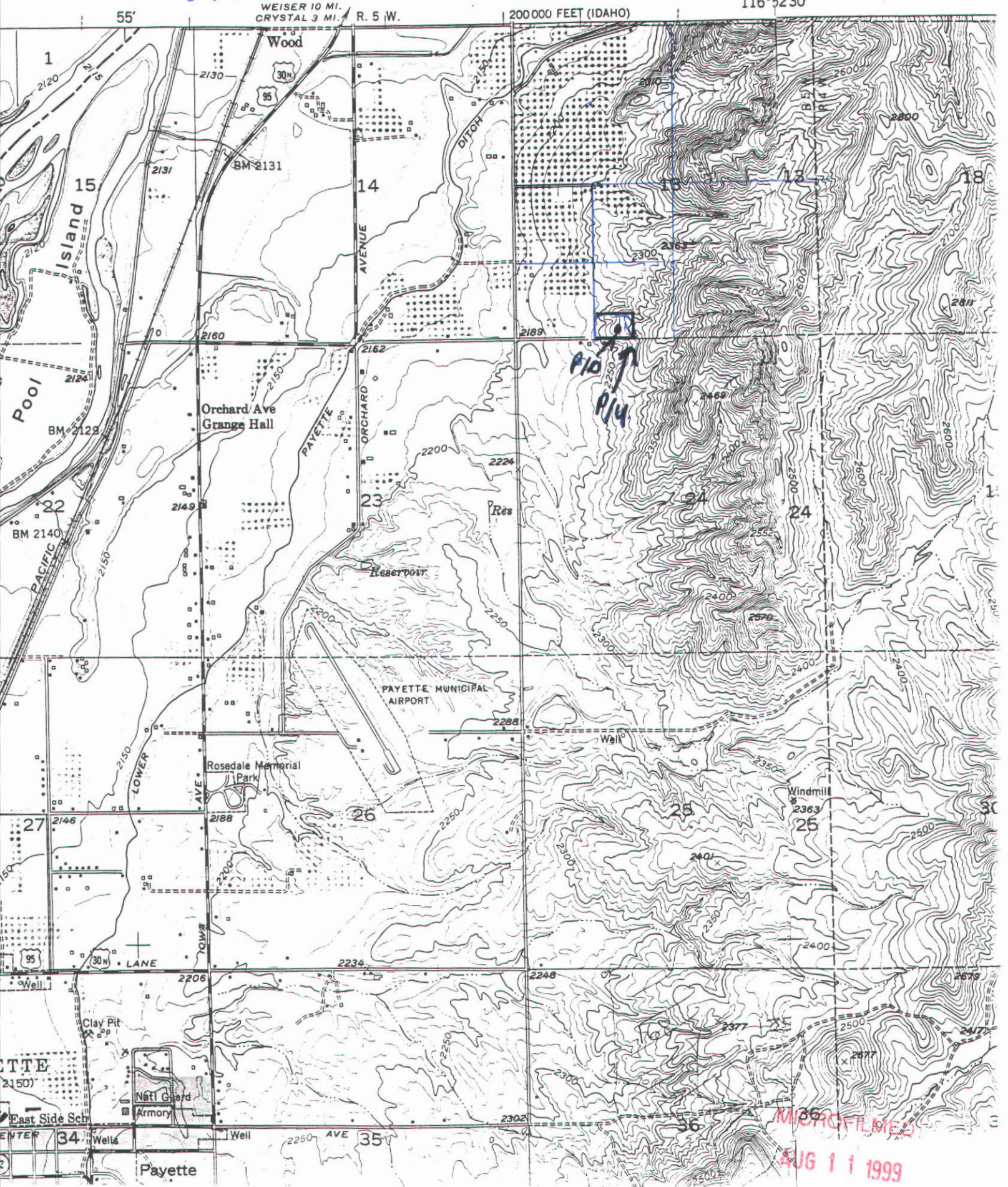


combination of maps U-53; U-54
T-9N R-5W sec-13
SE SW
DAN-5-17

PAYETTE QUADRANGLE
IDAHO-OREGON
7.5 MINUTE SERIES (TOPOGRAPHIC)

UNITED STATES
DEPARTMENT OF THE
GEOLOGICAL SURVEY



MICROFILMED
AUG 11 1999

T9NR5W

Scanned Airp

P/U and PID

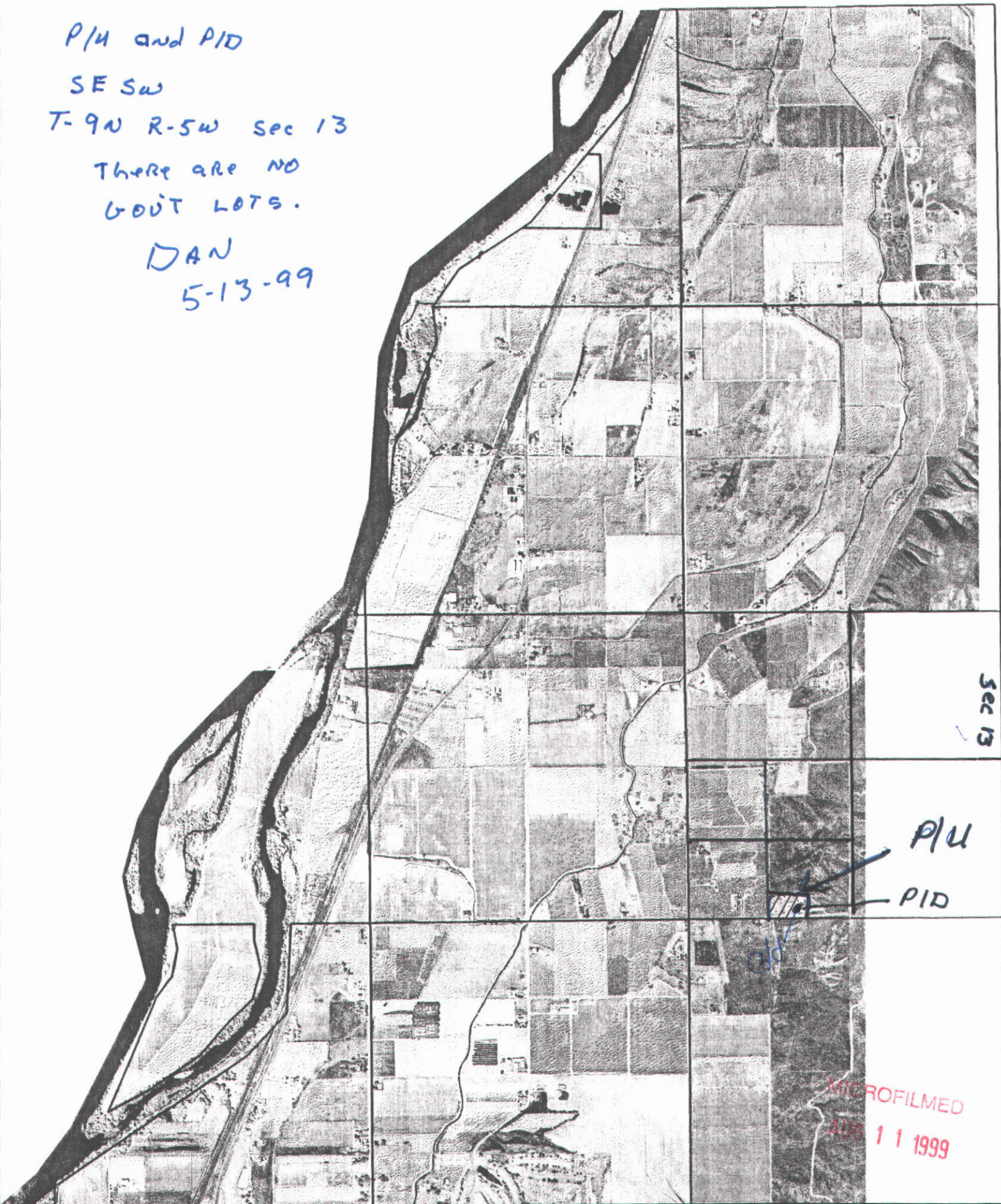
SE SW

T-9N R-5W Sec 13

There are NO
GOUT LOTS.

DAN

5-13-99



Sec 13

P/U

PID

MICROFILMED
AUG 11 1999

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Noticing Application for Water Rights
TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, *Vivian M Hawkins*, being
duly sworn, deposes and says:

That *She* is the *principal clerk* of

THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with *June 2*, 19 *99*, and ending with the issue of *June 9*, 19 *99*.

STATE OF IDAHO
COUNTY OF

On this *10th* day of *June* in the year of *1999*, before me, a Notary Public, personally appeared *Vivian Hawkins*, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Maureen Rhinehart
Notary Public for Idaho

Residing at *Trinidad*

My commission expires: *12-1-04*

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *33*

Number of Insertions *(2) two*

33 Lines @ *1.11* ... \$ *36.63*

33 Lines @ *92* ... \$ *27.93*

TOTAL COST
WILL BE \$ *64.56*

Copy of Notice (First Copy)

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

65-13880

BAKER, ALVIN R

BAKER, PEGGY L

2650 NE 19TH AVE

PAYETTE, ID 83661

Source: GROUNDWATER

Diversion Pt: SESW Sec 13 T 09N R 05W in PAYETTE County.

Use: IRRIGATION 0.060 CFS

Total Diversion: 0.060 CFS

Date Filed: 5/17/1999

In: PAYETTE County

T09N R05W S13 SESW

2.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before JUNE 21, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
June 2, 9

No. 625

RECEIVED

JUN 15 1999

WATER RESOURCES
WESTERN REGION

MICROFILMED

AUG 11 1999

Nº 625

FOR OFFICE USE ONLY
Amt of Fee \$ 50.00
Receipt No 0074337
Receipt By JM
Date Received 6-29-04

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

JUN 9 2004
DEPARTMENT OF
WATER RESOURCES

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

- 1 Permit No. 65-13880 Telephone No 208-642-3867
- 2 Name of Permit Holder(s). Alvin R. Baker Peggy L. Baker
- 3 Mailing Address: 2650 NE 19th Ave
City Payette State ID Zip 83661
4. Source of Water. well If GROUNDWATER (well), Date Drilled. mo 7 / yr 74
Well Driller Holloway Drilling Drilling Permit Number. _____
5. Use(s) (as authorized by the water right permit)
Domestic (No. of households): 1 Stockwater (No. and type of stock). 10R2 Beef
Irrigation (No. of acres): 2.0 Other. _____
- 6 Total rate of diversion and/or volume for which proof is submitted 0.06 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional Please check either yes or no Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X
- 8 Fee Enclosed. \$ 50. (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system
Name Alvin R. Baker Telephone Number: 208-642-3867 or 642-6279
Address: 2650 NE 19th Ave, Payette ID 83661
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Alvin R. Baker Date: 6-26-04
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water
NO. 65-13880

Proposed Priority: May 17, 1999

Maximum Diversion Rate:

0.06 CFS

This is to certify, that ALVIN R BAKER
PEGGY L BAKER
2650 NE 19TH AVE
PAYETTE ID 83661

has applied for a permit to appropriate water from: GROUNDWATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 13, Township 09N, Range 05W
PAYETTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	05W	13	SESW	2.0		2.0

Total number of acres irrigated: 2.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 2004.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

RECORDED

1999

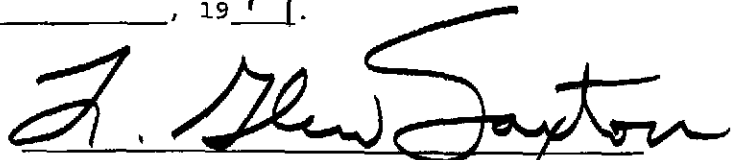
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13880

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

12 th day of July, 1999.



Karl J. Dreher, Director

for

MONITORING

12-1-1999

RECEIVED

JUN 24 1999

Ident. No. 65-13880

~~Department of Water Resources~~
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ALVIN R BAKER 208-642-3867
Address: 2650 NE 19TH AVE
PAYETTE ID 83661
AND/OR
Name: PEGGY L BAKER 208-642-3867
Address: 2650 NE 19TH AVE
PAYETTE ID 83661

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SESW Sec. 13, Township 09N, Range 05W
PAYETTE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.060		

5. Total quantity to be appropriated is:
0.060 CFS (and/or) AF

6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc.
PUMP TO UNDERGROUND SPRINKLER SYSTEM
 - 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 groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when? 06/30/1973
Drilling Firm HOLLOWAY DRILLING
Well was drilled for APPLICANT

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

MICROFILMED

JUN 18 1999

USE THIS ~~SAV~~ APPLICATION FORM FOR PROCESSING.
USE ORIGINAL FOR VERIFICATION PURPOSES ONLY! DAN.

5-17-99

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
09N 05W 13	SESW 02			2

Total number of acres irrigated: 2

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 agrees to mitigate consumptive use in the future as needed.

11. Map of proposed point of diversion and place of use attached? ☒

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.

Alvin L. Baker
Applicant

DAN FOR

Received by KL Date 4-27-99 Time 11:42 Preliminary check by DAN

Fee \$ 50.00 Receipted by DAN # W025197 Date 5-17-99

Publication prepared by AT Date 5-26-99 Published in Ind. Enterprise

Publication approved AT Date 6-21-99 ⁶⁻²⁴⁻⁹⁹

MICROFILMED
AUG 1 1999

COMBINATION OF MAPS U-53; U-54

T-9N R-5W SEC-13

SESW

DAN-5-17

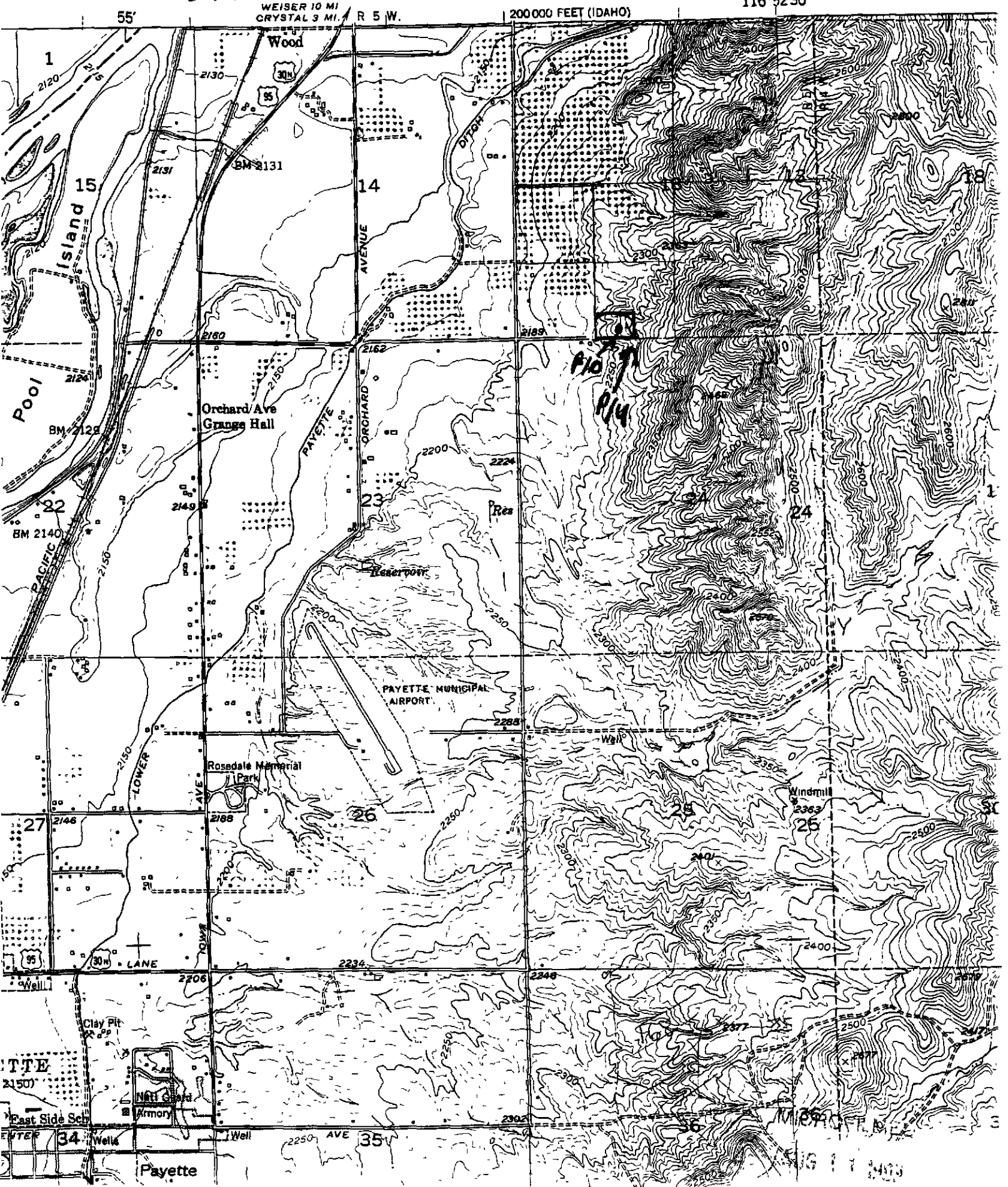
600' LOTS

PAYETTE QUADRANGLE
IDAHO-OREGON

7.5 MINUTE SERIES (TOPOGRAPHIC)

UNITED STATES
DEPARTMENT OF THE
GEOLOGICAL SURVEY

116°52'30"



T9NR5W

Scanned Air

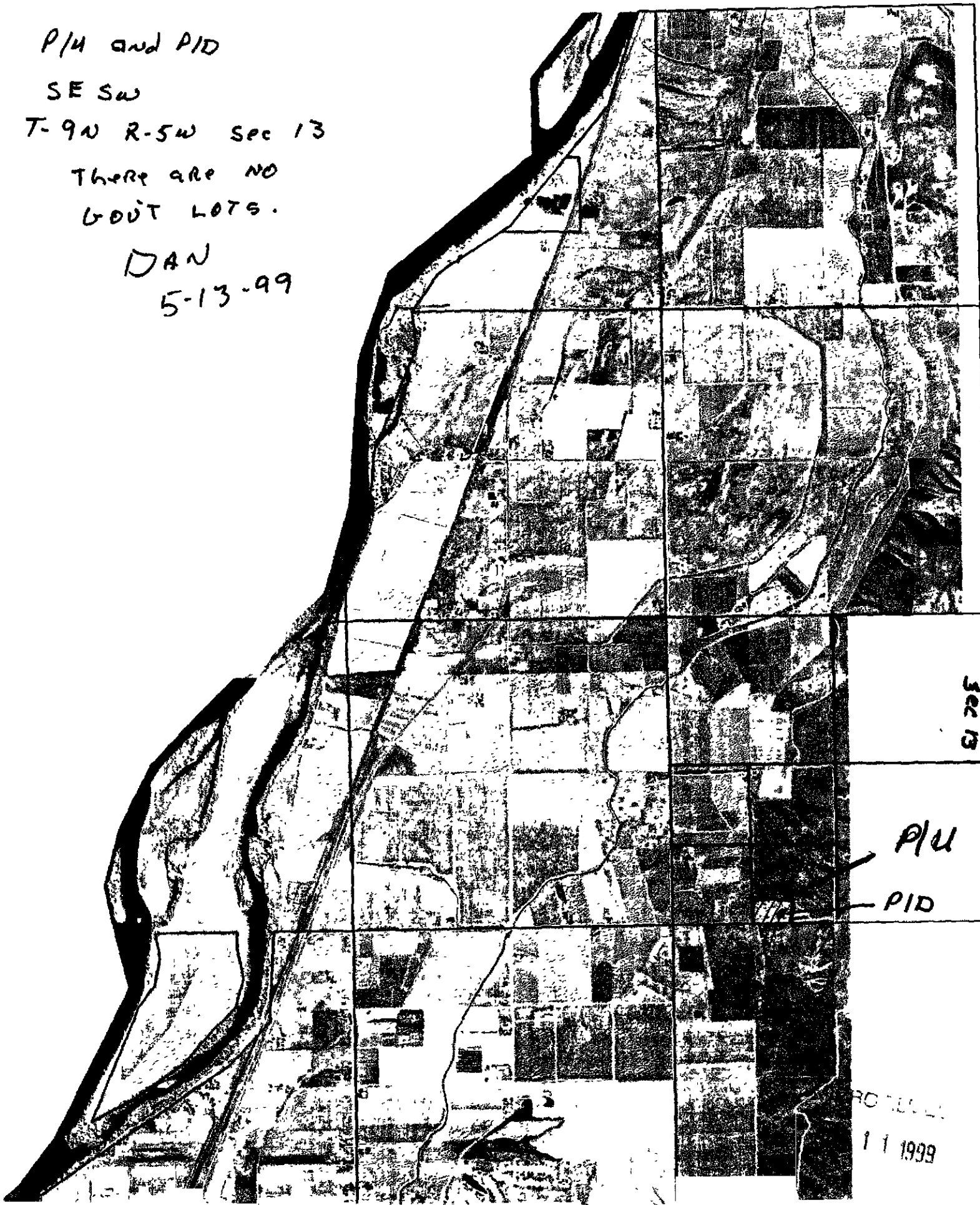
P/U and PID

SE SW

T-9N R-5W Sec 13

There are NO
GOUT LOTS.

DAN
5-13-99



Sec 13

P/U

PID

11 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 20, 2005

ALVIN R BAKER
PEGGY L BAKER
2650 NE 19TH AVE
PAYETTE ID 83661

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13880

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

During my review of the proof you filed with the department, you stated you have 1 household receiving domestic water. The department issued you a Permit to Appropriate Water ("permit") for 2 acres of irrigation only. Therefore, the department will rely on the Beneficial Use Field Report to clarify this discrepancy.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have any questions or wish to clarify this discrepancy, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No : 65-13880

Reviewed By dgibson

Date. January 19, 2005

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No		C074337	Well driller's report filed?		
Additional Amount Due			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?		X	Measure device waiver requested?		

Priority Calculation

Date proof received	06/29/2004
Date proof due	- 07/01/2004
Lapse notice sent	-
No of days late	= 0
Holiday allowance	+
Priority date	+ 05/17/1999
New priority date	= 05/17/1999

Deficiencies of Actions Items

Acknowledge proof Permit issued for irrigation of 2 acres only Domestic as the proof notes, is not included

April 30, 2004

PEGGY L BAKER
ALVIN R BAKER
2650 NE 19TH AVE
PAYETTE, ID 83661

PROOF DUE NOTICE

RE: PERMIT NO. 65-13880

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

7000 1530 0000
9415 0553



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 13, 1999

ALVIN R BAKER
PEGGY L BAKER
2650 NE 19TH AVE
PAYETTE ID 83661

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13880

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

MICROFILMED

AUG 11 1999

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
AUG 11 1985

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of July, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 65-13880

ALVIN R BAKER
PEGGY L BAKER
2650 NE 19TH AVE
PAYETTE ID 83661


Kari Lynn Townsend
Secretary

MICROFILMED
AUG 11 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

AUG 11 1999

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by S. Curtis
 No.: 65-13280 Name: Baker Date: 7/7/99 Ad OK? ☒ / Gvmt Lts: 1

 AREA OF CONCERN: - No/Yes. Mor / GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 048-P23
- In Basin 347 - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated)

- FISH & GAME CONTACTED: - YES / No; WHEN: RESPONSE
- IN/ABOVE MSF (✓ MAP) - *WB9
- IN-STREAM DEVELOPMENT - P52 (stream channel alteration)
- WD (✓ MAP & LISTING) - R04 (WD #)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP) - 067 or No MD (in-stream stock or power)
- > 0.24 cfs/5 acres - No MD
- ≤ 0.24 cfs/5 acres - No MD
- SPRINGS/SINK, INACTIVE WD & REST OF STATE
- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

- Snake R (01) - *W22-P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- STORAGE (✓ 3 compo) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3 0/3 5/4 0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3 0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req)-081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WVQ)-P10
- HEATING/COOLING - R07 (Injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use), 17G (FERC) or 17M (FERC), 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr, GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code) -

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust (1)

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

626 (65-05947)7/11/2004

JUN 24 1999

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: DAN DATE: 5-17-99 APPLICATION: 65-13880

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
NO P/D
NO P/U

ADDITIONAL INFORMATION

yes ADVERTISE REMARK(S)
(Reviewer identify which remarks)

yes T FLAG CHANGED TO P FLAG

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ Overlapping point of diversion. Domestic well FOR HOME WATER
- ☒ Critical groundwater area. Right # 65-05947
- ☒ Groundwater management area:
- ☒ 1992 moratorium:
- ☒ Surface water source, IDFG letter needed.
- ☒ Bull trout impact area, IDFG letter needed
- ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ Mitigation plan: Check any that apply.
- ☐ immediate = acceptable plan required and submitted.
- ☒ future = open areas, acceptance of condition of approval is in file.
- ☒ Send power requirement letter &/or fish farm requirement letter.
- ☒ Power residency affidavit:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

PROCESSING

APP. NO. 65-13880

YES NO

☒ ☐ In form for advertising:
☐ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☐ ☒ Water Dist. # _____
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:
☒ ☐ Final date for protest 6-21-99
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: 120

☒ ☐ See below for additional information
Recommended Date or Priority 5-17-99
Recommended by: Daniel A. Nelson Date: 6-22-99

ADDITIONAL INFORMATION:

Application is to irrigate pasture
out of Domestic well. (Decree # 65-05947)
Please Note:
Original Application was incomplete.
use computer generated copy FOR PROCESSING.
Applicant signed computer generated FORM!

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss

Notice of Application for Water Rights
TITLE OF PUBLICATION

Dept. of Water Resources
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

I, Viola M Hawkins, being
duly sworn, deposes and says:

That *she* is the *principal clerk* of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for *two* consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
June 2, 19 *99*, and ending with the issue
of *June 9*, 19 *99*.
STATE OF IDAHO
COUNTY OF

On this *10th* day of *June* in the year of *1999*, before me,
a Notary Public, personally appeared *Viola Hawkins*,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Mailey J. Rhinest
Notary Public for Idaho

Residing at *1111 1/2*

My commission expires *12-1-04*

Copy of Notice (First Copy)

The Following application(s) have been filed to
appropriate the public waters of the State of Ida-
ho:

65-13880

BAKER, ALVIN R

BAKER, PEGGY L

2650 NE 19TH AVE

PAYETTE, ID 83661

Source: GROUNDWATER

Diversion Pt: SESW Sec 13 T 09N R 05W, in PAY-
ETTE County.

Use: IRRIGATION 0.060 CFS

Total Diversion: 0.060 CFS

Date Filed: 5/17/1999

In: PAYETTE County

T09N R05W S13 SESW

2.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in
the future as needed.

Permits will be subject to all prior water rights.
Protests may be submitted based on the criteria of
Sec. 42-203A, Idaho Code. Any protest against the
approval of this application must be filed with the
Director, Dept. of Water Resources, Western Re-
gion, 2735 Airport Way, Boise, Idaho 83705 to-
gether with a protest fee of \$25.00 for each appli-
cation on or before JUNE 21, 1999. The protes-
tant must also send a copy of the protest to the ap-
plicant.

No. 625 *KARL J. DREHER, Director*
June 2, 99

RECEIVED

JUN 15 1999

WATER RESOURCES
WESTERN REGION

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *33*

Number of Insertions *(2) two*

33 Lines @ *1.11* ... \$ *36.63*

33 Lines @ *92* ... \$ *27.93*

TOTAL COST
WILL BE \$ *64.56*

MICROFILMED

JUN 15 1999

No. 625



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MAY 26, 1999

Legal Notices Department
Independent Enterprise
P.O. Box 520
Payette, ID 83661

Dear Legal Dept.:

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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JUNE 21, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MAILED
AUG 11 1999

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

MICROFILMED
JUL 11 1979

BAKER, ALVIN R
BAKER, PEGGY L
2650 NE 19TH AVE
PAYETTE, ID 83661

Source: GROUNDWATER

Diversion Pt: **SESW Sec 13 T 09N R 05W in PAYETTE County.**

```

Use: IRRIGATION      (      0.060 CFS)
      Total Diversion: (      0.060 CFS)

```

Date Filed: 5/17/1999

In: PAYETTE County
T09N R05W S13 SESW

2.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed.

APR 11 1949

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before JUNE 21, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 6/ 2/1999 & 6/ 9/1999

MICRO
JUN 11 1999

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

Shirley R. Baker and/or Peggy L. Baker

Mailing Address

2650 NE 19th Ave.
Payette, Id. 83661

Application No.
(if known)

65-13880

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

☐ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Shirley R. Baker

Date

5-17-99

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

936 1 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

RECEIVED

APR 27 1999

WATER RESOURCES
WESTERN REGION

Original Application

* US+ COMPUTER
Generated Application To appropriate the public waters of the State of Idaho
FOR PROCESSING.

DAN 5-17-99

and/or

1. Name of Applicant ALVIN R. BAKER & BEGGY L. BAKER Phone 208-642-3867
Post Office address 2650 NE 19th Ave. Payette Id. 83661
2. Source of water supply Well-groundwater which is a tributary of Snake River
3. Location of point of diversion is 1/4 of SE 1/4 of SW 1/4, Govt. Lot
Sec. 13 Township 9N Range 5W B.M. Payette County; additional points of
diversion if any: _____
4. Water will be used for the following purposes:
Amount _____ for Domestic purposes from 01-01 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .06 for Irrigation purposes from May 15 to Sept 15 (both dates inclusive)
(cfs or acre-feet per annum) march 15 to Nov. 15
Amount _____ for _____ purposes from _____ to _____ (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) .06 cfs and/or (b) 1.20
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. PUMP - 20 UNDER GROUND SPRINKLER
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 85°F being sought? _____
e. If well is already drilled, when? 1973; Drilling firm Hellaway Drilling
Well was drilled for (well owner) WLS
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity if KW. _____
b. Stockwatering; list number and kind of livestock. 2-3
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. 1
e. Other; describe fully. Pasture Irrigation

RECEIVED

JUN 24 1999

DEPARTMENT OF WATER RESOURCES

Applicant Has signed computer generated Application
Form & TO REPLACE THIS ORIGINAL APPLICATION MICROFILMED

Signed Alvin R. Baker Date 5-17-99 11 1999

9. Description of place of use:

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

b. 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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	5	13											2	2					2

Total number of acres to be irrigated 2

10. Describe any other water rights used for the same purposes as described above. 65-05947 (Dom)

11. a. Who owns the property at the point of diversion? Alvin L. Baker & Peggy L. Baker

b. Who owns the land to be irrigated or place of use? Same

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: _____

12. Remarks: This application is for 15 to 20 thousand gals. per day. It is more than is allotted and I need to find out if an application fee is needed for this amount.

13. MAP OF PROPOSED PROJECT ATTACHED _____ Show clearly the proposed point of diversion, place of use, section number, township and range number.

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Alvin L. Baker
(Applicant)

Received by AB Date 4/27/99 Time 11:42 Preliminary check by DAN
Fee \$ 0.42/99 Receipted by D Nelson # W025197 Date 5/17/99
Publication prepared by S Taylor Date 5/26/99 Published in Ind Enterprise
Publication approved AB Date 6-18-99 6/26/99

MICROFILMED

Aug 11 1999