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AUG 09 2016

FORM 202 Rev. 07/16

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No. _____

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant(s) JAMES L AND SANDRA J HENLEY Phone 208-347-3181
 Mailing address PO BOX 396 NEW MEADOWS, IDAHO 83654 Email sjhenley8@gmail.com
 Name connector (check one): ☐ and ☐ or ☒ and/or
2. Name of representative, if any none at this time Phone _____
 Mailing address _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant.
3. Source of water supply 2 springs, 1 unnamed creek which is a tributary of THREEMILE CREEK
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	%	%	%	County	Source	Local name or tag #
19N	02E	9	3	NW	NW	SW	ADAMS	SPRING	
19N	02E	9	3	NE	NW	SW	ADAMS	SPRING	
19N	02E	9	3		NW	SW	ADAMS	UNNAMED STREAM	

5. Water will be used for the following purposes:
- Amount 0.02 CFS for STOCKWATER purposes from 01/01 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.09 CFS for IRRIGATION purposes from 04/01 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) 0.11 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. GRAVITY FLOW TO IRRIGATION, STOCK
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☒ No
- 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? ☐ Yes ☒ No
- e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ _____ Receipted by _____ Receipt No. _____

EXHIBIT

102

Exhibit 102

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. 1-2 HEAD CATTLE
- Municipal; must complete and attach the Municipal Water Right Application Checklist.
- Domestic; show number of households -
- Other; describe fully. IRRIGATION OF PASTURE LANDS, FRUIT TREES (CURRENT AND FUTURE)

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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	02E	9										3							3
												GL 3							

Total number of acres to be irrigated: 3

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? none

11. 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: -

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. Provide water for 1-2 head of cattle and pasture and fruit tree irrigation.

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

14. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

James L. Henley
Signature of Applicant
James L. Henley
Print Name (and title, if applicable)

Sandra J. Henley
Signature of Applicant
Sandra J. Henley
Print Name (and title, if applicable)

78-12447 Application

SENE

SWNW2

NW NW SW GL3

NE NW SW GL3

SW NW SW GL3

SE NW SW GL3

Legend

- Application PCU
- ▧ Application PCU
- ▧ Township Range
- ▧ Sections
- QQ
- Taxlots

Unnamed Stream Diversion

Spring #1

Spring #2

13V51/3

3

3

3

3

3

3

3

3

3

TIMBER RIDGE SUBDIVISION

PART OF SECTIONS 8 AND 9, T.19 N., R.2 E
ADAMS COUNTY, IDAHO 1995

1" = 500'

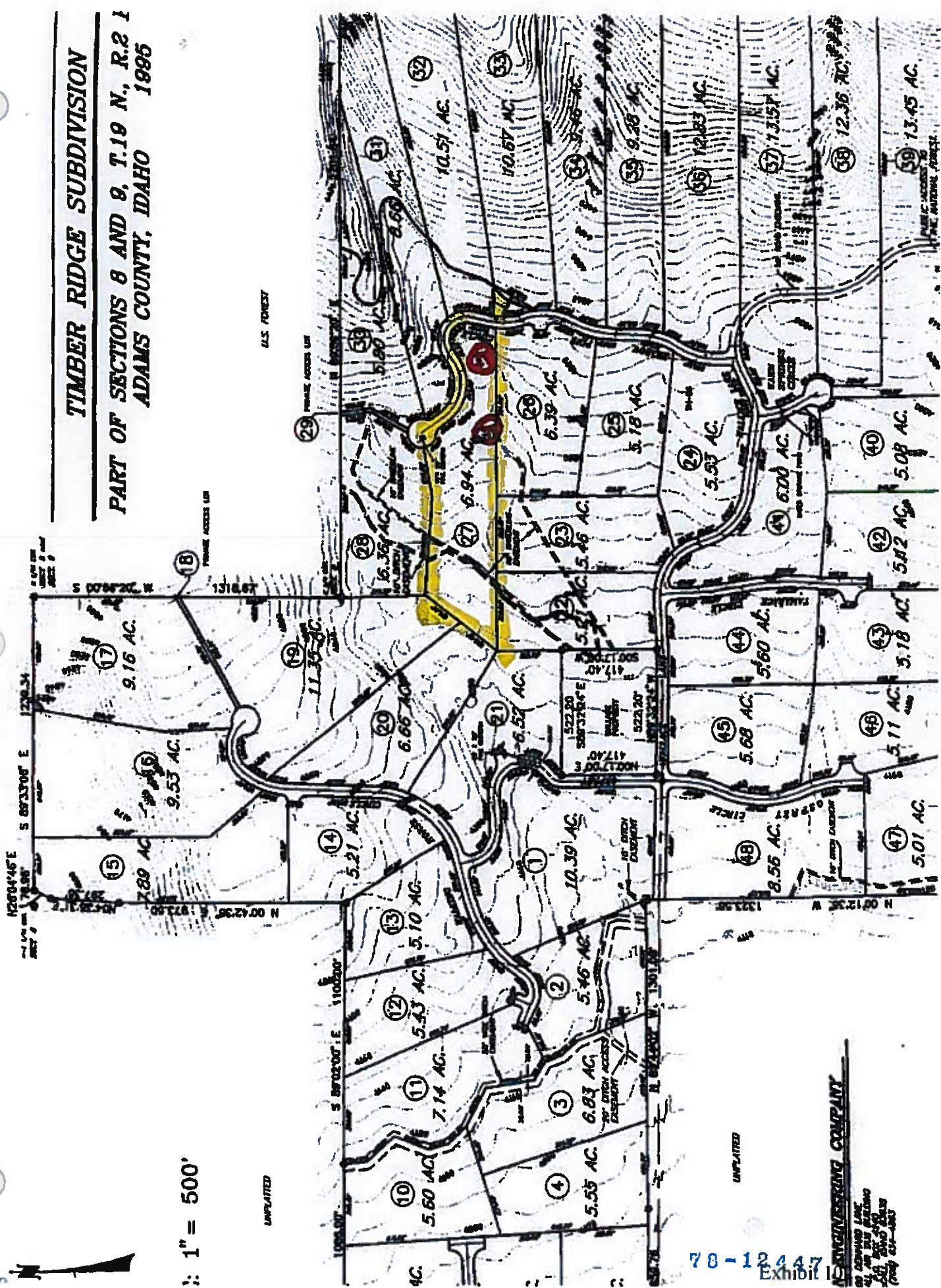
UNPLATTED

UNPLATTED

78-12447 Exhibit 1

ENGINEERING COMPANY

60 ADAMS LANE
441 ADAMS LANE
200 ADAMS LANE
ADAMS LANE
ADAMS LANE



WARRANTY DEED

For Value Received, H.P.J. PARTNERS

the Grantors, do hereby grant, bargain, sell and convey unto
JAMES L. HENLEY and SANDRA HENLEY
husband and wife

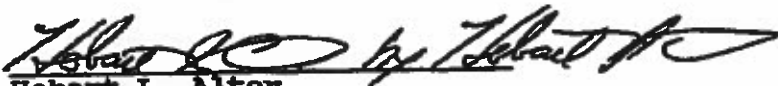
whose address is: 2078 SCYENE WAY, BOISE, IDAHO 83712
the Grantees, the following described premises, to-wit:

LOT 27, BLOCK 1, TIMBER RIDGE SUBDIVISION, ADAMS COUNTY, IDAHO, AS
SET FORTH ON THE OFFICIAL PLAT THEREOF RECORDED AUGUST 22, 1995 IN
BOOK 2 PLATS PAGE 17, IN THE OFFICE OF THE ADAMS COUNTY RECORDER.

TO HAVE AND TO HOLD the premises with their appurtenances unto the
said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees, that
they are the owners in fee simple of said premises that said
premises are free from all encumbrances except the 1998 taxes and
assessments and that they will warrant and defend the same from all
lawful claims whatsoever.

Dated: 5/14/98

H.P.J. PARTNERS


Hobart L. Alter

by: Hobart P. Alter,
his attorney in fact

His Attorney in Fact

SELLER(S) CLOSING STATEMENT

Mountain Title & Escrow
120 N. Main Street
P.O. Box 708
Coeur d'Alene, Id. 83811
208-382-1206

SELLER(S): H.P.J. PARTNERS

PURCHASER(S):..... JAMES L. HENLEY and SANDRA HENLEY

PROPERTY: LOT 27, BLOCK 1, TIMBER RIDGE SUB., ADAMS COUNTY, IDAHO

FILE NO.#:..... 98321

SETTLEMENT DATE: 05/15/98

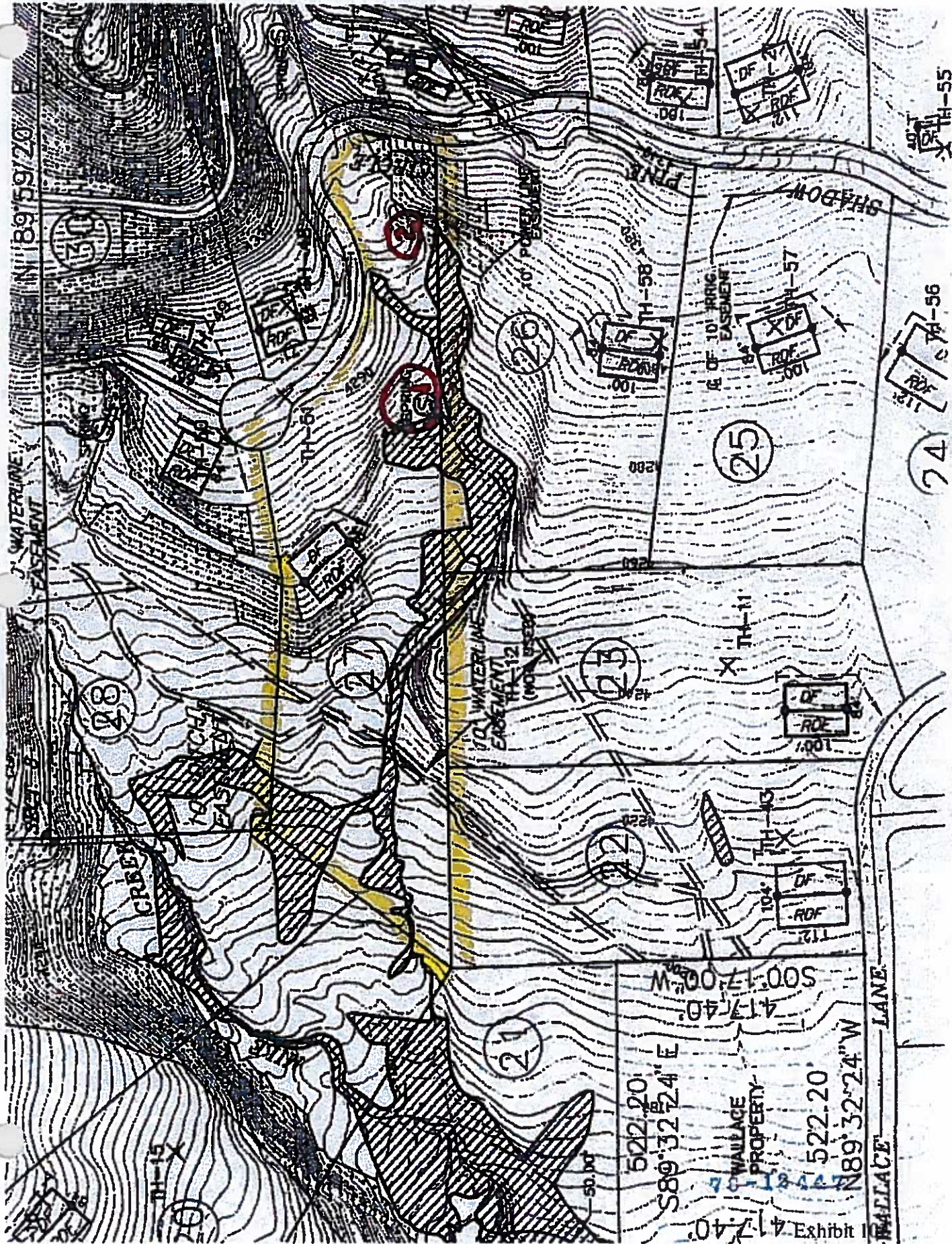
PRORATION DATE: 05/15/98

	CHARGES	CREDITS
Sales Price:		52,500.00
County taxes 01/01 - 05/15:	6.98	
Commission @ 10%:	6,000.00	
3,000.00 to ENGEN REAL ESTATE		
3,000.00 to BRUNDAGE REAL ESTATE		
Settlement Fee:	85.00	
Owner's Policy Amount:	415.00	
2ND HALF '97 TAXES:	9.43	
Lot Release:	18,061.88	
Release:	4.00	
CASH DUE TO SELLERS:	36,417.81	
TOTALS:	60,000.00	60,000.00

H.P.J. PARTNERS

BY: 
HOBART L. ALTER,
GENERAL PARTNER

BY:  P.O.A.
HOBART P. ALTER,
HIS ATTORNEY IN FACT



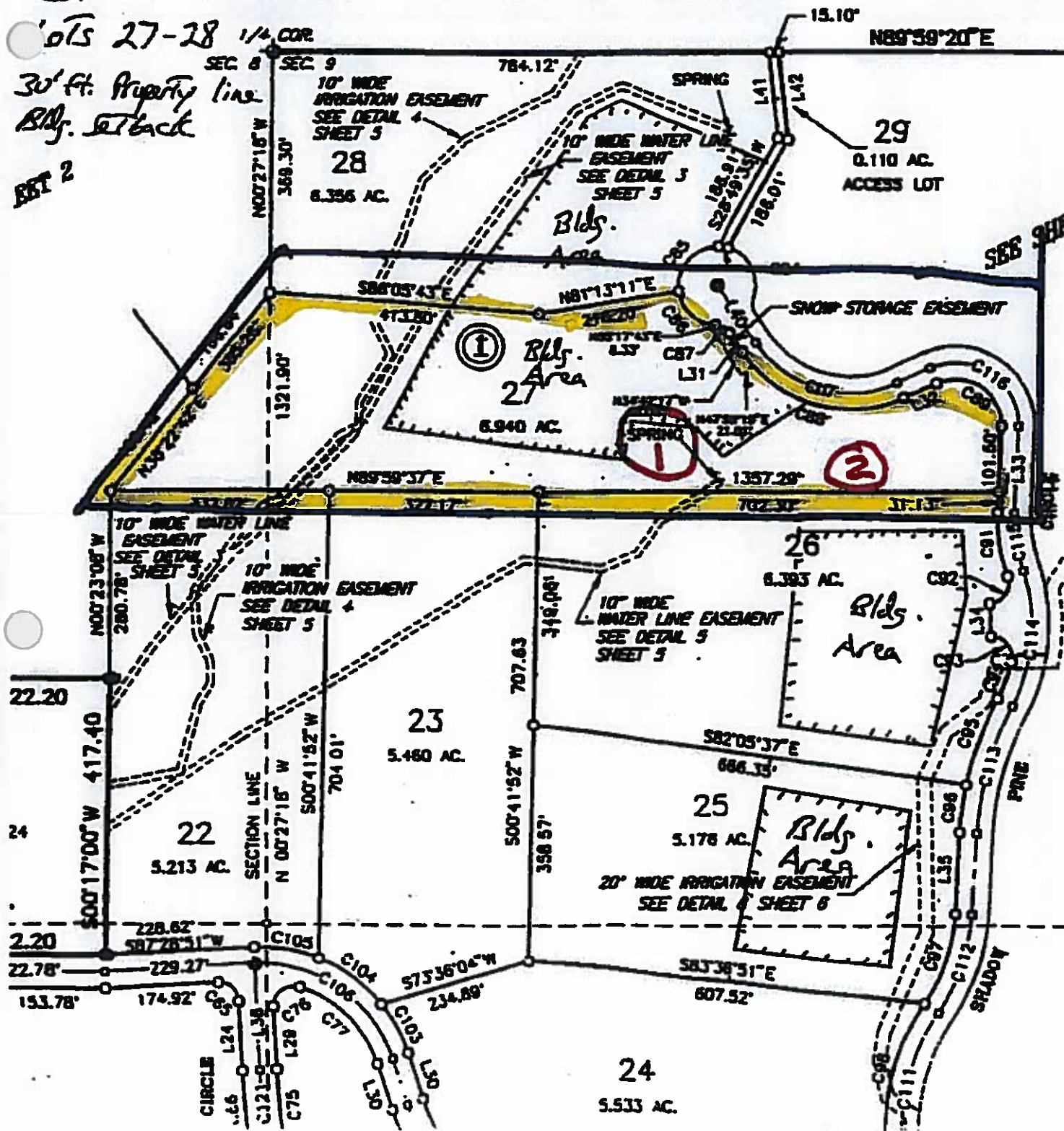
ADAMS COUNTY, IDAHO

1995

lots 27-28 1/4 COR.

30' ft. Property line
RMJ. 5/26/68

BBT 2





Google earth

feet 500
meters 100



78-12447

Exhibit 102

Date: July 7, 2016

To: Dannie Merriman
Idaho Department of Water Resources
Western Region Office

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JUL 12 2016

WATER RESOURCES
WESTERN REGION

Subject: Water Rights Filing(s)

Dear Ms. Merriman,

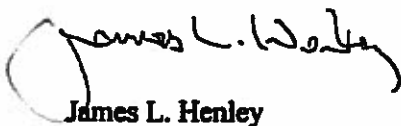
It has recently come to my attention spring(s) on my property and unnamed seasonal creek do not have legal nor adjudicated water rights filed on them at this time. Due to this fact, my wife and I are hereby submitting an Application For Permit for the rights as legal owners of this property. Property legal address is 3808 Shadow Pine Circle, Lot #27, Block 1, Timber Ridge Subdivision, Adams county, Idaho as set forth on official plat recorded August 22, 1995 in Book 2 plats page 17, recorded in the offices the Adams county recorder. This property was purchased by my wife and myself from H.P.J. Partners (Hobart Alter) on May 14, 1998. I am including a copy of the Seller's Closing Statement, Warranty Deed, overall subdivision map and detailed Lot 27 map reflecting spring(s) and seasonal creek locations. Your offices have provided the location point of diversion provided on the Application For Permit to appropriate these waters.

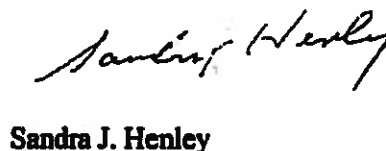
Spring 1 is indicated on the detailed Lot 27 map, Spring 2 is approximately 150 feet east, and the seasonal, unnamed creek enters the property on the eastern edge and flows through the property to the western edge. The lower western flow portion of this creek on our property has been obstructed by unauthorized persons and thus deprived the wetlands indicated by the lot plan of supporting flows. It is my intention to breach this obstruction to allow the historical flow of this creek on to 3 Mile Creek. Our request regarding this creek are only for the spring flows on our property contributing to it's existence.

We intend to utilize these resources to provide pasture irrigation to support beef cattle, provide irrigation capability for existing and future fruit tree maintenance and a small fire suppression pond for home protection as well as a positive aesthetic enhancement to wildlife in the area and our property in general.

Ms. Merriman, you may be advised by this letter and document same, that we do not intend now or in the future have any interest in interfering with the spring flow from our indicated Spring 1 to the water line easement as indicated on the plat map; we do, however, seek to protect our rights regarding water emanating from our legally owned and highly taxed property.

Respectfully submitted,


James L. Henley


Sandra J. Henley

78-12447

Exhibit 102