

**STARTING
LEFT
SIDE OF
FILE**

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 67-14321

Priority: October 31, 2003

Maximum Diversion Rate: 0.10 CFS

This is to certify, that JACK WRIGHT And/Or LYNETTE WRIGHT
PO BOX 3
COUNCIL ID 83612

has applied for a permit to appropriate water from:

Source: FALL CREEK

Tributary: MIDDLE FORK WEISER RIVER

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

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

RATE OF DIVERSION

0.10 CFS

LOCATION OF POINT OF DIVERSION:

FALL CREEK SW¼SW¼ Sec. 8, Twp 15N, Rge 01E, B.M., ADAMS County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	01E	7																3.0	3.0
15N	01E	8											2.0						2.0

Total Acres: 5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **November 01, 2004**.
2. Subject to all prior water rights.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 67.
4. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
5. No water shall be diverted under this right after June 15 of each year without prior approval of the watermaster.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

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NOV 26 2003

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 67-14321

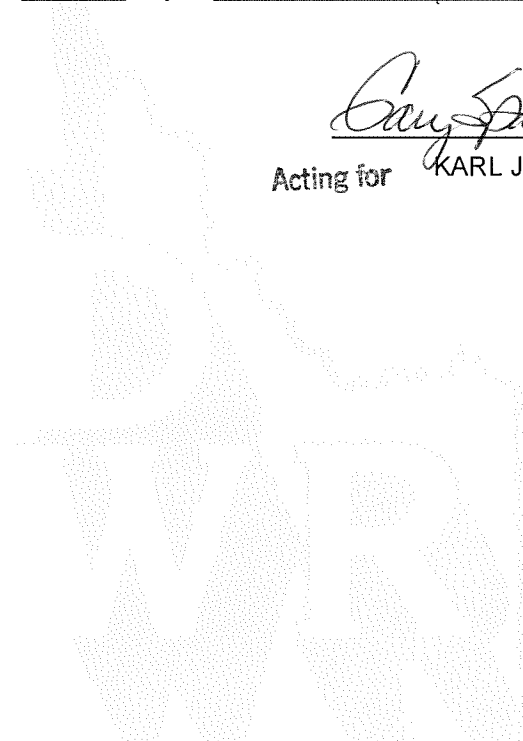
7. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 8th day of November, 2003.



Acting for

KARL J DREHER, Director



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OCT 21 2003

Department of Water Resources

FORM 200
12/99

RECEIVED

JUN 12 2002

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

ident. No. 67-14321

RECEIVED

NOV - 4 2003

Department of Water Resources

1. Name of Applicant JACK + DR Lynette Wright Phone 208-741-9003
Mailing address P.O. Box 3 Council, ID. 83612
2. Source of water supply FAIR CREEK which is a tributary of MIDDLE FORK - WEISER RIVER
3. Location of point of diversion is Township 15N Range 1E Sec. 8 in the SW 1/4, SW 1/4, Govt. Lot ADAMS, B.M., ADAMS County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 10 for IRR purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
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)
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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 10 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source 6" PIPE
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
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? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 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 in kW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. _____

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3. 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	
15N	1E	7																	
		8											2					3	5

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. 67-13970-
DOMESTIC USE

11. a. Who owns the property at the point of diversion? GREGG CR RANCH 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: VERBAL EASEMENT

12. Remarks: POINT OF DIVERSION WAS CHANGED TO APPLICANT'S
PROPERTY IN SAME LEGAL TRACT, DO NOT DISPUTE WITH
NEIGHBOUR

JW
10/10/03

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

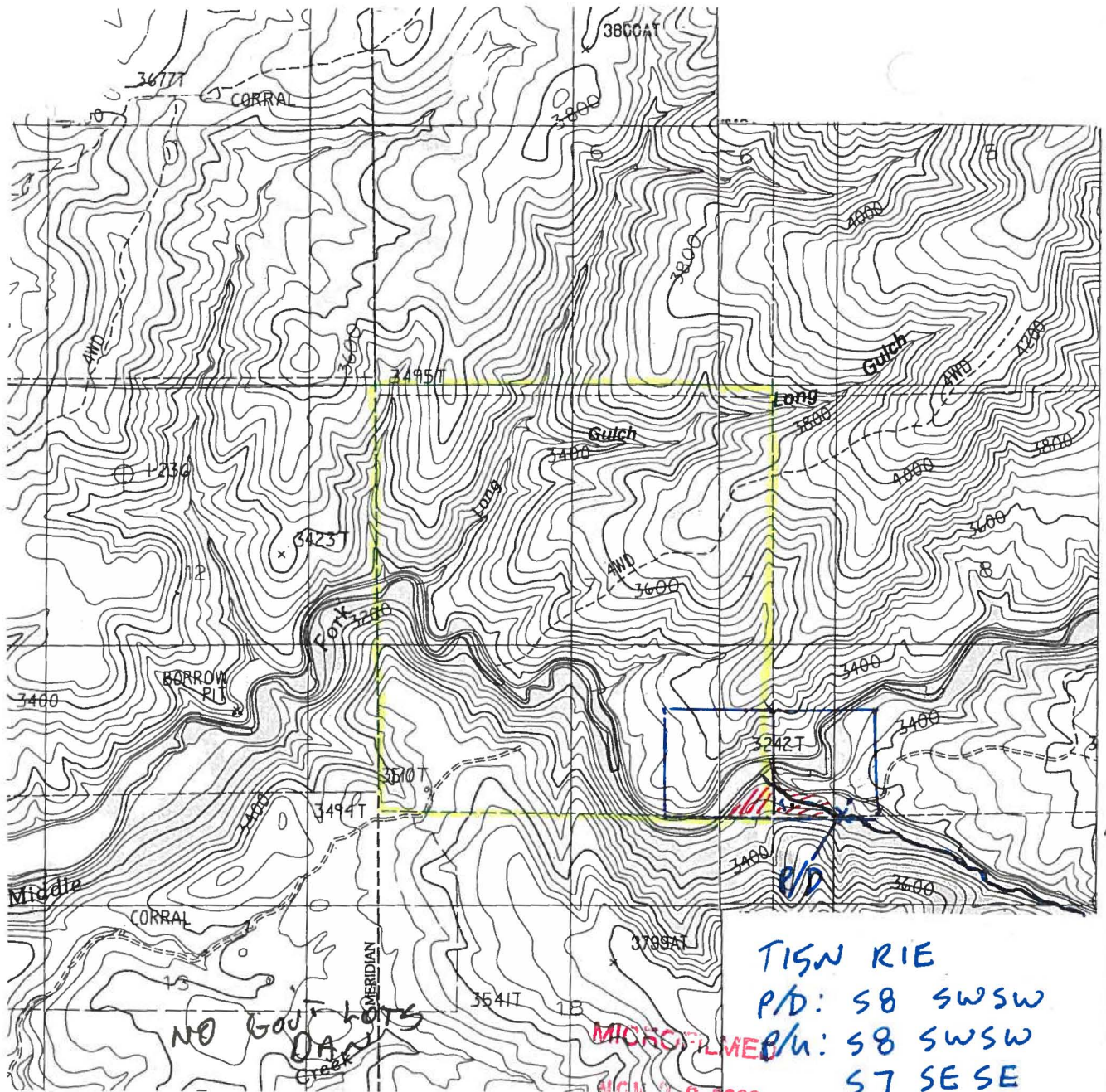
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Jack Wright
Signature of Applicant (and title, if applicable)

Received by Ly Date 6/12/02 Time 10 AM Preliminary check by DAR #25
Fee \$ 100 Received by Ly # W029311 Date 6/12/02
Publication prepared by Ly Date 7-19-02 Published in THE RECORD
Publication approved Ly Date 7-19-02

+ # W007406 #75
W031066 paid 10/31/03

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NOV 26 2003



T15N R1E
P/D: S8 SWSW
P/M: S8 SWSW
S7 SE SE

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MEMORANDUM

DATE: 6/12/2002

FROM: Lori Graves☺

TO: Brenda Corbett

RE: Fee Shuffle

Hi Brenda, please change \$75 paid per receipt #W029182 from the SRBA fund to the water allocations fund.

Thank you.

Point of
Diversion is
marked on
my property
Gray Creek
property is in
Sec. 17
JAN 10/10/03

NO GOV'T LOTS
DAN

6-18-02

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REQUEST TO PROCESS

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

Name of Applicant

WRIGHTS

Mailing Address

PO BOX 3

COUNCIL ID 83612

Application No.
(if known)

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

Jack Wright

Date

6/12/02

Please return this form to:

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

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NOV 26 2003

**STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 13, 2003

JACK WRIGHT
LYNETTE WRIGHT
PO BOX 3
COUNCIL ID 83612

RE: Permit No. 67-14321

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources 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 the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

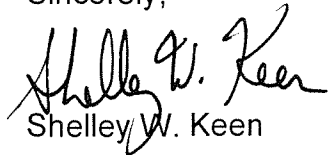
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" and last name "Keen" being clearly legible.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

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NOV 26 2003

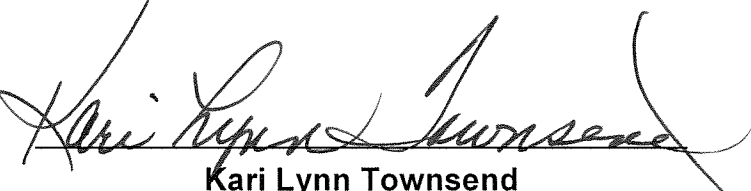
CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

67-14321

JACK WRIGHT
LYNETTE WRIGHT
PO BOX 3
COUNCIL ID 83612



Kari Lynn Townsend
Secretary

MICROFILMED
NOV 26 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 this 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 fourteen (14) 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 this 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

Comment Report

67-14321

1. Imattson 6/20/2002 Legal Notice Remarks

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

2. Imattson 6/20/2002 Comment/Analysis

Comment: This application for permit is for irrigation of 5 acres. This application is accompanied another application from a spring for domestic and stockwater at the same place of use. Both applications were filed at the same time. There are no other overlapping water rights. This application would be subject to the Weiser Irrigation District rule of no water after June 15 without specific watermaster approval.

3. dnelson 10/10/2003 Comment/Analysis

Comment: The applicant originally filed the application with the intent to place the point of diversion on the nieghbors property to allow a better fall in the ditch. However, the nieghbor refused to allow him access to the property for which he planned to put the point of diversion. The applicant then moved the point of diversion onto his own property. However, an amendment was not need since the place of use and legal description for the point of diversion did not change. The point of diversion was only moved a few feet.

4. kwalker 11/5/2003 Permit Review

Comment: In review of this application I found that the entire filing fee had not been submitted. The applicant paid remainder of filing fee on 10/31/2003 therefore have advanced the date of priority to this date.

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NOV 26 2003

RECEIVED

NOV - 4 2003

Department of Water Resources

RECEIVED

OCT 27 2003

WATER RESOURCES
WESTERN REGION

MEMORANDUM

TO: Lori Graves

FROM: Kay Walker thru Shelley Keen *SWK*

RE: Filing Fee for Application 67-14321

Date: October 24, 2003

.....

In review of this application I found a problem with the filing fee. The applicant submitted a \$25.00 filing fee which was receipted under #W029311. The application also referred to receipt #W007406 which was created on 1/05/90 to Dolores Yost in the amount of \$75.00 for adjudication claim fee. I called and talked to you about this and you said it was something that Ron Howerton was involved with but you couldn't quite remember the story.

I was a bit confused by this so did some further research and located a domestic claim #67-13970 in the name of Yost that has been decreed – that right was paid for under #W007406. It then appeared to me that the overpayment of \$50.00 could possibly be attached to this application. However, in further research, I called Lori Harris to see if she could pull file 67-13970 so we could verify that there was actually some money out there to use for this new application. The file has been sent to storage so Lori went into the receipts on the VAX and found that the Yost's had been given a \$50.00 refund since they had overpaid their claim fee.

On June 12, 2002, you requested that a receipt be changed to show payment of an application fee. Your request for the fee change lists receipt #W029182 which is for a transfer application in the name of Paul Clayton and was receipted in May of 2002. That receipt appears to have been used for the transfer application and not attached to any of this.

In my research of this I talked to Debbie Allen and she found her documents where you had sent her a copy of Receipt W007406 and requested it be changed. The receipt was changed to show the receipt was attached to "permits" until today. Today that receipt has been changed back to the way it should be (\$25.00 for 67-13970 and \$50.00 refunded).

In light of all of this, the filing fee for this application is \$75.00 short and we cannot process this application until the applicant submits the additional \$75.00.

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RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: W007406

Date: 01/05/90
Time: 14:02:40

Received
From: YOST, DOLORES

Type of Payment	Program Acct Class	Amount
ADJUDICATION CLAIM FEE	0410162 9337 6490	\$75.00

Total \$75.00

CHECK 707

Idaho Department of Water Resources

Region: WESTERN

Signature: Lori Harris

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NOV 26 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-13970
Date Received: 1/ 5/1990
Receipt No: W007406
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID YOST 208-253-4325
Address: BOX 159
COUNCIL ID 83612
AND
Name: DOLORES YOST 208-253-4325
Address: BOX 159
COUNCIL ID 83612

2. Date of Priority: MAY 26, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	01E	7	SE	SE	SE		ADAMS

5. Description of diverting works:
HOLDING TANK TAPPED INTO SPRING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

A67-13970

Page 1

RECORDED 12/05/94

NOV 26 2003

32x1

25x1

32

SD-1603-3

 Idaho Department Of Water Resources
 Detail Receipt Summary Screen

Date: 10/23/03

Time: 11:25:55

 Rec/No - W007406 AR/No -
 From: - YOST, DOLORES

 Receipt Type - CK Doc/No - 707
 Remarks -

REFUNDED 50.00

Receipt Date: 01/05/1990

 Type Of Payment
 ADJUDICATION CLAIM FEE

Fund	FD	PCA	Obj	Subsid	Fee
9337		410162	6490		75.00

Total Due - 75.00

WR/No	WR Fee
A6713970	25.00

WR/No	WR Fee
	50.00

WR/No	WR Fee

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

Meeting 11-12 - Dave's office

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Receipt Details for ID W029182

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/20/2002 12:52:22 PM	5/20/2002 2:56:05 PM	WESTERN	\$100.00	Check
Payer	CLAYTON, PAUL			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2189			
Card Expiration Date	Credit Card Transaction #		

Comment	APPLICATION FOR TRANSFER
---------	--------------------------

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	TRANSFERS	62105	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
\$100.00	CLAYTON, PAUL	5/24/2002	REF3687

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NOV 26 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 23, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JACK & LYNETTE WRIGHT
PO BOX 3
COUNCIL ID 83612

RE: APPLICATIONS FOR PERMIT 67-14320 & 67-14321

Dear Mr. and Ms. Wright:

On 8/21/2002, I wrote you a letter requesting documentation from Grays Creek Ranch showing they were aware of your proposed diversions under the above water rights, and that they agreed to grant you access to the creek and springs through their property for your applications.

On 9/19/2002, our office received a letter from Grays Creek Ranch denying your request to place your point of diversions on their property.

On 9/24/2002, you requested a one-year extension of time to secure permission to divert your water from Grays Creek Ranch property. On 9/24/2002, I sent you a letter granting you an extension of time until 9/23/2003.

The time you requested has now expired, and this letter is to request that the approval from Grays Creek Ranch to have your diversions on their property is now needed. The Department will hold further processing of your application until 10/23/2003 to allow submittal of the required information. Additional time may be granted by the Department upon receipt of a written request and sufficient justification for an extension. After that time, if adequate information is not received, the Department will issue a preliminary order to reject or deny the application.

I have also included two withdrawal forms, if you could not acquire the needed permissions from Grays Creek Ranch. If you have any questions or concerns please contact Dan Nelson at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

Enclosures:

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NOV 26 2003

Glen Mead
Grays Creek Ranch

RECEIVED

Oct,8 2002

OCT 09 2002

WATER RESOURCES
WESTERN REGION

Dear Glen,

I just wanted to send a note of appology for how things turned out on the water situation here. I certainly didn't want to do anything to create any ill will between us. I have appreciated the cooperation we have had over the last 11 plus years. Of course most of that was with Wendel when he was managing the ranch.

I know that after talking to you the other day that you essentially think I was trying to steal your water. Let me make it real clear that there is nothing I hate worse than an thief and those that know me will testify to that . Now having said that I can see from your point of view how it might appear that way. I can see that the way I went about things was a big blunder on my part, but I was just doing what I thought I was supposed to do in order to make every thing legal.

Like I said the other day, I remember very well our conversation a few years ago when you gave us verbal permission to tap into the spring, so in my mind since I had permission to access the water from you I also needed to record the use of it with the State of Idaho. Right or wrong at the time that is how I saw it. I've never had to do much with water issues before, so perhaps I didn't follow proper protocol. I see now that I should have contacted you first and had you make arrangements with water recources and then you and I could have worked something out between us to make it legal. Hind sight is 20-20 and what is done is done.

To make life more simple we have decided to drill a well on our own property. Our problem is that we probably won't be able to get it done untill July of next summer. So my question for you is would you be so kind as to allow us to keep the system in place untill then ? If that is ok with you then I will contact water resources and have them transfer our water use application to Grays Creek Ranch, and we will have no further strings attached to that spring.

Also please be advised that we are considering selling our place and should that take place be fore July, we will make sure that the well will be drilled and functioning and all pipe removed from your property by the July date.

Respectfully Yours,


Jack Wright

cc.Ellis Pearson

cc. Idaho Dept. of Water Resources

cc. Randy Mead

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NOV 26 2003



GRAYS CREEK RANCH



P.O. BOX 47—INDIAN VALLEY ID 83632—PH. 208-256-4462

RECEIVED

SEP 19 2002

August 15, 2002

Department of Water Resources

Jack Wright
P.O. Box 3
Council, Idaho 83612

Re: Grays Creek Ranch

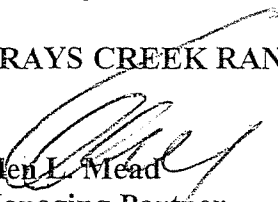
Dear Jack,

Have contacted the local water engineer. He advises that allowing you to put a pipe in Fall Creek on property owned by Grays Creek Ranch would not be a good idea. As you might be aware there is presently pending litigation regarding Fall Creek, Grays Creek and Middle Fork. We therefore will decline your request.

The other matter is regarding fence repair. Please deal with Ellis Pearson as this is far overdue and causing some problems.

Sincerely,

GRAYS CREEK RANCH


Glen L. Mead
Managing Partner

GLM/dd
Cc: Randy Mead
Ellis Pearson

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NOV 26 2003

Glen Mead
Greys Creek Ranch
377 So. Nevada St.
Carson City, Nv.89703

Aug. 25,2002

Dear Glen,

Thank you for your recent letter. I guess I can understand your position on the Fall Creek Water in view of all the water problems everybody seems to be having. I didn't know that there was such a can of worms until I went in to take care of some issues with our water rights that the previous owners had neglected to do. Anyway we will withdraw our request to access our water from your property and at some future time we will deal with it from within our own boundry. Our biggest reason for trying to get our water from about 60 to 100 ft inside your property was at some future time we were planning on putting a small turbin on the pipe at our lowest elevation and that extra few feet would have given us about 10 more pounds of pressure. So the majority of the water going thru the pipe would be returned to the creek. As you know we don't have electricity here so we have to use generators and a bank of batteries. So it would be nice to have a small turbin to keep a charge going to the batteries thus eliminating the need of having to run a generator so much.

As for the fence, I must appologise for it taking so long to take care of it. My original plan was for the guy that built the fence between us and you several years ago to do it as he said he would but he got called back to his regular job logging and couldn't get to it and I simply didn't have time to do it either and couldn't find anybody else so kept thinking someday I'd have time but that never happened. Anyway the cows haven't been much of a problem lately so the fence job just didn't have a high priority at the time. But from the sounds of your letter it has created some problems for you and we are very sorry for any inconvinience it may have caused you. So we will take care of it some how. I like to have a good relationship with my neighbors and will do what ever I can to keep it that way.

Our work takes us away from home the biggest majority of the time so that puts a real pinch on the time we do have at home, but I do have a couple of boys that work for me in Payette that said they would help build the fence so I'll get in there next week and get it bulldozed out so that we can get started on the job. I just talked to Ellis and he said he would be back in town in a few days so we can get the fence material from him. If you still want some of the old flume boards let me know and I'll try to save some of the better ones.

On another note. The water resources dept. told be I also needed to get written permission from you to access the spring that I got verbal permission from you a few years ago on the spring that

goes in the draw west of us and and thru Janette Clellands. I want you to know how much we have appreciated it . We now have enough pressure at the house that Lyn can run her washing machine. Our spring by the house just isn't up the hill far enough. Anyway if you would be so kind as to send us something that I can pass on to the water resourses dept. that shows that I did get permission to use the spring water I would appreciate it. I

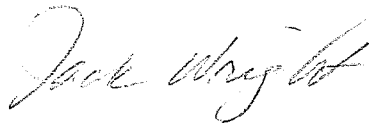
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NOV 26 2003

guess they need it by the middle of Sept. I'm not sure why the deadline but I told them that I would contact you a.s.a.p.

Thank you again and do hope we can meet in person someday. Please feel free to stop in and say hello. If there is anything that we can do to help you folks out please let us know.

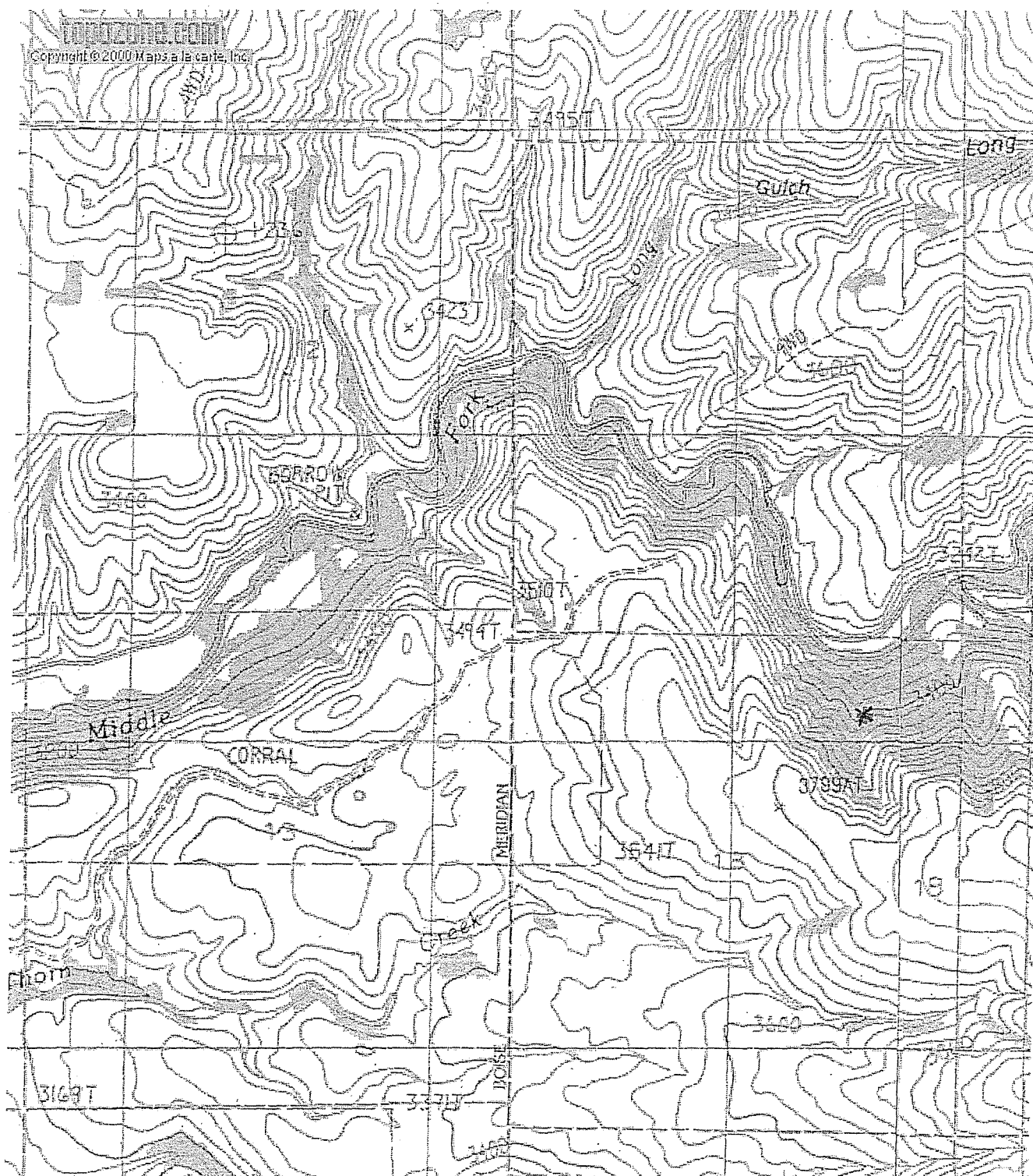
Regards
Jack and Lynette Wright
PO. Box 3
Council, Id. 83612

A handwritten signature in cursive script that reads "Jack Wright".

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NOV 26 2003

TopoZone.com

Target is UTM 11 549448E 4943099N - **COUNCIL** quad [Quad Info]



0 500 1000 1500 2000
meters

0 0.5 1.0
miles

NOV 26 2002



GRAYS CREEK RANCH



P.O. BOX 47—INDIAN VALLEY ID 83632—PH. 208-256-4462

September 16, 2002

COPY
Certified/Return Receipt
#7000 0520 0020 8723 1665

Jack and Lynette Wright
P.O. Box 3
Council, Idaho 83612

Dear Jack and Lynette,

Regarding your request to access Grays Creek Ranch on Fall Creek as access is not granted ; you acknowledged in your August 25 letter.

Your statement of verbal permission to use water from springs I do not recall ever giving permission to anyone. Perhaps you talked to Larry Martinez or Ellis Pearson of which neither of them have the authority to grant permission.

You stated to me and also to Randy Mead when he was up on the 4th of July you had two (2) shares of water.

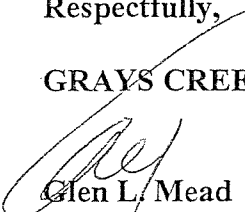
Our belief that you wished to be a good neighbor was shattered when I discovered a water right application # 6714370 was filed on June 12, 2002 on an unnamed spring on the Grays Creek Ranch property by you.

Permission is denied to use any of Grays Creek Ranch water, springs or otherwise.

Please immediately remove any and all pipe, improvements, etc. from Gray Creek Ranch.

Respectfully,

GRAYS CREEK RANCH


Glen L. Mead
Managing General Partner

GLM/dd

Cc: Department of Water Resources
Randy Mead
Ellis Pearson

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NOV 26 2003

9-24-02

Dan Nelson
Dept of Water Resources
2735 Airport way
Bosni, Idaho, 83705

RECEIVED

SEP 26 2002

WATER RESOURCES
WESTERN REGION

Dear Dan,

Re: of our conversation yesterday regarding the spring water on Grays Creek Ranch. I would like to get an extension of time on our claim to use that water for 12 months; giving us some time to resolve some issues with Grays Creek Ranch. We may assign our claim to Grays Creek depending on how things work out to them & our satisfaction.

Thank you
Julie Wright
P.O. Box 3
Council, Id. 83612
Tel. 863-5096

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NOV 26 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 21, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JACK & LYNETTE WRIGHT
PO BOX 3
COUNCIL ID 83612

RE: APPLICATIONS FOR PERMIT NUMBERS 67-14320 & 67-14321

Dear Mr. and Ms. Wright:

I have tried several times in last few weeks to contact you by telephone to no avail. Therefore, I have written this letter to attain some additional information needed to before we can continue processing your application.

Questions have surfaced recently involving Fall Creek water rights. This confusion requires us to ask that you supply written documentation from Grays Creek Ranch showing that they are aware that you plan to use a portion of their property for your diversion. This letter can be a simple acknowledgement of your permit from Grays Creek Ranch and that they have agreed to grant you access to the creek through their property for your permits.

In order to process all of the applications in our office as efficiently as possible, I am required by Idaho Code § 42-204 to ask that this information be returned to my office within 30 days. Our office will be required to void the application for permit if this information is not returned. **Therefore, if the above information is not received by 9/23/2002 your applications for permit will be voided.** You will be able to re-file this application, but it will have a later priority date.

If you have any questions or concerns please contact Dan Nelson at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

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NOV 26 2003

State of Idaho
Department of Water Resources

RECEIVED

JUL 30 2002

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application Number: 67-14321

Applicant's Name: Jack + or Lynette Wright

Watermaster's Recommendation:

a) ☐ I do not oppose approval of this application.

b) ☒ I do not oppose approval of this application if it is conditioned as follows:

As long as applicant contacts
watermaster after June 15 to check
conditions. Also to have written
agreement with Grays Cr. Ranch

c) ☐ I oppose approval of this application for the following reasons:

d) Additional Comments: Dan, this water right
bothers me since we are already having
trouble on Fall Creek. Check with
Lori's

Dated this 28 day of July, 2002

Water District Number: 67 Watermaster's Signature: Bono Bosh

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Use back side of this page if you need more space

NOV 26 2003

RECEIVED
JUL 18 2002
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
)S.S
COUNTY OF ADAMS)

Nancy Lacey being duly sworn, deposes and says That she is the Principle Clerk of The Adams County Record, a weekly newspaper printed and published at Council, Adams County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the advertisement, a copy of which is attached hereto; that advertisement was published in the regular edition of The Adams County Record.

for Two insertion(s) beginning with the
issue of July 4, 2002 and ending with the
issue of July 11, 2002.

Nancy Lacey

Subscribed and sworn to before me this 17th day of
July, 2002

Bonnie A Fish

Notary Public for Idaho, Residing at

647 School Ave.

Council, ID

My Commission Expires

11-21-2003

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NOV 26 2003

All Legal and Public Notices can
be seen at our Web site:
www.ctcweb.net/~record

NOTICES OF PUBLIC INFO

LEGAL NOTICE

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

67-14320

RECEIVED

JUL 18 2002

WATER RESOURCES
WESTERN REGION

JACK WRIGHT
PO BOX 3
COUNCIL ID 83612
LYNETTE WRIGHT
PO BOX 3
COUNCIL ID 83612

Point(s) of Diversion NWNENE S18 T15NR01E ADAMS County

Source SPRING

Tributary To MIDDLE FORK WEISER RIVER

Use: STOCKWATER

01/01 To 12/310.02 CFS

Use: DOMESTIC

01/01 To 12/310.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 06/12/2002

Place Of Use: DOMESTIC

T15N R01E S8 SWSW

Place Of Use: STOCKWATER

T15N R01E S8 SWSW

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 Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/22/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Adams County Record on July 4 and 11, 2002.

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

67-14321

JACK WRIGHT
PO BOX 3
COUNCIL ID 83612
LYNETTE WRIGHT
PO BOX 3
COUNCIL ID 83612

Point(s) of Diversion SWSW

S8 T15NR01E ADAMS County

Source FALL CREEK

Tributary To MIDDLE FORK WEISER RIVER

Use: IRRIGATION

04/01 To 10/310.1 CFS

Total Diversion:

0.1 CFS

Date Filed: 06/12/2002

Place Of Use: IRRIGATION

T15N R01E S7 SESE

T15N R01E S8 SWSW

Number of Acres 5

Remark: 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.

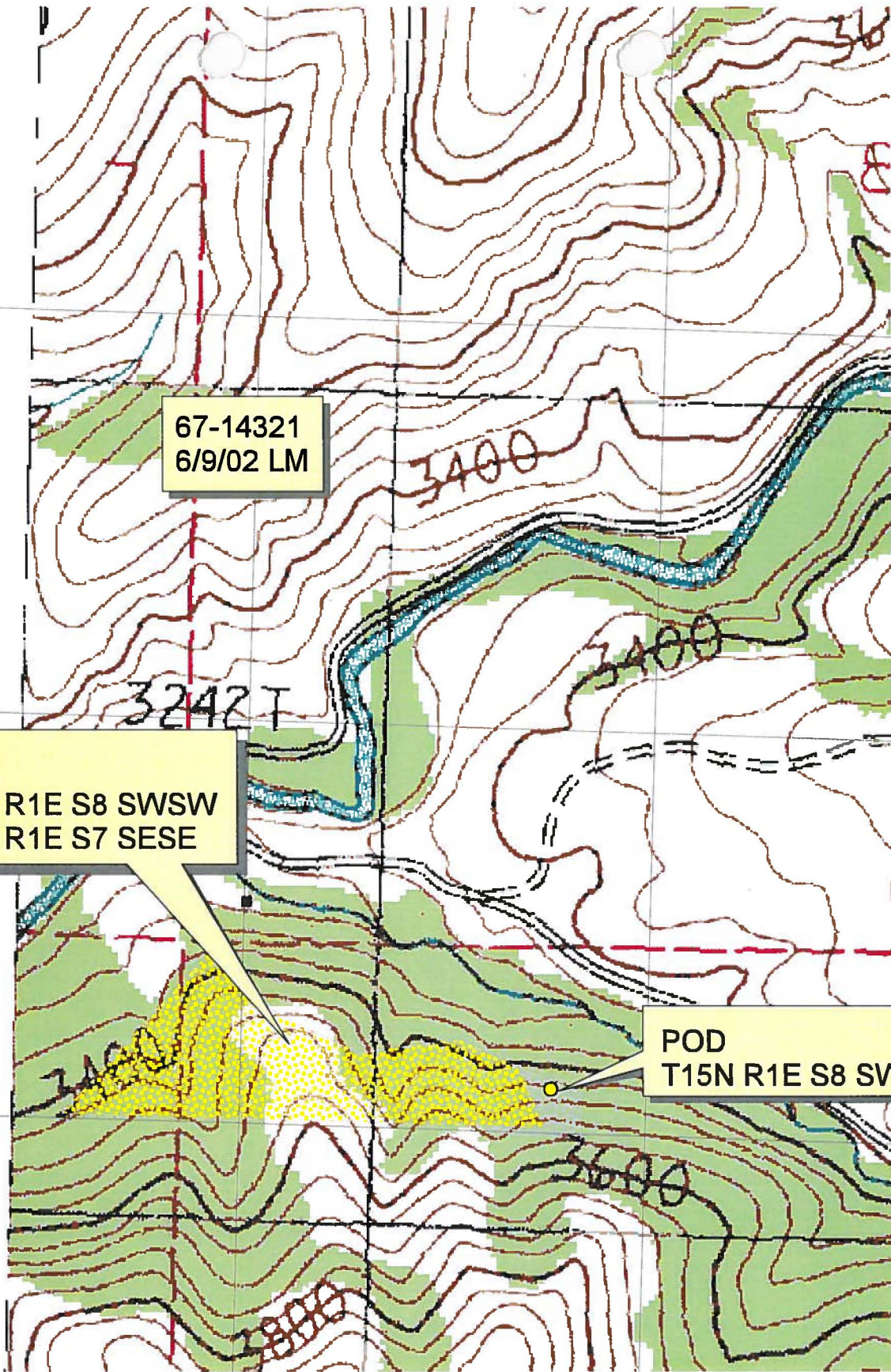
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KARL J DREHER, Director

Published in the Adams County Record on July 4 and 11, 2002.

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NOV 26 2003



67-14321
6/9/02 LM

POU
T15N R1E S8 SWSW
T15N R1E S7 SESE

POD
T15N R1E S8 SWSW



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

July 1, 2002

BOSCO BOSLER
WATER DISTRICT 67
2711 SHOEPEG RD
MIDVALE ID 83645

Re: Application for Water Right No. 67-14320 in the Name of Jack &/or Lynette Wright.
Application for Water Right No. 67-14321 in the Name of Jack &/or Lynette Wright.

Dear Watermaster:

Enclosed are copies of the above-referenced applications for transfer. Also enclosed is a form for your recommendation concerning this application.

Please review the applications. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,


Daniel A. Nelson

DN:st

Encl: Copy of Applications
Recommendation of Watermaster Form

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NOV 26 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 1, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Water Right No. 67-14320 in the Name of Jack &/or Lynette Wright.
Application for Water Right No. 67-14321 in the Name of Jack &/or Lynette Wright.
Application for Water Right No. 65-22691 in the Name of Charles &/or Shirley Perkins.
Application for Water Right No. 63-31509 in the Name of John G. Carpenter.

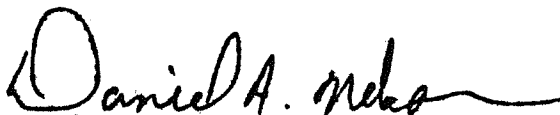
Dear Sir or Madam:

Enclosed are copies of the above-referenced applications that the proposed use is from surface water. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval any of these applications, your written protest, along with the \$25.00 protest fee for each application protested, must be received in this office by July 22, 2002.

If you have any questions regarding the applications, please contact this office.

Sincerely,


Daniel A. Nelson

DN:lm

Encl: Copy of Applications

MICROFILMED
NOV 26 2003

June 26, 2002

Legal Notice Department

Record

PO Box R

Council ID 83612

RE: Application for Permit Nos. 67-14320 and 67-14321

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find two legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 07/22/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

NOV 26 2003

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

67-14321

JACK WRIGHT
PO BOX 3
COUNCIL ID 83612
LYNETTE WRIGHT
PO BOX 3
COUNCIL ID 83612

Point(s) of Diversion SWSW S8 T15N R01E ADAMS County Source FALL CREEK
Tributary To MIDDLE FORK WEISER RIVER

Use: IRRIGATION 04/01 To 10/31 0.1 CFS
Total Diversion: 0.1 CFS

Date Filed: 06/12/2002

Place Of Use: IRRIGATION

T15N R01E S7 SESE

T15N R01E S8 SWSW

Number of Acres 5

Remark: 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 Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 07/22/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Record on July 3 and 10, 2002.

MICROFILMED

NOV 26 2003