

**STARTING
LEFT
SIDE OF
FILE**

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

For possible reinstatement

Don J. Block
Person Recreating File

1-11-2005
Date

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
NO. 63-07431 IN THE NAME)
OF JOHN W. BAICY)

PRELIMINARY ORDER
VOIDING PERMIT

This matter having come before the Department of Water Resources (Department) as a result of an examination to determine the extent of beneficial use of water, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On May 11, 1971, Lillian M. Terwilliger applied to the Department for a permit to appropriate 3.24 cubic feet per second of ground water within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19, Township 1N, Range 1E, B.M., Ada County, to be used for irrigation, stockwater and domestic purposes.
2. On June 17, 1971, the Department approved Application for Permit No. 63-07431.
3. On January 31, 1972, Lillian M. Terwilliger assigned all her right, title and interest, in and to Permit No. 63-07431 to John M. Baicy (permit holder).
4. On May 17, 1976, the permit holder submitted a Request for Extension of Time which the Department approved.

5. On May 12, 1978, the Department received Proof of Beneficial Use for the permit.

6. In October of 1991, and on June 1, 1992, Department staff conducted field exams and found that water had not been diverted and put to a beneficial use as authorized by the permit.

7. On November 17, 1992, the Department sent a Notice of Pending Order Voiding Permit to the permit holder requesting relinquishment of the permit because of failure to put the water to beneficial use as authorized by the permit.

8. On December 14, 1992, the Department received correspondence from the permit holder expressing his desire to retain permit no. 63-07431.

9. On March 31, 1994, the Department sent another Request for Relinquishment form to the permit holder.

10. On May 2, 1994, the permit holder responded confirming that water had not been used since 1985, but he did not return the relinquishment form.

11. On July 11, 1995, Department staff inspected the place of use and again found that no water was being used.

CONCLUSIONS OF LAW

1. Section 42-219, Idaho Code, states:

"In the event that the Department shall find that the applicant has not fully complied with the law and the conditions of the permit, it may issue a license for that portion of use which is in accordance with the permit, or may refuse issuance of a license and void the permit."

2. Permit No. 63-07431 required the permit holder to complete construction of works and application of water from the source identified to the proposed beneficial use within the authorized permit period.

3. Examination by the Department found that the permit holder has not complied with the conditions of the permit by not completing construction of works and application of water from the identified source to the proposed beneficial use as required by the permit and Section 42-219, Idaho Code.

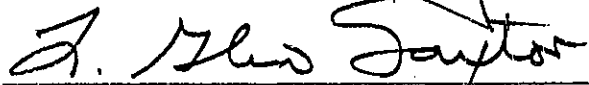
4. The applicant himself stated that water has not been applied to a beneficial use since 1985.

5. The Department should void the permit pursuant to Section 42-219, Idaho Code.

ORDER

IT IS THEREFORE HEREBY ORDERED that Permit No. 63-07431 is VOIDED and issuance of a license is REFUSED under Section 42-219, Idaho Code.

Dated this 17th day of July, 1995.


L. GLEN SAXTON, Chief
Water Allocation Bureau

SEP 24 1978
Department of Water Resources
Watering Regional Office

Resubmit

Identification No. _____

Permit No. 4374131

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Thomas W. Bailey
b) Post Office Address Box 153, Kamsack, Idaho
2. Permit Number I-3414 4374131
3. Date of Priority that you are prepared to establish Sept. 1975
4. a) Source from which water was appropriated Deep well
b) Location of the point of diversion: 1/4 1/4 1/4 1/4 Section 19
Township 11 N, Range 11 E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 3.25 cfs for irrigation purposes from 7/75 to 5/78 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 3.25 cfs cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Agri-Measure, Pikesville, (see table) Table 4

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
Deep well - gated pipes

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch)

160 hp pump, 16 inch casing, 10 inch culvert
mainline pipes
water level 310 ft

b) Describe the type and size of measuring device which you have installed at your point of diversion:

① GATED FLOW
② FLOW METER, 0 - 3,000 gallons/min
③ Engineer measurements, are metered, Agri-Measure

c) Give well driller's name and address and the date the well was completed:

Hiddleston Well Drilling
Mountain Home, Idaho
Jan 1973

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

None

Examined

_____ growing all oranges indicated within each 40 acre subdivision:

A.F.	1/4	25
R.W.	1/4	7C
S.F.	1/4	16
S.W.		3D

[illegible]

10. Remarks: _____

Sep 16 1976
(Date)

John W. Boring
(Signature)

Notary Public residing at Boise

My commission expires April, 1980

RECEIVED
SEP 20 1976

Department of Water Resources
Western Regional Office

Identification No. _____

Permit No. 437431

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder John R Bailey
b) Post Office Address Box 153, Kuna, Idaho
2. Permit Number I-3414 437431
3. Date of Priority that you are prepared to establish: Sept. 1975
4. a) Source from which water was appropriated Deep well
b) Location of the point of diversion: NE 1/4 NE 1/4 Section 19
Township 1 N, Range 1 E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 3.25 cfs for irrigation purposes from 9/75 to 9/76 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 3.25 cfs cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Agricultural, Puma Ticks, flow rate Table
Agua, Pumping, in can from Ave
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch)
160 hp pump, 16 inch casing, 18 inch column
mainline pipe
water level 310 ft
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

- c) Give well driller's name and address and the date the well was completed:
Hiddleston Well Drilling
Mountain Home, Idaho
Jan. 1973
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

1.1	1/4	2.5
1.2	1/4	2.5
1.3	1/4	2.5
1.4	1/4	2.5

[illegible]

Total number of acres irrigated 148

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

(Date)

(Signature)

State of Idaho)
County of Ada) ss.

On this 21st day of September, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Boise

My commission expires Apr 11, 1930

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE)

DATE IN CONNECTION WITH PERMIT NO. 63-7431)

IN THE NAME OF JOHN W. BAICY)

ORDER

WHEREAS, on May 11, 1971, Lillian M. Terwilliger applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 3.24 cubic feet per second of groundwater to be diverted from within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 1N, Rge. 1E, B.M., Ada County, to be used for irrigation, domestic and stockwater purposes; and,

WHEREAS, on June 17, 1971, the Department approved said application and issued Permit No. 63-7431 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before June 1, 1976; and,

WHEREAS, on January 31, 1972, Lillian M. Terwilliger assigned all her right, title and interest in and to Permit No. 63-7431 to John M. Baicy; and,

WHEREAS, on May 17, 1976, the permit holder submitted a request for an extension of time; and,

WHEREAS, it appears that under the circumstances, the permit holder has been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 63-7431 be extended to June 1, 1978.

Dated this 24 day of May, 1976.


A. KENNETH DUNN

Administrator, Operations Division

State of Idaho
Department of Water Administration

ASSIGNMENT OF PERMIT

I, Lillian M. Terwilliger, hereby assign to John W. Baicy
of 1114 7th North Apt #2 Boise
Address

☒ All my right, title, and interest, in and to Permit No. 63-7431
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Describe that portion of the permit being assigned by list-
ing the acreage within each 40-acre subdivision, the point of diversion
and the amount of water in cubic feet per second for direct diversion,
or acre feet for storage.)

Made this 10 day of January, 19 71.

Lillian M. Terwilliger
Permit Holder

(I am a widow)
Spouse of Permit Holder

State of Idaho)
County of Canyon) ss.

On this 10 day of January, 19 71, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

(SEAL)

E. S. Baker
Notary Public residing at Nampa, Idaho

My commission expires: 11-16-72

63 7431

Identification No. 13-7431

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

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

ASSIGNED TO:

John W. Bailey
1114 7th Nth
Apt. #2
Boise, Idaho

1. Name of applicant Lillian M. Terwilliger
post office address 1913 W. State Street, Boise, Idaho 83702
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NW 1/4 of NE 1/4 of Section 19 Township 1 N
Range 1 E B.M. Ada County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 3.20 for irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum)
Amount 0.02 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)
Amount 0.02 for stock water purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)
5. Total quantity to be appropriated:
a. 3.24 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump and open ditch pipeline and sprinkler system
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 18 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years
b. Estimated construction cost is \$ 20,000
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water. NW 1/4 of NE 1/4 of Section 19 Township 1 N
Range R 1 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 75 cattle; 30 sheep
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water one
(5) If water is to be used for other purposes describe _____

63 7 11

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above. NONE Total number of acres to be irrigated None

NONE

None

9. a. Who owns the property at the point of diversion .
b. Who owns the land to be irrigated as at _____

Bureau of Land Management

b. Who owns the land to be irrigated or place of use..... Bureau of Land Management

c. If the property is owned by a person other than..... Bureau of Land Management

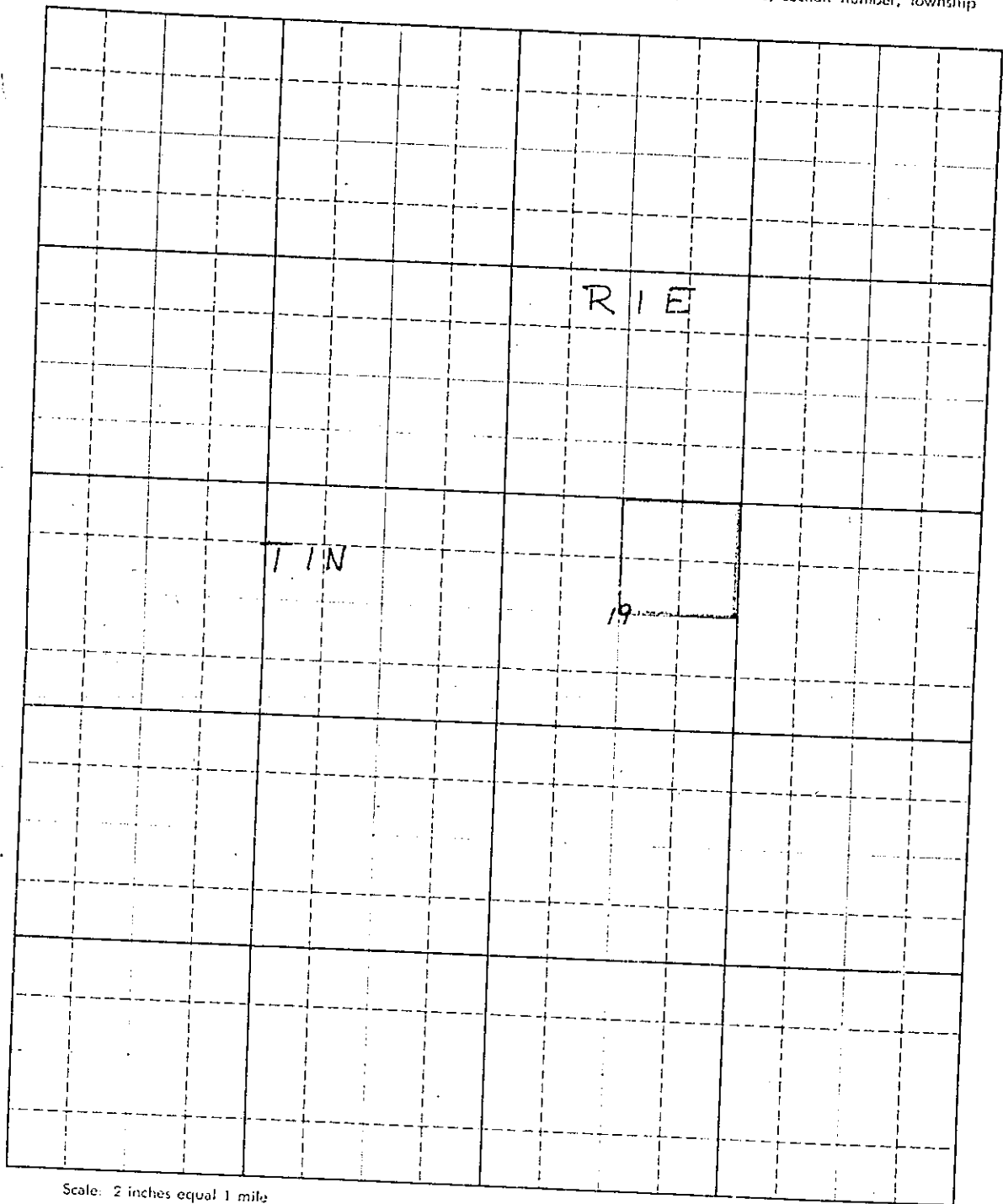
Bureau of Land Management

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Desert Land Entry # I-3414

Desert Land Entry # I-3414

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

(Applicant)

63 70 1

Received by _____ Date 5/11/71 Time 1:00 PM
Preliminary check by _____ Fee \$ _____
Receipted by _____ Date 5-11-71
Publication prepared by dr _____ Date 5-18-71
Published in Idaho Statesman
Publication dates 5-27 & 6-3, 1971
Publication approved _____ Date _____
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7431 and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1976.
- c. Other: The permit holder shall permanently install and maintain as part of the diverting works a measuring device at the point of diversion of a type approved by this Department.

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

Witness my hand this _____ day of _____ June, 1971.

Stephen Clark
Deputy Director

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 63-7431 Name Lillian M. Terwilliger

Source Ground water

Point of Diversion NW1/4, Sec. 19, T. 1N, R. 1E, B.M., Ada County

Quantity 3.20 Use Irrigation Period March 15 - Nov. 15

Quantity 0.02 Use Domestic Period Jan. 1 - Dec. 31

Quantity 0.02 Use Stock-water Period Jan. 1 - Dec. 31

Well Size _____ Diameter 18" Proposed Depth 400 Feet

Use 160 acres - 75 cattle; 30 sheep

Date Forwarded 5-18-71 Date Returned 5/20/71 Received by C. H.

COMMENTS: *The level of the water table in the (W.B.P.) well is approximately 10' below the surface. The water is a full salt water and can be used for irrigation. The depth to the water is 6 to 8 feet. The water is not in the immediate vicinity of any application for a well.*

RECOMMENDED:

Applied: Qty. <u>3.20 cfs</u>	Use <u>irrigation</u>	Period <u>3/15/71 to 11/15/71</u>	AF/A <u>9.5</u>	AF <u>720</u>
Qty. <u>0.02 cfs</u>	Use <u>domestic</u>	Period <u>all year</u>	AF/A <u>—</u>	AF <u>1</u>
Qty. <u>0.02 cfs</u>	Use <u>stock</u>	Period <u>all year</u>	AF/A <u>—</u>	AF <u>2</u>
Maximum: Qty. <u>3.20 cfs</u>	Use <u>irrigation</u>	Period <u>3/15/71 to 11/15/71</u>	AF/A <u>9.5</u>	AF <u>720</u>
Qty. <u>0.02 cfs</u>	Use <u>domestic</u>	Period <u>all year</u>	AF/A <u>—</u>	AF <u>1</u>
Qty. <u>0.02 cfs</u>	Use <u>stock</u>	Period <u>all year</u>	AF/A <u>—</u>	AF <u>2</u>

ACTION: Approved X Denied _____

Conditions of approval or reason for denial: _____

INVESTIGATION By Harmon C. Young Title W.B. Sign

Date 5-20-71

75
15
 375
 75
 7125

20
 1
 20

1188 2 1200 gpd

$(1200)(.365)$
 438,000 $\approx$ 2 A Flyps

63 7834

STATE OF IDAHO,) ss.
COUNTY OF ADA)

**NOTICE OF APPLICATION
FOR WATER PERMIT**
Notice is hereby given that Lil-
lian M. Terwilliger, 1913 W. State
St., Boise Idaho, has on May 11,
1971, submitted Application No. 63-
713, for a permit to appropriate
3.2 cubic feet per second of water
from a ground water source by
means of well and pump within
the NW 1/4 NE 1/4 Sec. 19, T. 1N, R.
1E, B.M., Ada County, to be used
from Jan. 1 to Dec. 31 for domes-
tic and stockwater purposes within
the NW 1/4 NE 1/4 Sec. 19, T. 1N, R.
1E, B.M., and from March 15 to
Nov. 15 for the irrigation of 160
acres within the NE 1/4 Sec. 19, T.
1N, R. 1E, B.M.
If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho, 83707, on or before June 13,
1971.
R. KEITH HIGGINSON
Director
Pub. May 27, June 3, 1971.

Georgene Davis, being duly
sworn, deposes and says: That she is the Principal
Clerk of The Idaho Statesman, a daily newspaper printed
and published at Boise, Ada 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 con-
secutive months prior to the first publication of the
notice, a copy of which is attached hereto; that said
notice was published in the regular edition of The Idaho
Statesman for Two ^{weekly} consecutive insertions,
beginning with the issue of May 27, 19 71,
and ending with the issue of June 3, 19 71.

Georgene Davis
Subscribed and sworn to before me this 3rd
day of June, 19 71.

[Signature]
Notary Public for Idaho, Residing at Boise, Idaho

**STARTING
RIGHT
SIDE OF
FILE**

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

For possible reinstatement

Dan Block
Person Recreating File

1-11-2005
Date

I certify that file No. 63-07431
has been reviewed and is ready to be
MICROFILMED and DESTROYED.

The attached proof report is the water right as it appeared in the
database prior to final status entry and deletion from the database.

S. Curtis
Reviewer

11/1/95
Date

WR1808NP
(CD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

10/31/95 08:38:13
Page 1

Water Right Number - 63-07431

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BAICY

JOHN W.

1 - P.O. BOX 153
2 -
3 -
City: KUNA
Phone -

State- ID Zip- 83634

*** O - ORIGINAL OWNER ***
TERWILLIGER

LILLIAN M.

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - +
05/11/1971

+ - - Region - - - +
14 WESTERN

+ - - Stage - - - +
P - PERMIT

+ - - Status - - - +

+ - - - - Source - - - - +
GROUNDWATER

+ - - - - Tributary - - - - +

+ - - - - Point of Diversion - - - - +
+ - - - - Diversion Name - - - - +
+ - - - - Diversion Rate - - - - +
+ - - - - Diversion No. - - - - +

Tim Rng Sec Tract Lot RTlg County (1) ADA

+ - - - - Water Use - - - - +
+ - - - - Diversion Rate - - - - +
+ - - - - Diversion Volume - - - - +

+ - - Total Div. Rate - - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
3.240

+ - - - - Place of Use - - - - +
+ - - - - Description - - - - +
+ - - - - County - - - - +

Tim Rng Sec Tract Lot Acres Code Description (1) ADA
01W 01E 19 NE NE 40.0 01 IRRIGATION (1) ADA
01W 01E 19 NW NE 40.0 01 IRRIGATION (1) ADA
01W 01E 19 SW NE 40.0 01 IRRIGATION (1) ADA
01W 01E 19 SE NE 40.0 01 IRRIGATION (1) ADA
01W 01E 19 NW NE 04 STOCKWATER (1) ADA

Total Acres: 160.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

10/31/95 08:35:13
Page 2

WR5008NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water right number - 63-07431

Prefix Translation: WATER RIGHT

----- Remarks -----
+-----+
1-3414.
+-----+
----- Old Water Right Numbers -----
No Old Water Right Numbers found.
+-----+
----- Conditions of Approval -----
001 - A measuring device of a type approved by the Department shall
- be permanently installed and maintained as part of the diverting
- works.
+-----+
----- Decree Plaintiff ----- +
----- Decree Defendant ----- +
----- Decree Date ----- +
00/00/0000
+-----+
----- Comments -----
No Comments Found
+-----+
----- Audit Fields - 11/01/86 05/01/88 CONVERT 06/17/92 TAYLOR -----
+-----+
----- Water Rights Dates and Flags Area -----
+-----+
Proof Due Date - 06/01/1978 Field Exam Made - 06/01/1992
Approved/Denied - 06/17/1971 Protested Date - 00/00/0000
Proof Made Date - 01/01/1900 Hearing Date - 00/00/0000
Exam to S.O. Date - 06/17/1992 Verified Date - 06/03/1985
Order Show Cause - 00/00/0000 Receipt Number -
Licensed Date - 00/00/0000 Appl Received - 00/00/0000
Decree Date - 00/00/0000 Name Connector -
Presumption Flag -
Field Exam Fee - R
Sven Falls -
Temporary Right - P
DLE/Carey Act - D
Water District -
Transfer/Amended -
POU Ownership Flag -

MEMORANDUM

DATE: October 30, 1995
TO: File No. 63-07431
FROM: Roberta Loveall
SUBJECT: Order unclaimed

After another attempt to locate John Baicy, the Order was returned by the postal service as unclaimed this date. The first attempt was mailed to Redmond WA July 18, 1995. This second attempt was sent out 8/24/95. There are no further forwarding addresses for Mr. Baicy. File will be sent to film and destroy at this time.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

JOHN W BAICY
3012 231st LN SE
APT N104
ISSAQUAH WA 98027-7281

5. Signature (Addressee)

6. Signature (Agent)

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

35078 - Return Rect. Requested

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

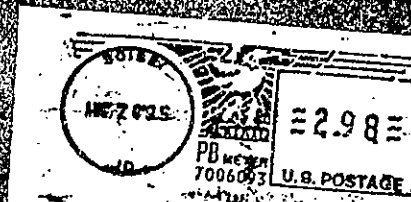
7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

PS Form 3811, December 1991 • U.S.G.P.O. : 1992-307-630

DOMESTIC RETURN RECEIPT



RECEIVED
OCT 30 1993
DEPARTMENT OF WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES

1301 N. Orchard St.
Boise, ID 83706-2237
(208) 334-7900

To

JOHN W BAICY
3012 231st LN SE
APT N 104
ISSAQUAH WA 98027-7281

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered, and the date delivered.

3. Article Addressed to:

JOHN W BAICY
23302 NE 8 STREET
REDMOND WA 98053

4a. Article Number Requested
35071 - Return Receipt

4b. Service Type

- ☐ Registered
- ☒ Certified
- ☐ Express Mail
- ☐ Insured
- ☐ COD
- ☐ Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

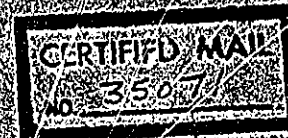
I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

Thank you for using Return Receipt Service.

PS Form 3811, December 1991 U.S.G.P.O.: 1992-307-530 DOMESTIC RETURN RECEIPT



RECEIVED
AUG 21 1995
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

1301 N. Orchard St.
Boise, ID 83706-2237
(208) 334-7900

To

JOHN W BAICY
23302 NE 8 STREET
REDMOND WA 98053

BAIC902 980533032 1395 07/21/95
NOTIFY SENDER OF NEW ADDRESS
BAICY
3012 231ST LN SE APT N104
ISSAGUAH WA 98027-7281



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JULY 17, 1995

JOHN W. BAICY
23302 NE 8 STREET
REDMOND WA 98053

RE: Permit No. 63-07431

Dear Permit Holder:

The accompanying order 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 unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the hearing officer within fourteen (14) days of the service date of this order. The hearing officer 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 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. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this 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 Director. The Director retains the right to review the preliminary order on his own motion.

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 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.

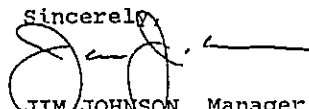
APPEAL OF FINAL ORDER TO DISTRICT COURT

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.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

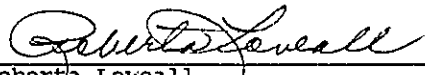
Mr. Baicy, I know you have responded to earlier correspondence. I have reviewed your responses and concluded that this action is appropriate. If you want to call me my number is 208-527-7947

Jim

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of August,
1995, I mailed a true and correct copy, postage prepaid, of
PRELIMINARY ORDER VOIDING PERMIT to the person(s) listed below:

JOHN W BAICY
3012 231ST LN SE
APT N104
ISSAQUAH WA 98027-7281



Roberta Loveall
Clerical Specialist

63-07431

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of July, 1995, I mailed by certified mail, a true and correct copy, postage prepaid, of PRELIMINARY ORDER VOIDING PERMIT to the person(s) listed below:

John W Baicy
23302 NE 8 St
Redmond WA 98053

Roberta Loveali
Roberta Loveali
Clerical Specialist

MEMORANDUM TO FILE

To: A63-07471 Bailey, John

JUL 13 1995

From: Mel Schulte *MTS*

DEPARTMENT OF WILDLIFE

Date: July 12, 1995

Re: Field inspection

On July 11, 1995 I visited the property subject to the above referenced claim. The purpose of my visit was to determine if irrigated uses had been re-established since the Department attempted to conduct a beneficial use exam June 1, 1992.

I found no evidence of any current irrigation or other beneficial use of water. There is an electrical power line to the well site located near the center of the NE 1/4 of the section but the pump motor had been removed from the well. There are several piles of ten inch surface mainline on the property that supports the possibility there had in the past been some irrigation on the property. The fields appeared to have been cleared of rocks and sage brush at some time but there was no evidence of any crops or crop residue. The fields are currently covered with various types of weeds.

There is a small machine shed located to the West middle of the property that might qualify for a small domestic use but there were no houses on the site. Two horses were standing next to a watering trough along the West property line between the machine shed and the county road. There was no evidence of a hydrant or water line to the trough. It appears water is carried to the water trough used for these two horses.

MTS

RECEIVED

MAY 02 1994

Department of Water Resources

April 26, 1994

MR. Jim Johnson
Water Rights Supervisor
State Of Idaho
Department of Water Resources

Dear Jim Johnson,

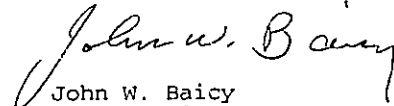
In reference to the relinquishment of the water permit, No. 63-07431, I would like to inform the Department of Water Resources that I will not relinquish that permit. Our interpretation of the regulations indicate that we meet all the requirements to hold the permit. We developed the water resources in 1975 with a successful deep well which cost over \$45,000.00. We signed contracts with Idaho Power to use a minimum amount of power over the following five years. We consumed that power. We irrigated from 1975 to 1985 putting the water to beneficial use.

The rapid increase in electrical power and the stagnate price for gains and hay have made irrigating unprofitable at this time. However, we should not have to yield our rights to the water we developed due to the present economic conditions.

We have meet all the requirements of the Water Department even though the department did not perform the inspects as we requested.

If the department of Water Resources intends to force us to relinquish our permit, I would like to be notified and given sufficient time to retain an attorney to represent my claims. I hope you will extend me this courtesy.

Respectfully,



John W. Baicy
23302 NE 8 Street
Redmond, Washington
98053

(206) 868-2947 (h)
(206) 662-2265 (w)



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mall, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

March 31, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Permit No. 63-07431

John W. Baicy
23302 NE 8th St.
Redmond, WA 98053

Dear Mr. Baicy:

We previously sent correspondence concerning a pending order to void the above referenced permit based on no beneficial use of water. In response to this notice, you sent a letter requesting that the permit be allowed to continue in anticipation of the resumption of irrigation.

The statutes regulating water appropriation do not allow us to perpetuate undeveloped and/or undiverted permits. Because you live out-of-state and may be unfamiliar with Idaho water law, I have enclosed highlighted copies of pertinent sections dealing with this specific issue.

I am again enclosing a relinquishment form which you can sign to quickly clear our records. If I do not receive the relinquishment within 14 days, we will proceed with action to void the permit.

If you have any questions, please feel free to give me a call at (208) 327-7947.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

Enclosures

December 8, 1992

RECEIVED

DEC 14 1992

Department of Water Resources

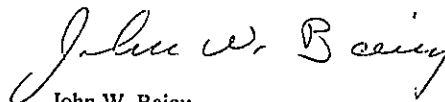
Mr. Jim Johnson
Water Right Supervisor
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-9000

Dear Jim Johnson,

In reference to the application for Permit No. 63-07431, I would like to retain this application for groundwater for irrigation. We had used this water for irrigation for several years but recent economic conditions have made it difficult to resume farming. However, I believe it is in the best interest of all to allow those who developed the ground water in the remote area where we farm to continue to hold those rights. We are committed to resume farming on our land and will do so in the near future. There is very little ground water use in this area and the water has never been over drawn. We are in no way competing for water with other users.

We ask that the Department of Water Resources allow us to hold the application for a while longer in order to restore our farming operation and put the water to beneficial use. The new tax laws on investment credit will allow us to resume farming in the near future. Please allow me to meet with you or your staff before voiding our application.

Respectfully,



John W. Baicy
23302 NE 8 Street
Redmond, Washington

98053

(206) 868 - 10002

(206) 655 - 0566 (work)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

November 17, 1992

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

JOHN W BAICY
43050 ED HALLEY PL
LANCASTER CA 93536

RE: Permit to Appropriate Water No. 63-07431

NOTICE OF PENDING ORDER TO VOID PERMIT

Dear Permit Holder(s):

On June 17, 1971, the Director of the Department of Water Resources approved Application for Permit No. 63-07431 for diversion water from groundwater for irrigation, stockwater, and domestic purposes in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 01N, Rng. 01E, B.M., Ada County.

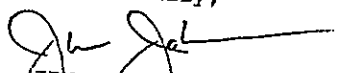
On June 6, 1992, a Beneficial Use Field Report prepared by an employee of this Department reported that no water was diverted under this permit from the source listed above.

The purpose of this letter is to inform you that I will take action to void your permit after thirty (30) days from the date of this letter unless you have explanation why the permit should not be voided.

If you are no longer interested in this right you can sign and return the enclosed relinquishment form.

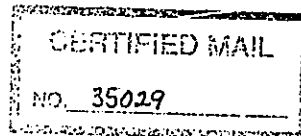
If you have any questions in regard to this matter, please feel free to contact me at 327-7947.

Respectfully,


JIM JOHNSON
Water Right Supervisor
JJ:cz

Enclosure

c: Western Region



MEMORANDUM

TO: FILE 63-07431

FROM: PAM SKAGGS

RE: PENDING VOID

DATE: 1-NOV-1992

The Department has been unsuccessful in scheduling an exam for this right since 1987. The examiner did visit the sight in 1991 and 1992 and found no evidence of beneficial use per exam remarks and the attached photos.

I agree with the examiners recommendation that this right be voided since no beneficial use was found.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: John W. Bailey Permit No. 63-7431
Current Address: 43050 Ed Halley Pl Lancaster CA 93536 Phone No. 805-722-5703
2. Accompanied by: None EXAM. DATE: 6/1/92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____

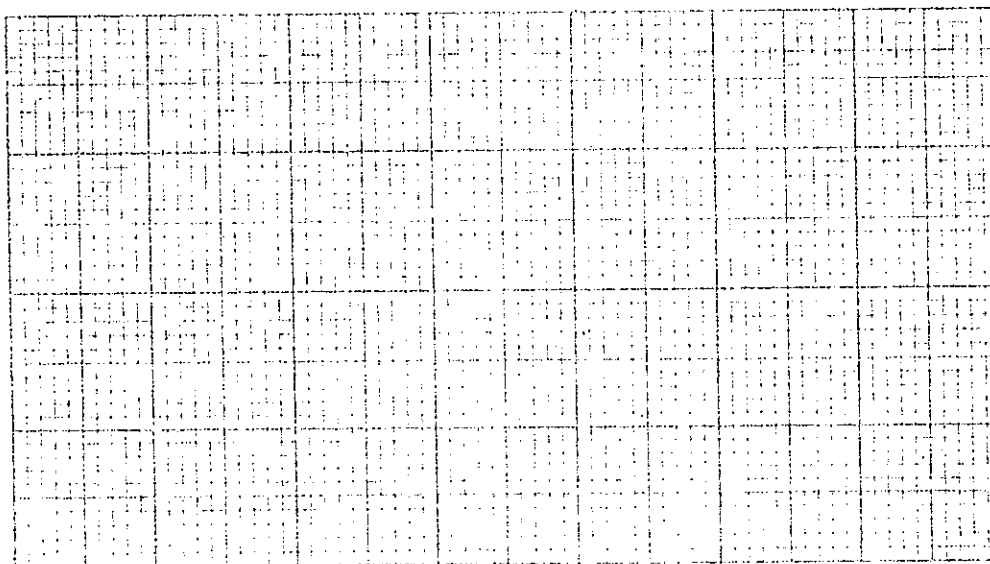
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

No beneficial use. No cultivation apparent.
Power supply in place. No evidence of irrigation
See remarks.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.8 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (8)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Department has attempted to schedule exam since 1987. In October 1991 I attempted a drive-by exam and found no use. ~~Per~~ Permit holder was contacted and could provide no evidence of use. This year, I did a second field visit and found no change. SCS office last October told me they felt land was abandoned so had not been re-surveyed during last mapping. 1987 Napp photography showed no recent irrigation. See Western Region file for correspondence.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DISALLOW				
Totals:				

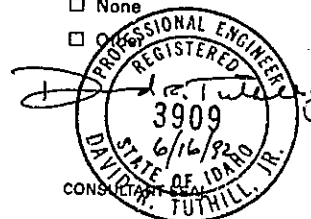
2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☐ None

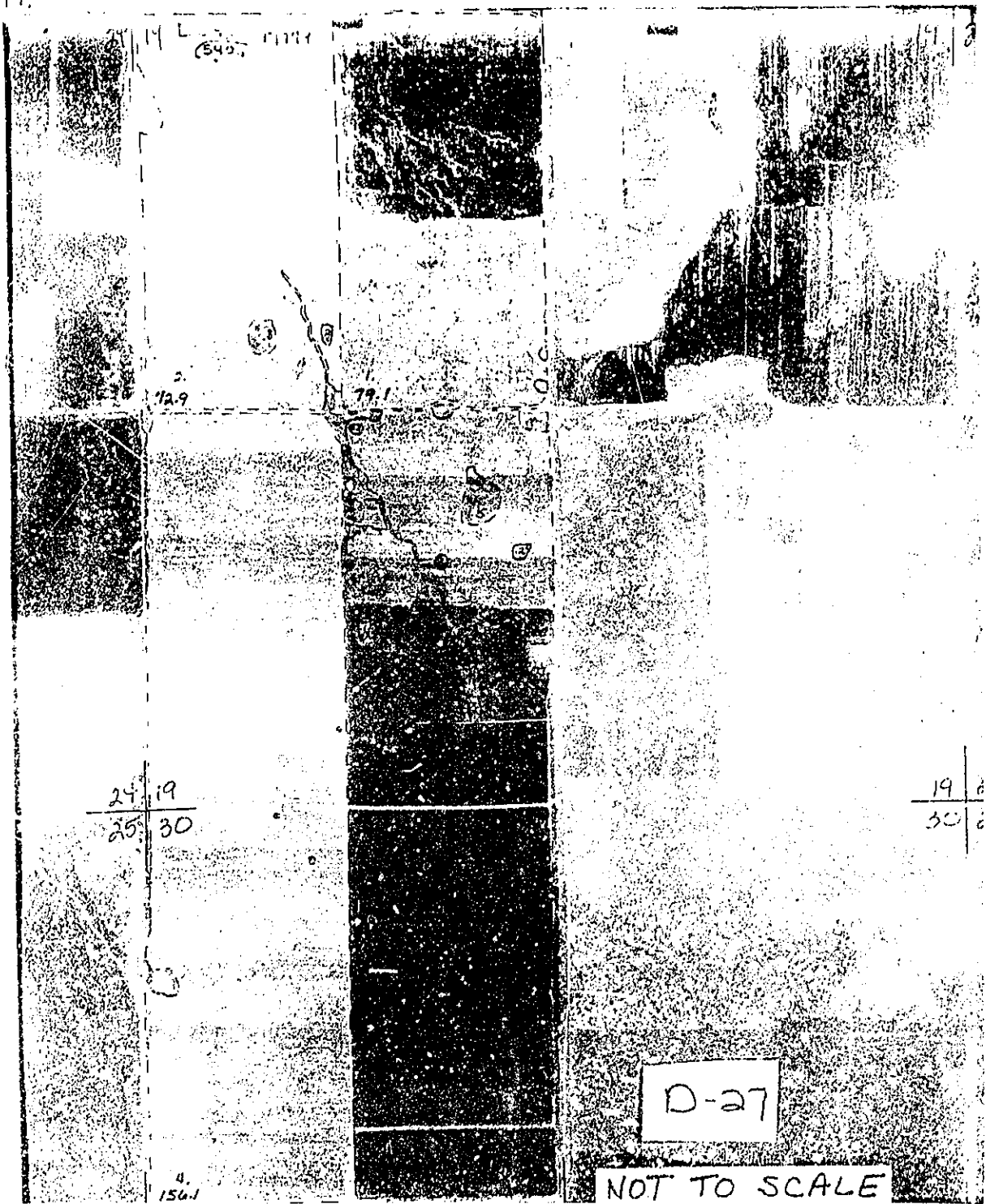
J. AUTHENTICATION

Field Examiner's Name CINDY HODGES
Signature [Signature]
Certification Date _____
Field Report Preparation Date 6/15/92

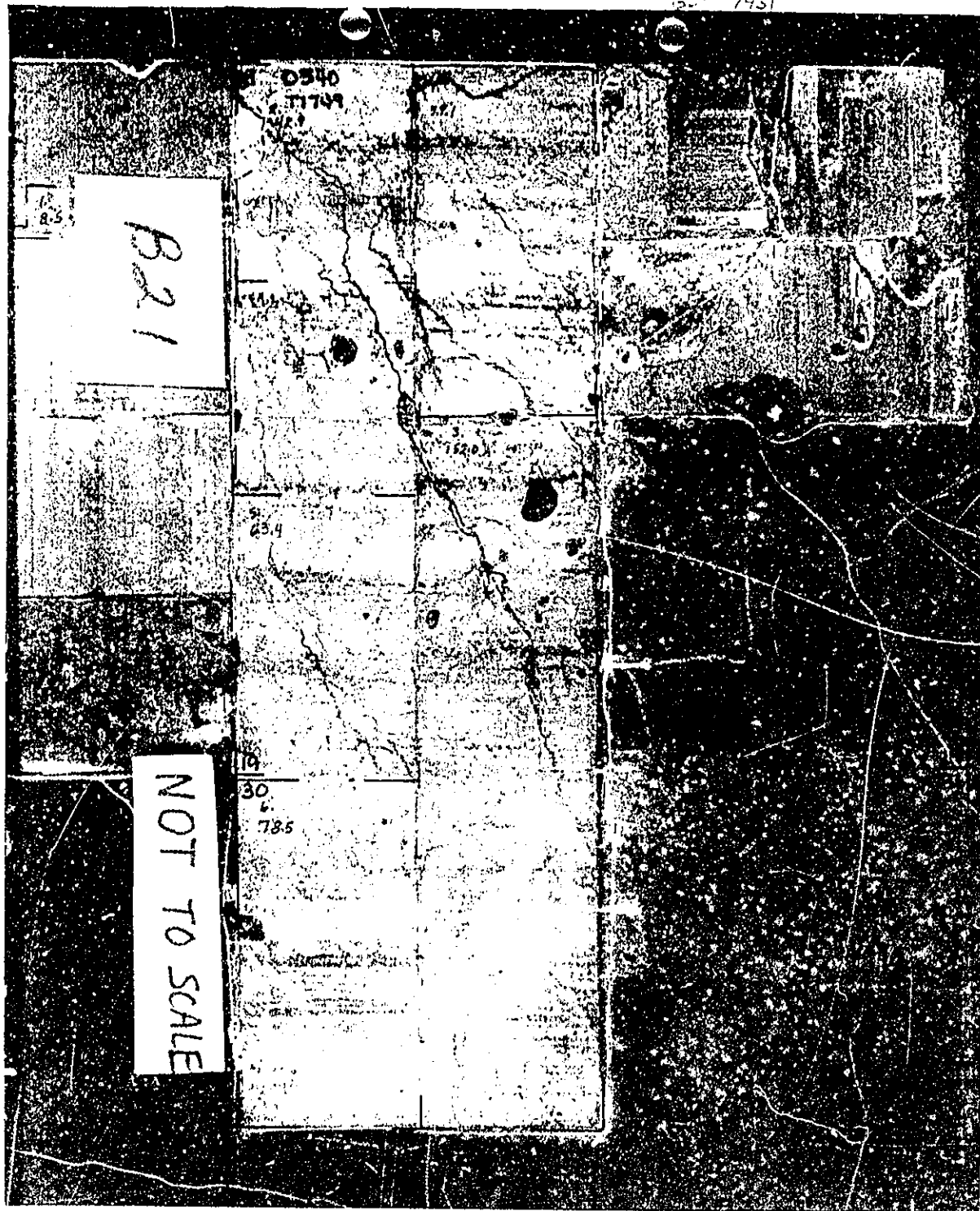


- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.





62-7431



B21

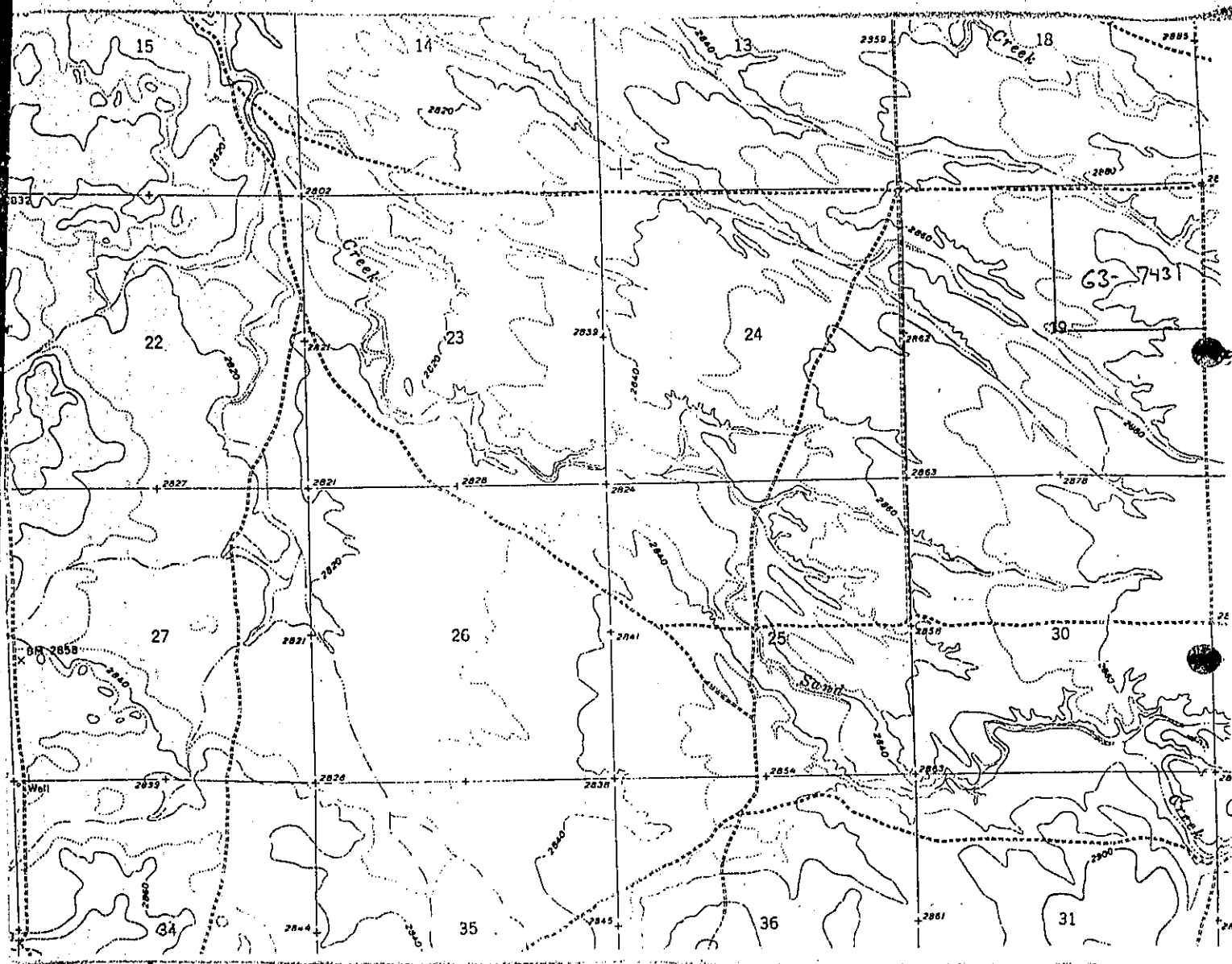
NOT TO SCALE

8.5

0340
11709

23.4

10
30
78.5



USE TYPEWRITER OR
BALL POINT PEN

WELL DRILLER'S REPORT

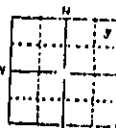
State Water Survey and this report to the State Water Survey, Department of Water Administration, within 30 days after the completion of the well.

1. WELL OWNER Name: <u>Walter L. Jones</u> Address: <u>1234 N. 1st St.</u> Owner's Permit No.: <u> </u>		2. WATER LEVEL Static water level: <u>270</u> feet below land surface Flow rate: <u>X2</u> No. 5 P.M. flow Test return: <u> </u> Quality: <u> </u> Well shut down in pressure: <u> </u> p.s.i. Controlled by: <u>X3</u> Valve <u>X4</u> Cap <u>X5</u> Plug																																																																																																																																																																																																																																																																																																					
3. NATURE OF WORK ☒ New well ☐ Deepening ☐ Replenishment ☐ Abandoned (describe method of abandonment)		4. WELL TEST DATA ☒ Pump ☐ Bailor ☐ Other <table border="1"> <tr> <th>Discharge (G.P.M.)</th> <th>Draw Down</th> <th>Hours Pumped</th> </tr> <tr> <td><u>2700</u></td> <td><u>0</u></td> <td><u>17</u></td> </tr> </table>		Discharge (G.P.M.)	Draw Down	Hours Pumped	<u>2700</u>	<u>0</u>	<u>17</u>																																																																																																																																																																																																																																																																																														
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9. LOCATION OF WELL Sketch map location must agree with written location  County: <u>Ada</u> NE 1/4 Sec 1, T. 1, N. 2, E. 1, R. 1, S. 1, W. 1		10. WORK STARTED Work started: <u>Sept. 1, 1971</u> Pumped: <u>July 13, 71</u> 11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. Dick Johnson, Driller Dick Johnson & Son Driller's Permit No.: <u> </u> Address: <u> </u> Signed: <u>Ron H. Johnson</u> Date: <u>3/2/74</u>																																																																																																																																																																																																																																																																																																					

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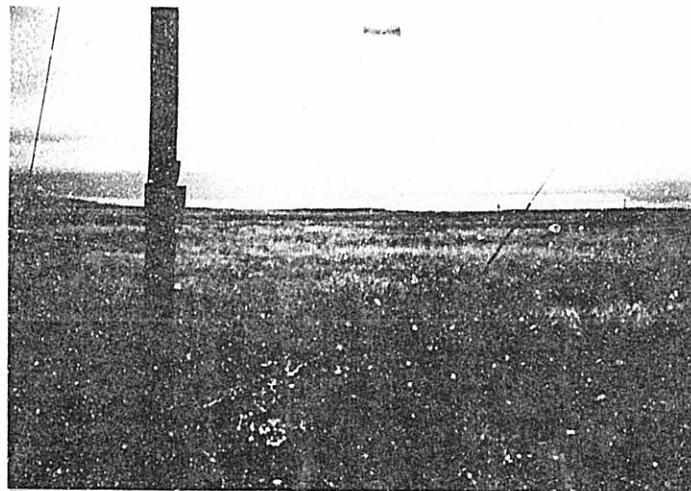
FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

WELL DRILLER'S REPORT

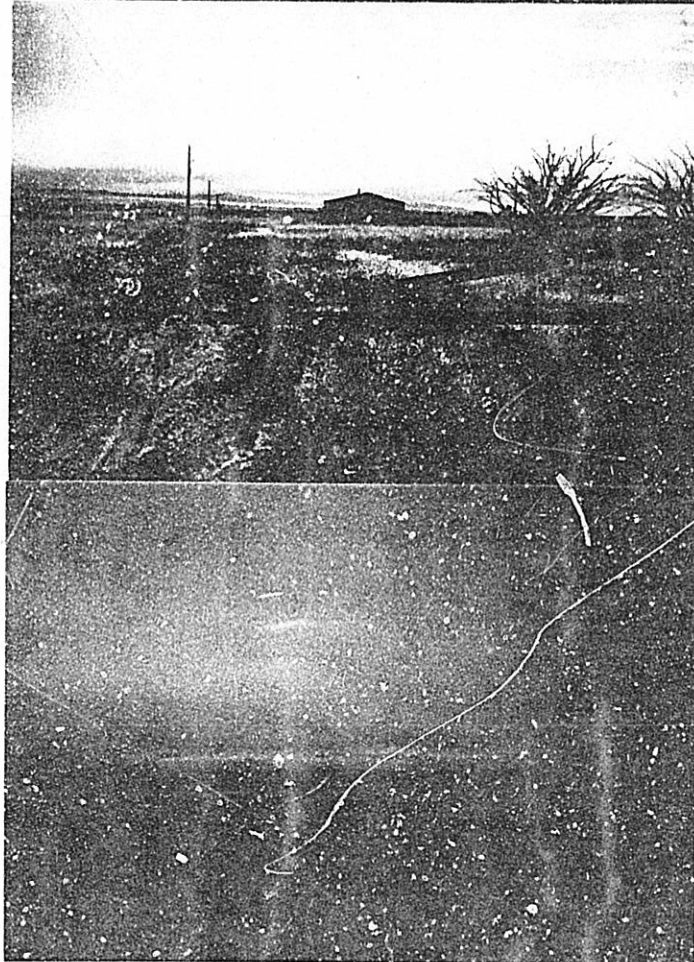
1. WELL IDENTIFICATION Name of well: _____ Location: _____		2. WELL DATA Date drilled: _____ Driller's name: _____ License No.: _____																																																																																																																																																																
3. NATURE OF WORK ☐ New well ☐ Replacement ☐ Abandoned (describe method of abandoning) _____		4. PROPOSED USE ☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock																																																																																																																																																																
5. METHOD DRILLED ☐ Cable ☐ Rotary ☐ Aug ☐ Other _____		6. WELL CONSTRUCTION Diameter of hole: _____ inches Total depth: _____ feet Casing material: ☐ Steel ☐ Concrete Diameter of casing: _____ inches From _____ feet to _____ feet Thickness of casing: _____ inches Was a packer or seal used? ☐ Yes ☐ No Perforated? ☐ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation: _____ inches by _____ inches Number of perforations: _____ Well screen installed? ☐ Yes ☐ No Manufacturer's name: _____ Type: _____ Diameter: _____ Slot size: _____ Set from _____ feet to _____ feet Diameter: _____ Slot size: _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No Size of gravel: _____ Placed from _____ feet to _____ feet Surface seal? ☐ Yes ☐ No To what depth: _____ feet Material used in seal: ☐ Cement grout ☐ Puddling clay																																																																																																																																																																
7. LOCATION OF WELL Sketch map location must agree with written location.  County: _____		8. LITHOLOGIC LOG <table border="1"> <thead> <tr> <th>Depth</th> <th>Material</th> <th>Water</th> </tr> <tr> <th>Feet</th> <th></th> <th>Yes No</th> </tr> </thead> <tbody> <tr><td>0</td><td>Clay</td><td></td></tr> <tr><td>1</td><td>Gray lava</td><td></td></tr> <tr><td>2</td><td>Clay</td><td></td></tr> <tr><td>3</td><td>Clay</td><td></td></tr> <tr><td>4</td><td>Clay</td><td></td></tr> <tr><td>5</td><td>Clay</td><td></td></tr> <tr><td>6</td><td>Clay</td><td></td></tr> <tr><td>7</td><td>Clay</td><td></td></tr> <tr><td>8</td><td>Clay</td><td></td></tr> <tr><td>9</td><td>Clay</td><td></td></tr> <tr><td>10</td><td>Clay</td><td></td></tr> <tr><td>11</td><td>Clay</td><td></td></tr> <tr><td>12</td><td>Clay</td><td></td></tr> <tr><td>13</td><td>Clay</td><td></td></tr> <tr><td>14</td><td>Clay</td><td></td></tr> <tr><td>15</td><td>Clay</td><td></td></tr> <tr><td>16</td><td>Clay</td><td></td></tr> <tr><td>17</td><td>Clay</td><td></td></tr> <tr><td>18</td><td>Clay</td><td></td></tr> <tr><td>19</td><td>Clay</td><td></td></tr> <tr><td>20</td><td>Clay</td><td></td></tr> <tr><td>21</td><td>Clay</td><td></td></tr> <tr><td>22</td><td>Clay</td><td></td></tr> <tr><td>23</td><td>Clay</td><td></td></tr> <tr><td>24</td><td>Clay</td><td></td></tr> <tr><td>25</td><td>Clay</td><td></td></tr> <tr><td>26</td><td>Clay</td><td></td></tr> <tr><td>27</td><td>Clay</td><td></td></tr> <tr><td>28</td><td>Clay</td><td></td></tr> <tr><td>29</td><td>Clay</td><td></td></tr> <tr><td>30</td><td>Clay</td><td></td></tr> <tr><td>31</td><td>Clay</td><td></td></tr> <tr><td>32</td><td>Clay</td><td></td></tr> <tr><td>33</td><td>Clay</td><td></td></tr> <tr><td>34</td><td>Clay</td><td></td></tr> <tr><td>35</td><td>Clay</td><td></td></tr> <tr><td>36</td><td>Clay</td><td></td></tr> <tr><td>37</td><td>Clay</td><td></td></tr> <tr><td>38</td><td>Clay</td><td></td></tr> <tr><td>39</td><td>Clay</td><td></td></tr> <tr><td>40</td><td>Clay</td><td></td></tr> <tr><td>41</td><td>Clay</td><td></td></tr> <tr><td>42</td><td>Clay</td><td></td></tr> <tr><td>43</td><td>Clay</td><td></td></tr> <tr><td>44</td><td>Clay</td><td></td></tr> <tr><td>45</td><td>Clay</td><td></td></tr> <tr><td>46</td><td>Clay</td><td></td></tr> <tr><td>47</td><td>Clay</td><td></td></tr> <tr><td>48</td><td>Clay</td><td></td></tr> <tr><td>49</td><td>Clay</td><td></td></tr> <tr><td>50</td><td>Clay</td><td></td></tr> </tbody> </table>		Depth	Material	Water	Feet		Yes No	0	Clay		1	Gray lava		2	Clay		3	Clay		4	Clay		5	Clay		6	Clay		7	Clay		8	Clay		9	Clay		10	Clay		11	Clay		12	Clay		13	Clay		14	Clay		15	Clay		16	Clay		17	Clay		18	Clay		19	Clay		20	Clay		21	Clay		22	Clay		23	Clay		24	Clay		25	Clay		26	Clay		27	Clay		28	Clay		29	Clay		30	Clay		31	Clay		32	Clay		33	Clay		34	Clay		35	Clay		36	Clay		37	Clay		38	Clay		39	Clay		40	Clay		41	Clay		42	Clay		43	Clay		44	Clay		45	Clay		46	Clay		47	Clay		48	Clay		49	Clay		50	Clay	
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9. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. Driller's name: _____ License No.: _____ Date: _____		10. WORK STARTED Work started: _____ Finished: _____																																																																																																																																																																

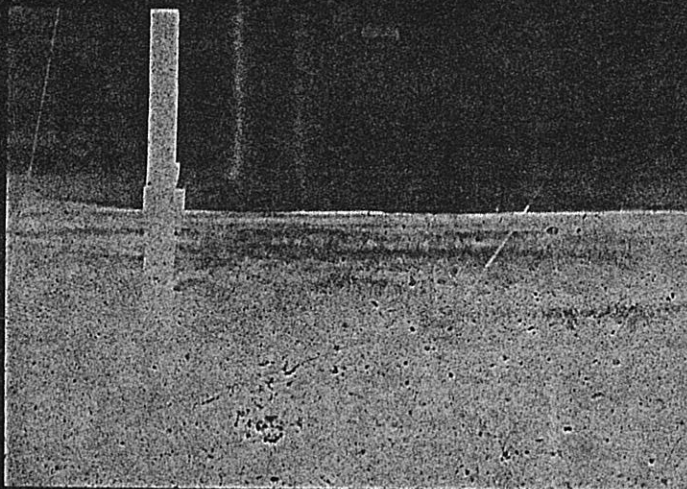
USE ADDITIONAL SHEETS IF NECESSARY. FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT.

63-7431



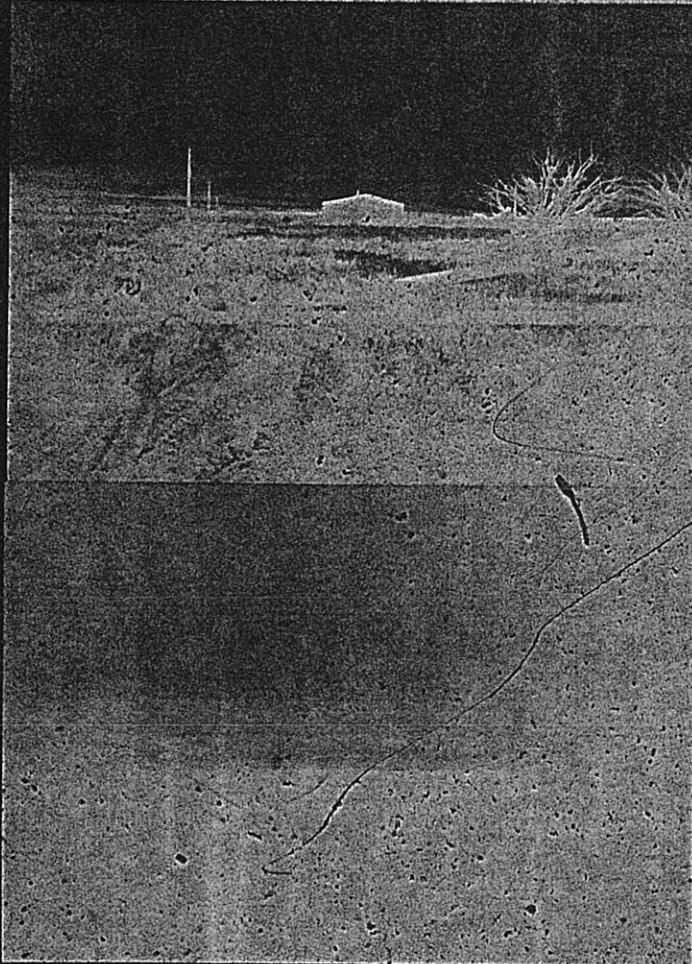
Photos taken
October, 1991
Showing no
beneficial use.



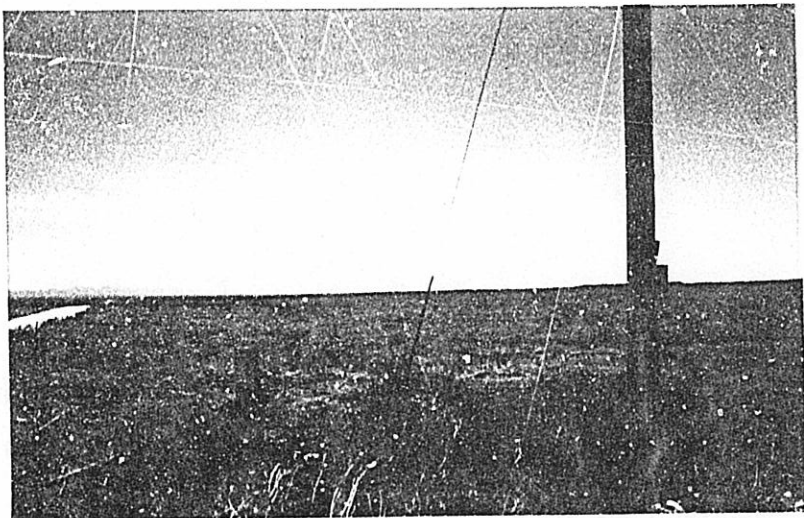


63-7431

Photos taken
October, 1991
Showing no
beneficial use.



63-7431



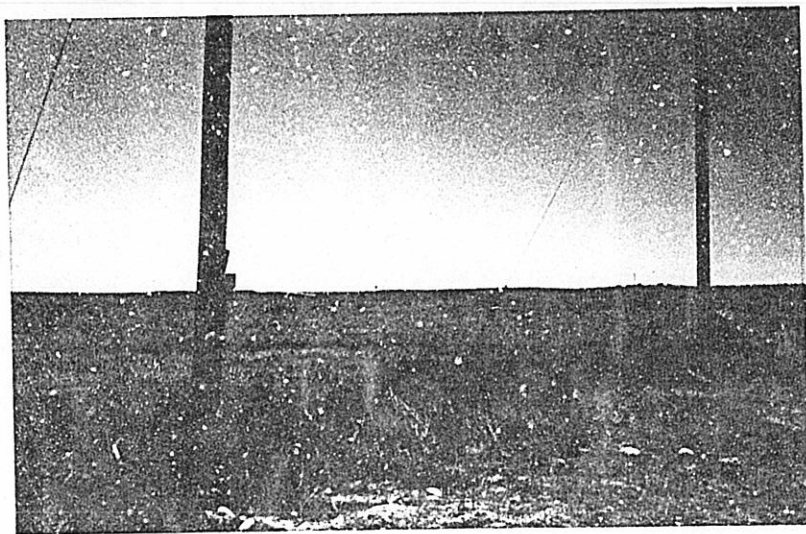
Photos taken

6/1/1992

Showing no

beneficial

use.



4/86

OCT 31 1986

RECEIVED

KEYPUNCHED

RECEIVED

SEP 22 1986

Department of Water Resources
Western Regional Office

SEP 22 1986

For Office Use Only OK
 Fee Received 150
 Date 11/6/86
 Receipt # 23335
 Receipt by TRR
 Sent to S.O. 11-7-86

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

RECEIVED

OCT 30 1986

1. Permit No. Idaho WATER Permit No 63-7431

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE Department of Water Resources

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: John W. Bailey3. Post Office Address: 43050 Ed Halley PlaceLANCASTER, CALIF. 93534 Telephone No. (805) 943-14634. Source of Water: Deep Well on NE 1/4 Section 19, T1N R1E

5. Extent of Use:

Domestic 1 (No. of households) Stockwater 0 (No. and type of stock)Irrigation 160 (acres) Other/Remark 6. Total rate &/or volume for which proof is submitted 3.0 cts 13 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

June 1975

8. Person to contact to accompany the department representative during the field examination:

Eric Bailey King Road West

(Name)

Lucas, Idaho 922-4650

(Address)

RECEIVED

NOV 7 1986

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date May 17 1986Signature of Permit Holder (and title, if appropriate)
John W. Bailey (Owner)43050 Ed Halley Pl. (805) 943-1463
Lancaster, CA 93534



JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

B: State office file

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

October 21, 1986

John Baicy
43050 Ed Halley Place
Lancaster, Ca. 93534

Dear Mr. Baicy:

We have received the Exam Fee Information Sheet and the check for \$225.00 for Permit No. 63-7431.

However, the fee was paid based on 6 cfs while your original permit was filed for 3.0 cfs. This amount is 1" per acre for 160 acres which is the maximum amount allowed by Idaho law.

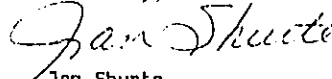
The permit also covered domestic use for one home and stockwater of 75 head cattle and 30 head sheep. This brought the total to 3.24 cfs. On your Exam Fee Information Sheet under Item No. 5 you indicated the stockwater portion is not being used. If with the domestic and irrigation you do not exceed 3.0 cfs (1350 GPM) then a fee of \$150.00 need to be submitted. Please see the enclosed fee sheet for the amount based on your actual use in cfs.

In answer to your letter and in looking through your file it appears the exam has been pending since proof of beneficial use was submitted on June 1, 1978. An exam cannot be conducted until proof of beneficial use is submitted. You requested, and were granted, an extension of time until June 1, 1978, within which to submit proof. Beginning in 1977, the year of the drought, applications for water right permits escalated which caused an increase in field examinations. However, our Legislature would not fund more examiners to cover the added exams and the backlog of exams began. Each year our Department requested extra funding and were turned down. In 1985-86 our Director told the Legislature it was either more funding or the private sector (consultants) would need to begin completing exams with the cost paid by the right holders. The Legislators decided it would be too costly for the right holders and users fees would have to be initiated. Another problem which delayed your exam is that in 1979 we tried to contact you at your Kuna address and phone with no reply. We do not receive new addresses automatically from the county and often miss permit holders because of this.

*We are returning your check as it is not the correct amount and felt you would possibly rather write another one than wait for a refund.

Please complete the exam fee sheet with your correct cfs and return it to this office with the corresponding fee. The priority date will be advanced according to the first received date (Sept. 22, 1986) of your exam fee sheet. If you have any questions, please do not hesitate to contact me.

Sincerely,



Jan Shurte
Sr. Water Resource Agent

JS:nl

Enclosure

4/86

RECEIVED
SEP 22 1986

RECEIVED
SEP 22 1986

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

Department of Water Resources
Western Regional Office

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

1. Permit No. Idaho WATER Permit No 63-7731

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: John W. Bailey

3. Post Office Address: 43050 Ed Holley Place
LANCASTER, CALIF. 93536 Telephone No. (805) 943-1463

4. Source of Water: Deep Well and NE 1/4 Section 19, T14N R1E

5. Extent of Use:

Domestic 1 (No. of households) Stockwater 0 (No. and type of stock)
Irrigation 160 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 6 cfs 600 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

June 1975

8. Person to contact to accompany the department representative during the field examination:

Eric Bailey King Road West
(Name)
Elmore, Idaho 922-4650
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date May 17 1986

John W. Bailey (Owner)
Signature of Permit Holder (and title, if appropriate)

Dept. of Water Resources.

May 17 1986
RECEIVED
SEP 22 1986

Dear Sirs:

Ten years ago I requested your
dept to come and inspect my well
and water use. I was informed
that I needed a flow meter installed
before you would inspect the water.
I installed a \$300.00 in line flow meter
and notified you again. I was then
told I was to be put a waiting list
for inspection.

Now you want \$225.00 to do
the inspection.

At present our water/pump is off
while we are re leveling and cloving
rocks. (again). We hope to be back
negotiating in August or Sept.

RECEIVED
SEP 22 1986

Department of Water Resources
Western Regional Office

John Bailey



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

63-7431
BATCY, JOHN W.
P.O. BOX 153
KUNA, ID 83634

September 4, 1986

EXAMINATION FEE REMINDER

Dear Permit Holder:

Earlier this year you were mailed a certified letter by our state office, which described a new law related to your water right permit. The water right permit to which this law applies is identified by the number at the top of the mailing label above. The purpose of this letter is to act as a reminder of the new law and to warn you that your permit is now losing priority daily.

As described in the certified letter, House Bill 671 enacted by the 1986 Idaho Legislature requires payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. The certified letter described the procedure for selecting the latter alternative, whereby you initially notify us regarding which water right examiner you have selected, and provide a statement from the examiner as verification.

The date of priority of your water right permit is now being delayed one day for each day the response is late. Also, if the fee or completed field examination report are not submitted within a year from the sixty-first day after the certified letter was mailed, the permit may be lapsed and rendered invalid. The fee, or notice that a private field examination will be conducted, should be submitted as soon as possible if you wish to maintain your permit in a valid status.

Enclosed please find an Examination Fee Information Sheet, with the License Examination Fee Schedule printed on the back. This sheet should be submitted if either the fee payment option or the private examination option is selected. If you have questions or desire assistance in this matter, please feel free to contact this office.

Sincerely,

David R. Tuthill Jr.
David R. Tuthill, Jr. P.E.
Manager, Western Regional Office

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

63-7431
BAICY, JOHN W.
P.O. BOX 153
KUNA, ID 83634

Mailing address:
Statehouse
Boise, Idaho 83720

April 17, 1986

CERTIFIED MAIL

138350

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region
Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region
Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region
Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

May 17, 1978

Re: Permit No. 63-7431

John W. Baicy
Box 153
Kuna, Idaho 83634

Dear Mr. Baicy:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights

STATE OF Idaho
WATER RESOURCES
Boise, Idaho

May 9, 1978

RECEIVED

MAY 12 1978

Department of Water Resources

Dear Sirs:

I am submitting my application for water rights, permit # 633431. I am working out of state for a few months therefore I may not be available for assistance in inspection unless I am giving notice.

However, The irrigation system is operating and available for inspection at any time.

We have been irrigating since 1935 and would like to obtain water rights.

I can be contacted at (208) 655 3596 or write Box 153, Kuna, Idaho.

Respectfully

John W. Bailey



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higgason
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 31, 1978

CERTIFIED MAIL

138596

Re: Permit No. 63-7431

John W. Baicy
Box 153
Ketchikan, Idaho 83634

Dear Mr. Baicy:

One of the conditions of approval of your water Permit No. 63-7431 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

Norman C. Young
NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

September 24, 1976

Re: Permit No. 63-7431

John W. Baicy
Box 153
Kuna, Idaho 83634

Dear Mr. Baicy:

We are in receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. However, in reviewing that affidavit, you indicate that you have not yet installed the measuring device as required by the condition of approval of your permit.

We cannot process your proof unless you have installed the measuring device of a type approved by this Department. Therefore, we are herewith returning the proof affidavit.

We are enclosing a list of the types of measuring devices approved by this office. If you have any questions, please feel free to contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Enclosures

May 24, 1976

Re: Permit No. 63-7831

John Baicy
Box 153
Kuna, ID 83634

Dear Mr. Baicy:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to June 1, 1978.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

May 13, 1976

Dept. of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED

MAY 17 1976

Department of Water Resources

Dear Sirs:

I would like to request
a time extension for final
proof of beneficial use of
water under Permit No. 63-7431.

The desert entry project
has not been fully completed
due to delays cause by BLM
proceeding in assigning the
entry. The BLM has
granted me an extension
of two years on the desert
entry.

Respectfully,

John Bailey
Box 153
Kuna, Idaho

83634

PS Form 3811, Jan. 1975

1. SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):

- ☐ Show to whom and date delivered..... 13¢
- ☐ Show to whom, date, & address of delivery..... 33¢
- ☐ **RESTRICTED DELIVERY**
Show to whom and date delivered..... 65¢
- ☐ **RESTRICTED DELIVERY**
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	138419	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. RETURNED TO:

DATE OF DELIVERY **TO SENDER**

5. ADDRESS (handwritten only if requested):

Undelivered ☐ Addressed, unknown ☐ Insufficient address ☐

6. UNABLE TO DELIVER BECAUSE:

No such office in state
Do not remove from this envelope

POSTMARK

CLERK'S INITIALS
a

★ GPO: 1975-O-583-047

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

APR 6 1976



TO SENDER

REASON FOR RETURN

Unclaimed

Addresses incorrect

Insufficient address

No such street number

No such office in state

Do not re-mail in this envelope

CERTIFIED MAIL

NO. 131499

RETURN RECEIPT REQUESTED

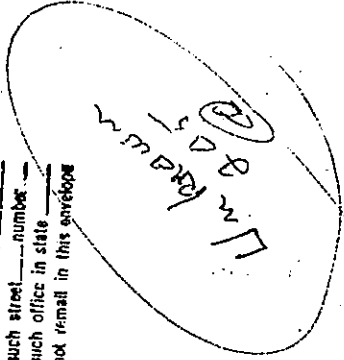
John W. Bailey
1114 - 7th North, Apt. 2
Boise, Idaho 83702

Revised to:

Box 153

4-8-76

83634



April 1, 1976

CERTIFIED MAIL #138479

Re: Permit No. 63-7431

John W. Baicy
1114 - 7th North, Apt. 2
Boise, Idaho 83702

Dear Mr. Baicy:

One of the conditions of approval of your water Permit No. 63-7431 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before JUNE 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2218



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

February 1, 1972

Re: Permit No. 63-7431

John W. Bailey
1114 7th N.
Apt. #2
Boise, Idaho

Dear Mr. Bailey:

Enclosed is a copy of the recorded assignment conveying Permit No. 63-7431. We are also enclosing a copy of the permit. We wish to advise you that proof of beneficial use of the water is to be submitted on or before June 1, 1976.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

If we can assist you further, please contact us.

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

LJM/BB
Enclosures

cc: James E. Schiller
Attorney at Law
Enc: Copy of assignment

Bureau of Land Management
Enc: Copy of assignment

63 7431

SCHILLER, WILLIAMS & TRABERT
ATTORNEYS AT LAW
P.O. BOX 21
1202 1ST STREET SOUTH
NAMPA, IDAHO 83651

JAMES E. SCHILLER
ROGER L. WILLIAMS
ROBERT L. TRABERT

January 31, 1972

TELEPHONE 466-7809
AREA CODE 208

Department of Water Administration
614 W. State
Boise, Idaho

Department of Water Administration

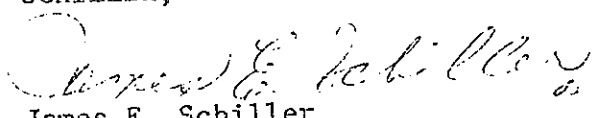
Gentlemen:

Enclosed you will find the Assignment of Permit No. 63-7431.
Would you kindly send to me an acknowledgment of the transfer
of water permit.

If you desire any further information, our office will be happy
to provide the same.

Sincerely yours,

SCHILLER, WILLIAMS & TRABERT


James E. Schiller

encl.
JES:aa

63 7431



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Idaho Land Office
Room 334, Federal Building
550 West Fort Street
Boise, Idaho 83702

IN REPLY REFER TO:

L:MG
I-3414

April 26, 1971

William M. Terwilliger
Mounted Route
E. Locust
Emmett, Idaho 83617

Dear Mrs. Terwilliger:

On April 12, 1971, the Boise District Manager advised this office that the previous classification on the lands of your application be continued, and that your application be allowed upon evidence of water right.

You should now obtain from the State Department of Water Administration a permit to appropriate subterranean water to your application lands. Attached is an extra copy of this letter. It should be submitted to the Department of Water Administration when you apply for a permit. Unless that office has knowledge that the land of your desert application has been classified as suitable for entry, it may decline to issue the permit. You should arrange with the State Department of Water Administration to have a copy of the issued permit sent to this office. Also, please notify us when you make application for the water permit.

When a copy of an approved permit, issued by that office, has been filed in the Land Office, further action to allow the entry will be taken.

Sincerely yours,

ORVAL G. HADLEY

Orval G. Hadley
Manager, Land Office

Encl.

63 7431

463-7431



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho State Office
Boise, Idaho

RECORDS SECTION

LINE
I-3414

NOTICE OF ALLOWANCE

Lillian M. Terwilliger
Mounted Route - E. Locust
Emmett, Idaho 83617

Serial No. I-3414 169 Acres

T. 1 N., R. 1 E., 28M, Idaho
Sec. 19, N¹/₄.

Your desert land application for the above described land has this day been approved and allowed, subject to any valid existing rights and your further compliance with laws and regulations applicable thereto. The acceptability of final proof is contingent upon compliance with the requirements of the Desert Land Act and appropriate rules and regulations in addition to development and reclamation of the land basically in accordance with your plan of development which is on file in the Boise State Office. Any substantial change in source of water or deviation in the construction of the irrigation facilities must have the approval of the Bureau of Land Management. The irrigable acreage of this entry has been determined to be approximately 144 acres. In correspondence relating to this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914 which will require the reservation of all oil and gas deposits to the United States.

IN WITNESS WHEREOF, I have hereunto set
my hand and seal this 23rd day
of June, 19 71.

[Signature]
L. D. BARKER, Acting Chief
Division of Technical Services

116 2226-20
11/69

June 18, 1971

Re: Permit No. 63-7430 - John Mussell
(63-7431) - Lillian M. Terwilliger

John Mussell and Lillian M. Terwilliger
1913 W. State Street
Boise, Idaho 83702

Dear Mr. Mussell and Ms. Terwilliger:

Enclosed are copies of your approved Application for Permits No. 63-7430 and 63-7431. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permits. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:CR

Enclosures

63-7431

May 18, 1971

Re: Application No. 63-7430 - John Mussell
" " 63-7431 - Lillian M. Terwilliger
Claim No. 63-4093 - Stella Boehm

Idaho Statesman
Box 2640
Boise, Idaho 83701

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of claimant)

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DMW:dc
Enc: Legal notices (3)

Bill submitted 6-9-71 By *LS*

63 7431

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lillian M. Torwilliger, 1913 W. State St.,
Boise, Idaho,

has on May 11, 1971, submitted Application No. 63-7431
for a permit to appropriate 3.24 cubic feet per second ~~xxxxxx~~
of water from a ground water source
by means of well and pump
within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, T. 1N, R. 1E, B.M., Ada County,

to be used from Jan. 1 to Dec. 31 for domestic and stockwater purposes within the
~~for~~ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 19, T. 1N, R. 1E, B.M. and from March 15 to Nov. 15 for the
irrigation of 160 acres
within the NE $\frac{1}{4}$ Sec. 19, T. 1N, R. 1E, B.M.

issued
If ~~xxx~~ed, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of Water
Administration, Statehouse, Boise, Idaho, 83707, on or before June 14, 1971.

R. KEITH HIGGINSON
Director

Published in the Idaho Statesman, Boise, Idaho,
on May 27 and June 3, 1971.

63 7431