

State of Idaho

License and Certificate of Water Right

Water License No. 14675

Amount 0.36 sec. ft.

Water District No. 46

Priority 5-6-20

THIS IS TO CERTIFY that W. R. HURST
 of Filer, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated February 26, 1920; that Permit No. 14675
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 0.4 second feet, was issued thereunder on July 2, 1921, showing that said works
 were completed on the 11th day of May, 1921; and that on the 21st
 day of July, 1921,

W. R. HURST

of Filer, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of Cedar Draw
 , a tributary of Snake River, for the purpose of irrigation &
 domestic, under Use Permit No. 14675 of the Commissioner of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of
 Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
 Volume 5 of Licenses, at page 2891, on the 16th day of December, 1921;

The right hereby confirmed dates from May 6, 1920;

The Point of Diversion is located
 in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, Tp. 9 S., R. 15 E., B. M.
 County of Twin Falls

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
 exceed 0.36 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	15 E.	12	31st SW $\frac{1}{4}$	20	18

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of
 use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
 this 16th day of December, 1921.

W. G. SWENDSEN,

Commissioner of Reclamation.

(SEAL)

47 2145

15. (a) Is reservoir to be used? No. If so, fill in (b) and (c) below.
(b) Name of reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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.

W. R. Hurst. Applicant.

By Agent.

Commissioner of Reclamation
Date of first receipt at office of State Engineer 9:00 A. M. Feb. 26, 1920.
Returned to applicant for correction Feb. 27, 1920.
Corrected application received April 28, 1920.

COMMISSIONER OF RECLAMATION
APPROVAL OF STATE ENGINEER

The number of this permit is 14675
Recorded in Book 52 Page 14675 Approved May 12, 1920.
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before July 11, 1920 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before November 12, 1920.
The whole of said work to be completed on or before May 12, 1921.
Beneficial use of water appropriated in accordance herewith, to be made on or before May 12, 1921.

Witness my hand this 12th day of May, 1920.

W. G. Swendsen
State Engineer
Commissioner of Reclamation.

Remarks: This ditch is described, including capacity for other lands and is to be used jointly with the owner of other lands. No separate capacity is attempted to be described. Agreement for such use has been entered into

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 S.	15 E.	12												20					20

Proof of Completion of Works made May 11, 1921.
Certificate issued July 2nd, 1921.

CERTIFICATE OF COMPLETION OF WORKS

To all whom it may concern:

This is to certify that W. R. Hurst, of Filer, County of Twin Falls, and State of Idaho, the holder of Permit No. 14675, issued upon Application No. 20720 bearing date of priority of February 26, 1920, authorizing the diversion of 0.4 second feet of the waters of Cedar Draw, tributary to Snake River, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.4 second feet of the water of Cedar Draw; that the point of diversion of said waters is in the SW¼ NE¼ Sec. 14, T. 9 S., R. 15 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows; to-wit; SE¼ SW¼ Sec. 12, T. 9 S., R. 15 E., B. M.

WITNESS my hand this 2nd day of July, A. D. 1921.

License issued for 0.36 second feet
Page 2891

W. G. SWENDSEN,
Commissioner of Reclamation.
BY GEO. B. ARCHIBALD
Deputy.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

47-2145

Application No. 20720
 Permit No. 14675
 District No. 46

1. Name of Applicant: W. R. Hurst.
 Postoffice address: Filer County: Twin Falls State: Idaho.
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: two fifths (2/5) cubic feet per second.
3. Source of water supply: Cedar Draw which is a tributary of Snake River.
4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$
 of Section 14 , T. 9 S. , R. 15 E. , B. M., County of Twin Falls.
5. Water is to be used for: Irrigation and domestic purposes.
6. If for mining, milling, power or manufacturing purposes, give:
 (a) Point of use of water: feet distant from corner of Section
 T. , R. , B. M., in the of Section , T. , R. , B. M.
 (b) Amount of power generated: H. P., under feet head.
 (c) Water is to be returned to at a point feet
 distant from the corner of Section , T. , R. , B. M., in the
 of Section , T. , R. , B. M.
7. Estimated cost of works: \$ 500.00
8. Kind of works: Dam, Ditch and Flume.
9. Height of dam four feet; length of dam at top 100 feet; length of dam at bottom 90
 feet; material used in dam Wood, Stone and Earth.
10. Size of headgate: Width four feet; height four feet.
11. Ditch: Width at bottom four feet; width at water line six feet; depth of water 2 $\frac{1}{2}$
 feet; dimensions of flume 36 in. wide, 2 ft. deep, 85 ft. long.
 Diameter of pipe inches; length of conduit one miles.
 Average grade per mile about 8 feet.
12. The time required for the completion of such work is one years.
13. The time required for the complete application of the water to the proposed use is none additional years.
14. The land to be irrigated is described in the following tabulation: See Remarks.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 2.90



Sent To
 Street, Apt. 1
 or PO Box N
 City, State, Z

EVERETT WEAVER
 1728 E 4200 N
 BUHL ID 83316

PS Form 3800, January 2001

See Reverse for Instructions

7002 0460 0000 7276 2351

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 2.90



Sent To
 Street, Apt. 1
 or PO Box 428
 City
 JEROME ID 83338

PS Form 3800, January 2001

See Reverse for Instructions

7002 0460 0000 7276 2344

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may **ONLY** be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of International mail.
- **NO INSURANCE COVERAGE IS PROVIDED** with Certified Mail. For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, January 2001 (Reverse)

102595-M-02-0451

Certified Mail Provides:

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IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, January 2001 (Reverse)

102595-M-02-0451

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

7002 0460 0000 7276 2337

Postage
Certified Fee
Return Receipt Fee
(Endorsement Required)
Restricted Delivery Fee
(Endorsement Required)
Total Postage & Fees

\$
\$
\$
\$
\$

Postmark
Here

Ser
Stre
or F
City

ATTN DAVID MILLARD
CRYSTAL SPRINGS RANCH
20924 SE 213TH STREET
MAPLE VALLEY WA 98038

PS Form 3800, January 2001

See Reverse for Instructions

Certified Mail Provides:

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IMPORTANT: Save this receipt and present it when making an inquiry.

PS Form 3800, January 2001 (Reverse)

102595-M-02-0451

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

AMT# 67625

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ *M. Blach* ☐ Agent ☐ Addressee
- B. Received by (Printed Name) *M. Blach* ☐ Date of Delivery *6/7/02*

- D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below: ☐ No

JUN 24 2002

Department of Water Resources
Southern Region

DAVID PARRISH SUPERVISOR
ID DEPT FISH & GAME
PO BOX 428
JEROME ID 83338

2. Article Number

(Transfer from service label)

7002 0460 0000 7276 2344

Receipt

102595-01-M-0381

PS Form 3811, August 2001

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

AMT# 67625

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ *DR David* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below: ☐ No

JUL 01 2002

Department of Water Resources

ATTN DAVID MILLARD
CRYSTAL SPRINGS RANCH
20924 SE 213TH STREET
MAPLE VALLEY WA 98038

2. Article Number
(Transfer from service label)

7002 0460 0000 7276 2337

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-0381

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

STATE OF ID
DEPT OF WATER RESOURCES
1341 FILMORE--SUITE 200
TWIN FALLS ID 83301-3380

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RECEIVED

• Sender: Please print your name, address, and ZIP+4 in this box •

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPT OF WATER RESOURCES
1341 FILMORE--SUITE 200
TWIN FALLS ID 83301-3380

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

AM/TS# 67625

EVERETT WEAVER
1728 E 4200 N
BUHL ID 83316

2. Article Number
(Transfer from service label)

7002 0460 0000 7276 235J

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-0381

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Everett Weaver*☐ Agent☒ Addressee

B. Received by (Printed Name)

EVERETT WEAVER

C. Date of Delivery

6-21-02

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

JUN 24 2002

Department of Water Resources
Southern Region

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

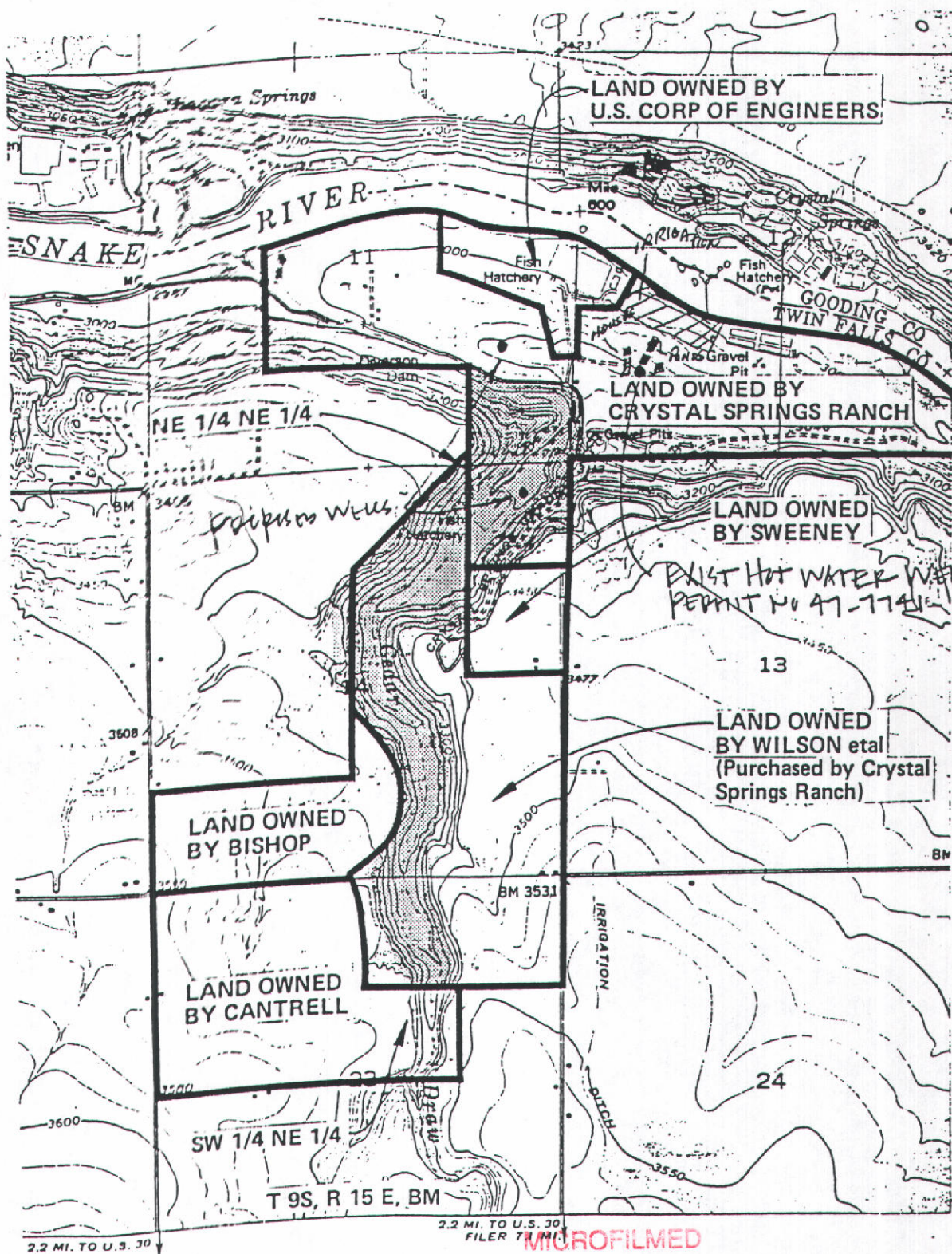
UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

STATE OF IDAHO
DEPT OF WATER RESOURCES
1341 FILMORE-SUITE 200
TWIN FALLS ID 83301-3380

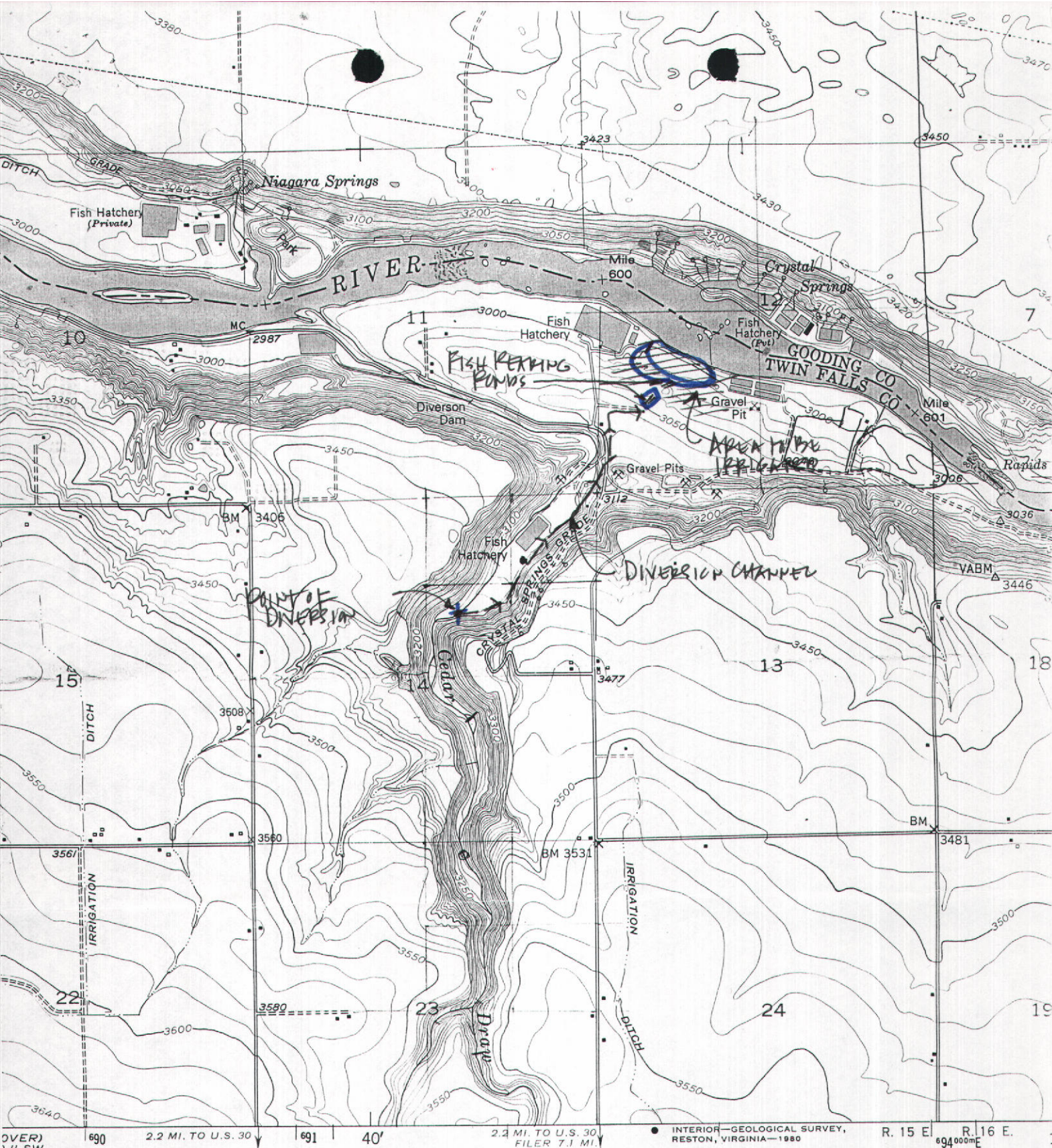


Contour Interval = 10 ft.

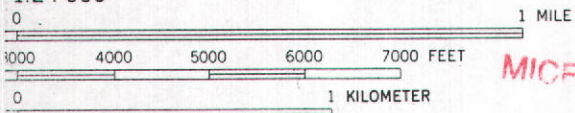


OWNERSHIP/VICINITY MAP

Crystal Springs Hunting/Fishing Reserve Ranch
Twin Falls County, Idaho



1:24 000



INTERVAL 10 FEET
 V RIVER SURFACE 5 FEET
 ERTICAL DATUM OF 1929

IONAL MAP ACCURACY STANDARDS
 R, COLORADO 80225, OR RESTON, VIRGINIA 22092

MICROFILMED
 OCT 02 2002



INTERIOR—GEOLOGICAL SURVEY,
 RESTON, VIRGINIA—1980

ROAD CLASSIFICATION

Primary highway, hard surface ——— Light-duty road, hard or improved surface ———
 Secondary highway, hard surface ——— Unimproved road ———

○ Interstate Route ○ U. S. Route ○ State Route

CRYSTAL SPRINGS RANCH
 NIAGARA SPRINGS, IDAHO

NW/4 JEROME 15' QUADRANGLE
 N4237.5—W11437.5/7.5

1979

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

RECEIVED

JUL - 5 2002

IN THE MATTER OF APPLICATIONS)
IN THE NAME OF CRYSTAL SPRINGS)
RANCH)

DEFAULT ORDER

Department of Water Resources

These matters having come before the Idaho Department of Water Resources ("Department") as Applications ("applications") filed by Crystal Springs Ranch ("applicant") associated with lands in Twin Falls County, Idaho; the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Application for Transfer No. 67625/3909 was filed on November 7, 1989 with the Department proposing to modify water rights. The Department advertised the application on January 4 and 11, 1990 and was subsequently protested by Everett Weaver. The Department has held the application pending resolution of the contested case.

2. Three Applications for Permit filed with the Department of Water Resources proposing to appropriate the public waters of the State of Idaho, advertised on July 6 and 13, 1999 and were subsequently protested by the Idaho Department of Fish and Game are listed as follows:

47-08385 filed on May 8, 1995
47-08386 filed on May 31, 1995
47-08388 filed on June 20, 1995

The Department has held the applications pending resolution of the contested cases.

3. On February 25, 2002 the Department corresponded with the applicant inquiring of their continuing interest in the applications. The applicant did not respond to the inquiry.

CONCLUSIONS OF LAW

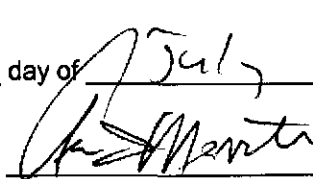
1. IDAPA Rule 37.01.01700 (Rule of Procedure 700) authorizes the Department to issue a Notice of Proposed Default for Failure to Respond to a written inquiry.

2. On June 20, 2002 the Department sent a Notice of Proposed Default for Failure to Respond to the applicant; the applicant did not respond.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Application for Transfer No. 67625/3909, Application for Permit Nos. 47-08385, 47-08386, and 47-08388 are SET ASIDE and DISMISSED without further consideration by the Department as provided in IDAPA Rule 37.01.01702 (Rule of Procedure 702).

Dated this 2nd day of July, 2002.


ALLEN MERRITT, PE

Southern Region Manager (Presiding Officer)

MICROFILMED

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of July, 2002 a true and correct copy of the above and foregoing Default Order was forwarded with all required charges prepared, to the parties listed:

Mary Baldwin

Secretary

ATTN DAVID MILLARD
CRYSTAL SPRINGS RANCH
20924 SE 213TH STREET
MAPLE VALLEY WA 98038

EVERETT WEAVER
1728 E 4200 N
BUHL ID 83316

DAVID PARRISH SUPERVISOR
ID DEPT FISH & GAME
PO BOX 428
JEROME ID 83338

MICROFILMED

OCT 29 2003

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant David R. Millard dba Crystal Springs Ranch Phone (208) 326-3378

Post Office address Route 1 Box 119 Filer, Idaho 83328

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Licensee desires to utilize the water for its highest and most beneficial primary use of fish propagation (nonconsumptive) with a secondary use of irrigation (consumptive).

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|---|----------|-----------------------|------------------|------------------|
| 14675 =
47-2145 | 5/6/20 | 0.24 cfs | Fish propagation | Jan 1 to Dec 31 |
| 14675=47-2145 | 5/6/20 | 0.24 cfs | Irrigation | Mar 15 to Nov 15 |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred <u>0.24</u> cubic feet per second and/or _____ acre-feet per annum | | | | |
| 3. Source of water <u>Cedar Draw Creek/Springs</u> tributary to <u>Snake River</u> | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use: $H = \text{Fish Propagation}$

[illegible]

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.24 cfs for fish propagation purposes from Jan 1 to Dec 31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	14	9S	15E	Twin Falls	Cedar Draw

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9S	15E	12												18					18

Total acres 18

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

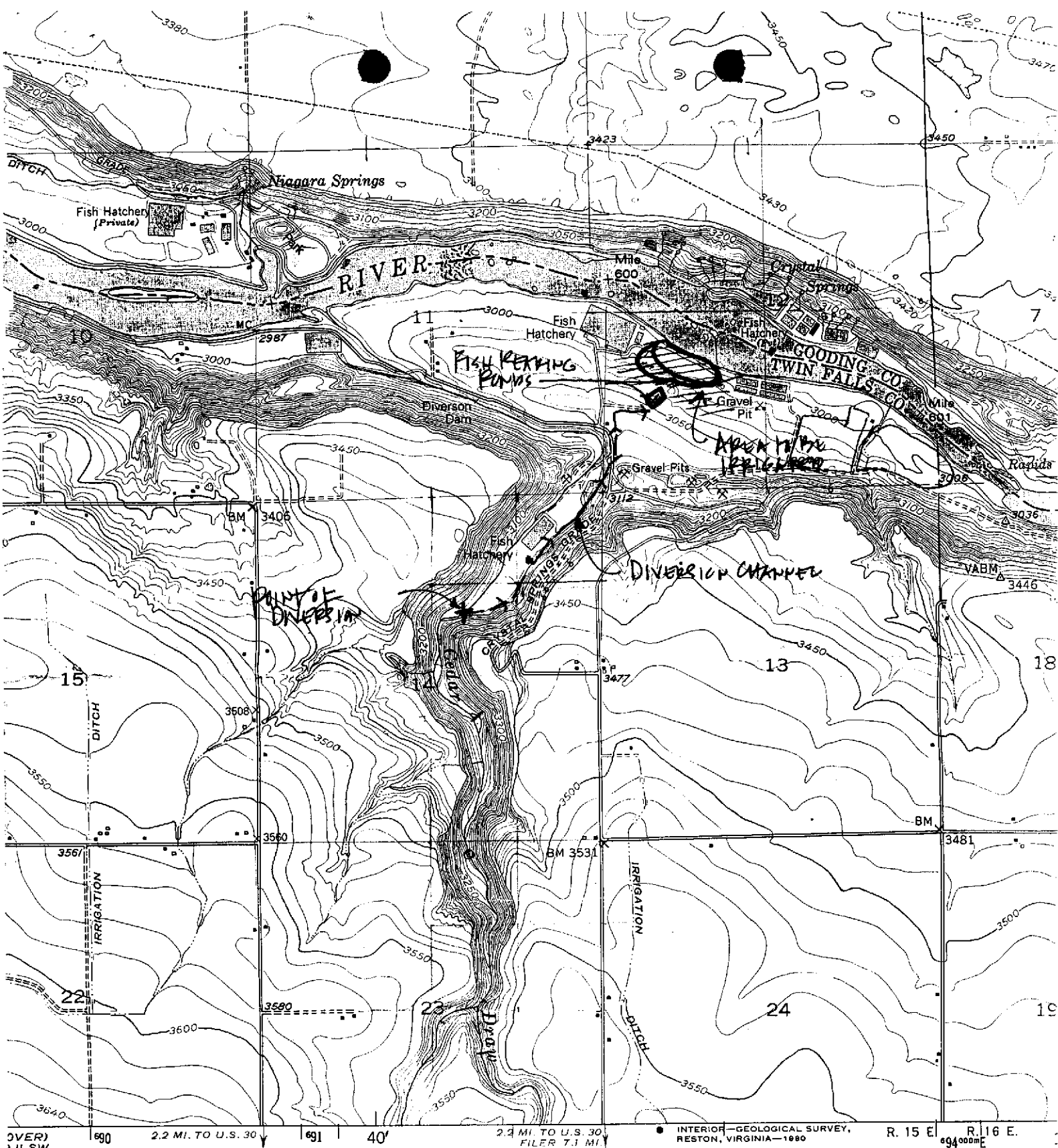
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____



1:24 000

1 MILE

1000 4000 5000 6000 7000 FEET

0 1 KILOMETER

INTERVAL 10 FEET
4 RIVER SURFACE 5 FEET
VERTICAL DATUM OF 1929

NATIONAL MAP ACCURACY STANDARDS
F.R. COLORADO 80 25 OF RESTON, VIRGINIA 22092

● INTERIOR—GEOLOGICAL SURVEY,
RESTON, VIRGINIA—1980

ROAD CLASSIFICATION

Primary highway, hard surface..... Light-duty road, hard or improved surface.....
Secondary highway, hard surface..... Unimproved road.....

 Interstate Route  U. S. Route  State Route

CRYSTAL SPRINGS RANCH
NIAGARA SPRINGS, IDA

NW/4 JEROME 15' QUADRANGLE
N4237.5-W11437.5/7.5

1979

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

SEE ATTACHED SKETCH

MICROFILMED
OCT 9 1992

B. CHANGES IN NATURE OF USE

PART 3

Transfer No. _____

Page 6 of 6

1. New Nature of Use

Amount
(cfs/ac-ft)

0.24 cfs

Hours/days/year

24 hrs/365 days

Period of Use

Jan 1 to Dec 31

2. Quantity and quality of return flows and location of discharge:

Licenses proposes to irrigate with water from fish propagation so quality will be good! Quantity will depend on actual acreage irrigated.

3. Describe effects on other water uses resulting from the proposed change:

Over time there will be less water consumed since less acreage will be irrigated; consequently, more water will be available to downstream users.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use

of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

[Signature]

day of January, 1989

(Notary Public)

[Signature]

My commission expires 6-30-94

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 6 attachments

Received by *[Signature]* Date 11-6-89

Prelim. check by *[Signature]* Fee \$50.00

Received by *[Signature]* Date 11-7-89 50/0387

Published in *[Signature]*

Pub. dates 1/4 * 11/1/90

Watermaster recommendation requested on N/A

Recommended for ☐ approval ☐ denial

by _____ rec'd. _____

Copy of transfer sent to lien holder _____

CONSOLIDATED TAX NOTICE AND RECEIPT
TWIN FALLS COUNTY TREASURER
BONNIE BRUNING, BOX 88

TWIN FALLS, ID 83303 REAL PROPERTY
 MARKET VALUE TAX CODE AREA PARCEL NUMBER BILL NUMBER
 6500 14-00 RP09S15E126010A 19197

SEC 12 T 9 R 15
 TAX #1619 DF S1/2 SW

L 6500

1.000 CRYSTAL SPRINGS RANCH LTD
 TOE ACRES % MILLARD, DAVID R ET UX
 RT 1 BOX 119 M/O
 DELINQUENT CERT. FILER, ID 83328

ADDRESS CHANGE

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT
 REAL PROPERTY 1989 RP09S15E126010A
 CRYSTAL SPRINGS RANCH LTD
 % MILLARD, DAVID R ET UX 19197

SPECIAL CODE	TAX	CODE	AREA	TAX	2ND INSTALLMENT
			45.07		45.07
					14-00
					2nd
					2T

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
 MAKE CHECKS PAYABLE TO

TWIN FALLS COUNTY TREASURER
 BONNIE BRUNING, BOX 88
 TWIN FALLS, ID 83303-0088

DELINQUENT IF NOT PAID ON OR BEFORE **JUNE 20, 1990**
 DATE PAID **CHECK #**
 PAID BY **CASH**

TAXING DISTRICT	RATE	AMOUNT	RECEIPT
STATE	.005194	33.76	FULL PAYMENT
COUNTY	.006997	45.48	TAX 90.14
SCHOOL DIST 413	.001312	8.54	PEN.
FILER - HIGHWAY	.000361	2.36	SUB TOT.
FILER RECREAT			INT.
			TOT.
			1ST INSTALLMENT
			TAX 45.07
			PEN.
			SUB TOT.
			INT.
			TOT.
			2ND INSTALLMENT
			TAX 45.07
			PEN.
			SUB TOT.
			INT.
			TOT.
TOTAL	.013864	90.14	

** YOUR CHECK IS **
 ** YOUR RECEIPT **

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT
 REAL PROPERTY 1989 RP09S15E126010A
 CRYSTAL SPRINGS RANCH LTD
 % MILLARD, DAVID R ET UX 19197

SPECIAL CODE	TAX	CODE	AREA	TAX	TOTAL TAX
			90.14		90.14
					14-00
					FULL
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					14-00
					1st
					2T

DELINQUENT IF NOT PAID ON OR BEFORE **DECEMBER 20, 1989**
 DATE PAID **CHECK #**
 PAID BY **CASH**

CONSOLIDATED TAX NOTICE AND RECEIPT

TWIN FALLS COUNTY TREASURER

BONNIE BRUNING, BOX 88

TWIN FALLS, ID 83303

REAL PROPERTY

PARCEL NUMBER

19195

MARKET VALUE

58469

TAX CODE AREA

14-00

RP09S15E124800A

19195

SEC 12 T 9 R 15-LT6, ALL LAND

PLAT/D IN SEC 12 OF SALT GRASS

& SAND PLACER MINES, EX THAT IN

LT6; NWSW, EX TX #1616; S1/2 SW

EX CRYSTAL SPRINGS EST & TX #1'S

1617, 1619; LT 7; SWSE; LT 8

164.090 BURDEN, JOSEPH L ET UX

% T F BANK & TRUST CO TRUSTEE

% CRYSTAL SPRINGS RANCH LTD

% MILLARD, DAVID R ET UX

RT 1 BOX 119 M/D

FILER, ID 83328

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TAXING DISTRICT

STATE

COUNTY

SCHOOL DIST 413

FILER - HIGHWAY

FILER RECREAT

AM FALLS RES.

TOTAL

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FULL PAYMENT

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1ST INSTALLMENT

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REAL PROPERTY 1989 RP09S15E124800A

BURDEN, JOSEPH L ET UX

% T F BANK & TRUST CO TRUSTEE 19195

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** YOUR CHECK IS **

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NOTICE OF
PROPOSED CHANGE
OF WATER RIGHT
NO. 47-2145

Notice is hereby given that David R. Millard dba Crystal Springs Ranch of Filer, ID has applied to the Department of Water Resources to change the following described water rights(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT
AS RECORDED
Water right No. 47-2145
Basis of right: License
Source: Cedar Draw
Creek tributary to Snake
River
Priority Date: 5/6/1920
Amount of water: 0.36 cfs
Water use: Irrigation
Point(s) of diversion:
SW $\frac{1}{4}$ SW $\frac{1}{4}$, S14, T9S,
R15E; Twin Falls County.
Place of use: 18 acres
within SE $\frac{1}{4}$ SW $\frac{1}{4}$, S12,
T9S, R15E.

TO BE CHANGED AS
FOLLOWS

Water right No. 47-2145
Amount: 0.24 cfs
Fish propagation FROM
01/01 TO 12/31
Irrigation FROM 03/15 to
11/15

Total amount being
transferred: 0.24

Source: Cedar Draw
Creek tributary to Snake
River
Point of diversion: SW $\frac{1}{4}$
4NE $\frac{1}{4}$, S14, T9S, R15E;
Twin Falls County.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } SS.

I, Linda Capps McShuire being first duly sworn upon oath, depose and say that I am Bruna Clark of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive weeks,

commencing with the issue dated January 4, 1990, and ending with the issue dated January 11, 1990.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 11 day of January in the year of 1990, before me,

a Notary Public, personally appeared Linda Capps McShuire, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Jreva R. Feltman
Notary Public for Idaho

Residing at

My commission expires:

Twin Falls County
5/19/94

No 20710

1990

Water Resources

Division Office

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 20710

I, Linda Capps McShuire being first duly sworn upon oath, depose
and say that I am Business Clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive weeks,

commencing with the issue dated January 4, 1990,
and ending with the issue dated January 11, 1990.

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to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 11 day of January in the year of 1990, before me,

a Notary Public, personally appeared Linda Capps McShuire,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Ireva R. Feltman
Notary Public for Idaho
Residing at Twin Falls County
My commission expires: 5/19/94

RECEIVED

JAN 16 1990

Department of Water Resources
Southern Region Office

NOTICE OF
CORRECTION

Notice is hereby given that Application for Transfer of Water Right No. 47-2145 in the name of David R. Millard dba Crystal Springs Ranch of Filer, ID was advertised incorrectly on 1/4 and 1/11/90. The point of diversion as recorded, was advertised as being within the SW 1/4 SW 1/4, S14, T9S, R15E.

WHEREAS, the actual point of diversion is within the SW 1/4 NE 1/4, S14, T9S, R15E.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 2148 Fourth Avenue East, Twin Falls, ID 83301 on or before 2/20/90.

R. KEITH HIGGINSON
Director

PUBLISH: Thursday,
February 1 and 8, 1990.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } SS.

I, Linda Capps McBurne being first duly sworn upon oath, depose and say that I am Grove Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for consecutive weeks, commencing with the issue date 1990 and ending with the issue date 1990.

And I do further certify that Evening Times, published theretofore except Monday, both of which newspapers county continuously and uninterruptedly, since such consolidation, which time said newspaper began uninterruptedly.

And I further certify that pur as the day on which legal notice to be published weekly, will be published in each issue thereof, Thursday.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 70

a Notary Public, personally appeared known or identified to me to be duly sworn, declared that the

12, of the Idaho retorefore daily ex- as in said city and and said TIMES- July 31, 1978, at continuously and

as been designated the state of Idaho, bined newspapers, e published.

70, before me,

and being by me first executed the same.

Notary Public for Idaho

Residing at

My commission expires:

Twin Falls County
5/19/94

REGISTERED

FEB 12 1990

Department of Water Resources
Southern Region Office

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And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 9 day of February in the year of 1990, before me,

a Notary Public, personally appeared Linda Capps McGuire known and identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shirley R. Feltman
Notary Public for Idaho

Residing at

My commission expires:

Twin Falls County
5/19/94

RECEIVED

FEB 12 1990

Department of Water Resources
Southern Region Office

No 20802

OK MB
2/14/90



The Times-News

P.O. Box 548 • Twin Falls, Id. 83303-0548

January 12, 1990

RECEIVED

JAN 16 1990

Idaho Water Resources

2148 4th Ave East

Twin Falls ID 83301

Department of Water Resources
Southern Region Office

CLAIM #47-1245

Two Times

Jan. 4, 1990, 61 lines @ .40- - \$24.40
Jan. 11, 1990, 61 lines @ .32- - \$19.52
Affidavit \$ 3.00

TOTAL DUE

\$46.92

*Error noted
1/17/90
MB*

INVOICE
20710

ACE PYS.

CLASSIFIED ADVERTISING INVOICE

TWIN FALLS TIMES NEWS
132 3RD ST W.
P. O. BOX 548
TWIN FALLS ID 83303

RECEIVED

JAN 16 1990

Department of Water Resources
Southern Region Office

RETURN POSTAGE GUARANTEED

INVOICE NO.		CLASS		BILLING DATE	
20710		343		01/11/90	
INDEXING TERM					
447-2145					
START DATE		TELEPHONE NO.		ORDER NO.	
1/04/90		734-3573			
LINES/WORDS	TIMES	RATE	NET AMOUNT	GROSS AMOUNT	
61	2		43.92	43.92	
AFFIDAVIT			3.00	3.00	
PAY THIS AMOUNT			46.92	46.92	

GROSS AMT DUE AFTER 01/26

RETURN THIS PORTION WITH YOUR REMITTANCE

20710

4692

THIS SPACE FOR ADDRESS ONLY

IDAHO WATER RESOURCES

2148 4TH AVE EAST
TWIN FALLS

ID
83301

MICROFILMED

OCT 8 2 1990

State of Idaho

License and Certificate of Water Right

Water License No. 14675

Amount 0.36 sec. ft.

Water District No. 45

Priority 5-6-20

THIS IS TO CERTIFY that W. R. HURST of Filer, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 26, 1920; that Permit No. 14675 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.4 second feet, was issued thereunder on July 2, 1921, showing that said works were completed on the 11th day of May, 1921; and that on the 21st day of July, 1921,

W. R. HURST

of Filer, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Cedar Draw, a tributary of Snake River, for the purpose of irrigation & domestic, under Use Permit No. 14675 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 5 of Licenses, at page 2891, on the 16th day of December, 1921;

The right hereby confirmed dates from May 6, 1920;

The Point of Diversion is located in the SW 1/4 NE 1/4, Sec. 14, Tp. 9 S., R. 15 E., B. M. County of Twin Falls

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.36 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S.	15 E.	12	31st SW 1/4	20	13

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 16th day of December, 1921.

W. G. SWENDESEN.

Commissioner of Reclamation.

47-2145

(Seal)

APPLICATION FOR PERMIT 47-2145

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 20720
Permit No. 14675
District No. 46

1. Name of Applicant: W. R. Hurst.

Postoffice address: Filer County: Twin Falls State: Idaho.

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: two fifths (2/5) cubic feet per second.

3. Source of water supply: Cedar Draw which is a tributary of Snake River.

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$
of Section 14 , T. 9 S. , R. 15 E. , B. M., County of Twin Falls.

5. Water is to be used for: Irrigation and domestic purposes.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 500.00

8. Kind of works: Dam, Ditch and Flume.

9. Height of dam four feet; length of dam at top 100 feet; length of dam at bottom 90
feet; material used in dam Wood, Stone and Earth.

10. Size of headgate: Width four feet; height four feet.

11. Ditch: Width at bottom four feet; width at water line six feet; depth of water 2 $\frac{1}{2}$
feet; dimensions of flume 36 in. wide, 2 ft. deep, 85 ft. long.

Diameter of pipe inches; length of conduit one miles.

Average grade per mile about 8 feet.

12. The time required for the completion of such work is one years.

13. The time required for the complete application of the water to the proposed use is none additional years.

14. The land to be irrigated is described in the following tabulation: See Remarks.

15. (a) Is reservoir to be used? No. If so, fill in (b) and (c) below.
(b) Name of reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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.

W. R. Hurst. Applicant.

By

Agent.

Commissioner of Reclamation

Date of first receipt at office of ~~State Engineer~~ 9:00 A. M. Feb. 26, 1920.

Returned to applicant for correction Feb. 27, 1920.

Corrected application received April 28, 1920.

COMMISSIONER OF RECLAMATION
APPROVAL OF ~~STATE ENGINEER~~

The number of this permit is 14675

Recorded in Book 52 Page 14675 Approved May 12, 1920.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before July 11, 1920 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before November 12, 1920.

The whole of said work to be completed on or before May 12, 1921.

Beneficial use of water appropriated in accordance herewith, to be made on or before May 12, 1921.

Witness my hand this 12th day of May, 1920.

W. G. Swendsen
~~State Engineer~~

Commissioner of Reclamation.

Remarks: This ditch is described, including capacity for other lands and is to be used jointly with the owner of other lands. No separate capacity is attempted to be described. Agreement for such use has been entered into

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 S.	15 E.	12												20					20

Proof of Completion of Works made May 11, 1921.
Certificate issued July 2nd, 1921.

CERTIFICATE OF COMPLETION OF WORKS

To all whom it may concern:

This is to certify that W. R. Hurst, of Filer, County of Twin Falls, and State of Idaho, the holder of Permit No. 14675, issued upon Application No. 20720 bearing date of priority of February 26, 1920, authorizing the diversion of 0.4 second feet of the waters of Cedar Draw, tributary to Snake River, County of Twin Falls, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.4 second feet of the water of Cedar Draw; that the point of diversion of said waters is in the SW¼ NE¼ Sec. 14, T. 9 S., R. 15 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows; to-wit; SE¼ SW¼ Sec. 12, T. 9 S., R. 15 E., B. M.

WITNESS my hand this 2nd day of July, A. D. 1921.

License issued for 0.36 second feet

Page 2891

W. G. SWENDSEN,
Commissioner of Reclamation.

BY GEO. B. ARCHIBALD
Deputy.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June ²⁹/₁₉, 2002

ATTN DAVID MILLARD
CRYSTAL SPRINGS RANCH
20924 SE 213TH STREET
MAPLE VALLEY WA. 98038

Re: **Protested** Application for Transfer No. 67625 (3909); Application for Permit Nos.
47-08385, 47-08386 & 47-08388

Dear Mr. Millard:

The enclosed "Notice of Proposed Default Order" has been prepared pursuant to Rules of Procedure 700 through 702 listed below. Pursuant to Rule of Procedure 701 the applicant must petition within seven (7) days from the date of service to prevent the issuance of the default order. Rules of Procedure 053 through 057 may have bearing on responding to this notice.

700. NOTICE OF PROPOSED DEFAULT AFTER FAILURE TO APPEAR OR RESPOND (Rule 700). If an applicant or claimant or appellant, petitioner, protestant, complainant, or moving party fails to appear at the time and place set for hearing, or prehearing conference, on an application or claim or appeal, petition, complaint, or motion, or fails to respond to a written information inquiry, the presiding officer may serve upon all parties a notice of a proposed default order denying the application or claim or appeal, petition, complaint, or motion. The notice of a proposed default order shall include a statement that the default order is proposed to be issued because of a failure of the applicant or claimant or appellant, petitioner, complainant or moving party to appear at the time and place set for hearing or prehearing conference, or to respond to the information inquiry. The notice of proposed default order may be mailed to the last known mailing address of the party proposed to be defaulted. (4-5-00)

701. SEVEN DAYS TO CHALLENGE PROPOSED DEFAULT ORDER (Rule 701). Within seven (7) days after the service of the notice of proposed default order, the party against whom it was filed may file a written petition requesting that a default order not be entered. The petition must state the grounds why the petitioning party believes that default should not be entered. (7-1-93)

702. ISSUANCE OF DEFAULT ORDER (Rule 702). The agency shall promptly issue a default order or withdraw the notice of proposed default order after expiration of the seven (7) days for the party to file a petition contesting the default order or receipt of a petition. If a default order is issued, all further proceedings necessary to complete the contested case shall be conducted without participation of the party in default (if the defaulting party is not a movant) or upon the results of the denial of the motion (if the defaulting party is a movant). All issues in the contested case shall be determined, including those affecting the defaulting party. Costs may be assessed against a defaulting party. (7-1-93)

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053. COMMUNICATIONS WITH AGENCY (Rule 53). All written communications and documents that are intended to be part of an official record for a decision in a contested case must be filed with the officer designated by the agency. Unless otherwise provided by statute, rule, order or notice, documents are considered filed when received by the officer designated to receive them, not when mailed, or otherwise transmitted. (7-1-93)

054. IDENTIFICATION OF COMMUNICATIONS (Rule 54). Parties' communications addressing or pertaining to a given proceeding should be written under that proceeding's case caption and case number, if applicable. General communications by other persons should refer to case captions, case numbers, permit or license numbers, or the like, if this information is known. (7-1-93)

055. SERVICE BY AGENCY (Rule 55). Unless otherwise provided by statute or these rules, the officer designated by the agency to serve rules, notices, complaints, and orders issued by the agency may serve these documents by regular mail or by certified mail, return receipt requested, to a party's last known mailing address or by personal service. Unless otherwise provided by statute, these rules, order or notice, service of orders and notices is complete when a copy, properly addressed and stamped, is deposited in the United States mail, or the Statehouse mail if the party is a State employee or State agency. The officer designated by the agency to serve documents in a proceeding must serve all orders and notices in a proceeding on the representatives of each party designated pursuant to these rules for that proceeding and upon other persons designated by these rules or by the agency. (4-5-00)

056. COMPUTATION OF TIME (Rule 56). Whenever statute, these or other rules, order, or notice requires an act to be done within a certain number of days of a given day, the given day is not included in the count, but the last day of the period so computed is included in the count. If the day the act must be done is Saturday, Sunday or a legal holiday, the act may be done on the first day following that is not Saturday, Sunday or a legal holiday. (7-1-93)

057. ADDITIONAL TIME AFTER SERVICE BY MAIL (RULE 57). Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon the party and the notice or paper is served upon the party by mail, three (3) days shall be added to the prescribed period. This rule, however, shall not extend the time for filing a protest, a petition for reconsideration of a preliminary, recommended or final order before the agency, the time for filing exceptions with the agency head to a preliminary or recommended order, or the time for filing an appeal with the district court from a final decision of the agency. (4-5-00)

All "Administrative Rules" of the Department may be found at the following internet address:

<http://www2.state.id.us/adm/adminrules/rules/idapa37/37index.htm>

If you have any questions regarding this matter please feel free to contact me at this office.

Sincerely,



Allen Merritt, PE
Southern Region Manager

OCT 29 2013

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATIONS)
IN THE NAME OF CRYSTAL SPRINGS)
RANCH)
_____)

**NOTICE OF
PROPOSED DEFAULT ORDER**

These matters having come before the Idaho Department of Water Resources ("Department") as Applications ("applications") filed by Crystal Springs Ranch ("applicant") associated with lands in Twin Falls County, Idaho; the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Application for Transfer No. 67625/3909 was filed on November 7, 1989 with the Department proposing to modify water rights. The Department advertised the application on January 4 and 11, 1990 and was subsequently protested by Everett Weaver. The Department has held the application pending resolution of the contested case.

2. Three Applications for Permit filed with the Department of Water Resources proposing to appropriate the public waters of the State of Idaho, advertised on July 6 and 13, 1999 and were subsequently protested by the Idaho Department of Fish and Game are listed as follows:

47-08385 filed on May 8, 1995
47-08386 filed on May 31, 1995
47-08388 filed on June 20, 1995

The Department has held the applications pending resolution of the contested cases.

3. On February 25, 2002 the Department corresponded with the applicant inquiring of their continuing interest in the applications. The applicant did not respond to the inquiry.

CONCLUSIONS OF LAW

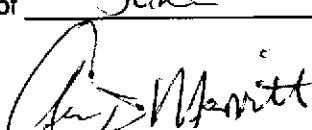
1. IDAPA Rule 37.01.01700 (Rule of Procedure 700) authorizes the Department to issue a Notice of Proposed Default for Failure to Respond to a written inquiry.

2. The Department should enter a Notice of Proposed Default for Failure to Respond to a written request for information about the applications and for failure to show a continuing interest in the applications.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the Department plans to enter a Default Order **SETTING ASIDE** Application for Transfer No. 67625/3909, Application for Permit Nos. 47-08385, 47-08386, and 47-08388 as provided in IDAPA Rule 37.01.01702 (Rule of Procedure 702).

Dated this 20th day of June, 2002.

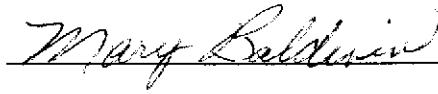


ALLEN MERRITT, PE

Southern Region Manager (Presiding Officer)

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of June, 2002 a true and correct copy of the above and foregoing Notice of Proposed Default Order was forwarded with all required charges prepared, by both Regular U.S. Mail and Certified Mail to the parties listed:



Secretary

ATTN DAVID MILLARD
CRYSTAL SPRINGS RANCH
20924 SE 213TH STREET
MAPLE VALLEY WA 98038

EVERETT WEAVER
1728 E 4200 N
BUHL ID 83316

DAVID PARRISH SUPERVISOR
ID DEPT FISH & GAME
PO BOX 428
JEROME ID 83338

MICHAEL

JUN 24 2002

**U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)**

OFFICIAL USE

Postage	\$
Certified Fee	\$
Return Receipt Fee (Endorsement Required)	\$
Restricted Delivery Fee (Endorsement Required)	\$
Total Postage & Fees	\$

Postmark
Here

Sent To EVERETT WEAVER

Street, Apt. # or PO Box N 1728 E 4200 N

City, State, Z BUHL ID 83316

PS Form 3800, January 2001 See Reverse for Instructions

7002 0460 0000 7276 2351

**U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)**

OFFICIAL USE

Postage	\$
Certified Fee	\$
Return Receipt Fee (Endorsement Required)	\$
Restricted Delivery Fee (Endorsement Required)	\$
Total Postage & Fees	\$

Postmark
Here

Ser DAVID PARRISH SUPERVISOR

Street or PO Box 428 ID DEPT FISH & GAME

City JEROME ID 83338

PS Form 3800, January 2001 See Reverse for Instructions

7002 0460 0000 7276 2344

IMPORTANT: Save this receipt and present it when making an inquiry.

- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.
- **For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".**
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- **For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".**
- **NO INSURANCE COVERAGE IS PROVIDED with Certified Mail.** For valuables, please consider Insured or Registered Mail.
- Certified Mail is not available for any class of International mail.
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery

Certified Mail Provides:**Certified Mail Provides:**

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

- Certified Mail may be combined with First-Class Mail or Priority Mail.
- Certified Mail is not available for any class of International mail.
- **NO INSURANCE COVERAGE IS PROVIDED with Certified Mail.** For valuables, please consider Insured or Registered Mail.
- For an additional fee, a Return Receipt may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested". To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery".
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IMPORTANT: Save this receipt and present it when making an inquiry.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7002 0450 7276 9222 0000 0940 2002 2337

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sir ATTN DAVID MILLARD
 CRYSTAL SPRINGS RANCH
 20924 SE 213TH STREET
 MAPLE VALLEY WA 98038

PS Form 3800, January 2001 See Reverse for Instructions

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders:

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IMPORTANT: Save this receipt and present it when making an inquiry.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: *AM/TH 67625*

DAVID PARRISH SUPERVISOR
ID DEPT FISH & GAME
PO BOX 428
JEROME ID 83338

2. Article Number

(Transfer from service label)

7002 0460 0000 7276 2344

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-038

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: *ATTN TH 67625*

ATTN DAVID MILLARD
CRYSTAL SPRINGS RANCH
20924 SE 213TH STREET
MAPLE VALLEY WA 98038

2. Article Number

(Transfer from service label)

7002 0460 0000 7276 2337

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-038

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X M. G. Clark☐ Agent
☐ Addressee

B. Received by (Printed Name)

M. G. Clark

C. Date of Delivery

*6-27-02*D. Is delivery address different from item 1? ☐ Yes

If YES, enter address below:

☐ No**RECEIVED**

JUN 24 2002
Department of Water Resources
Southern Region

3. Service Type

☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt for Merchandise
☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X M. G. Clark☐ Agent
☐ Addressee

B. Received by (Printed Name)

M. G. Clark

C. Date of Delivery

*6-27-02*D. Is delivery address different from item 1? ☐ Yes

If YES, enter address below:

☐ No

JUL 01 2002
Department of Water Resources
Southern Region

3. Service Type

☒ Certified Mail
☐ Registered
☐ Insured Mail
☐ Express Mail
☐ Return Receipt for Merchandise
☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

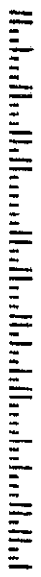
UNITED STATES POSTAL SERVICE



First-Class mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

STATE OF IDAHO
DEPT OF WATER RESOURCES
1341 FILLMORE-SUITE 200
TWIN FALLS ID 83301-3380



UNITED STATES POSTAL SERVICE



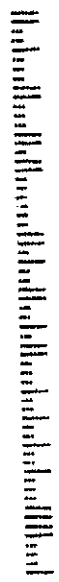
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RECEIVED

• Sender: Please print your name, address, and ZIP+4 in this box •

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPT OF WATER RESOURCES
1341 FILLMORE-SUITE 200
TWIN FALLS ID 83301-3380



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: *AM/F# 67625*

EVERETT WEAVER
1728 E 4200 N
BUHL ID 83316

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ X

☐ Agent
☐ Addressee

B. Received by (Printed Name)
EVERETT WEAVER

C. Date of Delivery
6-21-02

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

JUN 24 2002

Department of Water Resources
Southern Region

3. Service Type

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number
(Transfer from service label)

7002 0460 0000 7276 2351

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-038

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

STATE OF IDAHO
DEPT OF WATER RESOURCES
1341 FILMORE-SUITE 200
TWIN FALLS ID 83301-3380

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: *AM/T# 67625*

EVERETT WEAVER
1728 E 4200 N
BUHL ID 83316

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7002 0460 0000 7276 2351

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-0381

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: *AM/T# 67625*

ATTN DAVID MILLARD
CRYSTAL SPRINGS RANCH
20924 SE 213TH STREET
MAPLE VALLEY WA 98038

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7002 0460 0000 7276 2337

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-0381

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: *AM/T# 67625*

DAVID PARRISH SUPERVISOR
ID DEPT FISH & GAME
PO BOX 428
JEROME ID 83338

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OCT 29 2003

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7002 0460 0000 7276 2344

PS Form 3811, August 2001

Domestic Return Receipt

102595-01-M-0381



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 25, 2002

Crystal Springs Ranch
Attn: David Millard
20924 SE 213th Street
Maple Valley, WA 98038

RE: Transfer Application No. 3909
Applications for Permit 47-8385, 47-8386 and 47-8388

Dear Mr. Millard:

As you may recall several years ago you filed an application for transfer to modify water rights on Cedar Draw and three applications for permit to develop springs and creeks tributary to Cedar Draw and Cedar Draw. The transfer application was protested by Everett Weaver and the applications for permit were protested by Idaho Department of Fish & Game. To date no conference or hearing has been held regarding these protested matters.

The purpose of this letter is to inquire of your continued interest in your applications. Please let me know within **30 days** of your continued interest.

Do you want to withdraw the applications? Do you want our office to continue to hold the applications? Do you want to schedule a conference and/or a hearing? What dates are you available to hold a conference?

If you have questions, please feel free to contact me at this office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

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OCT 29 2003

RECEIVED

MEMORANDUM

APR 03 1995

Department of Water Resources
Southern Region

To: Allen Merritt

From: L. Glen Saxton *WGS*

RE: PROTESTED APPLICATION FOR TRANSFER NO. 3909 OF LICENSE
NO. 47-02145

Date: March 29, 1995

This file is one of the ones I removed from your office in September 1994, hoping that there might be a way to take action on the pending protest.

The department has held a number of these protested applications which involve fish propagation without action due to DEQ's requirements related to pollution concerns of the middle Snake River and the "no additional degradation" standard of the receiving waters. I'm not sure, however, that DEQ will soon come up with a general policy concerning fish facilities and even if not, I think it is probably up to an applicant to pursue needed approvals on their own in order to overcome the speculation problem.

The protest appears to allege enlargement and injury. It seems that we can send the order for prehearing statements to determine continuing interest in the matter. We then can likely better determine if we should schedule the matter for hearing.

This matter does not justify any particular priority over other commitments you have to deal with.

MICROFILMED

OCT 29 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

19-Mar-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

DAVID R MILLARD
DBA CRYSTAL SPRINGS RANCH
RT 1 BOX 119
FILER ID 83328

RE: APPLICATION FOR TRANSFER NO. 47-02145

Dear Mr. Millard:

Enclosed is a copy of a protest filed against the above referenced application.

The Department suggests you contact the protestant directly to determine the exact nature of the protest(s) and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure(s)

MICROFILMED

OCT 12 2002

CONFERENCE AND HEARING PROCEDURE

IN THE MATTER OF A PROTESTED APPLICATION FOR TRANSFER

In accordance with IDAHO CODE, Section 42-222, the following issues are involved in the consideration of the application and protest(s):

- 1) Are other water rights injured by the transfer?
- 2) Does the change constitute enlargement in the use of the original water right?
- 3) Is the change consistent with the conservation of water resources within the state of Idaho?
- 4) Does the change conflict with the local public interest?

PROCEDURE

The procedure normally followed by the department in arriving at a decision on the issues which must be considered is to first hold a conference in the matter and then, if necessary, hold a hearing. If a hearing is held a written decision is issued based on the hearing record.

CONFERENCE

Preliminary to holding a hearing, a pre-hearing conference is held to to familiarize the department and the parties with the matter and to determine if a resolution of the protest(s) is possible without the need for a hearing.

At the conference the department may formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

HEARING

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be issued and the parties will be afforded the opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by IDAHO CODE, Section 42-1701A.

The parties by written stipulation, may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the director's review of a party's evidence and arguments. However, such a waiver will shorten the decision making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the District Court.

Under the provisions of the IDAHO CODE, Sections 42-1701A and 67-5215, any court review of the department's decision on appeal shall be confined to the record created before the department.

EFFECT OF FAILURE TO APPEAR AT A CONFERENCE OR HEARING

Failure to appear at the time and place set for a conference or hearing by the applicant or protestant(s) may allow the department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

MICROFILMED

OCT 6 2 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

19-Mar-1992

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

EVERETT WEAVER
RT 4
BUHL ID 83316

RE: APPLICATION FOR TRANSFER NO. 47-02145 (DAVID R. MILLARD,
DBA CRYSTAL SPRINGS RANCH)

Dear Mr. Weaver:

Your protest against the approval of the above referenced application has been received and a copy has been sent to the applicant with the suggestion that he contact you directly to determine the exact nature of the protest and, if possible, to resolve the matter without action by the Department.

The attachment to this letter describes the issues which the Department must consider in taking action on an application. It also gives a brief description of the conference and hearing procedure followed by the Department in resolving protested applications.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Loren O. Holmes, P.E.
Southern Region Manager

LH:MB
Enclosure(s)

MICROFILMED

OCT 02 2002

I, Everett Weaver, do hereby protest Application for Transfer of Water Right 47-02145
ø in the name of David R. Millard/Crystal Springs Ranch. By changing the use from
only the irrigation season to year-around use, my existing water rights for fish prop-
agation will be damaged. I operate under minimal water conditions now, and need all
the available water to maintain my operation.

Sincerely,

Everett Weaver
Rt. 4, Buhl, ID
83316
1-1-1990



RECEIVED

JAN 10 1990

Department of Water Resources
Southern Region Office

MICROFILMED

OCT 12 2002

11/6

Millard, David
dba Crystal Springs
Ranch

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

3909/67625

INITIAL REVIEW BY: DJ

Oba Crystal Springs Ranch

1. Right number 47-2145 Applicant Millard, David
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Other Change Nature & Period of use
4. Check:
- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion.
- c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
- a. ☒ All of right.
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- c. ☒ Check description of point(s) of diversion.
- d. ☒ Check description of place of use.
- e. ☒ Check map (shows p.d. and p.u. after transfer).
- f. ☒ Check for correct signature, notarization, and fee.
- g. ☐ Check proof of ownership of right &/or land from which water is transferred.
- h. ☒ Check for expansion in use of right. Comments Changing rate of diversion to account for lengthening period of use
- i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) Application 47-8041
- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☐ Yes ☐ No
3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny
3. Conditions* _____

4. By _____ Date _____

3909/67625

NOTICE OF CORRECTION

Notice is hereby given that Application for Transfer of Water Right No. 47-2145 in the name of David R. Millard dba Crystal Springs Ranch of Filer, ID was advertised incorrectly on 1/4 and 1/11/90. The point of diversion as recorded, was advertised as being within the SW1/4SW1/4, S14, T9S, R15E.

WHEREAS, the actual point of diversion is within the SW1/4NE1/4, S14, T9S, R15E.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 2148 Fourth Avenue East, Twin Falls, ID 83301 on or before 2/20/90.

R. KEITH HIGGINSON, DIRECTOR

Published in Times News on 2/1 & 2/8/90

MICROFILMED

SEP 9 2002

41

17-Jan-1990

Times News
P.O. Box 548
Twin Falls, ID 83301

Gentlemen:

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

An affidavit of publication must be submitted to the Department along with the publication bill.

It is our understanding that this publication of the correction notice will be at no charge to the Department. Enclosed please find copies of the legal notice originally submitted for publication and a copy of the actual publication with the errors circled in red.

Please send the affidavit of publication and publication billing to this office before February 20, 1990.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosures (3)
Original legal notice
copy of first publication affidavit
Notice of Correction legal

MICROFILMED

OCT 02 2002

17-Jan-1990

David R. Millard
dba Crystal Springs Ranch
Rt. 1 Box 119
FILER ID 83328

Re: Application for Transfer No. 47-2145

Dear Mr. Millard:

We regret to inform you that due to a publishing error by the Times News on the Point of Diversion, a Notice of Correction will appear in the Times News on 2/1 & 2/8/90. Ten days will be allowed after the second publication date for the submittal of protests to the Correction Notice.

We apologize for any inconvenience this delay may have caused you. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED

OCT 2 2002

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 47-2145

Notice is hereby given that David R. Millard dba Crystal Springs Ranch of Filer, ID has applied to the Department of Water Resources to change the following described water right(s) pursuant to Section 42-222 of the IDAHO CODE.

WATER RIGHT AS RECORDED

Water right No. 47-2145
Basis of right: License
Source: Cedar Draw Creek tributary to Snake River
Priority Date: 5/6/1920
Amount of water: 0.36 cfs Water use: Irrigation
Point(s) of diversion: SW1/4NE1/4, S14, T9S, R15E; Twin Falls County.
Place of use: 18 acres within SE1/4SW1/4, S12, T9S, R15E.

TO BE CHANGED AS FOLLOWS

Water right No.: 47-2145 Amount: 0.24 cfs
Fish propagation FROM 01/01 TO 12/31
Irrigation FROM 03/15 TO 11/15

Total amount being transferred: 0.24

Source: Cedar Draw Creek tributary to Snake River
Point of diversion: SW1/4NE1/4, S14, T9S, R15E; Twin Falls County.
Place of use: Irrigation of 12 acres within Lot 6 (NE1/4SW1/4), NW1/4SW1/4 and Fish propagation within NW1/4SW1/4, S12, T9S, R15E.

Any protest against approval of the application for transfer must be filed with the Department of Water Resources, 2148 4th Ave East, Twin Falls, ID 83301 on or before January 22, 1990.

R. Keith Higginson, Director

Published in Times News on 1/4 & 1/11/90.

MICROFILMED

OCT 2 2002

18-Dec-1989

David R. Millard
dba Crystal Springs Ranch
Rt. 1 Box 119
FILER ID 83328

Re: Application for Transfer No. 47-2145

Dear Mr. Millard:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office will be advertising the application in the Times News on 1/4 and 1/11/90. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

MICROFILMED

OCT 22 2002

18-Dec-1989

Times News
P.O. Box 548
Twin Falls, ID 83301

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 required publication dates. If time allows, please submit 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. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

OCT 02 2002

FROM DR Jones

DATE 12-6-89

TO File 47-2145

SUBJECT Proof-of-ownership for Transfer App.

This day I talked w/ Dave Milard and requested that he send a recent tax notice for the land from which water is being transferred. He had previously marked the appropriate box (Part 2, 2) indicating that a tax notice was attached; it was not therein attached.

MICROFILMED

OCT 02 2002

Douglas Jones
SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 1, 1989

RE: Permit No. 47-7741

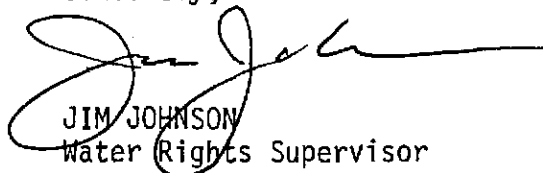
David R. Millard
dba Crystal Springs Ranch Ltd.
Rt. 1, Box 119
Filer, ID 83328

Dear Mr. Millard:

Enclosed is a copy of the approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please feel free to contact our office.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
OCT 02 2002

STATE OF IDAHO

AUG 29 1988

APPLICATION FOR AMENDMENT OF PERMIT

To change the point of diversion and/or the place of use

Department of Water Resources
Southern Region Office

RECEIVED
APPROVED
DEC 29 1988

Comes now David R. Millard d/b/a Crystal Springs Ranch Ltd. Department of Water Resources
Phone 326-3378

of (address) Route #1, Box 119, Filer, Idaho 83328, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 47-7741, and requests that the permit and permit map be changed as follows:

1. Point of diversion: 1/4 1/4, Section , Township , Range , B.M.,
County of . Other points of diversion:
No change.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
heating and cooling and fish
Amount .2 cfs for propagation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum) fish
Amount .9 cfs for propagation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)
Amount 1.1 cfs from irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum) above
Amount for purposes from to (both dates inclusive)
(cfs or acre feet per annum) Total diversion to be 1.1 cfs, combined. Heating and
cooling water, after use, will be used for fish propagation.
3. Place of use or land to be irrigated: Waste water from fish propagation ponds shall
be diverted for irrigation of the following:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	15E	12									20	10							30

Total number of acres to be irrigated = 30

4. a. Who owns the property at the point of diversion? Crystal Springs Ranch Ltd.
b. Who owns the land to be irrigated or the place of use? Crystal Springs Ranch Ltd.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: N/A

RECEIVED

SEP 6 1989

Department of Water Resources
Southern Region Office

MICROFILMED

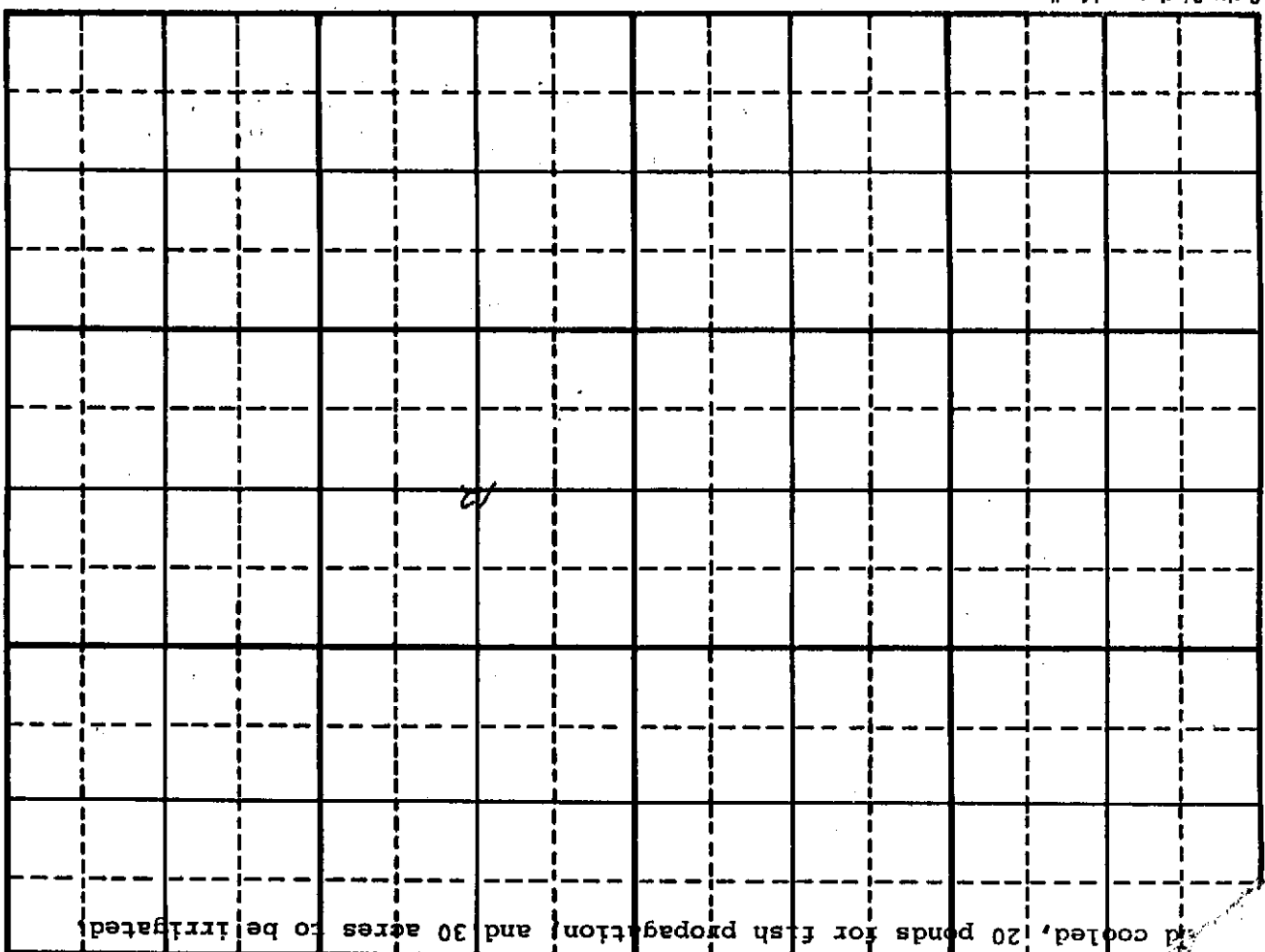
SEP 10 2002

47-7741

following map by showing land and point of diversion as proposed by this amendment.

subdivisions, townships, ranges and ditches.
attached map showing location of four residences and shop to be heated

and cooled, 20 ponds for fish propagation, and 30 acres to be irrigated.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Rupert, Idaho, this 29th day of August, 19 88.

(Signature)
d/b/a Crystal Springs Ranch Ltd.

FOR DEPARTMENT USE ONLY

Preliminary check by BA Fee = \$20.00
Received by RG Date 8/29/88
Publication prepared by MB Date 11/15/88
Published in Times News
Publication dates 11/24 + 12/1/88

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON

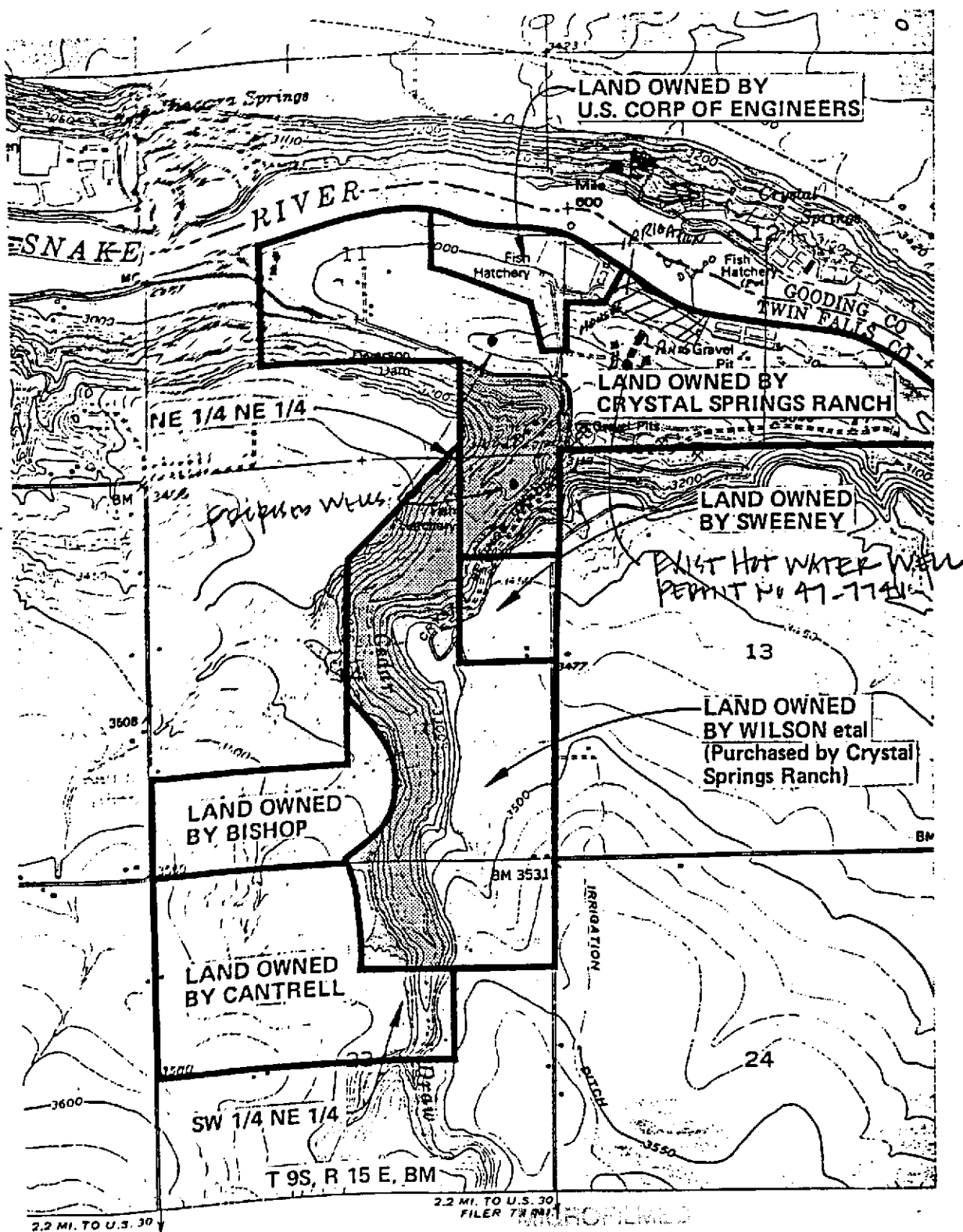
of the Department of Water Resources hereby
Approve the above Amendment provided the conditions as set forth in Permit

No. 47-7741 are met. The total maximum rate of diversion under this right shall not

exceed 0.84 cfs. The maximum rate of diversion for irrigation shall not exceed

0.60 cfs & the maximum rate of diversion for fish propagation shall not exceed 0.24 cfs.
Witness my hand this 30th day of August, 19 89

MICROFILMED
SEP 22 2002



Contour Interval = 10 ft.



OWNERSHIP/VICINITY MAP

Crystal Springs Hunting/Fishing Reserve Ranch
Twin Falls County, Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Dave Millard
Crystal Springs Ranch
Rt. 1 Box 119
Filer, ID
83328

January 27, 1989

RE: Applications For Transfer Of Water Rights 36-2709, 47-2145, 36-2905/47-2077

Dear Mr. Millard;

We are returning your three transfers for the above-referenced water rights. Your checks #1217, 1218, and 1219 are also being returned.

The transfers as filed represent a major expansion of the existing rights. Jim Johnson of our Boise office is returning your Application For Amendment of Permit 47-7741 for the same reason; his cover letter will further explain this to you.

There are two ways for you to obtain the right to use this water for year-around fish propagation. A significant reduction in the amount of land irrigated would make additional water available for fish, but there is not enough water available under these rights to allow fish propagation for the whole year. Little or no acreage reduction is shown in the transfers as filed. Your other option is to file an application for a permit to cover the use of this same water for the new use. Forms are enclosed for this purpose. As you may remember, your Application For Permit 47-8041 already requests 6 cfs from Cedar Draw for fish propagation.

If you wish to resubmit the transfer applications as originally filed, numerous errors need to be corrected. We can process these transfers if you insist, but they cannot be approved for what you want.

If you have any questions, please feel free to contact this office.

Sincerely,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

MICROFILMED

OCT 12 1989



CRYSTAL SPRINGS RANCH, INC.

Route 1, Box 119
Filer, Idaho 83328
(208) 326-3378



October 31, 1989

Mr. Loren Holmes
Southern Region Manager
Department of Water Resources
State of Idaho
2148 4th Avenue East
Twin Falls, ID 83301

RECEIVED

NOV 6 1989

Department of Water Resources
Southern Region Office

Attn: Mr James E. Stanton, Senior Water Resource Agent

Re: Application for Transfer of Water-Right (14675 to 47-2145)

Dear Jim:

After you rejected the application for transfer of water right (14675 to 47-2145), we discussed the method for converting the 0.36 cfs irrigation right to a right for fish propagation and irrigation with Jim Johnson. In accordance with Jim, a reduction of the 0.36 cfs right in direct proportion to the number of days licensed (March 15 to November 15, or 245 days) to 365 days in a year should be made. Of course, the area to be irrigated would also be reduced by a factor of 0.02 cfs per acre.

Our objective is to divert the cold water through an existing ditch system to the existing concrete rearing ponds to the area to be irrigated. Consequently, we have converted the license amount from a seasonal to annual basis by multiplying 0.36 cfs by 245 divided by 365, or 0.24 cfs. The area to be irrigated was reduced from 18 acres to 12 acres.

We request hereby that you accept and process accordingly this transfer. We have attached hereto the approved amendment (47-7741) which converted water usage from a shorter seasonal period to an annual basis as per Jim Johnson.

Sincerely yours,
Crystal Springs Ranch

David R. Millard, P.E., P.L.S.
Owner

Attachment

MICROFILMED

OCT 02 2002

December 19, 1921.

Re: Permit 14675.

Mr. W. R. Hurst,
Filer, Idaho.

Dear Sir:

We inclose herewith Water License issued
under the above numbered Permit, together with re-
ceipt for fees.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

Encls.

By _____
Chief Clerk.

14675

Filer Idaho

Dec 19 1921

Mr W. L. Ewerickson
Boise Idaho

Dear Sir Please find
enclosed \$2 fee on
Permit No 14675

Very Truly yours
W. R. Harris
Filer RR No 1

14675

RECEIVED

DEC 13 1909

DEPARTMENT OF RECLAMATION

December 2, 1921.

Re: Permit No. 14675.

Mr. W. K. Hurst,
Filer, Idaho.

Dear Sir:

The report of our examining engineer on beneficial use of water under the above numbered Permit show eighteen acres cultivated and irrigated in the $W\frac{1}{2}$ $SE\frac{1}{4}$ $SW\frac{1}{4}$ of Sec. 12, T. 9 S., R. 15 E. Upon receipt of fees in the sum of \$2.00, license will be issued for water for this land.

Very truly yours,

W. G. SMEDDEN,
Commissioner of Reclamation

CB/E

BY _____
Chief Clerk.

14675

REPORT OF ENGINEER

This proof is for Beneficial Use.In Water District No. 46.

1. State name of applicant and number of permit: W. R. Hurst - Permit 14675.
2. State source of water supply: Cedar Draw
3. Location of point of diversion: SW¹ NE¹ Sec. 14 - 9S-15E.

4. Describe works as they exist, giving dimensions and capacities of same: Rock and Brush dam 70 ft long, 3 ft high, Head gate 4 ft long, 2.5 ft wide, 3.5 ft deep. Ditch 3/4 mile long, 5 ft wide, 4 ft deep, 150 ft of flume 3 ft wide, 2 ft deep built of 2" planks

5. State whether or not water has been turned into works of diversion: yes

6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): W¹ SE¹ SW¹ of Sec. 12-9S-15E.

18 acres irrigated

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system?

9. Give names and amount of each right: Crystal Springs Orchard Co. & Hurst

10. What large stream would the water here appropriated finally reach?

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: ample capacity & water.

This examination was made on the 27th day of September 1921

(Signed)

David A. Johnson

Examiner.

14675

OVER

W. R. Hurst,
Filer

Permit 14675.

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

ss.

County of _____

_____ being first duly sworn, deposes and says that the

statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 19____

My commission expires _____ Notary Public. _____

NAME OF APPLICANT

W.P. Hurst

Beneficial Use
Permit #14675

(9/27/21)
H

SEC.

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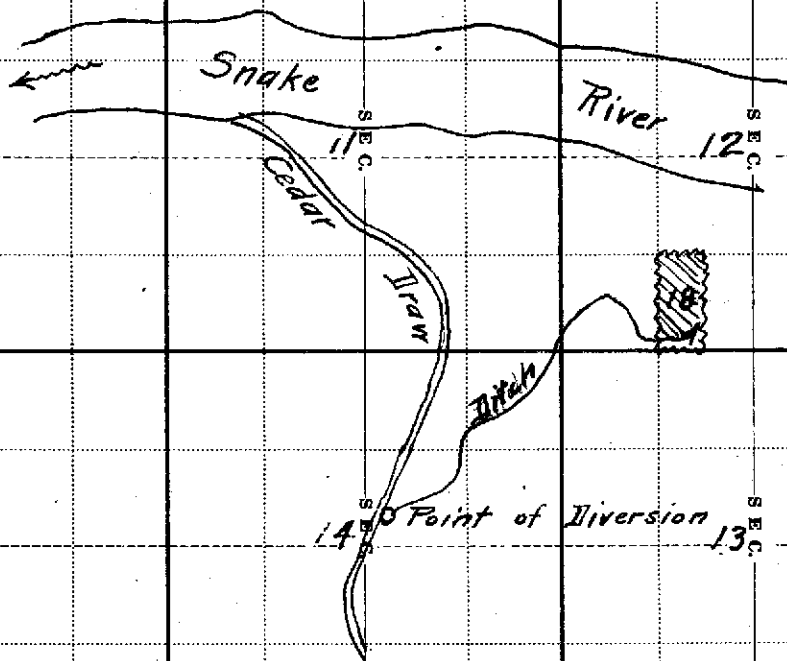
SEC.

SEC.

SEC.

SEC.

SEC.



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK.

14675

July 22, 1921.

Re: Permit 14675

Mr. W. D. Gillis,
Filer, Idaho.

Dear Sir:

We acknowledge receipt of affidavits of proof of beneficial use of water under the above numbered permit, together with affidavit of publication. These papers will be placed on file, pending an examination to be made by a representative of this department as required by the statutes. After this examination is made, you will be further notified in regard to the issuance of license.

We are returning the other papers enclosed - the original permit and map, completion of works certificate and receipt for fee - as we have an exact copy of each of these papers on file. Will you kindly see that these reach the applicant, Mr. W. R. Hurst.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

ME
Encl.

Chief Clerk.

14675

W. D. GILLIS
LAWYER
FILER, IDAHO

July 21st. 1921.

Mr. W.G. Swendsen,

Commissioner of Reclamation,

RE: Permit 14675

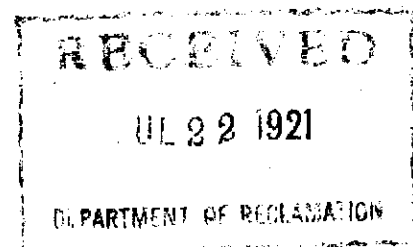
Boise, Idaho.

Dear Sir:-

I enclose herewith, depositions of W.R. Hurst
Applicant, and the depositions of his witnesses,
Mr. Tyler and Mr. Ivy. I also enclose the other
original papers in the application.

Yours truly,

W. D. Gillis



14675

**NOTICE FOR PUBLICATION
NOTICE OF PROOF OF APPLICATION
OF WATER TO BENEFICIAL
USE.**

Notice is hereby given that at 11:2 a. m., on the 12th day of July, 1921, at Filer, County of Twin Falls, State of Idaho before E. B. Ripley, notary public, proof will be submitted of the application to beneficial use of 2-5 of 1 cubic foot per second of the

waters of Cedar Draw in accordance with the terms and conditions of Permit No. 14675, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is W. R. HURST, Filer, Idaho.

The use to which said water has been applied is irrigation and domestic purposes.

The amount applied to beneficial use is 2-5 of 1 cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) W 1/2 of SE 1/4 of SW 1/4, Sec. 12, T. 9 S., R. 15 E.B.M.

The date of the priority which said user is prepared to establish is February 26, 1920.

W. G. SWENDSEN,
Commissioner of Reclamation.
First Pub June 9, 1921.
Final Pub June 30, 1921.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Twin Falls, ss.

Henry E. Lammers, being first duly sworn, says that he is the ^{Printer and} Publisher of the FILER RECORD, a newspaper of general circulation, published weekly in Filer, in said county and State; that the annexed notice was published four successive weeks in said newspaper; that the date of the first publication was on the 9th. day of June 1921, and the date of the last publication was on the 30th day of June 1921.

Henry E. Lammers
Subscribed and sworn to before me this 21st. day of June 1921.

Notary Public in and for the State of Idaho
Residing at Filer, Twin Falls Co., Idaho,
My Commission Expires Feb. 1, 1925

14675

RECEIVED

JUL 22 1921

DEPARTMENT OF RECLAMATION

PERMIT NO. 14675**Proof of Application of Water to Beneficial Use****Deposition of Holder**

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. W.R.Hurst, 51, Filer, Idaho, farmer, Filer, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. I am not acting on behalf of any corporation but for myself.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 14675; February 26, 1920, 9: A.M. Permit Approved May 12, 1920

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Cedar Draw; Point of diversion is in SW¹/₄ NE¹/₄ Sec. 14, T.9S. R.15 E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. A dam 4 feet high, 100 feet long at top, 90 feet long at bottom built of wood, stone and earth, with headgate 4 feet wide and 4 feet high. A main ditch ^{or flume} one mile long, 4 feet wide at bottom and 6 ft wide at water line; another ditch or flume 85 rods long, 36 inches wide and 2 feet deep. No name for canal or ditch by which water is conducted to place of use.

Ques. 6. State for what purpost water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivate or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Water used for domestic and irrigation purposes; Used to irrigate W¹/₂ of SE¹/₄ of SW¹/₄ Sec 12, T. 9 S. R 15 E.B.M. consisting of 20 acres of farm lands. This is cultivated lands, placed in corm last season and is in barley this season

Ques. 7. If for other than for irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. Used only for irrigation and domestic purposes.

Ques. 8. What is the minimum amount of water required for the specified above?

Ans. 0.4

Ques 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the original person.

14675

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. I have been using water from March 1920, and all water under this permit, for farm irrigation.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and right claimed thereunder.

Ans. Have used no other waters than those diverted under this permit.

(Sign)

W. R. Hurst

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Filer County of Twin Falls State of Idaho, on this 21st day of July A. D. 1921

W. R. Hurst
Notary Public in and for the State of Idaho,
Residing at Filer, Twin Falls Co., Idaho,
My Commission Expires Feb. 1, 1925.

14675

Permit No. 14675**Proof of Application of Water to Beneficial Use**

DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address,

Ans. Edgar L. Tyler, 35, Filer, Idaho, Horticulturist, Filer, IdahoQues. 2. Are you acquainted with W.R. Hurst, the holder of Permit No. 14675? How long have you known him and where does he reside?Ans. 2 years. He resides on next farm to me.Ques. 3. Have you read or heard read said Permit No. 14675, and are you familiar with its provisions and conditions?Ans. Yes. I am familiar with its provisions.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Cedar draw, a tributary of Snake river. A dam about 4 feet high, built of wood, stone and earth, about 100 feet long at top and 90 feet at bottom, with headgates 4 feet high and 4 feet wide; together with ditch 4 feet wide at bottom and 6 feet deep at water line and a ditch 36 inches wide and 2 feet deep and 65 feet long; the length of conduit is one mile.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 0.4 second feet.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and Domestic purposes. W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 12,TWP. 9 S. R. 15 E.B.M. It is cultivated land. It is in barley this year.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. No power.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Sandy loam soil. Requires all asked for and more.

14675

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. Yes. I am to have joint use of ditch.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have seen the entire construction, and the application of this water to beneficial use by the applicant from beginning to this date.

(Sign)

Edgar L. Tyler

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Filer, County of Twin Falls, State of Idaho, on this 21st day of July A. D. 1921.

W. B. Sullivan

Notary Public in and for the State of Idaho, Notary Public.

Residing at Filer, Twin Falls Co., Idaho,

My Commission Expires Feb. 1, 1925.

My commission expires

14675

Permit No. 14675

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

Ques. 1. State your name, age, residence, occupation and postoffice address,

Ans. W.T. Ivy, 30, Gooding County, Farmer and Manager of May' Fish Hatchery, Post Office Address: Filer, Idaho.

Ques. 2. Are you acquainted with W.R. Hurst

holder of Permit No. 14675? How long have you known him and where does he reside?

Ans. Five Years; He resides just south of me - across Snake River.

Ques. 3. Have you read or heard read said Permit No. 14675, and are you familiar with its provisions and conditions?

Ans. Yes. I am familiar with the provisions of said permit.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Cedar Draw, a tributary of the Snake river. A dam about 4 ft. high, 100 feet long at top and 90 feet at bottom, which is constructed of wood, stone and earth. It has a headgate 4 ft. high and 4 ft. wide. It has a main flume or ditch 4 ft. at bottom in width and 6 ft. wide at water line - this main flume is mile in length; there is also another ditch about 85 rods in length which is 3 feet wide and 2 feet deep.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 0.4 second feet of water.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation of farm lands and domestic use. $W\frac{1}{2}$ of $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of Section 12, T.9 S. R. 15 E.B.M. It is cultivated farm lands. Was in corn last year and is in barley this season.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Used solely for irrigation and domestic purposes.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Sandy loam soil. Requires all derived in above manner. Should have more.

14675

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have been a witness to the construction of dam and flume and the application of the water to irrigation and domestic purposes since he started the work and up until this date.

(Sign) W. D. Joy

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Filer, County of Twin Falls, State of Idaho, on this 21st. day of July A. D. 1921.

W. D. Joy
Notary Public in and for the State of Idaho,
Residing at Filer, Twin Falls Co., Idaho,
My Commission Expires Feb. 1, 1923.

My commission expires

14675

July 13, 1921.

Re; Permit No. 14675.

Mr. W. D. Gillis, M. P.
Piler, Idaho.

Dear Sir:

We enclose herewith Deposition Blanks to be used in taking the proof of W. R. Hurst, in connection with his proof of beneficial use of water under the above numbered permit.

We request that you get in touch with Mr. Hurst and have him make the Proof as soon as possible inasmuch as he was acting in good faith he will lose no rights under his permit by failing to make proof before Mr. Ripley on the date set. We desire that you give this your immediate attention.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

Chief Clerk.

14675

W. D. GILLIS
LAWYER
FILER, IDAHO

July 12th. 1921.

Mr. W.G.Swendsen,
Commissioner of Reclamation,
Department of Reclamation,
Boise, Idaho.

RE: Permit No. 14675

Dear Sir:-

Pursuant to the Notice of Proof of Application of Water To Beneficial Use", I, W.R.Hurst appeared at 11 o'clock A.M. this 12th. day of July, 1921, at the office of E.B.Ripley, at Filer, in Twin Falls County, State of Idaho and found that Mr. Ripley had departed for California and that the date of his return was uncertain, and could not therefore make the proof required.

Furthermore, I could not locate, and have not received the forms required upon which to make proof,

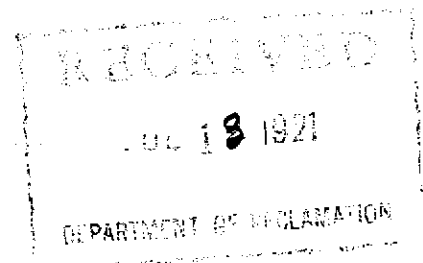
I hereby request that I be given an extension of 30 days for the making of this proof, and that the proof be taken before W.D.Gillis, Notary Public, at Filer, Idaho.

Will you kindly grant this extension, and foreward the necessary forms for the making of the proof either to myself or Mr. Gillis.

Will it be necessary to publish again?

Yours very truly,

W.R. Hurst
W.R.Hurst, R.R. #1
Filer, Idaho.



14675

July 7, 1921.

Re: Permit No. 14675.

Mr. W. R. Hurst,
Filer, Idaho.

Dear Sir:

We enclose herewith Certificate of
Completion of Works issued under the above
numbered Permit, together with the receipt
for fee.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

MB/E

By

Chief Clerk.

14675

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO, July 6, 1921.

Mr. W. R. Hurst,
c/o E. B. Ripley, N. P.,
Filer, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under Permit No. 14675

DEPOSITION OF PERMIT HOLDER,

DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of the permit holder's rights:

1. On July 12, 1921, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to at Filer, Idaho, before E. B. Ripley, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice. When these have been received, together with report of examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

W. G. SWENDSEN,

Commissioner of Reclamation.

14675

Elis, Idaho
May 17, 1921

219. December
Summaries of Proceedings
Boise Idaho.

Dear Sir:—

In regard to your inquiry
the Index Record has been
published under that name
since March 1919.

Yours truly
W. P. Howell.

✓

732051475

MAY 21 1921

DEPARTMENT OF REGISTRATION

14675

(P. O.)

~~The Filer Record~~

(Date)

6/3/21 Ida

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of June 1 enclosing notice of proof under
Permit No. 14675 which will be published as you request, beginning with our issue of June 9

The Filer Record
Filer, Ida

14675

RECEIVED
JUN - 3 1961
DEPARTMENT OF REGISTRATION

July 12

May 12, 1921.

Re: Permit 14675.

Mr. W. R. Hurst,
Piler, Idaho.

Dear Sir:-

We are just in receipt of affidavit and fee for proof of completion of work under the above permit. Also, notice of proof of use of water. The certificate of completion of work will be issued and mailed to you soon.

A copy of the notice of proof of use will be mailed to the Filer Record, if that paper has been established eighteen months. Please advise us as to this.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____
Chief Clerk.

14675

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11 a. m. on the 12th day of July, 1921,
at Filer Idaho, County of Twin Falls, State of Idaho,
before E.B. Ripley, Notary Public, ~~Filer~~, proof will be submitted
of the application to beneficial use of 2/5 cubic feet per second of the
waters of Cedar Draw in accordance with the terms and conditions of
Permit No. 14675 heretofore issued by the State Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

W.R. Hurst Filer Idaho

The use to which said water has been applied is Irrigation and domestic

The amount applied to beneficial use is 2/5 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) W. 1/2 SE 1/4 of SW 1/4 of Sec. 12 T. 9s of R. 15e B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is.....

The right to take water from such works is based upon Permit No. 14675

The source of supply from which such water is diverted is Cedar Draw

The date of the priority which said user is prepared to establish is Feb. 26 - 1920

May 12th 1920

- 46 -

SW NE - 14 - 9S - 15E

W. G. Swendsen,
Commissioner of Reclamation.
State Engineer.

14675

Permit No.

STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
County of Twin Falls } ss.

W.R. Hurst, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 14675, and that his postoffice address is Filer State of Idaho

Second: That the name of the stream from which said water is to be diverted is Cedar Draw

Third: That the point of division of said water is in the SW 1/4 of NE 1/4 of Section 14 T.9s R.15e B.M. County of Twin Falls

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 12th, 1921

Fifth: That the use for which said water is intended is Irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Dam, Ditch and Flume
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 100 feet, length of dam at bottom 90 feet. Material used in construction Wood, Stone and earth
(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width 4 feet, height 4 feet.

(d) Conduit Ditch width at bottom 4 feet, width at water line 6 feet, depth of water 2 feet; diameter of pipe inches, average grade per mile is 8 feet. Length of ditch is 1 miles.

Seventh: That said works are capable of conducting to the place of intended use 3/5th cubic feet per second feet of water.

Eighth: That water appropriated under said permit is available for 20 acres of land described as follows: West half SW 1/4 of SW 1/4 of Section 13 T.9s of R.15e B.M.

Ninth: Remarks: That This ditch is described including capacity for other lands and is to be used jointly with the owner of other lands No seperate capacity is attempted to be described. Agreement for such use has been entered into.

W.R. Hurst
(Sign here)

Subscribed and sworn to before me this 11th day of May, 1921.

My commission expires Nov. 10th 1921

Residing at Filer Notary Public.

14675

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Feb. 7, 1921.

W. R. Hurst
Filer, Idaho.

Dear Sir:—

Under the terms of your permit No. 14675 you are required to complete your diversion works on or before May 12, 1921. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

W. G. Swendsen,

Commissioner of Reclamation.

14675

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

W. R. Hurst
Filer, Idaho
Dear Sir:

Feb. 7, 1921

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No.---14675-----, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

W. G. Swendsen,
Commissioner of Reclamation.

14675

State of Idaho

DEPARTMENT OF RECLAMATION
BOISE

Permit No. 14675
W. R. Hurst
Filer, Idaho.

Boise, Idaho,
May 21, 1920.

Dear Sir:

I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of State Engineer on the third page.

W. G. Swendsen

Commissioner of Reclamation.

14675

Top 9 miles, Range 15 E 3 N

A hand-drawn geological map on a grid. The map shows a river flowing from the top left towards the bottom right. A road or path is drawn across the middle of the map. Various land parcels are labeled with 'SEC.' and 'SEC. 3'. The river is labeled 'Snake River'. The road is labeled 'Snake River Road'. The map is drawn on a grid with dashed lines.

14675

14675

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Boise, Idaho, Feb. 27, 1920

Application No. 20720

Mr. W. R. Hurst
Filer, Idaho

SIR:

Application which has been filed under the above number is herewith returned for correction in the following particulars:

Give dimensions of flume in Par. 11.

Show source of supply on maps.

14675

You are allowed until 60 days from date of first return for correction, as stamped in second line on back of application, to file completed application. If received after that date application will be refiled under a new number with later priority, requiring additional fee.

Yours truly,

COMMISSIONER OF RECLAMATION.

By *J. H. Whitaker*

Encl.: App. 20720

DAMFINO

Feb. 27, 1920

20720

Mr. W. R. Hurst,
Filer, Idaho

Give dimensions of flume in Par. 11.

Show source of supply on maps.

20720

14675

20720