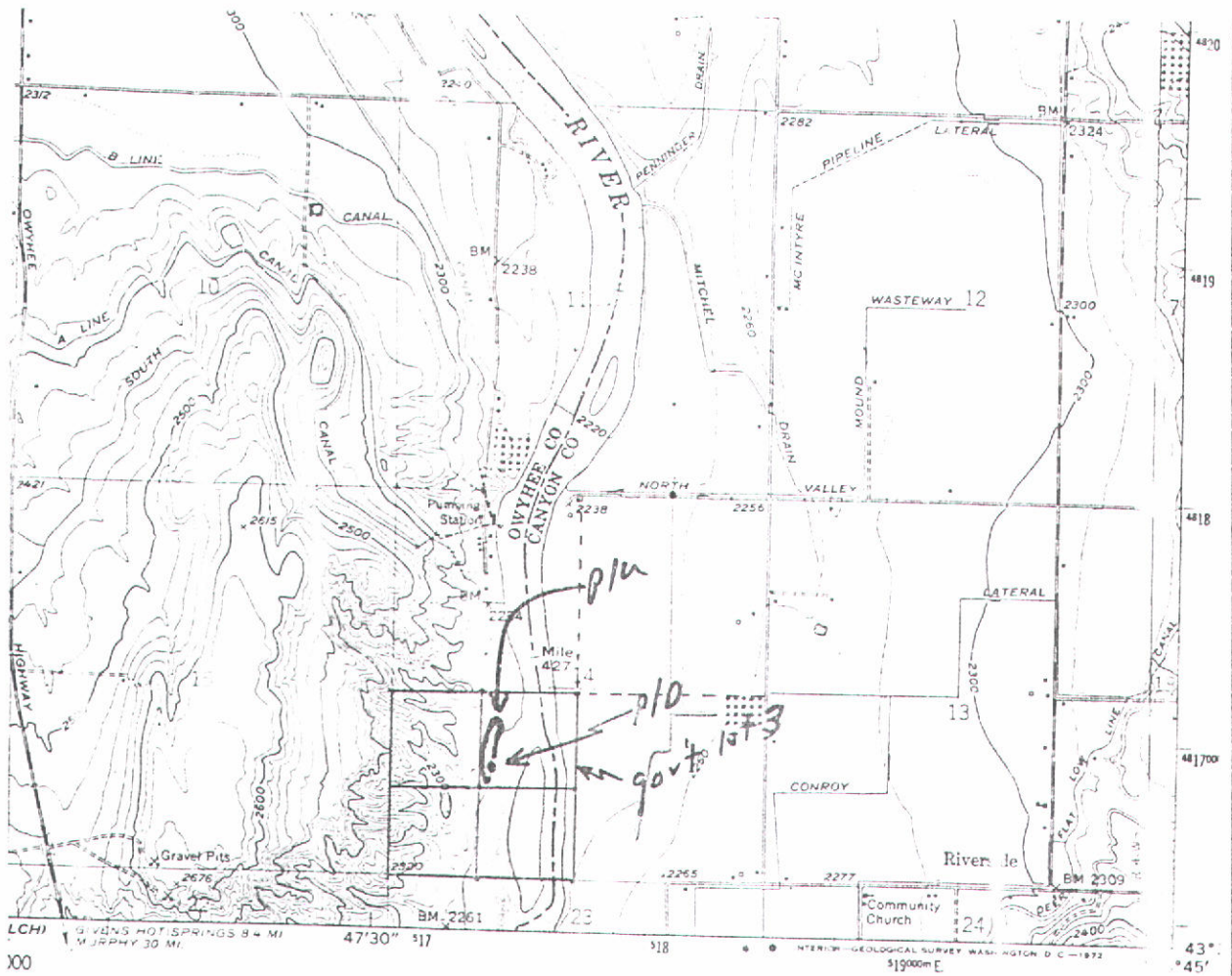


20 FEET
FOOT CONTOURS
SURFACE 5 FEET
A LEVEL

MAP ACCURACY STANDARDS
LORADO 80225, OR WASHINGTON, D. C. 20242
SYMBOLS IS AVAILABLE ON REQUEST



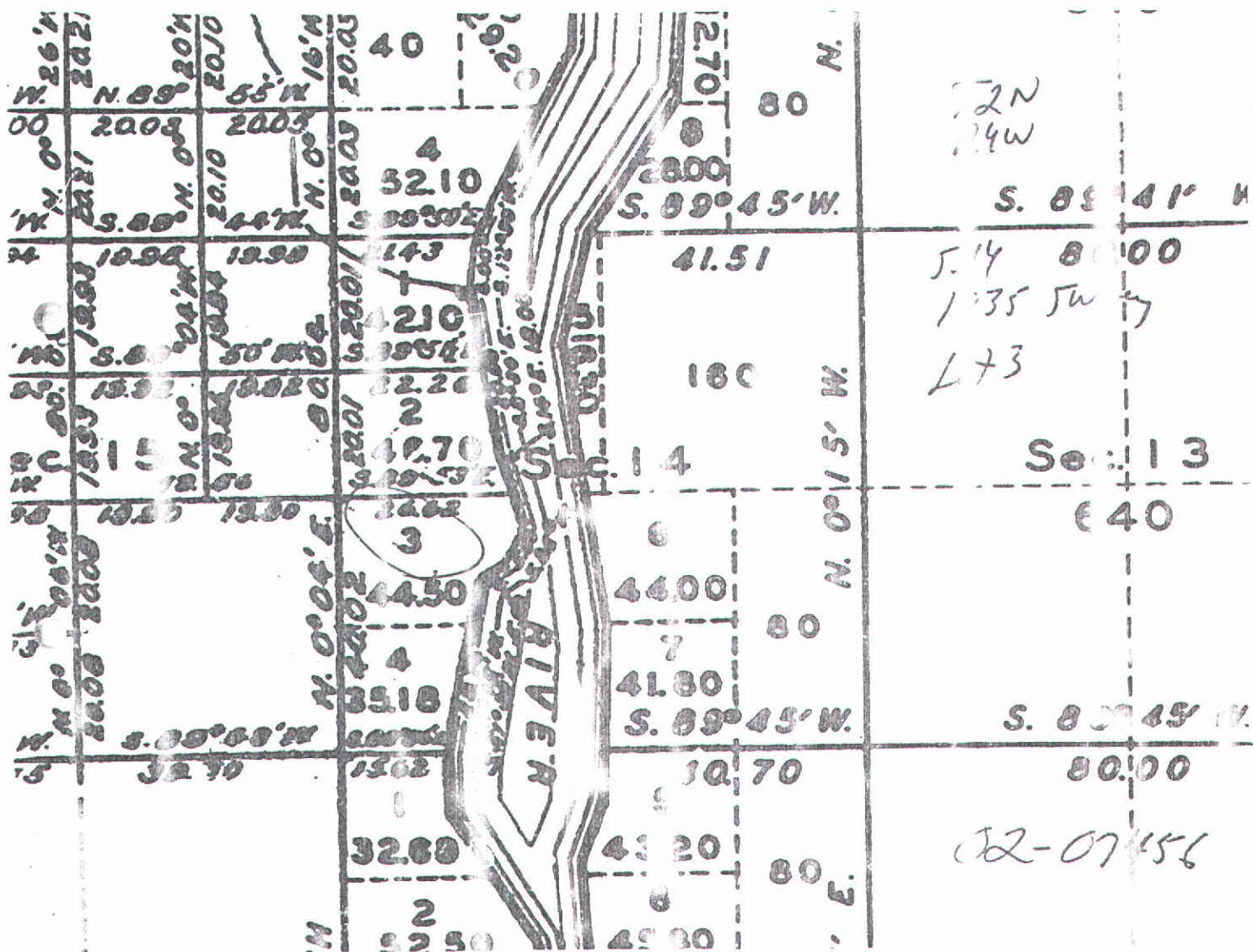
ROAD CLASSIFICATION
Medium duty ——— Light duty ———
Unimproved dirt ———
U. S. Route ——— State Route ———

02N
4W
5.14

MARSING, IDAHO
N4350—W11645/7.5

1958
PHOTOREVISED 1971
AMS 2671 III SE—SERIES V.

02-67456



THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/37-4681

AFFIDAVIT OF PUBLICATION

RECEIVED
AUG 02 1993

STATE OF IDAHO)
COUNTY OF OWYHEE)

Department of Water Resources
Western Regional Office

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said

newspaper, in

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

July 7 and 14, 1993

Signed

Subscribed and sworn to before me this 14th day of July A.D., 1993

Commission Expires October 1997

NOTICE OF APPLICATION FOR WATER RIGHT

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

02-07455
ALDRICH, ROBERT
3772 CAN-ADA RD
Nampa, ID 83687
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 3
(SEWSW) Sec 14 T 02N R 04W in OWYHEE County.
LOT 4 (NEWSW) Sec 14 T 02N R 04W in OWYHEE County.
Use: IRRIGATION (060 CFS)
Total Diversion: (030 CFS)
Date Filed: 6/16/1993
In: OWYHEE County
T02N R04W S14 Lot 3 (NEWSW) Lot 4 (SEWSW)
2.0 ACRES TOTAL
02-07456 ✓

BRINGHAM, DALE
BRINGHAM, MARIE
Rt 1 BOX 796 1/2
M. RSING, ID 83687
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 3 (NEWSW)
Sec 14 T 02N R 04W in OWYHEE County.
Use: IRRIGATION (050 CFS)
WILDLIFE (150 CFS)
Total Diversion: (100 CFS)
Date Filed: 6/22/1993
In: OWYHEE County
T02N R04W S14 Lot 3 (NEWSW)
5.0 ACRES TOTAL
02-07457
HERMERHORN, RON D
HERMERHORN, JOYCE E
P BOX 103F
MELBA, ID 83641
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: NWSW Sec 16 T 01N R 03W in OWYHEE County.
Use: IRRIGATION (000 CFS)
RECREATION (020 CFS)
RECREATION STORAGE (00 AF)
AESTHETIC (020 CFS)
AESTHETIC STORAGE (6.00 AF)
DIVERSION TO STORAGE (090 CFS)
Total Diversion: (110 CFS)
Date Filed: 6/7/1993
In: OWYHEE County
T01N R03W S16 Lot 2 (NEWSW)
10 ACRES TOTAL
55-07458

DAVIS, MILTON
1712 MAPLE ST
CALDWELL, ID 83405
Source: JORDAN CREEK
Tributary: OWYHEE RIVER
Diversion Pt: NW1/4 Sec 35 T 01S R04W in OWYHEE County.
MENW Sec 35 T 01S R04W in OWYHEE County.
Use: MINING (200 CFS)
Total Diversion: (200 CFS)
Date Filed: 6/24/1993
In: OWYHEE County
T04S R04W S26 SESE
SWSE
S35 NWNE NEWW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 2-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 735 Airport Way, Boise, Idaho 83705 on or before JULY 26, 1993.

R. KEITH MCINSON, Director

Filed July 7 & 14, 1993

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

IN THE MATTER OF LAPSED	)	
PERMIT NO. 02-07456 IN THE	)	REINSTATEMENT ORDER
NAME OF DALE G BRINGHAM,	)	
AND MARIAN BRINGHAM	)	
_____	)	

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On August 23, 1993, the Department issued Permit No. 02-07456 to Dale G. Bringham and Marian Bringham ("permit holders") authorizing the diversion of 0.15 cubic feet per second ("cfs") of surface water to be diverted from the Snake River for irrigation and wildlife use in Lot 3 (NESW) Section 14, Township 02N, Range 04 W, B.M., Owyhee County. A condition of permit approval required the permit holder to submit proof of beneficial use of water ("proof") to the Department on or before August 1, 1995.
2. On May 31, 1995, the Department notified the permit holder that proof use was due and instructed the permit holder of the steps to be taken to submit the proof or a Request for Extension of Time ("extension request").
3. On August 7, 1995, the Department sent the permit holder a lapse notice, since the Department had not received an acceptable proof or extension request.
6. On February 11, 2003, the permit holder submitted Proof of Beneficial Use with the required license examination fee to the Department. The permit holder submitted evidence to show that water has been applied to the authorized beneficial use during the development period and has shown sufficient cause why the beneficial use was not timely submitted.

CONCLUSIONS OF LAW

1. Section 42-218a.2, Idaho Code, provides as follows:

That upon receipt of proof of beneficial use after sixty (60) days after such notice of lapsing, the director shall require sufficient evidence to be submitted by the permit holder to clearly establish the extent of beneficial use made during the time authorized by the permit and any extensions of time previously approved. Upon finding that beneficial use had occurred during the authorized period and upon a showing of reasonable cause for filing a late proof of beneficial use, the director may reinstate the permit with the priority date advanced to the day that proof of beneficial use was received;

2. The permit holder has provided sufficient information and reasonable cause for the Department to reinstate the permit by submitting two affidavits verifying the construction and use of the water during the development period.

3. The Department should reinstate the permit with the priority advanced to the date that proof and the license examination fee were received.

ORDER

IT IS HEREBY ORDERED, that Permit No. 02-07456 in the name of Dale G. Bringham and Marian Bringham is **REINSTATED** with the priority advanced to **February 11, 2003**.

Dated this 21st day of February, 2003.


L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 11 2003

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 02-07456 Telephone No. (208) 896-5059
2. Name of Permit Holder(s): DALE G. BRINGHAM and MARIAN BRINGHAM
3. Mailing Address: 7306 Old Bruneseu Hwy, MARSON
City MARSON State ID Zip 83639
4. Source of Water: Snake River If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 5 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .15 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes ____ or No X
Has the measuring device been installed? Yes ____ or No X
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Alan McRae Telephone Number: 880-3436
Address: 1305 S. Kimball, Caldwell, ID 83605
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.
Signature of permit holder: Marian Bringham Date: 2-4-03
(include your title, if on behalf of company or organization)

MICROFILMED

MAR 24 2003

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

For Possible Reinstatement

Darla J. Block
Person Recreating File

2-25-2003
Date

Permit To Appropriate Water

Proposed Priority: June 22, 1993 Maximum Diversion Rate: 0.15 CFS
This is to certify, that DALE G BRINGHAM
MARIAN BRINGHAM
PR 1 BOX 796 1/2
MARSING ID 83639

tributary of COLUMBIA RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.15 CFS
WILDLIFE	03/15 to 11/15	0.15 CFS

<u>PLACE OF USE:</u> IRRIGATION				
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>
02N	04W	14	Lot 3(NESW) 5	5

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1995.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Water shall not be diverted under this right unless the flow of the Snake River exceeds prior rights and established downstream minimum stream flows.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
6. Wildlife use is for maintaining wildlife habitat.

PAGE 2

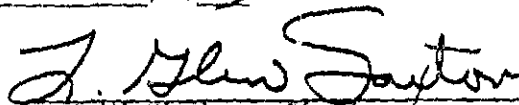
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 02-07456

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

23 day of August, 1993

for 
R. Keith Higginson, Director

Place of Use: WILDLIFE, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Wildlife use is for maintaining wildlife habitat.

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

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

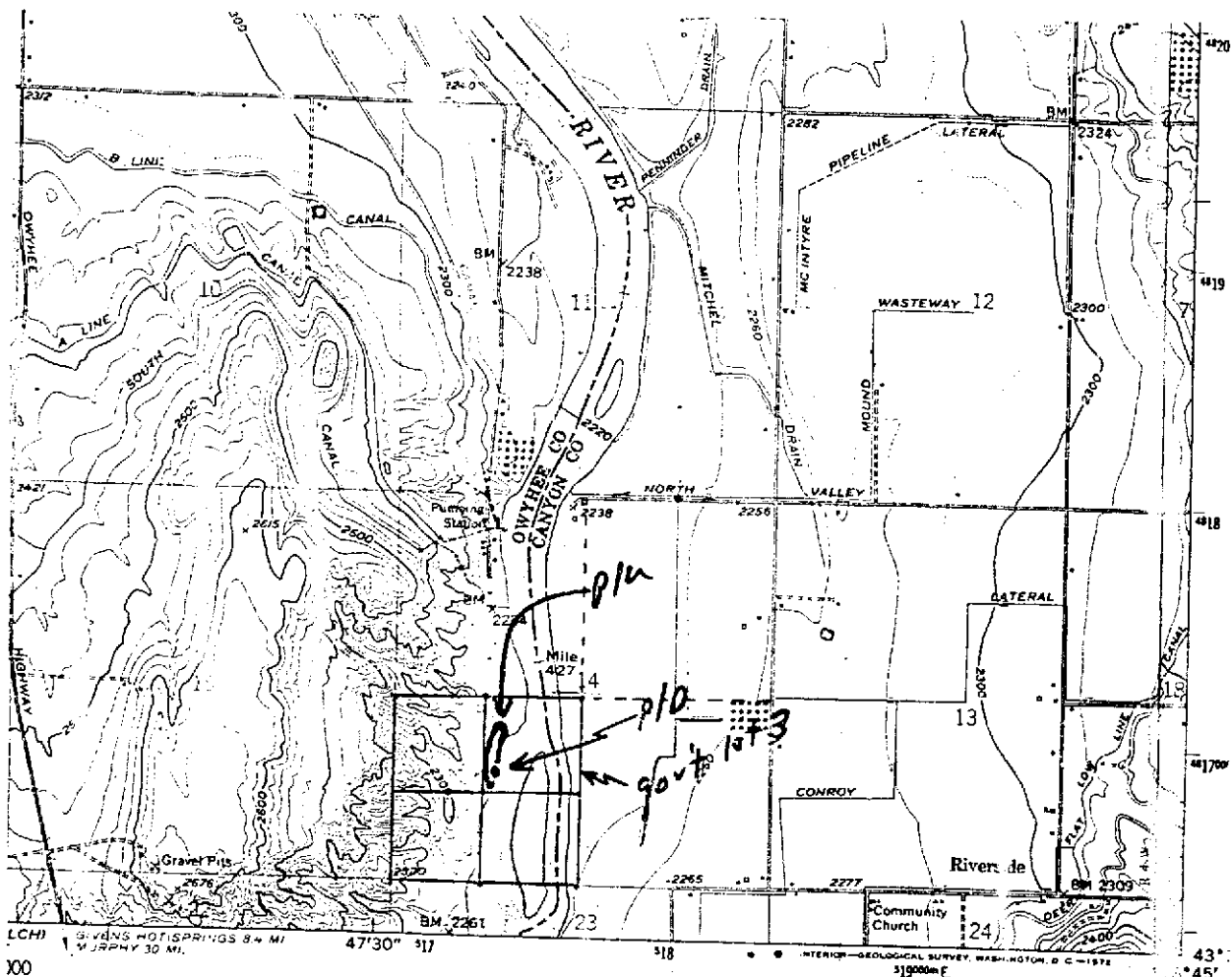
Will B. Brunningham
Applicant

Received by JE Date 6/22/93 Time 12:55 Preliminary check by ly

Fee \$ 30 Receipted by JE # W016425 Date 6/22/93

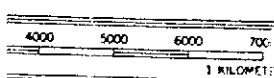
Publication prepared by At Date 6-30-92 Published in Boyle's Advertiser
7/7 & 14/93

Publication approved At Date 8-3-93



LCH1 1/2 MILE 30 MI.

100



20 FEET
FOOT CONTOURS
SURFACE 5 FEET
A LEVEL

*AP ACCURACY STANDARDS
LORADO 80225, OR WASHINGTON, D. C. 20242
SYMBOLS IS AVAILABLE ON REQUEST



QUADRANGLE LOCATION

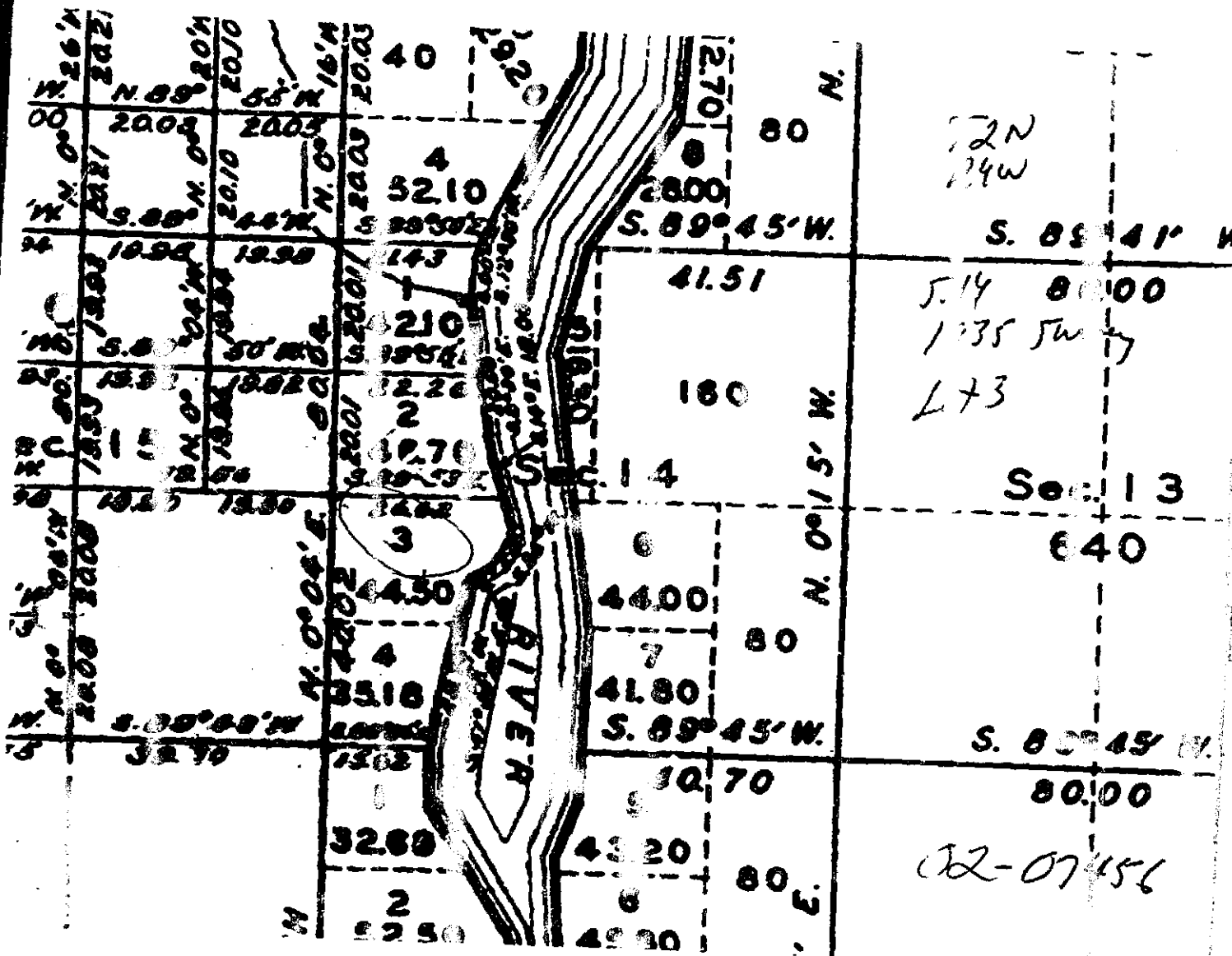
ROAD CLASSIFICATION

Medium-duty ——— Light-duty ———
Unimproved dirt ———
U. S. Route ——— State Route ———

MARSING, IDAHO
N4350—W11645/7.5

1958
PHOTOREVISED 1971
AMS 2671 III SE—SERIES V

02-67456



PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 62-07456

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

23 day of August, 1993.

for J. Glen Saylor
R. Keith Higginson, Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 24, 2003

MARIAN BRINGHAM
7306 OLD BRUNEAU HWY
MARSING ID 83639

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 02-7456

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and examination fee submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. The regional office staff will contact you when that examination is to be conducted. At the time the examination is conducted the system must be in operation, otherwise this permit will be of no force nor effect, and presently water rights can not be developed from the Snake River.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department with \$25.00 for the filing fee. I have enclosed an Assignment of Permit for changing the ownership of this permit to the new buyers of your property. Please complete the form and have the new owners file it with the department.

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region (w/encl.)

RECEIVED

FEB 24 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 02-7456

Reviewed By: dgibson

Date: February 19, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?		X	Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		C067308	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		02/11/2003
Date proof due	-	08/01/1995
Lapse notice sent	-	08/07/1995
No. of days late	=	2745
Holiday allowance	+	
Priority date	+	
New priority date	=	02/11/2003

Deficiencies of Actions Items

Acknowledge proof, and reinstate permit. Advance priority date to 2/11/2003.

RECEIVED

FEB 11 2003

FEBRUARY 5, 2003

Department of Water Resources

TO THE DEPARTMENT OF WATER RESOURCES

I HAVE BEEN ASKED TO EXPLAIN THE REASON FOR NOT RENEWING OUR WATER RIGHTS (IRRIGATION) PERMIT. I AM HAVING TO WORK PRIMARILY FROM MEMORY SINCE MOST OF MY RECEIPTS, ETC., FROM THAT LONG AGO ARE NOT AVAILABLE.

MY HUSBAND, DALE G. BRINGHAM, AND I MOVED ONTO THIS PROPERTY AUGUST 7, 1992. HE HAD BEEN INVESTIGATING INTO AND PREPARING FOR A PERMIT TO IRRIGATE FROM THE SNAKE RIVER AND TO BUILD A BOAT DOCK. THE ONLY ACTUAL RECEIPT I HAVE BEEN ABLE TO FIND IS FOR A PERMIT APPLICATION FEE ISSUED BY STEVE LESTER (COPY ATTACHED). MY HUSBAND CONTRACTED WITH MORGAN RECHE TO INSTALL THE CONCRETE PLATFORM, TANK, PUMP, GATE PIPE, ETC. THIS MUST HAVE BEEN IN THE SUMMER OF 1993. I AM ENCLOSING A NOTARIZED STATEMENT FROM MR. RECHE VERIFYING THAT THIS WORK WAS DONE.

MY HUSBAND HAD AN ON-GOING BATTLE WITH LIVER CANCER WHICH RESULTED IN HIS DEATH ON MAY 30, 1994. MY SON, DAN BRINGHAM, CAME FROM RENO, NEVADA, AT THAT TIME AND SAID HE FELT I SHOULD HAVE A MORE SIMPLE FORM OF WATERING AND INSTALLED A SPRINKLER SYSTEM WHICH RUNS OFF OUR WELL. THE RIVER PUMPING IRRIGATION SYSTEM WAS SUBSEQUENTLY DISMANTLED. MY SON HAS PROVIDED A NOTARIZED STATEMENT VERIFYING THIS INFORMATION.

I AM ENCLOSING A COPY OF MY HUSBAND'S DEATH CERTIFICATE PER YOUR REQUEST. NOT BEING AWARE OF THE INS AND OUTS OF WATER PERMITS, I HAD NO IDEA EITHER OF THESE PERMITS NEEDED RENEWING. I TRUST THIS INFORMATION WILL ANSWER YOUR QUESTIONS. IF I CAN BE OF FURTHER HELP, PLEASE ADVISE.

THANK YOU,

Marian Bringham
MARIAN BRINGHAM

MICROFILMED

MAR 11 2003

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
COOPERATIVE CENTER FOR HEALTH STATISTICS

RECEIVED

FEB 1 2003

CERTIFICATE OF DEATH

Department of Motor Resources

DATE FILED: JUNE 06, 1994

STATE FILE NUMBER: 94-03235

DECEDENT: DALE GORDON BRINGHAM

DATE OF DEATH: MAY 30, 1994 PLACE OF DEATH: MARSING, IDAHO

DATE OF BIRTH: JUNE 03, 1931 PLACE OF BIRTH: IDAHO

AGE: 62 YEARS SEX: MALE VETERAN? YES

MARITAL STATUS: MARRIED SPOUSE (MAIDEN): MARIAN SMITH

SOCIAL SECURITY NUMBER: 535-26-1452 RESIDENCE: MARSING, IDAHO

FATHER: CLIFFORD C. BRINGHAM

FATHERS BIRTHPLACE: OREGON

MOTHER (MAIDEN): EDNA M. HILFIKER

MOTHERS BIRTHPLACE: NEBRASKA

MORTUARY: DAKAN FUNERAL CHAPEL

MORTICIAN: DOUGLAS REINKE

CALDWELL, IDAHO

DISPOSITION: BURIAL

CERTIFYING PHYSICIAN: BRIAN R. COPPLE, MD

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

COLON CARCINOMA, METASTATIC TO LIVER

12 YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

NONE LISTED

MICROFILMED

MAR 1 2003

I certify that this is a true and correct reproduction or abstract of an official record filed with the IDAHO COOPERATIVE CENTER FOR HEALTH STATISTICS.

JUNE 08, 1994

DATE ISSUED:

Jane S. Smith

JANE S. SMITH
State Registrar



FEBRUARY 6, 2003

RECEIVED

FEB 11 2003

Department of Water Resources

TO WHOM IT MAY CONCERN:

THIS IS TO VERIFY THAT DALE G. BRINGHAM CONTRACTED WITH ME TO INSTALL AN IRRIGATION PUMPING SYSTEM ON HIS PROPERTY IN THE SUMMER OF 1993. I INSTALLED THE CONCRETE PLATFORM, PIPE, TANK, AND PUMP, WHICH WAS IN USE BY MR. BRINGHAM, AND FOR SOME TIME AFTER HIS DEATH IN MAY OF 1994. DAN BRINGHAM, HIS SON, SUBSEQUENTLY INSTALLED A SPRINKLER SYSTEM WHICH HE FELT WOULD BE MUCH EASIER FOR HIS MOTHER TO OPERATE, AND THE PUMPING EQUIPMENT WAS DISMANTLED. TO THE BEST OF MY RECOLLECTION THE CONTRACT FOR THIS INSTALLATION WAS APPROXIMATELY \$1200.00.

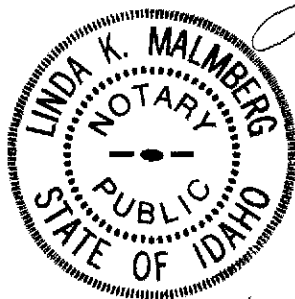
SIGNED:

Morgan Reche
MORGAN RECHE

STATE OF IDAHO

COUNTY OF OWYHEE

ON THIS 7 DAY OF Feb., IN THE YEAR OF 2002,
BEFORE ME Linda K. Malmberg, A NOTARY PUBLIC, PERSONALLY
APPEARED Morgan Reche, PERSONALLY KNOWN TO ME TO
BE THE PERSON(S) WHOSE NAME(S) IS (ARE) SUBSCRIBED TO THE WITHIN
INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE (SHE) (THEY)
EXECUTED THE SAME.



Linda K. Malmberg
NOTARY PUBLIC
MY COMMISSION EXPIRES ON 9-28-05

MICROFILMED

RECEIVED

FEB 11 2003

Department of Water Resources

February 5, 2003

Alan McRae
The Preferred Company

Dear Sir:

I was aware that a pump system was in place to draw irrigation water from the Snake River at my parents' property. They used this system for a couple of years to water their landscaping. After my father passed away, I helped dismantle the pump system because we thought it would be easier for my mother to use an irrigation system which ran off her well. If you need any additional information or have any questions, please contact me at (775) 972-4058.

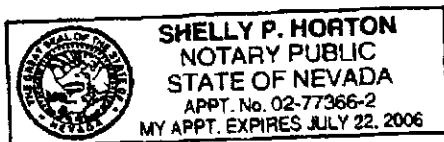
Thank you,

Dan Bringham



State of Nevada
County of Washoe

Signed and sworn to before me on
2.7.03 by Dan Bringham



Shelly P. Horton

MICROFILMED

FEB 24 2003

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

For Possible Reinstatement

Dan O'Block

Person Recreating File

2-25-2003

Date

I certify that file No. 02-61456
has been reviewed and is ready to be
MICROFILMED and DESTROYED.

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

S. Curtis
Reviewer

10/31/95
Date

WR5808NP
(00-261)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

10/31/95 08:30:41
Page 1

Water Right Number - 02-07456

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
BRINGHAM

DALE G

1 - RR 1 BOX 796 1/2
2 -
3 -

City- MARSING State- ID Zip- 83639

Phone - 208-896-4608

BRINGHAM

MARIAN

1 - RR 1 BOX 796 1/2

2 -

3 -

City- MARSING

State- ID Zip- 83639

Phone - 208-896-4608

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/22/1993 14 WESTERN F - PERMIT

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
SNAKE RIVER COLUMBIA RIVER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
02N	04W	14	NE SW	3		(73) CUYNEE				

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	0.150	
16 - WILDLIFE		03/15	11/15	0.150	

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
0.150

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	04W	14	NE SW	3	5.0	01	IRRIGATION	(73) CUYNEE
Total Acres:						5.0		

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
Wildlife use is for maintaining wildlife habitat.

+ - - - - - Old Water Right Numbers - - - - - +
No old Water Right Numbers found.

WR5805NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

03/31/95 08:30:41
Page 2

Water right number - 02-07456

Prefix Translation: WATER RIGHT

----- Conditions of Approval -----
+
26A - Project construction shall commence within one year from the
- date of permit issuance and shall proceed diligently to
- completion unless it can be shown to the satisfaction of the
- Director of the Department of Water Resources that delays were
- due to circumstances over which permit holder had no control.
061 - Water shall not be diverted under this right unless the flow
- of the Snake River exceeds prior rights and established
- downstream minimum stream flows.
057 - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed
- 0.03 cubic feet per second for each acre of land.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

----- Comments -----
+
Date: 08/11/1993 User Id: ZIMMERMA Subject: DIVERSION DESCRIPTION
Poum in river and pipeline for ditches/sprinklers.
Date: 08/07/1995 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

+ - - Audit Fields - 06/22/93 LESTER 08/11/93 ZIMMERMA 08/07/95 COMMENTS

----- Water Rights Dates and Flags Area -----
+
Proof Bur Date - 08/01/1995 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 08/23/1993 Protested Date - 00/00/0000 Swan Falls - B
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - W016425 Water District - 02
Licensed Date - 00/00/0000 Appl Received - 06/22/1993 Transfer/Amended -
Decree Date - 00/00/0000 Name Connector - POJ Ownership Flag- Y
Presumption Flag -

August 7, 1995

DALE G BRINGHAM
MARIAN BRINGHAM
RR 1 BOX 796 1/2
MARSING ID 83639

LAPSE NOTICE

RE: PERMIT NO. 02-07456

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1995. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 8-7-95
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 31, 1995

DALE G BRINGHAM
MARIAN BRINGHAM
RR 1 BOX 796 1/2
MARSING ID 83639

COPY

PROOF DUE NOTICE

RE: PERMIT NO. 02-07456

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1995. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

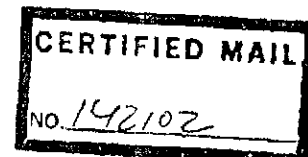
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

August 25, 1993

CECIL D. ANDRUS
GOVERNOR

R. KATH HIGGINSON
DIRECTOR

DALE G BRINGHAM
MARIAN BRINGHAM
RR 1 BOX 796 1/2
MARSING ID 83639

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 02-07456

Dear Permit Holder(s):

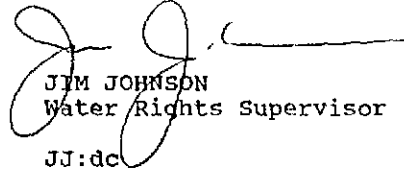
Enclosed is a copy of your approved application for permit.
Please be sure to thoroughly review the "CONDITIONS/REMARKS:"
listing on the permit.

As a permit owner you must commence the excavation or
construction of the diverting works within one year of the date
the permit was issued, and you must proceed diligently until the
project is completed. The date shown under condition no. 1 is the
date when the project must be completed. You will receive a
"Proof Due Notice" from this Department approximately 60 days
prior to the completion date requiring you to file either a Proof
of Beneficial Use form stating that the project has been
completed or file a Request for an Extension of Time in which to
file the proof statement.

Note also that water shall not be diverted under this permit
unless the flow of the Snake River exceeds established downstream
minimum stream flows. In addition, there are many applications
for permit for the use of Snake River water that are prior to
your permit. These applications have been filed for the
irrigation of lands that the applicants are attempting to obtain
under the Federal Land laws such as Desert Entry and Carey Act.

If these lands are developed, and if the established minimum stream flows are maintained, then no water would be available for this permit. Therefore, you should carefully consider these facts before making any expenditures for the construction of your system.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

02-07456

BRINGHAM, DALE G
BRINGHAM, MARIAN
RR1 BOX 796 1/2
MARSING, ID 83639

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 3 (NESW) Sec 14 T 02N R 04W in OWYHEE County.

Use: IRRIGATION (.150 CFS)
WILDLIFE (.150 CFS)
Total Diversion: (.150 CFS)

Date Filed: 6/22/1963

In: OWYHEE County
T02N R04W S14 Lot 3(NESW)

5.0 ACRES TOTAL

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/237-4681

AFFIDAVIT OF PUBLICATION

RECEIVED
AUG 02 1993

STATE OF IDAHO)

COUNTY OF OWYHEE)

ss

Department of Water Resources
Western Regional Office

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said

newspaper, in

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

July 7 and 14, 1993

Signed

Subscribed and sworn to before me this *14th* day of *July* A.D., 19*93*

Commissioner

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997

NOTICE OF APPLICATION FOR WATER RIGHT

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

02-07455
ALDRICH, ROBERT
3772 CAN-ADA RD
NAMPA, ID 83687
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 3
(SEWSW) Sec 14 T 02N R 04W in OWYHEE County.
LOT 4 (NESWSW) Sec 14 T 02N R 04W in OWYHEE County.
Use: IRRIGATION (1,060 CFS)
Total Diversion: (1,060 CFS)
Date Filed: 6/16/1993
In: OWYHEE County
T02N R04W S14 Lot 3
(NWSW) Lot 4 (SWSW)
2.0 ACRES TOTAL
02-07456 ✓

BRINGHAM, DALE
BRINGHAM, MARION
RF 1 BOX 798 1/2
MARRSING, ID 83620
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: LOT 3 (NESW)
Sec 14 T 02N R 04W in OWYHEE County.
Use: IRRIGATION (1,150 CFS)
WILDLIFE (1,150 CFS)
Total Diversion: (1,150 CFS)
Date Filed: 6/22/1993
In: OWYHEE County
T02N R04W S14 Lot 3
(NESW)
5.0 ACRES TOTAL
02-07457

SCHERMERHORN, RON D
SCHERMERHORN, JOYCE E
P BOX 103F
MELBA, ID 83641
Source: SNAKE RIVER
Tributary: COLUMBIA RIVER
Diversion Pt: NWSE Sec 16 T 01N R 03W in OWYHEE County.
Use: IRRIGATION (1,000 CFS)
RECREATION (1,020 CFS)
RECREATION STORAGE (6,000 AF)
AESTHETIC (1,020 CFS)
AESTHETIC STORAGE (6,000 AF)
DIVERSION TO STORAGE (1,090 CFS)
Total Diversion: (1,110 CFS)
Date Filed: 6/7/1993
In: OWYHEE County
T01N R03W S16 Lot 2
(NWSW)
1.0 ACRES TOTAL
55-0743

DAVIS, MILTON
1712 MAPLE ST
CALDWELL, ID 83405
Source: JORDAN CREEK
Tributary: OWYHEE RIVER
Diversion Pt: NWSE Sec 35 T 01S R04W in OWYHEE County.
NENW Sec 35 T 01S R 04W in OWYHEE County.
Use: MINING (200 CFS)
Total Diversion: (200 CFS)
Date Filed: 6/24/1993
In: OWYHEE County
T04S R04W S26 SESW
SWSE
S35 NWNE NENW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 2-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 735 Airport Way, Boise, Idaho 83705 or on or before JULY 26, 1993.

R. KEITH H. GILSON,
Director

Filed July 7 & 14, 1993