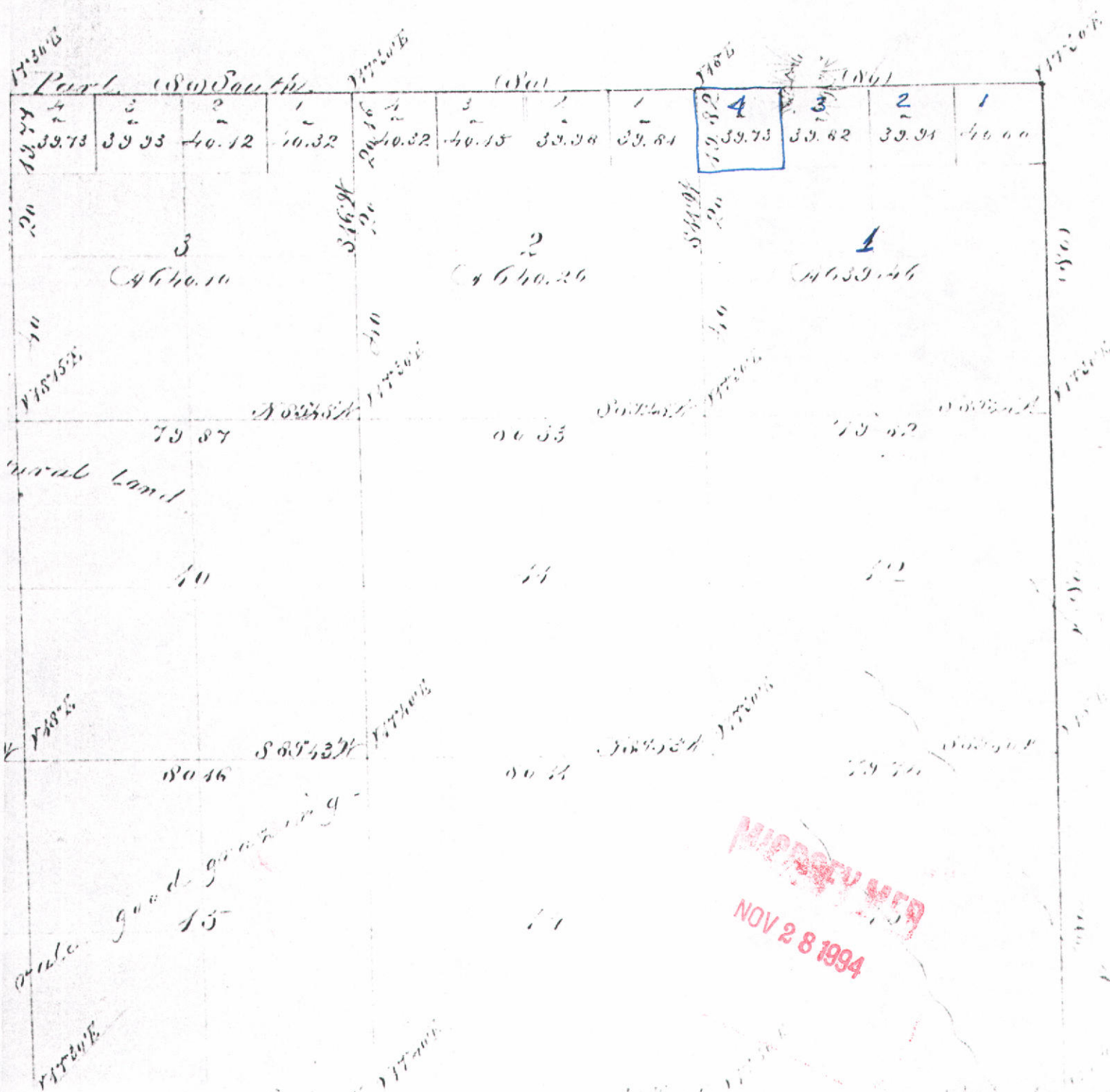
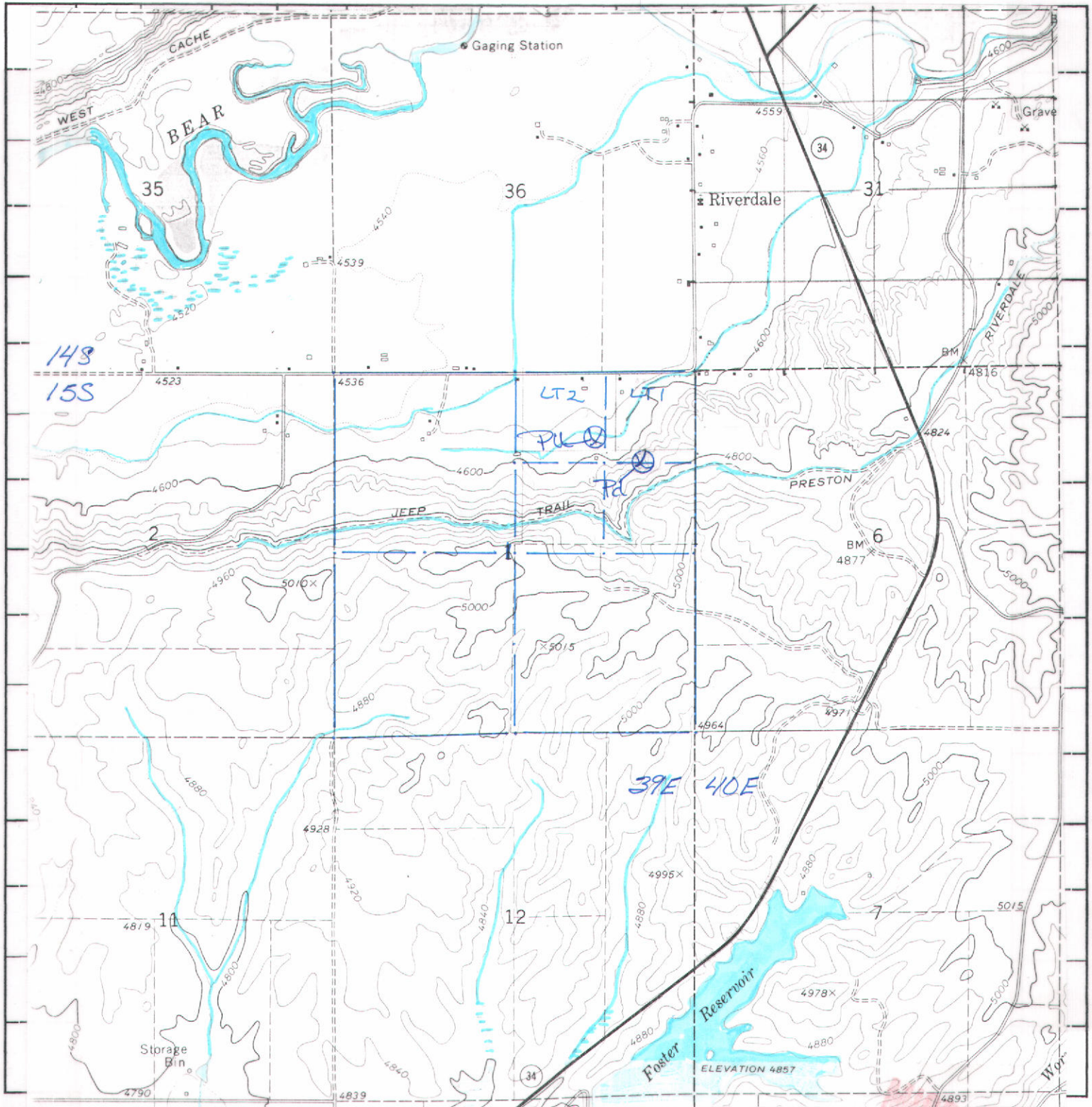


T 155

39 East Boise Meridian.



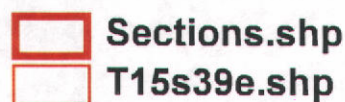
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Dalton Atkinson
(Applicant)

NOV 28 1994



MICROFILMED
OCT 02 2001

13-07524

POINT OF
DIVERSION



PLACE OF USE Domestic



PLACE OF USE - STOCK TROUGH

13-07524

MICROFILMED

OCT 02 2001

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 13-07524

Priority: July 18, 1994

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 1.2 AF

It is hereby certified that DAL VON ATKINSON
1428 E 3200 N
PRESTON ID 83263 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated July 18, 1994; and has
submitted Proof of Beneficial Use on September 20, 1999. An examination indicates that the works
have a diversion capacity of 0.02 cfs of water from:

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	1/01 to 12/31	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, Twp 15S, Rge 39E, B.M. FRANKLIN County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S 39E 1		X															
		L 2															

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 25th day of July, 2001.

MICROFILMED
OCT 9 2 2004

David R Tuttle
for
KARL J. DREHER
Director

RECEIVED

SEP 20 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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 who has been appointed by the department.

1. Permit No. 13-07524 Telephone No. (208) 852-0654
2. Name(s) of Permit Holder(s): Dal Von Atkinson
3. Mailing Address: 1428 E. 3200 N. Preston, Idaho 83263
4. Source of Water: Spring If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
- a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____
- b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): 12 - Cattle & horses
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .00666 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 <u>X</u> |
| | Has the measuring device been installed? | Yes _____ or No _____ |
| Flow Measurement Port: | Is a flow measurement port required? | Yes _____ or No <u>X</u> |
| | Has the measurement port been installed? | Yes _____ or No _____ |
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: Dal Von Atkinson Telephone Number: (208) 852-0654
Address: 1428 E 3200 N Preston, Idaho 83263
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Darvin Othinson Date: Sept. 17, 1999
(include your title, if on behalf of company or organization)

MICROFILMED

JAN 27 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 29 1997

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 13-07524

Name(s) of Permit Holder: DALTON ATKINSON

Mailing Address: 1428 E 3200 N Preston Id 83263

Date Proof is Due: 1 Oct 1997 Telephone No. 208 852 0654

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Brush + Trees Cleared - Trench for collector pipe
Partially Dug - Purchased storage tank
Digger work completed

Costing \$ 1665⁰⁰

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Back problems during 1995 and 1996 - Back surgery Oct 1996
I am ready to complete work but am unable to get
Equipment at this time - I will complete as soon as possible.
*(Over)

Permit holder(s) request an extension to Oct, 1999.

FEE: \$50.00

Dalton Atkinson
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to October 1, 1999.

MICROFILMED

OCT 20 1997

Signed this 16th day of October, 19 97.

J. Glen Taylor
Chief, Water Allocation Bureau

* I have been working on this project each summer and planned to complete by the due date but due to the amount of construction in this area I am unable to hire a track hoe for the completion of development at this time. I have talked to different companies and as soon as equipment becomes available I will go ahead with the spring development and will try to complete this fall if the weather stays good long enough. I asked for a 2 year extension in case I am unable to get all the equipment needed during this next year, However I emphasize we are anxious to complete and will do so as soon as possible

Dalton Atkinson

MICROFILMED
OCT 26 1987

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 13-07524

Proposed Priority: July 18, 1994

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **DAL VON ATKINSON**
11685 N TREASURETON RD
PRESTON ID 83263
has applied for a permit to appropriate water from:

SPRING

tributary of **SINKS**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 1, Township 15S, Range 39E
FRANKLIN County

PLACE OF USE: DOMESTIC

TWN RGE SEC

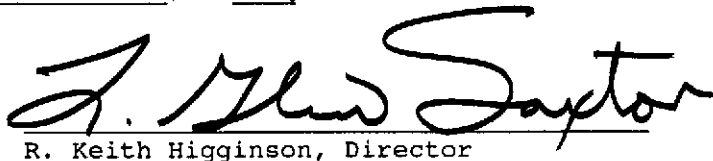
15S 39E 1 Lot 4(NWNE)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1997**.
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. Domestic use is for 1 home.

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

21st day of October, 1994


R. Keith Higginson, Director

for



NOV 28 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 13-2524

RECEIVED
SEP 19 1994

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant DAL VAN ATKINSON Phone 208 852 0654
Post office address 11685 N. TREASURETON RD PRESTON ID 83263
2. Source of water supply Groundwater Spring which is a tributary of Sinks
3. Location of point of diversion is _____ 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____
Sec. 01 Township 15S Range 39E B.M. Franklin County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .04 for Domestic purposes from January to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Headbox and pipeline for single
family home

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? No
e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
3 years (minimum 1 year).

NOV 28 1994

12. Remarks:

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. *Mr. Foster is selling the land to the applicant.*

b. Who owns the land to be irrigated or place of use? Applicant

11. a. Who owns the property at the point of diversion? *Mary W. Barker*

10. Describe any other water rights used for the same purposes as described above. *None*

Total number of acres to be irrigated.

[illegible]

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding column.

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

9. Description of place of use:

e. Other; describe fully.

d. Domestic; show number of households. *done*

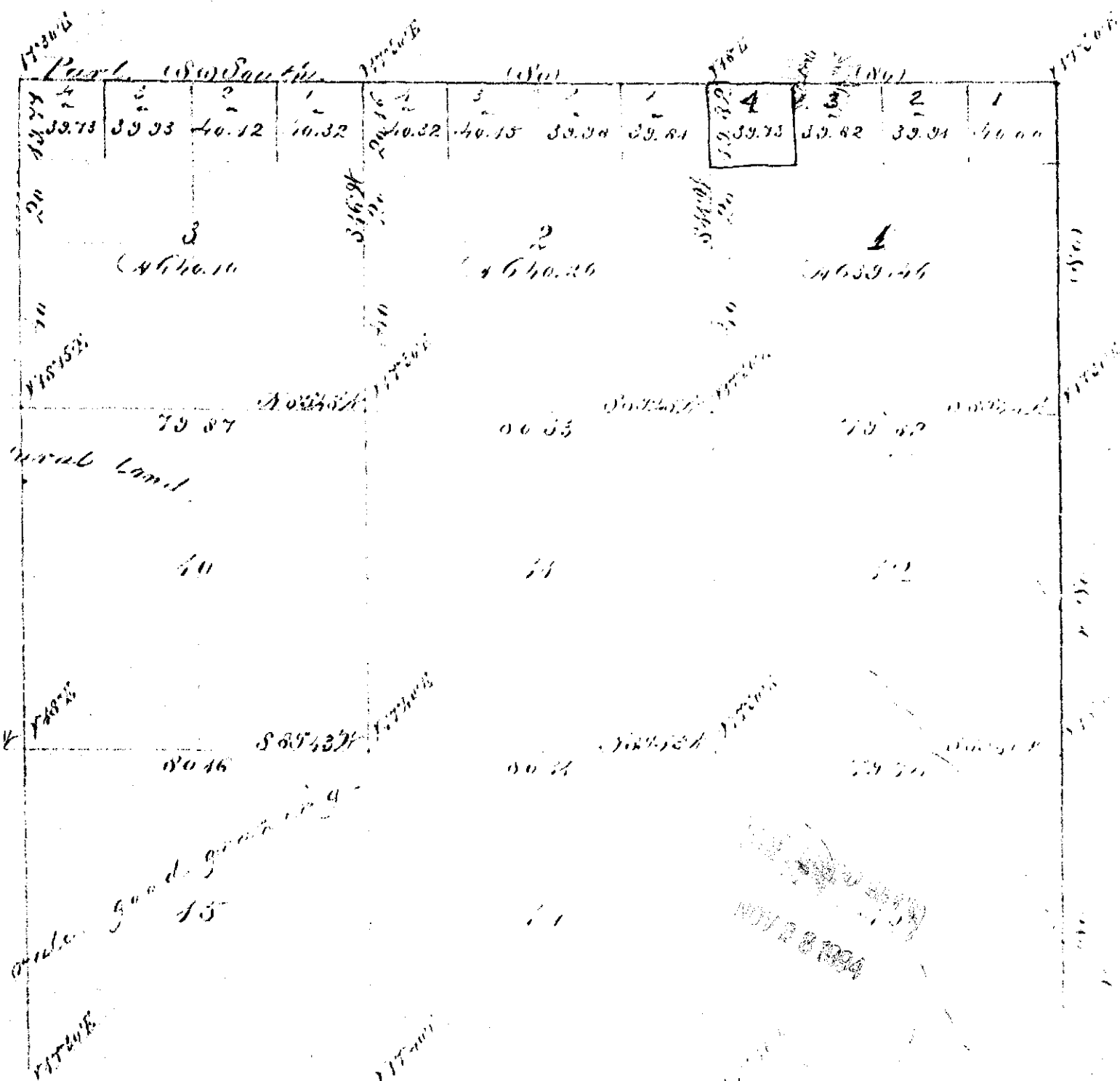
c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock. 10 Head

a. Hydropower, show total feet of head and proposed capacity in kW.

8. Description of proposed uses (if irrigation only, go to item 9):

T 155
 No 39 East Boise Meridian





public waters of:
NOV 28 1994

Dalton Atkinson
(Applicant)

NOV 28 1994

1. Approval of said application is subject to the following limitations and conditions:
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
 - e. Other: _____

Idaho No. _____, and said application is hereby _____.

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	<u>HLW</u>	Date	<u>7-18-94</u>	Time	<u>11:5</u>	Preliminary check by	
Fee \$	<u>50.00</u>	Received by	<u>HLW</u>	#	<u>E020052</u>	Date	<u>7-18-94</u>
Publication prepared by	<u>HLW</u>	Date	<u>8-18-94</u>	Published in	<u>Freshwater Citizen</u>		
Publication approved	<u>HLW</u>	Date	<u>8-25-94</u>				
		Date	<u>9-6-94</u>				



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

July 27, 2001

DAL VON ATKINSON
1428 E 3200 N
PRESTON ID 83263

RE: License No. 13-7524 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

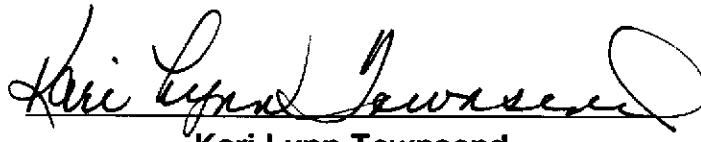
MICROFILMED
OCT 17 2001

CERTIFICATE OF MAILING

I hereby certify that on July 27, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 13-7524

**DAL VON ATKINSON
1428 E 3200 N
PRESTON ID 83263**


**Kari Lynn Townsend
Secretary**

MICROFILMED
OCT 02 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

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

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Comment Report

13-7524

1. skeen 7/25/2001 License Review

Comment: License review by S. Keen on 7/25/2001.

Examiner recommended the point of diversion in the NWSENW, S. 1, T15S, R39E. His map and photos, however, clearly depict the point of diversion in the NWSENE, S. 1, T15S, R39E, which is consistent with the application and the permit. The license will show the point of diversion consistent with the examiners map and photos.

2. VAULT 9/30/1997 Extension of Time Received

Comment: Extension of Time Received

3. KTOWNSEN 1/21/2000 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

MICROFILMED

OCT 02 2001

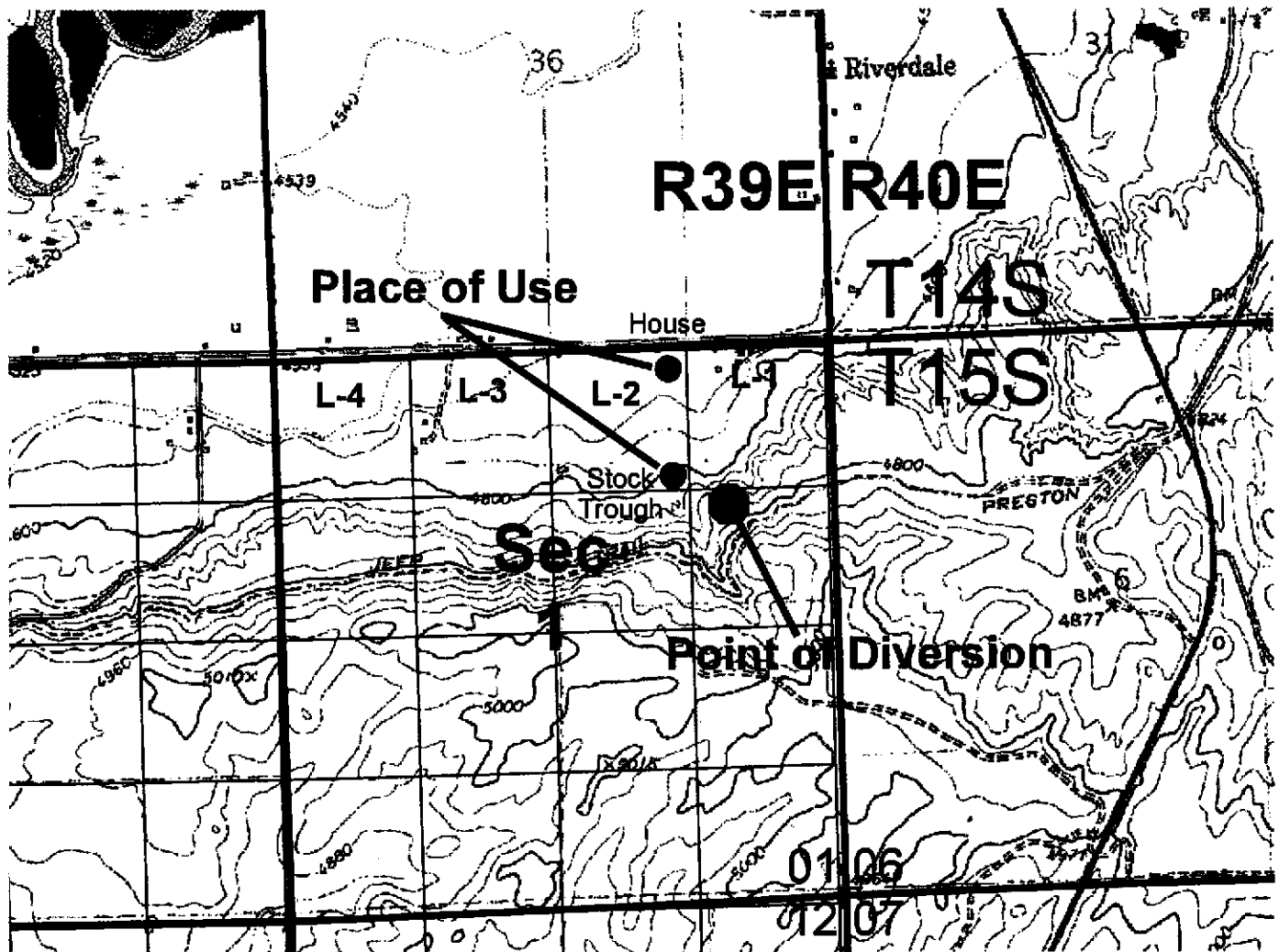
007 02 2001

This is a full-page image of a blank sheet of graph paper. The page is filled with a uniform grid of small squares, created by thin black horizontal and vertical lines. There are no margins, text, or other markings on the paper.

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

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

2. Measurements: $2\frac{1}{2}$ gal in 14.63 sec = 10.52 gpm = 0.0228 ft/s = 0.02 cfs



MICROFILMED

1977 9 2 1000

13-07524

POINT OF
DIVERSION



PLACE OF USE DOMESTIC



PLACE OF USE - STOCK TROUGH

13-07524

NOV 12 2001

E. NARRATIVE/REMARKS/COMMENTS

Collection pipe to 1500 gal underground with distribution line to
single domestic home & stock trough

NOTE: PLACE OF USE IS WITHIN NW $\frac{1}{4}$ & NE $\frac{1}{4}$ which is Lot 2.
It appears that the lot # was ~~was~~ incorrectly numbered

Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED
OCT 6 7 2009

SEAL
MCCOY LIMITED
101 42 2001

F. FLOW CALCULATIONS

Measured Method:

$$Q = 0.02 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

$$V_{DOM} = 1.2 \text{ af}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

Period of Use
From 1/1
To 12/31

Rate of Diversion
Q (cfs)
0.02 cfs

Annual Volume
V (afa)
1.2 af

2. Recommended Amendments

☐ Change P.D. as reflected above
☐ Add P.D. as reflected above
☒ None
☐ Change P.U. as reflected above
☐ Add P.U. as reflected above
☐ Other

I. AUTHENTICATION

Field Examiner's Name

Keith C Wilson

Date 5-8-2002

Date

Reviewer

Additional Computation Sheets Attached



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAL VON ATKINSON
1428 E 3200 N
PRESTON ID 83263

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 13-07524

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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.

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. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **EASTERN** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Kari Lynn Townsend
Secretary

c: IDWR - Regional Office

MICROFILMED

JAN 27 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 13-07524 Reviewed by [signature] Date 1-17-2000

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Dom
yes Correct Uses?

SOURCE OF WATER

✓ Surface water source

 Ground water source

 Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50⁰⁰ Amount Submitted
yes Correct?

MEASURING DEVICE

 Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

none - ok proof

DATA ENTRY

New Address Proof Made 9-20-99

July 31, 1999

DAL VON ATKINSON
1428 E 3200 N
PRESTON ID 83263

PROOF DUE NOTICE

RE: PERMIT NO. 13-07524

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 October 1, 1999.

(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.

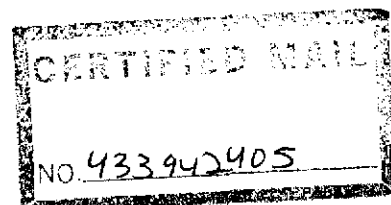
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 27 2000



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 13-07524 Reviewed by [Signature] Date 10-15-97

BASIC INFORMATION

9-29-97 Date stamp received

YES Extension received timely

YES Fee received and receipted

YES Name and signature same as permit

YES Address Change

BASIS FOR EXTENSION REQUEST

YES Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN *Recommend extend to Oct. 1, 1999, on basis of due diligence.*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address 1428 E 3200 N

Change Proof Due Date 10-1-99

Change Priority Date X



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 16, 1997

Dal Von Atkinson
1428 E 3200 N
Preston ID 83263

RE: Permit No. 13-07524

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit which extends the time within which to submit proof of beneficial use to **October 1, 1999**. Please note that the department granted the extension based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

Enclosure

C: IDWR - Regional Office

MICROFILMED

OCT 20 1997

VAY
9-17-97

MEMORANDUM

DATE: September 17, 1997

TO: Julie Yarbrough

FROM: Shelley W. Keen *SK*

RE: Permit No. 13-07524

Today Dal Von Atkinson called and asked that we send him a Request for Extension of Time to Submit Proof of Beneficial Use form at his new address, which is:

1428 E. 3200 N.
Preston ID 83263
(208) 852-0654

MICROFILMED

OCT 20 1997

CERTIFIED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

130 S. 2100 Orchard Street
Boise, Idaho 83706-2237

8 5 90 06 2 0 9 5

MAIL

MICROFILMED

OCT 2 1990

RECEIVED
AUG 05 1997
Department of Water Resources

couldn't
locate
a new
address
in
phone
book

WJ

8-11

83263-5073 63

THIS department on or before the above described proof due date.
If neither is received, the department will



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

July 31, 1997

DAL VON ATKINSON
11685 N TREASURETON RD
PRESTON ID 83263

RE: PERMIT NO. 13-07524 PROOF DUE NOTICE

July 31, 1997

DAL VON ATKINSON
11685 N TREASURETON RD
PRESTON ID 83263

PSA0062095

PROOF DUE NOTICE

RE: PERMIT NO. 13-07524

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 October 1, 1997.

(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

MICROFILMED
OCT 2 8 1997



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 21, 1994

DAL VON ATKINSON
11685 N TREASURETON RD
PRESTON ID 83263

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 13-07524

Dear Permit Holder:

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.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

A faint, rectangular stamp with illegible text, possibly a date or processing mark.

NOV 28 1994

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 13-7524 Name: Atkinsons Date: 10/12/94 Correct Fee? ✓

AREA OF CONCERN? - ~~No~~/Yes BR Mor GWMA Trust/Non-trust

SYSTEM COMPLETED:

No

Complete in 1 year

Yes

Proof not submitted

Proof submitted

GROUNDWATER:

+ 0.2 cfs <FLO-CH>

- 0.2 cfs

Drilling Permit:

Included w/permit

Existing well

No WD permit?

SURFACE WATER: not in WD

LOCATION:

Water District (dem)

*Surface water

(doesn't sink)

Groundwater

In stream channel

Irr Dist/Canal Co.

Drainage Districts

Flood Control Dist.

Boise Front (63)

Swan Falls Flag

Trust

Non Trust <1>

RIVER BASINS (*Surface water):

Boise R(63)

Payette R(65)

Snake R(01/02/03)

USE:

Fish Propagation

Irrigation

Power

Mining

Storage (✓ 3 compo.)

Domestic (surface)

OWNERSHIP:

Non land owner

PROTESTED:

OTHER CONDITIONS:

REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

WR0749NP
No. P13-07524

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/12/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DAL VON ATKINSON 11685 N TREASURETON RD PRESTON ID 83263 (208) 852-0654	07/18/1994	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: PERMIT

Point(s) of Diversion: T15S R39E S01 SENE FRANKLIN County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
15S	39E	1	:	04-D				:					:					:					:

Pou County: FRANKLIN

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.

Remarks: Domestic use is for 1 home.

Dates: App. Received: 07/18/1994 Priority Date: 07/18/1994
Proof Due Date: 10/01/1997 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 13N Field Exam Fee:

Audit: 10/12/94 CZIMMERM

Form No. 202a
4/87

Dist. for staffing
Submitted for advertising 7-20-94

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATIONS FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY DWS DATE 7-20-94 APPLICATION NO. 13-2524
Dal Von Atkinson
REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
☒ County
☒ Quantity (flow and/or volume)
☒ Period of Use
☒ Nature of proposed use (Include description of use.)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ Place of use or acres irrigated
☒ Map
☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
☒ Fee
☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
☐ Overlapping point of diversion
☐ Yes ☐ No Field check required
☐ Yes ☐ No Field check by _____
☐ Yes ☐ No Field report attached
☐ Yes ☐ No Critical groundwater area
☐ Yes ☐ No Groundwater management area
☐ Yes ☐ No Send dam safety information
☐ Yes ☐ No Send power requirement letter
☐ Yes ☐ No Send fish farm requirement letter
☐ Yes ☐ No Power residency affidavit
☐ Yes ☐ No Power efficiency form
☐ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
☐ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

RECEIVED
Date Requested
SEP 19 1994

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO NONE Idaho Dept. of Health & Welfare U.S. BLM
Idaho Dept. of Fish & Game U.S. Forest Service
Idaho Dept. of Lands Water District
Adjudication Bureau Unit Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 9-8-94
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☐ No Recommendations, attached
☐ Yes ☐ No Measuring device required
☐ Yes ☐ No Access port required
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. _____
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 7-18-94
By HWJ Date 9-14-94

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

LOCAL PUBLIC INTEREST

Comments received from

City	Idaho Fish & Game	Irrigation District
County	Idaho Health & Welfare	Canal Company
Reservations	Division of Environment	Other

Project impacts/implications report

COMMENTS

NOTICE OF APPLICATION FOR
WATER RIGHT

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Franklin } ss.

being duly sworn,

deposes and says:

That he is the CO-PUBLISHER of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said

newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

8-24, 1994, and ending

with the issue of 8-31, 1994

John P. Ross
Fee \$ 64.67

Subscribed and sworn to before me this 31 day

of Aug, 1994.

Larry Mitchell

Notary Public, Residing at Preston, Idaho

My Commission Expires Aug 14, 1995

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

13-07523

CITY OF WESTON
293 S 2ND E
WESTON, ID 83286
Source: GROUNDWATER
Diversion Pt: NWSW Sec 9 T 16S
R 38E in FRANKLIN County.
Use: MUNICIPAL (2.000 CFS)
Total Diversion: (2.000 CFS)
Date Filed: 7/11/1994
In: The City of Weston

13-07524

ATKINSON, DAL VON
11685 N TREASURETON RD
PRESTON, ID 83263
Source: SPRINGS
Tributary: SINKS
Diversion Pt: SENE Sec 1 T 15S R
39E in FRANKLIN County.
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 7/18/1994
In: FRANKLIN County T15SR39E
S01 NWNE

13-07525

CARTER, DWIGHT B
FAMILY TRUST, M DOUGLAS
CARTER
1594 CARTER LN
GRACE, ID 83241
Source: SPRING
Tributary: SINKS
Diversion Pt: NENWSE Sec 1 T
11S R 39E in CARIBOU County.
Use: STOCKWATER (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 7/19/1994
In: CARIBOU County T11S R40E
S05 SWSW S07 NENE S08 NWNE

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, along with a \$25.00 filing fee to the Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, on or before SEPTEMBER 12, 1994.

NOV 28 1994

13-07524

ATKINSON, DAL VON
11685 N TREASURETON RD
PRESTON, ID 83263

Source: SPRINGS

Tributary: SINKS

Diversion Pt: SENE Sec 1 T 15S R 39E in FRANKLIN County.

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 7/18/1994

In: FRANKLIN County
T15S R39E S01

NWNE

NOV 28 1994

12-Aug-1994

DAL VON ATKINSON
11685 N TREASURETON RD
PRESTON ID 83263

RE: Application No. 13-07524

Dear Water Right Applicant:

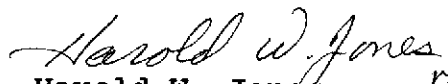
The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the PRESTON CITIZEN on 8-18 & 25-1994. The advertisement will be published for two consecutive weeks, and a period of ten days following the second 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.

If the application is not protested, it will be forwarded to our State Office in about five weeks. 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. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,


Harold W. Jones *rb*
Water Right Supervisor

HWJ:rb

RECEIVED
AUG 15 1994