

**STARTING
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FILE**

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-9218.

Name(s) of Permit Holder: Idaho Dept. of Fish & Game

Post Office Address: Route, Box 75

Parma, ID 83660 Tel. No. 722-5888

Source of Water: Sand Hollow Drain

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation 260 (acres)
☐ Other wildlife habitat

Measuring Device: Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No

Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

4-11-84
Date

Dale A. Von Steen
Signature of Permit Holder

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APR 11 1984



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APPROVED

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of applicant Idaho Dept. of Fish and Game Phone 722-5888

Post office address Rte. 2, Box 75, Parma, ID 83605-23660

2. Source of water supply Sand Hollow Drain and unnamed drain which is a tributary of Snake River

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 6N

Range 6W B.M. Canyon County, additional points of diversion if any: _____

NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26; T 6N R 6W SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 36 T 6N R 6W
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 31 T 6N R 5W

4. Water will be used for the following purposes:

Amount 5.16 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 5.16 for Wildlife Habitat purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 5.16 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

Electric motor and gravity ditches.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 36 Township 6N

Range 6W B.M.

NE
SE
SW
SE
NE
NW

NW
NE
NW
NW
SE
SW

SW Sec 31 T 6N R 5W

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: water is used for duck ponds and also for fish.

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

[illegible]

Total number of acres to be irrigated	260
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c. Describe any other water rights used for the same purposes as described above. None

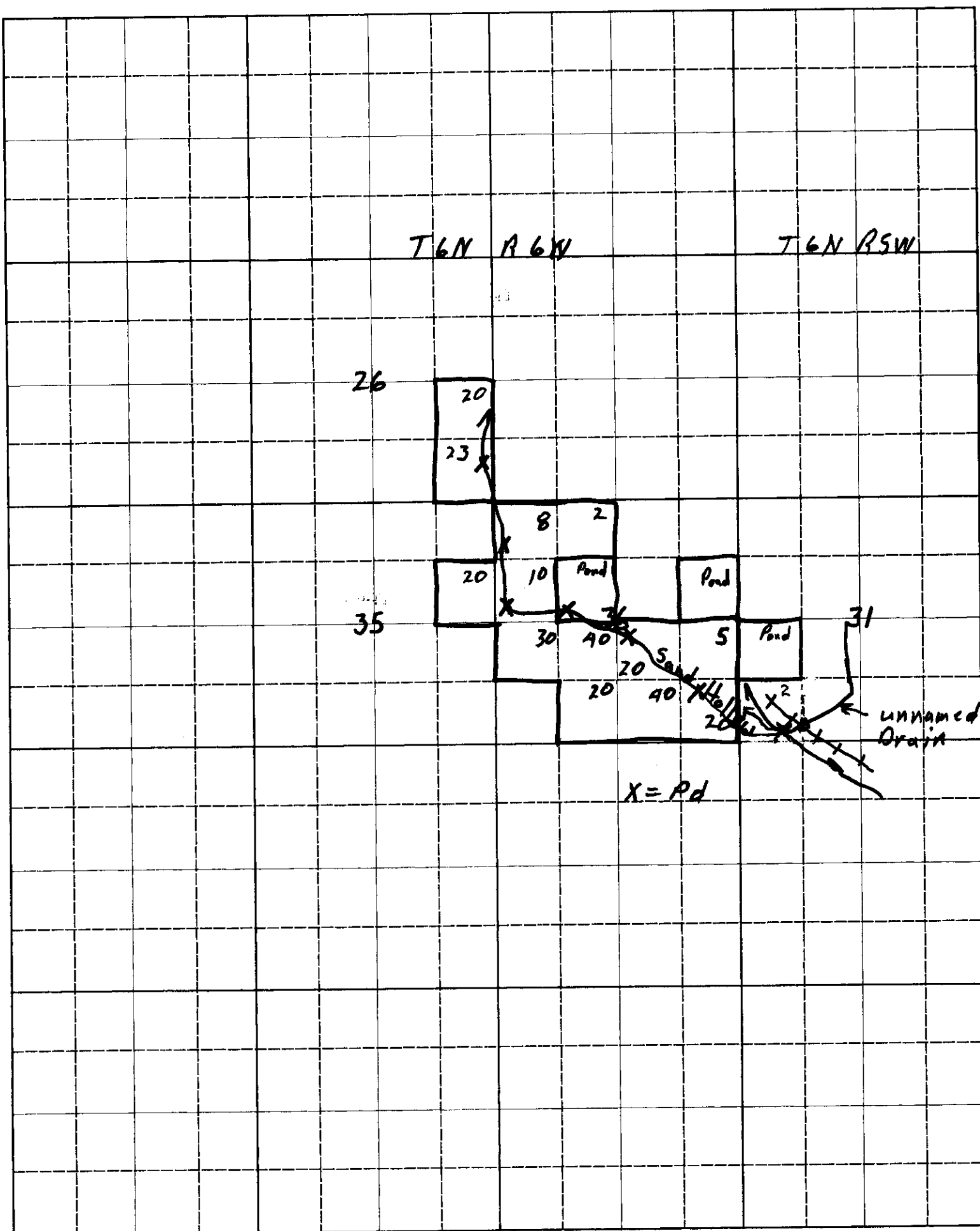
9. a. Who owns the property at the point of diversion Applicant

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 _____

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



Scale: 2 inches equal 1 mile.

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

Rachel Walker

(Applicant)

ASSISTANT DIRECTOR

Per tele/con. 4-27-79

3-12-79 *KW 3/27/85*
per review of file
Proposed Priority 3-30-79

Received by KK

Date 3/12

Time 3:00 pm
5:00 pm

Preliminary check by DBS

Fee \$

Expenditure Voucher # 13023
85.00

Received by KK

Date 3/30/79

Publication prepared by KK

Date 3/15/79

Published in News Tribune

Publication dates 3/22 & 3/29/79

Publication approved KK

Date 4/9/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____

Date _____

Recommended for approval

denial

by DBS J.J.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9218, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 84.

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. Other: (1) Use of water under this permit is subject to control by the water-
master of State Water District No. 63, Boise River. (2) A measuring device of
a type approved by this Department shall be permanently installed and maintained
as part of the diverting works. (3) Return water shall be treated to insure that
the effluent meets intrastate stream water quality standards.

Witness my hand this 2nd day of May, 19 79.

L. Glen Saylor
Chief, Operations Bureau

RE

Depar...
West

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AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Susan Wilkerson
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Free Press and The News-Tribune, a daily, (except Sunday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times
in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

March 22, 29, 1979

Susan Wilkerson

Subscribed and sworn to before me this
29th day of March
19 79

Janne Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

NOTICE OF APPLICATION FOR WATER RIGHT
Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:
63-9218
STATE OF IDAHO
DEPT. OF FISH AND GAME, ROUTE 2, BOX 75, PARMA, Idaho 83660
Source: SAND HOLLOW DRAIN tributary to SNAKE RIVER
UNNAMED DRAIN tributary to SNAKE RIVER
Date Filed: March 12, 1979
Amount: 5.16 CFS
Diversion Point: SWNW NWNW SENW NWSE Section 36 T6N R6W SESE Section 36 T6N R6W SESE Section 36 T6N R6W SESE Section 31 T6N R5W, CANYON County
Use: IRRIGATION (5.16 CFS) from March 15 to November 15
WILDLIFE (5.16 CFS) from January 1 to December 31
Place of Use: NENW SENE SWNW SENW NESE Section 36 T6N R6W NWSW Section 31 T6N R5W NESE SESE Section 26 T6N R6W NENW NWNW SWNW NESW NWSW SESW NESE NWSE SWSE SESE Section 36 T6N R6W SENE Section 35 T6N R6W NWSW SWSW Section 31 T6N R5W FOR 282 ACRES
Diversion Means: PUMP & GRAVITY DITCHES
If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before APRIL 9, 1979.
C. STEPHEN ALLRED
Director
March 22, 29, 1979

KK-OK
4/9/79

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**NOW
STARTING
RIGHT
SIDE OF
FILE**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MAY 5, 1984

DEPT. OF FISH & GAME STATE OF IDAHO
RT. BOX 75
PARMA ID 83660

RE: Permit No. 63-9218

Dear Permit Holder:

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

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

STATE OF IDAHO
DEPT. OF FISH AND GAME
ROUTE 2, BOX 75
PARMA, ID 83605

PROOF DUE NOTICE

FEBRUARY 28, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-9218 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MAY 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

ENCLOSURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 63-9218

Name(s) of Permit Holder(s): Idaho Dept of Fish & Game

Post Office Address: P.O. Box 25 Boise

Tel. No. 334-3180

☒ I hereby certify that construction of diversion works for the above referenced permit began on aug 1981. I understand that I must

(date)

continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

5/18/83
Date

E. J. [Signature]
Signature of Permit Holder

PLACE
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HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

MAY 20 1983

Idaho Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 3, 1979

Re: Permit No. 63-9218

Idaho Dept. of Fish and Game
Rte. 2, Box 75
Parma, Idaho 83660

Gentlemen:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power. While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

MARCH 15, 1979

News-Tribune
Box 1179
Caldwell, ID 83605

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. We have allowed ample time for you to submit a sales proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before APRIL 9, 1979.

Yours truly,

Karla Knecht
Secretary

Encl.

March 15, 1979

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C. STEPHEN ALLRED

Director

Published 3/22 & 3/29/79.

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STATE OF IDAHO

DEPT. OF FISH AND GAME, ROUTE 2, BOX 75, PARMA, ID 83605

Source: SAND HOLLOW DRAIN tributary to SNAKE RIVER
UNNAMED DRAIN tributary to SNAKE RIVER

Date Filed: 03/12/1979

Amount: 5.16 CFS

Diversion Point: SWNW NWNW SENW NWSE Sec 36 T 06N R 06W
SESE Sec 36 T 06N R 06W SESE Sec 26 T 06N R 06W SWSW
Sec 31 T 06N R 05W, CANYON Co.Use: IRRIGATION (5.16 CFS) from 03/15 to 11/15
WILDLIFE (5.16 CFS) from 01/01 to 12/31Place of Use: NENN SENE SWNW SENW NESE Sec 36 T 06N R 06W NWSW
Sec 31 T 06N R 05W NESE SESE Sec 26 T 06N R 06W NENN NWNW SWNW
NESW NWSW SESW NESE NWSE SWSE SESE Sec 36 T 06N R 06W SENE
Sec 35 T 06N R 06W NWSW SWSW Sec 31 T 06N R 05W
FOR 282 ACRES

Diversion Means: PUMP & GRAVITY DITCHES

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