

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Martin C. and/or Helene M. Leonard, 616 S. Washington Ave., Emmett, Idaho, has on October 5, 1973, submitted Application No. 65-7423 for a permit to appropriate .40 cubic feet per second of water from an unnamed waste drain, tributary to Payette River by means of pump, ditch and sprinkler system within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 6N, R. 2 W, B.M., Gem County to be used from April 1 to Oct. 31 for the irrigation of 20 acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 6N, R. 2 W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho 83707, on or before November 5, 1973.

R. Keith Higginson, director
Published in the Emmett
Messenger-Index, Emmett, Idaho,
on Oct. 18 and Oct. 25, 1973.

OK dfl
11-28-73

RECEIVED
NOV 13 1973
Department of Water Administration
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss,
COUNTY OF GEM,

Ernie Bobb, being first
duly sworn, on his oath deposes and
says that he is the printer of Messenger-
Index, a legal weekly newspaper pub-
lished at Emmett, in Gem County, Idaho;
that said newspaper is in general circu-
lation in said county and has been pub-
lished uninterruptedly and continuously
for more than 78 weeks prior to the first
publication of the annexed document;
and that the document notice, process,
or advertisement hereunto annexed was
published in the regular edition of

Messenger-Index for 2
consecutive weekly issues thereof, be-
ginning with the issue of Oct 18,

1973, and ending with the issue of
Oct 25, 1973

Ernie Bobb
Subscribed and sworn to before me this
26th day of

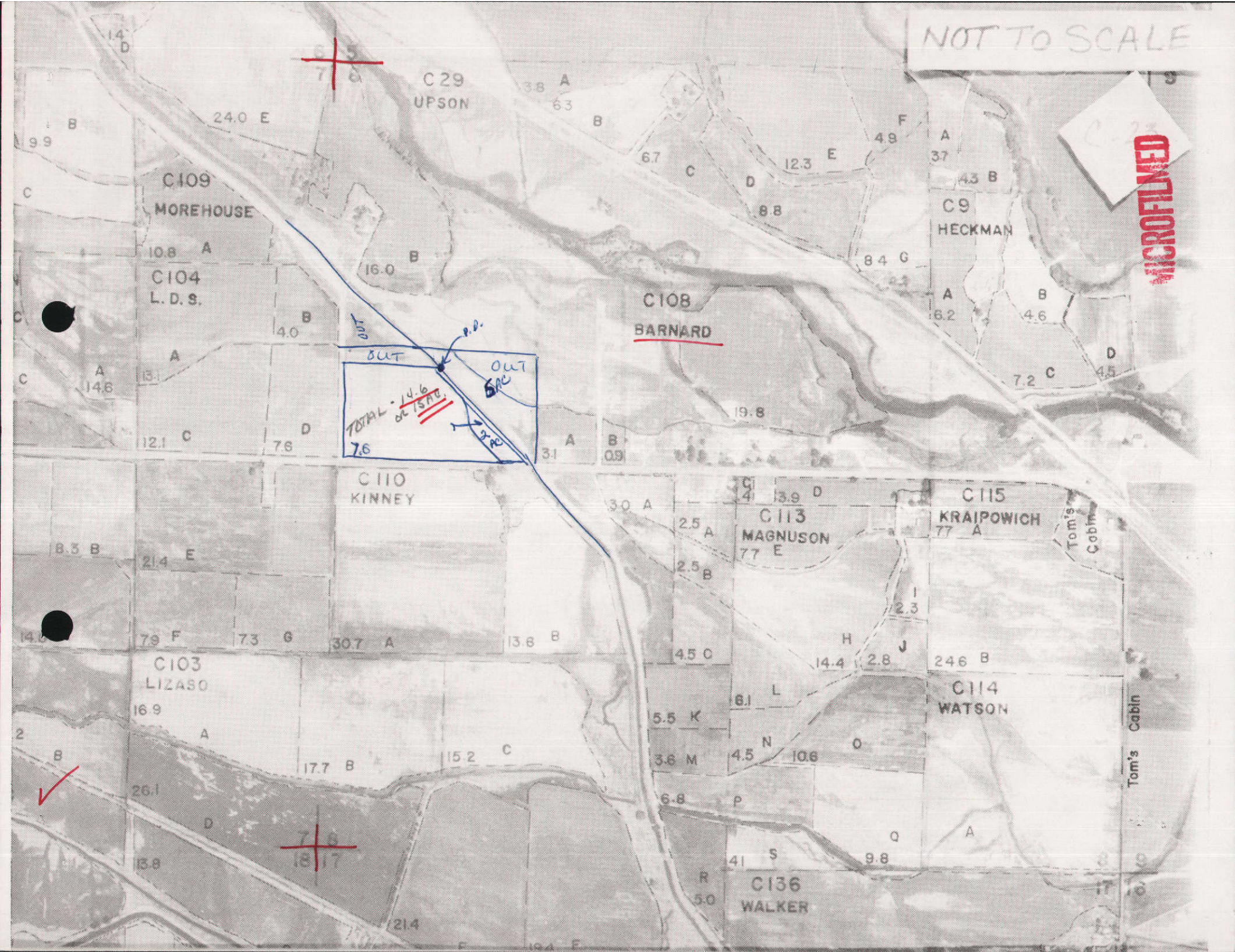
Nov., 1973
Robert G. Walker

Notary Public,
Residing at Emmett, Idaho.

65 7423

NOT TO SCALE

C-23
MICROFILMED



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7423 Priority October 5, 1973 Amount 0.30 cfs

THIS IS TO CERTIFY, that Martin C. &/or Helene M. Leonard
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-7423 issued pursuant to Application for Permit dated October 5, 1973,
and has submitted proof to the Department of Water Resources on October 15, 1984,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.71 cfs of water from Tunnel No. Seven Wasteway
tributary to Payette River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.30</u> cfs and	<u>67.5</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.30 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
67.5 acre feet per year, said waters to be diverted within the SW 1/4, Section 8,
Twp 6N, Rge 2W in the County of Gem

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	2W	8							15										15

Total number of acres irrigated 15

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license 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 license 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 license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10TH day of FEBRUARY, 19 86.

Acting for the Norman C. Young
Director

1/21

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE
DATE IN CONNECTION WITH PERMIT NO. 65-7423
IN THE NAME OF MARTIN C. &/OR HELENE M. LEONARD

ORDER

WHEREAS, on October 5, 1973, Martin C. and Helene M. Leonard applied to the Department of Water Resources for a permit to appropriate 0.40 cubic feet per second of water from an unnamed waste drain tributary to the Payette River from a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp. 6N, Rge. 2W B.M., Gem County to be used for irrigation purposes; and,

WHEREAS, on December 6, 1973, the Department approved said application and issued Permit No. 65-7423 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before December 1, 1978; and,

WHEREAS, on November 28, 1978, the Department granted an extension of time until December 1, 1979; and,

WHEREAS, on October 2, 1979, the Department received an additional request for an extension of time; and,

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

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 65-7423 be extended December 1, 1984.

Dated this 7th day of December, 1979.


L. GLEN SAXTON

Chief, Operations Bureau

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE
DATE IN CONNECTION WITH PERMIT NO. 65-7423
IN THE NAME OF MARTIN C. &/or HELENE M. LEONARD

ORDER

WHEREAS, on October 5, 1973, Martin C. and Helene M. Leonard applied to the Department of Water Resources for a permit to appropriate 0.40 cubic feet per second of water from an unnamed waste drain tributary to the Payette River from a point within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, Twp. 6N, Rge. 2W B.M., Gem County to be used for irrigation purposes; and,

WHEREAS, on December 6, 1973, the Department approved said application and issued Permit No. 65-7423 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before December 1, 1978; and,

WHEREAS, on November 6, 1978, the permit holders submitted a request for an extension of time; and,

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

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 65-7423 be extended to December 1, 1979.

Dated this 28th day of November, 1978.

L. Glen Saxton

L. GLEN SAXTON

Chief, Operations Bureau

RECORDED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 65-7423 }

ORDER

WHEREAS, it has been determined by the Department of Water Resources that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from said permit.

Dated this 28th day of August, 1978.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

MICROFILMED

Identification No. _____

Application No. 65-7423

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant MARTIN C. &/or HELENE M. LEONARD
post office address 616 So. Washington Ave., Emmett, Idaho 83617
2. Source of water supply Unnamed waste drain which is a tributary of Payette River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8 Township 6 N
Range 2 W B.M. Gem County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.4 for Irrigation purpose from April 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.40 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 1 - 5 hp pump into open ditch
and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(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: _____

65 7423

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6N	2W	8							20										20

Total number of acres to be irrigated 20

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.

A hand-drawn map on graph paper. A vertical line is labeled 'T6N' and a horizontal line is labeled 'R2W'. A small rectangular area with a cross inside is labeled '8'. The map is drawn on a grid of solid and dashed lines.

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.

Martin Leonard
(Applicant)

65 7423

Received by CB Date 10-5-1973 Time 11:45 AMPreliminary check by CB Fee \$ 25.00Receipted by ef Date 10-5-73 Receipt # 12468Publication prepared by SUW Date 10-12-73Published in Emmett Messenger-IndexPublication dates 10-18 10-25-73Publication approved ef Date 11-28-73

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JD

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7423, 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 December 1, 19 78.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 6th day of December 19 73.


Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>EB</u>	<u>11 Oct 73</u>	Application No. <u>65 7423</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>EB</u>	<u>11 Oct</u>	In form to receipt
		<u>N/A</u>	Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)		<u>N/A</u>	☐ Request Special Use Permit from U.S. F.S. ☐ Request Easement from B. L. M. ☐ Request Information from Applicant
(5)	<u>EB</u>	<u>11 Oct</u>	In form for advertising <u>OK</u>
(6)		<u>NA</u>	Located within Water District No. _____
(7)		<u>NA</u>	Critical groundwater area: yes _____ no _____
(8)		<u>NA</u>	Groundwater levels: _____ Decline (comment) _____ _____ Stable (comment) _____ _____ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>df</u>	<u>11-28-73</u>	Affidavit of Publication received (date) <u>OK</u>
(11)	<u>R.W.H.</u>	<u>11-29-73</u>	Final date for protests <u>11-5-73</u> Protests received: yes _____ no ☒
(12)		<u>NA</u>	Date and Place of hearing _____ Decision reached at hearing _____
(13)		<u>NA</u>	All requested information received from agencies or applicant yes _____ no _____
(14)	<u>R.W.H.</u>	<u>11-29-73</u>	Action recommended: ☒ Approve ☐ Deny <u>in</u> ☒ Measuring device required Priority <u>10-5-1973</u> Reason for Reduction _____ ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval (not a Water Dist.)
(15)	District <u>Western</u>	By <u>Robert W. Hamilton</u>	Date <u>11-29-73</u> RECEIVED NOV 29 1973 Department of Water Administration 65 7423

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Martin C. and/or Helene M. Leonard, 616 S. Washington Ave., Emmett, Idaho, has on October 5, 1973, submitted Application No. 65-7423 for a permit to appropriate .40 cubic feet per second of water from an unnamed waste drain, tributary to Payette River by means of pump, ditch and sprinkler system within the SW 1/4 NW 1/4, Sec. 8, T. 6N, R. 2 W, B.M., Gem County to be used from April 1 to Oct. 31 for the irrigation of 20 acres within the SW 1/4 NW 1/4, Sec. 8, T. 6N, R. 2 W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho 83707, on or before November 5, 1973.

R. Keith Higginson, director
Published in the Emmett
Messenger-Index, Emmett, Idaho,
on Oct. 18 and Oct. 25, 1973.

OK *df*
11-28-73

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF GEM,

Arnt Soler ^{ss.} being first
duly sworn, on his oath deposes and
says that he is the printer of Messenger-
Index, a legal weekly newspaper pub-
lished at Emmett, in Gem County, Idaho;
that said newspaper is in general circu-
lation in said county and has been pub-
lished uninterruptedly and continuously
for more than 78 weeks prior to the first
publication of the annexed document;
and that the document notice, process,
or advertisement hereunto annexed was
published in the regular edition of

Messenger-Index for *2*
consecutive weekly issues thereof, be-
ginning with the issue of *Oct 18*

19*73*, and ending with the issue of

Oct 25, 19*73*
Arnt Soler

Subscribed and sworn to before me this

26th day of

Nov., 19*73*

Robert G. Walker

Notary Public,
Residing at Emmett, Idaho.

65 7423



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 18, 1986

RE: Permit No. 65-7423

Martin C. &/or Helene M. Leonard
1222 E. Phillips St.
Emmett, ID 83617

Dear Mr. and Mrs. Leonard:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

65-7423
Permit No.

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

FLOOD → $\frac{3 \text{ hp} \times .8 \times 8.8}{10' \text{ lift} + (20 \text{ psi} \div .4333)} = \frac{21.12}{56.16} = .38 \text{ cfs} \checkmark$
IRRIG.
~~If 30 psi was used would be $\frac{21.12}{79.23} = .27 \text{ cfs}$~~

30 sprinkler heads at 5 gpm = 150 gpm or
(7 1/2 hp pump) $.33 \text{ cfs}$
SPRINKLER IRR. $.33 \text{ cfs}$
 $.38 \text{ cfs}$ - theoretical
 $.71 \text{ cfs}$ - CAPACITY
possible per discuss.
w/JAN

NOTE - 3 hp pump was not running at time of exam.
It was used to flood irrigate 2 acres in corner. Had
been removed due to weather.

b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 15 \text{ AC} \times 4.5 = 67.5 \text{ af/ann.}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.30 \text{ cfs} \times 1.9835 \times 213 \text{ days} = 126.7 \text{ af/ann.}$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 67.5 \text{ af/ann.} \checkmark$

c) Volume Calculations for Other Uses:

$V_{DR} = 0.30 \times 1.9835 \times 245 = 145.8 \text{ AF}$

2. Overlap Review

a) Other water rights with same place of use: NONE $\checkmark$

b) Other water rights with same point of diversion: NONE $\checkmark$ 65-0085 Payette R. different source

c) Analysis:

NO overlap per
review of Payette
River Adj. map -
65-0085 irrigates
North of this 65-7423
area (area
marked Barnard
on attached
aerial photo).

MICROFILMED

~~P535~~
~~Bayette~~
adj

- # MICROFILMED

Address: 1222 E. Phillips St., Emmett, ID 83617

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
-------------------	--------------------------	------------------------------	--------------------------

Drigation ✓ ~~4/1~~ ~~10/31~~ 0.30 cps ✓ 67.5 aff/km.
3/15 11/15
per Payette R. Adj.

Allowable Maximums: 0.30 c/y ✓ 67.5 a/ann.
— no gov't lots in this section —

- [illegible]

- [illegible]

- None

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

- Date 1/7/1986

January 15, 1986

RE: Permit No. 65-7423

Martin C. &/or Helene M. Leonard
1222 E. Phillips St.
Emmett, ID 83617

Dear Permit Holder(s):

A representative of this Department made an examination of the works covered by your Permit No. 65-7423 and has found the following:

Amount of water that can be recognized as beneficially used
under Idaho law: 0.30 cfs Source: Tunnel No. Seven
Wasteway trib to Payette River

The maximum quantity diverted shall not exceed 67.5 acre feet
per year.

Point(s) of diversion: SWNW, Sec. 8, Twp 6N, Rge 2W

Beneficial Use: Irrigation of 15 acres within SWNW, Sec. 8, Twp
6N, Rge 2W

Priority date established: October 5, 1973

Conditions (if any):

If you do not concur with these findings, please contact us within 10 days;
otherwise a water license will be issued as set forth above.

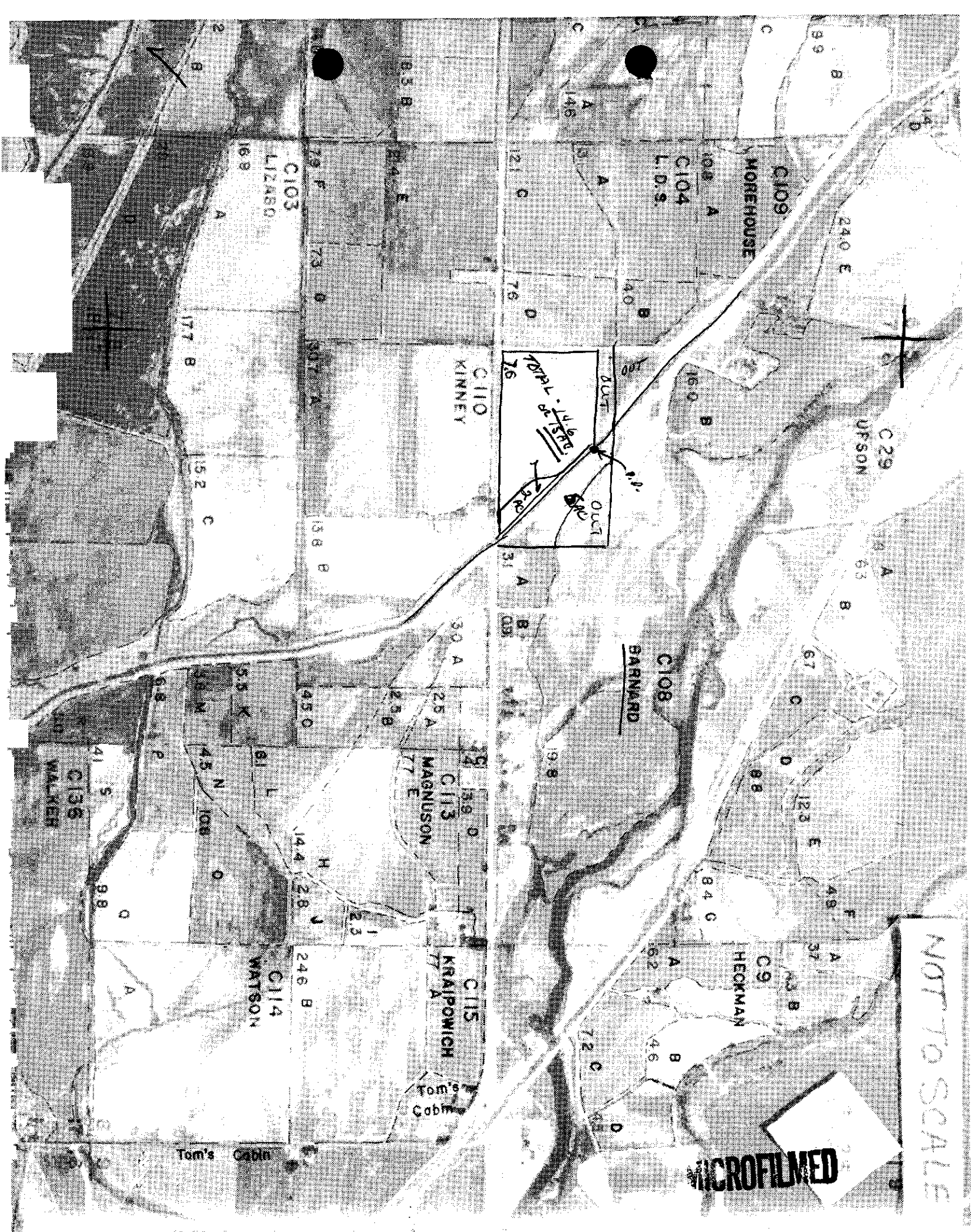
Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

MICROFILMED

MICROFILMED



MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 535

INDICATES TOTAL

SOURCE: TUNNEL NO. SEVEN WASTEWAY

TRIBUTARY TO: PAYETTE RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-1423	LEONARD, MARTIN C. & LEONARD, HELENE M. 1222 EAST PHILLIPS STREET, EMMETT, IDAHO 83617 REMARKS: THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	10/ 5/1973	IRRIGATION	3/15 11/15 <i>245 day season.</i>	--- AFA .40 CFS	SWNW S B T 6N R 2W	SWNW(20) S B T 6N R 2W *20*	PERMIT

INDICATES TOTAL

SOURCE: TUNNEL NO. TWO DRAIN

TRIBUTARY TO: TUNNEL NO. SEVEN WASTEWAY

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-2900	BLACK CANYON IRRIGATION DISTRICT NOTUS, IDAHO 83656 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-2433 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY. NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.	9/13/1965	IRRIGATION	3/15 11/15	--- AFA 100.00 CFS	NENE S20 T 6N R 2W	*57020*	PERMIT

MICROFILMED

DEC 17 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

1. Owner: Martin C. & Helene Leonard Permit No. 105-7423
Phone No. 305-5694
Current Address: 1222 C. Phillips St. Emmett, ID 83617
2. Accompanied by: Mr. & Mrs. Leonard EXAM. DATE: 1st Exam - 10/10/84
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Tunnel #7 Wasteway tributary to Payette River

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	WARDS GAS ENG.	7 1/2	2825664	CENTRIFUGAL	W/NO SERIAL #
	BRIGGS & STRATTON	3	14926340 (MODEL #)	SEARS	NO # VISIBLE

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
Metal frame around screened pipe in canal w/5" pipeline up to the 7 1/2 hp pump which sits on a platform above canal. Pumps water uphill approx. 10' to sprinkler mainline. Has 14 lines w/15 #30 R.B. heads each. Only two lines are on at one time. The 2 acre corner is flooded w/3hp

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Call Date
Gallon bucket, hose & stop watch				3HP Pump		sit below the 7 1/2 hp on a platform also but just above the canal - 2" line underground to acres.

7. Measurements ☐ Additional data/computation sheets attached

Meas. 5 gpm from each nozzle using bucket w/hose attached to head - Mr. Martin's method.
Total nozzles running were 30 - 15 each line x 2 lines. See theoretical for 3 hp pump.

8. Point(s) of Diversion: Indicate Method of Determination

Ident #	1/4	1/4	1/4	Sec.	Twp.	Rge.	Survey Information from Known Corner	County	Remarks
	SW	NW		8	6N	2W			

9.

Place(s) of Use:

Irrigation - give acres served by system at time of exam.
Indicate Method of Determination

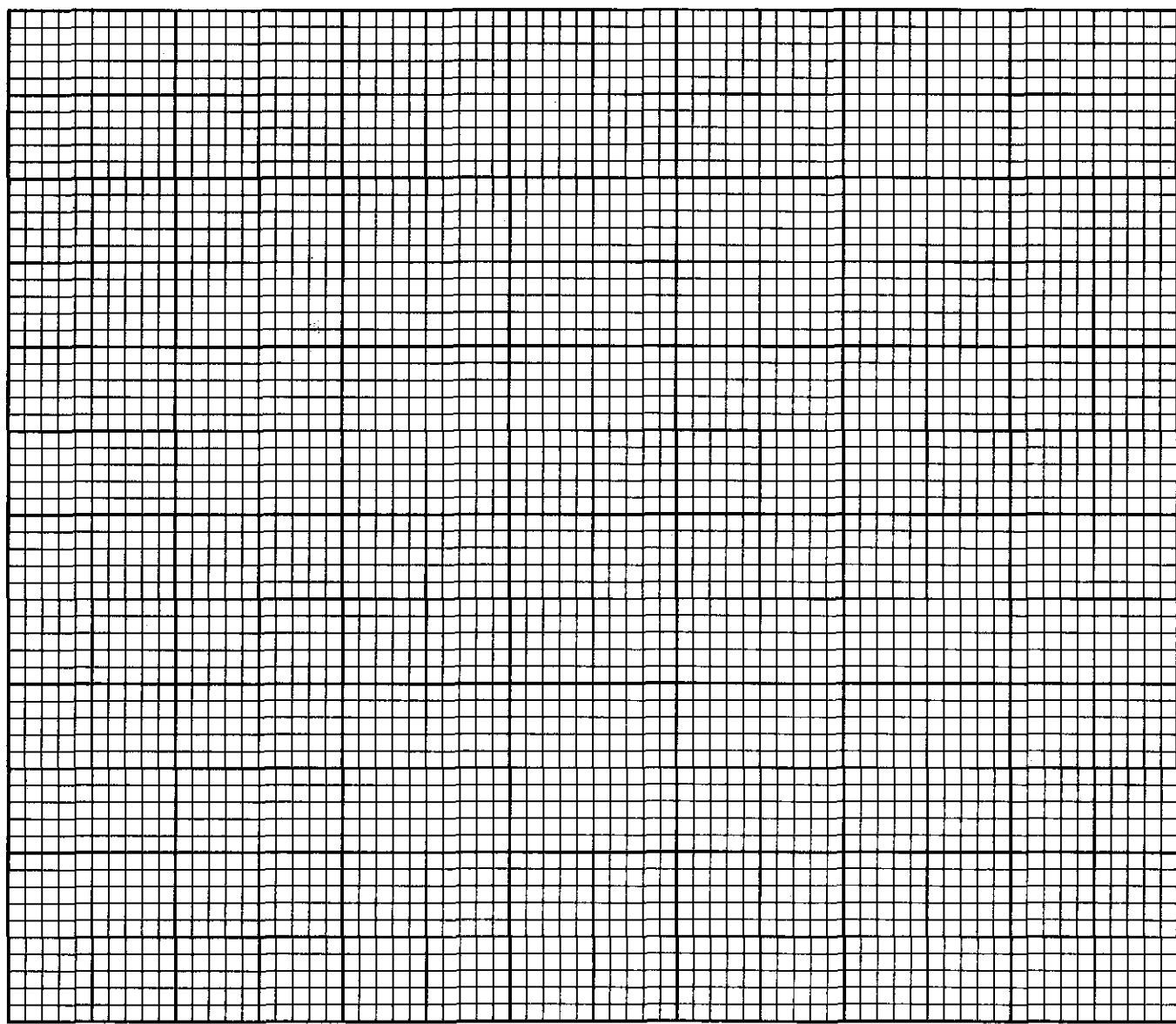
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10N	2W	8							15									15	

MICROFILMED

10. Other water rights on these lands NONE
11. Other water right diverted from same p.d. NONE

MICROFILMED

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. 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

16. Examiner's/Consultant's Signature Jan Grover Date 1/30/85
Consultant's License Number _____
IDWR Director's Authorization to Conduct
Beneficial Use Examination 10/16/84 Date

CONSULTANT SEAL

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. 65-7423.

Name(s) of Permit Holder: Martin C. Leonard

Post Office Address: 1222 E Phillips St. Emmett,
Idaho 83617 Tel. No. _____

Source of Water: Tunnel #7 Wasteway, trib to Payette R.

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation _____ (acres)
☐ Other _____

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.

15 Oct 84
Date

MICROFILMED

Martin C. Leonard
Signature of Permit Holder

Martin C. Leonard

1222 E Phillips

Emmett, Id

PLACE
13 CENT
STAMP
HERE



RECEIVED

OCT 15 1984

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

Department of Water Resources
Western Regional Office

BOISE, IDAHO 83720

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138295

LEONARD, MARTIN C. & HELENE M.
1222 EAST PHILLIPS STREET
EMMETT, ID 83617

PROOF DUE NOTICE

SEPTEMBER 30, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-7423 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 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

MICROFILMED

December 11, 1979

Martin C. and Helene M. Leonard
122 East Phillip Street
Emmett, ID 83617

Dear Mr. and Mrs. Leonard:

Re: Permit No. 65-7423

Enclosed is a copy of the approved request for extension of time order. The time within which to submit proof of beneficial use of water is extended to December 1, 1984.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

Enclosure

MICROFILMED



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

November 9, 1979

RECEIVED

NOV 19 1979

Department of Water Resources

Re: Permit No. 65-7423

Martin C. &/or Helene M. Leonard
1222 E. Phillips St.
Emmett, ID 83617

Dear Mr. & Mrs. Leonard:

On your proof of beneficial use card it appears that you have not completed your system to capacity. If this is the case, then please complete the enclosed extension request form and return it to us.

If you have completed your system to the capacity you want, contact us and we will proceed to process the proof affidavit as is. This would be your second extension of time request and only in circumstances of litigation is it possible to grant a second extension of time request.

If you have any questions, please contact us.

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:pb

OK
5 yrs
JD

Enclosure) Dear Jan Grover:

November 17, 1979.

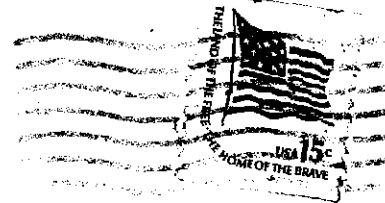
We have proved upon fourteen acres of the twenty acres we applied for and in an interview with Mr. Ballau about two months ago; we showed him cancelled checks and paid bills in excess of \$2000.00 for over 600 feet of 3" P. V. C. pipe and fittings, over 600 feet of 3" aluminum pipe and fittings, sprinklers etc, etc. Should you require photo static copies of same we can furnish them.

Due to unsatisfactory relations with Idaho Power we used gasoline engines to pump water on the fourteen acres the past two summers. We plan to build a house on the remaining six acres which will entitle us to a power pole at a reasonable price. Then we can install an electric pump for the fourteen acres. We have water rights on the six acre piece from the Letha Irrigation ditch.

Martin Leonard
Helene M. Leonard

MICROFILMED

Martin C. Leonard,
1822 E. Phillips St.,
Emmett, Idaho. 83617



State of Idaho

Department of Water Resources

State Office, 373 W. Franklin St.,

Boise, Idaho, 83720.

MICROFILMED

November 9, 1979

Re: Permit No. 65-7423

Martin C. &/or Helene M. Leonard
1222 E. Phillips St.
Emmett, ID 83617

Dear Mr. & Mrs. Leonard:

On your proof of beneficial use card it appears that you have not completed your system to capacity. If this is the case, then please complete the enclosed extension request form and return it to us.

If you have completed your system to the capacity you want, contact us and we will proceed to process the proof affidavit as is. This would be your second extension of time request and only in circumstances of litigation is it possible to grant a second extension of time request.

I If you have any questions, please contact us.

Sincerely,

JAN GROVER
Water Rights Supervisor

JGPpb

Enclosure

DEPARTMENT OF WATER RESOURCES

~~EXTENSION REQUEST~~

65-111230

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. 19

Name(s) of Permit Holder:

Martin C and or Helene M. Leonard

Post Office Address:

1222 E Phillips St.Emmett, Id. 83617Tel. No. 365-574

Source of Water:

Unnamed waste drain thru my property

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☐ Irrigation20 acres developed for 14 acres completed☐ Other

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. Power pole refused by Idaho Power Co; litigation

8/1st 1979
Martin C & Helene M. Leonard.

To date installation costs are

2,400⁰⁰

Signature of Permit Holder

S & M. Crum F R M w

Martin C Leonard
1222 E Phillips St.
Emmett, Id. 83617



RECEIVED

OCT 2 1979



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Attention
Rita Fleck



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

September 30, 1979

161395

Martin C. and/or Helene M. Leonard
1222 E. Phillips Street
Emmett, ID 83617

Dear Mr. and Mrs. Leonard:

One of the conditions of approval of your water Permit No. 65-7423 was that evidence of the extent of development must be submitted to this office on or before December 1, 1979. (See last page of your approved permit). Enclosed is a post card which may be used to submit the required proof of beneficial use.

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

Either the beneficial use post card or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect within 60 days.

Sincerely,


RITA FLECK
Sr. Secretary

Enc: 1

MICROFILMED

November 29, 1978

Martin C. &/or Helene M. Leonard
1222 E. Phillips Street
Emmett, ID 83617

Dear Mr. and Mrs. Leonard:

Re: Permit No. 65-7423

Enclosed is a copy of the Order extending the time within which to submit proof of beneficial use of water to December 1, 1979.

Please be advised that the proof of beneficial use form submitted on October 3, 1978 has been withdrawn and no field exam will be done until proof is submitted again.

Sincerely,

RITA FLECK
Sr. Secretary

RF

Enc: 1

MICROFILMED

1222 East Phillips St.
Emmett, Id. 83617
Oct 31, 1978

Mr Ervin E Ballou
Dept of Water Resources, Western Region
92 South Cole Rd.
Boise, Idaho 83705

RE: 65-1423

6N 2W Sec 8 Lem County, Idaho
ok to extend or withdraw
proof

Dear Mr. Ballou:

My wife & I attended the water resources meeting at the Emmett High School Oct. 10th. It was very educational, enlightening besides being enjoyable. The two engineers answered all our questions even to showing us an aerial photo of our 20 acres.

In accordance with their instructions I hereby respectfully request an extension of one year on my permit in order to prove up on seven more acres. That is the maximum I could be allowed as they pointed out three of the twenty acres is considered waste land.

Hoping you will see fit to approve the above request, we are

yours truly

Martin & Helene Leonard

MICROFILMED



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

October 6, 1978

Martin C. &/or Helene M. Leonard
1222 E. Phillips Street
Emmett, ID 83617

Dear Mr. & Mrs. Leonard:

Re: Permit No. 65-7423

Enclosed is a copy of the Order removing the measuring device requirement.

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

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

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

Sincerely,

RITA FLECK
Water Rights

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

RECEIVED

OCT 3 1978

Department of Water Resources

1. a) Name of permit holder Martin C. &/or Helene M. Leonard

b) Post office address 1222 E. Phillips ST., Emmett, ID 83617

2. Permit number 65-7423

3. Date of priority that you are prepared to establish 10-5-1973

4. a) Source from which water was appropriated unnamed drain

b) Location of the point of diversion: SW 1/4 NW 1/4, Section 8

Township 6N, Range 2W Boise Meridian. Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 0.4 for irrigation purposes from 4-1- to 10-31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

b) Total amount appropriated 0.4 cfs and/or acre-feet per annum.

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____

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

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

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

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

pump from drain to sprinkler system

b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

Measure PSI at sprinkler head, system too small to justify inline meter. We

request requirement be removed as recommended by Mr. Ballou.

Exam typed 10/5/78

MICROFILMED

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

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

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6N	2W	8							20										20

Total number of acres irrigated 20

10. Remarks:

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

Sept. 29, 1978
(Date)

Martin C. Leonard
(Signature)

State of _____)
County of Gem) ss.

On this 29 day of September, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public
Residing at Emmett

My commission expires lifetime

1222 E Phillips St
Emmett, Id. 83617
Oct. 1st 1978

Ervin E Ballou
Dept. of Water Resources
92 S. Cole Rd.
Boise, Id.

Dear Mr. Ballou

I am at a loss as to what to do about the enclosed letter, so I am sending it to you.

It seems to me to be an interoffice mistake of two offices handling the same account.

In as much as I already signed an affidavit in your office I must be under your jurisdiction.

I am very much interested in the size of the plug to install for your test instrument. It will be installed immediately on receipt of the information.

Yours truly

Martin C. Leonard

MICROFILMED



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

CERTIFIED MAIL

100241

September 30, 1978
Re: Permit No. 65-7423

Martin C. &/or Helene M. Leonard
616 S. Washington Avenue
Emmett, ID 83617

Dear Mr. & Mrs. Leonard:

One of the conditions of approval of your water Permit No. 65-7423 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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


RITA FLECK
Water Rights

Encl: Proof affidavit

MICKUFILED

INTER-DEPARTMENT MEMO — 1

DATE April 14, 1978

FROM Donald V. Shaff

TO

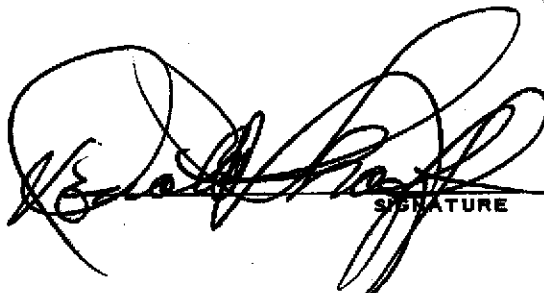
65-7423

File

SUBJECT Drain name

The unnamed waste drain described as the source on this permit is the Tunnel #7 Wasteway.

REPRODUCED


SIGNATURE

February 6, 1978

Re: Permit No. 65-7423
(M. C. Leonard)

Mr. David C. Leonard
P. O. Box 406
Hermiston, OR 97838

Dear Mr. Leonard:

In response to your letter dated January 20, 1978, please be advised that proof of beneficial use is not due on the above referenced permit until December 1, 1978. This Department notifies the permit holder 60 days before proof is due that proof should be submitted or an extension of time applied for. I suggest you wait until that time to request an extension of time.

With regard to the denial of power hook-up, I suggest you contact Mr. Woody Richards of the Idaho Public Utilities Commission to see if there are other means available to you to obtain the power hook-up. Mr. Richards' address is Statehouse, Boise, Idaho 83720 (Phone: 208-384-3143).

If this office can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

C
O
P
Y

MICROFILMED

[DAVID C. LEONARD, P.E.]
[CIVIL ENGINEERING CONSULTANT]

P.O. Box 406
Hermiston, Oregon 97838

MEMBER;
A.S.C.E.
N.S.P.E.

TO:

Idaho Dept. Of Water Administration
92 South Cole Road
Boise, Idaho 83705

DATE: 1/20/78
REPLY REF.

MC Leonard
water use permit
Appl.# 65-7423

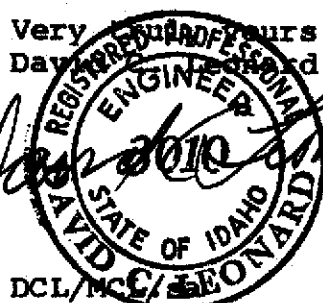
Department of Water Resources
Boise Regional Office

Dear Sirs:

Enclosed please find a copy of a letter from Idaho Power Company to "Wateruser" stating that the company will not provide an electrical hook-up for pumping irrigation water from tributaries to the Snake River between Milner Dam and Hells Canyon. Enclosed also is a copy of my letter to Idaho Power Company requesting information that will determine Mr. Leonard's next course of action in pursuit of a permit to appropriate 0.4 cfs of water from tributaries to the Snake River between Milner Dam and Hells Canyon from April 1 to October 31 of each year henceforth.

Mr. Leonard has already acquired equipment to pump water for agricultural use this year which would have fulfilled the conditions set forth in application No. 65-7423. In anticipation of using reliable, economical electric power he acquired electric motor pumps and service installation. Mr. Leonard is retired and is extremely reluctant to commit additional funds for another piece of equipment for pumping water which quite possibly will not be required in the future. In view of Idaho Power Company's refusal to provide an electrical hook-up for irrigation purposes and that Mr. Leonard has committed monies to electric pumping equipment it is requested that Mr. Leonard's application for a water use permit be extended until such time as a Court ruling on Idaho Power Company's action has been made.

Very Respectfully,
David C. Leonard, P.E.



DCL/MCC/Leonard
cc: MC Leonard
file

- proof Due Dec 1, 1978
on permit 65-7423
- P.U. Commission
Woody Richards
State house
Boise, Id. 83720
contact

MICROFILMED

SNAKE RIVER



HYDRO POWER

IDAHO POWER COMPANY

BOX 70

BOISE, IDAHO 83721

December 30, 1977

Dear Wateruser:

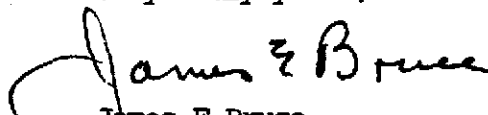
The records of the Idaho Department of Water Resources indicate that you have either filed an application or been granted a permit to appropriate waters of the Snake River, or surface or subterranean waters which are, or may be, tributary to the Snake River between Milner Dam and Hells Canyon in the State of Idaho.

In the summer of 1977, a complaint was filed against the Idaho Power Company with the Idaho Public Utilities Commission suggesting that the Company had been remiss in not protesting all applications to divert water which would deplete the flows in this reach of the Snake River and its tributaries. It was also alleged that this failure to protest water diversions has and will cause a reduction in the generating capacity of the Company's hydroelectric plants on the Snake River and its tributaries between Milner Dam and Hells Canyon. The complaint also alleges that this alleged failure to protest water diversions has and will increase electrical costs to the Company's customers.

Due to this controversy, the Company has filed a lawsuit in the District Court of the Fourth Judicial District of the State of Idaho for Ada County asking the Court to determine whether or not the Company has a protectable right in the waters of the Snake River and its surface and subterranean tributaries between Milner Dam and Hells Canyon, and the extent which the Company must attempt to prevent present and future water withdrawals. The Company also requested the Court, pending a decision, to temporarily prohibit any water applicant permit holder from requiring the Company to hook up electricity to an installation which would allow the pumping of water which may further deplete the flows in this reach of the Snake River and its tributaries.

If your contemplated electrical installation for water pumping has not been previously hooked up for electric service, be advised that until these matters have been ruled on by the Court an electrical hook up for your water pumping purposes, other than for domestic purposes, will not be made, unless ordered by the Court. Please understand that these proceedings are complex and are necessary to determine future water policies for the State of Idaho and the Company. Your patience and consideration in this matter will be appreciated.

Very truly yours,


James E. Bruce
President

JEB:mlm

MICR

[DAVID C. LEONARD, P.E.]
CIVIL ENGINEERING CONSULTANT

P.O. Box 406
Hermiston, Oregon 97838

MEMBER;
A.S.C.E.
N.S.P.E.

TO:

Idaho Power Company
Box 70
Boise, Idaho 83721

DATE: 1/20/78
REPLY REF.

IPC ltr 12/30/77
Wateruser;
MC Leonard

Dear Mr. Bruce:

I have been retained by Martin C. Leonard, of Emmett, Idaho, to pursue the granting of a water right from the Idaho Department of Water Resources. Mr. Leonard owns property in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, S10, T6N, R2W. B.M., Gem County, Idaho, and has application number 65-7423 on file with the Idaho Department of Water Administration to appropriate 0.4 cfs from April 1 to October 31 for agricultural use. This water use will be from a tributary to the Snake River between Milner Dam and Hells Canyon in the State of Idaho and is impacted by the conditions set forth in your letter to "Wateruser" dated December 30, 1977, said condition being that you will not provide an electrical hook-up for water pumping purposes, other than domestic use.

Mr. Leonard is considerably concerned that your refusal to provide an electrical hook-up for pumping irrigation water with equipment that he has already acquired for the purpose may deprive him of his right to water use through his inability to make beneficial use of the water prior to expiration of the application. In view of Mr. Leonard's concern it seems the most appropriate first action is to ascertain the terms by which your company, a public utility, has acquired the right to refuse service.

Please furnish me with a copy of the document that enables your company to refuse an electrical hook-up for purposes other than domestic water pumping, that I may review said document and advise Mr. Leonard of an appropriate course of action to insure his ability to meet the conditions set forth in his application for a water right from the Idaho Department of Water Resources.

Very respectfully,
David C. Leonard, P.E.

cc: Mr. Leonard

Idaho Department of Water Administration
file

MICROFILMED

December 19, 1973

Re: Permit No. 65-7423

Martin C. &/or Helene M. Leonard
616 S. Washington Ave.
Bumett, Idaho 83617

Dear Mr. & Mrs. Leonard:

Enclosed is a copy of your approved Application for Permit No. 65-7423 . We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

65 7423

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

November 6, 1973

Emmett Messenger-Index
120 N. Washington Ave.
Emmett, Idaho 83617

Re: Application for Permit No. 65-7424 - Department of Public Lands
65-7423 - Martin C. &/or Helene M. Leonard

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced items. The legal notices were to have been published in your paper on October 18 and October 25, 1973.

Your cooperation in this matter is greatly appreciated.

Sincerely,

SUSAN WHALEY
Clerk-Typist

SW:s

65 7423

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 12, 1973

Emmett Messenger-Index
120 N. Washington Ave.
Emmett, Idaho 83617

Re: Application for Permit No. 65-7424 - Department of Public Lands
65-7423 - Martin C. &/or Helene M. Leonard

Gentlemen:

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

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

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

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

(signature of claimant)

Sincerely,

Erwin C. Ballou

65 7423

Bill submitted 11-28-73 df

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~MARTIN C. &/or HELENE M. LEONARD~~
~~616 S. Washington Ave., Emmett, Idaho~~
has on ~~October 5, 1973~~ submitted Application No. ~~65-7423~~
for a permit to appropriate ~~.40~~ cubic feet per second ~~acre feet~~
per annum of water from ~~an unnamed waste drain, tributary to Payette River~~
by means of ~~pump, ditch and sprinkler system~~
within the ~~SW1/4, Sec. 8, T. 6 N, R. 2 W, B.M., Cam County~~

to be used from ~~April 1 to Oct. 31~~
for ~~the irrigation of 20 acres~~

within the ~~SW1/4, Sec. 8, T. 6 N, R. 2 W, B.M.~~

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before November 5, 1973.

R. KEITH HIGGINSON

Director

Published in the Emmett Messenger-Index, 120 N. Washington Ave., Emmett, Idaho
on October 18, 1973 and October 25, 1973.

65-7423