PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-publisher of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began May 3, 19 73, and ended May 10, 19 73

Donald E. McMahan

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 11th day of May, 19 73

Donald L. Tubbs, Notary Public.

My commission expires 6-2, 19 74

RECEIVED
MAY 14 1973
Department of Water Administration

65 7361

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Eld Ranches, Inc., Rt. 1, McCall, Idaho has on April 17, 1973 submitted Application No. 65-7361 for a permit to appropriate 2.4 cubic feet per second of water from Boulder Creek, trib. to Payette River by means of dam, ditches & pump within the NE¼NE¼, Sec. 2, T. 16 N., R. 3 E., B.M., Valley County to be used from May 1 to Sept. 31 for the irrigation of 120 acres within the NE¼NW¼, Sec. 12 (40 acres); W½SW¼, SE¼SW¼, Sec. 1, (80 acres); T. 16 N., R 3 E., 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 May 21, 1973.

R. KEITH HIGGINSON
Director

Published in the Star News, McCall, Idaho on May 3, 1973 and May 10, 1973.

ck
mp
5-14-73

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN WESTERN CORP	08/26/1949	IRRIGATION	04-15	10-15	3.200 CFS	432.00 AFA
					TOTAL DIVERSION:	3.200 CFS	432.00 AFA

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: T16N R03E S02 SENE VALLEY County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N	03E	1									40	20	17						77.0
16N	03E	2													29			38	67.0
																	TOTAL ACRES		144.0

POU County: VALLEY

Conditions of Approval:

W18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ROSEBERRY IRRIGATION DISTRICT.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-04033 SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

MICROFILMED
AUG 24 2000
SRBA Recommendation

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN WESTERN CORP	07/10/1950	IRRIGATION	04-15	10-15	0.900 CFS	
			STOCKWATER	01-01	12-31	0.050 CFS	2.70 AFA
					TOTAL DIVERSION:	0.950 CFS	

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: T16N R03E S02 NESE VALLEY County

diff pld - (actually same but not rec. in SRBA that way).

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N	03E	12							35			10							45.0
																		TOTAL ACRES	45.0

Place of use Legal Description for: STOCKWATER

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
16N	03E	12							S			S							

POU County: VALLEY

Conditions of Approval:

W18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ROSEBERRY IRRIGATION DISTRICT.

N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-02515 SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

SRBA Recommendation

MICROFILMED
AUG 2 4 2000

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM ELD	08/26/1949	DOMESTIC	01-01	12-31	0.040 CFS	1.20 AFA
C	ELD RANCHES INC						
					TOTAL DIVERSION:	0.040 CFS	1.20 AFA

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: T16N R03E S02 SENE VALLEY County

Place of use Legal Description for: DOMESTIC

			NE					NW					SW					SE				
			NENE	NWNE	SWNE	SENE		NENW	NWNW	SWNW	SENW		NESW	NWSW	SWSW	SESW		NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac	
16N	03E	2																			D	

POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Rights: GROUNDWATER FOR IN-HOUSE USE AT THIS P/U.

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

SRBA Recorded
MICROFILMED
AUG 24 2000

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	ELD RANCHES	06/01/1966	IRRIGATION	04-15	10-15	1.600 CFS	
			STOCKWATER	01-01	12-31	0.050 CFS	2.70 AFA
					TOTAL DIVERSION:	1.600 CFS	

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: T16N R03E S02 SENE diff pld. VALLEY County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N 04E 18									40	40							80.0
																TOTAL ACRES	80.0

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
16N 04E 18									S	S							

POU County: VALLEY

Other Rights: NONE

Conditions of Approval:

N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

W18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ROSEBERRY IRRIGATION DISTRICT.

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: EXP STOCKWATER, 150 RANGE CATTLE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

SRBA Recommendation

AUG 24 2000

MICROFILMED

AJ5809NP
No. R65-02515A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/09/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN WESTERN CORP	08/26/1949	IRRIGATION	04-15	10-15	3.200 CFS	432.00 AFA
					TOTAL DIVERSION:	3.200 CFS	432.00 AFA

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR ? Stage: DECREED

Point(s) of Diversion: T16N R03E S02 SENE VALLEY County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N	03E	1									40	20	17						77.0
16N	03E	2													29			38	67.0
																	TOTAL ACRES		144.0

POU County: VALLEY

Conditions of Approval:
W18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ROSEBERRY IRRIGATION DISTRICT.
C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-04033 SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Subject to change
per NOE
(wants 329 ac PPU)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM ELD	08/26/1949	DOMESTIC	01-01	12-31	0.040 CFS	1.20 AFA
C	ELD RANCHES INC						
					TOTAL DIVERSION:	0.040 CFS	1.20 AFA

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: T16N R03E S02 SENE VALLEY County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
16N 03E 2																D

POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Rights: GROUNDWATER FOR IN-HOUSE USE AT THIS P/U.

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN WESTERN CORP	07/10/1950	IRRIGATION	04-15	10-15	0.900 CFS	
			STOCKWATER	01-01	12-31	0.050 CFS	2.70 AFA
					TOTAL DIVERSION:	0.950 CFS	

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: T16N R03E S02 ~~NESE~~ SENE ← per Sue Bock VALLEY County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N 03E 12							35			10							45.0
															TOTAL ACRES		45.0

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
16N 03E 12							S			S							

POU County: VALLEY

Conditions of Approval:

W18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ROSEBERRY IRRIGATION DISTRICT.

N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-02515 SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Subject to change per NOE (wants 329 ac PPU)

WR0750NP
(OD-12)

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 11/09/99
PAGE: 1

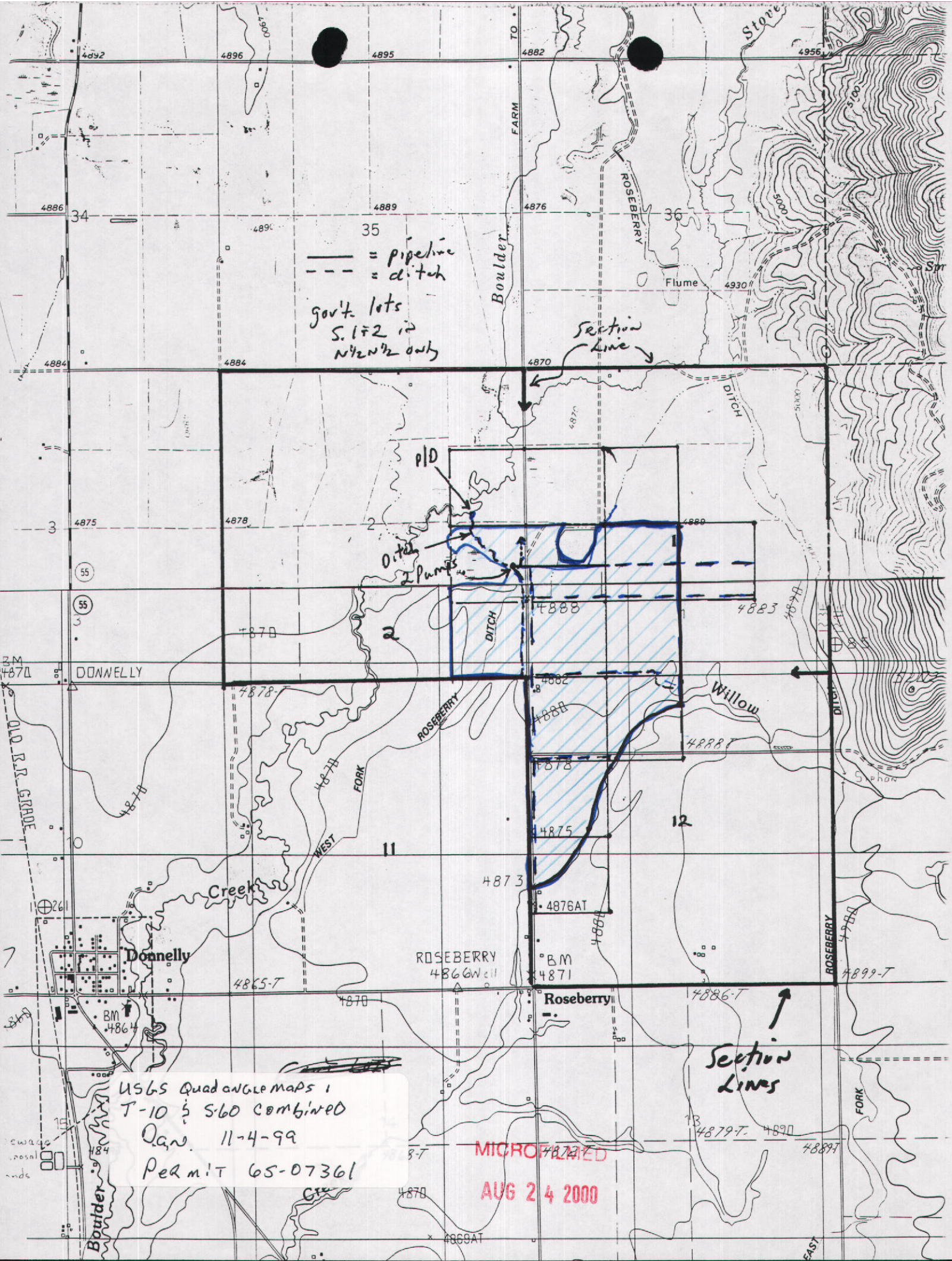
(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

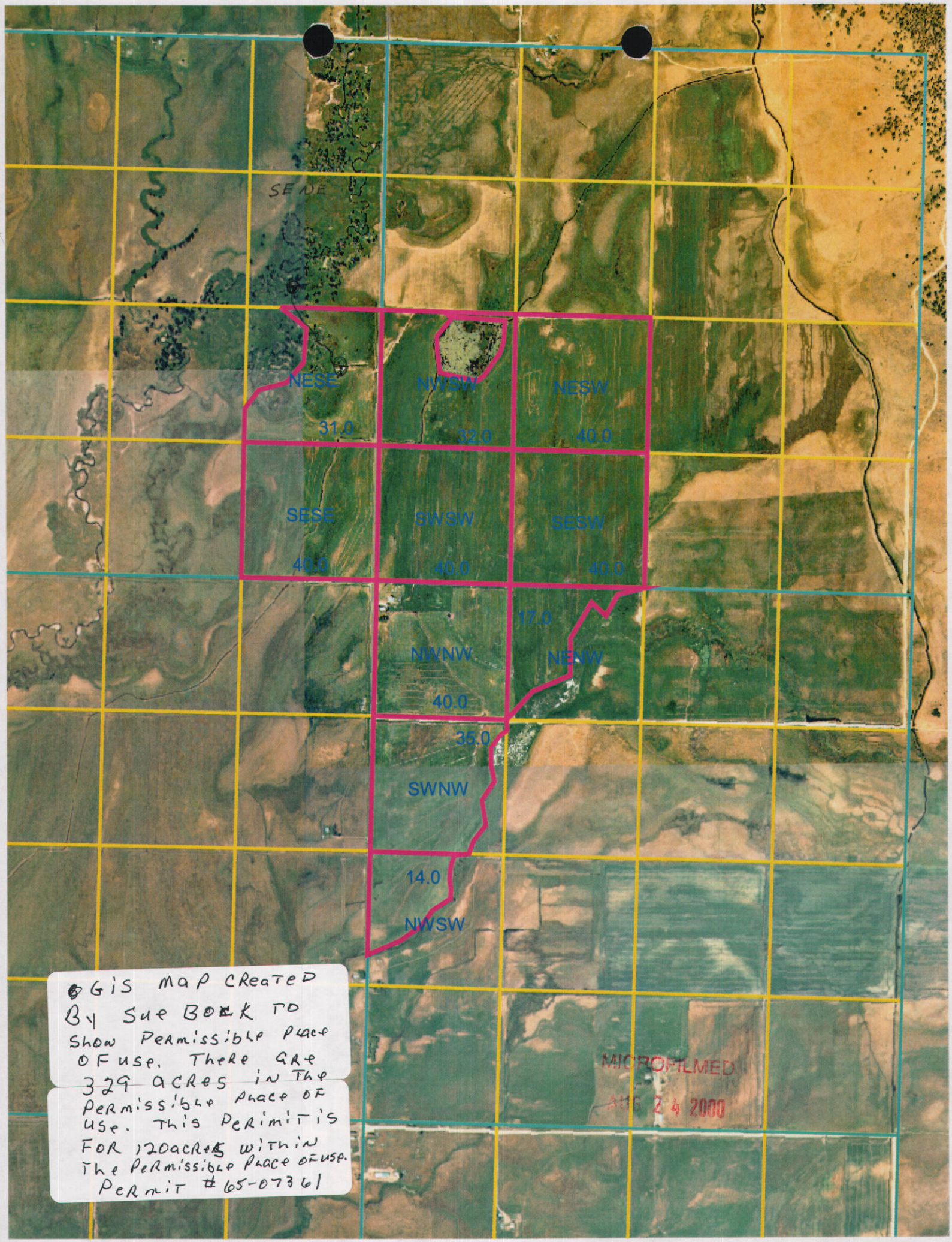
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WR-NUMBER	SOURCE	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
L6507361	T16N R03E S 1 BOULDER CREEK																	40		32		40		40								152
6502306	STOVER CRE											04-38																				38
A6502306	STOVER CRE											04-38																				38
R6502306	STOVER CRE											04-38																				38
6502515	BOULDER CR																	40		20		17										77
R6502515A	BOULDER CR																	40		20		17										77
A6503114	BOULDER CR			35		40												20						40				40				175
A6503115	BOULDER LA			35		40												20						40				40				175
A6503116	BOULDER CR			35		40												20						40				40				175
6507361	BOULDER CR																			20		20		40								80
6513568	UNNAMED ST							20																								20
6513569	GROUNDWATE							20																								20
L6507361	T16N R03E S 2 BOULDER CREEK																									31				40		71
6502515	BOULDER CR																									29				38		67
A6502515A	BOULDER CR																									29				38		67
R6502515A	BOULDER CR																									29				38		67
6502942	UNNAMED ST	15																														15
A6502942	UNNAMED ST	15																														15
R6502942	UNNAMED ST	15																														15
6502955	LAKE FORK	15																														15
A6502955	LAKE FORK	15																														15
R6502955	LAKE FORK	15																														15
6502958	UNNAMED ST	15																														15
A6502958	UNNAMED ST	15																														15
R6502958	UNNAMED ST	15																														15
A6503114	BOULDER CR																											05	20			25
A6503115	BOULDER LA																											05	20			25
A6503116	BOULDER CR																											05	20			25
6503181	LAKE FORK																	24	40	39	08											111
A6503181	LAKE FORK																	24	40	39	08											111
R6503181	LAKE FORK																	24	40	39	08											111
6507417	UNNAMED ST																	37	40	40	26											143
A6507417	UNNAMED ST																	37	40	40	26											143
R6507417	UNNAMED ST																	37	40	40	26											143
L6507361	T16N R03E S12 BOULDER CREEK																															
										17		40		35						14												106
A6503114	BOULDER CR			40		40				20		40		40				40		40		40		40		40		40		40	30	490
A6503115	BOULDER LA			40		40				20		40		40				40		40		40		40		40		40		40	30	490
A6503116	BOULDER CR			40		40				20		40		40				40		40		40		40		40		40		40	30	490
6504000	WILLOW CRE							40																								40

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

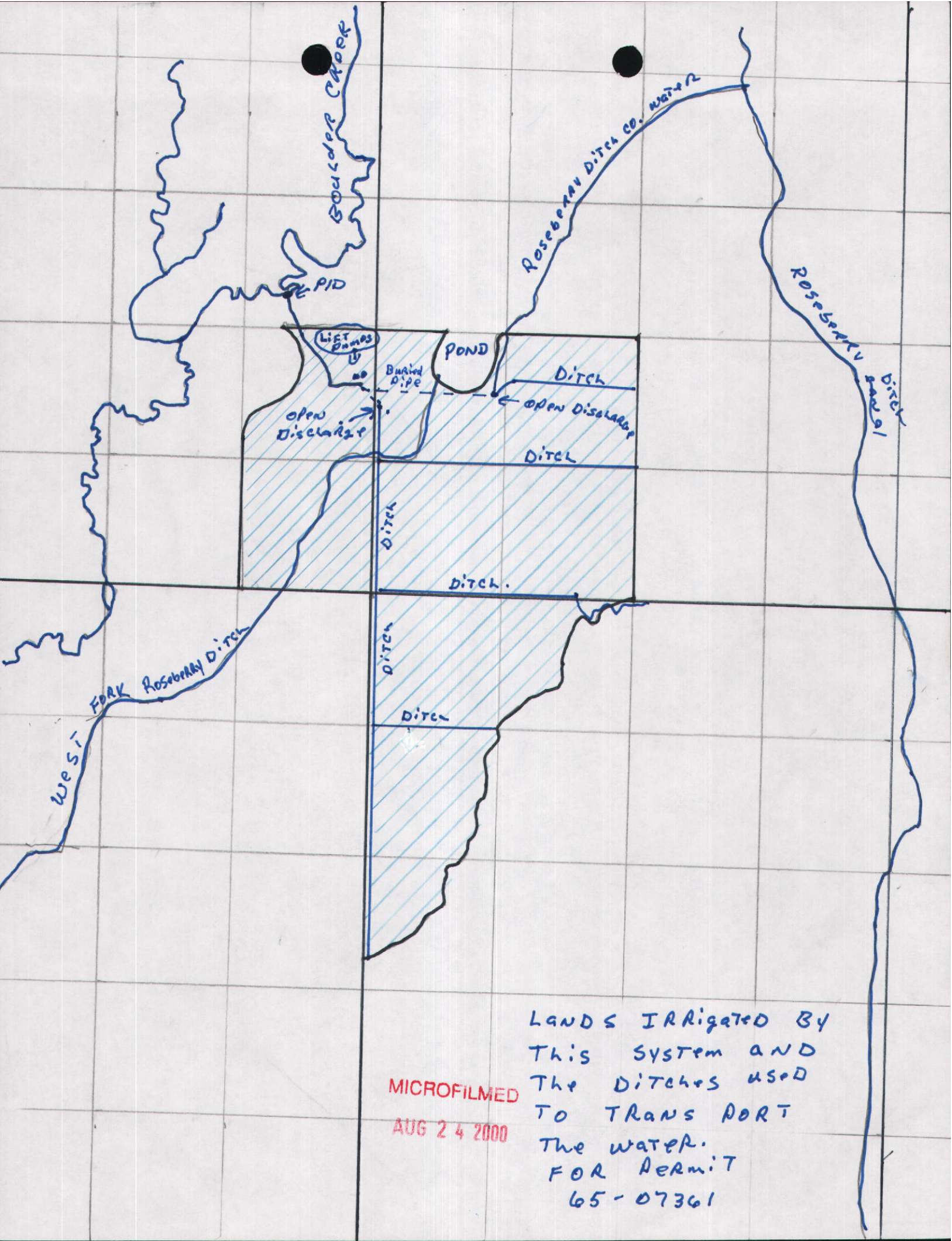
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		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE	
WR-NUMBER	SOURCE	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
A6504000	WILLOW CRE							40																										40
R6504000	WILLOW CRE							40																										40
6504033	BOULDER CR													35						10														45
A6504033	BOULDER CR													35						10														45
R6504033	BOULDER CR													35						10														45
6507361	BOULDER CR									40																								40


= pipeline
= ditch
Govt. lots
S. 1+2 in
N½N½ only
Section Line
PID
Ditch
2 Pumps
DONNELLY
ROSEBERRY
Willow
Ditch
OLD R.R. GRADE
WEST FORK
Creek
Donnelly
ROSEBERRY
4866 Well
BM 4871
Roseberry
BM 4864
4876AT
4869AT
Section Lines
Flume
Boulder
FARM TO
DITCH
SIPHON
USGS Quadangle maps
T-10 & S-60 Combined
Dan. 11-4-99
Permit 65-07361
MICROFILMED
AUG 24 2000

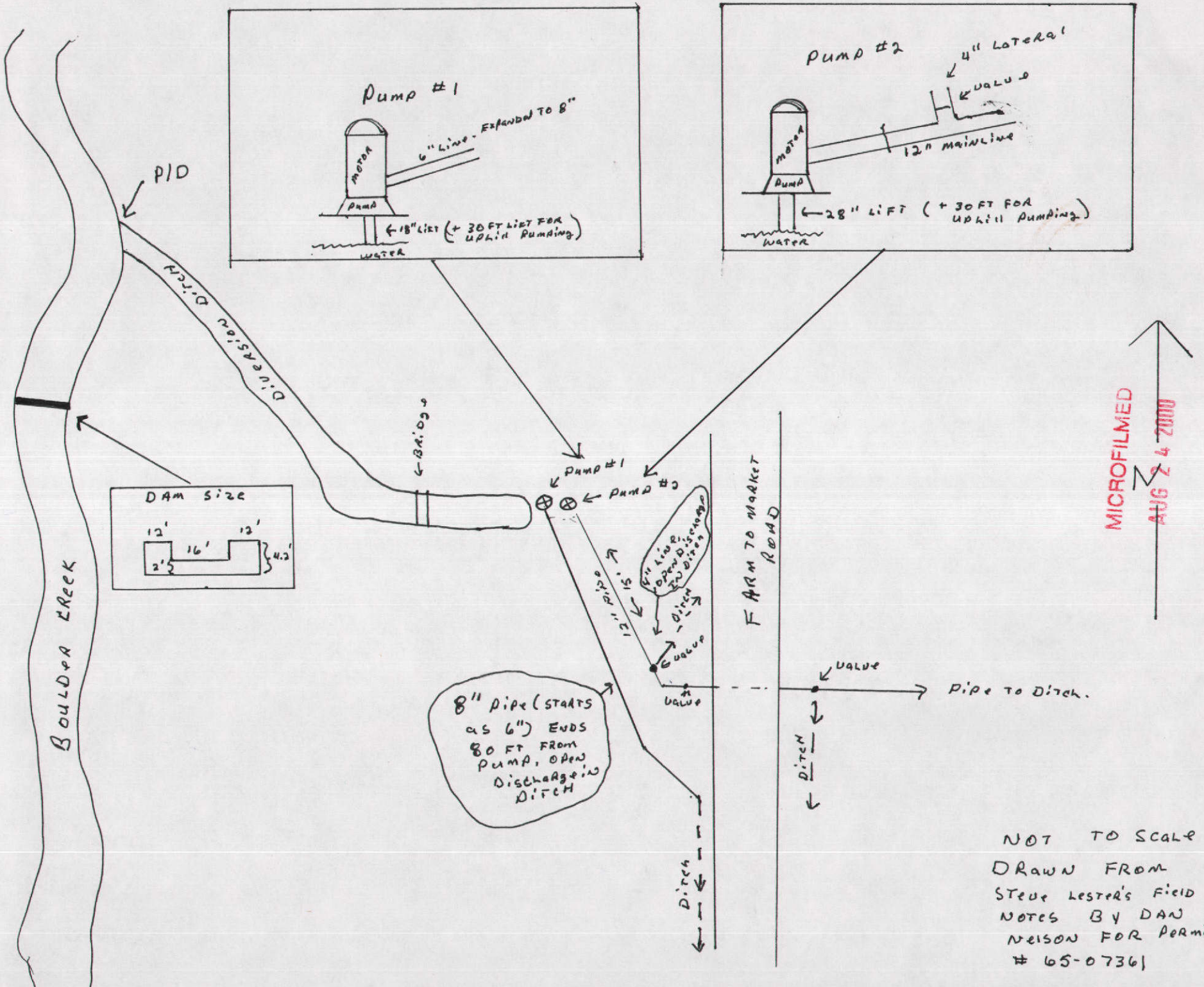


GIS Map Created By Sue Book To Show Permissible Place OF use. There are 329 acres in the Permissible Place OF use. This Permit is FOR 120acres within The Permissible Place OF use. Permit #65-07361

MICROFILMED
AUG 24 2000

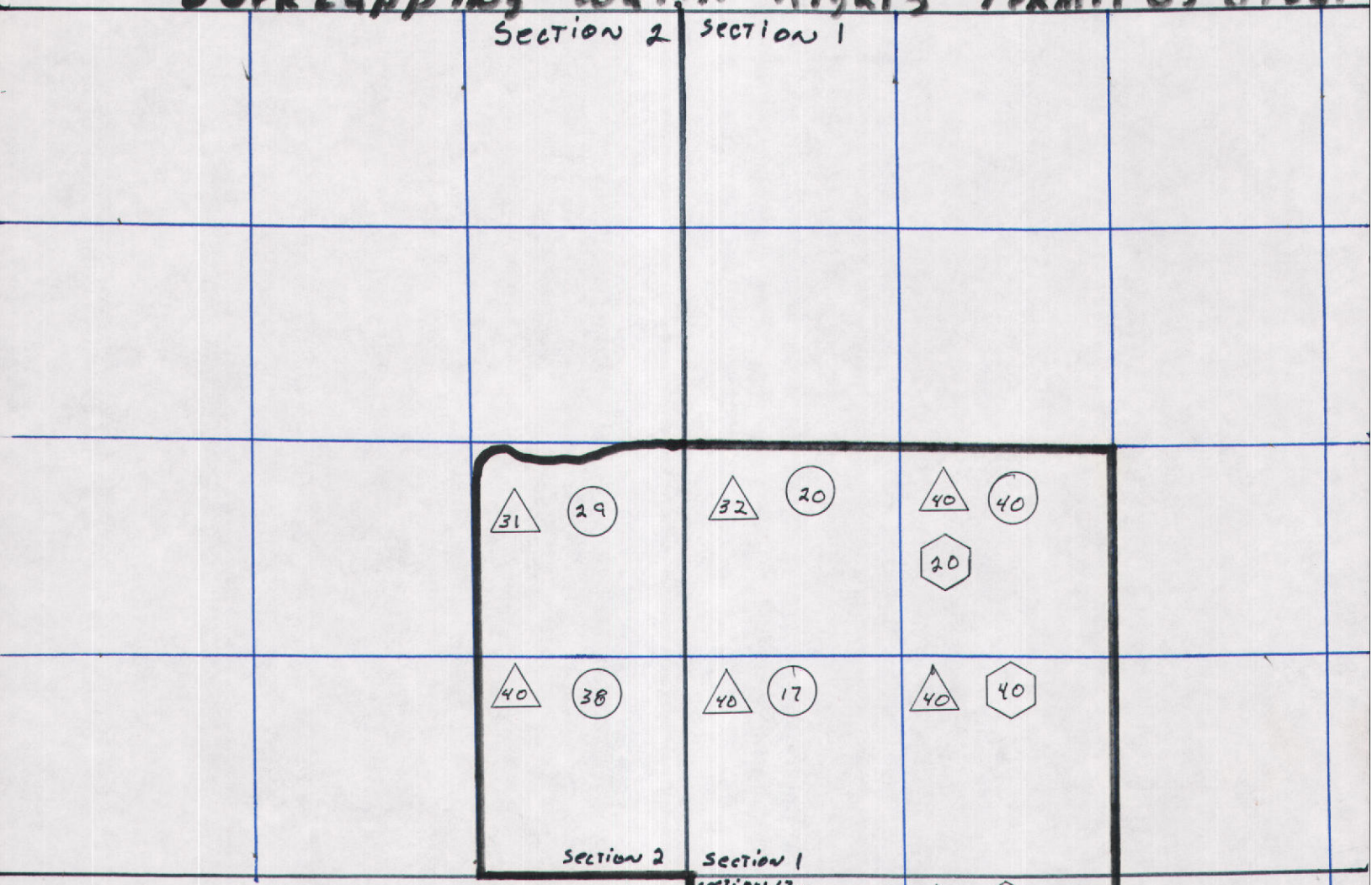


MICROFILMED
AUG 24 2000



MICROFILMED
AUG 2 4 2000

OVERLAPPING WATER RIGHTS PERMIT 65-07361



AC — ACRES FOR PERMISSIBLE PLACE OF USE FOR PERMIT 65-07361, THIS PERMIT IS FOR 120 ACRES WITHIN THE PERMISSIBLE PLACE OF USE.

(AC) — ACRES DESIGNATED FOR WATER RIGHT 65-02125. PLEASE NOTE: APPLICANT HAS FILED FOR THE SAME PERMISSIBLE PLACE OF USE IN SRBA.

TOTAL ACRES = 144 ACRES

AC — ACRES DESIGNATED FOR WATER RIGHT 65-04033. PLEASE NOTE: APPLICANT HAS FILED FOR THE SAME PERMISSIBLE PLACE OF USE IN SRBA.

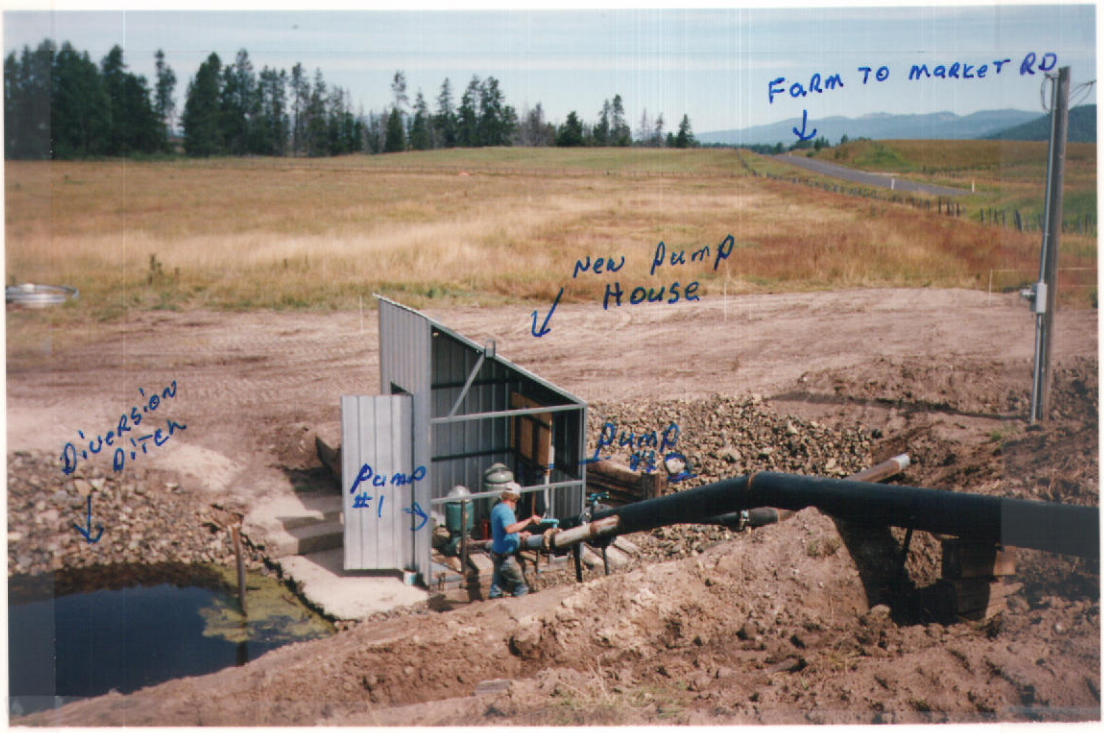
TOTAL ACRES = 45 ACRES

AC — THESE ACRES ARE WITHIN THE ROSEBERRY IRRIGATION DISTRICT'S BORDERS. WATER RIGHT NUMBERS 65-03114, 65-03115, AND 65-03116.

MICROFILMED
AUG 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Rick C. 8/17/93

FILE NO. AND LEGAL DESCR. 65-07361 (Measurement of Diversion)



Point of Rediversion with both pumps. Pump #1 is smaller pump.



Close up picture of pumps

MICROFILMED
AUG 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Rick C 8-17-93

FILE NO. AND LEGAL DESCR. 65-07361 (measurement of diversion)





These Photo's show the point where the ~~wells~~ pumps were measured

MICROFILMED
AUG 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Rick C 8-17-93

FILE NO. AND DESCRIPTION 65-07361 (measurement of Diversion)



These Photo's show ~~the~~ The Open Discharge INTO the DITCH



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AUG 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Steve Lester 10-20-87

FILE NO. AND DESCRIPTION 65-07361 (Original Field Exam)





MICROFILMED
AUG 2 4 2000

PHOTOGRAPHER AND DATE OF PHOTOS Steve Lester 10-20-87

FILE NO. AND DESCRIPTION 65-07361 (Original Field Exam)





These are Photo's of The Pumps.

MICROFILMED
AUG 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Steve Lester 10-20-87

FILE NO. AND DESCRIPTION 45-07361 (Original Field Exam)



This is a photo of one of the Discharge Valves.

MICROFILMED
AUG 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Steve Lester 10-20-87

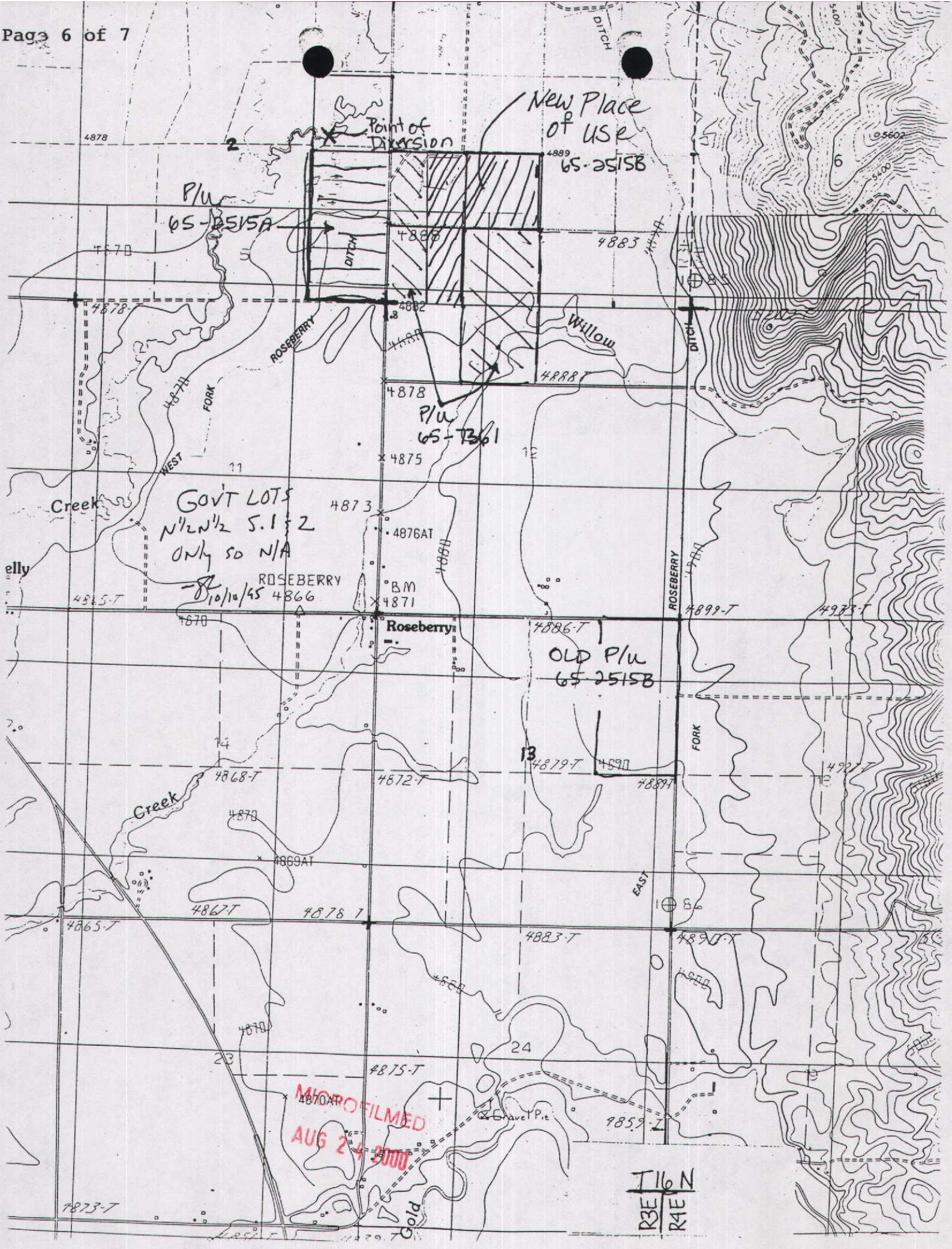
FILE NO. AND DESCRIPTION 65-07361 (Original Field Exam)





These are pictures of the place of use.

AUG 24 2000


New Place of Use
65-25158
Point of Diversion
P/U 65-25158
P/U 65-7361
OLD P/U 65-25158
GOV'T LOTS N½N½ 5.12 ONLY 50 N/A
10/10/45 4866
ROSEBERRY
Roseberry
Willow
Creek
WEST FORK
EAST FORK
DITCH
Gravel Pit
MICROFILMED AUG 24 2000
T16N
R3E
R4E

OVERLAP PER LICENSES & TRANSFERS

ROSEBURG IRRIGATION DISTRICT
65-E3111
65-E3115
65-E3116

29 0 20.4 38 40

20 0 26.5 17 40 1 17 40 16.8 40 35 0 35 10 12.3

40 20 0 16 40 40 20

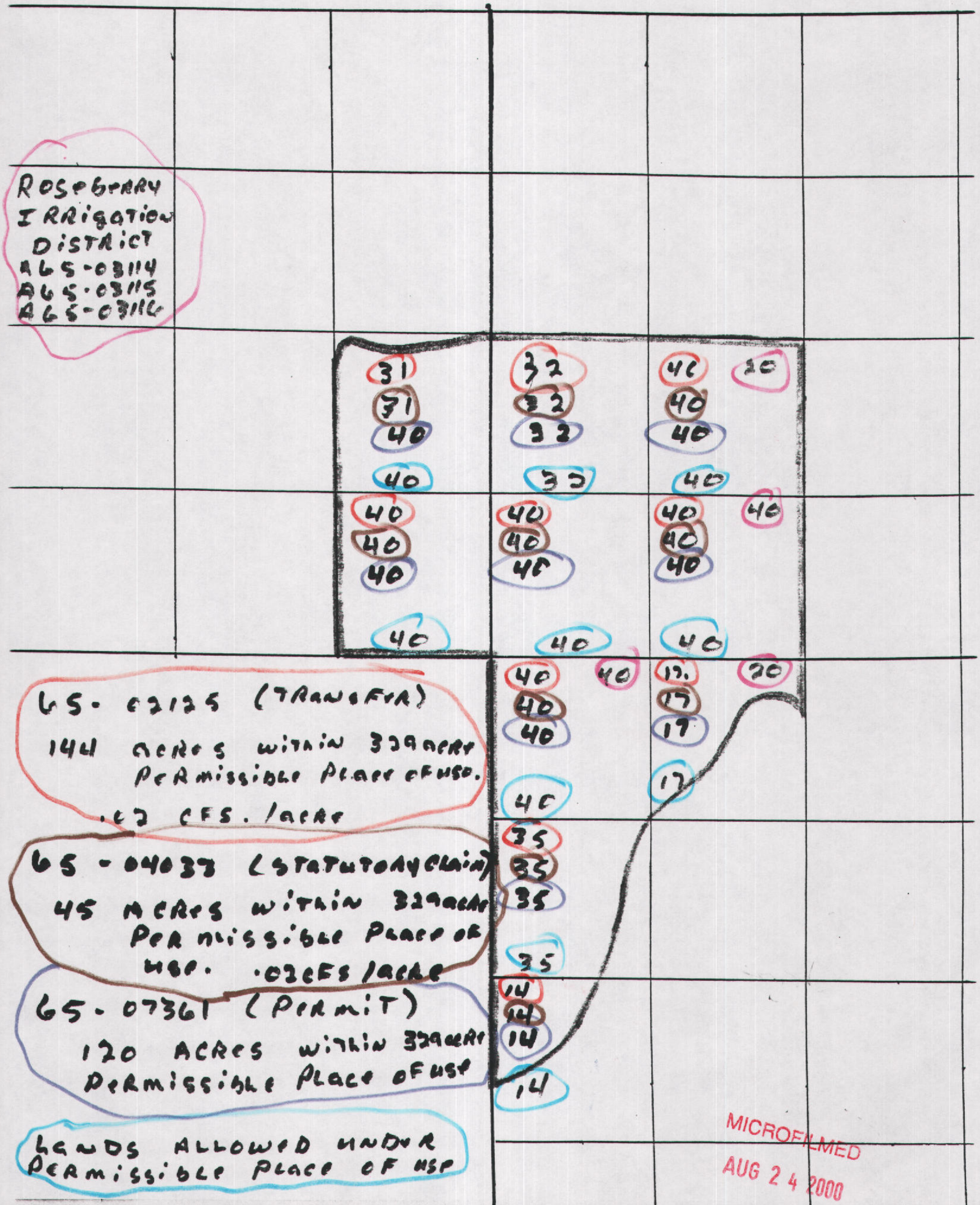
65-D2125 (TRANSFER)
144 ACRES
.02 CFS/ACRE

65-04033 (STATUTORY Claim)
45 ACRES
.02 CFS/ACRE

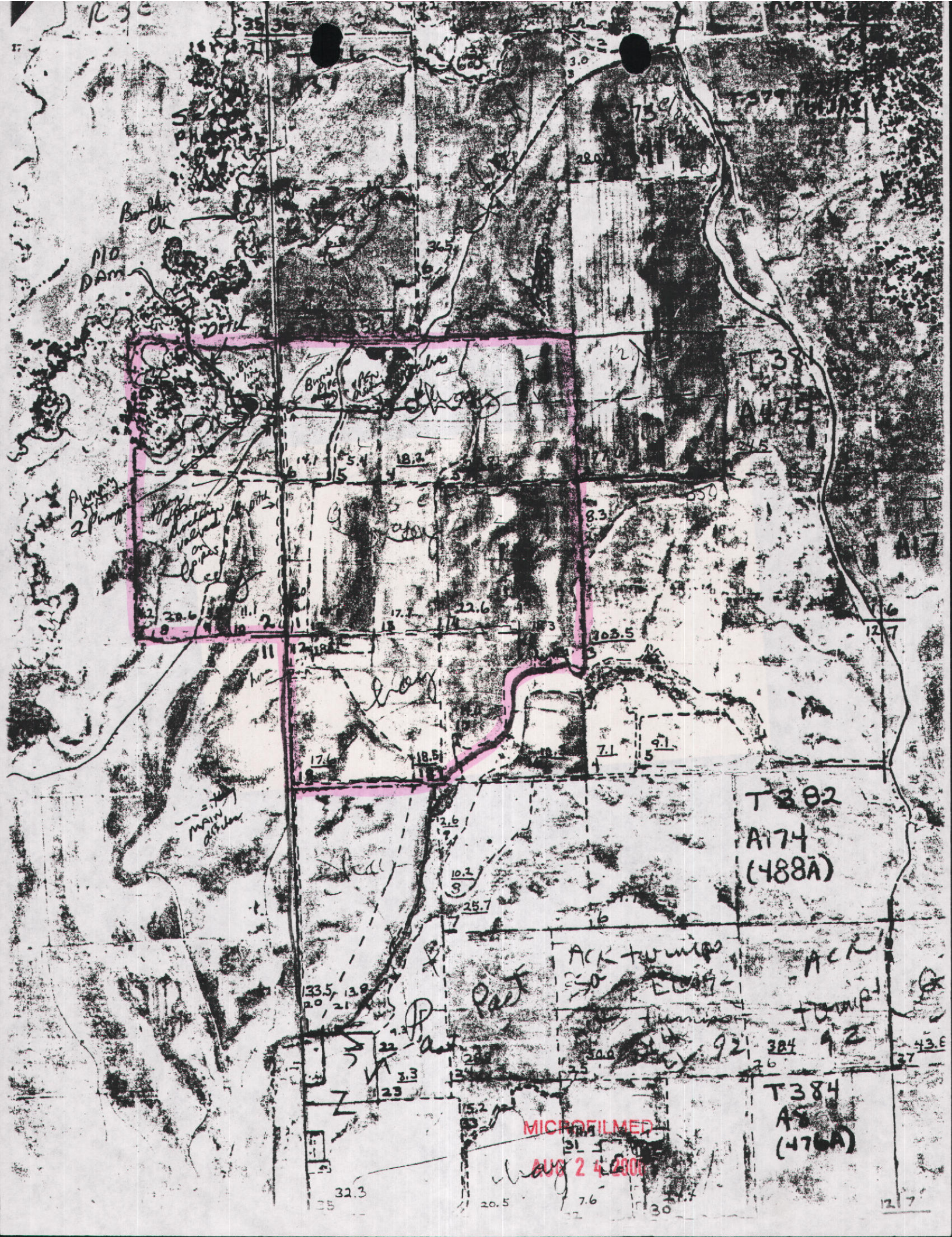
65-07361 (PERMIT)
120 ACRES
.02 CFS/ACRE

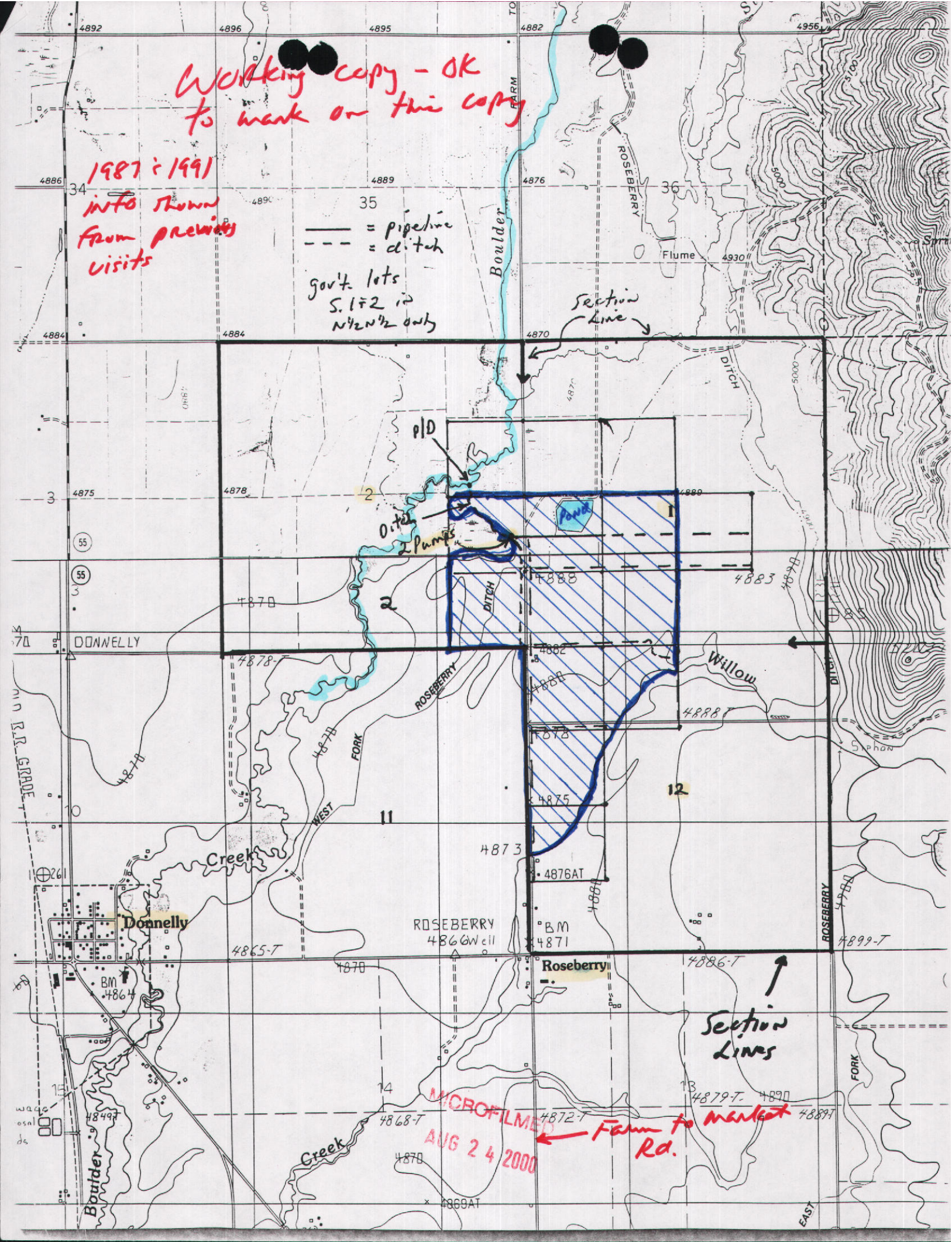
LANDS IRRIGATED PER ASCS AERIAL PHOTO 311 ACRES

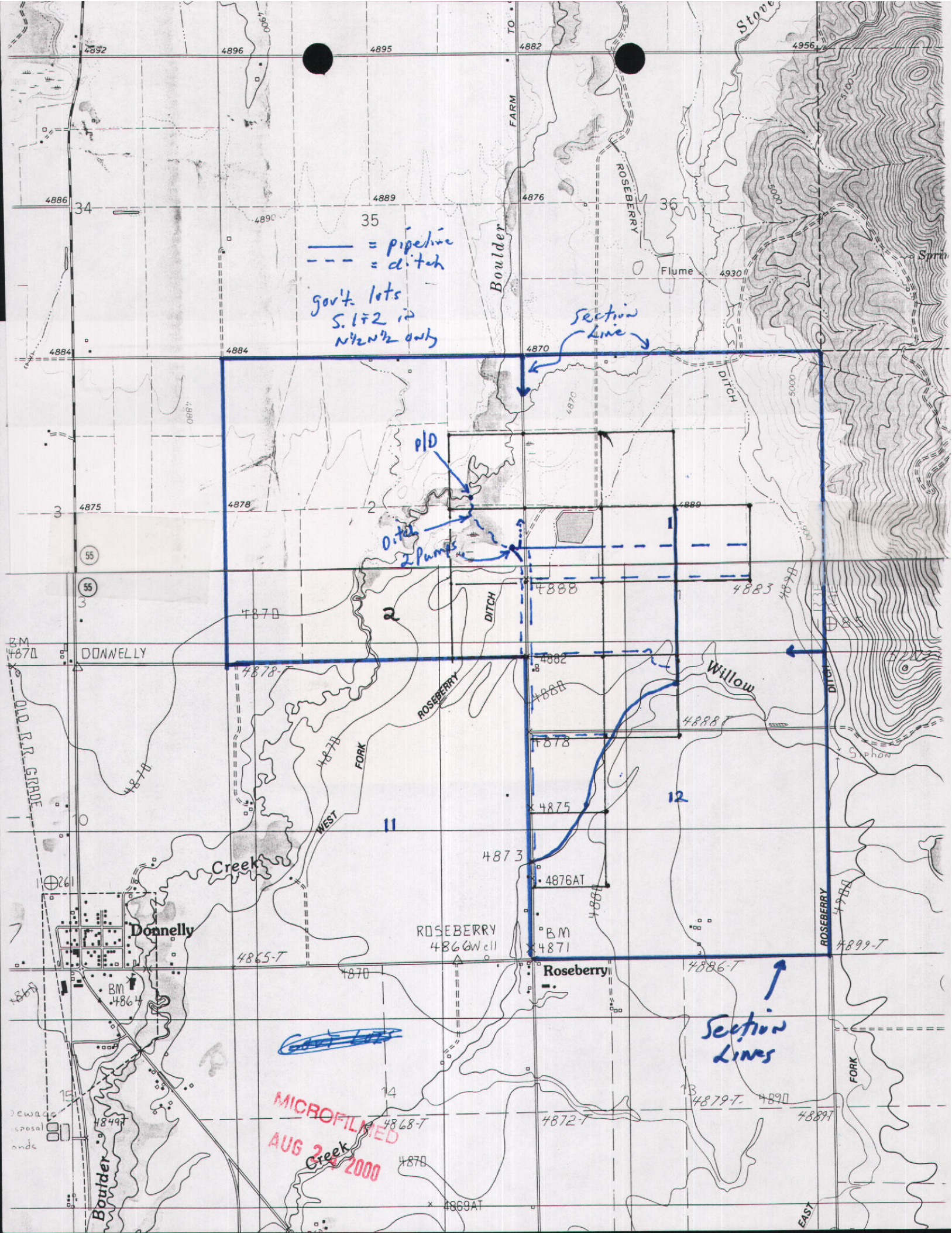
MICROFILMED
AUG 24 2000



MICROFILMED
AUG 24 2000

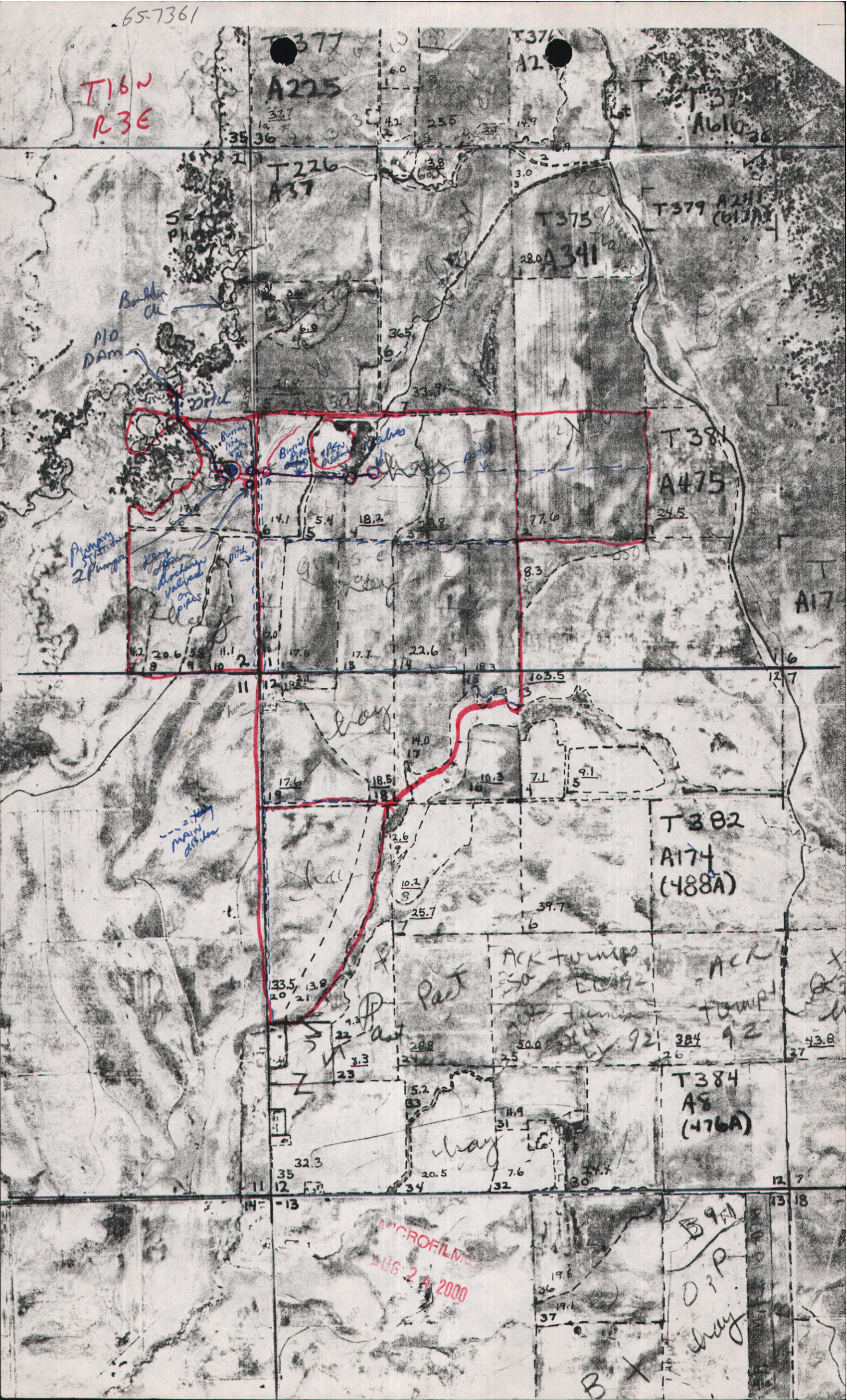

T382
A174
(488A)
T384
A5
(476A)
MICROFILMED
AUG 2 4 2001


Working copy - OK to mark on this copy
1987 & 1991 info shown from previous visits
= pipeline
= ditch
govt. lots 5, 1 & 2 in N½N½ only
Section Line
P/D
Pond
Ditch
2 Pumps
DITCH
DONNELLY
ROSEBERRY
Willow
DITCH
Siphon
WEST FORK
Creek
Donnelly
ROSEBERRY 4866 Well
BM 4871
Roseberry
BM 4864
4876AT
4869AT
Boulder
Creek
Flume
ROSEBERRY
FARM
Boulder
Section Lines
MICROFILMED AUG 24 2000
Farm to market Rd.
EAST FORK
11
12
14
15


= pipeline
= ditch
Gov't lots 1 & 2 in N½N½ only
Section Line
P/D
Ditch
2 Pumps
Section Lines
Donnelly
Roseberry
ROSEBERRY 4866 Well
Willow
Creek
Boulder
Flume
DITCH
FARM
TO
ROSEBERRY
FORK
WEST
OLD R.R. GRADE
DONNELLY
Siphon
MICROFILMED
AUG 2 2000


65-07361
8/6/91 per
Dixie Smith,
Property Mngr.
T377
A225
T376
A21
T37
A616
T226
A37
T375
A341
T379 A241
(613A)
Boulder Creek
pip
Pipelines (solid lines)
Pond - not irrigated land
Diversion Ditch
#2
T384
A475
#1 & #2 are pumps
Ditches (dotted lines)
A17
T16N
TOTAL AREA Pumps CAN DELIVER WATER TO
Section line between S. 1 & 2 and S. 11 & 12 is Farm-to-Market Road (2 lane highway)
T382
A174
(488A)
T384
A8
(476A)
R3E
MICROFILMED
AUG 24 2000

65-7361


T16N
R3E
T377
A225
T376
A2
T226
A37
T375
A341
T379 A241
T381
A475
T382
A174
(488A)
T384
A8
(476A)
A17
Bubbling Ck
P10 DAM
Pumping Station
2 Pumps
MAIN ditches
Buried Pipe
Valves
MICROFILMED
AUG 24 2000

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-07361

Priority: April 17, 1973 Maximum Diversion Rate: 2.40 CFS
Maximum Diversion Volume: 360.0 AF

This is to certify, that EASTERN WESTERN CORP
PO BOX 3228
PORTLAND OR 97208-3228 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 17, 1973; and has submitted Proof of Beneficial Use on April 27, 1978. An examination indicates that the works have a diversion capacity of 6.760 cfs of water from:

BOULDER CREEK tributary to **PAYETTE RIVER, NORTH FORK**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/15 to 10/31	2.40 CFS	360.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 2, Township 16N, Range 03E
VALLEY County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
16N	03E	1	NESW	40	NWSW	32	SWSW	40	
			SESW	40					152
		2	NESE	31	SESE	40			71
		12	NENW	17	NWNW	40	SWNW	35	
			NWSW	14					106

Total number of acres irrigated: 329

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65D.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. Right 65-02515A is also diverted through the point of diversion described above.
5. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.

MICROFILMED
AUG 24 2000

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-07361

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 administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 11th day of FEBRUARY, 2000.

Acting for KARL J. DREHER, Director

MICROFILMED
AUG 24 2000

RECEIVED

NOV 2 9 1999

Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-07361

Date of Priority: April 17, 1973

Maximum Diversion Rate: 2.40 CFS
Maximum Diversion Volume: 360.0 AF

Comes now EASTERN WESTERN CORP
PO BOX 3228
PORTLAND OR 97208-3228 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 65-07361, and requests that the permit be changed as follows:

Source: **BOULDER CREEK** tributary to **PAYETTE RIVER, NORTH FORK**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/15 to 10/31	2.40 CFS	360.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 2, Township 16N, Range 03E
VALLEY County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
16N	03E	1	NESW	40	NWSW	32	SWSW	40	
			SESW	40					152
		2	NESE	31	SESE	40			71
		12	NENW	17	NWNW	40	SWNW	35	
			NWSW	14					106

Total number of acres irrigated: 329

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

Signed at Portland, Oregon, this 19th day of November, 1999.

EASTERN WESTERN CORP.

MICROFILMED

AUG 2 4 2000

by: Michael E. McKinley
(Signature)

President

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~65-07361~~	~~Eld Ranches Inc~~	~~2.4~~
Full Assignment	65-07361	Eastern Western Corp	2.4

MICROFILMED
APR 30 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-07361

****

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = 50.00 Receipted by JM # C047289 Date 11/29/99

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 65-07361 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65D.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. Right 65-02515A is also diverted through the point of diversion described above.
5. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.

Witness my hand this 11TH day of FEBRUARY, 2000.

Acting for KARL J. DREHER, Director

MICROFILMED
AUG 2 4 2000

07/94

RECEIVED
APR 0 9 1996
Department of Water Resources

For Office Use Only
$25.00 Filing Fee
Receipt # W020670
Date 4-5-96

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 0 5 1996
WATER RESOURCES
WESTERN REGION

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, Eld Ranches, Inc. (Permit Holder), hereby assign to Eastern Western Corporation
of P.O. Box 3228, Portland, Oregon 97208-3228; (503) 236-1978 (Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 65-07361 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

_____

_____

_____

Made this March 30 day of March, 19 96.

joe Eld Eld Ranches Inc.
Permit Holder(s)
Joe Eld, Eld Ranches, Inc.

State of Idaho)
ss
County of Valley)

On this 30 day of March, 1996, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Bruce R Pickett
BRUCE R Pickett
Notary Public

NOTARY PUBLIC SEAL

Bruce R. Pickett
Signature

My commission expires: Aug 21 - 2000

APR 20 1996

Identification No. _____

Permit No. 65-7361

RECEIVED
APR 27 1978
Department of Water Resources
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Eld Ranches, Inc.

   b) Post Office Address Route 1, McCall, Idaho 83638

2. Permit Number 65-7361

3. Date of Priority that you are prepared to establish 4-17-1973

4. a) Source from which water was appropriated Boulder Creek

   b) Location of the point of diversion: NE ¼ NE ¼, Section 2

   Township 16N, Range 3E Boise Meridian, Other points of diversion: _____

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

   Amount 2.4 for Irrigation purposes from 5-1 to 9-31 incl.
   (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

   Amount _____ for _____ purposes from _____ to _____ incl.
   (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

   Amount _____ for _____ purposes from _____ to _____ incl.
   (cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

   b) Total amount appropriated 2.4 cfs 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: 2' weir

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 or 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) 15 hp motor & Berkley pump

   b) Describe the type and size of measuring device which you have installed at your point of diversion: 2' weir

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

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

Exam'd 5/3/78

MICROFILMED

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	
16N	3E	12					40												40
		1										20	20	40					80

Total number of acres irrigated 120

10. Remarks: _____

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

4/27/98
(Date)

Eld Ranches Inc By Ron Wallace Eld
(Signature)

State of Idaho)
) ss.
County of Ada)

On this 27th day of April, 19 98, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Rita Bendele
Notary Public residing at Boise, Idaho

My commission expires March 8, 1998

Identification No. _____

Application No. 65-7361

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED

APPLICATION FOR PERMIT

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

1. Name of applicant ELD RANCHES INC.

   post office address Route #1 McCall, Idaho 83638

2. Source of water supply Boulder Creek which is a tributary of Payette River

3. a. Location of point of diversion is NE ¼ of NE ¼ of Section 2 Township 16N Range 3E B.M. Valley County; additional points of diversion if any: _____

   b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼ of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

   Amount 2.4 (cfs or acre-feet per annum) for Irrigation purpose from 5/1 to 9/31 (both dates inclusive)

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

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

5. Total quantity to be appropriated:

   a. 2.4 cubic feet per second and/or

   b. _____ acre feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Dam in creek. Open ditch to pump in NE¼SE¼, Section 2.

   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 _____ (Mo. Day) to _____ (Mo. Day) inclusive.

   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 $ 2,000.00 .

8. Description of proposed uses:

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

   (1) Give the place of use of water: _____ ¼ of _____ ¼ 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 7361

65 7361

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	3E	12					40												40
		1										20	20	40					80

Total number of acres to be irrigated 120

c. Describe any other water rights used for the same purposes as described above. NONE

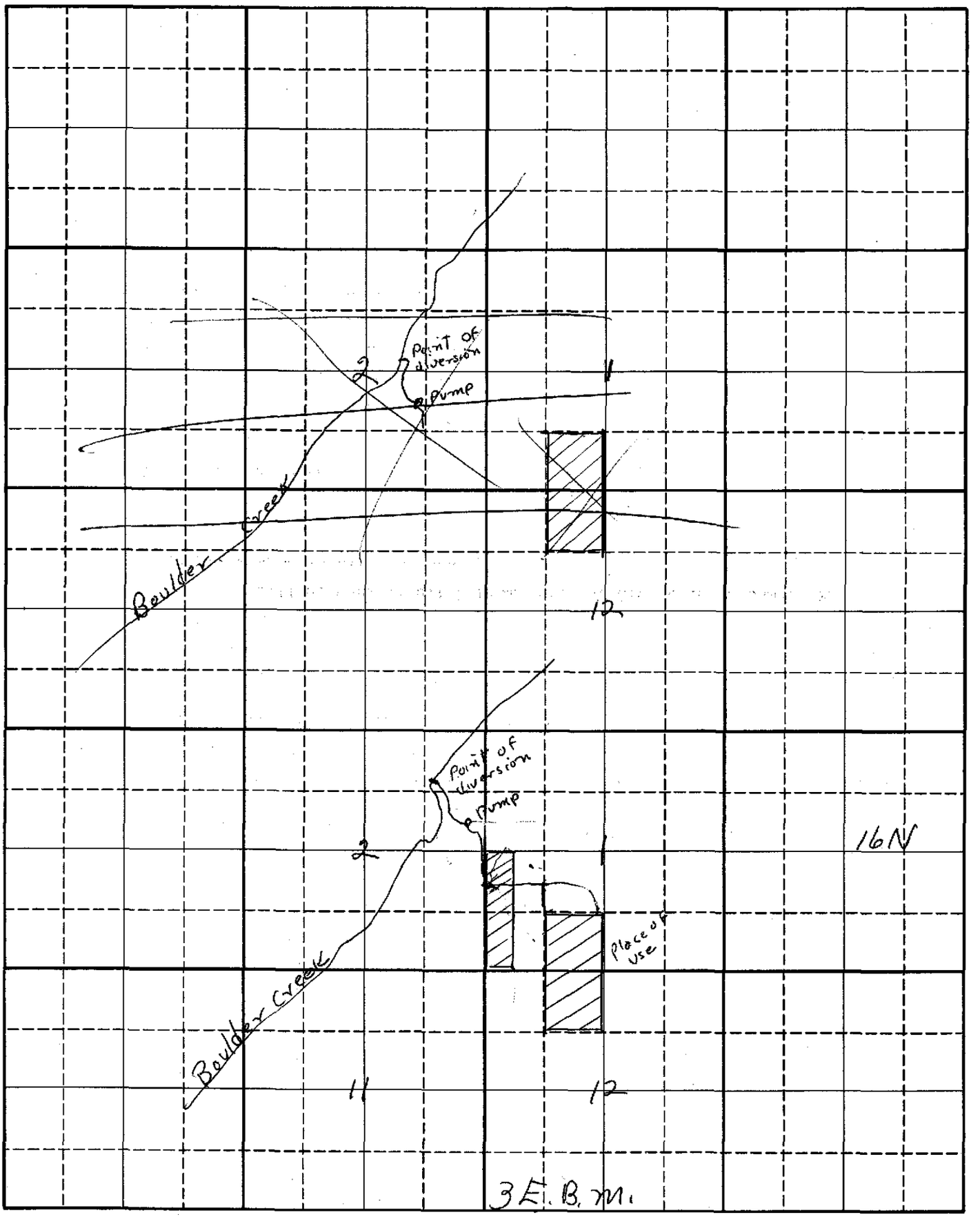
9. a. Who owns the property at the point of diversion JACK YENSEN

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 Previous agreement to carry water across Mr. Yensen's land under another license.

10. Remarks No change will be made in ditch from point of diversion to pump. New ditch will be built from pump to place of use.

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.

65 7301

J. Eld Ranches Inc.
(Applicant)

William Eld

Proposed priority: 4/17/1973

Received by RWH Date 4-17-73 Time 12:20 P.M

Preliminary check by RWH Fee $45.00

Receipted by ef Date 4-17-73 Receipt #10193

Publication prepared by ef Date 4-26-73

Published in Idaho Stat News

Publication dates 5-3 & 5-10-73

Publication approved IMP Date 5-14-73

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by SDF

65 7361

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. 65-7361, 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, 1978.

   c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works. Use of water under this permit is subject to control by the watermaster of State Water District No. 65-D, Boulder Creek.

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

Witness my hand this 29th day of May 19 73.

L. Kinvil Hoy

Director

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-publisher of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for .....Two..... consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began ..May 3....., 19..73..., and ended May 10....., 19.....73

.....Donald E. McMahan

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this .....11th..... day of ...May....., 19..73...

.....Donald L. Fulla..... Notary Public.

My commission expires .....6-2....., 19..74...

65-7361

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Eld Ranches, Inc., Rt. 1, McCall, Idaho has on April 17, 1973 submitted Application No. 65-7361 for a permit to appropriate 2.4 cubic feet per second of water from Boulder Creek, trib. to Payette River by means of dam, ditches & pump within the NE¼NE¼, Sec. 2, T. 16 N., R. 3 E., B.M., Valley County to be used from May 1 to Sept. 31 for the irrigation of 120 acres within the NE¼NW¼, Sec. 12 (40 acres); W½SW¼, SE¼SW¼, Sec. 1, (80 acres); T. 16 N., R 3 E., 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 May 21, 1973.

R. KEITH HIGGINSON
Director

Published in the Star News, McCall, Idaho on May 3, 1973 and May 10, 1973.

5-14-73

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

March 1, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EASTERN WESTERN CORP
PO BOX 3228
PORTLAND OR 97208-3228

RE: WATER RIGHT NO. 65-07361

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. 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 of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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 reporting form.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
AUG 2 4 2000

CERTIFICATE OF MAILING

I hereby certify that on the **1st** day of **March, 2000**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 65-07361

EASTERN WESTERN CORP
PO BOX 3228
PORTLAND OR 97208-3228

Kari Lynn Townsend
Secretary

MICROFILMED
AUG 24 2000

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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.

MICROFILMED
AUG 2 4 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED
AUG 2 4 2000

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

DATE: 3.1.00

TO: Sue Beck

FROM: Kari Lyon Swensen
S/O

DOCUMENT DESCRIPTION: Eastern Western Carp WR license 65-07361

TRANSACTION REPORT

P.01

MAR-01-00 WED 08:17 AM

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#
MAR-01	08:16 AM	WESTERN	1'11"	3	SEND	OK	

COVER SHEET + 2 PAGES

PLEASE CONTACT Kari Lyon IF YOU DON'T RECEIVE THIS ENTIRE DOCUMENT 327-7941

MICROFILMED

AUG 24 2000

Walker, Kay

From: Walker, Kay
Sent: Wednesday, November 10, 1999 7:55 AM
To: Nelson, Dan
Cc: Bock, Susan; Walker, Kay
Subject: Permit for Eastern-Western (65-07361)

Good Morning... I'm working on Eastern Western and found a few problems that I was not expecting to encounter.

First, there is no SRBA claim filed on this permit. Proof was made in 1978 so I was suprised that no claim was filed. (maybe because the Eld's knew there was no additional water under the permit to get licensed?)

Second, Shelley suggested I contact the watermaster on Boulder Creek and find out how he regulates this diversion from Boulder Creek. If there is no headgate, how does he know when there is too much water going down the ditch. Shelley also said that we have to address the measuring device condition on the permit. If the permit holder hasn't complied with measuring device condition we have to request that they submit a request for removal of the condition and that would require an okay by the watermaster.

We also talked about the capacity of the system. Previous decrees for 4.15 cfs and now we only find 2.4 cfs - could more water be diverted at the p/d than what is found at the pumps? Maybe the other additional cfs can be diverted at the p/d and then is lost in the ditch between p/d and pumps - I wonder why there isn't any information about measuring the flow at the p/d. We have intentions on recommending a capacity of 4.15 cfs and limiting all rights when combined to 4.15 - any problems with that? I am going to look up the water district records and see what kind of information is in those files - maybe that will answer most of the questions.

I just wanted to let you in on what I have found out over here. If Dana Hofstetter or Eastern Western contacts you about this permit, please tell them to talk to me since I have the permit and exam on my desk. Thanks!

Walker, Kay

From: Bock, Susan
Sent: Wednesday, November 10, 1999 8:44 AM
To: Walker, Kay
Subject: RE: EASTERN WESTERN

Theoretically, yes - but no. Eld's water from this right is exchanged with Roseberry Irr. Dist. The exchange is a whole mess in and of itself. Whereby Roseberry takes some of Boulder Irr. water when it is available, because Boulder can not take it, and Boulder takes some of Roseberry's water. So, Eld has an Exchange with Roseberry, where they take the water from Boulder Cr. I was instructed on all of these exchange rights to leave them as they were decreed in the Payette, rather than to try to move the pod to where the claimants divert from the irr. companies.

The system is a mess. Ivan Phelps understands it, but you would probably need to meet with him in person to get a visual to understand it.

Does this help?

-----Original Message-----
From: Walker, Kay
Sent: Wednesday, November 10, 1999 8:33 AM
To: Bock, Susan; Bock, Susan
Subject: EASTERN WESTERN

Hi, again... What about the Eld's claim R65-04026? Is it diverted from same p/d as the rights for Eastern Western? I am sooooo confused. Kay

MICROFILMED
AUG 2 4 2000

WR-NO	SOURCE	PRIORITY	STAGE	TWP	RANGE	SEC	QQQ	USE	CFS	AFY	ACRES
65-02515A	Boulder Ck	8/26/1949	D	16N	3E	2	SENE	01	3.2	432.00	144.0
65-04033*	Boulder Ck	7/10/1950	D	16N	3E	2	NESE	01,04	0.95		45.0
65-07361	Boulder Ck	4/17/1973	P	16N	3E	2	SENE	01	2.4	360.00	120.0
									6.55 TOTAL		

*PER SRBA REVIEW - This right is diverted at same p/d as others but the current recommendation is as previously decreed. Objection may be submitted at time of final recommendations - per Sue Bock.

condition limiting rights - when combined was removed since they do not exceed capacity of pumps - kw 2/8/2000

MICROFILMED
AUG 2 4 2000

Memorandum

To: File 65-07361

From: Kay Walker

Date: February 7, 2000

Re: License Recommendations

We requested and received the meter number for these pumps from Terry Scanlin (who received the information from Dana Hofstetter). In review of the 1995 through 1999 power records for this meter, which IDWR has in a directory called Power Consumption on the A006 file server, it was determined that this system could have produced 6.76 cfs in July of 1995.

The determination was made as follows:

$$29 \text{ kw (July, 1995)} \times 1.34 \text{ IHP} \times 0.91 = \frac{35.36 \text{ BHP}}{35 \text{ (HP numberplate)}} = 1.15 \text{ actual}$$

$$\text{GPM} = \frac{35.36 \text{ BHP} \times .65 \text{ Eff} \times 3960}{30 \text{ (Lift)}} = 3033.888 \text{ GPM}$$

$$\frac{3033.888 \text{ gpm}}{448.8} = 6.76 \text{ cfs}$$

In light of this, I recommend we increase the amount to be licensed to what was produced in July of 1995 which is similar to the capacity Terry Scanlin ascertains in his letter of 12/15/1999.

MICROFILMED
AUG 24 2000

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN WESTERN CORP	08/26/1949	IRRIGATION	04-15	10-15	3.200 CFS	432.00 AFA
					TOTAL DIVERSION:	3.200 CFS	432.00 AFA

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: [redacted] 802' SENE VALLEY County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N	03E	1									40	20	17						77.0
16N	03E	2													29			38	67.0
																	TOTAL ACRES		144.0

POU County: VALLEY

Conditions of Approval:
W18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ROSEBERRY IRRIGATION DISTRICT.
C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-04033 SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

MICROFILMED
SRBA Recommendation

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN WESTERN CORP	07/10/1950	IRRIGATION	04-15	10-15	0.900 CFS	
			STOCKWATER	01-01	12-31	0.050 CFS	2.70 AFA
					TOTAL DIVERSION:	0.950 CFS	

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: T16N R03E S02 NESE ~~diff pld~~ (actually same but not rec'd in SRBA that way) VALLEY County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N	03E	12							35			10							45.0
																		TOTAL ACRES	45.0

Place of use Legal Description for: STOCKWATER

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
16N	03E	12							S			S							

POU County: VALLEY

Conditions of Approval:

W18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ROSEBERRY IRRIGATION DISTRICT.
N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.
N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-02515 SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

SRBA Recommendation

MICROFILMED
2005 2 4 2000

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM ELD	08/26/1949	DOMESTIC	01-01	12-31	0.040 CFS	1.20 AFA
C	ELD RANCHES INC						
				TOTAL DIVERSION:		0.040 CFS	1.20 AFA

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: [redacted] R03E S02 ' [redacted] diffpd VALLEY County

Place of use Legal Description for: DOMESTIC

			NE				NW				SW				SE			
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
16N	03E	2																D

POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Rights: GROUNDWATER FOR IN-HOUSE USE AT THIS P/U.

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

SRBA Recommendation
MICROFILMED

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	ELD RANCHES	06/01/1966	IRRIGATION	04-15	10-15	1.600 CFS	
			STOCKWATER	01-01	12-31	0.050 CFS	2.70 AFA
					TOTAL DIVERSION:	1.600 CFS	

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: [redacted] diff pkd. VALLEY County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N 04E 18									40	40							80.0
																TOTAL ACRES	80.0

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
16N 04E 18									S	S							

POU County: VALLEY

Other Rights: NONE

Conditions of Approval:

N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR - STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL - USE.

W18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM - ROSEBERRY IRRIGATION DISTRICT.

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE - SHALL NOT EXCEED 13,000 GALLONS PER DAY.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS - NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT - ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY - DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE - ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: EXP STOCKWATER, 150 RANGE CATTLE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

SRBA Recommendation

MICROFILMED MAR 2 4 2000

8-4-00 TM

FAX

Scanlan Engineering

600 East River Park Lane, #105
Boise, Idaho 83706

Tel: 208 383-4140
Fax: 208 383-4156

Date: **February 4, 2000**

To: Kay Walker **Fax No:** 327-7866

From: Terry Scanlan **Reference:**

Subject: Eastern Western **No. of Pages:** 3 **(including cover)**

I hope this helps. Sorry for the delay.

If you do not receive all pages, or if there are any problems with this transmission, please call at 208 383-4140

MICROFILMED
AUG 2 4 2000

EASTERN WESTERN CORPORATION



PO BOX 3128
PORTLAND, OR 97208
(503)236-1978
FAX: 230-2498

DATE: 02-04-00

NUMBER OF PAGES (Including cover sheet): 2

TO: DANA HOFSTETTER
BEEMAN & HOFSTETTER

PHONE:

FAX: 208-388-8400

FROM: CINDI

REMARKS: THIS IS THE ONLY ACCOUNT NUMBER I COULD FIND. I HOPE IT IS THE RIGHT ONE. PLEASE CALL ME IF THIS DOES NOT WORK.

MICROFILMED
AUG 2 4 2000

FOR ACCOUNT INQUIRIES CALL OR CONTACT YOUR LOCAL OFFICE AT
634-2116 701 W LAKESIDE AVE. MCCALL

CUSTOMER IDENTIFICATION

CUSTOMER NAME	SERVICE LOCATION
GULF PACIFIC	#255 FN 1080 FH
CUSTOMER NUMBER	TYPE OF SERVICE
1115-003141-9	IRRIGATION

ACCOUNT INFORMATION AS OF OCTOBER 12, 1994

BALANCE FORWARD ▶

METER NUMBER OR NUMBER OF LAMPS	RATE	SERVICE FROM	SERVICE TO	DATE	METER READING PREVIOUS	METER READING PRESENT	METER CONSTANT	BILLING DEMAND	BILLING ENERGY KILOWATT HOURS	
76431513624		9098	0110		04123	05071	1	7	948	33.77

**** ACCOUNT ACTIVITY SINCE LAST BILLING ****
255.95CR TOTAL PAYMENTS THANK-YOU

ACCOUNT BALANCE 33.77

OK

COMPARE YOUR AVERAGE DAILY USE WITH LAST YEAR			
DAYS	BILLING PERIOD	KWH BILLED	KWH PER DAY
	THIS MONTH THIS YEAR		
	THIS MONTH LAST YEAR		

LEVEL PAY AMOUNT	PLEASE PAY THIS AMOUNT
	33.77

PLEASE ADD $1, $5 OR $10 TO AID PROJECT SHARE'S ASSISTANCE PLAN

RECYCLABLE

0= REGULAR READING 1= CUSTOMER READING 4 OR 5= ESTIMATED READING
CR= CREDIT A= AVERAGE MN= MINIMUM

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

MICROFILMED
AUG 2 4 2000

Memorandum

To: File 65-07361

From: Kay Walker

Date: February 7, 2000

Re: License Recommendations

I called Terry Scanlin on December 29, 1999, to request the Idaho power account number for this system so we could do a power calculation on how much water was used from these pumps. Terry said he would try to obtain this information and get back to me.

I called Terry Scanlin again on January 28, 2000, to remind him that we needed the Idaho Power account number for this system.

Information received on February 4, 2000.

MICROFILMED
AUG 2 4 2000

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 19, 1999

RE: Permit No. 65-07361

Terry M. Scanlan, P.E., P.G.
600 E. River Park Lane, Suite 105
Boise, ID 83706

Dear Terry:

I am in receipt of your letter of December 13, 1999, in regard to the above referenced permit. I have enclosed a copy of the licensing amendment as it was originally sent out for your information. Please note that our proposed Condition No. 7 limits Rts. 65-02515A, 65-04033 and 65-07361 to 4.15 cfs when combined, rather than the 2.4 cfs mentioned in your letter. Since the right holder had previously been decreed 4.15 cfs under Rts. 65-02515A and 65-04033 we used that amount rather than limit the right holder to 2.37 as found during our field examination.

I have reviewed the watermaster records submitted to our Department for Water District 65-D and found that we have been very generous in our proposed condition. The watermaster records of delivery for Eastern Western Corp. show that no more than 3.0 cfs had been delivered during the period of 1991 through 1994. If you would like to come into the office and review those records you are certainly welcome to do so. We realize that the theoretical diversion you proposed is for more water than we are prepared to license. We need to have additional information to support the request for more water. We are willing to review any additional information you feel may assist us in our final review.

In further review of our proposed license, I found that we are allowing 0.0126 cfs per acre for the 329 acre place of use. The proposed license may not increase the amount of water previously decreed but does allow coverage of more acres than originally proposed on the permit.

MICROFILMED
AUG 2 4 2000

I hope this letter resolves your concerns in regard to the licensing of Permit No. 65-07361. We will hold the proposed application for licensing amendment for 30 days from the date of this letter in order to allow you time to respond. If you have any questions in regard to this matter, please do not hesitate to contact us.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

Cc: Eastern Western Corp.
P.O. Box 3228
Portland, OR 97208-3228

Dana L. Hofstetter, Attorney
P.O. Box 1427
Boise, ID 83701-1427

MICROFILMED

AUG 2 4 2000

SCANLAN ENGINEERING

Groundwater and Environmental Engineering

RECEIVED

DEC 15 1999

Department of Water Resources

December 13, 1999

Kay Walker
Senior Water Resource Agent
Idaho Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720-0098

Subject: Permit No. 65-07361

Dear Kay:

This letter responds to the request for additional information in your letter to Dana Hofstetter dated December 8, 1999.

Proposed Condition No. 7 for license 65-07631 would limit the diversion rate of water rights 65-07361, 65-02515 and 65-04033 to 2.4 cfs, rather than the additive amount of 6.55 for the three rights. The 2.4 cfs is equivalent to only 0.39 miners inches per acre over the 309-acre place of use. This low duty of water is inadequate for the gravity irrigation methods used at this site.

I understand that the proposed 2.4 cfs limitation is based on the Department's finding of a system capacity of 2.37 cfs. The 2.37 cfs was measured by the Department's examiner using a polysonic meter. Based on this measurement, the examiner recommended "that this permit be licensed for 2.4 cfs diversion rate and when combined with all other water rights be limited to the 2.4 cfs which is the system capacity".

I believe that the system capacity measurement may be in error. The examination found two pumps (15 hp and 20 hp) and a pumping lift of approximately 32 feet. Assuming 70 percent pump efficiency, the theoretical capacity of a 35-hp system with 32 feet of lift should be approximately 6.75 cfs. Thus, the flow measurement is only 35 percent of the theoretical system capacity. Perhaps the measurement was made with only one valve open? Or maybe one of the pumps was malfunctioning at the time of the measurement? Whatever the reason for the low measurement, it is obvious that the system was designed to produce the full 6.55 cfs water right.

In addition to the theoretical capacity of the pump system, I understand from a previous conversation with you that the Watermaster delivers approximately 300 miners inches (6.0 cfs) to this pump station. This reported water delivery is additional evidence that the system capacity measurement is incorrect.

MICROFILMED

AUG 24 2000

600 East River Park Lane, Suite 105
Boise, Idaho 83706

Telephone (208) 383-4140
Facsimile (208) 383-4156

Given that the theoretical system capacity and the past water deliveries are similar to the full 6.55 cfs combined water right, limiting the three rights to only 2.4 cfs is not appropriate.

Please contact me with any questions.

Sincerely,

Terry M. Scanlan

Terry M. Scanlan, P.E., P.G.
Engineer/Hydrogeologist

Cc: Dana Hofstetter
Eastern Western Corporation

MICROFILMED
AUG 2 4 2000

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 8, 1999

RE: Licensing Amendment for Permit No. 65-07361

Dana L. Hofstetter
Attorney at Law
P.O. Box 1427
Boise, ID 83701-1427

Dear Ms. Hofstetter:

We are in receipt of the application for amendment for licensing purposes of the above referenced permit. However, in reviewing the returned application form we found that you have requested removal of condition #7 of the conditions of approval and remarks that we had proposed. If you feel that condition is not applicable, please submit documentation to support removal. We will hold the application for 30 days from the date of this letter in order to allow you time to submit whatever information you may have. Our file does not support removal of the condition.

I also noticed that you have made changes to condition #6 on the amendment application. We will remove that condition from this approval rather than carry it forward with your proposed changes.

If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

Cc: Eastern Western Corp.
PO Box 3228
Portland, OR 97208-3228

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AUG 2 4 2000

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-07361

****

FOR DEPARTMENT USE ONLY C047289

Preliminary check by ____ Fee 50.00 Receipted by JM C07 Date 11/29/99

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 65-07361 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65D.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 65-02515A and 65-04033 are also diverted through the point of diversion described above.
5. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
6. All or Portions ~~Use~~ of this right may be combined with water from Roseberry Irrigation District.
7. ~~Rights 65-02515A, 65-04033 and 65-07361 when combined shall not exceed a total diversion rate of 4.15 cfs.~~

Witness my hand this _____ day of _____, 19____.

KARL J. DREHER, Director

MICROFILMED

AUG 2 4 2000

BEEMAN & HOFSTETTER, P.C.
Counselors and Attorneys at Law
608 West Franklin Street
P. O. Box 1427
Boise, Idaho 83701-1427

Josephine P. Beeman
Dana L. Hofstetter

Telephone: (208) 388-8900
Facsimile: (208) 388-8400
e-mail: beehof@micron.net

November 29, 1999

Via Hand Delivery

RECEIVED
NOV 29 1999
Department of Water Resources

Kay Walker
Senior Water Resource Agent
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

Re: Application for Amendment and SRBA Claim – Water Right No. 65-07361
Our File No. 1838.1

Dear Ms. Walker:

I enclose the executed Application for Amendment and SRBA Claim for Water Right No. 65-07361. I also enclose two checks in the amounts of $50.00 and $86.00 to cover the respective filing fees.

As you will note, we have revised one of the conditions on both the Application for Amendment and the SRBA Claim and have deleted another one of the conditions on the Application for Amendment and the SRBA Claim. These revisions are based on Terry Scanlan's investigation of the place of use and associated diversion systems. Please do not hesitate to contact either me or Terry Scanlan if you have any questions about these matters.

Thank you for your assistance.

Sincerely,

BEEMAN & HOFSTETTER, P.C.

Dana L. Hofstetter

DLH:ja
Enclosures
D:\1838\1\3677

MICROFILMED
AUG 24 2000

Memorandum

To: File 65-07361

From: Kay Walker

Date: 11/16/99

Re: Licensing Recommendations

Terry Scanlin contacted me this afternoon about proposed license of 65-07361. He has reviewed the field examination and does not feel the amount of water being diverted is correct. He says if a theoretical measurement was done on the pumps you could come up with at least twice as much water as we are proposing on the license. He does not feel that Eastern-Western should accept this proposal for license and will relay that to them.

I mentioned that the permit holder was required to install a measuring device at the point of diversion and that would sure help us and the watermaster out. Terry agreed, but these are new clients, he first saw the system 1-month ago, and he has not been involved in the permit development.

We discussed the need for the SRBA claim, with or without submittal of the licensing amendment. I suggested that they get the claim submitted as soon as possible since AJ staff is working in that area. Terry agreed that they need to submit the claim and will relay that to Dana Hofstetter.

MICROFILMED

AUG 2 4 2000

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 15, 1999

RE: Permit No. 65-07361

Eastern Western Corp.
P.O. Box 3228
Portland, OR 97208-3228

Gentlemen:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point of diversion and place of use developed are in locations other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the point of diversion and place of use and other information as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented please sign the form and return it with the $50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

In a review of our records, we have also found that a claim has not been filed on this permit in the Snake River Basin Adjudication (SRBA). A claim is required for all water rights that proof of beneficial use was submitted prior to November 17, 1987. The proof of beneficial use for this permit was submitted on April 27, 1978. We have prepared a claim form, for your convenience, which must be submitted to our office along with the licensing amendment. If a license is issued on this permit and no claim has been submitted in the SRBA the water right may be lost even if licensed. The fee required for the claim is $86.00. I calculated this fee based upon 36 acres ($36.00) not included in the Payette River Basin Adjudication and a $50.00 late filing fee for this claim. Since the permit was included in the Payette River Basin Adjudication there is no claim fee.

MICROFILMED
AUG 2 4 2000

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7944.

Sincerely,

Kay Walker

Kay Walker
Sr. Water Resource Agent

KW:k
Enclosures

Cc: Dana Hofstetter
Beeman & Hofstetter, P.C.
P.O. Box 1427
Boise, ID 83701-1427
With Enclosures

MICROFILMED
AUG 2 4 2000

Memorandum

To: File 65-07361

From: Kay Walker KW

Date: 11/12/99

Re: Licensing Recommendations

In review of this examination I found the diversion capacity measured was not sufficient for the rights already decreed. The examiner found a capacity of 2.4 cfs as permitted. Rt. 65-02515A is diverted at this point and was previously decreed for 3.2 cfs. Rt. 65-04033 is also diverted at this point (pursuant to field examiner) and was decreed for 0.95 cfs. I recommend that we recognize the previously decreed amount of 4.15 cfs as the diversion capacity and limit all three rights when combined to 4.15 cfs. This will allow the right holder coverage of additional lands not included under previously decreed rights but no additional water for these lands.

In regard to the measuring device condition on the permit which has not been complied with – I contacted the watermaster of 65-D, Ivan Phelps. Mr. Phelps said he regulates these rights by the pumps. If the big pump is in use he lets 200 inches down the ditch, if both pumps are running, he lets 300 inches down. He said that in the middle of the summer most of the water diverted at this point is wastewater from users above. Mr. Phelps does not have a problem regulating this diversion using the pumps. The measuring device condition should be retained in licensing in case the water district decides to require a device be installed at the point of diversion.

Since watermaster stated he lets 300 inches down the ditch I feel we should allow the decreed amount of 4.15 cfs for the system. There is conveyance loss between the point of diversion and pumps – 875' of ditch between the two. If 300 inches are being released down the ditch and only 2.4 cfs can be pumped we can recognize the difference as conveyance losses.

I have changed the irrigation season proposed by the field examiner. The new irrigation season of use map identifies an irrigation season of 4/15 to 10/31 for this area.

MICROFILMED

AUG 2 4 2000

LICENSE REVIEW CHECKLIST

Permit No. 65-07361 Date: 11/9/99 Reviewer: Kay Walker

Change/OK

Name/Address ok

Source ok
Point of Diversion: change Does change clarify original intended source? If no, void permit.
(Change (P39/P47)) Add (P45/P42) Feds (P43)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use change (Change (P41/P47)) Add (P41/P42) Feds (P43)

W60 (subdivision description)
(W27 (ppu acre limit))

Overlaps: Right(s): 65-02515A, (65-04033) diff pld
File reviewed ___ Profile reports printed ✓

(P/D & P/U amend (P37)) Feds (P48)

65-040326 same pld

Rate of Diversion:

Permitted rate	2.4	cfs
Fee Limit	2.4	cfs
Measured	2.4	cfs
Theoretical		cfs

Recommended Total Diversion Rate 2.4

Water Uses ok Change (P46)

Irrigation	2.4 cfs	360. af	(Irrigation - overlap(R58-R61, R62-R65, R66-R69))
Stockwater	___ cfs	___ af	supp. Gw (WB7/065/079)
Domestic	___ cfs	___ af	(overlap spec combined rts (W35))
___	___ cfs	___ af	>1 acre (W31)
___	___ cfs	___ af	Domestic (W01/wb5/070/071/075)
Total	2.4 cfs	360. af	Power (W42 or W43/025/027/R22 or R23

Fish (042)
Fire (077)
Water Quality (081/R07)
Payette – (W22/047/27A)

Volume Determination
2.4 cfs x 1.9835 x 200 days = 952.1 af (vs) 120 acres x 3.0 (PI/IR) = 360. af

Remarks: _____

Additional Conditions YES Watermaster Control
✓ GW Measurement/Measuring Device
___ Other
Trust (052/R55 – remove 051)
Non-trust (048/049) Government Lots? ✓

Advance Priority? ___ yes ~~✓ no~~ If yes, explain why below.

SRBA Claim? NO – must solicit claim – reqd.

Adjust memo YES

Amend Letters ~~P39, P41~~ P37 **P87, S06** **Second Amendment Notice** _____ **P87, S06**

WR0749NP
No. L65-07361

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/09/99
PAGE: 1

Pete new Dec - season of use map

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN WESTERN CORP PO BOX 3228 PORTLAND OR 97208-3228 (503) 236-1978	04/17/1973	IRRIGATION	04/15	~~10/15~~ 10/31	2.400 CFS	
				TOTAL DIVERSION:		2.400 CFS	

Water Source: BOULDER CREEK Tributary to: Payette River, N.Fk. Stage: LICENSE

Point(s) of Diversion: T16N R03E S02 ~~NENE~~ SENE VALLEY County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N 03E 1									40	~~32~~ 20	~~40~~ 20	40					~~80.0~~ 152
16N 03E 12					~~40~~ 17	40	35			14							~~40.0~~ 106
															TOTAL ACRES		~~120.0~~ 329

16N 3E 2 - NESE - 31 / SESE - 40 / 71

Pou County: VALLEY

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHTS OF BOULDER IRRIGATION CO. 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. out

Dates: App. Received: 4-17-73 Priority Date: 04/17/1973 ~~(Priority Date Advanced)~~
Proof Due Date: 5-1-78 Proof Made Date: ~~01/01/1900~~ (Proof Received Late.) 4/27/78
Exam Made Date: 10/20/1987 Exam Sent to S.O.: 11/05/1999
Licensed Date:

Misc: Water District Number: 65D Field Exam Fee: R (Received)

App: approved - 5/29/73

4.15 ~~3.2~~ ~~2.4~~ ~~2.24~~ cfs

Diversion Capacity =

conditions
W18 ← had to put in remarks -
R04
R43
R58

Remarks:
W36-65-02515/04033
W2M

AJ5809NP [redacted] IDAHO DEPARTMENT OF WATER RESOURCES ADJUDICATION CLAIM PROFILE REPORT DATE: 11/09/99 PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN WESTERN CORP	08/26/1949	IRRIGATION	04-15	10-15	3.200 CFS	432.00 AFA
					TOTAL DIVERSION:	3.200 CFS	432.00 AFA

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: T16N R03E S02 SENE VALLEY County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N	03E 1									40	20	17						77.0
16N	03E 2													29			38	67.0
																	TOTAL ACRES	144.0

POU County: VALLEY

Conditions of Approval:
W18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ROSEBERRY IRRIGATION DISTRICT.
C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-04033 SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Subject to change per NOE (wants 329 ac PPU)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM ELD	08/26/1949	DOMESTIC	01-01	12-31	0.040 CFS	1.20 AFA
C	ELD RANCHES INC						
					TOTAL DIVERSION:	0.040 CFS	1.20 AFA

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: T16N R03E S02 SENE VALLEY County

Place of use Legal Description for: DOMESTIC

			NE					NW					SW					SE				
			NENE	NWNE	SWNE	SENE		NENW	NWNW	SWNW	SENW		NESW	NWSW	SWSW	SESW		NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac		Lt Ac	Lt Ac	Lt Ac	Lt Ac	
16N	03E	2																			D	

POU County: VALLEY

Non-Irrigation Uses: 1 HOME

Other Rights: GROUNDWATER FOR IN-HOUSE USE AT THIS P/U.

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN WESTERN CORP	07/10/1950	IRRIGATION	04-15	10-15	0.900 CFS	
			STOCKWATER	01-01	12-31	0.050 CFS	2.70 AFA
					TOTAL DIVERSION:	0.950 CFS	

Water Source: BOULDER CREEK Tributary to: CASCADE RESERVOIR Stage: DECREED

Point(s) of Diversion: T16N R03E S02 ~~NESE~~ SENE ← per Sue Bock VALLEY County

Place of use Legal Description for: IRRIGATION

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N 03E 12							35				10						45.0
																TOTAL ACRES	45.0

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE				
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
16N 03E 12							S				S						

POU County: VALLEY

Conditions of Approval:

W18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ROSEBERRY IRRIGATION DISTRICT.

N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-02515 SHALL PROVIDE NO MORE THAN 3.0 AFA PER ACRE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Subject to change per NOE (wants 329 ac PPL)

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

		NE				NW				SW				SE				
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
WR-NUMBER	SOURCE	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
L6507361	[redacted] BOULDER CREEK									12 20 23 ← acres not in PRBA								152
6502306	STOVER CRE						04-38											38
A6502306	STOVER CRE						04-38											38
R6502306	STOVER CRE						04-38											38
[redacted]	BOULDER CR																	77
[redacted]	BOULDER CR																	77
[redacted]	BOULDER CR		35	40											40			175
[redacted]	BOULDER LA		35	40											40			175
[redacted]	BOULDER CR		35	40											40			175
[redacted]	BOULDER CR												40					80
6513568	UNNAMED ST				20													20
6513569	GROUNDWATE				20													20
L6507361	[redacted] BOULDER CREEK													2			2	71
[redacted]	BOULDER CR													[redacted]			[redacted]	67
[redacted]	BOULDER CR													[redacted]			[redacted]	67
[redacted]	BOULDER CR													[redacted]			[redacted]	67
6502942	UNNAMED ST	15																15
A6502942	UNNAMED ST	15																15
R6502942	UNNAMED ST	15																15
6502955	LAKE FORK	15																15
A6502955	LAKE FORK	15																15
R6502955	LAKE FORK	15																15
6502958	UNNAMED ST	15																15
A6502958	UNNAMED ST	15																15
R6502958	UNNAMED ST	15																15
A6503114	BOULDER CR														05	20		25
A6503115	BOULDER LA														05	20		25
A6503116	BOULDER CR														05	20		25
6503181	LAKE FORK									24	40	39	08					111
A6503181	LAKE FORK									24	40	39	08					111
R6503181	LAKE FORK									24	40	39	08					111
6507417	UNNAMED ST									37	40	40	26					143
A6507417	UNNAMED ST									37	40	40	26					143
R6507417	UNNAMED ST									37	40	40	26					143
L6507361	[redacted] CREEK					[redacted]	[redacted]	35			[redacted]							106
[redacted]	BOULDER CR	40	40			[redacted]	[redacted]	[redacted]		40	[redacted]	40	40	40	40	40	30	490
[redacted]	BOULDER LA	40	40			20	40	40		40	[redacted]	40	40	40	40	40	30	490
[redacted]	BOULDER CR	40	40			[redacted]	40	40		40	[redacted]	40	40	40	40	40	30	490
6504000	WILLOW CRE				40													40

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

		NE								NW								SW								SE					
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE	
WR-NUMBER	SOURCE	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
A6504000	WILLOW CRE								40																								40
R6504000	WILLOW CRE								40																								40
6504033	BOULDER CR														35				[illegible]														45
A6504033	BOULDER CR														35				[illegible]														45
[illegible]4033	BOULDER CR														35				[illegible]														45
6507361	BOULDER CR										40																						40

RECEIVED
NOV 4 - 1999
Department of Water Resources

ROUTING SLIP

DISTRIBUTION	PROVIDED FOR YOUR:	
DATE: 9/3/1999	INFORMATION	
TO: STATE OFFICE ALLOCATION DIVISION KAY WALKER	COMMENTS	
FROM: DANIEL A. NELSON WESTERN REGION	APPROVAL	YES
	SIGNATURE	

SPECIAL NOTES:

PLEASE ROUTE TO KAY WALKER AS SOON AS POSSIBLE

Kay this is the field exam that we spoke about on the telephone that needs to be reviewed as soon as possible for the SRBA. Sue Bock is the adjudication agent that is working we the files associated with this permit if you have any questions. Objections have been filed on the AJ recommendations and nothing can be done until this permit has been completed.

Thank you
Dan Nelson
Western

Form 219
6/92

RECEIVED
NOV 5 1999
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 65-07361

1. Owner: Eastern Western Corporation Phone No. (503) 236-1978

Current Address: PO BOX 3228, PORTLAND, OREGON 97208-3228

2. Accompanied by: Joe Eld (1987 exam), Dixie Smith (1991 exam) & Dana Hofstetter (current attorney)

EXAM DATE : 10/20/87 & 8/6/1991

Address: PO Box 550 Donnely, ID 83615 (Smith), Beeman & Hofstetter, P.C., ATTN Dana Hofstetter, PO Box 1427, Boise, ID 83701-1427 (Hofstetter)

Phone No. 325-8013, 495-2102 or 495 2064 (Smith) 388-8900 (Hoffstetter)

Relationship to Permit Holder: Former Corporate President (Eld), Property Manager (Smith), and Current Attorney (Hofstetter).

3. Source: Boulder Creek tributary to North Fork Payette River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-02125, 65-04033, & Roseberry Irrigation District water 5-03114, A65-03115, and A6503116)

2. Other water rights with the same point of diversion: 65-02125, 65-04033

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

Ident No.	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
P/D			SE	NE	02	16N	03E	VALLEY	USGS QUADANGLE MAP, ASCS PHOTO AND GIS PHOTO

2. Place(s) of Use: Indicate Method of Determination SAME AS POINT OF DIVERSION

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	03E	1									40	32	40	40					152
16N	03E	2													31			40	71
16N	03E	12					17	40	35			14							106
																			TOTAL
																			329 ACRES

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PLEASE NOTE: This permit is for 120 acres within the 329-acre permissible place of use described above.

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

YES Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

YES Aerial Photo Attached (required for irrigation of 10+ acres).

YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
PUMP #1	US MOTORS	15 Hp	859999	JOHNSON	6" PIPE TO AN 8" LINE. SERIAL # 1465
PUMP # 2	US MOTORS	20 Hp	872058	UNKNOWN	12 " PIPE

**Code to correspond with No. on map and aerial photo*

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
THYME FLYTE	POLYSONIC	N/A	TFP	N8J4626	N/A	NOT KNOWN

2. Measurements: Rick C. made Measurements on 8/17/~~1999~~ 1993. Please see attached polysonic reading sheet for information. (see below)

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E. NARRATIVE/REMARKS/COMMENTS

Steve Lester examined this permit on 10/20/1987 and 8/6/1991. The permit was then examined a third time by Rick C. on 8/17/193. I (Daniel A. Nelson) have completed the field report and gone through the data collected from these three exams.

Steve Lester's notes describe the system as a check dam in Boulder Creek allows diverts water through a 10 to 12 foot wide earthen ditch to a pumping station approximately 875 feet southeast of dam. Two pumps are used to deliver water through pipe to eventual open discharge and flood irrigation. Pump # 1 uses a 6-inch line leading to open discharge in an 8-Inch pipe, discharge occurs approximately 80 feet from the pump and feeds single ditches. The other pump employs a 12-inch line that runs partly buried, east for approximately 1300 feet. Several "lawnvalves" (12-inch size) are used to facilitate discharge into a number of single ditches. The land under this water right receives approximately ½ inch (.01 cfs per acre) from the Roseberry Irrigation District. Each pump can deliver water to either side of the Farm to Market Road.

There are three water rights that overlap this place of use and two water rights overlap the point of diversion. The first water right is 65-02515 (~~07361~~), which uses the same point of diversion as this permit. The current water right shows that a transfer was performed to move this water to 144 acres in the E ½ of the SE ¼ of section 2 and the SW ¼ of section 1. However, the permit holder's lawyer, Dana Hofstetter has filed an objection in the Snake River Basin Adjudication (SRBA) to have this water right recorded as a permissible place of use for the same permissible place of use described for this permit. The second water right (65 ~~63~~-04033) is also diverted out of the same point of diversion. The acres associated with this permit are located in the SWNW ¼ and the NWSW ¼ of section 12. Ms. Hofstetter has also filed an objection with the SRBA to have this water right recorded as the same permissible place of use. The third water right is from Roseberry Irrigation Ditch Company (water right # 65-03114, 65-03115, & 6503116). This water is under the control of the irrigation district.

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RECOMMENDATIONS:

I recommend that this permit be licensed for 2.4 cfs diversion rate and when combined with all other water rights be limited to the 2.4 cfs which is the system capacity. When all the water rights are combined the diversion rate should not exceed .02 cfs per acre. I also recommend an annual volume of 360 afa with no more than 3.0 afa per acre when all rights are combined. This permit should be under the water master control and a PCC can be used to measure the diversion volume and the power panels can be use to lock out the system if necessary.

Have conditions of permit approval been met? X * yes ___ no

A measurement device was required for this point of diversion and per the notes of the examiners has not been installed. However, all of the water diverted from Boulder Creek is run through either one of the two pumps or both of the 2 pumps are used at the same time. Regardless of how the pumps are open discharged so there are only three operating conditions. Therefore, a Power Consumption Coefficient (PCC) could be used to measure the water if necessary and the pump's power panels could be locked out if needed. Therefore, I believe that this condition has been satisfied.

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F. FLOW CALCULATIONS YES Additional Computation Sheets Attached

Measured Method:

2.40 cfs (see attached calculation sheet)

Maximum capacity of the pump should be allowed for this permit even though the existing water rights for this point of diversion are above the system capacity. This will allow the owner to irrigate this land to its capacity if the other water rights are not in use.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = (120 ac) (3.0) = 360 afa

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = (2.4 cfs) (184 d) (1.9835) = 876 afa

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 360 afa

B

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	4/15	10/15	2.4 CFS	360 AFA
Totals:			2.4 CFS	360 AFA

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

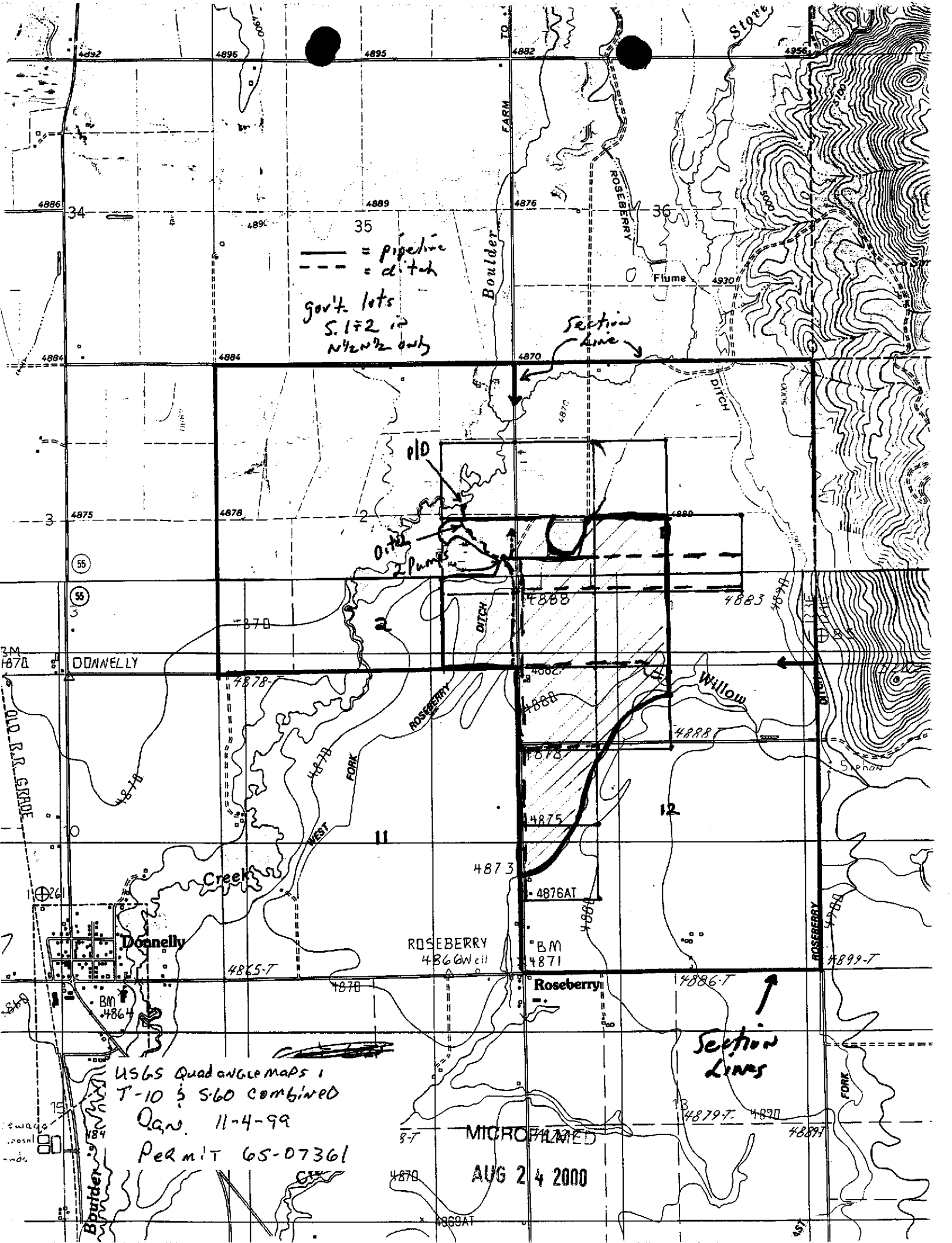
I. AUTHENTICATION DANIEL A. NELSON – SENIOR AGENT

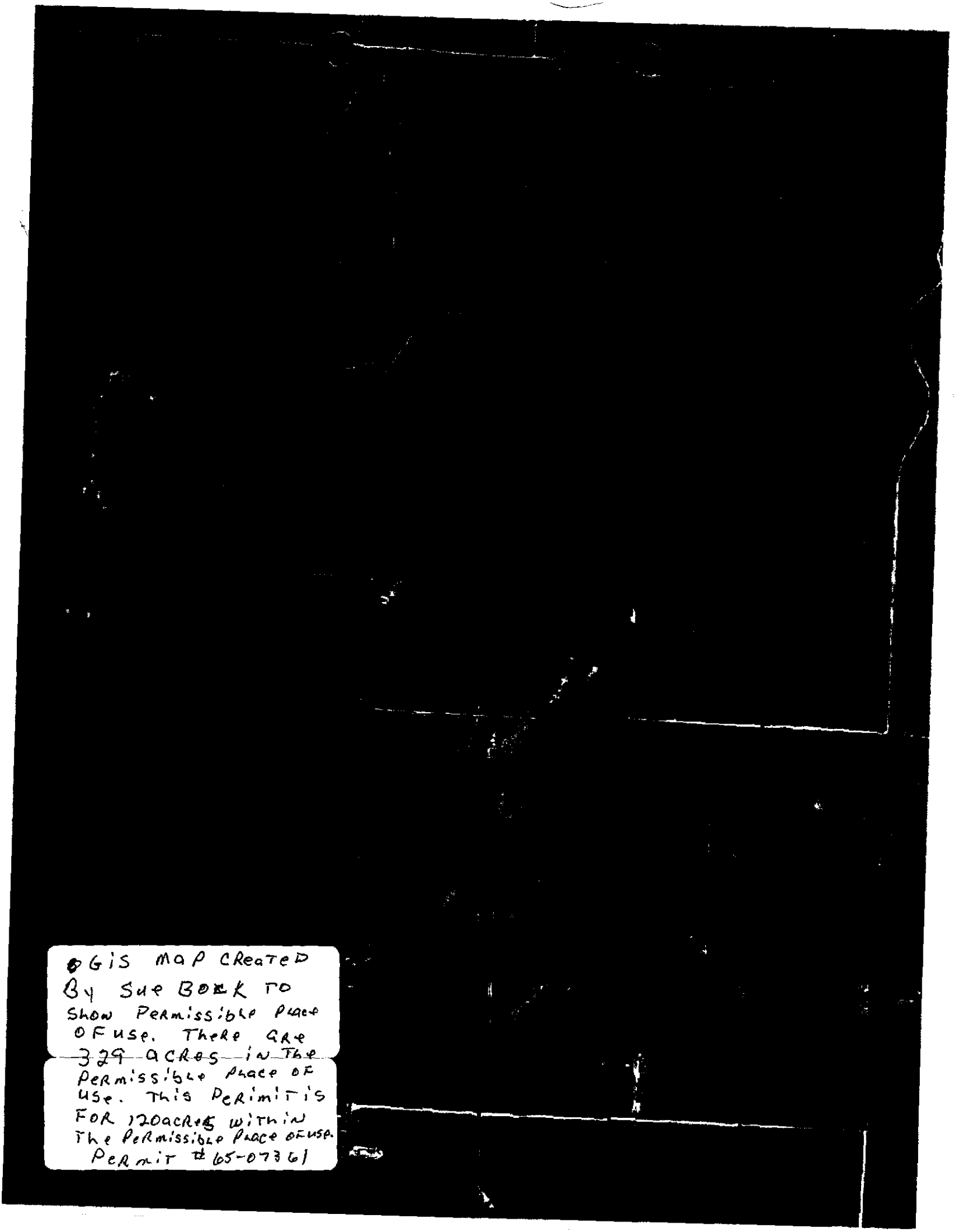
Field Examiner's Name Daniel A. Nelson Date 1-4-99

Reviewer _____ Date _____ SEAL

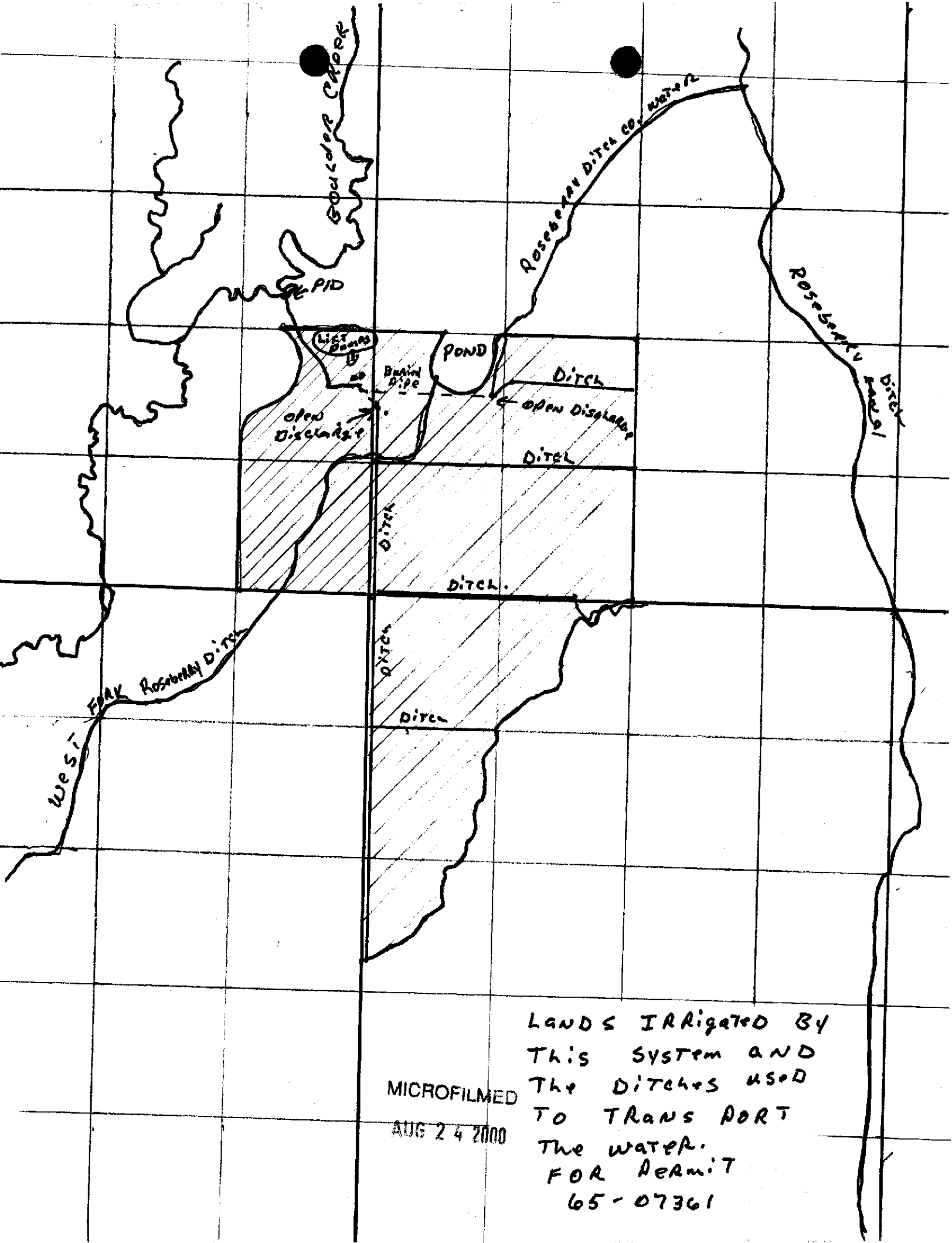
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= pipeline
= ditch
Govt. lots
S. 1+2 in
N½N½ only
Section Line
PID
Ditch
2 Pumps
DONNELLY
Willow
Creek
Donnelly
Roseberry
ROSEBERRY
4866 Well
BM 4871
BM 4864
4876AT
4869AT
Flume
Boulder
FARM
ROSEBERRY
DITCH
WEST FORK
OLD R.R. GRADE
Siphon
Section Lines
USGS Quadrangle maps:
T-10 & S-60 combined
Dan. 11-4-99
Permit 65-07361
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AUG 24 2000

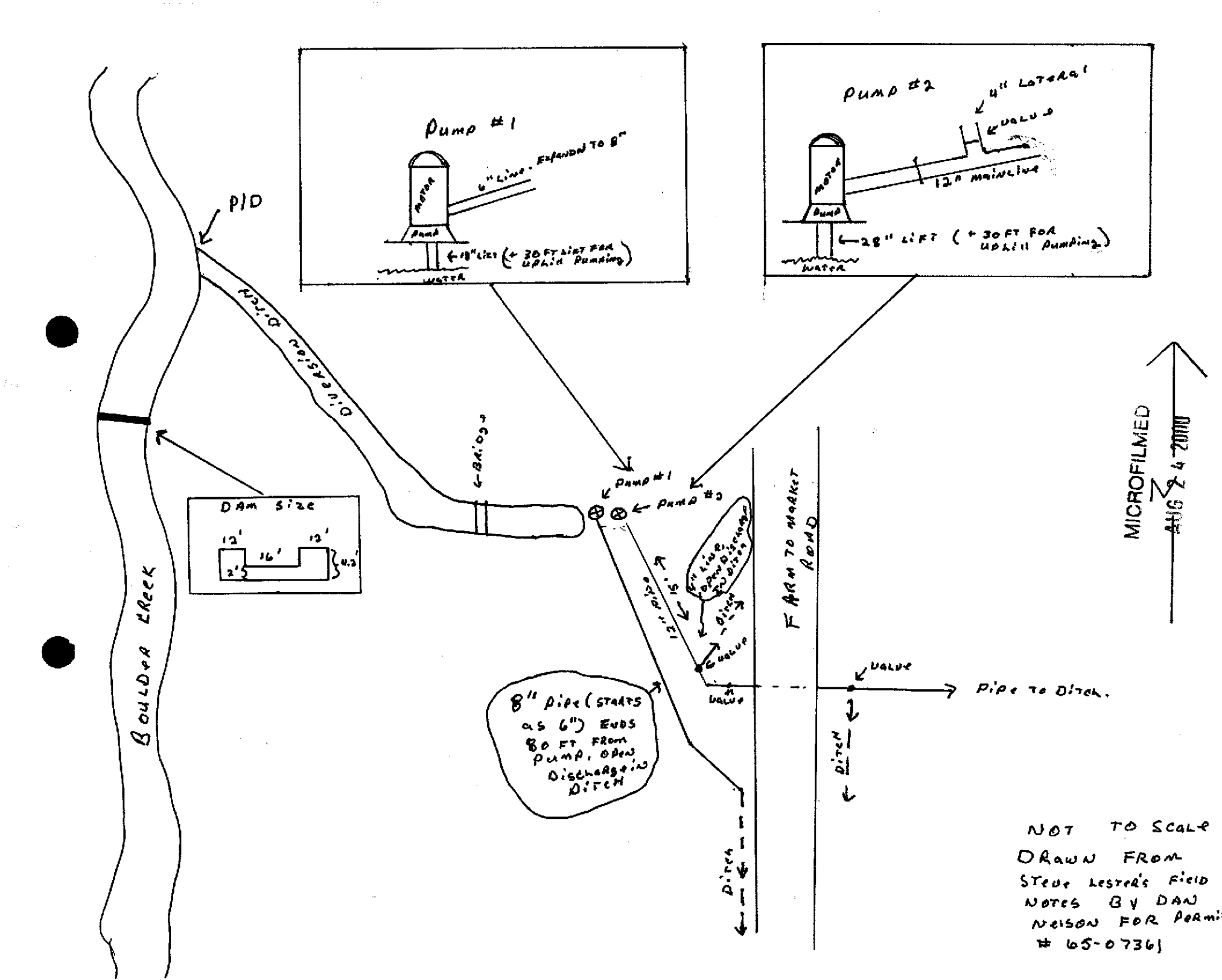


GIS MAP CREATED BY SUE BOEK TO SHOW PERMISSIBLE PLACE OF USE. THERE ARE 329 ACRES IN THE PERMISSIBLE PLACE OF USE. THIS PERIMIT IS FOR 120 ACRES WITHIN THE PERMISSIBLE PLACE OF USE. PERMIT # 65-07361

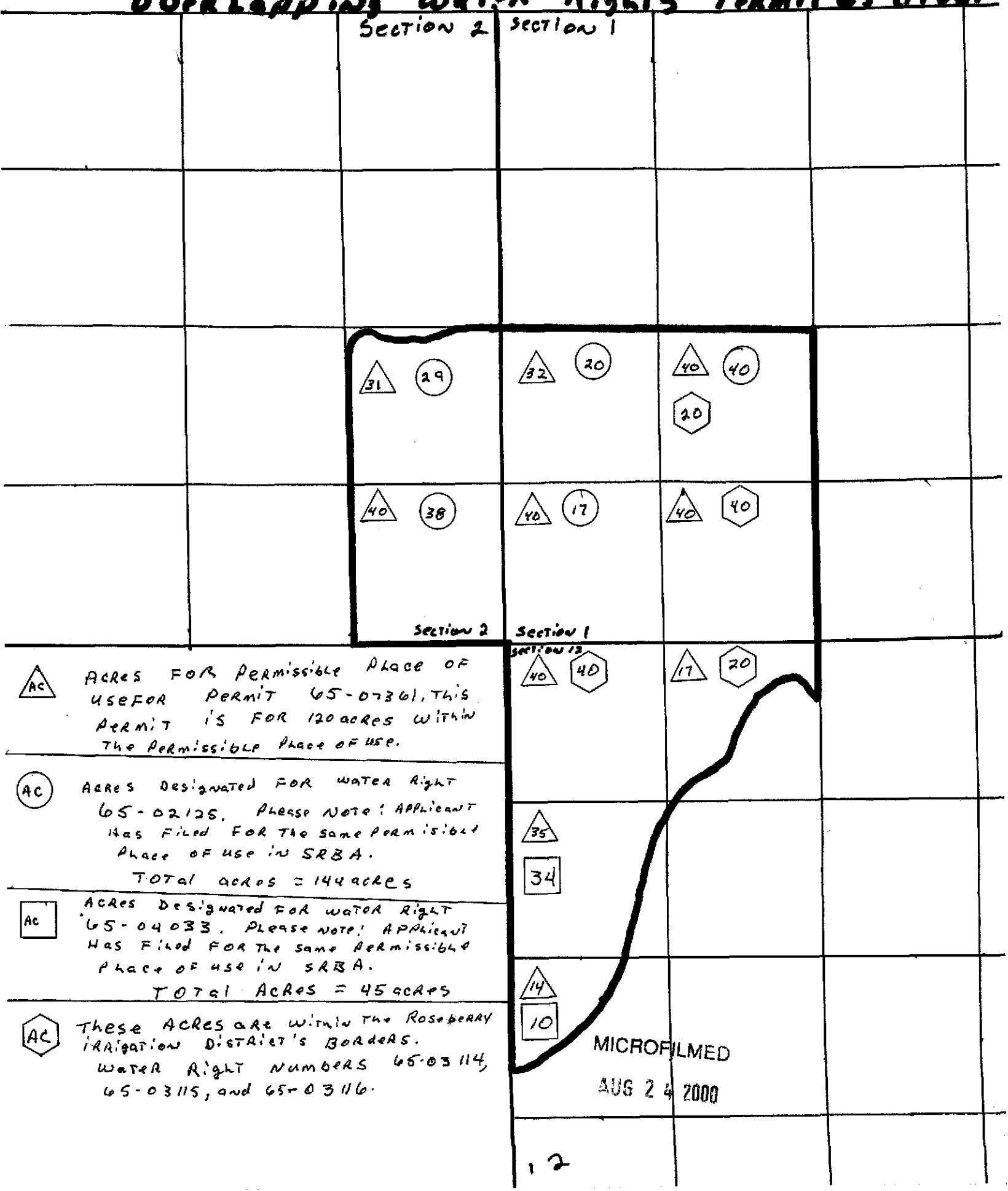


LANDS IRRIGATED BY THIS SYSTEM AND THE DITCHES USED TO TRANSPORT THE WATER.
FOR PERMIT 65-07361

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AUG 24 2000


Pump #1
6" Line - Expands to 8"
Motor
Pump
18" Lift (+ 30 FT Lift for Uphill Pumping)
Water
Pump #2
4" Lateral
Valve
12" mainline
28" Lift (+ 30 FT for Uphill Pumping)
P/D
Diversion Ditch
Bridge
Pump #1
Pump #2
Dam Size
12'
16'
12'
2'
4.2'
Boulder Creek
8" Line, Open Discharge to Ditch
15'
Ditch
6" Valve
Valve
Farm to Market Road
Valve
Pipe to Ditch.
Ditch
8" pipe (starts as 6") Ends 80 FT from Pump, Open Discharge in Ditch
Ditch
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NOT TO SCALE
DRAWN FROM STEVE LESTER'S FIELD NOTES BY DAN NELSON FOR PERMIT # 65-07361

Overlapping Water Rights Permit 65-07361



Ac — Acres for Permissible Place of use for Permit 65-07361, this Permit is for 120 acres within the Permissible Place of use.

AC — Acres Designated for water right 65-02125. Please Note: Applicant has filed for the same Permissible Place of use in SRBA.

Total acres = 144 acres

Ac — Acres Designated for water right 65-04033. Please Note: Applicant has filed for the same Permissible Place of use in SRBA.

Total Acres = 45 acres

AC — These Acres are within the Rosebery Irrigation District's Borders. Water Right Numbers 65-03114, 65-03115, and 65-03116.

12

POLYSONIC READINGS

PERMIT #: 65-07361

READINGS PERFORMED BY RICK C. 8/17/1993

FIRST SET OF INFORMATION:

SET-UP IMPUTE DATA USED DURING
PREPARATION FOR FLOW MEASUREMENTS.

SECOND SET OF INFORMATION:

THESE ARE THE READINGS TAKEN FOR
BOTH PUMPS. ONLY ONE
READING TAKEN. MEASUREMENT DONE
IN GALLONS PER HOUR.

FLOWS IN GALLONS PER HOUR (GPH)

BOTH PUMPS = 63876.8 GPH FLOW RATE

FLOWS IN CUBIC FEET PER SECOND (CFS)

BOTH PUMPS = (63876.8 / 60) / 448.8 = 2.37 CFS MAXIMUM FLOW RATE

OUTER DIAMETER
12.000 IN

PIPE MATERIAL
? CS,SS

8/17/93
RC

WALL THICKNESS
0.1840 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? V

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.363 IN V

00-00 00:2100 *R
+478.415E 2GPH

00-00 00:3500 *R
+ 63.137E 2GPH

00-00 00:3900 *R
+638.768E 2GPH

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2 4 2000

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS
****

FILE: 65-07361
DATE: 6-25-1999
BY: Daniel A. Nelson

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open dicharge assume zero [0])

$$Q = \frac{(8.8)\ (25+15.....)\ (0.70)}{[\ (...15.....) + (..45\ psi...\ X\ 2.31)\ ]} = \frac{246.4}{103.95} \quad 2.37\ CFS$$

LIFT FROM: (X) measurement (S. Lasted) ( ) owner ( ) area estimate ( ) well logs ( )
PSI FROM: ( ) measurement ( ) owner ( ) estimate (X) owner gage ( )
Booster (Y) (N)

NOTES ON PUMP:
Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS There are 2 pumps feeding a single machine. These pumps lift the water approximately 30 FT upgrade to a restricted open discharge. Pressure at the point of discharge would need to be at least 30-50 psi.

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(DAYS\ IN\ SEASON) \times (1.98) \times (Q)}{(RECOMMENDED\ ACRES\ IRRIGATED)}$

(season)	(days)
3/15 - 11/15	246
4/1 - 11/1	215
4/15 - 10/15	184
3/1 - 12/1	276

POTENTIAL = $\frac{(.....) \times (1.98) \times (.....)}{(.....)}$

POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

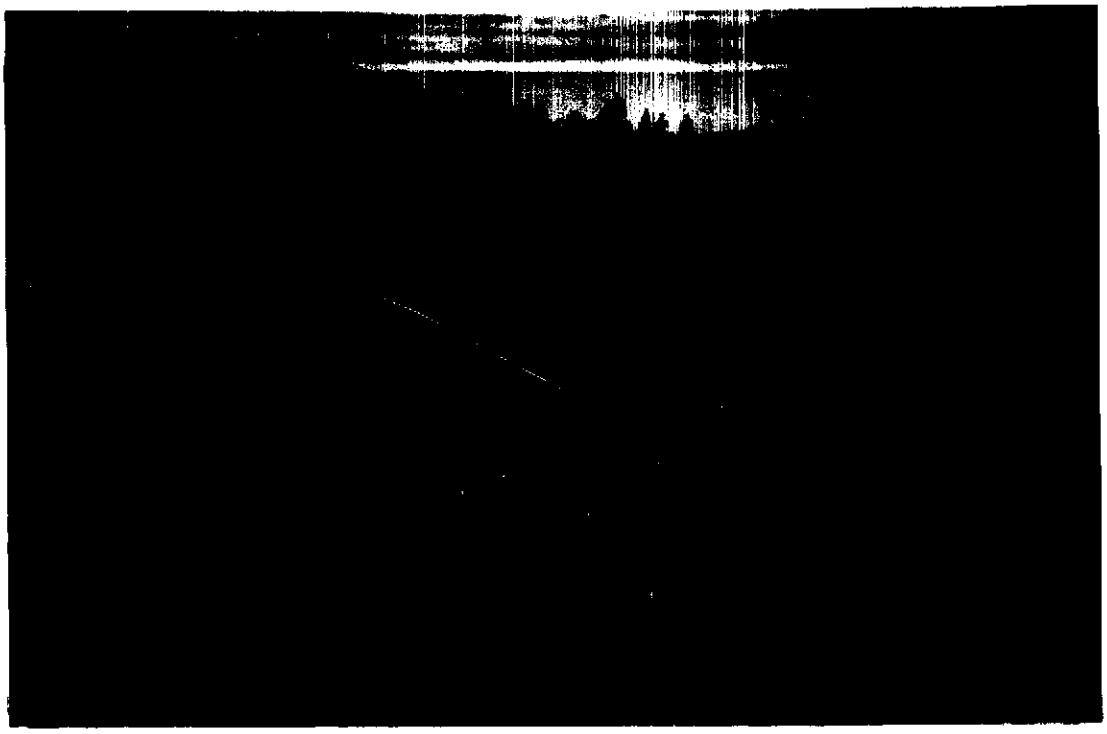
IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ( )

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ( )

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AUG 2 4 2000

PHOTOGRAPHER AND DATE OF PHOTOS R. Ick C. 8/17/93

FILE NO. AND LEGAL DESCR. 65-07361 (Measurement of Diversion)



Point of Rediversion with both pumps. Pump #1 is smaller pump.

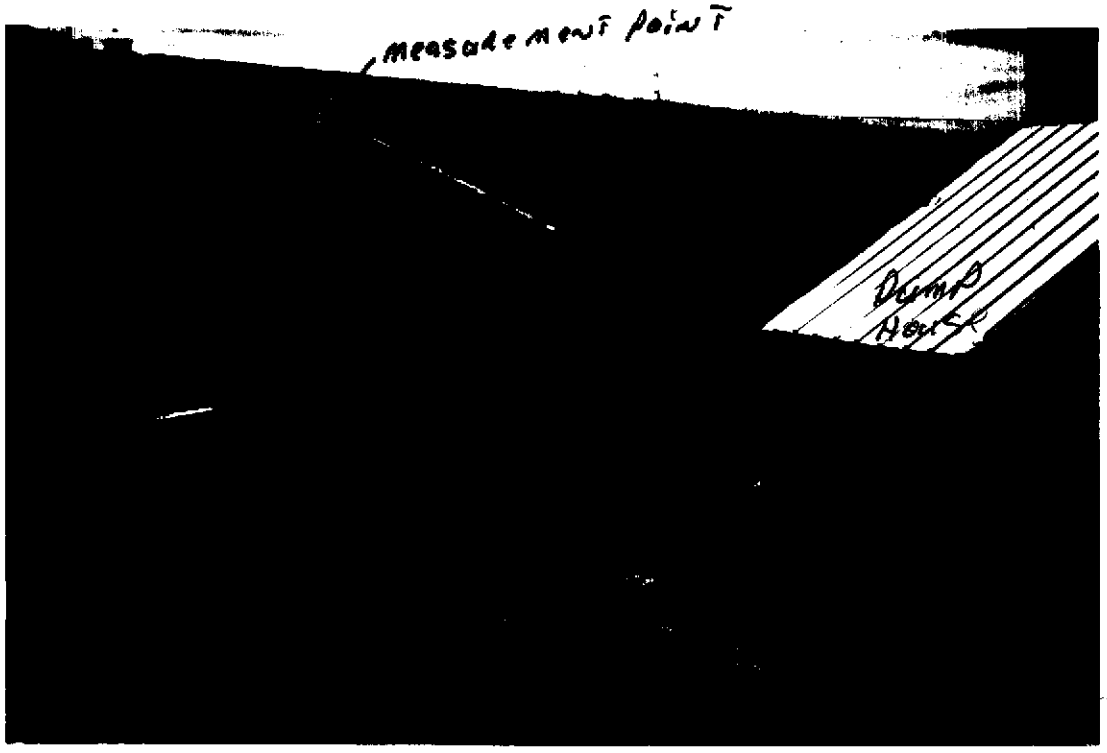


Close up picture of pumps

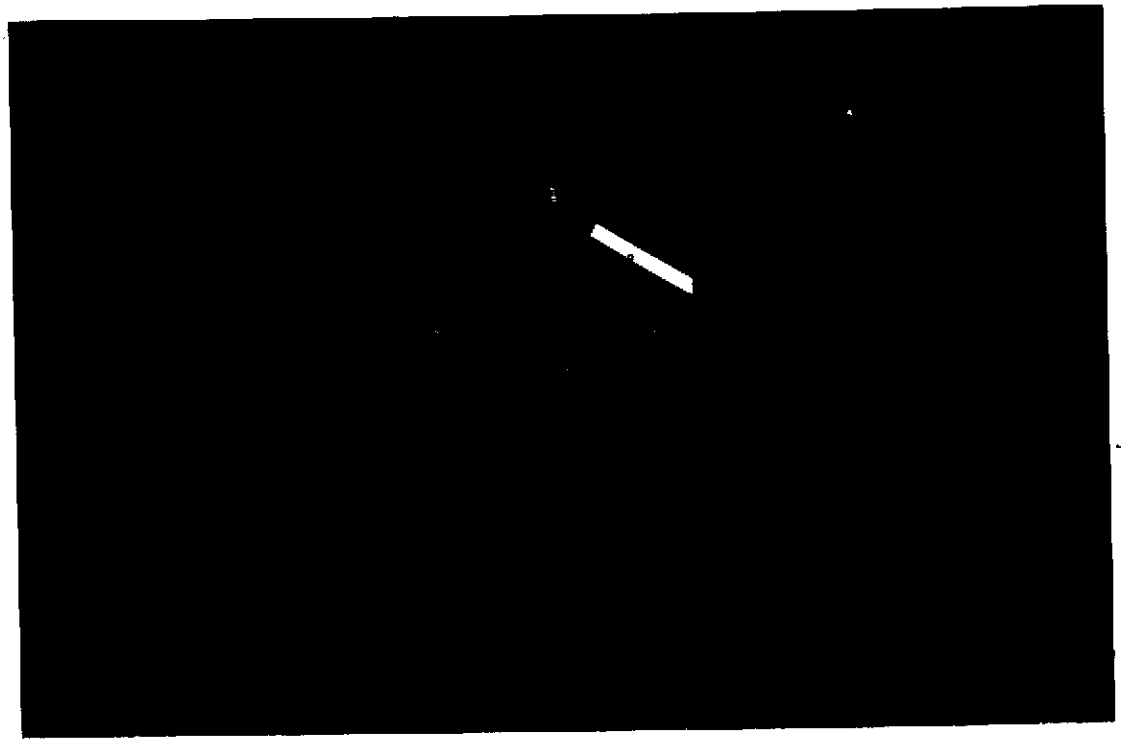
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AUG 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Rick C 8-17-93

FILE NO. AND LEGAL DESCR. 65-07361 (measurement of diversion)



These Photo's show the point where the ~~meter~~ pumps were measured



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AUG 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Rick C 8-17-93

FILE NO. AND DESCRIPTION 65-07361 (measurement of Diversion)



These Photo's show ~~the~~ The open Discharge INTO The DITCH

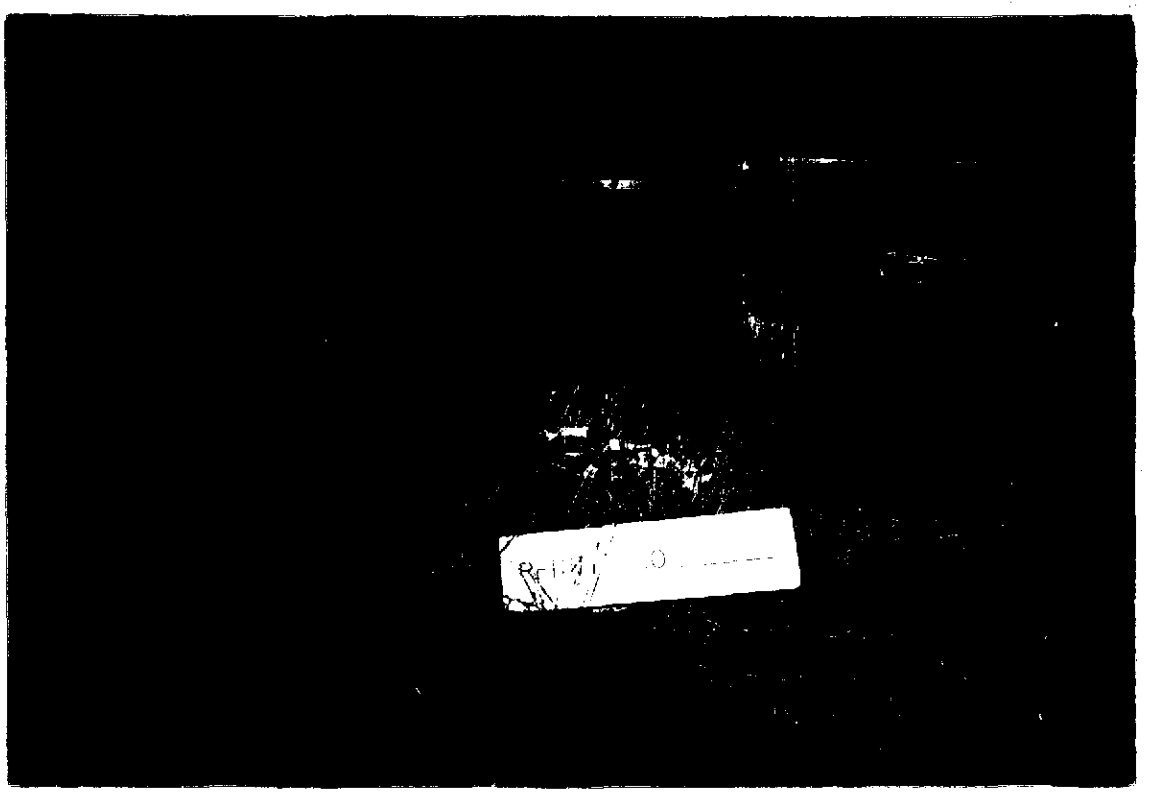


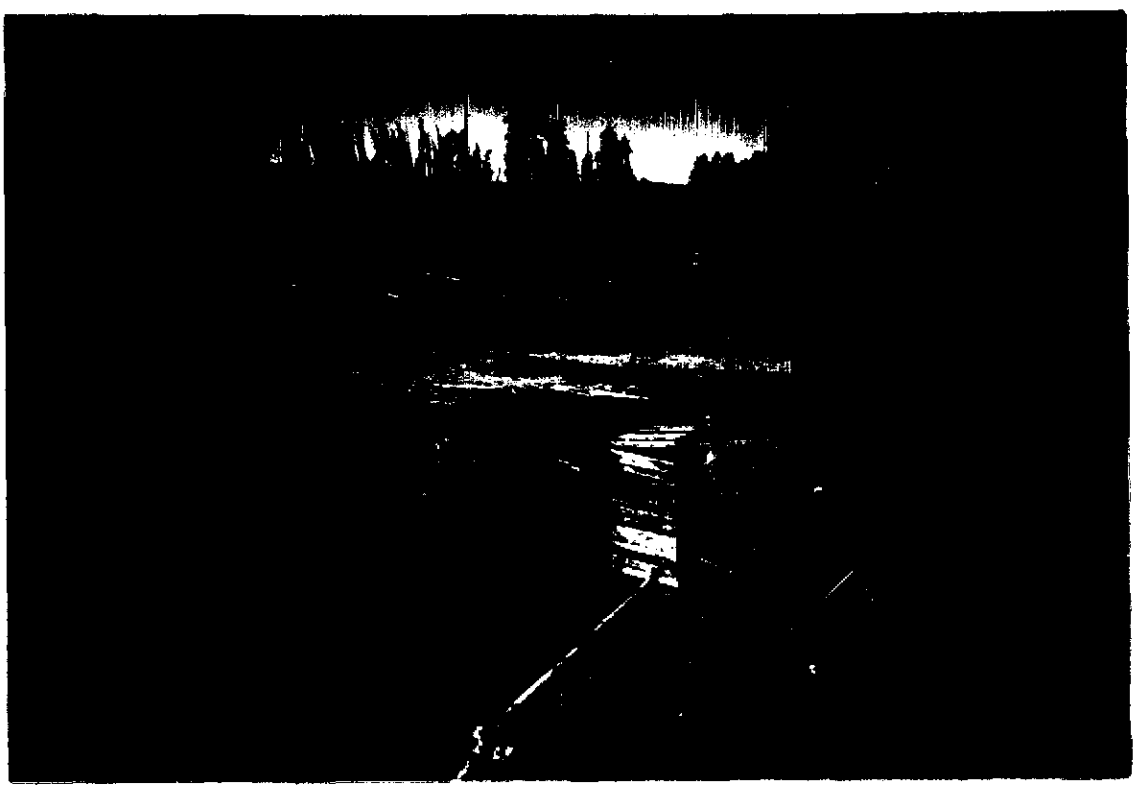
open Discharge Point

MICROFILMED
AUG 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Steve Lester 10-20-87

FILE NO. AND DESCRIPTION 65-07361 (Original Field Exam)





MICROFILMED
AUG 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Steve Lester 10-30-87

FILE NO. AND DESCRIPTION 65-07361 (Original Field Exam)



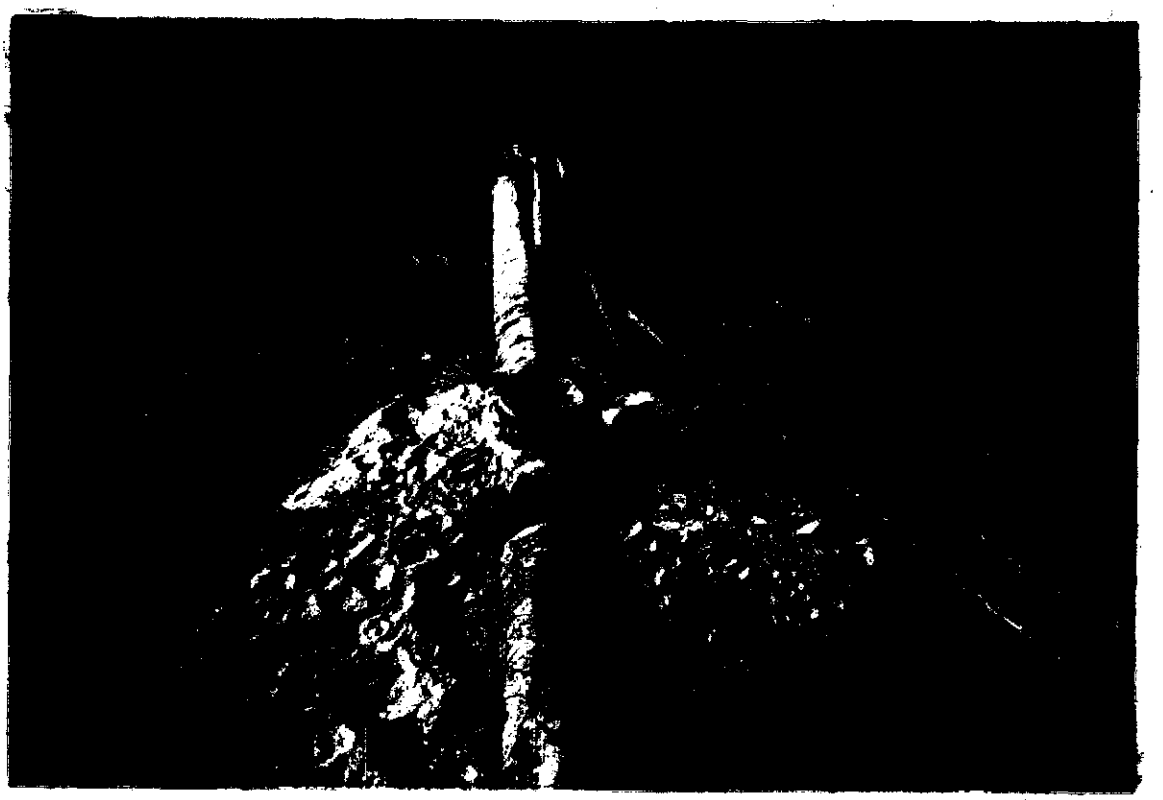


These are Photo's of The Pumps.

MICROFILMED
DEC 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Steve Lester 10-20-87

FILE NO. AND DESCRIPTION 45-07361 (Original Field Exam)

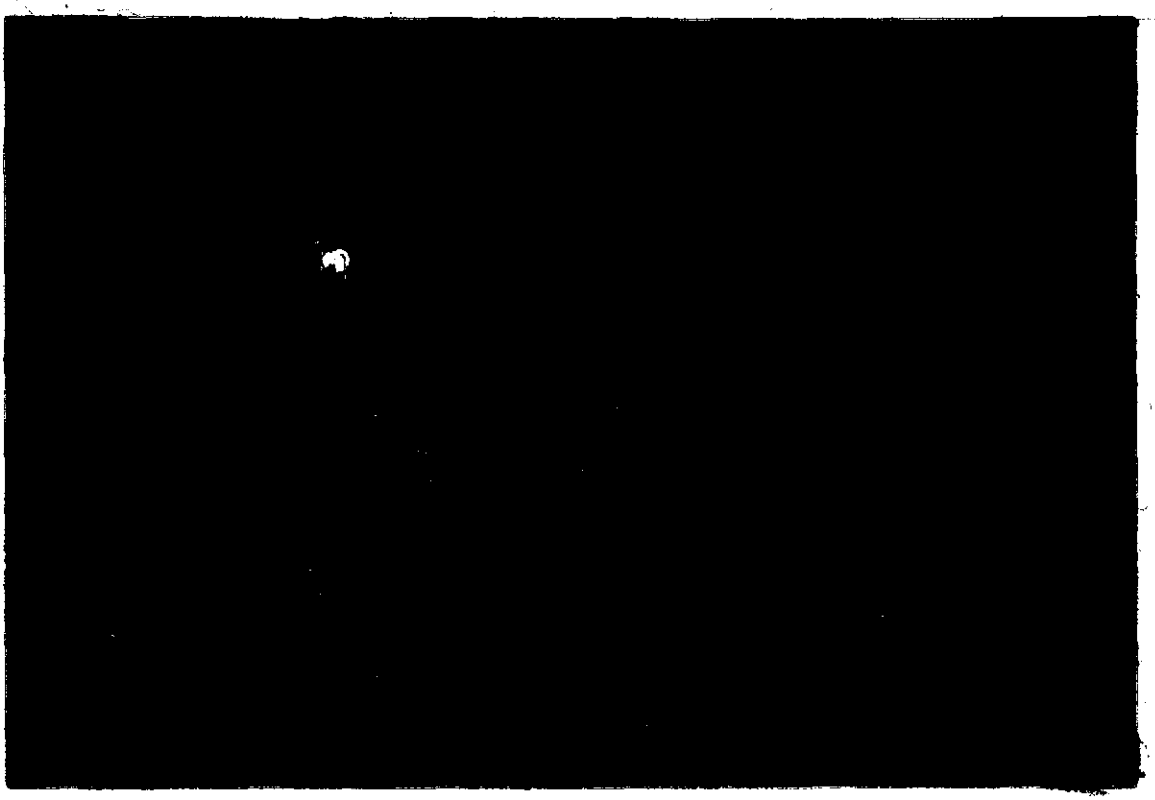


This is a photo of one of the Discharge Values.

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AUG 24 2000

PHOTOGRAPHER AND DATE OF PHOTOS Steve Lester 10-20-87

FILE NO. AND DESCRIPTION 65-07361 (Original Field Exam)





These are pictures of the place of use.

FIELD NOTES

PERMIT NUMBER 65-07361

PLEASE NOTE: These documents are for backup purposes only and are not apart of actual Beneficial Use Field Report.

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AUG 24 2000

transfer issued 4/97, can proceed w/ license of 65-07361 now

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4726
WATER RIGHT NO. 65-02515

This is to certify that: **EASTERN WESTERN CORP**
1505 SE GIDEON ST
PORTLAND OR 972083228

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	3.20 CFS	432.0 AF

SOURCE	TRIBUTARY OF
BOULDER CREEK	PAYETTE RIVER, NORTH FORK

Priority: 08/26/1949

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 2, Township 16N, Range 03E
VALLEY County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
16N	03E	1	NESW	40	NWSW	20	SWSW	17	77
		2	NESE	29	SESE	38			67
					Total number of acres irrigated:				144

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65D.
2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 3.0 afa per acre for the lands above.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

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TRANSFER NO. 4726
WATER RIGHT NO. 65-02515

CONDITIONS OF APPROVAL AND REMARKS

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 7th day of April, 1997.

L. Glen Saxton
Chief, Water Alloc. Bureau

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AUG 24 2000

Western Region

MEMORANDUM

RECEIVED
APR 0 8 1997
WATER RESOURCES
WESTERN REGION

TO: FILE NO. 65-02515

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER NO. 4726

DATE: April 4, 1997

Transfer No. 4726 was filed to change the place of use under a portion of Right No. 65-02515. The transfer applicant owns the portion of Section 13 from which 77 acres are being removed.

The applicant has sold a portion of the licensed acres in Section 02 and additional land in Section 01, including the 77 acres identified on the transfer application as the new place of use, to Eastern Western Corporation. The end result of the transfer will be the irrigation of all 144 acres on adjacent land located in Sections 01 and 02 owned entirely by Eastern Western Corporation. (Sections 01, 02 & 13 located within T16N, R03E.)

No attempt to contact the watermaster of Water District 65D was found in the file. I spoke with the watermaster today and he was aware of the proposed transfer and had no concerns about approval. He felt the change would not impact other users.

No change is proposed to the diversion or the existing ditch and the place of use is owned entirely by the new property owner. The transfer approval has been prepared identifying Eastern Western Corporation as the owner per attached documentation to the application.

Recommended conditions include watermaster control, measuring device, irrigation overlap and standard transfer conditions.

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AUG 24 2000

MEMORANDUM

September 26, 1996

TO: Transfer 4726, 65-02515

FROM: Cindy Hodges cjl

RE: Reviewer Analysis

Steve Lester began this review process and I am completing it.

Transfer seeks to remove irrigation from E½NE¼ Section 13, T16N R03E under the above right and place it within SW¼ Section 1. Point of diversion is to remain the same; delivery will be via existing ditches and pumping stations.

The finalized transfer is to be in the name of Eastern-Western Corporation (see attachment C), who owns the new place of use. As Eastern-Western already owns the lands under the balance of the right (in E½SE¼ Section 2), this transfer could ultimately be treated as affecting the whole right, even though it has been represented as a split.

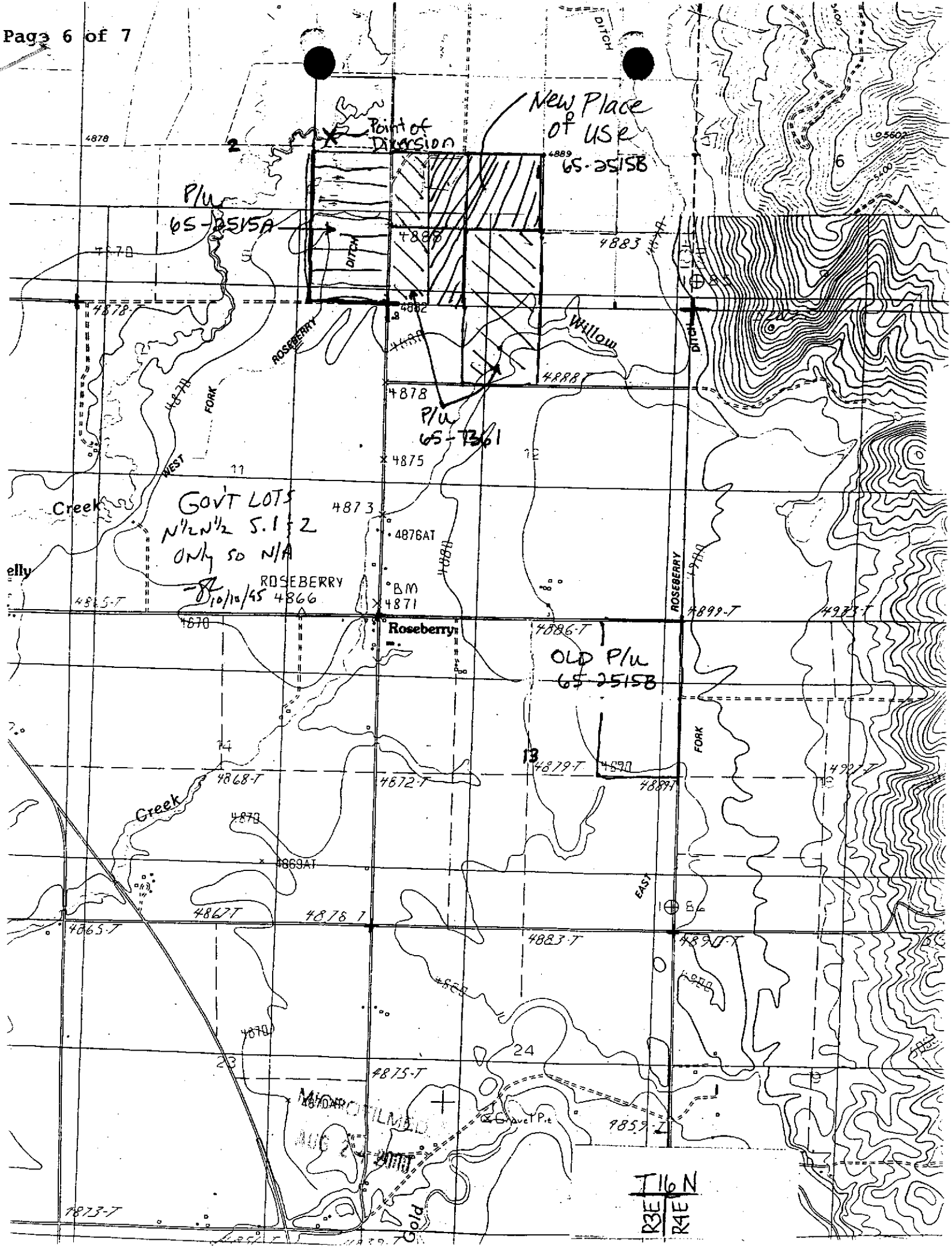
For SRBA processing, a recombination of the claims filed may be in order. Applicant Eld originally filed in the SRBA on the entire decreed right 65-02515. Eastern-Western filed duplicate claim A65-02515A on the portion under their ownership. After transfer approval, Eastern-Western will control the entire right, as evidenced by ownership documentation included.

65-07361 and 65-04026 share the P/D shown on the transfer. A65-04026 is claimed by Eld. 65-07361 is a permit held by Eastern-Western, also for irrigation within SW¼ Section 1. No SRBA claim has been filed for this permit. The B/U exam has been conducted for this right (1987) but no license recommendation has been made. If the claim is received, Steve is prepared to issue the license recommendation to complement the transferred acres. Acres under 65-07361 and proposed 65-02515B are adjacent but do not overlap.

Photo reprints from 1991 and a photocopy from 1992 evidence continual irrigation at the original place of use within the past five years. According to the transfer application, petition has been made to include the E½NE¼ Section 13 within the boundaries of Roseberry Irrigation District in order that irrigation may continue there from another source. As no present overlap with I.D. rights shows up in Section 13, I would have to conclude that this would not constitute an expansion of 65-02515.

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AUG 2 4 2000


New Place of Use
65-25158
Point of Diversion
P/U
65-25158
P/U
65-13611
OLD P/U
65-25158
GOV'T LOTS
N½N½ 5.1 ± 2
ONLY SO N/A
10/10/45
ROSEBERRY
Roseberry
Willow
Creek
FORK
WEST
EAST
DITCH
Gravel Pit
Mine
Gold
T 16 N
R3E
R4E

From T. 4726

65-02515

△ A/m portion
E-W corrp
(2515B).
But corrp runs
all over so
T. 4726 can fit
no split, "accumbit":

FIELD NOTES - compiled by Daniel A Nelson

PERMIT NUMBER 65-07361

PLEASE NOTE: These documents are for backup purposes only and are not apart of actual Beneficial Use Field Report.

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AUG 2 4 2000

OVERLAP PER LICENSES & TRANSFERS

ROSEBERRY IRRIGATION DISTRICT
65-E 3111
65-E 3115
65-E 3116

29 20 40 20
0 0
26.5 26.5 16
38 17 40
40 1 40 40
2 17 40 20
11
16.8
40
35
0
35
10
12.3

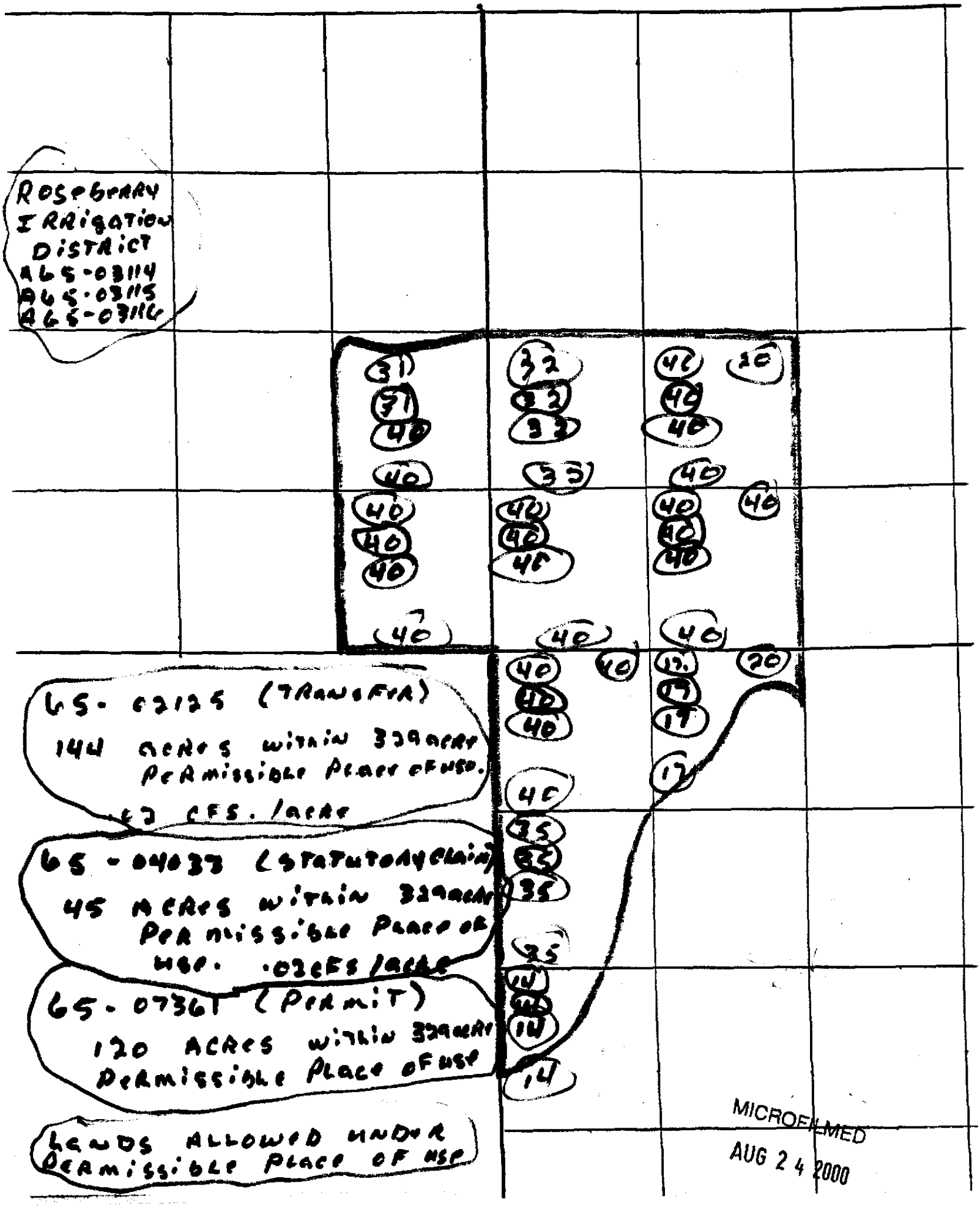
65-D 2125 (TRANSFER)
144 ACRES
.02 CFS/ACRE

65-04033 (STATUTORY claim)
45 ACRES
.02 CFS/ACRE

65-07361 (PERMIT)
120 ACRES
.02 CFS/ACRE

LANDS IRRIGATED PER ASCS AERIAL PHOTO 211 ACRES

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TALK TO DANA HOFFSTETTER 388-8900

		PRIORITY
	65-07361 -	4-17-73
X-FER	65-02515 -	8-26-49
	65-04033	7-10-50

ACTUAL IRRIGATED ACRES DO NOT MATCH IRRIGATION LISTED ON TRANSFER. We can do a PERMISABLE PLACE OF USE and cover all the acres.

IF WE DO THE PERMISSIBLE PLACE OF USE all three WATER RIGHTS WILL BE ATTACHED TO ONE ANOTHER. INDEFINITELY.

Aug 30

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65-09261

Field visits
1987 } SL
1991 }
1993 - Rick C.

Contact attorney Dana Hoffstetter once field exam report done (1993 request).

Contact Sue Burke possible appeal recommendation - which might greatly simplify the overlap confusion re T. 4726.

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- SL 5/23/99

Permissible Place of use OK'D

Call Dana Hoffstetter to confirm

Call Kay Walker S.O. to put a Rush on Permit.

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Eastern Western is now 65-02515A Because the Domestic Portion stays EID 65-02515B

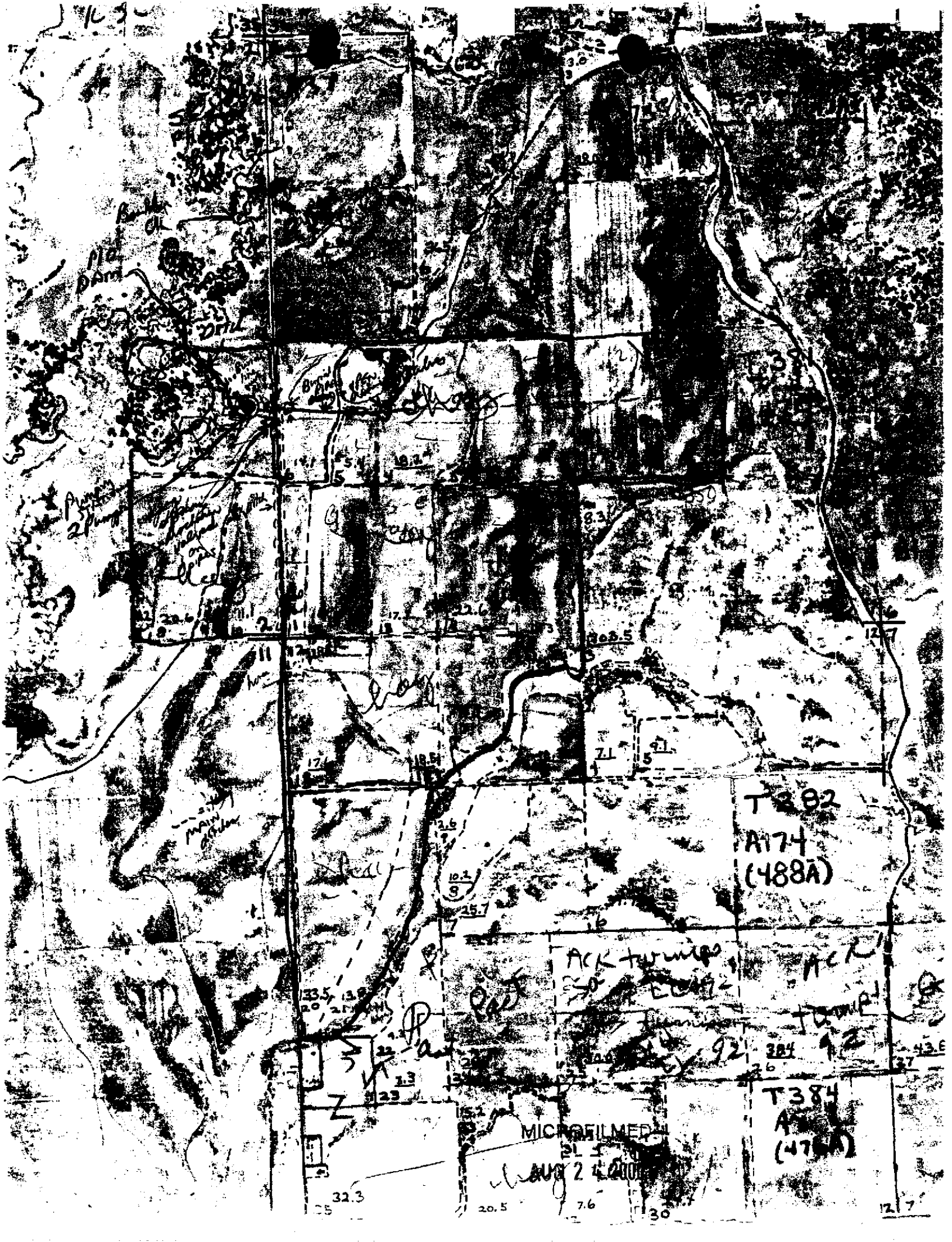
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AUG 2 4 2000

FIELD NOTES - compiled by Richard C.

PERMIT NUMBER 65-07361

PLEASE NOTE: These documents are for backup purposes only and are not apart of actual Beneficial Use Field Report.

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T382
A174
(488A)
T384
A
(47
MICROFILMED
AUG 2 4
32.3
20.5
7.6
30

Steve,

This is the acreage as per Kurt Engle & Joe Eld that is irrigated by this system.

Rick

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Rick C.
8/12/93

Iron Pipe Mainline
Diameter — 12"
Circumference - 38.5"
Thickness - 0.184 in

240 acres
Totally ~~Irrigated~~

(plugged) ~~4[illegible] - 5~~ 485
48000gph (average) = 800gpm ~~[illegible]~~
~~2.0~~ CFS
1.8 CFS

Refluck due to mos

1 ~~pump~~ - ~~[illegible]~~ 6500 gph (smaller pump)

Both - 63,000 gph - 1050 gpm = 2.34
= 2.4 CFS

(New Building)
Sump - 5' dia x 6' deep
30" pipe to ditch. Temporary screen installed

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SL
8/3/93

65-07361

Eastern-Western Corp. (formerly was Eld Ranches) owned by

NEED

(1) polygraph meas. on both pumps operating normally with full pipes.

(2) which ≤120 acres served by these pumps? might want to get fresh copy of ASCS photos - Valley Co. ASCS now in Emmett office?

(3) confirm that SAME pumps/motors in place as found in 1987 & 1991 (SEE "draft" exam report pump info #'s).

Site is just NE of Donnelly & due north of Roseberry on Farm to Market Road. About 1/4 mi. N. of Roseberry & on W. side F-M Rd

Contact for exam Appt:

Kurt Ingle
Gulf Pacific Cattle Co.
Payette

work - 642-9873 — left msg for him to call Rick or me 8/3
mobile - " - 7545
home - " - 9874

See photograph of station pump

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AUG 24 2000

Rick

Here's the polygraph meas. e
normally given that I
mentioned awhile ago.
See attached note for what
need.
Left msg. 8/3 for contact person
(Kunst) to call you or
me. Thanks, Steve

FIELD NOTES - compiled by Steve Lester

PERMIT NUMBER 65-07361

PLEASE NOTE: These documents are for backup purposes only and are not apart of actual Beneficial Use Field Report.

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AUG 2 4 2000

PD: 16N 3E S.2 NESE
PD: " S.1 S½S½, NWSW
S.12 NENW

Form 219-S.A.
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

65-7361
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- [x] Blank Field Report Form
- [x] Copy of Permit
- [x] Copies of any Amendments/Orders with conditions of approval
- [ ] ~~Computer Data Proof Report~~
- [x] Copy of U.S.G.S. Quad
- [x] Check for Government Lots. If so, make a copy of Government Plat S.2

Check of P/D index SL 5/27/87 (Initial and date)

Overlap? [ ] yes [x] no If yes: [ ] copy of exam(s) attached?
Type of Overlap? [ ] Add acres or uses to existing system
[ ] Increase rate of flow or volume
[ ] Other: _____

Check of P/U index SL 5/27/87 (Initial and date)

Overlap? [x] yes [x] no If yes: [ ] copy of water right(s) attached?
Type of Overlap? [ ] Increase rate of flow or volume
[ ] Add P/D's
[ ] Increase number of acres within tracts
[x] Other: Permissive

Aerial Photo

Required? [x] yes [ ] no If yes: [x] copy attached?

Scheduling Letter sent? SL 7/23/87 (Initial and date)

- [x] Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- [x] Fully completed and signed Field Report Form
- [x] Photographs of Point of Diversion and Place of Use
- [x] Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed _____ (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent _____ (Initial and date)

Exam Reviewed by Manager of Regional Office _____ (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original Refiled in White File _____ (Initial and date)

Form 219
6/86

draft

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Eastern Western Corp. Permit No. 65-7361

1. Owner: ~~Eld Ranches Inc.~~ Phone No.

Current Address:

2. Accompanied by: Joe Eld (10/20/87) Dixie Smith (8/6/91) EXAM. DATE: 10/20/87 & 8/6/91

* Address: P.O. Box 550 Donnelly Id. Phone No. 325-8013 (495-2102 OR 2064, winter)

Relationship to Permit Holder: President (Eld) & Property Mngr. (Smith)

3. Source: Boulder Creek tributary to North Fork Payette River

B. OVERLAP REVIEW

* Smith address/phone. Eastern Western Corp. bought property between 1987 and 1991 visits.

1. Other water rights with same place of use:

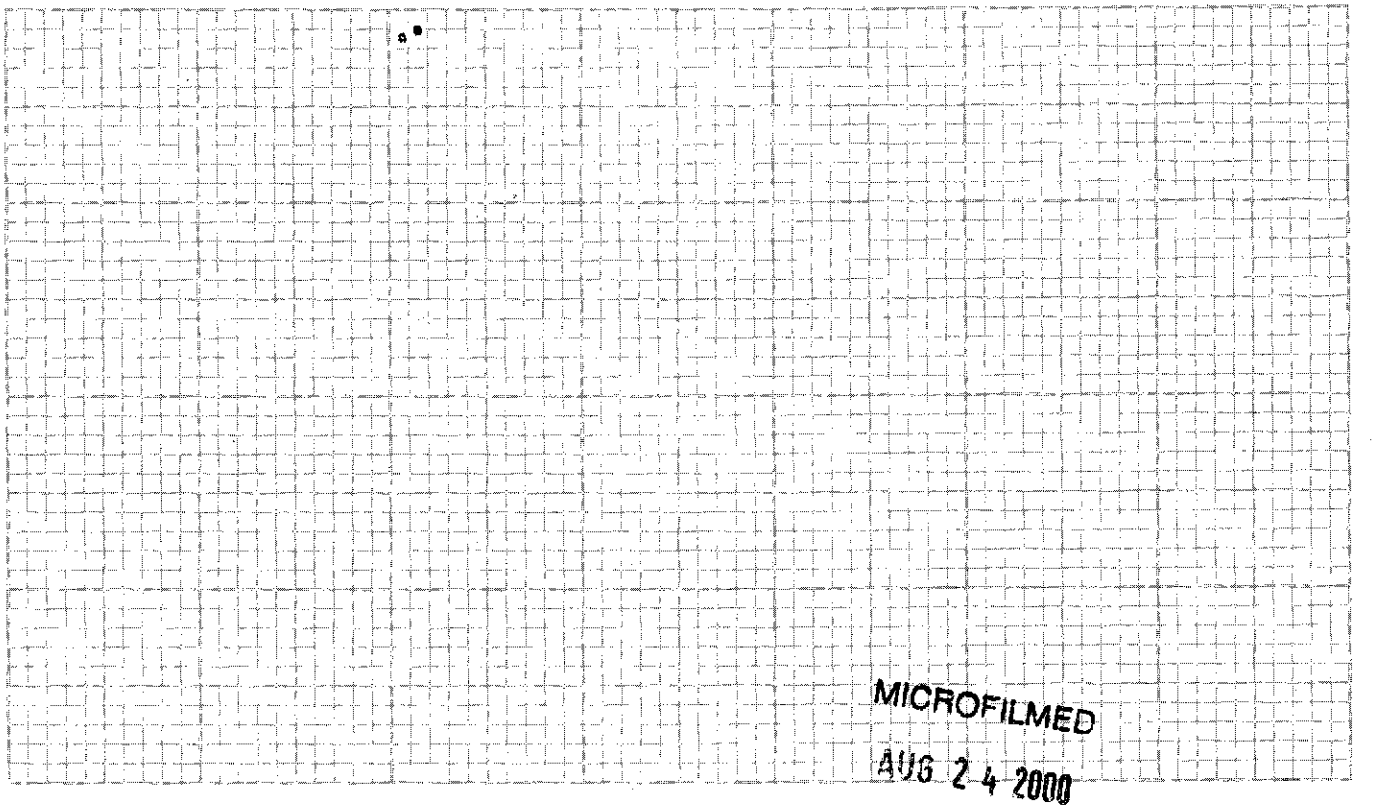
☐ Copies Attached

2. Other water rights with same point of diversion:

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = NOT TO SCALE

2. ☑ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☑ Aerial Photo Attached (required for irrigation of 10 acres or more).

☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater.

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

A check dam in Boulder Creek allows diversion through a 10'-12' wide earth ditch to pumping station approx 875' SE of dam. Two pumps are used to deliver water through pipes to ~~eventual~~ open discharge and flood irrigation. Pump #1 uses a 6" line leading to open discharge in a 8" pipe; discharge occurs approx 50' from pump and feeds single ditches. The other pump employs a 12" line that runs, partly buried, east for approx 1300'. Several "lawn valves" (12" size) are used to facilitate discharge into a number of single ditches. The land under this WR receives approx. 1/2" (.01 cfs) per acre from the Roseberry Irrig. District. Each pump can deliver water to either side of Farm-to-Market Road via ditches & culverts.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Pump #1	US MOTORS	15	859999, 3 phase 1800 rpm	Johnston turbine	6" pipe (eventually feeds to 8" line); #1465
Pump #2	US MOTORS	20	872058, 3 phase 1800 rpm	UNKNOWN - NO TAG OR info AVAILABLE	12" pipe

*Code to correspond with No. on map and aerial photo

stamped on pump serial # J C3149

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
					2	16N	3E	Valley	USGS 'QUAD & ASCS photo

6. **Place(s) of Use:** Indicate Method of Determination Same as in #10

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	3E																		

MICROFILMED
Do not use this space
AUG 24 2000

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. **Measurements:**

10/20/87 MEASURE WATER DIVERTED FROM BOULDER CREEK IN DIV. DITCH. NO DEVICE IN PLACE. SUGGESTED WEIR AS POSSIBLE MEANS, GAVE OWNER WATER MEASUREMENT PAMPHLET & DISCUSSED SUITABLE LOCATION OF MEAS. DEVICE.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional) ~~Possible if~~ KNOWN FLOW MEASUREMENT IS OBTAINED FROM PUMPS.

2 pumps, 1 meter meter # 42434436

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = (100)(3.6) = 360

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = (2.4 X 184)(1.9835) = 876

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. **Recommended Amounts**

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	5/1	9/31		
		Totals:		

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

J. AUTHENTICATION

Field Examiner's Name: Steven Lester

Signature: Steven Lester

Certification Date:

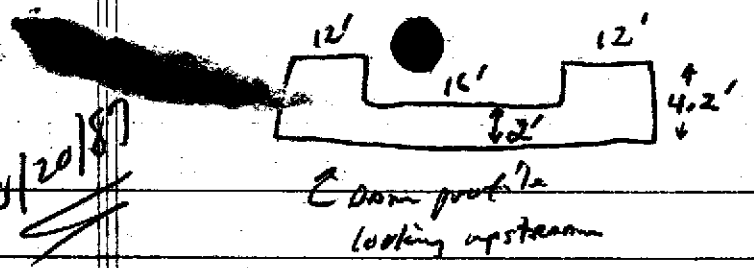
Field Report Preparation Date: 10/20/87 & 8/6/91

CONSULTANT SEAL

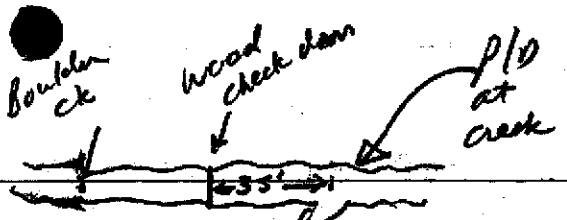
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

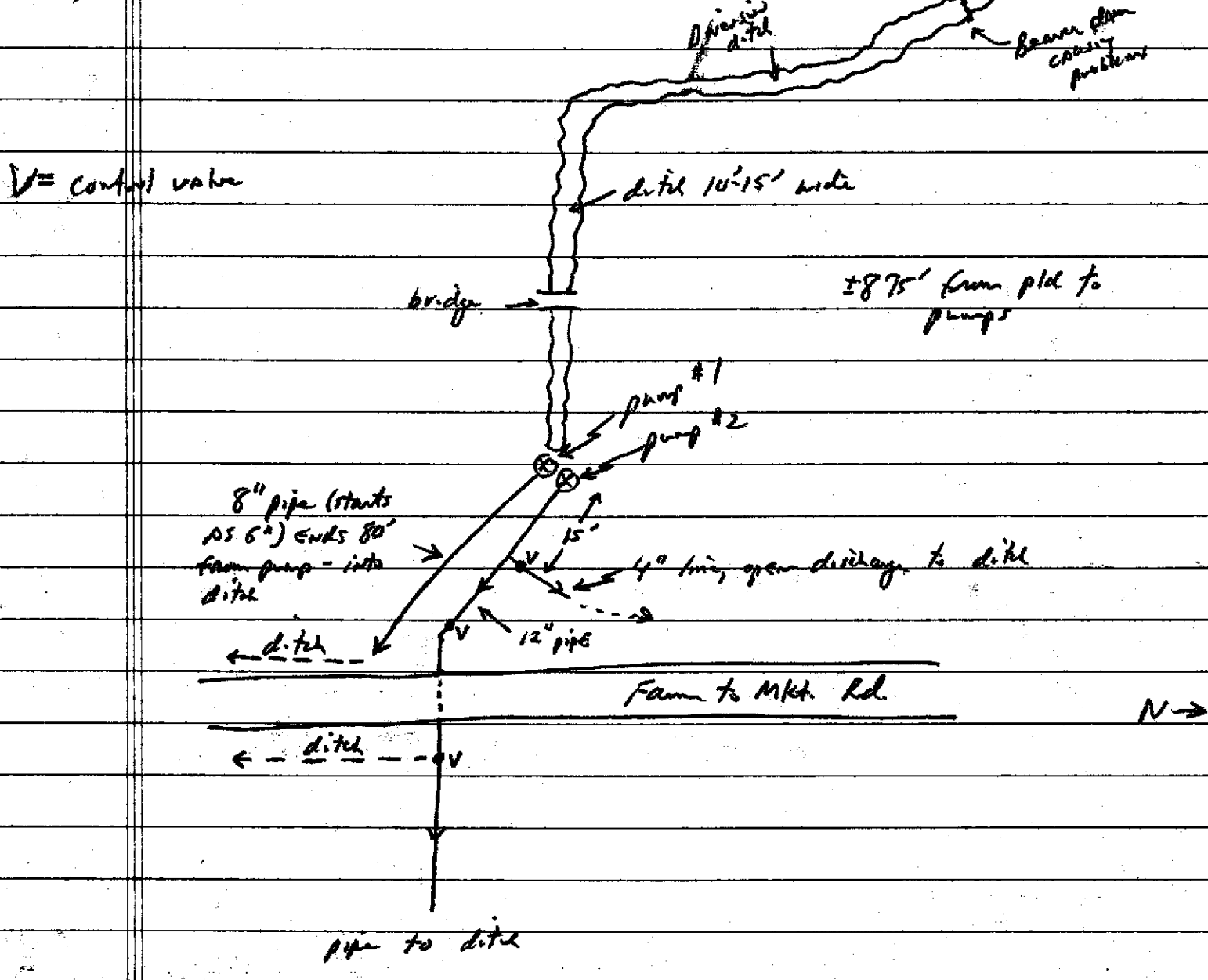
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AUG 24 2000

10/20/80



C dam profile looking upstream





MEASUREMENT

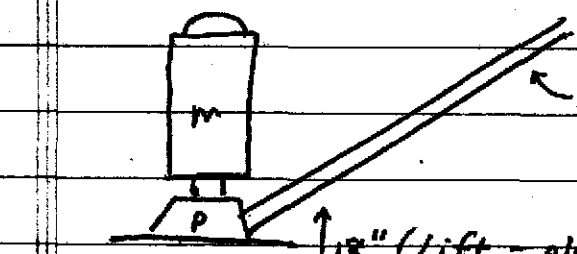
Don't want flow in d.tch since pumped amount actually is the irrig. b.w. that occurs

Want pump measurements

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AUG 24 2000

Pumps ≈ 15' apart

Pump #1



(could ~ 20'-30' to 18" for lift)

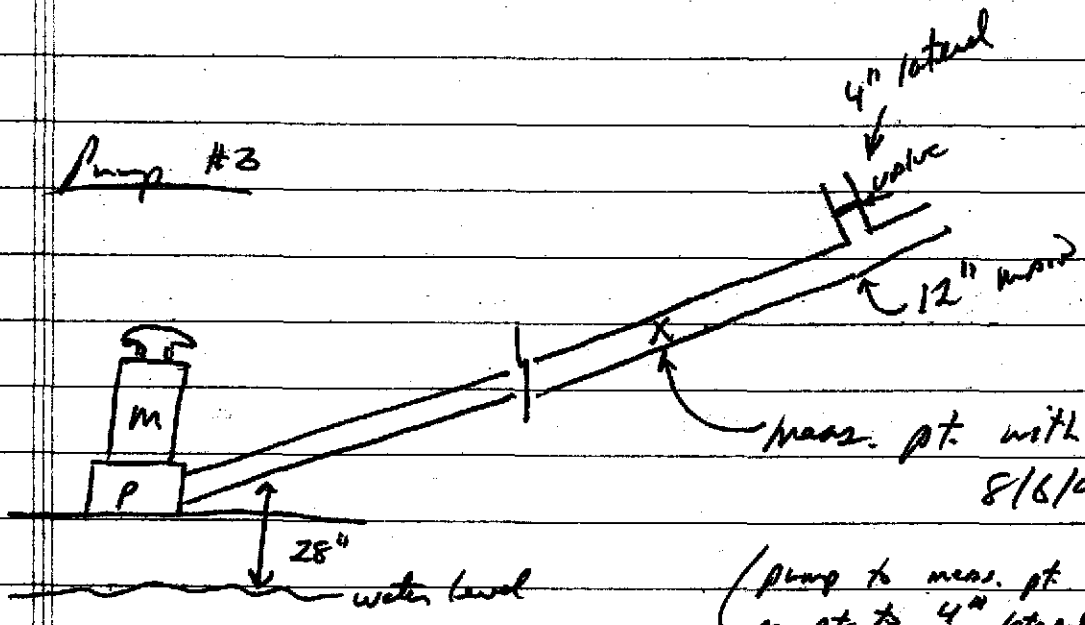
8/16/01

Polysonic - pump #1 not ON, pump needs to be repaired

- pump #2 not full pipe, unsuccessful polysonic meas.

Try again when system operating normally

Pump #3



(pump to meas. pt. 12'
m. pt. to 4" lateral 9')

Lift = 28" + ≈ 30' to level ground on East side Farm-Mkt Rd.

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10/20/87

65-7361 This is "addendum" to original WR (J.E Stipp). Thinks original filed in 1950's.

- Dam in Ck, ditch to pump, open discharg to ditch, grants irrig.
- M. device needed (weir pools best).
- partial acres (All But Hzo measurmt; 2 pumps used).
- check overlap again to see if other WR exists.
  - check Eld WR's - total.
- diagram

- acres in red; if ≥120 ac, choose which to be licensed, check if others have WR, let Joe know this before final acre recd.
- Belongs to Roseburg Irrig District, gets water on the land shown on photo. Only this land covered by D.D; gets ≤ 1/2"/ac, varies.

-Spurs

dam on stream.
ditch to 2 pumps; no pond.
open discharge to ditch, grants flow; 18 flow page of value for open discharge.

15 hp
20 hp
15" hp

- 2 pumps on 1 meter - fourth pump tests of can figure "hd."? No, no flow meas from one pump

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Rosebery Irrig. District - what WR? 65-2585 3114 3115 3116 (Decrees)

What Eld WR's to cover: Five Stay R.+A covers these lands:

16N 03E S. 1: ✓NESW LOT 3: 8455 Domestic
" : " " ; 7361 NW SW, 20 acres.
7361 [✓NWSW ✓SWSW same as in NWSW (20 acres) ✓SESW " but 40 acres ✓NWSE LOT 3: 8455 Domestic

2515 { ✓ ✓ S. 2 ✓NESE LOT 2: 9666 Domestic; 2515 NE SE Irrig. 29 acres ✓SESE Same as in NESE but 38 acres

7361 S. 12 ✓NENW (65: 7361) NENW Irrig. 40 acres ✓NWNW ∅

4033 { ✓ ✓ ✓SWNW 65: 4033 SW NW Irrig 35 acres ✓NWSW " 10 acres; 10255 Domestic

65. 7361 ✓ William Permit to examine
2515 ✓ William, Decree
4033 ✓ " "

So no other Eld WR's on specific ¼ ¼ covered by permit 7361 - area w/ no red on photo (land list above) Less 2 other Eld WR decrees for irrig but not in ¼ ¼ under permit 7361
2515 in NESE (29 ac.); SESE (38 ac.) S. 2
4033 in SWNW (35 ac); NWSW (10 ac) S. 12

- Call Bunds 23. DAT (county) 65- 2585 ✓ 3114 3115 ✓ 3116 ✓ (R. J. D. to.)
2515 4033 (Eld)

WR5809NP
No. 65-02515

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/10/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM ELD	08/26/1949	IRRIGATION	04-15	10-15	3.200 CFS	
C	ELD RANCHES INC.		DOMESTIC	01-01	12-31	0.040 CFS	1.20 AFA
					TOTAL DIVERSION:	3.200 CFS	1.20 AFA

Water Source: BOULDER CREEK Tributary to: Stage: DECREED

Point(s) of Diversion: T16N R03E S02 SENE VALLEY County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
16N	03E	2													29			38	67.0
16N	03E	13	38			39													77.0
																		TOTAL ACRES	144.0

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion and Source:
65-04026

Dates: App. Received: Priority Date: 08/26/1949
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

Water must only be used for the irrigation of lands described in 65-7361

Boulder Creek Pld. [redacted] Farm Common Area 10/10/95

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See T4726 9/12/95
65-02515 split, move 5.13 ac → 5.1 land

Prior to xfer
5.2 acres = East West Curve (A65-02515A)
5.13 " = Eld (A65-02515)
Eld xfer 5.13 acres to 5.1 N½SW + SWSW (appears same acres found in 7361 exam)

AT Time of Exam 65-7361
65-2515 irrig. above acres, 52 ac. same as 7361; since 1+"/ac. from B. A per 2515, # will these acres for 7361.

		NE	SE		04,10,49	67-04570	BOISE CASCADE CORP	C	S	05/01/1940	WHITELICKS HOT SPRING UNNAMED STREAM LAKE CREEK JUNGLE CREEK CRYSTAL CREEK UNNAMED STREAM WHITELICKS HOT SPRING
	34	SE	NE		04,10,49	67-04570	BOISE CASCADE CORP	C	S	05/01/1940	UNNAMED STREAM LAKE CREEK JUNGLE CREEK CRYSTAL CREEK UNNAMED STREAM WHITELICKS HOT SPRING
03E	1			3	43	65-08455	YENSEN	C	D	01/01/1947	GROUNDWATER
				4	01	65-02306	CRUICKSHANK	C	D	09/27/1922	STOVER CREEK
		NE	NW		43	65-08454	YENSEN	C	D	04/01/1948	STOVER CREEK
		NW	NW	4	01	65-02306	CRUICKSHANK	C	D	09/27/1922	STOVER CREEK
	2			3	43	65-09666	NASI	C	D	05/01/1952	GROUNDWATER
		NE	NE		01	65-07361	ELD RANCHES INC.	C	P	04/17/1973	BOULDER CREEK
		NE	NE		01	65-07361	ELD RANCHES INC.	C	P	04/17/1973	BOULDER CREEK
		SE	NE		01,43	65-02515	ELD	C	D	08/26/1949	BOULDER CREEK
							ELD RANCHES INC.	C			
		SE	NE		01,43	65-02515	ELD	C	D	08/26/1949	BOULDER CREEK
							ELD RANCHES INC.	C			
		SE	NE		01,04	65-04026	ELD	C	D	06/01/1966	BOULDER CREEK
							ELD RANCHES INC.	C			
		NE	SE		01,04	65-04033	ELD	C	D	07/10/1950	BOULDER CREEK
							ELD RANCHES INC.	C			
		NE	SE		01,04	65-04033	ELD	C	D	07/10/1950	BOULDER CREEK
							ELD RANCHES INC.	C			
	3	SE	NE		01	65-03185	ELD	C	D	11/29/1918	LAKE FORK CREEK
		NE	NW		43,04	65-03724	GOODE	C	D	05/05/1966	GROUNDWATER
		SE	NW		43,04	65-06953	GOODE	C	D	07/15/1965	GROUNDWATER
		SW	SE		43	65-08482	LODGE	C	D	04/01/1940	GROUNDWATER
							LODGE	C			
	4	SE	NE		01	65-02591X	BENNETT	C	D	01/17/1960	LAKE FORK CREEK

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AUG 24 2000

Overlap

WR4002NP
(OD-22)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

DATE: 01/12/92
PAGE: 1052

TWP	RNG	SECT	TRACT 1\4	1\4	1\4	LOT	WATER USE CODE	WATER RIGHT NO.	LAST NAME	O C	STG	PRIORITY DATE	POD FLAG	WATER SOURCE
T6N	03E	5				2	43	65-03473	PARKS	C	D	11/01/1950		GROUNDWATER
			NW	NE			01	65-02668	PARKS	C	D	02/19/1960		MUD CREEK
			NW	NE			01	65-03895	PARKS	C	D	10/15/1950		MUD CREEK
			NE	NW			01	65-02502	PARKS	C	D	08/03/1948		MUD CREEK
		7				2	43	65-09556	EASTLAND	C	D	01/01/1971		DEER CREEK
									EASTLAND	C				
		8	NE	NE			01	65-02484X	JACKSON	O	D	04/19/1949		MUD CREEK
									JACKSON	O				
									SHARP	C				
			NE	NE			43	65-03829	JACKSON	C	D	07/01/1961		GROUNDWATER
									JACKSON	C				
		9	SW	NE			43	65-08709	BENNETT	C	D	04/01/1912		GROUNDWATER
			NW	SW			46	65-12962	SHILOH BIBLE CONFE	C	P	11/09/1988		GROUNDWATER
			SW	SW			43,01	65-07735	[illegible]EE	C	D	11/10/1976		[illegible]T

												UNNAMED STREAM WHITELICKS HOT SPRING
		SW	SW			04,10,49	67-04570	BOISE CASCADE CORP	C	S	05/01/1940	UNNAMED STREAM LAKE CREEK JUNGLE CREEK CRYSTAL CREEK UNNAMED STREAM WHITELICKS HOT SPRING
03E	1			3		43	65-08455	YENSEN	C	D	01/01/1947	GROUNDWATER
		NE	NW			43	65-08454	YENSEN	C	D	04/01/1948	STOVER CREEK
		NW	NW	4	38.0	01	65-02306	CRUICKSHANK	C	D	09/27/1922	STOVER CREEK
		NW	SW		20.0	01	65-07361	ELD RANCHES INC.	C	P	04/17/1973	BOULDER CREEK
		SW	SW		20.0	01	65-07361	ELD RANCHES INC.	C	P	04/17/1973	BOULDER CREEK
		SE	SW		40.0	01	65-07361	ELD RANCHES INC.	C	P	04/17/1973	BOULDER CREEK
	2			2		43	65-09666	NASI	C	D	05/01/1952	GROUNDWATER
		NE	NE		15.0	03	65-02942	CRUICKSHANK CRUICKSHANK	C C	D	08/17/1949	UNNAMED STREAM
		NE	NE		15.0	03	65-02955	CRUICKSHANK CRUICKSHANK	C C	D	11/17/1961	LAKE FORK CREEK
		NE	NE		15.0	03	65-02958	CRUICKSHANK CRUICKSHANK	C C	D	12/13/1962	UNNAMED STREAM
		NE	SW		24.0	01	65-03181	LODGE LODGE	C C	D	09/09/1919	LAKE FORK CREEK
		NE	SW		37.0	01	65-07417	LODGE LODGE, JR. LODGE	C C C	L	11/03/1973	UNNAMED STREAM
		NW	SW		40.0	01	65-03181	LODGE LODGE	C C	D	09/09/1919	LAKE FORK CREEK
		NW	SW		40.0	01	65-07417	LODGE LODGE, JR. LODGE	C C C	L	11/03/1973	UNNAMED STREAM
		SW	SW		39.0	01	65-03181	LODGE LODGE	C C	D	09/09/1919	LAKE FORK CREEK
		SW	SW		40.0	01	65-07417	LODGE LODGE LODGE, JR. LODGE	C C C C	L	11/03/1973	UNNAMED STREAM

MICROFILMED
AUG 2 4 2000

WR4001NP
(OD-21)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USE

DATE: 01/11/92
PAGE: 4244

TWP	RNG	SECT	TRACT 1\4	TRACT 1\4	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	O C	STG	PRIORITY DATE	WATER SOURCE
16N	03E	2	SE	SW		8.0	01	65-03181	LODGE LODGE	C C	D	09/09/1919	LAKE FORK CREEK
			SE	SW		26.0	01	65-07417	LODGE LODGE, JR. LODGE	C C C	L	11/03/1973	UNNAMED STREAM
			NE	SE		29.0	01,43	65-02515	ELD ELD RANCHES INC.	C C	D	08/26/1949	BOULDER CREEK
			SE	SE		38.0	01,43	65-02515	ELD ELD RANCHES INC.	C C	D	08/26/1949	BOULDER CREEK
		3	NE	NE	1	40.0	01	65-03164	GOODE GOODE	C C	D	05/01/1909	LAKE FORK CREEK
			NE	NE	1	40.0	01	65-03165	GOODE	C	D	05/01/1919	LAKE FORK CREEK

WR4001NP
(OD-21)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USE

DATE: 01/11/92
PAGE: 4249

TWP	RNG	SECT	TRACT 1\4	TRACT 1\4	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	O C	STG	PRIORITY DATE	WATER SOURCE
16N	03E	11	NW	SW			05,06,17,18,47	65-12938	EASTERN WESTERN CO	C	P	11/15/1988	WASTE WATER
			SE	SE			43	65-09616	TAYLOR	C	D	01/01/1916	GROUNDWATER
			SE	SE			43	65-10323	JAMES	C	D	06/01/1912	GROUNDWATER
		12	SE	NE		40.0	01	65-04000	ALLEN	C	D	07/20/1896	WILLOW CREEK
			NE	NW		40.0	01	65-07361	ELD RANCHES INC.	C	P	04/17/1973	BOULDER CREEK
			SW	NW		35.0	01,04	65-04033	ELD	C	D	07/10/1950	BOULDER CREEK
									ELD RANCHES INC.	C			
			NW	SW		10.0	01,04	65-04033	ELD	C	D	07/10/1950	BOULDER CREEK
									ELD RANCHES INC.	C			
			NW	SW			43	65-10255	MC ADAMS	C	D	07/01/1935	GROUNDWATER
									MC ADAMS	C			
			SW	SW			43	65-08677	BEARS	C	D	06/01/1896	GROUNDWATER
			SW	SE			43,04	65-03821	ELD	C	D	10/01/1960	GROUNDWATER
									ELD RANCHES INC.	C			
		13	NE	NE		38.0	01,43	65-02515	ELD	C	D	08/26/1949	BOULDER CREEK
									ELD RANCHES INC.	C			
			SE	NE		39.0	01,43	65-02515	ELD	C	D	08/26/1949	BOULDER CREEK
									ELD RANCHES INC.	C			
			NE	NW		7.0	01	65-03843	GESTRIN	C	D	08/01/1939	GROUNDWATER
			NE	NW			43	65-05038	BARKER & SON INC.	C	D	04/01/1915	GROUNDWATER
			NE	NW			43,04	65-08548	CLIFFORD BARKER &	C	D	04/01/1930	GROUNDWATER
			NW	NW			43	65-08874	ELD	C	D	06/01/1970	GROUNDWATER
			NW	NW			43	65-08875	ELD	C	D	06/01/1972	GROUNDWATER
			SW	NW			43	65-08231	TRENT	C	D	06/01/1920	GROUNDWATER
		14	NE	NE			43,04	65-05053	BAKER	C	D	12/23/1966	GROUNDWATER
									BAKER	C			
			NE	NE			43,04	65-08753	LEACH	C	D	06/01/1935	GROUNDWATER
			NE	NE			43,04	65-08754	LEACH	C	D	06/01/1908	GROUNDWATER
			NE	NE			43	65-09615	TAYLOR	C	D	01/01/1910	GROUNDWATER
			SE	NE			43	65-09593	TRENT	C	D	01/01/1900	GROUNDWATER
			NW	SW		2.0	01,04	65-03869	KLEINT	C	D	04/01/1949	WILLOW CREEK
			SW	SW		20.0	01,04	65-03869	KLEINT	C	D	04/01/1949	WILLOW CREEK
			SE	SW			43	65-03870	KLEINT	C	D	04/01/1949	GROUNDWATER
			SE	SW			43	65-03871	KLIENT, JR.	C	D	04/01/1965	GROUNDWATER
			NE	SE			04	65-08820	KEYES	C	D	06/01/1951	GROUNDWATER
		15	NE	NE			43	65-08387	DE JONG	C	D	01/01/1943	GROUNDWATER
			NW	NE		5.0	01	65-02459A	GESTRIN	C	D	06/30/1945	BOULDER CREEK
			NW	NE			40	65-03847	GESTRIN	C	D	09/01/1913	GROUNDWATER
			NW	NE		1.0	01	65-08606	COSKI	C	D	04/15/1953	GROUNDWATER
									COSKI	C			
			NW	NE			43	65-08612	COSKI	C	D	04/01/1932	GROUNDWATER
									COSKI	C			
			NW	NE			43	65-08836	EDWARDS	C	D	06/01/1956	GROUNDWATER
			NW	NE			43	65-09782	KRAUSE	C	D	01/01/1945	GROUNDWATER
									KRAUSE	C			
			NW	NE			43	65-11410	SCHOOL DISTRICT NO	C	D	09/01/1930	GROUNDWATER
			NW	NE			10	65-13090	GRAPEVINE 7 INC.	C	P	08/22/1989	GROUNDWATER
									CHALET RV PARK	C			
			SW	NE		6.0	01	65-02723	KRAUSE	C	D	10/17/1962	BOULDER CREEK
							43		WILLEY	C			

MICROFILMED
AUG 24 2000

NO
claim filed
per AJ2

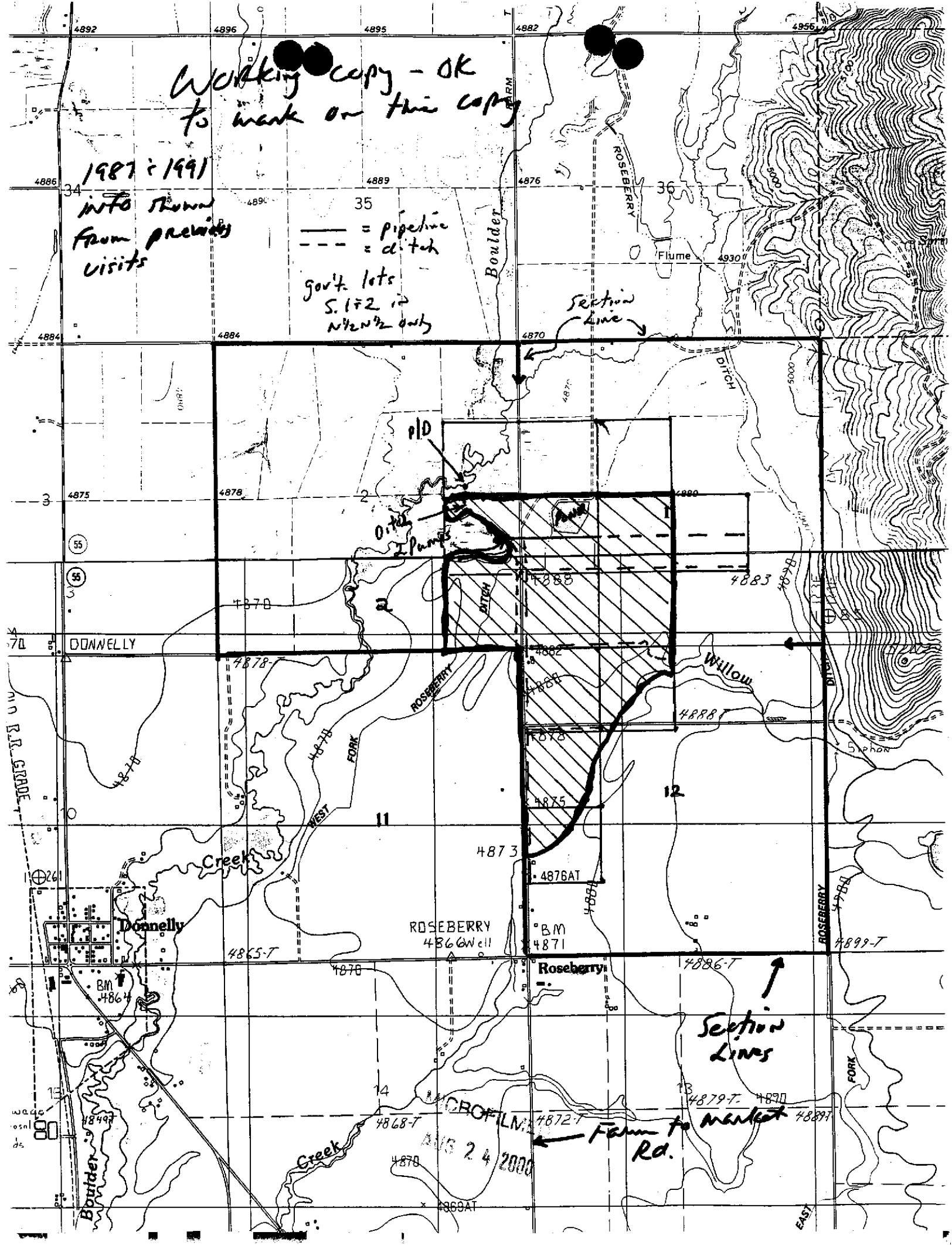
There are 1
HOT TEMP "1
CR → AJ in 1968,
brought over but
claim Ø.

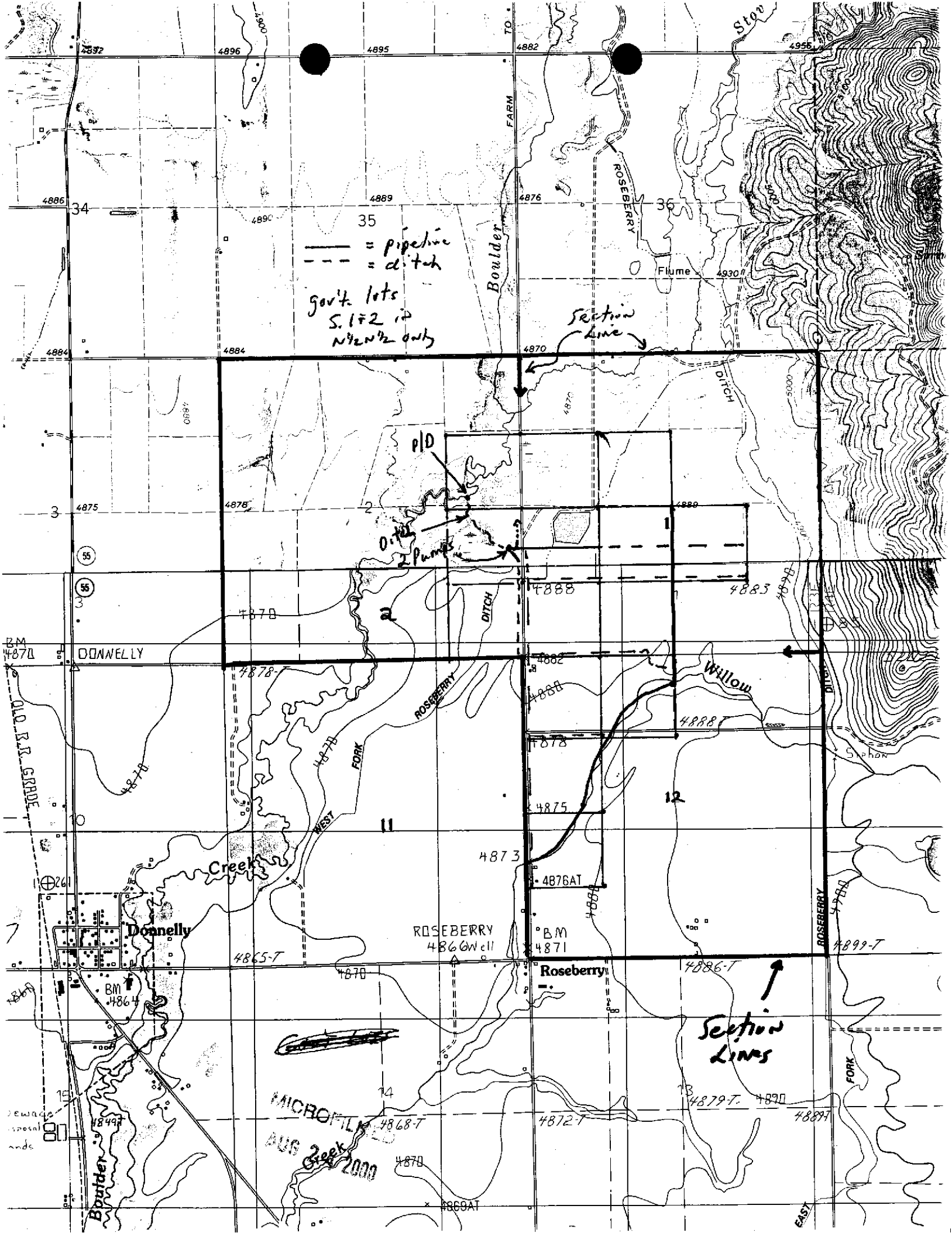
INDICATES TOTAL SOURCE: BOULDER CREEK

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
65-7188	ELD, WILLIAM ROUTE 1, BOX 63, MC CALL, IDAHO 83638 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-7610 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.	3/ 5/1971	IRRIGATION	4/15 10/15	--- AFA 3.20 CFS	SENE S 2 T16N R 3E	NENW(40) NWNW(40) SWNW(40) SENW(40) NESW(15) NWSW(15) S19 T16N R 4E *190*	PERMIT
65-7361	ELD RANCHES, INC. ROUTE 1, MC CALL, IDAHO 83638 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS OF BOULDER IRRIGATION CO. 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.	4/17/1973	IRRIGATION	4/15 10/15	--- AFA 2.40 CFS	NENE S 2 T16N R 3E	NWSW(20) SWSW(20) SESW(40) S 1 T16N R 3E NENW(40) S12 T16N R 3E *120*	PERMIT
65-7417	LODGE, WILLIAM M. & LODGE, NORMAN C. & LODGE, MARY L. BOX 128, CALDWELL, IDAHO 83605 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-3181 & 65-2371 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE. SOURCES FOR THIS RIGHT ARE UNNAMED STREAM & BOULDER CREEK. 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.	9/12/1973	IRRIGATION	4/15 10/15	--- AFA 6.40 CFS	SESW S35 T17N R 3E	NESW(40) NWSW(40) SWSW(40) SESW(40) S 2 T16N R 3E NESE(40) NWSE(40) SWSE(40) SESE(40) S 3 T16N R 3E *320*	PERMIT

MICROFILMED AUG 24 2000

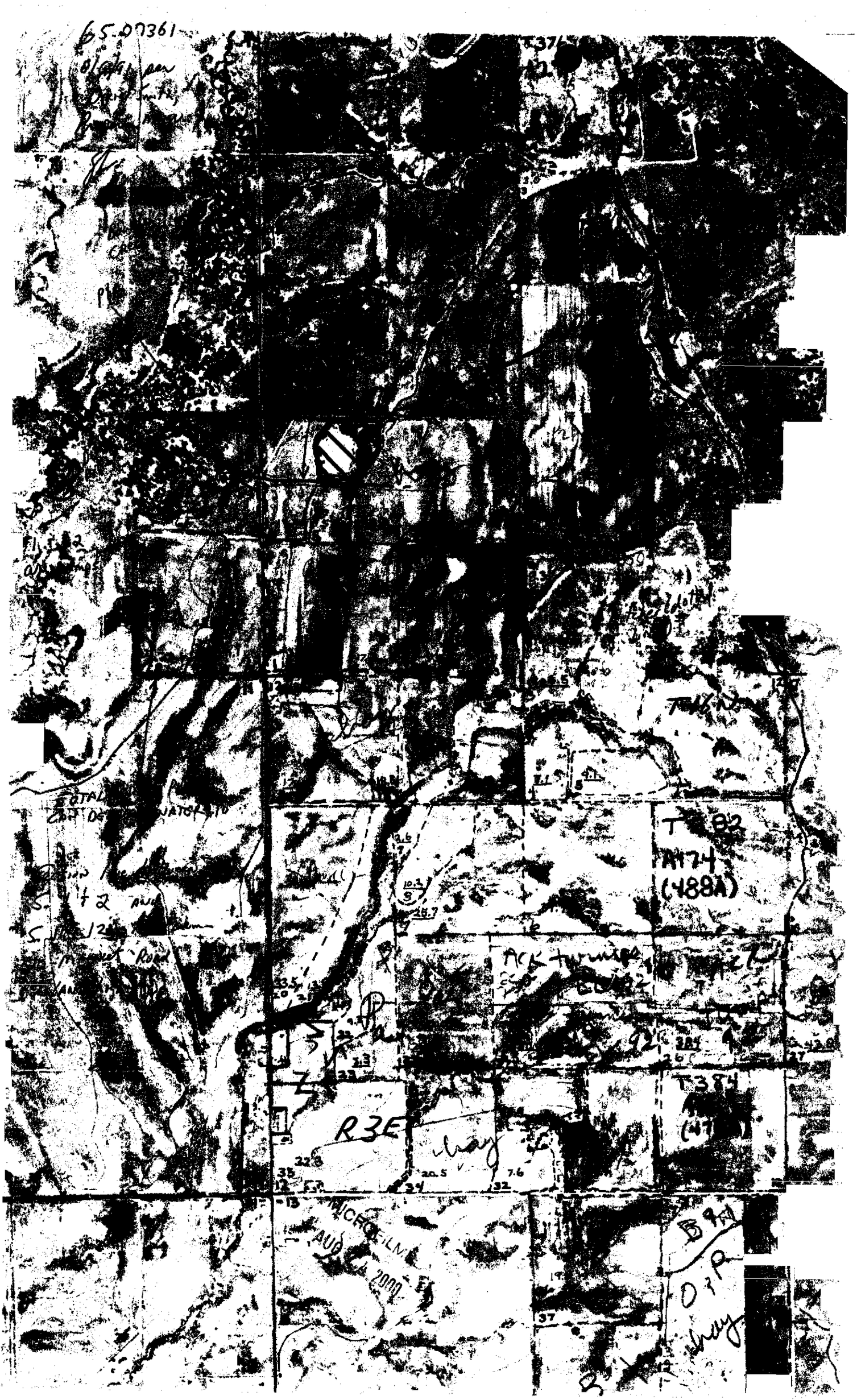
NRS fee req'd for claims on permits included in P.R. decree for IWR purposes (assumes no changes in claim vs permit)

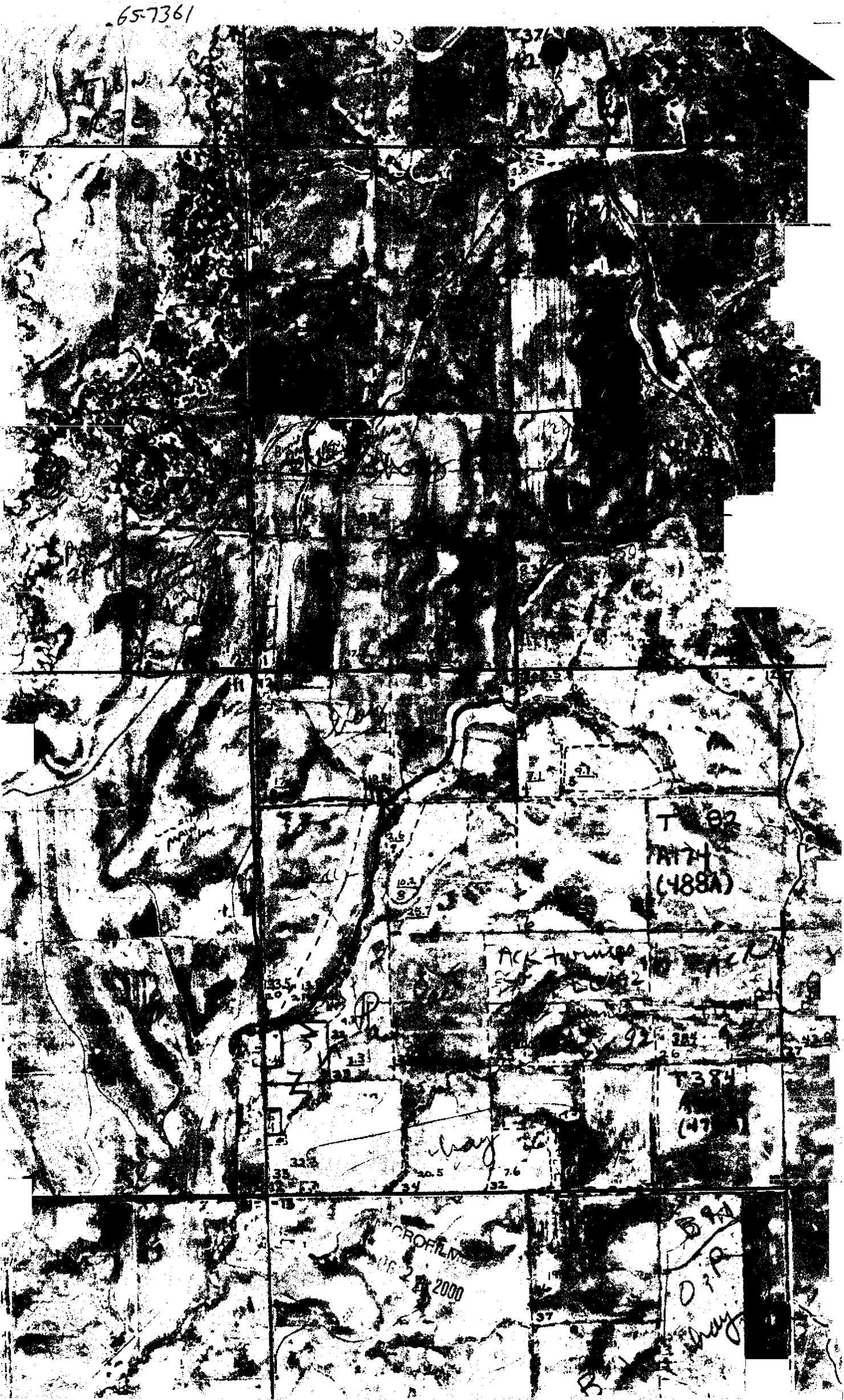

Working copy - OK to mark on this copy
1987 & 1991 info shown from previous visits
= pipeline
= ditch
govt lots S. 1 & 2 in N½N½ only
Section Line
PID
Pump
Ditch
Pumps
DONNELLY
ROSEBERRY
Willow
Creek
WEST FORK
Donnelly
Roseberry
ROSEBERRY 4866 Well
BM 4871
BM 4864
4876AT
4869AT
Flume
Siphon
Section Lines
Farm to Market Rd.
GROFILM
AUG 24 2000
Boulder
EAST FORK
Boulder Creek
B.R. GRADE


= pipeline
= ditch
Govt. lots
S. 1/2 in
N½N½ only
Section Line
P/D
Pump
Boulder
FARM
ROSEBERRY
Flume
DITCH
Willow
Siphon
ROSEBERRY FORK
WEST Creek
EAST FORK
OLD R.R. GRADE
DONNELLY
Donnelly
ROSEBERRY
4866 Well
Roseberry
BM 4871
BM 4864
4876AT
4869AT
MICROFILM
AUG 2000
Section Lines
34
35
36
3
2
1
10
11
12
13
14
15

What acres
actually irrigated
by these pumps?

was told that area
outlined in yellow is
served by Roseberry
Irrig. District.
Permit limited to 120 acres


T 82
R174
(488A)
T 84
R3E
MICROFILM
AUG 2000


65-7361
T 82
R 7 W
(488A)
T 83
R 7 W
T 84
R 7 W
(47)
PROFILE
SCALE 1" = 2000'

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 9, 1996

EASTERN WESTERN CORPORATION
PO BOX 3228
PORTLAND OR 97208-3228

RE: Permit No. 65-07361

Dear Permit Holder(s):

We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

APR 30 1996

DILLION
BOSCH
DAW &
BOCK
chartered

RECEIVED
APR 0 9 1996
Department of Water Resources

RECEIVED
APR 0 5 1996
WATER RESOURCES
WESTERN REGION

April 5, 1996

Attorneys
Josephine P. Beeman
Les Bock
Allan R. Bosch
C. A. Daw
Lee B. Dillion
Dana L. Hofstetter
Robert Wreggelsworth

Via Hand Delivery

Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Re: Permit #65-07361
DBDB Client No. 1838-WA01

Dear Mr. Lester:

On behalf of Eastern Western Corporation I enclose an Assignment of Permit for permit no. 65-07361 executed by Joe Eld of Eld Ranches, Inc. and a check in the amount of $25.00 to cover the filing fee. Please file the Assignment of Permit and revise the appropriate Idaho Department of Water Resources records to reflect the assignment of the permit from Eld Ranches, Inc. to Eastern Western Corporation.

Please call me if you have any questions about this matter.

Sincerely,

Dillion, Bosch, Daw & Bock
Chartered

By: Dana Hofstetter
Dana L. Hofstetter

DLH:jv

Encl.

E:\1838\WA01\LESTER.LTR

APR 3 0 1996

Fidelity Building
242 N. 8th St.
Suite 200
Boise, ID 83702

tel (208) 344-8990
fax (208) 344-9140

Internet E-mail to:
dbdb@micron.net

RECEIVED
AUG 0 3 1993
Department of Water Resources

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
JACKSON
WASHINGTON, D.C.

SUITE 1400
WEST ONE PLAZA
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

Dana L. Hofstetter

June 4, 1993

RECEIVED
JUN 8 1993
Department of Water Resources
Western Regional Office

David Tuthill
Western Region
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83705

Re: Water Right No. 65-07361

Dear Dave:

Thank you for meeting with me earlier this week to discuss the above-indicated water right permit. As we discussed, Eld Ranches, Inc. has indicated that it did not intend for Permit No. 65-07361 to be a supplemental water right to Roseberry Irrigation District water rights. Rather, lands covered by the permit are more readily irrigated directly from Boulder Creek and Eld Ranches, Inc. intended to use water right no. 65-07361 exclusively to irrigate those lands. During your and my discussion earlier this week, you confirmed that this water right could be licensed as a primary water right to reflect its actual and future anticipated use.

This matter is of great significance at this point because Eastern Western Corporation and Eld Ranches, Inc. are planning to transfer water rights between the two entities and remove certain lands covered by permit no. 65-07361 from the Roseberry Irrigation District. Permit no. 65-07361 (and ultimately license no. 65-07361) will remain on owned by Eastern Western Corporation. On behalf of Eastern Western Corporation, I therefore request that the Idaho Department of Water Resources issue license no. 65-07361 as a primary water right. Based on my discussions with you, Eastern Western Corporation plans to proceed to exclude certain lands covered by permit no. 65-07361 from the Roseberry Irrigation District.

APR 3 0 1996

Thank you for your assistance with this matter. Please do not hesitate to contact me if you have any questions or suggestions.

Sincerely,

HOLLAND & HART

Dana L. Hofstetter

DLH:msd
cc: Steve Lester
Curt Ingle
Joe Eld
Michael E. McGinley
29501

RECEIVED
APR 30 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

Eld Ranches Inc.
Mr. Joe Eld
Rt. 1, Box 67
McCall, ID. 83638

Dec. 23, 1987

Re: Permits 65-7200, 7516, 12120, 7610, 7361

Dear Joe:

After meeting with you in late October, gathering field data, and revieving the above water right files, I realize that additional information is needed to facilitate licensing of the permits. We discussed the details that you could provide to complete the water use picture. This letter serves to refresh your memory in the matter.

The three permits covering storage and use of irrigation water at and around Eld Reservoir are 65-7200, 7516, and 12120. These rights involve the land enrolled in the CRP. I have information about the sprinkler pipes, number of lines and heads per line, pressure readings, and nozzle sizes. Additional data is desired for pump details and sprinkler models. Pump information includes horse-power, brands, serial numbers, pump curves, pump test records, or anything else describing pumping capacity. What sprinkler models were used (for example, Rainbird 30B, Nelson F33, etc.) ? I need any of this data that is available to finish the licensing reports.

Permit 65-7610 is the Gold Fork River pumping plant. A partial exam was conducted on this system. Please consult your records to provide the horse-power of the large diesel engine. Sprinkler head measurements of water use will be made in the next irrigation season to complete the field work on this permit.

The last permit is 65-7361, diverting Boulder Creek to irrigate 120 acres in sections 1 and 12 as follows:

Section 1- NWSW 20 ac., SWSW 20 ac., SESW 40 ac.;
Section 12- NENW 40 ac..

The 120 acres may be irrigated as above or shifted to other tracts as long as the number of acres does not exceed the permit limit. You wondered if rights other than the Roseberry Irrigation District allocation covered the area shown above. No other rights are found on those portions of sections 1 and 12. There are two decreed Eld irrigation rights in the general vicinity. 65-2515 uses Boulder Creek to irrigate 67 acres in the NESE and SESE, sec. 2 and 77 acres in the NENE and SENE, sec. 13. 65-4033 uses the same source for 35 acres in SWNW and 10 acres in NWSW, all within sec. 12. A partial exam was conducted on

APR 30 1996

permit 65-7361 and can be finished during the next irrigation season. Please remember that a measuring device should be installed in the Boulder Creek diversion ditch.

Concerning assignments of the permits, 65-7200 is the only one in your father's name (William Eld). The other four show "Eld Ranches, Inc.", except 65-12120 which lists "William Eld, President, Eld Ranches, Inc." as the owner. If you want to change any of these names, refer to the enclosed Assignment of Permit forms. Multiple permits may be included on one form. Also attached are the necessary forms to complete applications for transfers of water rights.

Please submit the requested information for the Eld Reservoir permits and the horse-power of the Gold Fork pump engine within 30 days to avoid jeopardizing your water rights in any way. This will allow the licensing process to continue. I'll be glad to help in any way possible.

Sincerely,

Steve Lester
Water Resource Agent

SL:enc

APR 30 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

65-7361
RED RANCHES, INC.
RT. 1 BOX 63
MC CALL, ID 83638

October 9, 1986

EXAMINATION FEE REMINDER

Dear Permit Holder:

Earlier this year you were mailed a certified letter by our state office, which described a new law related to your water right permit. The water right permit to which this law applies is identified by the number at the top of the mailing label above. The purpose of this letter is to act as a reminder of the new law and to warn you that your permit is now losing priority daily.

As described in the certified letter, House Bill 671 enacted by the 1986 Idaho Legislature requires payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. The certified letter described the procedure for selecting the latter alternative, whereby you initially notify us regarding which water right examiner you have selected, and provide a statement from the examiner as verification.

The date of priority of your water right permit is now being delayed one day for each day the response is late. Also, if the fee or completed field examination report are not submitted within a year from the sixty-first day after the certified letter was mailed, the permit may be lapsed and rendered invalid. The fee, or notice that a private field examination will be conducted, should be submitted as soon as possible if you wish to maintain your permit in a valid status.

Enclosed please find an Examination Fee Information Sheet, with the License Examination Fee Schedule printed on the back. This sheet should be submitted if either the fee payment option or the private examination option is selected. If you have questions or desire assistance in this matter, please feel free to contact this office.

RECEIVED

Sincerely,

David R. Tuthill Jr.

APR 30 1996

David R. Tuthill, Jr. P.E.
Manager, Western Regional Office

Enclosure

4/86

RECEIVED KEYPUNCHED

OCT -- 1986

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received 150.00 OK
Date 8-15-86
Receipt # 38924
Receipt by CCW
Sent to S.O. 10/15/86

RECEIVED
AUG 15 1986
Department of Water Resources

1. Permit No. 65-7361

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Eld Ranch's Inc.

3. Post Office Address: RT # 1 (63) McCall, Idaho

Telephone No. 325-8705

4. Source of Water: Boulder Creek

5. Extent of Use:

Domestic _____(No. of households) Stockwater _____(No. and type of stock)

Irrigation 120 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 2.4 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

5 / 3 / 78

8. Person to contact to accompany the department representative during the field examination:

Joe Eld
(Name)

RT # 1 (63) McCall Id 325-8705
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

8 / 10 / 86 Joe Eld Pres. APR 30 1996
Date Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.

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

65-7361
ELD RANCHES, INC.
RT. 1 BOX 67
MC CALL, ID 83638

63

138480
CERTIFIED MAIL

June 5, 1986

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

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of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region
Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region
Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region
Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED
APR 30 1990

May 3, 1978

Eld Ranches, Inc.
Route #1
McCall, ID 83638

RE: 65-7361

Gentlemen:

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, Idaho.

Sincerely,

JANICE RENK
Water Rights

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

February 28, 1978 CERTIFIED MAIL 138429

Re: Permit No. 65-7361

Eld Ranches, Inc.
Route 1
McCall, Idaho 83638

Gentlemen:

One of the conditions of approval of your water Permit No. 65-7361 (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 May 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.

Norman C. Young
NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

MICROFILMED

May 30, 1973

Re: Permit No. 65-7361

Eld Ranches Inc.
Route #1
McCall, ID 83638

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 65-7361. 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

65 7361

BDF:cd

Enclosures

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

April 26, 1973

Re: Application for Permit No. 65-7361 Eld Ranches, Inc.

Star News
Box 985
McCall, Idaho 83638

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." 65 7361

(signature of claimant)

Sincerely,

Bill Submitted 5-14-73
Mary Pressley

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ELD RANCHES, INC., Rt. #1, McCall, Idaho

has on April 17, 1973 submitted Application No. 65-7361

for a permit to appropriate 2.4 cubic feet per second of water from Boulder Creek, trib. to Payette River

by means of dam, ditches & pump

within the NE¼NE¼, Sec. 2, T. 16 N., R. 3 E., B.M., Valley County

to be used from May 1 to Sept. 31

for the irrigation of 120 acres

within the NE¼NW¼, Sec. 12 (40 acres); W½SW¼, SE¼SW¼, Sec. 1, (80 acres); T. 16 N., R. 3 E., 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 May 21, 1973.

65 7361

R. KEITH HIGGINSON

Director

Published in the Star News, McCall, Idaho

on May 3, 1973 and May 10, 1973.