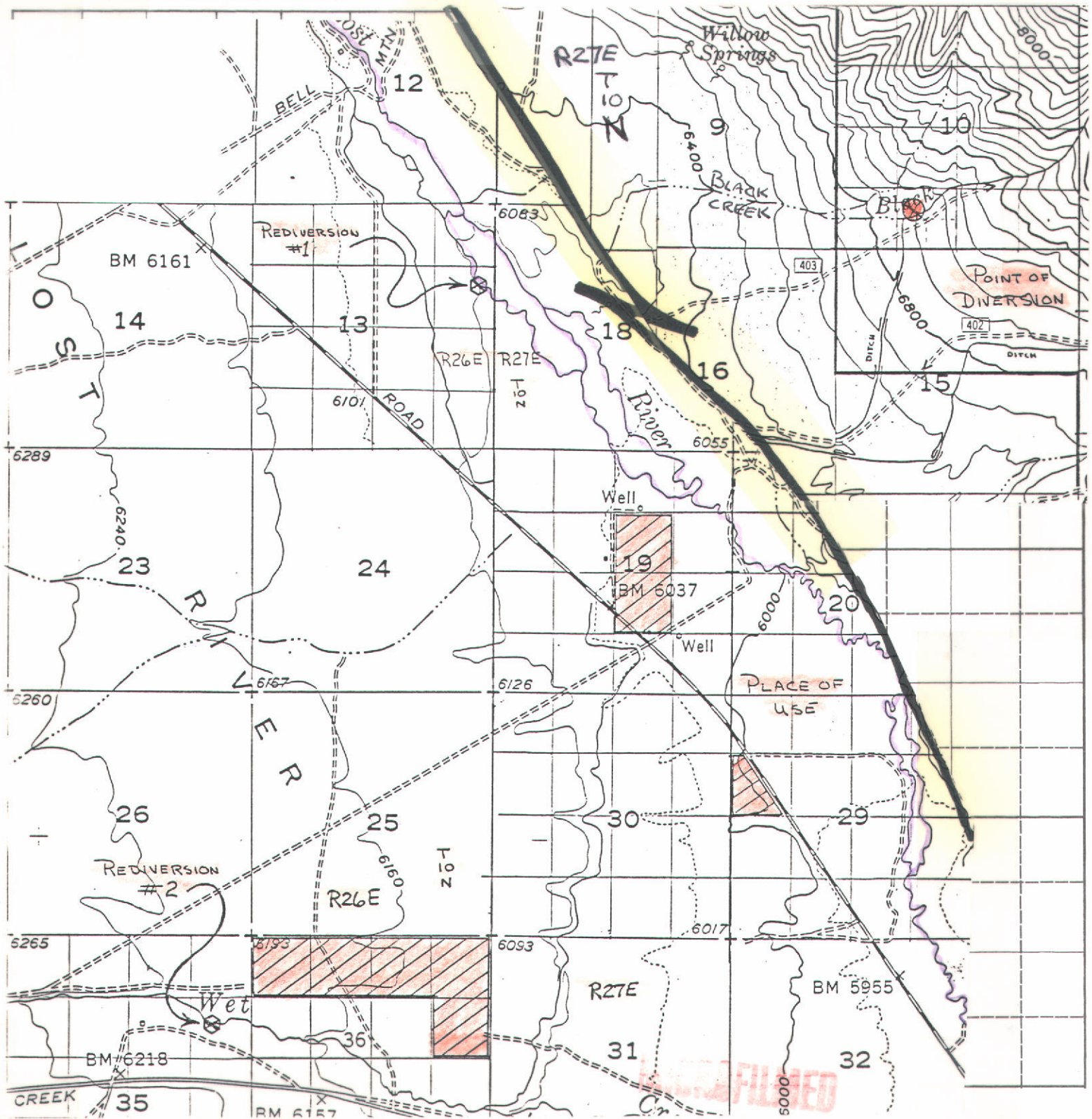


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

Alan J. Amy
(Applicant)

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

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		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	
L3307179	T10N R27E S20 BLACK CREEK											11	26					37
A3300001B	LITTLE LOS :									10				37				47
R3300001B	SUMMIT CRE :									10				37				47
3300087	DEEP CREEK :											40	40					80
A3300087	DEEP CREEK :											20	38					58
R3300087	DEEP CREEK :											10	25					35
A3300095B	LITTLE LOS :									10				37				47
R3300095B	SUMMIT CRE :									10				37				47
A3300096B	SAWMILL CR :									10				37				47
R3300096B	SUMMIT CRE :									10				37				47
A3300097C	DRY CREEK :									10				37				47
R3300097C	DRY CREEK :									10				37				47
3302034	BLACK CANY :											40	40					80
A3302034	BLACK CREE :											20	38					58
R3302034	BLACK CREE :											10	25					35
A3302072A	GROUNDWATE :															18		18
R3302072A	GROUNDWATE :															18		18
3302106	GROUNDWATE :												36					36
A3302106	GROUNDWATE :											02						2
R3302106	GROUNDWATE :											03						3
3302135A	GROUNDWATE :											40						40
A3302135A	GROUNDWATE :															18		18
R3302135A	GROUNDWATE :															18		18
3302141	GROUNDWATE :												40					40
A3302141	GROUNDWATE :											37	40					77
R3302141	GROUNDWATE :											34	40					74

L3307179	T10N R27E S29 BLACK CREEK							38										38
3300001A	LITTLE LOS :													26		19		45
A3300001A	LITTLE LOS :													26		19		45
R3300001A	LITTLE LOS :													25		25		50
3300087	DEEP CREEK :							25										25
A3300087	DEEP CREEK :							39										39
R3300087	DEEP CREEK :							37										37
3300095A	LITTLE LOS :													26		19		45
A3300095A	LITTLE LOS :													26		19		45
R3300095A	LITTLE LOS :				02									25		25		52
3300096A	LITTLE LOS :													26		19		45
A3300096A	LITTLE LOS :													26		19		45
R3300096A	LITTLE LOS :				02									25		25		52
3300097A	LITTLE LOS :													26		19		45
A3300097A	DRY CREEK :													26		19		45
R3300097A	LITTLE LOS :				02									25		25		52
3300099	LITTLE LOS :		I	I				I	I	I			I		I	I		

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALAN J AMY PO BOX 32 HOWE ID 83244 (208) 767-3374	08/07/1961	IRRIGATION	04-15 10-31	3,000 CFS	525.00 AFA
TOTAL DIVERSION:					3,000 CFS	525.00 AFA

Water Source: **GROUNDWATER**

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T10N R27E S19

NENESW

BUTTE County

Place of use Legal Description for: IRRIGATION

NE										SW										SE										SUM									
NENE N4NE S4NE										NENW N4NW S4NW										NESE N4SE S4SE																			
Lt Ac										Lt Ac										Lt Ac										Lt Ac									
: 40										: 03										: 25										: 112.0									
: 10N 27E 19										: 11										: 03										: 3.5									
: 10N 27E 20										: 08										: 20.0										: 14.5									
: 10N 27E 29										: 13										: 150.0										: 150.0									
: 10N 27E 30										: .7										: TOTAL ACRES										: 150.0									

POU County: BUTTE

Other Rights: 33-00087, 02034, 02141

Conditions of Approval:
 C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
 - SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
 TOTAL COMBINED DIVERSION RATE OF 6.14 CFS. COMBINED RIGHT NOS.:
 33-00087, 33-02034, 33-02141.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
 THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE
 IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087, 33-02034, AND
 33-02141.
 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN
 THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag: C

OWNER

CODE

NAME & ADDRESS

PRIORITY

DATE

WATER USE

USE PERIOD

DIVERSION

RATE

DIVERSION

VOLUME

C

ALAN J AMY

PO BOX 32

HOME ID 83244

(208) 767-3374

01/29/1949

IRRIGATION

04-15 10-31

3,200 CFS

560.00 AFA

TOTAL DIVERSION:

3,200 CFS

560.00 AFA

Water Source:

GROUNDWATER

Tributary to:

SENWSE

Point(s) of Diversion:

T10N R27E S19

Stage:

LICENSE

BUTTE County

Place of use Legal Description for: IRRIGATION

		NE		NW		SW		SE			
		NENE		NNWN		NWSW		NWSE		SESE	
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac	
T	R	S									SUM
10N 27E	19	:	:	:	:	:	:	:	:	:	
10N 27E	20	:	:	:	:	34	40	:	:	35	49.6
10N 27E	29	:	:	:	37	:	:	:	:	:	74.5
10N 27E	30	:	:	:	:	:	:	:	:	:	37.9
	05	:	:	:	:	:	:	:	:	:	5.2
										TOTAL ACRES	167.2

POU County: BUTTE

Other Rights: 33-00087, 02034, 02106

Conditions of Approval:

C05

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

C03

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.34 CFS. COMBINED RIGHT NOS.: 33-00087 AND 33-02034.

P0U1

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 167.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087 AND 33-02034. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates:

Exam Made Date:

Verified Date:

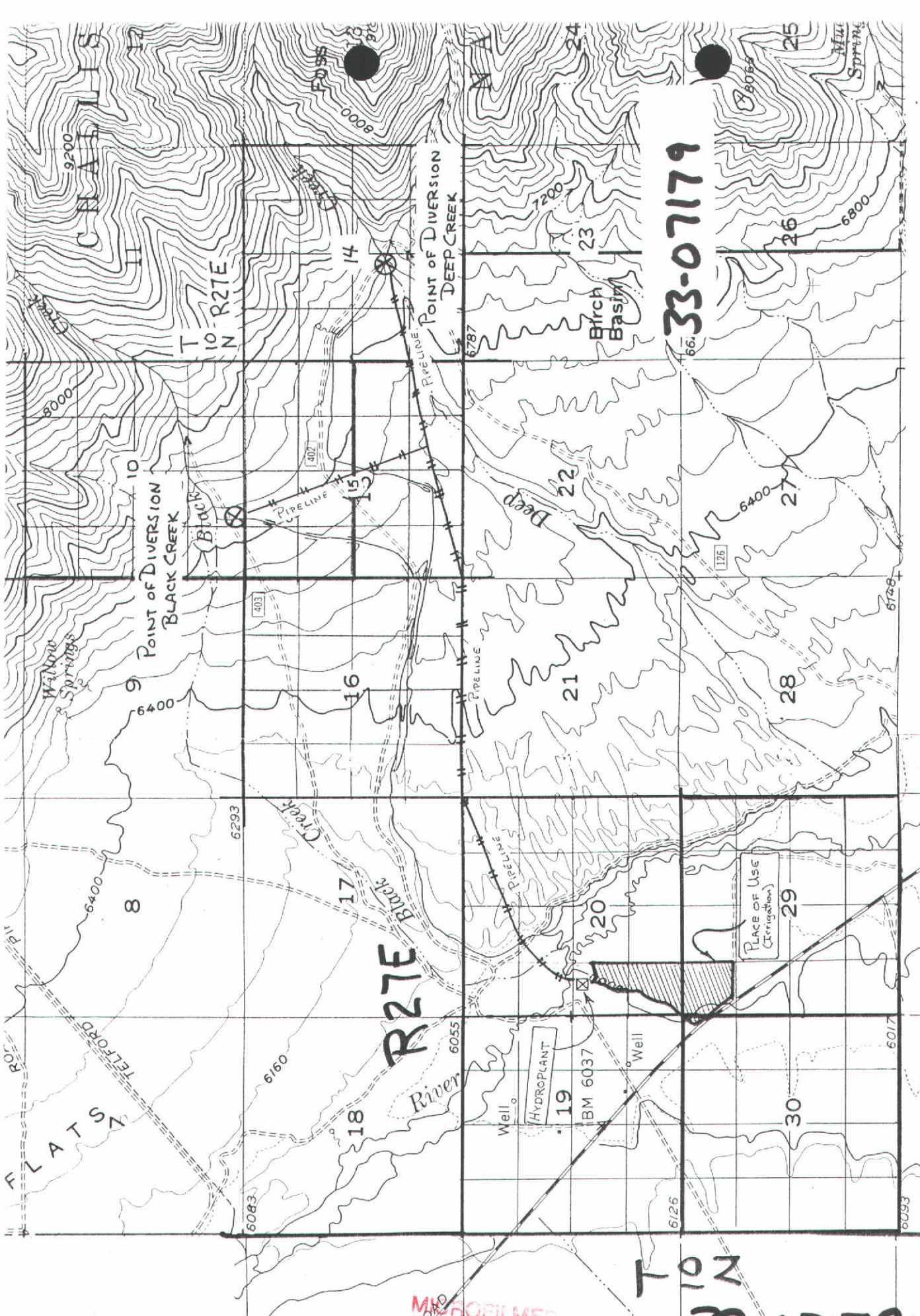
Objection Filed Date:

Misc:

Water District Number:

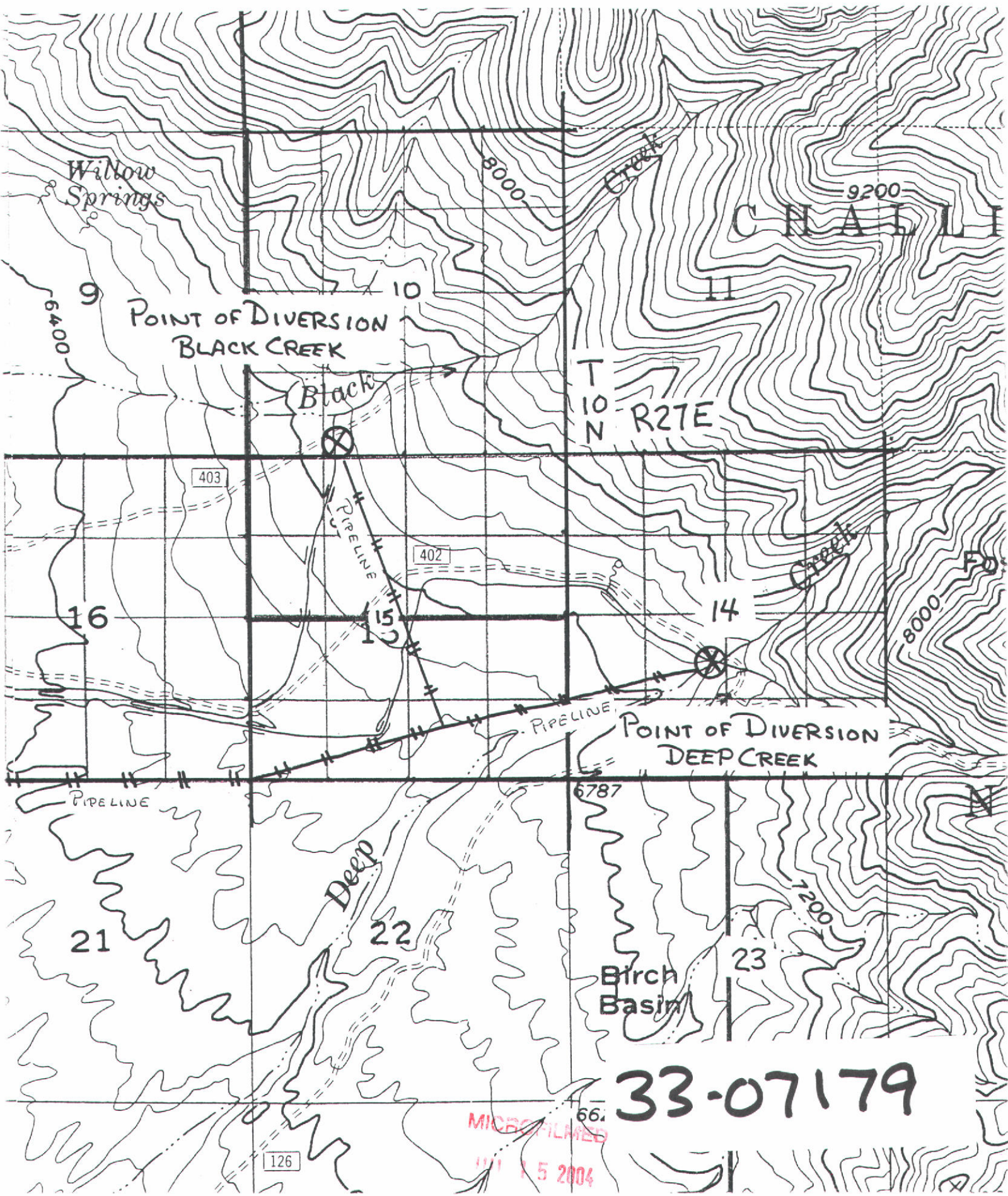
Field Inspection Flag:

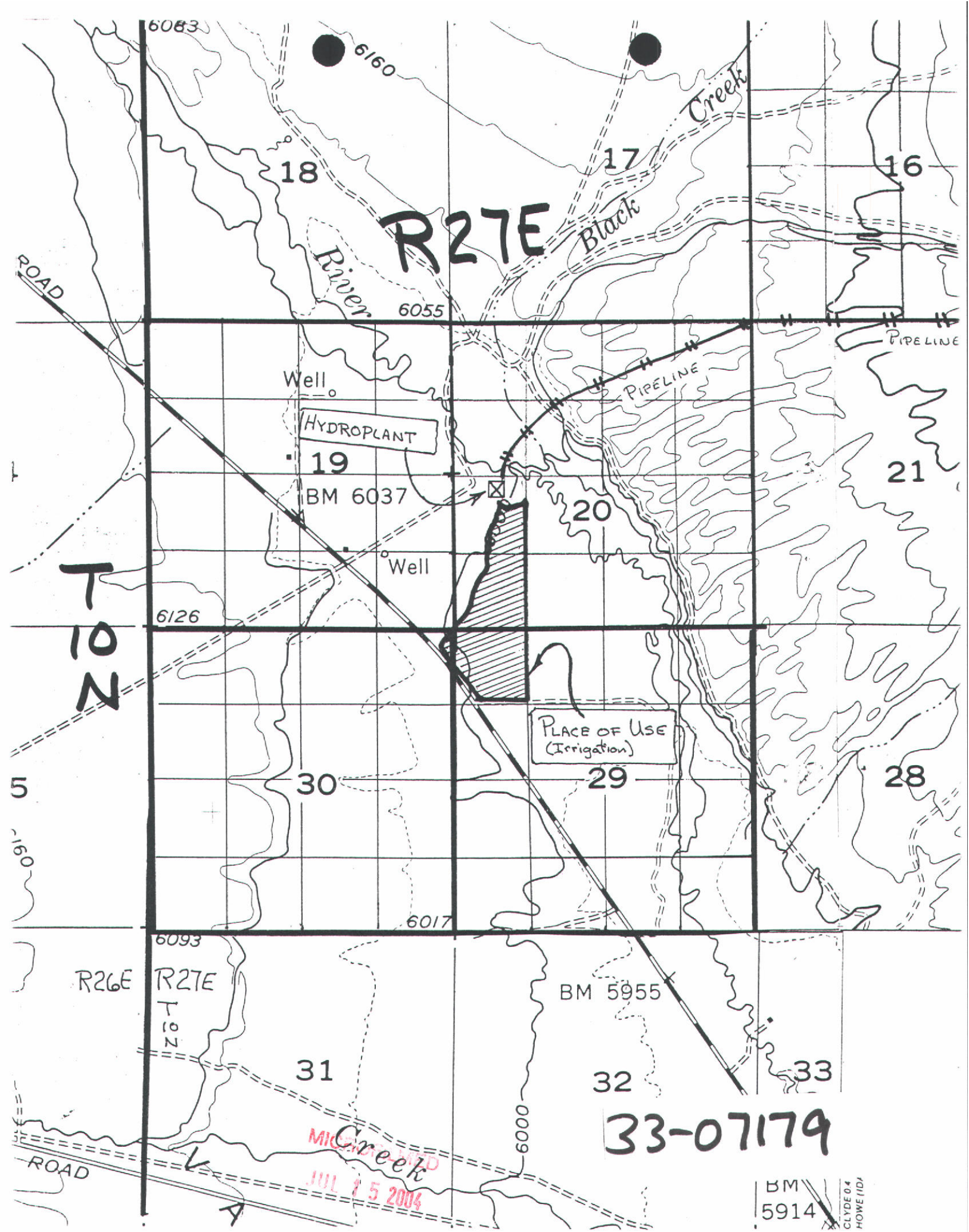
Presumption Flag:



MICROFILMED
JUL 15 2004

33-07179





222
T.372 NHEL
NW
A.J. AMY

③
6.4

NHEL
NW
①
30.8

①
8.3

HYDROPOWER PLANT

②
22.7

④
13.3

⑤
12.3

⑥
26.5

R27E

T
20

③
2.8

⑧
48.8

⑩
19

⑪
20

⑫
30

⑬
29

⑭
2

⑮
13

⑯
9.0

⑰
12.4

⑱
38

⑲
21.0

PLACE OF USE
(Irrigation)

33-07179

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JUL 15 2004

T.10N, R.27E.

NWSW

11

AMY HYDROPLANT

SWSW
26

T
10
N

R27E

19

20

30

29

NENE

2

PLACE OF USE

NWNW
38

33-07179

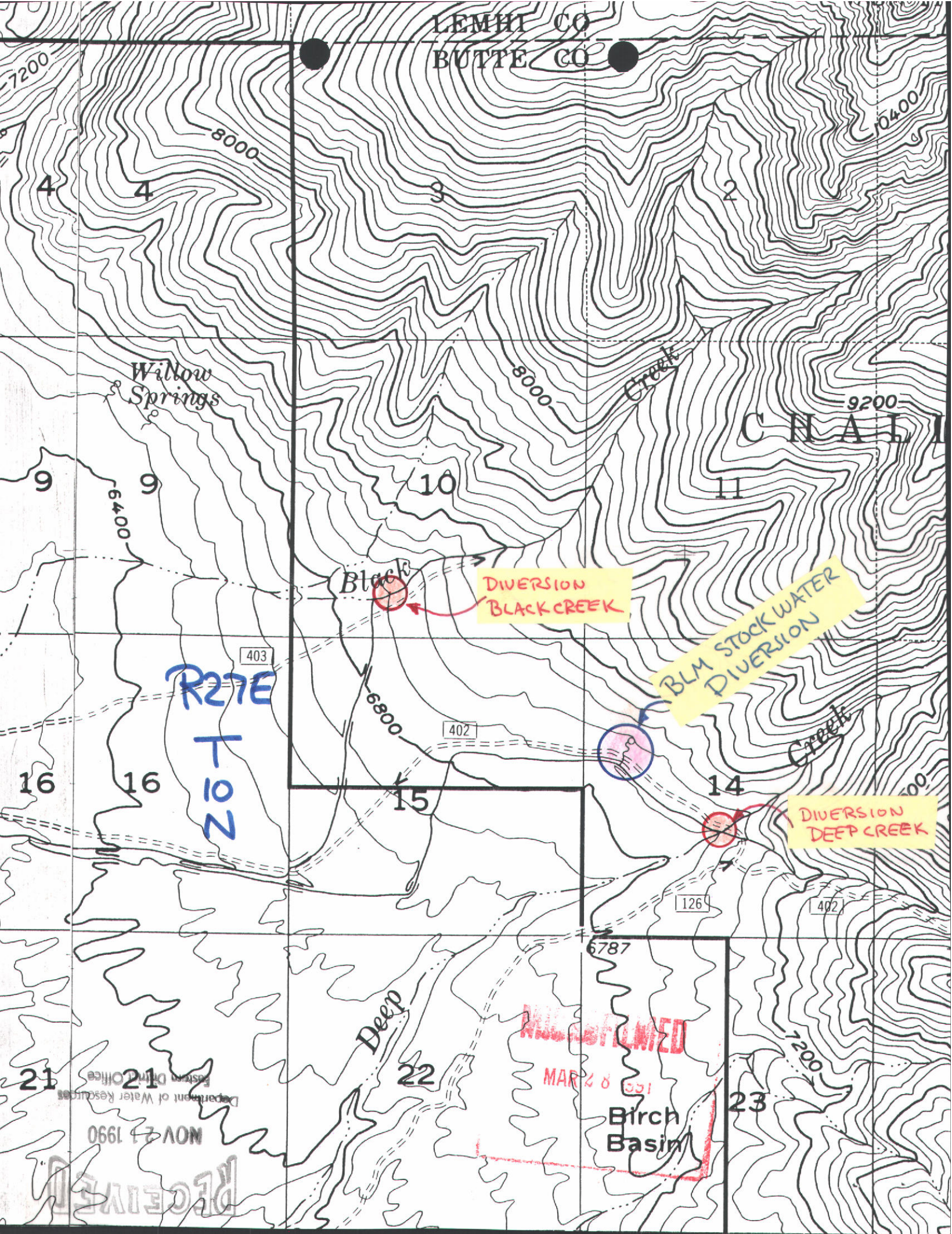


POINT OF DIVERSION
BLACK CREEK

33-07179

MICROFILMED

JUN 15 2004



LEMHI CO
BUTTE CO

Willow Springs

CHALI

Black

DIVERSION
BLACK CREEK

BLM STOCK WATER
DIVERSION

R27E
T20N

DIVERSION
DEEP CREEK

RECEIVED

MAR 28 1991

Birch
Basin

Department of Water Resources
Eastern District Office
NOV 21 1990

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 33-07179

Priority: December 12, 1985

Maximum Diversion Rate: 1.23 CFS
Maximum Diversion Volume: 216.0 AF

It is hereby certified that BIRCH CREEK RANCHES LLC
C/O TED S SORENSON
5203 S 11TH E
IDAHO FALLS ID 83404 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated December 12, 1985; and has
submitted Proof of Beneficial Use on January 26, 1994. An examination indicates that the works have a
diversion capacity of 16.52 cfs of water from:

SOURCE

BLACK CREEK

Tributary: LITTLE LOST RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/15 to 10/31	1.23 CFS	216.0 AF

LOCATION OF POINT(S) OF DIVERSION:

BLACK CREEK SE¼SW¼ Sec. 10, Twp 10N, Rge 27E, B.M. BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N 27E 20										10.8	25.8						36.6
10N 27E 29							37.9										37.9
10N 27E 30	2.2																2.2

Total Acres: 76.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 61.7 acres within the place of use described above in a single irrigation season.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.

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JUN 15 2004

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 33-07179

CONDITIONS OF APPROVAL CONTINUED

5. 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. Right 33-2034 is also diverted through the point(s) of diversion described above.
8. Rights 33-87, 33-02034 and 33-07179 when combined shall not exceed a total diversion rate of 1.60 cfs, a total annual maximum diversion volume of 268.5 af at the field headgate, and the irrigation of 76.7 acres.
9. Rights 33-87, 33-2034, 33-2141, and 33-7179 when combined shall not exceed a total diversion rate of 3.34 cfs, a total annual maximum diversion volume of 585 af at the field headgate, and the irrigation of 167.2 acres.
10. Rights 33-87, 33-2034, 33-2106, 33-2141, 33-7179, and 33-11002 when combined shall not exceed a total diversion rate of 6.14 cfs, a total annual maximum diversion volume of 1075 af at the field headgate, and the irrigation of 307.1 acres.

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

Signed and sealed this 29th day of April, 2004.


for **KARL J. DREHER**
Director

MICROFILMED

JUL 15 2004

RECEIVED

DEC 28 1999

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 33-07179

Date of Priority: December 12, 1985 Maximum Diversion Rate: 1.23 CFS
Maximum Diversion Volume: 268.5 AF

Comes now ~~ALAN J AMY~~ *Birch Creek Ranches LLC*
~~PO BOX 32~~ *5203 South 11th East*
~~HOWE ID 83244~~ *Idaho Falls, Idaho* and represents to the Director of the
Idaho Department of Water Resources: *83404*

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 33-07179, and requests that the permit be changed as follows:

Source: **BLACK CREEK** tributary to **LITTLE LOST RIVER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/31	1.23 CFS	268.5 AF

LOCATION OF POINT(S) OF DIVERSION: ~~SW~~SESW, Sec. 10, Township 10N, Range 27E
BUTTE County

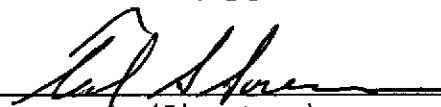
PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10N	27E	20	NWSW 10.8	SWSW 25.8		36.6
		29	NWNW 37.9			37.9
		30	NENE 2.2			2.2

Total number of acres irrigated: 76.7

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 Idaho Falls, this 22 day of December, 1999.


(Signature)

MICROFILMED

JUL 15 2004

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 33-07179

FOR DEPARTMENT USE ONLY
Preliminary check by SWK Fee = 50.00 Received by JM # C047551 Date 12/28/1999

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. 33-07179 with the following:

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 61.7 acres within the place of use described above in a single irrigation season.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 33.
5. 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.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. Right 33-2034 is also diverted through the point(s) of diversion described above.
8. Rights 33-87, 33-02034 and 33-07179 when combined shall not exceed a total diversion rate of 1.60 cfs, a total annual maximum diversion volume of 268.5 af at the field headgate, and the irrigation of 76.7 acres.
9. Rights 33-87, 33-2034, 33-2141, and 33-7179 when combined shall not exceed a total diversion rate of 3.34 cfs, a total annual maximum diversion volume of 585 af at the field headgate, and the irrigation of 167.2 acres.
10. Rights 33-87, 33-2034, 33-2106, 33-2141, 33-7179, and 33-11002 when combined shall not exceed a total diversion rate of 6.14 cfs, a total annual maximum diversion volume of 1075 af at the field headgate, and the irrigation of 307.1 acres.

Witness my hand this 29th day of April, 2004.

MICROFILMED

JUL 15 2004

Karl J. Dreher
for KARL J. DREHER
Director

WR0749NP
No. 33-07179

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/23/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BIRCH CREEK RANCHES LLC 5203 S 11TH E IDAHO FALLS ID 83404 (208) 522-8069	12/12/1985	IRRIGATION	04/01 11/01	2.700 CFS	
TOTAL DIVERSION:					2.700 CFS	

Water Source: BLACK CREEK

Tributary to: LITTLE LOST RIVER

Stage: PERMIT

Point(s) of Diversion:	T10N R27E S10	NWSESW	BUTTE County
Point(s) of Re-diversion:	T10N R26E S13	SENE	BUTTE County
	S35	SENE	BUTTE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
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	: Lt Ac Lt Ac Lt Ac Lt Ac	: SUM								
10N	26E	36	: 40 40 40	: 40 40	:	:	:	: 200.0								
10N	27E	19	: 40	:	:	:	: 80.0									
10N	27E	29	:	: 25	:	:	: 25.0									
TOTAL ACRES								305.0								

Pou County: BUTTE

Conditions of Approval:

- 26A - Project construction shall commence within one year from the
 - date of permit issuance and shall proceed diligently to
 - completion unless it can be shown to the satisfaction of the
 - Director of the Department of Water Resources that delays were
 - due to circumstances over which permit holder had no control.
- 005 - Use of water under this right is subject to control by the
 - watermaster of State Water District No. 33.
- 01J - Prior to diversion of water under this right, the right holder
 - shall install and maintain a measuring device and lockable
 - controlling works of a type acceptable to the Department as part
 - of the diverting works.
- 051 - Any license issued by IDWR pursuant to the right or portion
 - thereof for the use of trust water is subject to a term review
 - of 20 years after the date of this approval to determine
 - availability of water for the use and to re-evaluate the public
 - interest at the end of the term.
- 052 - Diversion and use of water under this right is subject to an
 - annual use fee if rules are subsequently promulgated which
 - provide for the submittal of the fee.
- 053 - The Director retains jurisdiction over this right and may
 - change, add, or remove any requirement as determined to be
 - appropriate.
- 004 - The issuance of this right does not grant any right-of-way
 - or easement across the land of another.
- 03A - The rate of diversion of water for irrigation under this right

Conditions of Approval:

- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

Remarks: GEN This application is being made in conjunction with another application from Deep Crekk for the same place of use. Water will be diverted at point of diversion via pipeline to a power facility and discharged into Little Lost River (NWSW Section 20, Township 10N, Range 27E) in exchange for Little Lost River (Rediversion #1) and Wet Creek (Rediversion #2) water.

Dates: App. Received: 12/12/1985 Priority Date: 12/12/1985
Proof Due Date: 02/01/1994 Proof Made Date: 01/26/1994
Exam Made Date: 07/14/1999 Exam Sent to S.O.: 10/13/1999
Licensed Date:

Misc: Water District Number: 33 Field Exam Fee: R (Received)

For Office Use Only
 \$25 Filing Fee 1000
 Receipt# ED25570
 Date 1/24/2000

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 ASSIGNMENT OF PERMIT

RECEIVED

JAN 31 2000

Department of Water Resources

I, Alan J. Amy, hereby assign to Birch Creek Ranches, L.L.C.
 of, 5203 South 11th East, Idaho Falls, Idaho 83404 (208) 522-8069
 (Full Address) (Phone)

All my right, title, and interest in and to Permit No. 33-07179 to
 appropriate the public waters of the State of Idaho.

Q (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.)

100% assigned

Made this 24th day of January, 2000

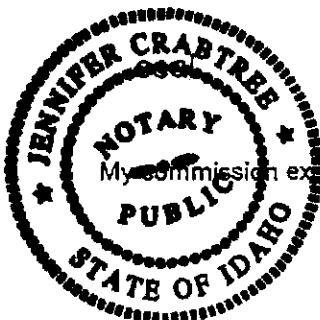
Alan J. Amy
 Permit Holder

State of Idaho)

County of Bonneville) ss

On this 24th day of January, 2000, personally appeared before me the signer(s) of the
 above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Jennifer Crabtree
 Notary Public residing at
Idaho Falls Idaho



My commission expires: 9-23-03

MICROFILMED
 JUL 15 2004

RECEIVED

JAN 26 1994

RECEIVED
JAN 31 1994
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee \$ 150 *
Date 1-26-94
Receipt No. E019450
Receipt by KCW

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 33-7179 Telephone No. 767-3374
2. Name(s) of Permit Holder(s): Alan J. Amy
3. Mailing Address: Box 32 Howe Id 83244
4. Source of Water: Black Creek

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

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

Irrigation 305 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 2.70 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ 150⁰⁰ (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Same as above
Name _____ Telephone No. _____

Address _____

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

APR 08 1994

Date

Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 33-07179

Proposed Priority: December 12, 1985 Maximum Diversion Rate: 2.70 CFS
This is to certify, that ALAN J. AMY

STAR ROUTE
PO. BOX 170
HOWE, ID 832440000

has applied for a permit to appropriate water from:

BLACK CREEK

tributary of LITTLE LOST RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	2.70 CFS

LOCATION OF POINT(S) OF DIVERSION:

Rediversion

SENE Sec. 35, Township 10N, Range 26E
NWSESW Sec. 10, Township 10N, Range 27E
SENE Sec. 13, Township 10N, Range 26E
BUTTE County

Rediversion

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10N	26E	36	NENE 40	NWNE 40	SENE 40	
			NENW 40	NWNW 40		200
27E	19		SWNE 40	NWSE 40		80
	29		SWNW 25			25

Total number of acres irrigated: 305

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1994.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this permit is subject to control by the watermaster of State Water District No. 33.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this permit.

MICROFILMED

MAR 28 1991

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

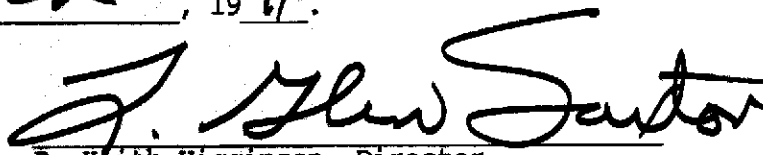
NO. 33-07179

CONDITIONS/REMARKS:

6. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
7. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
8. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
9. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
10. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
11. This application is being made in conjunction with another application from Deep Crekk for the same place of use. Water will be diverted at point of diversion via pipeline to a power facility and discharged into Little Lost River (NWSW Section 20, Township 10N, Range 27E) in exchange for Little Lost River (Rediversion #1) and Wet Creek (Rediversion #2) water.

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

12th day of March, 1991.

for 
R. Keith Higginson, Director

RECEIVED

MAR 12 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Alan J. Amy Phone 767-3374

Post office address Star Route P.O. Box 170, Howe, Idaho 83244

2. Source of water supply Black Creek which is a tributary of Little Lost River Sinks

3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____

Sec. 10 Township 10N Range 27E B.M. Butte County; additional

Rediversion #1 SENE 13 T10N R26E

points of diversion if any: Rediversion #2 SENE 35 T10N R26E

4. Water will be used for the following purposes:

Amount 2.7 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 2.7 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

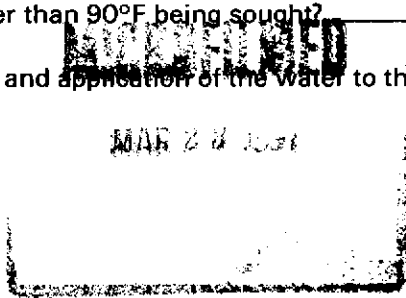
a. Description of ditches, flumes, pumps, headgates, etc. Headgate to pipeline * to power
facilities to open discharge to Little Lost River * Note pipeline joins with
pipeline from Deep Creek

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

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

d. Is ground water with a temperature of greater than 90°F being sought? _____

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



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

c. Municipal; show name of municipality.

e. Other, describe fully.

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

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

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

[illegible]

305 Total number of acres to be irrigated

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

11. a. Who owns the property at the point of diversion? U.S.F.S.

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. Special use permit with U.S. Forest Service

applicant to make this filing.

12. Remarks: This application is being made in conjunction with another application

from Deep Creek for same place of use. Water will be diverted at P/D via pipeline to a power generating facility and discharged into Little Lost River (NMSW 20 T 10N R 27E) in exchange for Little Lost River (Rediversion #1) and

Wet Creek (Rediversion #2) water.

[illegible]

Alan J. Jones
(Applicant)

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DEC 2 1985

e. Other:

permit.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

_____, 19____.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	<u>HWJ</u>	Date	<u>12/12/85</u>	Time	<u>1:30 pm</u>	Preliminary check by	<u>HWJ</u>
Fee \$	<u>85</u>	Received by	<u>Kau</u>	#	<u>35536</u>	Date	<u>12 Dec 85</u>
Publication prepared by	<u>B. W. Lee</u>	Date	<u>12-11-80</u>	Published in	<u>Idaho Advertiser</u>		
Publication approved	<u>[Signature]</u>	Date	<u>1-9-71</u>				

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock

of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated Dec. 20, 1990

and ending with the issue dated

Dec. 27, 1990
Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 27 day of December

in the year of 1990, before me, a Notary Public,

personally appeared

Colleen Babcock

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Thomas D. Cannon

Notary Public for Idaho

Residing at Arco, ID

My commission expires: 12-17-91

NWSESW Sec 10 T 10N R 27E.
Use: IRRIGATION (2.700 CFS)
Total Diversion: (2.700 CFS)
Date Filed: 12/12/1985
In: T10N R26E S36 NENE NWNE
SENE NENW NWNW; R27E S19 SWNE
NWSE; S29 SWNW.
305.0 ACRES TOTAL

**NOTICE OF APPLICATION
FOR TRUST WATER RIGHT
33-07180**

AMY, ALAN J.
STAR ROUTE
P.O. BOX 170
HOWE, ID 832440000
Source: DEEP CREEK
Tributary: SINKS
Diversion Pt: SENE Sec 13 T 10N R
26E; SENE Sec 35 T 10N R 26E; SE-
NESE Sec 14 T 10N R 27E.
Use: IRRIGATION (5.500 CFS)
Total Diversion: (5.500 CFS)
Date Filed: 12/12/1985
In: T10N R26E S36 NENE NWNE
SENE NENW NWNW; R27E S19 SWNE
NWSE; S29 SWNW.
305.0 ACRES TOTAL.

The permits will be subject to all prior water rights, protests may be submitted on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before JANUARY 7, 1991.

R. KEITH HIGGINSON
Director
Published 12/20/1990 & 12/27/1990

**NOTICE OF APPLICATION
FOR TRUST WATER RIGHT
33-07179**

AMY, ALAN J.
STAR ROUTE
P.O. BOX 170
HOWE, ID 832440000
Source: BLACK CREEK
Tributary: SINKS
Diversion Pt: SENE Sec 13 T 10N R
26E; SENE Sec 35 T 10N R 26E;

OK FJZ
1-9-91



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 3, 2004

BIRCH CREEK RANCHES LLC
C/O TED S SORENSON
5203 S 11TH E
IDAHO FALLS ID 83404

RE: License No. 33-7179 - Issuance of License

Dear Water Right Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

JUL 15 2004

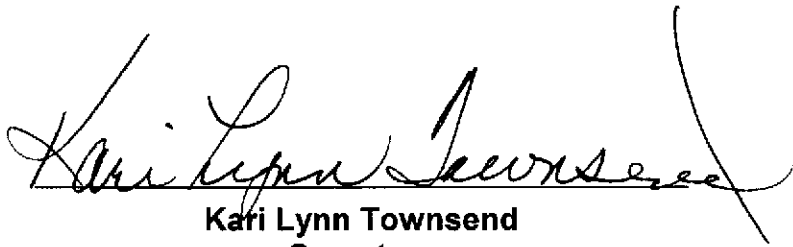
CERTIFICATE OF SERVICE

I hereby certify that on May 3, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

33-7179

BIRCH CREEK RANCHES LLC
C/O TED S SORENSON
5203 S 11TH E
IDAHO FALLS ID 83404



Kari Lynn Townsend
Secretary

MICROFILMED

JUN 15 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
JUL 15 2004

MEMORANDUM

Date: April 28, 2004
To: Water Right File 33-7179
From: Shelley Keen *SK*
Re: Licensing Review

Licensing Review

POINT OF DIVERSION DESCRIPTION

The field examiner for this right describes the point of diversion as being in the SWSESW, Sec. 10, T10N, R27E. The SRBA examiner described the POD as the NWSESW of Sec. 10 on Right 33-2034. The digital orthophoto quad show the POD in the NESESW. To avoid the discrepancy, I recommend that the license show only the 40-acre tract description.

QUANTITY

Because right 33-2034 already authorizes the diversion of 0.30 cfs from Black Creek to irrigate 15 acres within the 76.7-acre PPU, this right will be license for 61.7 acres within the 76.7-acre PPU and will be limited in rate and volume accordingly.

PLACE OF USE OVERLAPS

The place of use for this right is an exact match with the place of use served by Rights 33-2034 (Black Creek or Deep Creek) and 33-87 (Deep Creek). These three rights should be limited to a combined total of 76.7 acres, a combined diversion rate of 1.60 cfs (the decreed rate for 33-87, which is over 0.02 cfs per acre), and 268.5 AF.

The place of use for this right is also a subset of the 167.2 acre permissible place of use for ground water Right 33-2141. Rights 33-87, 33-2034, 33-2141, and 33-7179 should be limited to a combined total of 167.2 acres, 3.34 acfs, and 585 AF.

Rights 33-87, 33-2034, 33-2141, and 33-7179 overlap the 150 acre place of use for Rights 33-2106 and 33-11002 by 10.1 acres in the NWNW of Sec. 29, T10N, R27E. Consequently, all these rights should have a combined place of use of 307.1 acres $((150 + 167.2) - 10.1)$, a combined rate of 6.14 cfs, and 1075 AF.

LICENSING AMENDMENT

In 1999 the right holder submitted an application to amend the permit to show the point of diversion and place of use found by the field examiner. The application for amendment differs from the proposed license in two ways. First, it shows the point of diversion as being in the SWSESW, Sec. 10, T10N, R27E, which is more precise than will be licensed. A revised amendment is not necessary for IDWR to describe the point of diversion more generally than the permit holder requests. Second, the application for amendment shows a diversion volume of 268.5 AF instead of 216 AF. The application for amendment did not account for the 15 acres of irrigation under 33-2034. Again, a revised amendment is not necessary because IDWR can always license less than was permitted.

MICROFILMED

JUN 15 2004

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-21-1992

File Number: 33-7159

Claimant: Jake Amy

Channel measured: Black creek

Date of measurement: 7-23-92

Measurement location:

Measurement was 45' south of diversion on Black Creek

Calculation prepared by: Gary Buss

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 170 feet.

The upstream and downstream rod readings are 6.94 and 13.80 feet.

The channel cross section is 5.38 ft-sq.

The wetted perimeter is 11.80 feet.

The hydraulic radius is 0.46 feet.

The slope is 0.0404

The roughness coefficient is 0.0500

The flow velocity is 3.546 ft/sec.

The rate of flow is 19.08 cfs.

Correction for Round Pipes: Where n = roughness D = Diameter in ft S = slope

$$Q = \frac{0.463}{n} D^{2.667} S^{0.50}$$

$$Q = \frac{0.463}{0.012 \text{ (Pipe)}} \times 1.329^{2.667} \times \sqrt{0.0404}$$

$$= 38.58 \times 2.13 \times 0.200$$

$$= 16.52 \text{ cfs (pipeline capacity)}$$

for 16" pipeline
with Slope &
Roughness listed above.

Black creek
pipeline capacity
calculated by
H. Jones of
IDWR

MICROFILMED

JUL 15 2004

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-21-1992

7093

File Number: 33-7159

Claimant: Jade Amy

Channel measured: Deep Creek

Date of measurement: 7-23-92

Measurement location:

Reading 29' Northwest from point of diversion into pipeline.

Calculation prepared by: Gary Buss

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 300 feet.

The upstream and downstream bed readings are 9.40 and 20.70 feet.

The channel cross section is 12.27 ft-sq.

The wetted perimeter is 14.59 feet.

The hydraulic radius is 0.84 feet.

The slope is 0.0477

The roughness coefficient is 0.0500

The flow velocity is 5.798 ft/sec.

The rate of flow is 11.16 cfs (open channel)

Correction for Rough Pipes: Where no roughness

D = Diameter in ft.

S = slope

$$Q = \frac{0.463}{n} D^{2.667} S^{0.50}$$

$$Q = \frac{1.152}{0.012} 1.329^{2.667} 0.0477^{0.50}$$

$$= 38.58 \cdot 2.135 \cdot 0.218$$

$$= 17.94 \text{ cfs pipeline capacity (15" diameter)}$$

with slope & roughness

11.16 cfs

g/b

MICROFILMED

JUL 15 2004



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

February 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BIRCH CREEK RANCHES, L.L.C.
5203 SOUTH 11TH EAST
IDAHO FALLS ID 83404

Re: Permits 33-07094, 33-07179 & 33-07180

Dear Mr. Sorenson:

We have processed the assignments submitted for the above referenced permits. Enclosed, for your records, are profile reports which show you as the owner of Permit Nos. 33-07179 and 33-07180. Please be advised that we have put your name, along with Mr. Amy's name on Permit No. 33-07094 since the assignment was not specific as to which 50% of the permit was retained by Mr. Amy and which 50% was assigned to you. When we take final action on that permit, in regard to issuance of a license, we will need to have more specific information in regard to the split of that permit.

We received the field examiner's report on the use developed under 33-07180 on December 23, 1999. Since Permit 33-07180 is used in conjunction with Permit No. 33-07179 we will withhold issuance of License 33-07179 until I have reviewed Permit No. 33-07180 for licensing also. I hope this is satisfactory to you. I realize we have been in receipt of the licensing amendment for Permit 33-07179 since December 28, 1999, but we would prefer to send these permits in for licensing together.

We also need to have any information you can obtain regarding the use of water under Permit 33-07094. In your letter of January 31, 2000, you stated you were in the process of obtaining evidence and that you needed an additional 30 days to compile your findings. Please submit that information no later than March 23, 2000, so we can finalize our action on that permit also. If you don't submit anything by March 23 we will pursue voiding the permit as stated in my correspondence of November 22, 1999 (copy enclosed for your information).

If you have any questions in regard to the above matter, please do not hesitate to contact me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

Cc: Alan J. Amy
P.O. Box 32
Howe, ID 83244

MICROFILMED

2000 2 23 4441

Birch Creek Ranches, L.L.C.

5203 South 11th East
Idaho Falls, Idaho 83404

Phone: (208) 522-8069
Fax: (208) 522-8223
e-mail: sorenson@ida.net

January 31, 2000

RECEIVED

FEB - 2 2000

Department of Water Resources

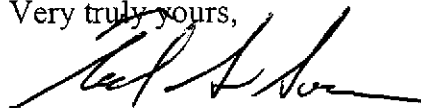
Kay Walker
Sr. Water Resource Agent
State of Idaho
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Permits 33-07094, 33-07179 and 33-07180

Dear Ms. Walker:

This letter is written in response to your letter of ~~June~~^{Jan} 4, 2000. Enclosed please find an assignment of the permits which show myself as the current owner on all of the above water rights except for 33-07094 which is 50% retained by Jake Amy. This assignment was filed and the filing fee paid to Keith Wilson of your department on January 24, 2000. We discussed the entire situation concerning these permits and the use of this water particularly in the north ½ section 36, Township 10 North, Range 26 East. The diversion to this area as permitted was not accomplished but there was a rediversion from the outlet of the dry creek hydropower plant pursuant to an agreement between Jake Amy and the power plant, a copy of which is attached. Pursuant to that agreement Jake Amy built ditches and also built basins which made for irrigation. We discussed this matter with Keith Wilson and would request additional time to compile this evidence for submission to you and/or to your staff in Idaho Falls. Accordingly we would request an additional 30 days to submit this information and request your concurrence in this matter.

Very truly yours,



Ted S. Sorenson

cc: Jake Amy
Keith Wilson - IDWR (w/enclosure)

MAIL ROOM

FEB 1 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

January 4, 2000

BIRCH CREEK RANCHES, L.L.C.
5203 SOUTH 11TH EAST
IDAHO FALLS ID 83404

Re: Permits 33-07094 & 33-07179

Dear Mr. Sorenson:

We are in receipt of the letters you submitted in regard to the above referenced permits.

Please be advised that we will withhold taking further action on these permits pending the submittal of an Assignment of the Permits to show you as the current owner. I have enclosed two assignment forms for your convenience. Since permits are personal property, we need to have Mr. Amy assign these permits to you in order to change the ownership. We will not require a copy of your corrected warranty deed if Mr. Amy assigns the permits over to you. There is a \$25.00 filing fee for each water right assigned.

In regard to Permit 33-07094, our examiner found no use of water under this permit. The permit was issued for the irrigation of 295 acres and 5.9 cfs of water from Deep Creek. Our examiner found only 76.7 acres could be irrigated from Deep Creek and Rts. 33-00087 and 33-02034 already cover those 76.7 acres from Deep Creek. I have enclosed profile reports of the proposed SRBA recommendations for your information. We will allow you an additional 30 days from the date of this letter to investigate the matter. If we don't hear from you by February 4, 2000, we will proceed with voiding the permit.

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

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

MICROFILMED

JUN 15 2004

Birch Creek Ranches, L.L.C.

5203 South 11th East
Idaho Falls, Idaho 83404

Phone: (208) 522-8069
Fax: (208) 522-8223
e-mail: sorenson@ida.net

December 23, 1999

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

RECEIVED

DEC 28 1999

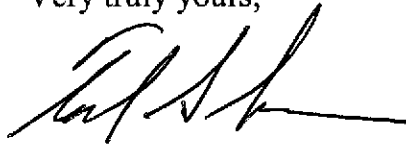
Department of Water Resources

Re: Water Right No. 33-07179

Dear Ms. Walker:

I purchased the Jake Amy Ranch some 3 years ago. Apparently Mr. Jake Amy transmitted your letter of November 22nd to me on Friday, December 17, 1999. Enclosed please find a filing fee for \$50.00 together with the signed application. I appreciate your help and patience in this matter.

Very truly yours,



Ted S. Sorenson

TSS/red
Enclosure

ADDITIONAL
JAN 5 2004

Memorandum

To: Files 33-07094 & 33-07179

From: Kay Walker *KW*

Date: 12/23/99

Re: Letter of 11/22/99

.....

Ted Sorenson called me this afternoon in regard to the above referenced water rights.

Mr. Sorenson stated that he purchased the property from Mr. Amy 3 years ago and just received the correspondence regarding the above referenced permits yesterday. He needs more time to review the correspondence and requested more time to review the proposed voiding of permit 33-07094. He will be sending in letters today in regard to the permits along with a \$50.00 check for the licensing amendment of Permit 33-07179.

I told Mr. Sorenson we need to get the ownership of these rights updated and he says the title company had made an error on his deed and they are in the process of correcting it. He should have a corrected deed around the first of the year.

He is not in agreement with the voiding of Permit 33-07094 and will be looking into that matter.

RECEIVED

DEC 23 2004

Memorandum

To: Files 33-07094 & 33-07179

From: Kay Walker 

Date: 12/07/99

Re: Letters sent out November 22, 1999
.....

Mr. Alan J. Amy called me this morning requesting more time to respond to my letters of 11/22/99. Mr. Amy wants to visit with Keith Wilson about my recommendations before he submits any paperwork. Mr. Amy said he and Keith spent a whole day going over his water rights and paperwork and would like Keith to review my proposals. Mr. Amy had called Eastern to make an appointment with Keith and he is on vacation which causes delay in responding. I told him that an extension for response would be okay and we would not pull the files for any further action until the first of the year.

MICROFILMED

DEC 15 2004



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

November 22, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ALAN J AMY
PO BOX 32
HOWE ID 83244

RE: WATER RIGHT NO. 33-07179

Dear Permit Holder(s):

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(s) of diversion and place(s) 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(s) of diversion and place(s) 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.

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,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MAILED

NOV 25 2000

Permit No. 33-07179 Date: 11/15/99 Reviewer: Kay Walker

Second Amendment Notice *P44* Pg 7, S06

changed access to
match SRBA
recommendations-

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L3307179	DEEP CREEK																	37
A3300001B	LITTLE LOS									10					37			47
R3300001B	SUMMIT CRE									10					37			47
3300087	DEEP CREEK											40	40					80
A3300087	DEEP CREEK											40	40					58
												40	40					35
A3300095B	LITTLE LOS									10					37			47
R3300095B	SUMMIT CRE									10					37			47
A3300096B	SAWMILL CR									10					37			47
R3300096B	SUMMIT CRE									10					37			47
A3300097C	DRY CREEK									10					37			47
R3300097C	DRY CREEK									10					37			47
3302034	BLACK CANY											40	40					80
A3302034	BLACK CREE											40	40					58
												40	40					35
A3302072A	GROUNDWATE															18		18
R3302072A	GROUNDWATE															18		18
3302106	GROUNDWATE																	36
A3302106	GROUNDWATE																	2
																		3
3302135A	GROUNDWATE																	40
A3302135A	GROUNDWATE															18		18
R3302135A	GROUNDWATE															18		18
3302141	GROUNDWATE																	40
A3302141	GROUNDWATE																	77
																		74
L3307179	DEEP CREEK																	38
3300001A	LITTLE LOS														26		19	45
A3300001A	LITTLE LOS														26		19	45
R3300001A	LITTLE LOS														25		25	50
3300087	DEEP CREEK							25										25
A3300087	DEEP CREEK							39										

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

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		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	
A3300099	LITTLE LOS :		35	25	:			09	40 :	35			04 :		25	33	:	206
R3300099	LITTLE LOS :		21	32	:			10	28 :	26			04 :		32	27	:	180
3302034	BLACK CANY :				:		25		:				:				:	25
A3302034	BLACK CREE :				:		39		:				:				:	39
	BLACK CREE :				:				:				:				:	37
3302072	GROUNDWATE :		35	25	:				40 :	35			:		25		:	160
A3302072A	GROUNDWATE :				:	30			:				:				:	30
R3302072A	GROUNDWATE :				:	30			:				:				:	30
A3302072C	GROUNDWATE :		35	25	:				40 :	35			:		25		:	160
R3302072C	GROUNDWATE :		21	32	:			10	28 :	26			04 :		32	27	:	180
3302080	GROUNDWATE :				:				:				:	40			40 :	80
A3302080	GROUNDWATE :				:				:				:	40			40 :	80
3302106	GROUNDWATE :				:		40		:				:				:	40
A3302106	GROUNDWATE :				:		11	10	:		04		:				:	25
	GROUNDWATE :				:			08	:				:				:	19
A3302135A	GROUNDWATE :				:	30			:				:				:	30
R3302135A	GROUNDWATE :				:	30			:				:				:	30
3302135B	GROUNDWATE :		1	1	:			1	1 :	1			1 :		1	1	:	
A3302135B	GROUNDWATE :		35	25	:			09	40 :	35			04 :		25	33	:	206
R3302135B	GROUNDWATE :		21	32	:			10	28 :	26			04 :		32	27	:	180
3302141	GROUNDWATE :				:		40		:				:				:	40
A3302141	GROUNDWATE :				:		28		:				:				:	28
	GROUNDWATE :				:				:				:				:	37
	GROUNDWATE :				:				:				:				:	15
	GROUNDWATE :				:				:				:				:	15
3307179	BLACK CREE :				:			25	:				:				:	25
3307180	DEEP CREEK :				:			25	:				:				:	25
3307193	GROUNDWATE :		25	35	:			20	40 :	40			40 :		35	35	:	270
R3310028	GROUNDWATE :		21	32	:			10	28 :	26			04 :		32	27	:	180

L3307179	T10N R27E S30 BLACK CREEK				:				:				:				:	2
A3300087	DEEP CREEK :		05		:				:				:				:	5
	DEEP CREEK :				:				:				:				:	2
A3302034	BLACK CREE :		05		:				:				:				:	5
	BLACK CREE :				:				:				:				:	2
3302106	GROUNDWATE :		17		:				:				:				:	17
A3302106	GROUNDWATE :		13		01 :				:				:				:	14
	GROUNDWATE :				0 :				:				:				:	13
3302141	GROUNDWATE :		40		:				:				:				:	40
A3302141	GROUNDWATE :		07		:				:				:				:	7
	GROUNDWATE :				:				:				:				:	5
3307094	DEEP CREEK :		40		:				:				:				:	40
	DEEP CREEK :				:				:				:				:	40

OWNER CODE: C
 NAME & ADDRESS: ALAN J ANY
 PO BOX 32
 HOME ID 83244
 (208) 767-3374

Water Source: XXXXXXXXXX Tributary to: LITTLE LOST RIVER Stage: DECREED

Point(s) of Diversion: T10N R27E S14
 Point(s) of Re-diversion: T10N R27E S20

Place of use Legal Description for: IRRIGATION									
NE									
T	R	S	NE	NE	SW	SE	SW	SE	SUM
10N	27E	20	Ac	Ac	Ac	Ac	Ac	Ac	Ac
10N	27E	29	Ac	Ac	Ac	Ac	Ac	Ac	Ac
10N	27E	30	Ac	Ac	Ac	Ac	Ac	Ac	Ac
TOTAL DIVERSION:									1.600 CFS

POU County: BUTTE

Other Rights: 33-02034

Conditions of Approval:
 C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
 - PURSUANT TO SECTION 42-1425, IDAHO CODE.
 C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
 - SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 33-02034 IS LIMITED TO A
 TOTAL COMBINED DIVERSION RATE OF 1.60 CFS.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 33-02034 IS LIMITED TO THE
 IRRIGATION OF A COMBINED TOTAL OF 76.7 ACRES IN A SINGLE
 IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: Objection Filed Date:
 Misc: Water District Number: 33 Field Inspection Flag: C
 Presumption Flag: C

OWNER
CODE

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

C

ALAN J AMY
PO BOX 32
HOME ID 83244
(208) 767-3374

05/16/1934

IRRIGATION

04-01 11-01

0.300 CFS

0.300 CFS

TOTAL DIVERSION:

0.300 CFS

Water Source:

Tributary to:

Stage:



SINKS
LITTLE LOST RIVER

LICENSE

Point(s) of Diversion:

Point(s) of Re-diversion:

NESESW
SESESW
NENWSW

T10N R27E S10
S14
T10N R27E S20

BUTTE County
BUTTE County
BUTTE County

Place of use Legal Description for: IRRIGATION									
NE					SW				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	SUM
10N	27E	20	:	:	10	25	:	:	36.6
10N	27E	29	:	:	:	:	:	:	37.9
10N	27E	30	:	:	:	:	:	:	2.2
TOTAL ACRES									76.7

PDU County: BUTTE

Other Rights: 33-02141, 00087

- Conditions of Approval:
- C05

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C03

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION - PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 33-00087 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.60 CFS.

P001

USE OF THIS RIGHT WITH RIGHT NO. 33-00087 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 76.7 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 15 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number: 33

Field Inspection Flag:

Presumption Flag: C

OWNER
CODE

NAME & ADDRESS

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

C ALAN J AMY
PO BOX 32
HOME ID 83244
(208) 767-3374

08/07/1961

IRRIGATION

04-15 10-31

3,000 CFS

525.00 AFA

TOTAL DIVERSION:

3,000 CFS

525.00 AFA

Water Source: BUTTE WATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T10N R27E S19 NENESW BUTTE County

Place of use Legal Description for: IRRIGATION																
NE						NW				SE						
NENE		NWNE		SENE		NENW		SWNW		SENW		NWSW		SWSE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
10N	27E	19	:	40	:	:	:	:	:	:	:	25	36	07	03	112.0
10N	27E	20	:	:	:	:	:	:	03	:	:	:	:	:	:	3.5
10N	27E	29	:	:	:	11	08	:	:	:	:	:	:	:	:	20.0
10N	27E	30	:	13	:	.7	:	:	:	:	:	:	:	:	:	14.5
TOTAL ACRES															150.0	

POU County: BUTTE

Other Rights: 33-00087, 02034, 02141

Conditions of Approval:

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.14 CFS. COMBINED RIGHT NOS.:
33-00087, 33-02034, 33-02141.

P0U1

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087, 33-02034, AND
33-02141.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag: C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. R33-02141

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALAN J AMY PO BOX 32 HOWE ID 83244 (208) 767-3374	01/29/1949	IRRIGATION	04-15 10-31	3.200 CFS	560.00 AFA
TOTAL DIVERSION:					3.200 CFS	560.00 AFA

Stage: LICENSE

BUTTE County

Tributary to:

SENWSE

T10N R27E S19

Water Source

Point(s) of Diversion:

Place of use Legal Description for: IRRIGATION									
NE									
NW									
SW									
SE									
SUM									
T	R	S	NE	NW	SW	SE	NESE	NWSE	SESE
10N	27E	19	NE	NW	SW	SE	Lt	Ac	Lt
10N	27E	20	NE	NW	SW	SE	Lt	Ac	Lt
10N	27E	29	NE	NW	SW	SE	Lt	Ac	Lt
10N	27E	30	NE	NW	SW	SE	Lt	Ac	Lt
							14		
							35		
							49.6		
							74.5		
							37.9		
							5.2		
							167.2		

POU County: BUTTE

Other Rights: 33-00087, 02034, 02106

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.34 CFS. COMBINED RIGHT NOS.: 33-00087 AND 33-02034.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 167.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087 AND 33-02034. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag: C
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORTRECEIVED
OCT 19 1999
DEPARTMENT OF WATER RESOURCES~~33-07094~~Permit No. 33-07179**A. GENERAL INFORMATION**1. Owner: JAKE AMY Phone No. (208) 767-3374Current Address: P.O. Box 32, Howe Id 832442. Accompanied by: JAKE AMY EXAM DATE: 7-14-1999

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: DEEP CREEK / BLACK CREEK tributary to SINKS**B. OVERLAP REVIEW**1. Other water rights with the same place of use: 33-07094/07179/00087/33-20342. Other water rights with the same point of diversion: 33-07094/07179/00087/2034
33-07093/07159/07177/07178**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	SW	10	10N	27E	Butte	On Site / FSA aerial (BLACK CREEK)
		SE	NE	SW	14	10N	27E	Butte	On Site / FSA aerial (DEEP CREEK)

2. Place(s) of Use:

Indicate Method of Determination FSA aerial

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	27E	20									11	216							37
		29						38											38
		30	2																2
																			7706

MICROFILMED
33-07179

JUL 15 2004

[illegible]

Copy of USGS 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)

Photo of Diversion and System Attached

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

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

1

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

2. Measurements: Channel Capacity: Mowing Equation $\text{DEP GREEK} = 71.11 \text{ kbps}$

Black Creek: 19,08 cfs

Closed Pipe: Hazen-Williams equation $Q = 19.51 C_b \text{ Max Capacity}$

33-07179

MILITARY.

RECEIVED

OCT 19 1999

DEPARTMENT OF WATER RESOURCES

MEMORANDUM

TO: ^{Field Exam} FILE ~~33-07094~~ / 33-07179

October 13, 1999

FROM: Keith C. Wilson

RE: Source & licensing of ~~33-07094~~ or 33-07179

According to Allen Ruberry, Deep Creek and Black Creek can irrigate only 77 acres within the following place of use:

NW ¼ SW ¼ (11 ac), SW ¼ SW ¼ (26 ac), Sec 20, T10N, R27E
NW ¼ NW ¼ (38 ac), Sec 29, T10N, R27E
NE ¼ NE ¼ (2 ac), Sec 30, T10N, R27E

This place of use is already covered under: 33-00087 1.60 cfs/105 ac Deep Creek
33-02034 0.30 cfs/105 ac Deep Creek Spring
Black Canyon Spring

In the adjudication these water rights lists the following sources:

A33-00087 1.60 cfs Deep Creek
A33-02034 0.30 cfs Deep Creek
Black Creek

It would appear that the sources are considered as follows:

Deep Creek Spring = Deep Creek
Black Canyon Spring = Black Creek.

If correct then 33-07094 (Deep Creek) is not necessary since the rate/acre from Deep Creek is already more than 0.02 cfs/ac.

$[(33-00087) 1.60 \text{ cfs}/77\text{ac} + (33-02034) 0.30 \text{ cfs}/77 \text{ ac} = 1.90 \text{ cfs}/77 \text{ ac} = 0.025 \text{ cfs}/\text{ac} > 0.02 \text{ cfs}/\text{ac}]$

33-07094 Change source to Black Creek could be licensed for 1.24 cfs
[77 ac x 0.02cfs/ac = 1.54 cfs - 0.30 cfs (33-02034) = 1.24cfs]
(33-07179 would not be needed)

----- OR -----

33-07179 Licensed for 1.24 cfs if source for 33-07094 can not be changed
[77 ac x 0.02cfs/ac = 1.54 cfs - 0.30 cfs (33-02034) = 1.24cfs] ←
(33-07094 would be cancelled)

MICROFILMED

JUL 15 2004


Keith C. Wilson
Senior Resource Agent

33-07179

Hazen-Williams Equation for Closed Pipe Flow

Assumptions: Head Loss due to bends, couplings, & valves is negligible

$$Q_{cfs} = 1.318 C_h (\pi D^2/4) \times (D/4)^{0.63} \times (H/L)^{0.54}$$

Q = Discharge (cfs)

D = Pipe Diameter (ft) = 1.33 ft (16")

L = Pipe Length (ft) = 21580 ft

H = Elevation Drop (ft) = 880 ft

C_h = Values for Types of Pipe = 120

150 -Plastic (PVC) > 6"

110 -Riveted Steel

140 -Very Smooth, PVC < 6"

100 -Old Cast Iron

130 -Cast Iron

80 -Badly Corroded Cast Iron

120 -Wood, Concrete,
Welded Steel

$$Q_{cfs} = 1.318 \left(\overset{C_h}{120} \right) \left[\pi \left(\overset{D}{1.33} \right)^2 / 4 \right] \times \left(\overset{D}{1.33} / 4 \right)^{0.63} \times \left(\overset{H}{880} / \overset{L}{21580} \right)^{0.54}$$

$$Q_{cfs} = \underline{19.51} \text{ cfs}$$

Maximum

Pipeline Capacity

NOT FOR CONSTRUCTION

DATE 5/5/2004

Permit # 33-07179

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-21-1992

File Number:

Claimant: Jake Amy

Channel measured: Black creek

Date of measurement: 7-23-92

Measurement location:

measurement was 45' south of diversion on Black Creek

Calculation prepared by: Gary Buss

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 170 feet.

The upstream and downstream rod readings are 6.94 and 13.80 feet.

The channel cross section is 5.38 ft-sq.

The wetted perimeter is 11.80 feet.

The hydraulic radius is 0.46 feet.

The slope is 0.0404

The roughness coefficient is 0.0500

The flow velocity is 3.546 ft/sec.

The rate of flow is 19.08 cfs.

CROSS SECTION NUMBER 1

For File Number

Black creek

Number	Rod Reading	Water Depth	Distance
1	6.02	0.00	3.33
2	6.30	0.28	4.33
3	6.48	0.46	5.75
4	6.62	0.60	7.25
5	6.62	0.60	8.67
6	6.62	0.60	10.20
7	6.58	0.56	11.75
8	6.54	0.52	13.20
9	6.02	0.00	15.00

The area for this cross section is 5.38 square feet
and the wetted perimeter is 11.80 feet.

33-07179

HYDROPOWER

PERMITTED Flow Rates:

DEEP CREEK = 10.5 cfs (33-07093/33-07177)

BLACK CREEK = 3.5 cfs (33-07159/33-07178)

14.0 cfs

MAXIMUM PIPELINE CAPACITY = 19.51 cfs

EFFICIENCY OF HYDROPOWER SYSTEM:

$$e = \frac{P(11.8)}{QH}$$

P = Power in kilowatts = 650

Q = Design Discharge in cfs = 14.0 cfs

H = Gross Head (ft) = 880

$$= \frac{650(11.8)}{(14.0)(880)} = \frac{7670}{12320} = 0.6225 \times 100 = \underline{62.2\% \text{ efficiency}}$$

SINCE PIPELINE CAPACITY EXCEEDS PERMITTED FLOW RATE
AND EFFICIENCY IS GREATER THAN 60%:

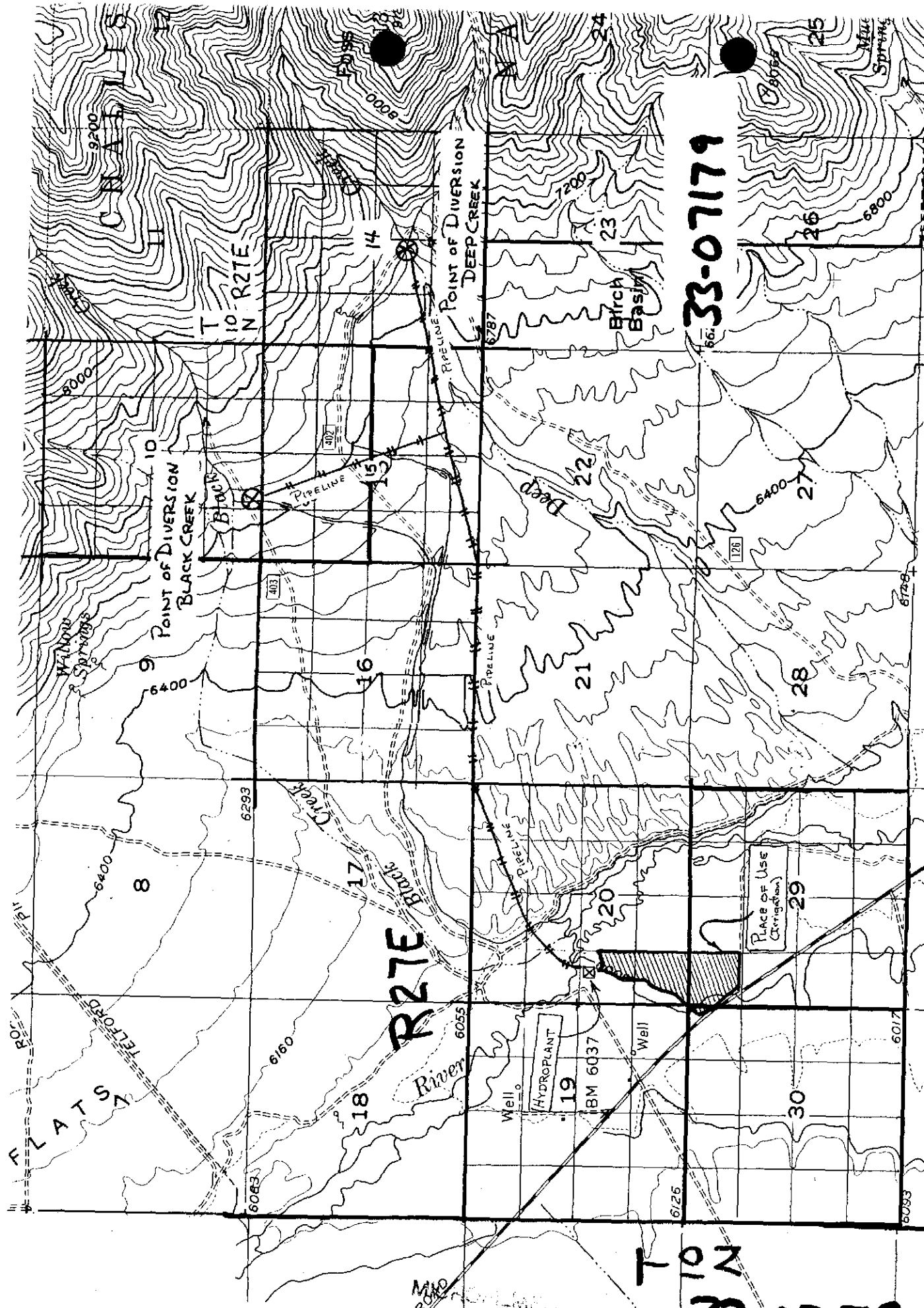
RECOMMEND LICENSING FOR 14.0 cfs PERMITTED RATE

PERMIT

33-07179

MICROFILMED

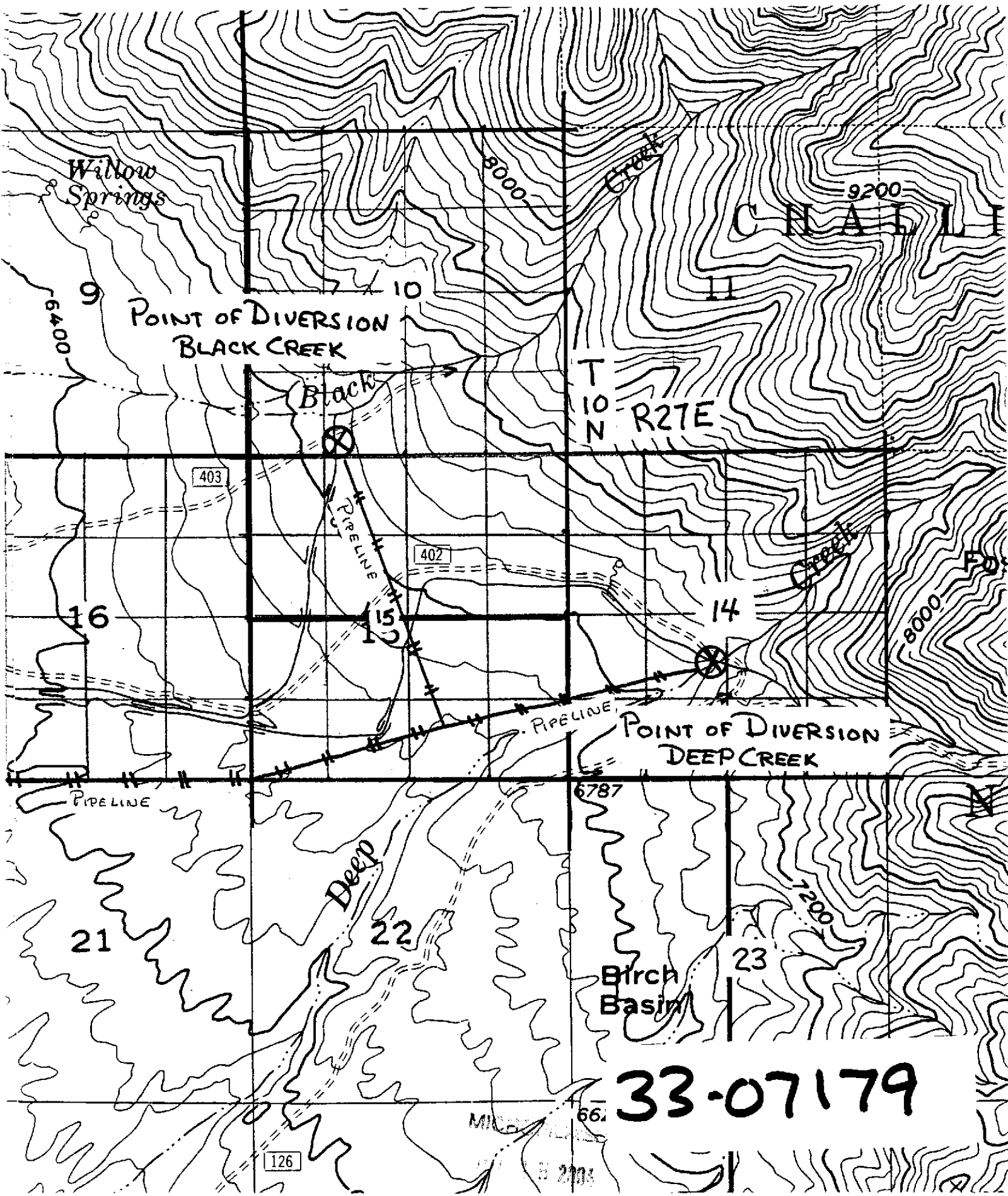
JUL 9 2014

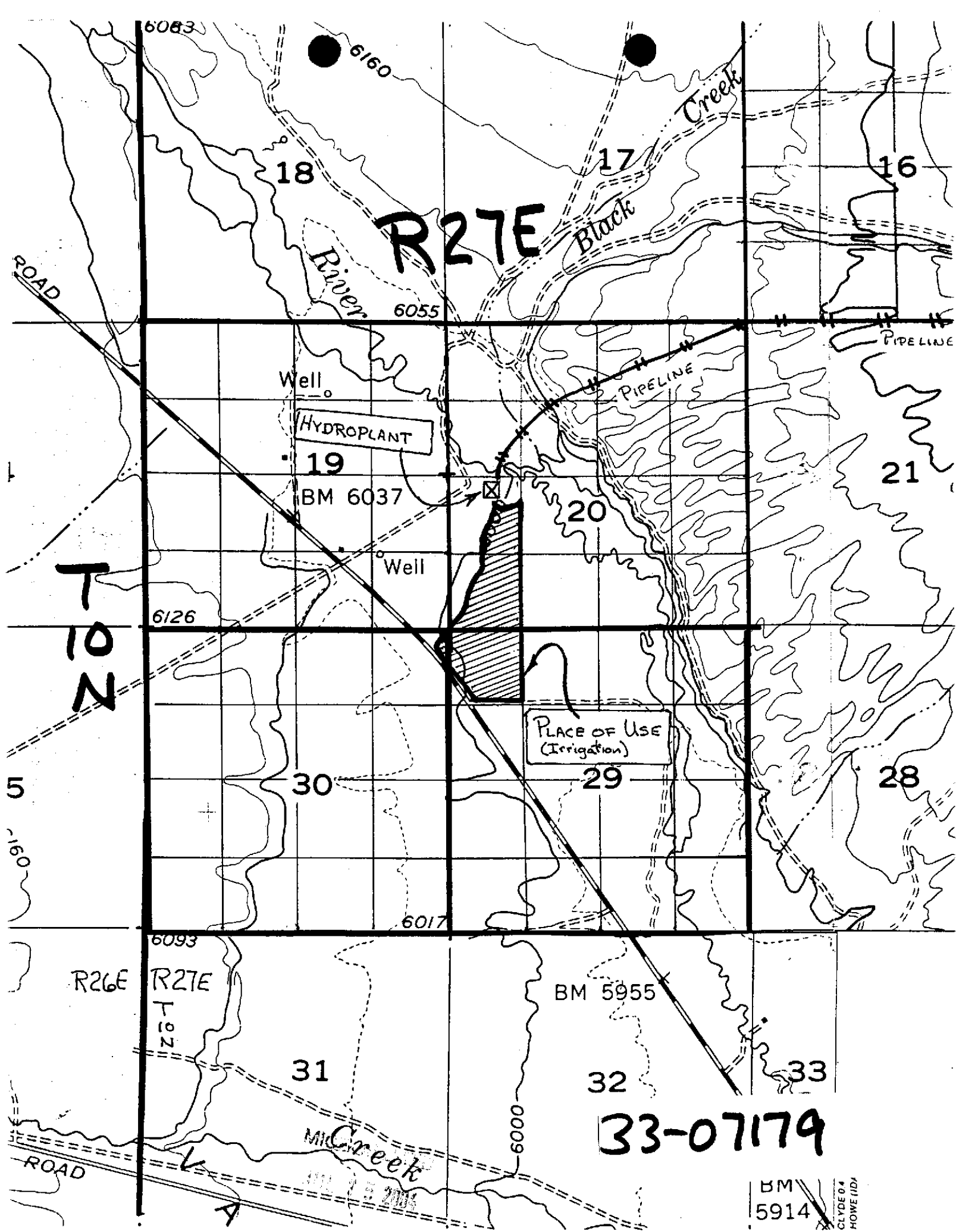


33-07179

33-07179

MAY 15 2004





222
T-372
NW
A-J-AMY

③
6.4

①
30.8
2.3

HYDROPOWER PLANT

②
22.7

④
13.3

R27E

10
20

④
2.8

③
48.8



PLACE OF USE
(Irrigation)

33-07179

MIC

11 2007

NWSW

11

AMY HYDROPLANT

SWSW
26

T
10
N

R27E

NENE

PLACE OF USE

NWNW
38

33-07179



POINT OF DIVERSION
BLACK CREEK

33-07179

MICROFILMED

APR 15 2003

E. NARRATIVE/REMARKS/COMMENTS

Diversion Dam to 16" pipeline through hydropower plant to ditches
for flood irrigation.

Note: No development of Place of Use w/in N $\frac{1}{2}$ Sec 36, T10N, R26E

No Diversion (Rediversion) from Wet Creek

No Diversion from Little Lost River

Water from hydropower plant discharged into Little Lost River
only during winter months.

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

MICROFILMED

MAY 15 2004

33-07179

F. FLOW CALCULATIONS

Measured Method:

Hazen-Williams Equation for closed pipe flow $Q = 19.5 \text{ cfs}$

Assumed $m = 1.24 \text{ cfs/77ac}$ Limited to 0.02 cfs/ac

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 77ac \times 3.5 \text{ cfs} = 269.5 \text{ cfs}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (1.24 \text{ cfs} \times 173 \times 1.9835) = 430.1$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 269.5 \text{ cfs}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Irrigation

From
4/15

To
10/15

Rate of Diversion

Q (cfs)
1.24 cfs

Annual Volume
V (afa)
269.5 cfs

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

None

Change P.U. as reflected above

Add P.U. as reflected above

Other

I. AUTHENTICATION

Field Examiner's Name

KENT C. WILLIAMS

Date

7-14-1999

Reviewer

SEAL

33-07179
MICROFILMED
JUL 15 2008

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 33-7179

Reviewed by [Signature]

Date 2-4-94

GENERAL CONSIDERATIONS

yes Name same as permit?

no Address same as permit?

yes Proof timely received?

If not, complete calculation below.

TYPES OF USE

Jr.

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit _____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?

150.00 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

no Installed?

no Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

DEFICIENCIES OR ACTION ITEMS

Return & request info on lockable
measuring device ^{3/8} Proof acceptable
applicant is getting together w/someone from
Region to talk about measuring device

DATA ENTRY

New Address

Box 32, Howe Id

Proof Made 1-26-94

83244

March 23, 1994

ALAN J AMY
P O BOX 32
HOWE ID 83244

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NOS. 33-07179 & 33-07180

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use forms submitted for the above referenced permits. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls, at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

APR 08 1994

RECEIVED

MAR 17 1994

Department of Water Resources

Mar. 11, 1994

Idaho Department Of Water Resources
% Julie L. Yarbrough

Dear Julie:

Concerning "Proof Of Beneficial Use"
permit No. 33-7179 and 33-7180

Julie, I apologize for the delay on my part, I did spend 4 hr. with Gary Buss (field review) 7-20-92, all water, (that was available) was being used at that time, (92 was a drought year for us) there was some changes from my original application, that I explained to Gary and showed him, he seemed to be satisfied, and said he would send me a copy of his report, I haven't recieved the copy & dont know what happed to his report, so I will get with some I.F. (I.D.W.R.) personnel and see what more is required

Julie, thank you very much for your patience and help, hope we will have it all stright soon?

Thanks Again

Alan J (Jake) Arny

APR 08 1994

February 9, 1994

Alan J. Amy
P.O. Box 32
Howe, ID 83244

RE: Permit Nos. 33-07179 & 33-07180

Dear Permit Holder:

Enclosed are copies of the Proof of Beneficial Use forms submitted to this office in connection with the above referenced permits. The proofs are not acceptable until some additional information is supplied to the department. Condition #5 of your permits to appropriate water state you must install a measuring devise and lockable controlling works prior to diversion of water under this permit. You did not indicate on either of the proofs that the condition has be complied with.

Please advise the department as to whether or not the required measuring devises have been installed. I will hold the application for 30 days to give you time to submit the required information.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

APR 08 1994

November 30, 1993

ALAN J. AMY
STAR ROUTE
PO. BOX 170
HOWE ID 832440000

PROOF DUE NOTICE

RE: PERMIT NO. 33-07179

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before February 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

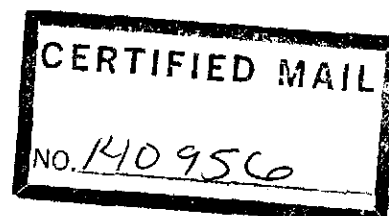
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures



APR 08 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 19, 1991

ALAN J. AMY
STAR ROUTE
PO. BOX 170
HOWE, ID 832440000

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 33-07179

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by state action, and is held in trust by the State of

RECORDED

MAR 28 1991

Idaho for the use and benefit of the people within the state.
Conditions pertaining to a term review, annual use fee and
jurisdiction of the permit are trust water conditions.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED
MAY 28 1991

MAY 28 1991

APPLICATION FOR PERMIT REVIEW

Application #: 33-7179
Date: 2-11-91

Reviewer: Pam Skaggs ²⁸

- ✓ Existing:
- ✓ No - 26A-P17
 - Complete in 1 year - P16
 - Yes
 - Proof not submitted - P16
 - Proof submitted - N/A
 - Groundwater:
 - GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)
 - LT. 0.7 cfs - N/A
 - Drilling Permit:
 - Approved w/permit - P99
 - Not included - 046-P23(All GW, even existing wells)
 - ✓ Location:
 - ✓ Water Districts - WD No. 33
 - ✓ Surface water - 005, 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)
 - Groundwater - P05
 - Irrigation Districts - 023
 - Canal Co. Areas - 023
 - Drainage Districts - 024
 - Boise Front. (63) - 058 (Groundwater)
 - ✓ Swan Falls Flag - 7 (1 or Blank)
 - ✓ Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr or Irr & Dom)
 - Non Trust - 048-049
 - River Basins:
 - (Surface Water) Water District Control Condition &....
 - Boise (63) - 11D-P72
 - Payette (65) - 047-P04, 059-P71
 - Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)
 - Use:
 - Fish Propagation - 002-P06, 06A, 007, 09E-P10, 010, 042, 044
 - Power - Use Power Review
 - Mining - 06A, 006, 09E-P10, 010, 054(req.)
 - Storage - 18A-P for multiple measuring devices(In W.D.), 18B-P09(Size)
 - Rec. & Aesthetic - 027(Non-Consumptive)
 - Domestic - 021(restricted areas)
 - ✓ Ownership:
 - ✓ Non land owner - 004
 - Protested:
 - Agreement - 020
 - Minimum Stream Flow:
 - Overlapping uses - 029-P20
 - ✓ Beneficial Use Due Date: - 02-01-1994
 - ✓ Other Conditions Recommended Change Tributary to Little Lost River.
per Jim J.

RECORDED & INDEXED

MAR 23 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

DECEMBER 11, 1990

Arco Advertiser
Box "C"
Arco, ID 83213

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before JANUARY 7, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

RECEIVED
MAR 28 1991

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

33-07179

AMY, ALAN J.
STAR ROUTE
PO. BOX 170
HOWE, ID 832440000

Source: BLACK CREEK

Tributary: SINKS

Diversion Pt: SENE Sec 13 T 10N R 26E
 SENE Sec 35 T 10N R 26E
 NWSESW Sec 10 T 10N R 27E

Use: IRRIGATION (2.700 CFS)
 Total Diversion: (2.700 CFS)

Date Filed: 12/12/ 1985

In: T10N R26E S36	NENE	NWNE	SENE	NENW
	NWNW			
R27E S19	SWNE	NWSE		
S29	SWNW			

305.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before JANUARY 7, 1991.

Published 12/20/1990 & 12/27/1990

R. Keith Higginson, Director

RECEIVED
DEC 20 1990

DEC 20 1990

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: APP. NOS. 33-7179 & 33-7180/Trust Water Processing &
Rule 4,5. Information

DATE: 12-3-90

These are trust water filings which have come up for sequential processing under the appropriate rules and statutes. The applications are from different sources but are appurtenant to the same land. The applicant did not return the trust water information questionnaire but did submit information required by Water Appropriation Rule 4,5,3. The information appears acceptable. I recommend continued processing of the applications.

Based on the information submitted and review of other permits owned by the applicant, it appears that the diversion system has been in place for several years. The water under these applications is already diverted for hydropower purposes. At least 80 of the 305 acres under these filings are already developed under groundwater licenses. Review of a 1975 orthophoto showed that the same 80 acres in section 19, T10N, R27E, were irrigated at that time. Neither the 1975 orthophoto nor the 1986 IDWR remote sensing report show that the remaining 225 acres under the application were irrigated in those years. This remaining 225 acres therefore should count as trust acreage.

FILED

MAR 28 1991

RECEIVED

NOV 21 1990

FROM: ALAN J. AMY

21 NOV 1990 Department of Water Resources
Eastern District Office

TO: TIM LUKE

SUBJECT: ADDITIONAL INFORMATION FOR 31-7179 & 31-7180

SYSTEM DEVELOPED UNDER PERMITS 33-7093, 33-7159, 33-7177, & 33-7178 FOR HYDRO POWER.

HYDRO-POWER DIVERSION SYSTEM WENT ON LINE ON 31 DECEMBER 1986.

IRRIGATION USE OF THIS WATER BEGAN THE 1987 IRRIGATION SEASON.

SOURCE: BLACK CREEK & DEEP CREEK BOTH TRIBUTARY TO SINKS.

SOURCES ARE COMBINED THEN DIVERTED TO THE HYDRO-POWER SYSTEM, DISCHARGED ONTO IRRIGATED PROPERTY.

SOURCE HAS NO OTHER USERS AND WOULD SINK BEFORE REACHING THE LITTLE LOST RIVER IF NOT DIVERTED INTO THIS SYSTEM.

ONLY DIVERSION WITHIN 1/2 MILE IS A BLM STOCK WATER DIVERSION LOCATED WITHIN THE SW1/4 NW1/4 SEC 14, T10N, R27E.

THE DIVERSION CONSISTS OF PIPELINES FROM THE SOURCES TO THE POWER PLANT, THEN DISCHARGED TO A DITCH ON THE PLACE OF USE.

WATER THAT WOULD HAVE BEEN TRIBUTARY TO SINKS NOW IRRIGATES LAND IN CLOSE PROXIMITY OF THE LITTLE LOST RIVER; THEREFORE, ANY RUN-OFF OR ANY WATER THAT PERCOLATES THROUGH THE SOIL WOULD BE AVAILABLE FOR THE LITTLE LOST RIVER.

SINCE THERE HAS BEEN A BELOW NORMAL SNOW PACK FOR THE LAST FOUR YEARS(1987, 1988, 1989, & 1990) THE AMOUNT OF WATER AVAILABLE HAS VARIED FROM A PEAK FLOW OF 8.0 CFS TO AND AVERAGE FLOW OF 3 CFS OR LESS.(RULE 4,5,3,2,1 & 4,5,3,2,2)

PERIOD OF USE 4/1 TO 11/01 OR 214 DAYS.

PLACE OF USE IRRIGATION REQUIREMENTS:

3.0 AFA AT FIELD HEADGATE (FIGURE 2 - IDWR)
2.5 AFA CONSUMPTIVE USE (APPENDIX III - IDWR)
1.36 AF AVERAGE ANNUAL CONSUMPTIVE IRRIGATION REQUIREMENT
BY CROP (ALFALFA) FOR IDAHO (TABLE 6 - IDWR)

AVERAGE OF 3.0 CFS X 1.9835 X 214 DAYS = 1273.4 AFA

THEREFORE: AVERAGE USE FOR 3.0 CFS RANGE FROM > 1273.4 AFA
TO: ----- < 1273.4 AFA

FIELD HEADGATE 3.0 AFA X 305 AC = 915 AFA
CONSUMPTIVE USE 2.5 AFA X 305 AC = 762.5 AFA
AVG. ANNUAL REQUIREMENT 1.36 AFA X 305 AC = 414.8 AFA

MAR 28 1991

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NOV 21 1990

Department of Water Resources
Eastern District Office

- 2 - AMY - 33-07179/33-07180

RULE 4,5,3,2,2. PLACE OF USE WILL BE FOR HAY, GRAIN, AND GRAZING OF STOCK CATTLE, AND WATER SUPPLY WILL ALLOW. THESE TWO RIGHTS WILL BE SUPPLEMENTAL TO GROUNDWATER RIGHTS. THE GROUNDWATER RIGHTS AS CLAIMED UNDER THE SNAKE RIVER ADJUDICATION (A33-02106 & A33-02072B)

RULE 4,5,3,4. FOR INFORMATION RELATIVE TO FINANCIAL RESOURCES THE DIVERSION SYSTEM IS ALREADY IN PLACE AND HAS OPERATED SINCE 31 DECEMBER 1986.

RULE 4,5,3,4,2. DITCHES FOR IRRIGATION HAVE BEEN PUT IN BY APPLICANT USING A DITCHER AS PART OF THE CONSTRUCTION OF THE HYDRO-POWER PLANT OUTLET.

Alan J. Amy

RECEIVED

MAR 28 1991

LEHIGH CO
BUTTE CO

Willow
Springs

C.N.A.L.

Black

DIVERSION
BLACK CREEK

BLM STOCK WATER
DIVERSION

DIVERSION
DEEP CREEK

R27E

T
20N

Birch
Basin

NOV 21 1990

Department of Water Resources
Planning Office

RECEIVED

MAR 26 1991

RECEIVED

PLACE OF USE	1/4	1/4	OVERLAP	REPORT	11/30/90

11/30/90

Sec 26
1986 DATA = 0 IRL. ACCEL

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	SUM
3307179	AMY	P	DEEP CREEK	10N	26E	36									120
3307094	AMY	A	BLACK CREEK	10N	26E	36	40	40	40	40					200
3307179	AMY	A	BLACK CREEK	10N	26E	36	40	40	40	40					200
3307180	AMY	A	DEEP CREEK	10N	26E	36	40	40	40	40					200
NO MAPPING INFO AVAILABLE															
3307179	ANDREASON	D	LITTLE LOST RIVER	10N	27E	19									120
33000958	ANDREASON	D	SAWMILL CREEK	10N	27E	19									120
33000968	ANDREASON	D	SAWMILL CREEK	10N	27E	19									120
33000978	SCOTT	D	DRY CREEK	10N	27E	19									40
3302072	AMY	L	GROUNDWATER	10N	27E	19									40
3302106	AMY	L	GROUNDWATER	10N	27E	19	40								70
3302135A	AMY	L	GROUNDWATER	10N	27E	19									40
3302141	AMY	L	GROUNDWATER	10N	27E	19									40
3307014	ANDREASON	L	GROUNDWATER	10N	27E	19									40
3307056	ANDREASON	L	GROUNDWATER	10N	27E	19									40
3307056	ANDREASON	L	GROUNDWATER	10N	27E	19									40
3307094	AMY	P	DEEP CREEK	10N	27E	19									135
3307179	AMY	A	BLACK CREEK	10N	27E	19									135
3307179	AMY	A	BLACK CREEK	10N	27E	19	40								120
3307180	AMY	A	DEEP CREEK	10N	27E	19	40								80
1986 MAPPING DATA ---															
		-	COUNTY 23 QUAD V	32	10N	27E	19	34	36	38	37	40			356
3307179	ANDREASON	D	LITTLE LOST RIVER	10N	27E	29									45
3300001A	AMY	D	DEEP CREEK	10N	27E	29									25
3300087	AMY	D	DEEP CREEK	10N	27E	29									25
3300095A	ANDREASON	D	LITTLE LOST RIVER	10N	27E	29									45
3300096A	ANDREASON	D	LITTLE LOST RIVER	10N	27E	29									45
3300097A	ANDREASON	D	LITTLE LOST RIVER	10N	27E	29									45
3300099	WAYMIRE	D	LITTLE LOST RIVER	10N	27E	29									45
3302034	AMY	L	BLACK CANYON SPRING	10N	27E	29									25
3302072	AMY	L	GROUNDWATER	10N	27E	29									160
3302080	AMY	L	GROUNDWATER	10N	27E	29									80
3302106	AMY	L	GROUNDWATER	10N	27E	29									40
3302135B	AMY	L	GROUNDWATER	10N	27E	29									40
3302141	AMY	L	GROUNDWATER	10N	27E	29									15
3307094	AMY	P	DEEP CREEK	10N	27E	29									25
3307094	AMY	P	DEEP CREEK	10N	27E	29									25
3307179	AMY	A	BLACK CREEK	10N	27E	29									25
3307180	AMY	A	DEEP CREEK	10N	27E	29									25
3307180	AMY	A	DEEP CREEK	10N	27E	29									25
3307193	WAYMIRE	P	GROUNDWATER	10N	27E	29									270
1986 MAPPING DATA ---															
		-	COUNTY 23 QUAD V	32	10N	27E	29	4	39	39	18	40	40	40	442

MAINTAINED

11/30/90

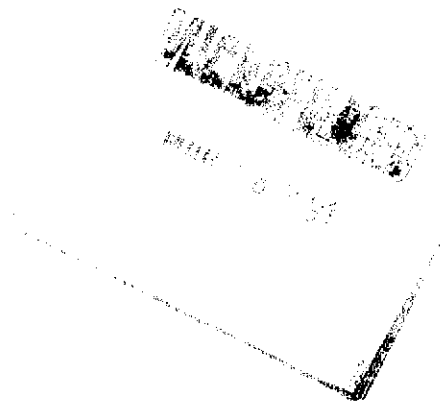
PLACE OF USE LOTS OVERLAP REPORT

	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	LOT	SUM
UR-NUMBER	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW		

3307180 T10N R26E S36
NO MAPPING INFO AVAILABLE

3307180 T10N R27E S19
23 MAPPING: 1L42 2L32 3L2

3307180 T10N R27E S29





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 22, 1990

RE: APPLICATION FOR PERMIT NO. 33-7179

Dear APPLICANT:

Due to the Swan Falls litigation, Department approval of the enclosed application may have been delayed. The Department is presently reviewing your application and may authorize the proposed development.

The purpose of this letter is to determine: (1) if you are still interested in developing the project, and (2) the extent of development, if any, that has already occurred under the application. Enclosed are two forms requesting information which will help the Department expedite the processing of the application.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed withdrawal form and return it to the Department. If you request a withdrawal of the application and the application was not previously advertised, the department will refund your original filing fee.

2. If you wish to continue with your proposed development plans, or have completed all or a portion of the proposed development before October 1, 1984, then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments &/or amendments concerning the application. Your completion of the questionnaire will expedite processing and help the department determine if the water diverted under the application is public water or trust water. Approved trust water applications may be subject to additional conditions.

Failure to return either of the above forms within thirty (30) days of the date of this letter is cause for the Department to void the application.

Please be further advised that if any undeveloped portion of your proposed project is greater than 200 acres, the department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5. (copy enclosed). In particular, rules 4,5,3. through 4,5,3,5. apply to your project if it is more than 200 acres. If necessary, the rule 4,5. information notice will be sent to you after you return the questionnaire.

MAR 28 1991

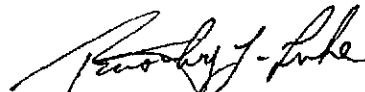
Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

Please note that a copy of your application is enclosed. The application number is also shown on the enclosed questionnaire.

Sincerely,



TIM LUKE

Sr. Water Resource Agent

Enclosures



MAR 2 8 1991

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

33-7179

INITIAL REVIEW BY: HLJ

APPLICATION NUMBER: AMY

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

- ☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

if amt applied to land via rediversions when this applic. + applic. from
Deep Creek are combined exceeds 0.025/acre.

SEND COPIES TO:

- ☒ Idaho State Health Department.
☒ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☒ U.S. Forest Service.
☒ Other W.D. 3B

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 33-2158, 33-2072 (Groundwater)
☒ Yes ☐ No* In form for advertising.
Final date for protests: _____
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received. Date: _____
☐ Application published correctly. If not, record action taken: _____
☐ Fee amount, receipt date & number, recorded on application.
☐ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☐ Recommendation & initial, recorded on application.
☐ Yes ☐ No Measuring device required.
☐ Yes ☐ No Access port required.
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
Date of priority recommended. _____

Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW:

- ☐ See attached sheet for more information.

By: _____ Date: _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
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IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
IDAHO STREAM CODE INDEX						

NOTICE OF APPLICATION

FOR WATER RIGHT

The following applications have been filed to appropriate
the public waters of the State of Idaho:

33-7179

AMY, ALAN J.

STAR ROUTE, PO. BOX 170, HOME, ID 83244

Source: BLACK CREEK trib. to SINKS

Diversion Pt: NWSESW Sec 10 T 10N R 27E

Use: IRRIGATION (2.7 CFS)

Date Filed: 12/12/1985

In: NENE NWNE SENE NENW NWNW Sec 36 T 10N R 26E SWNE NWSE Sec 19 T 10N R 27E
SWNW Sec 29 T 10N R 27E FOR 305 ACRES

The permits will be subject to all prior water rights.
Protests may be submitted based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest criteria of
Sec. 42-203C, Idaho Code. Protests must be filed with the
Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho, 83402 on or before January 13, 1986.

KEN DUNN

Director

Published 12/26/85 & 1/2/86.

MAK 2 0 1986