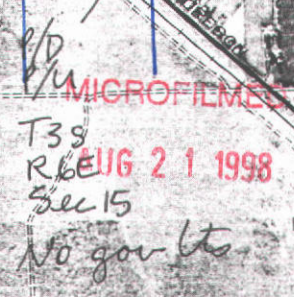


100



Between lts 4+5

p/h: lts 3, 4, 5

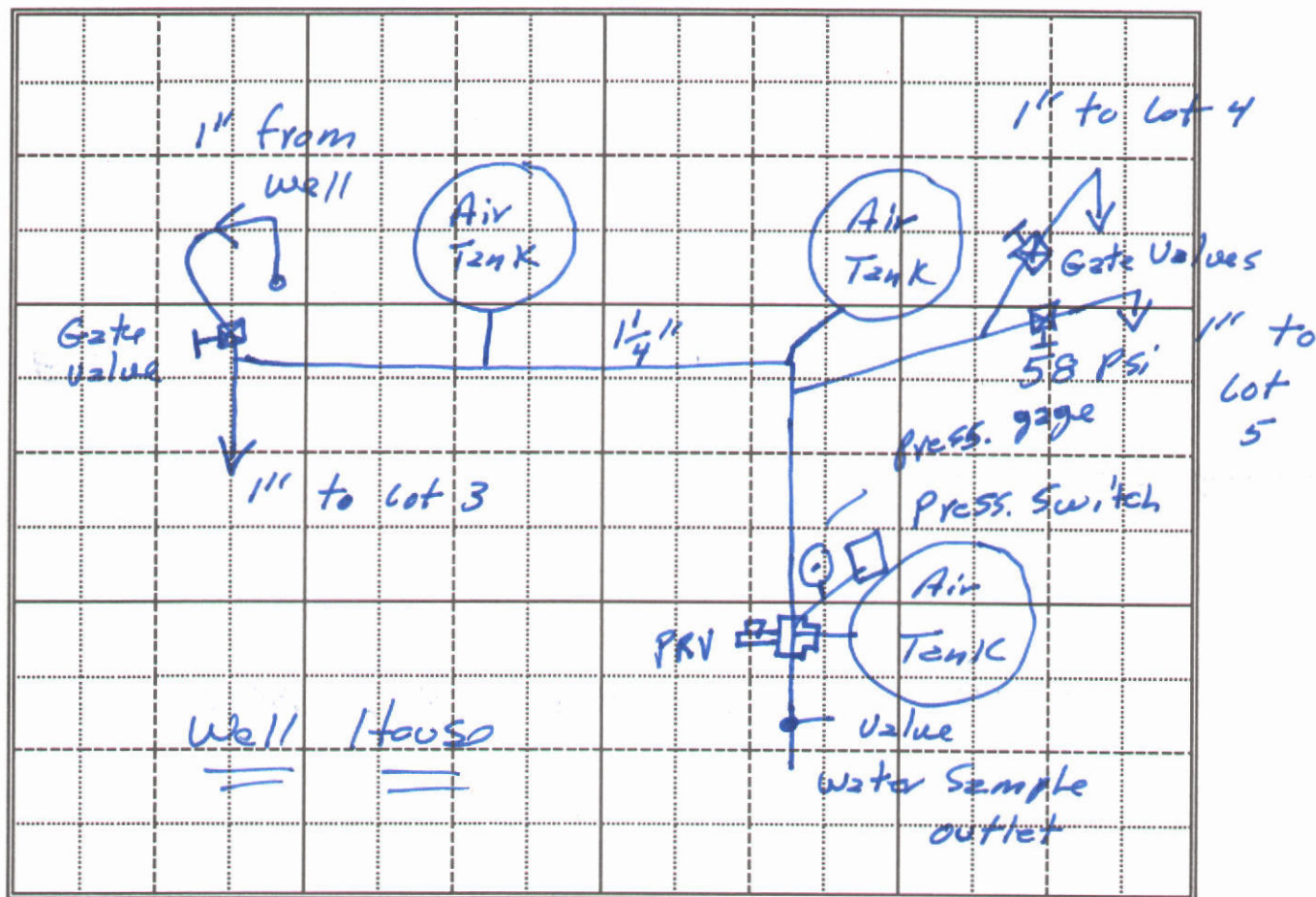
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AUG 21 1998

22	15
23	14



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



Scale: 1" = None

☒ 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

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	5	model 2821139310		

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

#### D. FLOW MEASUREMENTS

1.

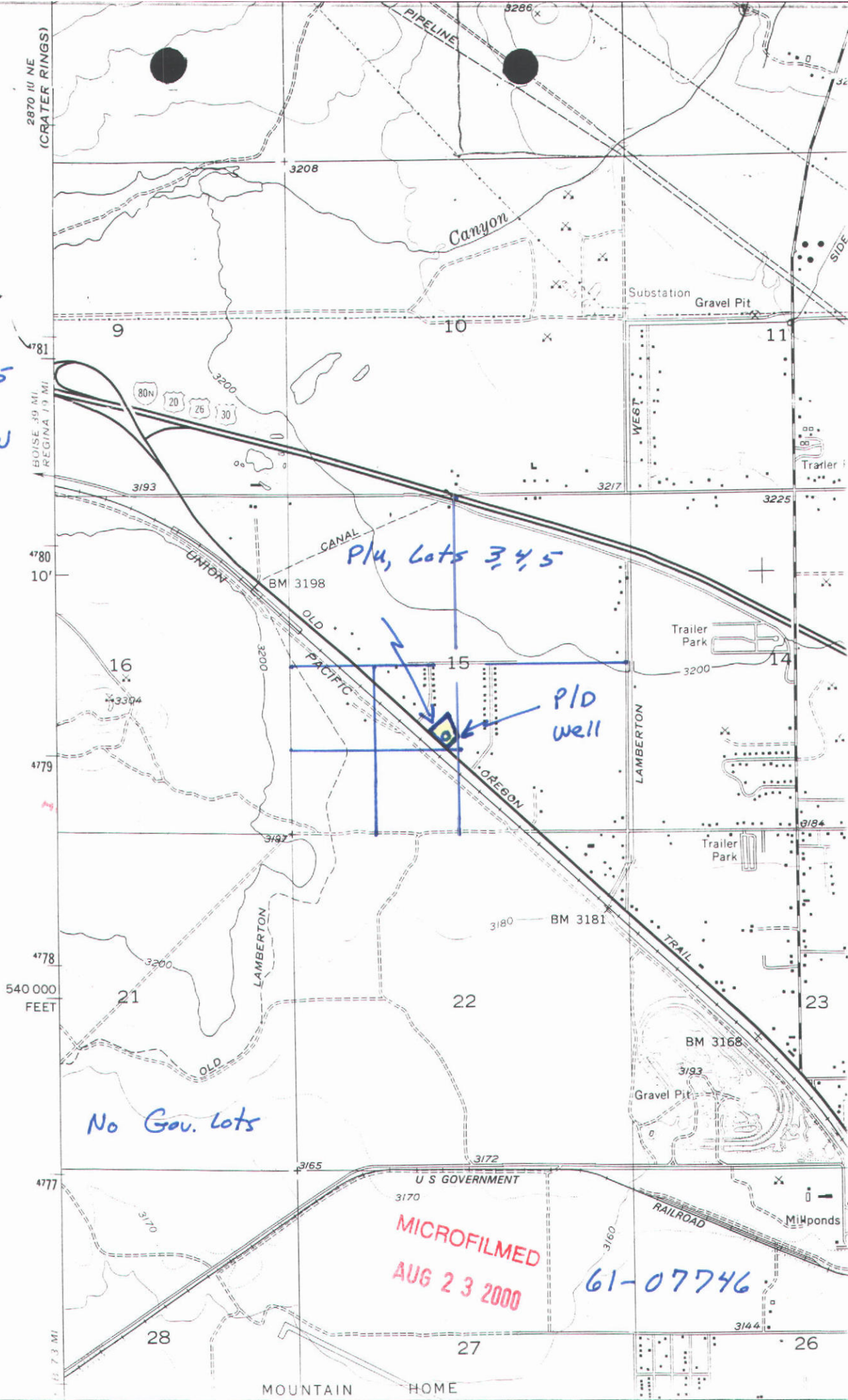
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None - op. Press. 35-65 PSI

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T3S  
R6E  
Sec. 15  
NE SW



The map displays several land parcels with their respective dimensions and bearings. Key features include:

- Block 1:** Located on the right side of the map, containing lots 1 through 16.
- Block 2:** Located in the center of the map, containing lots 17 through 25.
- Block 3:** Located on the left side of the map, containing lots 26 through 30.
- Roads:** "DUTTON DRIVE" runs vertically through the center. "MARTIN DRIVE" runs horizontally at the top. "PACIFIC RAILROAD" runs diagonally along the bottom edge.
- Survey Data:** Numerous bearings (e.g., S. 89° 49' 10" W.) and distances (e.g., 972.60') are provided for the boundaries of the parcels.
- Annotations:** Handwritten notes in blue ink state "Well, P/D" and "Between lots 4+5". Yellow highlights mark specific areas, including lot 4 in Block 2 and the text "lots 3, 4, 5".
- Unplatted Areas:** Labels such as "UNPLATTED" appear at the corners of the map.

Well, P/D ~~is~~  
Between its 4+5

p/n: lts 3, 4, 5

Lot 3	#	2470	Sunset
4	#	2450	Strip
5	#	2430	

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61- 07746

22	15
23	14

Post-it® Fax Note

371

Date 6-10-98

# of pages 1

ATTN: LORI

From G.D. Carrasola

Co/Dept. Water Resources

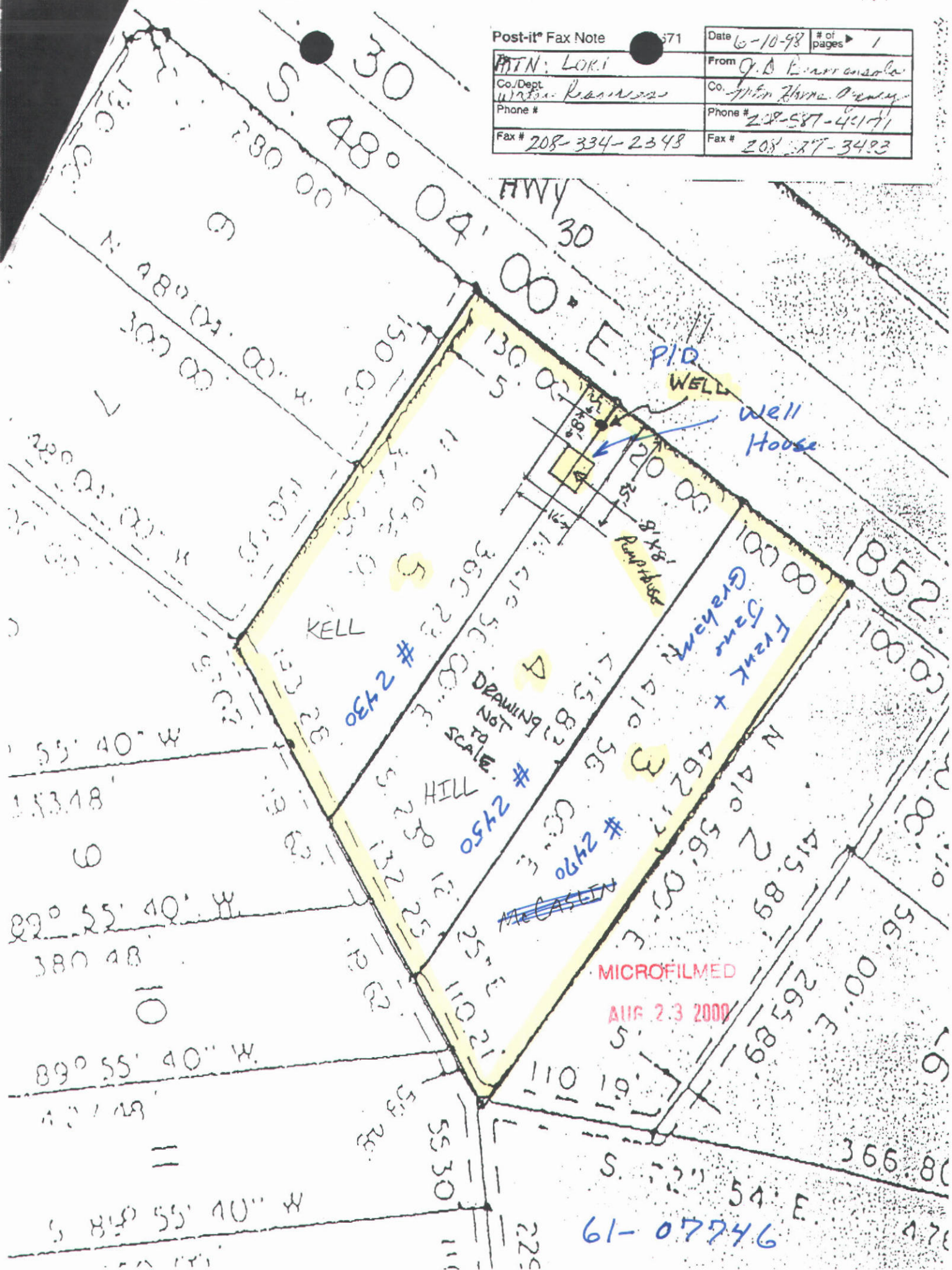
Co. Water Resources

Phone #

Phone # 208-587-4171

Fax # 208-334-2348

Fax # 208-334-2348



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AUG 23 2000

61-07746

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? \_\_\_\_\_

How far away from the well is this source? \_\_\_\_\_

9. REMARKS:

*This well is for lots 3, 4, 5, BIK 2,  
Town and Country Subdivision.*

*Wm Tomich, Water Rights Examiner*  
Signature of Dept. Representative & Title

*2-24-00*  
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



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1 of 3

P/O

Well,

Well

House



P/O

1" line

from

well

+

1" Service

to lot 3

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61-07746

2 of 3

P/D

Well

House

1" lines

to

lots 4, 5



Plu

lot 5

#2430



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61-07746

3 of 3

P/u

Lot 4

# 2450



P/u

Lot ~~2~~  
3

# 2470

Jane +  
Frank  
Graham



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AUG 23 2000

61-07746

## Affidavit of Publication

### NOTICE OF APPLICATION FOR WATER RIGHT

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

61-07746

HILL, KEVIN

KELL, BROCK

MCCASLIN, JAMES

2450 SUNSET STRIP

MOUNTAIN HOME, ID 83647

Source: GROUNDWATER

Diversion Pt: NESW Sec 15 T 03S R 06E in ELMORE County.

Use: DOMESTIC ( 0.100 CFS)

Total Diversion: ( 0.100 CFS)

Date Filed: 5/26/1998

In: ELMORE County

T03S R06E S15 NESW

Water bearing zone to be appropriated from 1 existing well for 3 homes and yards is from 180 to 550 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 6, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER,

Director

First Publication June 17, 1998.

Last Publication June 24, 1998.

County of Elmore } ss.  
STATE OF IDAHO }

I, Coleen W. Swenson, do solemnly swear that I am the foreman, or publisher of the

### Mountain Home News

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

2 consecutive weeks, the first publi-

cation having been made on 17th day of

June, 1998, and the last publi-

cation having been made on the 24th day of

June, 1998; every Wednesday

issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Coleen W. Swenson

Subscribed and sworn to me this 24th day of

June, 1998

Cynthia A. Roberson  
Notary Public

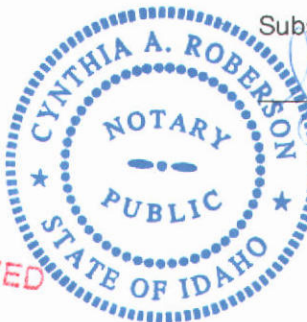
RECEIVED

JUL 07 1998

WATER RESOURCES  
WESTERN REGION

MICROFILMED

AUG 21 1998



Residing in Mountain Home, Elmore County, Idaho. My commission expires 09-09-2002.

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO.      61-07746

Priority: May 30, 1998

Maximum Diversion Rate:  
Maximum Diversion Volume:

0.10 CFS  
3.6 AF

This is to certify, that BROCK KELL  
KEVIN HILL  
JAMES MC CASLIN

2430 SUNSET STRIP

MOUNTAIN HOME ID 83647

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 26, 1998; and has submitted Proof of Beneficial Use on August 5, 1999. An examination indicates that the works have a diversion capacity of 0.120 cfs of water from:

**GROUND WATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.10 CFS	3.6 AF

LOCATION OF POINT(S) OF DIVERSION:      NESW , Sec. 15, Township 03S, Range 06E  
ELMORE County

PLACE OF USE: DOMESTIC  
TWN RGE SEC  
03S 06E 15      NESW

**CONDITIONS OF APPROVAL AND REMARKS**

1. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

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AUG 23 2000

State of Idaho  
Department of Water Resources  
**Water Right License**

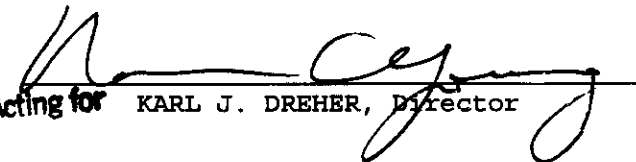
WATER RIGHT NO. 61-07746

CONDITIONS OF APPROVAL AND REMARKS

4. Point of diversion is located between Lot 4 & 5, Blk. 2, Town and Country Subdivision.
5. Places of use are located within Lots 3-5, Blk. 2, Town and Country Subdivision.
6. Domestic use is for 3 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 28<sup>th</sup> day of

June, 2000.

  
Acting for KARL J. DREHER, Director

MICROFILMED  
AUG 23 2000

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 61-07746 )  
 )  
IN THE NAME OF BROCK KELL, JAMES )  
MCCASLIN AND KEVIN HILL )  
\_\_\_\_\_ )

**ORDER OF  
REINSTATEMENT**

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before August 1, 1999; and,

WHEREAS, the Department notified the permit holder on May 31, 1999 by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

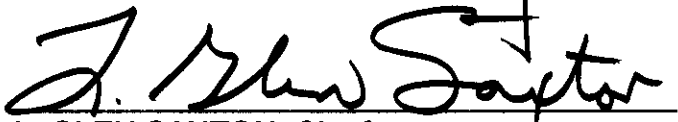
WHEREAS, the Department sent the permit holder a lapse notice on August 6, 1999, since the department had not received an acceptable proof of beneficial use statement or extension of time; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on August 5, 1999;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 61-07746 is **REINSTATED** with an advance in priority to **May 30, 1998**.

DATED this 6<sup>th</sup> day of January, 2000.

  
L. GLEN SAXTON, Chief  
Water Allocation Bureau

MICROFILMED

JAN 23 2000

Amt. of Fee \$: 50  
Receipt No. COA16237-416289  
Receipt By: HWS/comb  
Date Received: 8/9/99

RECEIVED

AUG 05 1999

Department of Water Resources

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 61-07746 Telephone No. 587-9055

2. Name(s) of Permit Holder(s): Brock Kell - Kevin Hill - James McCaslin

3. Mailing Address: 2470 Sunset Strip - Mt. Home, Id. 83647

4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. 11 / yr. 93

a. Well Driller: Hiddleston Drilling Drilling Permit Number: 61-93-W-0043

b. **OPTIONAL:**  
Pump Horsepower: 5 H.P. Pressure (psi): 3050 Dynamic pumping level (ft): 421

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 3 Stockwater (No. and type of stock): \_\_\_\_\_

Irrigation (No. of acres): 3 Other: \_\_\_\_\_

6. Total rate of diversion and/or volume for which proof is submitted: \_\_\_\_\_ cfs OR \_\_\_\_\_ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes \_\_\_\_\_ or No X

Has the measuring device been installed? Yes \_\_\_\_\_ or No X

Flow Measurement Port: Is a flow measurement port required? Yes \_\_\_\_\_ or No \_\_\_\_\_

Has the measurement port been installed? Yes \_\_\_\_\_ or No \_\_\_\_\_

8. Fee Enclosed: \$ \_\_\_\_\_ (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: James McCaslin Telephone Number: 587-6088

Address: 2470 Sunset Strip Mt. Home, Id. 83647

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

Signature of permit holder: James McCaslin Date: 7-7-99  
(include your title, if on behalf of company or organization)

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JAN 23 2000

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 61-07746

Proposed Priority: May 26, 1998

Maximum Diversion Rate:

0.10 CFS

This is to certify, that **BROCK KELL**  
**JAMES MCCASLIN**  
**KEVIN HILL**  
2430 SUNSET STRIP  
MOUNTAIN HOME ID 83647

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 15, Township 03S, Range 06E  
ELMORE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

03S 06E 15

NESW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1999.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
5. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted subdivision lot upon which a home has been constructed. This right does not provide for irrigation of common areas or for irrigation of lots upon which homes have not been constructed.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Point of diversion is located between Lot 4 & 5, Blk. 2, Town and Country Subdivision.
9. Places of use are located within Lots 3-4, Blk. 2, Town and Country Subdivision.
10. Domestic use is for 3 homes.

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MAY 21 1998

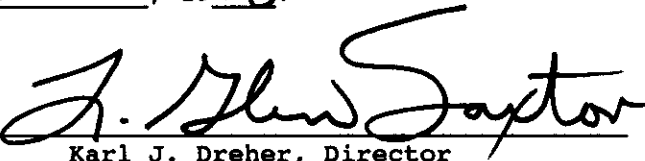
State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 61-07746

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

3<sup>rd</sup> day of August, 1998.

  
Karl J. Dreher, Director  
*for*

RECORDED  
AUG 21 1998

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

James McCaslin +/or Kevin Hill +/or Brock Kell

1. Name of Applicant Lots 3, 4, 5, Block 3, Town & Country Sub Water Assoc Phone (208) 587-6088  
Post Office address 2470 Sunset Strip, Mountain Home, Idaho 83647
2. Source of water supply ground water which is a tributary of N/A
- \* 3. Location of point of diversion is 1/4 of NE 1/4 of SW 1/4, Govt. Lot  
Sec. 15 Township 3S Range 6E B.M. Elmore County; additional points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 10 for domestic purposes from January 1 to December 31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 10 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. N/A  
b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage: \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
c. Proposed well diameter is 6 inches; proposed depth of well is 550 feet.  
d. Is ground water with a temperature of greater than 85°F being sought? No  
e. If well is already drilled, when? 11/2/93; Drilling firm Hiddleston & Son, Inc., Mountain Home, ID:  
Well was drilled for (well owner) yes Mtn Home AGENCY
7. Time required for completion of works and application of water to proposed beneficial use is one years (minimum 1 year)
8. Description of proposed uses (If irrigation only, go to item 9):  
a. Hydropower; show total feet of head and proposed capacity if KW. N/A  
b. Stockwatering; list number and kind of livestock. N/A  
c. Municipal; show name of municipality. N/A  
d. Domestic; show number of households. Three (3)  
e. Other; describe fully. \_\_\_\_\_

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\* per map. 7/31/98 cz.

AUG 21 1998

9. Description of place of use: at three (3) Residences

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	6E	15									D								

Lots 3 4, 5, Bloc 2, Town & Country Subdivision, Elmore County, Idaho

Total number of acres to be irrigated \_\_\_\_\_

10. Describe any other water rights used for the same purposes as described above. \_\_\_\_\_

11. a. Who owns the property at the point of diversion? Individual lot owners

b. Who owns the land to be irrigated or place of use? N/A

c. If the property is owned by a person other than the applicant, describe the arrangement enable the applicant to make this filing: \_\_\_\_\_

12. Remarks: \_\_\_\_\_

13. MAP OF PROPOSED PROJECT ATTACHED N/A Show clearly the proposed point of diversion, place of use, section number, township and range number.

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

Lots 3,4,5, Block 3 Town & Country Subdivision Water Assoc.

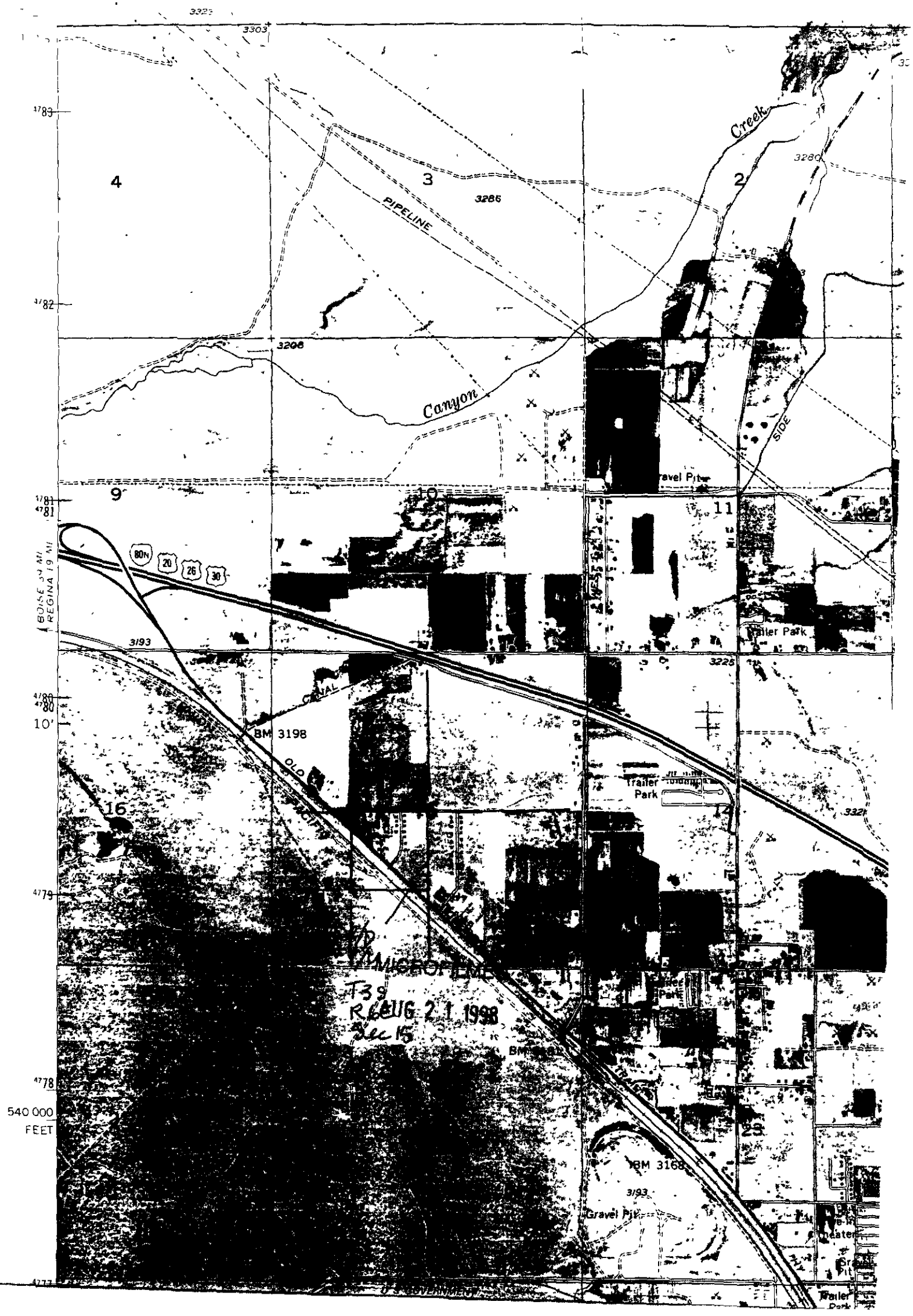
James J. McCaslin  
James J. McCaslin (Applicant)  
Manager

Received by DD Date 5-26-98 Time 12:40 Preliminary check by 6  
Fee \$ 215.00 Received by DD # W023919 Date 5-26-98  
Publication prepared by ST Date 6/11/98 Published in Min Hm News  
Publication approved ST Date 7/13/98

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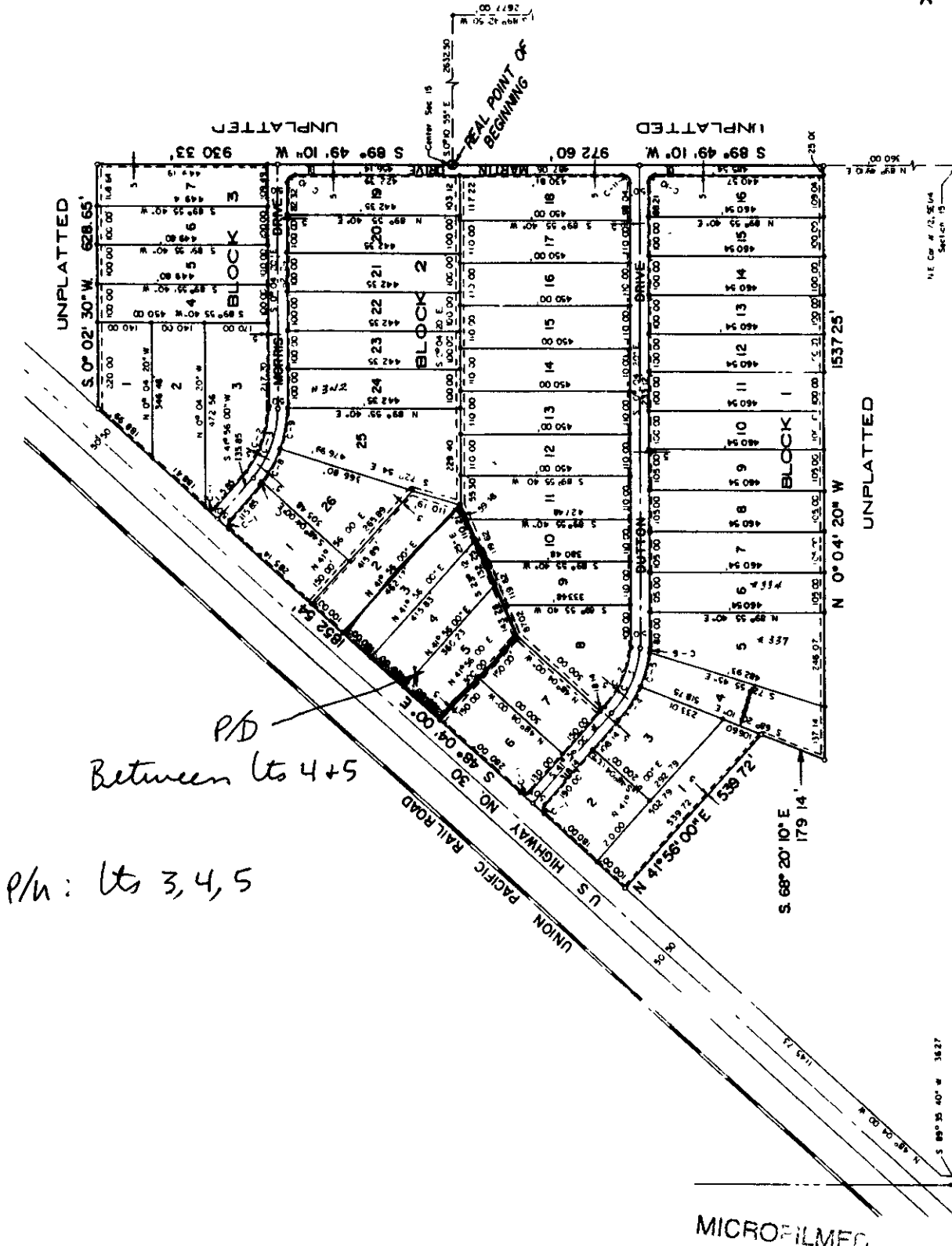
AUG 21 1998

SS



# PLAT SHOWING TOWN AND COUNTRY SUBDIVISION

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office the Company assumes no liability for variation, if any, with another or re-survey.



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AUG 21 1998

41  
22 15  
23 14





## 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

June 29, 2000

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

BROCK KELL  
KEVIN HILL  
JAMES MC CASLIN  
2430 SUNSET STRIP  
MOUNTAIN HOME ID 83647

RE: WATER RIGHT NO. 61-07746

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

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

Sincerely,

A handwritten signature in cursive script that reads 'Shelley Keen'.

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

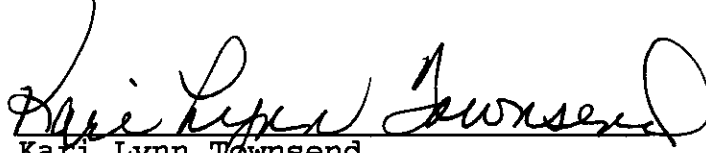
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AUG 23 2000

CERTIFICATE OF MAILING

I hereby certify that on the **29th** day of **June, 2000**, I mailed  
a true and correct copy, postage prepaid, of the foregoing  
**PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

**Water Right No. 61-07746**

BROCK KELL  
KEVIN HILL  
JAMES MC CASLIN  
2430 SUNSET STRIP  
MOUNTAIN HOME ID 83647

  
Kari Lynn Townsend  
Secretary

MICROFILMED

AUG 23 2000

**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).

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AUG 23 2000

### **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.

# LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on 6/28/00  
Permit No. 61-07746

BU Fee Pd \$ 50.00

Name/Address: OK ☒ CHANGE

Govt Lots     n/a     plat copy attached

AREA OF CONCERN: No/Yes ESPA Moratorium Uta Home GWMA ~~TRUST/NON-TRUST~~

## GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-104  
Supp irr (+ other uses) - 100-105  
≤ 0.24 cfs/5 acres - **No MD**  
> 0.24 cfs/5 acres - 01M (if on permit)

## LOCATION:

Trust - R55(consumptive uses)  
Non-Trust - 048-049 (consumptive uses  
or non-cons > 10 cfs)

PD Change - P39/P47 - feds(P40)  
PD Add - P45/P42

PU Change - P41/P47 - feds(P43)  
PU Add - P41/P42

PD & PU Change - P37 - feds(P48)

## USES:

STORAGE - 18A-R02-01P-18B-NA  
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)  
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)  
STOCK WATER - R37 (BLM/USFS)  
MINING - 081  
FISH PROP - 029(70'S only)-042-081  
HEAT/COOL - R07(injection well)  
FIRE PROT - 077

Use Change/Add - P46

ADVANCE PRIORITY?     Yes ☒ No

## MISC CONDITIONS/REMARKS:

Multiple pd's per 1/4 - W32  
Subd lot desc (pd) - **W59**  
Subd lot desc (pu) - **W60**  
Use definitions - W02 example - C/tire shop  
Non-consumptive - 027  
Water Quality - 081-R07  
Mitigation - 121 (if on permit)  
PPU acre limit - W27

CHECK NEW IRR SEASON MAP    

## SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9  
WD - R04 (WD#    )  
≤ 0.20 cfs/others - R02- 01P or No MD  
> 0.20 cfs - R43

## SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 01M or No MD

## RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A  
(02,03) - WB9 if above Weiser  
Payette R (65) - 047(Payette Lake)  
Salmon R (70's) - 029 (fish screens)  
Weiser R (67) - 086-087

## USES:

POWER - R22-R23 (+uses)-025-081-W42-W43-027  
MUNICIPAL  
Restricted area - 022,075  
Irr, GW supp to SW - 102  
DOMESTIC  
Surface water - WB5 (Big Wood or Boise above Star Bridge)  
27A (Payette R)  
In restricted area - 070-071-075(no parks/common areas, etc)  
Irr use listed separate - WB5  
Lawn/garden included - **W01**

## OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right #      
PU overlap rights - WB7-W31(<1 ac)  
GW replaced SW - 050

Permit Rate .10 cfs Fee Limit .20 cfs  
Measured     cfs Theoretical .12 cfs

Use	Rate	Volume
<u>Dom</u>	<u>.10</u> cfs	<u>3.6</u> af
<u>   </u>	<u>   </u> cfs	<u>   </u> af
<u>   </u>	<u>   </u> cfs	<u>   </u> af
<b>TOTALS</b>	<u>   </u> cfs	<u>   </u> af

## OTHER CONDITIONS/REMARKS/COMMENTS

SRBA Claim Filed     Yes ☒ No

If no, is a claim required:     Yes ☒ No

AMENDMENTS REQUIRED     Yes ☒ No

If yes, paragraph codes:    

Adjustment Memo Needed     Yes ☒ No

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED

MAR 7 2000

Department of Water Resources

**A. GENERAL INFORMATION**

② Kevin Hill  
③ Brock Kell  
1. Owner: ① Frank + Jane Graham Permit No. 61-07746  
Phone No. ① (208) 587-8038  
Current Address: ① 2470, ② 2450, ③ 2430 Sunset Strip, Mountain Home, ID 83647  
2. Accompanied by: Frank Graham EXAM DATE: 2-24-00  
Address: 2470 Sunset Strip, Mountain Home, ID 83647 Phone No. 587-8038  
Relationship to Permit Holder: Same  
3. Source: Groundwater tributary to

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: None  
2. Other water rights with the same point of diversion: None

**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
			NE	SW	15	3S	6E	Elmore	Site Visit map

2. Place(s) of Use:

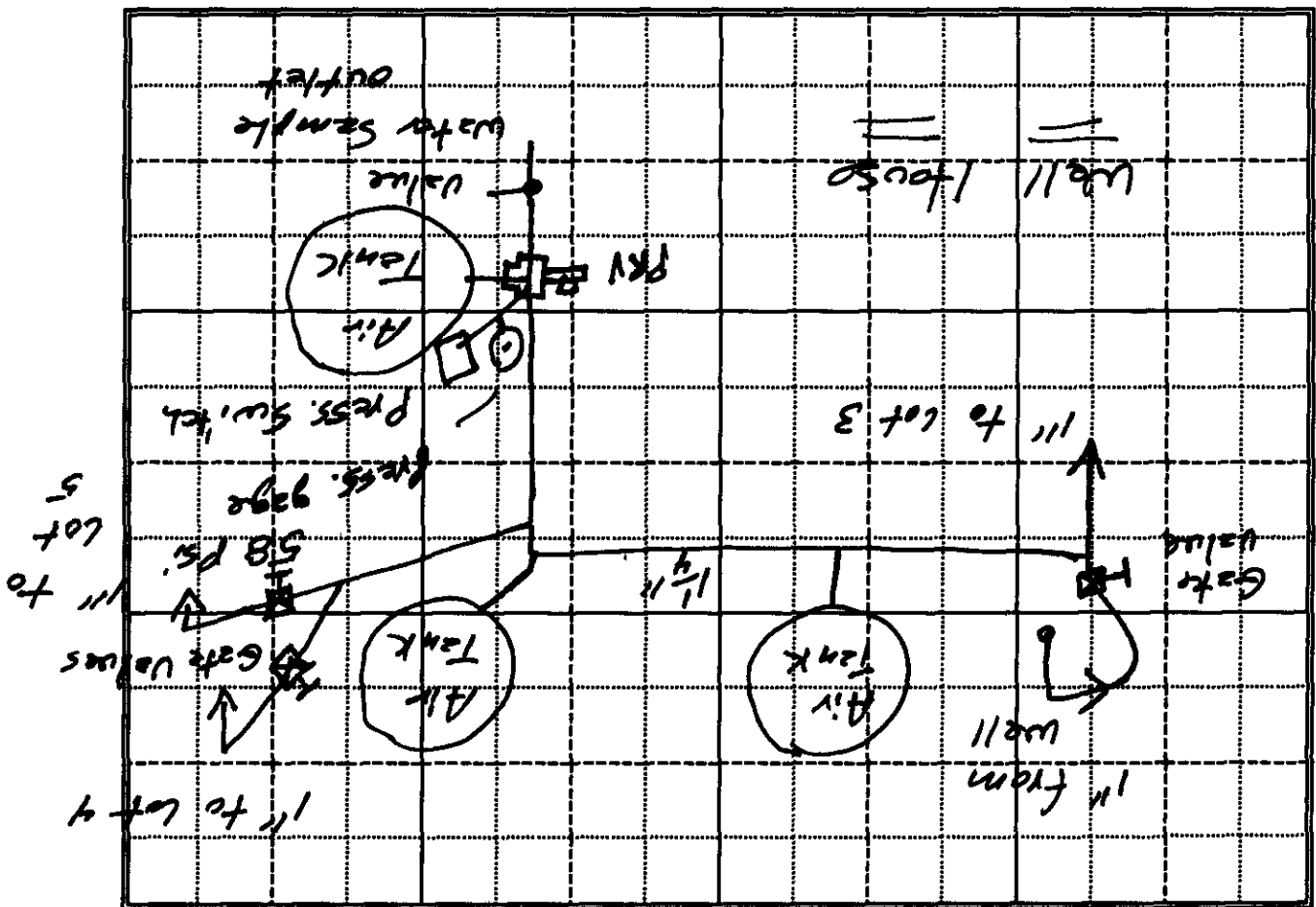
Indicate Method of Determination Site Visit map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	6E	15									D								

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AUG 23 2000

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



Scale: 1" = 100'

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

4.

Well or Diversion No.*	Motor Make	Hp	Model	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	5		2821139210		

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

#### D. FLOW MEASUREMENTS

1.

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

2. Measurements:

Flow - 0.055 - 0.057 cfs

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E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for domestic water use for Lots 3, 4, + 5, BLK 2, of the Town + Country Subdivision.
2. Frank + Jane Graham now own Lot 3, 2470 Sunset ~~blvd~~<sup>strip</sup>. Kevin Hill owns Lot 4, 2450 Sunset ~~blvd~~<sup>strip</sup>. The new owner of Lot 5, 2430 Sunset ~~blvd~~<sup>strip</sup>, is unknown. Kevin Hill's phone is now 580-0038, and the phone listed for Kell is no longer in service.
3. The well house has 3 Air Tanks, 2 pressure switches, press. gauges, and 1" service lines to each lot.
4. The well and Well House are located between lots 4 + 5, BLK 2.
5. All the lots have homes on them.

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

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AUG 23 2000

# F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:  $Q = \frac{(8.8)(5 \text{ HP})(70\%)}{180' + (35 \text{ psi}) \left( \frac{34}{14.7 \text{ psi}} \right)} = 0.12 > 0.10 \text{ cfs}$

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{ir} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = V_{dr} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = V = \text{Smaller of } V_{ir} \text{ and } V_{dr} =$$

2. Volume Calculations for Other Uses:

Domestic - in farm + ex farm

$$AFR = (1.2 \frac{\text{AFR}}{\text{lot}}) (3 \text{ lots} - \text{Homes})$$

$$= 3.6 \text{ AFR}$$

## H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Period of Use  
From 01/01 To 12/31

Rate of Diversion  
Q (cfs) 0.10

Annual Volume  
V (ata) 3.6

Domestic

Totals:

0.10

3.6

## 2. Recommended Amendments

☐ Change P.D. as reflected above  
☐ Change P.U. as reflected above

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

Note: 3 Homes should be

## I. AUTHENTICATION

Field Examiner's Name

Date

Reviewer

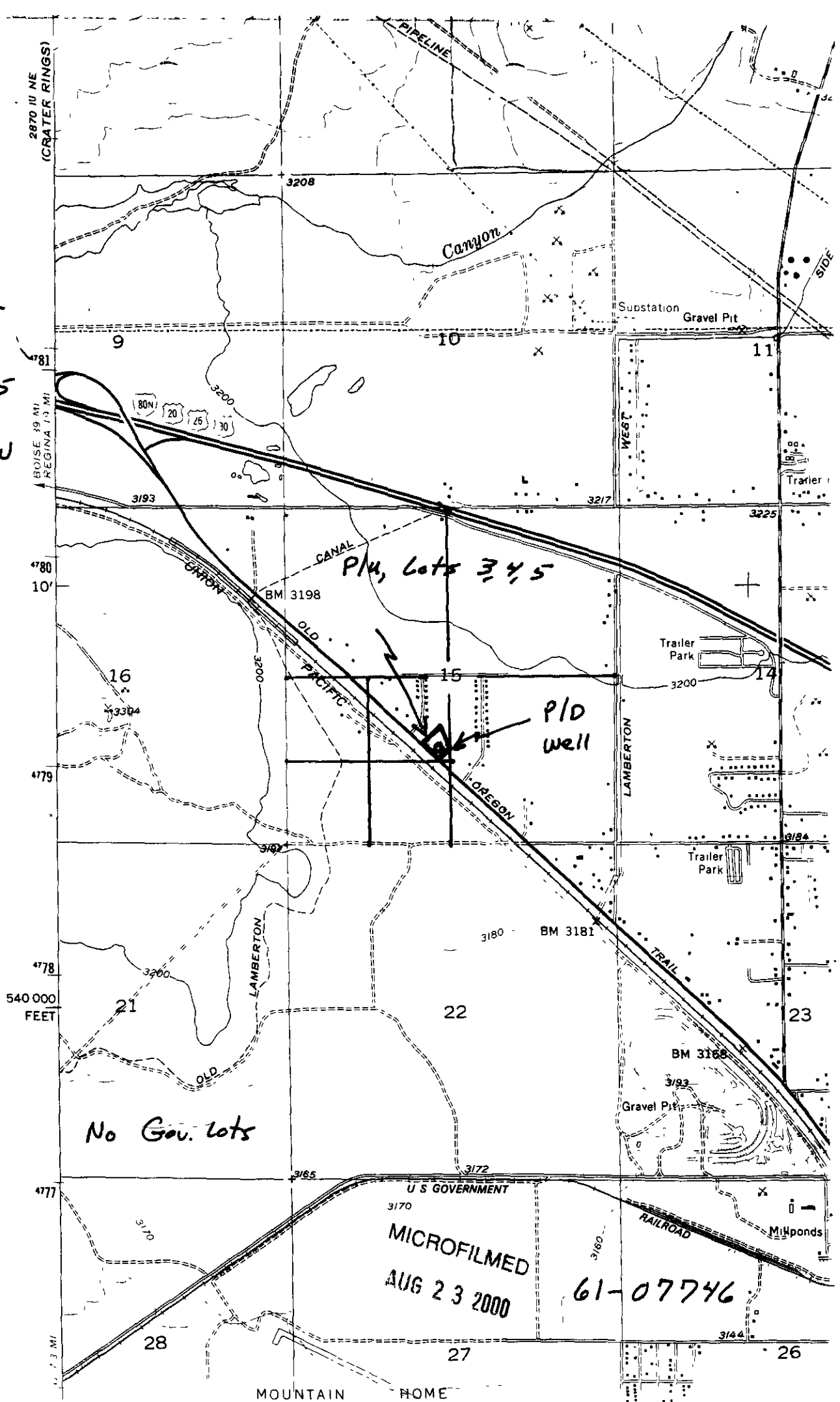
2-29-00

0.08 cfs.

SEAL

MICROFILMED  
AUG 23 2000

T3S  
R6E  
Sec. 15  
NESW



MICROFILMED  
AUG 23 2000

61-07746

Well, P/D ~~\_\_\_\_\_~~  
Between lts 4+5

p/n: lts 3, 4, 5

Lot 3	#	2470	Sunset
4	#	2450	Strip
5	#	2430	

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1962 23 2000

61- 07746

22	15
23	14



# IDAHO DEPARTMENT OF WATER RESOURCES

## WELL INSPECTION FORM

1. DRILLING PERMIT NO: 61-93-W-0043-000 OTHER APPLICABLE NO: 61-07746  
Frank + Jane Graham (Graham)
2. OWNER: Kevin Hill, Brock Hill Phone: (208) 582-8038  
Address: Hill-2430, Hill-2450, Graham-2470 Sunset Strip  
Mountain Home, ID 83647
3. WELL LOCATION: Twp 3S, Rge. 6E, Sec. 15, NE 1/4 SW 1/4  
County Elmore (Provide sketch map and photo on reverse.)
4. DRILLER: Aiddleston + Son, Inc. Lic. No. 35  
When Drilled? 10-28-93 to 11-2-93
5. WELL CONSTRUCTION:  
Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☐ Yes ☒ No  
Casing  $\geq$  12 inches above ground? ☒ Yes ☐ No - Describe \_\_\_\_\_  
Depth of Casing 18 ft. Method Drilled Air Rotary  
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe \_\_\_\_\_  
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No  
Condition of Piping and Valving Good - New  
Auger to a depth of \_\_\_\_\_ ft. Evidence of Annular Seal ☒ Yes ☐ No  
Are there obvious construction problems that may be a source for contamination or waste of water?  
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:  
Depth to Static Water 180 ft. Water Temperature Cold °F  
Flowing Artesian ☐ Yes ☒ No Pressure: \_\_\_\_\_ (psi)  
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose \_\_\_\_\_  
Water Quality Measurements/Observations (Describe) \_\_\_\_\_
7. WELL USE:  
☒ Domestic 3 lots ☐ Irrigation APR 23 2000 ☐ Stock  
☐ Test ☐ Municipal ☐ Industrial  
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used  
☐ Other: \_\_\_\_\_

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? \_\_\_\_\_

How far away from the well is this source? \_\_\_\_\_

9. REMARKS:

*This well is for lots 3, 4, 5, BIK 2,  
Town and Country Subdivision.*

*Wm. Tomic, Water Rights Examiner*  
Signature of Dept. Representative & Title

*2-24-00*  
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

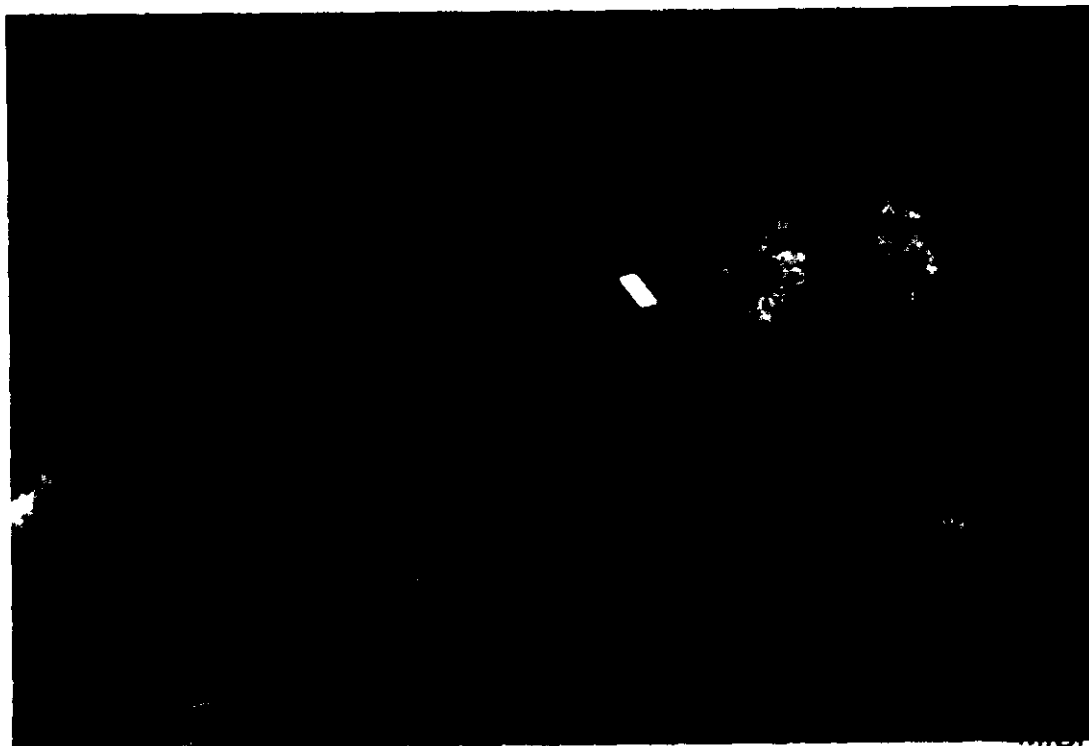


PHOTO FILMED

2000

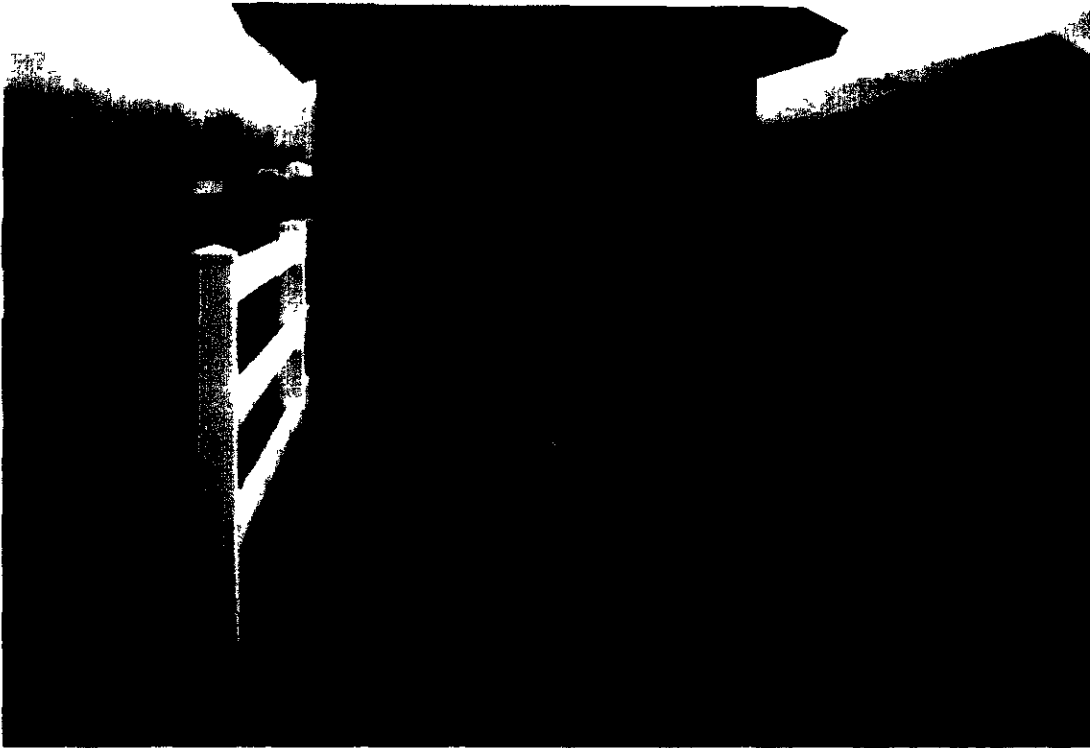
1 of 3

P/D

Well,

Well

House



P/D

1" line  
from

well

+

1" Service  
to lot 3



MICROFILMED

NO 23 2000

61-07746

2 of 3

P/D

Well

House

1" lines

to

lots 4, 5



P/u

lot 5

#2430



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AUG 23 2000

61-07746

3 of 3

P/4

Lot 4

# 2450



P/4

Lot ~~2~~  
3

# 2470

Jane +  
Frank  
Graham



MICROFILMED

SEP 23 2000

61-07746



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

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

January 6, 2000

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

BROCK KELL, JAMES MCCASLIN  
2430 SUNSET STRIP  
MOUNTAIN HOME, ID 83647

**PROOF ACKNOWLEDGMENT LETTER**

**RE: PERMIT NO. 61-07746**

Dear Permit Holder:

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

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Please note that the priority date has been advanced to May 30, 1998, pursuant to Section 42-218a, Idaho Code.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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 the field examination, please contact the **WESTERN** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

  
L. GLEN SAXTON, Chief  
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED  
JAN 28 2000

Permit No. 61-07746 Reviewed by VJH Date 01-04-00

yes Name same as permit?

yes Address same as permit?

NO Proof timely received?  
If not, complete calculation below.

Correct Uses? Yes

\_\_\_\_\_ Surface water source

☒ Ground water source

\_\_\_\_\_ Drilling permit required?

Copy in the file? ☒      Drilling Permit No. 61-73-W-15

\_\_\_\_\_ Amount paid for permit

Well log in the file?

Yes Required?

50 Amount Submitted

yes Correct?

No Required?

Installed?

Waiver requested?

Date proof received Aug 3, 1999

Date proof due \_\_\_\_\_ - \_\_\_\_\_

No. of days late \_\_\_\_\_ = **4**

Priority Date May 26, 1998

New Priority Date May 30 1998

- Reinst Order needed

New Address \_\_\_\_\_

Proof Made . 8-05-99

August 5, 1999

KEVIN HILL  
BROCK KELL  
JAMES MCCASLIN  
2430 SUNSET STRIP  
MOUNTAIN HOME ID 83647

LAPSE NOTICE

RE: PERMIT NO. 61-07746

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1999. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

MICROFILMED

JAN 28 2000

CERTIFICATION OF MAILING

I hereby certify that on 8-6-99  
a true and correct copy of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

*July*

May 31, 1999

KEVIN HILL  
BROCK KELL  
JAMES MCCASLIN  
2430 SUNSET STRIP  
MOUNTAIN HOME ID 83647

PROOF DUE NOTICE

RE: PERMIT NO. 61-07746

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 August 1, 1999.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

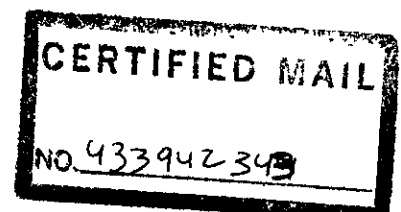
SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

MICROFILMED

JAN 28 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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

August 4, 1998

KEVIN HILL  
BROCK KELL  
JAMES MCCASLIN  
2430 SUNSET STRIP  
MOUNTAIN HOME ID 83647

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 61-07746

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department.

1998

homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosures

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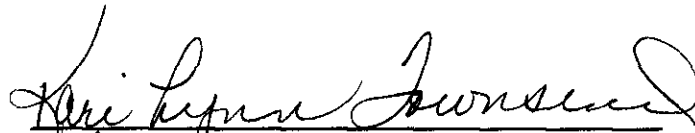
AUG 21 1998

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of August, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 61-07746

BROCK KELL  
JAMES MCCASLIN  
KEVIN HILL  
2430 SUNSET STRIP  
MOUNTAIN HOME ID 83647

  
Kari Lynn Townsend  
Secretary

MICROFILMED  
AUG 21 1998

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

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

### PETITION FOR RECONSIDERATION

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

### EXCEPTIONS AND BRIEFS

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

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

### ORAL ARGUMENT

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

### CERTIFICATE OF SERVICE

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

### FINAL ORDER

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

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

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- (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.

# APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by *Cindy Lou*

No.: 61-7746 Name: Hill/Kelly/McCash Date: 7/31/98 Ad OK? ☒ / Gvmt Lts: ☒

AREA OF CONCERN: - No/Yes:                      Mor / Under Code CGWMA / Trust / Non-trust  
PROTESTED: - 020 (Protest Agreement) or \*W19 (Order)

## SYSTEM COMPLETED:

&gt; 1 year

≤ 1 year/no proof

- 26A-P17

P16

## GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

&gt; 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD Supplemental use

&gt; 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- North / East / West

- 067 or No MD (in-stream stock or power)

- No MD

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

- 01M (report when notified)

- No MD

## DRILLING PERMIT:

All wells (✓ WDQ3)

In Basin 34?

Irr within WD

- 046-P23

- 085

- P05 (new well location)

## SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated)

IN/ABOVE MIN. STR. FLOW (✓ MAP)

WD (✓ MAP &amp; LISTING)

&gt; 0.10 cfs

≤ 0.10 cfs

WMD (✓ MAP)

&gt; 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- \*WB9

- R04 (WD #                     )

- 01J-P08 (MD &amp; LD)

- 01H-P01 (LD), 01P or No MD (in-stream stock)

- 067 or No MD (in-stream stock or power)

- No MD

## SPRINGS/SINK, INACTIVE WD &amp; REST OF STATE

&gt; 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

- No MD

## RIVER BASINS: (\*Surface water).

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R (70's)

- \*W22 -P04, NA

- 007 (w/ remark \*WB9 if above Weiser), NA

- \*W22 (regulated uses), 047-P04 (Payette Lake), NA

- 029 (fish screens), NA

## USE:

Domestic surface

&gt;1 in rest. area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

&gt; 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓ 3 compo.)

- \*WB5 (Big Wood R or Boise R ↑ Star Bridge), 27A (Payette River), NA

- 071-070

- 077

- 029-007-042(req)-081 (WQ)-P10

- R07 (injection well)

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- 054(req)-081-P10

- 022, 075, 004 (+memo?), NA (not in restricted area)

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERG); 18B-P09; &gt;25 cfs-P18

- R37 (BLM/USFS); NA

- 18A (in &amp; out MD for on-stream storage), 18B-P09 (&gt;10' dam), NA

## LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev

Mitigation

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

- P84 (in 20/30/40/50/60/70/80 (87) basin)

- 058 (&lt;85° GW temp only)

- P52 (stream channel alteration)

- 120- C

- 051-052-053-P74 (Consumptive Uses), NA

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

## OWNERSHIP:

## OTHER CONDITIONS:

## STANDARD REMARKS:

## BENEFICIAL USE DUE:

## COMMENTS:

- ① W59 ② W60 ③ W01/3- 8/1/1999

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: g DATE: 6/10/98 APPLICATION: 61-07746

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area.  $\geq$  5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:  
☒ P/D  
☒ P/U

ADDITIONAL INFORMATION

☒ ADVERTISE REMARK(S)  
(Reviewer identify which remarks)

done T FLAG CHANGED TO P FLAG

YES NO

Overlapping place of use: (Describe source & relationship to present application on next page)

N/A small spring  
Overlapping point of diversion.

☒ Critical groundwater area:

☒ Groundwater management area:

☒ 1992 moratorium:

☒ Bull trout impact area

☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).

☒ E-mail to Dam Safety staff: (for any storage)

☒ Mitigation plan: Check any that apply.

☒ immediate = acceptable plan required and submitted.

☒ future = open areas, acceptance of condition of approval is in file.

☒ Send power requirement letter:

☒ Send fish farm requirement letter:

☒ Power residency affidavit:

☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)

☒ \*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

Plat map, water bearing zone, extent of dam  
use, application number

Date Requested

6/10/98

Date Response Received

6/10/98

PROCESSING

APP. NO. 41- 07746

YES NO

☒ ☒ In form for advertising:  
☒ ☒ Statewide advertising: (> 10 cfs &/or 1000 af)  
☒ ☒ Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare  
☐ ☒ I.D. District Health  
☐ ☒ I.D. Fish & Game  
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM  
☐ ☒ U.S. Forest Service  
☐ ☒ Water Dist. # \_\_\_\_\_  
☐ ☒ Other \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:  
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:  
☐ ☐ Final date for protest 7-6-98  
☐ ☒ Protests received.  
☐ ☒ Recommendations attached:  
☐ ☒ Measuring device required:  
☐ ☒ Measuring port required:  
☐ ☒ Water delivered by water master? District # \_\_\_\_\_  
☒ ☐ Special conditions of approval or cover letter: 046, 070, 071, 120

See below for additional information

Recommended Date or Priority 5/26/98  
Recommended by: Dang Date: 7/22/98

STATE OFFICE REVIEW \_\_\_\_\_

See below for additional information. By \_\_\_\_\_ Date \_\_\_\_\_

ADDITIONAL INFORMATION:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Affidavit of Publication

County of Elmore } ss.  
STATE OF IDAHO }

I, Coleen W Swenson, do solemnly swear that I  
am the foreman, or publisher of the

### **Mountain Home News**

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

2 consecutive weeks, the first publication having been made on 17th day of June, 1998, and the last publication having been made on the 24th day of June, 1998, every Wednesday issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof

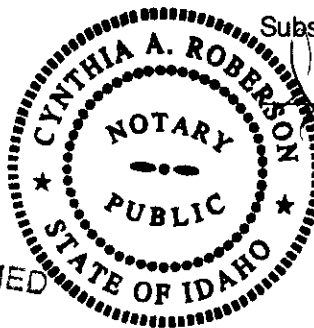
And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice

*Coleen W. Swenson*

Subscribed and sworn to me this 24th day of

June, 1998

*Cynthia A. Roberson*  
Notary Public



RECEIVED

JUL 07 1998

WATER RESOURCES  
WESTERN REGION

MICROFILMED  
AUG 21 1998

Residing in Mountain Home, Elmore County, Idaho. My  
commission expires 09-09-2002.



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

JUNE 11, 1998

Legal Notices Department  
Mountain Home News  
PO Box 1330  
Mountain Home, ID 83647

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 JULY 6, 1998.

Yours truly,

SUE TAYLOR  
Secretary/Office Coordinator

Encl.

JUN 21 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED  
AUG 21 1998

61-07746

HILL, KEVIN  
KELL, BROCK  
MCCASLIN, JAMES  
2450 SUNSET STRIP  
MOUNTAIN HOME, ID 83647

Source: GROUNDWATER

Diversion Pt:                    NESW        Sec 15 T 03S R 06E in ELMORE County.

Use: DOMESTIC                    (            0.100 CFS)  
                                  Total Diversion: (            0.100 CFS)

Date Filed: 5/26/1998

In: ELMORE County  
     T03S R06E S15                    NESW

Water bearing zone to be appropriated from 1 existing well for  
3 homes and yards is from 180 to 550 feet.

MICROFILMED  
AUG 21 1998

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 6, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 6/17/1998 & 6/24/1998

MICROFILMED

AUG 21 1998

(Sign once if Firm Official & Operator)

# Mountain Home Real Estate Agency

310 East 2nd North Street  
Mountain Home, Idaho 83647

Phone (208) 587-4471 • FAX (208) 587-3483

John D. Bermensolo

Claude J. Bermensolo

May 22, 1998

Idaho Department of Water Resources  
2735 Airport Way  
Boise, Idaho 83705-5082

Attn: Robert B. Whitney

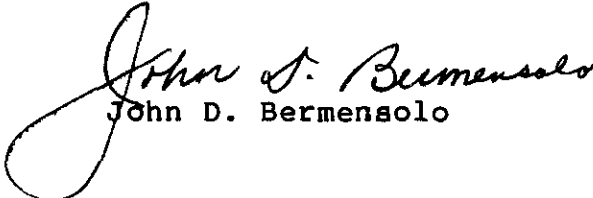
Dear Robert:

Reference is made to our letter of April 29, 1998, lots 3, 4 and 5, block 2, Town and Country Subdivision, Elmore County, Idaho and further reference is made to attached application for permit form-202 executed by James J. McCaslin.

Enclosing herewith our check in the sum of \$215.00 for drilling permit No. 6193W003 in the sum of \$165.00 and water right application in the sum of \$50.00 pursuant to our telephone conversation of this day.

Should you desire more information please let us hear from you.

Sincerely,

  
John D. Bermensolo

JDB/cjk  
Enclosures

MICROFILMED  
AUG 21 1998