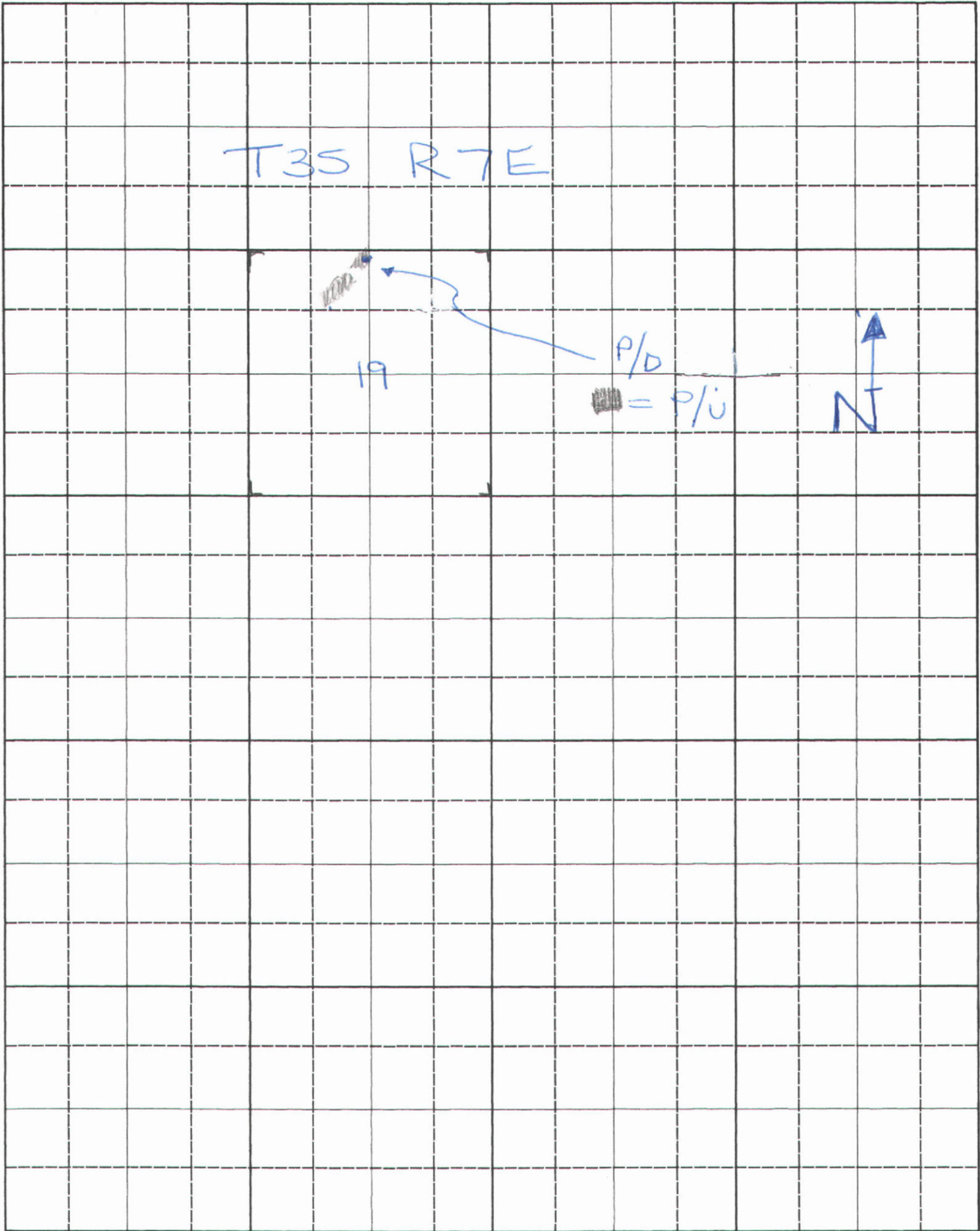


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

MICROFILMED

Joseph W. Twitchell
(Applicant)

o.k.
new

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 61-7430 in the name of Joseph W. Twitchell was published in error on 3/12 and 3/19/81.

The amount of irrigation and recreation storage was advertised as being 0.05 and 0.05 ac-ft respectively. Whereas, the actual amount of irrigation and recreation storage is 0.50 and 0.50 ac-ft respectively.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before April 27, 1981.

C. STEPHEN ALLRED
DIRECTOR

Published in the Mountain Home News on 4/9 and 4/16/81.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Vivian M. Waters 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 the proof of publication thereof, was published in said newspaper for

...2... consecutive weeks, the first publication having been made on the ...9... day of ...April..., 1981, and the last publication having been made on the ...16... day of April... 19..81...; every Thursday 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.

Vivian M. Waters

Subscribed and sworn to me this 16th...

day of ...April..., 1981.

Coleen M. Waters
Notary Public

RECEIVED

APR 16 1981

Department of Water Resources
Western Regional Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 15 1992

Department of Water Resources

A. GENERAL INFORMATION

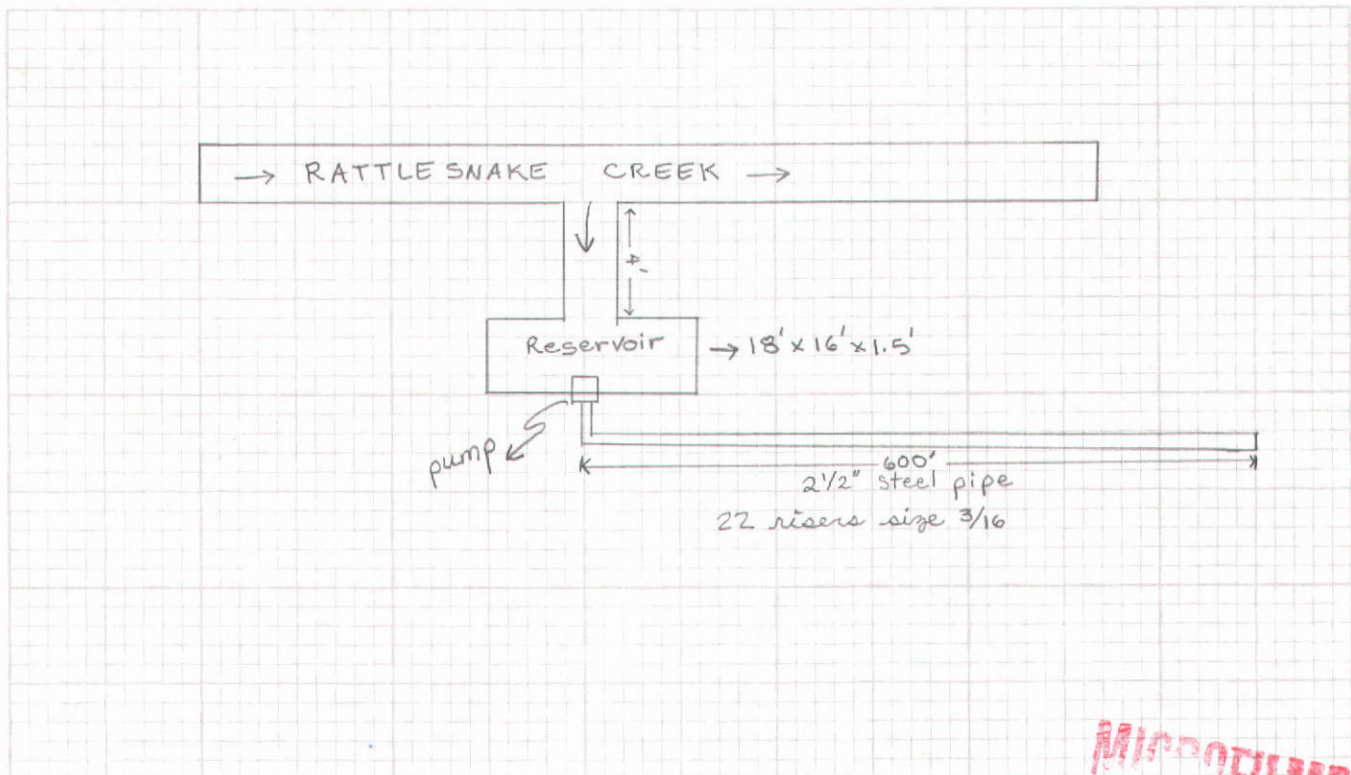
1. Owner: Joseph Twitchell Permit No. 61-7430
Current Address: Rt. 1, Box 684 G, Mountain Home, Id. 83647 Phone No. 587-3958
2. Accompanied by: owner EXAM. DATE: 7/9/91
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Rattlesnake Cr. tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
2. Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

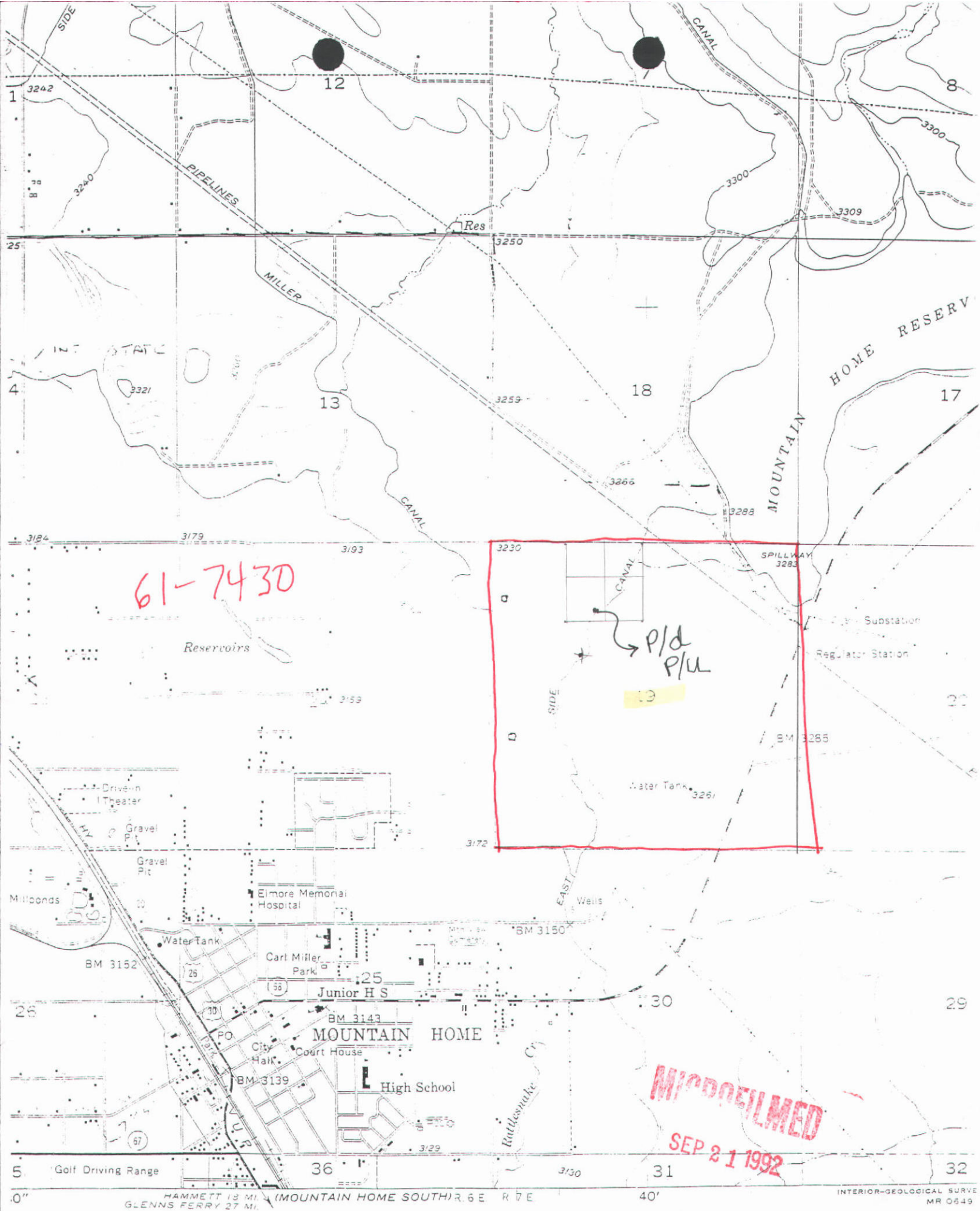
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

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SCALE 1:24000

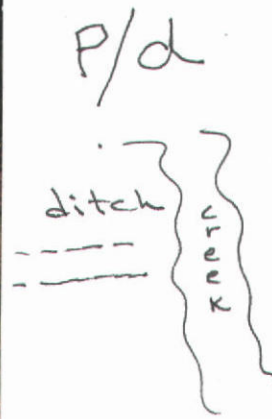


PHOTO ONE -



→ P/U

PHOTO TWO-

MICROFILMED
SEP 21 1992

①

Mtn. Home 1:30
6/18/81

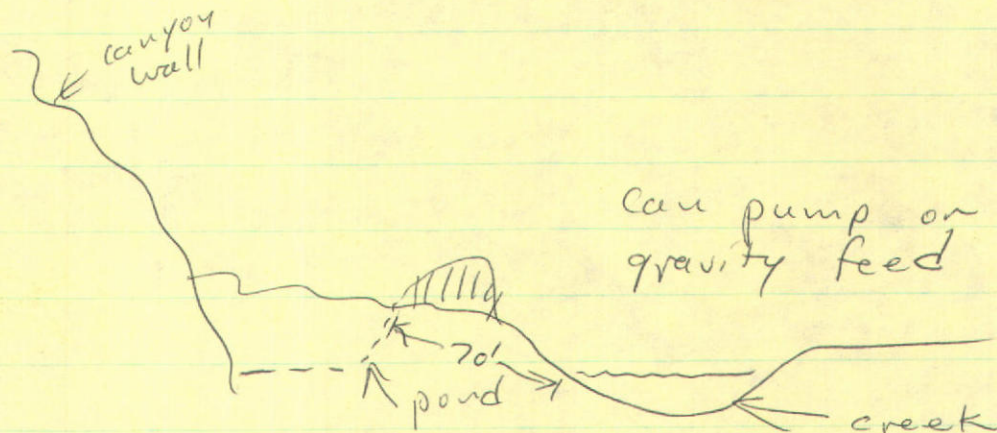
61-7430

Applicant -

Joseph W. Twitchell

Protestant - Mtn. Home Irrigation District.
Bill Ringert Attn.

App - Land to be irrigated is along creek - will not be pumped out of canyon. Does not want to use water from reservoir. Would cut off early or start late to storage if Irr. Dist. runs beyond usual dates.



Irr Dist - starts running
water April 15 - April 25
- stops Sept. 30

Pro - Water is probably seepage from reservoir & want to reserve right to improve reservoir to reduce seepage.

App - is seeking water for an early irrigation & possibly a late irrigation.

WINDMILL

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07430

Priority: January 2, 1981

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.1 AF

This is to certify, that JOSEPH W TWITCHELL

RT 1 BOX 684G

MOUNTAIN HOME ID 83647

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 2, 1981; and has submitted Proof of Beneficial Use on July 8, 1985. An examination indicates that the works have a diversion capacity of .030 cfs of water from:

RATTLESNAKE CREEK

tributary to SNAKE RIVER

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>
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 19, Township 03S, Range 07E
ELMORE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

03S 07E 19

NENW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this right may be affected by an agreement between the protestant and the right holder.
6. Stockwater use is for 10 mixed head.

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SEP 21 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07430

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 10TH
day of SEPTEMBER, 1992.

Acting for  Director

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SEP 21 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Joseph W Twitchell Phone 587-3958
Post office address Rte 1 Box 684G Mtn Home Idaho
2. Source of water supply Rattlesnake Creek which is a tributary of SNAKE
3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 19 Township 3S
Range 7E B.M. ELMORE County, additional points of diversion if any: NONE

4. Water will be used for the following purposes:

- Amount 0.5 for STORAGE FOR IRRIGATION purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.5 for STORAGE FOR RECREATION purposes from JAN 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.2 for DIVERSION TO STORAGE purposes from OCT 15 to APR 15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.5 for IRRIGATION FROM STORAGE purposes from APR 15 to OCT 15 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated: 0.2 cfs STOCKWATER JAN. 1 DEC. 31

- a. 0.2 cubic feet per second and/or b. 0.5 acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. will pump water from creek, to storage - will gravity feed water from storage to fields
- b. Height of storage dam 4 feet, active reservoir capacity .5 acre-feet; total reservoir capacity .5 acre-feet, materials used in storage dam: Rock & Concrete
Period of year when water will be diverted to storage Oct 15 to April 15 inclusive.
(Month/Day) (Month/Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

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

8. Description of proposed uses:

- a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 19 Township 3S
Range 7E B.M.

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

(3) List number of each kind of livestock to be watered 100 Sheep
5 horses

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

(5) If water is to be used for other purposes describe: Recreation, small fish pond
Swimming pond -

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

[illegible]

Total number of acres to be irrigated 10

c. Describe any other water rights used for the same purposes as described above. 61-71-20

- GROUNDWATER SOURCE (WELL)

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

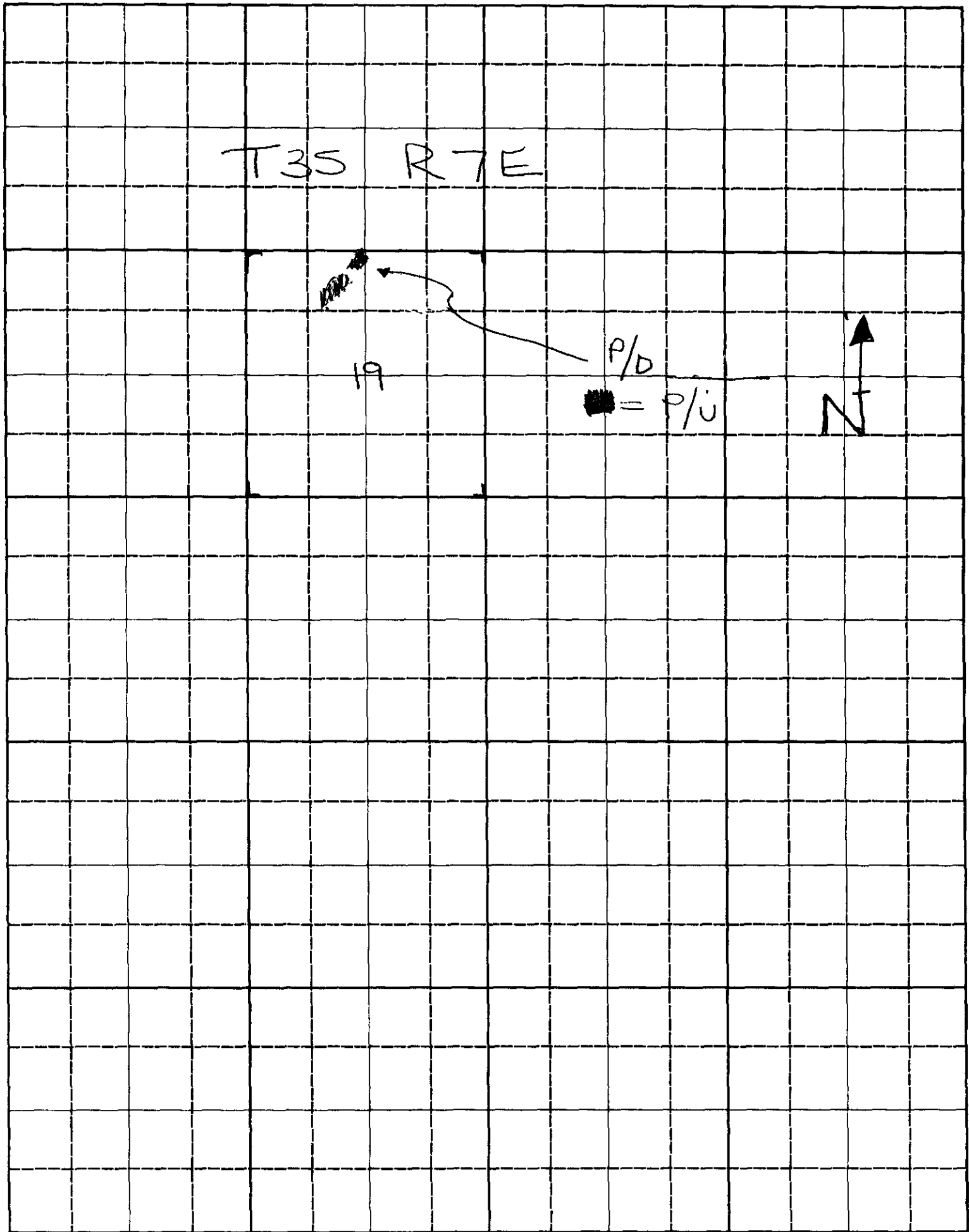
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks

RECEIVED

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



Scale. 2 inches equal 1 mile.

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

Joseph W. Mitchell
(Applicant)

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Proposed Priority: 1/2/1981

Received by HLH Date 1/16/81 Time 11:00
Date 1/2/81 Time 2:00 pm
Preliminary check by JP Fee \$ 30.00
Receipted by JP Date 1-2-81 # 17471
Publication prepared by HLH Date 3/6/81
Published in Mtn Home News
Publication dates 3/12 & 3/19/81 cont.
4/9 & 4/16/81
Publication approved HLH Date 4/27/81
Protests filed by: Mtn Home Irrig Dist
Protest withdrawn 6/18/81
Copies of protests forwarded by HLH
Hearing held by BDF, DBS Date 6/18/81
Recommended for approval denial by DBS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 61-7430, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Use of water under this permit may be affected by an agreement between the protestant and the applicant.

Witness my hand this 8th day of September, 19 81.

L. Glen Saxton
Chief, Operations Bureau

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IN THE MATTER OF PROTESTED)
APPLICATION FOR PERMIT NO.) AGREEMENT
G1-7430 IN THE NAME OF)
JOSEPH W. TWITCHELL)

The applicant agrees as follows:

1. The diversions under this permit will cease when the irrigation district turns water into the stream channel in the spring and will not divert water from the stream until the irrigation district shuts off its water in the fall.
2. Not to ~~place any structure or otherwise~~ impede the flow of the irrigation district water in the stream channel, **by a structure or otherwise.**
3. The irrigation district can take steps to ~~eliminate~~ reduce ^{or} the seepage loss from Mountain Home Reservoir.
4. To allow the irrigation district, through its representatives, reasonable access to inspect the area during the irrigation season.

The protestants agree as follows:

1. Their representative will contact Mr. Twitchell, if practical, at the time of inspection or will enter, on foot, from the pipeline road.
2. To withdraw their protest against this application for permit based upon this agreement.

Signed at Mountain Home, Idaho
on June 18, 1981.

Applicant

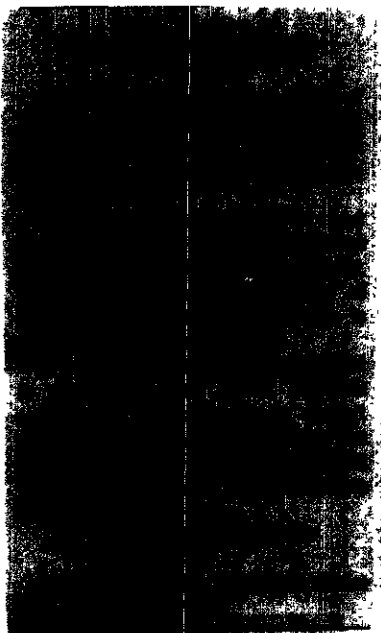
Joseph W. Twitchell
Joseph W. Twitchell

Protestant

Mountain Home Irrigation District
by George J. Nicholson
George J. Nicholson

Stanley Fisher
Stanley Fisher

o.k.
new.



Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, *Vivian M. Waters* 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 the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the *9* day
of *April*, 19*81*, and
the last publication having been made on the
16 day of *April*,
19*81*; every Thursday 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 MOUN-
TAIN 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.

[Signature]

Subscribed and sworn to me this *16th*
day of *April*, 19*81*.

Coleman M. Waters
Notary Public

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APR 16 1981

Department of Water Resources
Western Regional Office

MICROFILMED

APR 10 1981

ANDERSON, KAUFMAN, RINGERT AND CLARK
CHARTERED
LAWYERS

Department of Water Resources

RICHARD ANDERSON
SAMUEL KAUFMAN
WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN

THE LAW CENTER
599 WEST BANNOCK STREET
P O BOX 2773
BOISE, IDAHO 83701

EUGENE H. ANDERSON
(1902-1972)
TELEPHONE (208) 342-4591

April 9, 1981

Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Joseph W. Twitchell
Applications Nos. 61-7430 and 61-7431

Gentlemen:

Enclosed is a Protest by Mountain Home Irrigation District against the above numbered applications for permits to appropriate the public waters of the State of Idaho from Rattlesnake Creek and an unnamed spring, all as identified in the Protest.

Please file the Protest and notify me of any proceedings or action taken with respect to the applications and the protest.

Yours very truly,

ANDERSON, KAUFMAN, RINGERT & CLARK

By

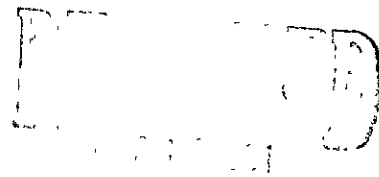
W. F. Ringert
W. F. Ringert

WFR:am

Enclosure

cc: Western Region Office,
Department of Water Resources

cc: Mountain Home Irrigation District



Deputy Director of Water Resources
Department of Water Resources

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES OF
THE STATE OF IDAHO

*

*

IN THE MATTER OF THE APPLI-	)	NO. 61-7430
CATIONS OF JOSEPH W. TWITCHELL)	)	NO. 61-7431
FOR PERMITS TO APPROPRIATE	)	
THE PUBLIC WATERS OF THE	)	PROTEST
STATE OF IDAHO	)	

*

*

Mountain Home Irrigation District hereby protests the applications of Joseph W. Twitchell, Route 1, Box 684G, Mountain Home, Idaho 83647, Nos. 61-7430 and 61-7431, to appropriate the waters of Rattlesnake Creek and a spring, with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 3 South, Range 7 East, B.M., Elmore County, Idaho, as detailed in Notice of Applications for Water Rights published in the Mountain Home News, a copy of which is attached to this Protest and made a part hereof.

The grounds of protest are that the waters of Rattlesnake Creek, identified in Application No. 61-7430, and the waters of the spring identified in Application No. 61-7431, are fully appropriated, and all such waters are required to satisfy the prior water rights of this Protestant in Rattlesnake Creek and in said spring, and that any diversion of said waters by the applicant will reduce the waters of Rattlesnake Creek and said spring below the amount required to satisfy the prior rights of this Protestant.

This Protestant also protests the adequacy of the notice of said applications for water rights, on the grounds that the notice

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does not state the time allowed for filing written protests against the approval of the applications.

WHEREFORE, Mountain Home Irrigation District, the Protestant above named, requests that said Applications Nos. 61-7430 and 61-7431 be rejected, and that the Director of the Department of Water Resources of the State of Idaho refuse to issue permits therefor.

DATED this 9th day of April, 1981.

ANDERSON, KAUFMAN, RINGERT & CLARK

By 
W. F. Ringert, A Member of the Firm
599 W. Bannock, P. O. Box 2773
Boise, Idaho 83701
Attorneys for Mountain Home Irrigation
District, Protestant

**NOTICE OF APPLICATIONS
FOR WATER RIGHTS**

Notice is hereby given that the following applications have been submitted for permit to appropriate the public waters of the State of Idaho:

61-7430

TWITCHELL, JOSEPH W.
RT. 1 BOX 684G, MOUNTAIN
HOME, ID 83647

Source RATTLESNAKE CREEK
tributary to SNAKE RIVER

Date Filed: 01/02/1981

Amount 0.20 CFS, 0.5 AC-FT

Diversion Point: NENW Sec 19 T
03S R 07E, ELMORE Co.

Use: DIVERSION TO STORAGE
(0.20 CFS) from 10/15 to 04/15;
IRRIGATION STORAGE (0.05 AC-FT)
from 01/01 to 12/31; RECREATION
STORAGE (0.05 AC-FT) from 01/01 to
12/31; STOCKWATER (0.02 CFS) from
01/01 to 12/31; IRRIGATION FROM
STORAGE (0.5 AC-FT) from 04/15 to
10/15

Place of Use: NENW Sec 19 T 03S R
07E FOR 10 ACRES

Diversion Means: ROCK & CON-
CRETE DAM, PUMP.

61-7431

TWITCHELL, JOSEPH W.
RT. 1 BOX 684G, MOUNTAIN
HOME, ID 83647

Source SPRING tributary to SINKS

Date Filed: 01/26/1981

Amount: 0.01 CFS, 0.5 AC-FT

Diversion Point: NENW Sec 19 T
03S R 07E, ELMORE Co.

Use: DIVERSION TO STORAGE
(0.01 CFS) from 01/01 to 12/31,
IRRIGATION STORAGE (0.5 AC-FT)
from 01/01 to 12/31; RECREATION
STORAGE (0.5 AC-FT) from 01/01 to
12/31; IRRIGATION FROM
STORAGE (0.5 AC-FT) from 03/15 to
11/15; STOCKWATER (0.01 CFS) from
01/01 to 12/31

Place of Use: NENW Sec 19 T 03S R
07E FOR 10 ACRES

Diversion Means: PUMP &
STORAGE PONDS

RECEIVED
JAN 27 1981

September 15, 1992

JOSEPH W TWITCHELL
RT 1 BOX 684G
MOUNTAIN HOME ID 83647

RE: WATER RIGHT NO. 61-07430

Dear Water Right Holder(s):

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

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

SEP 21 1992

August 19, 1992

JOSEPH W TWITCHELL
RT 1 BOX 684G
MOUNTAIN HOME ID 83647

RE: WATER RIGHT NO. 61-07430

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

SEP 21 1992

LICENSE REVIEW CHECKLIST

Permit # 61-07430

Date 05-20-92
as

	<u>Yes</u>	<u>No</u>	
NAME	<u> </u>	<u>✓</u>	Address Change?
PRIORITY DATE	<u> </u>	<u>✓</u>	Advance? <u> </u>
	<u> </u>	<u>✓</u>	Memo to Advance
	<u> </u>	<u>✓</u>	Order to Reinstate Needed?
TOTAL CFS	<u> </u>	<u>✓</u>	Incorrect Fee for rate recommended?
	<u>NA</u>	<u> </u>	Disagree with Actual Measurement? <u>10x.00022 = .002 ≈ .01 cfs (STOCK)</u>
	<u> </u>	<u>✓</u>	Disagree with Theoretical?
	<u> </u>	<u>✓</u>	Limited by Capacity? <u>.03 cfs</u>
TOTAL VOLUME			Rate/ac <u> </u> AFA Irr. Season <u> </u> <u> </u> Standard Irr. Season <u> </u> Season Recommended
	<u> </u>	<u>✓</u>	Disagree with Examiner's Calculations? <u>10x.0134 = .1 AFA (STOCK)</u>
	<u> </u>	<u>✓</u>	Limited by Flow? <u>.01x36.5x1.9835 = 7.27.1</u>
SOURCE	<u> </u>	<u>✓</u>	Changes? Clarification of <u>Originally</u> <u>Intended</u> source
	<u> </u>	<u>✓</u>	Notice of Intent to Void.
P/D	<u> </u>	<u>✓</u>	Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
P/U	<u> </u>	<u>✓</u>	Verify with Map
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
	<u> </u>	<u>✓</u>	Is Overlap Analysis a Consideration?
USES	<u> </u>	<u>✓</u>	Change(s) in Nature of Use? <u>Drop Storage Components</u>
	<u> </u>	<u>✓</u>	Amendment Needed? <u> </u>
REMARKS	<u> </u>	<u>✓</u>	Multiple P/Ds in 1/4 1/4? <u> </u>
	<u>✓</u>	<u> </u>	Non-Irr. Uses <u>STOCK/10 Cattle, Horses</u>
	<u> </u>	<u>✓</u>	Special Overlap Condition <u> </u>
	<u> </u>	<u>✓</u>	Other <u> </u>
CONDITIONS	<u> </u>	<u>✓</u>	Measuring Device
	<u> </u>	<u>✓</u>	W/Master Control
	<u>R31</u>	<u> </u>	Overlap
	<u> </u>	<u>✓</u>	Water Quality
			DATES/MISC
		<u>✓</u>	Water Dist.
		<u>✓</u>	App Rec'd
		<u>✓</u>	Exam Made
COMMENTS/MEMOS NEEDED:	<u>Reduced Rate, Uses</u>		
	<u>10 Mixed Stock per proof + Exam Fee Sheet</u>		
License <u> </u> 10-Day <u>✓</u> 15-Day <u> </u> Special Correspondence <u> </u>			

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 06/05/92 SKAGGS

MEMORANDUM

TO: JIM JOHNSON *for*

FROM: PAM SKAGGS *ok*

RE: RECOMMENDATION
FILE #61-07430

DATE: 05-JUN-1992

=====

Review of this right shows an application and permit for storage uses and stockwater. The only pond found has a capacity of less than 0.01 AF and the examiner recommends deletion of the storage component. I recommend that the stockwater portion of the permit be approved.

Pam - I don't think pond is large enough to issue a license either.

RECEIVED

SEP 21 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 15 1992

Department of Water Resources

A. GENERAL INFORMATION

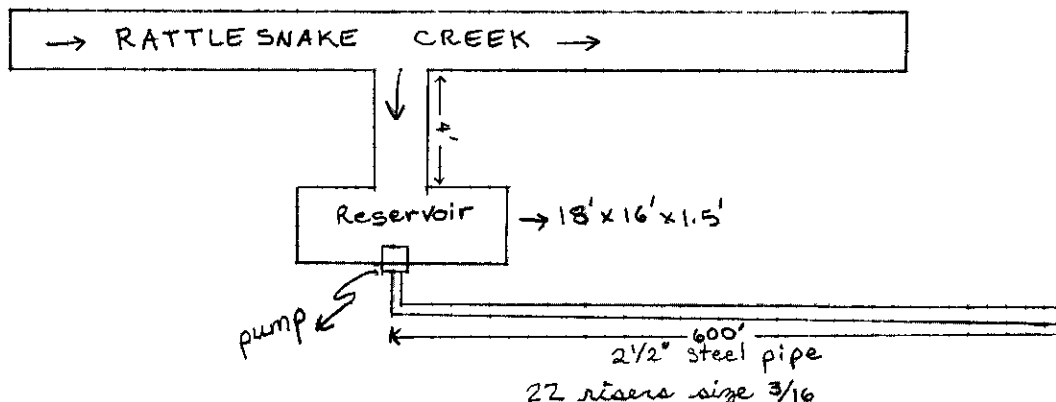
- 1 Owner. Joseph Twitchell Permit No. 61-7430
Current Address: Rt. 1, Box 684 G, Mountain Home, Id. 83647 Phone No. 587-3958
2 Accompanied by. owner EXAM. DATE: 7/9/91
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3 Source: Rattlesnake Cr. tributary to Snake River

B. OVERLAP REVIEW

- 1 Other water rights with same place of use. none ☐ Copies Attached
2 Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = NOT TO SCALE

- 2 ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more)
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)

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System Description (continued)

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

System consists of a hand-dug diversion ditch diverting water from Rattlesnake Creek to a storage reservoir ~~for~~ where the water is pumped out into one line of length 600' for irrigation. The pipe is 2 1/2" and there are 22 risers of size 3/16.

☐ See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1/2		Teel	G8711HL782

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NE	NW	19	3S	7E	Elmore	7.5' USGS topo.

6. Place(s) of Use:

Indicate Method of Determination exam

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3S	7E	19					1.5												1.5

Do not use this space

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Not enough storage water to irrigate

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

^{measurement}
No flow made, creek stream was dry.

E. FLOW CALCULATIONS

~~Additional Computation Sheets Attached~~

1. Measured Method:

NONE

~~See attached sheet B.~~

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

THIS RIGHT IS FOR STORAGE

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1. Volume Calculations for Irrigation:

N/A

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

~~See attached sheets~~

VOLUME OF POND = 18' x 16' x 1.5' = 0.001 AC-FT
- Volume too small to license - Jim Johnson
8-14-92

H. REMARKS AND OVERLAP REVIEW ANALYSIS

See attached sheets.

* recommend deletion of ~~recreation~~ recreation component based on field exam.

* It appears from USGS topo that East Side Canal is built right into Rattlesnake Creek.

I. RECOMMENDATIONS

1. Recommended Amounts Not part of this permit (storage only)

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
irrigation	3/15	10/15	.03	.5
stock	1/1	12/31	.02	3.1
Totals:			.03 cfs	.68 afa

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☒ Other

see attached sheets

J. AUTHENTICATION

Field Examiner's Name

SARA West

Signature

S. Y. West

Certification Date

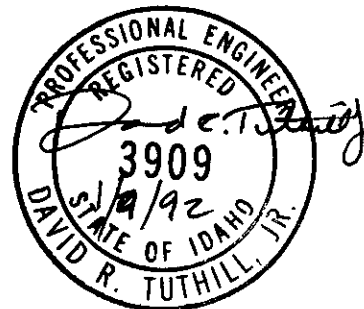
8/16/91

Field Report Preparation Date

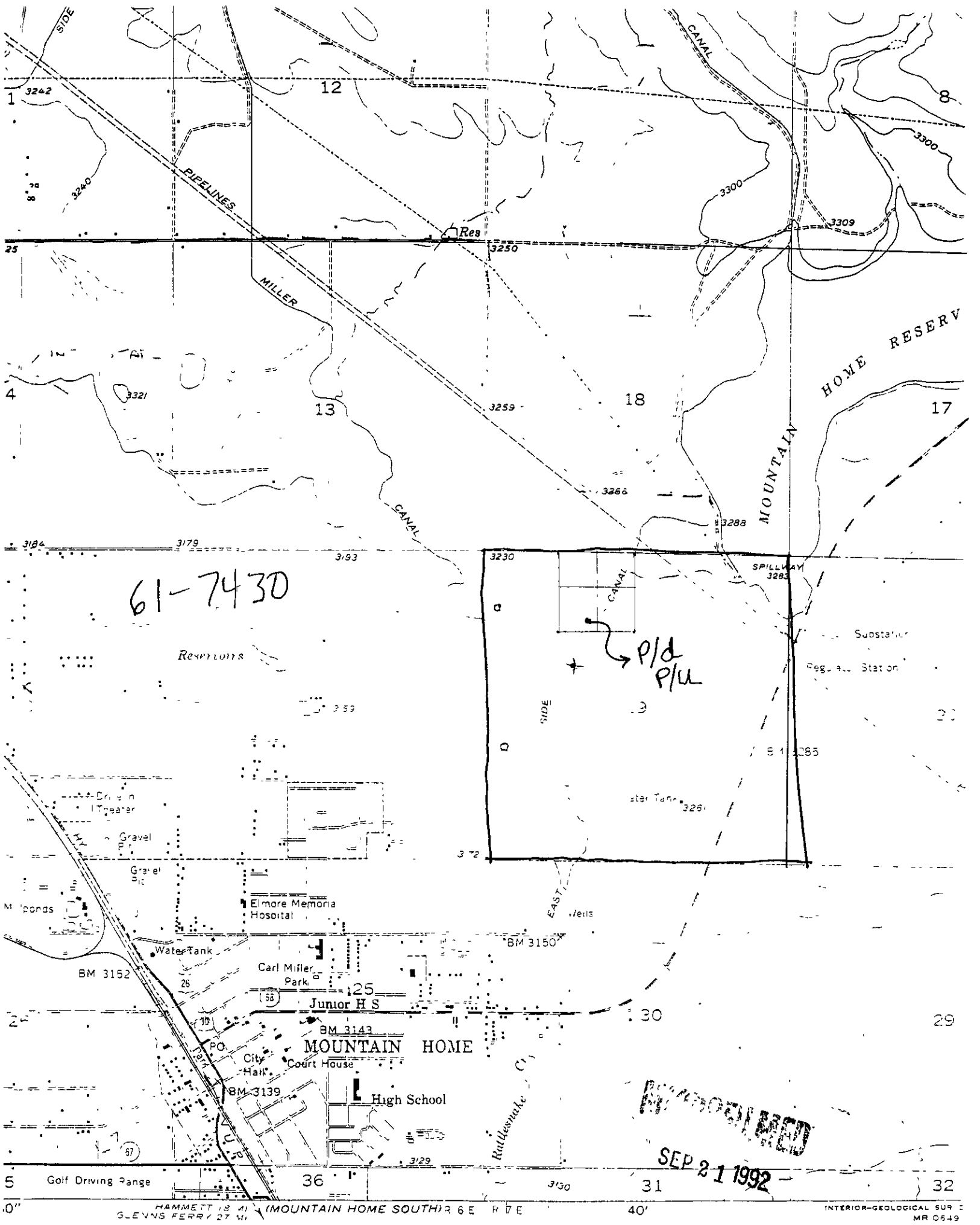
in 1/8/92

CONSULTANT SEAL

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



SEP 21 1992



SCALE 1 24000

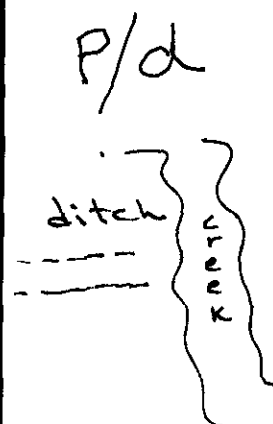
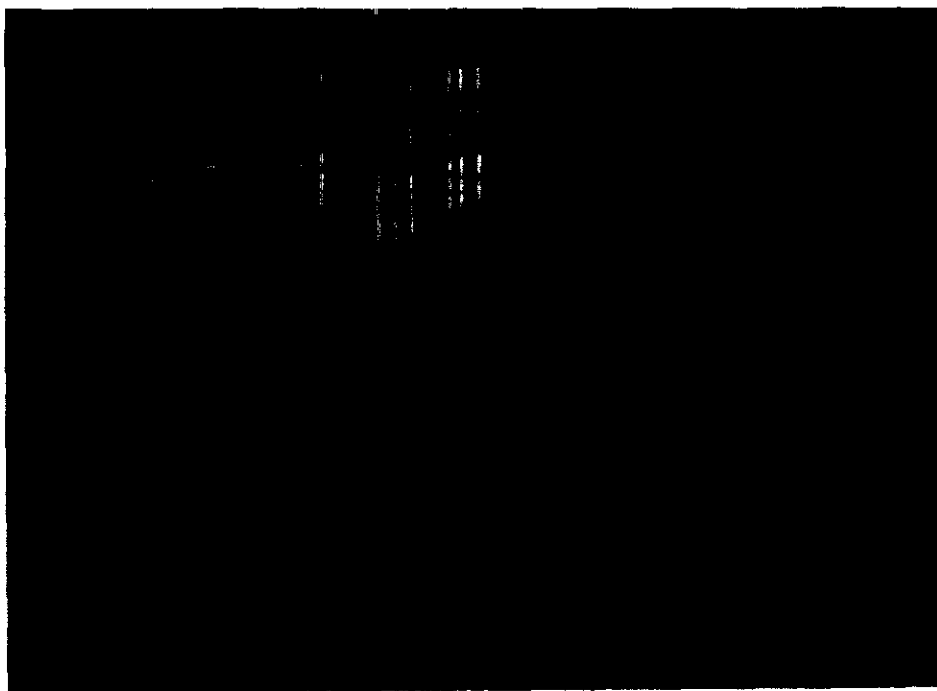


PHOTO ONE -



→ P/U

PHOTO TWO-

SEP 21 1992

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING
PERMIT NO. 61-7430

DATE: 6-21-89

It is recommended that this permit be exempt from the review requirements of Section 42-203D (i.e.; Swan Falls review) for the following reasons:

1) proof of beneficial use was submitted on July 8, 1985 which referenced commencement of beneficial use as 1981. The actual proof due date was not until September 1, 1986. It appears that the permit holder was attempting to meet the July 1, 1985 deadline date for filing proof and getting an automatic exemption. Proof was also submitted prior to his receiving a September 1, 1985 letter from Glen Saxton which informed permit holders that they could file proof at that time in order to get an exemption. Furthermore, the permittee was proving up on only 10 acres, the actual number for which he was permitted.

Based on evidence in the file, including the proof submittal, I recommend that this file be exempt from any further Swan Falls processing. The regional office should proceed with conducting the field exam.

copy: Western Region

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SEP 21 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
JUN 09 1989

PERMIT NO. 61-7430

Department of Water Resources

IF YOU ARE NOT INTERESTED IN HAVING YOUR PERMIT PROCESSED,
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as
thoroughly as possible and submit the \$20.00 readvertisement
fee if applicable.

1. Did irrigation occur on the lands identified under your
permit prior to July 1, 1985? Yes X No

If yes, you are requested to submit clear evidence that shows the
number and location of acres irrigated.

Aerial photographs taken prior to July 1, 1985, located in area
ASCS offices, are best forms of evidence. Photos submitted to the
the Department must be accompanied by a signed statement from an
ASCS representative which verifies the photo date and that the
lands were irrigated prior to July 1, 1985. If ASCS does not have
photos for the land and/or time in question, you must have the ASCS
provide the Department with a statement that photos are not avail-
able and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this
permit since July 1, 1985. 4 + Bottom land -

3. If you have not irrigated lands under this permit, please
state the number of acres you plan to complete. 10+ above Creek level -

NOTE: You must submit the \$20.00 readvertisement fee if any or
all of the lands were not irrigated before July 1, 1985.

4. If the permit is a supplemental filing please identify other
water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments.

I hereby assert that the responses provided above are true to the
best of my knowledge. I understand that any willful misrepresentations
may result in voiding of the application.

Permit Holder Justin Twitchell

Date June 89 -

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SEP 21 1992

page 2

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

5. REMARKS/COMMENTS:

[illegible]

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- June 7 - 89 -

In regard to my water rights & their use - in 1988 I made a special trip to Boise, talked with your representative at your new location - filled out proper paper work requirements to have my Application for water right proved up. at that time I made changes ^{on} ~~to~~ my application as previous years I had been "flooded out" by the M.H. irrigation district - I have pictures to the extent of damage done -

I have since repaired some damage - I have installed pumps to divert water - I have a proposed plan to protect my investment -

I have repaired small dams - I have planted (Re) my pastures -

I intend to irrigate above the Canyon Wall -

I wish to Comply with your rules & believe all requirements are being met - I do not agree in being "held up" by the State on the Continuing fees assessed - I am including 20⁰⁰ check - I feel you should authorize my final water right claim -
Sincerely, [Signature]

RELINQUISHMENT

To whom it may concern:

I hereby relinquish to the State of Idaho, all my right, title, and interest in and to (Application for Permit) (Permit) to appropriate the Public Waters of the State of Idaho, No. _____

Signed at _____

this _____ day of _____, 19____.

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SEP 21 1992

APPLICANT/PERMIT HOLDER

I have permit # 61-7430 and permit # 61-7431 and permit # 61-7120 that I filed for additional irrigation above Canyon wall but due to regulations then that required an expensive measuring device did not put in - I since have been told this no longer is required. My 2 claims - 30 & - 31 are valid & I want to comply & have them issued - I am enclosing \$20.00 but will appreciate if this is not required - I feel the State is requiring more than necessary from applicants - note attached - Just Twitself

4/86

RECEIVED
OCT 31 1988

JUN 16 1989

For Office Use Only

Fee Received N/A

Date

Receipt #

Receipt by

Sent to S.O. 6/15/89

STATE OF IDAHO

Department of Water Resources

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

RECEIVED
NOV 1 1988

NOV 1 1988

Department of Water Resources
Regional Office

original to
S.O. due
to
Swan Falls
Trust area
concerns.

1. Permit No. 61-7430

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

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

2. Permit Holder: Joseph W. Twitchell3. Post Office Address: Rte. 1 Box 684 G, Altus Home 83647Telephone No. 587-39584. Source of Water: Rattle Snake Creek

5. Extent of Use:

Domestic _____ (No. of households) Stockwater 10 (No. and type of stock)Irrigation 8 (acres) Other/Remark _____Storage for recreation, irrigation, irrigation from storage6. Total rate &/or volume for which proof is submitted 0.04 cfs 25 acre-feet

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

1981

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

MINIMUMEDAnita Twitchell (wife)

(Name)

SEP 1 1992

(Work #)

(Address)

587-3304

(Telephone Number)

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

Date Oct 31, 88Signature of Permit Holder (and title, if appropriate) Joe Twitchell

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

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

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

Checks should be made payable to the
Department of Water Resources

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 24, 1989

RE: PERMIT NO. 61-7430

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

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SEP 21 1992

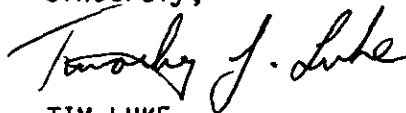
Page 2

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
Attn: Tim Luke - Water Allocation/Trust Water

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

Sincerely,



TIM LUKE
Sr. Water Resource Agent

Enclosures

RECEIVED

SEP 21 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

61-7430
Joseph W. Twitchell
Rt. 1 Box 684G
Mountain Home, ID 83647

September 20, 1988

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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

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

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

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

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated,

MICROFILMED

SEP 21 1992

the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

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

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

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

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

Northern Region

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

Eastern Region

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

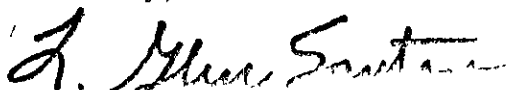
Southern Region

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

Western Region

Idaho Dept. of Water Resources
450 W. State St.
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

LGS:hm

Enclosures

RECORDED

SEP 21 1992

send
exam fee
notice -
address
inside is
OK

INTER-DEPARTMENT MEMO — 1

FROM Ray Walker
TO File 61-7430
SUBJECT Exam Fee

DATE 6/24/88

Mr. Twitchell came into the office today to check on the status of his permits.

In reviewing this file I saw that he had not been sent an "exam fee notice". I advised him that he would need to submit an exam fee. ✓ helped him and

SEP 21 1992

SIGNATURE

complete an exam fee information sheet. He took this sheet with him. He said he would complete it and send it in with a \$50.00 fee as soon as he had the money.

SEP 21 1972

NOTE: I have routed the proof made date for data entry - it was not entered previously

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
JUNE 30, 1986

138855

TWITCHELL, JOSEPH W.
RT. 1 BOX 684G
MOUNTAIN HOME, ID 83647

PROOF DUE NOTICE

RE: PERMIT NO. 61-7430

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 SEPTEMBER 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH WHEN ACCOMPANIED BY THE LI-CENSE EXAMINATION FEE OR A COMPLETED 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

*proof was
submitted 7/8/85-
below...
kw
6/24/88*

RECEIVED

SEP 21 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

SEP 21 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JULY 31, 1985

JOSEPH W. TWITCHELL
RT. 1 BOX 684 G
MOUNTAIN HOME ID 83647

RE. Permit No. 61-7430

Dear Permit Holder:

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

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

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

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

Sincerely,
Judy Pense
Secretary

SEP 21 1992

FORM A

STATE OF IDAHO

RECEIVED
JUL 8 1985

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 61-7430
Name(s) of Permit Holder: Twitchell Joseph W ✓

Post Office Address: Rte 1 Box 6846 Mtn Home Id. ✓
83647 Telephone No. 587-3958 530 AFTER

Source of Water: Spring -

Extent of Use: Domestic _____ (number of households)
Stockwater 7 horses - 3 cows (number and type of stock)
Irrigation 10 (acres)
Other/Remarks .20 CFS STW NCO .70 CFS
.50 CFS IRR

Indicate the date water was first diverted and beneficially used under this permit: Fall 1981 Gravity flow & pump - ✓

Measuring Device: Required? _____ Yes _____ X No
Installed? _____ Yes _____ X No

Flow Measurement Port: Required? _____ Yes _____ X No
Required? _____ Yes _____ X No

Person to contact to accompany the Department representative during field examination: JW Twitchell (Name) ANITA ^{work} _{hours}
Rte 1 Box 6846 Mtn Home Id (Address) 587-3958 - 587-3304 (Telephone number)

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

June 1 - 85
Date

JW Twitchell -
Signature of Permit
(and Title, if appropriate)

Jim

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

September 21, 1981

RE: Permit No. 61-7430

Joseph W. Twitchell
Route #1, Box 684G
Mountain Home, ID 83647

Dear Mr. Twitchell:

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

The exercise of this permit may also be affected by the Supreme Court's review of the case of Idaho Power Company vs. State of Idaho, et al., Ada County Civil No. 62237, currently being appealed to the Supreme Court of Idaho. Since the use of water under your permit may affect the flows in the Snake River between Milner Dam and Hells Canyon the final decision in this case may determine to what extent the exercise of your permit is subject to water rights of Idaho Power. While the Supreme Court is reviewing this case, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or subsequent license.

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

Enclosure

MICROFILMED

June 23, 1981

RE: Application for Permit No. 61-7430

W. F. Ringert
Anderson, Kaufman, Ringert and Clark
599 West Bannock Street
P. O. Box 2773
Boise, ID 83701

Dear Mr. Ringert:

This office acknowledges receipt of the withdrawal of protest against Application No. 61-7430 in the name of Joseph W. Twitchell.

This office now will continue to process the application, since the protest has been withdrawn.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

DBS:nn

MICROFILM

June 23, 1981

RE: Application for Permit No. 61-7430

Joseph W. Twitchell
Rt. 1, Box 684 G
Mountain Home, ID 83647

Dear Mr. Twitchell:

Enclosed is a copy of a withdrawal of protest against the above referenced application.

This office can now take further action on the application.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

DBS:nn

MINNERTON

SPECIAL NOTE: _____

PROTEST INFORMATION SHEET

Protestant - Name(s)

Mountain Home Irrigation District

Address _____

Attorney - Name & Address W. F. Ringert

Anderson, Kaufman, Ringert & Clark, P.O. Box 2773, Boise, ID 83701

Date Filed 4/10/1981 Protest Date 4/27/1981

Issues Water is needed by protestant - already
appropriated.

Applicant - Attorney - Name & Address _____

Dates _____

Acknowledgement letters: 4/17/1981

Hearing Notice: 5/27/1981

Hearing Date: 6/18/1981

Other. Protest withdrawn by Agreement
dated 6/18/81

Protest Information submitted in Computer (following hearing): _____

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61-7430 - JOSEPH W. TWITCHELL

Commissioner's Room, Elmore County Courthouse, Mtn Home, ID

Thursday, June 18, 1981, 1: 30 p.m.

ROSTER OF ATTENDANCE

Hearing conducted by Bob Flesner & David Shaw

Name	Address	Representing
Wm F. RINGERT	P.O. Box 2773 BOISE, IDAHO 83704	MTN. HOME IRR. DIST.
Joseph W Twitchell	Mtn. Home, Idaho	Self -
George J. Nicholson	Mtn Home, Id	Mtn Home IRR.
Stanley Fisher	Mtn. Home, Id.	Dist. " "
Charles R. Cook	Mtn Home, id	Irrig District

MICROFILMED

①

Mtn. Home 1:30
6/18/81

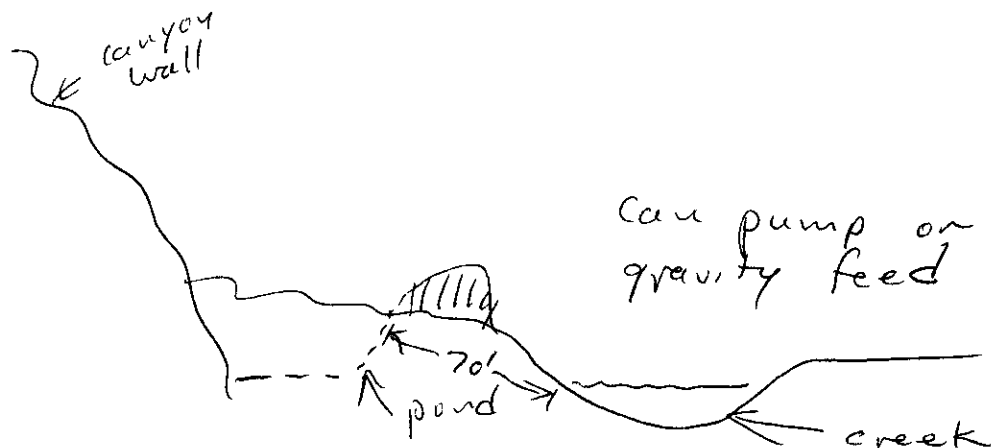
61-7430

Applicant -

Joseph W. Twitchell

Protestant - Mtn. Home Irrigation District.
Bill Ringert Attn.

App - Land to be irrigated is along creek - will not be pumped out of canyon. Does not want to use water from reservoir. Would cut off early or start late to storage if Irr. Dist. runs beyond usual dates.



Irr. Dist - starts running
water April 15 - April 25
- stops Sept. 30

Pro - Water is probably seepage from reservoir & want to reserve right to improve reservoir to reduce seepage.

App - is seeking water for an early irrigation & possibly a late irrigation.

(2)

Pro -

- ~~App~~ - agree to cut off diversions during irrigation season.
- not impede flow in stream channel
- can do work to prevent seepage
- Access to check status by Irr. Dist,

App - would like to accompany at time of access.

STATE OF IDAHO

NOTICE OF HEARING
AND/OR CONFERENCE

The Department has set the matter of protest for hearing for Thursday, June 18, 1981, at 1:30 p.m., in the Commissioner's Room, Elmore County Courthouse, Mountain Home, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of

the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 42-1701A.

The parties by written stipulation may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the Director's review of a party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the district court.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department to dismiss without prejudice the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 27 day of May, 1981.



DAVID B. SHAW
Western Region Supervisor

RECORDED

**STICK POSTAGE STAMPS TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

- 1 If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier (no extra charge)
- 2 If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article
- 3 If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number
- 4 If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article
- 5 Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811
- 6 Save this receipt and present it if you make inquiry

PS Form 3811, 1979 502-878

P23 0486372

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED---
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO	
W.F. Ringst	
STREET AND NO	
P.O. Box 2773	
P.O. STATE AND ZIP CODE	
Boys 03701	
POSTAGE	
\$	
CONSULT POSTMASTER FOR FEES	
OPTIONAL SERVICES	
RETURN RECEIPT SERVICE	
SHOW TO WHOM AND DATE DELIVERED	
SHOW TO WHOM DATE AND ADDRESS OF DELIVERY	
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	
SHOW TO WHOM DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	
CERTIFIED FEE	
SPECIAL DELIVERY	
RESTRICTED DELIVERY	
TOTAL POSTAGE AND FEES	
\$	
POSTMARK OR DATE	
5/27/81	

**STICK POSTAGE STAMPS TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)**

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5 Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811

6 Save this receipt and present it if you make inquiry

P23 0486373

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		Joseph W. Twitchell	
STREET AND NO.		Rt. 1 Box 6846	
P.O. STATE AND ZIP CODE		Mtn Home 83647	
POSTAGE		\$	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE		¢
	SPECIAL DELIVERY		¢
	RESTRICTED DELIVERY		¢
	RETURN RECEIPT SERVICE		¢
	SHOW TO WHOM AND DATE DELIVERED		¢
	SHOW TO WHOM DATE AND ADDRESS OF DELIVERY		¢
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
	SHOW TO WHOM DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE		5/27/81	

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete Items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, adhesive affix to back of article.
- Enclose article "Return Receipt Requested" indicant to number.

RECEIVED

RETURN
TO

JUN 1 1988

Department of Water Resources
Western Regional Office



IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION OFFICE
92 SOUTH COLE ROAD
BOISE, IDAHO 83709

(Street or P.O. Box)

(City, State, and ZIP Code)

61-7430

● SENDER: Complete items 1, 2, and 3 Add your address in the "RETURN TO" space on reverse.	
1 The following service is requested (check one.) ☒ Show to whom and date delivered..... ☐ Show to whom, date and address of delivery..... ☐ RESTRICTED DELIVERY ☐ Show to whom and date delivered..... ☐ RESTRICTED DELIVERY. ☐ Show to whom, date, and address of delivery. \$ ____	
(CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO W.F. Kingst Anderson, Kaufman, Ringold P.O. Box 2772 Boise, ID 83701 Clark	
3. ARTICLE DESCRIPTION. REGISTERED NO. <u>PL3</u> INSURED NO. <u>0486372</u>	(Always obtain signature of addressee or agent)
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent	
4. DATE OF DELIVERY MAY 29 1981	5. ADDRESS (Complete only if requested)
6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS



★ GPO : 1978-388-67

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

Complete items 1, 2, and 3 on the reverse.

Attach to front of article if space permits,

otherwise affix to back of article.

Endorse article "Receipt Requested"

adjacent to number

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION OFFICE

92 SOUTH GOLF ROAD

BOISE, IDAHO 83709

(City, State, and ZIP Code)

SENDER. Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one.) ☒ Show to whom and date delivered..... ☐ Show to whom, date and address of delivery..... ☐ RESTRICTED DELIVERY ☐ Show to whom and date delivered..... ☐ RESTRICTED DELIVERY. ☐ Show to whom, date, and address of delivery \$ _____	
(CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO Joseph W. Twitcheall Rt. 1, Box 6086 Mtn Home ID 83647	
3. ARTICLE DESCRIPTION: REGISTERED NO. P23	CERTIFIED NO. 0486373 INSURED NO.
Always obtain signature of addressee or agent	
I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent Anta J Twitcheall	
4. DATE OF DELIVERY MAY 29 1981	POSTMARK HOME MAY 29 1981
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE: DELIVERY'S INITIALS	

61-7430

Mail Receipts

✓

✓

April 29, 1981

William F. Ringert
Anderson, Kaufman, Ringert and Clark
The Law Center
P.O. Box 2773
Boise, Idaho 83701

RE: Application for Permit No. 6147431
In the name of Joseph W. Twitchell

Dear Mr. Ringert:

This letter is to confirm our phone conversation of this morning that the legal notice for the above numbered application did contain a final date for submitting protests. I have for your convenience enclosed a copy of the newspaper affidavit and call your attention to the last paragraph on the second page which contains the ~~data~~ in question.

If you have any ^{we} questions, please feel free to contact me.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

DBS:hlh

Enclosure

ANDERSON, KAUFMAN, RINGERT AND CLARK
CHARTERED
LAWYERS

THE LAW CENTER
599 WEST BANNOCK STREET
P O BOX 2773
BOISE, IDAHO 83701

RICHARD ANDERSON
SAMUEL KAUFMAN
WILLIAM F RINGERT
D BLAIR CLARK
ANDREW M HARRINGTON
JEFFREY R CHRISTENSON
JAMES P KAUFMAN

RECEIVED

APR 21 1981

EUGENE H ANDERSON
(1902-1978)
Department of Water Resources
Telephone Room Office
Western Region

April 21, 1981

Mr. David B. Shaw
Western Region Supervisor
Department of Water Resources
92 South Cole Road
Boise, Idaho 83709

Re: Application for Permit No. 61-7431 (Joseph W.
Twitchell)

Dear Mr. Shaw:

I have your letter of April 16, 1981, regarding the above numbered application and Application No. 61-7430, as well as the copies of the Affidavit of Publication and Notice of Applications for Water Rights.

I am unable to find in the Notices the statement required by Idaho Code § 42-203, advising interested parties that any protest must be filed with the Department within ten days from the last date of publication of the notice.

Notices published without the statement that only ten days are permitted for filing protests are inadequate to alert other water users of their statutory rights. The Board of Directors of Mountain Home Irrigation District did not deem it necessary to act on this matter until its regular meeting on April 7, 1981. By that time the time for filing protests had expired and the permit had been issued. Had the published notices contained the statement regarding the ten-day period for filing protests, the Directors of the District would have taken special action to file timely protests.

Mountain Home Irrigation District must take the position that the issuance of Permit No. 61-7431 based on published notice which did not contain the statement that protest must be filed within ten days of the last publication was beyond the statutory powers of the Director of the Department of Water Resources, and

MICROFILMED

Mr. David B. Shaw

-2-

April 21, 1981

that the permit is void for that reason. Mountain Home Irrigation District requests that the order approving the application for Permit No. 61-7431 be vacated, and that the permit be revoked, and that further proceedings be held following republication of notice and consideration of the protest of the District.

Yours very truly,

ANDERSON, KAUFMAN, RINGERT & CLARK

By


W. F. Ringert

WFR:am

cc: Mountain Home Irrigation District

MICROFILMED

RECEIVED

K5 130x684G

Alta House, Idaho 83647

Alta House Irrigation

MAY - 5 1981

May 2 - 1981

Department of Water Resources
Western Regional Office

Board members:

In regards to the protest you filed against me concerning a water permit with the state of Idaho. The Idaho code states 5 principle items which they consider after an application is filed.

I feel I meet all requirements:

- ① I will not reduce quantity of water under existing water rights.
- ② the proposed water supply asked for is sufficient when figured on a 10 yr. period.
- ③ I intend to use the water for purposes to increase my present feed supply.
- ④ the specific details of my financial ability are only necessary for the state to know.
- ⑤ I see no way this will conflict with the Public Interest.

I have owned my property 11 + yrs & for 10 yrs have records on the water flow below the reservoir. The purpose being to utilize the unused water to irrigate my fields. I have checked out & developed a plan to store water in the Canyon, move the water thru pipes & ditches to irrigate app. 10 ac. of fields.

I will be glad to meet with you to resolve this protest before the 20 day time limit. I believe this would be beneficial as well as be less costly to all concerned. I am working out of state & can not attend your Tuesday meeting. I will be home on the wk end -

CC. West, Regional Water Resource) Jim Twitchell

RECEIVED

Attn: Box 684 - 4
Mtn. View, Idaho



Idaho State
Water Resources Dept
Western Regional Office
925 Cole Rd
Boise, Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

April 17, 1981

Joseph W. Twitchell
Rt. 1, Box 6847
Mountain Home, Idaho 83647

Dear Mr. Twitchell:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. ~~61-7630~~. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

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

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

Enc.



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 334-2190

April 16, 1981

W. F. Ringert
Anderson, Kaufman, Ringert and Clark
Lawyers
P.O. Box 2773
Boise, Idaho 83701

RE: Applications for Permit Nos. 61-7430 and 61-7431
In the name of Joseph W. Twitchell

Dear Mr. Ringert:

I am in receipt of your letter of April 9, 1981 and the accompanying protest against the above numbered applications for permit. Application for Permit No. 61-7431 for the appropriation of 0.01 cubic feet per second from a spring tributary to sinks was approved on April 2, 1981. The second application, 61-7430, for the appropriation of 0.40 cubic feet per second from Rattlesnake Creek is currently being readvertised and therefore the protest period has not ended and your protest will be recognized against this filing.

As is our usual procedure, we suggest that you contact the applicant to discuss the application and attempt to resolve the protest. If this office has not been advised within 20 days that the protest is being resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principal items the department can consider in either approving or denying an application for permit (§42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

COPIED

RE: Applications for Permit Nos. 61-7430 and 61-7431

In the name of Joseph W. Twitchell

April 16, 1981

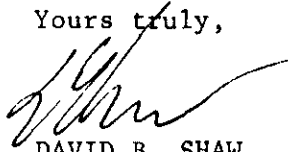
Page 2

5. Will the proposed use under this permit conflict with the local public interest?

For your information, I have enclosed a copy of the affidavit of publication received from the Mountain Home News. Please notice that when the entire notice is considered, the final date for submitting protests is included as a part of that notice.

If you have any questions, please feel free to contact this office.

Yours truly,



DAVID B. SHAW
Western Region Supervisor

DBS:hlh

Enclosure

cc: Joseph W. Twitchell

RECORDED

January 13, 1981

Joseph W. Twitchell
Rt. 1 Box 684 G
Mountain Home, Idaho 83624

Dear Mr. Twitchell:

In reviewing your recently submitted application for permit, we have taken the liberty of retyping and suggesting a few changes.

Enclosed are three applications for your review. One application includes both sources, the spring and Rattlesnake Creek. The only problem that could arise with this one is if the irrigation district were to protest the application because it includes Rattlesnake Creek. Even though the storage period would not begin until after their irrigation period is completed, they may protest it. This would then also tie up the approval of a water right from the spring.

Therefore, if you feel there is a change the irrigation district will protest this application, it may be to your advantage to file two applications. One would list the spring and all uses appropriate and one would list Rattlesnake Creek and all uses appropriate. This system would cost another \$30 for the second application. But, if the district protests the Rattlesnake Creek application then the spring application would not be affected and could be processed. When a protest is filed, a conference is held to hear both sides and hopefully a compromise is reached then. If not, a formal hearing is held.

If you decide to file the one application with both sources, please sign it and return it to this office. Your priority date will be the date it was received earlier or January 2, 1981.

If you decide to file the two applications, please submit the necessary \$30. fee for the second application. If you have any questions concerning this matter, please contact us.

Sincerely,

JAN GROVER
Senior Water Resource Agent

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 334-2190

April 1, 1981

Mountain Home News
Drawer 0
Mountain Home, ID 83647

RE: Application No. 61-7430

Gentlemen:

Enclosed is a copy of the original notice for the above referenced application and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We are requesting that you publish the enclosed correction notice at your expense.

Upon receipt of an affidavit of publication for the correction notice, we will forward the bill for the first publication to our accounting section.

Your cooperation in this matter is greatly appreciated.

Sincerely,

H. L. HARRINGTON
Secretary

hlh

Enclosures

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 61-7430 in the name of Joseph W. Twitchell was published in error on 3/12 and 3/19/81 amount of irrigation and The recreation storage was advertised as being ~~within the~~ 0.05 and 0.05 ac-ft respectively. Whereas, the actual amount of irrigation and recreation storage is ~~within the~~ 0.50 and 0.50 ac-ft respectively.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before April 27, 1981.

C. STEPHEN ALLRED

DIRECTOR

Published in the Mountain Home News on 4/9 and 4/16/81.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

MARCH 6, 1981

Mountain Home News
Drawer D
Mountain Home, ID 83647

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before MARCH 30, 1981.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before MARCH 30, 1981.

C. STEPHEN ALLRED

Director

Published 3/12 & 3/19/81.

61-7430-

TWITCHELL, JOSEPH W.

RT. 1 BOX 684G, MOUNTAIN HOME, ID 83647

Source: RATTLESNAKE CREEK tributary to SNAKE RIVER

Date Filed: 01/02/1981

Amount: 0.20 CFS 0.5 AC-FT

Diversion Point: NENW Sec 19 T 03S R 07E, ELMORE Co.

Use: DIVERSION TO STORAGE	(0.20 CFS)	from 10/15 to 04/15
IRRIGATION STORAGE	(0.5 AC-FT)	from 01/01 to 12/31
RECREATION STORAGE	(0.5 AC-FT)	from 01/01 to 12/31
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
IRRIGATION FROM STORAGE	(0.5 AC-FT)	from 04/15 to 10/15

Place of Use: NENW Sec 19 T 03S R 07E FOR 10 ACRES

Diversion Means: ROCK & CONCRETE DAM, PUMP.

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