

A hand-drawn map on a grid background. The map shows a well location marked with a circle and a dot. An arrow points from the word "well" to this symbol. To the left of the well is the text "T 2 S". Above the well is the text "R 5 E". To the right of the well is the number "15".

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.

SEP 10 1992

Alfred L Rathbun  
(Applicant)

RECEIVED

JAN 17 1971

Department of Water Resources  
Western Regional Office

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

Notice is hereby given that ALFRED T. RATHBUN Notus, ID has on December 22, 1976 submitted Application No. 61-7297 for a permit to appropriate 0.20 cubic feet per second of water from a groundwater source by means of well and pump within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec 15 T2S-R5E B.M., Elmore County to be used from Jan. 1 to Dec. 31 for domestic and livestock purposes and from Mar 15 to Nov 15 for irrigation 10 acres within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec 15 T2S-R5E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before January 23, 1977.

R. KEITH HIGGINSON  
DIRECTOR

Published in the Mountain Home News, Mountain Home, ID on January 6, 1977 and January 13, 1977.

OK  
1-17-77  
M

**Affidavit of Publication**

County of Elmore }  
STATE OF IDAHO } ss.

I, Lloyd S. 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 .....6.... day of Jan....., 19..77, and the last publication having been made on the .....13..... day of Jan..... 19..77...; 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.

Lloyd S. Waters

Subscribed and sworn to me this ...13.....

day of Jan....., 19..77

Quinn M. Waters  
Notary Public

NOTED

RECORDED

SEP 10 1992

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

**A. GENERAL INFORMATION**

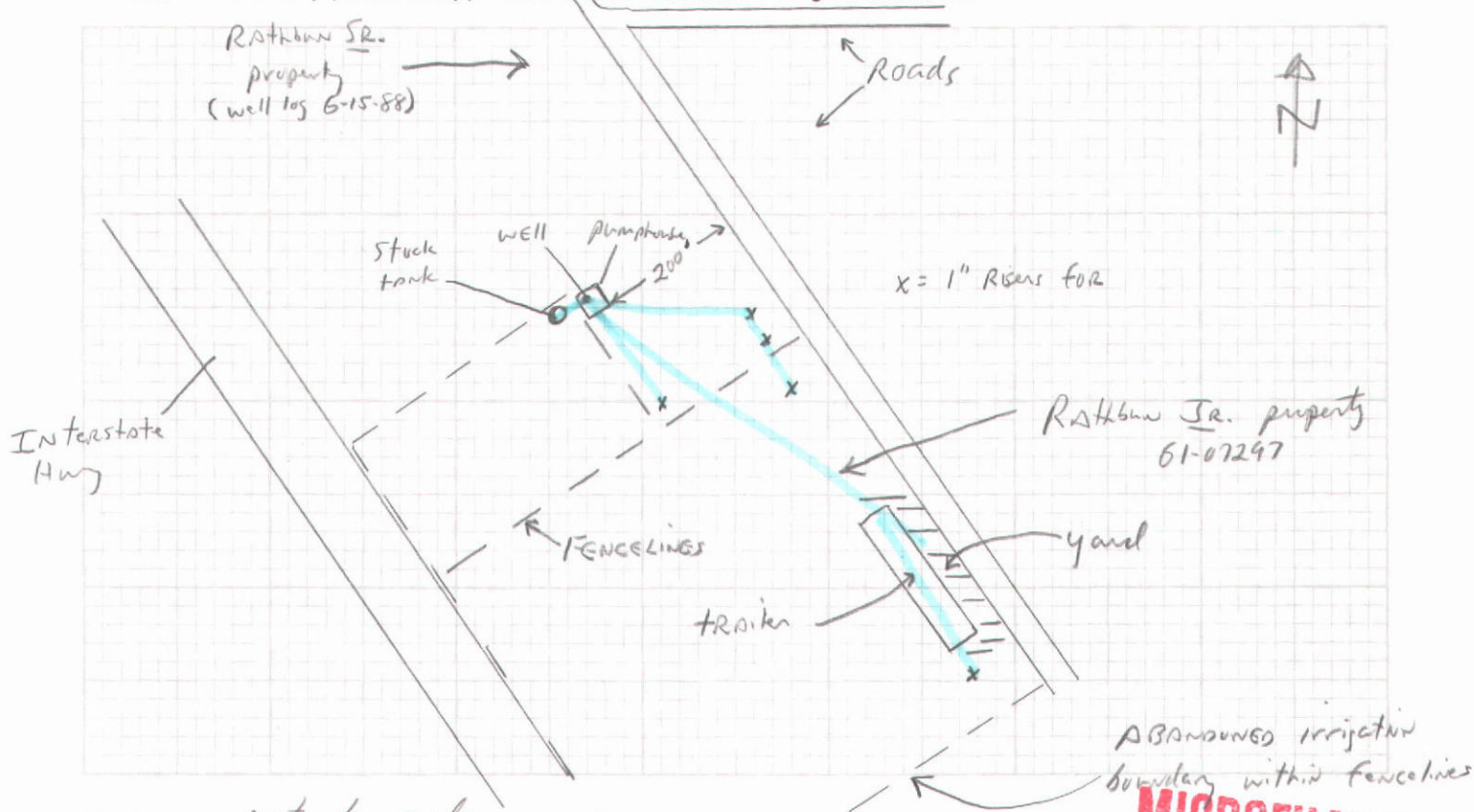
1. Owner: Alfred T. Rathbun (JR.) Permit No. 61-7297  
 Current Address: 3030 E. Windy Way, Winnemucca, Nevada 89445 \* Phone No. 702-623-4128  
 2. Accompanied by: Alfred T. Rathbun SR. EXAM. DATE: 10/24/91  
 Address: PO Box 99 Mtn. Home Id. 83647 Phone No.         
 Relationship to Permit Holder: Father  
 3. Source: groundwater tributary to        IF no contact via Nevada \*  
 address, send c/o A.T. Rathbun SR.  
 at Mtn. Home address

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: NONE FOR SAME PROPERTY; 61-07193 is domestic  
use other land & other well. ☐ Copies Attached N/A  
 2. Other water rights with same point of diversion: 61-07655 (same owner; relinquished); 61-07193  
different well in SWSE. No old listed ☐ Copies Attached ☐ Copies of Field Exam's Attached N/A  
for NWSE.

**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).  
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).  
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).  
Also see NAPP photo

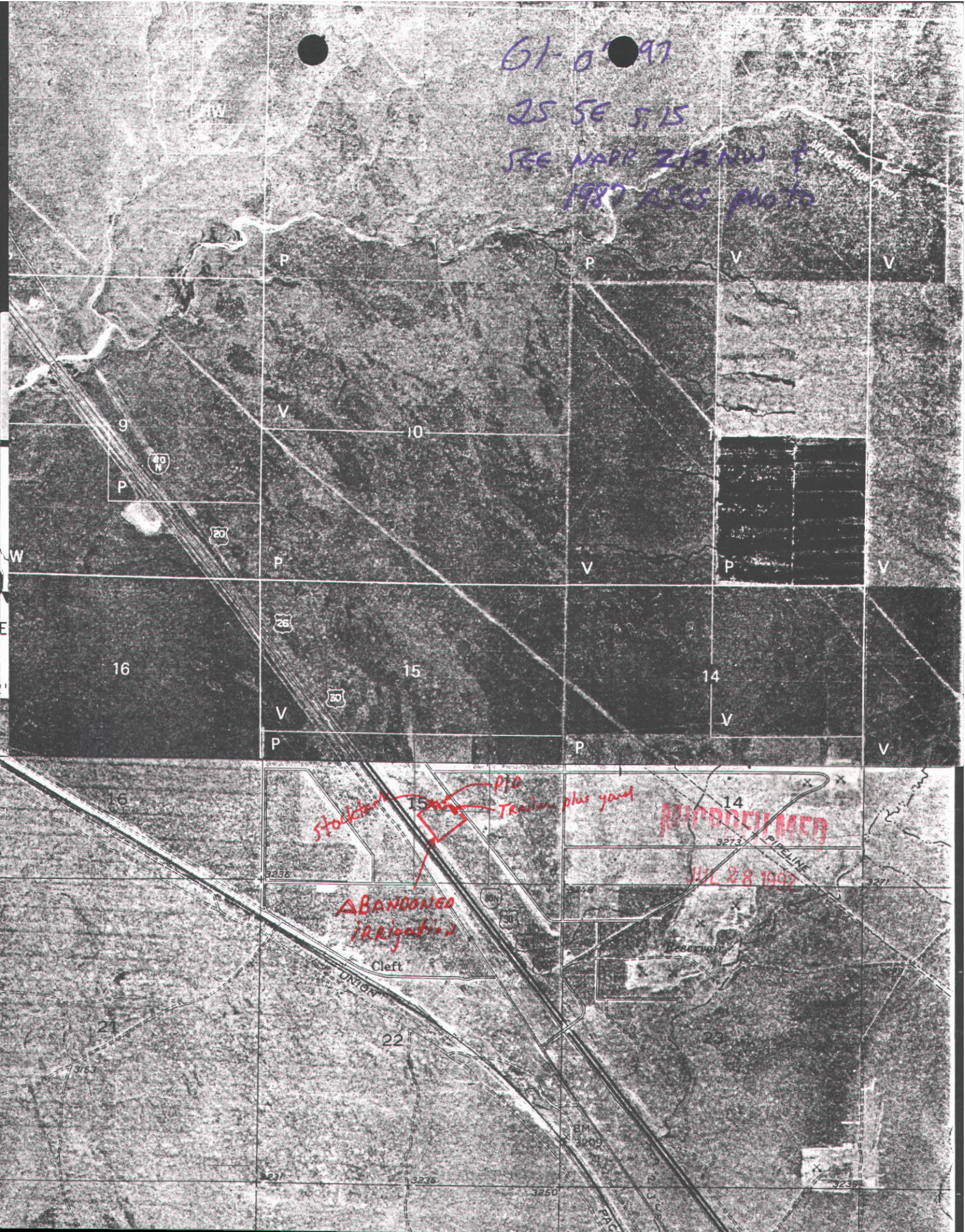
**MICROFILMED**

**JUL 28 1992**

61-0-97

25 SE 5, 15

SEE MAP 212 NW &  
1987 ASGS PHOTO



stock tank  
P/O Trailer plus yard

ABANDONED  
IRRIGATION

Cleft

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DESERTION

BM  
3009

PAC

61-07297

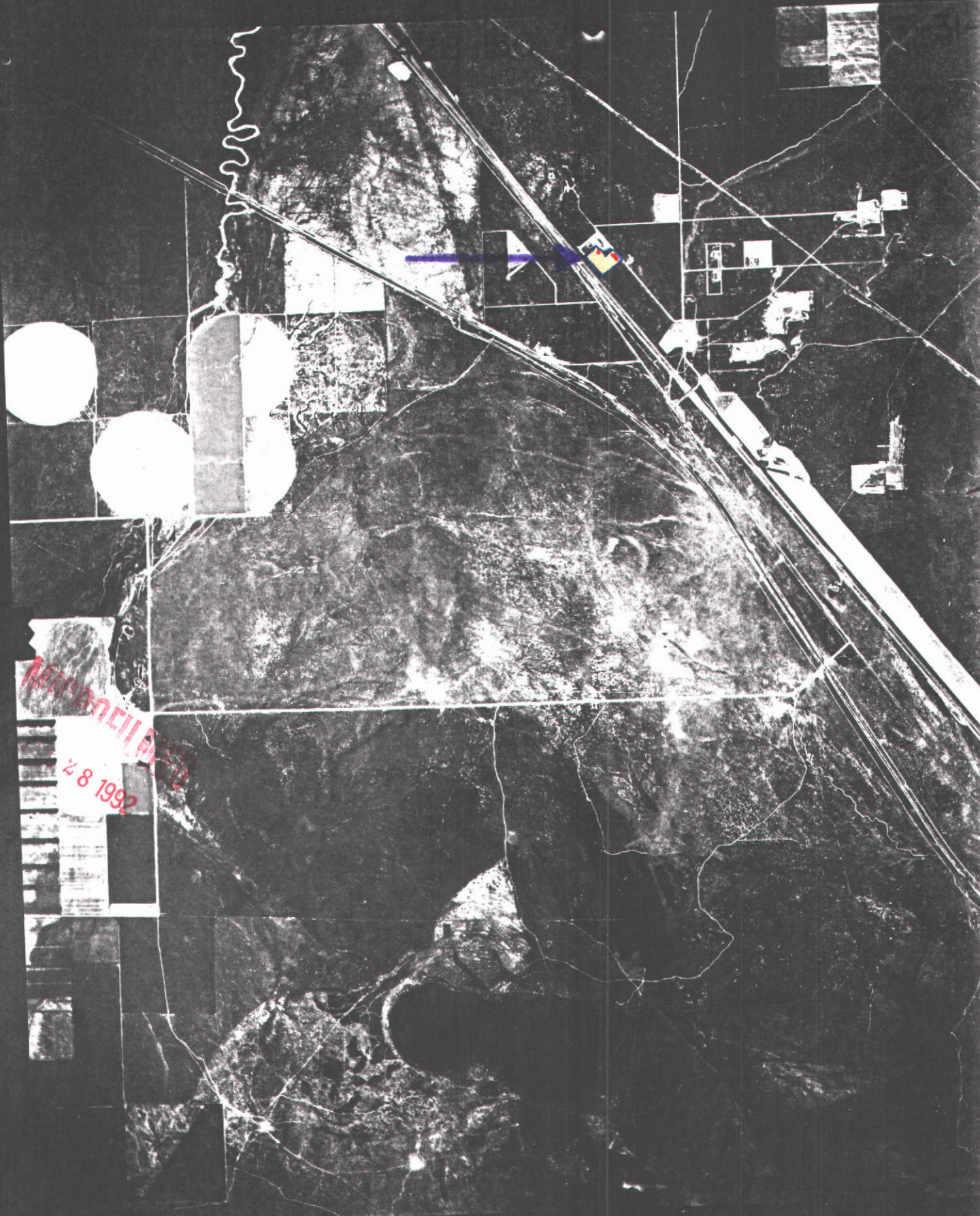
1987 ASCS  
Photo

stock tank  
well  
roads  
Abandoned  
mfg.  
Trailer with small  
yard

UNRECORDED

JUL 28 1992

NAPP 7-31-87 Z12NW



Inside the pump house:  
casing at back  
booster pump shown  
2 1/2" main

PHOTO ONE-



Looking NW  
at D/I with small  
yard.

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JUL 28 1992

PHOTO TWO-





PHOTO THREE-

Looking NE from south end of property.  
D/I shown. Abandoned irrigation area also shown.



PHOTO FOUR-

Another view of abandoned irrigation area (those  
are weeds growing, not residual hay or other irrigated crop).  
Pump house seen in right background. View is NW from  
SE end of property.

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JUL 28 1992

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 61-07297

Priority: February 26, 1977

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.5 AF

This is to certify, that ALFRED T RATHBUN

3030 E WINDY WAY

WINNEMUCCA NV 89445

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 22, 1976; and has submitted Proof of Beneficial Use on October 5, 1988. An examination indicates that the works have a diversion capacity of .160 cfs of water from a GROUNDWATER 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                 | 0.3 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 | 1.2 AF               |
|                       | Totals               | 0.04 CFS                 | 1.5 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 15, Township 02S, Range 05E  
ELMORE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

02S 05E 15

NWSE

SWSE

PLACE OF USE: DOMESTIC, same as STOCKWATER use

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. Domestic use is for 1 home.
6. Stockwater use is for 24 range cattle.

MICROFILMED

JUL 28 1992

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

WATER RIGHT NO. 61-07297

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 16<sup>th</sup>  
day of July, 1992.

Acting for R. Keith Higginson, Director

28 1992

RECEIVED  
JUL 9 1992

State of Idaho  
Department of Water Resources

APPROVED

Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 61-07297

Date of Priority: February 26, 1977

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.5 AF

Comes now

ALFRED T RATHBUN

3030 E WINDY WAY

WINNEMUCCA NV 89445

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 61-07297, and requests that the permit be changed as follows:

Source: GROUNDWATER

| <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                 | 0.3 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 | 1.2 AF               |
|                       | Totals               | 0.04 CFS                 | 1.5 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 15, Township 02S, Range 05E  
ELMORE County

PLACE OF USE: STOCKWATER  
TWN RGE SEC

02S 05E 15

NWSE

SWSE

PLACE OF USE: DOMESTIC, same as STOCKWATER use

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

Signed at July Home, this 4 day of July, 1992

Alfred T Rathbun  
(Signature)

RECORDED

JUL 28 1992

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 61-07297

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

Preliminary check by CS Fee = \$20.00 ✓ Received by [Signature] Date 7-9-92 #0024857

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 61-07297 with the following;

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.
4. Domestic use is for 1 home.
5. Stockwater use is for 24 range cattle.

Witness my hand this 16<sup>TH</sup> day of JULY, 1992

[Signature]  
Acting for R. Keith Higginson, Director

JUL 28 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 61-7297 IN THE  
NAME OF ALFRED T. RATHBUN

)  
) 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 on or before September 1, 1988; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause 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 October 5, 1988;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 61-7297 be REINSTATED and the priority advanced to February 26, 1977.

Dated this 12<sup>th</sup> day of December, 1988.

**MICROFILMED**

JAN 20 1989

*L. Glen Saxton*  
L. GLEN SAXTON, Chief  
Water Allocation Bureau

**RECEIVED**

FEB 02 1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESFor Office Use Only  
\$15 FEE Received by 14  
Date 2-5-87  
Receipt # 41432

## REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof  
of beneficial use for a water right permit

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.Permit No. 61-7297Name(s) of Permit Holder: Alfred R. AthlunPost Office Address: 1507 Euclid Boise Idaho 83706Telephone No. 208-344-9286Date Proof is Due: Oct. 31, 1987Describe what work has been completed toward the development of this water right: \_\_\_\_\_  
(This must be filled out! If no work has been completed, show "none".)work was stopped because Idaho Power had  
a lawsuit against me on my water rights  
but it was dropped in 1986

Costing \$ \_\_\_\_\_

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_Permit holder(s) request an extension to Oct 31, 1992 Alfred R. Athlun  
check # 1935 (1 yr. minimum) (Signature)\*

FEE: \$15.00

on 1-29-1987\*IF OTHER THAN PERMIT HOLDER,  
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MICROFILMED

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to September 1, 1988.

IT IS FURTHER ORDERED that the permit be REINSTATED with an advance in priority to January 23, 1977, pursuant to Sec. 42-218a, Idaho Code.Signed this 19<sup>th</sup> day of February, 19 87.A. Glen Saylor  
Chief, Operations Bureau

|                     |         |
|---------------------|---------|
| For Office Use Only |         |
| Fee Received        | 15.00   |
| Date                | 12/8/81 |
| Receipt #           | 20400   |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit  
proof of beneficial use on a water right permit

DEC 8 1981

Department of Water Resources

Alfred T. Rathbun of 1507 Euclid Ave. 83706  
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder\*, of Permit to Appropriate the Public Water of  
the State of Idaho No 61-7297

That under the terms and conditions of said permit, work thereunder was required to be completed on or before  
January 1, 19 82

That he has heretofore performed the following work described under said permit I have Drilled  
(This must be filled out! If no work has been completed put none)  
one 8" well 455 ft and put a 5HP submersible  
pump in well and it am going to use this well  
for Domestic use

Costing \$ 10,750.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit  
I am going to Drill a 12" well for irrigation  
only.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations  
under said permit to January 1, 19 87  
(1 yr. minimum, 5 yrs. maximum)

NOTE  
AS OF JULY 1, 1980,  
THERE IS A \$15.00  
CHARGE FOR REQUESTS  
FOR EXTENSION OF  
TIME

Alfred Rathbun  
(Signature)\*

\*IF OTHER THAN HOLDER, Power of Attorney must be supplied

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time  
within which to submit the statement of beneficial use is extended to January 1,  
1987.

Signed this 75<sup>th</sup> day of December, 19 81

J. Glen Saxton  
Chief, Operations Bureau

Identification No. \_\_\_\_\_

Application No. 61-7297

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

**APPROVED**

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

- 1 Name of applicant Alfred T. Rathbun Phone: 454-8044  
post office address P. O. Box 481 Notus, Idaho
- 2 Source of water supply groundwater which is a tributary of \_\_\_\_\_
- 3 a Location of point of diversion is SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 15 Township 2S  
Range 5E B.M. Elmore County, additional points of diversion if any \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
- 4 Water will be used for the following purposes:  
Amount 0.20 for Irrigation purpose from 3-15 to 11-15 (both dates inclusive)  
(cfs or acre feet per annum)  
Amount 0.04 for Domestic purpose from 1-1 to 12-31 (both dates inclusive)  
(cfs or acre feet per annum)  
Amount 0.02 for Livestock purpose from 1-1 to 12-31 (both dates inclusive)  
(cfs or acre feet per annum)
- 5 Total quantity to be appropriated  
a 0.20 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum
- 6 Proposed diverting works  
a Description of ditches, flumes, pumps, headgates, etc. \_\_\_\_\_  
12" well 450 feet with 20 HP submersible  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet, total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive  
(Mo Day) (Mo Day)
- c Proposed well diameter is 12 inches, proposed depth of well is 450 feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use  
is 5 years  
b Estimated construction cost is \$ 1,500
- 8 Description of proposed uses  
a If water is **not** for irrigation  
(1) Give the place of use of water SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 15 Township 2S  
Range 5E B.M. \_\_\_\_\_  
(2) Amount of power to be generated \_\_\_\_\_ hp under \_\_\_\_\_ feet of head  
(3) List number of each kind of livestock to be watered 24 head of cattle  
\_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water 1  
(5) If water is to be used for other purposes describe livestock 24 head  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SEP 10 1961

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

| TWP | RANGE | SEC | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | TOTALS |
|-----|-------|-----|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|     |       |     | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
| 2S  | 5E    | 15  |       |       |       |       |       |       |       |       |       |       |       |       |       |       | 10    |       | 10     |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |
|     |       |     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |

Total number of acres to be irrigated 10

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

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

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

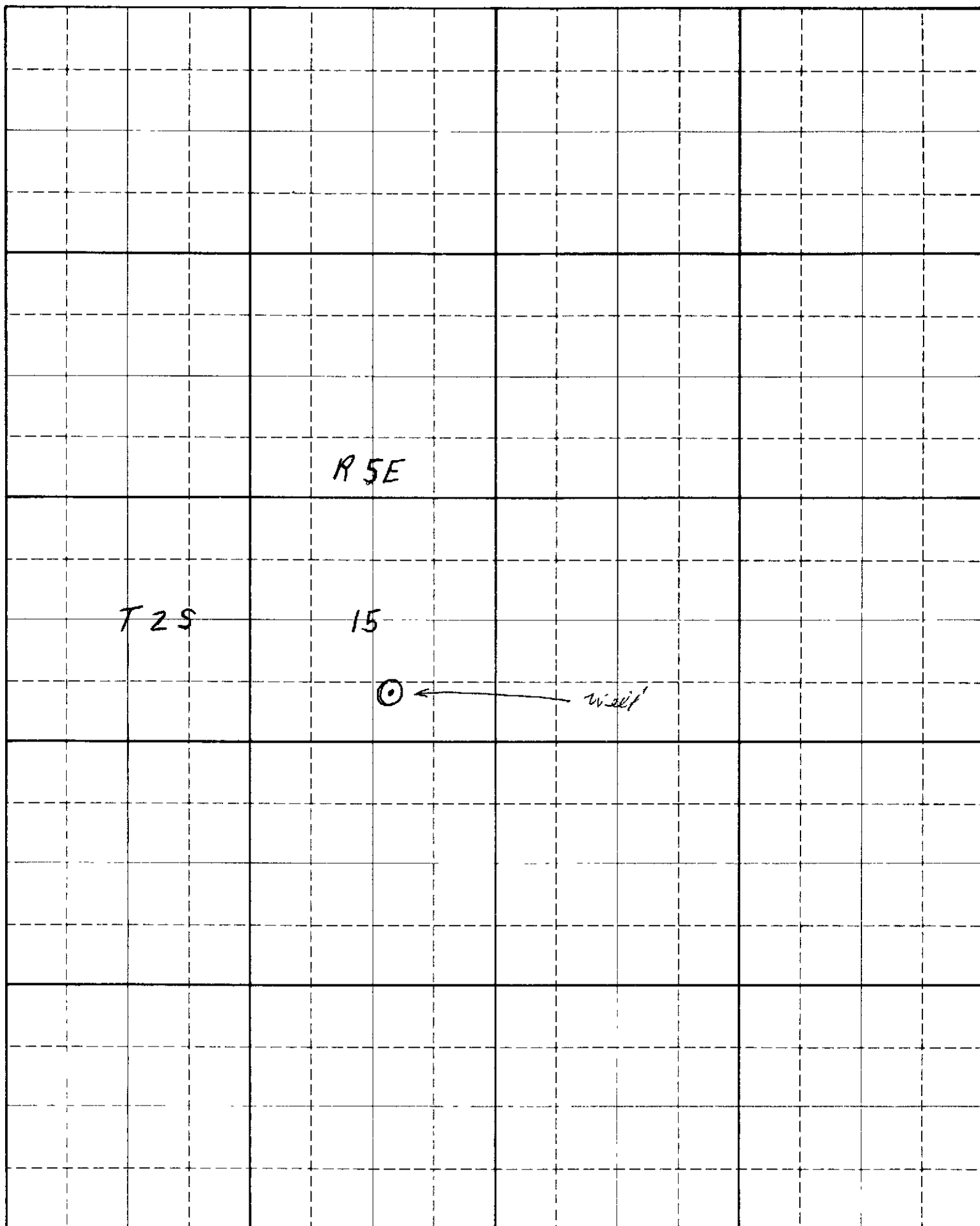
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

MICROFILMED

SEP 10 1992

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

RECORDED

SEP 10 1992

Alfred L Rathbun  
(Applicant)

Priority 12-22-76

Received by CEB Date 22 Dec, 1976 Time 12:20 PM

Preliminary check by CEB Fee \$ 10.00 # 6142

Receipted by CEB Date 12-22-1976

Publication prepared by CS Date Dec 29, 1976

Published in Mountain Home News

Publication dates Jan 6, 1977 + Jan 13, 1977

Publication approved W Date 1-17-77

Priority reduced to 4 Reason \_\_\_\_\_

Protests filed by \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by WJ

#### 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 61-7297, and said application is hereby APPROVED.

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

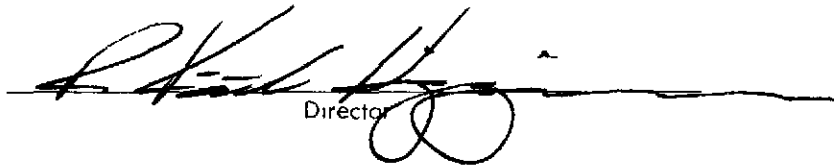
a SUBJECT TO ALL PRIOR WATER RIGHTS.

b Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1982.

c Other. \_\_\_\_\_

2 Denial of said application is for the following reasons \_\_\_\_\_

Witness my hand this 31 day of January, 1977.

  
Director

MICROFILMED

SEP 10 1977

**NOTICE OF APPLICATION  
FOR WATER PERMIT**

Notice is hereby given that **ARTHUR T. RATHBUN** Notus, ID has on December 22, 1976 submitted Application No. 61-7297 for a permit to appropriate 0.20 cubic feet per second of water from a groundwater source by means of well and pump within the SW 1/4 Sec. 15 T2S-R5E B.M., Elmore County to be used from Jan. 1 to Dec. 31 for domestic and livestock purposes and from Mar 15 to Nov 15 for irrigation 10 acres within the SW 1/4 Sec. 15 T2S-R5E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83726, on or before January 23, 1977.

**R. KEITH HIGGINSON  
DIRECTOR**

Published in the Mountain Home News, Mountain Home, ID on January 6, 1977 and January 13, 1977.

CK  
1-17-77  
JF

RECEIVED  
SEP 10 1992

**Affidavit of Publication**

County of Elmore }  
STATE OF IDAHO } ss.

I, Floyd S. 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 ....6.... day of ....Jan....., 19..77 and the last publication having been made on the ....13..... day of ....Jan..... 19..77.; 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.

Floyd S. Waters

Subscribed and sworn to me this ....13.....

day of ....Jan....., 19..77

Quinn M. Waters  
Notary Public

July 21, 1992

ALFRED T RATHBUN  
3030 E WINDY WAY  
WINNEMUCCA NV 89445

RE: WATER RIGHT NO. 61-07297

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

PAMELA SKAGGS  
Water Resource Agent

PS:cz

Enclosure

RECEIVED  
JUL 28 1992

**UNITED STATES POSTAL SERVICE**  
**OFFICIAL BUSINESS**

**SENDER INSTRUCTIONS**

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

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise attach to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN  
TO** ➡

**JUL 28**

Print Sender's name, address, and ZIP Code in the space below.

**Water Allocation Bureau**  
**Department of Water Resources**  
**1301 N. Orchard St.**  
**Boise, ID 83706**

**RECEIVED**

**JUL 20 1992**

**Department of Water Resources**



**PENALTY FOR PRIVATE  
USE, \$300**

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested

- 1 ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2 ☐ Restricted Delivery (Extra charge)

3 Article Addressed to.

ALFRED T RATHBUN  
3030 E WINDY WAY  
WINNEMUCCA NV 894

4. Article Number

33843

Type of Service:

- ☒ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

JUL 28 1992

Always obtain signature of addressee or agent and **DATE DELIVERED**

5 Signature — Addressee

X Alfred Rathbun

6. Signature — Agent

X

7. Date of Delivery

7/17/92

8. Addressee's Address (ONLY if requested and fee paid)

61-07297



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

July 8, 1992

ALFRED T RATHBUN  
3030 E WINDY WAY  
WINNEMUCCA NV 89445

RE: Permit No. 61-07297

NOTICE OF PENDING ORDER VOIDING PERMIT

Dear Permit Holder(s):

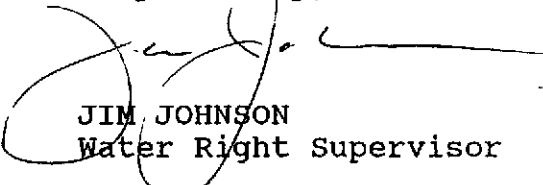
On December 22, 1976, the Department of Water Resources received an application to appropriate water, No. 61-07297 for irrigation, domestic, and stockwater purposes within Elmore County.

On May 27, 1992, the Department sent you a notice that your permit must be amended to correspond with the findings of the Department's field examiner before it could be licensed. On June 30, 1992, we again sent you a notice requesting the amendment and \$20.00 filing fee.

The purpose of this letter is to request that you review the enclosed amendment, sign the document and return it with the \$20.00 amendment filing fee within thirty (30) days of the date of mailing of this letter. If you fail to respond to this notice, the Department will act to void your permit. The permit will be voided for failure of the applicant to comply with the conditions of the permit. One of the conditions of the permit was that the point of diversion and/or place of use would be located as indicated on the permit. The process for changing those locations is by means of an amendment. Amending the permit requires the submittal of a \$20.00 filing fee.

If you have any questions in regard to this matter, please feel free to contact our office.

Respectfully,

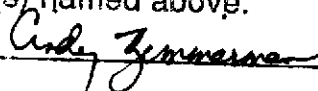
  
JIM JOHNSON  
Water Right Supervisor

JJ:cz

cc: Western Region

CERTIFICATION OF MAILING

I hereby certify that on 7/8/92  
an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.



38 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

June 30, 1992

Alfred T. Rathbun  
3030 E Windy Way  
Winnemucca, NV 89445

RE: Permit #61-07297

Dear Mr. Rathbun:

I have received your letter of June 26, 1992 and the enclosed power statement. This is not conclusive evidence that irrigation took place on the acres in question on the above referenced right. The evidence of the field examination in the form of pictures, examiners observation and the statement from yourself that irrigation had not occurred for 6 to 7 years, requires the deletion of irrigation use from this right.

The lack of fee paid at the time of beneficial use also limits the maximum rate allowable to 0.04 cfs which does adequately cover the domestic and stockwater uses found by the examiner. The license will be recommended as represented on the amendment form.

I have enclosed another copy of the amendment for your consideration. Please review, sign the amendment and return with the \$20.00 filing fee. If we do not receive it within fifteen (15) days, we will assume you no longer have any interest in the permit and cancellation proceedings will begin.

If you have any questions, please contact us.

Sincerely,

PAMELA SKAGGS  
Water Resource Agent

Enclosure

RECEIVED  
JUL 1 1992

JUL 28 1992

6-26-92

Dear Pamela

Here are the power Bills on our lot in Idaho, dating back in the eighties.

I planted Rye 2 years, after the rye came up on its own for a long time after that, but I didn't water it then.

I do need all the water I put in for.

Thanking you in anticipation

Alfred Rathbun

(3030 E Windyway)

Winnemucca NV  
89445

RECEIVED

JUN 29 1992

Department of Water Resources

RECEIVED

JUL 28 1992

## Idaho Power Company

RECEIVED

JUN 29 1992

Department of Water Resources

1434-007343-0  
ALBERT RATHBUN  
TIPANUCK #3 B3 L6

## 1985

KWH

|                      |     |       |
|----------------------|-----|-------|
| 12-14-84 to 01-14-85 | 398 | 13.84 |
| 01-14 to 02-13       | 333 | 13.25 |
| 02-13 to 03-15       | 311 | 12.38 |
| 03-15 to 04-16       | 158 | 6.31  |
| 04-16 to 05-15       | 340 | 14.10 |
| 05-15 to 06-14       | 541 | 22.43 |
| 06-14 to 07-16       | 739 | 30.64 |
| 07-16 to 08-14       | 518 | 21.47 |
| 08-14 to 09-13       | 399 | 16.54 |
| 09-13 to 10-15       | 568 | 23.64 |
| 10-15 to 11-14       | 177 | 7.40  |
| 11-14 to 12-13       | 187 | 7.82  |
| 12-13 to 01-14-86    | 202 | 8.45  |

## 1986

|                   |      |       |
|-------------------|------|-------|
| 01-14-86 to 02-13 | 181  | 7.57  |
| 02-13 to 03-17    | 179  | 7.48  |
| 03-17 to 04-16    | 155  | 6.48  |
| 04-16 to 05-15    | 173  | 7.23  |
| 05-15 to 06-16    | 914  | 38.22 |
| 06-16 to 07-16    | 1367 | 57.17 |
| 07-16 to 08-14    | 586  | 24.48 |
| 08-14 to 09-15    | 716  | 30.03 |
| 09-15 to 10-15    | 185  | 7.76  |
| 10-15 to 11-15    | 219  | 9.19  |
| 11-14 to 12-15    | 222  | 9.31  |
| 12-15 to 01-14-87 | 647  | 27.31 |

## 1987

|                   |      |       |
|-------------------|------|-------|
| 01-14-87 to 02-12 | 666  | 28.11 |
| 02-12 to 03-16    | 721  | 30.43 |
| 03-16 to 04-15    | 780  | 32.92 |
| 04-15- to 05-15   | 713  | 30.09 |
| 05-15 to 06-16    | 868  | 36.63 |
| 06-16 to 07-16    | 777  | 32.79 |
| 07-16 to 08-17    | 812  | 34.98 |
| 08-17 to 09-16    | 415  | 18.20 |
| 09-16 to 10-15    | 290  | 12.72 |
| 10-15 to 11-16    | 711  | 31.18 |
| 11-16 to 12-15    | 722  | 31.66 |
| 12-15 to 01-14-88 | 1430 | 62.85 |

RECEIVED  
JUL 28 1992

Idaho Power Company

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## 1988

|          |             |      |       |
|----------|-------------|------|-------|
| 01-14-88 | to 02-12    | 792  | 34.81 |
| 02-12    | to 03-15    | 520  | 22.85 |
| 03-15    | to 04-14    | 254  | 11.16 |
| 04-14    | to 05-16    | 632  | 27.78 |
| 05-16    | to 06-15    | 820  | 36.35 |
| 06-15    | to 07-15    | 1042 | 46.59 |
| 07-15    | to 08-16    | 1557 | 69.61 |
| 08-16    | to 09-15    | 1545 | 69.08 |
| 09-15    | to 10-17    | 683  | 30.54 |
| 10-17    | to 11-16    | 496  | 22.18 |
| 11-16    | to 12-15    | 882  | 39.43 |
| 12-15    | to 01-16-89 | 1923 | 85.98 |

## 1989

|          |             |      |       |
|----------|-------------|------|-------|
| 01-16-89 | to 02-14    | 1861 | 85.28 |
| 02-14    | to 03-16    | 730  | 34.32 |
| 03-16    | to 04-14    | 322  | 15.14 |
| 04-14    | to 05-15    | 763  | 35.87 |
| 05-15    | to 06-14    | 811  | 38.13 |
| 06-14    | to 07-14    | 1300 | 61.12 |
| 07-14    | to 08-15    | 1640 | 77.11 |
| 08-15    | to 09-14    | 983  | 46.22 |
| 09-14    | to 10-16    | 445  | 20.92 |
| 10-16    | to 11-15    | 622  | 29.24 |
| 11-15    | to 12-14    | 494  | 23.23 |
| 12-14    | to 01-15-90 | 688  | 32.35 |

## 1990

|       |          |     |       |
|-------|----------|-----|-------|
| 01-15 | to 02-13 | 692 | 32.54 |
| 02-13 | to 03-15 | 595 | 27.97 |
| 03-15 | to 04-13 | 574 | 26.99 |
| 04-13 | to 05-14 | 682 | 32.06 |
| 05-14 | to 06-13 | 361 | 16.97 |
| 06-13 | to 07-13 | 119 | 7.50  |
| 07-13 | to 08-14 | 126 | 7.50  |
| 08-14 | to 09-13 | 132 | 7.50  |
| 09-13 | to 10-15 | 165 | 7.76  |
| 10-15 | to 11-14 | 341 | 16.03 |
| 11-14 | to 12-13 | 534 | 25.11 |

JUL 28 1992

## CONVERSATION MEMORANDUM

DATE 04-JUN-92FILE 61-07297NAME OF PARTY Alfred T. Rathbun pl#(702)623-4128EMPLOYEE Sam Skaggs

RE: Spoke with Mr. Rathbun regarding the licensing memo he received. He contests the deletion of the irrigation portion of the right and says it has not been abandoned.

I explained that non-use for a period of > 5 years was the basis used to determine abandonment. He is going to try & provide evidence that the land has been irrigated within that time.

I will hold the file from further processing for 30 days in order to allow him time to gather that information.

MINNAPOLIS MED

JUL 28 1992

May 27, 1992

ALFRED T RATHBUN  
3030 E WINDY WAY  
WINNEMUCCA NV 89445

RE: WATER RIGHT NO. 61-07297

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

PAMELA SKAGGS  
Water Resource Agent

PS:cz

Enclosure

28607

# LICENSE REVIEW CHECKLIST

Permit # 61-07297

Date 05-19-92

|                        |                               |                                                                                                        |
|------------------------|-------------------------------|--------------------------------------------------------------------------------------------------------|
| NAME                   | <u>✓</u> Yes <u>—</u> No      | Address Change? <u>On F.B.</u>                                                                         |
| PRIORITY DATE          | <u>—</u> <u>✓</u>             | Advance? <u>                    </u>                                                                   |
|                        | <u>—</u> <u>✓</u>             | Memo to Advance <u>                    </u>                                                            |
|                        | <u>—</u> <u>✓</u>             | Order to Reinstate Needed? <u>                    </u>                                                 |
| TOTAL CFS              | <u>—</u> <u>✓</u>             | Incorrect Fee for rate recommended? <u>                    </u>                                        |
|                        | <u>NA</u> <u>—</u>            | Disagree with Actual Measurement? <u>                    </u>                                          |
|                        | <u>—</u> <u>✓</u>             | <u>.04 cfs (DOM) .01 cfs (STOCK) 24x .00022 = .005</u>                                                 |
|                        | <u>—</u> <u>✓</u>             | Disagree with Theoretical? <u>                    </u>                                                 |
|                        | <u>—</u> <u>✓</u>             | Limited by Capacity? <u>.16 cfs</u>                                                                    |
| TOTAL VOLUME           |                               | Rate/ac <u>—</u> AFA Irr. Season <u>—</u>                                                              |
|                        |                               | <u>—</u> Standard Irr. Season <u>                    </u>                                              |
|                        |                               | <u>—</u> Season Recommended <u>                    </u>                                                |
|                        | <u>—</u> <u>✓</u>             | Disagree with Examiner's Calculations? <u>                    </u>                                     |
|                        | <u>—</u> <u>✓</u>             | <u>1.24 AFA (DOM) 24x .0134 = .32 AFA (STOCK)</u>                                                      |
|                        |                               | Limited by Flow? <u>.01 x 365 x 1.9835 = 7.2 &gt; .3</u>                                               |
| SOURCE                 | <u>—</u> <u>✓</u>             | Changes? Clarification of <u>Originally</u>                                                            |
|                        | <u>—</u> <u>✓</u>             | <u>Intended</u> source <u>                    </u>                                                     |
|                        |                               | Notice of Intent to Void. <u>                    </u>                                                  |
| P/D                    | <u>—</u> <u>✓</u>             | Verify with Map <u>                    </u>                                                            |
|                        | <u>—</u> <u>✓</u>             | Amendment Needed? <u>Change SWSE to NWSE</u>                                                           |
|                        |                               | Is Overlap Analysis a Consideration? <u>                    </u>                                       |
| P/U                    | <u>—</u> <u>✓</u>             | Verify with Map <u>                    </u>                                                            |
|                        | <u>—</u> <u>✓</u>             | Amendment Needed? <u>Add NWSE</u>                                                                      |
|                        |                               | Is Overlap Analysis a Consideration? <u>                    </u>                                       |
| USES                   | <u>—</u> <u>✓</u>             | Change(s) in Nature of Use? <u>Drop Irr</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>DOM/1 Heme STOCK/24 cattle</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> DATES/MISC <u>                    </u>                    |
|                        | <u>—</u> <u>✓</u>             | W/Master Control <u>                    </u> <u>—</u> <u>✓</u> Water Dist. <u>                    </u> |
|                        | <u>—</u> <u>✓</u>             | Overlap <u>                    </u> <u>—</u> <u>✓</u> App Rec'd <u>                    </u>            |
|                        | <u>—</u> <u>✓</u>             | Water Quality <u>                    </u> <u>—</u> <u>✓</u> Exam Made <u>                    </u>      |
| COMMENTS/MEMOS NEEDED: | <u>Reduced Rate, No Acres</u> |                                                                                                        |

License — 10-Day — 15-Day ✓ Special Correspondence

WR0749NP  
No. L61-07297

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT  
(REGIONAL)

DATE: 05/20/92  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                              | PRIORITY<br>DATE | WATER USE              | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE    | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------|------------------|------------------------|----------------------------|----------------------|---------------------|
| C                | ALFRED T RATHBUN<br>3030 E WINDY WAY<br>WINNEMUCCA NV 89445 | 02/26/1977       | STOCKWATER<br>DOMESTIC | 01-01 12-31<br>01-01 12-31 | 0.01 CFS<br>0.04 CFS | 0.3 AFA<br>1.2 AFA  |
| TOTAL DIVERSION: |                                                             |                  |                        |                            | 0.04 CFS             | 1.5 AFA             |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.16 CFS

Point(s) of Diversion: T02S R05E S15 NW SE

Place of use Legal Description for: STOCKWATER

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |
| 02S | 05E | 15 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    | S  | S  |

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

Pou County: ELMORE

Other Water Rights Listing Overlapping Place(s) of use:  
61-07297

Remarks: Domestic use is for 1 home.  
Stockwater use is for 24 range cattle.

|        |                 |            |                    |            |                           |
|--------|-----------------|------------|--------------------|------------|---------------------------|
| Dates: | App. Received:  | 12/22/1976 | Priority Date:     | 02/26/1977 | (Priority Date Advanced.) |
|        | Proof Due Date: | 09/01/1988 | Proof Made Date:   | 10/05/1988 | (Proof Received Late.)    |
|        | Exam Made Date: | 10/24/1991 | Exam Sent to S.O.: | 03/17/1992 |                           |
|        | Licensed Date:  |            |                    |            |                           |

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

Audit: 05/20/92 SKAGGS

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

**A. GENERAL INFORMATION**

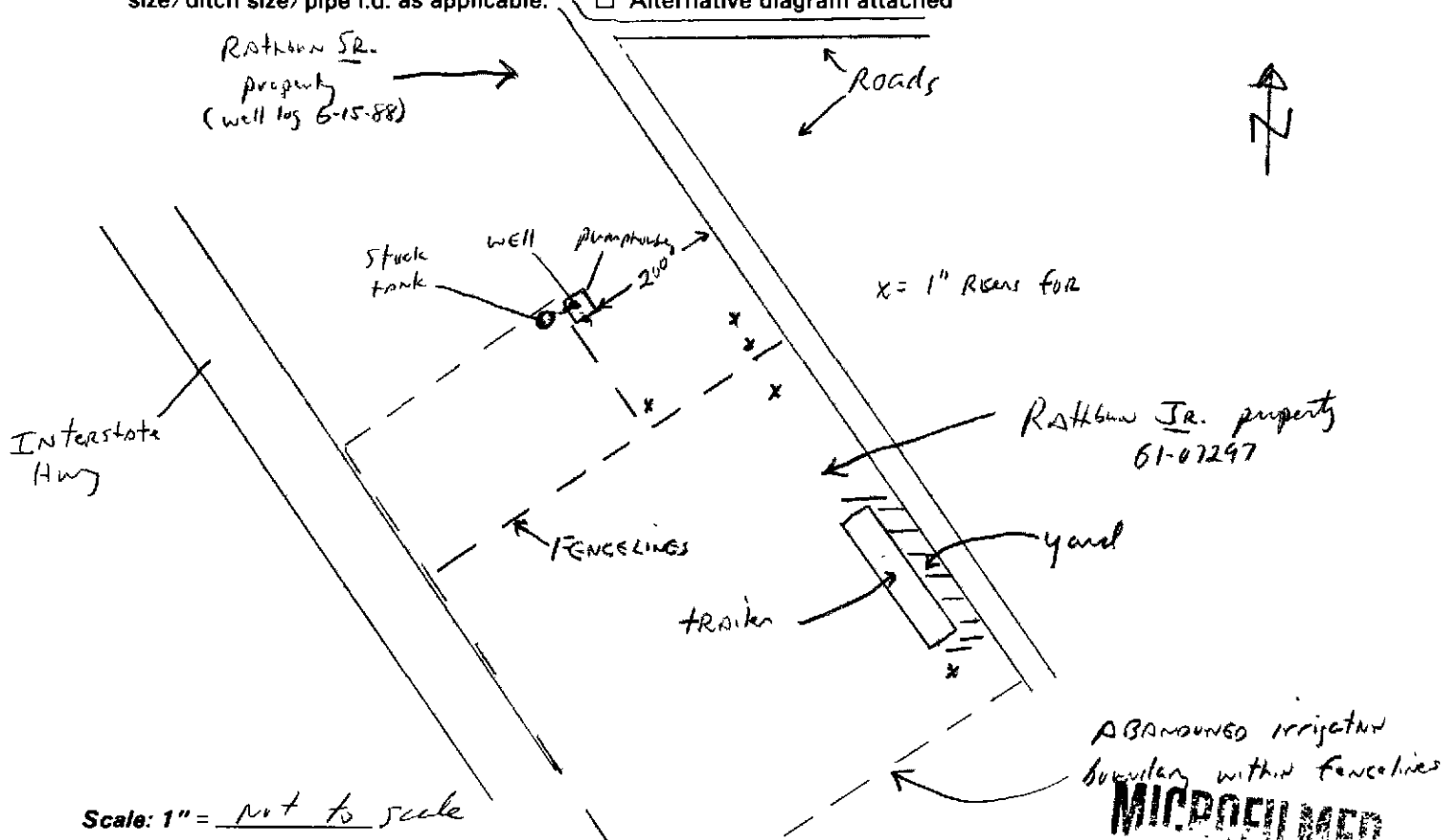
- 1 Owner Alfred T. Rathbun (JR.) Permit No. 61-7297  
Current Address 3030 E. Windy Way, VINNEMEE, Nevada 89445 \* Phone No. 702-623-4128  
2 Accompanied by Alfred T. Rathbun Sr. EXAM. DATE: 10/21/91  
Address: PO Box 19, Mt. Home, ID 83647 Phone No.         
Relationship to Permit Holder: Father  
3. Source: groundwater tributary to        IF no contact via Nevada \* address, send to A.T. Rathbun Sr. at Mt. Home, address

**B. OVERLAP REVIEW**

- 1 Other water rights with same place of use: NONE FOR SAME PROPERTY; 61-07193 is domestic use other land & other well. ☐ Copies Attached NTA  
2 Other water rights with same point of diversion: 61-07655 (same owner; Relinquished); 61-7193 different well in SWSE. No pld listed for NWSE. ☐ Copies Attached ☐ Copies of Field Exam's Attached NTA

**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



- 2 ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)  
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater)  
☒ Aerial Photo Attached (required for irrigation of 10 acres or more) Also see NRSP photo  
JUL 8 1992

**System Description (continued)**

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

A 10", 450' (?) well with a subm. pump & a 2 hp booster pump on surface provides water through a 2 1/2" main & pressure tanks to a 2" main. A line runs from pump house to trailer with yard. Lines also run to 1" risers (standpipes with elbows) to supply stockwater to a stock tank & via hoses throughout some of the site. Although it appears irrigation of pasture (?) did occur, this use has been abandoned. The 7-31-87 NAPP photo shows signs of irrigation sometime before '87 & possibly within '87. It's difficult to establish date of last use in this situation. Unless the owner can show otherwise, I would assume that part of the right is abandoned & would not recommend ☒ 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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| subm. pump                            | unknown    | 10 | unknown          | Berkley   | unknown #                         |
| Booster on surface                    | Odytur     | 2  | SK470D (model)   | Jacuzzi   | model OA18;                       |

\*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                             |
|------------|------------|-----|-----|-----|------|------|------|--------|-------------------------------------------------------------|
|            | —          |     | NW  | SE  | 15   | 25   | SE   | Elmore | Orthophoto (7 1/2'), NAPP, ASCS<br>note: well in SW of NWSE |
|            |            |     |     |     |      |      |      |        |                                                             |
|            |            |     |     |     |      |      |      |        |                                                             |
|            |            |     |     |     |      |      |      |        |                                                             |

**6. Place(s) of Use:**

Indicate Method of Determination

~~AS~~ in pld

| 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 |        |
| 25   | SE   | 15   |        |        |        |        |        |        |        |        |        |        |        |        |        | D      | D      |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        | S      | S      |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Missouri

JUL 28 1992

Do not use this space

Do not use this space

## D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| none                  |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

Log  
 NO WELL FOUND for this well.  
 Assume static level  $\pm 362$  from well log for father's adjacent house (the father's well is about 200' NE of well in permit).  
 Assume 20-40 psi for Dom. + stock.

## E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1 Measured Method:

HP eq. when:  $h_p = 10 + 2$  eff. = .7 psi = 40  $Z = 370$   
 $Q = \frac{(8.8)(.7)(12)}{(2.31)(40) + 370} = .16 \text{ cfs}$

2 Alternate Method for Checking Purposes:

## F. PUMP EFFICIENCY DATA (Optional) N/A

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)  $\div$  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 Amps x .001732 = \_\_\_\_\_ (6)

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

## 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

1 home int. + ext. = 1.2

Stock

24 hd cattle

$(24)(.0134) = .3$

$(.02)(365)(1.9835) = 14.5$

MISSOURI

JUL 28 1992

allow

$\frac{1.2}{+ .3} = 1.5$

## H. REMARKS AND OVERLAP REVIEW ANALYSIS

NO EXDM fee paid: Limit to .04 cfs 0/1, .02 cfs 5/24; .04 cfs total.  
Appears that well was drilled  $\leq 1981$  per 1981 Ext. of Time form.

found in W $\frac{1}{2}$  SE $\frac{1}{4}$  } Domestic use is for 1 home and yard.  
} Stockwater use is for 24 head of cattle/stock not on site during exam but stockwater facilities found, OK to include this exempted use in license ground on tract.

NARRATIVE CONTINUED: PER 10/28/91 TELECON WITH OWNER, A.F. RATHBUN JR. (702-623-4128): Last irrigated 6 or 7 yrs. ago; 555' well, static  $\approx 360'$ , 10 h.p. subm. Berkeley pump, no specs available re pump or motor. Conclude that irrigation use has been abandoned  $> 5$  yr. period.

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Domestic       | 1/1           | 12/31 | .04                          | 1.2                      |
| Stockwater     | 1/1           | 12/31 | .02                          | .3                       |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .04                          | 1.5                      |

### 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

- ☐ None  
☐ Other

## J. AUTHENTICATION

Field Examiner's Name

Steve Lester

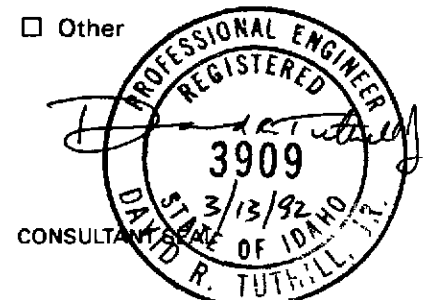
Signature

Steve Lester

Certification Date

Field Report Preparation Date

10/24/91



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

RECEIVED  
WATER RESOURCES  
DIVISION

JUL 28 1992





ABANDONED  
Traction  
area

= well  
trailer into  
yard

NAPP 7-31-87 Z12NW



Inside the pump house:  
casing at back  
booster pump shown  
2 1/2" max

PHOTO ONE-

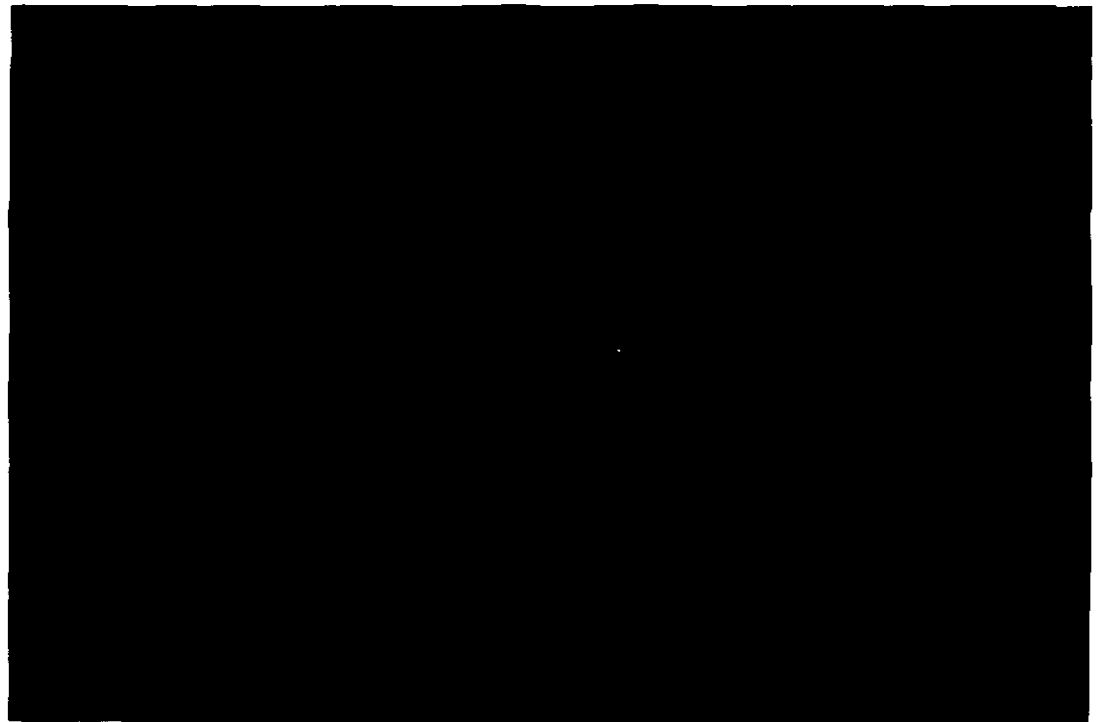


Looking NW  
at D/I with small  
yard.

UNRECORDED

JUL 28 1992

PHOTO TWO-



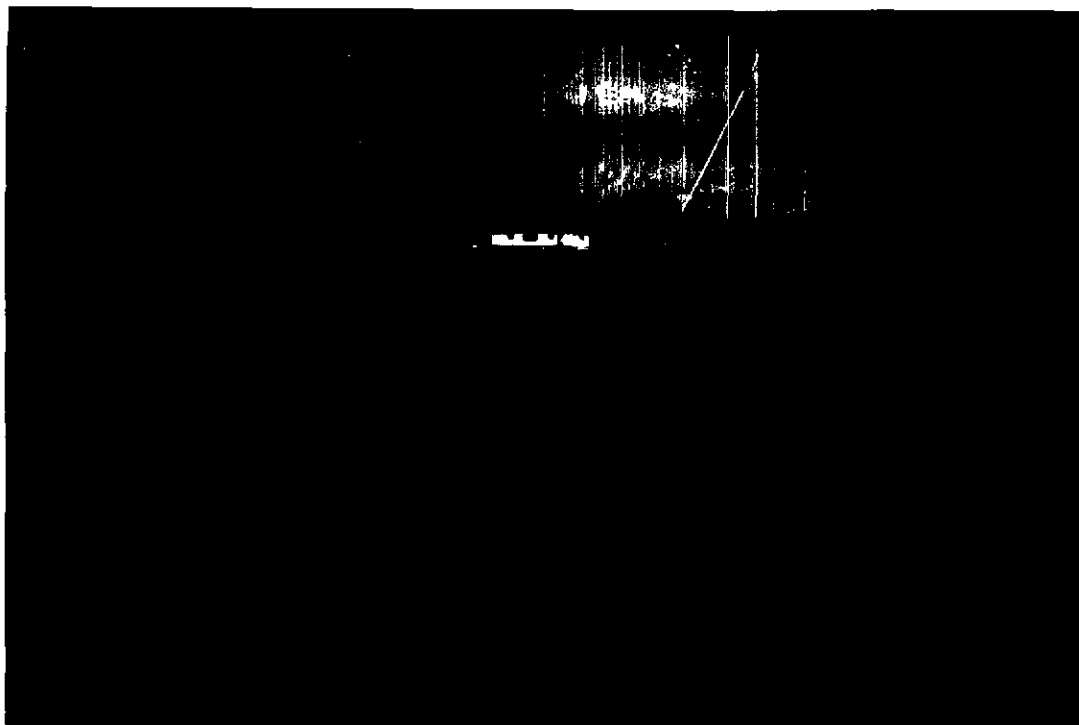
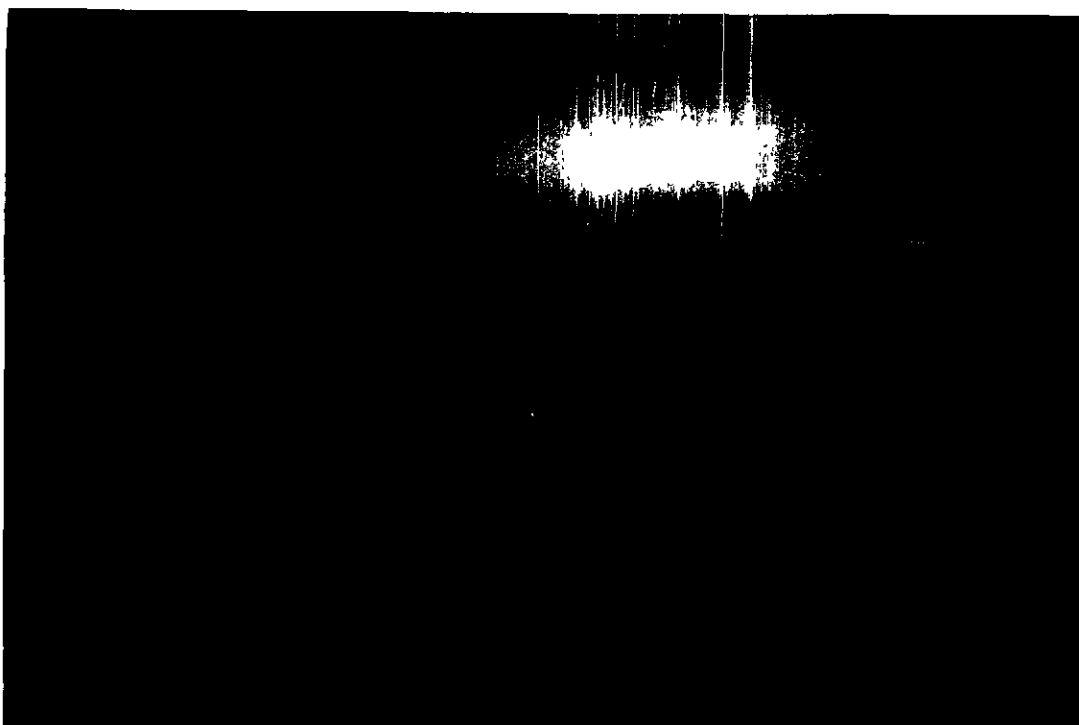


PHOTO THREE- Looking NE from south end of property.  
D/I shown. Abandoned irrigation area also shown.



MICROFILMED

JUL 28 1992

PHOTO FOUR-

Another view of abandoned irrigation area (these  
are weeds growing, not residual hay or other irrigated crop)  
Pumphouse seen in right background. View is NW from  
SE end of property.

Department of Water Resources  
WELL INSPECTION FORM

If well is associated with water right, provide WR# 61-7297

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP\_\_\_\_, Rge\_\_\_\_, Sec.\_\_\_\_, \_\_\_\_1/4\_\_\_\_1/4  
or Lot\_\_\_\_\_.
2. Owner: \_\_\_\_\_  
Address \_\_\_\_\_, City\_\_\_\_\_, St\_\_\_\_
3. Casing  $\geq$  12 inches above ground: Yes ☒ No \_\_\_\_\_
4. Access Port: Yes\_\_\_\_ No ☒ Static Water Level: 360'?  
Pressure Gauge: Yes\_\_\_\_ No ☒ Casing Diameter: 10"  
Flowing: Yes\_\_\_\_ No ☒ Temperature: 6.14  
Properly Valved: Yes\_\_\_\_ No ☒
5. Are there any obvious construction problems that may be a  
source for contamination or waste of water: Yes\_\_\_\_ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks:

No well log found

NOTIFIED

JUL 28 1992

1/88

## PROOF OF BENEFICIAL USE

## ANALYSIS SHEET

Permit No. 61-7297Date: 12-9-88

## General Considerations:

☒ Name same as permit  
☒ Signature the same as permit holder  
☒ Address change ☐ If yes, prepare a data entry  
☒ Proof received timely  
☒ Reinstated

## Source of Water:

☐ Surface water  
☒ Groundwater  
 \* ☒ 1. well log in file  
☒ 2. drilling permit  
☐ A. amount of drilling fee paid for proposed uses

## Extent of Use and Rate of Diversion:

☒ Rate of diversion appropriate for uses  
☒ Is rate or volume and fee appropriate?  
☒ Has permit holder indicated when water was first put to a beneficial use?

## Measuring Device:

☒ Is a measuring device or access port required?  
☒ Has one been installed?  
☐ Waiver or modification of measuring device requested

## Remarks:

Proof acceptable  
 Reinstated

\* No reply to inquiry re: well info.

☒ Priority Calculation:  
 Date proof received Oct. 5, '88 278  
 Date proof due Sept. 1, '88 244  
 No. of days late - 34  
 Priority date Jan. 23, '77 + 23  
 NEW PRIORITY DATE Feb. 26, '77 = 57

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Form 217  
05/86

RECEIVED

No #FMC.

OCT 05 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only  
Fee Received \_\_\_\_\_  
Date \_\_\_\_\_  
Receipt # \_\_\_\_\_  
Receipt by \_\_\_\_\_  
Reviewed by 95  
Sent to region \_\_\_\_\_

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

Permit No. 61-07297

Name(s) of Permit Holder: Alfred Z Rathbun

Post Office Address: 1507 Euclid Boise Idaho  
83716

Telephone No. 208-344-9286

Source of Water: Well

#### Extent of Use:

Domestic X (number of households) Stockwater X (number and type of stock)

Irrigation 10 (acres) Other/Remark \_\_\_\_\_

Total rate and/or volume for which proof is submitted 0.04 cts 4 acre-feet

Show the date water was first diverted and beneficially used under this permit: 1980

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

Fee enclosed \$ 0  
(See License Examination Fee Schedule)

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

Person to contact to accompany the Department representative during the field examination:

Alfred Z Rathbun 208-344-9286  
(Name) (Telephone Number)

1507 Euclid Boise, Idaho 83716  
(Address)

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

MICROFILMED

JAN 20 1989

Sept 30 1988  
Date

Alfred Z Rathbun owner  
Signature of Permit Holder (and title, if appropriate)

November 7, 1988

Alfred T. Rathbun  
1507 Euclid Ave.  
Boise, ID 83706

Re: Permit No. 61-7297

Dear Mr. Rathbun:

The department received your proof of beneficial use form, however, before completing processing, additional information is needed.

If you have a well driller's report, please send a copy to the department. If you do not have one, please let me know who drilled the well and when it was drilled.

Please submit the requested information within 30 days. Upon receipt of the well information the department will continue processing your proof by reinstating the permit and notifying the region that a licensing exam is needed.

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

Sincerely,

JODI I. SCHULTZ  
Clerical Assistant

**MICROFILMED**

JAN 20 1989

No reply

12.8.88

gs

To: File 61-7297

From: Groundwater Protection

Date: 11/4/88

15  
25  
5E

Drilling Permit: ☒ Not Applicable - Use 1980  
☐ Found and in file  
☐ Not Found

Well Drillers Report:

☐ Not found, due to reported age of well  
probably not available  
☐ Found and is in file  
☒ Not found

Follow-up

☒ Request from permit holder the well  
drillers report and/or the name of the  
well driller, ~~and date drilled.~~  
☐ Ask permit holder when well was drilled  
and notify holder of drilling permit  
requirement if after July 01, 1987.

gms

**MICROFILMED**

JAN 20 1989

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

September 23, 1988

ALFRED T. RATHBUN  
1507 EUCLID AVENUE  
BOISE, ID 83706

LAPSE NOTICE

RE: PERMIT NO. 61-07297

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated June 30, 1988.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. 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 governmental agency or by litigation which might bring title to the water in question.

L. Glen Saxton  
Chief, Operations Bureau

Enclosures

LGS:RF

**MICROFILMED**

JAN 20 1989

**CERTIFICATION OF MAILING**

I hereby certify that on 9-28-1988  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

*[Signature]*

138051  
CERTIFIED MAIL  
June 30, 1988

RATHBUN, ALFRED T.  
1507 EUCLID AVENUE  
BOISE, ID 83706

**PROOF DUE NOTICE**

RE: Permit No. 61-7297

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, 1988. (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 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK  
Secretary/Records Manager

Enclosures

**MICROFILMED**

JAN 20 1989

February 19, 1987

Alfred Rathbun  
1507 Euclid  
Boise, ID 83706

Dear Mr. Rathbun:

Re: Permit No. 61-7297

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to September 1, 1988.

Note that the permit has been reinstated with an advance in priority since the extension request was submitted after the proof due date.

Sincerely,

RITA I. FLECK  
Secretary/Records Manager

Enclosure

RECEIVED  
MAR 10 1987

# STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 61-7297

Reviewed by MF

Date 2-18-1987

## BASIC INFORMATION

- 4 Date stamp received  
Reen Extension received timely  
(not prior to 6 month before proof due date or after reinstatement period)  
4 Fee received and receipted  
4 Name and signature same as permit  
4 Address change (indicate on coding sheet)

## BASIS FOR EXTENSION REQUEST

- 4 Has adequate work been completed to demonstrate due diligence?  
✓ Has the cost incurred been adequate to demonstrate an intent to complete the project?  
4 Has the permit been involved in litigation?  
a. Swan Falls Yes Dismissed from Swan Falls 10-25-84  
Other Identify  
b. Is supporting documentation needed to complete the file? Requested  
c. Calculate the period of delay

Date litigation completed 11-1-1984

Date litigation began -3-1-1983

Total period of delay = 8mo 1yr

Present proof due date + 1-1-1987

NEW PROOF DUE DATE = 9-1-1988

*In accordance  
Butler CGWA*

Is delay by a government agency?

Is supporting documentation needed to complete the file? Requested

ACTION TAKEN - Recommend approval based on delay by Swan Falls litigation

RECEIVED

Special conditions or remarks:

MAR 06 1987

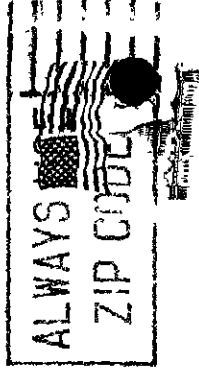
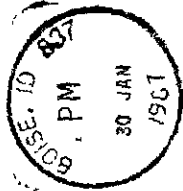
4 Reinstatement Date extension received Feb 2 = 33  
Proof due date Jan 1 = -1  
No. of days late 32  
Priority date Dec 22, 76 = +388 - 365  
ADJUSTED PRIORITY DATE Jan 23 77 = 23

Prepare coding sheet  
Change rolodex card

Replied R atthman  
1507 E a C L I D  
B aise dlabo.  
83706.

RECORDED

MAR 18 1967



State of Idaho.  
Department of water R resources.  
statehouse. B aise. Idaho. 83720

ATT  
Clen Saxton



State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
Governor

A. KENNETH DUNN  
Director

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

## EXTENSION OF TIME

February 5, 1987

Alfred Rathbun  
1507 Euclid  
Boise, ID 83706

PERMIT NO. 61-7297

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 41432.

Roberta Garrett  
Records Supervisor

Enclosure

RECEIVED  
MAR 10 1987

MAR 10 1987

●   T A T E   O F   I D A H O   ●

DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
JANUARY 13, 1987

RATHBUN, ALFRED T.  
1507 EUCIID AVENUE  
BOISE, ID 83706

LAPSE NOTICE

RE: PERMIT NO. 61-7297

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED OCTOBER 31, 1986.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE SUBMITTAL (INCLUDING THE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT) OR THE EXTENSION REQUEST FORM TOGETHER WITH THE \$15 FEE MUST BE RECEIVED BY THIS DEPARTMENT WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. 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 GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

L. GLEN SAXTON  
CHIEF, OPERATIONS BUREAU

1-22-1987

ENCLOSURES

LGS:RE

MAR 06 1987

*Gita Fleck*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
CERTIFIED MAIL  
OCTOBER 31, 1986

138439

RATHBUN, ALFRED T.  
1507 EUCLID AVENUE  
BOISE, ID 83706

PROOF DUE NOTICE

RE: PERMIT NO. 61-7297

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 JANUARY 1, 1987. (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 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

RECEIVED

MAR 06 1987



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 NOT 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

RECEIVED

MAR 9 1986

December 16, 1981

Alfred T. Rathbun  
1507 Euclid Avenue  
Boise, ID 83706

Dear Mr. Rathbun:

Re: Permit No.. 61-7297

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to January 1, 1987.

Sincerely,

RITA I. FLECK  
Sr. Secretary

Enclosure



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

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

138773

RATHBUN, ALFRED T.  
P.O. BOX 481  
NOTUS, ID 83656

OCTOBER 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 61-7297 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK  
SR. SECRETARY

ENC: 1



February 2, 1977

Re: Permit No. 61-7297

Alfred T. Rathbun  
P.O. Box 781  
Notus, ID 83656

Dear Mr. Rathbun:

Enclosed is a copy of your approved Application for Permit No. 61-7297 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:mef

Enclosure

**RECEIVED**  
**SEP 10 1992**

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. 61-7297

☒ Source  
☒ Point of Diversion  
☒ County  
☒ Quantity of Water and Period of Use  
☒ Description of Diverting Works  
☒ Time required for B/U of water  
☒ Place of Use or Acres Irrigated  
☒ Map  
☒ Signature  
☒ Fee

☐ Pre-permit exam  
☐ Adjudication Claim  
☐ Dam Construction  
Papers Sent

(1) R.W.H. 12-22-76

In form to receipt

(2) \_\_\_\_\_

Send Copies to:

\_\_\_\_\_ Idaho State Health Department  
\_\_\_\_\_ Idaho Fish and Game Department  
\_\_\_\_\_ Bureau of Land Management

(3) \_\_\_\_\_

\_\_\_\_\_ Request Special Use Permit from U.S.F.S.  
\_\_\_\_\_ Request Easement from B.L.M.  
\_\_\_\_\_ Request Information from Applicant

(4) R.W.H. 12-22-76

In form for advertising

(5) \_\_\_\_\_

Platted on Map No. \_\_\_\_\_

(6) \_\_\_\_\_

Located within Water District No. \_\_\_\_\_

(7) \_\_\_\_\_

Critical groundwater area: yes \_\_\_\_\_ no ☒

(8) \_\_\_\_\_

Groundwater levels:

\_\_\_\_\_ Declining, \_\_\_\_\_ Stable, \_\_\_\_\_ Increasing

(comment) \_\_\_\_\_

(9) \_\_\_\_\_

Other rights on the same place of use none platted

(10) \_\_\_\_\_

Comments: \_\_\_\_\_

(11) if OK

Affidavit of Publication received (date) 1-17-77

(12) \_\_\_\_\_

Final date for protests 1-23-77

Protests received: yes \_\_\_\_\_ no ☒

(13) \_\_\_\_\_

All requested information received from agencies or applicant: yes \_\_\_\_\_ no \_\_\_\_\_

(14) \_\_\_\_\_

Action recommended:

☒ Approve \_\_\_\_\_ Deny

\_\_\_\_\_ Proposed Priority

\_\_\_\_\_ Reason for Reduction \_\_\_\_\_

NO Measuring device required

\_\_\_\_\_ See attached sheet for other conditions of approval

\_\_\_\_\_ No special conditions for approval

(15) District W

By

THA

Date 1-24-77



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

December 30, 1976

Re: Notice of Application for Water Permit No. 61-7297 - Alfred T. Rathbun  
61-7298 - Herbert R. Montierth

Mountain Home News  
Drawer 0  
Mountain Home, ID 83647

Gentlemen:

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

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

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

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

-----  
(Signature of Claimant)

Sincerely,

Bill submitted  
1-17-77  
SEP 10 1992

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ALFRED T. RATHBUN

Notus, ID

has on December 22, 1976 submitted Application No. 61-7297

for a permit to appropriate 0.20 cubic feet per second ~~XXXXXXX~~

~~XXXXXXX~~ of water from a groundwater source

by means of well and pump

within the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Sec 15 T2S-R5E B.M., Elmore County

to be used from Jan 1 to Dec 31

for domestic and Livestock purposes and from Mar 15 to Nov 15 for irrigation  
10 acres

within the SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> Sec 15 T2S-R5E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before January 23, 1977.

R. KEITH HIGGINSON

Director

Published in the Mountain Home News, Mountain Home, ID  
on January 6, 1977 and January 13, 1978 SEPTOR



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

December 29, 1976

Alfred T. Rathbun  
P. O. Box 481  
Notus, ID 83656

Dear Mr. Rathbun:

Enclosed is your Receipt No. 6 6142 in the amount of \$ 10.00  
for Application for Permit which was received in this  
office on December 22, 1976.

Sincerely,

RITA BENDELE  
Senior Clerk

RB

Enclosure