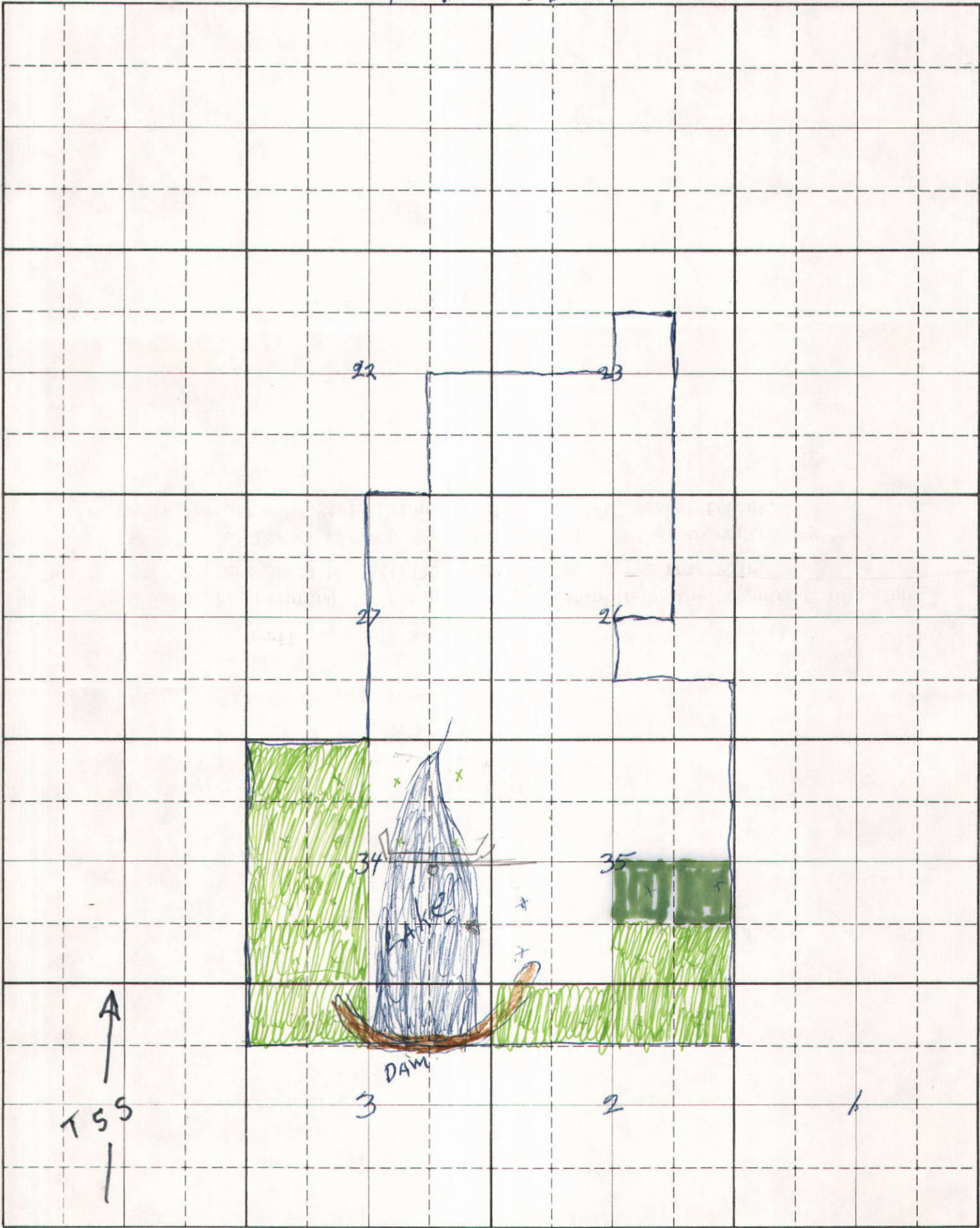


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

4 S. 8 E. + 5 S. 8 E.



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.

Joe A. Lamb
(Applicant)

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Joe A. Lamb Box 686, Mountain Home, ID has on Dec. 10, 1975 submitted Application No. 61-7244 for a permit to appropriate 2000 acre feet per annum of water from Bennett Creek, trib. to Snake River by means of dam, pump, and pipeline within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 5 S, R. 8 E, B.M. Elmore County to be used from Nov. 1 to April 15 for irrigation storage and from April 5 to Oct. 1 for irrigation of 720 acres within the W $\frac{1}{2}$, Sec. 34, SE $\frac{1}{4}$, Sec. 35, T. 4 S, R. 8 E; N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 3, N $\frac{1}{2}$ N $\frac{1}{2}$, Sec. 2, T. 5 S, R. 8 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Jan. 5, 1976.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mtn. Home, ID on Dec. 18, 1975 and Dec. 25, 1975.

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 publica-
tion having been made on the ...18... day
of December..., 1975, and

the last publication having been made on the
...25... day of December...

1975...; 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.

Lloyd S. Waters

Subscribed and sworn to me this 25...

day of December..., 1975

Jim M. White
Notary Public

RECEIVED

DEC 29

Department of Water Resources

DEC 29 1975

MICROFILMED

OK
CLS
12-29-75



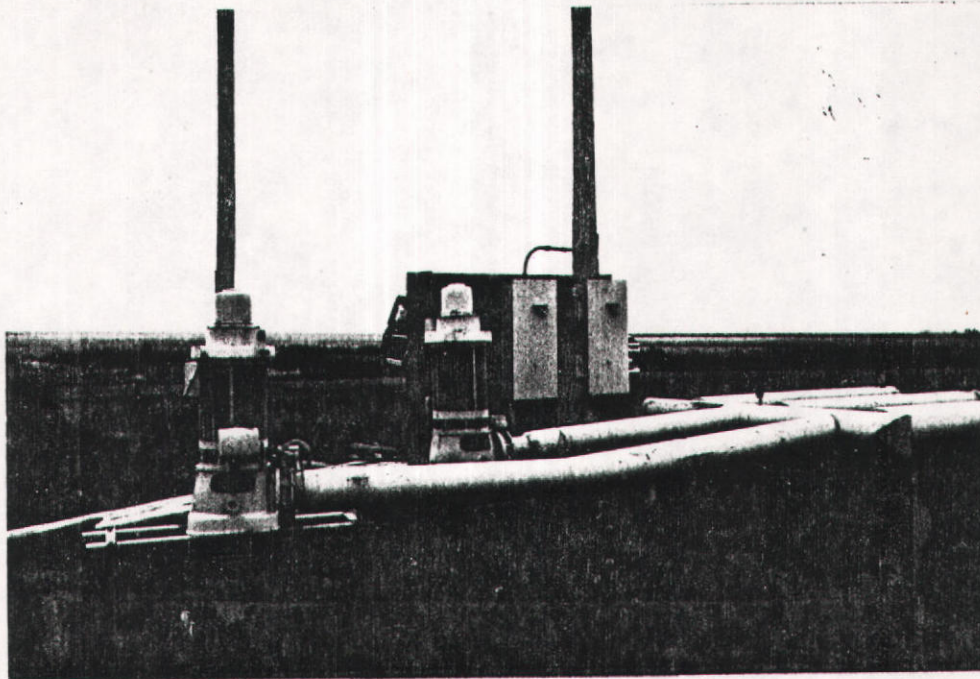
Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography from aerial photographs by photogrammetric methods
Aerial photographs taken 1953. Field check 1958

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system, west zone

SCALE 1:62 500

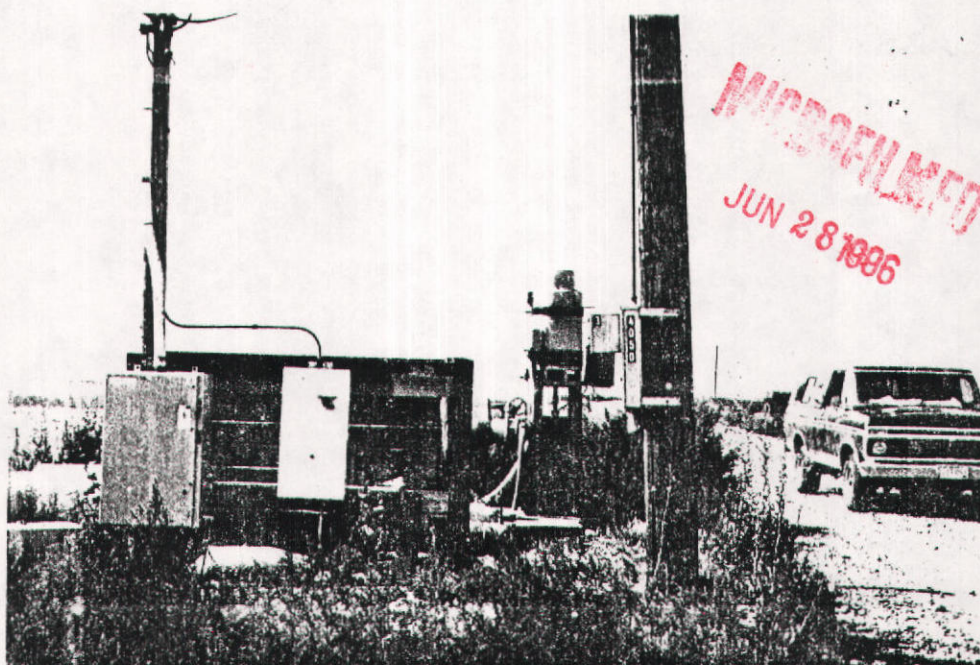
CONTOUR INTERVAL 40 FEET



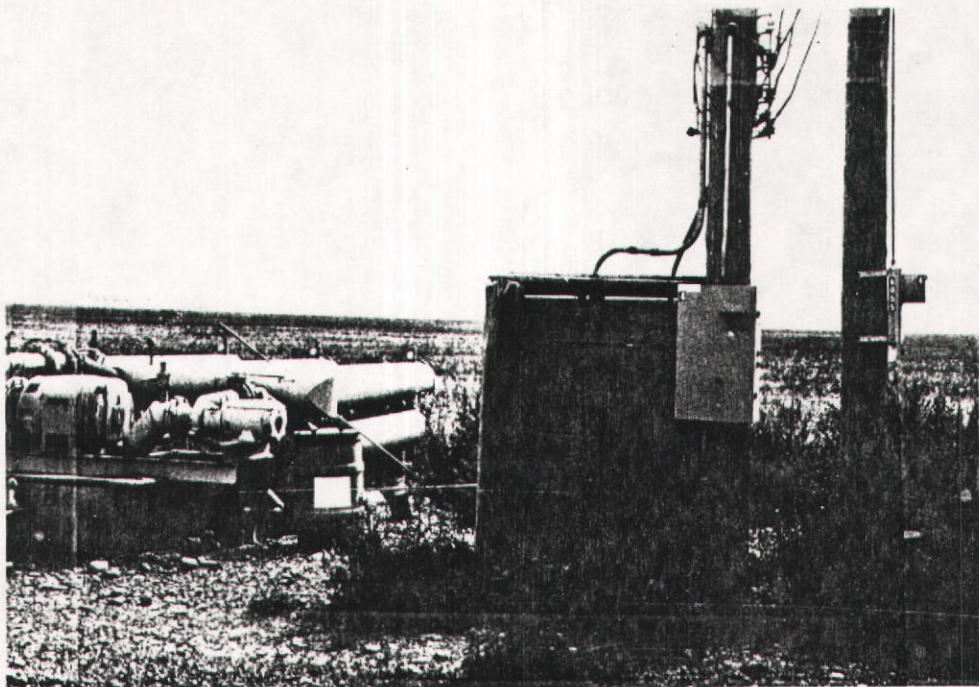
Pump Station #1



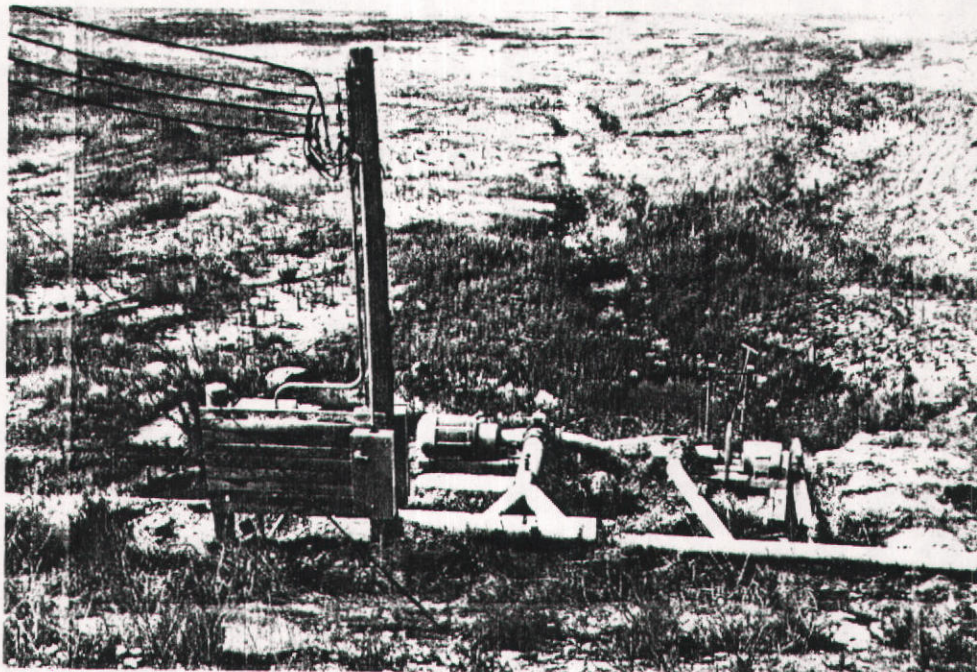
Pump Station #2



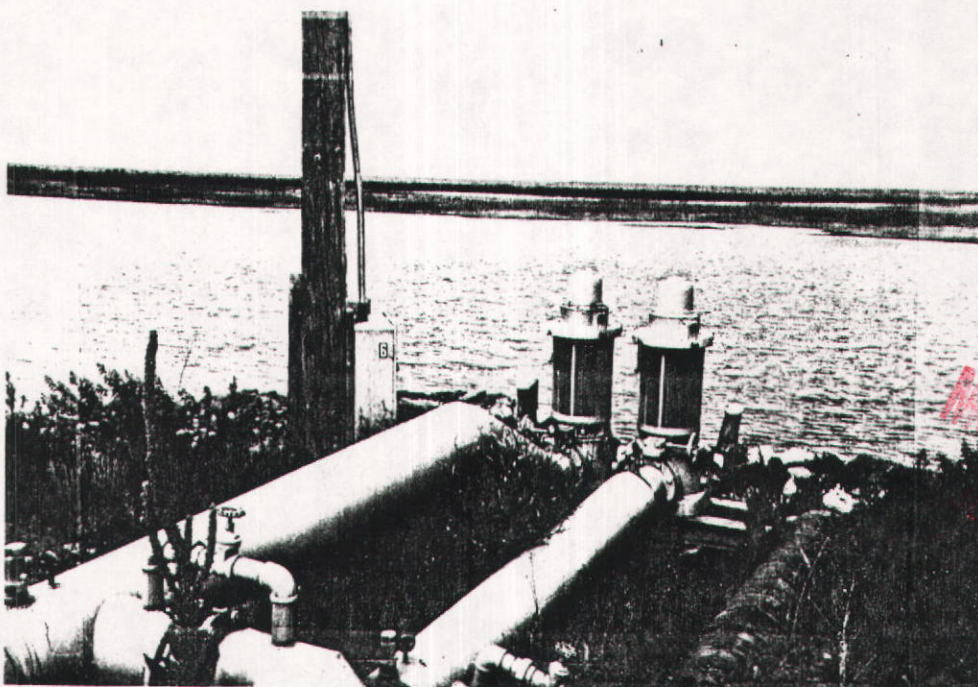
Pump Station #3



Pump Station #4

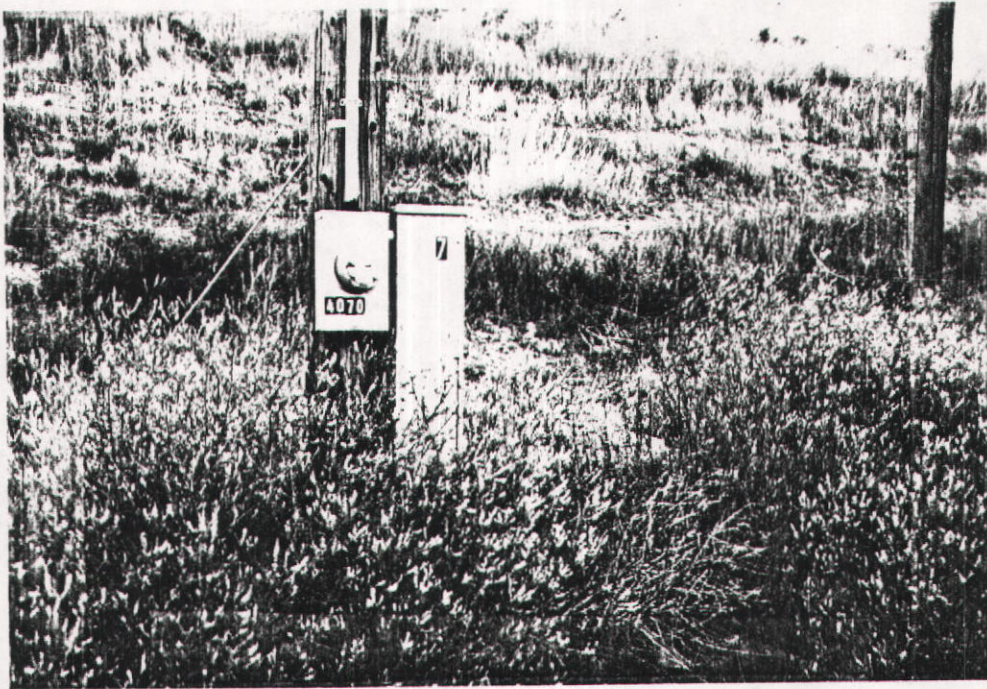


Pump Station #5



Pump Station #6

RECORDED
JUN 28 1996



Pump Station #7



Pump Station #7



Reservoir #1

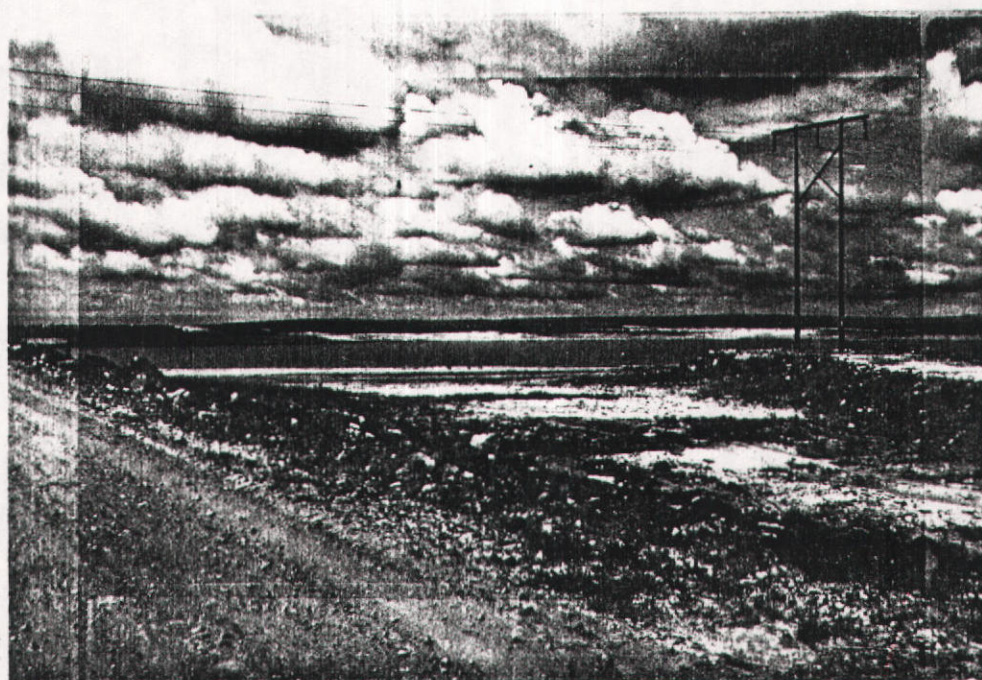
RECEIVED
JUN 28 1996



Reservoir #1



Reservoir #2

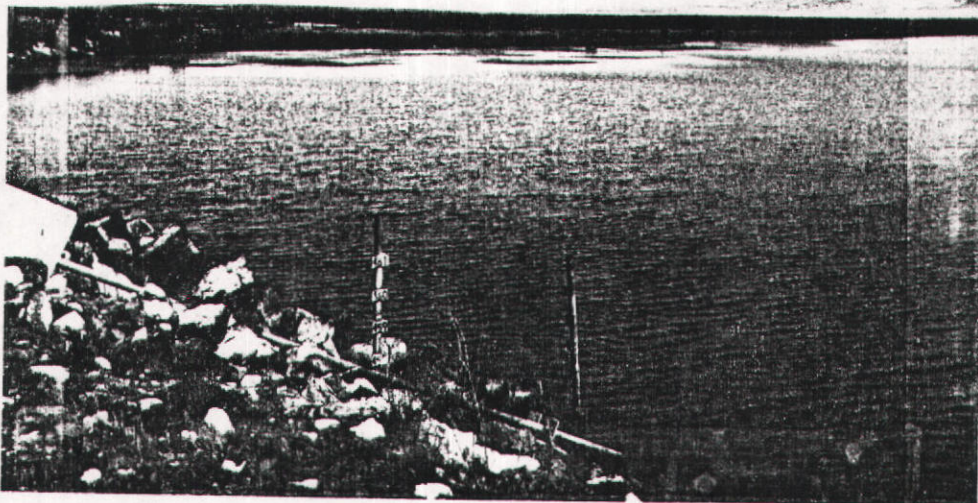


Reservoir #3

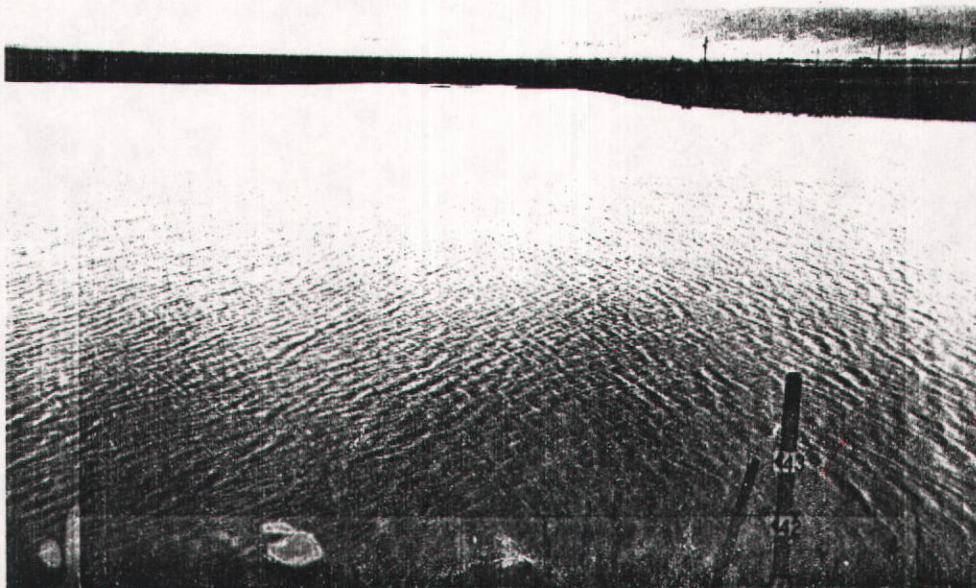
MAILED
JUN 28 1996



Reservoir #4



Reservoir #4



Reservoir #5

ACCEPTED
JUN 28 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07244

Priority: December 10, 1975 Maximum Storage Volume: 1238.0 AF

This is to certify, that CARL F REYNOLDS
3169 MAVERICK LN
BOISE ID 83709
has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated December 10, 1975; and
has submitted Proof of Beneficial Use on May 1, 1979. An examination indicates
that the works have a storage capacity of 1238.000 af of water from:

BENNETT 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>
IRRIGATION STORAGE	01/01 to 12/31		1238.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		1238.0 AF
	Totals		1238.0 AF

<u>LOCATION OF POINT(S) OF DIVERSION:</u>	
	NWSE , Sec. 34, Township 04S, Range 08E
	NWNE , Sec. 3, Township 05S, Range 08E
Rediversion	SWSE , Sec. 34, Township 04S, Range 08E
Rediversion	NWNE , Sec. 3, Township 05S, Range 08E
	ELMORE County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	08E	22	NESE 40	SESE 40			80
		23	SWNE 40	NESW 40	NWSW 40		
			SWSW 40	SESW 40	NWSE 40		
			SWSE 40	SESE 40			320
		24	SWSW 40	SESW 40	NESE 40		
			NWSE 40	SWSE 40	SESE 40		240
		25	NENW 35	NWNW 35	SWNW 35		
			SENE 35	NESW 35	NWSW 35		
			SWSW 35	SESW 35	NESE 35		
			NWSE 35	SWSE 35	SESE 35		420
		26	NENE 40	NWNE 40	SWNE 40		
			SENE 40	NENW 40	NWNW 40		
			SWNW 40	SENE 40	NESW 40		
			NWSW 40	SWSW 40	SESW 40		
			NESE 40	NWSE 40	SWSE 40		
			SESE 40				640
		27	NENE 40	NWNE 40	SWNE 40		
			SENE 40	NESE 40	NWSE 10		
			SWSE 10	SESE 40			260
		34	NENE 35	SENE 35	NESW 35		
			NWSW 35	SWSW 35	SESW 35		

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07244

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NESE 35	SESE 35		280
		35	NENE 35	NWNE 35	SWNE 35	
			SENE 35	NENW 35	NWNW 35	
			SWNW 35	SENW 35	NESW 35	
			NWSW 35	SWSW 35	SESW 35	
			NESE 35	NWSE 35	SWSE 35	
			SESE 35			560
		36	NENE 35	NWNE 35	SWNE 35	
			SENE 35	NENW 35	SWNW 35	
			SENW 35	NESW 35	NWSW 35	
			SWSW 35	SESW 35	NESE 35	
			NWSE 35	SWSE 35	SESE 35	525
05S	08E	2	NENE 40	NWNE 40	NENW 40	
			NWNW 40			160
		3	NENE 40	NENW 20	NWNW 40	100

Total number of acres irrigated: 3585

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 61C.
5. Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
6. Two points of re-diversion are located within the NWNE, S03, T05S, R08E.
7. This right is limited to the irrigation of 720 acres within the place of use described above in a single irrigation season.
8. The reservoirs used to store water under this right are locally known as Upper Teapot Reservoir and Lower Teapot Reservoir.

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 24th day of MAY, 1996.

Acting for


KARL J. DREHER, Director

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07244

Date of Priority: December 10, 1975

Maximum Storage Volume: 1238.0 AF

Comes now THE TRAVELERS INSURANCE CO
REAL ESTATE INVESTMENT DEPT
960 BROADWAY SUITE 310
BOISE ID 83706-3623

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. 61-07244, and requests that the permit be changed as follows:

Source: BENNETT CREEK

tributary to SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		1238.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		1238.0 AF
	Totals		1238.0 AF

LOCATION OF POINT(S) OF DIVERSION:

Rediversion
Rediversion

NWSE , Sec. 34, Township 04S, Range 08E
NWNE , Sec. 3, Township 05S, Range 08E
SWSE , Sec. 34, Township 04S, Range 08E
NWNE , Sec. 3, Township 05S, Range 08E
ELMORE County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S	08E	22	NESE 40	SESE 40		80
		23	SWNE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NWSE 40	
			SWSE 40	SESE 40		320
		24	SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	240
		25	~~NENE~~ 35	~~NWNE~~ 35	~~SWNE~~ 35	
			~~SENE~~ 35	NENW 35	NWNW 35	
			SWNW 35	SENW 35	NESW 35	
			NWSW 35	SWSW 35	SESW 35	
			NESE 35	NWSE 35	SWSE 35	
			SESE 35			560
		26	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		27	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 40	NWSE 10	

2/9/96
Steve Reynolds
12/10/75

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 61-07244

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWSE 10	SESE 40		260
34			NENE 35	SENE 35	NESW 35	
			NWSW 35	SWSW 35	SESW 35	
			NESE 35	SESE 35		280
35			NENE 35	NWNE 35	SWNE 35	
			SENE 35	NENW 35	NWNW 35	
			SWNW 35	SENE 35	NESW 35	
			NWSW 35	SWSW 35	SESW 35	
			NESE 35	NWSE 35	SWSE 35	
			SESE 35			560
36			NENE 35	NWNE 35	SWNE 35	
			SENE 35	NENW 35	SWNW 35	
			SENE 35	NESW 35	NWSW 35	
			SWSW 35	SESW 35	NESE 35	
			NWSE 35	SWSE 35	SESE 35	525
05S 08E	2		NENE 40	NWNE 40	NENW 40	
			NWNW 40			160
	3		NENE 40	NENW 20	NWNW 40	100

Total number of acres irrigated:

9725- 2/9/96
3585 Steve Reynolds
M.T.S.

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 Boise, Idaho, this 9th day of February, 1996.

Carl H. Reynolds's son by:
Steve Reynolds (P.T.A.)
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07244

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50⁰⁰ Received by MIS # W620374 Date 2-9-96

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 61-07244 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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. Use of water under this water right will be regulated by the watermaster of State Water District No. 61C.
5. Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
6. Two points of re-diversion are located within the NWNE, S03, T05S, R08E.
7. This right is limited to the irrigation of 720 acres within the place of use described above in a single irrigation season.
8. The reservoirs used to store water under this right are locally known as Upper Teapot Reservoir and Lower Teapot Reservoir.

Witness my hand this 24TH day of MAY, 1996.

Acting for Karl J. Dreher
KARL J. DREHER, Director

C6/93

RECEIVED

MAR 06 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Travelers Insurance Co., hereby assign to Carl F. Reynolds
(Permit Holder)
 of 3169 Maverick Lane, Boise, Id 83709
(Full Address)

All my right, title, and interest in and to Permit No. 61-07244
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. 1 **to appropriate the public waters of the State of Idaho.**

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

Made this 22nd day of February, 1996

Mark J. Reynolds Assistant Secretary
 Permit Holder(s)

State of Idaho)
 County of) ss

On this _____ day of _____, 199____, personally appeared before me
 the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

SEAL

Notary Public

Signature

My commission expires: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

RECEIVED No 5907

MAR 06 1996

State of California

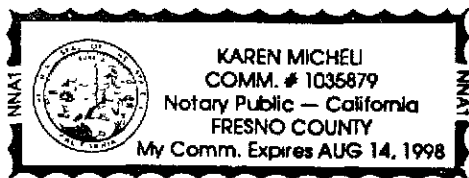
Department of Water Resources

County of Fresno

On 2-22-96 before me, Karen Micheli, Notary
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Mark J. Peterson
NAME(S) OF SIGNER(S)

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Karen Micheli

SIGNATURE OF NOTARY

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

☐ INDIVIDUAL

☒ CORPORATE OFFICER

Assistant Secretary
TITLE(S)

☐ PARTNER(S)

☐ LIMITED

☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER _____

DESCRIPTION OF ATTACHED DOCUMENT

Assignment of Permit

TITLE OR TYPE OF DOCUMENT

1

NUMBER OF PAGES

2-22-96

DATE OF DOCUMENT

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

The Travelers Insurance Company

SIGNER(S) OTHER THAN NAMED ABOVE

Form 217
03/86

Should questions arise during
the development of this applica-
tion, please contact:

DAVID L. CHAPMAN
410 S. Broadway, Suite 144
Boise, ID 83705
344-6590

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

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 beneficially used 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. 61-7244

Name(s) of Permit Holder: The Travelers Insurance Group

New Address:

Post Office Address: 707 SW Washington Street, Portland, OR 97205 960 Broadway Ave., Suite 310

Boise, Idaho 83706-3623

Telephone No. _____

Source of Water: Bennett Creek

Extent of Use:

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

Irrigation 720 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted _____ cfs 1238 acre-feet

Show the date water was first diverted and beneficially used under this permit: 1977

Measuring Device: Required? ☒ Yes ☐ No
Installed? ☐ Yes ☒ No
Fee enclosed \$ _____
(See License Examination Fee Schedule)

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

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

(Name)

(Telephone Number)

(Address)

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

THE TRAVELERS INSURANCE COMPANY

By:

8/25/87
Date

David S. Todd
Signature of Permit Holder (and title, if appropriate)
Its General Manager

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

1979

Department of Water Resources

1. a) Name of permit holder The Travelers Insurance Co.

b) Post office address 707 S.W. Washington St., Portland, Oregon

2. Permit number 61-7244

3. Date of priority that you are prepared to establish 12/10/75

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

b) Location of the point of diversion: NW 1/4 SE 1/4, Section 34

Township 4S, Range 8E Boise Meridian. Other points of diversion: _____

SW 1/4 SE 1/4 SEC 34 T4S R8E BM & NW 1/4 NE 1/4 SEC 3 T5S R8E BM

All diversions being pump station from reservoir

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

Amount 2000 Af for irrigation purposes from Apr. 15 to Oct. 1 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount 2000 AF for irrigation purposes from Nov. 1 to Apr. 15 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

b) Total amount appropriated 2000 AF cfs and/or acre-feet per annum.

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:

Storage measured by staff gauge on dam face, flow rate measured by parshall

flume above reservoir by farm manager Dick Nelson, farm/water experience - 20 years

6. If the means of diversion and conveyance are owned by someone other than the permit holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

NA

b) Describe the agreement of understanding by which you take water from the works: _____

NA

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):

Pumping stations from reservoir to buried pipeline & Sprinkler irrig. system

b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

use determined by staff gauge measurement of reservoir drop.

Exam by d. 5/7/79 by 4

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

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

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	8E	34				10							40	20	20			20	110
4S	8E	35			20	20			20	20	40	40	40	40	40	40	40	40	400
5S	8E	3	20				10	20											50
5S	8E	2	40	40			40	40											160

Total number of acres irrigated 720

10. Remarks:

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

May 1, 1979
(Date)

The Travelers Insurance Co.
David S. Tapp
(Signature)

State of Idaho)
County of Ada) ss.

On this 1st day of May, 19 79, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Barbara A Beatty
Notary Public
Residing at Kuna, Idaho

My commission expires April 81

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED
JAN 13 1977
Department of Water Resources

I, Frank S. Galey, Jr., hereby assign to The Travelers Ins. Co.
of 707 Southwest Washington Street, Portland, Oregon
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 61-7244
to appropriate the public waters of the State of Idaho.

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

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 18th day of January, 19 77.

Frank S. Galey, Jr.
Permit Holder

Guendolyn S. Galey
Spouse of Permit Holder

State of Idaho)
County of ADA) ss.

On this 18th day of JANUARY, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Richard W. Brown
Notary Public residing at
Boise, Idaho

My commission expires:
Oct 6, 1979

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

I, JOE A. LAMB, hereby assign to FRANK S. GALEY, JR.
of Box 5305, 5030 BEL AIR, BOISE, IDAHO, 83705
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 61-7244
to appropriate the public waters of the State of Idaho.

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

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 9th day of June, 1976.

Joe A. Lamb
Permit Holder

Priscilla S. Lamb
Spouse of Permit Holder

State of Idaho

County of Ada) ss.

On this 9th day of June, 1976, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Richard L. Brown
Notary Public residing at

Boise, Idaho

My commission expires:

Oct 6, 1979

\$215.00

Assigned to Travelers Sure Co.
707 S. 2nd St
Portland, OR

Identification No _____

Application No 61-7244

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

ASSIGNED TO:

Frank S. Galey, Jr.

Boise, ID

7/26/76

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1 Name of applicant Joe A. Lamb Phone 587-5024

post office address Box 686 Mountain Home, Idaho

2 Source of water supply Bennett Creek which is a tributary of Snake River

3 a Location of point of diversion is NE 1/4 of NE 1/4 of Section 3 Township 5S

Range 8E B.M. Elmore County, additional points of diversion if any.

NW 1/4 NE 1/4 Sec 3 T5S R8E

b If water is not consumed, it will be discharged into Bennett Creek at a point in NE 1/4

of NW 1/4 of Section 3 Township 5S Range 8E B.M. Elmore Co.

4 Water will be used for the following purposes

Amount 2000 Acre-Feet per annum for Irrigation purpose from April 15 to Oct 1st (both dates inclusive)

Amount 2000 for Irrigation Storage purpose from 11/1 to 4/15 (both dates inclusive)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a _____ cubic feet per second and/or

b. 2000 acre feet per annum

6 Proposed diverting works

a. Description of ditches, flumes, pumps, headgates, etc Concrete Pipe at
Base of Dam. 150 H.P. Pump to lift water
in pipe lines to subject lands

b Height of storage dam 30 feet, active reservoir capacity 2000 A.F. acre feet, total reservoir

capacity 2200 acre feet, materials used in storage dam. Earth & Rock

Period of year during which storage will occur Nov 1st to April 15 inclusive.

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

7 a Time required for the completion of the works and application of the water to the proposed beneficial use

is 3 years

b Estimated construction cost is \$ 50,000

8 Description of proposed uses

a If water is not for irrigation

(1) Give the place of use of water _____ 1/4 of _____ 1/4 of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated _____ hp under _____ feet of head

(3) List number of each kind of livestock to be watered _____

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

(5) If water is to be used for other purposes describe livestock & Wild Life

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

TWP	RANGE	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	
4S	8E	34					40	40	40	40	40	40	40	40					320
4S	8E	35										0	0		40	40	40	40	~~160~~ 160
5S	8E	3					40	40											80
5S	8E	2	40	40			40	40											160

Total number of acres to be irrigated ~~160~~ 720

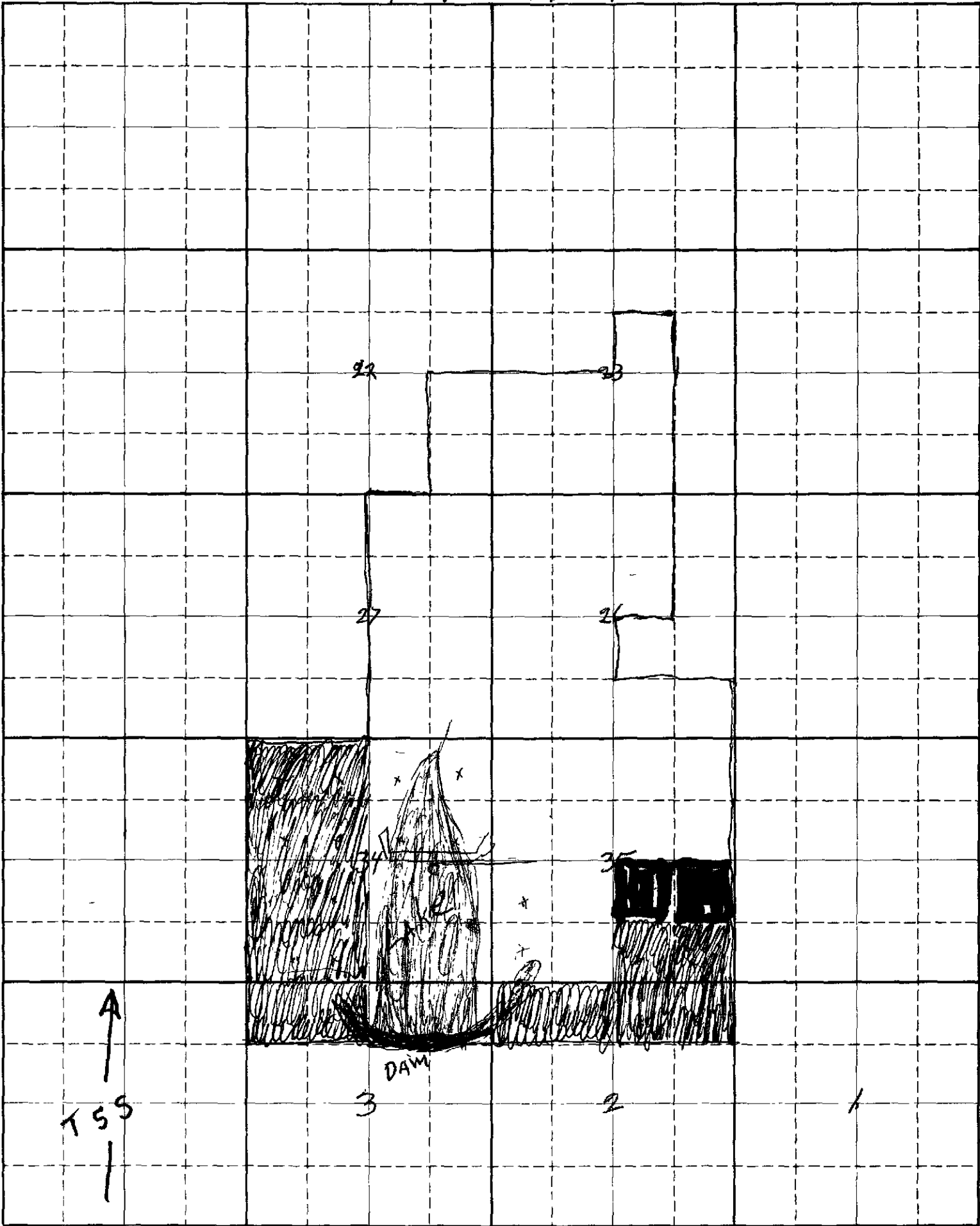
c Describe any other water rights used for the same purposes as described above Flood water
and ~~Filing~~ Filing By Adin B. Hall -
1952 # 6127092 - J.R.H. -

- 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 For many years this Ranch has used part
of this water and other parts of the water
went to waste.

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

4 S. 8 E. + 5 S. 8 E.



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

Joe A. Lamb
(Applicant)

Proposed Priority 12-10-75

Received by CLS Date 12-10-75 Time 4:35 p.m.

Preliminary check by CLS Fee \$ 215.00

Received by CLS Date 12-10-75 # 1395

Publication prepared by CLS Date 12-11-75

Published in Mountain Home News

Publication dates Dec. 18 & 25

Publication approved CLS Date 12-29-75

Priority reduced to _____ Reason _____

Protests filed by Hurinn River, Boise, Idaho;
Double Anchor Ranches, Inc., Glenn, Ely, Id;
Hessie Beam, Glenn, Ely, Id

Copies of protests forwarded by CLS 1-6-76

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denial by WJH

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 61-7244, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 79.

c. Other: 1. Measuring devices of a type acceptable to the Department of Water Resources shall be installed above and below the reservoir.

2. Use of water under this permit is subject to control by the watermaster of State Water District No. 61-C, Bennett Creek.

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

Witness my hand this 29 day of April, 1976.

R. Karl Higgins
Director

JAN 5 1976

TO: R. Keith Higginson, Director
Idaho Department of Water Resources

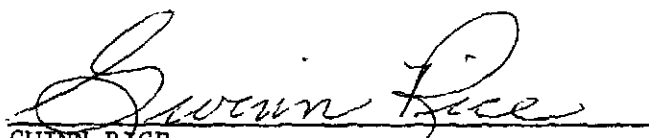
DATE: January 5, 1976

I Gwinn Rice of 3110 Crescent Rim Drive, Boise, Idaho protest the Application No. 61-7244 filed by Mr. Joe Lamb, Box 686, Mtn. Home, Idaho.

Mr. Lamb is filing for 2,000 acre feet of water from Bennett Creek, point of diversion NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 5 S, R. 8 E, Elmore County.

The water of Bennett Creek has been filed on and there is not enough water to meet the needs of the filing already.

We use this water starting March 1 on different years according to ground needs and would not want water diverted after March 1. Many years there has not been water enough for the second, third, fourth or fifth water right on the creek. Due to the reasons listed above, I wish to recommend that the Application No. 61-7244 not be approved.


GWINN RICE

BEFORE THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

IN THE MATTER OF	)	P R O T E S T
APPLICATION NO. 61-7244	)	
FILED BY JOE A. LAMB TO	)	
APPROPRIATE PUBLIC WATERS	)	
OF THE STATE OF IDAHO,	)	
	)	
APPLICANT,	)	
	)	
-vs-	)	
	)	
DOUBLE ANCHOR RANCHES, INC.	)	
AN IDAHO CORPORATION,	)	
	)	
PROTESTANT.	)	

DOUBLE ANCHOR RANCHES, INC., AN IDAHO CORPORATION, HEREBY PROTESTS AND OBJECTS to the above-designated application No. 61-7244, and objects to the granting of said application and to the issuance of a water permit thereunder for reasons as follows:

I

For more than fifty years prior hereto, Double Anchor Ranches, Inc., and its predecessors in interest, and other water users, have appropriated and put to beneficial use all of the natural flow of said water produced by Bennett Creek, a tributary of Snake River, and have appropriated and put to beneficial use the flood waters of said creek during the runoff season, for the purposes of watering livestock and for the purposes of irrigating real property owned by protestant.

II

By reason of the appropriation and continuous use of said waters, the protestant has become and is now the owner of and has a prior right to all of the waters of Bennett Creek and that use of said waters for the purpose proposed by the applicant will deprive protestant of its rights to the use of said water.

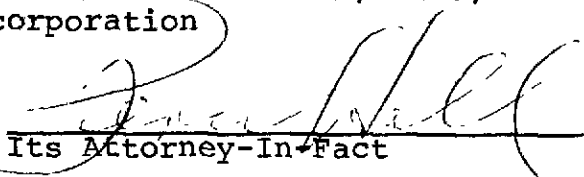
III

The name and address of protestant is as follows:

Double Anchor Ranches, Inc.
P. O. Box 160
Glenns Ferry, Idaho 83623.

WHEREFORE, protestant respectfully requests that said application be denied.

DOUBLE ANCHOR RANCHES, INC.,
a corporation

By 
Its Attorney-In-Fact

BEFORE THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

	*	
	-----*	
	*	
IN THE MATTER OF	)	P R O T E S T
APPLICATION NO. 61-7244	)	
FILED BY JOE A. LAMB TO	)	
APPROPRIATE PUBLIC WATERS	)	
OF THE STATE OF IDAHO,	)	
	)	
APPLICANT,	)	
	)	
-vs-	)	
	)	
LESLIE BEAM,	)	
	)	
PROTESTANT.	)	

LESLIE BEAM HEREBY PROTESTS AND OBJECTS to the above-designated application No. 61-7244, and objects to the granting of said application and to the issuance of a water permit thereunder, for reasons as follows:

I

For more than fifty years prior hereto, Leslie Beam and his predecessors in interest, and other water users, have appropriated and put to beneficial use all of the natural flow of water produced by Bennett Creek, a tributary of Snake River, and have appropriated and put to beneficial use the flood waters of said creek during the spring runoff season, for the purposes of watering livestock and for the purposes of irrigating real property owned by protestant.

II

By reason of the appropriation and continuous use of said waters, the protestant has become and is now the owner of and has a prior right to the use of all of said waters of Bennett Creek and that the use of said waters for the purpose proposed by the applicant will deprive protestant of his rights to the use of said water.

III

The name and address of protestant is as follows:

Leslie Beam
P. O. Box N
Glenns Ferry, Idaho 83623.

WHEREFORE, protestant respectfully requests that the application of the said Joe A. Lamb be denied.

Leslie F. Beam
Leslie Beam

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Joe A. Lamb Dec 000, Mountain Home, ID has on Dec. 10, 1975 submitted Application No. 61-7244 for a permit to appropriate 2000 acre feet per annum of water from Big Lost Creek, trib. to Snake River by means of dam, pump, and pipeline within the NE 1/4 NE 1/4, NW 1/4 NE 1/4, Sec. 3, T. 5 S, R. 8 E, E. 1/2 of Elmore County to be used from Nov. 1 to April 15 for irrigation storage and from April 5 to Oct. 1 for irrigation of 720 acres within the W 1/2, Sec. 34, SE 1/4, Sec. 35, T. 4 S, R. 8 E; N 1/2 NW 1/4, Sec. 3, T. 5 S, R. 8 E, E. 1/2.

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 Jan. 5, 1976.

R. KENNEDY GIBBSON
Director

Published in Mountain Home News, Min. Nat. on Dec. 10, 1975 and Dec. 24, 1975.

OK
12-24-75

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 18 day of December, 1975, and

the last publication having been made on the 25 day of December,

1975; 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 25

day of December, 1975

Wm. M. White
Notary Public

Department of Water Resources

DEC 29 1975



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 28, 1996

CARL F REYNOLDS AND SONS
3169 MAVERICK LN
BOISE ID 83709

RE: WATER RIGHT NOS. 61-02236C/61-02236D/61-07244
AND 61-07273/61-07561

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits along with copies of your approved Applications for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

JUN 28 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 26, 1996

ED ENSLEY
1513 ALDER
LEWISTON ID 83501

RE: Water Right Nos. 61-07561, 61-02236D, 61-02236C, 61-07244, 61-07273

Dear Mr. Ensley:

The Department of Water Resources (IDWR) is currently preparing water right licenses to be issued on the permits referenced above. The rights are all for reservoir storage and irrigation as developed by Frank S. Galey and/or Carl F. Reynolds and Sons in the Bennett Creek drainage.

During our verification process, it was discovered that water from these projects may have been used to irrigate property you own in the NE¼ of Section 25, Township 4 South, Range 8 East. When the development of a water project does not conform exactly to the authorization on the permit approval, it is necessary to amend the permit to cover the lands actually irrigated before a license is issued. Steve Reynolds has submitted amendment applications that reconfigure the points of diversion and places of use of the rights to conform with actual development. However, the amendment applications do not include your land within the place of use descriptions.

I am writing you to ascertain your interest, if any, in the water rights. If the water was beneficially used on your land and has continued to be used on your land at least once every five years, you may have some entitlement to a portion of some or all of the water rights.

Please contact me within fourteen days if you wish to explore your options in this matter. You may reach me at 208-327-7946. If I do not hear from you within fourteen days, the amendments will be processed and the licenses will be prepared without your property in the legal place of use for the water rights.

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

APR 26 1996

MEMORANDUM

TO: Files 61-02236C/02236D/07244/07273/07561
Carl F. Reynolds and Sons

FROM: Brenda Chapman *BC*

DATE: March 6, 1996

RE: Ownership Information

=====

Per 2/15/96 telephone conversation with a representative from the Elmore County Assessor's Office, Mr. Ed Ensley is the owner of the NE $\frac{1}{4}$ of Section 25, Township 4S, Range 8E. Therefore, the recommended number of acres to be licensed under the above storage water rights will be reduced to 3,585.

*1513 ALDER
LEWISTON
83501*

MEMORANDUM

To: Permit files 61-02236C, 61-02236D, 61-07244, 61-07273 & 61-07561

From: Mel Schulte *MTS*
Western Region

RECEIVED

Date: February 9, 1996

FEB 13 1996

Re: Applications for Amendment

Department of Water Resources

On this date the Place of Use land list on the Applications for Amendment for the Permits described above were changed by myself and Steve Reynolds. The alteration deleted the NE1/4, Sec 25, 04S, 08E from the Place of Use. This parcel is not owned by Reynolds & Sons Partnership but by a Mr & Mrs Ensley. It has however been included in their farm's operation for many years. Due to the non-ownership issue they do not want their water rights to become appurtenant to this land.

The history of the Ensley property as understood and explained by Steve Reynolds is as follows: The prior owner, Frank Galey, by virtue of some kind of lease arrangement, included this land in his farming operation in the late 1970's or early 1980's. He supposedly raised potatoes on the land for one year using his own water but didn't continue irrigating the land in future years due to a lack of water. The Reynolds family began leasing Mr Galey's farm in 1986 and purchased it in 1989. In 1987 a large part of the Galey farm, including the Ensley parcel, was entered into the CRP program. The Reynolds family, at the request of Mr Ensley, planted the Ensley property with a dry land cover crop to meet the CRP requirements but never irrigated the land.

The ownership of the Ensley parcel was not known when the licensing amendments were prepared. This issue was subsequently discovered and rather than re-print the amendment applications they were altered at the time they were executed by Steve Reynolds on 2/9/1996.

MTS



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 18, 1996

CARL F REYNOLDS & SONS
3169 MAVERICK
BOISE ID 83709

RE: WATER RIGHT NOS. 61-07244 & 61-07273

Dear Mr. Reynolds,

I am writing to you about Water Right Permits Nos. 61-07244 and 61-07273, which were originally issued to Travelers Insurance Group. The permits are being reviewed for licensing. Before water right licenses can be issued, however, the permits must be amended to depict the water rights as they have actually been developed. I have sent Application for Amendment forms to the permit holders of record, but I have been unable to locate them. Because our field examiner indicated that you may now own the property on which the water developments occurred, I am writing to give you the opportunity to complete the process necessary to obtain the water right licenses.

Previously we sent you a "copy" of the Applications for Amendment for water right nos. 61-07244 and 61-07273 in the event we did not receive a response from Traveler's Ins. Group. I am now enclosing a copy for you to sign and return to the Department if you wish to pursue the licenses. The enclosed Applications for Amendment contain information that will be included on the licenses when they are issued. The amendments reflect a change in the location of the point(s) of diversion and the place(s) of use description. The last page of the Application for Amendment forms contain a list of CONDITIONS and REMARKS proposed for the licenses when they are issued. These conditions and remarks may be modified upon further administrative review.

Please review the amendment forms carefully. If you concur with the information presented, sign the forms and return them with the \$100.00 (\$50.00 each) filing fee as soon as possible.

[Handwritten signature]
JUN 28 1996

In order for the department to issue the water right licenses in your name, the permit holders of record must assign the permits to you. I have enclosed Assignment of Permit forms to help you obtain the required information and signatures. If you do not obtain assignments from Traveler's Ins. the department may still issue licenses if you submit the necessary Applications for Amendment and fees. Once the licenses are issued, the water rights become appurtenant to the land, regardless of the name listed on the documents.

If you have any questions about this information, please contact me at (208) 327-7946 in Boise.

Sincerely,

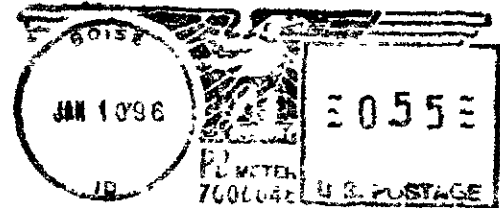


Shelley Walter Keen
Water Rights Supervisor

SWK:rl

enc.

28 1996



Shelley K.

IDAHO DEPARTMENT OF WATER RESOURCES

1301 N. Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

RECEIVED
JAN 16 1996
Department of Water Resources

TRAVELERS INSURANCE CO
REAL ESTATE INVESTMENT DIPT

16012460 8 10000010 099 01 13/10

TRAVELERS INSURANCE CO
MOVED LEFT NO ADDRESS
UNABLE TO FORWARD
RETURN TO SENDER

JAN 16 1996 11 11 AM

JUN 28 1996

47



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 8, 1996

THE TRAVELERS INSURANCE CO
REAL ESTATE INVESTMENT DEPT
960 BROADWAY SUITE 310
BOISE ID 837063623

RE: WATER RIGHT NOS. 61-07244 and 61-07273

Dear Water Right Holder(s):

The above referenced water rights are in the process of being licensed. However, before licenses can be issued, your permits must be amended to depict your water rights as they have actually been developed.

The enclosed Applications for Amendment contain information that will be included on the licenses when they are issued. The amendment for 61-07244 reflects a change in the location of the point(s) of diversion and the place(s) of use description. The amendment for 61-07273 reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendments and return with the \$100.00 (\$50.00 each) filing fee within 14 days.

The last page of the Application for Amendment forms contain a list of CONDITIONS/REMARKS proposed for the licenses when they are issued. These conditions/remarks may be modified upon further administrative review.

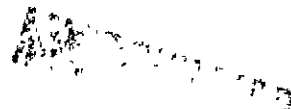
If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,


Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure


JUN 28 1996

MEMORANDUM

TO: Files 61-02236C/02236D/07244/07273/07561
Frank Galey, Jr and Travelers Insurance
SRBA claims filed by Carl F. Reynolds and Sons

FROM: Brenda Chapman

DATE: January 3, 1996

RE: Recommendation Adjustment(s)

=====

Per the December 28th meeting with Jim Johnson, Shelley Keen, and I, the final licensing recommendations for the above rights are based on the following information:

* Ownership Change: Mr. Galey is deceased and according to the exams and the SRBA claims filed, the new owners are Carl Reynolds and Sons. Two of the permits (61-7244 and 61-07273) are owned by Mr. Galey's lienholder, The Travelers Insurance Company and the licenses will be issued in their names. Those licenses in Mr. Galey's name will be sent in care of the new owners, Carl Reynolds and Sons. Claims have been filed by the new owner on four of the five rights. A claim is not required for 61-07561.

* A statement on the application for Permit 61-02236 mentions the feeder channel from Bennett Creek has a capacity of 20 cfs. However, the permit as approved without an active flow component. Per the 6/21/78 Administrative Memorandum guidelines for off stream storage, a rate of 20 cfs can be included in the recommendations. This will not constitute an expansion of the permit.

* Hot Springs Creek will not be added as one of the sources for 61-02236D/07273/07561/07244. It would change the original intent of the permit holder to divert water into storage reservoirs that happen to be on another stream.

* The above rights divert water to a combined total of 3,725 acres. All of the water can be diverted to the entire place of use; ~~therefore, all of the acres will be recommended on all of the licenses.~~ According to Idaho Code § 42-222, as long as other water right holders are not injured, the number of acres irrigated from stored water can be increased.

* The point of injection from Bennett Creek into Hot Springs Creek Reservoir has been added to 61-02236D, 61-07273 and 61-07561. The same points of rediversion have been added to all of the rights.

JUN 28 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

November 16, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Bennett Creek Water Rights

Corey Arellano
201 Lupin Dr. 3060-1
Battle Mountain, NV 89820

Dear Mr. Arellano:

Enclosed you will find an application for permit, prepared by Cindy, for your proposed storage reservoir, along with an application for construction of a small dam. The application for permit is in draft form; you may make any desired changes. Signatures are required for both applications. Please note the applicable fees on each application form.

You will also find water master reports printed out from our data base which show the water right records used by the watermaster and claims submitted in the SRBA (Snake River Basin Adjudication). Cindy also prepared an overlapping rights report for Sections 9, 10 & 15, Twp. 5S, Rge. 8E.

I have prepared and included an instream stockwater claim for your use. Make any revisions you wish to this form, insert the priority date you wish to claim under item 2, sign the form in the presence of a notary public, keep the yellow copies for your file and return the white form to us with \$25.00.

I went through our micro-film records and copied all of the information regarding Right 61-2011. I found that we had three "Report of Engineer" forms in the record. It appears to me that one was for "Proof of Completion of Works", one for "Proof of Beneficial Use", and the third followed a change in the description of the point of diversion.

I copied and taped together a map showing Bennett Creek and the reservoirs I believe you were requesting information about. These are under Permit No. 61-07244 which was filed by Joe Lamb. This right has been claimed in the SRBA by Carl F. Reynolds and Sons. I have included copies of almost everything in that file, which includes copies of protests filed, conference notes, agreements between the applicant and protestants, and actions taken on the permit up to now. This permit is in the process of being licensed. If you have any questions in regard to the exam, please contact Shelly Keen of our State Office at (208)334-7946.

208-334-7946

JUN 28 1996

11/16/95

Page 2

I also went over to our State Office and researched records for other filings made by Mr. Commerford. I did not locate any other filings for him in our old name index or the abstract of springs listings for Elmore county.

I believe we have responded to all of your requests for information regarding Bennett Creek water rights. If you find you need more information, feel free to call. We can send you any forms or documents through the mail and try to save you some trips to Idaho. If you have any questions regarding any of this, please don't hesitate to contact our office.

Sincerely,



KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosures

cc: indy Hodges, IDWR Western Region
helly Keen, IDWR State Office

NOV 28 1996

Roberta:

Please send a copy of the
letter and comment to:

Carl F Reynolds + Sons
3169 Newark Lane
Bowie ID 83729

LICENSE REVIEW CHECKLIST

PERMIT NO. 61-07244 DATE 9-22-95



NAME Change OK ☒ Or Address Change? ADJ CLAIM
 FILED BY NEW OWNER. PERMIT HOLDER DECEASED.
 PRIORITY DATE 12-29-95 ☒ Advance? Advanced to:
 Order to reinstate needed? _____
 Incorrect fee for rate recommended? N/A
 SOURCE X 4 Certified Examiner
 Changes or just clarification of originally
 intended source? Should also include Hot Springs Creek
 Notice of Intent to Void necessary? _____
 POINT OF DIV ✓ _____ Amendment needed? DELETE USE OF SEC3/ADDNWSE SEC34(4S)
✓ _____ Overlaps? 61-02236A, 61-07561, 61-07273
 PLACE OF USE ✓ _____ Amendment needed? _____
✓ _____ Overlaps? SAME AS ABOVE?
 DIV RATE N/A _____ Permit/fee limits: _____
 Meas Q = _____ Theo Q = _____ Recommend: _____
ON STREAM STORAGE - NO RATE
 Combined rates exceed capacity _____
 ANNUAL VOLUME _____ ✓ Volume Limit: 2000 Season: 4-1 to 10-31 4/4.0
 Calculations: Upper TEAPOT Res#4 = 424 gcf 1238
Lower TEAPOT Res#5 = 814 gcf
 Flow limit: _____ cfs x _____ x 1.9835 = _____
 Combined volumes exceed capacity/allowable _____
 USES _____ ✓ Change in Nature of Use or additional uses? _____
 Amendment necessary? _____
 ADDITIONAL INFO Supplemental Groundwater _____ PPU Scenario YES?
 Irr/Dom Combination _____ Shared G/W System _____
 NEW REMARKS _____ Multiple p/d(s) in 1/4 1/4? _____
 Other _____
 NEW CONDITIONS BO4 Watermaster control - District 601C
18A Measuring/Locking Devices _____
_____ Irrigation Overlap _____
_____ Other _____
_____ Water Quality _____ Heat/Cool/Fish verified _____

COMMENTS: ① ADJ CLAIM FILED BY NEW OWNER (PERMIT HOLDER DECEASED)
② IRR STORAGE SHOULD NOT BE LIMITED - CORRECTED
F/MEND P10 & P11

(BY NEW OWNER)
 RECOMMENDATION CFS VOLUME
Irrigation Stor _____ 1238
On From Stor _____ 1238
 SRBA Claim Filed YES
 Adjustment Memo Needed YES
 LICENSE (P37 + P38) OK
 1ST AMEND LETTER Special New Owner?
 2ND AMEND LETTER P47

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

☐ See Remarks on page 4 for continuation

4. SEE ATTACHMENT "A"

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

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

5. Point(s) of Diversion: SEE ATTACHMENT "B"

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks

6. Place(s) of Use:

Indicate Method of Determination

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	
4S	8E	34	35			35					35	35	35	35	35			35	280
4S	8E	35											5	35	35	35	35	35	180
5S	8E	2	40	40			40	40											160
5S	8E	3	40				20	40											100

NEW ACRES

120 acres

MEMORANDUM

TO: ~~SHARLA, JIM~~ Files

FROM: TIM LUKE

DATE: September 6, 1991

RE: GALEY PERMIT No.s 61-7561, 61-2236A, 61-7273 & 61-7244
AND FIELD EXAMS

=====

I originally reviewed the above permits over a year ago in connection with Swan Falls processing. In particular, I was reviewing the permits to determine development prior to July of 1985 and whether the permits were subject to reprocessing under Section 42-203D, I.C.

My review raised several questions about the field exams. These questions were sent to the field examiner, Sherl Chapman, and the present owner (see correspondence in file). After more than a year, I think I have obtained the information I needed. It appears that all of the development represented by these permits and exams was completed prior to July of 1985. The permits therefore are not subject to reprocessing requirements of Section 42-203D. The department can continue reviewing the exams and proceed with licensing. Please note that we have obtained some additional information concerning the exams. This information is outlined below.

Field Exam Report Information/Clarification:

1) Name/Ownership change:

- The permits and farm operation are now owned by Carl Reynolds. Frank S. Galey died at least several years ago. I have not previously discussed or advised Reynolds as to what we might require to reflect the ownership change.

2) Place of use:

- My review of the exams revealed that some land was included as the irrigated place of use on the exam but recent aerial photos did not show that land as irrigated. Also, the examiner's maps did not include this land. It appeared that this land may have had an incorrect legal description. My letter of June 17, 1991 describes the land in question (see specific descriptions for land within sections 19, 30, & 27, T4S, R8E). The present owner, Carl Reynolds, called me on July 15, 1991 and explained that the land in question has not been developed and is not irrigated. Reynolds verified that the land in question should not be included on the field exam or any forthcoming license.

JUN 28 1991

3) Points of Diversion/storage volume for permit no. 61-2236A:

- Permit no. 61-2236A is the only permit which includes Hot Springs Creek as a source of water (this permit also includes Bennet Creek as a source). Only this permit should include Hot Springs Creek Reservoir No. 1 as a point of diversion and storage facility. This reservoir is actually identified as Hall reservoir in the department's dam safety records. The difference in names between the dam records and Sherl Chapman's field exam report probably accounts for why Sherl did not report a volume for this reservoir. The dam safety records reports a volume of 450 AF for this reservoir. John Westra, who regularly inspects this dam, says that this reservoir rarely fills and that Hot Springs Creek is generally a very low yield stream. However, John also told me that this capacity is essentially correct and has suggested that this capacity should be licensed.

I have also noted that this reservoir is also included on license no. 61-2225. Under this license, the reservoir has a capacity of only 164.7 AF. The place of use under this license overlaps the place of use of the Galey permits. Perhaps permit no. 61-2236A should only include the additional capacity above that licensed for 61-2225.

4) Rates of Diversion/Storage Volume:

- Two of the remaining four reservoirs are located directly on Bennet Creek. Permit no. 61-7244 and accompanying field exam includes these two reservoirs (Upper and Lower Teapot Reservoirs). The field exam storage volume for permit 61-7244 is based on the combined capacity of the two reservoirs. Both John Westra and Mike Stubblefield have reported to me that these capacities are accurate and should approximately reflect current storage capacities.

The other two reservoirs on the system, Hot Springs reservoir 2 and 3, store water from both Bennet and Hot Springs Creek. A ditch diverts water from Bennet Creek to Hot Springs Reservoir with a headgate on Bennet Creek located in the SESW sec. 1, T4S, R8E. The combined capacity of the two reservoirs per dam safety records is 5443 AF. A report found in the dam safety files (see attached), indicates that the canal from Bennet Creek has a discharge capacity of 900 cfs. To check this latter figure, John Westra collected data on the ditch this summer and calculated a flow capacity of the ditch using the Manning's Equation. The capacity of the ditch using Manning's is 508 cfs. (see attached calculations and photos submitted by John Westra).

Recommendations:

Permit no. 61-7244 should be licensed for irrigation storage and irrigation of 1238 AF from the Upper and Lower Teapot Reservoirs.

Permit no. 61-2236A should be split, with one license issued for irrigation storage of 450 AF from Hot Springs Creek in Hot Springs Creek Reservoir no. 1, and the second license issued for irrigation storage of 2433 AF from Hot Springs Creek and Bennett Creek in Hot Springs Reservoir no. 2. The second license may include a

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diversion to storage from Bennett Creek up to the permitted rate of 500 cfs.

Permit 61-7273 should be licensed for irrigation storage and irrigation of 3000 AF from Bennett Creek in Hot Springs Reservoir no. 2, and diversion to storage from Bennett Creek of 100 cfs.

Permit no. 61-7561 should be licensed for irrigation storage and irrigation of 553 AF in Hot Springs Reservoir no.3, with diversion to storage of 50 cfs from Bennet Creek. Permit no.s 61-2236A, 61-7273 and 61-7561 should be conditioned so that the maximum combined rate of diversion from Bennet Creek under the three rights does not exceed 500 cfs.

Place of use recommendations:

When I last spoke with the present owner, Carl Reynolds, we discussed his system and the operation of his different pumping plants. Reynolds explained that several of the plants are interconnected and that the lower most plants (stations no. 5, 6 & 7), have been used to pump water back up to higher ground and used on land normally irrigated via pumps 1 through 4. Since water from all of the reservoirs can be used on all of the irrigated acreage, the licensed place of use for all of the permits should be consistent. Other than the acreage described in this memo which the present owner confirmed was not irrigated, all of the remaining acreage recommended for licensing in the exam report should be licensed.

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]Galey Permits:

1. 61-2336A

Permit:

Source= Bennet & Hot Springs Cks.

POD= 4S 8E sec 15 NWNW; 4S 8E sec 1 SENW

Use= Irrigation storage; Irrig. from storage

Div. Volume= 2996 AF

Field Exam:

Source= Bennet & Warm Springs Ck.

POD= Attachment B, 7 pump stations & 5 reservoirs

Use= Irrigation

Volume= 4880 Af (refers to Hot Sprgs Ck Resrv #2)

Recommended Changes:

Source= Bennett Ck & Hot Springs Ck.

POD= NWSW sec 1 (diversion from Bennett Ck) & SWNW sec 15 4S8E (RES. #2). Pump stations 1 through 4 if necessary.

Use= Irrigation Storage; Irrig. from storage

Volume total= 2996 AF

Note: If permit holder wants Hot Sprgs Res #1 included, storage volume must be provided. Volume of 2996 AF would include volume of reservoir #1.

2. 61-7244

Permit:

Source= Bennet Ck.

POD= 5S 8E sec 3 NENE & NWNE

Use= Irrigation

Volume= 2000 AF

Field Exam:

Source= Bennet Ck.

POD= Attachment B, 7 pump stations & 5 reservoirs

Use= Irrigation

Volume= 1238 AF (refers to rervoirs #4 & #5, Upper & Lower Teapot)

Recommendations:

Source= Bennet Ck.

POD= NWSE 4S8E SEC 34 (RES. #4), NWNE 5S8E SEC 3 (RES. #5) & pump stations #5, 6, 7 if necessary.

Use= Irrigation Storage; Irrig. from storage

Volume total= 1238 AF (for resrvrs 4 & 5)

3. 61-7273

Permit:

Source= Bennet Ck

POD= SESW sec 1 4S8E, NWNW sec 15 4S8E (diversion to canal & storage in Hot Springs #2 Res)

Use= div. to storage (100 CFS); storage for irrigation; irrigation from storage

Volume= 3000 AF

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JUN 28 1936

See memo 9-6-91

Field Exam:

Source= Bennett Ck

POD= Attachment B

Use= Irrigation

Volume= 4880 AF (refers to Hot Sprgs Res. #2)

Note: Field exam does not indicate diversion from Bennett Ck to storage at Hot Sprgs Res #2.

Recommendations:

Source= Bennett Ck

POD= NWSW sec 1 (diversion from Bennett Ck) & SWNW sec 15 4S8E (Hot Sprgs Res. #2). Pump stations 1-4 if necessary.

Use= Irrigation storage, irrigation from storage

Rate of flow= diversion to storage? Rate for irrigation?

Volume= 1884 AF (for remaining volume in Hot Spgs Res #2). Adjust for volume of Reservoir #1 if included.

4. 61-7561

Permit:

Source= Bennet Ck

POD= SESW sec 1 4S8E (diversion to canal and storage in reservoirs located in Secs. 15 & 22 (Hot Sprgs 2 & 3)

Use= div. to storage(50cfs), irrig storage, irrig. from storage

Volume= 1400 AF

Field Exam:

Source= Bennet Ck

POD= Attachment B

Use= Irrigation

Volume= 553 AF (refers to volume of Hot Spgs. Res #3)

Note: Field exam does not indicate diversion from Bennett Ck to storage at Hot Sprgs Res #2 and/or #3.

Recommendations:

Source= Bennett Ck

POD= ~~NWSW~~ sec 1 (diversion from Bennett Ck) & SENE sec 22 (Hot Sprgs Res. #3)

Use= Irrigation storage, irrigation from storage

Rate of flow: diversion to storage? rate for irrigation?

Volume= 553 AF

31096



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 17, 1991

Carl Reynolds
3169 Maverick Lane
Boise, ID 83709

RE: Permit No.s 61-2236A, 61-7273, 61-7244 & 61-7561

Dear Mr. Reynolds:

Pursuant to our discussion from several days ago concerning the above permits and my past correspondence with Sherl Chapman, I am forwarding you a copy of the letter which I sent to Sherl in April of 1990.

Question no. three of my letter asked for some information about specific tracts of land and whether those tracts were irrigated prior to July of 1985. I have attempted to answer this question on my own. This question was asked because the permits were being reviewed in connection with potential processing under the Swan Falls settlement. Permits with development prior to July of 1985 are exempt from Swan Falls processing requirements. Nearly all of the development shown on Sherl's field exams appears to have been in place prior to 1985. Certain tracts however were not irrigated as per my review of 1984 aerial photos. As I reviewed Sherl's exams and the aerial photos, I was concerned that perhaps a mistake was made in describing the location of several tracts. The tracts which I did not find irrigated and are of question are as follows:

T4S, R8E, Section 19: SW1/4, SENW, & W1/2SE, containing 200 acres
Section 30: W1/2, containing 280 acres
Section 27: W1/2, containing 50 acres

If you consult a map, you will notice that sections 19 and 30 of T4S, R8E are located some two to three miles west of Bennett Creek and your lower reservoirs. Most of the irrigated land under the permits and shown on Sherl's exams are east of Bennett Creek and the reservoirs. I wondered if perhaps these tracts should have been located in Township 4 South, Range 9 East, instead of Range 8 east. One of the maps submitted with Sherl's exams does appear to show that the land is located in Range 9 East instead of Range 8 East.

In either case, I did not find any irrigated acreage in sections 19 or 30 in the 1984 photos, but perhaps the acreage was in place

JUN 28 1996

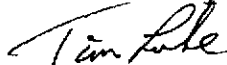
at the time of Sherl's field exam in 1987. This may also be the case with the 50 acres in section 27. However, the aerial photos submitted with Sherl's exams (photos undated) do not show the lands in sections 19, 30 (either R8E or R9E) and 27 as irrigated.

Before we can continue with licensing the permits, I will need to clarify the questions concerning the acreage identified in this letter. Please clarify if and when this land has been irrigated under your system and if so, verify the correct legal description of the lands in sections 19 and 30.

Please also consider the other questions raised in my April, 1990 letter. As we discussed, you may not wish or need to include the Hot Springs Creek Reservoir no. 1 in any of the permits being considered for licensing. In regard to the question about rate of diversion from Bennett Creek, I think we probably have enough information in the dam safety records concerning the design of the diversion ditch which will allow us to license the permits and show a diversion to storage.

Please provide a response to this inquiry at your earliest convenience. You may contact me directly at 327-7864 if you have questions concerning this matter.

Sincerely,



Tim Luke

Sr. Water Resource Spec.

JUN 28 1990



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

April 20, 1990

Sherl Chapman
410 S. Orchard
Suite 144
Boise, ID 83705

Re: License Exams for Permit No.s 61-2336A, 61-7244, 61-7273 &
61-7561 in name of Frank S. Galey

Dear Sherl:

I have been reviewing the above exams for licensing and have developed several questions and concerns which are outlined below.

1) On all four of the exams, you recommend listing reservoir no.s one through five as points of diversions. The Department will most likely not list the five reservoirs as point of diversions on the four licenses. Reservoir no. 1 can only be included on permit no. 61-2336A since this is the only permit which lists Hot Springs Ck. as a source. It appears that any storage held in reservoir no. 1 is water from Hot Springs Ck. None of the four field exams you submitted includes any volume measurement for reservoir no. 1.

If you or your client intend to have reservoir no. 1 included on a license for permit 61-2336A, you must submit a volume measurement for this reservoir.

2) Two of the permits above, 61-7273 & 61-7561 include flow rates for diversion to storage. Your field exams include no measurements for diversion from Bennett Ck. to the diversion ditch which provides inflow to Hot Springs Reservoirs 2 & 3. You also did not include the diversion ditch headgate as a point of diversion.

The Department will have to include a rate of diversion for the ditch from Bennett Ck and requests that you provide diversion flow data or measurements for this purpose. If data is unavailable, we may have to rely on past dam inspection records.

3. My final concern regards whether certain acreage under permit no.s 61-7273 & 61-7561 was irrigated prior to July 1, 1985. According to the Department's 1984 remote sensing data, acreage in the following sections was not irrigated at that time:

Section 19 T4S R8E
Sections 2 & 3 T5S R8E

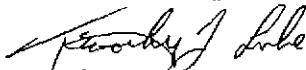
If there is no evidence that the acreage listed in the exam for the above sections was not developed prior to July of 1985,

then water diverted for that acreage will be considered trust water, and the acres will count toward the 20,000 acre annual trust water depletion limit as per section 42-203C, Idaho Code. Trust conditions will be added to any license issued for the permits and the Department may be required to re-advertise those permits as well.

The Department therefore asks that you provide information as to whether or not the acreage in the above sections were irrigated prior to July 1, 1985. If the lands were irrigated prior to July of 1985, please provide some documentation which may confirm dates of first development.

Your earliest response to the above questions and concerns will help expedite the licensing of these permits. Please do not hesitate to call me directly or visit if you have questions concerning this matter.

Sincerely,



Tim Luke

Sr. Water Resource Agent

JUN 28 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

APR 26 1988

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

A. GENERAL INFORMATION

Permit No. 61-7244

1. Owner The Travelers Insurance Group Phone No. _____
Current Address: 960 Broadway Ave., Suite 310, Boise, ID 83706-3623
2. Accompanied by: Mike Reynolds EXAM DATE 7/10/87
Address: P.O. Box 5305, Boise, ID 83705 Phone No 587-8752
Relationship to Permit Holder: Farm Manager
- 3 Source. Bennett Creek tributary to Snake River

B. OVERLAP REVIEW

- 1 Other water rights with same place of use: 61-2236; 61-7561; 61-7273
_____ ☐ Copies Attached
- 2 Other water rights with same point of diversion 61-2236; 61-7561; 61-7273
_____ ☐ 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" = _____

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)

JUN 28 1988

System Description (continued)

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

☐ See Remarks on page 4 for continuation

4. SEE ATTACHMENT "A"

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

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

5. **Point(s) of Diversion:** SEE ATTACHMENT "B"

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks

6 **Place(s) of Use:** Indicate Method of Determination

Twp.	Rge.	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	
4S	8E	34	35			35					35	35	35	35	35			35	280
4S	8E	35											5	35	35	35	35	35	180
5S	8E	2	40	40			40	40											160
5S	8E	3	40				20	40											100

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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
N/A						

2. Measurements:

Water is provided by Upper and Lower Teapot Reservoirs. Total capacity of reservoirs is 1238 acre feet.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method

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

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\quad 3240 \quad}$

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

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{\quad 3240 \quad}$

2. Volume Calculations for Other Uses

281396

H REMARKS AND OVERLAP REVIEW ANALYSIS

PD should be changed to NW NE, Sec. 3, T5S, R8E and SW SE, Sec. 34, T4S, R8E.

Place of use amended to reflect land description.

The measuring devices required by the permit have not been completely installed as of yet. The remaining measuring devices are under design and will be installed in 1988.

I. RECOMMENDATIONS

1. Recommended Amounts

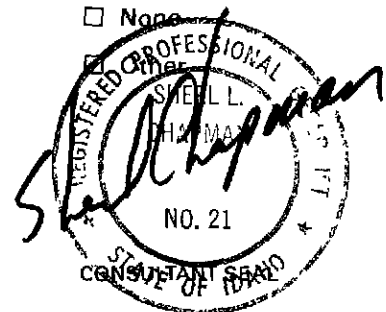
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15		1238
Totals:				1238

2. Recommended Amendments

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above

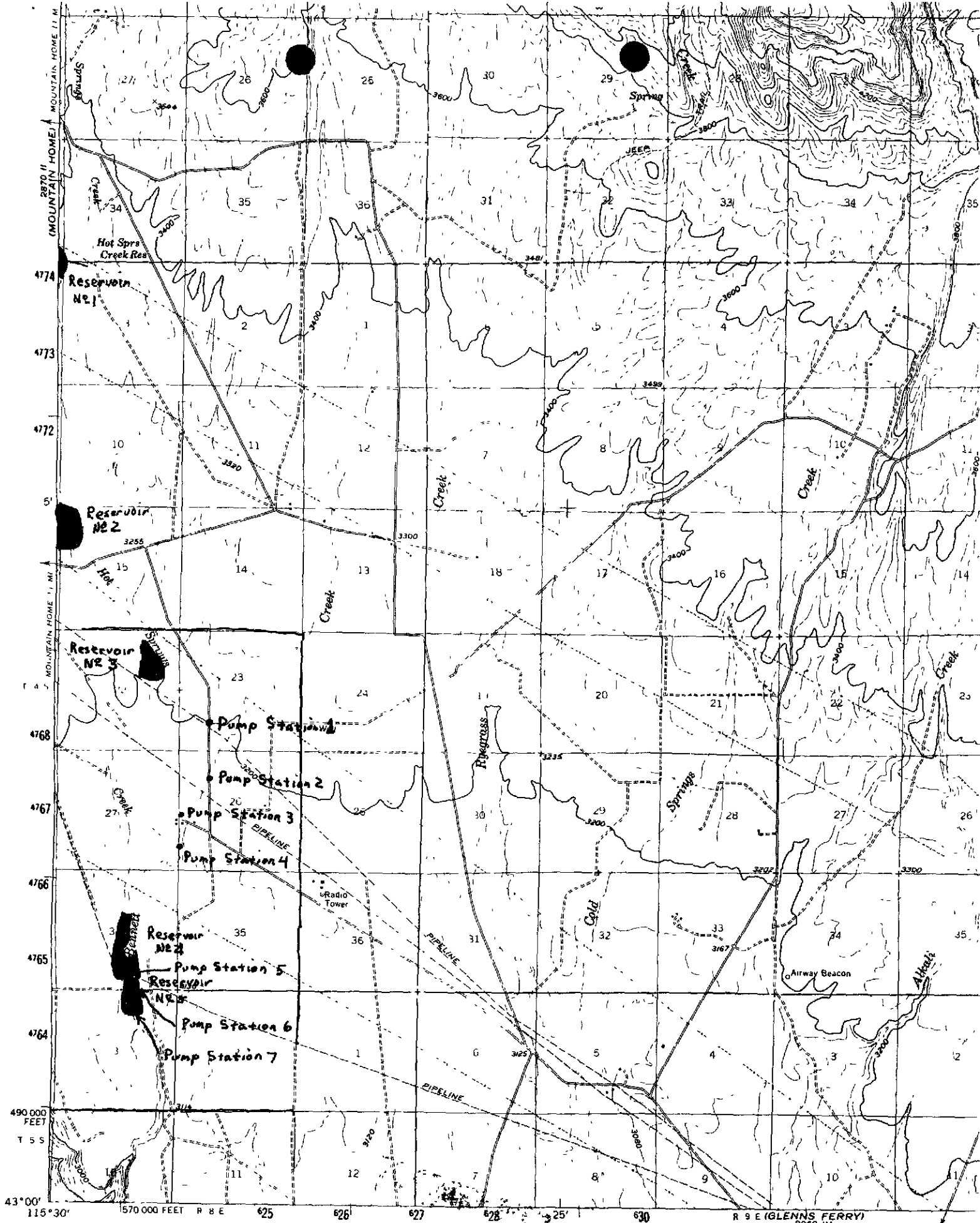
J. AUTHENTICATION

Field Examiner's Name Sheri L. Chapman
Signature *Sheri L. Chapman*
Certification Date 5/5/87
Field Report Preparation Date 7/31/87



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

JUN 28 1986

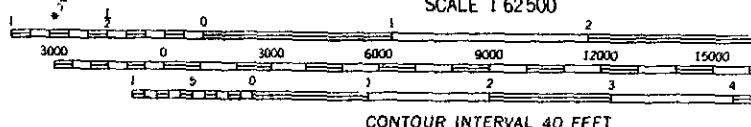


Mapped, edited, and published by the Geological Survey
Control by USGS and USC&GS

Topography from aerial photographs by photogrammetric methods
Aerial photographs taken 1953 Field check 1958

Polyconic projection 1927 North American datum
10 000 foot grid based on Idaho coordinate system. w

JUN 28 1995



(INDIAN COVE)
2009

FRANK GALEY, JR. FARM
ELMORE COUNTY, IDAHO

ATTACHMENT "A"

DIVERSION DESCRIPTION

DIVERSION IDENT. #	MOTOR MAKE	HP	MOTOR SERIAL #	PUMP MAKE	PUMP SERIAL #
1	General Electric	100	45902	Well Line	JNV928417
1	General Electric	100	45903	Well Line	FRJ620306
2	Westinghouse	50	62116		1257495
2	General Electric	100	45901	Well Line	253AB
2	Westinghouse	50	21180		GNJ720331
3	Westinghouse	100	DVR7	Singer	EAJ505189
4	General Electric	50	17677	Well Line	HK403039
4	Westinghouse	10	L1104		12L
5	Westinghouse	50	6620		RS141020
5	General Electric	100	21179	Well Line	319B522B57
5	Westinghouse	50	1414202		1257496
6	General Electric	100	45904	Well Line	JN921404
6	General Electric	100	45905	Well Line	GNJ720271
7	Westinghouse	100	AK075007		15803

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FRANK GALEY, JR. FARM
ELMORE COUNTY, IDAHO

ATTACHMENT "B"

POINTS OF DIVERSION

DIVERSION IDENT. #	LOCATION			SEC.	TWP	RGE	COUNTY	METHOD OF DETERMINATION
	1/4	1/4	1/4					
Pump Station 1	NE	SW	SW	23	4S	8E	Elmore	Field Survey
Pump Station 2	NE	SW	NW	3	4S	8E	Elmore	Field Survey
Pump Station 3	NE	NE	SE	27	4S	8E	Elmore	Field Survey
Pump Station 4	SE	SE	SE	27	4S	8E	Elmore	Field Survey
Pump Station 5	NW	NW	SE	34	4S	8E	Elmore	Field Survey
Pump Station 6	NE	NW	NE	3	4S	8E	Elmore	Field Survey
Pump Station 7	SE	NW	NE	3	4S	8E	Elmore	Field Survey
Reservoir #1 (Hot Springs Crk)	SW	SW	SW	34	3S	8E	Elmore	Field Survey
Reservoir #2	SW	SW	NW	15	4S	8E	Elmore	Field Survey
Reservoir #3	NW	SE	NE	22	4S	8E	Elmore	Field Survey
Reservoir #4	NW	NW	SE	34	4S	8E	Elmore	Field Survey
Reservoir #5	SW	NW	NE	3	5S	8E	Elmore	Field Survey

JUN 28 1996

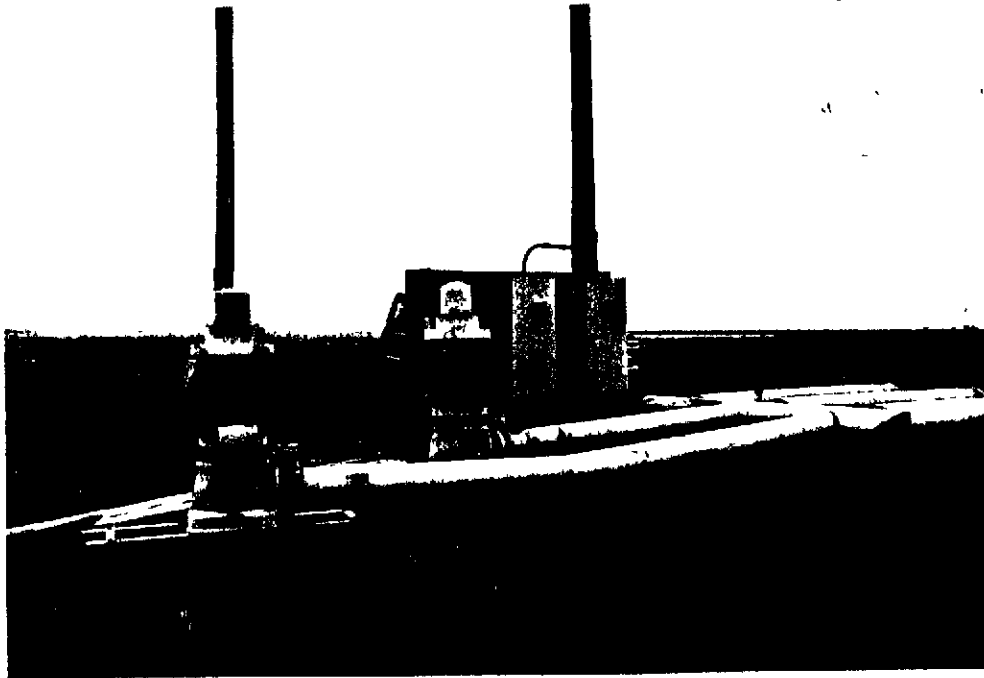
INVENTORY OF DAMS BY DAM NUMBER

19-Feb-1987
Page 6

DAM NUMBER	HAZARD CLASS	TYPE	STORAGE CAPACITY	HEIGHT FT	DRAINAGE SQ MI	RES AREA ACRES	YEAR COMP	CREST LENGTH	SPILLWAY TYPE	DEPTH	DISC-CFS	INSPECT DATE	CERT COND	EXPIR
NAME OF DAM	NAME OF OWNER	COUNTY	STREAM	PURPOSE	LOCATION									
D61-7071B	WATSON LOWER 3	EARTH	GLOBEX DEVELOPERS INC 100	16.0	128.0	16	1966	1200	RATTLESNAKE CREEK PIPE	3.0	3	I 585	15-05S-06E GD	1187
D61-7244A	TEAPOT UPPER 3	EARTH	BENNETT CREEK RANCH 424	25.0	74.0	50	1977	1800	BENNETT CREEK RKCHAN	5.0	1185	JG 685	34-04S-08E GD	1187
D61-7244B	TEAPOT LOWER 2	EARTH	BENNETT CREEK RANCH 814	27.0	75.0	82	1977	3650	BENNETT CREEK RKCHAN	5.0	1185	JG 685	03-05S-08E GD	1187
D61-7267	BATRUEL 3	EARTH	PETE BATRUEL 24	14.0	7.8	4	ELMORE PROP	100	SAND SPRINGS GULCH RPCHAN	5.0	400	I 686	12-05S-09E UF	0000
D61-7561	HOT SPRINGS NO 3 2	EARTH	BENNETT CREEK RANCH 553	25.0	21.5	60	1984	2360	HOT SPRINGS CREEK RPCHAN	5.0	840	I 986	22-04S-08E GD	1187
D63-0009	LITTLE CAMAS 2	EARTH	MOUNTAIN HOME IRRIGATION DIST 18400	44.0	40.0	1455	1912	1957	LITTLE CAMAS CREEK RKCHAN	10.0	833	I 586	09-01S-09E GD	1188
D63-0379	BLACKS CREEK 1	EARTH	PLEASANT VALLEY IRRIGATION CO 3640	48.0	39.0	300	1915	1700	BLACKS CREEK RKCHAN	6.5	570	L 586	31-02N-03E GD	1188
D63-10221	MICRON TECHNOLOGY 2	EARTH	MICRON TECHNOLOGY INC 155	9.0	3.2	30	1984	550	TR-FIVE MILE CREEK RPCHAN	5.0	240	NO 586	07-02N-03E GD	1188
D63-2004	HUBBARD 1	EARTH	U S BUREAU OF RECLAMATION 4060	19.0	9.0	450	1902	6189	BOISE RIVER (OS) ERCHAN	4.0	0	I 386	17-02N-01E GD	1188
D63-2010	BARBER 1	EARTH	ADA COUNTY 182	21.0	2895.0	60	1955	850	BOISE RIVER CMTTL	14.0	27599	PGO 1185	29-03N-03E 72	1187
D63-2063	KIRBY (ATLANTA POWER) 3	TMCRB	ATLANTA POWER CO 5	52.0	110.0	1	1908	78	MID FK BOISE RIVER OVFL	8.0	2600	PNB 1086	05-05N-11E GD	1188
D63-2388	BOISE DIVERSION 1	CNGRV	U S BUREAU OF RECLAMATION 800	35.0	2800.0	80	1908	500	BOISE RIVER CNOVFL	17.0	40000	IP 386	03-02N-03E GD	1188
D63-3613	ARROWROCK 1	CNAR	U S BUREAU OF RECLAMATION 286600	257.0	2210.0	3100	1915	1150	BOISE RIVER CNCHAN	6.0	16080	LFR 986	13-03N-04E GD	1188
D63-3614	ANDERSON RANCH 1	EARTH	U S BUREAU OF RECLAMATION 493161	336.0	980.0	4741	1950	1350	S FK BOISE RIVER CNCHAN	32.0	20000	IPF 986	01-01S-08E GD	1188
D63-3618	LUCKY PEAK 1	EARTH	U S ARMY CORPS OF ENGINEERS 307000	240.0	2650.0	2820	1954	2340	BOISE RIVER RKCHAN	18.0	93300	FIR 1086	11-02N-03E GD	1188

JUN 28 1987

FRANK GALEY, JR. FARM
ELMORE COUNTY, IDAHO



Pump Station #1



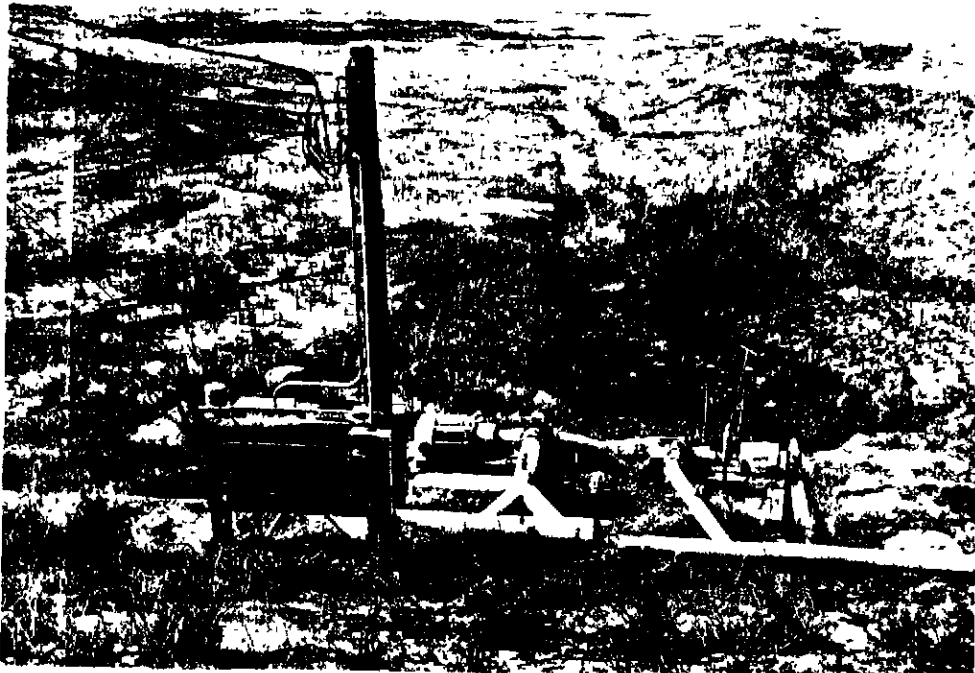
Pump Station #2



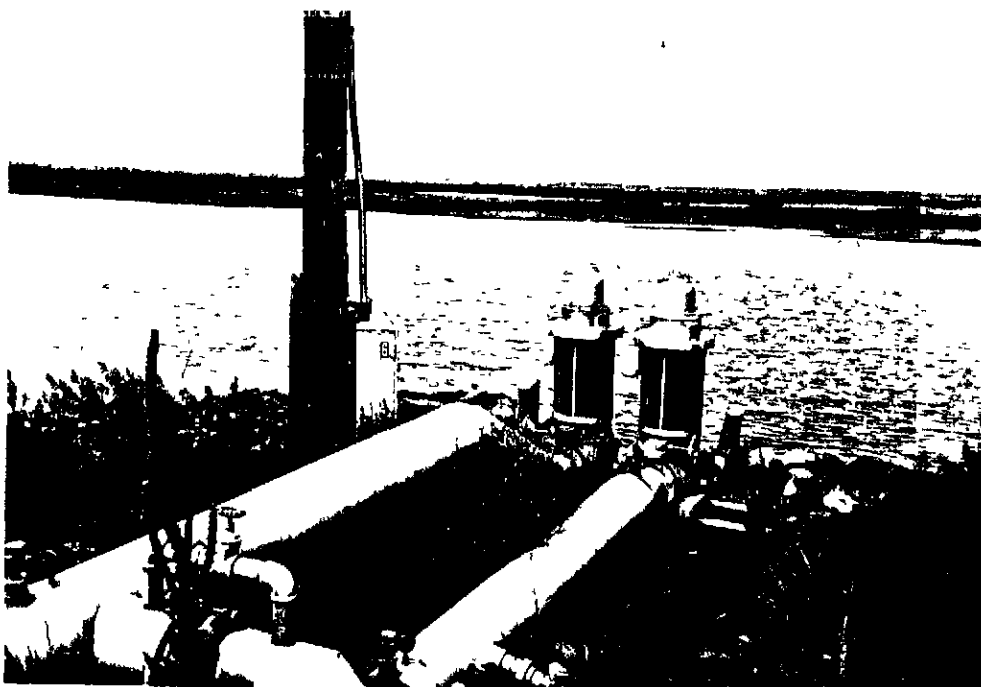
Pump Station #3



Pump Station #4

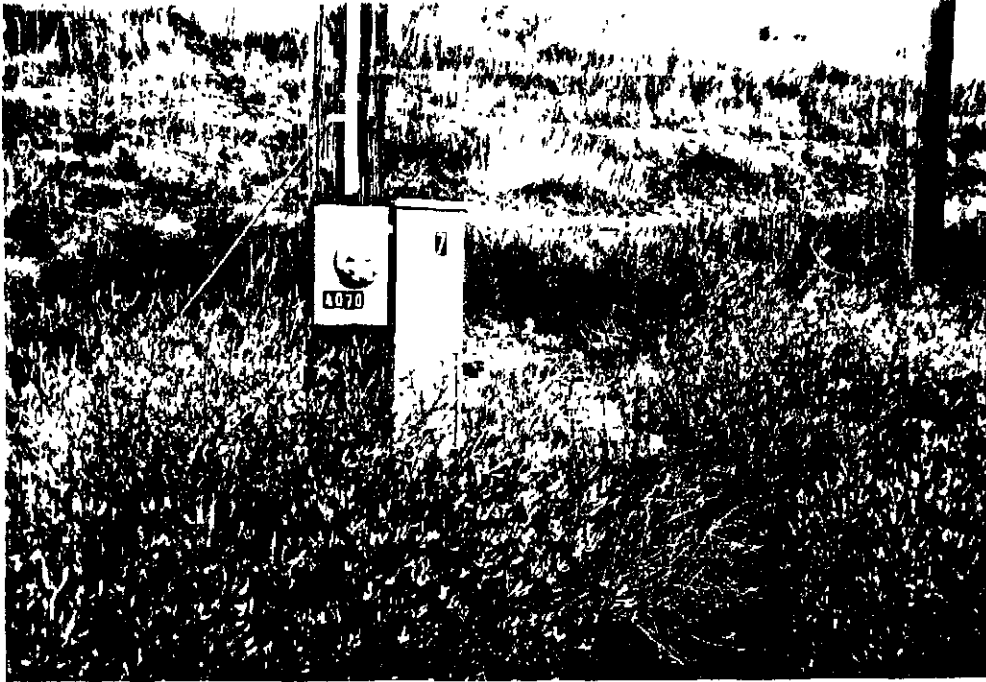


Pump Station #5



Pump Station #6

W 28 1995



Pump Station #7



Pump Station #7



Reservoir #1

JUN 2 8 1966



Reservoir #1

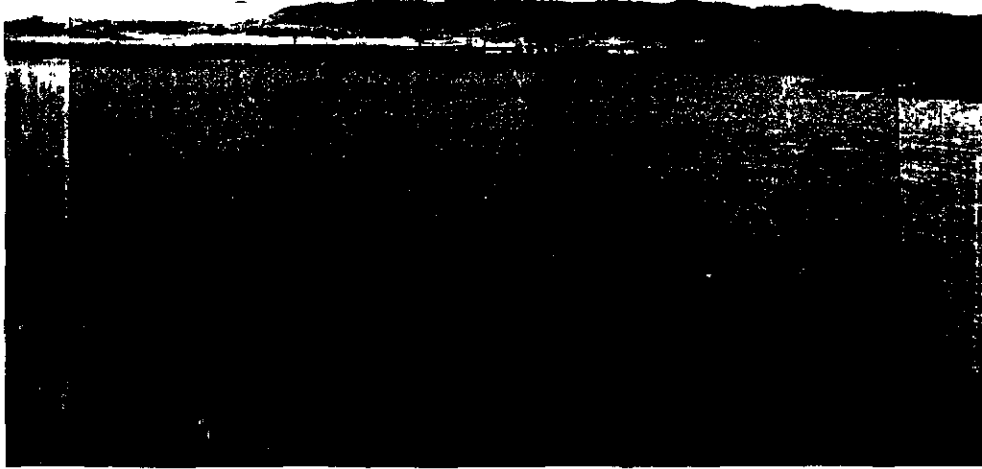


Reservoir #2

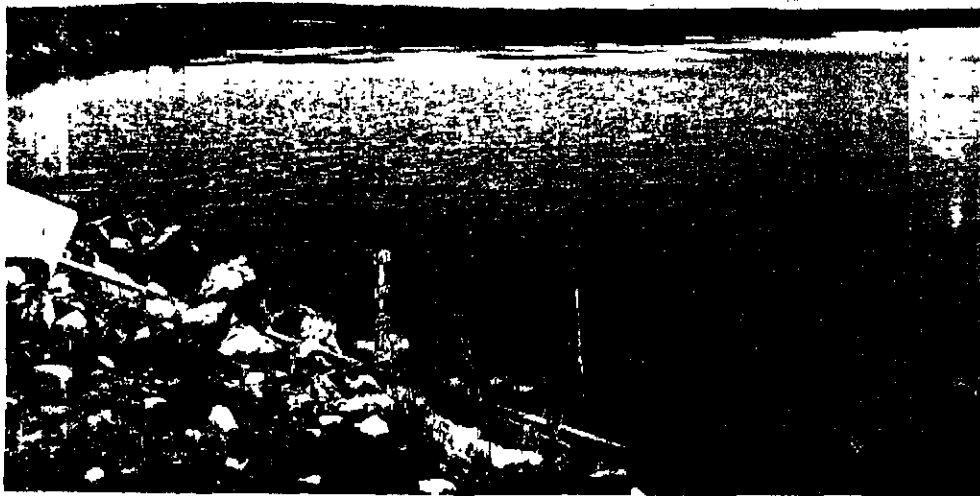


Reservoir #3

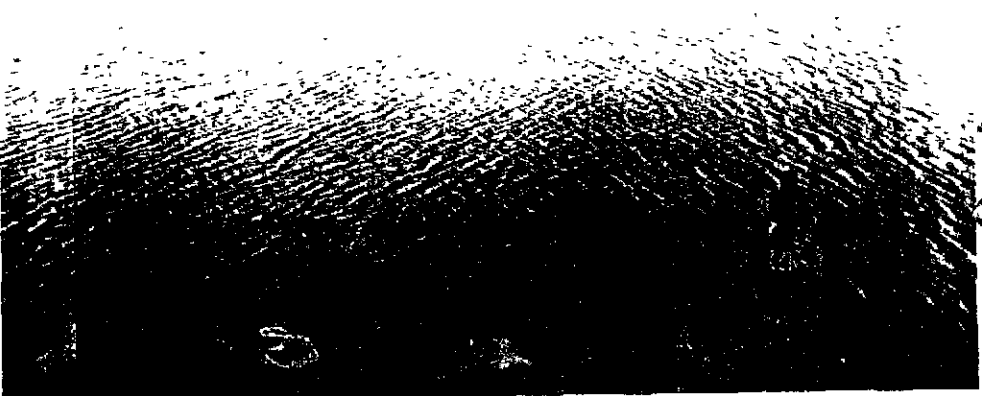
JUN 2 8 1951



Reservoir #4



Reservoir #4



Reservoir #5

JUN 28 1936

Sherl L. Chapman

CONSULTANT

410 S ORCHARD / SUITE 144 / BOISE, IDAHO 83705 / PHONE 344-6690

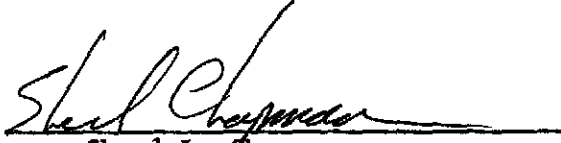
RECEIVED
JUN 03 1987

Department of Water Resources

Mr. A. Kenneth Dunn, Director
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Dunn:

I hereby verify that I have been retained to conduct the water
right examination for water right permit # 61-7244 in accordance
with the laws and regulations of the State of Idaho.


Sherl L. Chapman

Dated: 6/3/87

RECEIVED
JUN 28 1996

4/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Sent to S.O. _____

RECEIVED

JUN 03 1987

1. Permit No. 61-7244

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE: Department of Water Resources

☐ 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: Travelers Insurance Co

3. Post Office Address: 707 SW Washington St Portland Ore
Telephone No. _____

4. Source of Water: Beauette Creek

5. Extent of Use:

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

Irrigation 720 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted _____ cfs 2000 acre-feet

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

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

(Name)

(Address)

(Telephone Number)

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

Date 6/1/87

Donald S. Flood -
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

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

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

Checks should be made payable to the
Department of Water Resources

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



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

61-7244
THE TRAVELERS INSURANCE CO.
~~707 SW WASHINGTON ST.~~
~~PORTLAND, OR 97208-9705~~

address correction
THE TRAVELERS INSURANCE
REAL ESTATE
960 BRUNNEN
BOISE, IDAHO

138147

April 3, 1987

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.

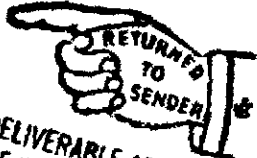
As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the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

JUN 28 1986

Idaho Department of Water Resources
Western Region

Elmore

35

 RETURNED
TO
SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

CLAIM CHECK
NO.
261152

☐ HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

Detached from
PS Form 3849-A
Oct. 1980

RECEIVED

Idaho Department of Water Resources
Western Regional Office

CERTIFIED MAIL
NO 138147



CLAIM CHECK
NO.

210677

☐ HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

Detached from
PS Form 3849-A
Oct. 1980

966188 107



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

61-7244
THE TRAVELERS INSURANCE CO.
707 SW WASHINGTON ST.
PORTLAND, OR ~~97200~~ 97205

138147

April 3, 1987

CERTIFIED MAIL

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page 2

Examination Fee Notice

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 available from the department upon request. A listing of certified water right examiners is also available.

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

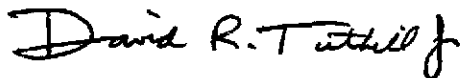
The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The license examination fee schedule, on the back of the enclosed information sheet, 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 returned to this office. If you have questions or concerns please feel free to call at (208) 334-2190, or to visit the office at our new location near the airport, at 2735 Airport Way.

Sincerely,



DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

61-7244
THE TRAVELERS INSURANCE CO.
707 SW WASHINGTON ST.
PORTLAND, OR 97200-97205

138147

April 3, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

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JUN 28 1986

RECEIVED

JUN 9 1987

Department of Water Resources
Western Regional Office

December 14, 1981

State of Idaho - Western Region
Department of Water Resources
92 South Cole Road
Boise, Idaho 83709

JUN 12 1987

Department of Water Resources

Re: Water Permit #61-7273
Our Loan No. 400253 1
GALLEY, Frank S., Jr.

Gentlemen:

We are in receipt of your letter of December 10, 1981 regarding Permit No. 61-7273 which we have forwarded to our borrower.

In the future we ask that you please forward all notices to our borrower, Frank S. Galey, P.O. Box 5305, Boise, Idaho 83705, as he is the property owner. Copies of the notices should be sent to The Travelers Indemnity Company, Real Estate Investment Dept., 707-S.W. Washington Street, Portland, Oregon 97205. *Boise*

If you have any questions in this regard, please let us know.

Best wishes for a Happy Holiday Season.

Very truly yours,

THE TRAVELERS INDEMNITY COMPANY

(Ms.) Terrylee A. Paul
Real Estate Assistant

TAP:mk
Enc.

cc: Mr. and Mrs. Galey
cc: Mr. Don Reed, Area Manager

THE TRAVELERS INDEMNITY COMPANY
REAL ESTATE INVESTMENT DEPARTMENT
900 BROADWAY
BOISE, IDAHO 83700-5523

JUN 28 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

May 18, 1979

The Travelers Insurance Company
707 S.W. Washington Street
Portland, OR

Gentlemen:

Re: Permit No. 61-7244

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Boise, Idaho

Sincerely,

RITA FLECK
Water Rights

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

CERTIFIED MAIL

February 28, 1979

100649

Re: Permit No. 61-7244

The Travelers Insurance Co.
707 Southwest Washington Street
Portland, OR

Gentlemen:

One of the conditions of approval of your water Permit No. 61-7244 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before May 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.


RITA FLECK
Water Rights

Encl: Proof affidavit

cc: Frank S. Galey, Jr.

MICROFILMED

January 8, 1977

Re: Permit No's. 61-7244 and 61-7273

Travelers Insurance Co.
707 Southwest Washington St.
Portland, Oregon

Gentlemen:

We acknowledge receipt of the assignments conveying the above referenced permits to you. The assignments have been recorded and the Department's records have been changed.

Sincerely,

JANICE RENK
Water Rights

Encl: Copy of permits

July 26, 1976

**Re: Permits No. 61-2143
61-2236
61-7244**

**Mr. Frank S. Galey, Jr.
Box 5305, 5030 Bel Air
Boise, Idaho 83705**

Dear Mr. Galey:

This office acknowledges receipt of the assignments conveying the above referenced permits to you. The assignments have been recorded and the Department's records changed accordingly.

Enclosed for your records is a copy of Permit 61-7244. Please note the conditions of approval as listed on the fourth page. Proof of beneficial use has been made under the other permits, 61-2143 and 61-2236.

You should be aware that a protest has been filed against the issuance of a license under 61-2143; a copy of that protest is enclosed for your review. The Department will hold a conference and/or hearing to resolve this matter at the time the field examination has been conducted.

Should you have questions regarding the permits or protested matter, please feel free to contact us.

Sincerely,

**BOBBY D. FLEENOR
Chief, Water Rights**

**BDF:DR
Enc: Copy of permit 61-7244
Copy of protest 61-2143**

61-7244

file

Applicant Joe Lamb

Attorney - Bill Ringert & Ben Rice
Intervenor - Frank Galey, Jr.

Protestants

Gwinn Rice	~~Attorney~~	~~[scribble]~~
Leslie Beam	Attorney	Perce Hall
Double Anchor Ranch	"	Perce Hall

Protestants

^{injury to existing rights}

1. Concerned about a change being required in the present use by upstream users to required water to be released to the storage until April 1 each year

Flood Water
Uses

Henley Ranch 1500"

Ross Ranch 800"

Rice " 1000"

Possible Agreement - The point of diversion at the upper reservoir shall be modified so that the max & min flow can be controlled -

Condition Permit and License so that -

The storage of water in this ^{reservoir} ~~water~~ shall not interfere with the diversion of ^{water by the} upstream users that has ^{historically} taken place ~~historically~~ prior to the time the watermaster begins his duties.

Time Schedule - Hearing Continued to allow opportunity for an

agreement - allow 15 days to receive proposed agreement

Ringert to draft agree. up to reservoir ... of ind. rights

April 30, 1976

Re: Permit No. 61-7244

Joe A. Lamb
Box 686
Mountain Home, ID 83647

Dear Mr. Lamb:

Enclosed is a copy of your approved Application for Permit No. 61-7244. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 61-7244

☒ 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

(1) Bill H 12-11-75

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) Bill H 12-11-75

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 N/A

(10) _____

Comments: On stream Storage -

(11) 11/5 12-24-75

Affidavit of Publication received (date) (11/5)

(12) _____

Final date for protests 5-5-76

Protests received: yes ☒ no _____

(13) _____

All requested information received from agencies or applicant: Protests withdrawn by private agreement
yes _____ no _____

(14) _____

Action recommended:

☒ Approve

Dec. _____

Proposed Priority _____

Reason for Reduction _____

adequate Measuring devices shall be installed
above & below the reservoir

See attached sheet for other conditions of approval

use standard language Subject to control of the watermaster of water District 61-C, Bennett Creek
No special conditions for approval

(15) District W

By [Signature]

Date 4-27-76

Measuring devices of a type acceptable to the Department of Water Resources shall be installed above and below the reservoir.

April 27, 1976

Re: Application for Permit No. 61-7244 - Joe A. Lamb

William F. Ringert
P. O. Box 2773
Idaho Building
Boise, ID 83701

Dear Mr. Ringert:

This office acknowledges receipt of the following agreements:

1. Agreement made the 27th day of February, 1976, between Joe A. Lamb, applicant, and Double Anchor Ranches, Inc., Leslie Beam and Gwinn Rice Ranch, Inc., protestants.
2. Agreement made the 25th day of March, 1976, between Joe A. Lamb and Gwinn Rice Ranch, Inc.

The Department understands that thru these agreements, the protestants have withdrawn their respective protests. Therefore, this Department will now continue process the application.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rb

cc: Joe A. Lamb
Double Anchor Ranches, Inc.
Leslie Beam
Gwinn Rice Ranch, Inc.

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

EUGENE H. ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON

IDAHO BUILDING
BOISE, IDAHO 83701

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

April 26, 1976

Department of Water Resources

Mr. L. Glen Saxton, P. E.
Western Regional Supervisor
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Application for Permit No. 61-7244
Joe A. Lamb

Dear Mr. Saxton:

The agreements have now been completed by the applicant, Joe A. Lamb, and the various protestants, as discussed at the hearing held in Mountain Home on February 4, 1976, on the protests against Application No. 61-7244. I enclose herewith your Department's copy of each Agreement, as follows:

1. Agreement made the 27th day of February, 1976, between Joe A. Lamb, Applicant, and Double Anchor Ranches, Inc., Leslie Beam and Gwinn Rice Ranch, Inc., Protestants;

2. Agreement made the 25th day of March, 1976, between Joe A. Lamb and Gwinn Rice Ranch, Inc.

Frank S. Galey, Jr., and Gwendolyn Galey, contract purchasers from Joe A. Lamb, have joined and concurred in each Agreement.

Each Agreement contains a provision by which the protestants withdraw their respective protests against Application No. 61-7244.

It is my understanding that all action required by the applicant has now been completed and, with the withdrawal of the

Mr. L. Glen Saxton

-2-

April 26, 1976

protests as reflected in the enclosed Agreements, I assume that the water permit now can be issued by your Department.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By


William F. Ringert

WFR:am

Enclosures

cc: Frank S. Galey, Jr.

Joe A. Lamb

Gwinn Rice

Perce Hall

Benjamin C. Rice

A G R E E M E N T

THIS AGREEMENT, Made and entered into this 25TH day of March, 1976, by and between JOE A. LAMB of Mountain Home, Elmore County, Idaho, party of the first part, hereinafter referred to as "Lamb", and GWINN RICE RANCH, INC., an Idaho corporation, party of the second part, sometimes hereinafter referred to as the "Protestant",

W I T N E S S E T H:

WHEREAS, Lamb has filed Application No. 61-7244 for a permit to appropriate 2,000 acre feet per annum of the waters of Bennett Creek, a tributary of Snake River, by means of a dam, pump and pipeline to be located within the Northeast Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section Three, Township Five South, Range Eight East, Boise Meridian, in Elmore County, Idaho; and,

WHEREAS, a protest against the granting of said permit was filed with the Department of Water Resources by Gwinn Rice Ranch, Inc., a corporation; and,

WHEREAS, on the 4th day of February, 1976, a hearing upon the application and protest was held at the County Courthouse in Mountain Home, Idaho, before representatives of the Idaho Department of Water Resources, for the purpose of resolving the disputes between Lamb and the said Protestant; and,

WHEREAS, Lamb diverts water from Bennett Creek under Water Permit No. 61-2236, issued by the Department of Water Resources of the State of Idaho, at a point of diversion which is located within the easement awarded to Adin B. Hall and Ruby Hall by the Final

Judgment and Decree of Condemnation entered October 23, 1976, in the case of Hall v. Lee, Case No. 2518, by the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Elmore, which said easement is described as follows:

A right of way and perpetual easement for the installation, construction, and continued operation, maintenance, repair, alteration, inspection and replacement of said dam, and the backwaters therefrom, over, upon, across and in the following premises:

Commencing at the Southwest corner of Section 1, Township 4 South, Range 8 East, Boise Meridian, Elmore County, Idaho; thence North 61°51' East 2750.0 feet to a point in Bennett Creek; thence North 50 feet, more or less, to a point where the centerline of Bennett Creek crosses the North Boundary of the SE 1/4 of the SW 1/4 of said Section 1, which point is the real point of beginning;

thence East along the North Boundary of said SE 1/4 of the SW 1/4, 50.0 feet to a point; thence South 100.0 feet to a point; thence West 100.0 feet to a point; thence North 100.0 feet to a point; thence East 50.0 feet to the real point of beginning, containing 0.023 acres, more or less,

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth, and for the purpose of resolving and settling the protest of Gwinn Rice Ranch, Inc., the parties agree as follows:

Lamb, for himself, his heirs and assigns, hereby agrees that he will construct, or cause to be constructed, at or near the location of the existing diversion works and facilities under which Lamb diverts water from Bennett Creek under said Water Permit No. 61-2236, an adjustable diversion facility that will control the maximum and minimum flows into Lamb's canal and that will prevent the diversion into such canal of more water than the canal can properly carry. Such adjustable diversion facility shall be properly designed and engineered and shall be constructed

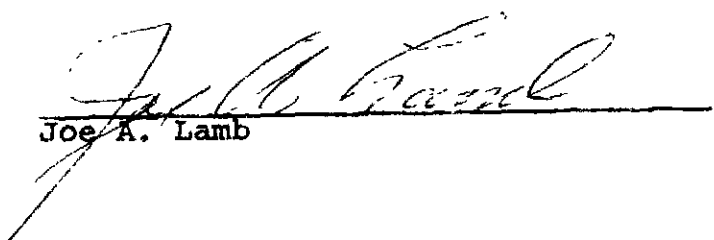
in a good and workmanlike manner and in accordance with proper engineering standards.

In consideration of Lamb's agreement to construct said adjustable diversion facility as hereinbefore specified, Gwinn Rice Ranch, Inc., agrees to withdraw its protest against the approval and granting of said Application No. 61-7244. In that regard, the parties agree that a signed copy of this Agreement shall be filed with the Idaho Department of Water Resources and that the filing of such copy shall constitute, and shall be deemed, a withdrawal of the protest made and filed by Gwinn Rice Ranch, Inc. Lamb agrees that no water shall be stored under any permit issued pursuant to said Application No. 61-7244 until construction of said adjustable diversion facility shall have been completed as hereinbefore specified.

The parties acknowledge and agree that this Agreement shall not modify or supersede any agreements previously entered into between these two parties or any of their predecessors in interest regarding the waters of Bennett Creek or regarding any diversion works or facilities or canals, ditches or other facilities through which any of the parties divert or carry waters of Bennett Creek.

The covenants herein contained shall bind, and the benefits and advantages hereof shall inure to the parties hereto, their heirs, personal representatives, successors and assigns.

IN WITNESS WHEREOF, said parties have hereunto set their hands this 25th day of March, 1976.


Joe A. Lamb

GWINN RICE RANCH, INC., a
corporation

By Gwinn Rice
Gwinn Rice, Its President

STATE OF IDAHO)
COUNTY OF ADA) ss.
~~ELMORE~~)

On this 25th day of March, 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared JOE A. LAMB, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Anta C. McCormick
Notary Public for the State of Idaho
Residing at Boise, Idaho.

STATE OF IDAHO)
COUNTY OF ADA) ss.
~~ELMORE~~)

On this 31st day of March, 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared GWINN RICE, known to me to be the president of GWINN RICE RANCH, INC., the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Anta C. McCormick
Notary Public for the State of Idaho
Residing at Boise, Idaho.

ADDENDUM TO AGREEMENT

FRANK S. GALEY, JR., and GWENDOLYN GALEY, husband and wife, being prospective purchasers of the lands to which water rights under Permit No. 61-2236 are appurtenant and to which water rights obtained under Application No. 61-7244 will be appurtenant, hereby join and concur in the within and foregoing Agreement between JOE A. LAMB and GWINN RICE RANCH, INC., and agree that, if they purchase said lands, they shall be bound by, and shall be entitled to the benefits of, the provisions of said Agreement, and in witness thereof have hereunto subscribed their names this 25TH day of March, 1976.

Frank S. Galey, Jr.
Frank S. Galey, Jr.

Gwendolyn Galey
Gwendolyn Galey

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 25TH day of March, 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANK S. GALEY, JR. and GWENDOLYN GALEY, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Glenn A. Packer
Notary Public for the State of Idaho
Residing at Boise, Idaho.

AGREEMENT

WHEREAS, JOE A. LAMB, whose address is P. O. Box 686, Mountain Home, Idaho, has filed Application No. 61-7244 for a permit to appropriate 2,000 acre feet per annum of water from Bennett Creek, a tributary of Snake River, by means of a dam, pump and pipeline to be located within the Northeast Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section Three, Township Five South, Range Eight East, Boise Meridian, in Elmore County, Idaho, and,

WHEREAS, Protests against the granting of said permit were filed with the Idaho Department of Water Resources by Double Anchor Ranches, Inc., a corporation; Leslie Beam and Gwinn Rice Ranch, Inc., a corporation, and,

WHEREAS, on the 4th day of February, 1976, hearing upon the application and protests was held at the County Courthouse in Mountain Home, Idaho, before a representative of the Idaho Department of Water Resources, NOW, THEREFORE;

For the purpose of resolving the disputes between the applicant and the protestants, IT IS HEREBY AGREED as follows:

1. The applicant, Joe A. Lamb, for himself, his heirs and assigns, hereby agrees that he will not contest or challenge the rights of the protestants to divert water, including flood waters, from Bennett Creek in accordance with existing facilities and in the same manner in which protestants have heretofore put said waters to beneficial use on their land by recharging the sub-surface strata of the land with said flood waters, commencing on or about February 1st of each year, and the applicant recognizes that the rights of protestants as set forth above take precedence over any rights to be acquired by applicant under Application No. 61-7244.

2. The above restrictions shall be attached to and become a condition in connection with the issuance of a permit under Application No. 61-7244.

3. In consideration of the issuance of said permit subject to the conditions above mentioned, the protestants hereby agree to withdraw their protests.

IN WITNESS WHEREOF, said parties have hereunto set their hands this 27th day of February, 1976.

Joe A. Lamb
Joe A. Lamb, Applicant

DOUBLE ANCHOR RANCHES, INC.,
a corporation,

BY Gordon E. Lindsey
Protestant

Leslie Beam
Leslie Beam, Protestant

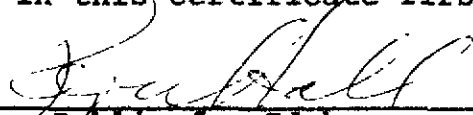
GWINN RICE RANCH, INC.,
a corporation,

BY Wm. S. Rice
Protestant

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 28th day of February, in the year 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared LESLIE BEAM, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

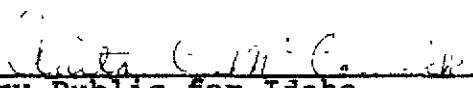


Notary Public for Idaho
Residing at Mountain Home, Idaho

STATE OF IDAHO,)
) ss.
COUNTY OF ~~ELMORE~~,)

On this 28th day of ~~February~~, in the year 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared JOE A. LAMB, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

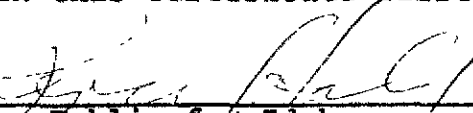


Notary Public for Idaho
Residing at ~~Mountain Home~~, Idaho

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 28th day of February, in the year 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared GOLDIE E. HENLEY, known to me to be the president of DOUBLE ANCHOR RANCHES, INC., the corporation that executed the foregoing instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for Idaho
Residing at Mountain Home, Idaho.

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 2nd day of ^{April}~~February~~, in the year 1976, before me, the undersigned, a Notary Public in and for said State, personally appeared TOM GILL, known to me to be the manager of GWINN RICE RANCH, INC., the corporation that executed the foregoing instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for Idaho
Residing at Mountain Home, Idaho.

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

EUGENE H. ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON

IDAHO BUILDING
BOISE, IDAHO 83701

March 17, 1976

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

Mr. L. Glen Saxton, P. E.
Western Regional Supervisor
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

MAR 17 1976

Department of Water Resources

Re: Application for Permit No. 61-7244
Joe A. Lamb

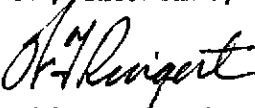
Dear Mr. Saxton:

The form of agreement has been approved and we are awaiting receipt of copies for signature, which I assume Mr. Hall will forward as soon as they have been signed by his clients.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

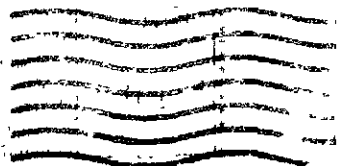
By


William F. Ringert

WFR:am

cc: Mr. Perce Hall
Mr. Joe A. Lamb

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS
IDAHO BUILDING
BOISE, IDAHO 83701



Mr. L. Glen Saxton, P.E.
Western Regional Supervisor
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

March 16, 1976

Re: Application for Permit No. 61-7244 -- Joe A. Lamb

William F. Ringert
Attorney at Law
P. O. Box 2773
Boise, ID

Dear Mr. Ringert:

To date this office has not received a copy of an agreement between yourself on behalf of Mr. Lamb and Mr. Perc Hall, attorney for the protestant in the above referenced matter.

Please submit a copy of said agreement at your earliest convenience in order that the Department can further process the application.

Sincerely,

L. GLEN SXTON, P. E.
Western Regional Supervisor

LGS:rb

61-7244 - Joe A. Lamb

Elmore County Courthouse, Mtn. Home, Idaho

February 4, 1976 - 10:00 A.M.

ROSTER OF ATTENDANCE

NAME

ADDRESS

REPRESENTING

Ben Rice Atty

P.O. Box 447

Joe Lamb

W. H. Ringert

Boise
PO Box 2773

Joe Lamb

Frank Haley, Jr.

Boise
Box 5305
Boise, Ida. 83705

self

Fred A. Attorney
587-4412

340E 2nd
Mt Home Idaho

Daphne
and Leslie
Beam

Gwynn Rice

3110 Crescent Rein

Gwynn Rice Paul

Tom Livi

Box 604 MTN Home

" " "

Leslie F. Beam

Box 11 Glenns Ferry, Ida.

Joe Lamb

Box 686 Mt. Home, Idaho,

KURT SHOUFLEER

1104 N 23RD
BOISE IDA.

JOE LAMB.

KEVIN P. LAMB

Box 686 - Mt. Home

- **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..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery 85¢

2 ARTICLE ADDRESSED TO

C

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO

139059

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee

☐ Authorized agent

Gwynn Price
for Robert

4.

DATE OF DELIVERY

1/7/76

POSTMARK

5 ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

CKS

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

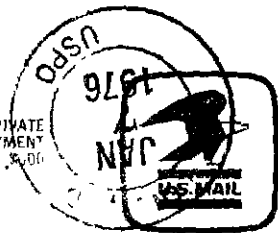
- Complete items 1, 2, and 3 on reverse side
- Moisten gummed ends and attach to back of article

RETURN
TO



DEPT OF WATER RESOURCES
DIST. OF CALIF.
LOS ANGELES, CALIF 90008
LOS ANGELES, CALIF 90008

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$3.00



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

In the Matter of Protests Against Approval)
of the Application for Permit No. 61-7244)
in the name of JOE A. LAMB.)
_____)

NOTICE OF CONFERENCE
AND/OR HEARING

On December 10, 1975, Joe A. Lamb filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On January 5, 1976, the Department received three protests against approval of said application from Gwinn Rice, Leslie Beam, and Double Anchor Ranches, Inc.

The Department has set the matter of protests for conference and/or hearing for Wednesday, February 4, 1976, at 10:00 a.m., in the Elmore County Courthouse, Mtn. Home, Idaho. Any hearing will be held in accordance with the Rules and Regulations 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.

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. 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.

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

Dated this 6th day of January, 1976.

L. Glen Saxton
L. GLEN SAXTON, P.E.
Western Region Supervisor



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

January 6, 1976

Elmore County Courthouse
Mtn. Home, ID 83647

Dear Sir:

This is to confirm the use of a room in the Elmore County Courthouse for conference and/or hearing to be held by this office on Wednesday, February 4, 1976, at 10:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

Cathy L. Shaw

CATHY L. SHAW
Senior Clerk

CLS:cs



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

January 6, 1976

Gwynn Rice
3110 Crescent Rim Dr.
Boise, ID 83704

RE: Application for Permit No. 61-7244 - Joe A. Lamb

Dear Mr. Rice:

This office acknowledges receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an 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?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

Cathy L. Shaw

CATHY L. SHAW
Senior Clerk

CLS:cs



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

January 6, 1976

Double Anchor Ranches, Inc.
P.O. Box 160
Glenns Ferry, ID 83623

RE: Application for Permit No. 61-7244 - Joe A. Lamb

Gentlemen:

This office acknowledges receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an 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?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

Cathy L. Shaw
CATHY L. SHAW
Senior Clerk

CLS:cs



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

January 6, 1976

Leslie Beam
P.O. Box N
Glenns Ferry, ID 83623

RE: Application for Permit No. 61-7244 - Joe A. Lamb

Dear Mr. Beam:

This office acknowledges receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an 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?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

Cathy L. Shaw

CATHY L. SHAW
Senior Clerk

CLS:cs



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

January 6, 1976

Joe A. Lamb
Box 686
Min. Home, ID 83672

RE: Application for Permit No. 61-7244

Dear Mr. Lamb:

Enclosed are copies of three protests filed against the issuance of a permit pursuant to your Application No. 61-7244. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an 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?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest.

If we may be of any assistance, please contact us.

Very truly yours,

Cathy L. Shaw

CATHY L. SHAW
Senior Clerk

GLS:cs

ENC: Copies of the protests



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 11, 1975

Mountain Home News
P.O. Drawer 0
Mtn. Home, ID 83647

RE: Application for Permit No. 61-7244 - Joe A. Lamb

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
12-29-75
cls

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Joe A. Lamb
Box 686, Mountain Home, ID
has on Dec. 10, 1975 submitted Application No. 61-7244
for a permit to appropriate ~~XXXXXX feet per second~~ 2000 acre feet
per annum of water from Bennett Creek, trib. to Snake River
by means of dam, pump, and XXXXXX pipeline
within the N~~1~~/~~4~~ NE~~1~~/~~4~~, NW~~1~~/~~4~~ NE~~1~~/~~4~~, Sec. 3, T. 5 S, R. 8 E, B.M. Elmore County
XXXXXX
XXXXXX
to be used from Nov. 1 to April 15 for irrigation storage and from April 15
for to Oct. 1 for irrigation of 720 acres
XXXXXX
within the W~~1~~/~~4~~ XXXX W~~1~~/~~4~~, Sec. 34, SE~~1~~/~~4~~, Sec. 35, T. 4 S, R. 8 E; N~~1~~/~~4~~ NE~~1~~/~~4~~, Sec. 3,
N~~1~~/~~4~~ NE~~1~~/~~4~~, Sec. 2, T. 5 S, R. 8 E, B.M.
XXXXXX

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before
Jan. 5, 1976.

R. KEITH HIGGINSON

Director

Published in the Mountain Home News, Mtn. Home, ID
on Dec. 18, 1975 and Dec. 25, 1975.