

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



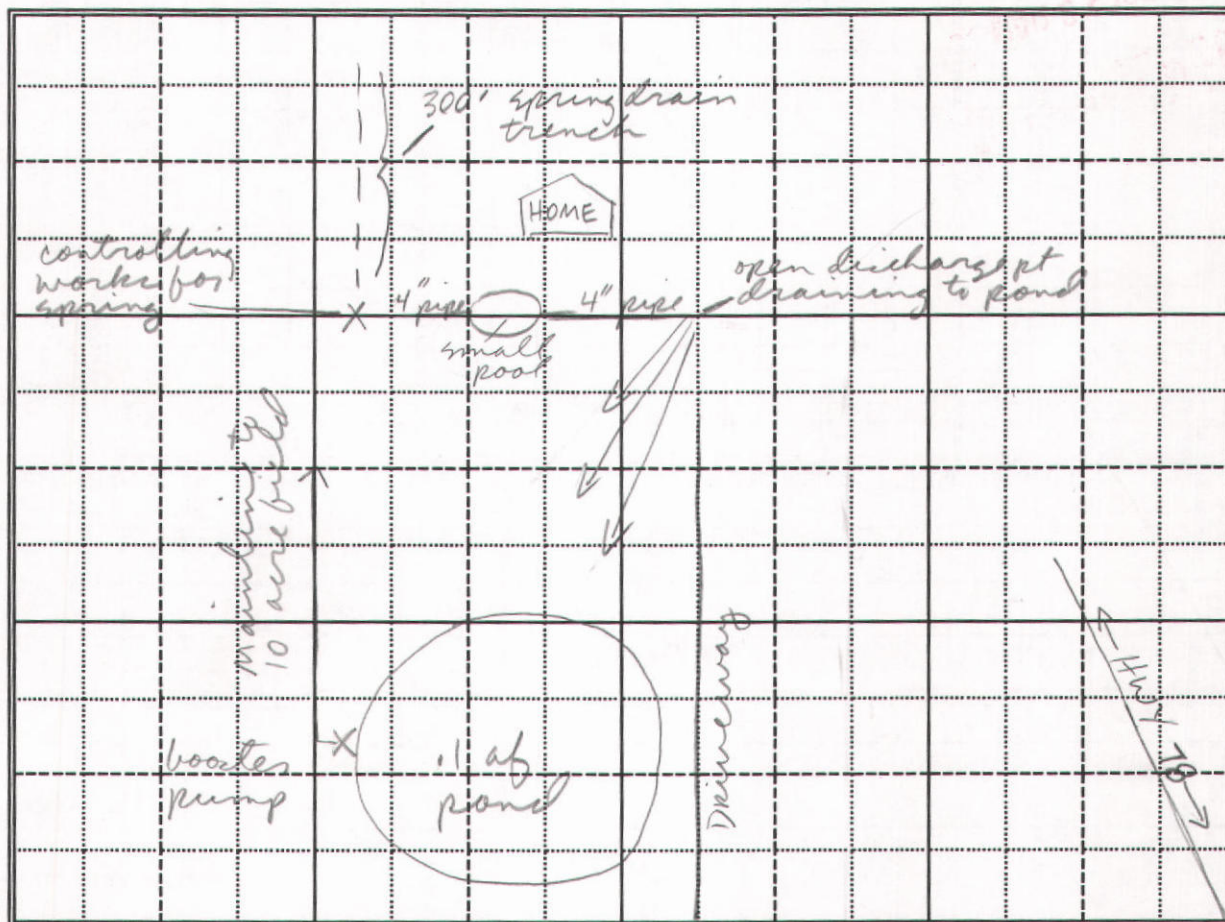
Scale: 2 inches equal 1 mile.

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

JUL 06 1987

Mark Jensen
(Applicant)

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



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Booster Pump on pond		5	1.15	Baldor	

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

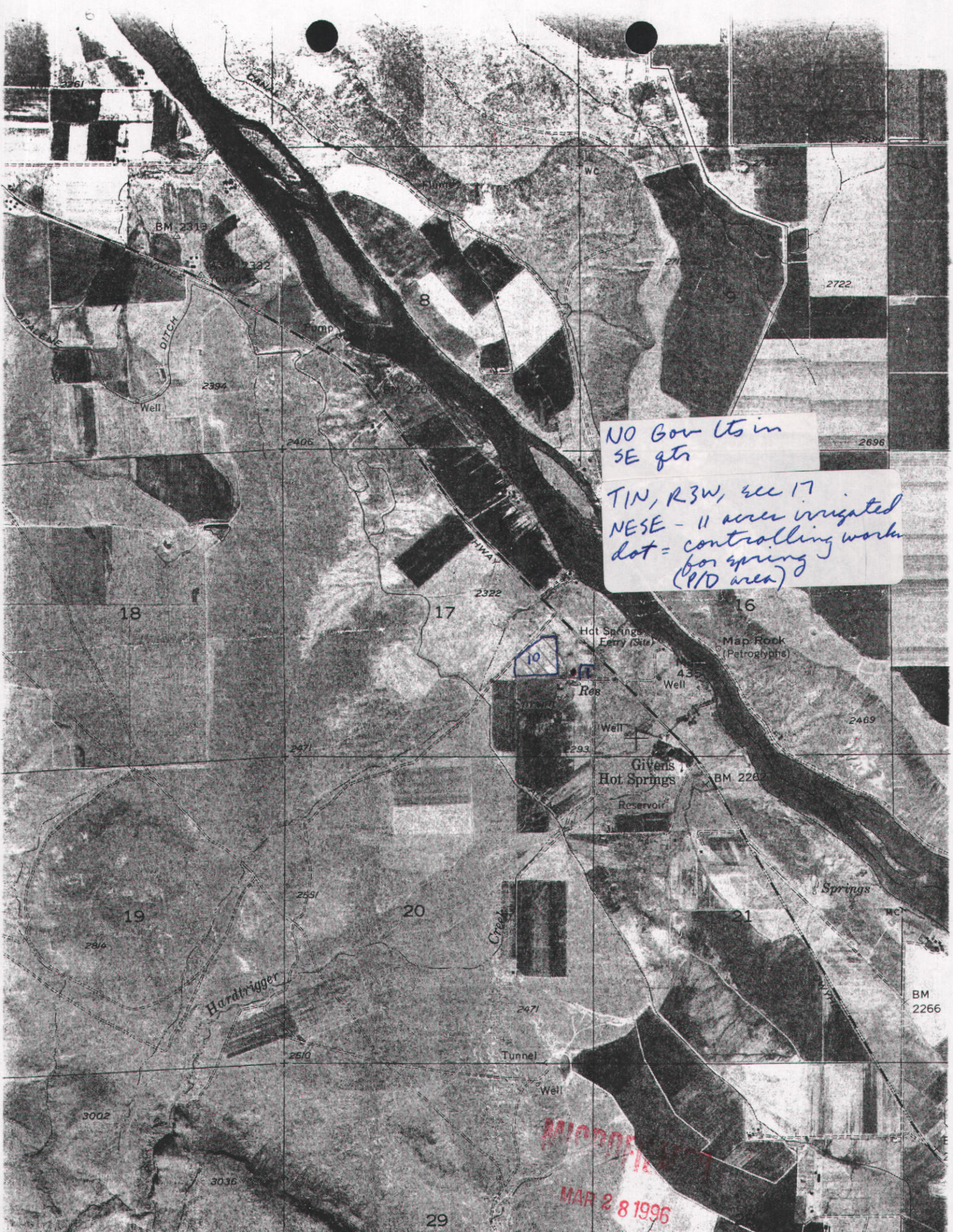
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Kids pool, 5 gal bucket						
Planimeter		Lasico	42P	B-90848		

2. **Measurements:** For the timed fill, we filled the Mickey pool and timed it, then calculated how many gallons were in the pool by using a 5 gal bucket to bail the pool back out.

UNFILMED



NO Gov Lts in
SE qtr

T1N, R3W, sec 17
NESE - 11 acres irrigated
dot = controlling work
(P/O area)

MAR 28 1996

SEE
J9

Highway 78

10
acres

88.3

2
15.3

TIN, R3W
Sec 17
NESE

p/d area
~ 1 acre

11 acres
Total irrig

AIRPORT

3
18.1

17.6
20.21

2 NHEL
28.3

3 HEL
10.7

4 HEL
8.6

RECEIVED
MAR 28 1996

(for 300' of buried drain trench for spring H₂O)

spring controlling works

small pool

spring water discharge
water then free flows
to pond

buried
mainline
to acres

booster
pump
on pump



pond size : 35' x 20' x 6' = .1 af

MICROFILM

MAR 28 1996

57-07457



outlet for
spring H₂O
collected
in 300' of
drain trench
(controlling
works)

Microfilm

MAR 28 1996

Timed fill
measurement
 $\frac{60 \text{ gal} \times 60 \text{ sec}}{24 \text{ sec}} =$
150 gpm



57-67457



Baldor Pump
5HP

ser # 1.15

45 PSI

(pumps H₂O
from pond
to acres)



P/u -
10 acre field

MAR 28 1996

57-07457

_____ H I _____

HRR156

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

PAGE 277
06/24/1986

TOWNSHIP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER CODE	STAGE	PRIORITY DATE	SOURCE OF WATER
31N	03W	17	NENE		04 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			NENE		01 01		57-4092	BORRON		C	S	01-01-1920 GROUNDWATER
			NWNE		25 01		57-4092	BORRON		C	S	01-01-1920 GROUNDWATER
			NWNE	02	04 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			NWNE	02	01 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SWNE		04 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SWNE		06 01		57-4092	BORRON		C	S	01-01-1920 GROUNDWATER
			SWNE		01 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE		13 01		57-4092	BORRON		C	S	01-01-1920 GROUNDWATER
			SENE	01	04 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE	01	01 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE	06	12 01,43		02-7393	FOX		C	P	08-26-1983 SNAKE RIVER
			SENE					FOX		C		
			NENH		04 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			NENH		05 01		57-4092	BORRON		C	S	01-01-1920 GROUNDWATER
			NENH					BORRON		C		
			NENH		01 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE		04 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE		01 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE		04 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE		01 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE		01 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE		04 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE		02 01,43		57-2265	MC DONALD		C	L	11-21-1963 GROUNDWATER
			SENE					RTED		C		
			SENE		01 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE		01 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE		01 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			SENE		01 01		02-2072	OPALINE	IRRIGATION	C	L	10-08-1948 SNAKE RIVER
			NENE		08 01		02-7177	YOUNG		C	L	11-18-1974 SNAKE RIVER
			NENE		09 01		57-2240	YOUNG		C	L	01-06-1961 GROUNDWATER
			NENE					BAIRD		C		
			NENE		08 01		02-7177	YOUNG		C	L	11-18-1974 SNAKE RIVER
			NWNE		26 01		02-7177	YOUNG		C	L	11-18-1974 SNAKE RIVER
			NWNE		11 01		57-2240	YOUNG		C	L	01-06-1961 GROUNDWATER
			NWNE					BAIRD		C		
			NWNE		26 01		02-7177	YOUNG		C	L	11-18-1974 SNAKE RIVER
			SWNE		36 01		02-7179	YOUNG		C	L	11-14-1974 SNAKE RIVER
			SWNE					GOODLOE		C		
			SWNE		36 01		02-7179	GOODLOE		C	L	11-14-1974 SNAKE RIVER
			SWNE					GNEITING		C		
			SWNE					GNEITING		C	L	11-14-1974 SNAKE RIVER

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JUL 06 1981

WRR 156

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

PAGE 278
06/24/1986

TOWNSHIP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER CODE	STAGE	PRIORITY DATE	SOURCE OF WATER
01N	034	18	NENH	40	01		02-71785	YOUNG	O	A	11-18-1974	SNAKE RIVER
			NENH	40	01		57-7439	YOUNG GNEITING HOLLNEY	O C C	A	08-25-1984	GROUNDWATER

NHWH	03 01	A02-2201	12-26-1961 SNAKE RIVER	FARM DEVELOPMENT CORP.
NHWH	03 01	A02-2202	02-01-1963 SNAKE RIVER	GEN MTN. FARMS INC.
NHWH	03 01	A02-2203	02-01-1963 SNAKE RIVER	BRANDT
NHWH	03 01	A02-2219A	02-01-1963 SNAKE RIVER	ALLEN NOBLE FARMS INC.
			03-26-1963 SNAKE RIVER	GEN MTN. FARMS INC.
NHWH	03 01	A02-2219B	03-26-1963 SNAKE RIVER	BRANDT
				BRANDT
				BRANDT
NHWH	03 01	A02-2219C	03-26-1963 SNAKE RIVER	PINTLER
				PINTLER
NHWH	03 01	A02-2313	05-28-1964 SNAKE RIVER	FARM DEVELOPMENT CORP.
NHSH	01	02-7276A	01-09-1979 SNAKE RIVER	DESERT SUN FARMS INC.
				GIVENS HOT-SPRINGS INC.
				JUMP
NHSH	01	02-7276B	01-09-1979 SNAKE RIVER	GIVENS HOT-SPRINGS INC.
				GREENE
				GREENE

D 6

HRR158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

PAGE 79
06/24/1986

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
01N	03W	16	NHSH	22.43		57-7236A	P		01-09-1979 GROUNDWATER	GIVENS HOT SPRINGS INC.	O
			NHSH	22.43		57-7236D	P		01-09-1979 GROUNDWATER	JUMP	C
			SNSH	43.10		57-4034	S		03-20-1968 GROUNDWATER	GIVENS HOT SPRING INC.	O
			SNSH	22.43		57-7236E	P		01-09-1979 GROUNDWATER	GREENER	C
			SNSH	22.43		57-7236G	P		01-09-1979 GROUNDWATER	GIVENS HOT SPRINGS INC.	C
			SESH	01		02-7276C	P		01-09-1979 SNAKE RIVER	GIVENS HOT SPRINGS INC.	O
			SESH	01 01		57-7453	A		05-27-1986 GROUNDWATER	MONCRIEF	C
			SWSE	06 01.04		A02-0075	J		04-01-1971 SNAKE RIVER	GIVENS HOT-SPRINGS INC.	O
			NHNE	01		57-4092	S		01-01-1920 GROUNDWATER	MONCRIEF	C
			SENE	06 01.43		02-7393	P		08-26-1983 SNAKE RIVER	KOCHENOWER	C
			SENE	06 01.43		57-2265	L		11-21-1963 GROUNDWATER	BORRON	C
			SESE	01.02.03.55		57-7241	P		03-20-1979 SPRING	FOX	C
			NHNE	01		57-2240	L		01-06-1961 GROUNDWATER	MC DONALD	O
			NHNE	01		57-7439	A		09-25-1984 GROUNDWATER	REED	C
			NHSH	01.43		57-2016	L		03-25-1907 HARDTRIGGER CREEK	GAMMETT	C
			SWSH	01		57-2270	L		03-04-1964 GROUNDWATER	GAMMETT	C
			WESE	01		57-2342	L		02-13-1962 GROUNDWATER	YOUNG	O
			SENE	01 10.22.43		57-7289	P		07-15-1981 GROUNDWATER	BAIRD	O
										YOUNG	C
										HOLLNEY	C
										PITTINGER	C
										BLICK	C
										NANNEY	O
										WHLI	C
										GEO THERMAL FISHERIES INC.	C

RECORDED & INDEXED

JUL 06 1987

E 6

HRR158

IDAHO DEPARTMENT OF WATER RESOURCES

COMBINATION OF THE OWYHEE CHRONICLE AND OWYHEE NUGGET

The Owyhee Avalanche.

P.O. BOX 97

HOMEDALE, ID 83628

(208) 337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss.
COUNTY OF OWYHEE)

RECEIVED
JAN 02 1987

Department of Water Resources

I, Joe E Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche**, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in Two (2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

December 4, 1986

December 11, 1986

MICROFILMED

JUL 06 1987

(Signed) *Joe E Aman*

Subscribed and sworn to before me this 11th day of December A.D. 1986

Oliver A. Aman Patrick
Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

10/1/91

My commission expires

NOTICE OF APPLICATION FOR WATER RIGHT

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

57-7457 *V 1P*

JENSEN, MARK

HC 79, Box 103B, MELBA, ID 83641

Source: SPRINGS trib. to SNAKE RIVER

Diversion Pt: NESE Sec 17 T 01N R 03W

Use:

IRRIGATION (0.330 CFS)

FISH PROP. (0.330 CFS)

Date Filed: 11/13/1986

In: NESE Sec 17 01N R 03W FOR 18 ACRES.

57-7458

CUFF, VIRGIL &/or ELIZABETH L.

STAR RT. BOX 103, MELBA, ID 83641

Source: UNNAMED STREAM trib. to SNAKE RIVER

Diversion Pt: LOT 06 (SENE) NESE Sec 17 T 01N R 03W Lot 2 (NWSW) Sec 16 T 01N R 03W

Use:

RECREATION (0.040 CFS)

RECREATION STORAGE (2.0 AF)

Date Filed: 11/17/1986

In: LOT 02 (NWSW) Sec 16 T 01N R 03W LOT 06 (SENE) NESE Sec 17 T 01N R 03W

57-7459

WHITE, NORRIS M.

P.O. BOX 189, MARSING, ID 83639

Source: GROUNDWATER

Diversion Pt: LOT 01 (SESW) Sec 08 T 01N R 03W

Use:

HEATING (0.1 CFS)

DOMESTIC (0.2 CFS)

RECREATION (0.020 CFS)

Date Filed: 11/20/1986

In: LOT 01 (SESW) Sec 08 T 01N R 03W

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before DECEMBER 22, 1986.

KEN DUNN, Dir

Publish Dec. 4 & 11, 1986 2t

RECEIVED
JAN 5 1987

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07457

Priority: November 13, 1986

Maximum Diversion Rate:

0.22 CFS

Maximum Diversion Volume:

49.5 AF

This is to certify, that MARK JENSEN

HC 79 BOX 103 B

MELBA ID 83641

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 13, 1986; and has submitted Proof of Beneficial Use on July 1, 1991. An examination indicates that the works have a diversion capacity of 0.330 cfs of water from:

SPRING

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	03/15 to 11/15	0.22 CFS	49.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SENESE, Sec. 17, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	03W	17	NESE	11		11

Total number of acres irrigated: 11

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

MAR 28 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07457

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 21st
day of MARCH, 19 76.

Acting for

KARL J. DREHER

Director

MAR 28 1976

RECEIVED

JUL 02 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
 Amt. of Fee \$ 100.00
 Date 7-1-91
 Receipt No. 12013449
 Received by SL

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1 Permit No. 57-07457 Telephone No. 208-896-4334

2 Name(s) of Permit Holder(s): Mark Jensen

3 Post Office Address: HC 79 Box 103 B Melba ID 83641

4 Source of Water: Spring

a If ground water, well driller's name: _____ Date drilled: _____

b Pump horsepower: 5 hp Pressure (psi): 25 psi Dynamic pumping level (ft.): _____

5 Extent of Use

Domestic _____ (No. of households)

Irrigation 18 (No. of acres)

Stockwater _____ (No. and type of stock)

Other Fish propagation

6 Total rate and/or volume for which proof is submitted .33 cfs _____ acre/feet

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

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

OR

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

8 Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

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

Mark Jensen

Name

208-896-4334

Telephone No.

HC 79 Box 103 B Melba, ID 83641

Address

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

7-1-91

Date

Mark S. Jensen

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

RECEIVED
JUL 03 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only

\$15 FEE Received by K. YoungDate 7/5/89Receipt # CM 8004

REQUEST FOR EXTENSION OF TIME

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

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 57-07457Name(s) of Permit Holder: Mark JensenPost Office Address: HC 79 Box 103BMelba, Idaho 83641Telephone No. 896-4334Date Proof Is Due: July 1, 1989

Describe what work has been completed toward the development of this water right: A pond has been dug, the spring has been developed with 300' of drain trench, a pump and irrigation pipe has been purchased and five acres is being irrigated.
(This must be filled out! If no work has been completed, show "none".)

Costing \$ 2000

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

In order to fully develop spring I need to get permission from adjacent landowner, (which I have done), to lay a drain trench on their property, but it must be done in the heat of the summer when the ground is not as wet, (more information available on request).

Permit holder(s) request an extension to July 1, 1991.
(1 yr. minimum)

Mark Jensen
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and which to submit proof of beneficial use is extended to July 1, 1991.

MICROFILMED

AUG 23 1989

Signed this 7th day of July, 19 89.

J. Allen Saylor
Chief, Water Allocations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

- 1 Name of applicant Mark Jensen Phone 896-4334
Post office address HC 79 Box 103 B, Melba, ID 83641
- 2 Source of water supply springs which is a tributary of Snake River
- 3 Location of point of diversion is C (per map, DRT 5/11/87)
SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt Lot _____
Sec. 17 Township 1N Range 3W B M Owyhee County; additional
points of diversion if any _____
4. Water will be used for the following purposes.
Amount .33 for Fish Propagation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .33 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .33 and/or (b) _____
cubic feet per second acre feet per annum
- 6 Proposed diverting works
- a Description of ditches, flumes, pumps, headgates, etc developed springs, ditches, ponds,
pump, pipeline, sprinklers. Pond size is 100' X 75' and 6' deep, or 1 acre foot. *
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet, total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage
_____ to _____ inclusive
- c Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
4 years (minimum 1 year).

JUL 06 1987

8 Description of proposed uses (if irrigation only, go to item 9)

- a Hydropower, show total feet of head and proposed capacity in KW. _____
- b Stockwatering; list number and kind of livestock. _____
- c Municipal; show name of municipality _____
- d Domestic, show number of households _____
- e Other; describe fully. Fish propagation -- trout and catfish

9 Description of place of use

- a If water is for irrigation, indicate acreage in each subdivision in the tabulation below
- b If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below See instructions for standard symbols

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	3W	17													H 18				18

Total number of acres to be irrigated 18

10 Describe any other water rights used for the same purposes as described above _____

11. a. Who owns the property at the point of diversion? applicant

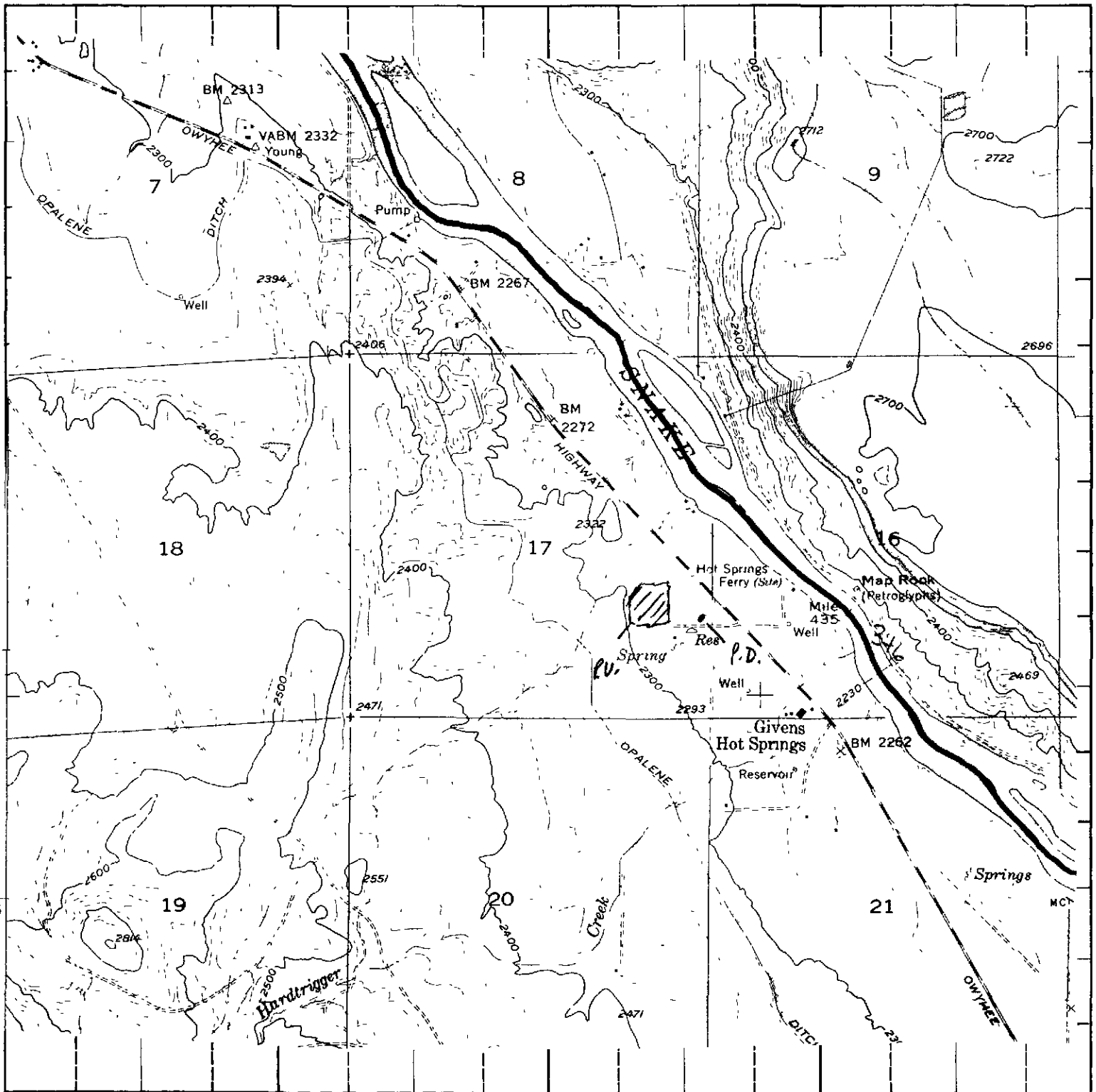
b. Who owns the land to be irrigated or place of use? applicant

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

12 Remarks _____

JUL 06 1987

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



Scale 2 inches equal 1 mile

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

JUL 06 1987

Mark Jensen
(Applicant)

Proposed Priority 11/13/86

Received by BD Date 11/13/86 Time 4:45 P.M. Preliminary check by BD

Fee \$ 45.00 Receipted by BD # 42241 Date 11/13/86

Publication prepared by AS Date 11/20/86 Published in Owyhee Avalanche
12/13 & 12/16/86

Publication approved AS Date 1/5/87

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 57-7457, 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 July 1, 19 89.

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

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

e. Other Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Water used under this permit if discharged into a natural channel shall meet Idaho Water Quality Standards.

Assignment or sale of this permit is subject to a determination by the Department that the permit holder has proceeded to develop the permit with due diligence and without speculation.

Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 32F.

The permit holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.

Witness my hand this 1 day of June, 1987.

RECEIVED

JUL 06 1987

J. Glen Saylor
Chief, Operations Bureau



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

March 25, 1996

MARK JENSEN
HC 79 BOX 103 B
MELBA ID 83641

RE: WATER RIGHT NO. 57-07457

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

MAR 28 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 57-07457 DATE 3-15-98



NAME	<u>Change</u> ☒ <u>OK</u>		Assignment Needed	
PRIORITY DATE	☒		Advance?	Advanced to: _____
			Order to reinstate needed?	_____
			Incorrect fee for rate recommended?	_____
SOURCE	☒		Changes or just clarification of originally intended source?	<u>SINGLE SPRING</u>
			Notice of Intent to Void necessary?	_____
POINT OF DIV	☒		Amendment needed?	_____
	<u>-NA-</u>		Overlaps?	_____
PLACE OF USE	☒		Amendment needed?	_____
	<u>-NA-</u>		Overlaps?	_____
DIV RATE	☒		Permit/fee limits:	<u>.33 CFS</u>
			Meas Q =	<u>.33</u> Theo Q = _____ Recommend: <u>.22</u>
				<u>11 ACRES X .02 = .22 CFS</u>
			Combined rates exceed capacity	_____
ANNUAL VOLUME	☒		Volume Limit:	Season: <u>0/4.5 (3-15 to 11-15)</u>
			Calculations:	<u>11 X 4.5 = 49.5</u>
			Flow limit:	_____ cfs x _____ x 1.9835 = _____
			Combined volumes exceed capacity/allowable	_____
USES	☒		Change in Nature of Use or additional uses?	_____
			Amendment necessary?	_____
NEW CONDITIONS	<u>R32</u>		Irrigation Overlap	Replaces Surface Water <u>.050</u>
	<u>NO</u>		Supplemental GW	<u>.065</u>
			Water Quality/Dam Safety/Heat-Cool/Fish	_____
			WM Control- District	_____ Meas/Lock Devices _____
			Other	_____
NEW REMARKS	<u>SEE NOTE #2</u>		Supplemental GW [in Snake River Plain]	<u>WB8/WB7</u>
			Irr/Dom Combination	<u>WB5</u> PPU Recommendation _____
			Boise River/Wood River Source Aes/Rec Uses	<u>W38</u>
			Multiple p/d(s) in 1/4 1/4?	_____
			Fire Protection	<u>WB6</u>
			Other	_____

COMMENTS: ① Fish propagation use is not developed ② Just outside the Boise River BASIN - NO WM CONDITION NECESSARY

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	NO
<u>Irrigation</u>	<u>.22</u>	<u>49.5</u>	Adjustment Memo Needed	<u>NO</u>
_____	_____	_____	LICENSE	☒
_____	_____	_____	1ST AMEND LETTER	_____
_____	_____	_____	2ND AMEND LETTER	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 22 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 57-07457

1. Owner: Mark Jensen Phone No. 896-4334

Current Address: 4079 Box 103B Melba 83641

2. Accompanied by: Mark EXAM DATE: 5/3/94

Address: same Phone No. _____

Relationship to Permit Holder: owner

3 Source: Spring tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: A02-02072, A02-10041, 57-02265

2. Other water rights with the same point of diversion: A02-10041

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NE	SE	17	1N	3W	OWYHEE	11, 33 Quad. 1925 Photo

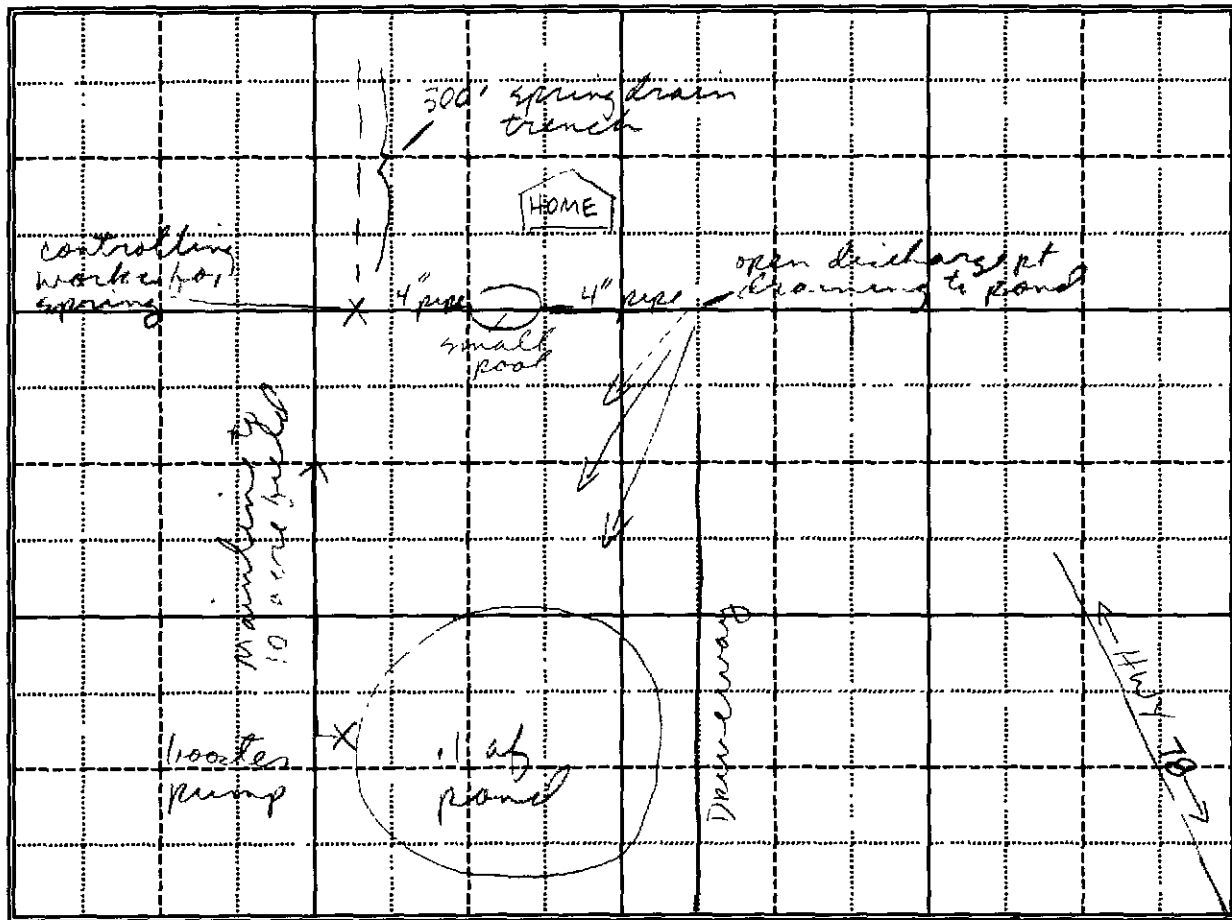
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	17																11	11

MAR 28 1995

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



Scale: 1" = _____

Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required)

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Booster Pump		1/2	1.15	Burden	

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

D. FLOW MEASUREMENTS

1

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Kids pool, 5 gal bucket						
Planimeter		Lasica	42P	B-90548		

2. **Measurements:** For the timed trials we filled the kids pool and timed it. Then we measured the water in the pool by using a 5 gal bucket to hold the water.

E. NARRATIVE/REMARKS/COMMENTS

A 300' buried spring with catch
spring water, which is conveyed through a
4" PVC pipe. The water is in the
well covered with a concrete and
concrete to a depth of 10' from the pond.
The spring water is pumped water 54P
locates, 4' to 5' deep in a 10 acre
field. Total irrigation, counting the
1 acre hillside, is 11 acres irrigated at 11
acres. To explain the high production, the
owner thought that the spring area was
actually an emerging underground stream-
bed, fed by Opaline Tuff water, since
the flow in the spring seemed dependent and
directly related to rain and flow. The clay
loam soil with high water content makes
irrigation difficult. The 10 acres are irrigated
with handline sprinklers. The 1 acre
hillside is flood irrigated. Fish propagation
was not a developed use. Opaline Tuff
water is used on the 10 acre
field. No other use is used.

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

MAR 28 1996

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$\frac{60 \text{ gal} \times 60 \text{ sec}}{24 \text{ sec}} = 150 \text{ gpm} = .33 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 11 \times 4.5 = 49.5$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .22 \times 246 \times 1.9835 = 107.7$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = 49.5$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/15	12/5	.22	49.5
Totals:			.22	49.5

2. Recommended Amendments

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

I. AUTHENTICATIONField Examiner's Name Col. [Signature] Date 5/15/70

Reviewer _____ Date _____

SEAL

MAR 26 1970



NO Gov Lts in
SE qtr

T1N, R3W, sec 17

NESE - 11 acres irrigated
dot = controlling work
for spring
(P/D area)

BM
2266

8 1996

SEE
J9

10
acres

T1N, R3W
SEC 17
NESE

P/D ~ 1 acre
area

11 acres
Total being

8 1996

for spring H₂O)
 spring containing and
 water then
 to pond



house
 pond
 house
 pond

pond size - 55 x 20 x 5 - 1111

12/2/72



outlet has
opening H₂O
connected
to the
main line
(controlling
works)



Turned out
to be internet
62-64-52-66-
-6-6-6
190 rpm

57-67457



Calder Pump
SHP

ser # 1.15

115 PSI

11/15/67

11/15/67

11/15/67



P/M -
11 acre field

57-07457

June 8, 1992

MARK JENSEN
HC 79 BOX 103 B
MELBA ID 83641-0000

RE: Water Right No. 57-07457

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

MAR 28 1996

June 12, 1992

GARY L. HARTWIG
LAURA L. HARTWIG
RT. 1 BOX 1335
HOMEDALE ID 83628

RE: Water Right No. 57-07481

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

208-327-7998

May 19, 1992

MARK JENSEN
HC 79 BOX 103 B
MELBA ID 83641-0000

RE: Water Right No. 57-07457

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

MAR 28 1996

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

JUN 28 1996

July 12, 1991

MARK JENSEN
HC 79 BOX 103 B
MELBA, ID 836410000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 57-07457

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

SEP 27 1991

130429
April 30, 1991

MARK JENSEN
HC 79 BOX 103 B
MELBA, ID 836410000

PROOF DUE NOTICE

RE: PERMIT NO. 57-07457

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED
MAY 1 1991

July 12, 1989

Mark Jensen
HC 79, Box 103B
Melba, ID 83641

Dear Mr. Jensen:

Re: Permit No. 57-7457

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to July 1, 1991.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

AUG 23 1989

MARK JENSEN
HC 79 BOX 103 B
MELBA, ID 836410000

April 30, 1989

138168

PROOF DUE NOTICE

RE: PERMIT NO. 57-07457

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

UNRECORDED

AUG 23 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

FEB 12 1988

Permit No. 57-7457

Name(s) of Permit Holder(s): Mark Jensen Department of Water Resources

Post Office Address: HC 79 Box 103B Melba, ID 83641

Tel. No. 96-4334

- ☒ I hereby certify that construction of diversion works on the above referenced permit began on June 16, 1987 (date) I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diversion works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason

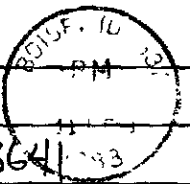
Feb. 6, 1988
Date

Mark Jensen
Signature of Permit Holder

Mark Jensen

HC 79 Box 103 B

Melba, ID 83641



MICROFILMED

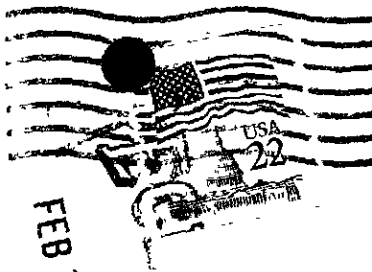
AUG 23 1989



**IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE**

BOISE, IDAHO 83720

Department of Water Resources



FEB 12 1988



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
JUNE 03, 1987

JENSEN, MARK
HC 79 BOX 103 R
MELBA, ID 83641

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-7457

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

PLEASE BE ADVISED THAT YOUR PLANS FOR FISH PROPAGATION MAY BE SUBJECT TO REGULATIONS OF THE IDAHO DEPARTMENT OF FISH AND GAME. WE SUGGEST THAT YOU CHECK WITH THEM BEFORE STARTING CONSTRUCTION.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

MICROFILMED

JUL 06 1987



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

May 7, 1987

Mark Jensen
HC 79 Box 103B
Melba, ID 83641

Re: Application for Permit No. 57-7457

Dear Mr. Jensen:

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

The Department will now continue processing the application.

Sincerely,

A handwritten signature in cursive script, reading "David R. Tuthill Jr.", is positioned above the typed name.

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

DRT:jp

Enclosure

MicroFILMED

JUL 06 1987



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

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

May 7, 1987

Elizabeth L. Cuff
Star Rt. Box 103
Melba, ID 83641

Re: Application for Permit No. 57-7457 in the Name of Mark Jensen

Dear Ms. Cuff:

This office acknowledges receipt of the withdrawal of protest against the above mentioned application.

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

Sincerely

A handwritten signature in cursive script, appearing to read "Dave", is positioned above the typed name of the sender.

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

DRT:jp

RECEIVED
FILMED

JUL 06 1987



Virg & Elizabeth Cuff
(208) 495-2437
Star Route, Box 103 Melba, ID 83641

April 29, 1987

Mr. Dave Tuthill
% Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

Re: App. for Permit
No. 57-7457

Dave:

This is to withdraw our protest to the
above referred to water permit.

Thank you for your time and help!

Sincerely,

Elizabeth Cuff

MICROFILMED

JUL 06 1987

RECEIVED
MAY 1 1987

Department of Water Resources
Western Regional Office

CONVERSATION MEMORANDUM

DATE Apr 17 20, 1981

FILE 57-7457

NAME OF PARTY Liz Cuff

EMPLOYEE Dave Turrell

RE: Hearing

Mrs. Cuff called to say that she was out of town with an emergency medical situation involving her niece until midnight wed, so she could not attend the hearing.

Nevertheless she said she would send in a withdrawal of the protest as soon as possible.

DTC

UNFILMED

JUL 06 1981

Mark Jensen

April 15, 1987 Conference/Hearing on
57-7485, Boise, Id

Wayne Jensen - Dug the trenches in Oct, 1986.

Excavated $3\frac{1}{2}'$ for floor of greenhouse & dug a
drain trench. Runoff flows into an unnamed stream.

Cuffs purchased property in Oct 86, according to Jensens.

Protestant did not come to the conf/hearing.

MAILED

JUL 06 1987

April 15, 1987

To Whom It May Concern:

I have owned the property affected by the proposed water right since 1972. During this time the flow of water has been intermittent, I can certify that, until development was done at this site there was no reliable supply of water.

James P Jensen
HC 79 Box 103 B
Melba, SD 57641

RECEIVED

JUL 06 1987

April 14, 1987

To whom it May concern;

This letter is to state that there was no visible source of water until I excavated for earth sheltered greenhouse.

Upon reaching the desired depth for the floor of the greenhouse (approx 3 ft deep) I encountered very moist soil which ~~indicated~~ indicated a need for a drain tile. Upon digging the trench for the drain, I struck an aquifer at a depth of approximately $5\frac{1}{2}$ ft. which started to flow immediately.

I also dug approx. 10 ft. of drain trench, down hill from the green house, in a boggy area which did not flow very much. All this work was performed in the latter part of October, 1986.

Wayne Jensen
Wayne Jensen

H.C. 79 Box 103 B

Melba, Id. 83641

Phone 896 4649

RECEIVED
FILMED

JUL 06 1987

[illegible]

P 300-238 784

RECEIPT FOR CERTIFIED MAIL

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

SENT TO				
Elizabeth L. Cuff				
STREET AND NO				
Star Route Box 103				
P.O., STATE AND ZIP CODE				
Melba ID 83641				
POSTAGE			\$	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		¢
		SPECIAL DELIVERY		¢
	RETURN RECEIPT SERVICE	RESTRICTED DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED		¢
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
	SHOW TO WHOM DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢	
TOTAL POSTAGE AND FEES			\$	
POSTMARK OR DATE				

P 300 238 785

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO				
Mark Jensen				
STREET AND NO				
HC 79 Box 103 B				
P.O., STATE AND ZIP CODE				
Malba ID 83641				
POSTAGE			\$	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		¢
		SPECIAL DELIVERY		¢
	RETURN RECEIPT SERVICE	RESTRICTED DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED		¢
		SHOW TO WHOM DATE AND ADDRESS OF DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
SHOW TO WHOM DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢		
TOTAL POSTAGE AND FEES			\$ 1.00	
POSTMARK OR DATE				

- SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- ☒ Show to whom and date delivered. \$
☐ Show to whom, date and address of delivery. \$
☐ RESTRICTED DELIVERY
 Show to whom and date delivered. \$
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery. \$

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Elizabeth L. Cusick
 Star Route Box 103
 Malibu, ID 83204

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

R300
 1238-184

(Always obtain signature of addressee or authorized agent.)

I have received the article described above.

SIGNATURE ☒ Addressee ☐ Authorized Agent

4. DATE OF DELIVERY

3/21/87

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

[Handwritten initials]

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on the reverse.
 - Attach to front of article if space-permitting, otherwise affix to back of article.
 - Endorse "Special Return Receipt Requested" adjacent to number.

RECEIVED
MAR 24 1987
RETURN TO

Department of Water Resources
Western Regional Office



DEPARTMENT OF WATER RESOURCES

BOISE ID 83705
(Name of Sender)

2735 Airport Way

(Street or P.O. Box)

Boise, ID 83705

(City, State, and ZIP Code)

JUL 06 1987

NOT RECOMMENDED FOR PRIVATE
USE OF POSTAL PAYMENT
SYSTEMS



- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- ☒ Show to whom and date delivered.....*
- ☐ Show to whom, date and address of delivery.....*
- ☐ RESTRICTED DELIVERY
Show to whom and date delivered.....*
- ☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery.\$____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

Mark Jensen
HC 79 Box 103 B
Malibu ID 93004

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	9300	
	238 785	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☒ Addressee ☐ Authorized agent

DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on the reverse.
 - Attach to front of article if space permits, otherwise affix to back of article.
 - Endorse article "Return Receipt Requested" (if not to be returned).

RECEIVED

MAR 24 1987

RETURN TO

Department of Water
Western Regional Office

DEPARTMENT OF WATER RESOURCES

2735 Airport Way

BOISE, IDAHO 83705

2735 Airport Way

(Street or P.O. Box)

Boise, ID 83705

(City, State, and ZIP Code)

POSTAL TIME
PENALTY FOR PRIVATE
USE TO AIR MAIL
OF POSTAGE
JUL 06 1987



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR PERMIT)
NO. 57-7457 IN THE NAME OF MARK JENSEN) NOTICE OF HEARING
AND/OR CONFERENCE

On November 13, 1986, Mark Jensen filed with the Department of Water Resources the above application to appropriate the public waters of the State of Idaho. On December 23, 1986, the Department received a protest against approval of the said application from Elizabeth L. Cuff.

The Department has set the matter of protest for hearing for Wednesday, April 15, 1987, at 1:30 p.m., in the Third Floor Conference Room, State Towers Building, 450 W. State St., Boise, Idaho, 83720. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

MICROFILMED
JUL 06 1987

Dated this 17th day of March, 1987.

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

CONFERENCE AND HEARING INFORMATION
IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

In accordance with Idaho Code, Section 42-203, the following issues are involved in the consideration of the application and protest(s):

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

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

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

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

Under the provisions of the Idaho Code, Sections 42-1701A and 67-5215, any court review of the Department's decision on appeal shall be confined to the record created before the Department.

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



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2266

March 4, 1987

Mark Jensen
HC 79 Box 103 B
Melba, ID 83641

Re: Application for Permit No. 57-7457, Sources of Springs, in the
Name of Mark Jensen

Dear Water Right Applicant:

As you have previously been notified, the above-referenced water right application has been protested. A hearing for this matter has been tentatively scheduled for: Wednesday, April 15, 1987, at 1:30 p.m., in Boise.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Wednesday, March 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

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

RECEIVED

DRT:jp

JUL 10 1987



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2266

March 4, 1987

Elizabeth L. Cuff
Star Route, Box 103
Melba, ID 83641

Re: Application for Permit No. 57-7457, Source of Springs, in the Name
of Mark Jensen

Dear Protestant:

Because the protest that you filed on the above-referenced water right application has been not yet been resolved, a hearing for this matter has tentatively been scheduled for: Wednesday, April 15, 1987, at 1:30 p.m., in Boise.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Wednesday, March 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

David R. Tuthill, Jr.

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

RECEIVED
JUL 06 1987

DRT:jp

SPECIAL NOTE: _____

Application No. 57-7457

PROTEST INFORMATION SHEET

Protestant - Name(s)

Elizabeth L. Cuff

Address Star Route, Box 103, Melba, ID 83641

Attorney - Name & Address _____

Date Filed 12/23/86

Protest Date 1/5/87

Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

RECORDED

JUL 06 1987

Protest Information submitted in Computer (following hearing): _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 150 W. State Street, Boise, Idaho
2735 Airport Way

JOHN V EVANS
Governor

A KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190
2735 Airport Way
Boise, ID 83705

January 8, 1987

Mark Jensen
HC 79 Box 103B
Melba, ID 83641

Dear Mr. Jensen:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 57-7457. The Department suggests you contact the protestant(s) directly in an effort to resolve the protest(s) and to attempt to resolve the protest(s).

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

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

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

Yours truly,

RECEIVED
JUL 06 1987

David R. Tuthill, Jr.

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

DRT:jp

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, ~~150 W. State Street~~ Boise, Idaho
2735 Airport Way

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
~~Statehouse~~
~~Boise, Idaho 83720~~
~~(208) 334-2190~~
2735 Airport Way
Boise, ID 83705

January 8, 1987

Elizabeth L. Cuff
Star Route, Box 103
Melba, ID 83641

Re: No. 57-7457 in the Name of Mark Jensen

Dear Mrs. Cuff:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying 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?
5. Will the proposed use under this permit conflict with the local public interest?

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

Yours truly,

MICROFILMED

JUL 06 1987

David R. Tuthill Jr.

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

DRT:jp

RECEIVED

DEC 22 1986

December 22, 1986

Department of Water Resources

DEPARTMENT OF WATER RESOURCES
450 West State Street
Boise, ID 83720

ATTENTION: Mr. Dave Tuthill

RE: Water App. #57-7457
Mark Jensen

The water rights for which Mark has applied, as referred to above, and the water rights for which we have applied (App. #57-7458), derives from the same source. The following reasons are submitted for Mark to receive less water rights than those for which he has applied:

1) The water for which Mark has applied is for more water than exists. Should his and our applications both be approved, there would be no water received by us (App. #57-7458). Our application is for a reasonable amount of water for the stated utilization purposes.

2) Mark's application is for speculative purposes. The water he is now using is actually for watering stock. To our knowledge, Mark has no property currently under cultivation, nor is there any irrigation system set up or in service.

3) A natural flow of water which has been established for many years, has been diverted by Mark. Historical research indicates water flowing through the indicated course in the early 1900's, and throughout the following years. It originally derived from a free-flowing cold water spring. It is also a natural flow-off for irrigation water. Culverts are located under a county road and under State Highway 78 to make way for this water run-off.

Some of the land is not currently actively farmed, which creates less irrigation water drainage. However, between 1981-83 our property was still receiving water "before" Mark had his pond and trenches dug, yet "after" irrigation decreased. Water flowed freely during the spring and summer.

In 1983-84, Mark had a large pond and two deep trenches dug near the course where the water has naturally flowed in years past. He claims the pond and trenches have nothing to do with the water no longer arriving on our property; but since the pond and trenches were dug, we have received no water.

JUL 06 1987

In realizing the situation, we personally went to Mark to discuss the situation and try to work it out. He immediately

Letter re: Water # 57-7457, cont.

filed for an application for water rights. We have not discussed this with him since.

Finally, we do not want the Mark Jensens to be without water for their stock; we desire only to receive a fair share of same water.

Your consideration in this regard will be greatly appreciated.

Sincerely,

Elizabeth L. Cuff
Elizabeth L. Cuff

MICROFILMED

JUL 1 1977

SMH		10,43	57-4034	GIUENS HOT SPRINGS	C	P	03-20-1968	GROUNDWATER	
SMH		22,43	57-7236E	GIUENS HOT SPRINGS	C	P	09-09-1979	GROUNDWATER	
SMH		22,43	57-7236G	MARSH	C	P	09-09-1979	GROUNDWATER	
SMH	01	04	01	02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
SMH	01	01	01	A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
SESH		18	01	02-7276C	GIUENS HOT-SPRINGS	C	P	01-09-1979	SNAKE RIVER
SESH		10		57-4032	MARSH	C	S	07-01-1881	SPRING
SESH		10,43		57-4033	MARSH	C	P	07-01-1949	GROUNDWATER
SESH		22,43		57-7236E	GIUENS HOT SPRINGS	C	P	01-09-1979	GROUNDWATER
SESH		22,43		57-7236G	MARSH	C	P	01-09-1979	GROUNDWATER
SESH	01	15	01	57-7453	COLLINS	C	A	05-27-1986	GROUNDWATER
SESH	01	20	01	02-2219B	NAIPA LAND BANK	C	L	03-26-1963	SNAKE RIVER
NESE		20	01	A02-2219C	FARM DEVELOPMENT	C	L	03-26-1963	SNAKE RIVER
SMSE	06	01	01,04	A02-0075	KOCHENOWER	C	J	04-01-1971	SNAKE RIVER

W I

WRR156

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

PAGE 277
06/24/1986

TWNSHP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER CODE	STAGE	PRIORITY DATE	SOURCE OF WATER
01N	03W	17	NENE	04	01		02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			NENE	01	01		57-4092	BORRON	C	S	01-01-1920	GROUNDWATER
			NHNE	25	01		57-4092	BORRON	C	S	01-01-1920	GROUNDWATER
			NHNE	02	04	01	02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			NHNE	03	01		A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SHNE	04	01		02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SHNE	06	01		57-4092	BORRON	C	S	01-01-1920	GROUNDWATER
			SHNE		01		A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SENE	13	01		57-4092	BORRON	C	S	01-01-1920	GROUNDWATER
			SENE	01	04	01	02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SENE	01	01		A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SENE	06	12	01,43	02-7393	FOX	C	P	08-26-1983	SNAKE RIVER
			NENH	04	01		02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			NENH	05	01		57-4092	BORRON	C	S	01-01-1920	GROUNDWATER
			NENH		01		A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SENH	04	01		02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SENH		01		A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SESH	04	01		02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SESH		01		A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SESH		01		A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			NESE	04	01		02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			NESE	02	01,43		57-2265	MC DONALD	C	L	11-21-1963	GROUNDWATER
			NESE		01		A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			NHSE		01		A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SHSE		01		A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			SESE		01		A02-2072	OPALINE IRRIGATION	C	L	10-08-1948	SNAKE RIVER
			NENE	08	01		02-7177	YOUNG	C	L	11-18-1974	SNAKE RIVER
			NENE	09	01		57-2240	YOUNG	C	L	01-06-1961	GROUNDWATER
			NENE	08	01		A02-7177	YOUNG	C	L	11-18-1974	SNAKE RIVER
			NHNE	26	01		02-7177	YOUNG	C	L	11-18-1974	SNAKE RIVER
			NHNE	11	01		57-2240	YOUNG	C	L	01-06-1961	GROUNDWATER
			LINE	26	01		A02-7177	YOUNG	C	L	11-18-1974	SNAKE RIVER
			SHNE	36	01		02-7179	GOODLOE	C	L	11-14-1974	SNAKE RIVER
			SHNE	36	01		A02-7179	GOODLOE	C	L	11-14-1974	SNAKE RIVER

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JUL 06 1987

WRR156

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

PAGE 278
06/24/1986

TWNSHP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER CODE	STAGE	PRIORITY DATE	SOURCE OF WATER
01N	03W	18	NENH	40	01		02-7178B	YOUNG	C	A	11-18-1974	SNAKE RIVER
			NENH	40	01		57-2439	YOUNG	C	A	11-18-1974	SNAKE RIVER
			NENH	40	01		57-2439	GNEITING	C	A	11-18-1974	SNAKE RIVER

NHWH	03 01	A02-2201	12-26-1961 SNAKE RIVER
NHWH	03 01	A02-2202	02-01-1963 SNAKE RIVER
NHWH	03 01	A02-2203	02-01-1963 SNAKE RIVER
NHWH	03 01	A02-2219A	02-01-1963 SNAKE RIVER
			03-26-1963 SNAKE RIVER
NHWH	03 01	A02-2219B	03-26-1963 SNAKE RIVER
NHWH	03 01	A02-2219C	03-26-1963 SNAKE RIVER
NHWH	03 01	A02-2313	05-28-1964 SNAKE RIVER
NHWH	01	02-7276A	01-09-1979 SNAKE RIVER
NHWH	01	02-7276B	01-09-1979 SNAKE RIVER

DEVELOPMENT CORP.
 GEN MTN. FARMS INC.
 BRANDT
 ALLEN MOBLE FARMS INC.
 GEN MTN. FARMS INC.
 BRANDT
 BRANDT
 BRANDT
 PINTLER
 PINTLER
 FARM DEVELOPMENT CORP.
 DESERT SUN FARMS INC.
 GIVENS HOT-SPRINGS INC.
 JUMP
 JUMP
 GIVENS HOT-SPRINGS INC.
 GREENE
 GREENE

D 6

HRR158

IDAHO DEPARTMENT OF WATER RESOURCES
 WATER RIGHTS BY POINT OF DIVERSION

PAGE 79
 06/24/1986

TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
01N	03M	16	NHWH	22.43		57-7236A	P		01-09-1979 GROUNDWATER	GIVENS HOT SPRINGS INC.	0
			NHWH	22.43		57-7236D	P		01-09-1979 GROUNDWATER	JUMP JUMP	C
			SWSH	43.10		57-4034	S		03-20-1968 GROUNDWATER	GIVENS HOT SPRING INC.	0
			SWSH	22.43		57-7236E	P		01-09-1979 GROUNDWATER	GREENER GREENER	C
			SWSH	22.43		57-7236G	P		01-09-1979 GROUNDWATER	GIVENS HOT SPRINGS INC.	0
			SESH	01		02-7276C	P		01-09-1979 SNAKE RIVER	MONCRIEF	C
			SESH	01 01		57-7453	A		05-27-1986 GROUNDWATER	GIVENS HOT-SPRINGS INC.	0
			SWSE	06 01.04		A02-0075	J		04-01-1971 SNAKE RIVER	MONCRIEF	C
			NHWH	01		57-4092	S		01-01-1920 GROUNDWATER	COLLINS	C
			SENE	06 01.43		02-7393	P		08-26-1983 SNAKE RIVER	KOCHENOWER	C
			SENE	06 01.43		57-2265	L		11-21-1963 GROUNDWATER	BORROM BORROM	C
			SESE	01.02.03.55		57-7241	P		03-20-1979 SPRING	FOX FOX	C
			NHWH	01		57-2240	L		01-06-1961 GROUNDWATER	MC DONALD REED	0
			NHWH	01		57-7439	A		09-25-1984 GROUNDWATER	GAMMETT GAMMETT	C
			NHWH	01.43		57-2016	L		03-25-1907 HARDTRIGGER CREEK	YOUNG BAIRD YOUNG	0
			SWSH	01		57-2270	L		03-04-1964 GROUNDWATER	WOLLENEY	C
			WESE	01		57-2342	L		02-13-1962 GROUNDWATER	PITTINGER	C
			SENE	01 10.22.43		57-7289	P		07-15-1981 GROUNDWATER	BLICK	C
										MANNEY TALI	0
										GEATHERLY FARMS INC.	C

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FILED
 JUL 06 1987

E 6



Region 3
109 W 44th St
Boise, Idaho 83714
Telephone (208) 334-3725

December 4, 1986

Mr. David R. Tuthill, Jr.
Western Region Manager
Department of Water Resources
450 W. State Street
Boise, ID 83720

Re: Application for Permit No. 57-7457
Mark Jensen

Dear Mr. Tuthill:

Idaho Department of Fish and Game personnel have reviewed the above mentioned application and have no objection to issuance of a permit.

Thank you for the opportunity to comment.

Sincerely,

Stacy Gebhards
Regional Supervisor
Region 3/Boise

SG:WR:1

cc: Program Coordination

RECEIVED

JUL 06 1987

EQUAL OPPORTUNITY EMPLOYER



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

December 5, 1986

Re: Application for Permit No. 57-7457

Mark Jensen
HC 79, Box 103B
Melba, ID 83641

Dear Mr. Jensen:

I have tried to contact you by phone, but have not been able to catch you at home concerning additional information needed to complete the processing of your application.

In order to document the records accurately, we need to show what the total volume of your system will be. This would just consist of the number and sizes of the ponds which will be used for rearing the fish. The width, length and depth would be sufficient.

Please send us this information as soon as possible in order that the application can be processed more quickly.

Sincerely,

JAN SHURTE
Sr. Water Resource Agent

JS:j

RECEIVED

JUL 06 1987



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

November 26, 1986

Stacy Gebhards, Regional Supervisor
Idaho Department of Fish & Game
Region 3
Statehouse
Boise, ID 83720

Re: Application for Permit No. 57-7457 in the Name of Mark Jensen

Dear Mr. Gebhards:

Enclosed is a copy(s) of the above referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by December 22, 1986.

If you have any questions regarding the application, please contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Western Region Manager

DRT:jp

Enclosure (s)

RECEIVED

JUL 06 1987

COMBINATION OF THE OWYHEE CHRONICLE AND OWYHEE NUGGET

The Owyhee Avalanche.

P.O. BOX 97 HOMEDALE, ID 83628 (208) 337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss.
COUNTY OF OWYHEE)

I, Joe E Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in Two (2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

December 4, 1986

December 11, 1986

(Signed).....

Subscribed and sworn to before me this 11th day of December A.D. 1986

Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires 10/1/91

The following application has been filed to appropriate the public waters of the State of Idaho:

57-7457 V 1P

JENSEN, MARK
HC 79, Box 103B, MELBA, ID 83641
Source: SPRINGS trib. to SNAKE RIVER
Diversion Pt: NESE Sec 17 T 01N R 03W
Use:
IRRIGATION (0.330 CFS)
FISH PROP. (0.330 CFS)
Date Filed: 11/13/1986
In: NESE Sec 17 01N R 03W FOR 18 ACRES.

57-7458

CUFF, VIRGIL &/or ELIZABETH L.
STAR RT. BOX 103, MELBA, ID 83641
Source: UNNAMED STREAM trib. to SNAKE RIVER
Diversion Pt: LOT 06 (SENE) NESE Sec 17 T 01N R 03W Lot 2 (NWSW) Sec 16 T 01N R 03W
Use:
RECREATION (0.040 CFS)
RECREATION STORAGE (2.0 AF)
Date Filed: 11/17/1986
In: LOT 02 (NWSW) Sec 16 T 01N R 03W LOT 06 (SENE) NESE Sec 17 T 01N R 03W

57-7459

WHITE, NORRIS M.
P.O. BOX 189, MARSING, ID 83639
Source: GROUNDWATER
Diversion Pt: LOT 01 (SESW) Sec 08 T 01N R 03W
Use:
HEATING (0.1 CFS)
DOMESTIC (0.2 CFS)
RECREATION (0.020 CFS)
Date Filed: 11/20/1986
In: LOT 01 (SESW) Sec 08 T 01N R 03W

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83726 on or before DECEMBER 22, 1986.

KEN DUNN Dir.

Public Use, 4-11, 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

NOVEMBER 26, 1986

OWYHEE AVALANCHE
P O BOX 97
HOMEDALE ID 83628

Gentlemen:

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

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

Please send the affidavit of publication and publication billings to this office before DECEMBER 22, 1986.

Yours truly,

JUDY PENSE
Secretary

Encl.

MICROFILMED

JUL 06 1987

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before DECEMBER 22, 1986.

KEN DUNN, Dir.

Published 12/3 & 12/10/86.

RECEIVED
JUL 06 1987

57-7457

JENSEN, MARK

HC 79 BOX 103 B. MELBA, ID 83641

Source: SPRINGS trib. to SNAKE RIVER

Diversion Pt: NESE Sec 17 T 01N R 03W

Use: IRRIGATION	(0.330 CFS)
FISH PROP.	(0.330 CFS)

Date Filed: 11/13/1986

In: NESE Sec 17 T 01N R 03W FOR 18 ACRES

MICROFILMED

JUL 06 1987