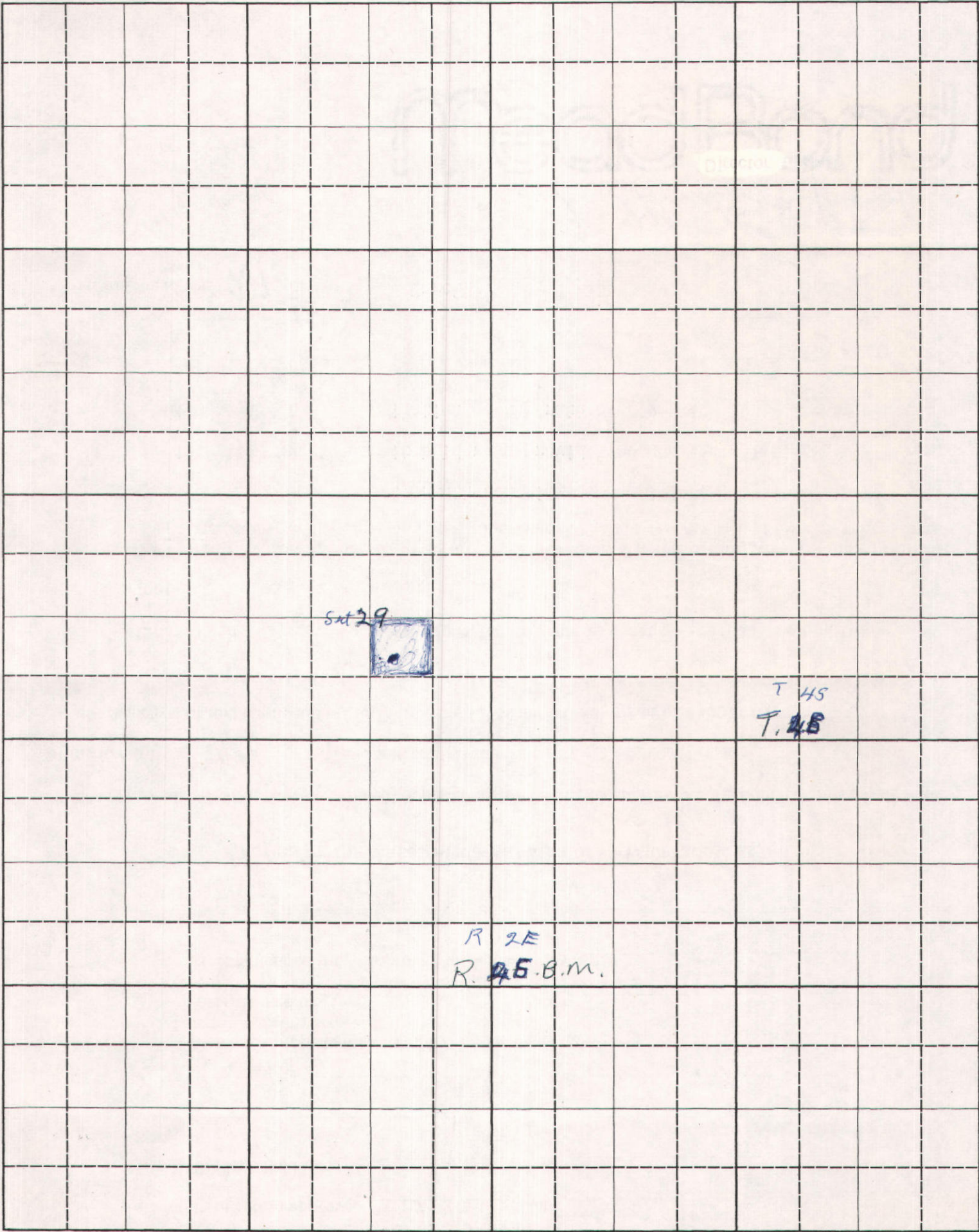


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Raymond H. Kirk  
(Applicant)

# PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 28 day of February, 1980, and the last publication being on the 6 day of March, 1980;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes  
PUBLISHER

Subscribed and sworn to before me this 6 day of

March, 1980

Leona S. Hawes  
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

## NOTICE OF APPLICATION FOR WATER RIGHT

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

57 - 7255

KIRK, RAYMOND H.  
OREANA, STAR RT., MURPHY, ID 83650

Source: GROUNDWATER

Date Filed: 02/14/1980

Amount: 0.86 CFS 2.0 AC-FT

Diversion Point: NWSE Sec 29 T 04S R 02E, OWYHEE Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

IRRIGATION (0.08 CFS) from 03/01 to 10/31

STOCKWATER (0.02 CFS) from 01/01 to 12/31

IRRIGATION STORAGE (2.0 AC - FT) from 11/01 to 03/01

IRRIGATION FROM STORAGE (2.0 AC - FT) from 03/01 to 10/31

Place of Use: NWSE Sec 29 T 04S R 02E FOR 40 AC-RES

Diversion Means: WELL, PUMP & PRESSURE SYSTEM

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before MARCH 17, 1980.

C. STEPHEN ALLRED,  
Director.

Published 2/28 & 3/6/80, in The Owyhee Nugget, Marsing, Owyhee County, Idaho.

OK-KK  
2/18/80

RECEIVED

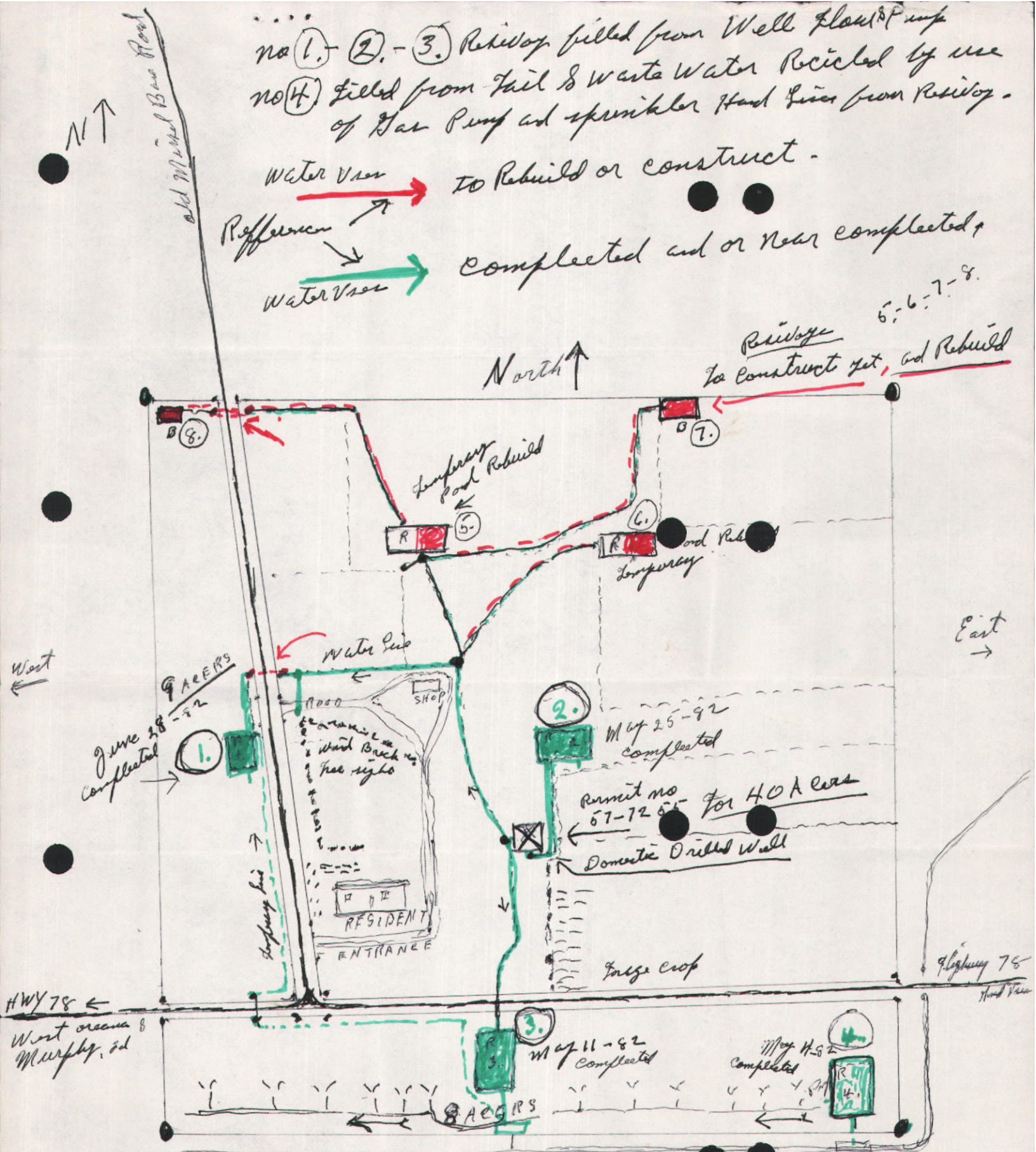
MAR 10 1980

Department of Water Resources  
Western Regional Office

MICROFILMED

no ① - ② - ③. Pipeline filled from Well Head Pump  
 no ④ Filled from Tail & Waste Water Recycled by use  
 of Gas Pump and sprinkler Head Lines from Pipeline.

Water Van → to Rebuild or construct.  
 Reference →  
 Water Van → Completed and or Near completed.



Work on Pipeline  
May 4 to June 28-82

↓ South

Task no 4 for purpose  
 of Holding Tail and run off  
 water to recycle by  
 use of sprinkler system &  
 am installing these features.  
 Head Line 1/8 mile length

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

2EB ST 1283

**MICROFILMED**

**A. GENERAL INFORMATION**

Permit No. 57-7255  
Phone No. 834-2632  
EXAM. DATE: 8-4-87  
Phone No. 834-2632

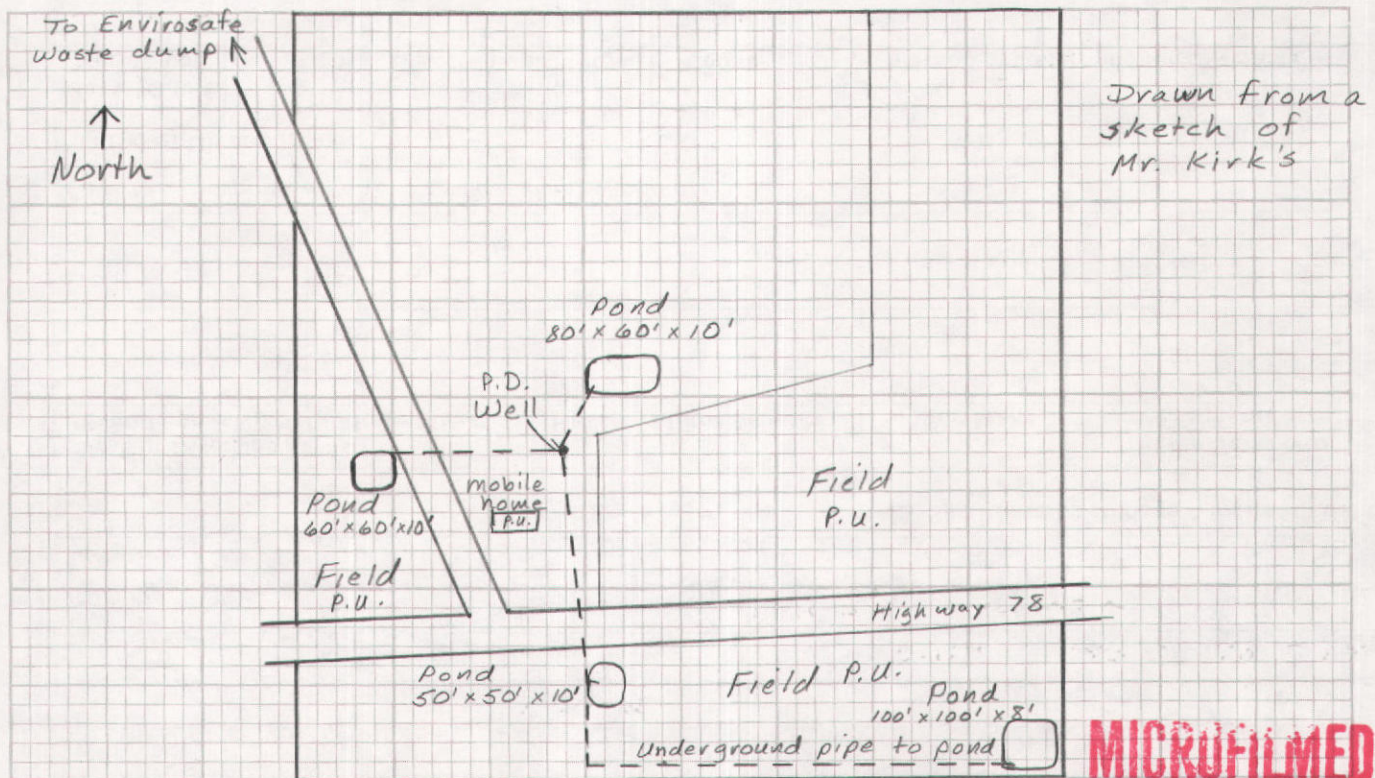
1. Owner: Raymond H. Kirk  
Current Address: HC 89 Box 2275, Oreana, ID 83650  
2. Accompanied by: Ray Kirk  
Address: same as above  
Relationship to Permit Holder: owner  
3. Source: Groundwater tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

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

**C. SYSTEM DESCRIPTION**

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



Scale: 1" = 1/16 mile

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SEP 21 1989

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

B304  
159B  
T565

A  
676

B313

15 ac  
Total

P.D.

1.8

1.5

4.5

5.5

C  
60.0

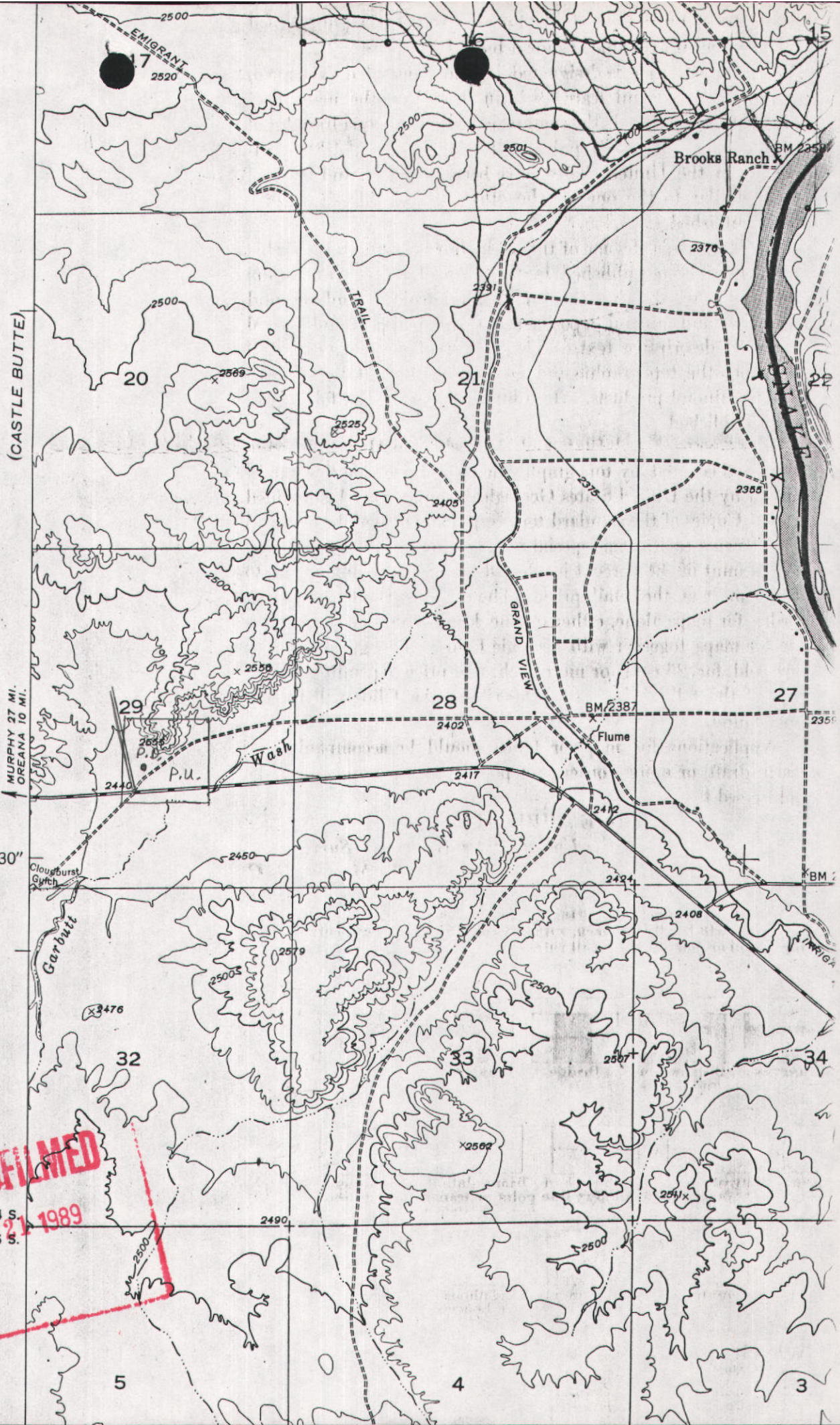
E  
44.5

Property  
boundary  
according to  
Mr. Kirk

29/28  
32/33

UNCLASSIFIED

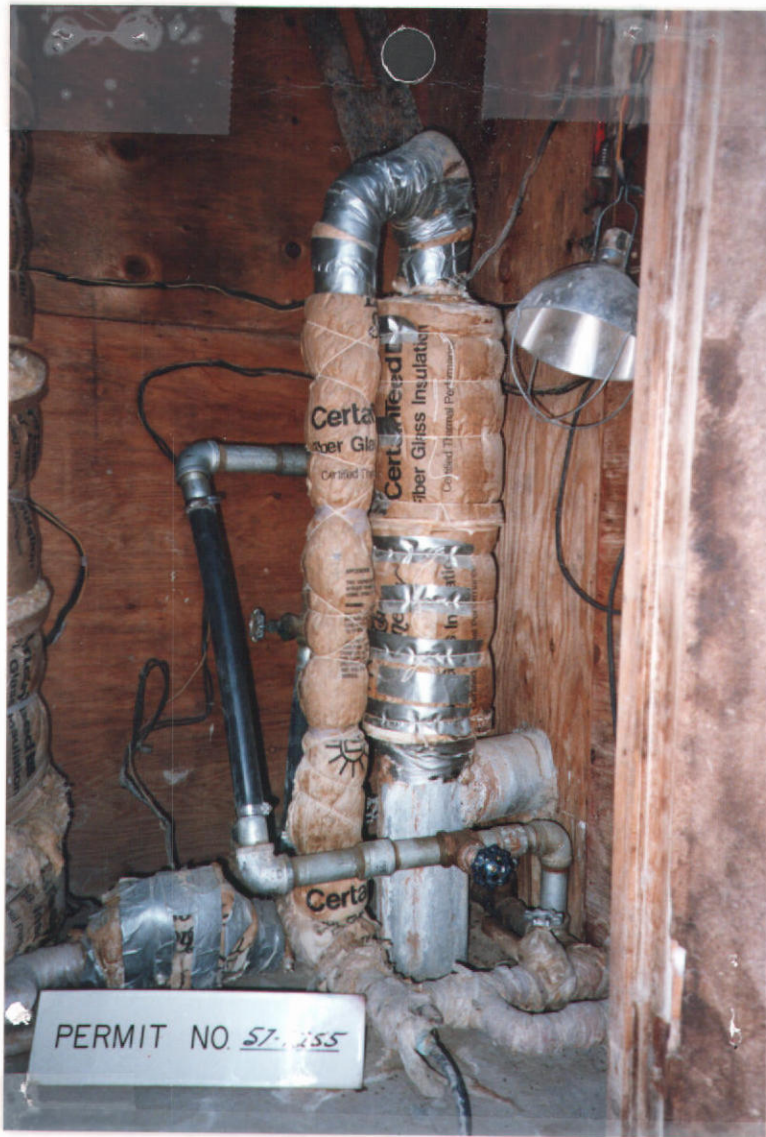
SEP 1989



**MicroFILMED**  
T. 4 S.  
R. 5 E.  
1989

57-7255

P.D. Well has a natural artesian flow and a submersible pump. Looking south at the door of the pump house.



P.D. mobile home behind the trees has some lawn irrigation. Trees and shrubs are planted along driveways.

SEP 21 1989

MICROFILMED

57-7255



P.U. looking  
East at  
grain field.  
Grasshoppers  
have been  
a problem  
and the crop  
had to be  
replanted  
resulting  
in a poor  
stand.

UNRECORDED

SEP 21 1989

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 57-07255

Priority: February 14, 1980

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:<sup>1</sup>

21.3 AF

This is to certify, that RAYMOND H. KIRK

HC 89 BOX 2275

MURPHY, ID 83650

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 14, 1980; and has submitted Proof of Beneficial Use on September 11, 1985. An examination indicates that the works have a diversion capacity of .080 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u>   | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-------------------------|----------------------|--------------------------|----------------------|
| IRRIGATION              | 03/01 to 10/31       | 0.04 CFS                 | 19.4 AF              |
| IRRIGATION STORAGE      | 11/01 to 03/01       |                          | 2.0 AF               |
| IRRIGATION FROM STORAGE | 03/01 to 10/31       |                          | 2.0 AF               |
| STOCKWATER              | 01/01 to 12/31       | 0.02 CFS                 | 0.7 AF               |
| DOMESTIC                | 01/01 to 12/31       | 0.04 CFS                 | 1.2 AF               |
| Totals                  |                      | 0.04 CFS                 | 21.3 AF              |

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 29, Township 04S, Range 02E  
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> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 04S                              | 02E        | 29         | NWSE         | 15           |              | 15           |
| Total number of acres irrigated: |            |            |              |              |              | 15           |

PLACE OF USE: IRRIGATION STORAGE, same as IRRIGATION use  
PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use  
PLACE OF USE: STOCKWATER, same as IRRIGATION use  
PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery 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.

Microfilm

SEP 21 1989

State of Idaho  
Department of Water Resources

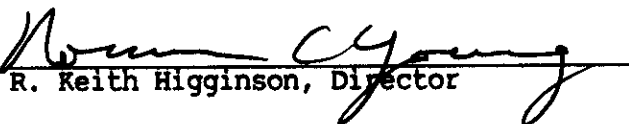
**WATER RIGHT LICENSE**

WATER RIGHT NO. 57-07255

CONDITIONS/REMARKS:

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 12<sup>TH</sup>  
day of SEPTEMBER, 1989.

Acting for

  
R. Keith Higginson, Director

**MICROFILMED**

SEP 21 1989

|                         |
|-------------------------|
| For Office Use Only     |
| Fee Received <u>815</u> |
| Date <u>1-7-85</u>      |
| Receipt # <u>35949</u>  |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME  
To provide additional time in which to submit  
proof of beneficial use on a water right permit

RECEIVED

JAN 4 1985

Department of Water Resources

Raymond H. Kirk  
(Name)

of HC89 Box 2275-Oriskany  
(Address)

State of Idaho Z 83650, deposes and says

That he is the holder, or the duly authorized agent of the holder\*, of Permit to Appropriate the Public Water of the State of Idaho No 57-7265

That under the terms and conditions of said permit, work thereunder was required to be completed on or before March 1, 19 85

That he has heretofore performed the following work described under said permit

Built Little Railroad

(This must be filled out! If no work has been completed put none)

Installed water line 20 each for use of irrigating purpose both had line and corrugation watering of crops. Installed Little Stock Watering Tanks & Lines. Installed Wind Break Shrub and water line to each. Fencing of House hold and Levelled and put in 20 crops at present time approx 30 acres. Costing \$ approx 8,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit.

Some of Ground was damaged from flooding knows to be some rebuilding and approx 17 acres that was levelled to Grass and alfalfa was destroyed by Wild damage early and Grasshopper completely destroyed all but approx three acres South East Farming strip. Reconstruct one Railroad and cut NE from Residence and so further performed additional work on that portion of Ground approx 5 acres.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations

under said permit to approx 1 1/2 years or 2 yrs, 19 87  
(1 yr minimum, 5 yrs maximum)

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

Raymond H. Kirk  
(Signature)\*

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Signed this 16<sup>th</sup> day of January, 19 85

L. Glen Saxton  
Chief, Operations Bureau

MICROFILMED

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 Raymond H. Kirk Phone \_\_\_\_\_

Post office address Oreana Star Rt., Murphy, ID 83650

2. Source of water supply Groundwater which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 29 Township 4S

Range 2E B.M. Owyhee County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

x Amount 0.80 for Irrigation purposes from 3/1 to 10/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount 0.02 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount 2af for Storage purposes from 11/1 to 3/1 (both dates inclusive)  
(cfs or acre-feet per annum)

Irrigation from storage 3/1 to 10/31

5. Total quantity to be appropriated:

a. 0.86 cubic feet per second and/or b. 2af. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, Pump & pressure system

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity 2af. acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

y c. Proposed well diameter is 6in. inches; proposed depth of well is 1,000 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 29 Township 4S

Range 2E B.M.

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

y (3) List number of each kind of livestock to be watered 50 small feeder calves

(4) Name of municipality to be served \_\_\_\_\_, or number of families to be supplied with domestic water 1 family.

(5) If water is to be used for other purposes describe: \_\_\_\_\_

RECEIVED

FEB 14 1980

Department of Water Resources  
Western Regional Office

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 4S  | 2E    | 29   |     |     |     |     |     |     |     |     |     |     |     |     |     | 40  |     |     | 40     |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 40

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

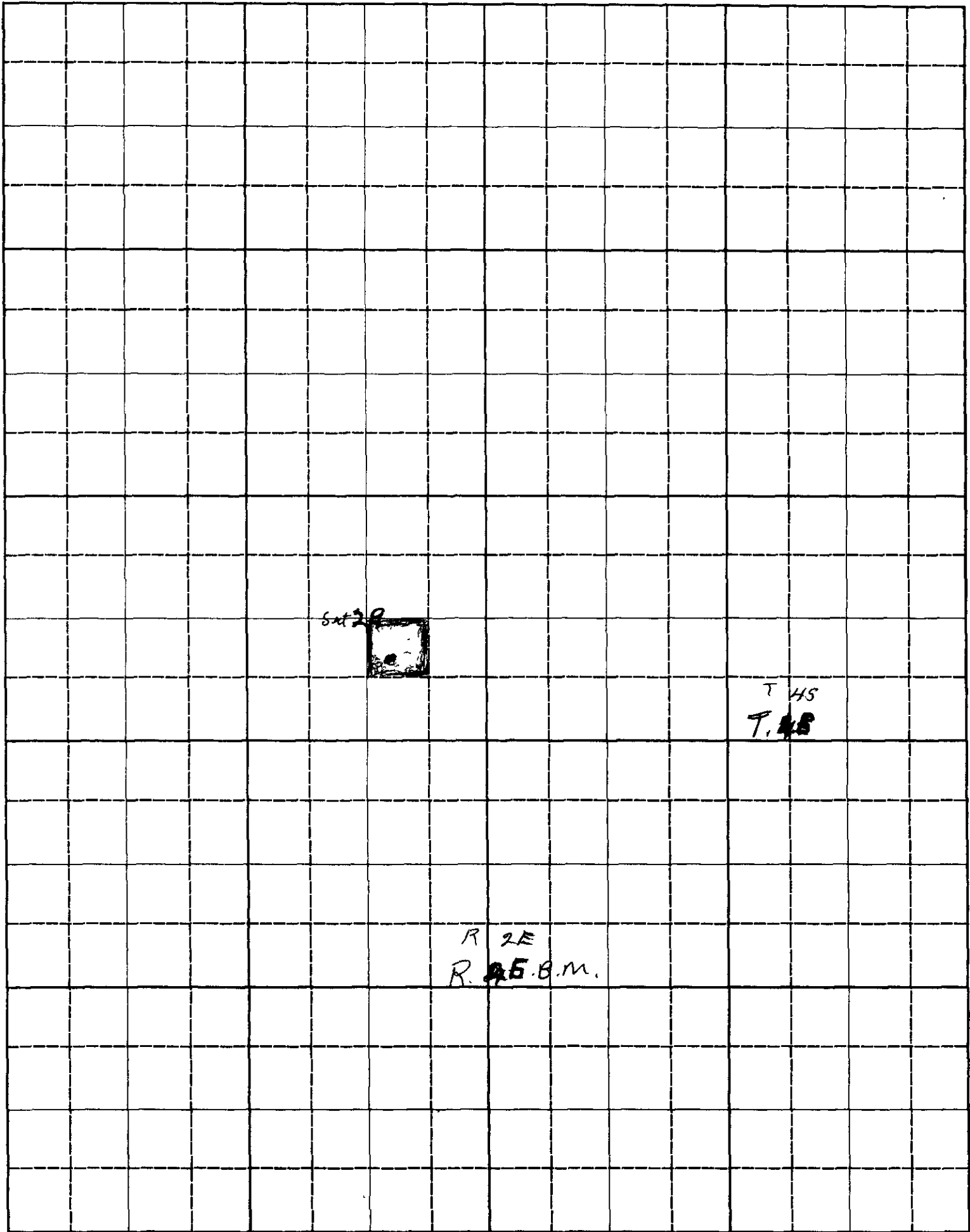
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks

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



Scale. 2 inches equal 1 mile.

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

Raymond H. Kirk  
(Applicant)

Proposed Priority 2/14/80

Received by mm Date 2-14-80 Time 11:00am

Preliminary check by R.W.N. Fee \$ 35<sup>00</sup>

Receipted by KK Date 2/19/80 # 15350

Publication prepared by KK Date 2/21/80

Published in Owyhee Nuggett

Publication dates 2/28 + 3/6/80

Publication approved KK Date 3/18/80

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

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

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

Recommended for approval denial by DBS jin

#### 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. 57-7255, 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 March 1, 19 85.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 27<sup>th</sup> day of March, 19 80.

A. Glen Saylor  
Chief, Operations Bureau

# PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 28 day of February, 1980, and the last publication being on the 6 day of March, 1980;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes  
PUBLISHER

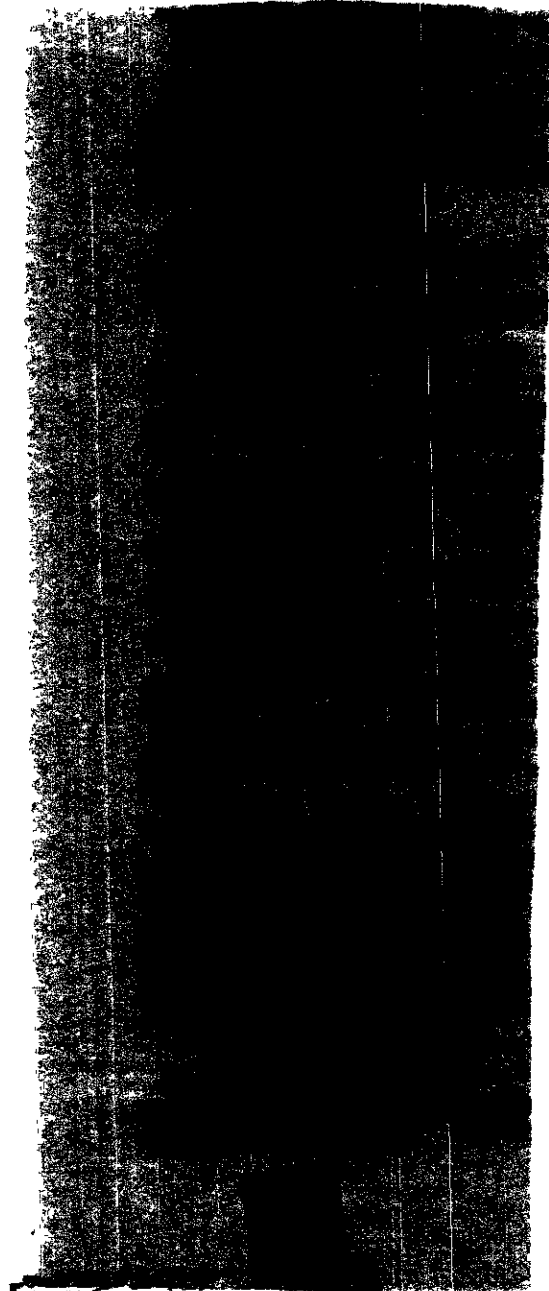
Subscribed and sworn to before me this 6 day of

March, 1980

James J. Hawes  
NOTARY PUBLIC

My commission expires 4-16-80

(SEAL)



OK-KK  
3/18/80

RECEIVED  
MAR 10

De. ... resources  
Western Regional Office

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

FILE  
12/82

COMMENCEMENT OF WORKS

Permit No. 57-72 56  
Name(s) of Permit Holder(s): Raymond H. Kirk  
Post Office Address: Orona St Route  
Murfreesboro, TN 38650 Tel. No. 208-834-2682

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on MAY 4, 1982. I understand that I must  
(date)  
continue to develop the water system with due diligence to maintain a valid permit ✓
- ☐ I hereby certify that construction of diverting 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

July 12 - 82 Raymond H. Kirk  
Date Signature of Permit Holder

RECEIVED

JUL 13 1982

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

PLACE  
STAMP  
HERE

Raymond H. Kirk  
Olson St Route  
Murphy, Id 83650

of Mr David R. Tuthill 2 R., P. E.

State of Idaho

Department of Water Resources

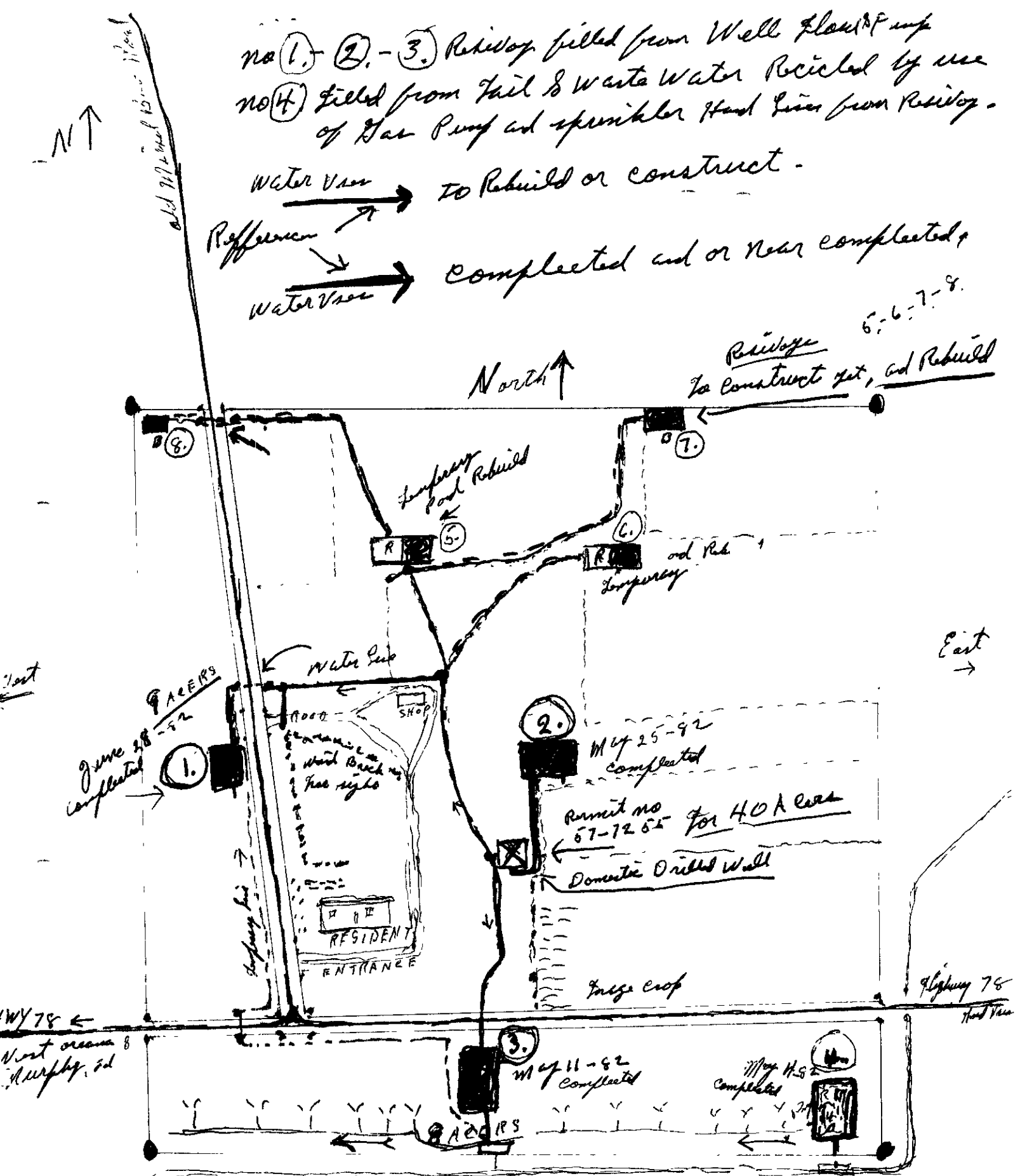
450 W. State Street.

Boise Idaho 83720



no (1) - (2) - (3) Reservoir filled from Well Flow Pump  
 no (4) Filled from Tail & Waste Water Recycled by use  
 of Gas Pump and sprinkler Head Lines from Reservoir.

Water Vase → to Rebuild or construct.  
 Reference →  
 Water Vase → Completed and or Near completed.



Work on Reservoir  
 May 4 to June 28-92

↓ South

Link no 12 for purpose  
 of Holding Tail and run off  
 water to Recycle by  
 use of sprinkler system &  
 am installing these features.  
 Head Line 1/8 mile length

September 13, 1989

RAYMOND H. KIRK  
HC 89 BOX 2275  
MURPHY, ID 83650

RE: PERMIT NO. 57-07255

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

SEP 21 1989

June 2, 1988

RAYMOND H. KIRK  
HC 79 BOX 2275  
MURPHY, ID 83650

RE: PERMIT NO. 57-07255

Dear Permit Holder(s):

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

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

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

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**MICROFILMED**

SEP 21 1989

219-S.A. .  
6/86  
Need a copy of the  
fee sheet.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet  
for  
Beneficial Use Field Report

57-7255  
Permit No.

P.D. NWSE 29 4S 2E

RECEIVED

JAN 28 1988

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad

☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D Index CA 7-28-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: \_\_\_\_\_

Check of P/U Index CA 7-28-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: \_\_\_\_\_

Aerial Photo

Required? ☒ yes ☐ no If yes: ☒ copy attached?

Scheduling Letter sent? CA 7-23-87 (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Carter Fitch 8-4-87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent Sp 1/7/88 (Initial and date)

Exam Reviewed by Manager of Regional Office Ang 1/18/88 (Initial and date)

Exam Date Entered in Computer ✓ (Initial and date)

Exam sent to State Office Sp 1/28/88 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File \_\_\_\_\_ (Initial and date)

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

10. 11. 1988

**APPROVED**

**A. GENERAL INFORMATION**

Permit No. 57-7255

1. Owner: Raymond H. Kirk Phone No. 834-2632  
Current Address: HC 89 Box 2275, Oreana, ID 83650

2. Accompanied by: Ray Kirk EXAM. DATE: 8-4-87  
Address: same as above Phone No. 834-2632

Relationship to Permit Holder: owner

3. Source: Groundwater tributary to \_\_\_\_\_

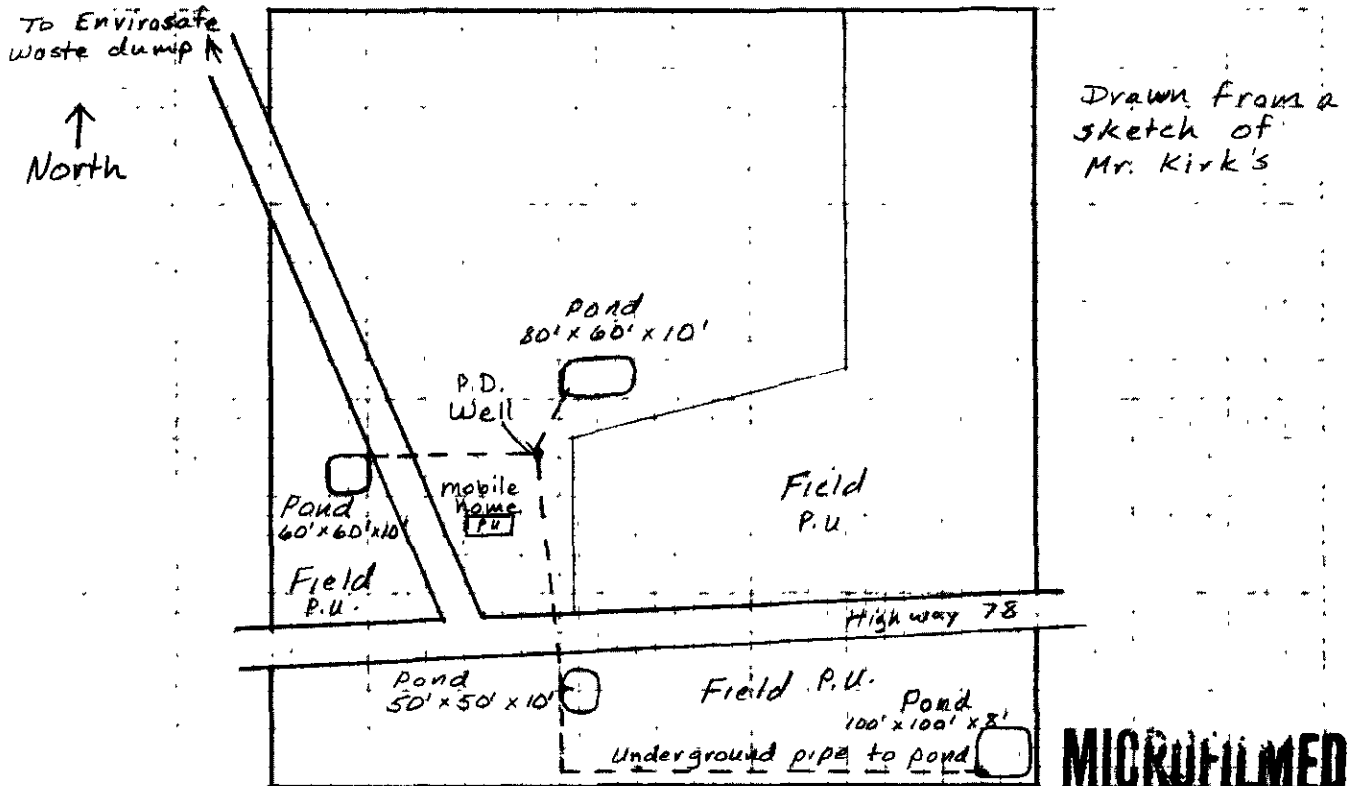
**B. OVERLAP REVIEW**

1. Other water rights with same place of use: none  
\_\_\_\_\_ ☐ Copies Attached

2. Other water rights with same point of diversion: none  
\_\_\_\_\_ ☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

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



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Scale: 1" = 1/16 mile

SEP 21 1989

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

**System Description (continued)**

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

The system has a 6" cased well, 1600' deep. A 1/2 H.P. submersible pump is set at 100'. The pump is used to pressurize the domestic water system. A valve can be opened that will allow the pump to divert the water into the irrigation system. Normal operation is to have the natural artesian flow supply the irrigation system and fill the ponds. Mr. Kirk irrigates approximately 1/3 of his acreage

☒ See Remarks on page 4 for continuation

4

| Well or Diversion Identification No.* | Motor Make | Hp  | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-----|------------------|-----------|-----------------------------------|
|                                       | Scars      | 1/2 | unknown          | Scars     | 1 1/2" pipe from well             |
|                                       |            |     |                  |           |                                   |
|                                       |            |     |                  |           |                                   |
|                                       |            |     |                  |           |                                   |

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

5. **Point(s) of Diversion:**

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|------|------|------|--------|---------------------------------|
|            |            |     | NW  | SE  | 29   | 45   | 2E   | Owyhee | Aerial Photo                    |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |

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

Indicate Method of Determination Aerial Photo

| 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 |        |
| 45   | 2E   | 29   |        |        |        |        |        |        |        |        |        |        |        |        |        | 15     |        |        | 15     |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        | 15     |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        | 15     |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        | 15     |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        | 15     |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        | 15     |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        | 15     |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        | 15     |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        | 15     |        |        |        |

**MICROFILMED**

Do not use this space

SEP 21 1989

Do not use this space

## D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Calib. Date |
|-----------------------|------|------|-----------|------------|-------------|
| 5 gallon bucket       |      |      |           |            |             |
| stop watch            |      |      |           |            |             |
|                       |      |      |           |            |             |
|                       |      |      |           |            |             |

2. Measurements:

Natural artesian flow, 5 gallons in 34 seconds

Flow from the pump, 5 gallons in 15 seconds

POND SIZES →  $[(100' \times 100' \times 8') + (50' \times 50' \times 10') + (60' \times 60' \times 10') + (80' \times 60' \times 10')] \div 43560 = 4.3 \text{ ac. ft}$   
 Maximum storage 4.3 af permit limited to 2 a.f.  
 No Fee paid, allow 0.04 cfs total

## E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

$$\frac{5 \text{ gal}}{34 \text{ sec}} \times \frac{60 \text{ min}}{1 \text{ min}} = 8.8 \text{ gpm}$$

ARTESIAN FLOW ONLY

1. Measured Method:

$$\frac{5 \text{ gal}}{15 \text{ sec}} \times \frac{60 \text{ min}}{1 \text{ min}} = 20 \text{ gpm} \quad \frac{20}{448.8} = 0.04 \text{ cfs}$$

$$\frac{8.8}{448.8} = 0.02 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$\frac{(65) \times (8.8) \times (.8)}{0 + 20(2.3)} = 0.08 \text{ cfs}$$

## 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 Amps x .001732 = \_\_\_\_\_ (6)

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

## G. VOLUME CALCULATIONS

1 Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 15 \times 5 = 75 \text{ afa}$$

$$V_{DR} = [\text{Diversions Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \times 245 \times 1.98 = 19.4 \text{ afa}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 19.4 \text{ afa}$$

2 Volume Calculations for Other Uses:

Domestic w/ lawn = 1.2 afa SEP 21 1989 1.2 < 28.9  
 Stockwater 50 head = 0.7 afa 0.7 < 14.4

$$0.04 \times 365 \times 1.98 = 28.9 \text{ afa} \quad 1.2 + 0.7 + 19.4 + 2 = 23.3$$

$$0.02 \times 365 \times 1.95 = 14.4 \text{ afa} \quad - 2.0$$

$$23.3 < 28.9$$

Since no fee was paid, volume is limited to 4.0 afa total and

STORAGE AMOUNT  
 SHOULD NOT BE  
 INCLUDED IN  
 AF/PAIN  
 CALCULATION.  
 21.3  
 AF/PAIN

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# H. REMARKS AND OVERLAP REVIEW ANALYSIS

each year. Land that is not being irrigated is summer fallowed. A mixed grain crop (barley and oats) was growing on the ~~land~~ <sup>land</sup> being irrigated. There are 4 storage ponds supplied by an underground pipeline from ~~the~~ <sup>the</sup> ~~land~~ <sup>land</sup>. The land is furrowed irrigated. No livestock was present at the time of the exam, however it is Mr. Kirk's practice to buy feeder calves in the fall and feed them through the winter. The fields are well fenced.

# I. RECOMMENDATIONS

## 1. Recommended Amounts

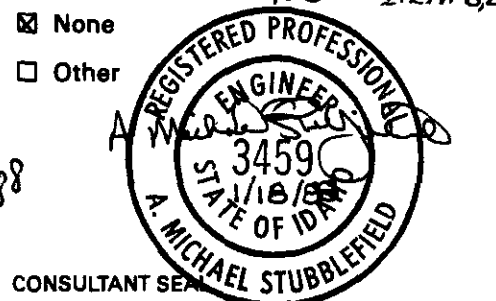
| Beneficial Use          | Period of Use<br>From | To    | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa)  |
|-------------------------|-----------------------|-------|------------------------------|---------------------------|
| Domestic w/lawn         | 1-1                   | 12-31 | 0.04                         | 1.2                       |
| Irrigation              | 3-1                   | 10-31 | 0.04                         | 19.4 <del>19.4</del> 4.0  |
| stockwater              | 1-1                   | 12-31 | 0.02                         | 0.7                       |
| Storage FOR IRRIGATION  | 11-1                  | 3-1   |                              | 2                         |
| Irrigation from Storage | 3-1                   | 10-31 |                              | 2                         |
| Totals:                 |                       |       | 0.04                         | 21.3 <del>23.3</del> 21.3 |

## 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

# J. AUTHENTICATION

Field Examiner's Name Carter Fritschle  
 Signature Carter Fritschle  
 Certification Date \_\_\_\_\_  
 Field Report Preparation Date 8-4-87



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

**MICROFILMED**  
SEP 21 1989

B304  
159B  
T565

B313

78

RD

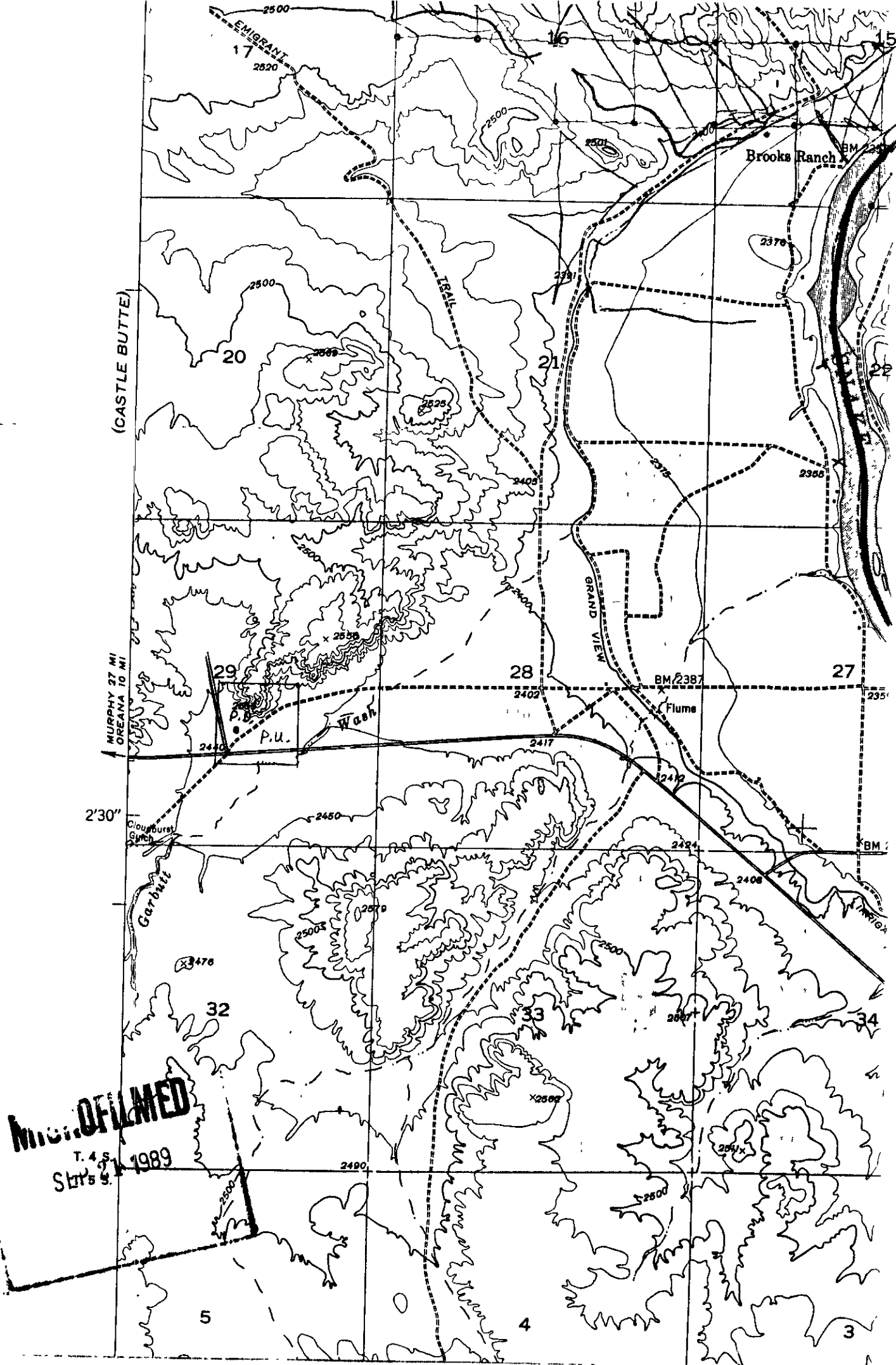
C  
60.0

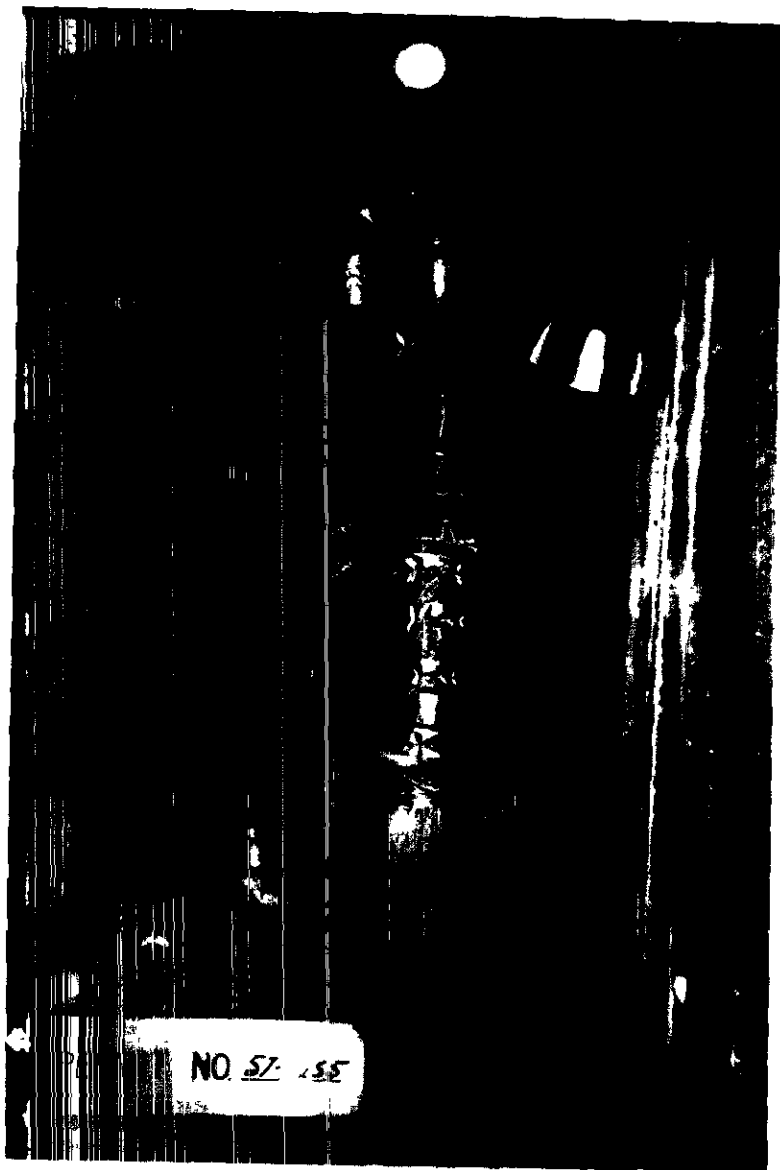
Property  
boundary  
according to  
Mr. Kirk

ILMED

29/28  
32/27

SEP 1989





57-7255

P.D. Well has a natural artesian flow and a submersible pump. Looking south at the door of the pump house.



P.U. mobile home behind the trees has some lawn irrigation. Trees and shrubs are planted along driveways.

SEP 21 1989

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57-7255

P.U. Looking  
East at  
grain field.  
Grasshoppers  
have been  
a problem  
and the crop  
had to be  
replanted  
resulting  
in a poor  
stand.

UNRECORDED

SEP 21 1989

4 RECEIVED  
APR 7 1987

Department of Water Resources  
Western Regional Office

RECEIVED  
JUN 18 1987

Department of Water Resources  
DEPARTMENT OF WATER RESOURCES

KEYPUNCHED

For Office Use Only  
Fee Received NO FEE  
Date 6-3-87  
Receipt #         
Receipt by         
Sent to S.O. 6/8/87

# EXAMINATION FEE INFORMATION

1. Permit No. 57-7255

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

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

2. Permit Holder: Raymond H. Kirk

3. Post Office Address: Oreana Id. HC 79 Box 2275

Oreana, Id. 83650 Telephone No. 834-2632

4. Source of Water: Ground water FROM WELL

5. Extent of Use: Small Feeder Canals

Domestic .04 (No. of households) Stockwater 50.02 (No. and type of stock)

Irrigation .80 (26A acres) Other/Remark Storage 2 AF

USED FROM RESERVOYR TO IRRIGATE ABERG BY PUMPING ON FLO

6. Total rate &/or volume for which proof is submitted 1.56 cfs 2 acre-feet

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

Approved Beneficial use extended to 3-1-87

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

Raymond H. Kirk (Name)

HC 79 Box 2275, Oreana Id. 83650 (Address)

834-2632 (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 4-5-87

Raymond H. Kirk  
Signature of Permit Holder (and title, if appropriate)

MICROFILMED

SEP 21 1989

State of Idaho  
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

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

| cfs          | AF <sup>2</sup> | Fee <sup>6</sup> |
|--------------|-----------------|------------------|
| 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

57-7255  
KIPK, RAYMOND H.  
HC 89 BOX 2275  
MURPHY, ID 83650

138104

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.

**MicroFILMED**

SEP 21 1989

DEPARTMENT OF WATER RESOURCES  
Western Region

Statehouse  
Boise, Idaho 83720  
(208) 334-2190

DECEMBER 2, 1985

RAYMOND H. KIRK  
HL 89 BOX 2275  
OREANA

ID 83650

RE: Permit No. 57-7255

Dear Permit Holder:

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

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

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

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

Sincerely,  
Judy Pense  
Secretary

**MICROFILMED**

SEP 21 1989

RECEIVED

SEP 11 1985

FORM A

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES 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 completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 877255  
Name(s) of Permit Holder: Raymond H. Kirk

Post Office Address: HC 89 Box 2275  
Oreana, Idaho 83650 Telephone No. (208) 834-2632

Source of Water: Domestic Well Flow of 8 to 10 Gallons per minute.

Extent of Use: Domestic 1 (number of households)

Stockwater 10-30 Western Cattle (number and type of stock)

Irrigation at present 24 (acres)

Other/Remarks Water source used for wind break trees, garden.

Fruit trees, vine arbor home foundation. Privately using 4 Rainside out of the 6 Rainside 2nd. built

Indicate the date water was first diverted and beneficially used under this permit: Beginning March 27, 1980 completion of first 3 Rainside

Measuring Device: Required? Yes No  
Installed? Yes No

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

Person to contact to accompany the Department representative during field examination: Raymond H. Kirk

HC 89 Box 2275 Oreana, Id 83650 (Name)  
208 834-2632  
(Address) (Telephone number)

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

September 10, 1985  
Date

Raymond H. Kirk  
Signature of Permit  
(and Title, if appropriate)

MICROFILMED

RECEIVED

SEP 11 1985

Noticed Department of Water Resources

September 10, 1985  
76C89 Box 2275  
Oreana, Id 83650

To

Mr. L. Glen Saxton:

Dear Sirs

In response to your letter received of Sept 8, 1985  
as dated of Sept 1, 1985. And when we such  
changes made from your letter if I understood  
correctly. Though the Board held me as  
of January 1985 through to March 1, 1987  
additional time, I made request for to complete  
approx 5 additional acres, in order to have full  
coverage of 29 to 30 acres. Though from your  
letter what changes of the present I wish  
to submit at this time this form of  
Proprietary use of approximately 24 acres.

Since this has been a year of Ruination  
from Grass hoppers destroying all of my  
seeded acres of Grass crops for Pasturing and forage  
crops. I wish to submit presently the  
acres indicated 24.

Sincerely:

MICROFILMED

Raymond H. Kirk



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

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

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

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

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

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

SINCERELY,

L. GLEN SAXTON  
CHIEF, OPERATIONS BUREAU

**MICROFILMED**

January 23, 1985

Raymond H. Kirk  
HC89 Box 2275  
Oreana, ID 83650

Dear Mr. Kirk:

Re: Permit No. 57-7255

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

In connection with the development of a water right under this permit, the Department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. Ongoing negotiations to resolve this water right controversy without further court action has resulted in the signing of a contract in October 1984, between the State of Idaho and Idaho Power Company. The contract essentially describes certain categories of water uses from which the company will seek no restitution for depletion of water availability at Swan Falls Dam in exchange for certain concessions. In addition, an agreement was also signed by the Attorney General, Governor, and Idaho Power Company. The agreement outlines additional actions which could be implemented to further resolve the Swan Falls controversy. Some of the additional actions include suggested changes in legislation, suggested changes in the State Water Plan, and the reduction of Idaho Power Company's water rights provided certain concessions are made to the company.

The Department urges you to follow the actions taken relative to the contract and agreement, since your water use could be affected.

Sincerely,

RITA I. FLECK  
Secretary/Records Manager

RECEIVED  
JAN 27 1985

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 52-7255

- Y Date received stamp  
Y Fee received and receipted  
Y Name on request same as on permit  
N Address same permit as on latest correspondence  
Y Proof due date within six months of due date  
Y Signature same as permit  
Y Source of water the same  
Y ~~N~~ Permit holder named in Swan Falls lawsuit  
Y Proceed diligently  
N Is delay caused by litigation:

Date lit. completed \_\_\_\_\_

Date lit. began \_\_\_\_\_

Period of delay \_\_\_\_\_

New proof due date \_\_\_\_\_

ACTION: *Recommend approval based on due diligence*

X Is the extension timely received?

N Reinstate: Extension received \_\_\_\_\_  
 Proof due date \_\_\_\_\_  
 Days late \_\_\_\_\_  
 Priority date \_\_\_\_\_  
 Adjusted priority date \_\_\_\_\_

X Is there commencement of works?

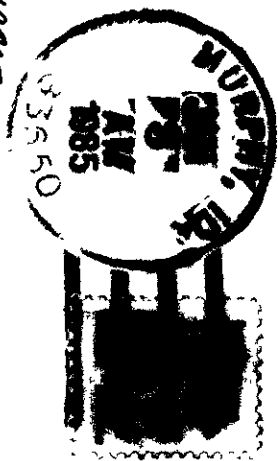
\_\_\_\_ Cover letter  
 \_\_\_\_ Coding sheet - *address*  
 \_\_\_\_ Rolodex card updated and refiled

Reviewed by *J* Date: 1-16-1985

MICROFILMED

Raymond H. Reich  
HE 85 Bot 2275  
Oreana, 28 83656  
C

Department of Water Resources  
State House  
Boise, Idaho 83720



MICROFILMED



State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

EXTENSION OF TIME

**January 7, 1985r**

**Raymond H. Kirk  
HC89 Box 2275  
Oreana, ID 83650**

PERMIT NO. **57-7255**

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

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

Enclosed is our receipt No. **35949.**

Roberta Garrett  
Records Supervisor

Enclosure

RECEIVED  
JAN 10 1985  
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

S T A T E O F I D A H O  
D E P A R T M E N T O F W A T E R R E S O U R C E S

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

138552

KIRK, RAYMOND H.  
OREANA STAR RT.  
MURPHY, ID 83650

P R O O F D U E N O T I C E

D E C E M B E R 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 57-7255 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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

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12  
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S T A T E     O F     I D A H O  
DEPARTMENT OF WATER RESOURCES

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STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

KIRK, RAYMOND H.  
OREANA STAR RT.  
MURPHY, ID 83650

APRIL        10, 1980

RE: PERMIT NO. 57-7255

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.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

THE EXERCISE OF THIS PERMIT MAY ALSO BE AFFECTED BY THE COURT'S DETERMINATION OF WATER RIGHTS IN THE CASE OF IDAHO POWER COMPANY V. STATE OF IDAHO, ET AL., CIVIC NO. 62237, CURRENTLY PENDING BEFORE THE DISTRICT COURT OF ADA COUNTY. SINCE THE USE OF WATER UNDER YOUR PERMIT MAY AFFECT THE FLOWS IN THE SNAKE RIVER BETWEEN MILNER DAM AND HELLS CANYON, THE FINAL DECISION IN THIS CASE MAY DETERMINE TO WHAT EXTENT THE EXERCISE OF YOUR PERMIT IS SUBJECT TO WATER RIGHTS OF IDAHO POWER. WHILE THE ADA COUNTY COURT IS EXAMINING THIS QUESTION, IDAHO POWER COMPANY HAS NOT FILED A SPECIFIC PROTEST TO YOUR PERMIT. HOWEVER, THE DEPARTMENT OF WATER RESOURCES HAS BEEN ADVISED THAT THE POWER COMPANY IS NOT WAIVING ANY OF ITS RIGHTS TO CONTEST OR LIMIT THE EXERCISE OF YOUR PERMIT OR SUBSEQUENT LICENSE.

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

SINCERELY,

DAVID R. TOTHILL, JR., P.E.  
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

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MICROFILMED

State of Idaho  
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: R.W.H.

APPLICATION NUMBER: 57-7255

CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☒ Fee.  
☐ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☐ No\* In form to receipt.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

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

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☐ Idaho Fish and Game Department. \_\_\_\_\_  
☐ Idaho Department of Lands. \_\_\_\_\_  
☐ U.S. Bureau of Land Management. \_\_\_\_\_  
☐ U.S. Forest Service. \_\_\_\_\_  
☐ Other \_\_\_\_\_

PROCESSING:

- ☐ Yes ☒ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☐ Yes ☒ No Other rights on same place of use. \_\_\_\_\_  
☒ Yes ☐ No\* In form for advertising.  
Final date for protests: 3/17/80  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3/10/80  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application. — note entry was advertised as 0.08 cfs instead of 0.80 cfs. Total of 0.86 cfs was correct and that is all law requires. Applicant had made a typo on app. form.  
☒ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.  
☐ Yes ☒ No Measuring device required.  
☐ Yes ☒ No Access port required.  
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? \_\_\_\_\_  
2/14/80 Date of priority recommended.  
Special conditions of approval or cover letter. I.P. G.W. letter

By: D.B.S. Date: 3/19/80

STATE OFFICE REVIEW:

- Send Receipt w/approved App.  
OIC  
I.P.L. w/OIC cmd.  
☐ See attached sheet for more information.

By: Juni Date: 3/21/80

Dep. Dir. of Water Resources

RECEIVED  
MARCH 21 1980

SZ=Z255.

KIRK, RAYMOND H.

OREANA STAR RT., MURPHY, ID 83650

Source: GROUNDWATER

Date Filed: 02/14/1980

Amount. 0.86 CFS 2.0 AC-FT

Diversion Point: NWSE Sec 29 T 04S R 02E, OWYHEE Co.

|                         |             |                     |
|-------------------------|-------------|---------------------|
| Use: DOMESTIC           | (0.04 CFS)  | from 01/01 to 12/31 |
| IRRIGATION              | (0.08 CFS)  | from 03/01 to 10/31 |
| STOCKWATER              | (0.02 CFS)  | from 01/01 to 12/31 |
| IRRIGATION STORAGE      | (2.0 AC-FT) | from 11/01 to 03/01 |
| IRRIGATION FROM STORAGE | (2.0 AC-FT) | from 03/01 to 10/31 |

Place of Use: NWSE Sec 29 T 04S R 02E FOR 40 ACRES

Diversion Means. WELL, PUMP & PRESSURE SYSTEM

RECEIVED  
FEB 19 1980  
MURPHY, ID