

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 each week and every week for 3 consecutive weeks, the first publication being on the 11 day of April, 1974, and the last publication being on the 18 day of April, 1974;

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 18 day of April, 1974.

Lawrence S. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

RECEIVED

APR 29 1974

Department of Water Administration

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that **STANLEY &/or ETHEL E. WYATT**, 8801 San Anita Dr., Boise, ID., has on April 4, 1974 submitted Application No. 57-7115 for a permit to appropriate 0.42 cubic feet per second of water from Squaw Creek, trib. to Snake River, by means of pump, sprinkler system & stock tank within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, S. 36, T. 2 N., R. 4 W., B. M., Owyhee County, to be used from Jan. 1 to Dec. 31 for stock use & March 15 to Nov. 15 for irrigation of 20 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, S. 36, T. 2 N., R. 4 W., B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before April 29, 1974.

R. KEITH HIGGINSON,
Director.

Published in the Owyhee Nugget, Marsing, Idaho on April 11, 1974, and April 18, 1974.

OK'd
4-29-74

57 7115

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 13 1990

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: DELBERT AND JUDY WIDMYER
Current Address: H.C. 79 Box 54 MELBA ID. 83641
2. Accompanied by: DELBERT WIDMYER EXAM. DATE: 5-18-88
Address: SAME Phone No. _____
Relationship to Permit Holder: OWNER
3. Source: SQUAW CR. tributary to SNAKE RIVER

Permit No. 57-7115

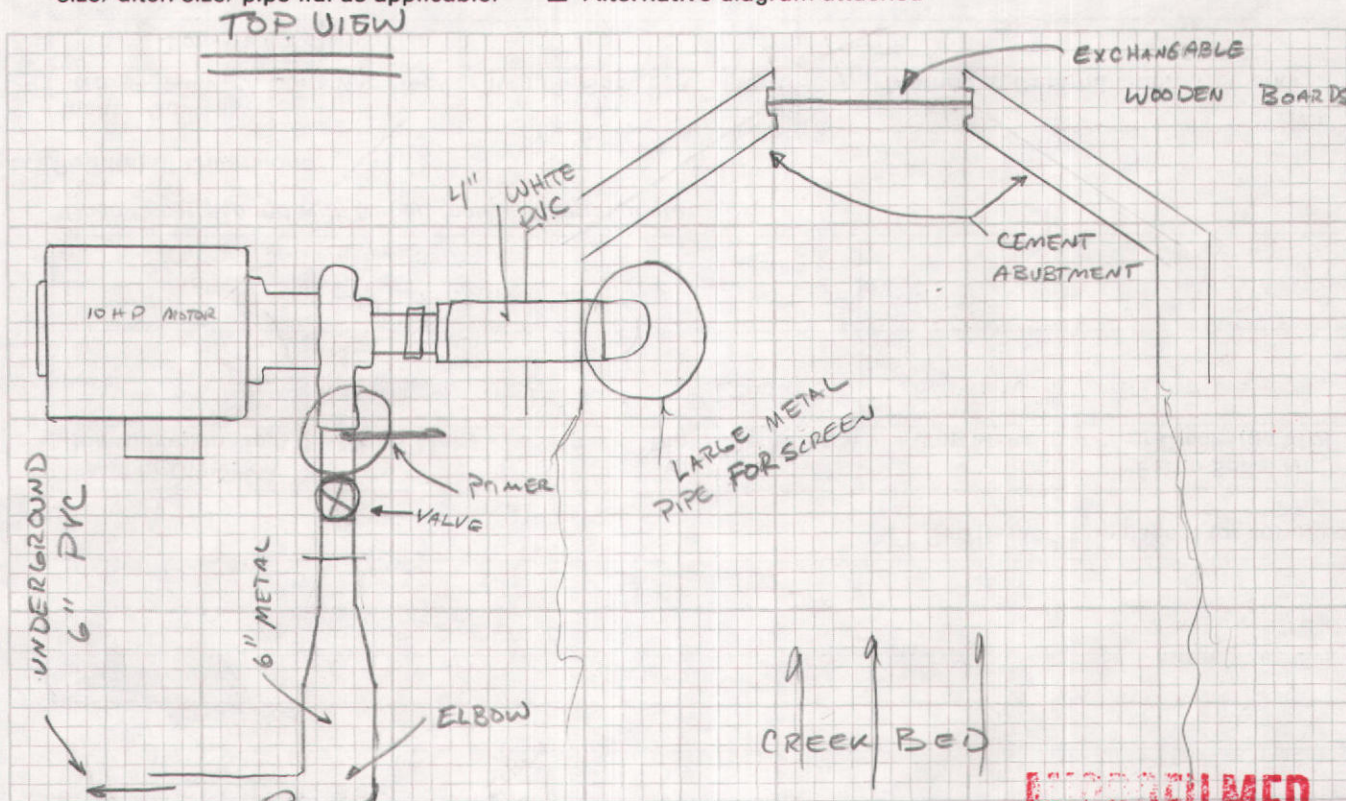
Phone No. 495-2682

B. OVERLAP REVIEW

1. Other water rights with same place of use: HAS DITCH RIGHTS FROM OPALINE IRRIGATION DISTRICT LICENSE NO. 02-2072 ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

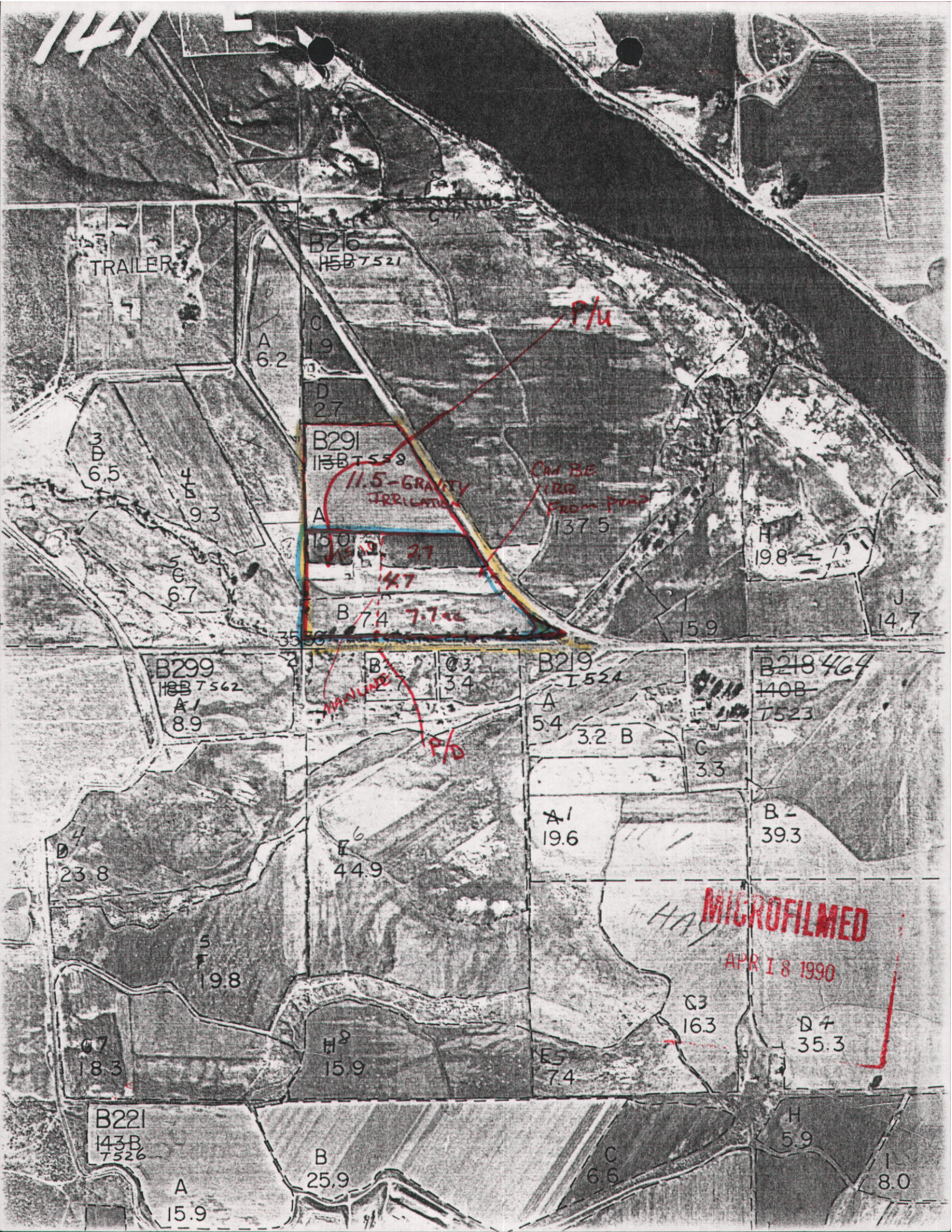
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

MICROFILMED

APR 18 1990

147



TRAILER

B216
H5B 7521

A 6.2

B291
H3BT 558

11.5-GRAVITY
IRRIGATION

CAN BE
IRRIG.
FROM POND

137.5

H 19.8

J 14.7

B299
H8B 7562

A 1 8.9

B 3.4

B219
T 524

A 5.4

3.2 B

B218 464

140B
T 523

C 3.3

B 39.3

A 19.6

F 44.9

HAS MICROFILMED

APR 18 1990

G 3 16.3

D 4 35.3

H 15.9

E 7.4

B221
143B
7526

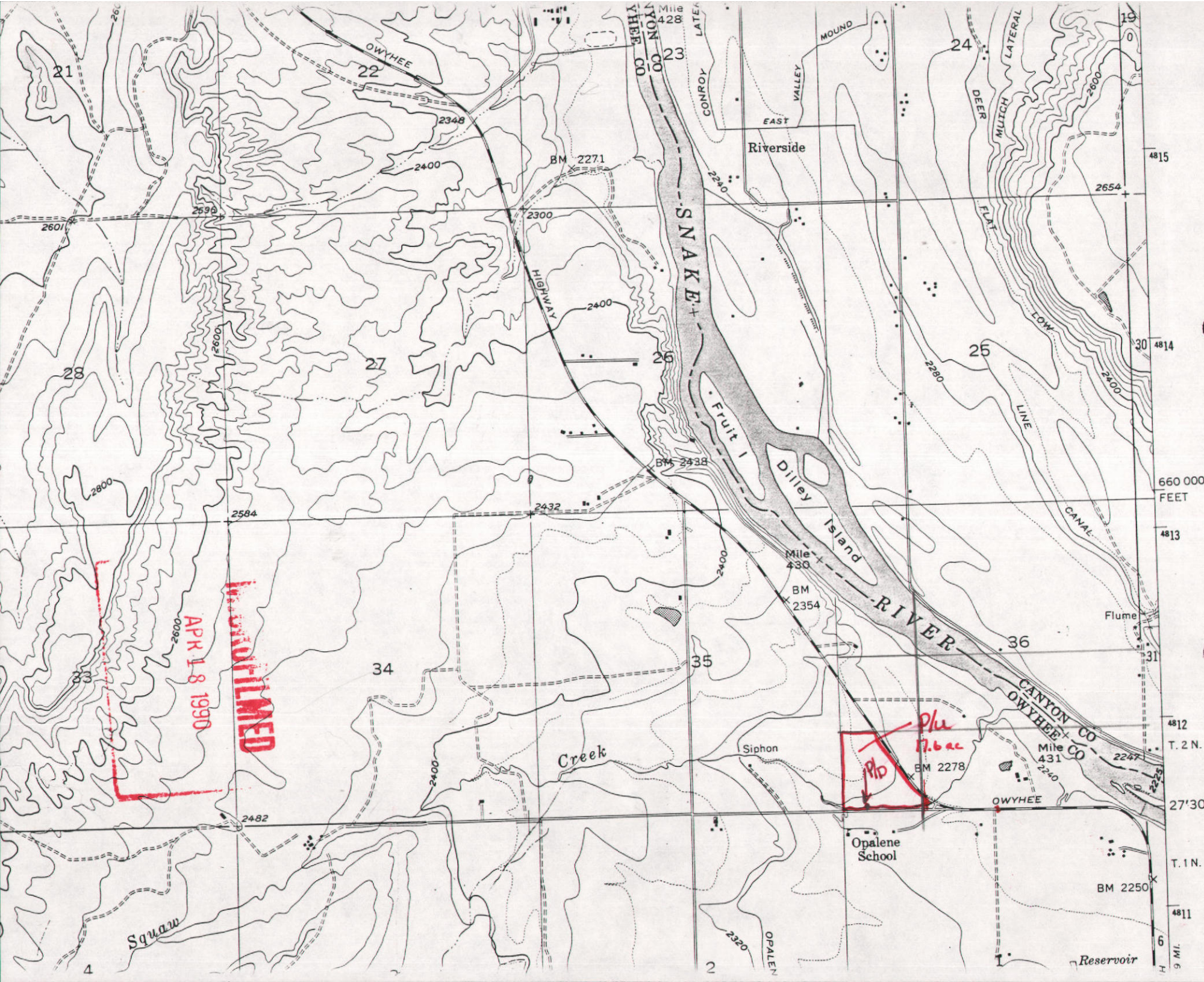
A 15.9

B 25.9

C 6.6

H 5.9

I 8.0



T-24 R-4N Sec 36

4815
2654
4814
660 000 FEET
4813
4812
T. 2 N.
27'30"
T. 1 N.
4811
1/4 9



57-7115



P.D.



P.U.

MICROFILMED

APR 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

Department of Water Resources

MAR 15 1979

RECEIVED

CERTIFIED MAIL

100645

NO.

MICROFILMED

RETURNED
TO
SENDER
NOT DELIVERABLE
AS ADDRESSED -
UNABLE TO FORWARD

Standley &/or Ethel E. Wyatt
8801 San Anita Drive
Boise, ID 83704



U.S. POSTAGE

BOISE IDAHO
FEB 28 1979

CLAIM CHECK NO.

539863

☐ HOLD

DATE

3-1-79
1ST NOTICE

3-8

2ND NOTICE

3-16

RETURN

Detached from
PS Form 3800
July 1977

Went to
2330 Silkern Rd.
Boise, Id 83705
3/23/79 y

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07115

Priority: April 4, 1974

Maximum Diversion Rate: 0.38 CFS
Maximum Diversion Volume:¹ 90.2 AF

This is to certify, that DELBERT WIDMYER
JUDY WIDMYER

HC 79 BOX 54
MELEBA, ID 83641

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 4, 1974; and has submitted Proof of Beneficial Use on April 2, 1979. An examination indicates that the works have a diversion capacity of .400 cfs of water from:

SQUAW CREEK tributary to **SNAKE RIVER**

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.36 CFS	90.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.2 AF
	Totals	0.38 CFS	90.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 36, Township 02N, Range 04W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02N 04W 36	SWSW 18			18

Total number of acres irrigated: 18

PLACE OF USE: STOCKWATER, 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 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.

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APR 18 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07115

CONDITIONS/REMARKS:

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 5.0 afa per acre for the lands above.
6. Use of water under this water right is subject to control by the watermaster of State Water District No. 57E
7. Stockwater use is for 15 range cattle &/or horses.

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 6TH day of April, 1990.

Acting for R. Keith Higginson, Director

MICROFILMED

APR 10 1990

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 57-7115) ORDER
IN THE NAME OF STANLEY &/or ETHEL E. WYATT)

WHEREAS, on April 4, 1974, Stanley and Ethel E. Wyatt applied to the Department of Water Administration for a permit to appropriate 0.42 cubic feet per second of water from Squaw Creek, tributary to the Snake River, from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, Twp. 2N, Rge. 4W, B.M., Owyhee County, to be used for irrigation and stockwatering purposes; and,

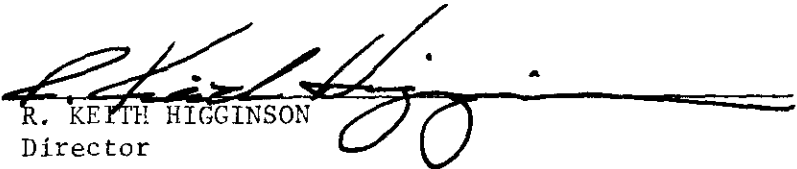
WHEREAS, on May 3, 1974, the Department approved said application and issued Permit No. 57-7115 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before May 1, 1979, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on June 13, 1974, the Department received a request that the measuring device requirement be removed from said permit: and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 57-7115.

Dated this 14 day of June, 1974.


R. KEITH HIGGINSON
Director

DDR:JG

RECORDED

Identification No. _____

Application No. 57-7115

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

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

APPROVED

- 1 Name of applicant STANLEY &/or ETHEL E. WYATT
post office address 8801 San Anita Dr., Boise, Idaho 83704 PH: 376-4663
2. Source of water supply Squaw Creek which is a tributary of Snake River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36 Township 2 N.
Range 4 W. B.M. Owyhee County; additional points of diversion if any: _____

- b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
- 4 Water will be used for the following purposes:
Amount 0.40 for Irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for Stock purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a 0.42 cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works:
a Description of ditches, flumes, pumps, headgates, etc. Pump from creek with sprinkler
system. Stockwater diversion with tank.

- b Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam. _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years
b Estimated construction cost is \$ 500.00.
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water. SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36 Township 2 N.
Range 4 W. B.M.
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered 20 head beef cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

57 7115

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

[illegible]

Total number of acres to be irrigated_____20

c. Describe any other water rights used for the same purposes as described above. Omline Irrigation District right for 25 acres of 33 acres owned by applicant.

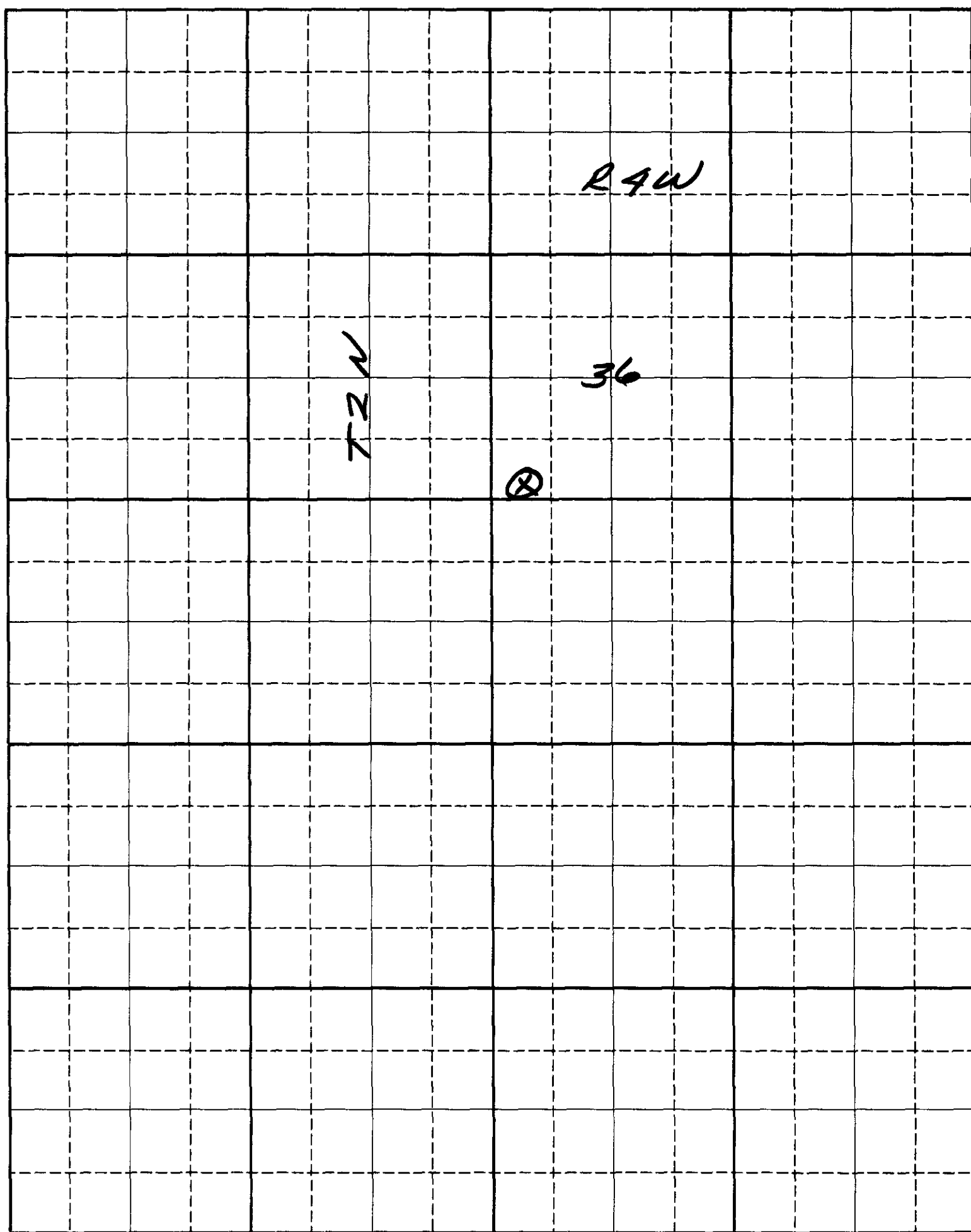
9 a. Who owns the property at the point of diversion Applicant

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 _____

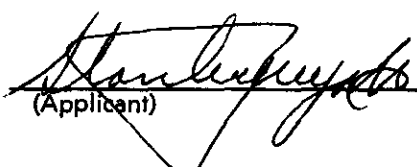
10. Remarks .

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.


(Applicant)

37 7115

Proposed Priority 4-04-1974

Received by ef Date 4-04-74 Time 8:00A 57 7115
Preliminary check by CEB Fee \$ 25.00
Receipted by ef Date 4-04-74 Rec'd # 14399
Publication prepared by ef Date 4-4-74
Published in Owyhee Nugget
Publication dates 4-11 & 4-18-74
Publication approved ef Date 4-29-74
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by CEB dw

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 57-7115, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1979.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

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

Witness my hand this 3 day of May 19 74.

R. Keith Higin
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>4-4-74</u>	<u>R.W.H.</u>	<u>Stanley Wyatt</u> Application No. <u>57-7115</u>
(2)			☒ Source ☒ Point of Diversion ☒ County ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for B/U of water ☒ Place of Use or Acres Irrigated ☒ Map ☒ Signature ☒ Fee
(3)	<u>R.W.H.</u>	<u>4-4-74</u>	In form to receipt Send Copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)		<u>NA</u>	☐ Request Special Use Permit from U.S. F.S. ☐ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>R.W.H.</u>	<u>4-4-74</u>	In form for advertising
(6)		<u>NA</u>	Located within Water District No. <u>57</u>
(7)		<u>NA</u>	Critical groundwater area: yes ☐ no ☐
(8)		<u>NA</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>df</u>	<u>4-29-74</u>	Affidavit of Publication received (date) _____
(11)	<u>EG</u>	<u>29 April 74</u>	Final date for protests <u>29 April 1974</u> Protests received: yes ☐ no ☒
(12)			Date and Place of hearing _____ Decision reached at hearing _____
(13)			All requested information received from agencies or applicant yes ☐ no ☐
(14)	<u>EB</u>	<u>29 April 74</u>	Action recommended: ☒ Approve Priority _____ ☐ Deny Reason for Reduction _____ ☒ Measuring device required? ☒ Yes BDF ☒ See attached sheet for additional conditions of approval ☐ No additional conditions for approval
(15)	District <u>Watson</u>	By <u>Edna E. Ballou</u>	Date <u>29 April 74</u> RECEIVED

APR 30

57 7115

Department of Water Administration

RECOMMENDED

CONDITIONS OF APPROVAL

- ³⁰⁴
☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☒ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☐ Other: _____

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

} s.s.

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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 18 day of April, 1974.

Sam S. Haver
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

RECEIVED

APR 20 1974

Department of Water Administration



OK'd
4-29-74

57 7115

MEMORANDUM

DATE: April 10, 2003
FROM: KARI LYNN TOWNSEND
TO: FILE 57-7115
RE: Ownership change request

=====

The Department received a note from Judith Leffler on 3-7-2003 concerning ownership of the subject WR.

I sent her a Notice of Change in Water Right Ownership form on 3-8-2003 and set the file up for 30 day call up. There has been no response from Ms. Leffler.

The file is being returned to the vault with no further action taken by the Department.

STATE OF DEPARTMENT OF W NOTICE OF CHANGE IN WA

Please print or type. Attach pages with additional information.
Incomplete forms will be rejected.

1. Please list the water right number(s) and/or adjudication claim number if there is no correspondence in the space provided (under the "split" heading) right in which case division of the existing water right or adjudication claim.

Water Right No(s).	Adjudication Claim No(s).	Split
57-07115		

Judy -
Please include support data regarding the name change when returning this form to our office. If you have any questions regarding this matter, please call me at 208-327-7941. Your signature is required on line 7, page 2.

Thank you,

Shari Lynne Townsend
3.7.03

2. The following REQUIRED information must be submitted:

A. The appropriate FILING FEE. See instructions for fee.

B. A copy of the most recent DEED, TITLE POLICY, CO-OWNERSHIP OF THE PROPERTY AND WATER RIGHT(S) OR CLAIM(S).

C. Either of the following (if necessary to clarify division of PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

JUDY WIDMYER
HC 79 BOX 54, MELBA ID 83641

4. New Owner/Claimant(s)

JUDITH LEFFLER
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

8929 STATE HWY 78

City, State and ZIP Code

MARSING ID 83639

New Telephone Number

(208) _____

5. Date you acquired the property

RECEIVED

MAR - 7 2003

Department of Water Resources

This is to inform you that the water right [REDACTED]
that is owned by Judith K. Leffler, formerly [REDACTED]
Widmyer has a change of address. The correct address
is: Judith Leffler, 8929 State Hwy 78,
Marsing, Idaho 83639

April 9, 1990

DELBERT WIDMYER
JUDY WIDMYER
HC 79 BOX 54
MELBA, ID 83641

RE: PERMIT NO. 57-07115

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

APR 18 1990

February 23, 1990

DELBERT WIDMYER
JUDY WIDMYER
HC 79 BOX 54
MELBA, ID 83641

RE: PERMIT NO. 57-07115

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

INDEXED

APR 18 1990

rm 219-S.A.
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

57-7115
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

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

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

Check of P/D index DN 5-17-88 (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 DN 5-17-88 (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: _____

NOT COPIED
SUPPLEMENTAL
WATER TO IRR.
DISTRICT

Aerial Photo

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

Scheduling Letter sent? NONE SENT ON 5-17-88 (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 Jonathan Hebert 5-17-88 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent _____ (Initial and date)

Exam Reviewed by Manager of Regional Office DN 1/10/90 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File JFW 2/2/90 (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT Department of Water Resources

PERMIT
FEB 13 1990

A. GENERAL INFORMATION

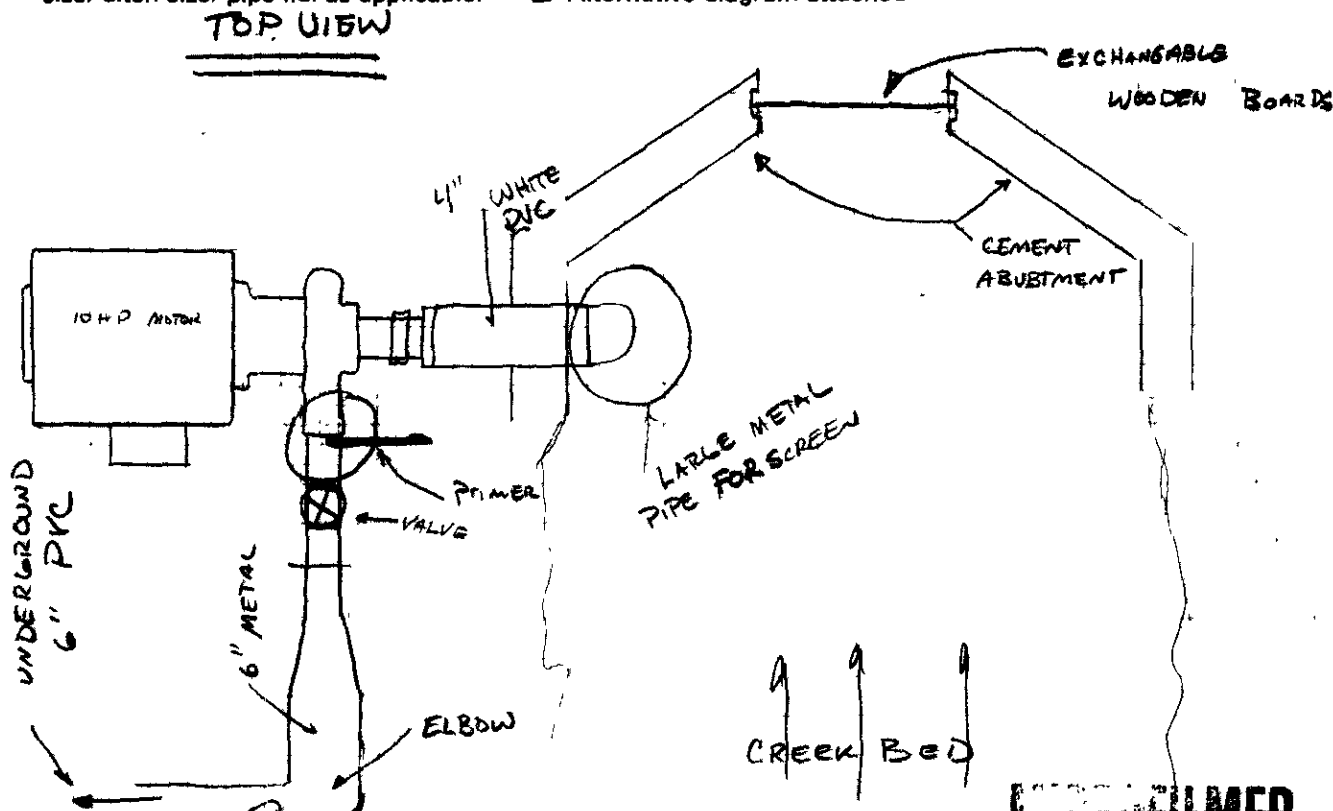
Permit No. 57-7115
Phone No. 495-2682
83641
1. Owner: DELBERT AND JUDY WIDMYER
Current Address: H.C. 79 Box 54 MELBA ID.
2. Accompanied by: DELBERT WIDMYER EXAM. DATE: 5-18-88
Address: SAME Phone No. _____
Relationship to Permit Holder: OWNER
3. Source: SNAKE CR. tributary to SNAKE RIVER

B. OVERLAP REVIEW

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IRRIGATION DISTRICT LICENSE NO. 02-2072 ☐ Copies Attached
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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



MICROFILMED

Scale: 1" = NOT TO SCALE

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☒ Aerial Photo Attached
APR 18 1990
(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 CONSISTS OF A 10 HP MOTOR ON A BERKELEY CENTRIFUGAL PUMP WITH A 8' LONG, 4" P.V.C. PIPE FOR THE SUCTION LINE. THERE IS A CEMENT HEADGATE SYSTEM TO BACK UP THE WATER IN SQUAW CREEK FOR THE PUMP. THE DISCHARGE LINE FROM THE PUMP IS A 3" METAL PIPE THAT EXPANDS TO A 6" METAL PIPE THEN GOES UNDERGROUND TO A 6" P.V.C. PIPE, WHICH IS THE MAINLINE WHICH FEEDS THE SPRINKLER SYSTEM. THE SPRINKLER SYSTEM IS A HANDLINE SYSTEM.

☐ 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
	A.C. MOTOR	10	10" P2SE130B	BERKELEY	011481
	RELIANCE				
	DUTY MASTER				

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SW	36	2N	4W	OWYHEE	USGS QUAD & AERIAL PHOTO

6. Place(s) of Use:

Indicate Method of Determination AERIAL PHOTO 17.6 acres → 18 ac.

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	
2N	4W	36										18							18

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
SPRINKLER PRESSURE						
GAUGE						

2. Measurements:

60 psi, ON 30 HEADS RAINBIRD # 30's
 * RAINBIRD NO. 30 WH'S 9/64 - ONE 1/8" NOZZLE
 ≈ 66 GPM PER HEAD 6 GPM X 30 HEADS / 44.8 = .40 cfs
 .401 > .4 cfs O.K. ✓

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

THEORETICAL FLOWRATE:

$$Q = \frac{10 \text{ HP} \times 8.8 \times .8}{(60 \text{ PSI} \times 2.31) + 4 \text{ FT}} = .49 \text{ cfs} > .4 \text{ cfs}$$
 O.K. ✓

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:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 17.6 \text{ ac} \times 5.0 \text{ af/ac} = 88 \text{ ac-ft/season}$
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .4 \text{ cfs} \times 245 \text{ days} \times 1.9835 = 194.383 \text{ ac-ft/season}$
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 88 \text{ ac-ft/season}$

2. Volume Calculations for Other Uses:

STOCK WATER

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APR 18 1990

.02 x 1.98 x 365 Days = 14.45 ac-ft/season
 15 HEAD x .0134 = .2 acre-ft/yr

H. REMARKS AND OVERLAP REVIEW ANALYSIS

- THIS LAND IS ALSO COVERED UNDER OPALINE IRRIGATION DISTRICT WATER LIC. NO. 02-2072 AND THIS WATER RIGHT (57-7115) IS FOR SUPPLEMENTAL WATER.

- AT THE TIME OF THE EXAM, THE OWNER DID NOT HAVE STOCK ON THE PLACE, BUT HE SAID IN THE WINTER HE PUTS A FEW HORSES OR COWS IN THE PASTURE AND THEY DRINK OUT OF SQUAW CREEK FOR THERE WATER. HE SAID HE WOULD NOT HAVE MORE THAN 15 HEAD AT A TIME ON THE PLACE.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3/15	11/15	4 cfs	88 afa
STOCK WATER	1/1	12/31	.02 cfs	.2 afa
Totals:			42 cfs	88.2 afa

Reduce to 0.36 cfs,
at 0.02 cfs/acre
DWR

0.38 cfs

2. Recommended Amendments

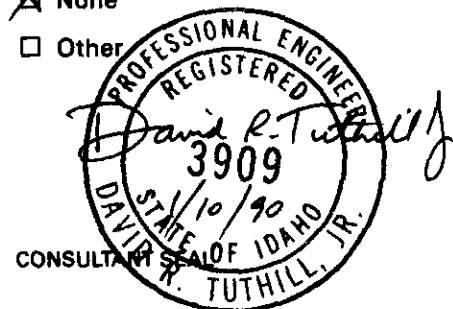
- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

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

- ☒ None
☐ Other

J. AUTHENTICATION

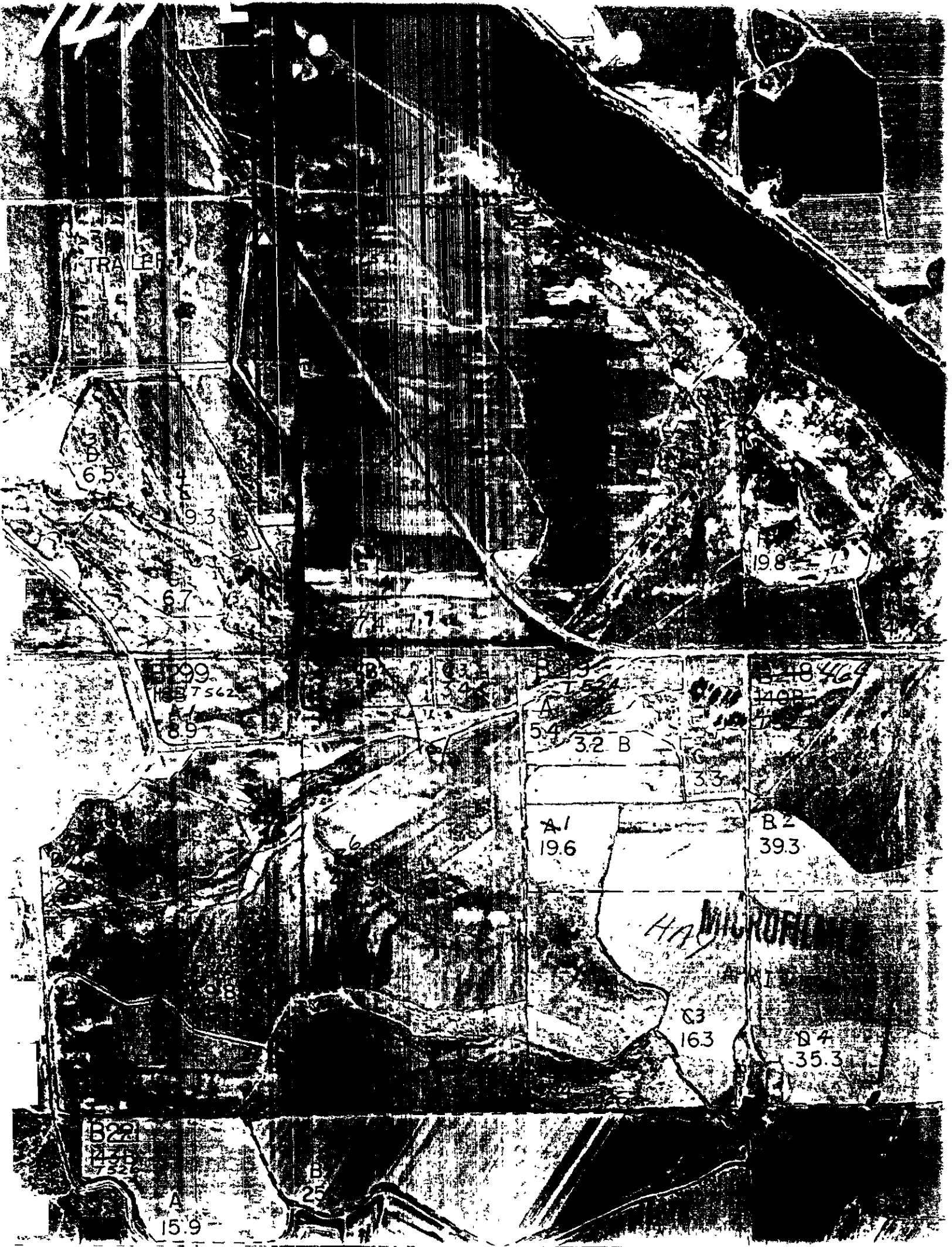
Field Examiner's Name QUENTIN NESBITT
Signature Quentin Nesbitt
Certification Date _____
Field Report Preparation Date 5-17-88



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

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APR 18 1990



TRAILED

65

9.3

6.7

19.8

1322
1258
7526

8.9

5.4

3.2 B

3.3

A1

19.6

B2

39.3

HA MICROFILM

83

163

D4

35.3

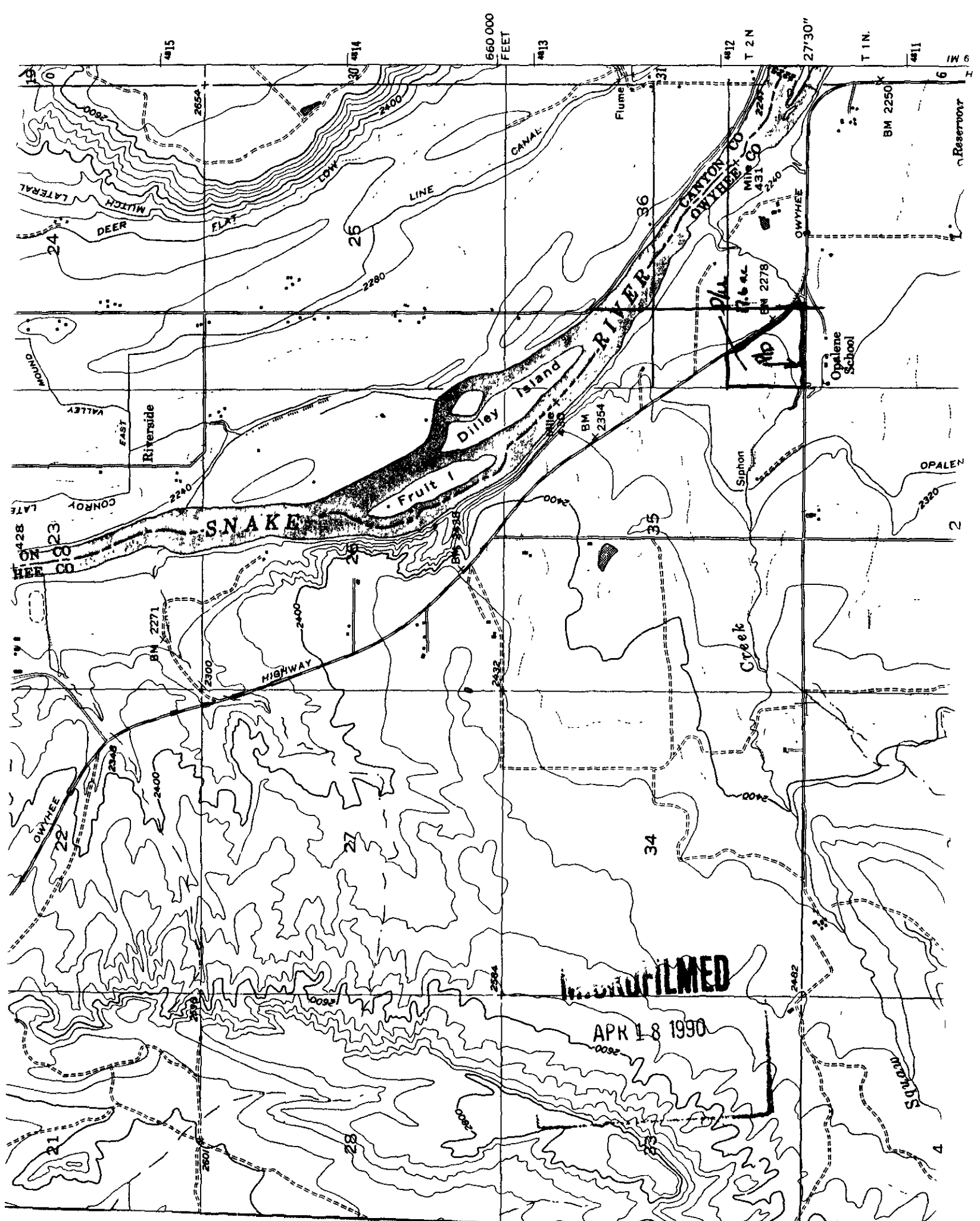
1322

A

15.9

B

25



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APR 18 1990

T-27 R4W Sec 36

LATITUDE 43°
LONGITUDE 11





57-7115



P.D.



P.U.

UNRECORDED

APR 18 1930

4/86

DEC 12 1987

For Office Use Only
Fee Received 4.00
Date 10/21/87
Receipt # 43924
Receipt by SR
Sent to S.O. 12/14/87

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

KEYPUNCHED

1. Permit No. 57-7115

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: Stanley Watt to FMHA to Delbert Buzza Judy Widmyer

3. Post Office Address: Box 54 Melba Idaho

Telephone No. 495-2682

4. Source of Water: Sagehen Creek

5. Extent of Use:

Domestic _____ (No. of households) Stockwater 2060 (No. and type of stock)

Irrigation 20 - irrigated (acres) Other/Remark Beet Cattle & horses

6. Total rate &/or volume for which proof is submitted .40 cfs _____ acre-feet

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

unknown - approx 1974

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

Delbert Buzza Widmyer
(Name)

Box 54 Melba Idaho
(Address)

495-2682
(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.)

Oct 21, 1987
Date

Delbert Buzza Widmyer
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

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

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

Checks should be made payable to the
Department of Water Resources

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

We have purchased this place from
Fm HA in Marsing & we will hope there
will be no penalty for late payment on
this permit.

Sincerely,
Albert Buzz Widmyer

RECEIVED

DEC 14 1987

Department of Water Resources
Regional Office

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

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

November 12, 1987

Delbert W. and Judith K. Widmeyer
HC 79, Box 54
Melba, ID 83641

Re: Permit to Appropriate Water No. 57-7115

Dear Mr. and Mrs. Widmeyer:

The Department of Water Resources recently received a copy of a real estate mortgage issued by you to Farmers Home Administration which names Application No. 57-7115 (which is shown in the records of the Department as an approved permit) as property subject to the mortgage. Our records indicate that Stanley and Ethel Wyatt are the owners of the permit.

The 1986 Idaho Legislature passed a law requiring that the owners of permits for which a field examination must be conducted prior to licensing must pay an examination fee. In April, 1987, an examination fee notice was sent to Stanley and Ethel Wyatt for Permit No. 57-7115. A copy of the examination fee notice is enclosed. The examination fee notice was returned to the Department unclaimed.

As stated in the notice, a permit holder has sixty days from the time of notification within which he is required to pay the examination fee. After the sixty days has run, the permit loses one day of priority for every day that the payment is late. After the expiration of one year and sixty days, the permit will lapse.

Please consider this letter notice that an examination fee is due. The date of this letter shall be considered the date that notice was given. The fee must be paid within sixty (60) days of the date of this letter.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: Western Region

Enclosure

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APR 18 1990

RECEIVED

OCT 26 1987

INTER-DEPARTMENT MEMO — 1

DATE

10/21/87

FROM

Brad Dingee

TO

Glen Saxton

thru ^{Dr} Dave Tuthill
Department of Water Resources

SUBJECT

Assignment of Permit No. 57-7115

Per our recent telephone conversation with Glen Saxton, the attached document from FmHA is to be considered adequate to assign Permit No. 57-7115 to the Widmeyer's, address: Delbert W. & Judith K. Widmeyer
HC 79 Box 54
Melba, ID 83641

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SIGNATURE

USDA-FmHA
Form FmHA 427-1 ID
(Rev. 10-85)

REAL ESTATE MORTGAGE FOR IDAHO

THIS MORTGAGE is made and entered into by Delbert W. Widmyer and

Judith K. Widmyer, husband and wife

residing in Owyhee County, Idaho, whose post office address is

HC 79 , Box 54 Melba, Idaho 83641,

herein called "Borrower," and the United States of America, acting through the Farmers Home Administration, United States Department of Agriculture, herein called the "Government."

WHEREAS Borrower is indebted to the Government as evidenced by one or more promissory note(s) or assumption agreement(s), herein called "note," which has been executed by Borrower, is payable to the order of the Government, authorizes acceleration of the entire indebtedness at the option of the Government upon any default by Borrower, and is described as follows:

<u>Date of Instrument</u>	<u>Principal Amount</u>	<u>Annual Rate of Interest</u>	<u>Due Date of Final Installment</u>
Sept. 3, 1987	\$34,000.00	11%	Sept. 3, 2012

(The interest rate for limited resource farm ownership or limited resource operating loan(s) secured by this instrument may be increased after 3 years as provided in the Farmers Home Administration regulations and the note.)

And the note evidences a loan to Borrower, and the Government, at any time, may assign the note and insure the payment thereof pursuant to the Consolidated Farm and Rural Development Act, or Title V of the Housing Act of 1949 or any other statutes administered by the Farmers Home Administration;

And it is the purpose and intent of this instrument that, among other things, at all times when the note is held by the Government, or in the event the Government should assign this instrument without insurance of the note, this instrument shall secure payment of the note; but when the note is held by an insured holder, this instrument shall not secure payment of the note or attach to the debt evidenced thereby, but as to the note and such debt shall constitute an indemnity mortgage to secure the Government against loss under its insurance contract by reason of any default by Borrower;

And this instrument also secures the recapture of any interest credit or subsidy which may be granted to the Borrower by the Government pursuant to 42 U.S.C. §1490a.

NOW, THEREFORE, in consideration of the loan(s) and (a) at all times when the note is held by the Government, or in the event the Government should assign this instrument without insurance of the payment of the note, to secure prompt payment of the note and any renewals and extensions thereof and any agreements contained therein, including any provision for the payment of an insurance or other charge, (b) at all times when the note is held by an insured holder, to secure performance of Borrower's agreement herein to indemnify and save harmless the Government against loss under its insurance contract by reason of any default by Borrower, and (c) in any event and at all times to secure the prompt payment of all advances and expenditures made by the Government, with interest, as hereinafter described, and the performance of every covenant and agreement of Borrower contained herein or in any supplementary agreement, Borrower does hereby grant, bargain, sell, convey, mortgage, and assign unto the Government the following property situated in the State of Idaho,

County(ies) of Owyhee :

IN TOWNSHIP 2 NORTH, RANGE 4 WEST, B. M., OWYHEE COUNTY, IDAHO
Section 36: That part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly
described as follows:

BEGINNING at the Southwest corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence North on the West line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ a distance of
292 feet; thence East on a curve of 1146.3 feet radius 837.3
feet; thence West along the Township line 762 feet to the
POINT OF BEGINNING.

AND

SW $\frac{1}{4}$ SW $\frac{1}{4}$, LESS the following described parcel:
BEGINNING at a point on the North line of said
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 602 feet East of the Northwest corner; thence South
32°57' East 946.6 feet; thence to the left on a curve of
1146.3 feet radius 303.4 feet to a point on the East line
292 feet North of the Southeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$;
thence North on the East line 1028 feet to the Northeast
corner; thence West on the North line of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, 718
feet to the POINT OF BEGINNING.

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Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to Water under [REDACTED] approved the the Department of Water Resources on .42 cfs on Squaw Creek.

Subject to exceptions and reservations contained in patents from the United States.

Subject to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

Subject to current taxes, assessments and all restrictions and reservations of record.

Subject to the burdens incident to the inclusion of the land within the boundaries of the Opaline Irrigation District.

together with all rights, interests, easements, hereditaments and appurtenances thereunto belonging, the rents, issues, and profits thereof and revenues and income therefrom, all improvements and personal property now or later attached thereto or reasonably necessary to the use thereof, including, but not limited to, ranges, refrigerators, clothes washers, clothes dryers, or carpeting purchased or financed in whole or in part with loan funds, all water, water rights, and water stock pertaining thereto, and all payments at any time owing to Borrower by virtue of any sale, lease, transfer, conveyance, or condemnation of any part thereof or interest therein-all of which are herein called "the property";

TO HAVE AND TO HOLD the property unto the Government and its assigns forever in fee simple.

BORROWER for Borrower's self, Borrower's heirs, executors, administrators, successors and assigns WARRANTS THE TITLE to the property to the Government against all lawful claims and demands whatsoever except any liens, encumbrances, easements, reservations, or conveyances specified hereinabove, and COVENANTS AND AGREES as follows:

(1) To pay promptly when due any indebtedness to the Government hereby secured and to indemnify and save harmless the Government against any loss under its insurance of payment of the note by reason of any default by Borrower. At all times when the note is held by an insured holder, Borrower shall continue to make payments on the note to the Government, as collection agent for the holder.

(2) To pay to the Government such fees and other charges as may now or hereafter be required by regulations of the Farmers Home Administration.

(3) If required by the Government, to make additional monthly payments of 1/12 of the estimated annual taxes, assessments, insurance premiums and other charges upon the mortgaged premises.

(4) Whether or not the note is insured by the Government, the Government may at any time pay any other amounts including advances for payment of prior and/or junior liens, required herein to be paid by Borrower and not paid by Borrower when due, as well as any costs and expenses for the preservation, protection, or enforcement of this lien, as advances for the account of Borrower. All such advances shall bear interest at the rate borne by the note which has the highest interest rate.

(5) All advances by the Government, including advances for payment of prior and/or junior liens, in addition to any advances required by the terms of the note, as described by this instrument, with interest, shall be immediately due and payable by Borrower to the Government without demand at the place designated in the latest note and shall be secured hereby. No such advance by the Government shall relieve Borrower from breach of Borrower's covenant to pay. Any payment made by Borrower may be applied on the note or any indebtedness to the Government secured hereby, in any order the Government determines.

(6) To use the loan evidenced by the note solely for purposes authorized by the Government.

(7) To pay when due all taxes, liens, judgments, encumbrances, and assessments lawfully attaching to or assessed against the property, including all charges and assessments in connection with water, water rights, and water stock pertaining to or reasonably necessary to the use of the real property described above, and promptly deliver to the Government without demand receipts evidencing such payments.

(8) To keep the property insured as required by and under insurance policies approved by the Government and, at its request, to deliver such policies to the Government.

(9) To maintain improvements in good repair and make repairs required by the Government, operate the property in a good and husbandmanlike manner; comply with such farm conservation practices and farm and home management plans as the Government from time to time may prescribe; and not to abandon the property, or cause or permit to be done any impairment of the security covered hereby, or, without the written consent of the Government, cut, remove, or waste timber, gravel, oil, gas, coal, or other minerals except as may be necessary for ordinary domestic purposes.

(10) To comply with all laws, ordinances, and regulations affecting the property.

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(11) To pay or reimburse the Government for expenses reasonably necessary or incidental to the protection of the lien and priority hereof and to the enforcement of or the compliance with the provisions hereof and of the note and any supplementary agreement (whether before or after default), including but not limited to costs of evidence of title to and survey of the property, costs of recording this and other instruments, attorneys' fees, trustees' fees, court costs, and expenses of advertising, selling, and conveying the property.

JH ~~(12) Neither the property nor any portion thereof or interest therein shall be leased, assigned, sold, transferred, or encumbered voluntarily or otherwise, without the written consent of the Government. The Government shall have the sole and exclusive rights as mortgagee hereunder, including but not limited to the power to grant consents, partial releases, subordinations, and satisfaction, and no insured holder shall have any right, title or interest in or to the lien or any benefits hereof.~~

(13) At all reasonable times the Government and its agents may inspect the property to ascertain whether the covenants and agreements contained herein or in any supplementary agreement are being performed.

(14) The Government may (a) extend or defer the maturity of, and renew and reschedule the payments on, the debt evidenced by the note or any indebtedness to the Government secured by this instrument, (b) release any party who is liable under the note or for the debt from liability to the Government, (c) release portions of the property and subordinate its lien, and (d) waive any other of its rights under this instrument. Any and all this can and will be done without affecting the lien or the priority of this instrument or Borrower's or any other party's liability to the Government for payment of the note or debt secured by this instrument unless the Government says otherwise in writing. HOWEVER, any forbearance by the Government—whether once or often—in exercising any right or remedy under this instrument, or otherwise afforded by applicable law, shall not be a waiver of or preclude the exercise of any such right or remedy.

JH ~~(15) If at any time it shall appear to the Government that Borrower may be able to obtain a loan from a production credit association, a Federal land bank, or other responsible cooperative or private credit source, at reasonable rates and terms for loans for similar purposes and periods of time, Borrower will upon the Government's request, apply for and accept such loan in sufficient amount to pay the note and any indebtedness secured hereby and to pay for any stock necessary to be purchased in a cooperative lending agency in connection with such loan.~~

(16) Default hereunder shall constitute default under any other real estate, or under any personal property, or other security instrument held or insured by the Government and executed or assumed by Borrower, and default under any such other security instrument shall constitute default hereunder.

(17) SHOULD DEFAULT occur in the performance or discharge of any obligation in this instrument or secured by this instrument, or should the parties named as Borrower die or be declared incompetent, or should any one of the parties named as Borrower be discharged in bankruptcy or declared an insolvent or make an assignment for the benefit of creditors, the Government, at its option, with or without notice, may: (a) declare the entire amount unpaid under the note and any indebtedness to the Government hereby secured immediately due and payable, (b) for the account of Borrower incur and pay reasonable expenses for repair or maintenance of and take possession of, operate or rent the property, (c) upon application by it and production of this instrument, without other evidence and without notice of hearing of said application, have a receiver appointed for the property, with the usual powers of receivers in like cases, (d) foreclose this instrument as provided herein or by law, and (e) enforce any and all other rights and remedies provided herein or by present or future laws.

(18) The proceeds of foreclosure sale shall be applied in the following order to the payment of: (a) costs and expenses incident to enforcing or complying with the provisions hereof, (b) any prior liens required by law or a competent court to be so paid, (c) the debt evidenced by the note and all indebtedness to the Government secured hereby, (d) inferior liens of record required by law or a competent court to be so paid, (e) at the Government's option, any other indebtedness of Borrower owing to or insured by the Government, and (f) any balance to Borrower. At foreclosure or other sale of all or any part of the property, the Government and its agents may bid and purchase as a stranger and may pay the Government's share of the purchase price by crediting such amount on any debts of Borrower owing to or insured by the Government, in the order prescribed above.

(19) Borrower agrees that the Government will not be bound by any present or future State laws, (a) prohibiting maintenance of an action for a deficiency judgment or limiting the amount thereof or the time within which such action may be brought, (b) prescribing any other statute of limitations, or (c) limiting the conditions which the Government may by regulation impose, including the interest rate it may charge, as a condition of approving a transfer of the property to a new Borrower. Borrower expressly waives the benefit of any such State laws.

(20) If any part of the loan for which this instrument is given shall be used to finance the purchase, construction or repair of property to be used as an owner-occupied dwelling (herein called "the dwelling") and if Borrower intends to sell or rent the dwelling and has obtained the Government's consent to do so (a) neither Borrower nor anyone authorized to act for Borrower will, after receipt of a bona fide offer, refuse to negotiate for the sale or rental of the dwelling or will otherwise make unavailable or deny the dwelling to anyone because of race, color, religion, sex or national origin, and (b) Borrower recognizes as illegal and hereby disclaims, and will not comply with or attempt to enforce any restrictive covenants on the dwelling relating to race, color, religion, sex or national origin.

(21) This instrument shall be subject to the present regulations of the Farmers Home Administration, and to its future regulations not inconsistent with the express provisions hereof.

(22) Notices given hereunder shall be sent by certified mail, unless otherwise required by law, and addressed, unless and until some other address is designated in a notice so given, in the case of the Government to the Farmers Home Administration at Boise, Idaho 83702, and in the case of Borrower at the address shown in the Farmers Home Administration Finance Office records (which normally will be the same as the post office address shown above).

RECORDED
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(23) Borrower has assigned or waived or will immediately on request of the Government, assign or waive in favor of the Government all grazing privileges, permits, licenses, or leases appurtenant to or used in connection with said land, and Borrower further covenants and agrees to produce renewals thereof prior to their expiration and to pay all fees and charges and to perform all acts and do all things necessary to keep and preserve all said grazing rights and renewals thereof, and in the event of the failure of Borrower to do any of these things the Government may do so on behalf of Borrower, including advancing such sums as may be necessary for this purpose, and such funds advanced shall be secured by this instrument.

(24) If any provision of this instrument or application thereof to any person or circumstances is held invalid, such invalidity will not affect other provisions or applications of the instrument which can be given effect without the invalid provision or application, and to that end the provisions hereof are declared to be severable.

IN WITNESS WHEREOF, Borrower has hereunto set Borrower's hand(s) and seal(s) this 3rd day of September, 19 87.

/s/ Delbert W. Widmyer

Delbert W. Widmyer

/s/ Judith K. Widmyer

Judith K. Widmyer

ACKNOWLEDGMENT

STATE OF IDAHO

COUNTY OF Owyhee

} ss:

On this 3rd day of September, in the year of 1987, before me, the undersigned, a Notary Public in and for said State, personally appeared Delbert W. Widmyer and
Judith K. Widmyer

known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same as their free act and deed for the uses, purposes, and consideration therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the said date.

(Seal)

(NOTARIAL SEAL)

/s/ Nicholas K. Ihli

Notary Public, residing at Murphy, Idaho

My commission expires Jan. 31, 1988

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

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address
Statehouse
Boise, Idaho 837
(208) 334-4440

October 1, 1987

57-7115
Stanley & Ethel E. Wyatt
2331 Skillern Dr.
Boise, ID 83705

RE: Permit to Appropriate Water No. *57-7115*

The Department mailed the original of the enclosed letter in an attempt to inform him that he was required to pay an examination fee on the above referenced permit. The letter was returned to the Department as undeliverable mail. Research of the records of the County Assessor reveals that you own property which may have been listed as the place of use in the permit.

Please read the enclosed letter. It may be necessary that you file an examination fee with the Department to prevent loss of a developed water right. Should we not hear from an interested party within sixty (60) days of the date of this letter, action will be initiated to remove the permit from the Department files.

Respectfully,

Gary Spackman

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC:

MICROFILMED

APR 18 1990

Idaho Department of Water Resources
Western Region

RECEIVED

APR 8 1987

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

Department of Water Resources
Western Regional Office

RETURN TO SENDER
() MOVED LEFT NO ORDER
(X) EXPIRED ORDER
(X) UNKNOWN/UNDELIVERABLE
() NO SUCH NUMBER/STREET

CLAIM CHECK
NO.

504540

☐ HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

Delivered from
PS Form 3849-A
Oct. 1980

auspice

CLAIM CHECK
NO.

210826

☐ HOLD

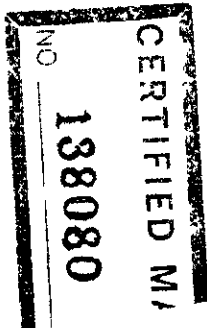
DATE

1ST NOTICE

2ND NOTICE

RETURN

Delivered from
PS Form 3849-A
Oct. 1980



MICROFILMED

APR 18 1990



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

57-7115
WYATT, STANLEY
WYATT, ETHEL E.
2331 ~~SKILLERN DR.~~ Skillern Dr.
BOISE, ID 83705

138080

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.

page 2
Examination Fee Notice

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is available from the department upon request. A listing of certified water right examiners is also available.

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

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

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

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

The attached examination fee information sheet and the fee may be returned to this office. If you have questions or concerns please feel free to call at (208) 334-2190, or to visit the office at our new location near the airport, at 2735 Airport Way.

Sincerely,



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

DRT:jp

Enclosure



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

57-7115
WYATT, STANLEY
WYATT, ETHEL F.
2331 ~~SKILLERN DR.~~ Skillern Dr.
BOISE, ID 83705

138080

April 3, 1987

CERTIFIED MAIL

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MICROFILMED

APR 18 1990



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

May 18, 1979

Stanley and/or Ethel E. Wyatt
2331 Skillern Drive
Boise, ID 83705

Dear Mr. and Mrs. Wyatt:

Re: Permit No. 57-7115

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

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

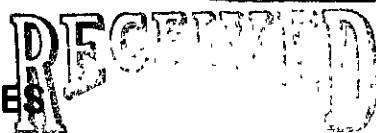
If you have any questions regarding the field examination, please contact our regional office in **Boise, Idaho.**

Sincerely,

RITA FLECK
Water Rights

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



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

Department of Water Resources

1. a) Name of permit holder STANLEY &/or ETHEL E. WYATT
b) Post office address 2331 Skillern Drive, Boise, ID 83705
2. Permit number 57-7115
3. Date of priority that you are prepared to establish 4-4-1974
4. a) Source from which water was appropriated Squaw Creek
b) Location of the point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36
Township 2N, Range 4W Boise Meridian. Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 0.40 for irrigation purposes from 3-15 to 11-15 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount 0.02 for stockwater purposes from 1-1 to 12-31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
b) Total amount appropriated 0.42 cfs and/or acre-feet per annum.
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:

6. If the means of diversion and conveyance are owned by someone other than the permit holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

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

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

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

MICROFILMED

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

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

stockwater for 20 head of beef cattle

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	4W	36											20						20

Total number of acres irrigated 20

10. Remarks: _____

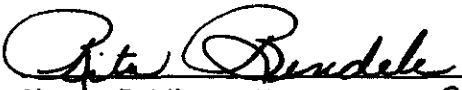
The above information is a true statement of the extent to which the above numbered permit has been developed.

4-2-1979
(Date)


(Signature)

State of _____)
County of Ada) ss.

On this 2nd day of April, 19 79, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.


Notary Public
Residing at Paice, Id

My commission expires 3-8-1980

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

RECEIVED

MAR 15 1979

Department of Water Resources

CERTIFIED MAIL

100645

NO

RECORDED & INDEXED

RETURNED
TO
SENDER
NOT DELIVERABLE
AS ADDRESSEE
MAR 15 1979

Standley &/or Ethel E. Wyatt
8801 San Anita Drive
Boise, ID 83704

BOISE, IDAHO 83720

CLAIM CHECK NO

009000

☐ HOLD

DATE

3-1-79

1ST NOTICE

3-8

2ND NOTICE

3-16

RETURN

Detached fr

PS Form 3

July 1977

Handwritten signatures and initials
3/23/79



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

CERTIFIED MAIL

February 28, 1979

Re: Permit No. 57-7115

100615

Stanley &/or Ethel E. Wyatt
8801 San Anita Drive
Boise, ID 83704

Dear Mr. and Mrs. Wyatt:

One of the conditions of approval of your water Permit No. 57-7115 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before May 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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

RITA FLECK
Water Rights

Encl: Proof affidavit

2

Sta
86
Bo

Dear Mr. & Mrs. Wyatt:

If you have any questions, or need any further assistance, please contact us.

D. Nat

DDR:JG
Enclosure

100-443887-100

CONVERSATION MEMORANDUM

DATE June 13, 1974FILE 57-7115NAME OF PARTY Stanley E. WyattEMPLOYEE L. Glen Saxton

RE: Mr. Wyatt visited this office today requesting that the measuring device requirement be removed from Approved Permit 57-7115. He stated that he will use a small portable pump for diverting the water. He also stated that the same portable pump as used under license 02-7013- had a measuring device requirement that was removed at his request.

I recommended the measuring device requirement also be removed from permit 57-7115.

L. Glen Saxton

MICROFILMED

May 6, 1974

Re: Permit No. 57-7115

Stanley &/or Ethel E. Wyatt
8801 San Anita Drive
Boise, Idaho 83704

Dear Mr. & Mrs. Wyatt:

Enclosed is a copy of your approved Application for Permit No. 57-7115 . We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosures

57 7115

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

April 5, 1974

Owyhee Nugget
Marsing, ID 83639

Re: Application for Permit No. 57-7115 - Stanley &/or Ethel E. Wyatt

Gentlemen.

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

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

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

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

(signature of claimant)

Sincerely,

Bill submitted 4-24-74 by df

57 7115

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that STANLEY &/or ETHEL E. WYATT, 8801 San Anita
Dr., Boise, ID

has on April 4, 1974 submitted Application No. 57-7115
for a permit to appropriate 0.42 cubic feet per second ~~XXXXXX~~
~~XXXXXX~~ of water from Squaw Creek, trib. to Snake River
by means of pump, sprinkler system & stock tank
within the SW¹SW¹, S. 36, T. 2 N., R. 4 W., B.M., Owyhee County

to be used from Jan. 1 to Dec. 31 for stock use & March 15 to Nov. 15
for irrigation of 20 acres
within the SW¹SW¹, S. 36, T. 2 N., R. 4 W., B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Administration, Statehouse, Boise, Idaho, 83707, on or before
April 29, 1974.

R. KEITH HIGGINSON

Director

Published in the Owyhee Nugget, Marsing, Idaho
on April 11, 1974 and April 18, 1974.

57 7115

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

April 4, 1974

Stanley Wyatt
8801 San Anita Dr.
Boise, Idaho 83704

Re: Application for Permit No. 57-7115

Dear Mr. Wyatt:

Enclosed is your Receipt No. 14299 in the amount of \$ 25.00 for
Application for Permit No. 57-7115 which was received in this office
on April 4, 1974.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

Enclosure

57 7115