

of diversion as proposed
and ditches.

TOWNSHIP 2 SOUTH, RANGE 5 WEST, B.M.

Sec. 4

ØD.

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Burton Brown
(signature)

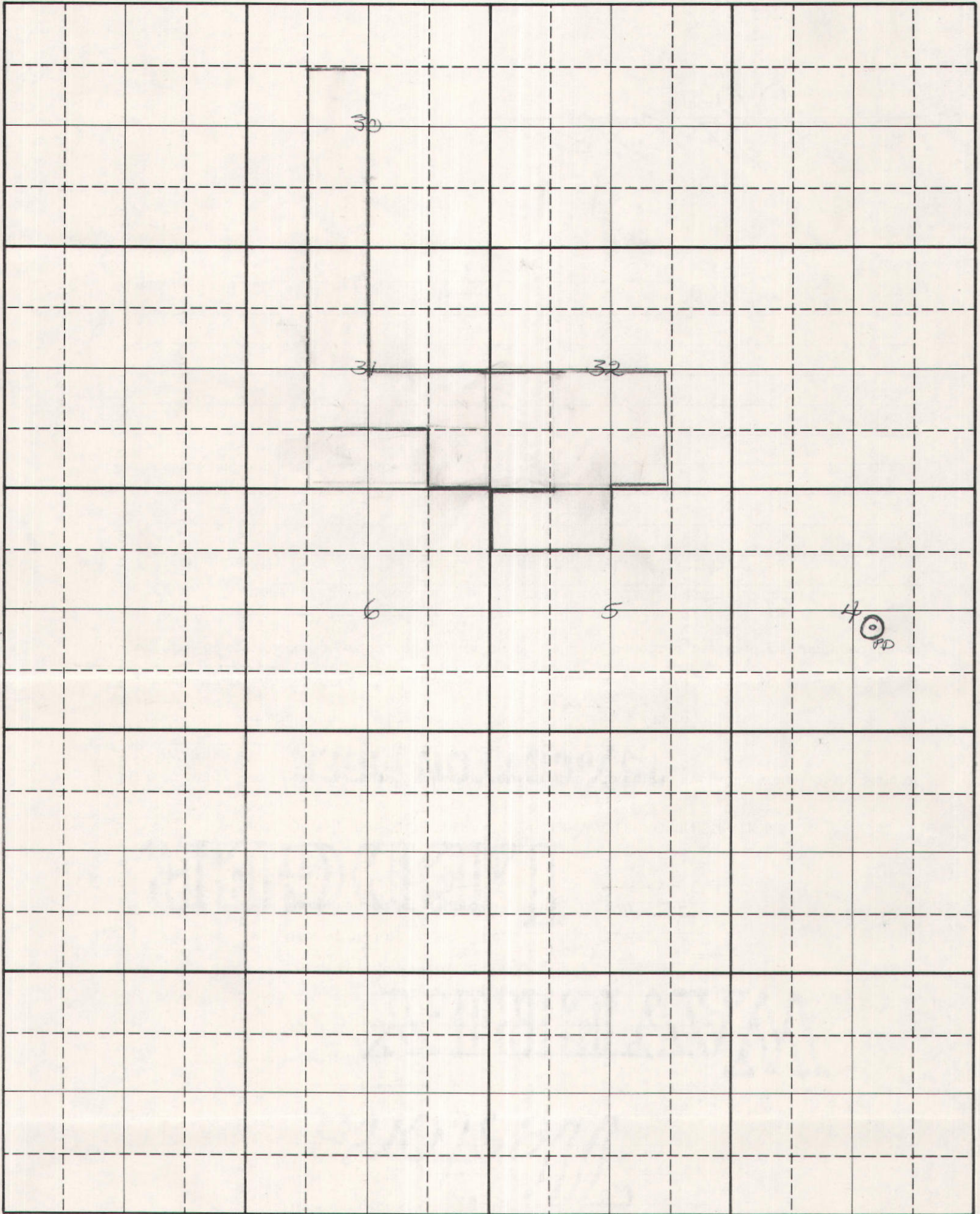

Director

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

R 5W

T
1
S

T
2
S



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.

E. L. Von Kneig
(Applicant)

7082

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

S.S.

JAN 29 1973
Department of Water Administration

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 2 consecutive weeks, the first publication being on the 28 day of Dec, 1972, and the last publication being on the 4 day of Jan, 1973;

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 4 day of Jan, 1973.

Lorna S. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that E. LAVON KING, Star Rt., Marsing, Idaho, has on September 27, 1972, submitted Application No. 57 - 7082 for a permit to appropriate 5.0 cubic feet per second 150 acre feet per annum of water from McBride Creek, trib. to Succor Creek, by means of dams & ditches within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T. 2 S., R. 5 W., B. M., Owyhee County, to be used from March 15 to November 15 for the irrigation of 359 acres located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 30, (75 acres); E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 31, (94 acres); W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 32, (145 acres), T. 1 S., R. 5 W., N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5, (45 acres), T. 2 S., R. 5 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 January 15, 1972.

R. KEITH HIGGINSON,
Director.

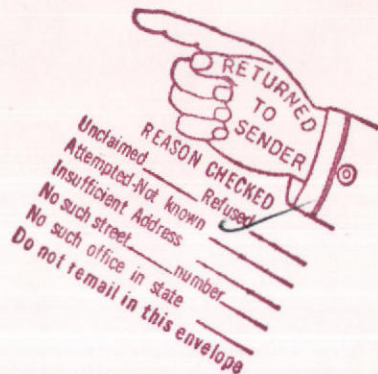
Published in the Owyhee Nugget, Marsing, Idaho, on December 28, 1972, and January 4, 1973.

57 7082



Idaho Department of Water Resources
Western Region

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705



RECEIVED

APR 17 1987

Department of Water Resources
Western Regional Office

APR-3'87

CLAIM CHECK
NO.

212775

☐ HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

Detached from
PS Form 3849-A
Oct. 1980

CERTIFIED MAIL

138074

NO.

U.S. POSTAGE

MAY 19 1992

23

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 57-07082

Priority: September 27, 1972

Maximum Diversion Rate:

5.00 CFS

Maximum Diversion Volume:

150.0 AF

This is to certify, that MARK D SHENK
28801 SCOTT PITT RD
PARMA ID 83660

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 27, 1972; and has submitted Proof of Beneficial Use on January 27, 1975. An examination indicates that the works have a diversion capacity of 37.260 cfs of water from:

LITTLE MC BRIDE CREEK

tributary to MC BRIDE CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		150.0 AF
IRRIGATION FROM STORAGE	04/01 to 11/01		150.0 AF
DIVERSION TO STORAGE	02/01 to 05/31	5.00 CFS	
	Totals	5.00 CFS	150.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 4, Township 02S, Range 05W
OWYHEE County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	05W	30	SESW 11.5	NESW 24	Lot 6(NWSW) 1	60.5
		31	SESW 24	SESW 19.5	NESW 4	
			NENW 30.5	NWSE 8	SWSE 11	
			NESE 7			96
			SESE 16			
		32	NESW 25	NWSW 25	SWSW 24	
			SESW 33	SWSE 1		108
02S	05W	5	Lot 2(NWNE) 13	SWNE 1	Lot 3(NENW) 22	
			Lot 4(NWNW) 12	SESW 2		50
		6	Lot 1(NENE) 3			3

Total number of acres irrigated: 317.5

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

MICROFILMED

MAY 19 1992

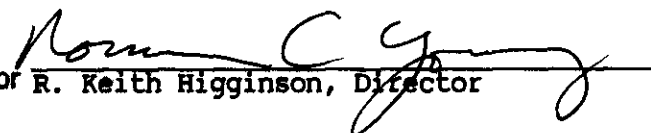
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 57-07082

CONDITIONS/REMARKS:

- describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
 3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
 4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
 5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

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 7TH day of MAY, 1992.


Acting for R. Keith Higginson, Director

MICROFILMED

MAY 19 1992

State of Idaho
Department of Water Resources

RECEIVED
APR 23 1992

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 57-07082

Department of Water Resources
APPROVED

Date of Priority: September 27, 1972

Maximum Diversion Rate:
Maximum Diversion Volume:

5.00 CFS
150.0 AF

Comes now

PEARL BROWN
BURTON BROWN

STAR RT
MARSING ID 83639

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 57-07082, and requests that the permit be changed as follows:

Source: LITTLE MC BRIDE CREEK

tributary to MC BRIDE CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		150.0 AF
IRRIGATION FROM STORAGE	04/01 to 11/01		150.0 AF
DIVERSION TO STORAGE	02/01 to 05/31	5.00 CFS	
	Totals	5.00 CFS	150.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 4, Township 02S, Range 05W
OWYHEE County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	05W	30	SENE 11.5	NESW 24	Lot 6(NWSW) 1	
			SESW 24			60.5
		31	NENW 30.5	SENE 19.5	NESW 4	
			NESE 7	NWSE 8	SWSE 11	
			SESE 16			96
		32	NESW 25	NWSW 25	SWSW 24	
			SESW 33	SWSE 1		108
02S	05W	5	Lot 2(NWNE) 13	SWNE 1	Lot 3(NENW) 22	
			Lot 4(NWNW) 12	SENE 2		50
		6	Lot 1(NENE) 3			3

Total number of acres irrigated: 317.5

RECEIVED
MAY 19 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 57-07082

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

Signed at Porch, this 22nd day of April, 19 92

Mark D. Shurt
(Signature)

RECEIVED

MAY 19 1992

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 57-07082

FOR DEPARTMENT USE ONLY

#C023902

Preliminary check by SC Fee = \$20.00 Received by bilbas Date 4/23/92

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 57-07082 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness my hand this 7TH day of MAY, 1992.


Acting for R. Keith Higginson, Director

MAY 19 1992

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

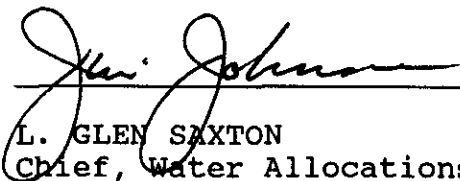
IN THE MATTER OF REMOVING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 57-7082) ORDER
IN THE NAME OF E. LAVON KING)

WHEREAS, Permit No. 57-7082 was issued with a condition requiring the installation of a measuring device approved by the Department and,

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

NOW THEREFORE, the condition of approval on Permit No. 57-7082 requiring that a measuring device be installed is hereby REMOVED.

Dated this 6TH day of MAY, 1992.

for 
L. GLEN SAXTON
Chief, Water Allocations Bureau

RECORDED

MAY 19 1992

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

I, Pearl Brown, hereby assign to Mark D. Sherk
of 28801 Scott Pitt Rd Parma Idaho 83460
Address

All my right, title, and interest in and to Permit No. 57-07082
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. 57-07082 to appropriate the public waters of
the State of Idaho. (Describe that portion of the permit being
assigned by listing the acreage within each 40 acre subdivision, the
point of diversion and the amount of water in cubic feet per second for
direct diversion, or acre feet for storage)

Made this 21st day of April, 1992.

Pearl Brown
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Ada) ss

On this 21 day of April, 1992, personally appeared before
me the signer(s) of the above instrument, who duly acknowledged to me that
he (she) (they) executed the same.

Cheryl Uggel
Notary Public residing at
Boise, Idaho

s e a l

My commission expires:

3-14-94

RECORDED

MAY 19 1992

Receipt # 724

RECEIVED
JAN 27 1961

FJAN 27

Department of Water Resources

Permit No. 57-7082

[illegible]

Total number of acres to be irrigated

MICROFILMED

TOWNSHIP 2 SOUTH, RANGE 5 WEST, B.M.

P.D.

Sec. 4

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Burton Brown
(signature)

I, R. KEITH HIGGINSON, Director of the Department of Water Administration,
hereby approve the above application for amendment for Permit No. 57-7082.


Director

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED

JAN 27 1975

Department of Water Resources

I, E. LaVon King, hereby assign to Burton or Pearl Brown

of Star Route, Marsing, Idaho

Address

CHECK ONE



All my right, title, and interest in and to Permit No. 57-7082
to appropriate the public waters of the State of Idaho.



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

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

Made this 22 day of Jan, 19 75.

E. LaVon King
Permit Holder

Georgia M. King
Spouse of Permit Holder

State of Idaho)
County of Canyon) ss.

On this 22 day of Jan, 19 75, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

H. J. Maymout
Notary Public residing at

Caldwell - 3-13-77

My commission expires:
3-13-77

MICROFILMED

Identification No. _____
Application No. 57-7082

APPROVED

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)

ASSIGNED TO:
Burton or Pearl Brown
Star Route
Marsing, Idaho 83639
2-03-1975

1. Name of applicant E. LAVON KING
post office address Star Route, Marsing, Idaho
- 2 Source of water supply McBride Creek which is a tributary of Succor Creek
3. a Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 4 Township 2 S.
Range 5 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 150 Ac for Irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 5.0 cfs for Irrigation purpose from Mar. 15 to Nov. 15 (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 ~~150 cfs~~ 5.0 cfs cubic feet per second and/or
b 150 cfs acre feet per annum.
- 6 Proposed diverting works.
a. Description of ditches, flumes, pumps, headgates, etc. Earth fill dam. Ditches to place
of use. Gravity irrigation.

b Height of storage dam 28 feet, active reservoir capacity 300 acre feet; total reservoir
capacity 300 acre feet, materials used in storage dam: earth
Period of year during which storage will occur Feb 1 to May 31 inclusive ELK
(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 2 years
b. Estimated construction cost is \$ 6,000.00.
8. Description of proposed uses.
a If water is **not** for irrigation.
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

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

57-7082

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

TWP.	RANGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1 S.	5 W.	30								15	30			30					75
1 S.	5 W.	31					30			30	5				5	12		12	94
2 S.	5 W.	5					25	20											45
1 S.	5 W.	32									25	40	25	25		15	15		145

Total number of acres to be irrigated 359

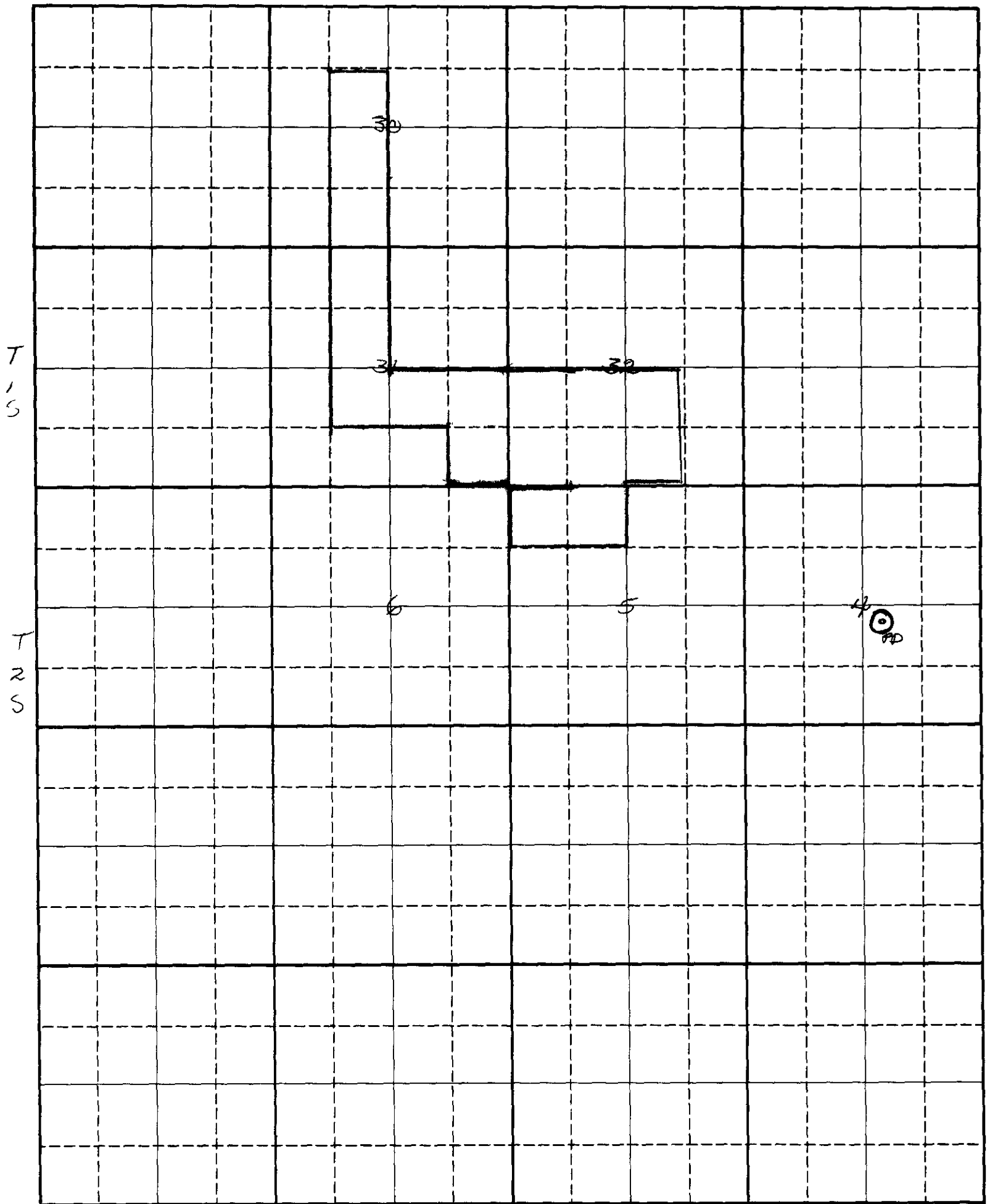
c. Describe any other water rights used for the same purposes as described above. Some McBride Creek water and some storage rights.

- 9 a. Who owns the property at the point of diversion BLM
- 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 Applicant has right of way grant for existing diversion ditch. He will send a copy to this office.

10. Remarks This right is for additional water being stored in the reservoir after it has been enlarged.

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

R 5W



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.

E. L. Lanyon King
(Applicant)

7082

Received by KHF Date 9/27/72 Time 10:30 AM
 Preliminary check by KHF Fee \$ 35⁰⁰ + 30⁰⁰ (65⁰⁰)
 Receipted by ej Date 10-2-72
 Publication prepared by ej Date 12-21-72
 Published in Owheezy Nugget
 Publication dates 12-28-72 + 1-4-73
 Publication approved ej Date 1-29-73
 Priority reduced to _____ Reason _____

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for (approval) denial by KHF JLF

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. 57-7082, 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 February 1, 19 75.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 31st day of January 19 73.

R. Karl Hjort
 Director

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Land Office
P. O. Box 2237
Boise, Idaho 83701

DECISION

Right-of-Way Granted

DETAILS OF GRANT

Serial number of grant: I-1889

Name of grantee: E. LaVon King

Map showing the location and dimensions of grant:

Map designations: No specific designation made

Date filed: November 9, 1967

Permitted use by grantee: Irrigation ditch and reservoir

Authority for grant: Act of March 3, 1891 (26 Stat. 1101), as amended.

Regulations applicable to grant:

Code reference: 43 CFR Sections 2234.1 and 2234.3-1

Circular number(s): 2161

Date of Grant: July 1, 1968

Expiration date of Grant:

Rental: None

Amount:

When payable by grantee:

TERMS AND CONDITIONS OF GRANT

Pursuant to the authority vested in the undersigned by Order No. 701 of the Associate Director, Bureau of Land Management, dated July 23, 1964, (29 F.R. 10526), as amended, a right-of-way, the details of which are shown above, is hereby granted subject to the following terms and conditions.

1. All valid rights existing on the date of the grant.
2. All regulations in the circular(s) specified above.
3. Filing of proof of construction within five years of the date of the grant.
4. Further terms and conditions as follows:

- (a) Pursuant to 43 CFR 2234.1-3(c), the District Manager, Boise District Office, 230 Collins Road, Boise, Idaho, has the authority to conduct all business with the grantee with respect to use of lands and disposition of resources, and the grantee is requested to contact the above-designated official prior to the beginning of construction.

Orval G. Hadley
Orval G. Hadley
Manager, Land Office

ILO-2234-113
7-67

57-7082

PLEASE RETURN

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	KMP	10/3/72	Application No. <u>57-7082</u> Name <u>E. L. AVON KING</u>
(2)	KMP	10/4/72	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use <i>See Remarks</i> ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	KMP	10/2/72	Send copies to: ☐ Idaho State Health Department ☒ Idaho Fish and Game Department ☒ Bureau of Land Management
(4)	KMP		☐ Request Special Use Permit from U.S.F.S. <i>none</i> ☐ Request Easement from B.L.M.
(5)	KMP	12/20/72	In form for advertising _____
(6)	KMP		Affidavit of Publication received <u>1/29/73</u>
(7)	KMP		Final date for protests <u>1/15/73</u> Protests received: yes _____ no <u>X</u>
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)	KMP	1/29/73	Located within Water District No. <u>None</u>
(10)			Critical groundwater area: yes _____ no _____
(11)			Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)	KMP		Comments: <u>NEEDS RATE OF DIVERSION TO OFFSTREAM STORAGE, OK - Mr. King came into office. (S.O.C.)</u> <u>Based on ditch size and other water rights</u>
(13)	KMP	1/29/73	Action recommended: ☒ Approve Priority <u>9/27/72</u> ☐ Deny Reason for Reduction _____
	KMP	1/27/73	See attached sheet for conditions of approval No conditions for approval
14)			District <u>Western</u> By <u>Ken Felt</u> Date <u>1/29/73</u> Title <u>UNDER REVIEW</u>

57 7082

29 1973
Department of Water Administration

RECOMMENDED

CONDITIONS OF APPROVAL

☒ 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.

JAN 29
-8

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 2 consecutive weeks, the first publication being on the 28 day of Dec, 1972, and the last publication being on the 4 day of Jan, 1973;

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 4 day of Jan, 1973.

Lorna S. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that E. LAVON KING, Star Rt., Marsing, Idaho, has on September 27, 1972, submitted Application No. 97-7082 for a permit to appropriate 200 cubic feet per second 150 acre-foot per annum of water from McBride Creek, trib. to Sucker Creek, by means of dam & ditches within the NW 1/4, Sec. 4, T. 2 S., R. 5 W., B. M., Owyhee County, to be used from March 15 to November 15 for the irrigation of 350 acres located within the SE 1/4 NW 1/4, E 1/2 SW 1/4, Sec. 30, (75 acres); E 1/2 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4, Sec. 31, (94 acres); W 1/2 SE 1/4, SW 1/4 Sec. 32, (145 acres); T. 1 S., R. 5 W., NW 1/4, Sec. 5, (45 acres), T. 2 S., R. 5 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, 83725, on or before January 15, 1973.

H. KEITH HIGGINSON,
Director

Published in the Owyhee Nugget, Marsing, Idaho, on December 28, 1972, and January 4, 1973.

May 11, 1992

MARK D SHENK
28801 SCOTT PITT RD
PARMA ID 83660

RE: WATER RIGHT NO. 57-07082

Dear Water Right Holder(s):

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

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

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:cz

Enclosure

MICROFILMED

MAY 19 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 7, 1992

RE: Permit No. 57-7082

Mark D. &/or Margie Shenk
28801 Scott Pit Rd.
Parma, ID 83660

Dear Mr. and Mrs. Shenk:

On February 13 I sent correspondence to you regarding the above referenced permit. I explained that we needed an application for amendment of the permit in order to issue a license.

Although you are not the holders of record, we were unable to obtain the amendment from the permit holder. Since you are shown by the assessor's office to be the current property owners and since you filed the Snake River Basin Adjudication Claim on this right, we are seeking the amendment from you.

Please submit the amendment within 15 days so that a license can be issued. If we do not receive the amendment, the department will take action to void the permit. Another amendment form has been enclosed for your use in this matter.

If you have any questions, feel free to give me a call.

Sincerely,

SHARLA CURTIS
Water Resource Agent

Enclosure

RECEIVED

MAY 19 1992

February 13, 1992

RE: Water Right No. 57-07082

Mark D. &/or Margie Shenk
28801 Scott Pit Rd.
Parma, ID 83660

Dear Property Owner:

The above referenced water right is in the process of being reviewed for licensing. We have tried unsuccessfully to contact the water right holder of record to obtain an amendment to the permit so that a license can be issued. The correspondence has been returned undeliverable and contact with the assessor's office revealed that you are listed as the owner of the property in their records.

We also find that you have submitted a Snake River Basin Adjudication Claim on this particular right. In order for the adjudication claim to be included in the final decree, the license needs to be issued on the existing right. Therefore, we are forwarding the amendment form to you. You need simply to sign the form and return it to us along with the \$20.00 filing fee.

Once we receive the amendment, we will issue a license and will forward a copy to you for your records. The license will be issued in the name of the right holder shown in our records. If you wish to have the license issued in your name, you need to have the current holders of record, Burton & Pearl Brown, assign the right to you via the enclosed assignment form. Whether or not an assignment is received, a license becomes real property and is appurtenant to the land which it covers.

Please submit the amendment form and fee to us within 30 days. You can submit the assignment form at the same time, if you desire to have the license issued in your name. If you have any questions concerning this matter, please feel free to contact us.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:clh

MAR 19 1992

Owyhee County

MICROFILMED

495-~~242~~

2817

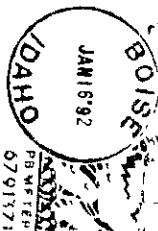
MAY 19 1992

all property is
being sold on contract to:
Mark Shank.
28801 Scott Pitt Rd
Parma ID 83660

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1 North Orchard Street
Idaho 83706-2237

 RETURN TO
TO
ADDRESS
☐ MOVED, LEFT NO ADDRESS
☐ FORWARDING ORDER EXPIRED
☒ ADAPTED - NOT KNOWN
☐ UNCLAIMED ☐ REFUSED
☐ BOX CLOSED - NO ORDER
☐ INSUFFICIENT ADDRESS

PRESORTED
FIRST CLASS



U.S. POSTAGE
\$ 0.24 8

RECEIVED
JAN 23 1992

Department of Water Resources

JAN 19 1992

MAY 19 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 15, 1992

PEARL BROWN
BURTON BROWN
STAR RT
MARSING ID 83639

RE: WATER RIGHT NO. 57-07082

Dear Water Right Holder(s):

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Sharla Curtis".

SHARLA CURTIS
Water Resource Agent

SC:blm

Enclosure

January 15, 1992

PEARL BROWN
BURTON BROWN
STAR RT
MARSING ID 83639

RE: WATER RIGHT NO. 57-07082

Dear Water Right Holder(s):

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

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

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

Sincerely,

SHARLA CURTIS
Water Resource Agent

SC:blm

Enclosure

MICROFILMED
MAY 19 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No 57-07082

- 1 Owner: _____ Phone No _____
Current Address: _____
2 Accompanied by Mark D. Shenk EXAM. DATE: _____
Address: 28801 Scott Pit Rd., Parma Phone No 722-7123
Relationship to Permit Holder: _____
3 Source Little McBride Ck. tributary to McBride Ck.

B. OVERLAP REVIEW

- 1 Other water rights with same place of use: 57-10893, 57-07003, 57-04005,
57-02114 ☐ Copies Attached
2 Other water rights with same point of diversion: _____
_____ ☐ 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

MICROFILMED
MAY 19 1982

Scale: 1" = _____

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

System Description (continued)

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

Revised place of use per visit with Mark Shemp, 11-19-1991. He is able to put storage water on all the lands identified below.

☐ 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

*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
					4	2S	5W	Owyhee	ortho-photo; NAPP; Exam

6. Place(s) of Use:

Indicate Method of Determination *ASCS, field exam*

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	
1S	5W	30									11.5	24	1	24					60.5
		31								30.5	19.5	4			7	8	11	16	96
		32									25	25	24	33			1		108
2S	5W	5		13	1		22	12	2										50
		6		3															3
Total =																			317.5

CONFIDENTIAL

MAY 19 1991

Do not use this space

RECEIVED
NOV 13 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A GENERAL INFORMATION

- (Deceased)
- 1 Owner: Burton or Pearl Brown Permit No. 57-07082
Current Address: Jordan Valley, OR (per Mr. Shenk) Phone No. _____
2 Accompanied by: Mark D. Shenk, Jan Shurte EXAM. DATE 11-9-1990
Address: Star Rt., Marsing, ID Phone No. 337-4317
Relationship to Permit Holder buying property
3. Source: *Little McBride Ck. tributary to McBride Ck.
*see remarks

B. OVERLAP REVIEW

- 1 Other water rights with same place of use: 57-04005, 57-02114, 57-07003 ☐ Copies Attached
2 Other water rights with same point of diversion: 57-07003 - to be licensed
along with this permit. ☐ 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 see aerial photo attached to 57-07003.

MICROFILMED
MAY 19 1992

Scale: 1" = _____

- 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 see attached to 57-07003.
(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.)**

Diversion dam in creek to ditch that flows beside the creek. Also picks up water from Willow Fork & unnamed streams which I have rec'd a B/U claim on. Ditch flows into reservoir. Can pump water out of reservoir to pressurize. Uses sprinklers &/or gravity flow ditches.

☐ 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

***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
				NWSE	4	25	5N	anyhee.	ortho-photo; NAPP; Exam
				~~SW NE 5~~	~~25~~	~~5N~~	~~" "~~	~~" "~~	~~attached sheets for points of redirection.~~

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

Indicate Method of Determination

[illegible]

293.5
294.5

SECRET

MAY 19 1992

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2 Measurements:

going into reservoir
On 6/18/91 we went back out and measured the ditch and slope with engineers level and tape. Ditch was 10' wide and 1 1/2' deep. Shot slope readings 208' apart. Very little flow in creek at this time.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1 Measured Method.

see Mannings attached to 57-07003.

2. Alternate Method for Checking Purposes

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure. _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) , Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW. _____ Ave PF x _____ Ave Volts x _____ Ave 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

N/A - storage right but no live flow - RL n/6/91

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 294.5 \times 3.5 = 1030.8 \text{ AFA}$

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

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

2 Volume Calculations for Other Uses:

MICROFILMED
MAY 19 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

* Permit was issued on McBride Ck. with the pld in Sec. 4 - McBride Ck. does not enter Sec. 4 ... No change in source, just clarification.

BLM right of way # I-1889 for ditch & reservoir.

SEE
REVIEWER'S
ATTACH C.

Storage facility is King Dams - see also Permit 57-07003. Storage capacity = 300 AF.

No exam fee required - exam attempted 7/29/75.

Recommend waiver of measuring device requirement - system washes out each year during high flows; no other irrigators on this creek.

I. RECOMMENDATIONS

1. Recommended Amounts

*
PER
ITEM 6B
IN
PERMIT,
FOR USE IN
STO. SEASON

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrig. Storage	* 2-1	5-31		150.0 AF
Irrig. from Storage	4-1	11-1		150.0 AF
Div. to Storage	* 2-1	5-31	5.0 cfs	
Totals:			5.0 cfs	150.0 AF

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

☐ None

J. AUTHENTICATION

Field Examiner's Name

Kay Walker

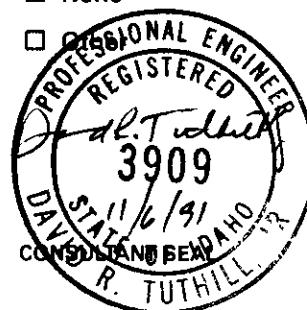
Signature

Kay Walker

Certification Date

Field Report Preparation Date

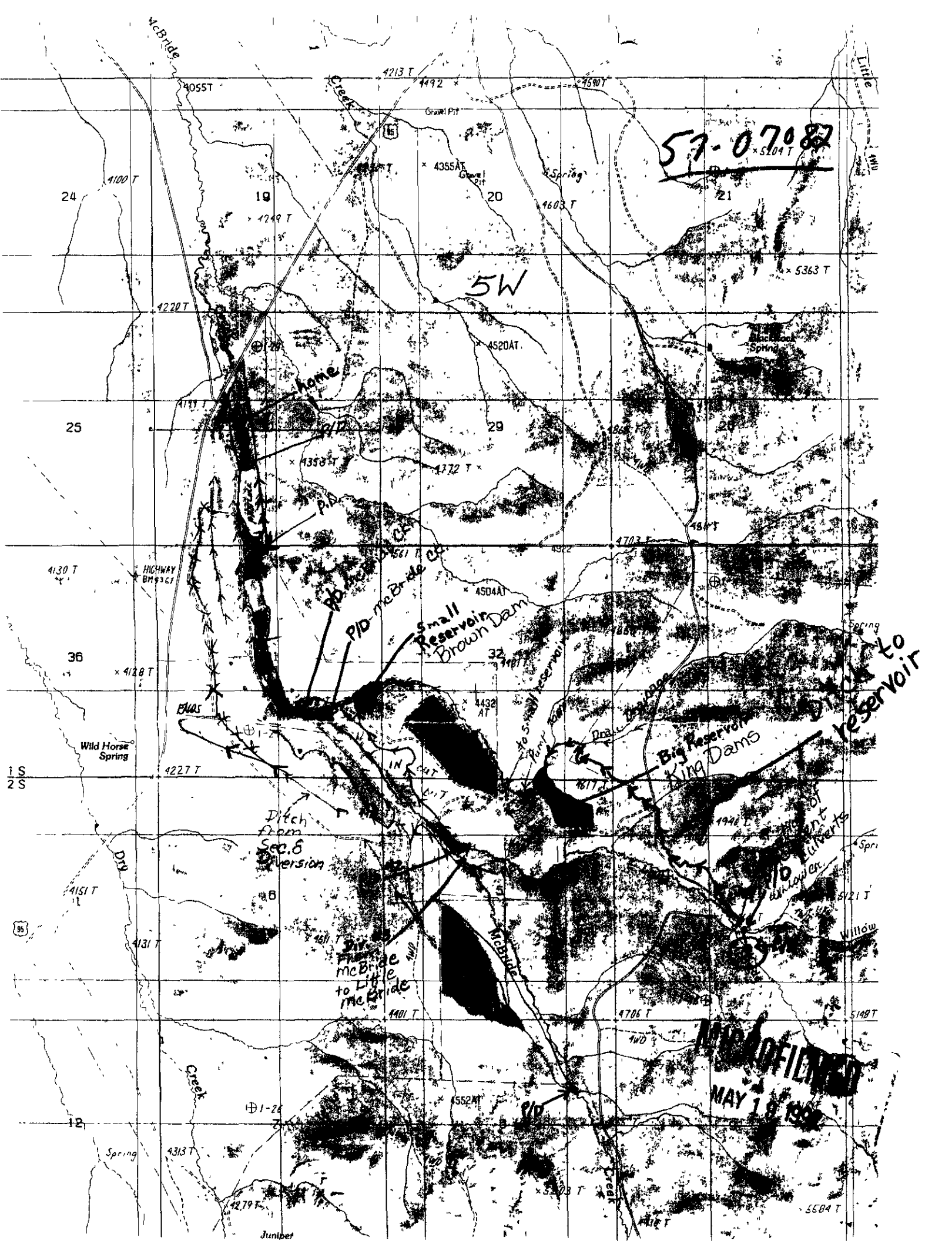
11-5-91



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

MICROFILMED

MAY 19 1992



REVIEW 57-07082 with
57-07003.

SEE REVIEW INFO in 57-07003

SL
11/6/91

NO LIVE FLOW RECOMMENDED FOR
THIS PERMIT SINCE ENTIRE P/U ALREADY
COVERED AT .02 cfs/oc under
57-02114 -04005 -07003.

RECORDED
MAY 19 1992

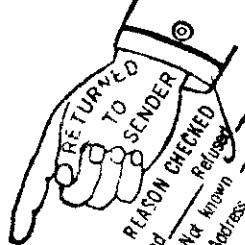
Idaho Department of Water Resources
Western Region

envelope

RECEIVED

APR 17 1987

Department of Water Resources
Western Regional Office



RETURNED TO SENDER
REASON CHECKED
Unclaimed _____
Addressee known _____
Insufficient Address _____
No such street _____ number _____
No such office in state _____
Do not re-mail in this envelope

MAY 19 1992

RECEIVED

CLERK'S NO.

212775

☐ HOLD

DATE

BY OFFICE

CERTIFIED MAIL
138074
NO _____

NO NOTICE
NO RETURN
NO POSTAGE
NECESSARY IF MAILED IN THE UNITED STATES



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

57-7082
BROWN, BURTON
BROWN, PEARL
STAR RT.
MARSING, ID 83639

138074

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.

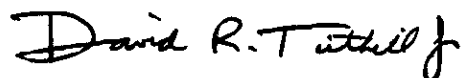
The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially 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

INTER-DEPARTMENT MEMO — 1

DATE 8-24-87

FROM Carter Fritschle - western

TO File 57-7082

SUBJECT I recommend that the field examination fee be waived for permit 57-7082. This permit had an examination attempted 7-29-75. The examination fee has been waived for permit 57-7003, and both of these permits describe the same system. Dick Shenk is currently renting the land and correspondence should be directed to him. (Mr. Shenk purchased the land, had it repossessed, and is now

Dick Shenk
Star Route
Marsing, ID 83639

MICROFILMED

MAY 19 1992

Carter Fritschle
SIGNATURE



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

57-7082
BROWN, BURTON
BROWN, PEARL
STAR RT.
MARSING, ID 83639

138074

April 3, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

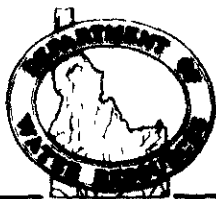
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As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you 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.

RECEIVED

MAY 19 1992



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2215

R. Keith Higgins
Director

February 4, 1975

Re: Permit No.'s 57-7003 & 57-7082

Burton or Pearl Brown
Star Route
Marsing, ID 83639

Dear Mr. & Mrs. Brown:

We acknowledge receipt of the assignments submitted conveying the above referenced permits to you. The assignments have been recorded and the Department's records changed. We also acknowledge receipt of the affidavits submitted as proof of beneficial use for these permits.

Before licenses can be issued, field examinations must be made by a representative of this Department. We cannot tell during which part of the irrigation season these examinations will be made, but our examiner will try to contact you at the time he makes the exams so that you may show him the systems.

Enclosed is a copy of the approved application for amendment submitted for Permit No. 57-7082. Also enclosed is Receipt #724 for the \$10.00 filing fee you submitted.

If you have any questions concerning the field exams, please contact our Western District Office in Boise.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enc: Copy of amendment
Receipt #724

MICROFILMED

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

Identification No. 57-7082

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
JAN 27 1972
Department of Water Resources

1. a) Name of Permit Holder Burton Brown and Pearl Brown
b) Post Office Address Marsing, Idaho

2. Permit Number 57-7082

3. Date of Priority that you are prepared to establish 9/27/72

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

b) Location of the point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4

Township 2S, Range 5W Boise Meridian, Other points of diversion: _____

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

Amount 150 ac.ft. for storage purposes from Feb. 1 to May 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount 5.0 cfs for irrigation purposes from Mar. 15 to Nov. 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 5 cfs 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: estimate

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:
BLM Right-of-way I-1889

b) Describe the agreement or 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 a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) ditch off creek and ditched to the reservoir

then ditched to land to be irrigated

b) Describe the type and size of measuring device which you have installed at your point of diversion: Concrete weir

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: _____

Exam typed 2/4/75 by ja

MICROFILMED

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	
1S	5W	30								15	30			30					75
1S	5W	31					30			30	5				5	12		12	94
1S	5W	32									25	40	25	25		15	15		145
2S	5W	5					25	20											45

Total number of acres irrigated 359

10. Remarks: _____

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

1-27-75
(Date)

Burton Brown
(Signature)

State of Idaho)
) ss.
County of Ada)

On this 27th day of January, 1975, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Laura J. Spangler
Notary Public residing at Burien

My commission expires life

January 20, 1975

Re: Permits No. 57-7003 - E. Lavon King
57-7082

Mr. Burton Brown
Star Route
Marsing, Idaho 83639

Dear Mr. Brown:

In answer to your letter of January 10th, we are enclosing two assignment forms which must be completed by Mr. King in order to convey the above referenced permits to you.

We have also enclosed copies of the permits for your reference. You will note that proof of beneficial use is due under 57-7003 on February 1, 1976, and under 57-7082 proof is due on or before February 1, 1975.

If you have any questions regarding these permits or completion of the assignments, please do not hesitate to contact us.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr

Enc: Assignment form (2)
Copy of permit (2)

MICROFILMED

● SENDER. Complete items 1 and 2. Add your address in the "RETURN TO" space on reverse.							
1. The following service is requested (check one). ☐ Show to whom and date delivered..... 15¢ ☐ Show to whom, date, and address of delivery..... 35¢ ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date..... 65¢ ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery..... 85¢							
2. ARTICLE ADDRESSED TO:							
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>26276</td> <td></td> </tr> </table>		REGISTERED NO	CERTIFIED NO.	INSURED NO.		26276	
REGISTERED NO	CERTIFIED NO.	INSURED NO.					
	26276						
(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE <i>Ray L. Terry</i>							
4. DATE OF DELIVERY 12-29-74							
5. ADDRESS (Complete only if requested)							
6. UNABLE TO DELIVER BECAUSE:							
CLERK'S INITIALS							

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

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

**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



December 2, 1974

CERTIFIED MAIL

#26276

Re: Permit No. 57-7082

E. Lavon King
Star Route
Marsing, ID 83639

Dear Mr. King:

One of the conditions of approval of your water Permit No. 57-7082 (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 February 1, 1975. 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.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

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CECIL D. ANDRUS, Governor
COMMISSION
ROBERT G. KALB, Sandpoint
PAUL C. KEETON, Lewiston
JOHN EATON, Cascade
JACK HEMINGWAY, Sun Valley
H. JACK ALVORD, Pocatello

IDAHO FISH AND GAME DEPARTMENT

RECEIVED
Feb 13 1973
DEPARTMENT OF
JOSEPH C. GREENLEY
Director

POST OFFICE BOX 25
600 SOUTH WALNUT STREET
BOISE, IDAHO 83707

February 12, 1973

Mr. Keith Higginson, Director
Department of Water Administration
Statehouse - Annex 2
Boise, ID 83707

Dear Keith:

Re: Application No. 57-7082, E. Lavon King, McBride Creek

The above referenced application for construction of an earth-filled dam on McBride Creek would not have significant impacts on fisheries resources of that area.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT


Joseph C. Greenley
Director

cc: Bill Webb

57 7082
J. C. Greenley

February 1, 1973

Re: Permit NO. 57-7082

E. Lavon King
Star Route
Marsing, Idaho 83639

Dear Mr. King:

Enclosed is a copy of your approved Application for Permit No. 57-7082. 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.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kss

Enclosures

57 7082

January 26, 1973

Re: Application for Permit No. 57-7082 E. Lavon King

Owyhee Nugget
Marsing, Idaho 83639

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced item. The legal notice was to have been published in your paper on December 28, 1972 and January 4, 1973.

Your cooperation in this matter is greatly appreciated.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

57 7082

January 15, 1973

Re: Application for Permit No. 57-7082 E. Lavon King

E. D. Barnes, Acting Chief
Division of Technical Services
BUREAU OF LAND MANAGEMENT
Room 334, Federal Building
550 West Fort Street
Boise, Idaho 83702

Dear Mr. Barnes:

We are enclosing a copy of the above referenced application for permit, which may be of interest to your agency.

Please review the application and if you have any comments, please submit them to our Department as soon as possible.

We normally complete the processing of an application within a six (6) week period and we are required to take final action shortly thereafter.

If we may be of any assistance to you in the meantime, please do not hesitate to contact this Department.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:def

Enclosure

57 7082

January 15, 1973

Re: Application for Permit No. 57-7082 E. Lavon King

Mr. Ted Biladeau
Idaho Fish & Game Dept.
Engineering Division
STATEHOUSE MAIL

Dear Mr. Biladeau:

We are enclosing a copy of the above referenced application for permit, which may be of interest to your agency.

Please review the application and if you have any comments, please submit them to our Department as soon as possible.

We normally complete the processing of an application within a six (6) week period and we are required to take final action shortly thereafter.

If we may be of any assistance to you in the meantime, please do not hesitate to contact this Department.

Sincerely

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:df

Enclosure

57 7082

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

December 21, 1972

Re: Application for Permit No. 57-7082 E. Lavon King

Owyhee Nugget
Marsing, Idaho 83639

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,

57 7082

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that E. LAVON KING,
Star Rt., Marsing, Ida.
has on Sept. 27, 1972 submitted Application No. 57-7082
for a permit to appropriate 5.0 cubic feet per second 150 acre feet
per annum of water from McBride Creek, trib. to Succor Creek
by means of dams & ditches
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec..4, T. 2 S., R. 5 W., B.M., Owyhee County

to be used from March 15 to Nov. 15
for the irrigation of 359 acres located
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 30, (75 acres); E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 31, (94 acres); W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 32, (145 acres), T. 1 S., R. 5 W.,
N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 5, (45 acres), T. 2 S., R. 5 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
Jan. 15, 1972.

R. KEITH HIGGINSON

Director

Published in the Owyhee Nugget, Marsing, Idaho
on Dec. 28, 1972 and Jan. 4, 1973

57 7082

Western District Office

October 2, 1972

RE: APPLICATION FOR PERMIT NO. 57-7082

E. Lavon King
Star Route
Marsing, Idaho 83639

Dear Mr. King:

Attached herewith is your Receipt No. 8904 in the amount of \$35.00 for Application for Permit No. 57-7082 which was received in this office September 27, 1972.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosure

57 7082