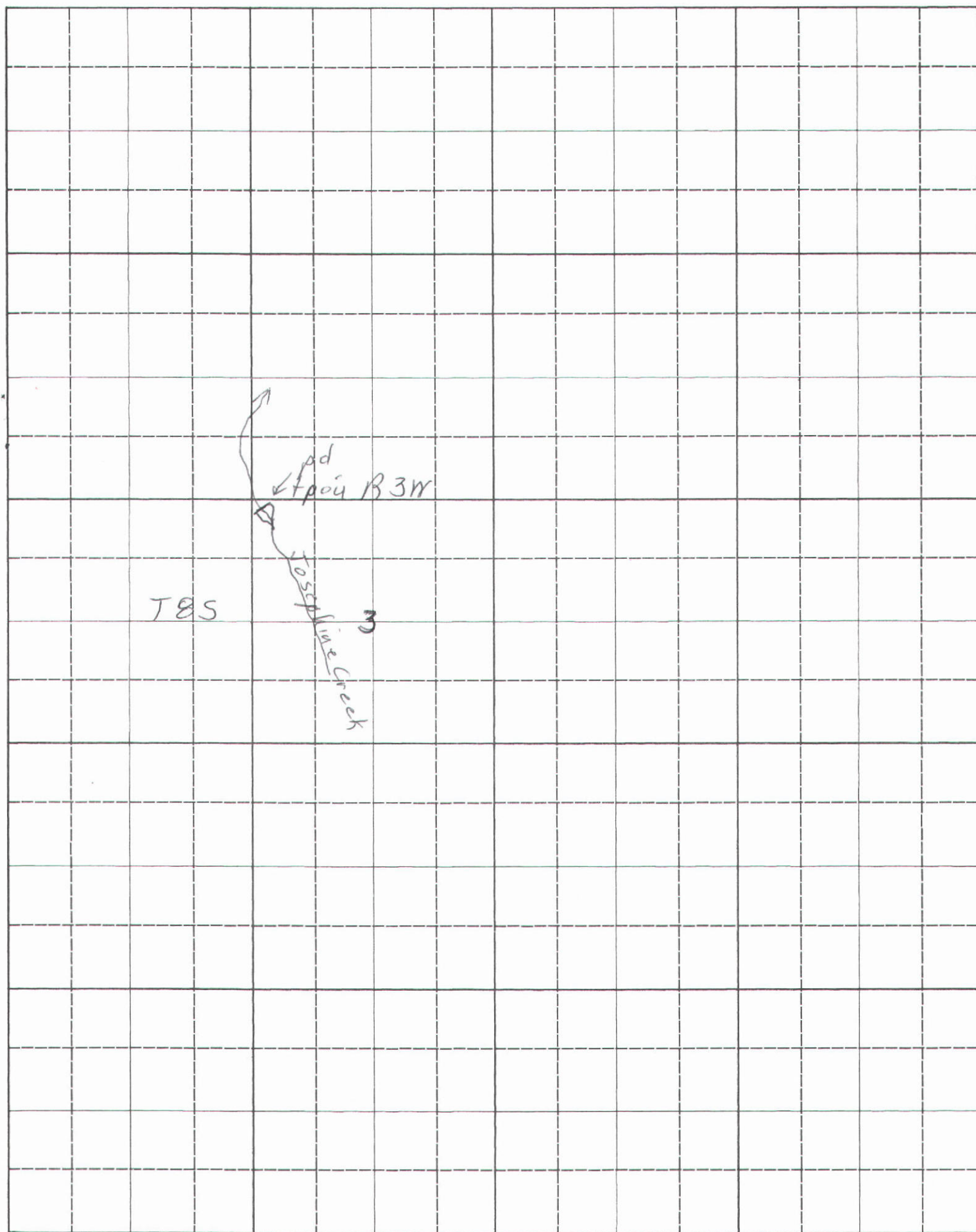


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

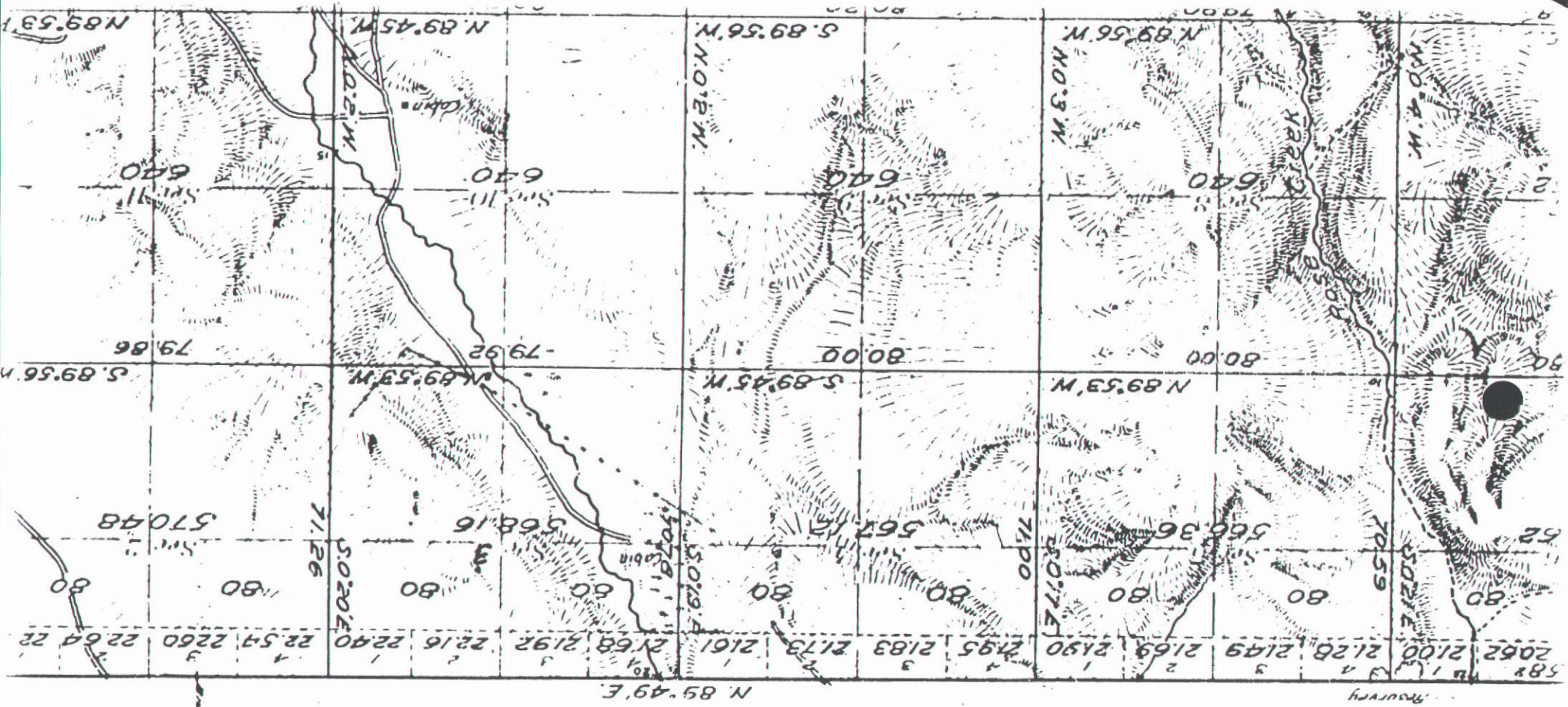
+ John Tyson Manager
(Applicant)

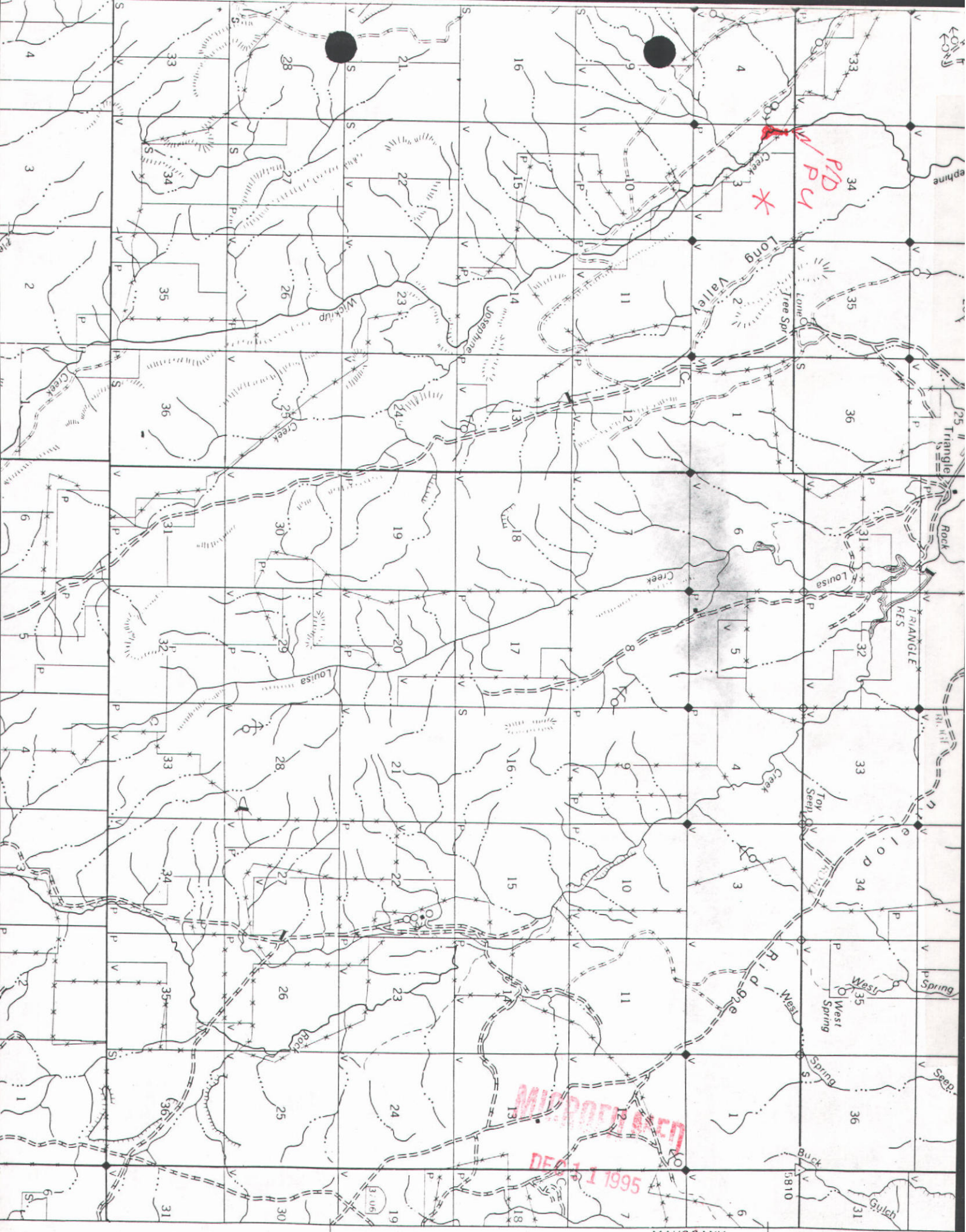
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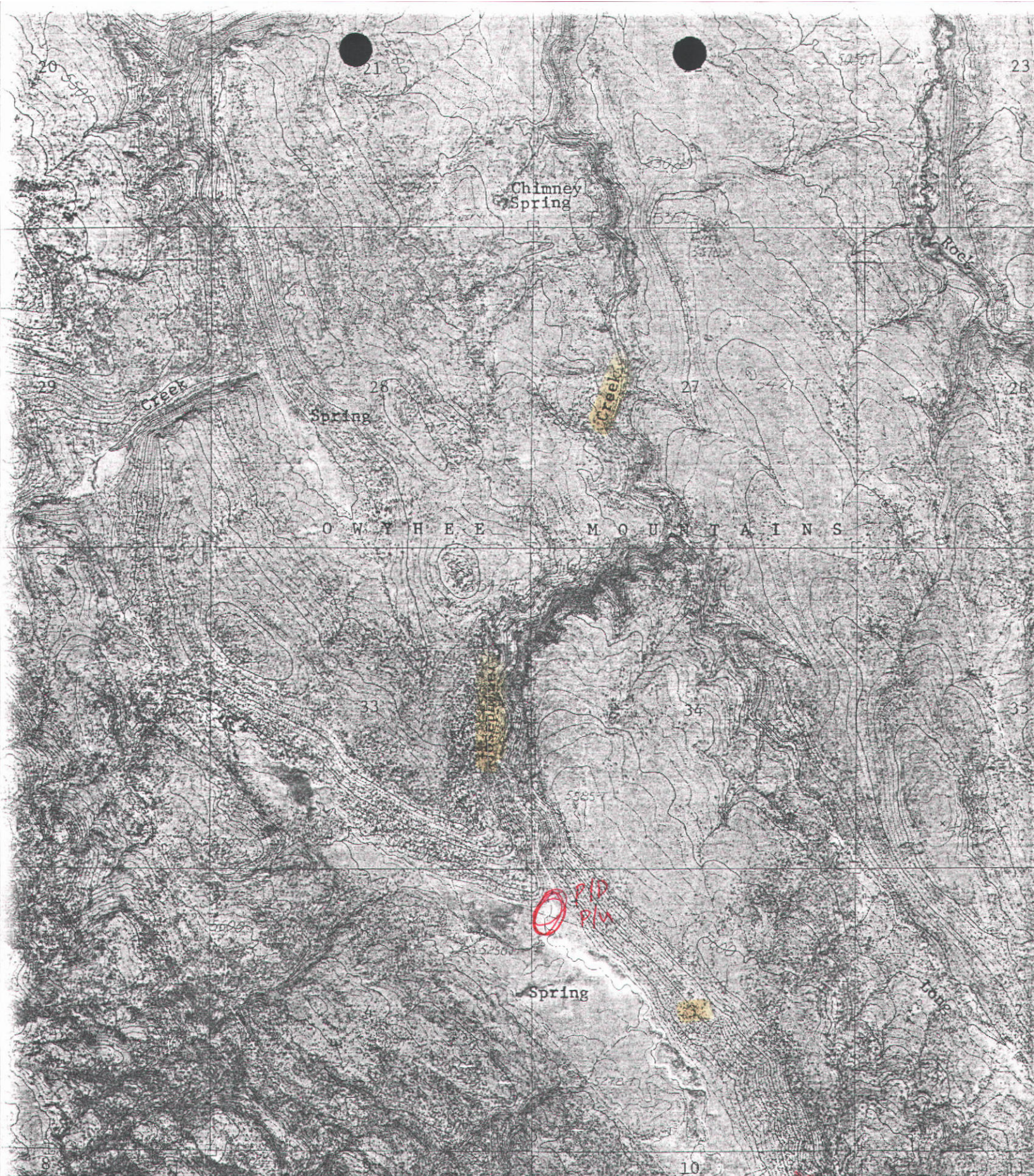
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✓

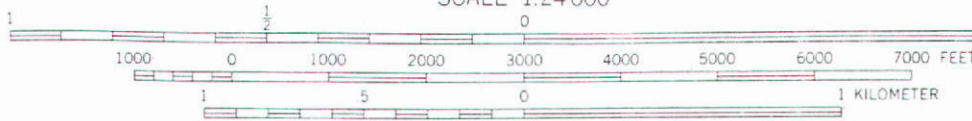






42' 30" 525 526 10 28

SCALE 1:24 000



DEC 11 1995

P/D PERMIT 55- 7165



LOOKING NORTH EAST

SPILLWAY



DEC 11 1995

PERMIT 55-7165



DAM LOCATION



LOOKING WEST

APPROVED
DEC 11 1995

PROOF OF PUBLICATION

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

Nick D. Hodges

I, RODNEY A. HAWES, being first duly sworn, on oath says

that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 18 day of February, 1982, and the last publication being on the 25 day of February, 1982;

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.

Nick D. Hodges
PUBLISHER

Subscribed and sworn to before me this 25 day of

February, 19 82

James S. Lauer
NOTARY PUBLIC

My commission expires 9-10-84

(SEAL)

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 55 - 7165 in the name of Josephine Creek Ranch was published in error on January 7 and January 14, 1982.

The Use was advertised as being for Stockwater from Storage, Whereas, the actual Use is Storage for Recreation.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before March 8, 1982.

A. KENNETH DUNN,
Director

Published in the Owyhee Nugget, Marsing, Owyhee County, Idaho Feb. 18 and 25, 1982.

RECEIVED

FEB 25 1982

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 55-07165

Priority: March 1, 1982

Maximum Storage Volume: 165.0 AF

This is to certify, that JOSEPHINE CREEK RANCH
C/O ROBERT K BORRON
2314 S MIDLAND BLVD
NAMPA ID 83686

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated December 14, 1981; and
has submitted Proof of Beneficial Use on June 17, 1987. An examination indicates
that the works have a storage capacity of 230.000 af of water from:

JOSEPHINE CREEK tributary to ROCK 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>
RECREATION STORAGE	01/01 to 12/31		165.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(NWNW), Sec. 3, Township 08S, Range 03W
OWYHEE County

PLACE OF USE: RECREATION STORAGE

TWN RGE SEC

08S 03W 3 Lot 4(NWNW)

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Right 55-07342 is also diverted through the point of diversion described 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 13TH
day of NOVEMBER, 1995.

Acting for

KARL J. DREHER, Director

DEC 11 1995

FROM

TO

SUBJECT

INTER-DEPARTMENT MEMO - 1

DATE

4-12-88

Send Correspondence to:

John A. Frazer, Sec. Treas.

4421 E. Poverline Rd.

Tampa, Id 83

RECEIVED

DEC 11 1995

cc

Federal Land Bank
P.O. Box 730

Caldwell, Id 83606 Attn: Valerie

SIGNATURE

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 55-7165 IN THE
NAME OF JOSEPHINE CREEK RANCH

ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before April 1, 1987; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on June 17, 1987;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 55-7165 be REINSTATED and the priority advanced to March 1, 1982.

Dated this 23rd day of July, 1987.

MICROFILMED

AUG 20 1987

L. Glen Saxton
L. GLEN SAXTON, Chief, Operations Bureau

RECEIVED
JUN 02 1987

RECEIVED
JUN 17 1987

For Office Use Only
Fee Received 1125.00
Date 6-18-87
Receipt # 42572
Receipt by JA
Reviewed by JA
Sent to region 115

Department of Water Resources
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

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

Permit No. 55-7165
Name(s) of Permit Holder: Josephine Creek Ranch ✓
Post Office Address: HC 79 Box 2040 Murphy, Idaho 83650
Telephone No. 834-2344

Source of Water: Josephine Creek, Owyhee County ✓

Extent of Use:

Domestic 23 (number of households) Stockwater 1200 (number and type of stock)

Irrigation 250 (acres) Other/Remark Lease Property

Recreation use

Total rate and/or volume for which proof is submitted _____ cfs 200 acre-feet

Show the date water was first diverted and beneficially used under this permit: FEB. 23, 1984

Measuring Device: Required? Yes ☒ No
Installed? Yes ☒ No

Fee enclosed \$ 125.00 ✓
(See License Examination Fee Schedule)

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

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

John Tyson (Name) 834-2344 (Telephone Number)

HC 79 Box 2040 Murphy, Idaho 83650
(Address)

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

MICROFILMED

AUG 20 1987

May 4, 1987
Date

Josephine Creek Ranch by John Tyson Manager
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant JOSEPHINE CREEK RANCH Phone 834-2344

Post office address Murphy, ID 83650

2. Source of water supply Josephine Creek which is a tributary of Rock Creek

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 3 Township 8S

Range 3W B.M. Owyhee County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 200AF for Storage for recreation purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. _____ cubic feet per second and/or b. 200 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____
22 ft. high earth filled dam

b. Height of storage dam 22 feet, active reservoir capacity 200 acre-feet; total reservoir capacity 200 acre-feet, materials used in storage dam: earth

Period of year when water will be diverted to storage 1/1 to 12/31 inclusive.
(Month/Day) (Month/Day)

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

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

8. Description of proposed uses:

a. If water is not for irrigation: Lot 4
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 3 Township 8S
Range 3W B.M.

(2) Amount of power to be generated: _____ horsepower 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: _____
Recreational uses: hunting and fishing

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

[illegible]

Total number of acres to be irrigated

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

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

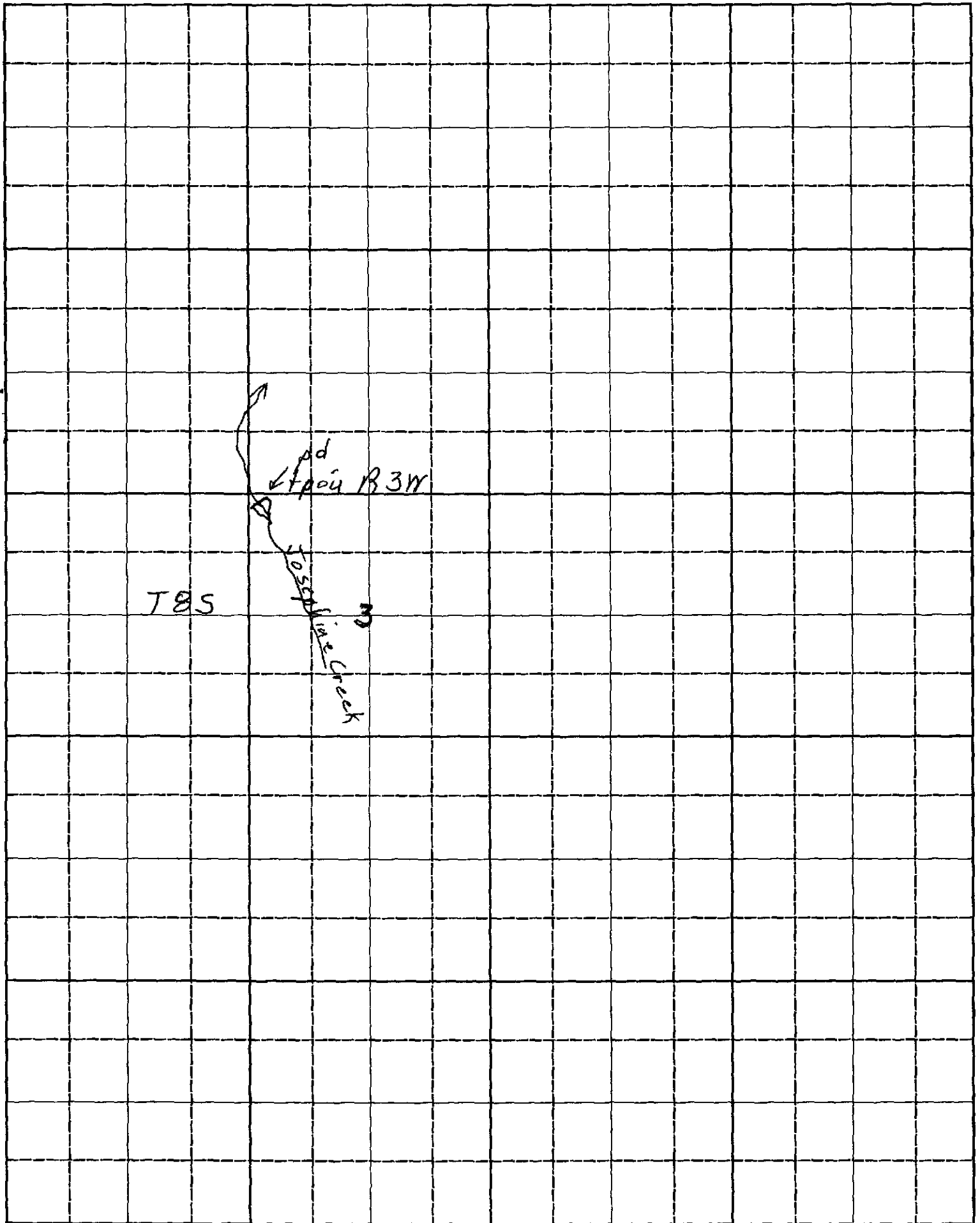
b. Who owns the land to be irrigated or place of use applicant

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

10. Remarks _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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.

* John Tyson Manager
(Applicant)

Proposed Priority 12/14/1981

Received by nr Date 12-14-81 Time 11:30 A.M.
Preliminary check by JG Fee \$ 65.00 21810
Receipted by JP Date 12/15/81
Publication prepared by jp Date 12/30/81
Published in Owyhee Nugget
Publication dates 1/7 & 1/14/82 correction 2/18 & 2/25/82
Publication approved JP Date 1/25/82
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS jin

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 55-7165, 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 April 1, 19 87.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: The storage of water is contingent upon certification by the Department of Water Resources, of the applicant's dam under the dam safety provisions of the Idaho Code, authorizing storage.

Witness my hand this 6th day of April, 1982.

A. Glen Saxton
Chief, Operations Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 14, 1995

JOSEPHINE CREEK RANCH
C/O ROBERT K BORRON
2314 S MIDLAND BLVD
NAMPA ID 83686

RE: WATER RIGHT NO. 55-07165

Dear Water Right Holder(s):

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
DEC 11 1995

MEMORANDUM

DATE: November 13, 1995

TO: File 55-07165

FROM: Shelley W. Keen (SUK)

RE: Place of Use

=====

The field examiner recommended listing every 40-acre tract touched by the reservoir as the place of use for this right. In my opinion, it is more appropriate to list only the 40-acre tract where the dam is located. This approach would be consistent with right 55-07342, which covers 45.00 AF from the same reservoir. On license 55-07342, the place of use is for irrigation and irrigation from storage, and no place of use is listed for recreation storage.

RECEIVED

DEC 11 1995

DAM SUMMARY SHEET

Page No. 15

09/01/94

BASIN -----> :	55	CONDITION -----> :	GD
DAM NUMBER -----> :	7165	MAINTENANCE -----> :	ROUTINE
FED_ID_NO -----> :	ID00393	INSPECTION DATE --> :	0694 MO/YR
DAM NAME -----> :	JOSEPHINE CREEK	CERTIFICATE EXP --> :	1196 MO/YR
COUNTY -----> :	OWYHEE	LAST RISK EVAL --> :	0692 MO/YR
STREAM -----> :	JOSEPHINE CREEK	SURVEY DATE -----> :	06/29/92
REGION -----> :	W	CALL UP DATE -----> :	/ /
PURPOSE -----> :	1R	CERT ISSUE DATE --> :	08/18/94
RISK CATEGORY -----> :	3	INSPECT INTERVAL --> :	2YR
SIZE CATEGORY -----> :	2	PHASE 1 INSP DATE > :	/ /
Q-Q SECTION -----> :	NWNW	OPERATION PLAN -----> :	N
SECTION -----> :	03	SEISMIC ANALYSIS--> :	N
TOWNSHIP -----> :	08S	RESTRICTED -----> :	Y
RANGE -----> :	03W	JOINT INSPECTION --> :	
LATITUDE DEC -----> :	42.7637	QUAD NUMBER -----> :	AA55
LONGITUDE DEC -----> :	116.6860	QUAD NAME -----> :	TRIANGLE FLAT
DAM TYPE -----> :	EARTH		
STORAGE CAPACITY --> :	230 ACFT	DAM OWNER -----> :	JOSEPHINE CREEK RANCH
HEIGHT -----> :	19.0 FT	ADDRESS-1 -----> :	C/O ROBERT BORROW
DRAINAGE AREA -----> :	26.7 SQMI	ADDRESS-2 -----> :	2314 S MIDLAND BLVD
RESERVOIR AREA --> :	31 AC	CITY -----> :	NAMPA
YEAR COMPLETED --> :	1983	STATE -----> :	ID
CREST ELEVATION --> :	5244 MSL	ZIP CODE -----> :	83686
CREST LENGTH -----> :	123 FT	ZIP SUFFIX -----> :	
SPILLWAY TYPE -----> :	RKCHAN	PHONE -----> :	4667664
SPILLWAY DEPTH --> :	8.2 FT	AREA CODE -----> :	208
SPILLWAY CAPACITY > :	900 CFS		
OUTLET TYPE -----> :	RNFCNP		
OUTLET SIZE -----> :	21 IN		
OUTLET CAPACITY --> :	40 CFS		
IDF -----> :	Q100		
IDF MAGNITUDE -----> :	400 CFS		
RELEASE CAPACITY--> :	940 CFS		
GENERAL REMARKS : NO CHANGED FROM 55-XX08. SPILLWAY & RELEASE CAP ARE WITH 3.0' FB & FLASHBOARDS REMOVED. WITH FLASHBOARDS IN PLACE, SPILLWAY WILL PASS Q100 W/ 3.0' FB. ALSO HAS DROP INLET SPILLWAY WITH FLAPGATE. FLAPGATE ALWAYS OPERATED IN UP POSITION.			
TECHNICAL REMARKS : SPILLWAY CAP IS TOTAL THRU BOTH SPILLWAYS WITH FLASHBOARDS REMOVED. STORAGE CAP & RESV AREA ARE AT NORMAL POOL LEVEL = 5236' WITH FLASHBOARDS REMOVED.			
RESTRICTIONS : FLASHBOARDS SHALL BE LOWERED ON OR BEFORE 1ST OF NOVEMBER EACH YEAR AND SHALL NOT BE RAISED UNTIL AFTER EXCESS SPRING RUNOFF HAS PASSED, IN ACCORDANCE WITH OPERATIONS AND MAINTENANCE PLAN.			
ALTERNATE CONTACTS :			

Current Reservoir Capacity

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 8 1988

RECORD OF INSPECTION OF DAM

Department of Water Resources

Name of dam: JOSEPHINE CREEK Stream: JOSEPHINE CREEK ☐ Offstream

Name of owner: JOSEPHINE CREEK RANCH Location: 3-8S-3W

Individuals accompanying inspector: NONE

Reservoir characteristics: Dam height 19 FT. Surface area 29 AC Storage capacity 165 AC-FT

Size class: Intermediate

Hazard class: LOW (NO CHANGE) Photographs: YES

CONDITION OF EMBANKMENT OR STRUCTURE: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Type: ☒ Earth ☐ Rockfill ☐ Conc. arch ☐ Conc. gravity ☐ Timber crib ☐ Other

	UPSTREAM SLOPE	CREST	DOWNSTREAM SLOPE	TOE AREA
Surface cover material	ROCK RIPRAP	ROCK		
Growth	NONE			
Settlement or cracks	NONE NOTED			
Surface erosion	NONE			
Debris	NONE			
Animal burrows	NONE			
Crest width and slope measurements	3:1	±18 FT WIDE	2:1	

CONDITION OF OUTLET WORKS: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☐ Left side ☒ Center ☐ Right side ☐ Other

Description and condition: 21 IN. CONCRETE PIPE THRU DAM

Gate hoist: ☒ Manual ☐ Electric ☐ Other

Stem: ☒ Inclined from entrance to crest ☐ Vertical on tower at entrance

☐ Vertical through dam from crest ☐ Downstream valve

Entrance: SUBMERGED Outlet: SUBMERGED

CONDITION OF SPILLWAY: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☒ Left abutment ☐ Right abutment ☐ Away from dam ☒ Other DROP INLET INTO OUTLET PIPE.

Base width ±24 FT Freeboard at crest ±9 FT Sideslope STEEP Channel slope MILD Fetch ±4 MILE

Overflow channel: ☒ Well defined ☒ Flow directed away from toe ☐ Flow could reach toe

Erosion control present: ROCK CHANNEL W/ CONCRETE FLASHBOARD STRUCTURE Erosion present: NONE

Maintenance condition: Debris SOME ROCK DEBRIS Growth SMALL WILLOWS STARTING TO GROW JUST BELOW FLASH-BOARD STRUCTURE.

SEEPAGE: 3 FT OF BOARDS IN PLACE - RESERVOIR LEVEL IS ± 2 FT UP ON BOARDS.

Reservoir level during inspection: FULL & SPILLING SLIGHTLY - APPROX 7.0 FT BELOW DAM CREST

	TOE AREA	DOWNSTREAM SLOPE	ABUTMENTS	OTHER
Piping of material evident (Est. G.P.M.)	POUND AT TOE			
Flowing water (Est. G.P.M.)				
Marshy or standing water				
Damp				
Evident from growth present				

* - WEIR SET UP ON LEAK ON ABUTMENT. MEASURED 3/4 GAL IN 2 SEC = 22.5 GPM.

ALSO LEAK AT LOWER END OF SPILLWAY FLOWING ± 50 GPM ESTIMATED.

(AND AT TIME PROOF FILED) CAPACITY AT TIME FIRST EXAM CONDUCTED

OCT 03 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

Department of Water Resources

Re-Exam
See prior exam of 6/29/88 also.

A. GENERAL INFORMATION

Permit No. 55-07165

1. Owner: Josephine Creek Ranch Phone No. 208-4660-7664
Current Address: % Robert K. Borton, 2314 S. Midland Blvd., Nampa
2. Accompanied by: Harry Staples, Lessee EXAM DATE: 8/24/93
Address: 10733 Missouri Ave., Nampa Phone No. 83686
Relationship to Permit Holder: Lessee
3. Source: Josephine Creek tributary to Rock Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE
2. Other water rights with the same point of diversion: 55-07342

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	4		NW	NW	3	8S	3W	Owyhee	Quad Map

2. Place(s) of Use:

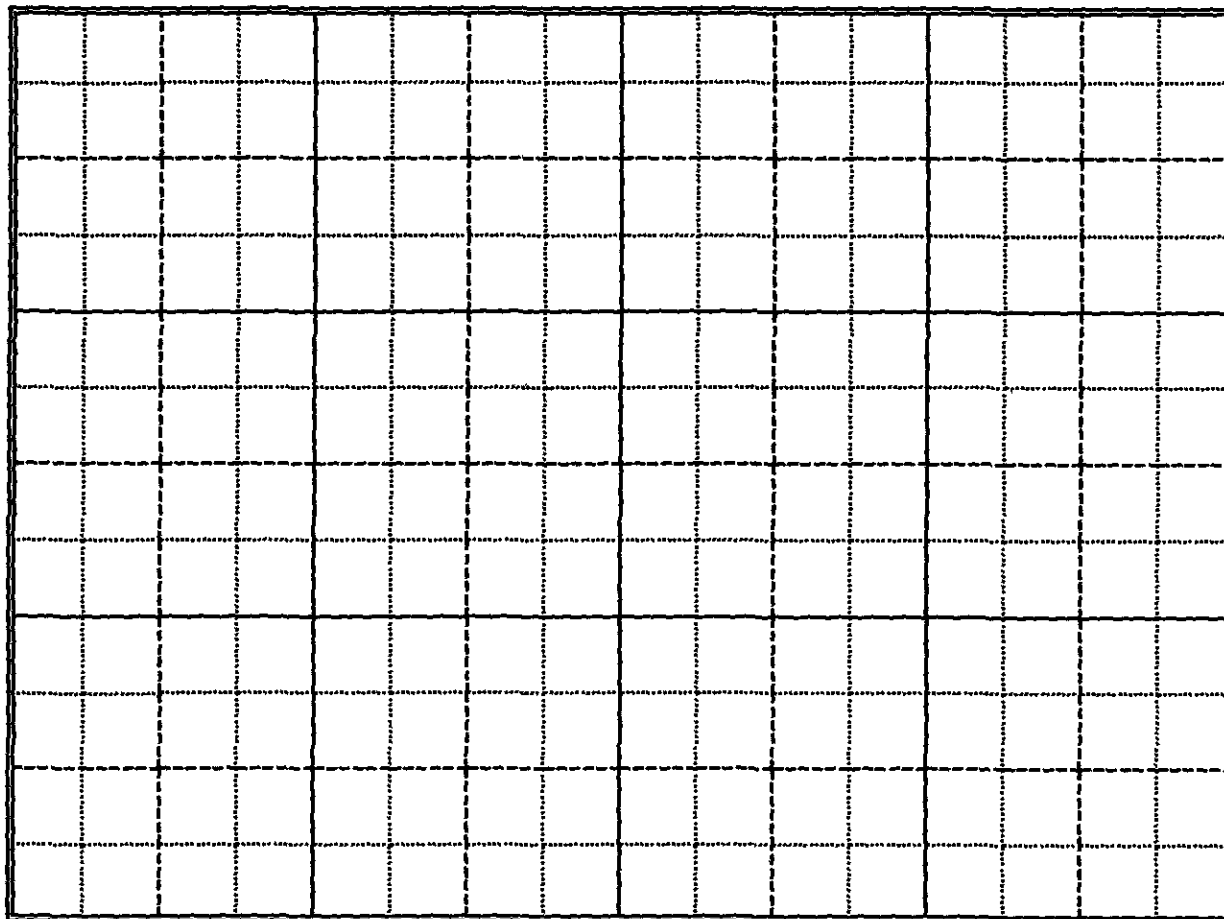
Indicate Method of Determination Topo AA55

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8S	3W	3						L. 4	RS	RS	RS	RS							
		4				RS													

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* See adjustment memo. BC

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



Scale: 1" = _____

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

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

☐ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Dam Safety Records as of 6-15-1988:
Storage Capacity = 165 AC-FT

DEC 11 1995

E. NARRATIVE/REMARKS/COMMENTS

Recreational use is fishing.

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

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F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

DAM SAFETY RECORDS $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days In Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Storage for Recreation</i>	<i>1-1</i>	<i>12-31</i>	_____	<i>165.0</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			_____	<i>165.0</i>

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name

*Ray Walker*Date *1-31-94*

Reviewer _____

Date _____

SEAL

DEC 11 1995

MEMORANDUM

TO: File 55-07165 / Josephine Creek Ranch
FROM: Brenda Chapman
DATE: November 9, 1995
RE: Recommendation Adjustment(s)

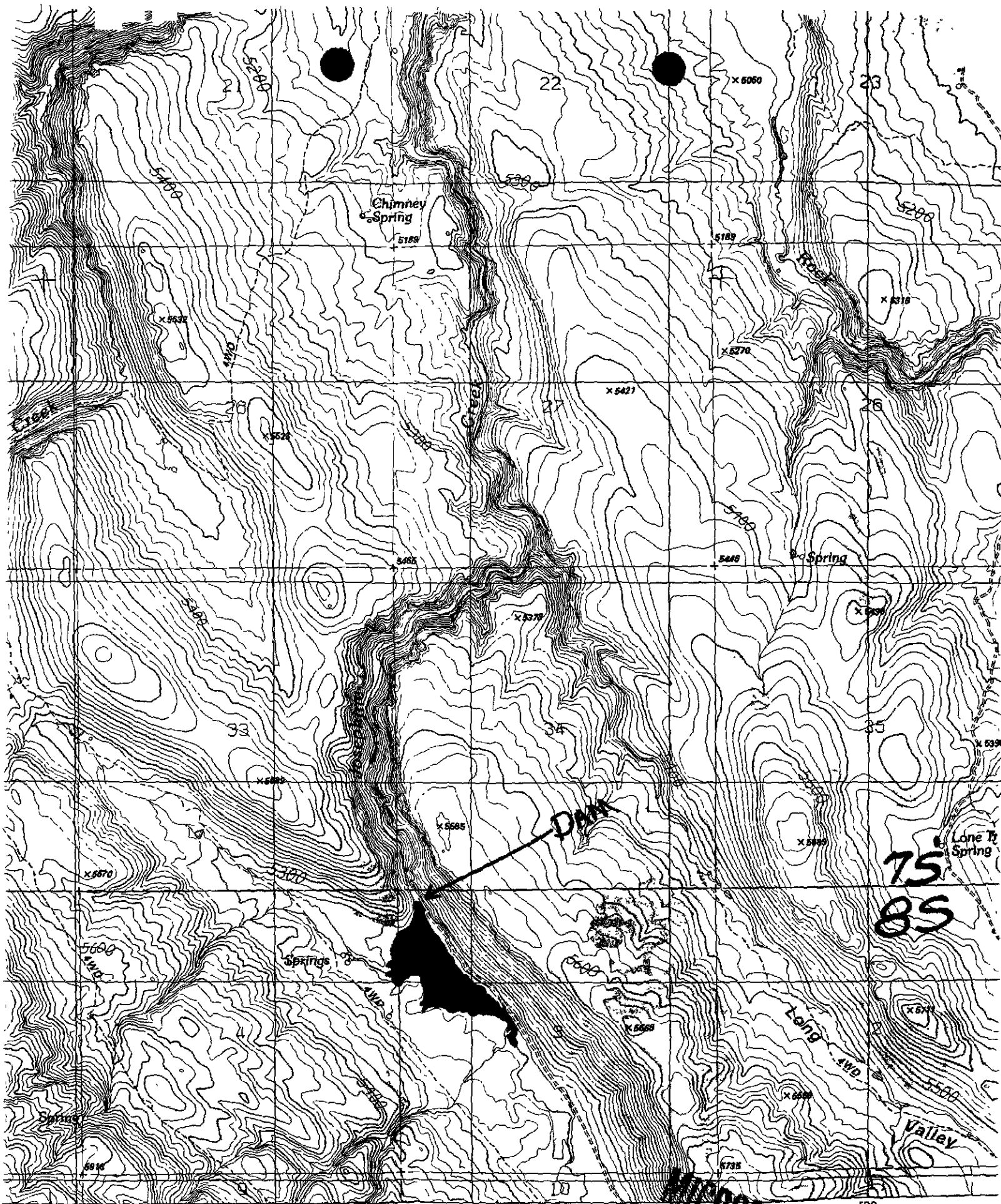
=====

The final licensing recommendations for Right 55-07165 are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

2. Place of Use: Per Shelley's instruction, the entire area covered by the reservoir will not be listed as the place of use, just the $\frac{1}{4}$ the point of diversion is located in. This direction is being taken to avoid conflicts with irrigation, etc. overlaps.

11/16/95
DEC 11 1995



SCALE 1:24 000

KILOMETERS

3W

DEC 1 1995

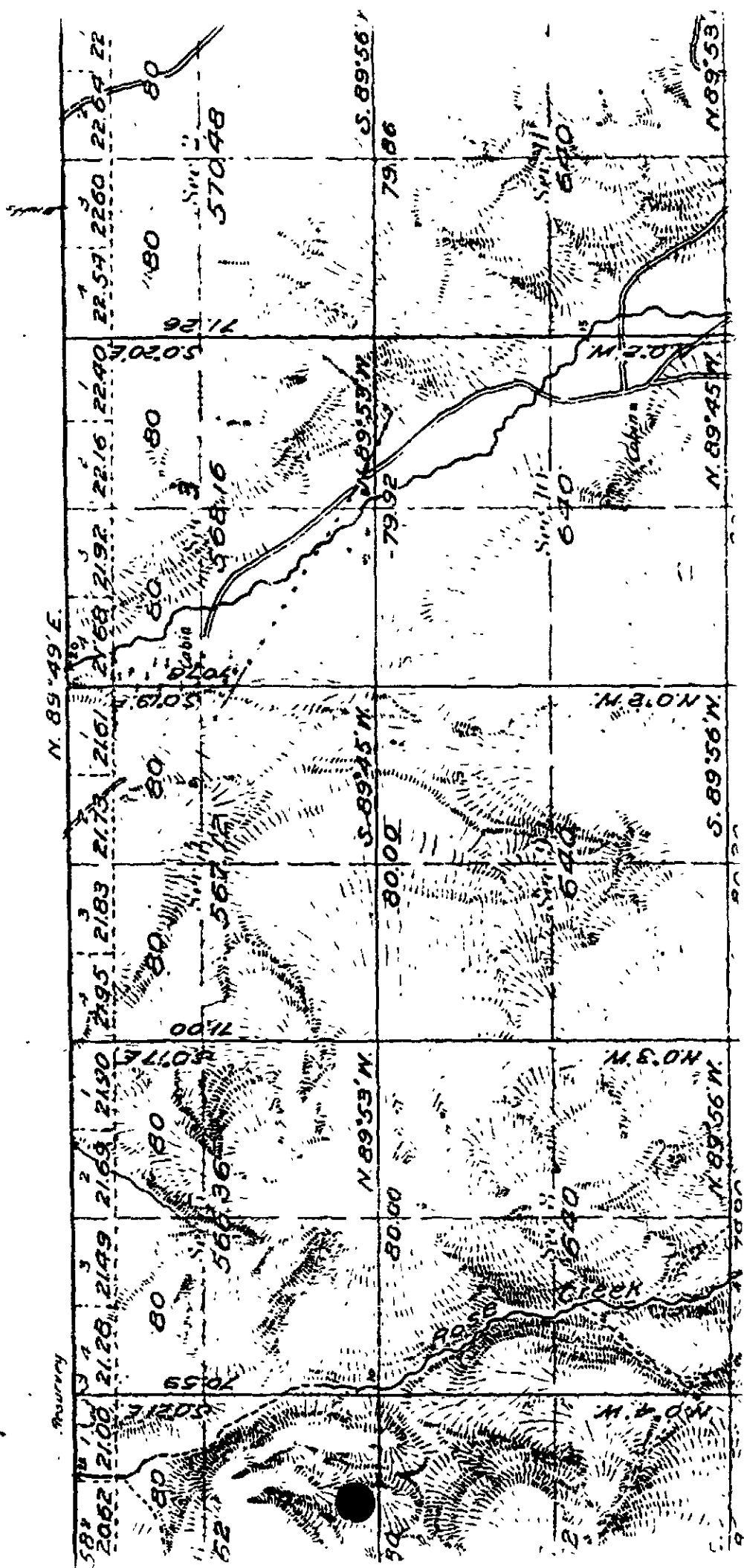
AA55
1990

INTERIOR GEOLOGICAL SURVEY

DECEMBER 1995

(4 0754)

ip No 8 South , Range No 3 West of the Bears M



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 12 1990

Department of Water Resources

A. GENERAL INFORMATION

- 1 Owner: JOSEPHINE CREEK RANCH Permit No. 55-7165
Current Address: MURPHY, ID. 83650 Phone No. _____
2. Accompanied by Nobody showed up. EXAM. DATE 06/29/88
Address. _____ Phone No. _____
Relationship to Permit Holder _____
3 Source: JOSEPHINE CREEK tributary to ROCK CREEK

B. OVERLAP REVIEW

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

C. SYSTEM DESCRIPTION

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

Hold further processing
until Kay Walker completes
additional review.

Jim
- 7-27-93 -

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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.)

FOUND RESERVOIR WITH A ROCKFACE & SPILLWAY ON
 50 WEST SIDE OF DAM. SPILLWAY WAS PARTLY BLOCKED
 WITH BOARDS & PLASTIC RAISING THE WATER LEVEL
 TO CEMENT & STEEL OVERFLOW SHOWN IN PICTURES.

☐ 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
N/A					

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NW	3	8S	3W	OWYHEE	QUAD MAP.

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

Indicate Method of Determination INVENTORY OF DAM

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				REPORT.
			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	Totals
8S	3W	3						29											29

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Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

N/A

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

STORAGE CAPACITY TAKEN FROM DAM SAFETY
FILE WHICH INDICATES 165 AF OF STORAGE
COVERING 29 ACRES

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

N/A

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

N/A

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:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses.

MINOR
DEC 11 1995

[illegible]

1. Recommended Amounts

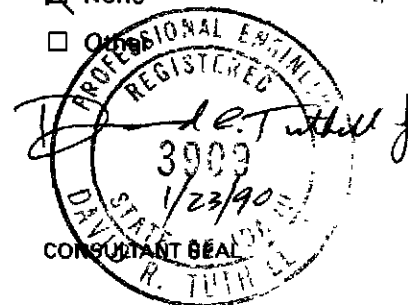
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
STORAGE FOR RECREATION	1-1	12-31	N/A	165
Totals:				165 AF.

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above

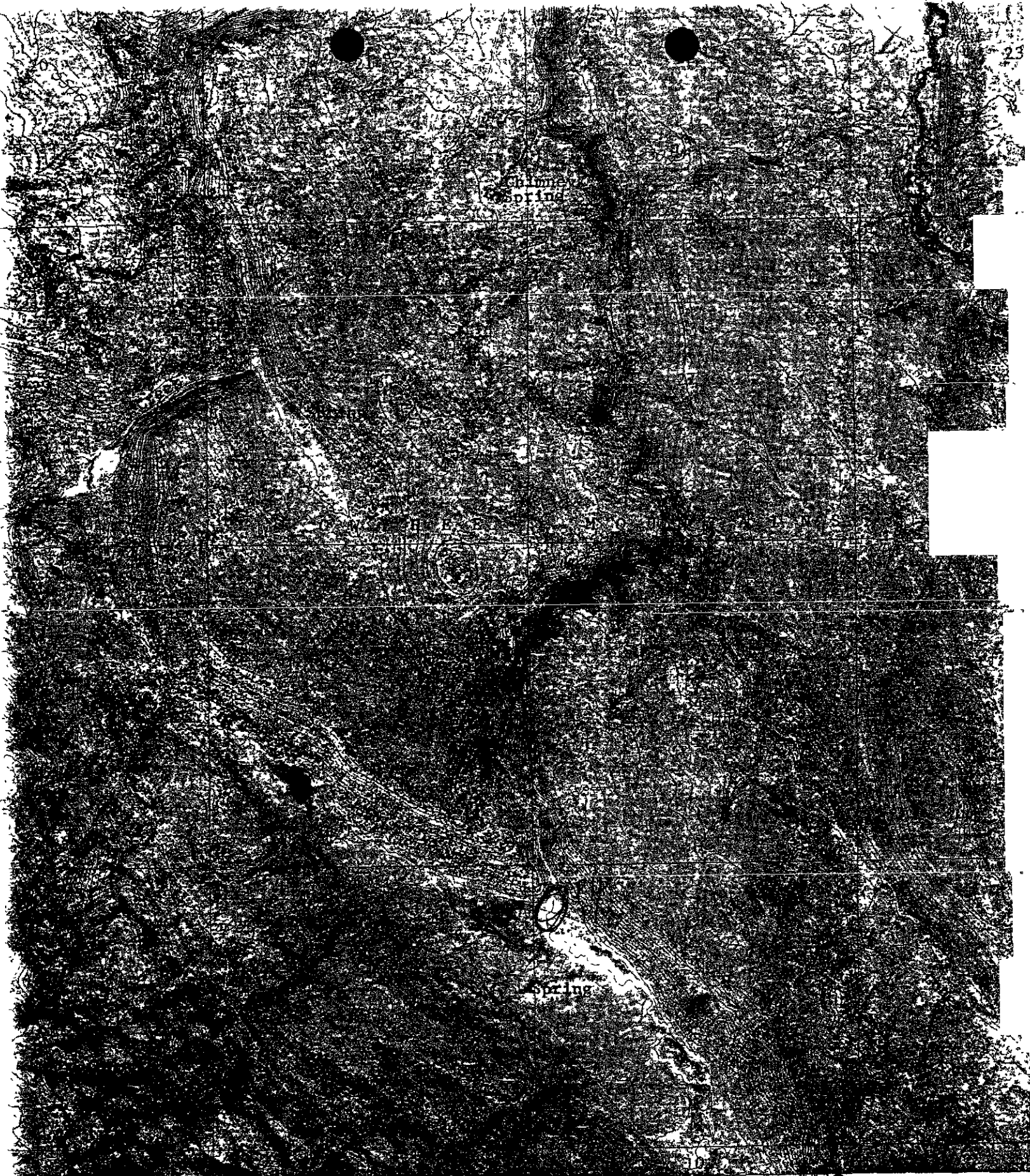
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None☐ Other

Field Examiner's Name KELLY K. CHRISTENSEN
Signature Kelly K. Christensen
Certification Date _____
Field Report Preparation Date 08-09-88



DEC 11 1995



FEET

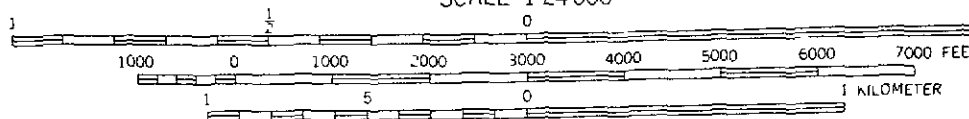
42' 30"

25

26

28

SCALE 1 24 000



DEC 11 1995

P/D PERMIT 55- 7165



LOOKING NORTH EAST



SPELLWAY

DEC 11 1995

PERMIT 55-7163

DAM LOCATION

LOOKING WEST

DEC 11 1995

FROM *Carter Fritschle*DATE *10-5-87*TO *File 55-7165*

SUBJECT

*John Tyson is deceased. Address correspondence
to: Irene Tyson
HC 79 Box 2040
Murphy, ID 83650*

*Her son is involved in the operation of
the ranch.*

RECEIVED

OCT 07 1987

RECEIVED

DEC 11 1995

Department of Water Resources

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

August 18, 1987

55-7165
JOSEPHINE CREEK RANCH
HC 79 BOX 2040
MURPHY, ID 83650

Dear Applicant(s):

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

Before a license can be issued, a field examination must be made by a representative of this Department. A field examiner will contact you to arrange to examine your system.

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

Sincerely,

Judy Pense
Secretary

/jp

RECEIVED
DEC 11 1995

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 55-7165

DATE: 7-15-1987

Date proof received

168

June 17, 1987

Proof due

- 91

Apr. 1, 1987

Number of day proof late

77

Priority date

+348

Dec. 14, 1981

New priority date

425

Mar. 1, 1982.

365
60

Remarks:

MICROFILMED

AUG 40 1987

June 10, 1987

John Tyson
Josephine Creek Ranch
P. O. Box 43
Murphy, ID 83650

Dear Mr. Tyson:

Re: Permit No. 55-7165

Returned is the proof of beneficial use form submitted to this office on June 2, 1987.

The department has reviewed its records to try to determine for which permit this proof has been submitted. I believe that you wish to submit proof for the above referenced permit, however, there are several discrepancies which made it unacceptable. Note that the permit is only for the storage of water on Josephine Creek and not for the other uses as listed on the proof. Are you storing water for recreational purposes?

If so, please make the necessary changes to the proof and return it with the appropriate filing fee. Note that the permit lapsed April 1 and an acceptable proof must be received in this office very soon to keep the permit in good standing.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

cc: Region
Accounting Sec.

MICROFILMED

AUG 20 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
APRIL 13, 1987

JOSEPHINE CREEK RANCH
MURPHY, ID 83650

LAPSE NOTICE

RE: PERMIT NO. 55-7165

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED JANUARY 31, 1987.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE SUBMITTAL (INCLUDING THE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT) OR THE EXTENSION REQUEST FORM TOGETHER WITH THE \$15 FEE MUST BE RECEIVED BY THIS DEPARTMENT WITHIN SIXTY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 4-20-1987
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above:

Rita Luck
MICROFILMED

AUG 20 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
JANUARY 31, 1987

138758

JOSEPHINE CREEK RANCH
MURPHY, ID 83650

PROOF DUE NOTICE

RE: PERMIT NO. 55-7165

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF THE ABOVE REFERENCED WATER PERMIT WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 1, 1987. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH WHEN ACCOMPANIED BY THE LICENSE EXAMINATION FEE OR A COMPLETED FIELD EXAMINATION REPORT PREPARED BY A CERTIFIED WATER RIGHT EXAMINER MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SUBMITTAL OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

AUG 20 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

JOSEPHINE CREEK RANCH
MURPHY, ID 83650

APRIL 28, 1982

RE: PERMIT NO. 55-7165

DEAR PERMIT HOLDER:

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

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

SINCERELY,

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

ENCLOSURE

MICROFILMED

PROOF OF PUBLICATION

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

Nick D. Hodges

I, RODNEY A. HAWES, being first duly sworn, on oath says

that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 18 day of February, 1982, and the last publication being on the 25 day of February, 1982;

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.

Nick D. Hodges
PUBLISHER

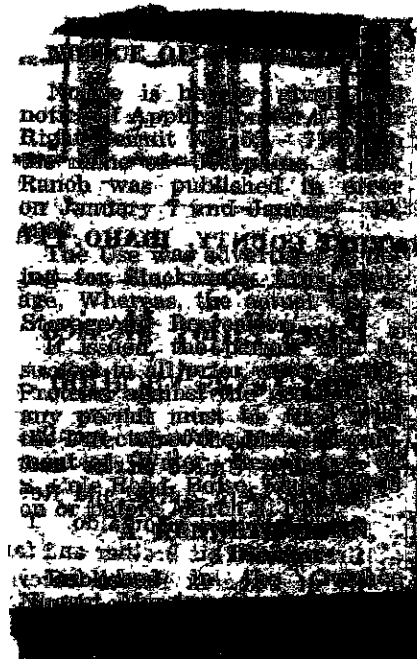
Subscribed and sworn to before me this 25 day of

February, 19 82.

James L. Lauer
NOTARY PUBLIC

My commission expires 9-10-84

(SEAL)



RECEIVED

FEB 25 1982

Department of Water Resources
Western Regional Office

Notice of Correction

Notice is hereby given that notice of Application for a Water Right Permit No. 55-7165 in the name of Josephine Creek Ranch was published in error on January 7 and January 14, 1982.

The Use was advertised as being for Stockwater from Storage, Whereas, the actual Use is Storage for Recreation.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before March 8, 1982.

A. Kenneth Dunn
Director

Published in the 'Owyhee Nugget on February 18 and February 25, 1982.

MICROFILMED

PROOF OF PUBLICATION

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

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

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 7 day of Jan, 1982, and the last publication being on the 14 day of Jan, 1982;

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 14 day of

January, 1982.

Leonard L. Hawes
NOTARY PUBLIC

My commission expires 9-10-84

(SEAL)

NOTICE OF APPLICATION FOR WATER RIGHT

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

51 - 7183

MARSH, FRED W.
P. O. BOX 203, BRUNEAU,
ID 83604

Source: HICKS SPRING
tributary to DUNCAN CREEK

Date Filed: 12/11/1981

Amount: 0.20 CFS

Diversion Point: NWN Sec
2 T 11S R 03E, OWYHEE
Co.

Use: STOCKWATER (0.20
CFS) from 01/01 to 12/31

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

Place of Use: NWN Sec
2 T 11S R 03E

Diversion Means: PIPELINE
& TANK

55 - 7165

JOSEPHINE CREEK RANCH
MURPHY, ID 83650

Source: JOSEPHINE CREEK
tributary to ROCK CREEK

Date Filed: 12/14/1981

Amount: 200.0 AC - FT

Diversion Point: NWNW Sec
03 T 08S R 03W, OWYHEE
Co.

Use: STOCKWATER FROM
STORAGE (200.0 AC - FT)
from 01/01 to 12/31

Place of Use: LOT 04
(NWNW) Sec 03 T 08S R 03W

Diversion Means: DAM

57 - 7296

MURPHY BROTHERS, INC.
P. O. BOX 2685, SPOKANE,
WA 99220

Source: GROUNDWATER

Date Filed: 12/21/1981

Amount: 0.50 CFS

Diversion Point: SESE Sec
24 T 01N, R 05W, OWYHEE
Co.

Use: INDUSTRIAL (0.50
CFS) from 01/01 to 12/31

PLACE OF USE: in Portions
of Sec. 24, T1N & Sec. 19,
T1N, on Highway 95.

Diversion Means: PUMP,
WELL & POND

If issued, the permit(s) will
be subject to all prior water
rights. Protests against the
granting of any permit must be
filed with the Director of the
Idaho Department of Water Re-
sources, 92 S. Cole Road, Boise,
Idaho 83709 on or before JANU-
ARY 25, 1982.

A. KENNETH DUNN,
Director

Published Jan. 7 and 14, 1982
in the Owyhee Nugget, Marsing,
Owyhee County, Idaho.

55-2165-

JOSEPHINE CREEK RANCH

MURPHY, ID 83650

Source: JOSEPHINE CREEK tributary to ROCK CREEK

Date Filed: 12/14/1981

Amount: 200.0 AC-FT

Diversion Point: NWNW Sec 03 T 08S R 03W. Owyhee Co.

Use: STOCKWATER FROM STORAGE (200.0 AC-FT) from 01/01 to 12/31

Place of Use: LOT 04 (NWNW) Sec 03 T 08S R 03W

Diversion Means: DAM

1981
12-14-81
12-14-81
12-14-81