

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

T I O S

8 9 10 11

THREE MILE RESV.
PROJECT #5555

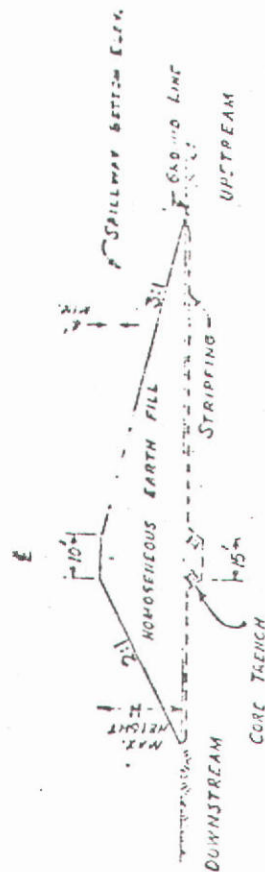
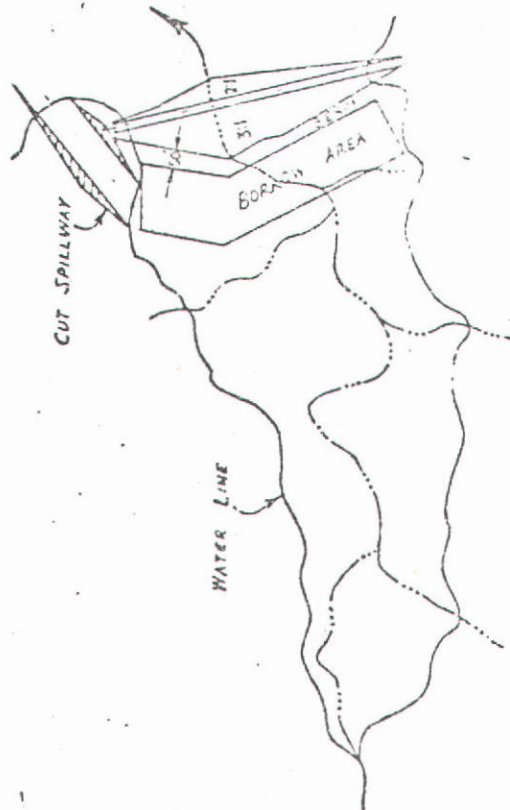
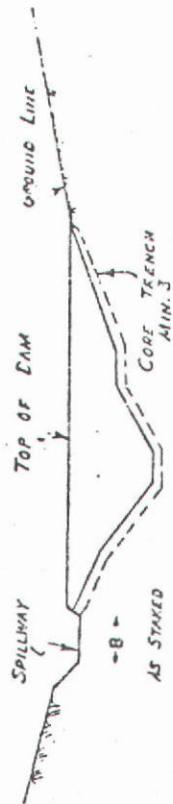
17 16 15 14

R5 W

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.

James D. Smith
(Applicant)
05/15 District Manager



U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

TYPICAL STOCKWATER DAM			
DESIGNED BY	ACOMM	REVIEWED BY	7/2/21
DRAWN BY	CH	RECOMMENDED BY	7/2/21
CHECKED BY	CH	APPROVED BY	
SCALE	1" = 10'	DATE	7/2/21
DRAWN BY	CH	DATE	7/2/21

MICROFILMED

State of Idaho
Department of Water Resources



WATER RIGHT LICENSE

License No. 55-7116 Priority 07/30/1979 Amount CFS 1.0 AF

THIS IS TO CERTIFY, that U.S. Dept. of Interior, Bureau of Land Management

of Boise, Idaho, has complied with the terms and conditions of

Permit No. 55-7116 issued pursuant to Application for Permit dated 07/30/1979, and has

submitted proof to the Department of Water Resources on 07/09/1981, that he has applied water to a

beneficial use; and examination by the Department indicates that the works have a capacity for the

storage of 1.0 af of water from an unnamed stream

tributary to sinks, and that the permit holder has

applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
n/a	1.0 af	Storage for Stockwater	06/16 - 09/22
n/a	1.0 af	Storage for Wildlife	01/01 - 12/31

Location of point of diversion: NW1/4 NW1/4, Section 15, Twp 10S, Rge 5W, Owyhee County

Location of place of use:

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	5W	15					X												

Total number of acres irrigated _____

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho this 25TH day of JUNE, 1984.

MICROFILMED

Acting for the Director *Kenneth C. Young*

Der

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL
OF APPLICATIONS FOR PERMIT NOS. 55-7116,
55-7117, 55-7118, 55-7119, 55-7120, 55-7121,
55-7122 AND 55-7123 IN THE NAME OF THE
BUREAU OF LAND MANAGEMENT

MEMORANDUM DECISION
AND ORDER

On July 30, 1979, the Bureau of Land Management applied to the Department of Water Resources for Permit No. 55-7116 to appropriate one acre-foot of water to be diverted and use within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 15, Twp. 10S, Rge. 5W, Owyhee County, and for Permit No. 55-7117 to appropriate one acre-foot of water to be diverted and used within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, Twp. 10S, Rge. 5W, Owyhee County. On August 15, 1979, the Bureau of Land Management applied to the Department of Water Resources for Permit No. 55-7118 to appropriate one-acre foot of water to be diverted and used within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, Twp. 12S, Rge. 4W B.M., Owyhee County and for Permit No. 55-7119 to appropriate one-acre foot of water to be diverted and used within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, Twp. 10S, Rge. 5W B.M., Owyhee County and Permit No. 55-7120 to appropriate one-acre foot of water to be diverted and used within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, Twp. 10S, Rge. 5W B.M., Owyhee County and Permit No. 55-7121 to appropriate one-acre foot of water to be diverted and use within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, Twp. 10S, Rge. 5W B.M., Owyhee County and Permit No. 55-7122 to appropriate one-acre foot of water with a point of diversion and place of use within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 21, Twp. 10S, Rge. 5W B.M., Owyhee County and Permit No. 55-7123 to appropriate one-acre foot of water with point of diversion and place of use within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 12S, Rge. 4W B.M., Owyhee County. All applications list the source as a side drainage, tributary to sinks, and the purpose of all applications is water for stock and wildlife.

Notice of Application Nos. 55-7116 and 55-7117 were published in the Owyhee Nugget, Marsing, Idaho on August 23 and 30, 1979. Notice of Application Nos. 55-7118 through 55-7123 were published in the Owyhee Nugget, Marsing, Idaho on August 30 and September 6, 1979. A protest against the approval of all of the applications was received from Eric Knehans in behalf of the South Board of Control, Owyhee Project on September 10, 1979.

On November 7, 1979, a conference was held in Homedale, Idaho. The applicant was represented by Joseph B. Brooks, field solicitor, and Alan D. Tripp

and Oscar E. Anderson, both from the Bureau of Land Management. The protestant was represented by Eric Knehans and Carroll Johnston. The major issue raised was whether the applications would reduce the amount of runoff water available to fill the Owyhee Reservoir. The arguments of all parties were heard at the conference and it was agreed that the Director should reach a decision in the matter based upon the information gathered at the conference, and upon the official files and records of the Department.

Based upon the information presented at the conference, the official files and records of the Department of Water Resources and the Director's understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law, Analysis and Order:

FINDINGS OF FACT

1) The Bureau of Land Management manages the lands on which the proposed diversions are to be made for the United States Government and the primary use of the land is livestock grazing and wildlife habitat.

2) The dams and reservoirs will be used to water approximately 150 head of livestock for three months.

3) The number of livestock will not be increased over what has previously used the area.

4) The dams are small and were constructed in the summer of 1978.

5) The history of the Owyhee Reservoir shows that even in years when the reservoir has not filled, there has been sufficient water in the reservoir to meet the irrigation needs of the lands served by the reservoir.

6) There are years when there is more water available in the drainage than can be stored in the Owyhee Reservoir which results in spill past the reservoir.

7) The protestants stated they were not concerned about these particular applications because of their insignificant size, however, they are concerned that continued development in the Owyhee Drainage will eventually damage the water right held for the Owyhee Reservoir.

CONCLUSIONS OF LAW

1) There is unappropriated water in the Owyhee Basin that is in excess of the amount required to irrigate the lands under the Owyhee Project.

2) The livestock in the area in past years have watered at natural watering holes on sources in the Owyhee River Drainage and, therefore, the change in the place they water will have no detrimental effect upon the amount of water available to fill the Owyhee Reservoir.

3) None of the other items described in Section 42-203, Idaho Code, which may be considered by the Director in evaluating an application for permit were validly raised as issues at the conference.

4) The applicant is entitled to permits from the Department of Water Resources with certain conditions and limitations.

ANALYSIS

At the conference, the protestants stated they were not concerned about these filings of the Bureau of Land Management, particularly when it was made clear that the total storage of all eight reservoirs is approximately 4 acre-feet even though 8 acre-feet had been applied for. It was also pointed out that no additional livestock would be grazed in the area of these reservoirs and that they were constructed to provide easier access to water for the livestock. While there will undoubtedly be some evaporation loss and loss to deep percolation, this amount of loss will be minor and may be less than the loss that occurs in the stream and further will probably not have a measurable effect on the Owyhee Reservoir. Information was presented at the conference that in the 45 years through 1979, the reservoir has filled 24 times and has always provided sufficient storage for the lands within the Owyhee Project.

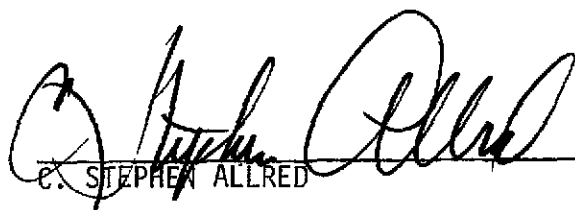
None of the reservoirs are located on flowing streams and will store water only during the early spring runoff conditions. Their construction in this fashion should not result in any conflict with natural flow irrigation rights in the Owyhee Basin.

ORDER

IT IS, THEREFORE, HEREBY ORDERED and Applications for Permit Nos. 55-7116, 55-7117, 55-7118, 55-7119, 55-7120, 55-7121, 55-7122 and 55-7123 be APPROVED subject to the following conditions:

- 1) These permits be and are subject to all prior water rights.
- 2) Proof of construction of works and application of water to beneficial use be submitted on or before September 1, 1981.

Dated this 7 day of August, 1980.


C. STEPHEN ALLRED
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL
OF APPLICATIONS FOR PERMIT NOS. 55-7116,
55-7117, 55-7118, 55-7119, 55-7120, 55-7121,
55-7122 and 55-7123 IN THE NAME OF THE
BUREAU OF LAND MANAGEMENT

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT on the 7th day of August, 1980, true and correct
copies of the foregoing Memorandum Decision and Order was mailed, postage prepaid
to:

Bureau of Land Management
230 Collins Road
Boise, ID 83702

Erich Knehans, Secy.-Mgr.
South Board of Control, Owyhee Project
Homedale, ID 83628


RITA I. FLECK

177-2071
11-6-80

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Three Mile Resv. #5555

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Bureau of Land Management Phone 384-1582

Post office address 230 Collins Road, Boise, ID 83702

2. Source of water supply Unnamed stream J.J. 8-4-80
~~Side drainage~~ which is a tributary of Sinks

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 10S

Range 5W B.M. Owyhee County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.0 for Livestock purposes from 6-16 to 9-22 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1.0 for Wildlife 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)

5. Total quantity to be appropriated:

a. _____ cubic feet per second and/or b. 1.0 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Side drainage storage resv.

b. Height of storage dam 12 feet, active reservoir capacity 0.5 acre-feet; total reservoir capacity 1.0 acre-feet, materials used in storage dam: Earth filled

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 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 10S

Range 5W 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 Approx. 150 Cattle plus wildlife.

(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: _____

MICROFILMED

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.

9. a. Who owns the property at the point of diversion U.S. Government

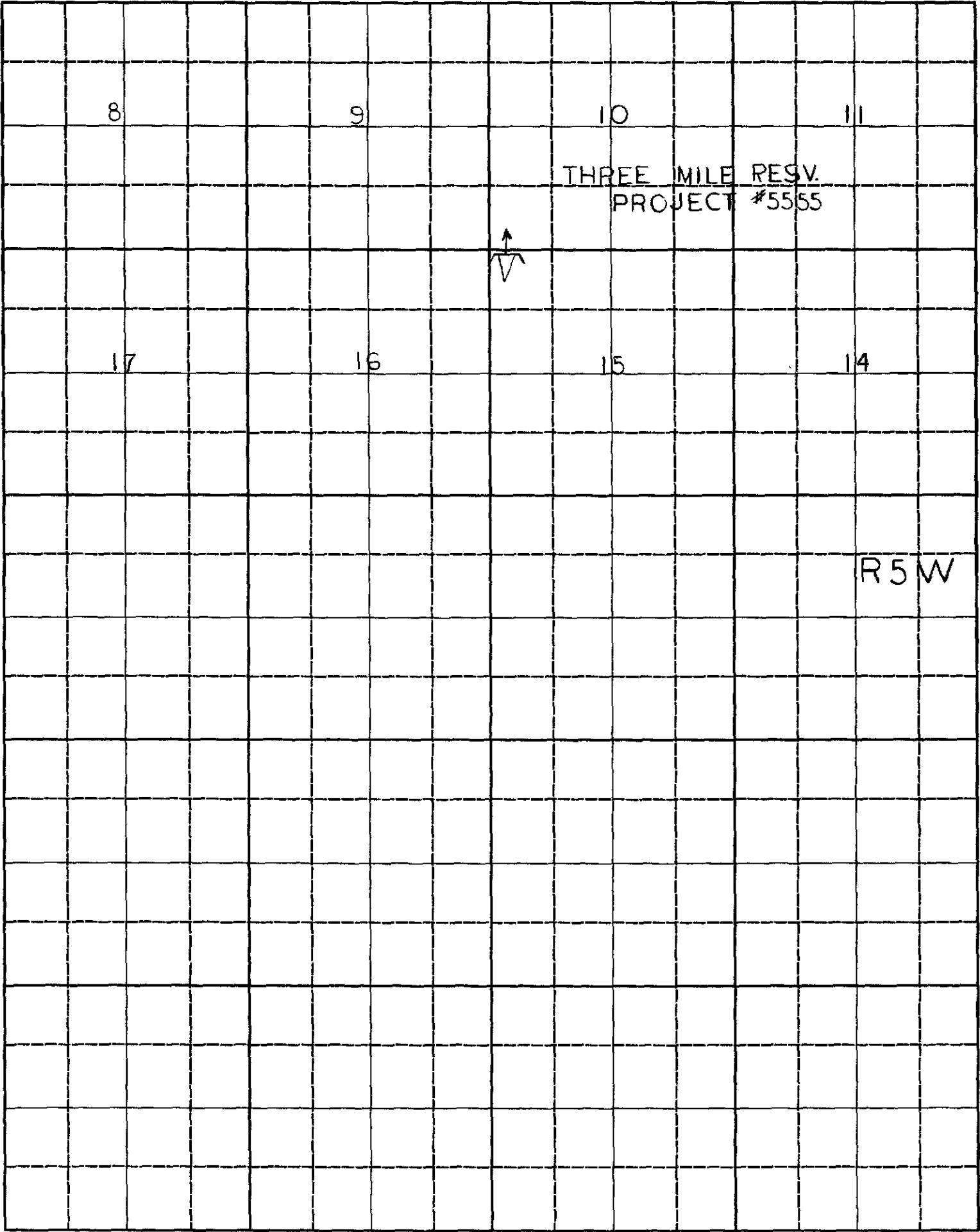
b. Who owns the land to be irrigated or place of use

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 Project #5555 - Three Mile Resv.

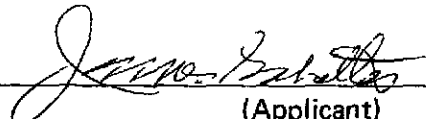
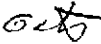
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T 10 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.


(Applicant)
 District Manager

Priority 7/30/79

Received by kw Date 8/1/79 Time 10:40
Date 7/30/79 Time 2:15
Preliminary check by 615 Fee \$ 20.00 # 14648
Receipted by kg Date 7/30/79
Publication prepared by kk Date 8/15/79
Published in Owyhee Nuggett
Publication dates 8/23 & 8/30
Publication approved JK Date 9/10/79
Protests filed by: Erick Knudsen - South Beach of Entero

Copies of protests forwarded by _____
Hearing held by BDF Date 11/7/79
Recommended for approval denial by _____

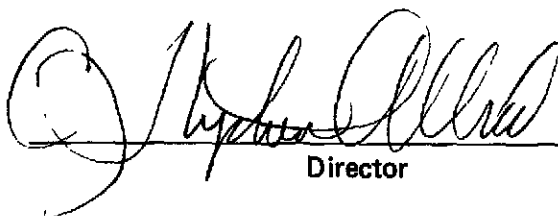
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 55-7116, 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 September 1, 19 81.
- 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: PURSUANT TO MEMORANDUM DECISION AND ORDER

Witness my hand this 7 day of August, 19 80.


Director

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 23 day of Aug, 1979, and the last publication being on the 30 day of August, 1979;

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 30 day of

August, 19 79.

Louise Schauer
NOTARY PUBLIC

My mission expires 9-10-80

MICROFILMED
157AT7

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:

55 - 7116

U. S. DEPARTMENT OF INTERIOR

BUREAU OF LAND MANAGEMENT, 230 COLLINS ROAD, BOISE, ID 83702

Source: SIDE DRAINAGE tributary to SINKS

Date Filed: 08/01/1979

Amount: 0.00 CFS 1.0 AC-FT

Diversion Point: NWNW Sec 15 T 10S R 05W OWYHEE Co.

Use: STOCKWATER (0.00 CFS) from 06/16 to 09/22

WILDLIFE (0.00 CFS) from 01/01 to 12/31

Place of Use: NWNW Sec 15 T 10S R 05W

Diversion Means: SIDE DRAINAGE STORAGE RESV.

55 - 7117

U. S. DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT, 230 COLLINS ROAD, BOISE, ID 83702

Source: SIDE DRAINAGE tributary to SINKS

Date Filed: 08/01/1979

Amount: 0.00 CFS 1.0 AC-FT

Diversion Point: NENW Sec 28 T 10S R 05W, OWYHEE Co.

Use: STOCKWATER (0.00 CFS) from 06/16 to 09/22

WILDLIFE (0.00 CFS) from 01/01 to 12/31

Place of Use: NENW Sec 28 T 10S R 05W

Diversion Means: SIDE DRAINAGE STORAGE RESV.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before SEPTEMBER 10, 1979.

C. STEPHEN ALLRED,
Director

Published 8/23 & 8/30/1979,
Owyhee Nugget, Marsing, Owy-
hee County, ID 83639.

OK
KR
9/10/79

DISCONTINUED



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

June 26, 1984

RE: Permit Nos. 55-7116/7117/7118/7119/7120/7121/7301/7306/7307/
7311/7315/7316/7317/7318/7341, 57-7356/7361/7362/7372

U.S. Dept. of Interior
Bureau of Land Management
3380 Americana Terrace
Boise, ID 83706

Gentlemen:

Enclosed herewith are copies of your water right licenses issued on the above referenced permits along with copies of your approved applications for amendment.

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

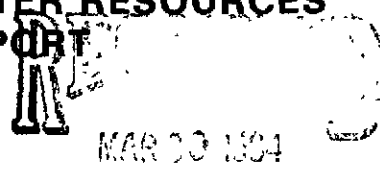
Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosures

ENCLOSURE

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT



55-7116

Permit No.

CONTACT WITH PERMIT HOLDER

Department of Water Resources

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	11/19/81	jp	no appointment made
☐ Telephone call made: (List Telephone No. used)	1/18/83 BLM	JG	
☐ Appointment scheduled for: (Date, time, location)	1/19/83 BOISE DIST. OFF	JG	

EXAMINATION

Date 1/19/83 Accompanied by KIM SCHULTZMEIER Total Q measured EST. 1.0 AF
If source is surface water, estimate total flow of source
Methods of measurement EST. 1.0 AF Meets Permit requirements?

Measurement calculations:

1.0 AF - STORAGE - LIVESTOCK - 150 HD
WILDLIFE - MISC.

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description SEE ATTACHED SHEET

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = N/A AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
STORAGE FOR STOCK - 150 HD	N/A	1.0 AF ✓	1-1	12-31
" " WILDLIFE	N/A	1.0 AF ✓	1-1	12-31
~~STOCK FROM STORAGE~~		~~1.0 AF~~	~~6-16~~	~~9-22~~
~~WILDLIFE " "~~		~~1.0 AF~~	~~1-1~~	~~12-31~~
Total	N/A	1.0 AF ✓		

Remarks

MICROFILMED

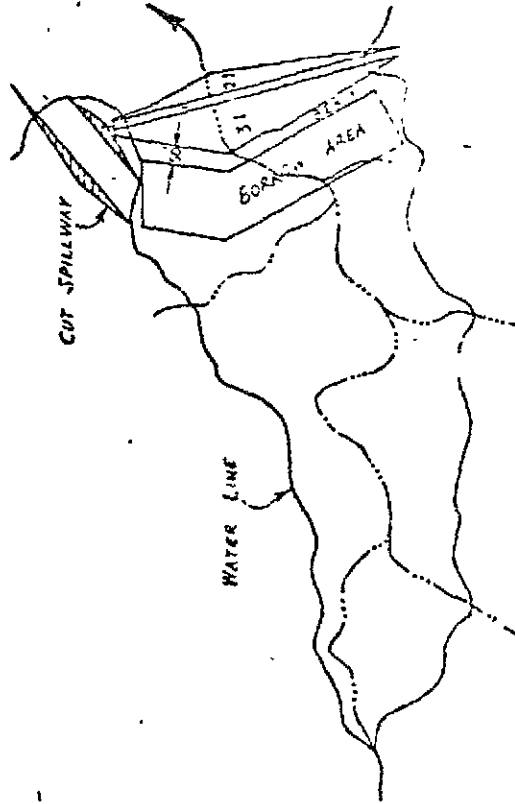
SCHEMATIC DIAGRAM OF SYSTEM

Point(s) of diversion: NW¹/₄NW¹/₄, SEC. 15, TWP. 10S, RGE. 5W, B.M.

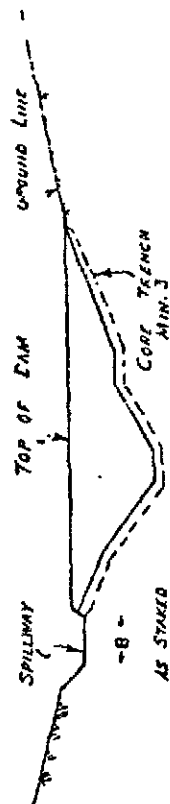
[illegible]

U.S. District Court

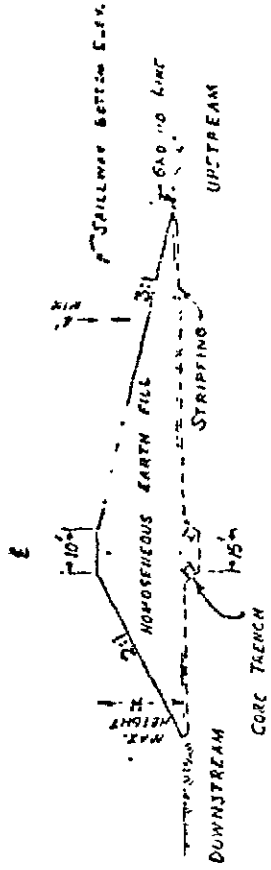
Date 5-4-84



PLAN
N



TYPICAL PROFILE
N



TYPICAL CROSS-SECTION
N

U. S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT			
TYPICAL STOCKWATER DAM			
DESIGNED BY	RECORDED	APPROVED	DATE
DRAWN BY	RECORDED	APPROVED	DATE
CHECKED BY	RECORDED	APPROVED	DATE
SCALE	DATE	DATE	DATE

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83702

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and 1st Roads)

A. Kenneth Dunn
Director

(208) 334-2190

November 20, 1981

Alan B. Triggs
Bureau of Land Management
230 Collins Road
Boise, Idaho 83702

RE: As per attached sheet.

Dear Gentlemen:

We acknowledge receipt of your statement submitted as proof as 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 examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ 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

Judy Pense
Secretary

MICROFILMED

PLACE
TEN CENT
STAMP
HERE

RECEIVED

JUL 6 1991



MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card statement that the permit holder(s) has completed development to the extent shown below of Permit No. 55 7116.

Name(s) of Permit Holder: Bureau of Land Management

Post Office Address: 3948 Development Avenue, Boise, Idaho
83705 Tel. No. 334-1582

Source of Water: runoff

Extent of Use:

☐ Domestic	(number of households)
☒ Stockwater <u>150 Cattle</u>	(number and type of stock)
☐ Irrigation	(acres)
☒ Other <u>wildlife</u>	

Measuring Device:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☐ No
Access Port:	Required?	☐ Yes ☒ No	Installed?	☐ Yes ☐ No

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

7/8/81
 Date

Alan B. Tupper
 Signature of Permit Holder

APPLICATION NOS.

55-7116

55-7117

55-7118

55-7119

55-7120

55-7121

55-7122

55-7123

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

U.S. DEPT. OF INTERIOR
230 COLLINS RD.
230 COLLINS ROAD
230 COLLINS ROAD
BOISE, ID 83702

138328

JUNE 30, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 55-7116 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

MICROFILMED



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

August 8, 1980

Bureau of Land Management
230 Collins Road
Boise, ID 83702

Gentlemen:

Re: Permit No's. 55-7116 to 55-7123

Enclosed are copies of your approved applications for permit along with a copy of the Memorandum Decision and Order. We direct your attention to the conditions of approval as set forth in the Memorandum Decision and Order.

Any person who does not agree with the decision of the Department may request a rehearing before the Director within twenty (20) days or may appeal directly to the district court within sixty days (60) days of the date the decision is mailed.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosures

cc: Erich Knehans

MICROFILMED

IN THE MATTER OF PROTESTED APPLICATIONS
FOR PERMIT No. 55-7116, 55-7117, 55-7118,
55-7119, 55-7120, 55-7121, 55-7122, 55-7123 }
IN THE NAME OF BUREAU OF LAND MANAGEMENT.

AGREEMENT

We, the undersigned, hereby agree to allow the Director of the Department of Water Resources to reach a decision in the above captioned matter based upon the information presented at the conference held on November 7, 1979 at Homedale, Idaho, the official files and records of the Department of Water Resources and the Director's understanding of the law.

The undersigned also agree to waive compliance with the requirements of Section 67-5211, Idaho Code, including the right to a proposed decision, to file exceptions to a proposed decision and to present briefs and oral arguments to the Director of the Department of Water Resources and agree that the Director may render a final decision in this case without first submitting a proposed decision.

The undersigned understand that this agreement does not waive the right of the undersigned to appeal the decision of the Director of the Department of Water Resources to the District Court.

Signed this 7 day of November, 1979, at Homedale, Idaho.

Ernest H. Johnson

Joseph B. Brooks

MICROFILMED

55-7116, 55-7117, 55-7118, 55-7119, 55-7120, 55-7121,

55-7122, 55-7123 - BUREAU OF LAND MANAGEMENT

November 7, 1979 - 10:30 a.m.

ROSTER OF ATTENDANCE

<u>Name</u>	<u>Address</u>	<u>Representing</u>
Joseph B. Brooks	550 W. Fort St. Boise, Idaho	US. Dept of Interior
ALAN B. TRIPP	BUREAU OF LAND MGT 230 Collins Rd BOISE, IDAHO 83702	BLM
OSCAR E. ANDERSON	BLM 230 COLLINS RD BOISE	BLM
Erich Krehan	South Brd of Control	Homedale
Samuel Johnston	South Brd of Control	Homedale

MICROFILMED



United States Department of the Interior

OFFICE OF THE SOLICITOR
PORTLAND REGION-BOISE FIELD OFFICE
FEDERAL BUILDING & U. S. COURTHOUSE
BOX 020 - 550 WEST FORT STREET
BOISE, IDAHO 83724

December 21, 1979

Mr. David B. Shaw
Western Regional Supervisor
Department of Water Resources
State of Idaho
92 South Cole Road
Boise, Idaho 83705

Dear Mr. Shaw:

Re: Owyhee Project Water Rights

Enclosed are copies of the applications for permits to appropriate the waters of the State of Oregon for the two pumping plants of the Owyhee Project. You will recall that the material I previously sent you indicated that these pumping plants were to supplement the Owyhee Reservoir water because of the short-water years encountered immediately upon completion of construction of the reservoir.

Permit No. 24285 for the Dunaway pumping plant, and Permit No. 24286 for the Dead Ox pumping plant, both dated July 25, 1956, contain the statement that the water involved would be in part replacement water to provide increased carryover storage in Owyhee Reservoir. This is consistent with the project history and repayment contract I sent to you last week.

I have also been doing some calculating based on the duty of water on the project. The duty on the Owyhee Project is 3.5 acre-feet per acre plus an additional acre-foot for loss in transmission. Figuring the acreage served from Owyhee Reservoir at 70,000 acres, this means that 315,000 acre-feet would be required to serve that acreage in 1 year. Even if the Owyhee River were to dry up upstream from the dam for 2 years, the reservoir if full at the start of the period would carry the project for 2 years plus. The third year would be in doubt if the Owyhee River flow moving into the reservoir were to equal either of the 2 lowest years of record: 1931, 153,000 acre-feet, and 1934, 167,000 acre-feet. There would, however, clearly be the 2-year supply in the reservoir in any case.

Sincerely yours,

Joseph B. Brooks
Joseph B. Brooks
Field Solicitor

Enclosure

cc: Regional Solicitor, Portland, Oregon

MICROFILMED

Department of Water Resources
Western Regional Office

Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from beginning of high lift canal headgate. At ~~headgate~~ ^{middle lift}: width on top (at water line) 17.2 feet; width on bottom 7.0 feet; depth of water 3.40 feet; grade 0.55 feet fall per one thousand feet.

(b) At beginning of/ miles from headgate: width on top (at water line) 17.6 feet; width on bottom 8.0 feet; depth of water 3.2 feet; grade 4.0 feet fall per one thousand feet.

(c) Length of pipe, ... ft.; size at intake, ... in.; size at ft.
from intake in.; size at place of use in.; difference in elevation between
intake and place of use, ... ft. Is grade uniform? Estimated capacity,
..... sec. ft.

8. Location of area to be irrigated, or place of use 346

[illegible]

(If more space required, attach separate sheet)

(a) Character of soil deep silt loam.

(b) Kind of crops raised the usual general farm crops including hay, grain, beets, potatoes, and miscellaneous truck crops.

9. (a) Total amount of power to be developed theoretical horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.

(d) *The nature of the works by means of which the power is to be developed*

(e) Such works to be located in _____ of Sec. _____
(Legal Subdivision)

Tp. _____, R. _____, W. M. _____
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream?
(Yes or No)

(g) If so, name stream and locate point of return

....., Sec., Tp., R., W. M.

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

Municipal or Domestic Supply—

10. (a) To supply the city of

(Name of) County, having a present population of

and an estimated population of in 19.....

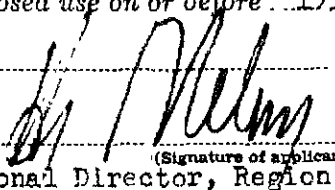
(b) If for domestic use state number of families to be supplied

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 3,440,000.....

12. Construction work ^{began} ~~will begin~~ on or before 1937.....13. Construction work ~~will be~~ completed on or before 1939.....

14. The water will be completely applied to the proposed use on or before 1951.....


 (Signature of applicant)
 Regional Director, Region 1, Bureau of
 Reclamation, pursuant to a proper delegation
 of authority from the Secretary of the Interior.

Remarks: This application is made in connection with the Owyhee federal reclamation project being constructed by the United States under the Federal Reclamation Laws, these being the act of June 17, 1902 (32 Stat. 388) as supplemented and amended, and in pursuance particularly of section 8 of the act of June 17, 1902. The delivery of water here appropriated is subject to the provisions of the repayment contracts between the United States and the irrigation districts on the Owyhee Project, the latest proposed contract being that dated August 29, 1951. Under those contracts, and under the plan of operation of the Owyhee Project, the water here involved is in part replacement water which will provide increased carryover storage in Owyhee Reservoir for use on lands of the project under Permits Nos. R-599 and 8171.

Dead Ox Pumping Plant - one 10 sec.-ft. unit discharges through a 24-inch diameter pipeline 275 feet long under a normal dynamic head of 50.5 feet to the low lift pump canal; two 38 sec.-ft. units discharge through a 48-inch diameter pipeline 400 feet long under a normal dynamic head of 83 feet to the middle lift pump canal; and two 45 sec.-ft. units discharge through a 54-inch diameter pipeline 650 feet long under a normal dynamic head of 111 feet to the high lift pump canal. These pipelines were constructed of precast lock-joint concrete pipe. Steel pipe lines extend a short distance from the pumps to the beginning of the concrete pipelines.

All 5 motors are synchronous, 2,300 volt, 60 cycle, 3 phase motors. One each 75 h.p. 10 sec.-ft; 2 each 500 h.p. 38 sec.-ft; 2 each 800 h.p. 45 sec.-ft.

All pumps are vertical shaft, single suction, centrifugal type.

STATE OF OREGON, }
 County of Marion, } ss

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before, 194.....

WITNESS my hand this day of, 194.....

STATE ENGINEER

PERMIT

STATE OF OREGON, }
County of Marion, } ss

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 176.0 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Snake River

The use to which this water is to be applied is supplemental irrigation

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 6.7 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein,

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is October 1, 1951

Actual construction work shall begin on or before July 25, 1957 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1958

Complete application of the water to the proposed use shall be made on or before October 1, 1959

WITNESS my hand this 25th day of July, 1956

Lewis A. Stanley
STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.

Application No. 26525

Permit No. 24286

PERMIT

TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

Division No. District No.

its instrument was first received in the office of the State Engineer at Salem, Oregon, on the 1st day of October, 1956 at 8 o'clock A.M.

Returned to applicant:

Corrected application received:

Approved:

July 25, 1956

Recorded in book No. 64 of

Permits on page 24286

LEWIS A. STANLEY

STATE ENGINEER

Drainage Basin No. 2 Page 7

Fees Paid 154.51

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, The United States of America, acting through the Bureau of Reclamation
(Name of applicant)
 of Box 927, Boise
(Mailing address)
 State of Idaho, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, **SUBJECT TO EXISTING RIGHTS:**

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Snake River
(Name of stream)
 a tributary of Columbia River

2. The amount of water which the applicant intends to apply to beneficial use is 222
 The water pumped is to replace, under an agreement with the Owyhee Ditch Company, its cubic feet per second natural flow right in Owyhee River and its purchase storage water in Owyhee Reservoir, as well as supply additional water to the Owyhee Ditch Company and the lands of the Advancement Irrigation District. See Remarks.
 3. The use to which the water is to be applied is irrigation and incidental domestic use.
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located approximately
1,120 ft. E. and 50 ft. S. from the West 1/4
(N. or S.) (E. or W.)
 corner of sec. 18, T. 20 S., R. 47 E., W. M.
(Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the lot 3 (E. 1/4) of Sec. 18 Tp. 20 S.
(Give smallest legal subdivision) (N. or S.)
 R. 47 E., W. M., in the county of Malheur Company's canal
(E. or W.)

5. The pipeline discharging into the Owyhee Ditch to be 650 feet
(Main ditch, canal or pipe line) (Miles or feet)
 in length, terminating in the SE 1/4 of Sec. 13 Tp. 20 S.
(Smallest legal subdivision) (N. or S.)
 R. 46 E., W. M., the proposed location being shown throughout on the accompanying map!
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam feet, length on top feet, length at bottom
 feet; material to be used and character of construction
(Loose rock, concrete, masonry, rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description 3 units with 500 h.p. synchronous,
2,300 volt, 60 cycle, 3 phase motors, 3 pumps 74 sec.-ft. capacity, vertical
(Size and type of pump)
shaft single suction, centrifugal type.
(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

~~Canal System~~ or Pipe Line— Monolithic concrete 84" diameter

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, ... 650 ft.; size at intake, ... 84 in.; size at 650 ft. from intake 84 in.; size at place of use 84 in.; difference in elevation between intake and place of use, ... 455 ft. Is grade uniform? No. Estimated capacity, ... 222 sec. ft.

8. Location of area to be irrigated, or place of use 1606.4

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
The water is to be used upon the lands under the Owyhee Ditch Company's Canal below the pumping plant as listed in Certificate of Water Right issued on August 24, 1932, recorded in State Record of Water Right Certificates, Vol. 9, page 9753, approximating 10,000 irrigable acres and upon the lands within the Advancement Irrigation District as shown in the document entitled "Detailed Land Classification, Owyhee Project, Idaho-Oregon, December 1946", at page 105, which is attached hereto and made a part hereof.				

(If more space required, attach separate sheet)

(a) Character of soil Deep silt loam.

(b) Kind of crops raised General farm and specialty crops, including hay, grain, sugar beets, potatoes, and miscellaneous truck crops.

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.

(Head)

(d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in of Sec.

(Legal subdivision)

Tp., R., W. M.

(No. N. or S.)

(No. E. or W.)

(f) Is water to be returned to any stream?

(Yes or No)

(g) If so, name stream and locate point of return

, Sec.

Tp.

R.

W. M.

(No. N. or S.)

(No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

Municipal or Domestic Supply—

10. (a) To supply the city of

..... County, having a present population of

(Name of)

and an estimated population of in 19.....

(b) If for domestic use state number of families to be supplied

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 148,108

12. Construction work will begin on or before 1937

13. Construction work ^{was} ~~will be~~ completed on or before 1951 14. The water ^{was} ~~will be~~ completely applied to the proposed use on or before 1951*F. M. Clinton*

(Signature of applicant)

Acting Regional Director, Region 1, Bureau of
Reclamation, acting pursuant to a proper
delegation of authority from the Secretary
of the Interior.

Remarks: This application is made in connection with the Owyhee federal reclamation project being constructed by the United States under the Federal Reclamation Laws, these being the act of June 17, 1902 (32 Stat. 383) as supplemented and amended, and in pursuance particularly of section 8 of the act of June 17, 1902. The delivery of water here appropriated is subject to the provisions of the repayment contracts between the United States and the irrigation districts on the Owyhee Project, the latest proposed contract being that dated August 29, 1951. This application is made in connection with the Dunaway pumping plant and under the plan of operation of the Owyhee Project and under the above referred to contracts, as well as the contracts of August 3, 1928 and August 28, 1935, as amended, with the Owyhee Ditch Company. The water here involved is in part exchange water which will provide increased carryover storage in Owyhee Reservoir for use on lands of the project under Permits P-599 and 8171.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before, 194.....

WITNESS my hand this day of, 194.....

STATE ENGINEER

PERMIT

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 222.0 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Snake River

The use to which this water is to be applied is supplemental irrigation

If for irrigation, this appropriation shall be limited to 1/40 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 6.7 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein,

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is October 1, 1951

Actual construction work shall begin on or before July 25, 1957 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1958

Complete application of the water to the proposed use shall be made on or before October 1, 1959

WITNESS my hand this 25th day of July, 1956

Lewis A. Stanley
STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1933.

Application No. 26524

Permit No. 24285

PERMIT

TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

Division No. District No.

This instrument was first received in the
office of the State Engineer at Salem, Oregon,
on the 1st day of October
1951, at 8 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

July 25, 1956

Recorded in book No. 64 of

Permits on page 24285

LEWIS A. STANLEY

STATE ENGINEER

Drainage Basin No. 40 Page 4

Fees Paid 170.67

STATE PRINTING DEPT.

55-7116 - 7123 BLM

11/7/79

Homedale - 10:30

None on live streams - all on dry draws
Erick - no objection when stream does not
reach live flow which is tributary to
Owyhee project.

Total storage - $\approx$ 4 ac-ft @ 8 sites

Source of water - snow melt, run off -
possibly one or two have seeps.

Dams are in as of fall 1978

Dams have spill ways

150 head for 3 months is plan
of cattle will not be increased -
cattle will now have reservoirs to drink
from instead of from streams.

June 16 - Sept. 22 period of stockwater
1800 head on 100,000 acres - distribution unknown
Owyhee project - irrigation only - no stockwater

Dams do not have outlet works,

MICROFILMED

BLM filings

.3
4
12

9 ft

$\frac{1}{3.6} = \text{area}$

.3

$Y = 0.4 A d$

$1 = 0.4 \text{ are } 2.5$

Nov 7, 1979

①

None are on live streams.

1. Concerned that the storage during the spring runoff will deplete the supply into Owyhee Reservoir.

2. Wants Rights of the Project Recognized.

3. Concerned about recognizing small projects and then be bound to recognizing large projects —

Finding → The dams are small built in October 1978

The dams

Finding → Dams will be used to water 50 head for 3 months

Finding → The number of stock will not be increased, previously the stock has watered at the streams —

— Season of use June, July, August .

1800 hd in 10,000 acres —

→ Reservoir ~~is~~ presently has sufficient water in holdover storage

MICROFILMED



United States Department of the Interior

OFFICE OF THE SOLICITOR
PORTLAND REGION-BOISE FIELD OFFICE
FEDERAL BUILDING & U.S. COURTHOUSE
BOX 020-550 WEST FORT STREET
BOISE, IDAHO 83724

DEC 11 1979

Mr. David B. Shaw
Western Regional Supervisor
Department of Water Resources
State of Idaho
92 South Cole Road
Boise, Idaho 83705

Dear Mr. Shaw:

Re: Carryover Status of Owyhee Reservoir

In accordance with our telephone conversations, there is enclosed the General History part of the Water and Power Resources Service's Owyhee Project History - 1934. Also enclosed are the first several pages of the Owyhee Project Repayment Contract of 1936. The contract has been supplanted, but the history recited in the Whereas clauses is still valid.

I shall continue to seek other material on this matter and get it to you as soon as possible.

Sincerely yours,

Ben Brooks

Joseph B. Brooks
Field Solicitor

Enclosure

cc: Regional Solicitor, Pacific NW Region, Portland

RECEIVED
MIC
Department of Water Resources
Western Regional Office

CHAPTER 1

GENERAL HISTORY

RECEIVED

RECEIVED
Department of Resources
Western Regional Office

OWYHEE PROJECT HISTORY - 1954

CHAPTER I - GENERAL HISTORY

1. GENERAL DESCRIPTION OF PROJECT:

The Owyhee Project is located along the west side of the Snake River in Malheur County, Oregon, and Owyhee County, Idaho.

The project consists of eight old pumping districts lying adjacent to Snake River and of approximately 60,000 acres of new lands lying on the higher benches above the old pumping districts. The old pumping districts are the Gem, Kingman, Ontario-Myssa, Advancement, Payette-Oregon Slope, Crystal, Bench and Slide Irrigation Districts. To obtain relief from the high cost of power for pumping, these districts have entered into contracts with the Government for participation in the construction of the Owyhee Project. The new lands in the project in Oregon are included in the Owyhee Irrigation District and those in Idaho in the Gem Irrigation District.

The irrigation plan originally proposed for the Owyhee Project contemplated a gravity supply from the Owyhee River for all lands in the project, including the old pumping districts. Several years of exceedingly low runoff on the Owyhee River, however, have necessitated a change in the original plan. Under the revised plan, adopted during the past year,

it is proposed to continue pumping on all of the old districts in the Dead Ox Flat Division, on the Ontario-Nyssa Irrigation District, and on part of the Gem Irrigation District, and to substitute water pumped from Snake River for a gravity supply from the Owyhee River for about 10,000 acres under the Owyhee Ditch which have a normal flow right in the Owyhee River and a supplemental right in the Owyhee Reservoir.

The Malheur River and a break in the irrigable area south of Adrian, Oregon, divide the project into three divisions. The Dead Ox Flat Division includes all lands north of the Malheur River; the Mitchell Butte Division includes the lands between the Malheur River and Adrian; and the Succor Creek Division includes all lands south of Adrian.

The irrigable acreage, according to the latest estimate, of new lands and of the old districts, as included in the above divisions, and the acreage of the gravity and pump lands are shown in the following tabulation.

District	Creek	Gravity	Gravity	Pumping	Total
Dead Ox Flat Division:					
Owyhee Irrigation District	12,682				
Payette-Oregon Slope Irrigation District					
Crystal Irrigation District			5,161		
Ranch Irrigation District			661		
Slide Irrigation District			2,586		
Totals - Dead Ox Flat Division	12,682		750		21,890
Mitchell Butte Division:					
Owyhee Irrigation District	30,760				
Kingman Irrigation District		1,353			
Ontario-Wyasa Irrigation District			5,690		
Advancement Irrigation District			800		
Totals - Mitchell Butte Division	30,760	1,353	6,490		38,603
Succor Creek Division:					
Owyhee Irrigation District	4,399				
Gem Irrigation District	9,603	5,970	12,261		
Totals - Succor Creek Division	14,002	5,970	12,261		32,233
TOTALS - ENTIRE PROJECT	57,443	7,323	27,852		92,618

*Includes 4044 acres under highest lift east of Jump Creek which will receive gravity supply when ample water supply is available in Owyhee Reservoir.

The tabulated acreages will be revised when irrigable area surveys are completed.

In addition to the acreage shown in the tabulation, the Owyhee Project will furnish, under a Warren Act contract, a supplemental water supply for 15,690 acres under the Owyhee Ditch Company canal, of which acreage about 10,000 acres will receive a supply pumped from Snake River under the revised irrigation plan.

Under the irrigation plan, adopted for the project and now in progress of construction, storage and diversion are provided by the Owyhee Dam. Diversion is made directly from the reservoir through Tunnel No. 1 to Tunnel Canyon where the flow is divided between the North and South Canals. The North Canal continues northward from Tunnel Canyon in an open canal and the South Canal in a southeasterly direction through Tunnel No. 5.

The North Canal is 70 miles in length and ends about 4 miles southwest of Weiser, Idaho. The South Canal is 37 miles in length and ends near the main pumping plant of the Gem Irrigation District about 2 miles south of Marsing, Idaho. The North Canal serves the Mitchell Butte and Dead Ox Flat Divisions and the South Canal serves the Succor Creek Division.

The lateral system will consist of six main laterals and about 250 miles of secondary laterals. The main laterals are the Kingman, Mitchell Butte, N.C. 38.6 and the N.C. 48.2 under the North Canal and the S.C. 5.6 and the S.C. 17.7 under the South Canal. The Kingman lateral serves the area in the Mitchell Butte Division lying south of the Owyhee River and provides a gravity supply for the lands in the old Kingman Irrigation District. The Mitchell Butte Lateral was constructed prior to the adoption of the revised irrigation plan to provide a gravity supply for the lands in the Ontario-

Nyssa Irrigation District and to serve a narrow strip of land above the Owyhee Ditch, between Mitchell Butte and the head of the Ontario-Nyssa Canal. Under the revised plan, the Ontario-Nyssa District lands will received a gravity supply only in years of abundant runoff on the Owyhee River. The N.C. 38.8 will serve the lands south of the Malheur River and west of the Malheur River Siphon. The N.C. 45.8 lateral will serve the lands north of the Malheur River and west of the Malheur River Siphon. The S.C. 5.6 will serve the lands between Alkali and Succor Creeks and will provide a gravity supply for the lands under the pumps of the Gem Irrigation District below the mouth of Succor Creek. The S.C. 17.7 provides a gravity supply for the old lands under the highest lift of the Gem Irrigation District lying below Jump Creek.

- - - - -

Symbol No.
IIR-876

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

Owyhee Project, Oregon-Idaho

Supplemental Contract Between the United States and the
Subscribing Irrigation Districts of the Owyhee Project,
Putting Into Effect the Revised Plan for the Owyhee Project.

THIS AGREEMENT, Made this 16th day of March, 1936, pursuant to the Act of Congress of June 17, 1902 (32 Stat., 388), and acts amendatory thereof or supplementary thereto, all of which acts are commonly known and referred to as the Reclamation Law, and the Act of Congress of June 16, 1933 (48 Stat., 195), known as the National Industrial Recovery Act, between THE UNITED STATES OF AMERICA, hereinafter styled the United States, represented by the contracting officer executing this contract, and the various IRRIGATION DISTRICTS of the Owyhee project subscribing to this contract and representing not less than ninety per cent (90%) of the irrigable lands of the said project, hereinafter referred to as the Irrigation Districts,

WITNESSETH, That:

Recitals Concerning Previous Contracts

2. WHEREAS, contracts between the United States and the

Payette-Oregon Slope Irr. Dist. dated Oct. 14, 1926 (IIR-58)	
Owyhee Irrigation District	" Oct. 14, 1926 (IIR-59)
Slide Irrigation District	" Oct. 14, 1926 (IIR-60)
Pan Irrigation District	" Oct. 14, 1926 (IIR-61)
Ontario-Lyssa Irrigation Dist.	" Feb. 5, 1927 (IIR-153)
Klamath Colony Irrigation Dist.	" Jan. 4, 1929 (IIR-604)
Beach Irrigation District	" Oct. 5, 1931 (IIR-675)
Crystal Irrigation District	" Nov. 28, 1931 (IIR-678)
advancement Irr. Dist	" Sept 1 1936 IIR-882

have heretofore been made providing for the construction of the Owyhee project by the United States and the delivery of water therefrom for the irrigation of the lands in the several districts of the said project and the payment of a proportionate part of the cost of the said project by the said districts, the said contracts being hereinafter referred to as the "original contracts for the Owyhee project" and a contract for similar

purposes is about to be made with the Advancement Irrigation District; and

3. WHEREAS, under contracts dated

Oct. 18, 1924, with the Gem Irrigation District (Irr-413)
Apr. 11, 1931, " " Ontario-Nyssa Irr. Dist. (Irr-641)
Nov. 21, 1933, " " Payette-Oregon Slope I.D. (Irr-750)

the United States has agreed to furnish power from its Black Canyon power plant for irrigation pumping in the said districts and the said districts have agreed to pay for said power supply upon the terms and subject to the conditions therein set out, the said contracts being hereinafter referred to as the "power contracts of the Owyhee project"; and

Decreased Stream Flow of Owyhee River

4. WHEREAS, the average annual runoff of the Owyhee river during the last five years has been less than half of the average for the thirty years preceding the date of the approval of the Owyhee project and of the original contracts for the Owyhee project; and

Threatened Depletion by Additional Irrigation in Duck Valley

5. WHEREAS, it now appears that the available water supply of the Owyhee river may be somewhat depleted in future years by additional irrigation and additional reservoirs near the headwaters of said stream in the Duck Valley Indian Reservation; and

Revised Plan to Provide More Water

6. WHEREAS, in view of the above described conditions, it is the opinion of the representatives of the irrigation districts and also of the United States that it is advisable to revise the original plan of the Owyhee project to provide a more abundant water supply than would be possible if the entire project were dependent solely upon the Owyhee river for its water supply; and

Furnish From Snake River on 30,000 to 35,000 Acres

7. WHEREAS, it is feasible by means of cheap power from the government power plants at Black Canyon and Boise Diversion dams (hereinafter referred to as Government power) to pump

water from Snake river at a very moderate cost for the irrigation of about 30,000 or 35,000 acres of land, which under the original plan it was expected would be irrigated from the Owyhee river, thus leaving all the Owyhee river water for the irrigation of the higher lands which cannot be irrigated from any other source; and

Adequate Water Supply Under Revised Plan

8. WHEREAS, it is estimated that under such revised plan, with an average duty of water of 3.50 acre-feet per acre at the land, the project would have had a hundred per cent water supply during the low water cycle of the last five years even during the unprecedented low water seasons of 1931 and 1934; and

Equitable to Spread Cost of Pumping Over Entire Project After Major Part of New Lands Are in Cultivation

9. WHEREAS, such revision of plan is for the purpose of providing a better water supply for the project as a whole and it is therefore considered equitable that the cost of power and pumping should be spread over the entire project as soon as the major part of the new lands are in cultivation and able to pay charges, and that such cost should be paid as a part of the cost of operating and maintaining the project, but it is believed that it will probably be several years before the new lands of the project will be sufficiently productive to make it feasible to spread the full amount of such cost over the entire project and in the meantime that such pumping cost will have to be divided among the parties using the pumped water; and

Free Transmission Service Under Power Contract

10. WHEREAS, a contract under date of October 1, 1934 (copy of which is hereto attached and marked Exhibit A) has been made between the United States and the Idaho Power Company under which, in effect, the power company allows the United States the free use of the company's transmission system for the transmission of the irrigation-season power from the Black Canyon power plant to the Owyhee Project and the winter power from the Black Canyon power plant to the Minidoka project; and

Minidoka Collections Make Lower Power Charges Possible on Owyhee Project

11. WHEREAS, the collections to be made from the sale of power delivered on the Minidoka project under said contract with the Idaho Power Company make it possible for the United

States to furnish irrigation-season power to the Owyhee project from the said Black Canyon power plant at a lower price than could otherwise be possible;

NOW, THEREFORE, IT IS AGREED THAT:

Contract Benefits and Obligations Limited to Subscri-
ing Parties but Contract may be Made Effective as
to Subscribing Parties when Subscribed on Behalf
of 9% of Project Lands

12. When this contract has been duly executed by all the Irrigation Districts of the project (the signing districts being hereinafter referred to as subscribing districts), and the proceedings in connection therewith have been duly confirmed by decree of court, the United States will proceed to put into effect the said revised plan for the Owyhee project as hereinafter more fully set out, but the United States shall have the right at the option of the Secretary of the Interior (hereinafter referred to as the Secretary) to close this contract and put the same into effect as to the subscribing districts by executing the same on behalf of the United States at any time after the contract has been duly executed by irrigation districts representing ninety per cent (90%) of the total irrigable acreage within all the irrigation districts of the said Owyhee project. In the event that this contract is put into effect without being signed by all of the irrigation districts of the Owyhee project, the rights of the non-subscribing districts shall be limited to the rights provided under the contracts now in effect between such districts and the United States and such non-subscribing districts shall not be entitled to share in the additional water supply made available by reason of the pumping from Snake river provided for under this contract nor shall such non-subscribing districts be entitled to any share of the electrical energy or to any benefit of the reduced power rates made available under this contract, nor (with the consent - by their execution of this contract or otherwise - of the Payette-Oregon Slope Irrigation District and the Ontario-Nyssa Irrigation District for the period covered by their contracts of November 21, 1933, and April 11, 1931, respectively) shall such non-subscribing districts be entitled for the year 1936 and thereafter to participate in the benefits of the plan for equalizing power costs as set out in Articles 14 and 25 of the contract of November 21, 1933 with the Payette-Oregon Slope Irrigation District and in Articles 15 and 25 of the contract of April 11, 1931, with the Ontario-Nyssa Irrigation District.

COMPUTATION SHEET

BY	DATE	PROJECT	SHEET ____ OF ____
CHKD BY	DATE	FEATURE	
DETAILS			

38	✓		
39	✓	(4)	
40	✓	(5)	
1	✓	5	
2	✓	(5)	
3	✓	(5)	
4			605,000
5	✓	(6)	
6	✓	(5)	
7			637,000
8			487,000
9			603,000
50			656,000
1	✓	(5)	
2	✓	(6)	
3			662,000
4			537,000
5			358,000
6			705,000
7	✓	(6)	
8	✓	(5)	
9			532,000
60			537,000
1			361,000
2			418,000
3			422,000
4			671,000
5	✓	(5)	
6			656,000
7			548,000
8			463,000
9	✓		
70	✓		
1	✓		
2	✓		
3	✓		
4	✓		
5	✓		
6			712,000
7			523,000
8	✓		
9	✓		

33		1 0	
34		0.	
35		405 000	
36	✓		
37	✓		

Harry Taylor

45 years
24
MICROFILMED

● SENDER Complete items 1, 2, and 3
Add your address in the 'RETURN TO' space on reverse

1 The following service is requested (check one)

- ☒ Show to whom and date delivered _____ ¢
☐ Show to whom, date, and address of delivery _____ ¢
☐ RESTRICTED DELIVERY
 Show to whom and date delivered _____ ¢
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$ _____
 (CONSULT POSTMASTER FOR FEES)

2 ARTICLE ADDRESSED TO

*BZ Collins Rd
230 Collins Rd
Boise, Id 83702*

3 ARTICLE DESCRIPTION

REGISTERED NO	CERTIFIED NO	INSURED NO
	<i>978329</i>	

(Always obtain signature of addressee or agent)

I have received the article described above

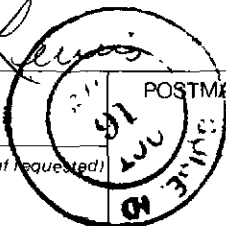
SIGNATURE ☐ Addressee ☐ Authorized agent

4

DATE OF DELIVERY

10/16/79

POSTMARK



5 ADDRESS (Complete only if requested)

6 UNABLE TO DELIVER BECAUSE

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP CODE in the space below

- Complete items 1, 2, and 3 on the reverse
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article
- Endorse article Return Receipt Requested adjacent to number

**RETURN
TO**



PERMIT TO RETURN
USE OF POSTAGE
OFFICIAL BUSINESS
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

RECEIVED



OCT 17 1979

Department of Water Resources
Western Regional Office

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE

62 SOUTH COLE ROAD
BOISE, IDAHO 83709

(City, State, and ZIP Code)

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

1 The following service is requested (check one)

- ☒ Show to whom and date delivered _____ \$
☐ Show to whom, date, and address of delivery _____ \$
☐ RESTRICTED DELIVERY
 Show to whom and date delivered _____ \$
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$ _____
 (CONSULT POSTMASTER FOR FEES)

2 ARTICLE ADDRESSED TO

*Erich K. Richards, Secy-Mgr
 South Beach Control
 Homedale, Id 83628*

3 ARTICLE DESCRIPTION

REGISTERED NO | CERTIFIED NO | INSURED NO

978330

(Always obtain signature of addressee or agent)

I have received the article described above

SIGNATURE ☐ Addressee ☐ Authorized agent

Beverly Fisher Treas.

DATE OF DELIVERY

POSTMARK

5 ADDRESS (Complete only if requested)

6 UNABLE TO DELIVER BECAUSE

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP CODE in the space below

- Complete items 1, 2, and 3 on the reverse
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article
- Endorse article "Return Receipt Requested" adjacent to number



OCT 17 1979

RETURN
TO



Department of Water Resources
Western Regional Office

(Name of Sender)

(Street or PO Box)

(City, State, and ZIP Code)

25-7111

Receipts for 55-7117-55-7128
B & M

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

7116

INITIAL REVIEW BY: 6LS

APPLICATION NUMBER: 55-4025

CHECK:

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

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

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

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising.
☒ Yes ☒ No Final date for protests: 9/10/79
☒ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☐ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
7/30/79 Date of priority recommended.
Special conditions of approval or cover letter. I.P. letter

MICROFILMED

By: _____ Date: _____

STATE OFFICE REVIEW: Proposed
See Memorandum Decision

CORRECT item 2

- ☐ See attached sheet for more information.

By: Jim Date: 8/4/80

Department of Water Resources

October 17, 1979

Senior Citizens Center
224 W. Idaho
Homedale, ID 83628

This is to confirm the use of a room at the Senior Citizens Center for conference and/or hearing to be held by this office on Wednesday, November 7, 1979.

Thank you for your cooperation in this matter.

Truly Yours,

Karla Knecht
Sr. Secretary

No. 978330

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO <i>Erich Knehan</i>				
STREET AND NO. <i>South Bld. of Control</i>				
P.O., STATE AND ZIP CODE <i>Homedale, Id. 83628</i>				
POSTAGE			\$	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		\$
		SPECIAL DELIVERY		\$
		RESTRICTED DELIVERY		\$
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED		\$
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		\$
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		\$
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		\$
TOTAL POSTAGE AND FEES			\$	

POSTMARK OR DATE

MICROFILMED

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
- * 2. (If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

No. 978329

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO <i>BBM</i>			
STREET AND NO. <i>230 Collins Rd</i>			
PO STATE AND ZIP CODE <i>Quebec, Q1A 83702</i>			
POSTAGE		\$	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE		\$
	OPTIONAL SERVICES		
	SPECIAL DELIVERY		\$
	RESTRICTED DELIVERY		\$
	RETURN RECEIPT SERVICE		
	SHOW TO WHOM AND DATE DELIVERED		\$
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		\$
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		\$
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		\$
TOTAL POSTAGE AND FEES		\$	

POSTMARK OR DATE

10/15/79

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, ~~leaving the receipt attached~~, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. * If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
- 3 If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article
- 5 Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
- 6 Save this receipt and present it if you make inquiry

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

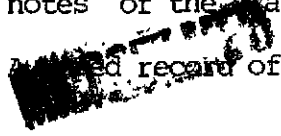
IN THE MATTER OF PROTEST AGAINST APPROVAL	)	
	)	
OF APPLICATIONS FOR PERMIT NOS. 55-7116,	)	NOTICE OF CONFERENCE
	)	
55-7117, 55-7118, 55-7119, 55-7120,	)	AND/OR HEARING
	)	
55-7121, 55-7122, & 55-7123 IN THE NAME	)	
	)	
OF BUREAU OF LAND MANAGEMENT	)	
	)	

On June 30 and July 15, 1979, the Bureau of Land Management filed with the Department of Water resources applications to appropriate the public waters of the State of Idaho. On September 10, 1979 the Department received protests against approval of said applications from Erich Knehans, Secy.,-Mgr. of the South Board of Control, Owyhee Project.

The Department has set the matter of protest for conference and/or hearing for Wednesday, November 7, 1979, at 10:30 a.m., at the Homedale Senior Citizens Center, Homedale, Idaho. Any hearing will be held in accordance with provisions of Chapter 2, Title 42, and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

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

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

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

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties will be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 67-5211.

By written stipulation, the parties may waive compliance with Idaho Code, Section 67-5211. If the hearing is conducted by a hearing officer, the hearing officer will ask the parties at the close of the hearing whether they would like to make such a stipulation.

Failure to waive compliance with Idaho Code, Section 67-5211 will not prejudice the Director's review of a party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 67-5211 is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the District Court.

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

Dated this 15 day of October 1979.



DAVID B. SHAW
Western Region Supervisor



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

September 11, 1979

District Manager
Bureau of Land Management
230 Collins Road
Boise, ID 83702

RE: Application for Permit Nos. 55-7116, 55-7117, 55-7118, 55-7119, 55-7120,
55-7121, 55-7122, 55-7123

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

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

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

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

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

Enc.

MONITORING



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

September 11, 1979

Erich Knehans, Secy.-Mgr.
South Board of Control
Homedale, ID 83628

RE: Application for Permit Nos. 55-7116, 55-7117, 55-7118, 55-7119, 55-7120,
55-7121, 55-7122, & 55-7123

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

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

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

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

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

MICROFILMED

South Board of Control, Owyhee Project

Homedale, Idaho 83628

Phone 337-3760

BEVERLY FISHER
Treasurer

ERICH KNEHANS
Secy.-Mgr.

September 7, 1979

Mr. C. Stephen Allred, Dtr.
Idaho Dept. of Water Resources
92 S. Cole Road
Boise, Idaho 83705

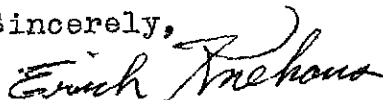
Re: Applications for Permits #55-7116
and #55-7117

Dear Mr. Allred:

The South Board of Control Protest's the granting of Permits #55-7116 and #55-7117 to the U.S. Department of Interior, Bureau of Land Management, 230 Collins Road, Boise, Idaho 83702. Source: Side Drainage tributary to Sinks, Date Filed: 08/01/1979. Amount: 1.0 AC - Ft.

We Protest the use of this water as it infringes on the South Board of Control's water supply.

Sincerely,



Erich Knehans, Secy.-Mgr.
South Board of Control

EK/mt

RECEIVED
SEP 10 1979
Department of Water Resources
Western Regional Office
UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 384-2190

AUGUST 16, 1979

Dwyhee Nusset
Marsing, ID 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billings to this office before SEPTEMBER 10, 1979.

Yours truly,

Karla Knecht
Secretary

Encl.

RECEIVED

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MANAGEMENT, 230 COLLINS ROAD, 230 COLLINS ROAD, BOISE, ID 83702

Source: SIDE DRAINAGE tributary to SINKS

Date Filed: 08/01/1979

Amount: 0.00 CFS 1.0 AC-FT

Diversion Point: NWNW Sec 15 T 10S R 05W, OWYHEE Co.

Use: STOCKWATER	(0.00 CFS)	from 06/16 to 09/22
WILDLIFE	(0.00 CFS)	from 01/01 to 12/31

Place of Use: NWNW Sec 15 T 10S R 05W

Diversion Means: SIDE DRAINAGE STORAGE RESV.

MICROFILMED