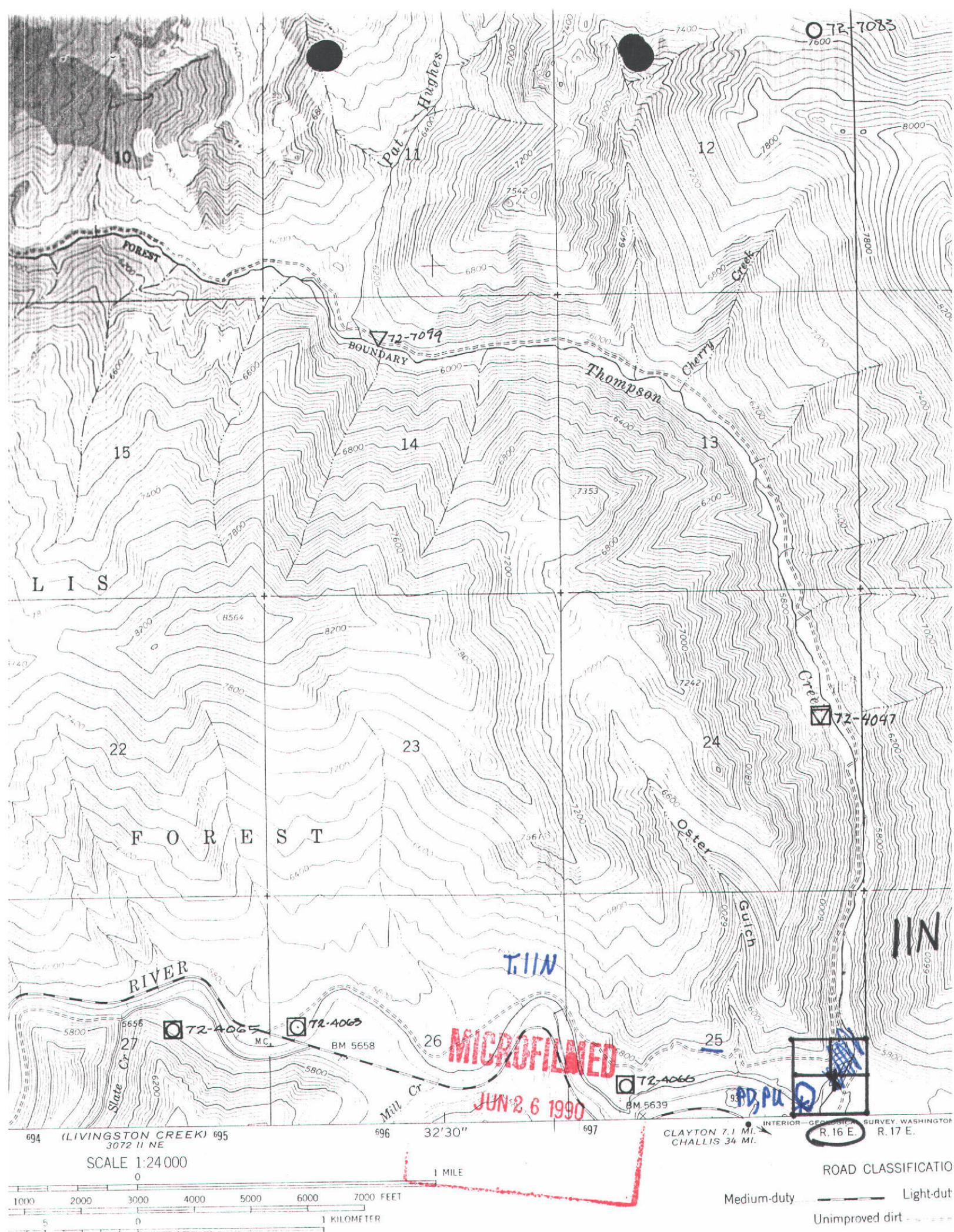
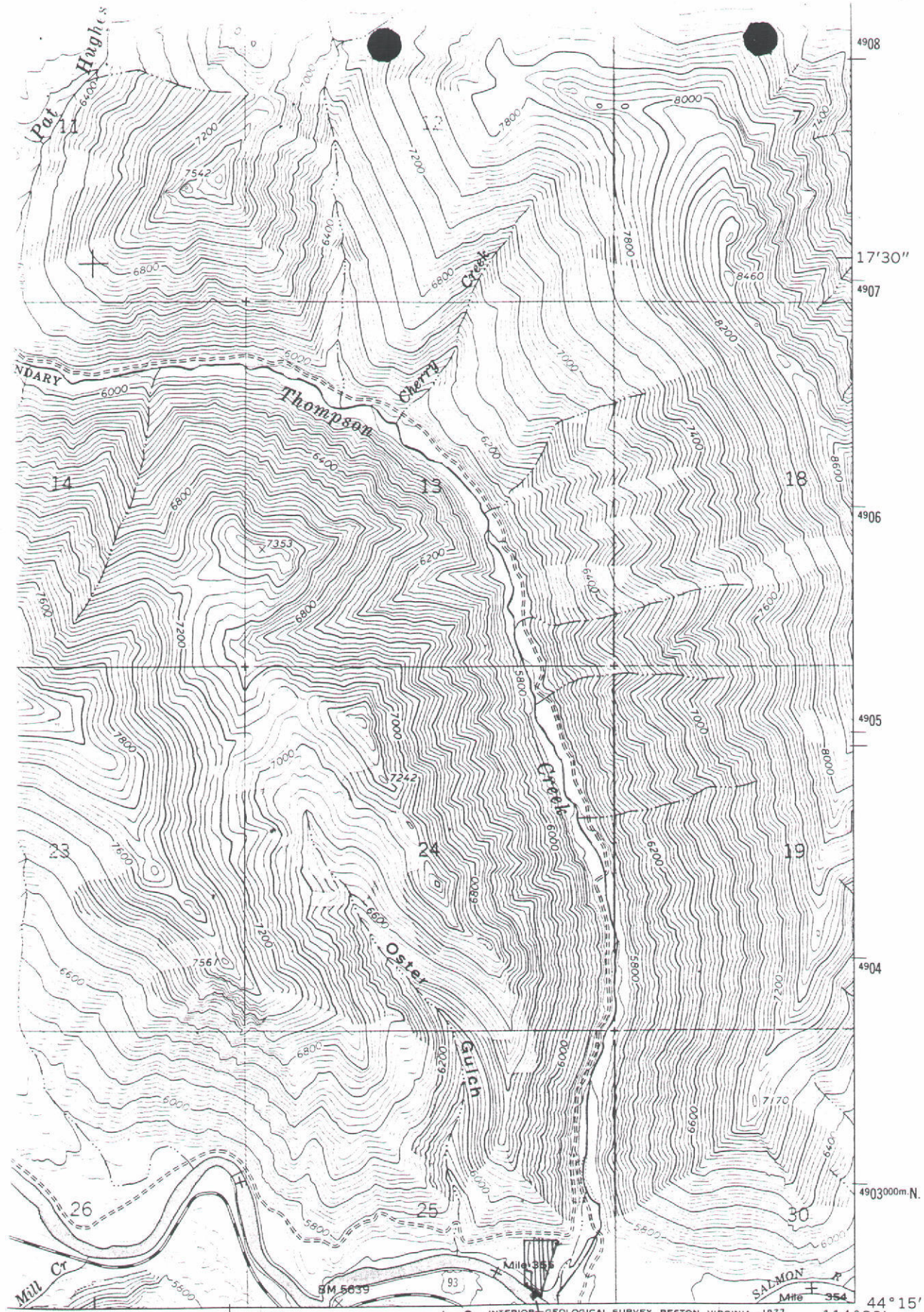






1 MILE

FEET

Medium-duty

Light-duty

Unimproved dirt

U.S. Route

CLAYTON 7.1 MI.

CHALLIS 34 MI.

INTERIOR GEOLOGICAL SURVEY, RESTON, VIRGINIA—1977

R. 16 E. R. 17 E.

699000m E

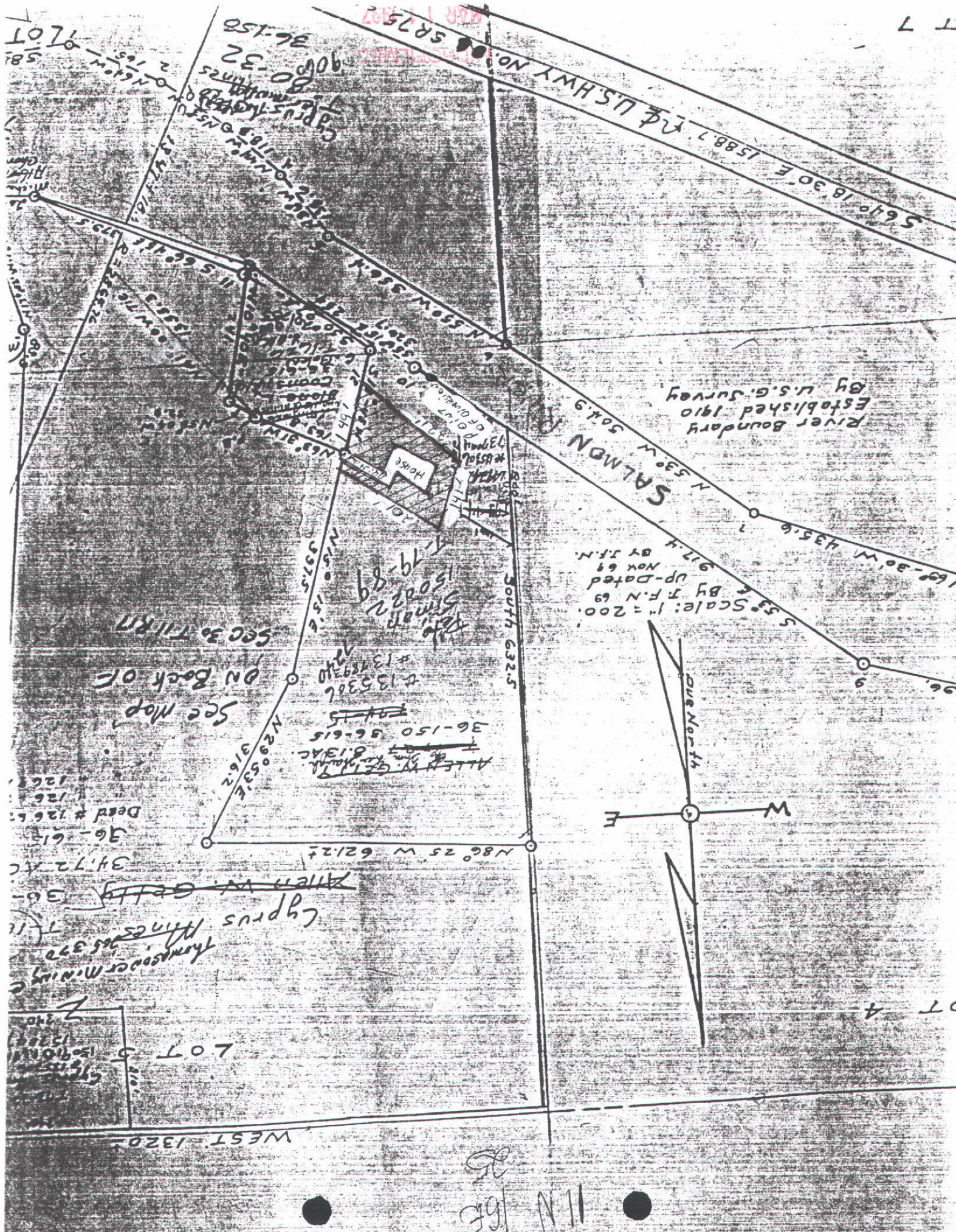
44° 15'

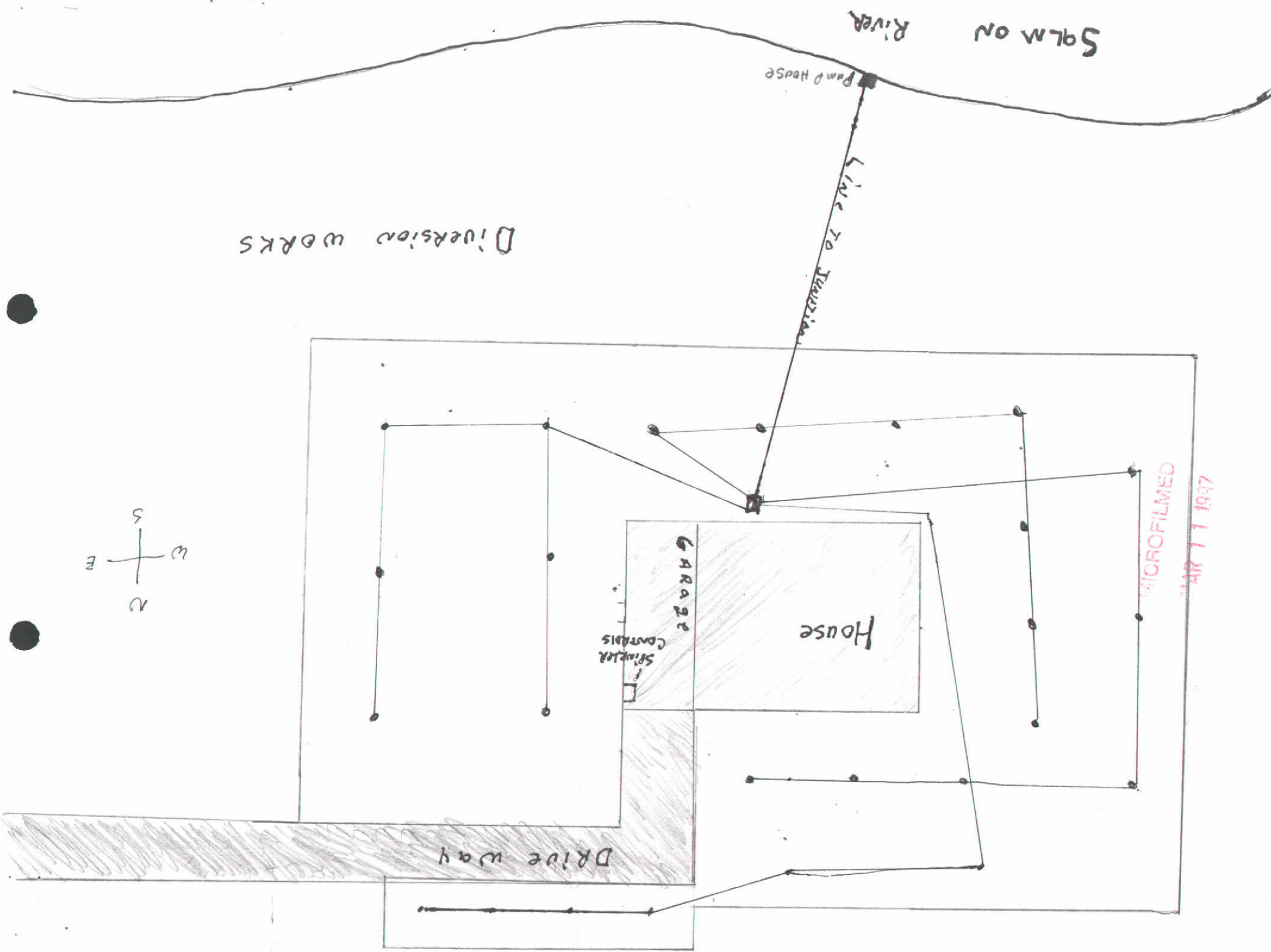
114° 30'

(POTAMAN PEAK)

31° 12' 11" NW

P10
MAR 11 1977

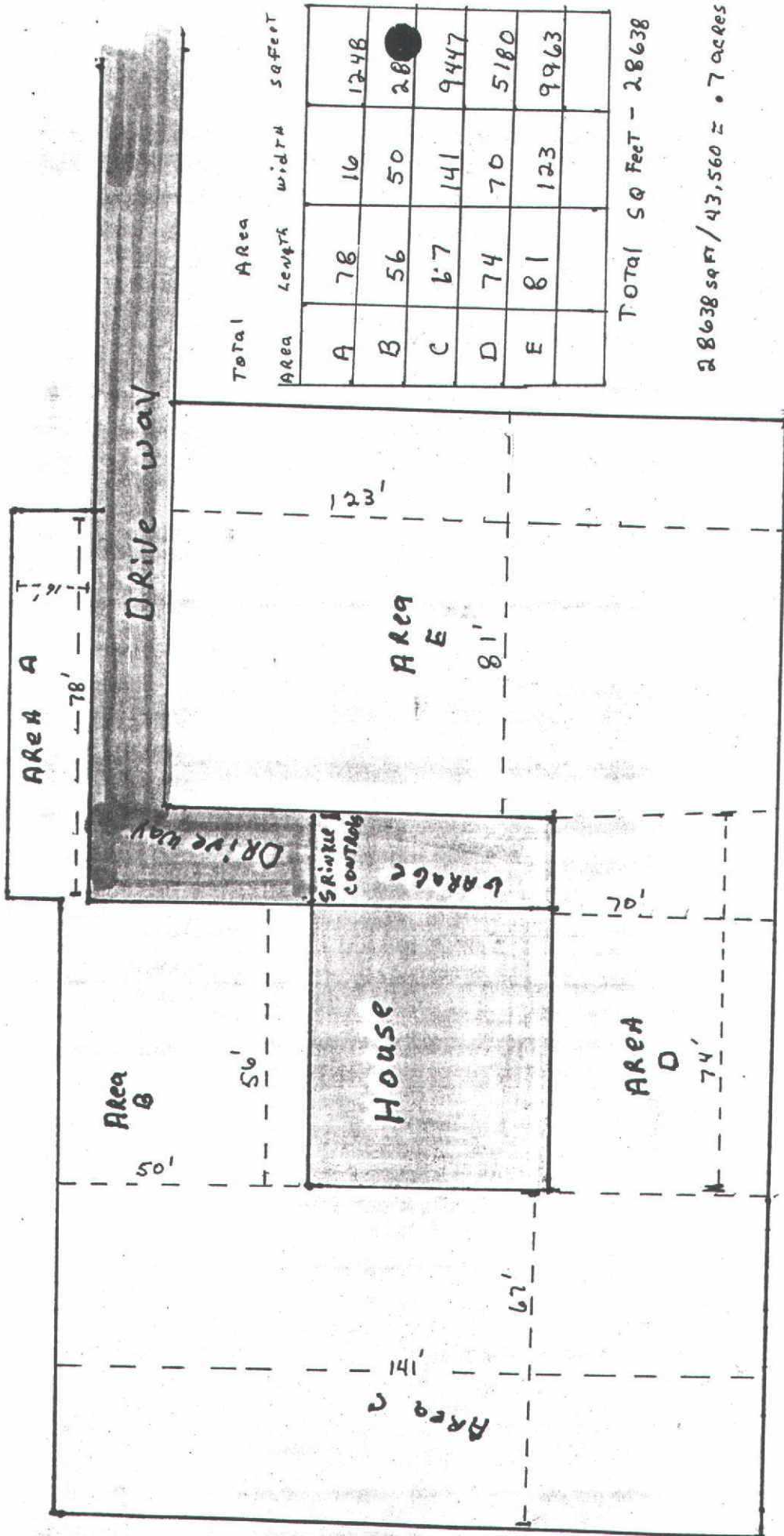




MICROFILMED

APR 11 1997

MAR 1 1 1997



Total Area

Area	Length	Width	Sq Feet
A	78	16	1248
B	56	50	2800
C	67	141	9447
D	74	70	5180
E	81	123	9963

Total Sq Feet - 28638

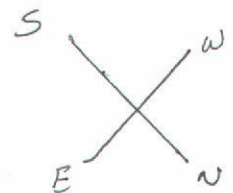
28638 sq ft / 43,560 = .7 acres

Acres = .7 acres

MICROFILMED
MAR 11 1997



2 HP Pump FOR PID OUT OF SALMON RIVER



Pump FOR POINT OF DIVERSION.

The WATER is drawn out OF THE SALMON RIVER
and pumped THROUGH UNDER GROUND PIPE LINE.

MAR 11 1997



This is the Backyard.

This photo was taken from the wellhouse. There is an approximate 80 ft. that is NOT irrigated between the stream and the yard.

MICROFILMED
MAR 11 1997



Place of use.

The yard in front of the house and on both sides is the place of use. The house's domestic uses are supplied by a well.

MICROFILMED
MAR 11 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07449

Priority: December 28, 1989

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

2.1 AF

This is to certify, that PETER A SIMON
3034 S WHITE POST WAY
EAGLE ID 83616

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated December 28, 1989; and
has submitted Proof of Beneficial Use on April 29, 1993. An examination indicates
that the works have a diversion capacity of 0.040 cfs of water from:

SALMON RIVER

tributary to SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	05/01 to 09/30	0.03 CFS	2.1 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 5(NESE), Sec. 25, Township 11N, Range 16E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	16E	25	NESE	0.7		0.7

Total number of acres irrigated: 0.7

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 2.1 afa for the land described above.

2007 11 15

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07449

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 19TH
day of FEBRUARY, 1997.


Acting for KARL J. DREHER, Director



18-01-430-
18-01-67

RECEIVED

APR 29 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.00
Date 4-29-93
Receipt No. 0021356
Receipt by JW

OK TO → (STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES)

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 72-07449 Telephone No. 939-2200
2. Name(s) of Permit Holder(s): Peter A Simon
3. Mailing Address: 3034 S White Post Way Eagle, ID 83616
4. Source of Water: Salmon River

If **GROUNDWATER**, Well Driller's Name: NA Date Drilled: NA

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

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

Irrigation 3 (No. of acres) Other fire protection

6. Total rate and/or volume for which proof is submitted 0.09 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ____ Yes ____ No Installed? ____ Yes ____ No

OR

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

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

permit holder
Name Telephone No.

Address

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

MAY 25 1993

4-27-93 Peter A Simon
Date Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 72-07449

Proposed Priority: December 28, 1989 Maximum Diversion Rate: 0.09 CFS
This is to certify, that **PETER A. SIMON**
9888 BARNSDALE
BOISE, ID 83704
has applied for a permit to appropriate water from:

SALMON RIVER tributary of **SNAKE RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.09 CFS
FIRE PROTECTION	01/01 to 12/31	0.09 CFS
	Totals	0.09 CFS

LOCATION OF POINT(S) OF DIVERSION: NESE Sec. 25, Township 11N, Range 16E
CUSTER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N 16E 25	NESE 3			3

Total number of acres irrigated: 3

PLACE OF USE: FIRE PROTECTION, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 1, 1993**.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

9th day of May, 1990

MICROFILMED

JUN 26 1990

[Signature]
for R. Keith Higginson, Director

RECEIVED

JAN 2 1980

Ident. No. 72-07449

Department of Water Resources
Boise Region Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: PETER A. SIMON
Address: 9888 BARNSDALE
BOISE, ID 83704
208-322-8788
2. Source: SALMON RIVER
Trib. to: SNAKE RIVER
3. Location of Point of Diversion: NESE Sec. 25, Township 11N, Range 16E
CUSTER County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/01	11/01	0.090		
FIRE PROTECTION	01/01	12/31	0.090		
5. Total quantity appropriated is:
0.090 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
PUMP AND PIPELINE.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 5 years.
8. Description of proposed uses:
IRRIGATION OF 3 ACRES AND FIRE PROTECTION OF PROPERTY.
9. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
11N	16E	25	NESE 3			3

JUN 24 1980

Ident. No. 72-07449
Page 2

Place of Use: FIRE PROTECTION

TWN RGE SEC
11N 16E 25 NESE

Total number of acres irrigated: 3

10. Describe any other water rights used for the same purposes.
WELL FOR DOMESTIC USE.

11. 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.

12. Remarks:

13. Map of proposed point of diversion and place of use attached? ☒

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.

X Peter C. Simon
Applicant

Received by kw Date 12-28-89 Time 4:00 Preliminary check by JF Stanton

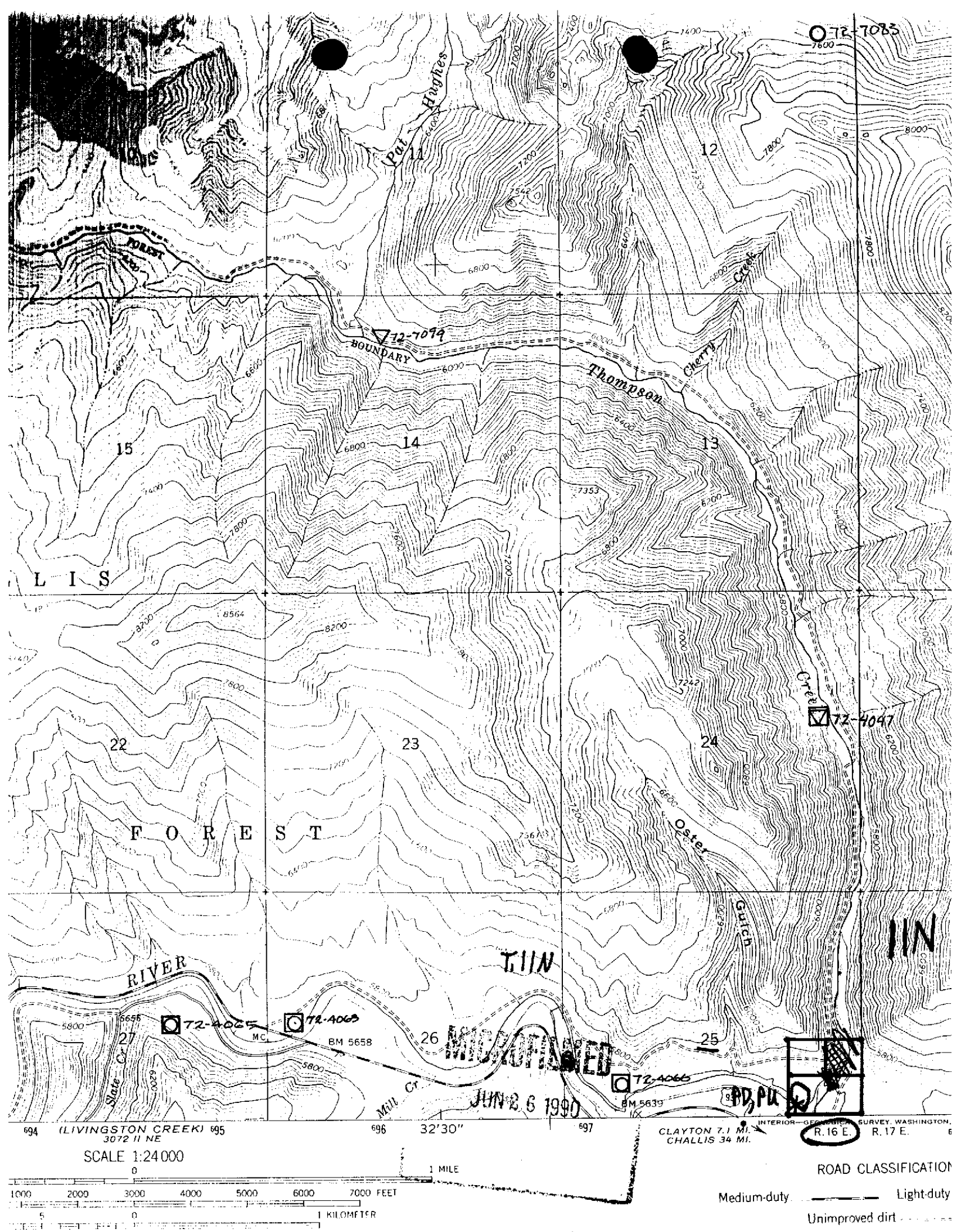
Fee \$ 30. Receipted by kw # C013721 Date 12-28-1989

Publication prepared by M. Baldwin Date 1/5/90 Published in Challis Messenger

Publication approved M. Baldwin Date 2/5/90

MICROFILMED

JUN 26 1990



AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Jan 18 1990 and ending with the issue dated Jan 25 1990.

Margaret Parks
RECEIVED

STATE OF IDAHO JAN 26 1990

Department of Water Resources
COUNTY OF CUSTER Southern Region Office

On this 25th day of January in the year of 1990, before me a Notary Public,

personally appeared Margaret Parks known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Edith M. Peck
Notary Public for Idaho
Residing at Challis
My commission expires: 3-21-92

NOTICE OF APPLICATION
FOR WATER RIGHT
The following application(s) have been filed to appropriate the public waters of the State of Idaho:

71-07133
HOLLEY, JOHN
HOLLEY, ROZ
P.O. BOX 113
STANLEY, ID 83278
Source: GROUNDWATER
Diversions Pt: NENWNE Sec 3 T
ION R 13E
Use: COMMERCIAL (.050 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.100 CFS)
Date Filed: 12/03/1989
In: T13N R13E S28 NWNE
1.0 ACRES TOTAL

72-07449
SIMON, PETER A.
9888 BARNSDALE
BOISE, ID 83704
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversions Pt: NESE Sec 25 T
ION R 13E
Use: IRRIGATION (.090 CFS)
FIRE PROTECTION (.090 CFS)
Total Diversion: (.180 CFS)
Date Filed: 12/28/1989
In: T13N R13E S25 NESE
3.0 ACRES TOTAL

72-07452
ROSKELLEY, MICKY
ROSKELLEY, MAUREEN
P.O. BOX 511
COEUR D'ALENE, ID 83814
Source: GROUNDWATER
Diversions Pt: SWNW Sec 28 T
ION R 13E
Use: IRRIGATION (.200 CFS)
Total Diversion: (.200 CFS)
Date Filed: 12/27/1989
In: T13N R13E S28 SWNW
10.0 ACRES TOTAL

72-07453
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversions Pt: LOT 8 (SWNSW)
Sec 28 T 13N R 19E
Use: IRRIGATION (.080 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.100 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 8 (NWSW)
2.7 ACRES TOTAL

72-07454
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversions Pt: LOT 8 (NWSW) Sec 28 T 13N R 19E
Use: IRRIGATION (.080 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.100 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 8 (NWNW)
2.8 ACRES TOTAL

72-07455
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversions Pt: LOT 8 (SENWSW) Sec 28 T 13N R 19E
Use: IRRIGATION (.080 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.100 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 8 (NWSW)
2.6 ACRES TOTAL

72-07456
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversions Pt: LOT 8 (SENWSW) Sec 28 T 13N R 19E
Use: IRRIGATION (.080 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.100 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 8 (NWSW)
2.8 ACRES TOTAL

72-07457
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversions Pt: LOT 8 (SENWSW) Sec 28 T 13N R 19E
Use: IRRIGATION (.080 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.100 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 8 (NWSW)
2.6 ACRES TOTAL

72-07458
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversions Pt: LOT 3 (NESW) Sec 28 T 13N R 19E
LOT 8 (NWSW) Sec 28 T 13N R 19E
Use: IRRIGATION (.070 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.090 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 3 (NESW) Lot 8 (NWSW)
2.2 ACRES TOTAL

72-07459
C & D ENTERPRISES INC.
74 S. 1ST EAST
TREMONTON, UT 84337
Source: SALMON RIVER Tributary: SNAKE RIVER
Diversions Pt: LOT 4 (SWSWNE) Sec 28 T 13N R 19E
Use: IRRIGATION (.150 CFS)
STOCKWATER (.020 CFS)
Total Diversion: (.170 CFS)
Date Filed: 12/28/1989
In: T13N R19E S28 Lot 4 (SWNE) Lot 3 (SENW)
5.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before FEBRUARY 5, 1990.
R. KEITH HIGGINSON, Director
Pub: Jan. 18 & 25, 1990.

NOTICE
JUN 26 1990



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

February 26, 1997

PETER A SIMON
3034 S WHITE POST WAY
EAGLE ID 83616

RE: WATER RIGHT NO. 72-07449

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

RECEIVED
FEB 27 1997
STATE OF IDAHO

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

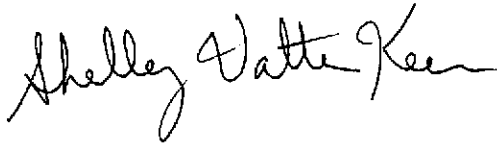
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or

- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

c: Southern Region

Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 72-07449

**PETER A SIMON
3034 S WHITE POST WAY
EAGLE ID 83616**



Sharla Curtis
Water Resource Agent

B/U FIELD EXAM REVIEW

Cindy Zimmerman

Permit #: 72-7449 Name: Simon Date: 2/13/97 ✓ Lots

NAME Chng Same ✓ Or Address Change?

SOURCE Chng Same ✓ Clarify source _____
 Prelim. Order to Void - Source change.

P/D add gov't w/t. Chng Same ✓ Amendment Needed? LOT 5 (SW NESE) P39
 Overlap(s) none

P/U Chng Same ✓ Amendment Needed? reduce to 0.7 ac. P41
 Overlap(s) none
 (Gov't use special ¶s) _____ *P/D & P/U Amend? P37

RATE Chng Same ✓ Permit/proof fee limits 0.09 / 0.20
Chng Same ✓ Measured Quantity = _____ cfs Theoretical Quantity = _____ cfs
 $0.03 \text{ cfs/ac} \times 0.7 \text{ ac} = 0.02 \text{ cfs} \approx 0.03 \text{ (OK)}$
 (HP) $8.8 \times 0.70 \times 2$ = 6 nozzles @ 2.65 gphd = 15.9 gpm = 0.04 cfs
 $+ (2.31 \times \text{_____}) =$ _____ cfs

Chng Same ✓ Recommended capacity 0.04 cfs
Chng Same ✓ Recommended rate 0.03 cfs

VOLUME Chng Same ✓ Season: (A / 3.0) 5/1-9/30 = 153 days
 Calculations: 0.7 ac x 3.0 AF/ac = 2.1 AF

Chng Same ✓ Flow limit: 0.03 cfs x 153 days/yr. x 1.9835 = 9.1 AF
 Recommended volume 2.1 AF

USES Chng Same ✓ Same Nature of Use? delete fire protection P46
 Amendment Needed? _____

REMARKS Chng Same ✓ Multiple p/d's in same 1/4? Use W32
Chng Same ✓ W31 / 0.03 / 2.1

CONDITIONS Chng Same ✓ Measuring Device (R01) or Lockable Controlling Works (R02)
Chng Same ✓ Watermaster Control (R04) - WD # _____
Chng Same ✓ Irrigation rate/annual volume overlap
Chng Same ✓ GW irrigation replaces surface water (050)
Chng Same ✓ GW irrigation supplements surface water (065)
Chng Same ✓ Water Quality
Chng Same ✓ Other _____

PRIORITY App Rcd 12/28/89 Due 6/1/93 Rcd 4/29/93
 Receipt# CG-27356 Fee OK? (Yes/No)
 Order to Reinstate Needed? Yes (No) Done? _____ Advanced to: _____
 Priority 12/28/89 Examined 8/15/96

COMMENTS: _____

USE	CFS	VOLUME
<u>live</u>	<u>0.03</u>	<u>2.1</u>
<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>
TOTAL	<u>0.03</u>	<u>2.1</u>

SRBA Overlap none
 Adjustment Memo _____
 LICENSE LTR: P49
 #1 AMEND LTR: /P38
 #2 AMEND LTR: P42/P47

MEMORANDUM

DATE: October 15, 1996
TO: File No. 72-07449
FROM: Cindy Zimmermann
RE: Field Exam

The field exam on this permit was received at State Office on October 11, 1996. The exam was not signed nor was there any indication who conducted the exam.

Per telecon today with Charlotte of Southern Region Office, Dan Nelson conducted the exam.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 7 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 72-07449

1. Owner: Peter A. Simon Phone No. (208) 939-2200

Current Address: 3034 S. White Post Way, Eagle, Idaho 83616

2. Accompanied by: Peter A. Simon EXAM DATE: 8-15-96

Address: Same as above Phone No. _____

Relationship to Permit Holder: Owner

3. Source: Salmon River tributary to Snake River

B. OVERLAP REVIEW

- Other water rights with the same place of use: _____
- Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt Lot	¼	¼	¼	Sec.	Twp.	Rge	County	Method of Determination/Remarks
P/D	5	S W	N E	S E	25	11N	16E	CUSTER	Visual and government plat maps

2. Place(s) of Use:

Indicate Method of Determination _____

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	16E	25													.7				.7 AC

INDEXED
MAR 11 1997

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

SEE ATTACHED SHEET

YES Copy of USGS Quadrange attached showing location(s) of point(s) of diversion and place(s) of use (required).

NO Aerial Photo Attached (required for irrigation of 10 + acres)

YES 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
P/D	GENERAL ELECTRIC	2 Hp	5KC390N 1004	WATER ACE	R201

**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
PRESSURE GAGE						

2. Measurements: SEE ATTACHED SHEET.

MICROFILMED
MAR 11 1987

E. NARRATIVE/REMARKS/COMMENTS

The water is pumped out of the Salmon River by a 2 Hp pump at the SW 1/4 - NE 1/4 - SE 1/4 of section 25 - township 11N - range 16E. The water is transported from the point of diversion to a control box located approximately 150 feet from the pump to the north and approximately 5 feet south of the house. From the control box the water is sent through the sprinkler system by a automatic timer to irrigate the yard in for settings. The first setting irrigates half of the yard to the north of the house and a 1248 square foot section on the north end of the driveway. The second setting irrigates the other half of the north yard and the eastern half of the eastern yard. The third setting irrigates the west half of the east yard and the southern yard. The fourth setting irrigates the west yard. There is not any hydrants or other system available to provide fire protection with out digging up the yard. There is also no storage facilities provided for fire protection. This permit is not used for the house (domestic use) which has its own well (see adjudication claim A47-10466).

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

RECORDED
2008-1-20

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

6 sprinklers X 2.65 ave gpm = 15.90 gpm (see attached sheets for ave gpm calculations)

15.90 gpm / 448.8 = .03 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .7 \text{ acres} \times 3.0 = 2.1 \text{ afa}$ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .03 \text{ cfs} \times 153 \times 1.9835 = 9.1 \text{ afa}$ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 2.1 \text{ afa}$

B

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		
<u>IRRIGATION</u>	<u>MAY 01</u>	<u>SEPT. 30</u>	<u>.03 CFS</u>	<u>2.1 AFA</u>

Totals: .03 CFS 2.1 AFA

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 _____ Date _____

Reviewer _____ Date _____

SEAL

RECEIVED
MAY 11 2007

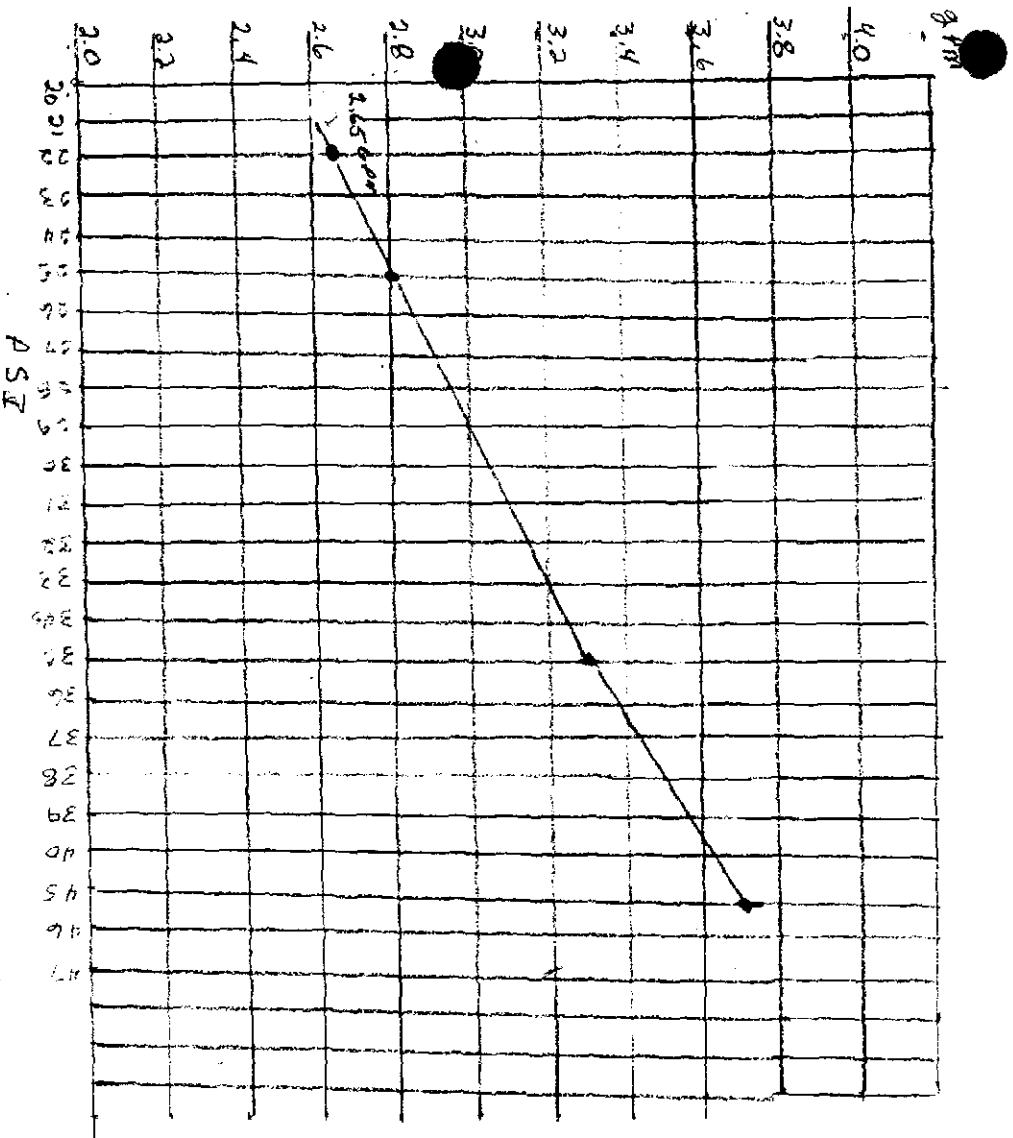
RECOMMENDATIONS:

I recommend that this permit be licensed under the following conditions:

1. That this permit be licensed of .7 acres at .03 cfs per acre.
2. That the maximum diversion rate not exceed .03 cfs from this point of diversion.
3. That this permit is not to be used for domestic purposes whereas there is a well used for the house (see adjudication claim # 72-10466).
4. That this right not be licensed for fire control whereas there is not a storage area exclusively set aside for fire protection. The pump however may be used for fire protection which is an implied right (see attached Administrator's Memorandum on fire protection).

RECEIVED
MAY 15 1972

6 SPRINKLERS
 15.90 gpm FOR SYSTEM
 1.0354 cfs FOR SYSTEM



6 SPRINKLERS
 PSI
 1-20
 2-22
 3-22
 4-24
 5-22
 6-22
Total 132/6 = 22 ave PSI

22 ave PSI = 2.65 gpm
 (see graph)
 gpm FOR SYSTEM
 2.65 gpm x 6 Heads = 15.9 gpm
 15.9 gpm / 448.8 = 1.0354 cfs

SPRINKLER TYPE
 Rain Bird maxi pack size 8 nozzle

Maxi-Paw/Maxi-Paw SAM Performance

Pressure P.S.I.	Nozzle	Radius ft.	Flow GPM	*Precip. ■ in/h	*Precip. ▲ in/h
25	6	-	-	-	-
	07LA	22	1.5	0.60	0.48
	7	32	2.2	0.41	0.33
	8	35	2.8	0.44	0.35
	10LA	25	3.4	1.05	0.84
	10	38	4.2	0.56	0.45
	12	39	5.5	0.70	0.56
35	6	37	2.0	0.28	0.23
	07LA	23	1.9	0.69	0.55
	7	37	2.7	0.38	0.30
	8	38	3.3	0.44	0.35
	10LA	29	4.0	0.92	0.73
	10	41	4.8	0.55	0.44
	12	42	6.3	0.69	0.55
45	6	38	2.3	0.31	0.25
	07LA	25	2.1	0.65	0.52
	7	39	3.0	0.38	0.30
	8	40	3.7	0.45	0.36
	10LA	31	4.5	0.90	0.72
	10	42	5.4	0.59	0.47
	12	44	7.1	0.71	0.57
55	6	38	2.5	0.33	0.27
	07LA	25	2.3	0.71	0.57
	7	41	3.3	0.38	0.30
	8	41	4.1	0.47	0.38
	10LA	32	5.0	0.94	0.75
	10	43	6.0	0.62	0.50
	12	45	7.9	0.75	0.60
60	6	38	2.6	0.35	0.28
	07LA	25	2.4	0.74	0.59
	7	41	3.5	0.40	0.32
	8	42	4.2	0.46	0.37
	10LA	32	5.4	1.02	0.81
	10	44	6.4	0.64	0.51
	12	45	8.4	0.80	0.64

Maxi-Paw/Maxi-Paw SAM Performance

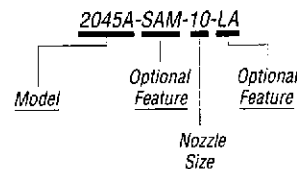
METRIC

Pressure Bars	Nozzle	Radius m	Flow m ³ /h	Flow l/s	*Precip. ■ mm/h	*Precip. ▲ mm/h
2.0	6	8.2	0.37	0.10	11	9
	07LA	6.8	0.38	0.10	16	13
	7	10.4	0.55	0.15	10	8
	8	11.2	0.68	0.19	11	9
	10LA	8.1	0.83	0.23	25	20
	10	11.9	1.01	0.28	14	11
	12	12.3	1.33	0.37	18	14
2.5	6	11.3	0.46	0.13	7	6
	07LA	7.1	0.44	0.12	17	14
	7	11.4	0.62	0.17	10	8
	8	11.7	0.76	0.21	11	9
	10LA	8.9	0.92	0.26	23	19
	10	12.5	1.11	0.31	14	11
	12	12.9	1.46	0.40	18	14
3.0	6	11.5	0.51	0.14	8	6
	07LA	7.5	0.47	0.13	17	13
	7	11.8	0.67	0.19	10	8
	8	12.1	0.83	0.23	11	9
	10LA	9.4	1.01	0.28	23	18
	10	12.8	1.21	0.34	15	12
	12	13.3	1.59	0.44	18	14
3.5	6	11.6	0.55	0.15	8	7
	07LA	7.6	0.50	0.14	17	14
	7	12.8	0.72	0.20	9	7
	8	12.7	0.89	0.25	11	9
	10LA	9.9	1.09	0.30	22	18
	10	13.3	1.31	0.36	15	12
	12	13.9	1.72	0.48	18	14
4.0	6	11.6	0.58	0.16	9	7
	07LA	7.6	0.54	0.15	18	15
	7	12.5	0.78	0.22	10	8
	8	12.6	0.95	0.26	12	10
	10LA	9.8	1.19	0.33	25	20
	10	13.2	1.42	0.39	16	13
	12	13.7	1.86	0.52	20	16

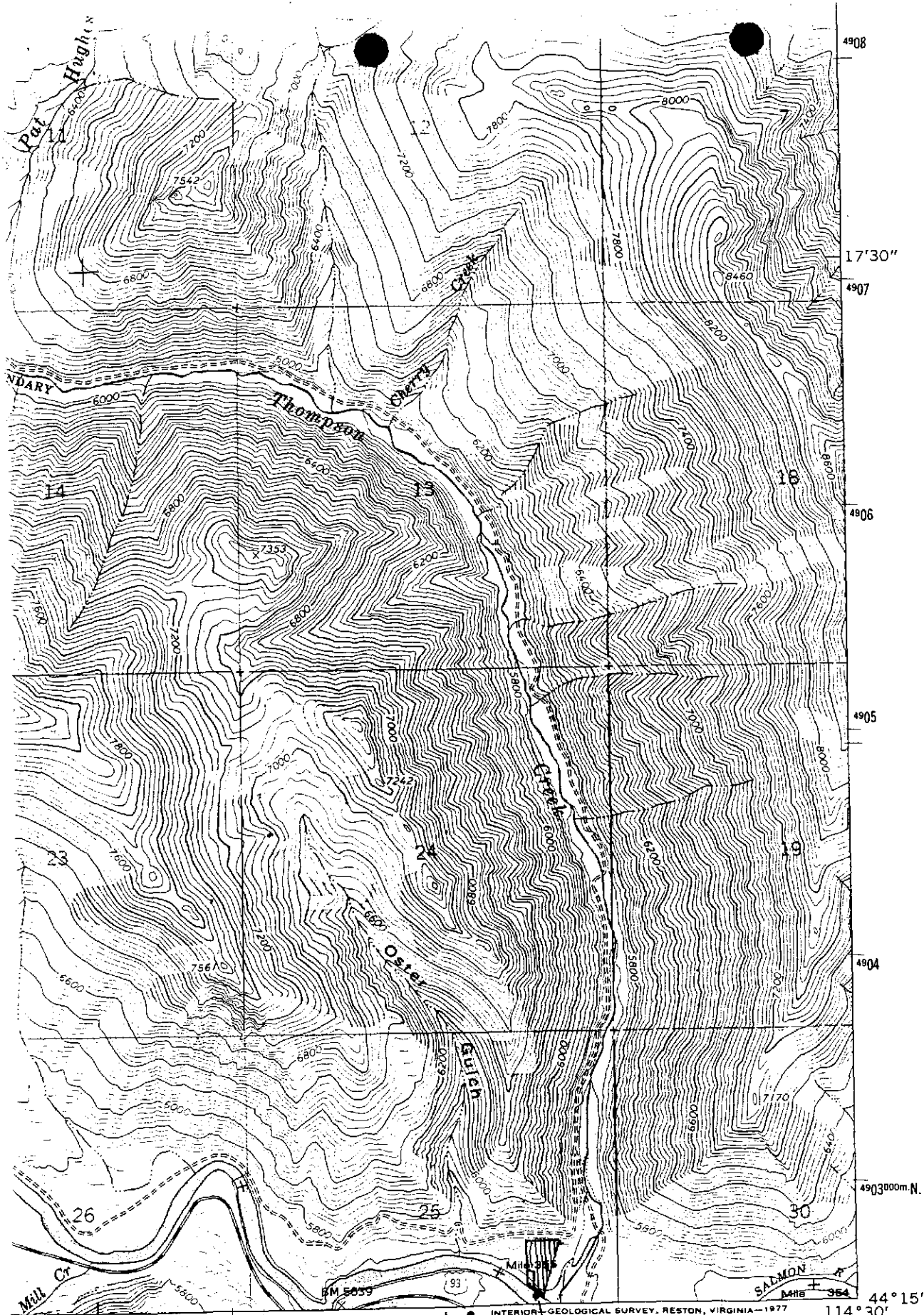
*Precipitation Rates based on half circle operation.
 ■ Square spacing based on 50% diameter of throw.
 ▲ Triangular spacing based on 60% diameter of throw.

Performance data derived from tests that conform with
 ASAE Standards: ASAE S398.1. See page 6 for complete
 ASAE Test Certification Statement.

How To Specify:



This specifies a Maxi-Paw pop-up sprinkler with Seal-A-Matic option; size 10 nozzle and low-angle configuration.



1 MILE
3280 FEET

CLAYTON 7.1 MI.
CHALLIS 34 MI.

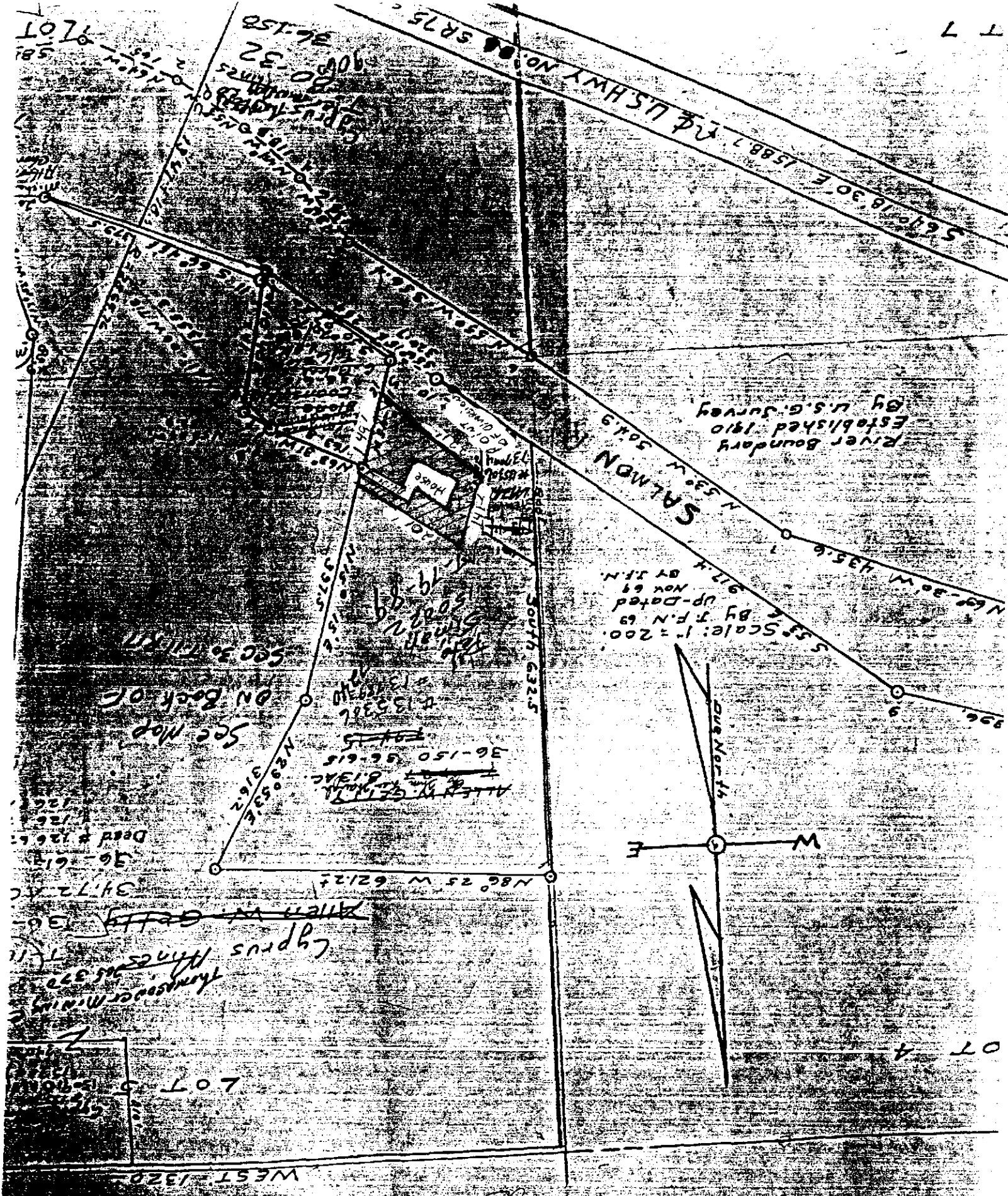
INTERIOR GEOLOGICAL SURVEY, RESTON, VIRGINIA-1977
R. 16 E. R. 17 E. 699000m E.

ROAD CLASSIFICATION
Medium-duty ——— Light-duty - - - - -
Unimproved dirt

U. S. Route

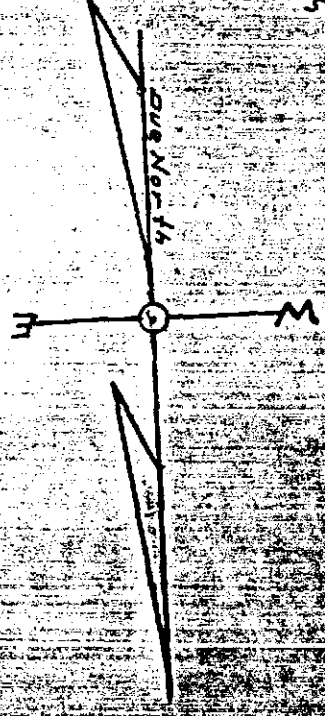
44° 15' 114° 30'

(POTAMIAN PEAK)
31° 22' 11" NW



River Boundary
Established 1910
By U.S.G. Survey

Scale: 1" = 200'
By J.P.N. 69
UP-Dated
Nov 69
BY J.F.N.



See Map
ON Book of
Sec 30, T11N, R17E

ALLEN V. GILLY
36-150 56-615
4135386
1318940

Thomas & Sons Mining Co.
Cyrus Kingsley
Allen V. Gilly
34.72 AC
36-1618
Deed # 1265

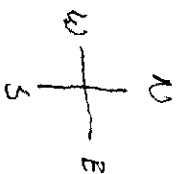
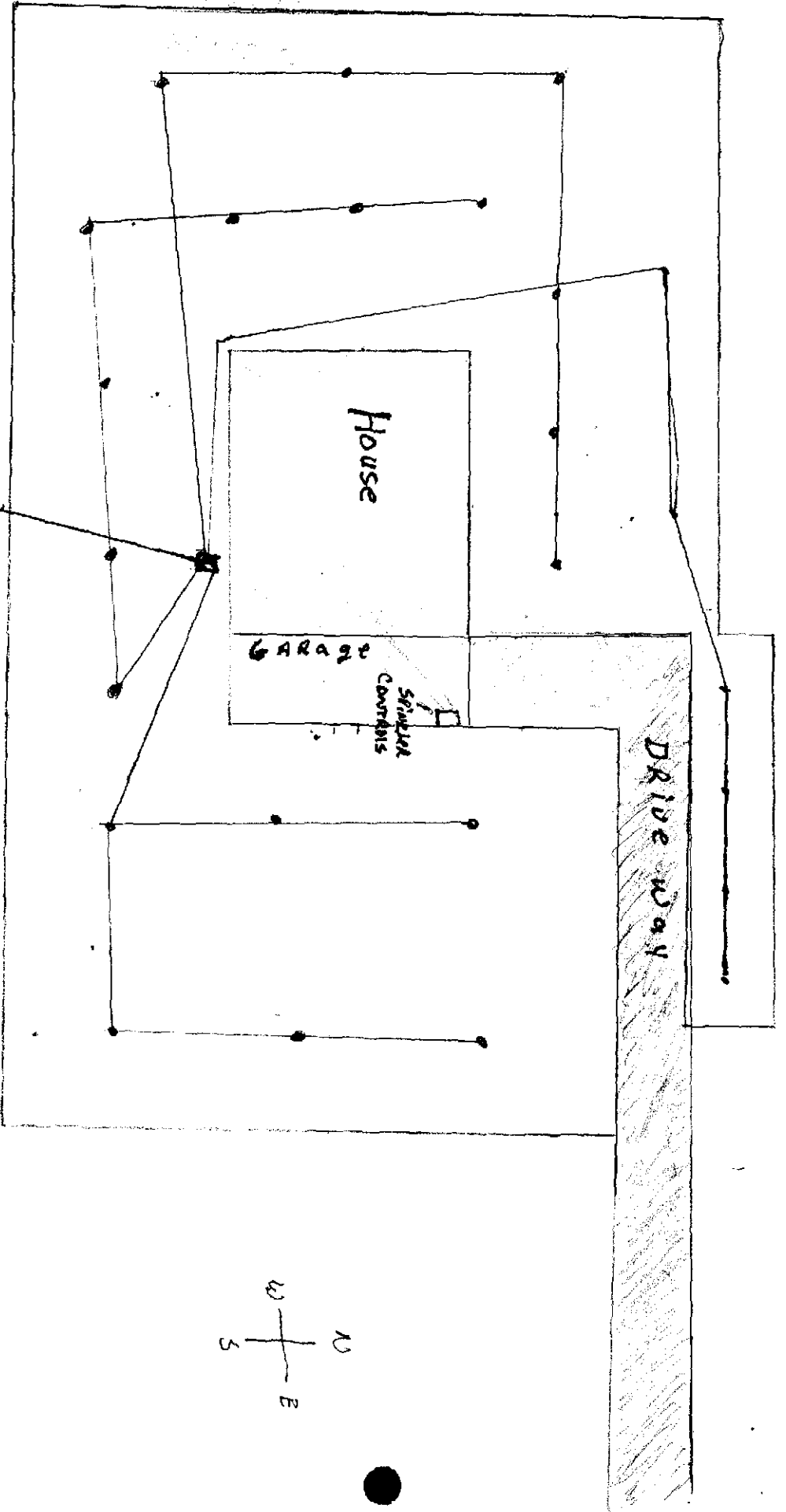
11N 16E

Salmon River

Pond House

Line to Junction

Diversion works



8000

7976

7982

8002

Sec. 21

640

Sec. 22

640

Sec. 23

640

Sec. 24

640

BAKER

S. 79° 52' W

8014

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

N. 0° 02' W

S. 89° 55' W

7982

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

N. 0° 02' W

N. 89° 50' W

7972

80

80

80

80

80

80

80

80

80

80

80

80

80

80

80

N. 0° 02' W

W. N 89° 41' W 3508 N 89° 39' W 4000

517

80

80

80

80

80

SURVEYED BY
O. E. PETERSON
1910

Sec. 25

640

Sec. 26

640

Sec. 27

640

Sec. 28

640

5516

182

102

WEST

80100

80

80

80

80

80

80

80

80

80

80

80

80

80

80

WEST

7998

80

80

80

80

80

80

80

80

80

80

80

80

80

WEST

7990

80

80

80

80

80

80

80

80

80

80

80

80

80

MILL CR

N. 0° 02' W

N. 0° 02' W

N. 0° 02' W

N. 0° 02' W

N. 0° 02' W

N. 0° 02' W

N. 0° 02' W

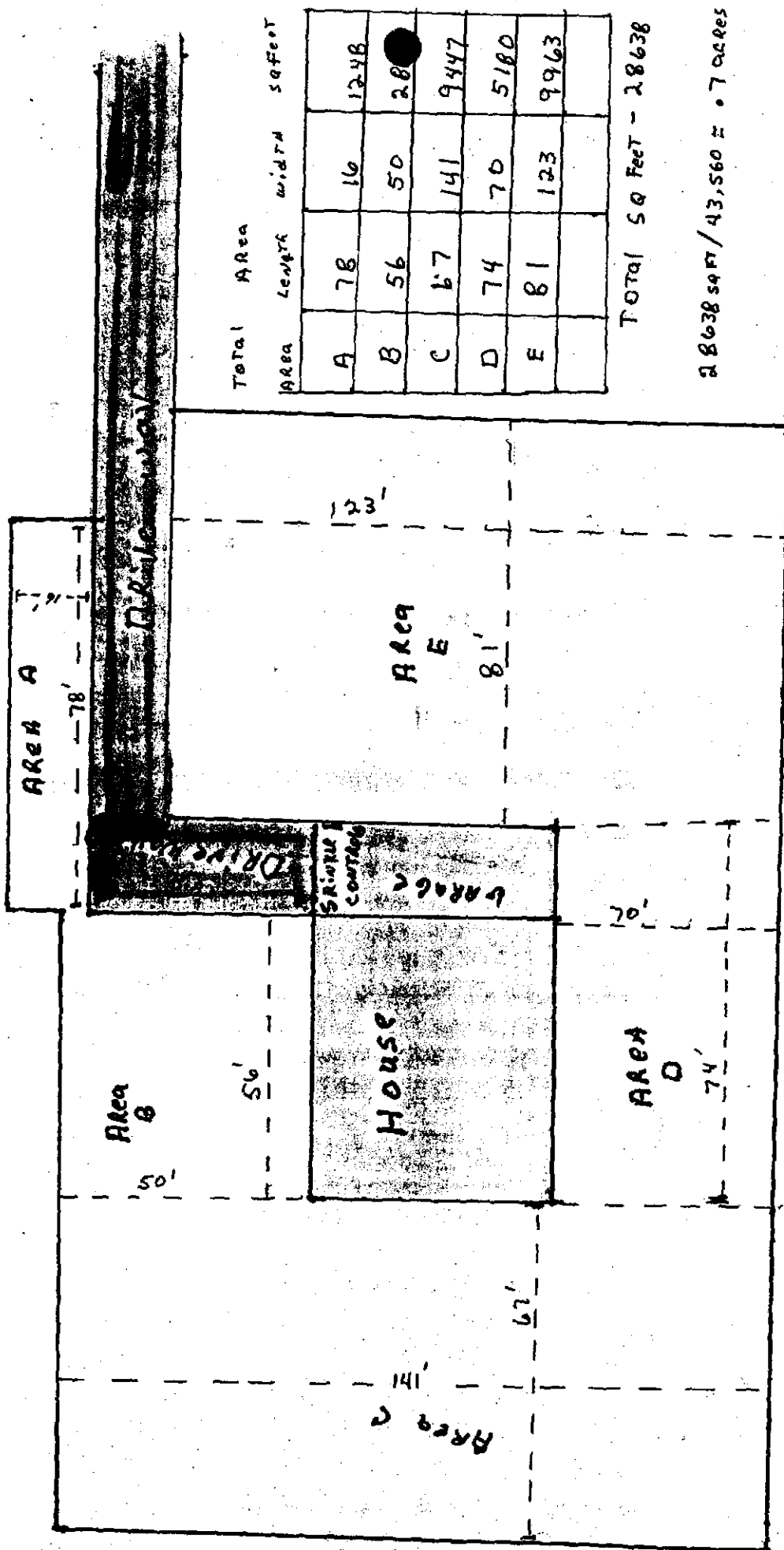
N. 0° 02' W

SLATE

WEST

INC.
LEAD

FOURTH

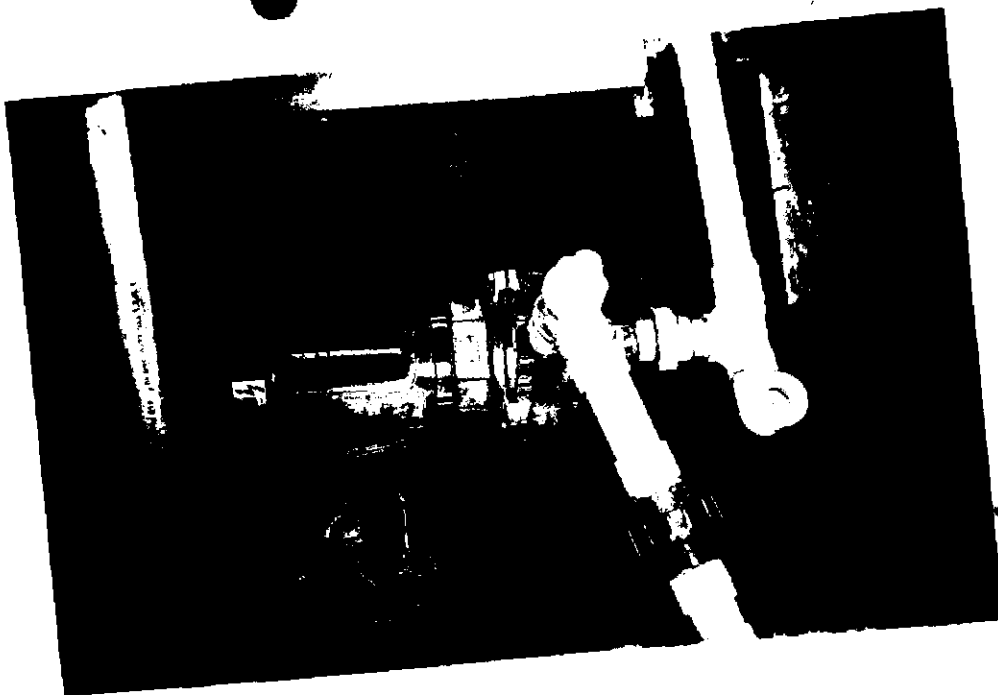


Total Area		width		sq feet	
Area	Length				
A	78	16		1248	
B	56	50		2800	
C	67	141		9447	
D	74	70		5180	
E	81	123		9963	

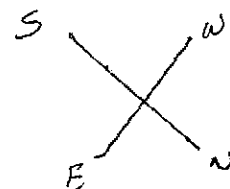
TOTAL SQ FEET - 28638

28638 sq ft / 43,560 = .7 acres

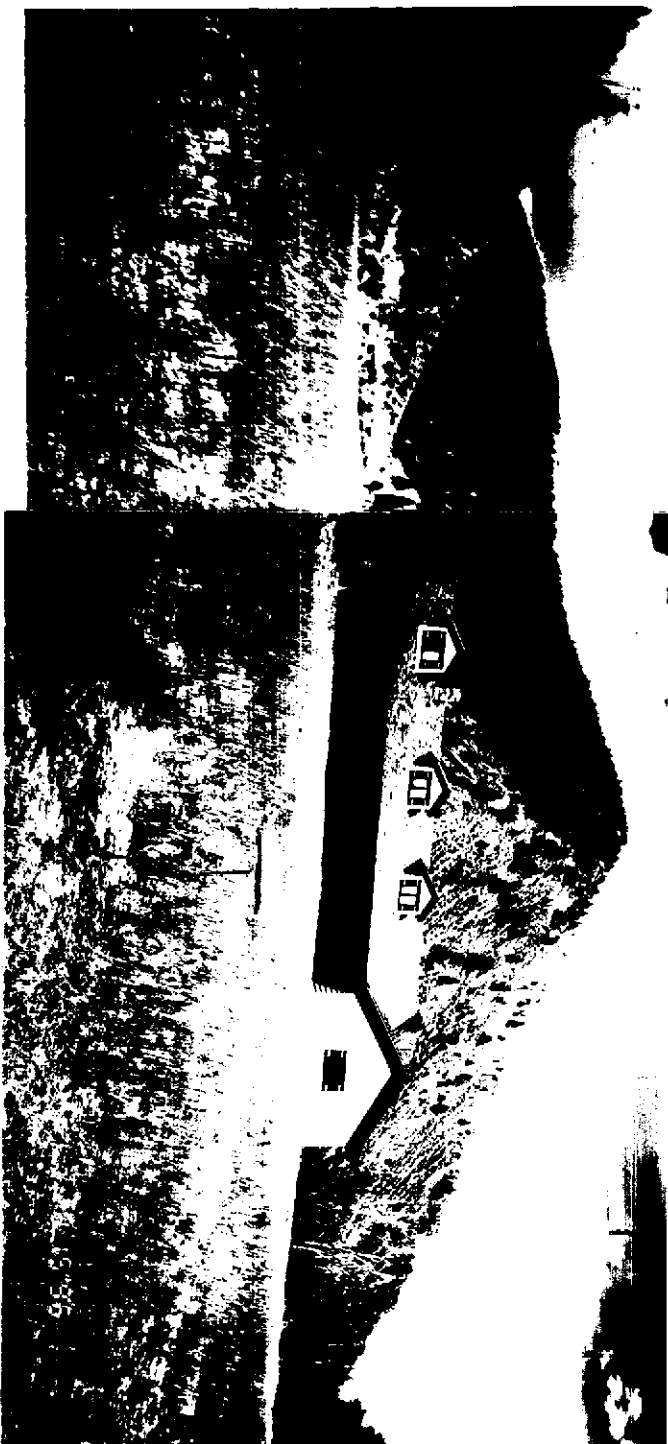
Acres = .7 acres



2HP Pump FOR PID OUT OF SALMON RIVER



Pump FOR POINT OF DIVERSION.
The water is drawn out OF THE SALMON RIVER
and pumped THROUGH UNDER GROUND PIPE LINE.



This is the Backyard,
This photo was taken from the wellhouse. There is
an approximate 80 ft. that is not irrigated between
the stream and the yard.



Place OF use.

The YARD in FRONT OF THE House and ON BOTH sides
is THE Place OF use. The House's DOMESTIC uses ARE
SUPPLIED BY a well.

April 30, 1993

PETER A. SIMON
3034 S WHITE POST WAY
EAGLE ID 83616

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 72-07449

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED

MAY 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
100 North Orchard Street
Boise, Idaho 83706-2237

CERTIFIED MAIL

NO. 140035



YOUR VERFABLE
AS A REQUESTED
ORDER EXPIRED

Department of Water Resources

APR - 9 1993

879-2325

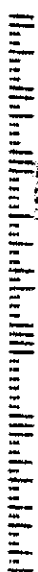
MAY 25 1993

[Handwritten signature]

3034 S White Postway
Eagle ID

Remailed 4/9/93 83616

83704-2101 74



Peter A Simon
3034 S White Post Way
Eagle, ID 83616

March 31, 1993

PROOF DUE NOTICE

RE: PERMIT NO. 72-07449

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 June 1, 1993. (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 complete 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED

MAY 25 1993

CERTIFIED MAIL

NO. 140035

140066

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 10, 1990

PETER A. SIMON
9888 BARNSDALE
BOISE, ID 83704

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P72-07449

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

INDEXED
JUN 26 1990

08-Jan-1990

Peter A. Simon
9888 Barnsdale
BOISE ID 83704

Re: Application for Permit No. 72-07449

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Challis Messenger on 1/18 & 1/25/90. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

RECEIVED
JUN 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

JANUARY 5, 1990

CUSTER PUBLISHING COMPANY
P.O. BOX 405
CHALLIS, ID 83226

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. 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 billing to this office before FEBRUARY 5, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECORDED

JUN 26 1990

72-07449

SIMON, PETER A.
9888 BARNSDALE
BOISE, ID 83704

Source: SALMON RIVER

Tributary: SNAKE RIVER

Diversion Pt: NESE Sec 25 T 11N R 16E

Use: IRRIGATION (.090 CFS)
FIRE PROTECTION (.090 CFS)
Total Diversion: (.090 CFS)

Date Filed: 12/28/1989

In: T11N R16E S25 NESE

3.0 ACRES TOTAL

MICROFILMED

JUN 2 8 1991

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

71-07133

HOLLEY, JOHN

HOLLEY, ROZ

P.O. BOX 113 Department of
STANLEY, ID 83278

Source: GROUNDWATER

Diversion Pt: NENWNE Sec 3 T
10N R 13E

Use: COMMERCIAL (.060 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.100 CFS)

Date Filed: 1/03/1990

In: T10N R13E S03 NWNE

72-07449 ✓

SIMON, PETER A.

9888 BARNSDALE

BOISE, ID 83704

Source: SALMON RIVER Tribu-
tary: SNAKE RIVER

Diversion Pt: NESE Sec 25 T
11N R 16E

Use: IRRIGATION (.090 CFS)

FIRE PROTECTION (.090 CFS)

Total Diversion: (.090 CFS)

Date Filed: 12/28/1989

In: T11N R16E S25 NESE

3.0 ACRES TOTAL

72-07452

ROSCELLEY, MICKY

ROSCELLEY, MAUREEN

P.O. BOX 511

COEUR D'ALENE, ID 83814

Source: GROUNDWATER

Diversion Pt: SWNW Sec 28 T
13N R 19E

Use: IRRIGATION (.200 CFS)

Total Diversion: (.200 CFS)

Date Filed: 12/27/1989

In: T13N R19E S28 SWNW

10.0 ACRES TOTAL

72-07453

C & D ENTERPRISES INC.

74 S. 1ST EAST

TREMONTON, UT 84337

Source: SALMON RIVER Tribu-
tary: SNAKE RIVER

Diversion Pt: LOT 8 (SWNWSW)
Sec 28 T 13N R 19E

Use: IRRIGATION (.080 CFS)

STOCKWATER (.020 CFS)

Total Diversion: (.100 CFS)

Date filed: 12/28/1989

In: T13N R19E S28 Lot 8
(NWSW)

2.7 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before FEBRUARY 5, 1990.

R. KEITH HIGGINSON, Director
Pub: Jan. 18 & 25, 1990.

OK
Tg 1-19-90

MICROFILMED

JUN 26 1990

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before FEBRUARY 5, 1990.

R. KEITH HIGGINSON, Director

Published 1/18/1990 & 1/25/1990

RECEIVED

JUN 2 1990