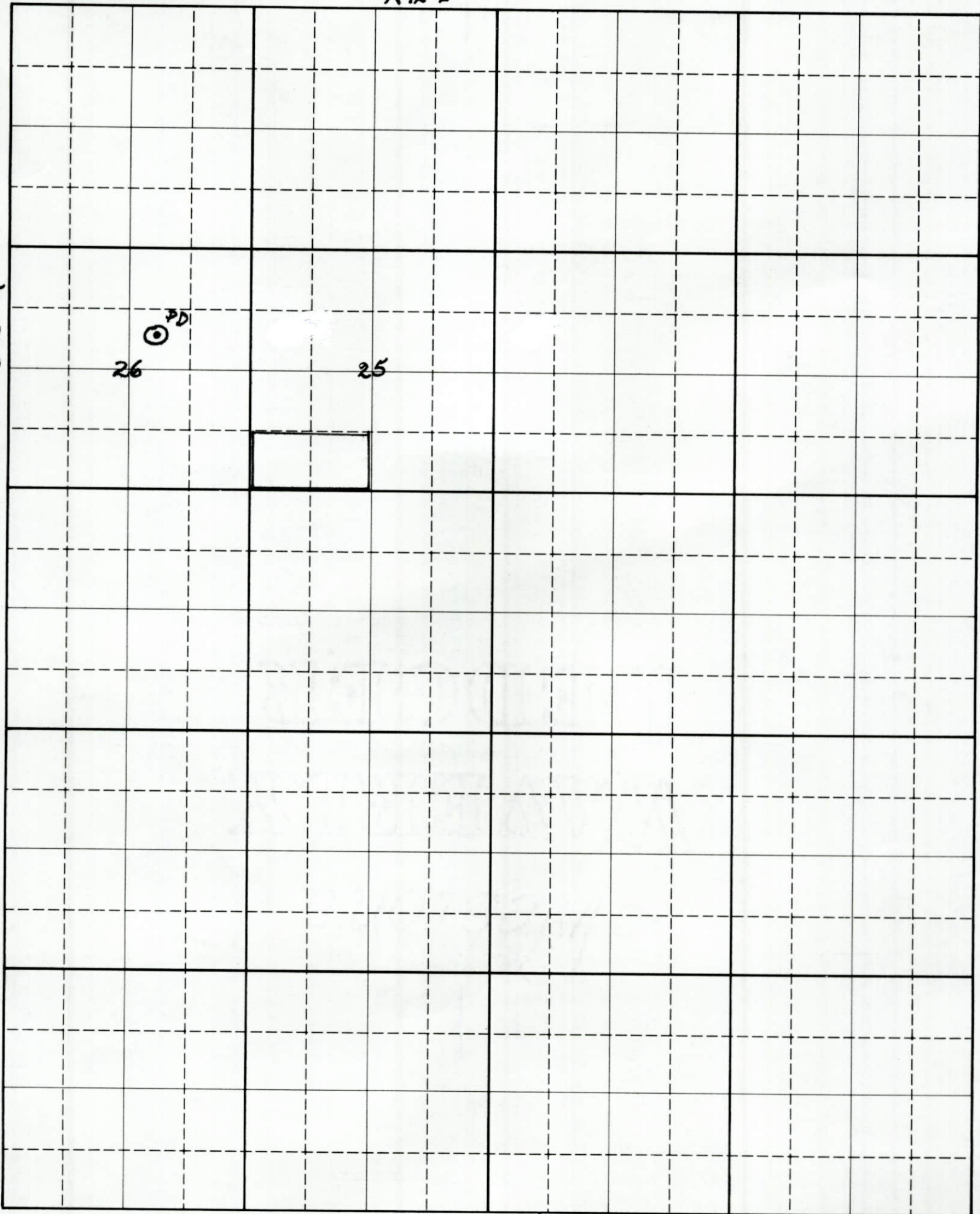


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R12 E

T
26



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.

W. Dean Boyle Jr.
(Applicant)

71 7020

**AFFIDAVIT
OF PUBLICATION**

State of Idaho, }
County of Custer, } ss:

Margaret Parks
I, *Louis Kristan*, publisher
of The Challis Messenger, a
weekly newspaper, publish-
ed at Challis, Idaho, do sol-
emnly swear that the notice
hereto attached and made a
part hereof, was published
in the regular and entire
issue of The Challis Messen-
ger for 2

consecutive weeks, com-
mencing with the issue

dated Nov. 16, 1972,
and ending with the issue

dated Nov 23, 1972.

Margaret A. Parks

Subscribed and sworn to
before me this 27th

day of Nov, 1972.

Gerard Bourdette
Notary Public, Residing at
Challis, Idaho.

My Commission expires

11-27-

8-9-74

RECEIVED

NOV 28 1972

Department of Water Administration
Southern District Office

PUBLIC NOTICE

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that W.
Dean and/or Alice R. Boyle, Jr.,
3130 Edson Terrace, Boise, ID.
has on Nov. 3, 1972 submitted
Application No. 71-7020 for a per-
mit to appropriate 0.14 cubic
feet per second of water from
Stanley Lake Creek by means
of rock diversion dam with con-
crete and metal headgate and
earth ditches within the SW $\frac{1}{4}$
NE $\frac{1}{4}$, Sec. 26, T. 11N, R. 12E,
B.M., Custer County to be used
from April 15 to Oct. 15 for the
irrigation of 7 acres within the
S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25, T. 11N, R. 12E,
B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with
the Idaho Department of water
Administration, 1041 Blue Lakes
Boulevard North, Twin Falls,
Idaho, 83301 on or before Dec.
4, 1972.

R. Keith Higginson
Director

Published in the Challis Mes-
senger, Challis, ID on Nov. 16
and Nov. 23, 1972.

71 7020

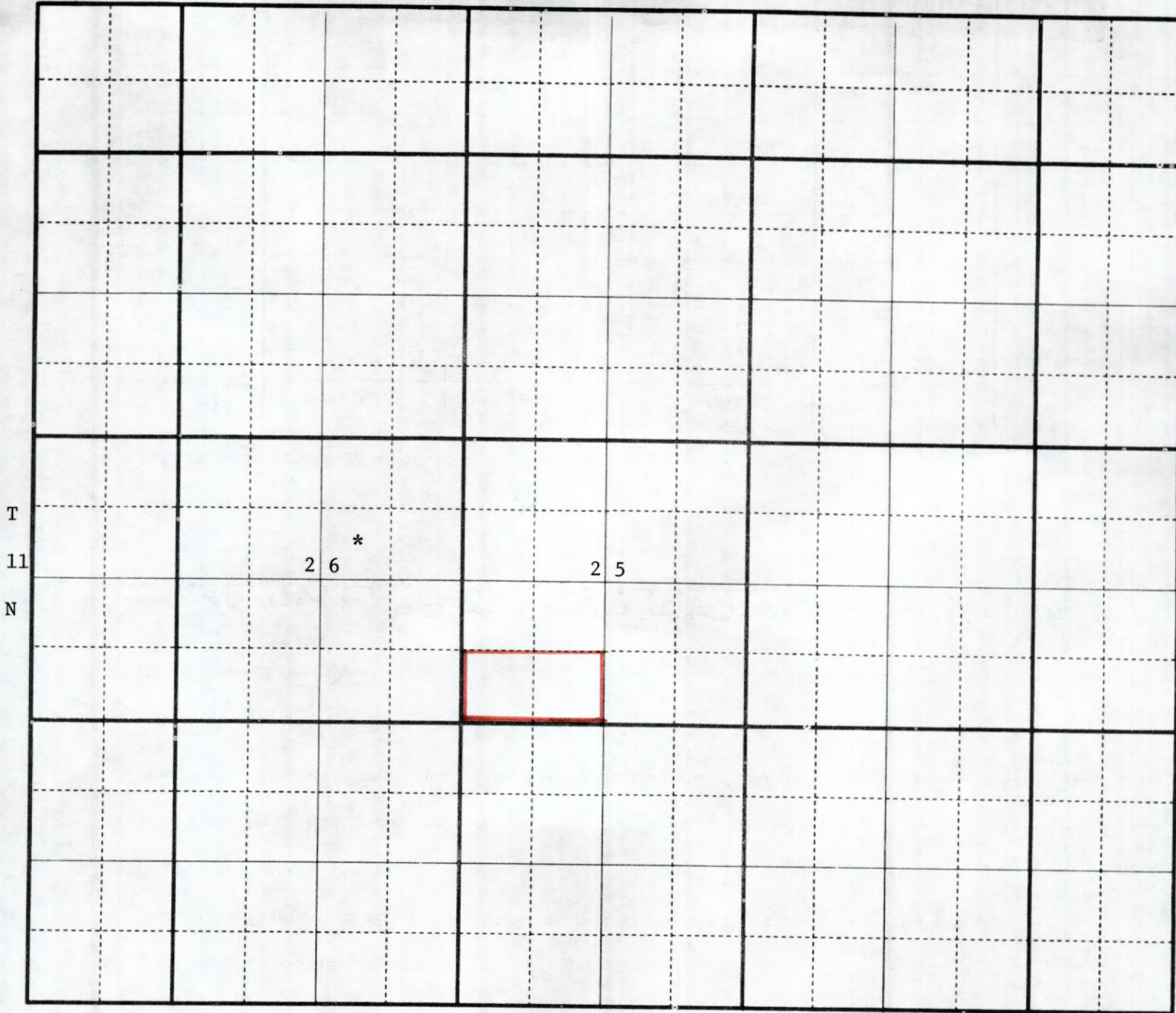


Diagram of System

~~26~~
~~36~~
36

Boyle

C-19
Albert Chorn

N. Foley

C-22
Jack E. Riley
B.R. Bowron, Jr.

U.S.

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 71-7020 Priority Nov. 1, 1972 Amount 0.14 cfs

THIS IS TO CERTIFY, that W. Dean Boyle, Jr. &/or Alice R. Boyle
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 71-7020 issued pursuant to Application for Permit dated November 1, 1972,
and has submitted proof to the Department of Water Administration on January 18, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.20 cfs of water from Stanley Lake Creek,
tributary to Valley Creek, and that the permit holder has applied to a beneficial use &
established a right to use water as follows.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 15</u> to <u>Oct. 15</u>	at <u>0.14</u> cfs and	<u>21 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	

(Both dates inclusive)

Subject, however, to the condition that no more than 0.14 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
21 acre feet per year, and waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 26,
Twp. 11 N, Rge. 12 E, E. M. in the County of Custer

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11 N	12 E	26										X	X						Seven

Total number of acres irrigated Seven

NOTE: Modifications to or variance from this license must be made within the limits of 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 11 day of
September, 19 74.

Director

MICROFILMED

Identification No. _____

Application No. 71-7020

LICENSE ISSUED FOR 14 SEC. FT.
LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

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

See Power of Attorney

1. Name of applicant W. DEAN and/or ALICE R. BOYLE, JR.
post office address 3130 Edson Terrace, Boise, Idaho *Phone 343-4287*
- 2 Source of water supply Stanley Lake Creek which is a tributary of Valley Creek
3. a Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 11 N.
Range 12 E. B.M. Custer County; additional points of diversion if any: _____

b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
- 4 Water will be used for the following purposes:
Amount .14 for irrigation purpose from April 15 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a .14 cubic feet per second and/or
b. _____ acre feet per annum.
- 6 Proposed diverting works:
a Description of ditches, flumes, pumps, headgates, etc. Rock diversion dam with concrete
and metal headgate and earth ditches.

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years
b. Estimated construction cost is \$ 2000.00.
- 8 Description of proposed uses.
a If water is **not** for irrigation
(1) Give the place of use of water _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

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

71 7020

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

[illegible]

Total number of acres to be irrigated

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

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

U. S. Forest Service

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

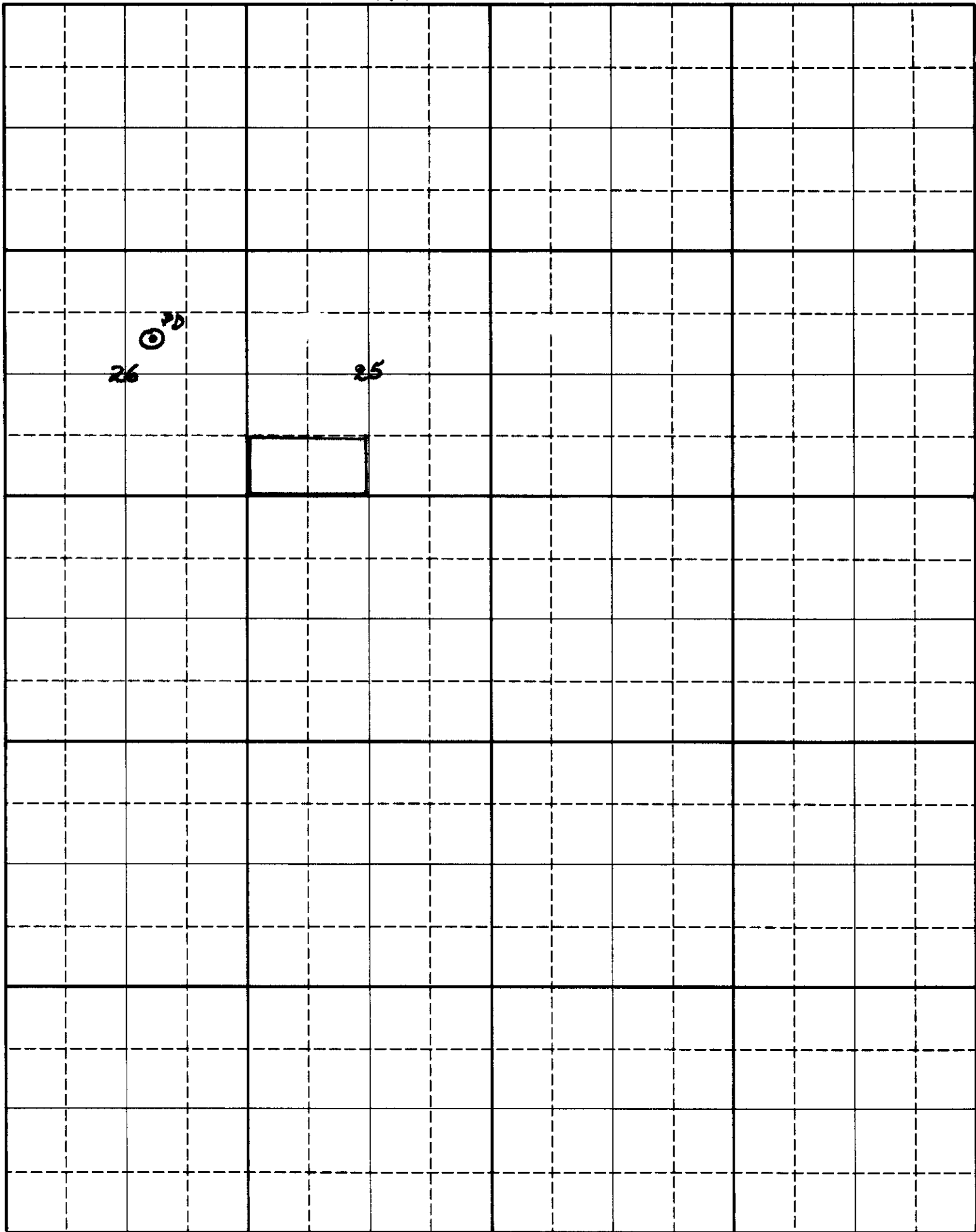
c If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

10. Remarks.

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

R12 E



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.

W. Dean Boyd Jr.
(Applicant)

71 7020

Received by ES Date 11-3-72 Time 2:40 pm
 Preliminary check by ES Fee \$ 10.00
 Recerpted by ES Date 11-01-72 # 9003

Publication prepared by alw Date 11-9-72
 Published in The Challis Messenger, Challis, ID
 Publication dates 11-16 & 11-23-72
 Publication approved alw Date 11-28-72
 Priority ~~reduced~~ to 11-1-72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by D SDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 71-7020, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 74.
- c. Other: _____

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

Witness my hand this 10th day of Janaury 1973.

R. Karl Hj
 Director

Page 1
Case Designation:

U

USES

Chorn, Albert R.
Irrigation Ditch



FILED

27 1972

Administration
District Office

SPECIAL USE PERMIT

Challis National Forest.

Permission is hereby granted to Albert R. Chorn

of 720 Thoma Street, Reno, Nevada

hereinafter called the permittee, to use, subject to the conditions set out below, the following-described lands or improvements: Ditch right of way - Beginning at a point on Stanley Lake Creek in Section 26, T.11N., R.12E., Boise Meridian, Idaho, and running in a southeasterly direction thru Section 26 and into Section 25, a distance of approximately 1 mile to H.E.S. #578.

This permit covers _____ acres and/or approximate 1 miles for the purpose of:

Repairing and maintaining irrigation ditch

The exercise of any of the privileges granted in this permit constitutes acceptance of all the conditions of this permit.

1. In consideration for this use, the permittee shall deposit with the Regional Fiscal Agent, Forest Service, ^{with Reg. U-11(G)} issued free of charge in accordance /, a check, draft, or money order made payable to the Treasurer of the United States in the sum of _____ dollars (\$ _____) for the period from 19 _____ to 19 _____, and thereafter annually on _____

_____ dollars (\$ _____). The charges for this use may be readjusted from time to time to place this permit on a basis consistent with the charge to other permittees for like privileges.

Form FS-832
(Revised 12-1-49)

16-88077-3

Page 3

18. Install headgate where ditch leaves Stanley Lake Creek of sufficient size to prevent high water from washing out the ditch and causing damage to forest land.

19. Construct a bridge over the ditch where the sheep driveway crosses the ditch. The bridge must be at least 16 feet wide and winged.

20. Construct a bridge over the ditch where the Job Creek Road crosses. This bridge must be sufficiently wide to accommodate stock and logging trucks and must be able to support a fifteen ton load.

21. Lop and scatter all limbs from green trees that are or will be knocked down when opening up the ditch.

22. Compensation to the United States shall be made by the permittee for any damage caused to property of the United States through the overflow of water.

23. This permit will not confer any rights upon the permittee to the use of the water involved.

71 7020

Page 2

2. Construction or occupancy and use under this permit shall begin within at once ~~months~~ and construction, if any, shall be completed within 1 week ~~months~~ from the date of the permit. This use shall be actually exercised at least 120 days each year, unless otherwise authorized in writing.

3. Development plans; lay-out plans; construction, reconstruction, or alteration of improvements; or revision of lay-out or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Merchantable timber cut must be paid for by the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

4. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

5. This permit is subject to all valid claims.

6. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

7. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

8. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the national forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

9. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

10. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

11. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

12. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner above provided is qualified as a permittee, and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the forest supervisor, issuance of a permit is desirable and in the public interest.

13. In case of change of address, the permittee shall immediately notify the forest supervisor.

14. The temporary use and occupancy of the premises and improvements herein described may not be sublet by the permittee to third parties without the prior written approval of the forest supervisor and the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

15. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

16. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provision thereof, the preceding printed clauses will control.

17. This permit is subject to the conditions set forth above and to conditions 18 through 23 ~~inclusive~~ attached hereto and made a part of this permit.

Date January 13, 1956

A. L. Bunch
(Signature of issuing officer)
Forest Supervisor
(Title)

71 7020

RECEIVED

STATE OF IDAHO

NOV 15 1973

DEPARTMENT OF WATER ADMINISTRATION

Department of Water Administration

POWER OF ATTORNEY

App. No. 71-7023

The undersigned holder (s) of Permit (Application) No. Permit No. 71-7020 of the Department of Water Administration of the State of Idaho hereby nominates W. Dean Boyle (father), whose address is 3130 Edson Terrace, Boise, Idaho, as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all matters pertaining to the above numbered permit or application. Such acts shall include, but not be limited to, the filing of application, receiving of all notices, the signing and filing of applications for extension of time and for amendment of said Permit, and the submission of proofs of completion of works and beneficial use of water.

Dated this 15th day of November, 19 73.

W. Dean Boyle

STATE OF IDAHO)
County Ada) ss

On this 15th day of November, 19 73, personally appeared before me the signer (s) of the above instrument, who duly acknowledged to me that he (~~she~~) (~~they~~) executed the same.

Glenn J. Woods
Notary Public

My Commission expires:

6-15-77

71 7020

RECEIVED

NOV 28 1972

Department of Water Administration
Southern District Office

**AFFIDAVIT
OF PUBLICATION**

State of Idaho, }
County of Custer, } ss:

Margaret Parks
I, ~~Louis Kristan~~, publisher
of The Challis Messenger, a
weekly newspaper, publish-
ed at Challis, Idaho, do sol-
emnly swear that the notice
hereto attached and made a
part hereof, was published
in the regular and entire
issue of The Challis Messen-

ger for 2
consecutive weeks, com-
mencing with the issue
dated Nov 16, 1972,
and ending with the issue
dated Nov 23, 1972.

Margaret A. Parks

Subscribed and sworn to
before me this 27th
day of Nov, 1972.

Green Beardsley
Notary Public, Residing at
Challis, Idaho.

My Commission expires

8-9-74

71 7020



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

September 17, 1974

Re: Permit No. 71-7020 & 71-7023

W. Dean &/or Alice Boyle
3130 Edson Terrace
Boise, Idaho 83705

Dear Mr. & Mrs. Boyle:

Enclosed are copies of the water licenses issued on the above referenced permits.

You should reduce the rate of diversion to that allowed on the license.

If you have any questions, please contact this office

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

cc: Power of Attorney
W. Dean Boyle

MICROFILMED

WATER RESOURCE BOARD:	John F. Streiff Chairman	George L. Yost Vice-Chairman	Donald R. Kramer Secretary	Edwin C. Schlender Member
	Franklin Jones	M. Reed Hansen	Scott W. Reed	Joseph H. Nettleton

RECEIVED

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

JAN 25 1974 permit holder W. Dean &/or Alice R. Boyle, Jr.
Department of Water Administration Post office address 3130 Edson Terrace, Boise, ID 83705 Phone 343-4287
Southern District Office Person to contact _____ Phone _____

2 Source of water supply: Groundwater ☐ Surface water ☒ Stanley Lake Creek
(name spring, stream, etc.)
Tributary to Valley Creek

3. Water will be used for the following purposes:

Amount .14 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use from Apr. 15 to Oct. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 71-7020
Examination for b/u

4 Total amount to be appropriated:

Max Rate of Diversion .14 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 11N N/S, Range 12E E/W, B.M., Section 26, Subdivision SW $\frac{1}{4}$ NE $\frac{1}{4}$, Custer County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County

Other Points of Diversions: _____

Description of diverting works: Small rock diversion dam in Stanley Lake Creek w/ concrete & metal headgate at entrance to ditch. The ditch is earthen.

Measuring device required. yes ☐ no ☒

6. Lands to be irrigated or place of use

TWP.	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11N	12E	25											X	X					7

MICROFILMED

TOTAL ACREAGE 7

LJ-200
1-63

STATE OF IDAHO DEPARTMENT OF RECLAMATION

Date 8-24, 1974 DISCHARGE MEASUREMENT NOTES

River at R-792

Angle cor- rected	Dist. from initial point	Width	Depth	Observe- mean depth	Revo- lutions	Time in sec- onds	VELOCITY		Adjust- ed for hor. angle or -----	Area	Discharge
							At point	Mean in ver- tical			
EW	0.0		0.0								
	.25	.125	.3		30	40			763	.04	.03
	.50	.25	.5		40	56			729	.125	.09
	.75	.25	.5		40	50			811	.125	.10
	1.00	.25	.5		50	40			124	.125	.155
	.25	.25	.5		50	52			965	.125	.121
	.50	.25	.7		60	42			141	.175	.247
	.75	.25	.7		60	44			135	.175	.236
	2.00	.25	.5		60	41			145	.125	.181
	.25	.25	.5		80	54			148	.125	.185
	.50	.25	.5		80	50			158	.125	.197
	.75	.25	.5		80	48			164	.125	.205
	3.00	.25	.5		80	54			148	.125	.185
	.25	.25	.5		60	50			119	.125	.149
	.50	.25	.3		60	42			118	.075	.088
	.25	.125	.3		40	43			935	.037	.034
EW	0.0	.125									
Total = 2.203											
C.S.											

No. _____ of _____ Sheets. Comp. by _____ Chk. by _____



Boyle

C. 19
+ Cn

C. 22
Jack E. Riley
B.R. Bowron

U.S.

DATE OF EXAM 6-24-74

ACREAGE
Found 8
Recommended 7

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = .14 c.f.s. V = 21.0 - AF/Ann. from April 15 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 2.20 c.f.s. Method of measurement _____

Total Q recommended .14 c.f.s. Meter No. R-792 Type pugm Condition good.

Total V recommended 21.0 Ac.Ft./Ann.

Recommended Amendments:

P.D. ☒
Place of Use ☒
Other ☒
None ☒

MEASUREMENT CALCULATION:
Q = 2.20 cfs Meas. See discharge Notes.
G = .14 cfs. Applied for by Applicant.
V = 21.0 AcFt/Ann = (Irr Req. 3.0) (7 Acres)

SYSTEM DESCRIPTION: with
Water diverts from headgate from Stanley Cr.
and is then conveyed to place of use by a
rock ditch 1.5 miles long.

REMARKS:
Ditch to place of use is 1 1/2 mile long, ditch
loss should be figured in. Using department chart.
loss over this soil is .105% = .105 x 7 Acres = .735"/mile
= .735"/mile x 1.5 miles = 1.10" of water + (.14 cfs. = 7") = 8.10 inches
8.10 inches should be added for diverside.

Examiner's Signature Sam Funderburg Date 8-14-74

Checked by Bob Hayes Date 8-30-74

Approved by _____ Date _____

January 24, 1974

Re: Permit No.'s 71-7020 & 71-7023

W. Dean &/or Alice R. Boyle
3130 Edison Terrace
Boise, Idaho 83705

Dear Mr. & Mrs. Boyle:

We acknowledge receipt of the affidavits submitted as proof of beneficial use for the above referenced permits.

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

If you have any questions concerning the field exams, please contact our Southern District Office at 1041 Blue Lakes Blvd., North, Twin Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

cc: W. Dean Boyle(father)

71 7020

Identification No. _____
Permit No. 71-7020

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
JAN 13 1974
Department of Water Administration

1. a) Name of Permit Holder W. Dean and/or Alice R. Boyle
b) Post Office Address 3130 Edson Terrace, Boise - Idaho 83705
2. Permit Number 71-7020
3. Date of Priority that you are prepared to establish 11-1-72
4. a) Source from which water was appropriated Stanley Lake Creek
b) Location of the point of diversion: S.W. 1/4 N.E. 1/4, Section 26
Township 11 N., Range 12 E. Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount .14 cfs. for Irrigation purposes from April 15 to Oct. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .14 cfs. cfs and/or acre feet per annum
We actually bunch our water with that of Albert Chorn.
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Albert Chorn ditch across forest
Service Land - About one mile in length.
b) Describe the agreement or understanding by which you take water from the works: A copy of the
Forest Service permit issued to Albert R. Chorn was
provided to Mr. Bob Haynes of your office in Twin Falls, Ida.
Mr. Chorn from whom we purchased the land has given us permission to
a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) use the ditch.
Small rock diversion dam
in Stanley Lake Creek with concrete & metal headgate
at entrance to ditch. The ditch is earthen.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
The flow can be measured through the headgate.
c) Give well drillers name and address and date the well was completed _____
No - well involved.

Exam typed 1/24/74 jc

71 7020

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

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

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N.	12E.	25											X	X					7 acres

10. Remarks: I irrigated this land four times during 1973. ^{Total number of acres irrigated 7}

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

(Date)

(Signature)

State of Alaska ss.
County of Ada

On this 18 day of Jan., 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Boise, Idaho

My commission expires June 15, 1977

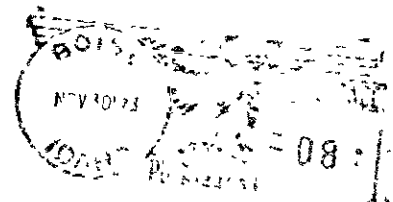
DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)			Application No. <u>71-7020</u> Name <u>W. Dean and/or Alice R. Boyle, Jr.</u>
(2)	<u>RAH</u>	<u>11-8</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>RAH</u>	<u>11-8</u>	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☒ Request Special Use Permit from U.S.F.S. <u>Received Nov 27</u> ☐ Request Easement from B.L.M.
(5)	<u>RAH</u>		In form for advertising _____
(6)	<u>elw</u>	<u>11-28-72</u>	Affidavit of Publication received _____
(7)			Final date for protests <u>Dec. 4, 1972</u> Protests received: yes _____ no _____
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. _____
(10)			Critical groundwater area: yes _____ no _____
(11)			Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)			Action recommended: ☒ Approve Priority <u>11-1-72</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval <u>✓</u> No conditions for approval
(14)			District <u>Southern</u> By <u>Bob Haynes</u> Date <u>12-4-72</u> Title <u>Asst. Dir.</u>

71 7020

Department of Water Administration

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse - Annex 2
Boise, Idaho 83707



W. Dean Boyle, Sr.

~~3130 Terrace~~

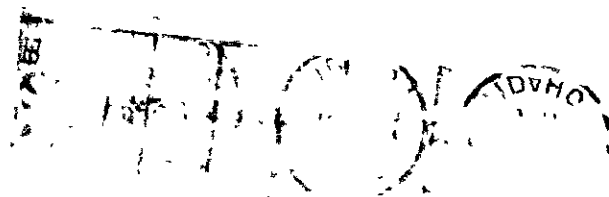
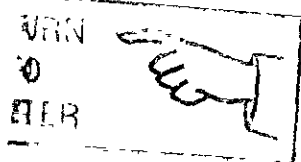
Boise, ID 83702

- ☐ Moved, left no address
- ☒ No such number
- ☐ Moved, not forwardable
- ☐ Addressee unknown

333 Ck

*Re-addressed
typed wrong should
be 3130 Edison Terrace*

71 7020



c55-16-81277-2

PS Form 3811 Sep 1972

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

- Print in the space below your name, address, including ZIP Code
- ↓
- If special services are desired, check block(s) on other side.
 - Moisten gummed ends and attach to back of article.

**RETURN
TO**



DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

31-7020

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

Deliver ONLY

to addressee

Show address

where delivered

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

E. Ruth Banger

INSURED NO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

1973

DEC 1

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

71-2020

November 30, 1973

CERTIFIED MAIL

25021

Re: Permit No. 71-7020

W. Dean &/or Alice R. Boyle, Jr.
3130 Edson Terrace
Boise, Idaho

Dear Mr. & Mrs. Boyle:

One of the conditions of approval of your water Permit No. 71-5220 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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



R. KEITH HIGGINSON
Director

Enc: Proof affidavit
cc: W. Dean Boyle, Sr.
3130 Edson Terrace
Boise, Idaho

71 7020

January 11, 1973

Re. Permit No: 71-7020

W. Dean and/or Alice R. Boyle, Jr.
3130 Edson Terrace
Boise, Idaho

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 71-7020 . We
direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

71 7020

M E M O R A N D U M

FILE: 71-7020

DATE: December 12, 1972

On November 24, 1972, 11:00 A.M. Mr. Mendiola stopped in the State Office in response to an advertisement in the Custer County Newspaper concerning application 71-7020. Mr. Mendiola wished to file a protest with this application as his property is down gradient from that under the filing and because other parties above him are irrigating and causing a great deal of damage to his property by increasing the sub under his property to the point where he can not use it properly. He feels that this filing will increase the damage that is now occurring. He was advised to file a formal protest with the Southern District Office and at 11:05 A.M. I telephoned the Southern District Office advising the protest will be coming.

A handwritten signature, possibly reading 'L. M.', is written above a horizontal line.

71 7020

December 5, 1972

Mr. Louis Mendiola
3921 Starcrest Dr.
Boise, ID 83706

Dear Mr. Mendiola:

In reply to your letter of December 1 protesting granting of Permit No. 71-7020 by Mr. Dean Boyle, the following are the principle items that the Department of Water Administration can consider at a conference and/or hearing 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?

The items mentioned in your letter do not appear to come within the bounds of the four conditions. We, therefore, must reject your protest. However, if you feel that you will be adversely affected within the bounds of the four conditions, the Department of Water Administration will accept a protest if it is submitted to us before December 19, 1972.

If we may be of any further assistance, don't hesitate to contact us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:ALW

71 7020

RECEIVED

DEC 4 1972

Department of Water Administration
Southern District Office

December 1, 1972

Idaho Department of Water Administration
1047 Blue Lakes Blvd.
Twin Falls, Idaho

Dear Sir;

I am writing in reference to the application for a water permit no. 717020 by Mr. Dean Boyle, Jr. published in the Challis Messenger November 16. I must protest such an application at this time.

The subdivision where Mr. Boyle purchased an acreage adjoins my property which is being inundated with seepage water from the ditches now being used through the summer months. The seepage I now contend with has caused a great deal of expense, damage and inconvenience to my property. This situation has been under the watchful eye of authorities on water control for several years and it is their opinion that my problem stems from the ditches in question. Any water usage being added to the present amount will undoubtedly cause further trouble.

I regret having to make any protest of this kind but do ask your consideration of my problem under the present circumstances.

I remain,

Sincerely yours, .
Louis Mendiola

Mr. Louis Mendiola
3921 Starcrest Dr.
Boise, Idaho 83706

71 7020

RECEIVED

NOV 27 1972

Department of Water Administration
Southern District Office

3130 Edson Terrace
Boise - Idaho
83705

11-24-72

Mr. Bob Haynes
District Engineer, Southern District
1041 Blue Lakes Boulevard North
Twin Falls, Idaho - 83301

Dear Mr. Haynes:

Responsive to your letter of
Nov. 9, 1972 I am enclosing a copy
of permit issued by the U.S. Forest
Service on Jan. 13, 1956 to Albert
R Chorn. This permit authorized
Mr. Chorn to construct & use
head gates & ditch for delivery
of irrigation water across Forest
Service Lands.

Very Truly Yours
W. Dean Boyle Jr.

Reference:

Application No. 71-7020 - W. Dean
and/or Alice R. Boyle Jr.

71 7020

November 9, 1972

Re: Application No. 71-7020 - W. Dean and/or Alice R. Boyle, Jr.

W. Dean Boyle, Jr.
3130 Edson Terrace
Boise, ID

Dear Mr. Boyle:

In reviewing your application for permit, we find that you have listed the point of diversion as being located on ~~government~~ property. Therefore, before final action can be taken in connection with this application, we will require evidence of your authority for right-of-way across government property. A copy of the easement would be sufficient.

If we can be of further assistance, please contact us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

71 7020

November 9, 1972

Re. Application No. 71-7020 - W. Dean and/or Alice R. Boyle, Jr.

The Challis Messenger
P. O. Box 97
Challis, ID 83226

Gentlemen:

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

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

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

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

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

Bill submitted 11-28-72 by akw

BH:alw

Enc: Legal Notice

71 7020

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that W. Dean and/or Alice R. Boyle, Jr.,
3130 Edson Terrace, Boise, ID
has on Nov. 3, 1972 submitted Application No. 71-7020
for a permit to appropriate 0.14 cubic feet per second ~~ACFE FEET PER ANNUM~~
of water from Stanley Lake Creek
by means of rock diversion dam with concrete and metal headgate and earth ditches
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 11N, R. 12E, B.M., Custer County

to be used from April 15 to Oct. 15 for the irrigation of 7 acres
for

within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25, T. 11N, R. 12E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before Dec. 4, 1972.

R. KEITH HIGGINSON

Director

Published in the The Challis Messenger, Challis, ID
on Nov. 16 and Nov. 23, 1972

71 7020