

Idaho Department of Water Resources

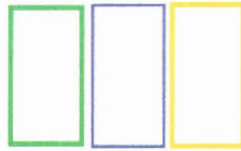
Claim Number: 65-09111

Legal: T08N, R05W, S27

Reviewed By:

Ron Howerton
Sr Water Agent

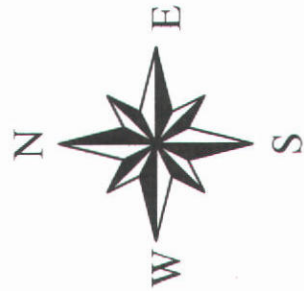
● Point of Diversion



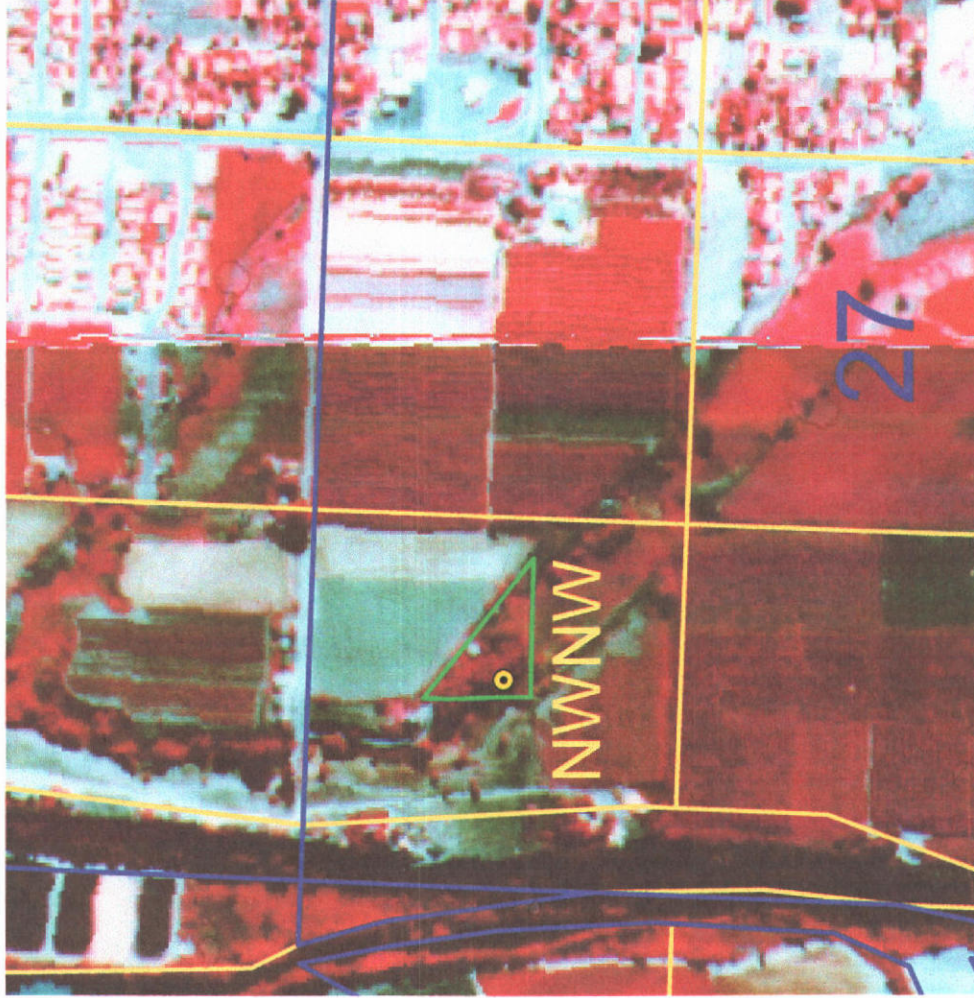
Place of Use

Section Lines

Quarter Quarter Lines



65-22924



1987 Napp Photo

0 0.25 0.5 Miles

Gov't 20T-1
DAN
12-13-04

T8N
R5W

Sec. 21
17.98

Sec. 22
633.87

NORTH
40.03

Sec. 23
040

NORTH

577.00

S. 89° 53' W.
80.34

160
WEST.
80.00

40.00

3.48
39.60
31.50
S. 89° 59' W. 79.98
20.00
32.20
16.72
5
51.71
23.19
182.21

WEST
39.98

7.92
6.93
11.16
17.50

NORTH

Sec. 26
640

NORTH

Sec. 25
640

S. 89° 58' W. 39.97
N. 89° 46' W. 40.12

WEST.
80.40

S. 89° 53' W.
80.30

NORTH

Sec. 35
640

NORTH

Sec. 36
640

Sec. 34.
640

MORTON

Sec. 33
ISLAND
80.10

33.85
11.83
7.90
2
3

45.50

WEST

Affidavit of Publication

Copy of Notice
(First Copy)

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Application for Water
TITLE OF PUBLICATION

Water Resources
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

T. Lisa Riddick, being

duly sworn, deposes and says:

That She is the clerk of

THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for _____ consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with Jan. 5, 2005, and ending with the issue of Jan. 12, 2005.

STATE OF IDAHO
COUNTY OF 13th

On this 13th day of Jan in the year of 2005 before me, a Notary Public, personally appeared T. Lisa Riddick 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.

T. Lisa Riddick
Notary Public for Idaho

Residing at Payette

My commission expires: 7-1-10

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

65-22924

CURTIS E. KNIGHT

1575 W. 1ST

FRUITLAND, ID 83619

LOIS J KNIGHT

1575 W. 1ST

FRUITLAND, ID 83619

Point(s) of Diversion L1 (NWNW) S27

TO8N RO5W PAYETTE County

Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15
0.04 CFS

Total Diversion: 0.04
CFS

Date Filed: 05/12/2004

Place of Use: IRRIGATION

TO8N RO5W S27 NWNW Lot 1

Number of Acres 1.5

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region,

2735 Airport Way, Boise ID, 83705 together with a protest fee of \$25.00 for each application on or before 01/24/2005. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
No. 1673

Jan. 5, 12

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 41

Number of Insertions two (2)

41 Lines @ 1.16 ... \$ 47.56

41 Lines @ .99 ... \$ 40.59

TOTAL COST
WILL BE \$ 88.15

RECEIVED

JAN 21 2005

WATER RESOURCES
WESTERN REGION

No 1673

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22924

Priority May 12, 2004

Maximum Diversion Rate. 0.04 CFS

This is to certify, that CURTIS E KNIGHT And LOIS J KNIGHT
1575 W 1ST
FRUITLAND ID 83619

have applied for a permit to appropriate water from:

Source: GROUND WATER

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	03/01 to 11/15	0.04 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER L1 (NW¼NW¼) Sec. 27, Twp 08N, Rge 05W, B.M. , PAYETTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08N 05W 27						1.5											1.5
						L 1											

Total Acres. 1.5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2006**.
2. Subject to all prior water rights
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor exceed a combined annual maximum diversion volume of 6.8 af at the field headgate for the lands above
5. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22924

8. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 27th day of January, 2005.


for KARL J DREHER, Director

RECEIVED

RECEIVED

MAY 12 2004

WATER RESOURCES
WESTERN REGION

JAN 26 2005

STATE OF IDAHO

DEPARTMENT OF

WATER RESOURCES

APPLICATION FOR PERMIT

Ident. No.

65-22924

12/99

To appropriate the public waters of the State of Idaho

1. Name of Applicant Curtis Knight & Lois J. Knight Phone 208-452-4918
Mailing address 1575 W 1st, Fruitland, ID 83619
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is Township 08N Range 05W Sec. 27 in the NW 1/4,
NW 1/4, Govt Lot 1, B.M., payette County
County; additional points of diversion if any: _____
4. Water will be used for the following purposes
- | | |
|---|--|
| Amount <u>.04 cfs</u> for <u>Irrigation</u> | purposes from <u>Mar. 1</u> to <u>Nov. 15</u> (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount _____ for _____ | purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount _____ for _____ | purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| Amount _____ for _____ | purposes from _____ to _____ (both dates inclusive) |
| (cfs or acre-feet per annum) | |
| 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 is (a) .04 and/or (b) _____
cubic feet per second acre feet per annum

6 Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 2 hp well pump

b.

Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feetc. Proposed well diameter is 6 inches; proposed depth of well is 60 feetd. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? _____; Drilling firm _____

Well was drilled for (well owner) _____; Drilling Permit No. _____

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

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW.

b. Stockwatering; list number and kind of livestock

c. Municipal; show name of municipality.

d. Domestic; show number of households.

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below.
See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
T08N	R05W	S27						1.5											1.5 acres

Total number of acres to be irrigated 1.5

10. Describe any other water rights used for the same purposes as described above.

5 acre under right number 65-07110

11. a. Who owns the property at the point of diversion? Curtis and Lois Knight.
b. Who owns the land to be irrigated or place of use? Curtis and Lois Knight

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 PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Curtis E. Knight Lois J. Knight
Signature of Applicant (and title, if applicable)

Received by SG Date 5/12/04 Time 10:27 Preliminary check by
Fee \$ 10000 Received by SG # W031686 Date
sk 1-24-05

Publication prepared by sk Date 1-5-12-05 Published in FE
Publication approved _____ Date _____

Idaho Department of Water Resources

Claim Number: 65-09111

Legal: T08N, R05W, S27

Reviewed By: Ron Hovelson
Sr. Water Engineer

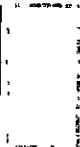
● Point of Diversion



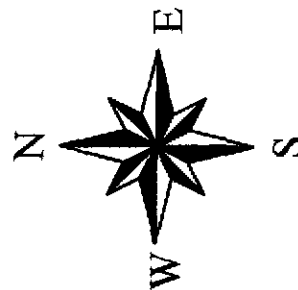
Place of Use



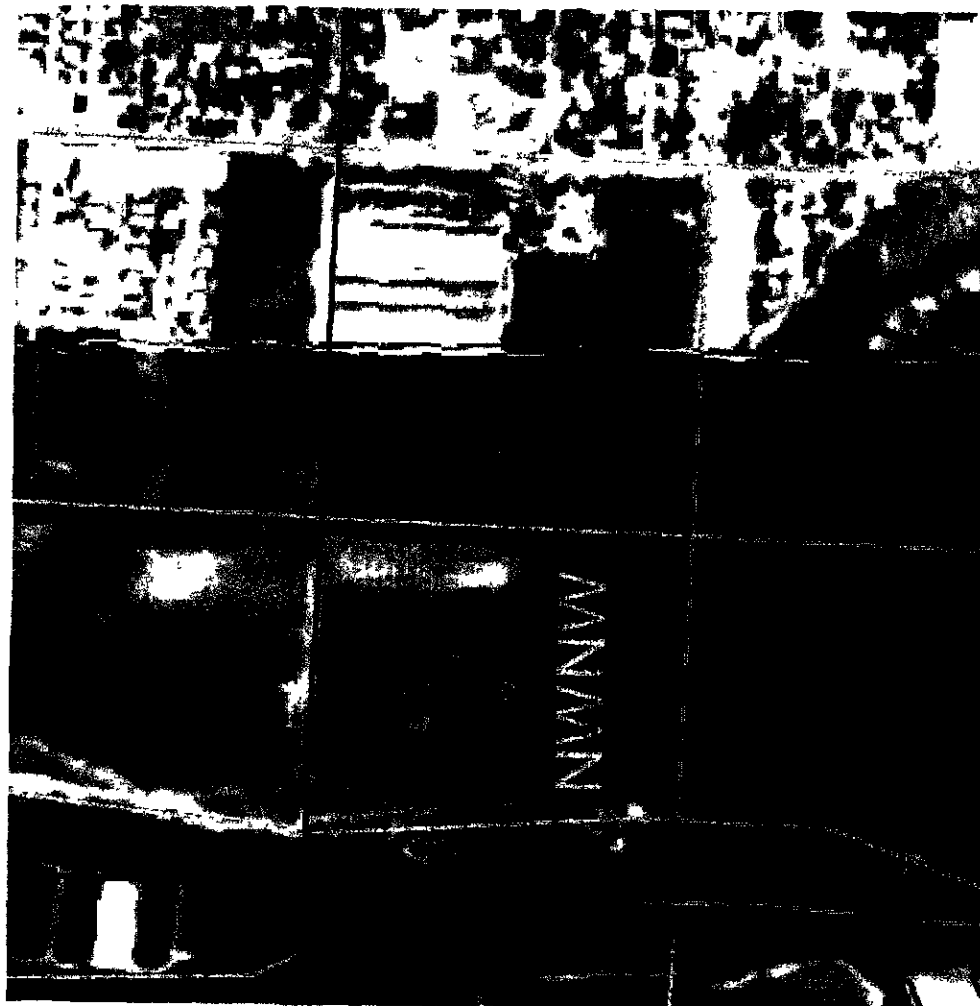
Section Lines



Quarter Quarter Lines



65 22924



1987 Napp Photo

0 0.25 0.5 Miles



Gout 20T-1
DAD
12-13-04

RECEIVED

DEC 27 2004

WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

CURTIS KNIGHT

Mailing Address

1575 W. 1st St
FRUITLAND, ID 83619

Application No.
(if known)

___ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

___ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

X WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Curtis E Knight

Date

12/20/04

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

January 27, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CURTIS E KNIGHT
LOIS J KNIGHT
1575 W 1ST
FRUITLAND ID 83619

RE: Permit No. 65-22924

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

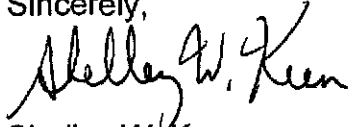
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4947.

Sincerely,

A handwritten signature in black ink that reads "Shelley W. Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

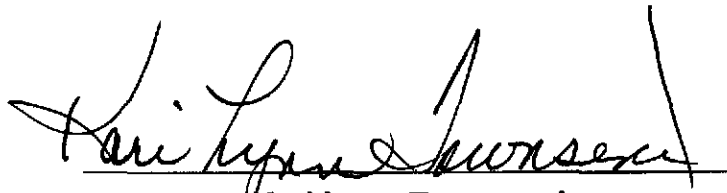
CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2005 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

65-22924

**CURTIS E KNIGHT
LOIS J KNIGHT
1575 W 1ST
FRUITLAND ID 83619**



**Kari Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director 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.

Comment Report

65-22924

1. scurtis 12/14/2004 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed.

2. dnelson 12/14/2004 Comment/Analysis

Comment: This application is to supply ground water. The applicant currently holds wastewater right 65-9111 that serves 0.5 acres of the land listed. Two other water rights, 65-4547 and 65-7880, are also listed on these lands. However, during review of these rights, it seems as though they were licensed and decreed in error. The applicant and IDWR staff has attempted to work with the owner of 65-4547 and 65-7880 to rectify the situation to no avail. Therefore, it was determined that this application could go forward with processing, since this application is being applied for from a different source (a separate well from the other water rights). The place of use is also within the borders of the Farmers Cooperative Irrigation Company borders, but the applicant has no rights to the water.

3. kwalker 1/27/2005 Permit Review

Comment: Application does not fall within any problem areas. It appears that there is an overlap with Rts. 65-7880 and 65-4547 but Western has tried to resolve and that owner has not been interested in fixing his rights. According to tax lot information the lands under this application are owned by the applicant and the other owner is on adjacent property to the east. Well upgrade fee was received and receipted. Recommend approval.

COMMENT
LETTERS

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by DAN Date 5-24-04 Application # 65-22924

RECEIVED

JAN 26 2005

DEPARTMENT OF
WATER RESOURCES

REQUIRED INFORMATION

- ☒ Name (for corporation or partnership, names & addresses for director, officers, &/or other partners must be included)
☒ Address
☒ Source (see USGS quad for source names)
☒ P/D (10 acres for spring, lot & block descriptions for subdivisions, local name)
☒ County
☒ Quantity (flow & /or volume)
☒ Period of use
☒ Nature of use (list details in appl. Item 8 if non-irrigation)
☒ Description of diverting works
☒ Time required for beneficial use of water
☒ P/U
☒ Map (show T, R, S, QQ &/OR QQQ)
WIA Subdivision plat (if > 1 home restricted area ≥ 5 homes non-restricted area)
Signature (if corporation, partnership, municipality, need title of signatory)
Correct fee paid
- Government Lots
yes P/D
yes P/U

ADDITIONAL INFORMATION

yes ADVERTISE REMARKS (Yes or No)

YES NO

- ☒ P/D overlap (explain) FARMER'S COOP IRRIG. CO, 65-7880, 654517
☒ P/U overlap (explain) OVERLAND N/A
☒ Critical groundwater area (send letter) 65-911 OVERLANDS N/A
☒ Ground water management area (send letter) P/D - BY KNIGHT.
☒ Drilling concern area (send letter)
☒ 1992 moratorium (send letter)
☒ Surface water source, IDFG comment letter
☒ Protected river or minimum flow reach, notify water planning bureau
☒ E-mail to Dam Safety staff (if any storage)
☒ Mitigation plan: "request to process form" in file:
 ☐ Immediate = closed areas, acceptable plan required & submitted
 ☒ Future = open areas, plan not required
☒ Send power requirement letter &/or fish farm requirement letter
☒ Power residency affidavit
☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach large diversion supplementary analysis sheet)

☒ REQUEST ADDITIONAL INFORMATION FROM APPLICANT

Well upgrade Fee?

see ATTACHED Receipt 1-14-04

Date Requested 12-14-04 Date Response Received 1-14-05

PROCESSING

APPLICATION # _____

YES NO

_____ In form for advertising
_____ Statewide advertising (> 10 cfs &/or 1000 af)
_____ Fee amount, receipt number, & date recorded on application

COMMENT LETTERS

YES NO

_____ ☒ IDEQ
_____ ☒ District Health
_____ ☒ IDFG
_____ ☒ IDL

YES NO

_____ ☒ US BLM
_____ ☒ US Forest Service
_____ ☒ Water Dist # _____
_____ ☒ Water Planning Bureau
☒ Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ _____ Affidavit of publication received
☒ _____ Application published correctly? If not, record action taken _____

W.P. Carney
P.O. Box 345
Fruitland, ID 83619

☒ _____ Publication dates & paper recorded on application
_____ Final date for protest 1-24-05
☒ _____ Protests received
☒ _____ Recommendations attached
☒ _____ Measuring device required
☒ _____ Water delivered by water master? District # _____
☒ _____ Special conditions of approval or cover letter

046 - Standard conditions
when combined with all rights limited to 0.020 cfs / 4.5 af
must use full allocation of surface water first.

Recommended Date of Priority 5-12-04

Recommendation ☒ Approve ☐ Deny by Daniel A. Nelson Date 1-24-05

ADDITIONAL INFORMATION

☐ See attached proof report, note Legal Notice Remarks &/or Comments

☐ Shapefile completed (optional: attach with proof report)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22924

WATER RIGHT NUMBER: 65-22924

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CURTIS E KNIGHT 1575 W 1ST FRUITLAND, ID 83619 (208)452-4918
Current Owner	LOIS J KNIGHT 1575 W 1ST FRUITLAND, ID 83619 (208)452-4918

Priority Date: 05/12/2004

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.040 CFS	
<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	L1 (NW1/4NW1/4)	Sec 27, Twp 08N, Rge 05W, B.M.
PAYETTE County		

Place of Use

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08N	05W	27						1.5											1.5
								L 1											

Remarks:Comments:

1. scurtis 12/14/2004 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed.

2. dnelson 12/14/2004 Comment/Analysis

Comment: This application is to supply ground water. The applicant currently holds wastewater right 65-9111 that serves 0.5 acres of the land listed. Two other water rights, 65-4547 and 65-7880, are also listed on these lands. However, during review of these rights, it seems as though they were licensed and decreed in error. The applicant and IDWR staff has attempted to work with the owner of 65-4547 and 65-7880 to rectify the situation to no avail. Therefore, it was determined that this application could go forward with processing, since this application is being applied for from a different source (a separate well from the other water rights). The place of use is also within the borders of the Farmers Cooperative Irrigation Company borders, but the applicant has no rights to the water.

Dates and Other Information:

Application Received Date: 5/12/2004

Application Denied Date:

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Application Type: New Appropriation

Applicant Remarks:

Other Water Rights: 0.5 acre under right 65-9110

Time to Complete Works: 1

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Application for Water
TITLE OF PUBLICATION

Water Resources
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

T. Lisa Riddick, being

duly sworn, deposes and says:

That She is the clerk of

THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with Jan. 5, 2005, and ending with the issue of Jan. 12, 2005.

STATE OF IDAHO
COUNTY OF 13th

On this 13th day of Jan in the year of 2005 before me, a Notary Public, personally appeared T. Lisa Riddick 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.

T. Lisa Riddick
Notary Public for Idaho

Residing at Payette

My commission expires: 7-1-10

Copy of Notice
(First Copy)

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

65-22924

CURTIS E. KNIGHT

1575 W. 1ST

FRUITLAND, ID 83619

LOIS J KNIGHT

1575 W. 1ST

FRUITLAND, ID 83619

Point(s) of Diversion L1 (NWNW) S27
T08N R05W PAYETTE County
Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15
0.04 CFS

Total Diversion: 0.04
CFS

Date Filed: 05/12/2004

Place of Use: IRRIGATION

T08N R05W S27 NWNW Lot 1

Number of Acres 1.5

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise ID, 83705 together with a protest fee of \$25.00 for each application on or before 01/24/2005. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
No. 1673

Jan. 5, 12

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 41

Number of Insertions two (2)

41 Lines @ 1.16 ... \$ 47.56

41 Lines @ 1.99 ... \$ 40.59

TOTAL COST
WILL BE \$ 88.15

RECEIVED

JAN 21 2005

WATER RESOURCES
WESTERN REGION

No 1673

Idaho Department of Water Resources Receipt

Receipt ID W032513

Payment Amount	\$125 00	Date Received	1/14/2005 10:54.03 AM	Region	Western	Status	
Payment Type	Check	Check Number	1284				

Payer KNIGHT, CURTIS/LOIS

Comment Well Drilling Fee Upgrade
65-22924

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$125.00	DRILLING PERMITS	0229	21	62134	1205



Signature Line (Dept. Representative)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 3, 2005

W P CARNEFIX
PO BOX 345
FRUITLAND ID 83619

Re: Water Right Application No. 65-22924

Dear Sir:

Enclosed is a copy of an application(s) that may be of interest to you. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by January 24, 2005.

If you have any questions regarding the application(s), please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sue', written in black ink.

Sue Kreger
Administrative Assistant

Encl. Copy of Application(s)

**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705**

December 22, 2004

Legal Notice Department
INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE ID 83661

RE: Application for Permit No. 65-22924

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 01/24/2005. Your cooperation is appreciated.

Sincerely

Sue Kreger
Administrative Assistant

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

65-22924

CURTIS E KNIGHT
1575 W 1ST
FRUITLAND ID 83619
LOIS J KNIGHT
1575 W 1ST
FRUITLAND ID 83619

Point(s) of Diversion L1 (NWNW) S27 T08N R05W PAYETTE County Source GROUND WATER

Use: IRRIGATION 03/01 To 11/15 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed. 05/12/2004

Place Of Use: IRRIGATION

T08N R05W S27 NWNW Lot 1

Number of Acres 1.5

Remark: Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code

Any protest against the approval of this application must be filed with the Director, Dept of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 01/24/2005 The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Independent Enterprise on 5 and 13, 2005.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

December 14, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CURTIS AND LOIS KNIGHT
1575 W 1ST
FRUITLAND ID 83619

Re: Water Right Application 65-22924 and Well Drilling Fee Upgrade

Dear Applicant:

Application for Permit has been submitted for advertising and should be advertised during the first two weeks of January. Your recent water right application proposes ground water use from a well. All wells drilled in Idaho after June 30, 1987, require well drilling permits. A well might need a water right along with the drilling permit, depending on the intended use of the well.

According to the records of Idaho Department of Water Resources (IDWR), your well was drilled in 5/24/2004 under a \$75 domestic well drilling permit. A \$75 drilling permit covers a well that does not require water right approval from IDWR. This is typically a single-family domestic well.

Proposed use from your well does require water right approval, and your water right application seeks that approval. The well drilling fee for a well requiring a water right is \$200 instead of \$75. IDWR must collect the unpaid balance of \$125 for a well drilled under those circumstances.

↑ paid 1/14/2005 W032513

Please remit \$125 to upgrade your well drilling permit within the next thirty days to facilitate processing of your water right application or if you wish you may submit it when application for permit is approved.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you have any questions. Thank you for your attention to this matter.

Sincerely,

Daniel A. Nelson
Sr. Water Right Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 13, 2004

CURTIS AND LOIS KNIGHT
1575 W 1ST
FRUITLAND ID 83619

***RE: APPLICATION FOR PERMIT AND TRANSFER FOR GROUND
WATER FOR IRRIGATION***

Dear Mr. Knight:

This letter is reference to your application for permit and application for transfer you filed with our office. There has been a problem with overlapping decreed water rights in the name of W. P. Carnefix for these applications. Both of our efforts to get the overlapping water right problem rectified have not resolved the problem. Therefore, I have consulted with my Regional Manager and Regional Supervisor to determine if we could find a way to rectify this situation, and get this application approved before next irrigation season.

The final determination was that we could proceed with the application for permit. Proceeding with this application could cause future problems, but we have determined that you have done everything within your power to get these issues corrected, and we must move forward. The reason that we can proceed with the application for permit is that it will be developed from a new source. We consider each well its own source, so you can have multiple water rights from multiple wells on the same ground. This will create a bigger problem for Mr. Carnefix, when he attempts to correct his decreed water right, but it is the only solution we have that will allow you to irrigate from the well by next irrigation season.

I have returned your application for transfer with this letter. Pursuing the transfer could cause further confusion and would probably be protested by Mr. Carnefix. I don't feel that we could get the transfer approved by the beginning of next years irrigation season, so it would be best at this point to pursue the application for permit.

Page 2
Knight

I have also included a request to process form. I will need you to sign and complete this form and return it to my office. This form is basically a formality for your area, and you will only need to choose the third to choice and return to the above address C/O of Dan Nelson. Either you or your wife can complete this form and sign it. We won't need both signatures.

I do want you to know that I am sorry that this process has taken such a long time. Unfortunately, we must do what we can to ensure that the water right records are as clear and accurate as possible. Our office will continue to work with Mr. Carnefix, but we fill it would not be fair to you to hold up your application any longer. I will proceed with processing and advertising immediately; in hopes we can ensure you have irrigation water by the start of the next irrigation season.

If you have any questions or concerns please contact me at the above address.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel A. Nelson", with a long horizontal flourish extending to the right.

Daniel A. Nelson
Sr. Water Right Agent

cc W. P. Carnefix

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only
Well ID No. 814919
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat: _____ Long: _____

1. WELL TAG NO. D 0031115
DRILLING PERMIT NO _____
Water Right or Injection Well No. _____

2. OWNER:
Name Curtis Knight
Address 1575 W 1st
City Fruitland State ID Zip 83619

3. LOCATION OF WELL by legal description:
You must provide address or Lot, Blk, Sub or Directions to well.
Twp 8 North ☒ or South ☐
Rge 5 East ☐ or West ☒
Sec. 27 SW 1/4 NW 1/4 NW 1/4
Gov't Lot _____ County Payette
Lat: 44:00:54 Long: 116:55:80
Address of Well Site Same
(Give at least name of road + Distance to Road or Landmark)
Lt _____ Blk. _____ Sub. Name _____

4. USE:
☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:
☐ Air Rotary ☒ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

Seal Material	From	To	Weight / Volume	Seal Placement Method
<u>Bentonite</u>	<u>0</u>	<u>16</u>	<u>700</u>	<u>10 inch to 14 ft</u>

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 56
Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>6 + 1/2</u>	<u>56</u>	<u>250</u>	<u>Steel</u>	☒	☐	☒	☐	☐

Length of Headpipe 9 Length of Tailpipe 8 1/2
Packer ☒ Y ☐ N Type 61-p R. Packer

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method _____
Screen Type & Method of Installation V-wire

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
<u>55</u>	<u>60</u>	<u>.20</u>	<u>1 wire</u>	<u>5</u>	<u>SS</u>	☐	☒

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

32 ft below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices
well cap

12. WELL TESTS:

Yield gal / min	Drawdown	Pumping Level	Time
<u>25</u>	<u>6</u>	<u>43</u>	<u>4 hr</u>

Water Temp 58° Bottom hole temp. 5
Water Quality test or comments: OK

13. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia	From	To	Remarks: Lithology, Water Quality & Temperature	Y
<u>6</u>	<u>0</u>	<u>1</u>	<u>Soil</u>	
<u>6</u>	<u>1</u>	<u>11</u>	<u>Silt stone with chert nodules</u>	
<u>6</u>	<u>11</u>	<u>16</u>	<u>Silt stone brown</u>	
<u>6</u>	<u>16</u>	<u>38</u>	<u>"</u>	
<u>6</u>	<u>38</u>	<u>43</u>	<u>gravel black & sand white</u>	
<u>6</u>	<u>43</u>	<u>46</u>	<u>sand G-F Tan</u>	
<u>6</u>	<u>46</u>	<u>61</u>	<u>sand white, M-F</u>	
<u>6</u>	<u>61</u>	<u>65</u>	<u>clay brown</u>	
<u>6</u>	<u>65</u>	<u>68</u>	<u>clay blue</u>	

RECEIVED

JUN 22 2004

WATER RESOURCES
WESTERN REGION

Completed Depth 70 (Measure)
Date Started 5-7-04 Completed 5-24-04

14. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed

Company Name Homes Water Well Drilling Firm No 49

Principal Driller Marvin S. Nard Date 6-21-04

Driller or Operator II _____ Date _____

Operator I _____ Date _____

Principal Driller and Rig Operator Required

Idaho Department of Water Resources
1301 North Orchard Boise ID 83706-2237

Write Tag Number Here

00031115

(Not Valid Without Tag Number)

Start Card/Permit for a Domestic Well

(Cold Water 85 degrees or less)

Pest Card

1. Well Owner (please print): Curtis Knight
2. Owner's Address: 1575 W 1st
City Franklin State ID Zip 83619 Phone (208) 462-4919
3. Well Location: Twp: 8N Rge: 5W Sec. 27 1/4 SW 1/4 NW 1/4 NW
Gov't Lot No. County Payette Lat. Long.
Street Address of Well Site Same
City Lot 1 Block 35 Sub.

4. Well Construction Information:

☒ New Construction, ☐ Deepen, ☐ Modify, ☐ Replace Existing Well (Previous #)

5. Construction Start Date: 5-20-04 6. Well Driller Name: James K. Smith License # 491

7. Signature of Driller or Owner: Curtis Knight Date 5/3/04

Submit White Copy to Department of Water Resources

Applicant agrees to comply with the Underground Facilities Damage Prevention Act L.C. 35-2201 et seq. and contact the blower survey telephone number 1-800-345-1586 prior to excavating operations.

882507
814919

RECEIVED

MAY 11 2004

WATER RESOURCES
WESTERN REGION