Castle Mountain Creeks Subdivision

CREEKS SUBDIVISION NO 1

Diversion Point At 32 Cedar Lane Lot 13 Block 1 Sub 5

32, T. 10N., R. 4 E., B.M., BOISE COUNTY, IDAHO

UNPLATTED

1" = 200'

SCALE IN FEET

Cedar Lane

MEADOW DR.

WARM SPRINGS

WARM SPRINGS LN.

CASTLE MTN DR

PINE LANE

DEER TRAIL

SNOW BIRD

CASTLE MTN #5

KIVA

ogden

LASS 1

RD.

0.72 AC.

0.73 Ac.

0.74 Ac.

0.77 Ac.

0.43 Ac.

1.81 Ac.

1.15 Ac.

0.89 Ac.

10.33 Ac.

0.97 Ac.

0.82 AC.

0.85 Ac.

0.86 Ac.

0.67 Ac.

0.94 Ac.

0.80 Ac.

1.04 Ac.

1.00 Ac.

0.76 Ac.

0.91 Ac.

1.23 Ac.

1.37 Ac.

0.84 Ac.

1.32 Ac.

1.36 Ac.

1.00 Ac.

0.64 Ac.

5314.46'

S 89° 40' 42" E 764.36

S 89° 09' 33" E 83.07

S 58° 36' 49" E 175.02

N 85° 23' 14" E 600.00'

S 0° 40' 26" E 65.00

N 35° 08' 21" E 100.00

S 89° 38' 18" E 61.30

S 58° 36' 37" E 313.05'

N 68° 51' 08" E 260.00'

N 10° 56' 40" E 64.24

S 89° 40' 42" E 764.36

S 89° 45' 05" E 240.61

N 89° 00' E 220.64

S 89° 23' E 137.65

N 89° 00' E 185.90

N 89° 00' E 239.06

S 89° 00' E 238.32

N 89° 00' E 185.00

S 89° 00' E 210.00

N 89° 00' E 230.00

S 89° 00' E 230.00

N 89° 00' E 185.00

S 89° 00' E 185.00

N 89° 00' E 239.06

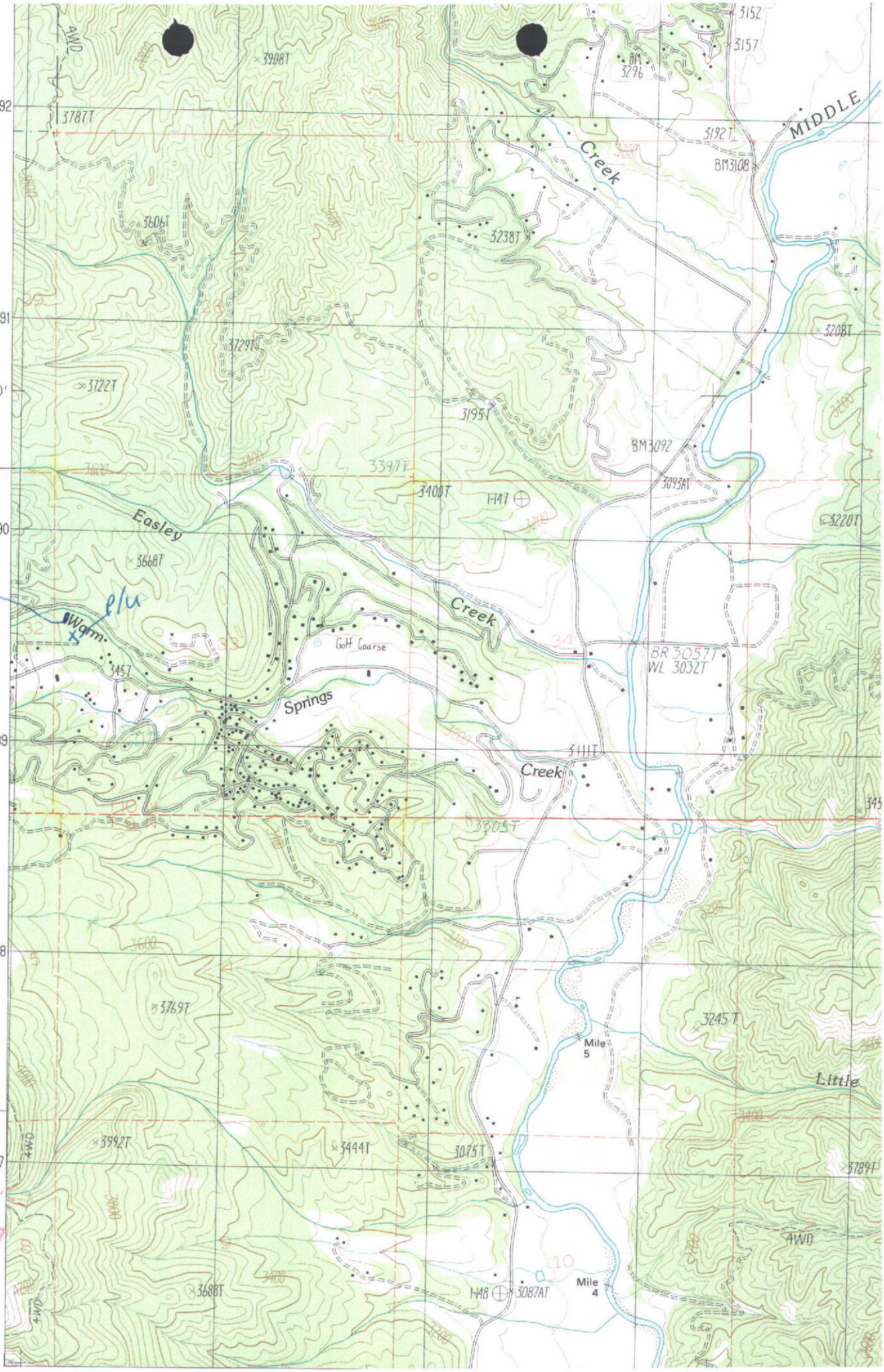
S 89° 00' E 238.32

N 89° 00' E 185.00

S 89° 00' E 210.00

N 89° 00' E 230.00

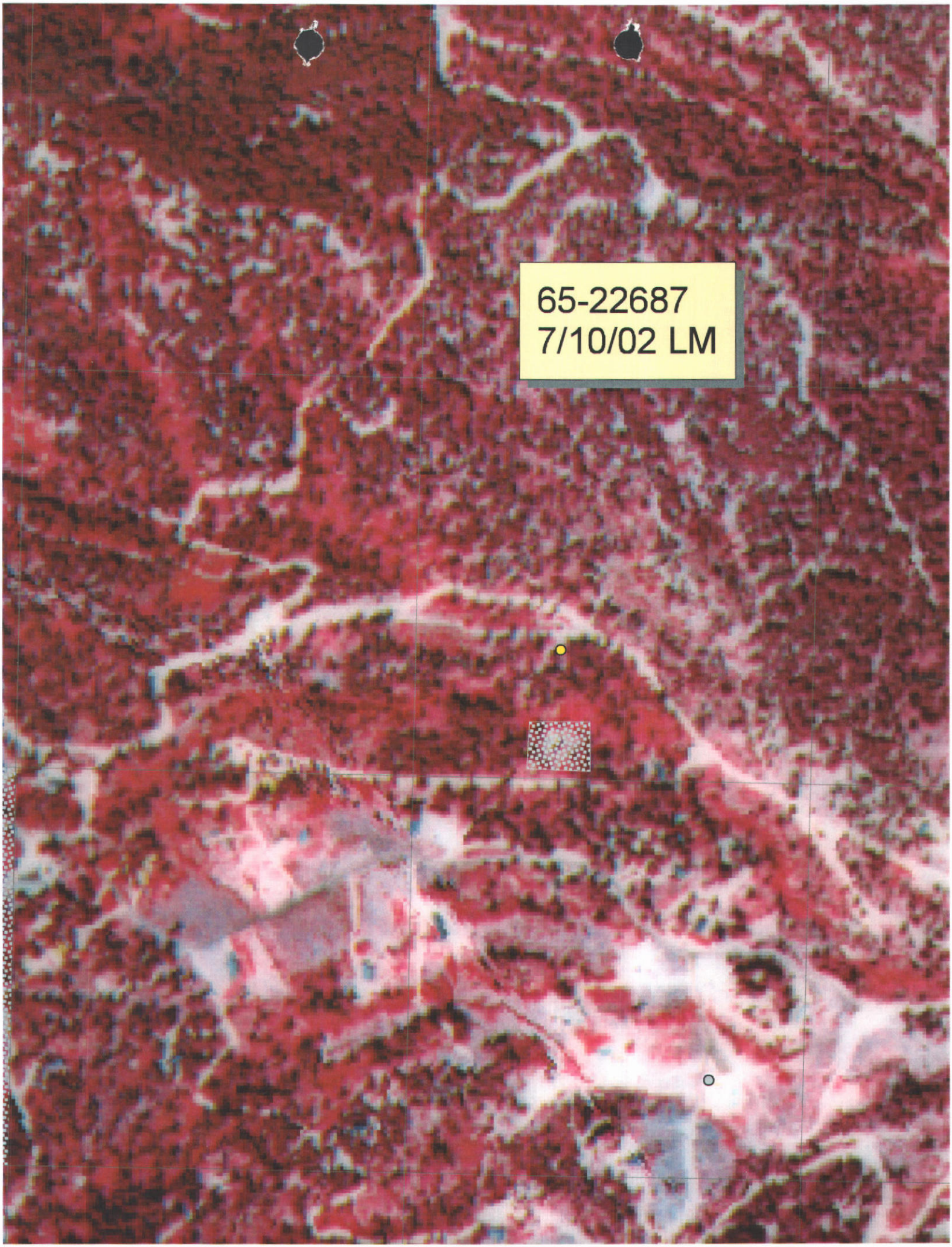
S 89° 00' E 230.00



Diversion Point

T 10N
R 4E
S 33
SWNW
No Gov Lts in NW¼

MAR 20 2003


65-22687
7/10/02 LM

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED
JUL 02 2002
WATER RESOURCES
WESTERN REGION

State of Idaho)
)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with June 19, 2002 and ending with the issue of June 26, 2002.

Deanna Stevenson

State of Idaho)
)
County of Boise)

On this 28 day of June in the year 2002, before me, a notary public, personally appeared Deanna Stevenson 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 she executed the same.

Tami Weber

Notary Public for Idaho
Residing at Garden Valley, Idaho
My commission expires 7/10/05

TAMI WEBER NOTARY PUBLIC STATE OF IDAHO

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

65-22687

RICHARD KNIGGE
1695 E MYRTLE BEACH CT
EAGLE ID 83616
VICKI KNIGGE
1695 E MYRTLE BEACH CT
EAGLE ID 83616

Point(s) of Diversion SWNW S33 T10N R04E BOISE County
Source WARMS SPRINGS CREEK
Tributary to MIDDLE FORK PAYETTE RIVER
Use: IRRIGATION 03/15 To 10/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 05/28/2002
Place Of Use: IRRIGATION
T10N R04E S22 SWNW
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 Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of $25.00 for each application on or before 07/08/2002. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director

Published in The Idaho World June 19 and 26, 2002

MICROFILMED
MAR 20 2003

Form No 217
05/03

FOR OFFICE USE ONLY
Amt of Fee $ 50.00
Receipt No 0071428
Receipt By [illegible]
Date Received 11-4-03
RECEIVED
NOV 4 2003
Department of Water Resources

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** be accompanied by a completed field examination report prepared by a certified water right examiner.*

1. Permit No. 65-22687 Telephone No. 208-939-4622

2 Name of Permit Holder(s) Richard Knigge / Vicki Knigge

3 Mailing Address: 1695 E. Myrtle Beach Ct

City Eagle State ID Zip 83616

4 Source of Water: Warm Springs Creek If **GROUNDWATER** (well), Date Drilled mo._____ / yr _____

Well Driller _____ Drilling Permit Number _____

5 Use(s) (as authorized by the water right permit):

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

Irrigation (No of acres): 0.7 Other _____

6 Total rate of diversion and/or volume for which proof is submitted. 2 cfs **OR** _____ acre-feet

7 Measuring Device Requirement **(refer to the approval conditions on your permit and respond accordingly)**
(*This question is **not optional** Please check either yes or no Proofs returned not checked accordingly, will be considered incomplete)*

Measuring Device: Is a measuring device required? Yes ____ **or** No X
Has the measuring device been installed? Yes ____ **or** No X

8 Fee Enclosed: $ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Rick Knigge Telephone Number: work 396-2655 Home 939-4622

Address 1695 E. Myrtle Beach Ct

10. ***The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.***

Signature of permit holder. Richard Knigge / Vicki L. Knigge Date 11-2-03
(include your title, if on behalf of company or organization)

MICROFILMED
FEB 2 4 2004

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 65-22687

Priority May 28, 2002 Maximum Diversion Rate 0.02 CFS

This is to certify, that VICKI KNIGGE And/Or
RICHARD KNIGGE
1695 E MYRTLE BEACH CT
EAGLE ID 83616

has applied for a permit to appropriate water from:

Source: WARM SPRINGS CREEK **Tributary:** MIDDLE FORK PAYETTE RIVER

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	03/15 to 10/31	0 02 CFS

LOCATION OF POINT(S) OF DIVERSION:
WARM SPRINGS CREEK SW¼NW¼, Sec. 33, Twp 10N, Rge 04E, B M., BOISE 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
10N 04E 33							.7										.7

Total Acres: 0.7

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2004.**
2. Subject to all prior water rights
3. 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
4. When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use
5. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 2 5 afa at the field headgate for irrigation of the land described above
6. Place of use and point of diversion are located within Lot 12, Blk. 1, Castle Mountain Creeks Subdivision No 5.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code Witness the signature of the Director, affixed at Boise, this 9th day of January, 2003

MICROFILMED
MAR 2 0 2003

for KARL J DREHER, Director

RECEIVED

SEP 3 2002

Department of Water Resources

ORM 202
2/99

Ident No 65-22687

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

396-2655 wk

1 Name of Applicant Richard and/or Vicki Knigge Phone 208 939-4622 Hm
Mailing address 1695 E. Myrtle Beach Ct Eagle, ID 83616

2 Source of water supply Warm Springs Creek which is a tributary of Middle Fork-Payette River

3 Location of point of diversion is Township 10 N Range 4 E Sec 33, in the SW ¼, NW ¼, ____ ¼, Govt Lot ____, B M, Boise County, additional points of diversion if any None

4 Water will be used for the following purposes

Amount .02 CFS (cfs or acre-feet per annum) for Irrigation purposes from Mar. 15 to Oct. 31 (both dates inclusive)
Amount ____ (cfs or acre-feet per annum) for ____ purposes from ____ to ____ (both dates inclusive)
Amount ____ (cfs or acre-feet per annum) for ____ purposes from ____ to ____ (both dates inclusive)
Amount ____ (cfs or acre-feet per annum) for ____ purposes from ____ to ____ (both dates inclusive)
Amount ____ (cfs or acre-feet per annum) for ____ purposes from ____ to ____ (both dates inclusive)
Amount ____ (cfs or acre-feet per annum) for ____ purposes from ____ to ____ (both dates inclusive)

5 Total quantity to be appropriated is (a) .02 cubic feet per second and/or (b) ____ acre feet per annum

6 Proposed diverting works

a Describe type and size of devices used to divert water from the source Small pump, equal to or less than one horse power. Intake hose will be placed in creek.

b Height of storage dam ____ feet, active reservoir capacity ____ acre-feet, total reservoir capacity ____ acre-feet

c Proposed well diameter is ____ inches, proposed depth of well is ____ feet

d Is ground water with a temperature of greater than 85°F being sought? ____

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 ____
e Other, describe fully ____

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MAR 2 0 2003

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MAY 28 2002
WATER RESOURCES
WESTERN REGION

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	
10N	4E	33							.74			.74							.74

Total number of acres to be irrigated .74

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

11 a Who owns the property at the point of diversion? Richard and Vicki Knigge at Property Boundary w/ Boise

b Who owns the land to be irrigated or place of use? Richard and Vicki Knigge

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 8½"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)

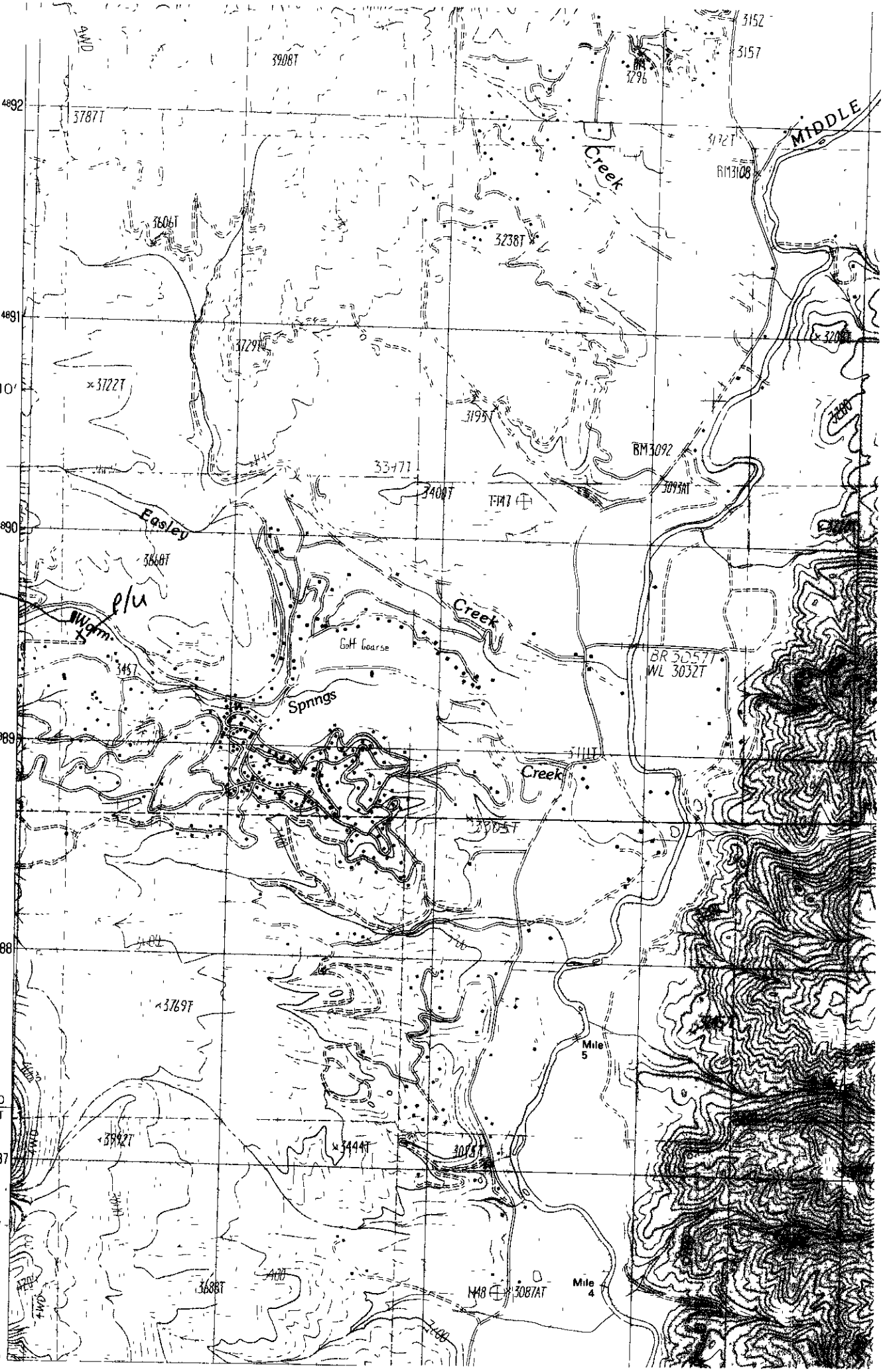
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Richard Knigge Vicki Knigge
Signature of Applicant (and title, if applicable)

Received by Dave Forbes Date 5/28/02 Time 1:30 Preliminary check by CG
Fee $ 100.00 Receipted by JF # W029344 Date 5/28/02
Publication prepared by AT Date ~~6-19-02~~ 8-7+14-02 Published in IDAHO WORLD
Publication approved AT Date 8-28-02

MICRO

2003



Diversion Point

T 10N
R 4E
S 33
SWNW
No Gov Lts in NW¼

REQUEST TO PROCESS

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

Name of Applicant: RICHARD & VICKI KNIGGE

Mailing Address: 1695 E MYRTLE BEACH ct
EAGLE ID 83616

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: Richard Knigge

Date: June 10, 2002

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
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J DREHER
Director

January 16, 2004

RICHARD KNIGGE
VICKI KNIGGE
1695 E MYRTLE BEACH CT
EAGLE ID 83616

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-22687

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.state.id.us.

If you have questions, please contact the **Western** Regional Office of the department in Boise (208) 334-2190.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl
c IDWR - Regional Office (w/encl.)

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No 65-22687 Reviewed By dgibson Date January 15, 2004

	Yes	No		Yes	No
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No	W029244, C071478		Well driller's report filed?		
Additional Amount Due			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		11/04/2003
Date proof due	-	01/01/2004
Lapse notice sent	-	
No of days late	=	0
Holiday allowance	+	
Priority date	+	05/28/2002
New priority date	=	05/28/2002

Deficiencies of Actions Items

Acknowledge proof.

October 31, 2003

VICKI KNIGGE
RICHARD KNIGGE
1695 E MYRTLE BEACH CT
EAGLE, ID 83616

PROOF DUE NOTICE

RE: PERMIT NO. 65-22687

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 January 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

7000 1670 0011
3314 1515

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 10, 2003

VICKI KNIGGE
RICHARD KNIGGE
1695 E MYRTLE BEACH CT
EAGLE ID 83616

RE. Permit No. 65-22687

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.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

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 208-327-7946.

Sincerely,

Shelley W. Keen

Shelley W. Keen
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 10, 2003 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. 65-22687

RICHARD KNIGGE
VICKI KNIGGE
1695 E MYRTLE BEACH CT
EAGLE ID 83616

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant

EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730 02)

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 Water Resource 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

MICRO...

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.

MICROFILMED

MEMORANDUM

Date: January 09, 2003

To Water Right File 65-22687

From: dgibson

Re Permit Review

The location of this right is in Castle Mountain Creeks Subdivision No 5 The owners association has two water rights (65-12776 GW, and 65-3238 SW) and one permit (65-13526 SW) appurtenant to the location of this right The two surface water rights are for irrigation of 1 1/2 acres, and the groundwater right is for domestic and irrigation of 1 acre

According to the subdivision plat map the size of the lot is 0 74 acre Additionally, since the land size is less than 1 acre the calculation for the Field Headgate rate is less than the amount established by the department It is recommended that this right be limited to 2 5 afa at the Field Headgate

Comments

65-22687

Form No 202a
January 2002

E 3:02

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Initial review by LG Date 6/10/02 Application # 65-22687

REQUIRED INFORMATION

- ✓ Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included)
- ✓ Address
- ✓ Source (See USGS Quad for names of water sources)
- ✓ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ✓ County
- ✓ Quantity (Flow and/or Volume)
- ✓ Period of use clarified
- ✓ Nature of proposed use (Include description of use)
- ✓ Description of diverting works
- ✓ Time required for beneficial use of water
- ✓ Place of use or acres irrigated
- ✓ Map (Show T, R, S, QQ &/OR QQQ)
- ✓ Subdivision plat (for > 1 home in restricted area ≥ 5 homes in non-restricted area)
- ✓ Signature (if applicant is corporation, partnership, or municipality, title of signatory is required)
- ✓ Correct fee paid

Government Lots
- ✓ P/D
- ✓ P/U

ADDITIONAL INFORMATION Y ADVERTISE REMARKS (Yes or No)

YES	NO	
✓		Overlapping place of use (Describe source and relationship to present application on next page)
✓		Overlapping point of diversion
	✓	Critical groundwater area
	✓	Ground water management area
	✓	1992 moratoruim
✓		Surface water source, IDFG letter needed
	✓	Protected river or minimum flow reach, notify water planning bureau
	✓	E-mail to SCA staff (perennial stream, non-pump diversion &/or any mining)
	✓	E-mail to Dam Safety staff (for any storage)
✓		Mitigation plan Check any that apply
		Immediate = acceptable plan required and submitted
		✓ Future = open areas, acceptance of condition of approval is in file
	✓	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 THE APPLICANT

request - to process

Date Requested 6/10/02 Date Response Received 6/10/02

PROCESSING APPLICATION # 65- 22687

YES	NO	
✓		In form for advertising
	✓	Statewide advertising (> 10 cfs &/or 1000 af)
✓		Fee amount, receipt number, and date recorded on application

SEND COPIES TO NOTE IF E-MAIL COMMENT LETTER USED

YES	NO		YES	NO	
	✓	I.D. Environmental Quality		✓	US BLM
	✓	I.D. District Health		✓	US Forest Service
✓		I.D.Fish & Game		✓	Water Dist # inactive
	✓	I.D. Lands		✓	Water Planning Bureau
			✓		Other

CASTLE MTN CREEK OWNERS ASSN
HC 76 BOX 4001
GARDEN VALLEY ID 83622

FINAL REGIONAL PROCESSING REVIEW

YES	NO	
✓		Affidavit of publication received
✓		Application published correctly? If not,record action taken
✓		Publication dates and paper recorded on application
	✓	Final date for protest 7-8-02 8-26-02
	✓	Protests received
	✓	Recommendations attached
	✓	Measuring device required
	✓	Water delivered by water master? District # warm springs cr. is part of an inactive District.
	✓	Special conditions of approval or cover letter standards

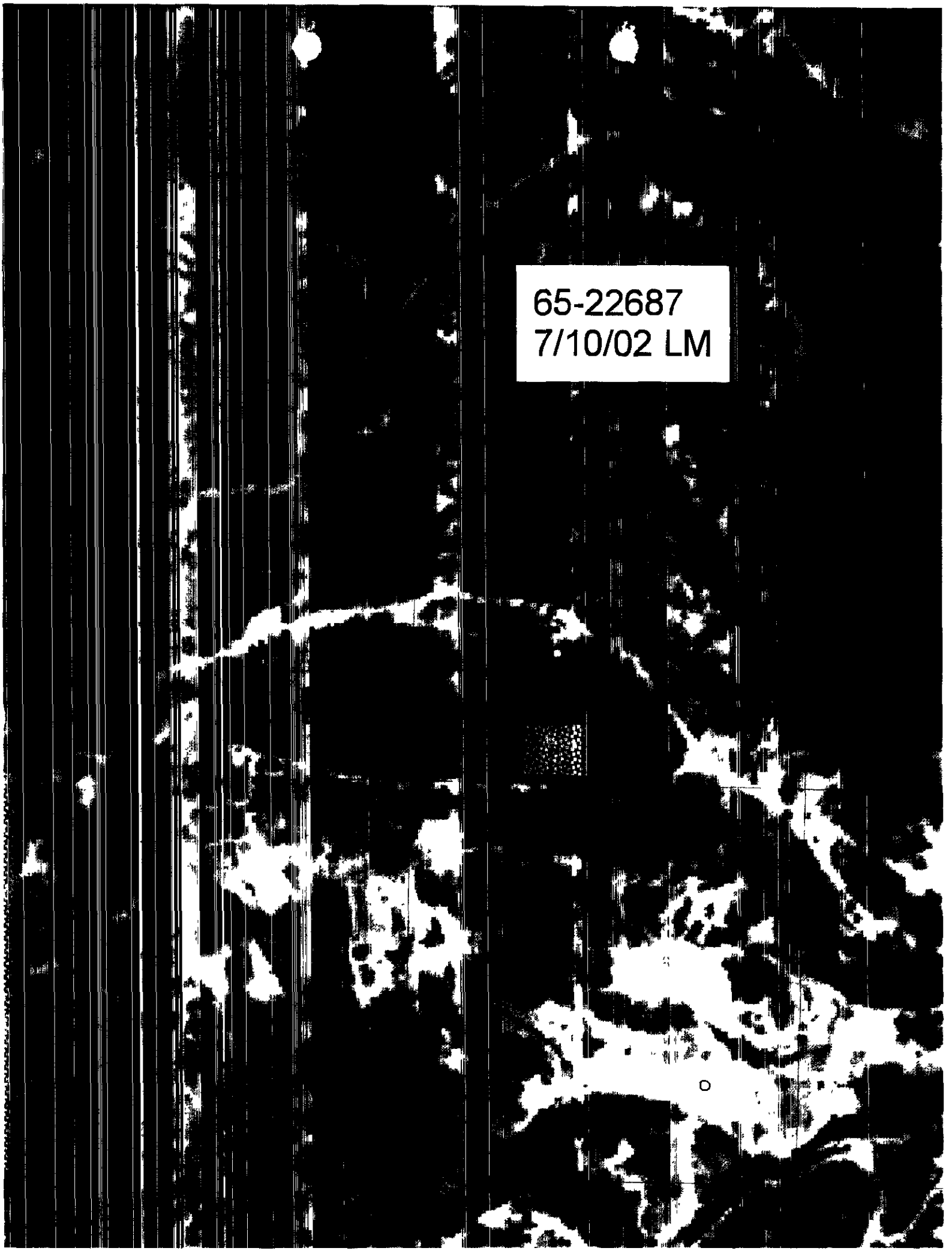
Recommended Date of Priority 5/28/02

Recommendation ☑ Approve ☐ Deny by Lori Graves Date 8/28/02

ADDITIONAL INFORMATION

overlaps: 65-3238, 65-13526, 65-12776

☐ See Attachment(s) ... always include application proof report


65-22687
7/10/02 LM

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22687

WATER RIGHT NUMBER 65-22687

Owner Type	Name and Address
Current Owner	RICHARD KNIGGE 1695 E MYRTLE BEACH CT EAGLE, ID 83616 (208)939-4622
Current Owner	VICKI KNIGGE 1695 E MYRTLE BEACH CT EAGLE, ID 83616 (208)939-4622

Priority Date 05/28/2002

Basis

Status Active

Source	Tributary
WARM SPRINGS CREEK	MIDDLE FORK PAYETTE RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	03/15 to 10/31	0 020 CFS	
	Total Diversion	0 020 CFS	

Location of Point(s) of Diversion

WARM SPRINGS CREEK SW1/4NW1/4 Sec 33, Twp 10N, Rge 04E, B M

BOISE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	04E	33							7										7

Conditions of Approval

Remarks

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 65-22687

Comments

1 lmattson 6/11/2002 Legal Notice Remarks
Comment Applicant agrees to mitigate consumptive use in the future as needed

2 lmattson 6/11/2002 Comment/Analysis
Comment Applicant uses water from Castle Mtn Creek Owners Assoc (65-3238, 65-13526, 65-12776) for internal domestic use only Rates are too high for use externally Applicant wishes to use a private pump in Warm Springs Creek for irrigation of 74 acre landscape area Applicant was advised by Shelley Keen Season of use was clarified to dept standards

Dates and Other Information

Application Received Date 5/28/2002
Application Denied Date
Last Date of Beneficial Use
Extension End Date
Protest Deadline Date
Number of Protests 0
Enlargement Use Priority Date
Enlargement Statute Priority Date
Formal Action Date
State or Federal
Owner Name Connector AND/OR
Water District Number 65
Generic Max Rate Per Acre
Generic Max Volume Per Acre
Application Type New Appropriation
Applicant Remarks
Other Water Rights None
Time to Complete Works 1
Transfer Affected Description
Transfer Affected Contracts
Old Transfer Number
Transfer Reason
Transfer Return Flows
Swan Falls Trust or Nontrust
Swan Falls Dismissed
DLE Act Number
Carey Act Number
Mitigation Plan False

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED

AUG 2 2 2002

WATER RESOURCES
WESTERN REGION

State of Idaho)
)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho, the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for Two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Aug 7, 2002 and ending with the issue of Aug 14, 2002.

Deanna Stevenson

State of Idaho)
)
County of Boise)

On this 16 day of Aug in the year 2002, before me, a notary public, personally appeared Deanna Stevenson 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 she executed the same

Notary Public for Idaho
Residing at Garden Valley, Idaho
My commission expires 2/10/05

NOTICE OF CORRECTION FOR APPLICATION FOR PERMIT NO. 65-22687

RICHARD AND VICKI KNIGGE of 1695 E Myrtle Beach Ct Eagle ID 83616 applied for an Application for Permit pursuant to I C § 42-211 The Place of Use was published incorrectly in the original legal notice on June 19th and 26th. The correct notice is as follows

Point(s) of Diversion SWNW S33 T10N R04E BOISE County
Source WARM SPRINGS CREEK
Tributary To MIDDLE FORK PAYETTE RIVER
Use IRRIGATION 03/15 To 10/31 0 02 CFS
Total Diversion 0 02 CFS
Date Filed 05/28/2002
Place of Use IRRIGATION
T10N R04E S33 SWNW
Number of Acres 0 74
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 protests against approval of this application must be filed with the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705-5082, together with a protest fee of $25 for each application on or before August 26, 2002. The protestant must also send a copy of the protest to the applicant
Karl J. Dreher, Director

Published in The Idaho World August 7 and 14, 2002

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

June 14, 2002

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Water Right. 03-10182 in the Name of Jimmy Thompson &/or Betty Bell.
Application for Water Right No. 65-22686 in the Name of David &/or Jeanene Urban.
Application for Water Right No. 65-22687 in the Name of Richard &./or Vicki Knigge.
Application for Water Right No. 65-22688 in the Name of Michael &/or Carol Thompson.

Dear Sir or Madam:

Enclosed are copies of the above-referenced applications that the proposed use is from surface water. Please review the applications 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 your agency desires 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 July 8, 2002.

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

Sincerely,

Lori Graves

LG:lm
Encl: Copy of Applications

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

June 14, 2002

CASTLE MTN CREEK OWNERS ASSN
HC 76 BOX 4001
GARDEN VALLEY ID 83622

Re: Application for Water Right No. 65-22687 in the Name of Richard &./or Vicki Knigge.

Dear Sir and/or Madam:

Enclosed is copy of the above-referenced application for permit which may be of interest to you. Please review the application 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 July 8, 2002.

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

Sincerely,

Lori Graves

LG:lm

Encl: Copy of Application

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

August 1, 2002

THE IDAHO WORLD
PO BOX 99
GARDEN VALLEY ID 83622

Re: Correction of Ad for Application for Permit No. 65-22687 in the Name of Richard &/or Vicki Knigge

Dear Legal Dept.:

Enclosed is a copy of the legal notice advertised on June 19 and 26, 2002. Also enclosed is a corrected copy of a legal notice for the above-referenced application for permit. Note that the place of use was advertised as section 22 and should be section 33.

Please publish the enclosed correction on August 7 and 14, 2002.

An affidavit of the corrected publication should be submitted to the department by August 26, 2002.

Sincerely,

Sue Taylor
Senior Secretary

Enclosures

MICROFILMED
MAR 2 0 2003

NOTICE OF CORRECTION FOR APPLICATION FOR PERMIT NO. 65-22687

RICHARD AND VICKI KNIGGE of 1695 E Myrtle Beach Ct Eagle ID 83616 applied for an Application for Permit pursuant to I.C. § 42-211. The Place of Use was published incorrectly in the original legal notice on June 19th and 26th. The correct notice is as follows:

Point(s) of Diversion SWNW S33 T10N R04E BOISE County Source WARM SPRINGS CREEK

Tnbutary To MIDDLE FORK PAYETTE RIVER

Use. IRRIGATION 03/15 To 10/31 0.02 CFS

Total Diversion· 0.02 CFS

Date Filed: 05/28/2002

Place Of Use· IRRIGATION

T10N R04E S33 SWNW

Number of Acres 0.74

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 protests against approval of this application must be filed with the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705-5082, together with a protest fee of $25 for each application on or before August 26, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director Published in the Idaho World on August 7 and 14, 2002.

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AUG : 0 2003

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED
JUL 02 2002
WATER RESOURCES
WESTERN REGION

State of Idaho)
)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with June 19, 2002 and ending with the issue of June 26, 2002.

Deanna Stevenson

State of Idaho)
)
County of Boise)

On this 28 day of June in the year 2002, before me, a notary public, personally appeared Deanna Stevenson 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 she executed the same.

Tami Weber

Notary Public for Idaho
Residing at Garden Valley, Idaho
My commission expires 1/10/05

TAMI WEBER NOTARY PUBLIC STATE OF IDAHO

The following application(s) have been filed to appropriate the public w[redacted] of Idaho:

65-22687

RICHARD KNIGGE
1695 E MYRTLE BEACH CT
EAGLE ID 83616
VICKI KNIGGE
1695 E MYRTLE BEACH CT
EAGLE ID 83616

Point(s) of Diversion SWNW S33 T10N R04E BOISE County
Source WARMS SPRINGS CREEK
Tributary to MIDDLE FORK PAYETTE RIVER
Use: IRRIGATION 03/15 To 10/31 0.02 CFS
Total Diversion: 0.02 CFS
Date Filed: 05/28/2002
Place Of Use: IRRIGATION
T10N R04E S22 SWNW
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 Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of $25.00 for each application on or before 07/08/2002. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER, Director

Published in The Idaho World June 19 and 26, 2002

MICRO

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED
JUL 02 2002
WATER RESOURCES
WESTERN REGION

State of Idaho)
)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for Two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with June 19, 2002 and ending with the issue of June 26, 2002.

Deanna Stevenson

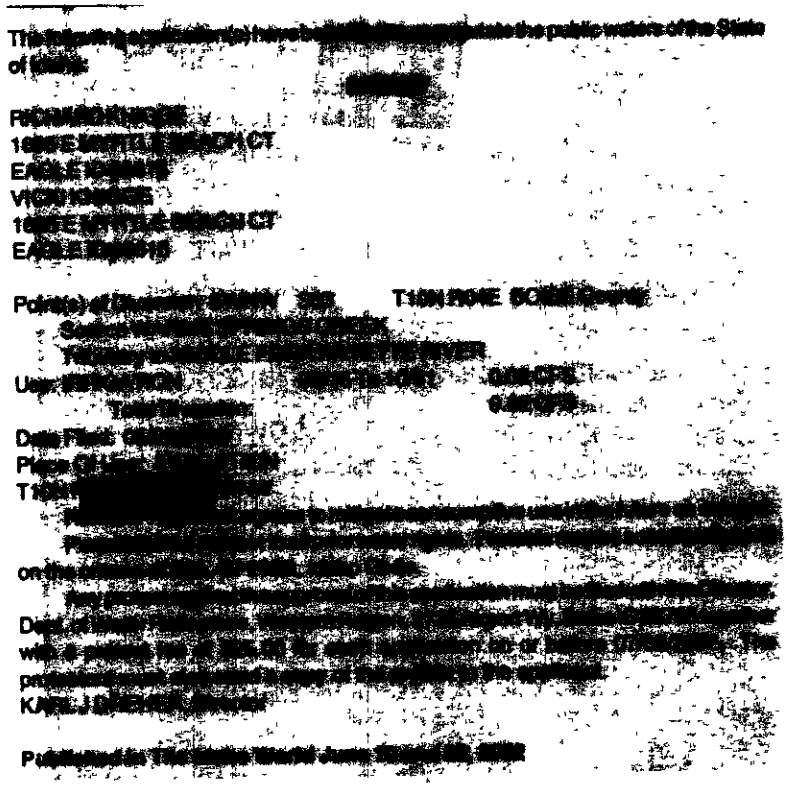
State of Idaho)
)
County of Boise)

On this 28 day of June in the year 2002, before me, a notary public, personally appeared Deanna Stevenson 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 she executed the same.

Tami Weber

Notary Public for Idaho
Residing at Garden Valley, Idaho
My commission expires 3/10/05

TAMI WEBER
NOTARY
PUBLIC
STATE OF IDAHO



MICR...

MAR ... 2003

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

June 13, 2002

Legal Notice Department
Idaho World
PO Box 99
Garden Valley ID 83622

RE: Application for Permit Nos . 65-22681, 65-22685 and 65-22687

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find three legal notices 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 notices 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 07/08/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICRO
MAR 2 0 2003

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

65-22687

RICHARD KNIGGE
1695 E MYRTLE BEACH CT
EAGLE ID 83616
VICKI KNIGGE
1695 E MYRTLE BEACH CT
EAGLE ID 83616

Point(s) of Diversion SWNW S33 T10N R04E BOISE County Source WARM SPRINGS CREEK

Tributary To MIDDLE FORK PAYETTE RIVER

Use IRRIGATION 03/15 To 10/31 0 02 CFS

Total Diversion 0 02 CFS

Date Filed 05/28/2002

Place Of Use IRRIGATION

T10N R04E S33 SWNW

Number of Acres 0 74

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 07/08/2002. The protestant must also send a copy of the protest to the applicant

KARL J DREHER, Director Published in the Idaho World on June 19 and 26, 2002

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MAR 2 6 2003