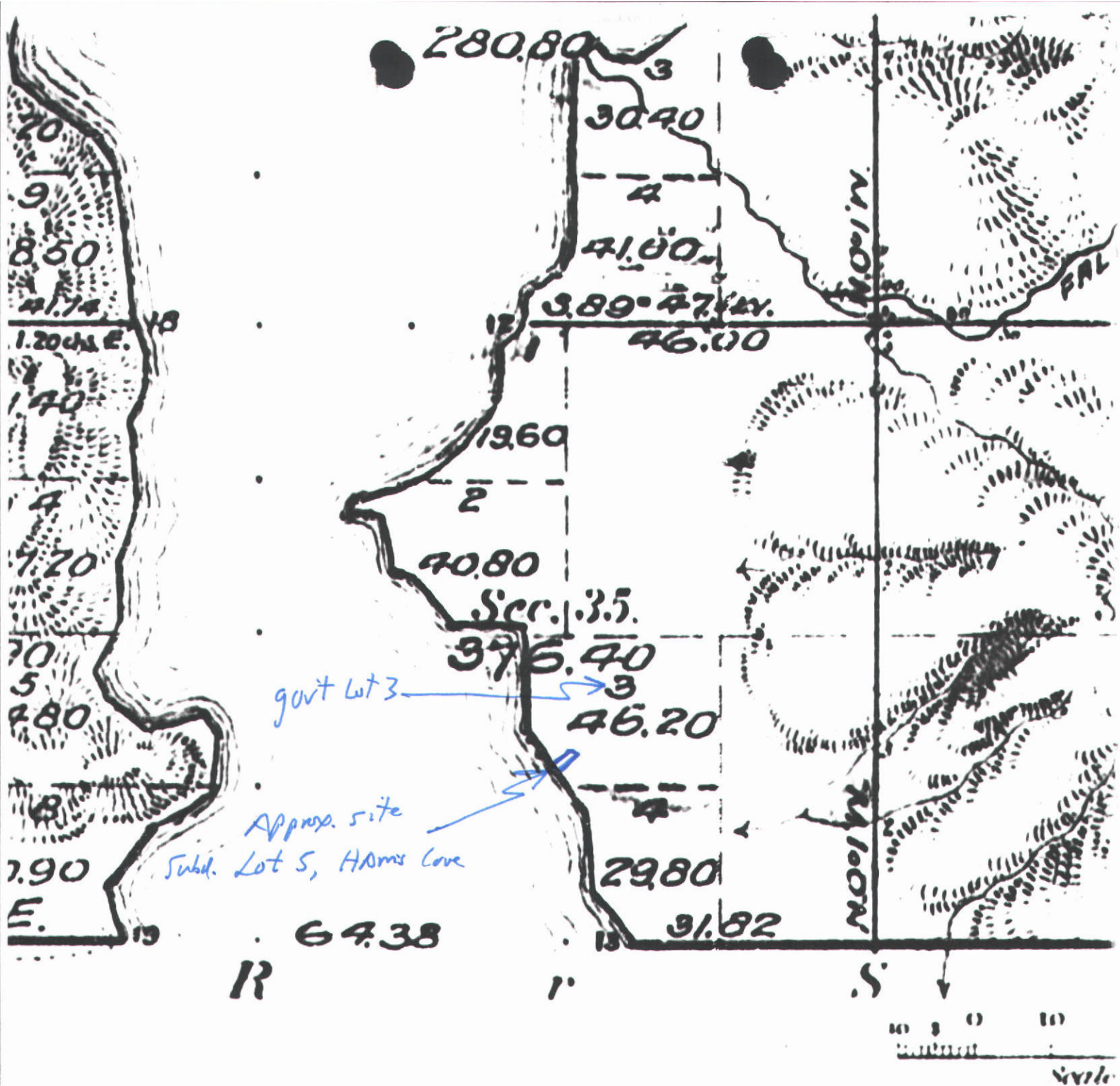




19 N 36 5.35

gov't. Lot 3
includes
NESEW + NWSE

82 10/2/07

65-22637

The above Map of Township
Boise. Location
notes of the survey theory on file

MICROFILMED

FEB 04 2002

Surveyor General's Office

Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

.SS

I, Carol J. Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began October 18, 2001 and ended October 25, 2001.

Carol J. Wright

Subscribed and sworn before me this the 26th day of October, 2001.
STATE OF IDAHO

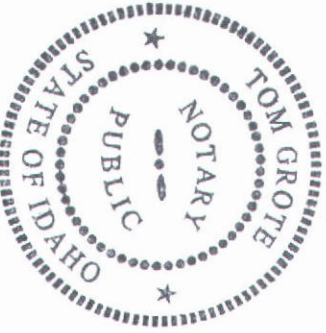
COUNTY OF VALLEY

}

On this 26th day of October, in the year of 2001, before me, a Notary Public, personally appeared Carol J. Wright, 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.

Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 2/8/06



THE FOLLOWING APPLICATION(S)
HAVE BEEN FILED TO
APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO:

65-22637

GL BARRY JR

PO BOX 409

MCCALL ID 83638

(Point(s) of Diversion L3 NESW S35

T19N R03E VALLEY County Source

PAYETTE LAKE

Tributary To NORTH FORK PAYETTE

RIVER

Use: IRRIGATION 04/15 To 10/31 0.04

CFS

Total Diversion: 0.04 CFS

Date Filed: 08/30/2001

Place Of Use: IRRIGATION

T19N R03E S35 NESW Lot 3 NWSE

Lot 3

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 11/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director 2ic10/25

RECEIVED

DEC 05 2001

WATER RESOURCES
WESTERN REGION

MICROFILMED

FEB 04 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

NOV - 8 2002

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. 5-22637 Telephone No. 208-634-4838
2 Name of Permit Holder(s): GERALD L & NITALIE A BARRY
3 Mailing Address: PO 401
City MICHAEL State ID Zip 83638
4 Source of Water: Payette Lake 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) 31- Other: _____

6 Total rate of diversion and/or volume for which proof is submitted: 1.04 cfs 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 _____

8. Fee Enclosed: \$ 50 (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: G. L. BARRY Telephone Number: 208 634 4838

Address: PO 401 MICHAEL

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: [Signature]
(include your title, if on behalf of company or organization)

Date: 10-2-02

MICROFILMED

NOV 18 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22637

Priority. 08/30/2001

Maximum Diversion Rate: 0.04 CFS

This is to certify, that G L BARRY JR
PO BOX 409
MC CALL ID 83638

has applied for a permit to appropriate water from:

Source: PAYETTE LAKE

Tributary: NORTH FORK PAYETTE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAYETTE LAKE L3 NE 1/4 SW 1/4 Sec. 35, Twp 19N, Rge 03E, B.M VALLEY 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	
19N	03E	35																	15
Total Acres			1.5																

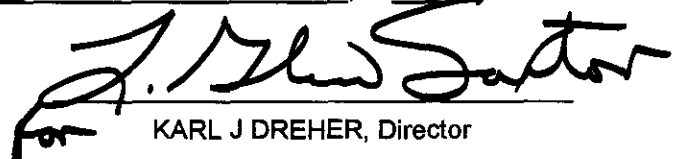
CONDITIONS OF APPROVAL

- 1 Proof of application of water to beneficial use shall be submitted on or before **December 1, 2002**.
- 2 Subject to all prior water rights.
- 3 Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- 4 Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
- 5 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.
- 6 The availability of water for this right is subject to all prior water rights of Lake Reservoir Co
- 7 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.
- 8 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
- 9 Place of use is located within Lot 5, Harris Cove Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 14th day of December, 2001

MICROFILMED

FEB 04 2002


for KARL J DREHER, Director

RECEIVED

AUG 30 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

OCT 24 2001

WATER RESOURCES
WESTERN REGION

1. Name of Applicant G. L. BARRY JR Phone 208-634-4838
Mailing address P.O. 409 McCall ID 83638
2. Source of water supply Payette Lake which is a tributary of Payette River, north
3. Location of point of diversion is Township 19N Range 3E Sec. 35 in the NE 1/4 SW 1/4 Govt. Lot 3 B.M. Valley County;

Additional points of diversion if any:

4. Water will be used for the following purposes:

- Amount 0.04 for IRRIGATION purposes from 4/15 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 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) 0.04 and/or (b) 0.04
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 PUMP: PPE into LAKE
b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is N/A 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? N/A; 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. _____

AMENDED

YLD
initials

10-19-01
date

MICROFILMED

FEB 04 2002

RECEIVED

DEC 11 2001

3 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.

PLACE OF USE is govt Lot 3, two 1/4-1/4s as

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	3E	35																	
		↳									.7						.8		1.5

shown
2

Total number of acres to be irrigated 1 1/2

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? ?

b Who owns the land to be irrigated or place of use? G.L. BARRY JR

c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing N/A

12 Remarks

most of my property will remain
natural so heavy irrigation will
NOT occur.
Property AKA Lot 5, HARRIS Cove Subdivision.

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 1/2 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

[Signature]
Signature of Applicant (and title, if applicable)

Received by Kh Date 8/30/01 Time 10:23 Preliminary check by RZ
Fee \$ 100.00 Receipted by Kh # 10025242 Date 8/30/01
Publication prepared by [initials] Date 10-18-01 Published in Water News
Publication approved [initials] Date 12-5-01

MICROFILMED

FEB 04 2002

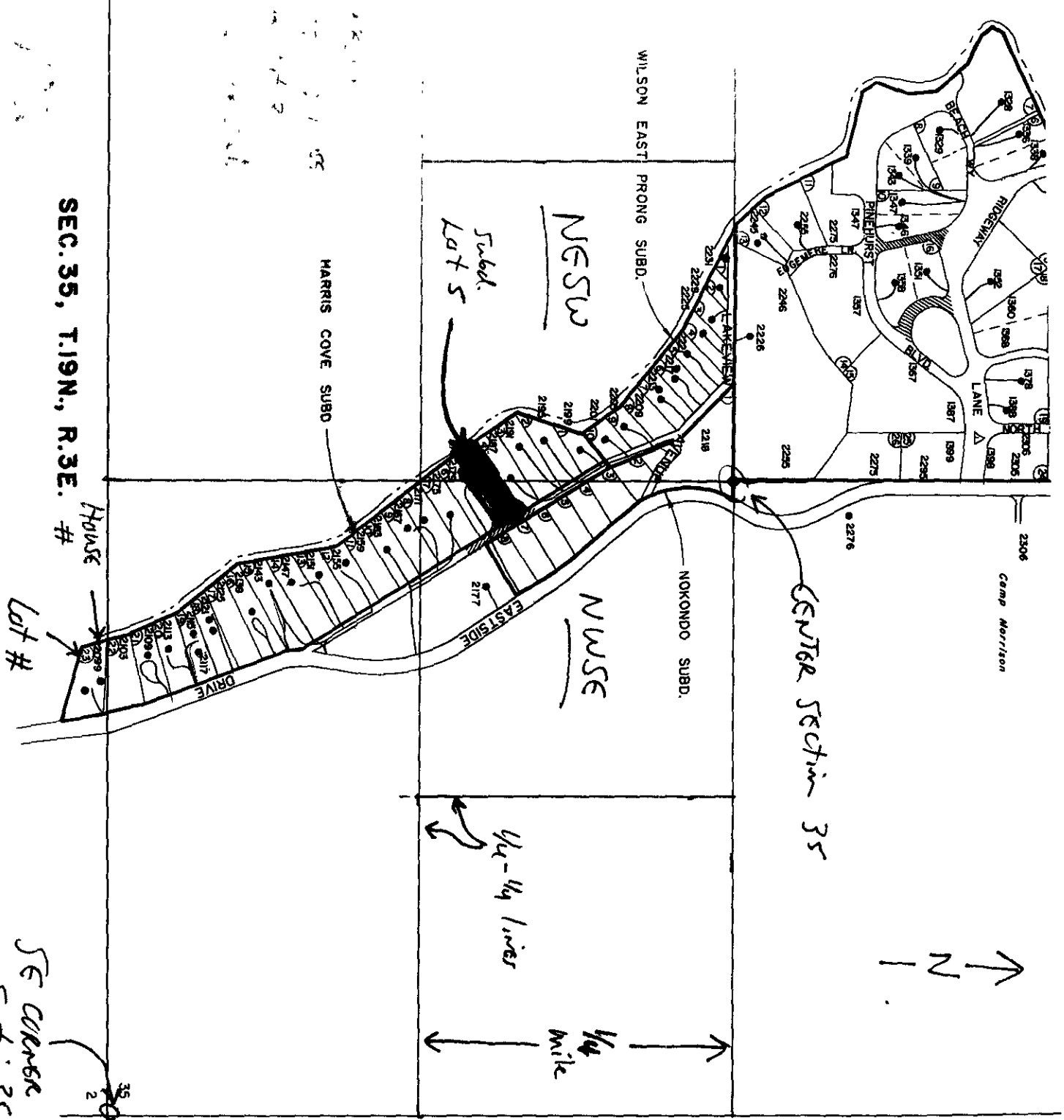
34 35
3 2

PAYETTE LAKE

SEC. 35, T.19N., R.3E. #

Lot #

SE corner
Section 35



MICROFILMED

FEB 04 2002

65-22637

19/4/01

QUITCLAIM DEED

For Value Received Gerald L. Barry, Jr., Inc., Pension & Profit Sharing Trust
does hereby convey, release, remise and forever quit claim

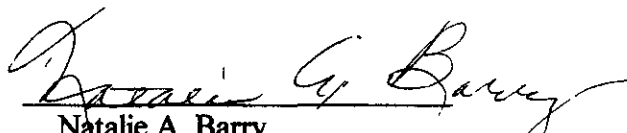
unto Gerald L. Barry and Natalie A. Barry whose address is
P.O. Box 409, Mc Call, Idaho, 83638, the following
described premises, to-wit

LOT 5 in HARRIS COVE SUBDIVISION, according to the official plat thereof, on file
and of record in the office of the Recorder, Valley County, Idaho

together with their appurtenances

Dated: April 10, 2001


Gerald L. Barry, Jr.

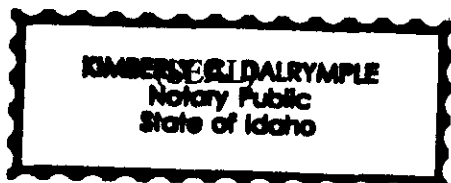

Natalie A. Barry

Trustees for Gerald L. Barry, Jr., Inc., Pension and Profit Sharing Trust

STATE OF Idaho)

COUNTY OF Valley)

On this 24th day of July, 2001 before me,
Kimberly C. Dalrymple, personally appeared
Gerald L. Barry Jr. & Natalie A. Barry, known
or identified to me to be the person(s) whose name(s) are subscribed to the within
instrument, and acknowledged to me that they executed the same.



Kimberly C. Dalrymple
Notary Public State of Idaho
Residing at: McCall-Idaho
Comm. Expires: 2/23/07

MICROFILMED

FEB 04 2002

Instrument # 255855

VALLEY COUNTY, CASCADE, IDAHO

2001-07-27 11 38 35 No of Pages 2

Recorded for GERALD BARRY, JR

LELAND G HEINRICH

Ex-Officio Recorder Deputy

Index to QUITCLAIM DEED

Fee 6.00

65-22637



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

November 12, 2002

KARL J. DREHER
Director

G L BARRY JR
PO BOX 409
MC CALL ID 83638

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-22637

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form (proof) 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.

During my review of your file I noted that you were permitted to develop 1.5 acres for irrigation. However, you stated in your proof that you have developed and have irrigated "3+-" acres. That would be an expansion of use for this water right, and is not acceptable. I recommend that you either verify the actual amount of acres and supply that information to the field examiner during their site visit, or contact IDWR's Western Region at 2735 Airport Way in Boise to apply for a second water right to permit the additional amount of irrigated acres.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right 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

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190. You may contact me at (208)327-7953, if you have any questions regarding my review.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

MICROFILMED

Encl.
c: IDWR - Regional Office

NOV 18 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No 65-22637

Reviewed By dgibson

Date November 8, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
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		W028242, C065674	Well driller's report filed?		X
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	11/08/2002
Date proof due	- 12/01/2002
Lapse notice sent	-
No of days late	= 0
Holiday allowance	+
Priority date	+ 08/30/2001
New priority date	= 08/30/2001

Deficiencies of Actions Items

Acknowledge proof and note the limitation of 1 5 acres for irrigation of this water right

September 30, 2002

G L BARRY JR
PO BOX 409
MC CALL, ID 83638

PROOF DUE NOTICE

RE: PERMIT NO. 65-22637

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 December 01, 2002. (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.

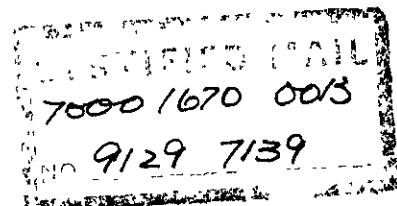
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Admin. Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
NOV 18 2002





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

December 14, 2001

G L BARRY JR
PO BOX 409
MC CALL ID 83638

RE: Permit No. 65-22637

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.

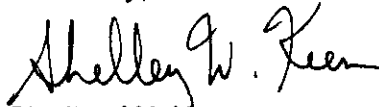
Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's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

MICROFILMED

FEB 04 2002

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

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

FEB 04 2002

CERTIFICATE OF MAILING

I hereby certify that on December 14, 2001 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. 65-22637

**G L BARRY JR
PO BOX 409
MC CALL ID 83638**

A handwritten signature in cursive script, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

**MICROFILMED
FEB 04 2002**

**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).

MICROFILMED
FEB 04 2002

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
FEB 04 2002

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**

Reviewed by Sharla Curtis on 12/11/81

No. 105-22637 Name: Burley, J Corp. Officers N/A Ad ok ✓ Govt Lots

AREA OF CONCERN: (No/Yes) ✓ Moratorium --- ~~GWMA~~ ~~TRUST/NON-TRUST~~

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0 24 cfs/5 acres - No MD
> 0 24 cfs/5 acres - 067

~~WMD~~

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0 24 cfs/5 acres - No MD
> 0 24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
*Mitigation - 121

Trust - 051 (consumptive uses)
Non-Trust - 048 (consumptive uses or non-cons > 1 0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
*IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0 02 cfs/ac)
STOCK WATER - R37 (BLM/FS)-111 (unstream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE/PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9

PLANNING REVIEW/RESPONSE

WD - R04 (WD# 65)
≤ 0 20 cfs/others - 01H, 01P or No MD
> 0 20 cfs - 01J

SPRINGS/SINK, INACTIVE WD or WD

≤ 0 24 cfs/5 acres - No MD
> 0 24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL

Restricted area - 022,075
Irr, GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
ie D/convenience store)

BENEFICIAL USE DUE: 12/01/2002

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60 let 5 Harris Cove Subd
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 4/15 - 10/31 (Per updated map)

IRR VOLUME/ACRE 3.0

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

January 2001

IC /O DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SL DATE: 10/3/07 APPLICATION: 65-22637

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, 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) - NO storage involved per tel. conv. w/ Applicant
Period of use:
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) RECEIVED w/o map, map approved by applicant per 10/19/07 notation.
Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Correct fee paid

Gov't. Lots:
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

Y ADVERTISE REMARK(S)
(Reviewer identify which remarks)

YES NO N/A small system processing

DEC 11 2001

Overlapping place of use: (Describe source & relationship to present application on next page.) } proposes new pump for new use
Overlapping point of diversion.
Critical groundwater area:
Groundwater management area:
1992 moratorium:
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.
N/A immediate = acceptable plan required and submitted.
✓ future = open areas, acceptance of condition of approval is in file. = w/ Appl. on left side of 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

Date Requested _____ Date Response Received _____

PROCESSING

APP. NO.

5-22637

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

I.D. Health & Welfare

I.D. District Health

I.D. Fish & Game

I.D. Lands

YES NO

U.S. BLM

U.S. Forest Service

Water Dist. # 65

Water Planning Bureau

Other

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 11-5-01

Protests received.

Recommendations attached:

Measuring device required:

Water delivered by water master? District # 65

Special conditions of approval or cover letter:

Standard conditions including ones for water district 65, after 1 year, future mitigation condition.

See below for additional information

Recommended Date or Priority

8-30-2001

Recommended by:

Appare

82

Date:

12/10/01

ADDITIONAL INFORMATION:

Amended prior to advertising to clarify details-
Does not expand intent of original so no change
to proposed priority. Applicant is aware of Bs. 65
rental pool condition of approval.

ICE Attached proof report.

Reply Rec'd
10/22/01, notes
OK

Publisher's Affidavit of Publication

STATE OF IDAHO

.SS

County of Valley

I, Carol J Wright, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper, that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began October 18, 2001 and ended October 25, 2001

Carol J. Wright

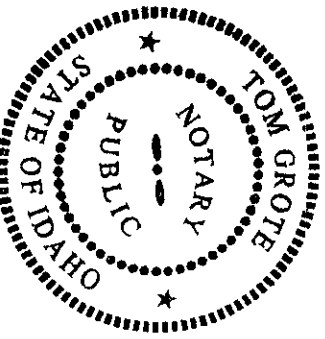
Subscribed and sworn before me this the 26th day of October, 2001.

STATE OF IDAHO

COUNTY OF VALLEY

}

On this 26th day of October, in the year of 2001, before me, a Notary Public, personally appeared Carol J Wright, 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



Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 2/8/06

THE FOLLOWING APPLICATION(S)
HAVE BEEN FILED TO
APPROPRIATE THE PUBLIC RIGHTS
OF THE STATE OF IDAHO

65-22637
GL BARRY JR
PO BOX 408
MCCALL ID 83638

Point(s) of Diversion L3 NESW S35
T19N R03E W4E1/4 Sec 14
PAVERIDGE ESTATE
Traverse to NORTH FORK PAVERIDGE
RIVER
Use: IRRIGATION (GALIS TO 1001.004
CFS)

Total Diversion: 644 cfs
Date Filed: 08/20/2001
Place Of Use: IRRIGATION

T19N R03E S35 NESW L4W 3 NWSE
L4W 3

Number of Acres 1.5
Remark: Application subject to irrigation-
sumptive use in the future and pending

Permits will be subject to all general water
rights. Protests may be submitted based on the
criteria of Sec 42-2004a Idaho Code.

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

2735 Affidavit by Shupe ID 83703 together
with a protest fee of \$25.00 for each application,
on or before 11/05/2001. The protestant must
also send a copy of the protest to the applicant
KARL J DREHER, Director 261825

RECEIVED

DEC 05 2001

WATER RESOURCES
WESTERN REGION

MICROFILMED

DEC 10 4 2002

INTER-DEPARTMENT MEMO--1

FROM Steve Lester

DATE 12/14/01

TO File

SUBJECT REQUEST TO EXPEDITE 65-22637

Applicant called 11/26/01 to request expedited decision - weather still favorable then for at least some of the proposed work. Told him Region would solicit Affidavit from paper & forward file asap.

Affidavit of publication received 12/5/01.

Application looks OK to approve.

Even though weather probably won't allow any work now, please expedite to give applicant his answer asap.

DEC 14 2001 thanks


SIGNATURE

NOTE

State of Idaho
Department of Water Resources

RECEIVED

OCT 22 2001

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

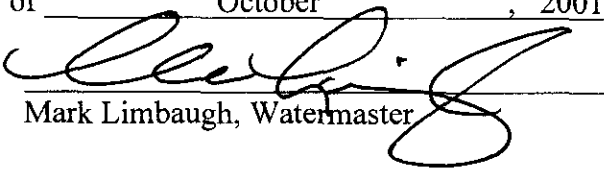
Application No 65-22637Applicant's Name: G. L. Barry, Jr.

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as follows: Under control of Watermaster for Water District
No. 65.
- c) ☐ I oppose approval of this application for the following reasons.
- d) Additional Comment: _____

Dated this 18th day of October, 2001

Water District No. 65


Mark Limbaugh, Watermaster

Use reverse side of page if you need more space

MICROFILMED

FEB 04 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

October 11, 2001

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

Re: Application for Permit No. 65-22637 in the Name of G. L. Barry and Application for
Amendment of Permit No. 78-7399 in the Name of Dasha Belkova

Dear Sir:

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 November 5, 2001.

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

Sincerely,


Gary Spackman

GS:st

Encl.

MICROFILMED

SEP 04 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

October 11, 2001

MARK LIMBAUGH
102 N MAIN
PAYETTE ID 83661

Re: Application for Water Right No. 65-22637 in the Name of G. L. Barry

Dear Watermaster:

Enclosed is a copy of the above-referenced application for permit. Also enclosed is a form for your recommendation concerning this application.

Please review the application and return any comments you might have within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

Gary Spackman

GS:st

Encl: Copy of Application
Recommendation of Watermaster Form

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FEB 04 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

FAX TRANSMITTAL COVER SHEET

FAX NUMBER (208) 334-2348

DATE: 10/2/01

TO: G. L. BARRY JR.

FROM: Steve Lester

FAX 208-634-5663

DOCUMENT DESCRIPTION/NOTES: Revised Application* as discussed.

If ok, please initial/date ok to changes on 1st pg. of
Application & complete "Request to process" form (last
option suggested).

FAX the Application & "R-t-p" form to me at earliest
convenience so processing can continue.

Original to follow in mail based on your ok.

Anticipated legal notices: Oct. 18 + 25, 2001.

" protest deadline: Nov. 5, 2001.

TOTAL PAGES SENT: 7 + COVER SHEET

CONTACT: _____

* Note - Appl. items 3 & 9 ... gov't. Lot 3 is surveying them
not to be confused with subdivision lot #.

SEP 11 4 2002

October 10, 2001

Legal Notice Department
STAR NEWS
1000 1ST ST
MCCALL ID 83638

RE: Application for Permit No. 65-22637

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 11/05/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

SEP 04 2002

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

65-22637

G L BARRY JR
PO BOX 409
MCCALL ID 83638

Point(s) of Diversion L3 NESW S35 T19N R03E VALLEY County Source PAYETTE LAKE
Tributary To NORTH FORK PAYETTE RIVER

Use: IRRIGATION 04/15 To 10/31 0.04 CFS

Total Diversion 0.04 CFS

Date Filed: 08/30/2001

Place Of Use: IRRIGATION

T19N R03E S35 NESW Lot 3 NWSE Lot 3

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 11/05/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published in the Star News on October 18 and 25, 2001.

MICROFILMED

FEB 04 2002

REQUEST TO PROCESS

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

Name of Applicant G. L. BARRY JR.
Mailing Address PO Box 409
MCALL ID 83638
Application No. 65-22637
(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.

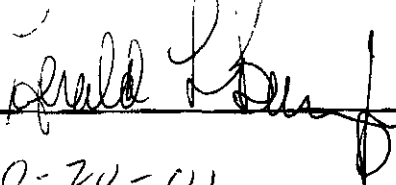
 PROPOSE MITIGATION NOW

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



Date

10-20-01

Please return this form to:

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

MICROFILMED

SEP 10 2002