

Idaho Department of Water Resources

T08N, R05W
S03 & S10

Owner: Knighten
Application



 Place of use

 POD

 SECTION LINES

 1/4 1/4



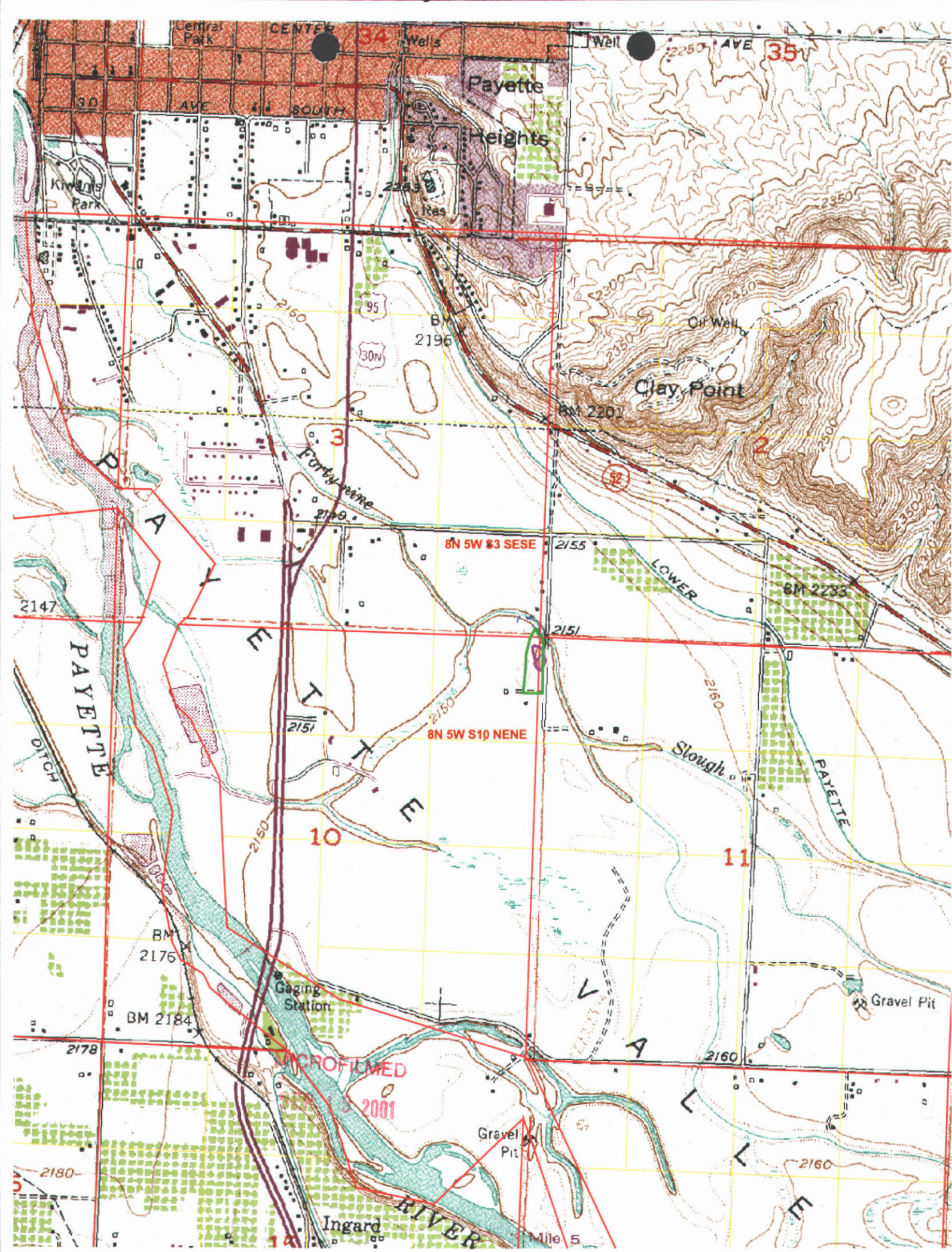
3.0 Acres



1997 NAPP







8N 5W S3 SESE

2155

2151

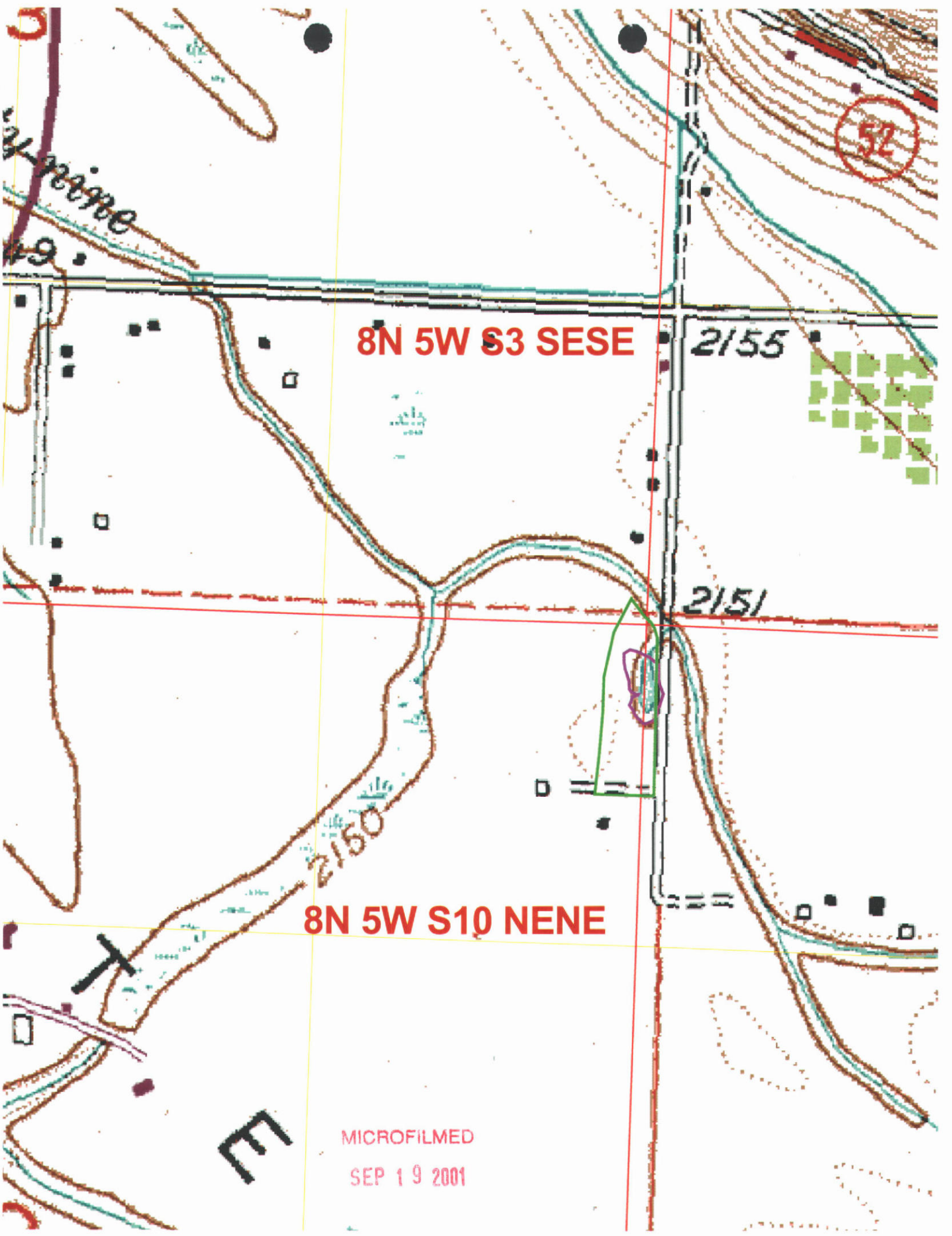
8N 5W S10 NENE

MICROFILMED
SEP 19 2001

52

2150

E



State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22456

Priority 05/15/2001

Maximum Diversion Rate

0.09 CFS

This is to certify, that DEBORAH A KNIGHTEN
8931 SOLTERBECK LN
PAYETTE ID 83661

And/Or

GREG D KNIGHTEN
8931 SOLTERBECK LN
PAYETTE ID 83661

has applied for a permit to appropriate water from

Source: POND

Tributary: FORTY-NINE SLOUGH

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>	<u>ANNUAL VOLUME</u>
IRRIGATION FROM STORAGE	03/01 to 11/15		6.0 AF
IRRIGATION STORAGE	01/01 to 12/31		6.0 AF
IRRIGATION	03/01 to 11/15	0.09 CFS	

LOCATION OF POINT(S) OF DIVERSION:

POND NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 10, Twp 08N, Rge 05W, B M PAYETTE 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	
08N	05W	3																3	3
08N	05W	10	2	7															27

Total Acres: 3

PLACE OF USE: IRRIGATION FROM STORAGE, same as Irrigation

PLACE OF USE: IRRIGATION STORAGE

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	10	X																

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SEP 19 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22456

CONDITIONS OF APPROVAL

- 1 Proof of application of water to beneficial use shall be submitted on or before **August 1, 2006**
- 2 Subject to all prior water rights
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- 4 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
- 5 Use of water under this water right will be regulated by the watermaster of State Water District No. 65
6. 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.
- 7 This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- 8 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 30th day of July, 2001.


for **KARL J DREHER, Director**

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SEP 19 2001

RECEIVED

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APR 17 2001

JUL 19 2001

FORM 202
2/96WATER RESOURCES
WESTERN REGION

Department of Water Resources

Ident. No. 65-22456APP ID # 69148

RECEIVED

MAY 15 2001

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

GREG D. KNIGHTEN AND/OR
DEBORAH A. KNIGHTEN

1. Name of Applicant _____ Phone 642-3180
Mailing address 8931 SOLTERBECK LANE PAYETTE ID 83661
2. Source of water supply POND which is a tributary of STOKS FORTY NINE
3. Location of point of diversion is Township 8N Range 5W Sec. 10, in the NE 1/4, NE 1/4, NE 1/4, Govt. Lot _____, B.M., PAYETTE County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount GAFA for IRRIG STORAGE purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount GAFA for IRR FROM STORAGE purposes from 3-10 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.09 CFS for IRRIGATION purposes from 3-10 to 11-15 (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) 0.09 CFS and/or (b) GAFA
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 300' x 140' x 6' POND FROM GRAVEL PIT, PUMP & SPRINKLER SYSTEM
- 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 5 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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JUL 19 2001

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	
8N	5W	3																.3	.3
		10	2.7																2.7

Total number of acres to be irrigated 3 ACRES

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? APPLICANT

b. Who owns the land to be irrigated or place of use? APPLICANT

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: POND IS Fed BY Shallow Groundwater.

This is an old Gravel Pit that has filled with
water. When water is pumped from the pond
the water level of the pond remains fairly
constant. No new pond construction is being
requested. JK

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.

[Signature] MICROFILMED
SEP 19 2001
Signature of Applicant (and title, if applicable)

Received by Rch Date 4-17-01 Time 1:57 PM Preliminary check by DAN
Fee \$ 100.00 Receipted by Rch # M006567525 Date 4/11/00
Publication prepared by AT Date 6-6-1301 Published in W027543575
Publication approved [Signature] Date 7-9-01 INDEPENDENT ENTERPRISE

Idaho Department of Water Resources

T08N, R05W
S03 & S10

Owner: Knighten
Application

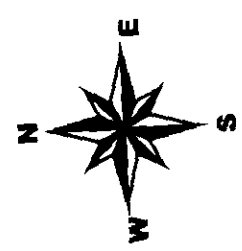
 Place of use

 POD

 SECTION LINES

1/4 1/4

0.0 Acres



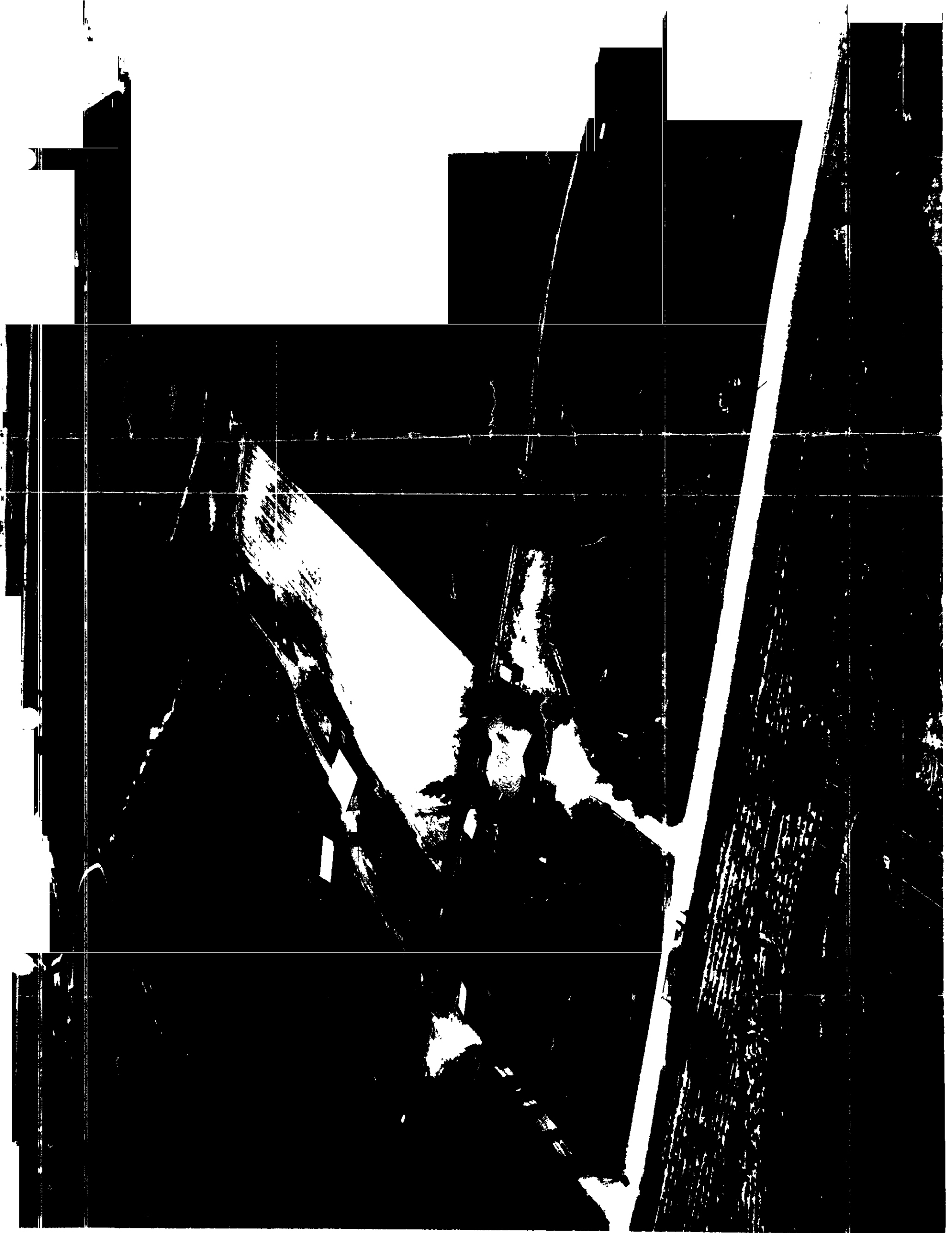
1997 NAPP



0.5 Miles

0.25

0





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

July 31, 2001

DEBORAH A KNIGHTEN
GREG D KNIGHTEN
8931 SOLTERBECK LN
PAYETTE ID 83661

RE Permit No 65-22456

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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.

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SEP 19 2001

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,



for Shelley W. Keen
Water Rights Supervisor

SWK.klt

Enclosure(s)

MICROFILMED

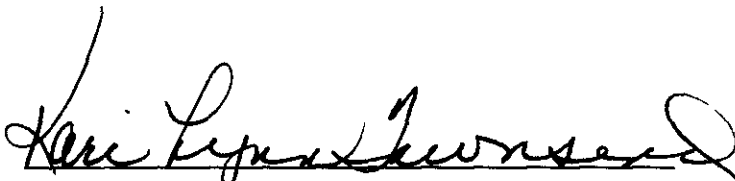
SEP 13 2001

CERTIFICATE OF MAILING

I hereby certify that on July 31, 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. 65-22456

**DEBORAH A KNIGHTEN
GREG D KNIGHTEN
8931 SOLTERBECK LN
PAYETTE ID 83661**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
SEP 19 2001**

**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.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 7/24/01

No 65-22456 Name Knighten 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 - 048-049 (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)
STOCKWATER - R37 (BLM/FS)-111 (instream 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

BENEFICIAL USE DUE. 6/01/2006

MISC CONDITIONS/REMARKS:

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

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 WB

≤ 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
i.e. D/convenience store)

Multiple pd's per 1/4

- W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single pd intended - 076

IRRIGATION SEASON 3/1 - 11/15 (Per updated map)

IRR VOLUME/ACRE 45

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

11.11.22a.
January 2001

ID .O DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

COMMENT
LETTERS

INITIAL REVIEW BY: DAN DATE: 5-8-01 APPLICATION: 65-22456

APP ID # 69148

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)
- ☒ 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)
- ☒ Subdivision plat: (for > 1 home in restricted area. \geq 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:

NO P/D

NO P/U

Yes ADVERTISE REMARK(S)

(Reviewer identify which remarks)

ADDITIONAL INFORMATION

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on next page.) NO SIGNIFICANT OVERLAP
- ☒ Overlapping point of diversion. NO SIGNIFICANT OVERLAP
- ☒ 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) EXISTING POND (OLD GRAVEL PIT)
- ☒ 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

RECEIVED

JUL 19 2001

Date Requested _____ Date Response Received _____ Department of Water Resources

PROCESSING

APP. NO. _____

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 6-25-01

Protests received.

Recommendations attached:

Measuring device required:

Water delivered by water master? District # 65

Special conditions of approval or cover letter: "STANDARD CONDITIONS"

and "WATER MASTER CONTROL"

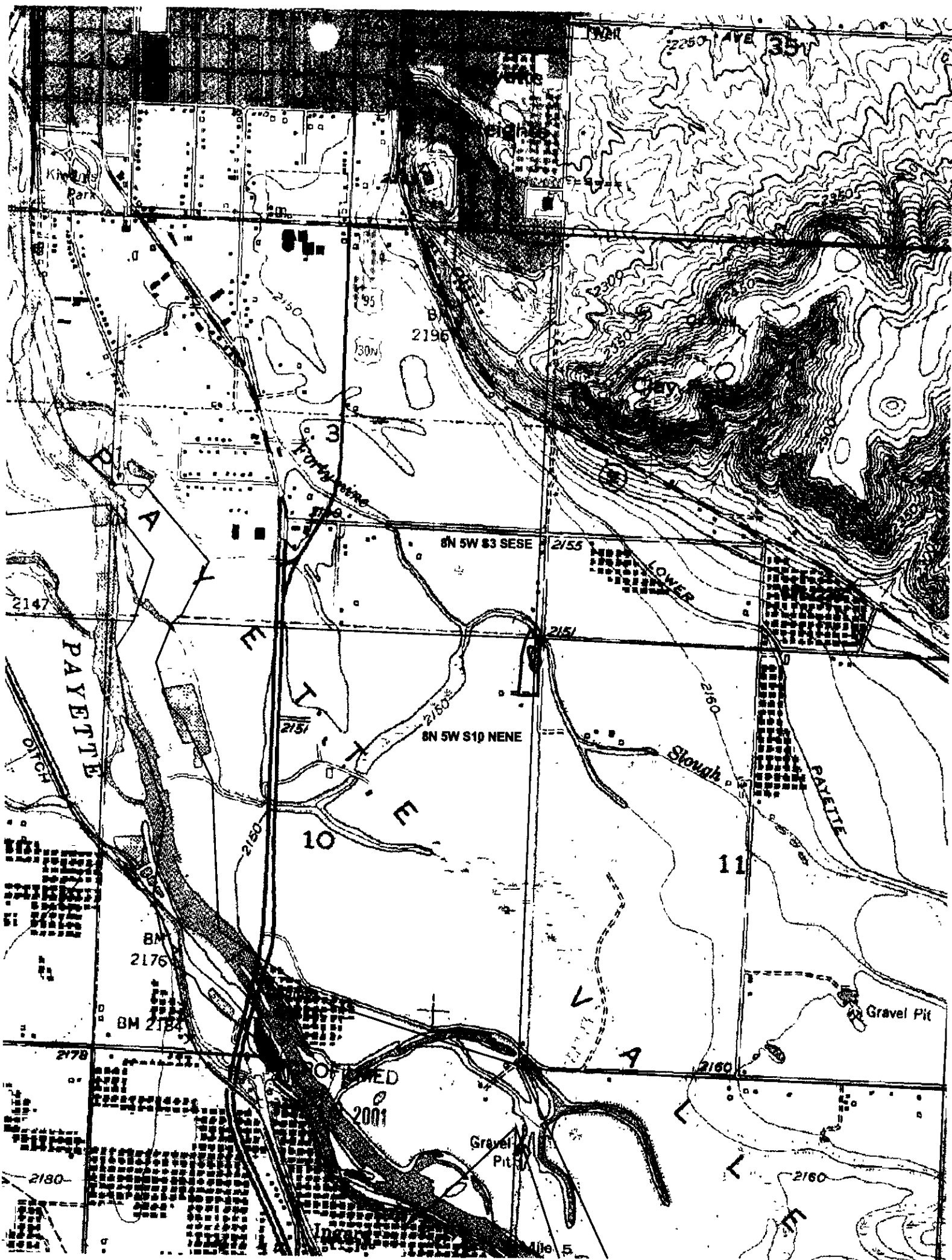
See below for additional information

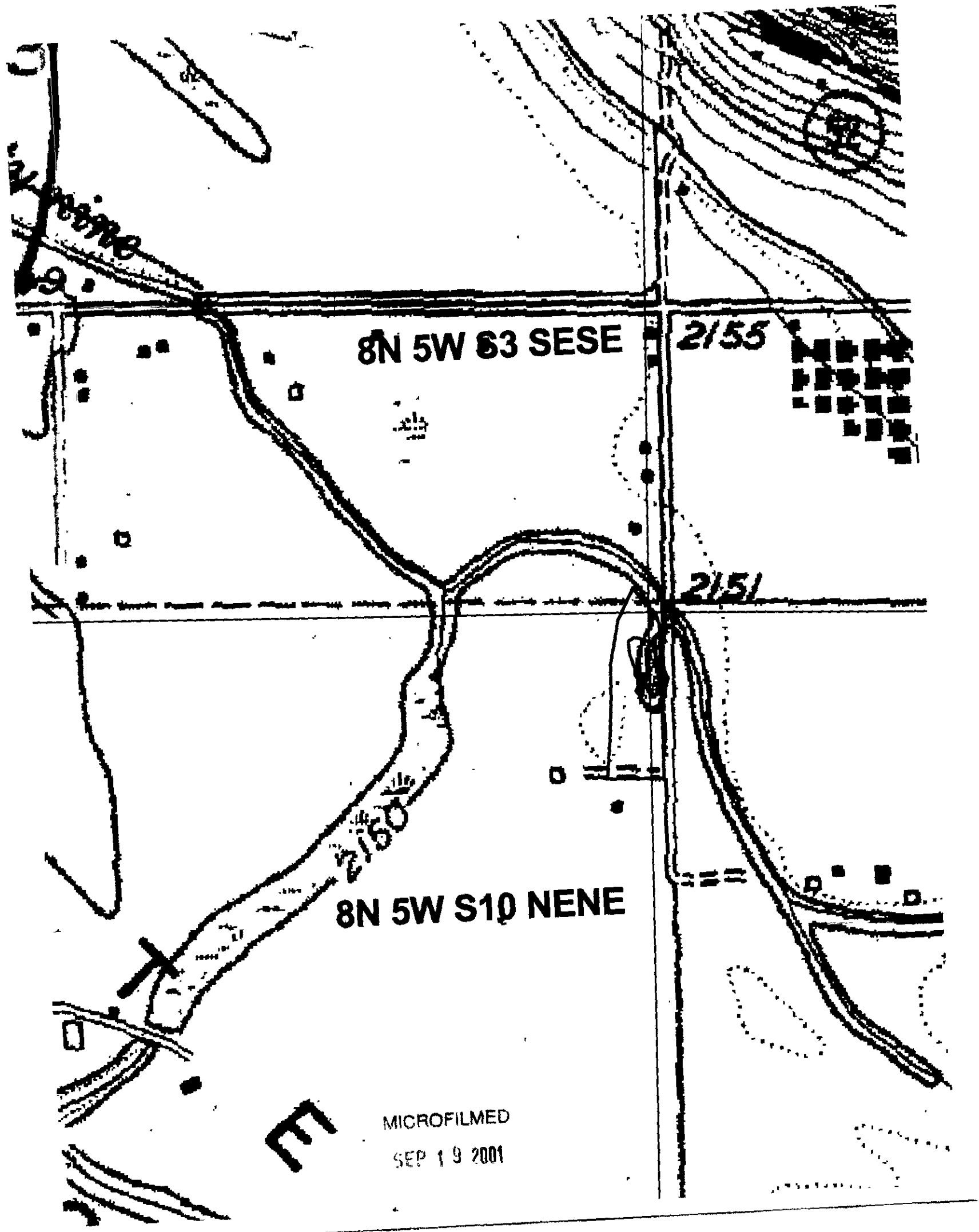
Recommended Date or Priority 5 - 15-01

Recommended by: Daniel A. Nelson Date: 7-11-01

ADDITIONAL INFORMATION:**Comment**

This application is diverted from a pond that was once used as a gravel extraction operation. The source of water for the pond is from shallow groundwater. The applicant can pump the pond with minimal draw down. There is a ditch to the Forty-nine Slough to allow excess water to be drained off. However, the only time that the pond delivers water to the slough is when there is excessive runoff going into the pond. The Lower Payette Ditch Company delivers water to land around the applicant's property, but the applicant stated that they do not own shares in the canal company. Therefore, there are no significant overlapping rights. A total of 3 acres will be irrigated under this application.





APPLICATION FOR WATER RIGHT

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

65-22456

GREG &/DEBORAH A. KNIGHTEN
8931 SOLTERBECK LN.
PAYETTE, ID 83661

Point(s) of Diversion NENENE S10 T08N R05W PAYETTE County Source POND
Tributary To FORTY-NINE SLOUGH

Use: IRRIGATION	03/11 To 11/15	0.09 CFS	
Use: IRRIGATION STORAGE	01/01 To 12/31		6 AFA
Use: IRRIGATION FROM STORAGE	03/11 To 11/15		6 AFA
Total Diversion.		0.09 CFS	6 AFA
Date Filed. 05/15/2001			

Place Of Use: IRRIGATION FROM STORAGE

T08N R05W S10 NENE
T08N R05W S3 SESE
Number of Acres 3
Place Of Use: IRRIGATION STORAGE
T08N R05W S10 NENE

Place Of Use. IRRIGATION
T08N R05W S10 NENE
T08N R05W S3 SESE
Number of Acres 3

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 6/25/01. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
No. 682

June 6, 13

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS

Copy of Notice
(First Copy)

Application for Water Right
TITLE OF PUBLICATION

(Knighten)

SPONSOR OF PLAINTIFF

Ida. Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Viola M. Hawkins, being
duly sworn, deposes and says:

That *he* is the *principal 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 *two* 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 *June 6, 2001*, and ending with the issue of *June 13, 2001*.

STATE OF IDAHO
COUNTY OF

On this *14th* day of *June* in the year of *2001*, before me, a Notary Public, personally appeared *Viola Hawkins*, 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.

Marilyn Rhinhardt
Notary Public for Idaho

Residing at *Trinidad*

My commission expires: *12-1-04*

RECEIVED

JUL 02 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
INDEPENDENT-ENTERPRISE

PAYETTE, IDAHO

Number of Lines

39 lines x 4 columns

Number of Insertions

(2) two

39 Lines @ *238* . . . \$

92.82

39 Lines @ *2.04* . . . \$

79.56

TOTAL COST

WILL BE \$ *172.38*

MICROFILMED

Nº 682

RECEIVED

JUN 15 2001

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application No. 65-22456

Applicant's Name Greg D. and/or Deborah A. Knighten

Watermaster's Recommendation

- a) _____ I do not oppose approval of this application.
- b) X 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 13th day of June, 2001

Water District No. 65

Mark Limbaugh, Watermaster

Use reverse side of page if you need more space

MC90, 10/1/52

2000



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 1, 2001

MARK LIMBAUGH
102 N MAIN
PAYETTE ID 83661

Re: Application for Water Right No. 65-22490 in the Name of Patricia J. Malloy.
Application for Water Right No. 65-22421 in the Name of Louis &/or Ella May Johns.
Application for Water Right No. 65-22456 in the Name of Greg &/or Deborah Knighten.

Dear Mr. Limbaugh:

Enclosed are copies of the above-referenced applications for permit. Also enclosed are forms for your recommendation concerning these applications.

Please review the applications. We must have your comments within two weeks.

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

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

June 1, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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

Re: Application for Water Right No. 65-22490 in the Name of Patricia J. Malloy.
Application for Water Right No. 65-22421 in the Name of Louis &/or Ella May Johns.
Application for Water Right No. 65-22456 in the Name of Greg &/or Deborah Knighten.

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 June 25, 2001.

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

Sincerely,

Gary Spackman

GS:lm
Encl.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

GREG D AND/OR DEBORAH A KNIGHTEN
8931 SOLTERBECK LANE
PAYETTE ID 83661

RE: APPLICATION FOR PERMIT FOR POND

Dear Mr. and Ms. Knighten:

Enclosed is your original application for permit for a pond. In our telephone conversation on 5/10/01 we discussed some possible changes that could be made to your application. You asked me to make the changes and send the original application to you to review and initial if you agreed with the changes. I have noted each change with a sticky note and made the changes in black ink. Please review the changes and make any corrections that you deem necessary. Please return the application in the self addressed postage paid envelope enclosed.

Thank you for your patience and if you have any questions please contact me at the above address.

Respectfully,

A handwritten signature in black ink that reads "Daniel A. Nelson".

Daniel A. Nelson
Sr. Water Right Agent

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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

May 30, 2001

Legal Notice Department
Independent Enterprise
PO Box 520
Payette ID 83661

RE: Application for Permit No. 65-22456 and 65-22525

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 06/25/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MAILED 10/1/01

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

65-22456

GREG &/or DEBORAH A KNIGHTEN
8931 SOLTERBECK LN
PAYETTE ID 83661

Point(s) of Diversion NENENE S10 T08N R05W PAYETTE County Source POND
Tributary To FORTY-NINE SLOUGH

Use:	IRRIGATION	03/11 To 11/15	0.09 CFS	
Use:	IRRIGATION STORAGE	01/01 To 12/31		6 AFA
Use:	IRRIGATION FROM STORAGE	03/11 To 11/15		6 AFA
	Total Diversion:		0.09 CFS	6 AFA

Date Filed: 05/15/2001

Place Of Use: IRRIGATION FROM STORAGE

T08N R05W S10 NENE

T08N R05W S3 SESE

Number of Acres 3

Place Of Use: IRRIGATION STORAGE

T08N R05W S10 NENE

Place Of Use: IRRIGATION

T08N R05W S10 NENE

T08N R05W S3 SESE

Number of Acres 3

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 06/25/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Independent Enterprise on June 6 and 13, 2001.

RECORDED

REQUEST TO PROCESS

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

Name of Applicant

GREG & /OR DEBORAH KNIGHTEN

Mailing Address

8931 SOLTFRBECK LANE

PAYETTE ID 83661

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.

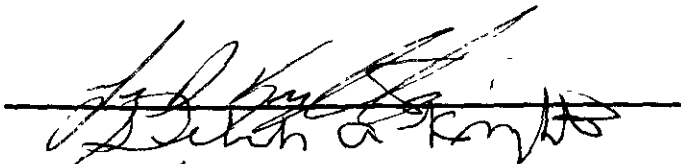
☐ PROPOSE MITIGATION NOW

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.

☒ 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

4-17-01

Please return this form to:

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

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APR 17 2001

WATER RESOURCES
WESTERN REGION

REQUEST FOR WITHDRAWAL OF CLAIM

Name of Claimant: GREG & DEBORAH KNIGHT
Mailing Address: 8931 SOLTHER BECK LANE
Amount: \$ 25 Receipt No.: M006567
Claim No(s).: A65-18507

I/We wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I/We previously paid a filing fee to the Idaho Department of Water Resources. I do X/do not request a refund of the filing fee. If a refund is requested, I/We have attached an explanation of the justification for granting the refund.

PLEASE APPLY 25. FEE TO NEW APPLICATION FOR PERM

For Individuals:

(Signature of Claimant) 4-17-01
(Date)

(Signature of Claimant) 4-17-01
(Date)

For Organizations:

(Signature of Authorized Agent) _____ (Date)

(Title)

(Name of Organization)

Return to: Idaho Department of Water Resources
Adjudication Section
Statehouse Mail
Boise, Idaho 83720

For IDWR Use

	<u>Initials</u>	<u>Date</u>
Approval Region	<u>Rdh</u>	<u>4-17-01</u>
Approval State Office	<u></u>	<u></u>
Data Entry	<u></u>	<u></u>

Revised 5-93

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APR 17 2001

**WATER RESOURCES
WESTERN REGION**