



SESE

0.8

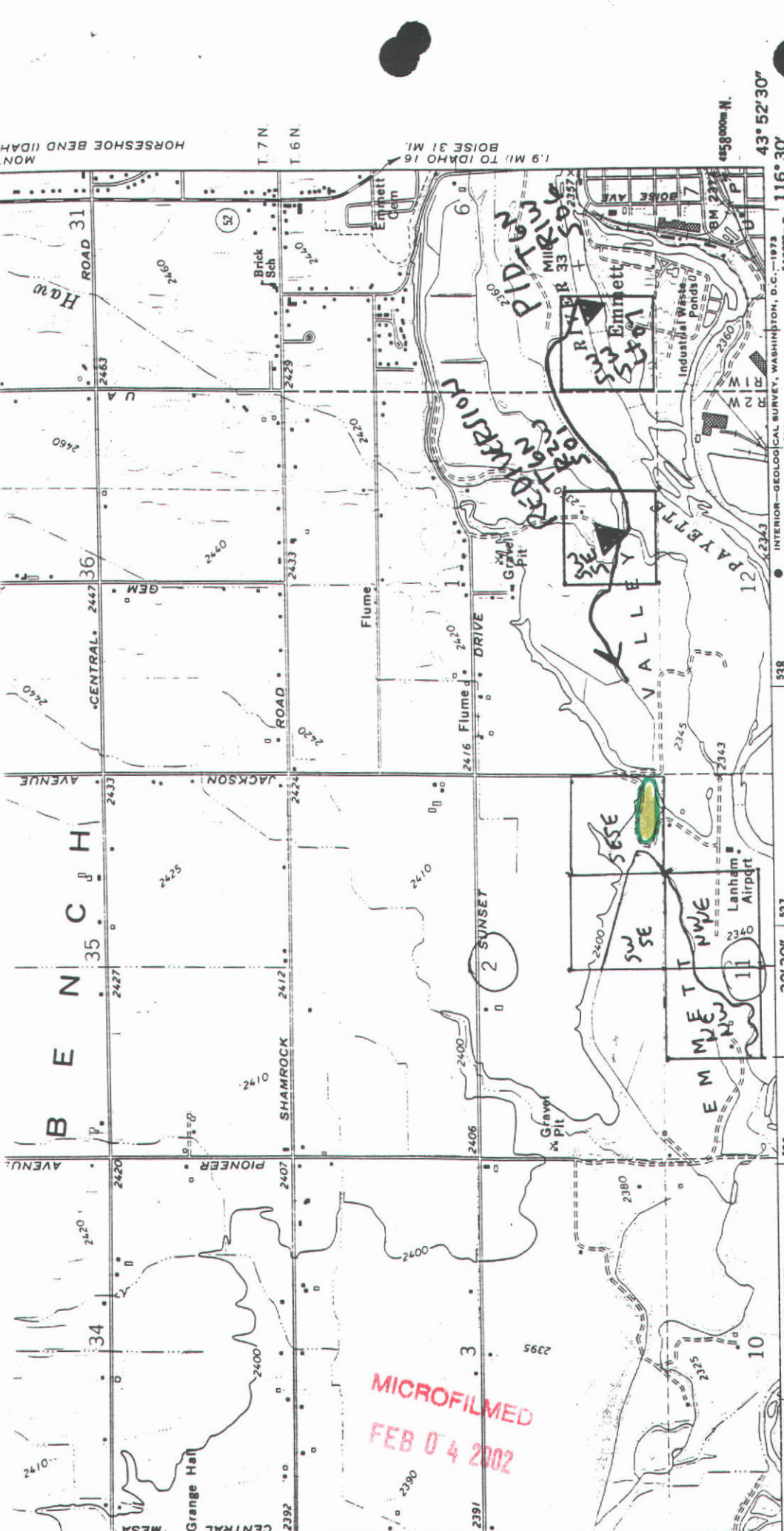
2.8

1.4

a55E

a55F

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(MONTGOMERY 1-82 500)

ROAD CLASSIFICATION

Primary highway, hard surface _____
 Light-duty road, hard or improved surface _____
 Secondary highway, hard surface _____
 Unimproved road _____

○ Interstate Route □ U. S. Route ○ State Route

PID OVERLAP

WR # 805
 5071
 5311
 8742A
 8742B
 11262
 11264
 19626 DISALLOWED

1 MILE



CONTOUR INTERVAL 20 FEET
 DOTTED LINES REPRESENT 5-FOOT CONTOURS
 DATUM IS MEAN SEA LEVEL

NORTHWEST EMMETT, IDAHO
 N4352.5-W11630/7.5

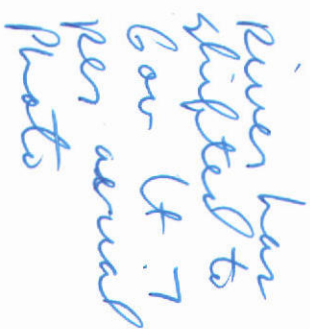
COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 GICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
 3ING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

1971

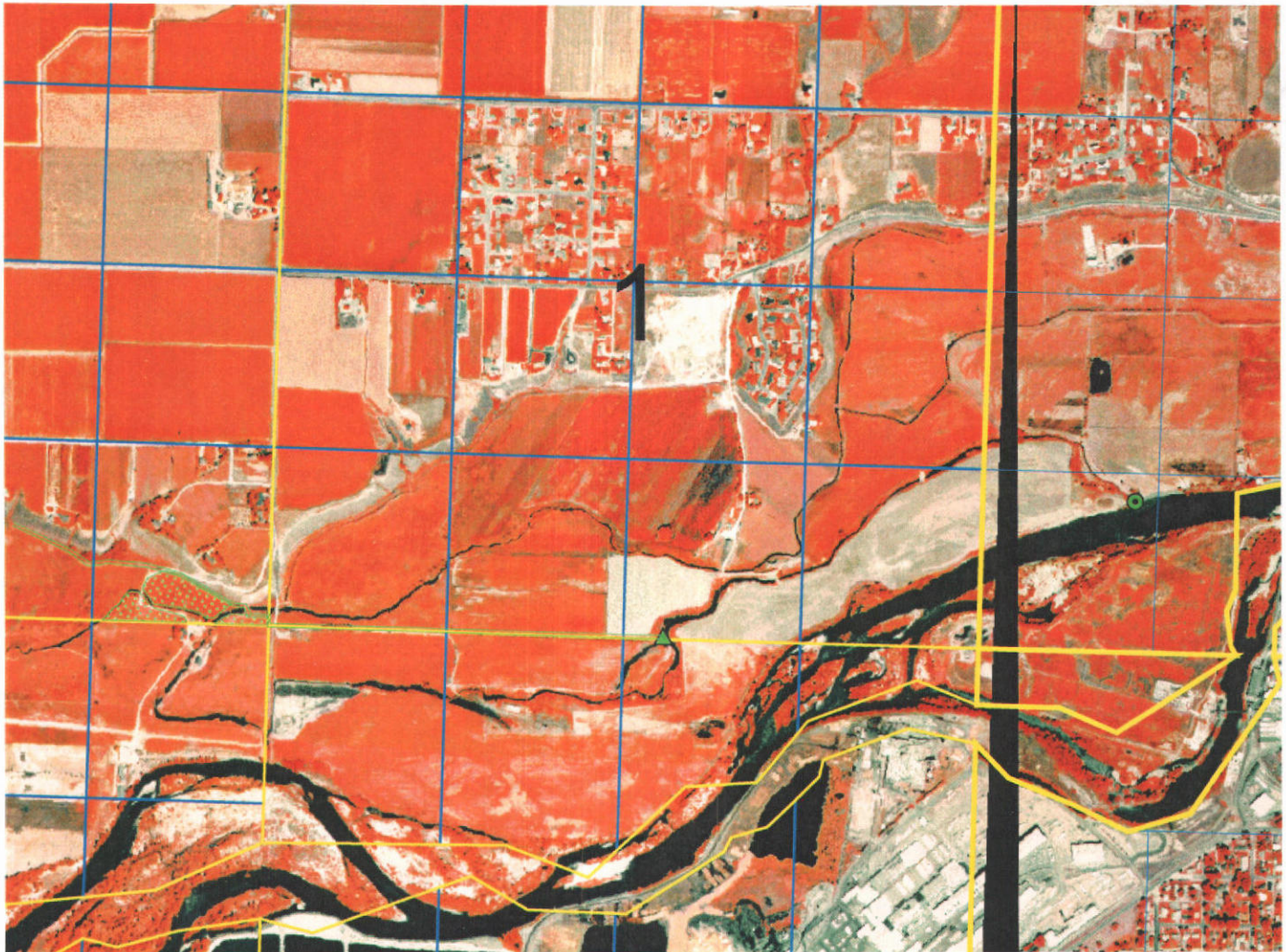
AMS 2871 I NE-SERIES V893

W-6

TOWNSHIP N: 6 NORTH. RANGE N: 1

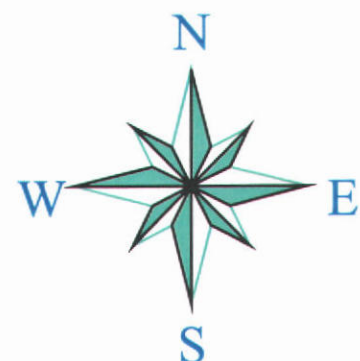


65-22376
T6N R2W



0.4 0 0.4 0.8 Miles

-  P/U
-  Ditch
-  Re-diversion Pt
-  P/D
-  Sec Line
-  1/41/4 Line





Re-
Dwernon head-
gate from slough
into 18" pipe
se SW se Sec 1



18" pipe →



Ditch to P/u

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-22376

Priority: April 11, 2001

Maximum Diversion Rate. 0.15 CFS
Maximum Diversion Volume. 22.5 AF

It is hereby certified that REX E LANHAM
2630 HWY 21
BOISE ID 83716 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 11, 2001, and has
submitted Proof of Beneficial Use on October 02, 2002. An examination indicates that the works have a
diversion capacity of 2.32 cfs of water from:

SOURCE

PAYETTE RIVER

Tributary: SNAKE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/01 to 11/15	0.15 CFS	22.5 AF

LOCATION OF POINT(S) OF DIVERSION:

PAYETTE RIVER L7 (SW¼ SW¼) Sec. 6, Twp 06N, Rge 01W, B.M. GEM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06N 02W 2																	5.0

Total Acres 5

CONDITIONS OF APPROVAL

- 1 The issuance of this right does not grant any right-of-way or easement across the land of another
- 2 When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined
- 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

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 65-22376

- 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 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.
- 7 The point of diversion for this right is locally known as Gill Slough.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 19th day of January, 2005


for KARL J. DREHER
Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.)
65-22376 IN THE NAME OF) **REINSTATEMENT ORDER**
REX E. LANHAM)
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before October 1, 2002; and,

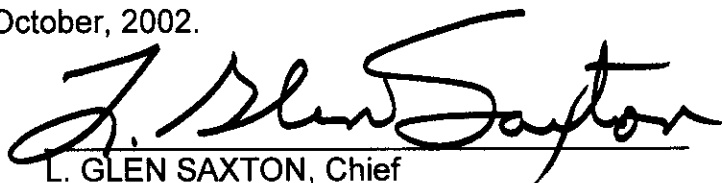
WHEREAS, the Department notified the permit holder on July 31, 2002, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use or an extension of time request; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the lapse; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on October 2, 2002;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-22376 is **REINSTATED** with an advance in priority to **April 12, 2001**.

DATED this 11th day of October, 2002.


L. GLEN SAXTON, Chief
Water Allocation Bureau

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OCT 18 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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OCT 01 2002

PROOF OF BENEFICIAL USE

OCT - 3 2002

WATER RESOURCES
WESTERN REGION

Department of Water Resources

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. 65-22376 Telephone No. 344-1971
2. Name of Permit Holder(s): Rex E Lanham
3. Mailing Address: 2630 Hwy 21
City Boise State Ida Zip 83716
4. Source of Water: Spring/unnamed stream If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
Well Driller: spring Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): 300 hd Lam/this Dec 31
Irrigation (No. of acres) 5 Other _____
6. Total rate of diversion and/or volume for which proof is submitted: .15 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 ✓
Has the measuring device been installed? Yes _____ or No ✓
8. Fee Enclosed: \$ _____ (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 REX Telephone Number 939-8443
365-2556
Address _____
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. Rex E Lanham owner Date: Oct 1, 2002
(include your title, if on behalf of company or organization)

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NOV 18 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22376

Priority: 04/11/2001

Maximum Diversion Rate: 0 15 CFS

This is to certify, that REX LANHAM
2630 HWY 21
BOISE ID 83716

has applied for a permit to appropriate water from:

Source: PAYETTE RIVER

Tributary: SNAKE 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	03/01 to 11/15	0.15 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAYETTE RIVER L7 SW¼SW¼ Sec. 6, Twp 06N, Rge 01W, B.M. GEM 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	
06N 02W 2																50	50

Total Acres: 5

CONDITIONS OF APPROVAL

- 1 Proof of application of water to beneficial use shall be submitted on or before **October 1, 2002**
- 2 Subject to all prior water rights.
- 3 The issuance of this right does not grant any right-of-way or easement across the land of another.
- 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 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
- 8 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.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code Witness the signature of the Director, affixed at Boise, this 19th day of September, 2001

MICROFILMED
FEB 04 2002

[Signature]
for KARL J DREHER, Director

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SEP - 5 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant REX LANHAM Phone 344-1971
Post Office address 2630 HWY 21 BOISE ID 83716 365-2556
2. Source of water supply PAYETTE RIVER which is a tributary of SNAKE RIVER
3. Location of point of diversion is 1/4 of SW 1/4 of SW 1/4, Govt. Lot 7
Sec. 6 Township 6N Range 1W B.M. GEM County; additional points of diversion if any: REDIVERSION - T6N, R2W, S01, SWSE
4. Water will be used for the following purposes:
Amount 132.15 RL for IRRIGATION purposes from 3-15 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) 132.15 RL and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Ditch, gravity flow, headgates
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
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) _____
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 if 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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SEP 9 2002

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	
6N	2W	02																4.4 RL	4.4 RL

Total number of acres to be irrigated 4.4 5^{RL}

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? HOLBROOK

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 enable the applicant to make this filing: RIGHT AWAY AGREEMENT FOR POD.

12. Remarks: THE SYSTEM EXISTS AND B/U could be Filed.

13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

G. L. L. Ap 10-2001
(Applicant)

Received by RLH Date 4-11-01 Time 2:20 PM Preliminary check by DAN
Fee \$ 100 Receipted by RLH # W027549 Date 4-11-01
Publication prepared by RLH Date 5-16-01 Published in MESSANGER INDEX
Publication approved RLH Date 5-14-01, 6-12-01

MICROFILMED

1000 1/2 2002

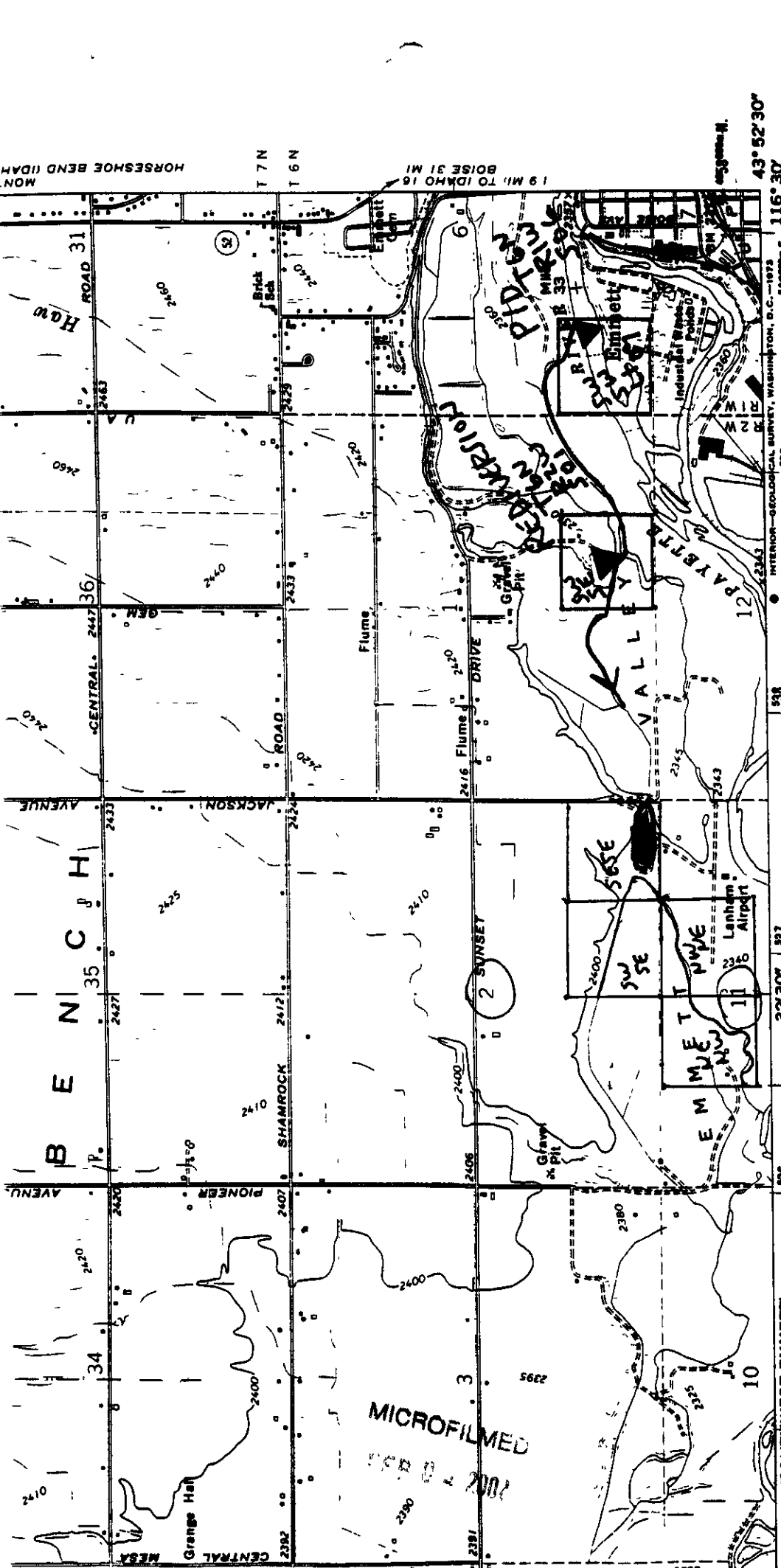


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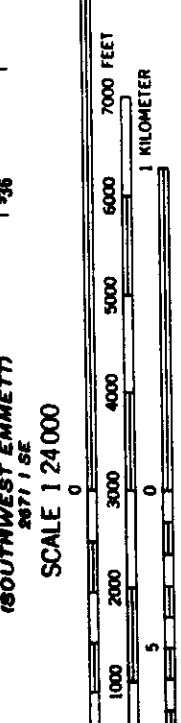
MICROFILMED
PER 9 * 2002



MONTOUR 1:82 5001
2771 IV

ROAD CLASSIFICATION
 Primary highway, hard surface
 Secondary highway, hard surface
 Light-duty road, hard or improved surface
 Unimproved road
 Interstate Route
 U S Route
 State Route

PID OVERLAP
 NR 8
 805
 5971
 5311
 8742A
 8742B
 11262
 11264



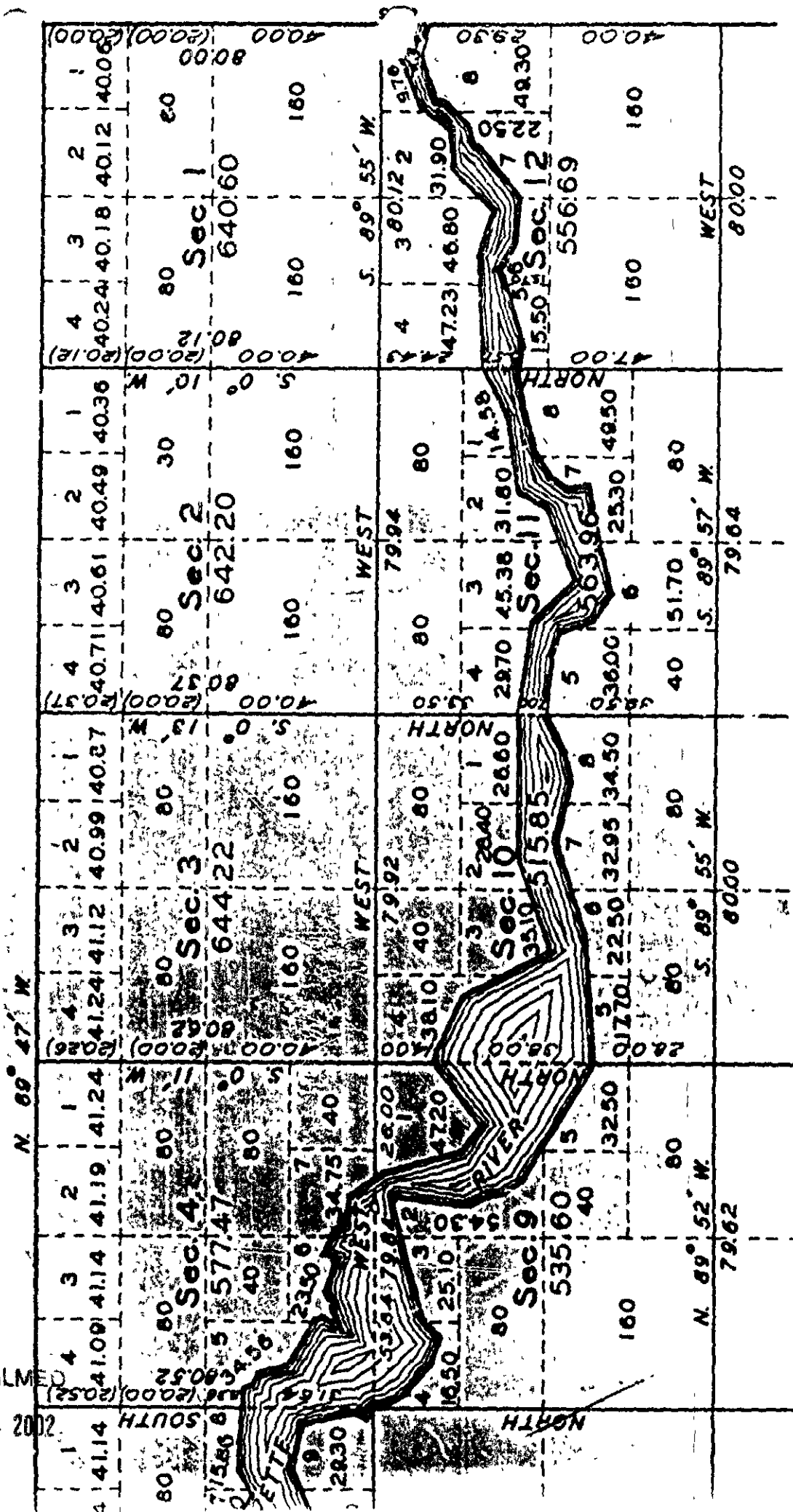
NORTHWEST EMMETT, IDAHO
 N4352.5-W11630/7.5
 1971
 AMS 2671 I NE-SERIES V895
 COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
 GICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
 ZING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST
 W-6

COPY OF

ANGE N° 2 WEST OF THE BOISE MERIDIA

MICROFILMED

SEP 04 2002





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 20, 2005

REX E LANHAM
2630 HWY 21
BOISE ID 83716

RE: License No. 65-22376 - Issuance of License

Dear Water Right Holder(s):

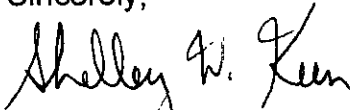
The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license 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.

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

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

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

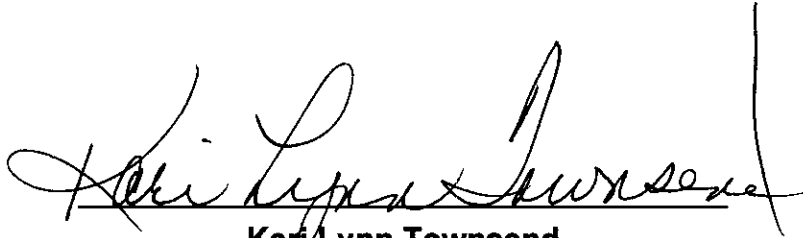
CERTIFICATE OF SERVICE

I hereby certify that on January 20, 2005 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

65-22376

**REX E LANHAM
2630 HWY 21
BOISE ID 83716**



**Karl Lynn Townsend
Secretary**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

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

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: January 19, 2005
To: Water Right File 65-22376
From: E Retelle
Re: PoD

Because there are 14 or 15 other water rights that share the PoD from the Payette River, the local name (which I obtained from the watermaster) was used on the license instead of listing all the rights.

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OCT 28 2002

Page 1

Permit No: 65-22376

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 65-22376

Exam Date: 10/01/02

1. Current Owner. REX LANHAM
2630 HWY 21
BOISE ID 83716
(208)939-8443 or 208-365-2556

2. Accompanied by: Rex

Phone No:

Address:

Relationship to Permit Holder:

3. SOURCE

PAYETTE RIVER

TRIBUTARY

SNAKE RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None
2. Other water rights with the same point of diversion: 65-805, -5071, -5311, -8742A & B, -11262, -11264

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

PAYETTE RIVER	L7 SW1/4SW1/4	Sec. 6,	Twp 06N,	Rge 01W, B.M
GEM County				
PAYETTE RIVER	SE1/4SW1/4SE1/4	Sec. 1,	Twp 06N,	Rge 02W, B.M.
GEM County	(Rediversion)			

Method of Determination: Exam, Topo

2.

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	
06N	02W	2																5.0	5.0

Total Acres. 5

Method of Determination:

3. ☐ Y ☐ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- ☐ Y ☐ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater
- ☐ Y ☐ Aerial Photo Attached (required for irrigation of 10+ acres)
- ☐ Y ☐ Photo of Diversion and System Attached

4.

<u>Well or Diversion ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge Size</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

<u>Measurement Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

2. Measurements: A measurement of 2.32 cfs was made on the same diversion system in 1986 for rights 65-5311 and 65-8742 owned by applicant's sister. As stated in the measurement summary, lateral and irrigation system can deliver more water than measured.

E. FLOW CALCULATIONS ☐ Additional Computation Sheets Attached

Measured Method: Flow meter--see exam for 65-5311 and 65-8742

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation.

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \times 4.5 = 22.5$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = .15 \times 260 \times 1.9835 = 77.4$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 22.5$$

2. Volume Calculations for Other Uses:

G. NARRATIVE/REMARKS/COMMENTS

A headgate and ditch is used to divert water from the Payette River, which then forms a slough, locally known as "Gill Slough". From there the water is re-diverted via 18" pipe and headgate into a delivery ditch approximately 6' wide by 3' deep. The system is used to fulfill up to seven other rights and several other acres. The system has more than enough capacity to fulfill this right. The reason this permit was filed was because the subject five acres were overlooked in the previous Payette River Adjudication due to ownership confusion and issues. According to Mr. Lanham, the acres have been irrigated since at least 1958 via ditch, gravity and flood irrigation. No other rights are used.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS**1. Recommended Amounts**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/15	0.150 CFS	22.5 AF
<u>Totals:</u>		0.150 CFS	22.50 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☒ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Lon Guzman Date 10/18/02

Reviewer _____ Date _____

CONVERSATION MEMORANDUM

DATE 8/25/86FILE 65-5311 & 65-8742NAME OF PARTY J.E. Mitchell (New owner ~~of~~ Hagel Janham)EMPLOYEE John K. Noyes

RE: The following measurements were made at the concrete diversion box for rights 65-5311 & 65-8742 - Hagel Janham owns these two rights. 65-8742 - concrete ditch south of gill slough & east of house. 1.9 CFS
65-5311 .42 north of Gill Slough.
total 2.32 CFS measured

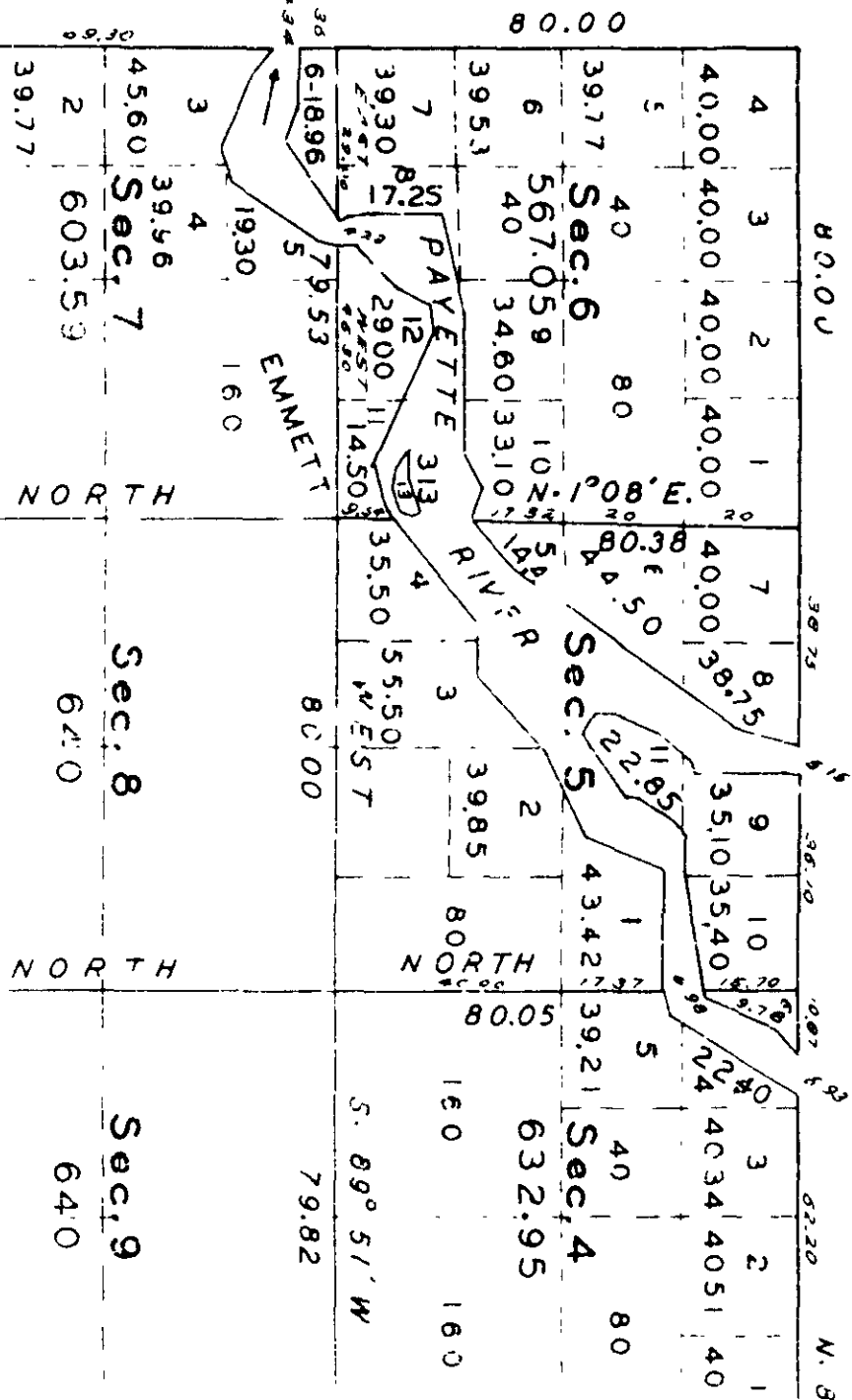
65-5311 50 acres65-8742 28 acres78 acres total

$2.32 = 116 \text{ inches} \div 78 = 1.49 \text{ inches per acre.}$
Water in lateral is divided at diversion box for these two rights - water can also be spilled into Gill Slough. Lateral & irrigation systems can deliver more water than measured if need arises. Pipeline delivers water from concrete diversion box to right 65-5311.

TOWNSHIP N° 6 NORTH. RANGE N° 1

COMPOS I

*river bar
shifted to
bar lt 7
per aerial
photo*



65-22376

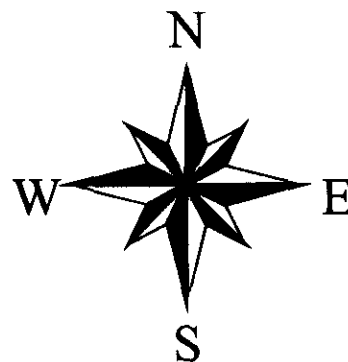
T6N R2W



0.4 0 0.4 0.8 Miles

A horizontal scale bar with four segments. The first segment is labeled '0.4', the second '0', the third '0.4', and the fourth '0.8 Miles'. The bar is divided into smaller units, likely representing 0.1 miles each.

-  P/U
-  Ditch
-  Re-diversion Pt
-  P/D
-  Sec Line
-  1/41/4 Line





Re -
Dwernon head-
gate from slough
to 15" pipe
se SW sec 1

15" pipe



Ditch to P/u



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

October 15, 2002

REX E LANHAM
2630 HWY 21
BOISE ID 83716

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-22376

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since proof was submitted after the proof due date.

Upon review of your proof I found that you stated you were using this right for 300 head of stock. This permit was not permitted for stockwater use, it only permits irrigation of 5 acres. If you need to water stock, you may need to file an application with the department to address that need.

Additionally, condition of approval 6 of the permit requires that prior to diversion of water, the right holder shall install a lockable device that will provide the watermaster suitable control of the diversion. You must comply with this condition to develop this water right permit. You may want to contact the watermaster of Water District 65 to determine the type of lockable device needed.

Please 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.

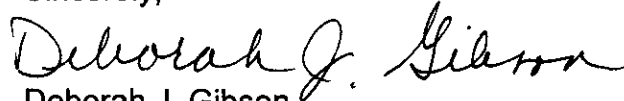
The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the

MICROFILMED
OCT 15 2002

REX LANHAM
October 11, 2002
Page 2

water. If you have questions concerning the field examination, please contact the
Western Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure
c: IDWR - Region

MICROFILMED
NOV 18 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No . 65-22376

Reviewed By dgibson

Date October 11, 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		W027549, W029754	Well driller's report filed?		X
Additional Amount Due			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?		X	Measure device waiver requested?		

Priority Calculation

Date proof received		10/02/2002
Date proof due	-	10/01/2002
Lapse notice sent	-	
No of days late	=	1
Holiday allowance	+	
Priority date	+	04/11/2001
New priority date	=	04/12/2001

Deficiencies of Actions Items

Reinstate permit and issue order advancing priority date to April 12, 2001. Note to the customer regarding the 300 head of stockwater that is referenced on his proof, that is not covered by this permit.

July 31, 2002

REX LANHAM
2630 HWY 21
BOISE, ID 83716

PROOF DUE NOTICE

RE: PERMIT NO. 65-22376

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 October 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.

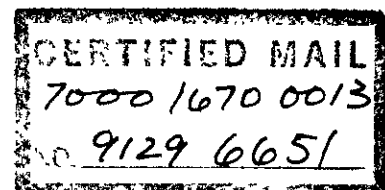
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the 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

September 20, 2001

REX LANHAM
2630 HWY 21
BOISE ID 83716

RE: Permit No. 65-22376

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.

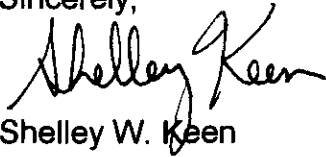
Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should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

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
SEP 24 2002

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley Keen". The signature is written in black ink and is positioned above the printed name.

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

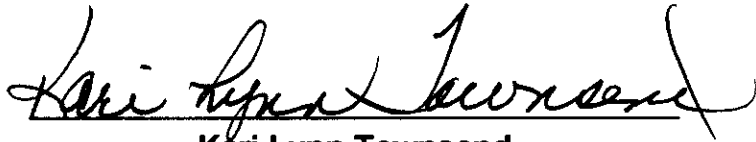
MICROFILMED
FEB 04 2002

CERTIFICATE OF MAILING

I hereby certify that on September 20, 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. 65-22376

**REX LANHAM
2630 HWY 21
BOISE ID 83716**


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).

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 9/18/01

No. 65-22376 Name: Lanham 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

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: 10/01/2002

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

IRR VOLUME/ACRE 4.5

OTHER CONDITIONS/REMARKS

COMMENTS "Rediversion" is from ditch - should not be listed in database under pod

IC J DEPARTMENT OF WATER RESO IS
APPROPRIATION APPLICATION ANALYSIS SHEET

Comment: LEADS

INITIAL REVIEW BY: DAN DATE: 5-2-01 APPLICATION: 05-22376
APP ID # 69097

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)
- N/A 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:
YES 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.) NONE ARE SIGNIFICANT.
- ☒ Overlapping point of diversion. MULTIPLE RIGHTS ARE DIVERTED THROUGH THE SAME DITCH. KNOWN AS BENTLEY-BANK DITCH.
- ☒ 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). (EXISTING P/D)
- ☒ 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

Date Requested _____ Date Response Received _____

APP. NO. 5- 22376

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

YES NO

YES NO

☒ U.S. BLM
☒ U.S. Forest Service
☒ Water Dist. # 65
☐ Water Planning Bureau
☒ Other See Attached List
OF WATER USERS ON DITCH

YES NO

Publication dates and paper recorded on application:

✓ **Protests received.**

Recommendations attached:

 Measuring device required:

Water delivered by water master? District # 65, Payetta River

Special conditions of approval or cover letter: 12

See below for additional information

Recommended Date or Priority 4/11/01

Recommended by: Gandy Date: 9/1/01

Water Delivered Through Bentler-Bowen Ditch.
Multiple Rights overlap The P/D. A comment
has been sent to all of the users on
The ~~Bank~~ Ditch. There is ~~also~~ overlapping
Rights on P/D, But they are for
lands surrounding the property to be
irrigated.

MAILING LIST FOR COMMENT LETTERS

JAMES L STANDLEY ✓
3527 PIONEER AVE
EMMETT, ID 83617

RICHARD & ✓
ROXANNE ZAMZOW
TRUST
11555 THOMAS DR
BOISE, ID 83709

CATHERINE ✓
GILLIHAN
HAZEL LANHAM
9157 W CORY LN
BOISE, ID 83704

SISLER FAMILY LLC ✓
C/O JOY R SISLER
4455 SUNSET DR
EMMETT, ID 83617

HAROLD E BARRETT ✓
SHIRLEY BARRETT
1466 W 12TH ST
EMMETT, ID 83617

State of Idaho
Department of Water Resources

RECEIVED

JUN 15 2001

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

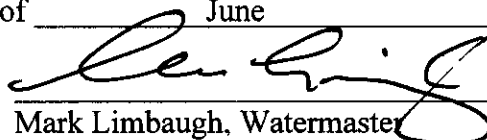
Application No: 65-22376; 65-22377Applicant's Name: Rex Lanham

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 13th day of June, 2001

Water District No. 65


Mark Limbaugh, Watermaster

Use reverse side of page if you need more space

MICROFILMED
FEB 04 2002

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
65-22374

DA - MYERS
S E HOWELL
2800 MO RD
BOISE ID 83704

Point(s) of Diversion SWNWSW S1 T11NR01E GEMCounty
Point(s) of Diversion SWNWSW S1 T11NROIE GEMCounty
Use: IRRIGATION 03/15 To 10/31 0.08 CFS
Total Diversion: 0.08 CFS

Source KIMBALL GULCH CREEK
SECOND FORK SQUAW CREEK
Source KIMBALL GULCH CREEK
SECOND FORK SQUAW CREEK

Date Filed: 04/26/2001
Place Of Use: IRRIGATION

T11N R01E S2 NWSE SESE

Number of Acres 4

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

RECEIVED

MAY 24 2001

WATER RESOURCES
WESTERN REGION

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
65-22376

REX LANHAM
2630 HWY 21
BOISE ID 83716

Point(s) of Diversion L7 SWSW S6 T06N R01W GEM County
Point(s) of Diversion SWSE S1 T06N R02W GEM County
Use: IRRIGATION 03/15 To 11/15 0.15 CFS
Total Diversion: 0.15 CFS

Source PAYETTE RIVER
Source PAYETTE RIVER

Date Filed: 04/11/2001
Place Of Use: IRRIGATION

T06N R02W S2 SESE

Number of Acres 5

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

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
65-22377

REX LANHAM
2630 HWY 21
BOISE ID 83716

Point(s) of Diversion L3 SENW S11 T06N R02W GEM County
Use: IRRIGATION 03/01 To 11/15 0.7 CFS
Total Diversion: 0.7 CFS

Source UNNAMED STREAM

Date Filed: 04/11/2001
Place Of Use: IRRIGATION

T06N R02W S11 NENW SENW Lot 3

Number of Acres 35

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

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
65-22381

GUINN FAMILY TRUST
4909 W IDAHO BLVD
EMMETT ID 83617

Point(s) of Diversion L3 NENW S4 T06N R02W GEM County
Point(s) of Diversion L5 NWSW S4 T06N R02W GEM County
Point(s) of Diversion L5 NWSW S4 T06N R02W GEM County
Use: IRRIGATION 03/01 To 11/15 0.68 CFS
Use: STOCKWATER 01/01 To 12/31 0.07 CFS
Total Diversion: 0.68 CFS

Source WASTEWATER
Source WASTEWATER
Source WASTEWATER

Date Filed: 04/10/2001
Place Of Use: IRRIGATION

T06N R02W S4 NENW NWNW SWNW SENW NESW NWSW

Number of Acres 130.5

Place Of Use: STOCKWATER
T06N R02W S4

NENW NWNW SWNW SENW NESW NWSW

Remark: Applicant agrees to mitigate consumptive use in the future as needed. This application is for 34 acres with-
in the above described 130.5 acre permissible place of use.

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
65-22382

GUINN FAMILY TRUST
4909 W IDAHO BLVD
EMMETT ID 83617

Point(s) of Diversion L5 NWSW S4 T06N R02W GEM County Source WASTEWATER

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 06/04/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Pub: 5-16, 23, 2001

Legal Notice No: 4296
Published in the Messenger Index

FEB 04 2002

MICROFILMED

AFFIDAVIT OF PUBLICATION

RECEIVED

MAY 24 2001

**WATER RESOURCES
WESTERN REGION**

STATE OF IDAHO)
County of Gem) SS.

DIXIE THOME

of Emmett, Gem County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Messenger Index, a weekly newspaper published in the City of Emmett in the County of Gem, State of Idaho; that the said newspaper is in general circulation in the said County of Gem, and in the vicinity of Emmett, and has been uninterruptedly published in said County during a period of fifty-two consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in the newspaper two times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following:
May 16, 23, 2001

Dixie L. Thome

STATE OF IDAHO)
County of Gem)

On this 23rd day of May in the year of 2001 before me a Notary Public, personally appeared. Dixie Thome known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declares that the statements therein are true, and acknowledge to me that she executed the same.

M. J. Barry

Notary Public for Idaho
Residing in Emmett
My Commission Expires
February 1, 2005

MICROFILMED

FEB 04 2002

MAY-11-2001 02:09

MESSENGER INDEX

P.04

The following application(s) have

been filed to appropriate the public waters
65-22376

State of Idaho:

✓
LM

REX LANHAM
2630 HWY 21
BOISE ID 83716

Point(s) of Diversion
Point(s) of Diversion

L7 SWSW S6
SWSE S1

T06N R01W
T06N R02W

GEM County
GEM County

Source PAYETTE RIVER
Source PAYETTE RIVER

Use: IRRIGATION

03/15 To 11/15
Total Diversion:

0.15 CFS
0.15 CFS

Date Filed: 04/11/2001
Place Of Use: IRRIGATION

T06N R02W S2 SESE

Number of Acres 5

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

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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

May 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

HAROLD &/OR SHIRLEY BARRETT
1466 W 12TH ST
EMMETT ID 83617

Re: Application for Water Right No. 65-22376 in the Name of Rex Lanham.

Dear Sir and/or Madam:

Enclosed is a 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 June 4, 2001.

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

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

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

May 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SISLER FAMILY LLC
C/O JOY R SISLER
4455 SUNSET DR
EMMETT ID 83617

Re: Application for Water Right No. 65-22376 in the Name of Rex Lanham.

Dear Sir and/or Madam:

Enclosed is a 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 June 4, 2001.

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

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:lm

Encl: Copy of Application

MICROFILMED

MAY 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

May 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CATHERINE GILLIHAN
HAZEL LANHAM
9157 W CORY LANE
BOISE ID 83704

Re: Application for Water Right No. 65-22376 in the Name of Rex Lanham.

Dear Sir and/or Madam:

Enclosed is a 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 June 4, 2001.

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

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

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

May 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RICHARD &/OR ROXANNE ZAMZOW TRUST
11555 THOMAS DR
BOISE ID 83709

Re: Application for Water Right No. 65-22376 in the Name of Rex Lanham.

Dear Sir and/or Madam:

Enclosed is a 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 June 4, 2001.

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

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:lm

Encl: Copy of Application

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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

May 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JAMES L STANDLEY
3527 PIONEER AVE
EMMETT ID 83617

Re: Application for Water Right No. 65-22376 in the Name of Rex Lanham.

Dear Sir and/or Madam:

Enclosed is a 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 June 4, 2001.

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

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application

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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

May 10, 2001

MARK LIMBAUGH
102 N MAIN
PAYETTE ID 83661

Re: Application for Water Right No. 65-22371 in the Name of Scott &/or Connie Harris.
Application for Water Right No. 65-22374 in the Name of Dale Myers &/or Suzanne Howell.
Application for Water Right No. 65-22376 in the Name of Rex Lanham.
Application for Water Right No. 65-22377 in the Name of Rex Lanham.
Application for Water Right No. 65-22375 in the Name of Clarence &/or Lorna Link.
Application for Water Right No. 65-22378 in the Name of Clarence &/or Lorna Link.
Application for Water Right No. 65-22379 in the Name of Clarence &/or Lorna Link.
Application for Water Right No. 65-22380 in the Name of Clarence &/or Lorna Link.
Application for Water Right No. 65-22381 in the Name of Guinn Family Trust.
Application for Water Right No. 65-22382 in the Name of Guinn Family Trust.
Application for Water Right No. 65-22384 in the Name of David &/or Michelle Butler.

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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SEP 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

May 10, 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. 65-22371 in the Name of Scott &/or Connie Harris.
Application for Water Right No. 65-22374 in the Name of Dale Myers &/or Suzanne Howell.
Application for Water Right No. 65-22376 in the Name of Rex Lanham.
Application for Water Right No. 65-22377 in the Name of Rex Lanham.
Application for Water Right No. 65-22375 in the Name of Clarence &/or Lorna Link.
Application for Water Right No. 65-22378 in the Name of Clarence &/or Lorna Link.
Application for Water Right No. 65-22379 in the Name of Clarence &/or Lorna Link.
Application for Water Right No. 65-22380 in the Name of Clarence &/or Lorna Link.
Application for Water Right No. 65-22381 in the Name of Guinn Family Trust.
Application for Water Right No. 65-22382 in the Name of Guinn Family Trust.
Application for Water Right No. 65-22384 in the Name of David &/or Michelle Butler.

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 4, 2001.

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

Sincerely,

Gary Spackman

GS:lm
Encl.

MICROFILMED

JUN 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

May 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
Messenger-Index
PO Box 577
Emmett ID 83617

RE: Application for Permit Nos. 65-22374, 65-22376, 65-22377, 65-22381, 65-22382,
65-22383 and 65-22384

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find seven 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 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 06/04/2001. Your cooperation is appreciated.

Sincerely

A handwritten signature in cursive script, appearing to read 'Sue', is written over a horizontal line.

Sue Taylor

Senior Secretary

MICROFILMED

FEB 04 2002

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

65-22376

REX LANHAM
2630 HWY 21
BOISE ID 83716

Point(s) of Diversion L7 SWSW S6 T06N R01W GEM County Source PAYETTE RIVER

Point(s) of Diversion SWSE S1 T06N R02W GEM County Source PAYETTE RIVER

Use: IRRIGATION 03/15 To 11/15 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 04/11/2001

Place Of Use: IRRIGATION

T06N R02W S2 SESE

Number of Acres 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 06/04/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Messenger Index on May 16 and 23, 2001.

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APR 14 2002

REQUEST TO PROCESS

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

Name of Applicant Rex Lankam
Mailing Address 2630 Hwy 21
Boise Idaho 83716
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

Rex Lankam

Date

Apr 11, 2001

Please return this form to:

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

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