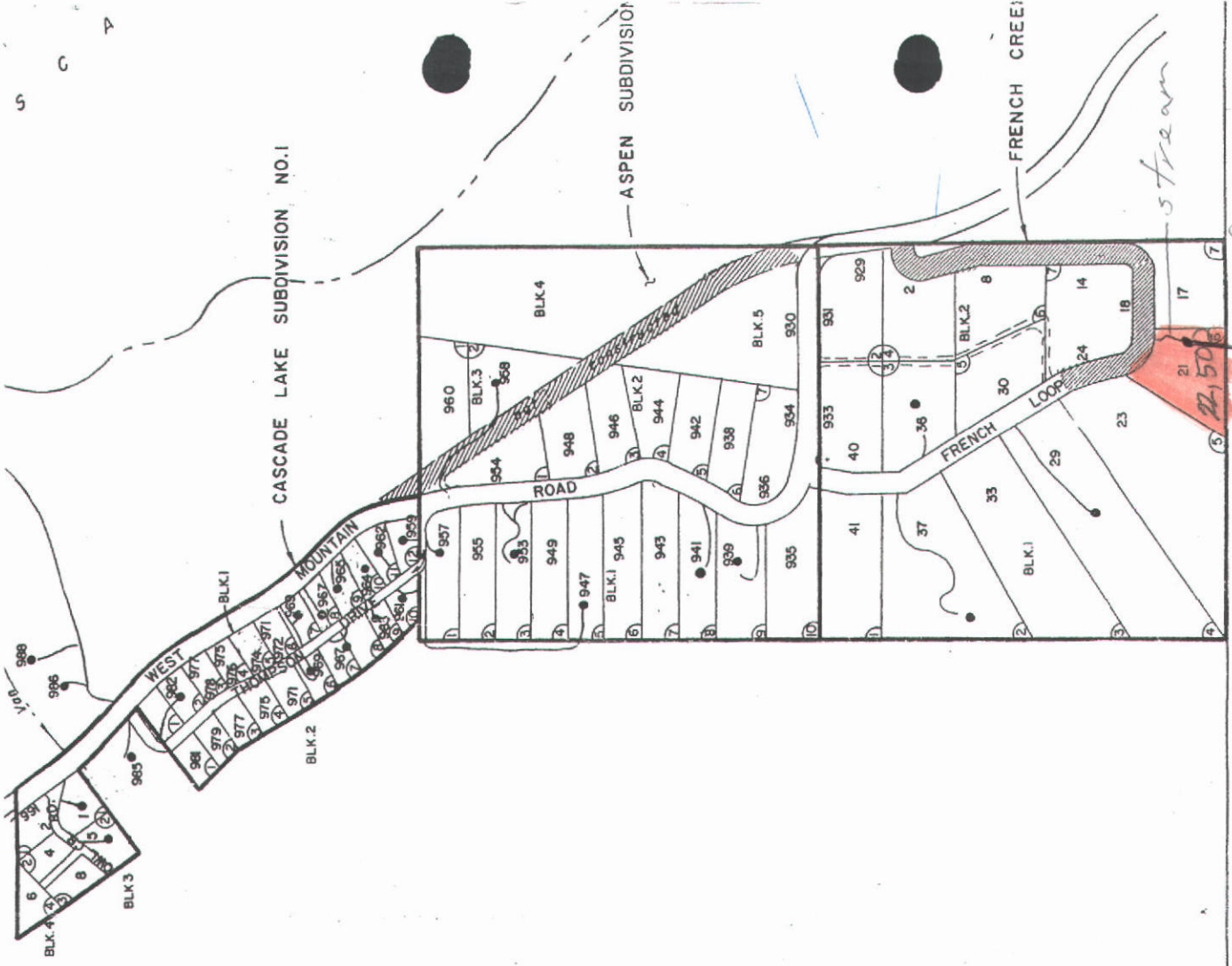
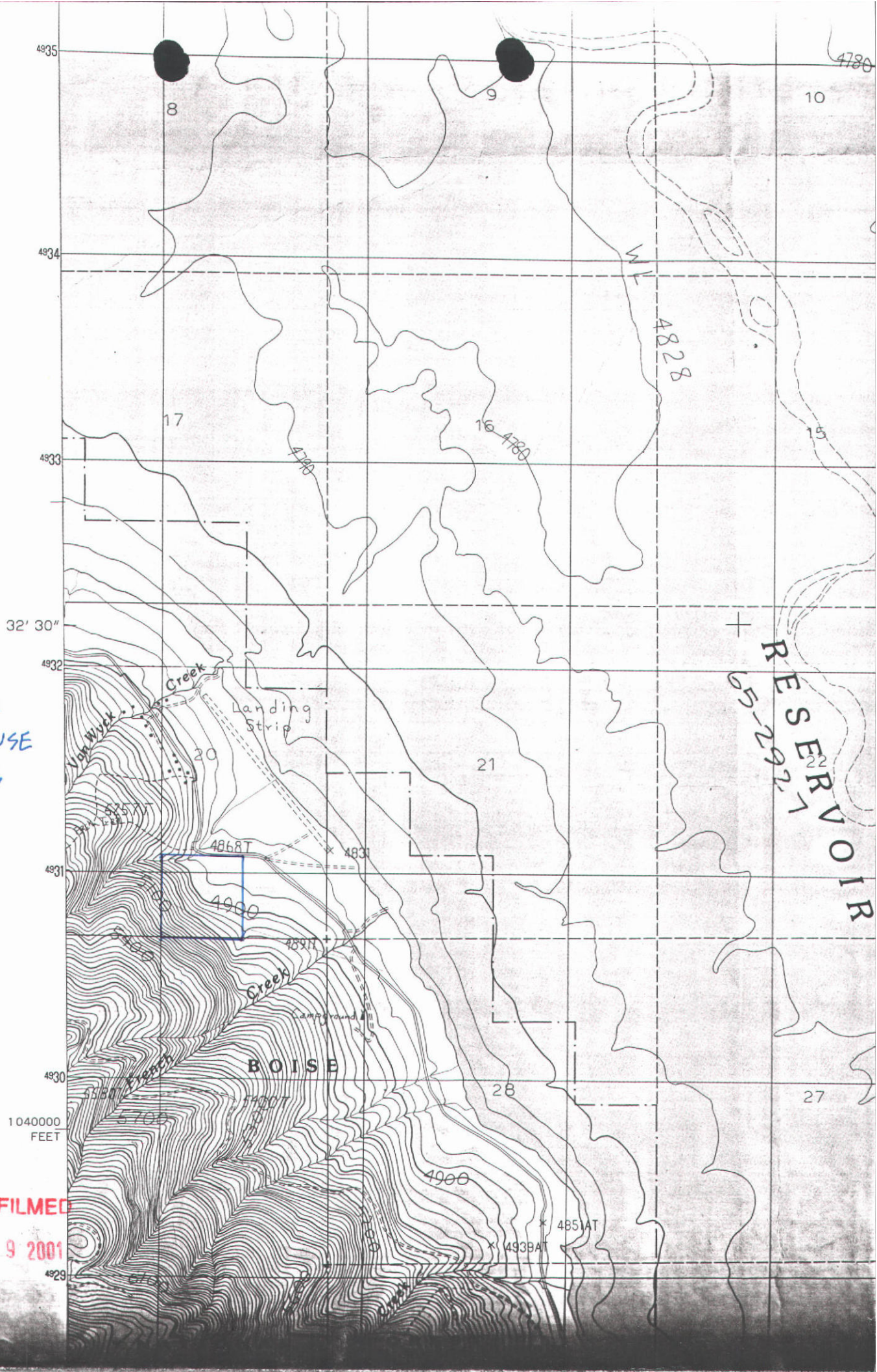




SEC. 20, T.14N., R.3E.

19 20
30 29

MICROFILMED
MAY 09 2001



MAY 09 2001

4929

APR - 6 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

APR - 6 2001
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. 65-22333 Telephone No. (208) 365-6560
2. Name of Permit Holder(s): Jon C Powell
3. Mailing Address: 5437 W. Black Canyon Hwy
City Emmett State Id Zip 83617
4. Source of Water: unnamed stream GROUNDWATER (well), Date Drilled: mo. / yr.
Well Driller: Drilling Permit Number:
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): Stockwater (No. and type of stock):
Irrigation (No. of acres): 1.5 Other:
6. Total rate of diversion and/or volume for which proof is submitted: 1.05 cfs OR 4.5 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 X or No
Has the measuring device been installed? Yes or No X
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Jon C Powell Telephone Number: (208) 365-6560
Address: 5437 W. Black Canyon Hwy Emmett Id
83617
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: Jon C Powell Date: 04-05-2001
(include your title, if on behalf of company or organization)

MICROFILMED

APR 10 2001

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 65-22333

Priority: 02/05/2001

Maximum Diversion Rate 0.05 CFS

This is to certify, that JON C POWELL
5437 W BLACK CANYON HWY
EMMETT ID 83617

has applied for a permit to appropriate water from

Source: UNNAMED STREAM **Tributary:** CASCADE RESERVOIR

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/31	0.05 CFS

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 20, Twp 14N, Rge 03E, B M VALLEY County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N 03E 20															15		15

Total Acres 1.5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 1, 2002**
2. Subject to all prior water rights.
3. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
4. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
5. Point of diversion is located within Lot 6, Blk. 1, French Creek Subdivision.
6. Place of use is located within Lot 6, Blk. 1, French Creek Subdivision.
7. This right when combined with all other rights shall provide no more than 0.05 cfs nor more than 4.5 cfs at the field headgate for irrigation of the land described 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 2nd day of April, 2001.

MICROFILMED

MAY 10 2001

[Signature]
for KARL J DREHER, Director

RECEIVED

JAN 23 2001

WATER RESOURCES
WESTERN REGION

RECEIVED

MAR 27 2001

Department of Water Resources

STATE OF IDAHO

Ident. No. 65-22333

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

FEB 05 2001

WATER RESOURCES
WESTERN REGION

1. Name of Applicant Jon C Powell Phone (208) 365-6560
Post Office address 5437 W. Black Cyn Hwy Emmett Id
2. Source of water supply unnamed stream (which is a tributary of Cascade Lake)
3. Location of point of diversion is 1/4 of SW 1/4 of SE 1/4, Govt. Lot
Sec. 20 Township 14N Range 3E B.M. Valley County; additional points of diversion if any: None
4. Water will be used for the following purposes:
Amount .05, 8894 for Irrigation purposes from 4-15 to 10-31 (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) 10894 .05 and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 3 horse power ditch pump next to the stream
 - 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. 4 horses
 - c. Municipal; show name of municipality.
 - d. Domestic; show number of households. 1 to be built
 - e. Other; describe fully.

MICROFILMED

MAY 03 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	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	3E	20															1.5		1.5

Total number of acres to be irrigated

1.5

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? Jon & Patty Powell

b. Who owns the land to be irrigated or place of use? Jon & Patty Powell

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

12. Remarks: A small spring flows out of the ground approximately 100 yds from our property and flows through our lot, we would like to use the water for irrigation

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

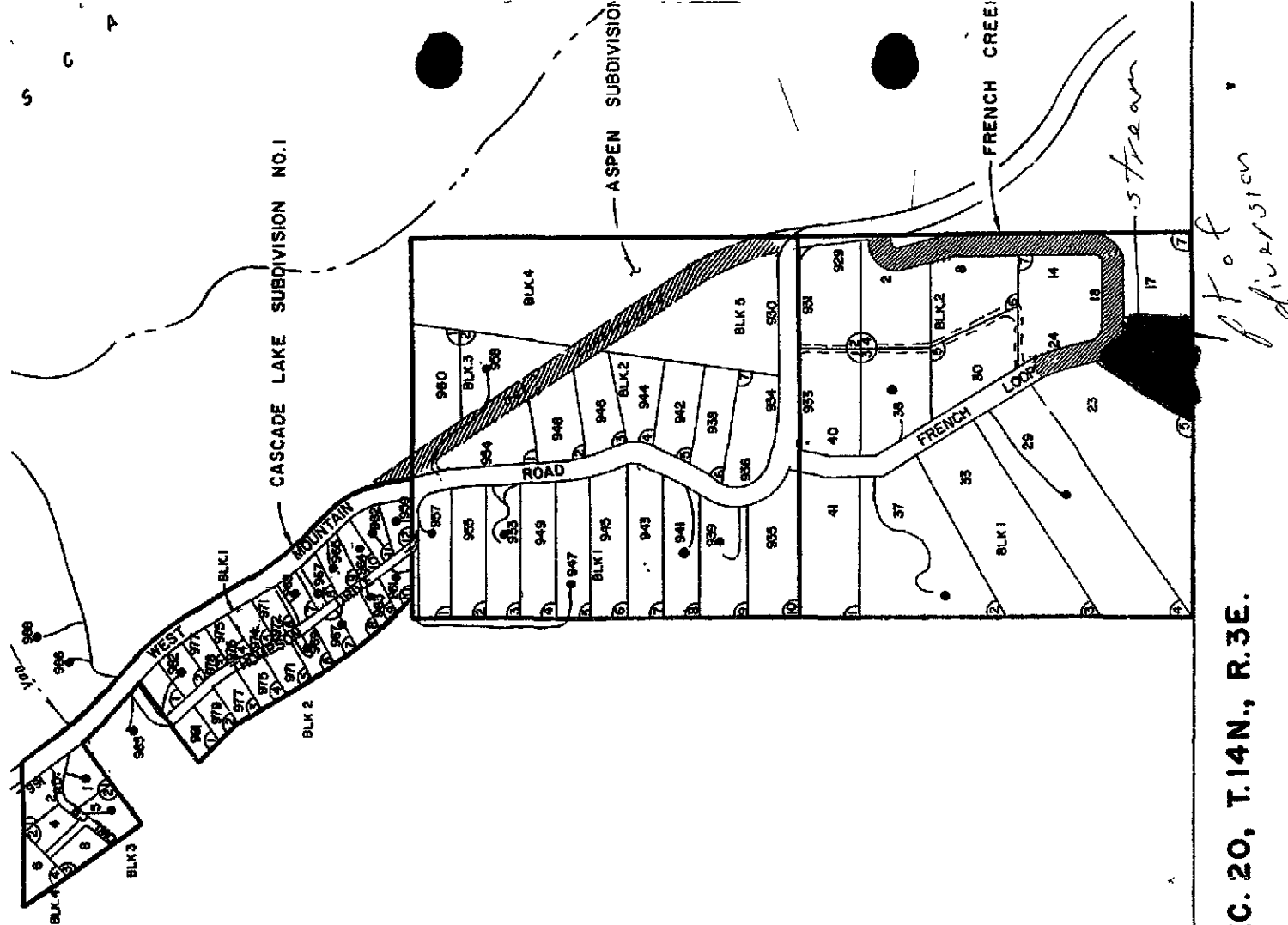
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Jon C Powell
(Applicant)

Received by DB Date 1-23-01 Time 9:45am Preliminary check by LG
Fee \$ 100- Received by DB # W027307 Date 1-23-01
Publication prepared by AT Date 2-21-01 Published in Englewood Adv.
Publication approved AT Date 3-15-01

MICROFILMED

MAY 09 2001

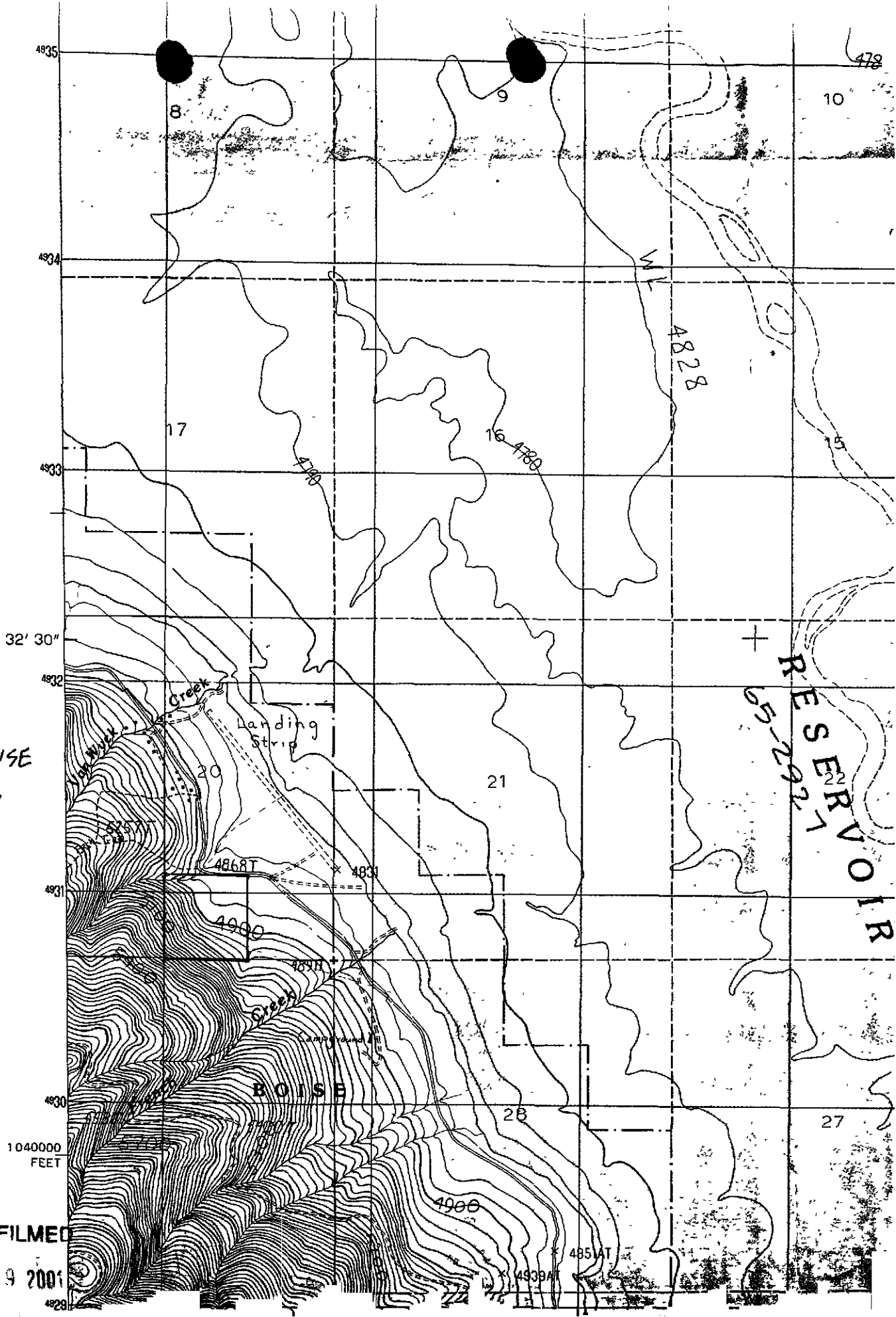


SEC. 20, T.14N., R.3E.

19 20 29 30

MICROFILMED
MAY 09 2001

T14N R3E
Sec 20 SWSE
no gov lts



MICROFILMED

MAY 09 2001

A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY

READ AND APPROVED

PP. J.

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 336-6700

P171811 Km

WARRANTY DEED

(INDIVIDUAL)

FOR VALUE RECEIVED GLORIA A. HAWKINSON, AN UNMARRIED PERSON

Grantor , does hereby grant, bargain, sell and convey unto JON C. POWELL AND PATTY A. POWELL,
HUSBAND AND WIFE

the Grantee s , whose current address is: ⁴⁵⁴⁶~~4645~~ DAPHNE ST, MERIDIAN, ID 83642
the following described real property in VALLEY County, State of Idaho, more particularly described as
follows, to-wit:

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, SITUATE IN VALLEY COUNTY, IDAHO,
AND SHOWN AS LOT 6, BLOCK 1, FRENCH CREEK SUBDIVISION, A PLAT WHICH IS RECORDED
IN THE OFFICE OF THE RECORDER OF VALLEY COUNTY, IDAHO.

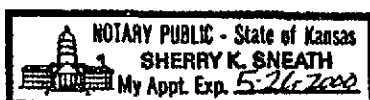
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee sand Grantee heirs
and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee s, the Grantor is the
owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this
conveyance is expressly made subject and those made, suffered or done by the Grantee s and subject to reservations,
restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments,
(includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor
will warrant and defend the same from all lawful claims whatsoever.

Dated: 9/15/98

Gloria A. Hawkinson
GLORIA A. HAWKINSON

STATE OF Kansas , County of McPherson ss.

On this 15 day of September , in the year of 1998 , before me THE UNDERSIGNED , a notary public, per-
sonally appeared GLORIA A. HAWKINSON
known or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that she executed the same.



Notary Public: *Sherry K. Sneath*
Residing at: *Manhattan, KS*
My Comm. Expires: 5-26-2000

MAY 09 2001



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

April 10, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JON C POWELL
5437 W BLACK CANYON HWY
EMMETT ID 83617

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-223333

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

MAY 09 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No 65-22333

Reviewed By: dgibson

Date April 10, 2001

	<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		W027307, C053068	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		04/06/2001
Date proof due	-	05/01/2002
Lapse notice sent	-	
No of days late	=	0
Holiday allowance	+	
Priority date	+	02/05/2001
New priority date	=	02/05/2001

Deficiencies of Actions Items

Acknowledge proof



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

April 2, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

JON C POWELL
5437 W BLACK CANYON HWY
EMMETT ID 83617

RE Permit No 65-22333

Permit Approval Notice

Dear Permit Holder

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

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet

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

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

MICROFILMED

MAY 09 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

MAY 09 2001

CERTIFICATE OF MAILING

I hereby certify that on April 2, 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. 65-22333

**JON C POWELL
5437 W BLACK CANYON HWY
EMMETT ID 83617**

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

**Kari Lynn Townsend
Secretary**

MICROFILMED

MAY 09 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).

MICROFILMED

MAY 09 2001

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
MAY 03 2001

**APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS**
Reviewed by Sharla Curtis on 3/29/01
CSB

No. 65-22333 Name: Jon C Powell Corp. Officers Ad ok Yes Govt Lots No

AREA OF CONCERN No/Yes 1992 Moratorium No GWMA FRUIT/NON-TRUST

GROUNDWATER (✓Flow Chart) W.D. # 65

DRILLING PERMIT

All wells - 046(P23)
Basin 3-4 - 084 (if necessary)
Irr w/in WD - P05
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
42-248 Area - P84
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons > 1.0 cfs)

USES:

STORAGE - 18A-01H(P01), 01P-18B(P09)-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/USFS)
MINING - 054-106(P10)
FISH PROP - 029(70'S only)-007-042-106 (P10)
HEAT/COOL - R07(injection well)
FIRE PROT - 077

BENEFICIAL USE DUE: 5 / 01 / 02

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
 ≤ 1 yr - P16
 > 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted Yes No Response None

In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
In-stream development - P52
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

SNAKE R (01) - W22(P04), N/A
 (02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-106 (P10)
MUNICIPAL
 Restricted area - 022,075
 Irr, GW supp to SW - 102
DOMESTIC
 Surface water - WB5 (Big Wood or Boise above Star Bridge)
 27A (Payette R)
 >1 in restricted area - 070-071-075 (no parks/common areas, etc)
 Irr use listed separate - WB5
 Moratorium approvable - W03 (2500 gpd - meets domestic definition
 1 e D/convenience store)

Multiple pd's per ¼ - 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 4/15 - 10/31 (Per updated map)

IRR VOLUME/ACRE 2.0

OTHER CONDITIONS/REMARKS No overlap

COMMENTS Shapefile created.

NO. 2J2a.
January 2001

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

*Send comment
letters - see pg 2*

INITIAL REVIEW BY: 6 DATE: 2/5/01 APPLICATION: 65-22333

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:

☒ P/D
☒ P/U

RECEIVED

MAR 27 2001

Department of Water Resources

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

ADDITIONAL INFORMATION

YES NO

- ☐ ☒ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☐ ☒ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☐ ☒ 1992 moratorium:
- ☒ ☐ Surface water source, IDFG letter needed.
- ☐ ☒ Protected river or minimum flow reach, notify water planning bureau.
- ☐ ☒ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☐ ☒ E-mail to Dam Safety staff: (for any storage)
- ☒ ☐ Mitigation plan: Check any that apply.
- ☐ ☒ 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

initial changes

Date Requested 1/30/01 Date Response Received 2/5/01

PROCESSING

APP. NO.

65-22333

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 3-12-01

☐ ☒ Protests received.

☒ ☒ Recommendations attached: WM

☒ ☐ Measuring device required:

☒ ☐ Water delivered by water master? District # 65

☒ ☐ Special conditions of approval or cover letter:

associated with watermaster control

☐ ☒ See below for additional information

Recommended Date or Priority 2/5/01

Recommended by: Lon Shaver

Date: 3/22/01

ADDITIONAL INFORMATION:

RECEIVED

MAR 20 2001

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application No: 65-22333

Applicant's Name: Jon C. Powell

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 16th day of March, 2001

Water District No. 65

Mark Limbaugh, Watermaster

Use reverse side of page if you need more space

MICROFILMED

MAY 09 2004

APPLICATION FOR WATER RIGHTS

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

65-22333
JON C POWELL
5437 W BLACK CANYON HWY
EMMETT ID 83617

Point(s) of Diversion SWSE S20 T14N
R03E VALLEY County
Source UNNAMED STREAM

Use: IRRIGATION 04/15 To 10/31 0.05
CFS 10 AFA
Total Diversion. 0.05 CFS 10 AFA
Date Filed: 02/05/2001
Place Of Use. IRRIGATION
T14N R03E S20 SWSE
Number of Acres 1.5
Remark. Applicant agrees to mitigate con-
sumptive 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 togeth-
er with a protest fee of \$25.00 for each
application on or before 03/12/2001. The
protestant must also send a copy of the
protest to the applicant.

KARL J DREHER, Director
Published on February 21 and 28, 2001

Affidavit of Publication

STATE OF IDAHO COUNTY OF VALLEY

RECEIVED

MAR 12 2001

WATER RESOURCES
WESTERN REGION

I, Robin M. Simpson, being duly sworn deposes, and says, I am the Publisher of The Long Valley Advocate, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The Long Valley Advocate, a copy of which is attached hereto; was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began 2/21, 2001, and ended 2/28, 2001.

Robin M. Simpson

Robin M. Simpson

Signed this the 9 day of March, 20 01.

STATE OF IDAHO)

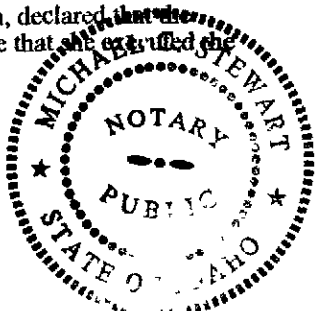
:SS.

COUNTY OF VALLEY)

On this the 9th day of March, 20, 01, before me, a Notary Public in and for said State, personally appeared Robin M. Simpson, known or identified to me to be the person whose name is subscribed to the within Instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Michael Stewart
Notary Public State of Idaho

Residing at: Cascade
Commission Expires: 1-1-2004



MAY 09 2001

REQUEST TO PROCESS

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

Name of Applicant

Jon C Powell

Mailing Address

~~4546 Daphne St~~
~~Meridian Id 83642~~

Application No.
(if known)

5437 W. Blk Cyn Hwy
Emmett Id 83617

☐ 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

Jon C Powell

Date

01/18/2001

Please return this form to:

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

MICROFILMED

MAY 09 2001



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

February 15, 2001

MARK LIMBAUGH
102 N MAIN
PAYETTE ID 83661

Re: Application for Water Right No. 65-22333 in the Name of Jon Powell

Dear Watermaster:

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

Please review the application. 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
Recommendation of Watermaster Form

MICROFILMED

MAY 09 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

February 15, 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. 65-22333 in the Name of Jon Powell
Application for Water Right No. 63-31144 in the Name of Kurt Christensen
Application for Water Right No. 63-31143 in the Name of Kurt Christense
Application for Water Right No. 63-31142 in the Name of Floyd Stutheit

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 March 12, 2001.

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

Sincerely,

Gary Spackman

GS:lm
Encl.

MICROFILMED
MAY 09 2001

02/14/2001

Legal Notice Department
Long Valley Advocate
PO Box 1079
Cascade ID 83611

RE: Application for Permit No. 65-22333

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 03/12/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor

MICROFILMED
MAY 03 2001

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

65-22333

JON C POWELL
5437 W BLACK CANYON HWY
EMMETT ID 83617

Point(s) of Diversion	SWSE	S20 T14N R03E VALLEY County	Source UNNAMED STREAM
Use:	IRRIGATION	04/15 To 10/31 0.05 CFS	10 AFA
	Total Diversion:	0.05 CFS	10 AFA

Date Filed: 02/05/2001

Place Of Use: IRRIGATION

T14N R03E S20 SWSE

Number of Acres 1.5

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

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

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 03/12/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on February 21 and 28, 2001.

MICROFILMED

MAY 03 2001