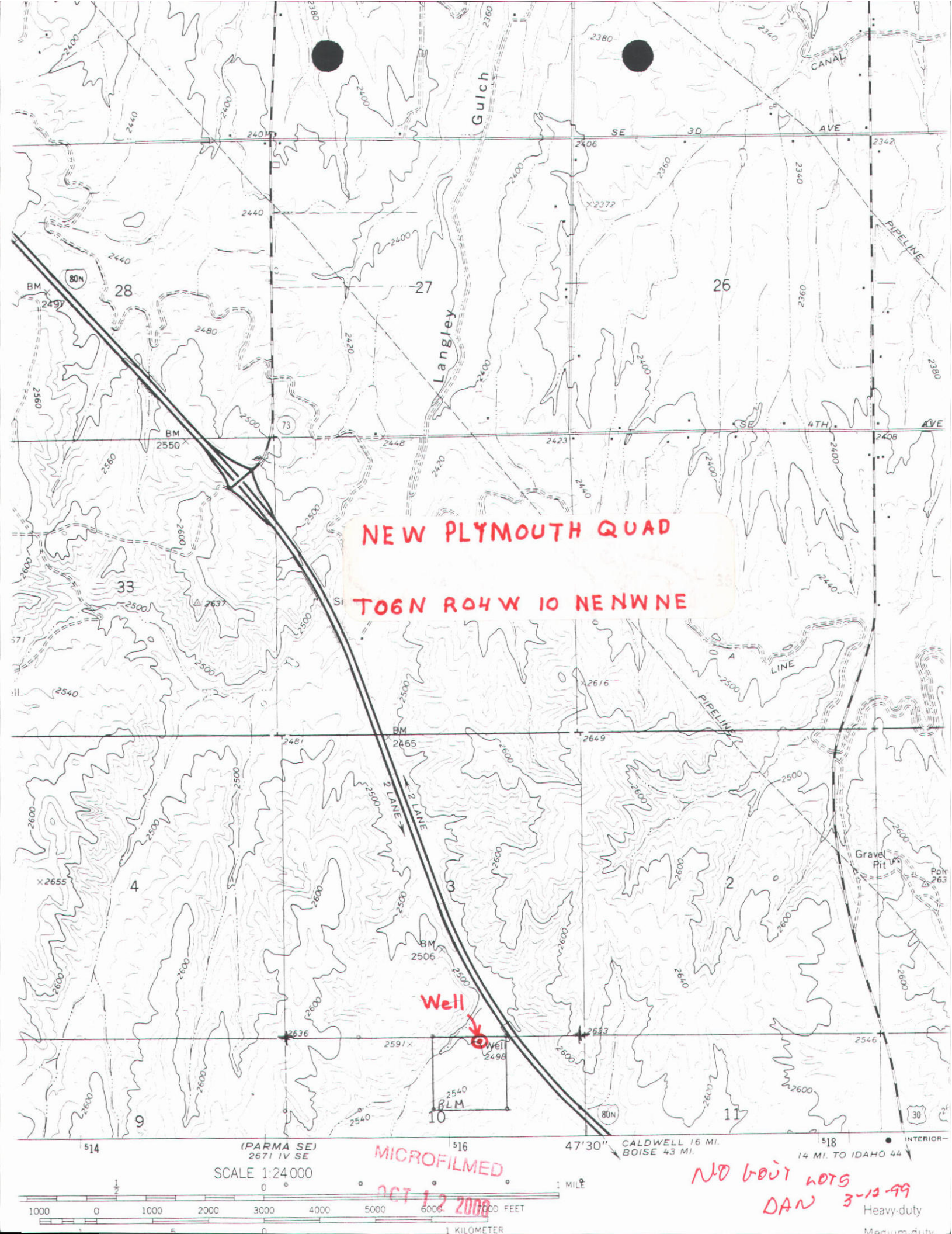




NEW PLYMOUTH QUAD

T06N R04W 10 NE NW NE

Well

BLM
10

SCALE 1:24 000

MICROFILMED
OCT 12 2008

NO BUILT LOTS
DAN 3-13-99
Heavy-duty
Medium-duty

06N 04W

061V 04W

91

Q well

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

MICROFILMED

OCT 12 2000

ation for permit to appropriate the public waters of

~~X~~ Thomas M. Woodward, Sr.
(Applicant)

FEB 26 1999

RECEIVED

FEB 23 1999

Department of Water Resources

WATER RESOURCES
WESTERN REGION

OFFICE USE ONLY
Amt. of Fee \$ 100.00 50.00
Date 2/23/99
Receipt No. W024827
Receipt by AB

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 105-13949 Telephone No. (208) 384-3300
2. Name(s) of Permit Holder(s): U.S.D.I. Bureau of Land Management Cascade R.A.
3. Mailing Address: 3948 Development Ave. Boise ID 83705
4. Source of Water: Ground water

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):
Domestic _____ (No. of households) Stockwater 70 - per Amended Application 5/16/00.
465 range cattle; wildlife (No. and type of stock) DB
Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.03 cfs OR 0 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ _____ (See License Fee Schedule on back of Instruction Sheet)

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

Jon Haupt (208) 384-3371
Name Telephone No.

3948 Development Ave. Boise ID. 83705
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

2-10-99
Date

Thomas J. [Signature] Acting Cascade Resource Area Manager
Signature (and title, if on behalf of a company or organization)

20112000

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13949

Priority: May 16, 2000

Maximum Diversion Rate:

0.03 CFS

This is to certify, that US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

has applied for a permit to appropriate water from: GROUND WATER

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>
STOCKWATER	01/01 to 12/31	0.03 CFS
WILDLIFE	01/01 to 12/31	0.03 CFS
	Totals	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 10, Township 06N, Range 04W
PAYETTE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

06N 04W 10 NWNE

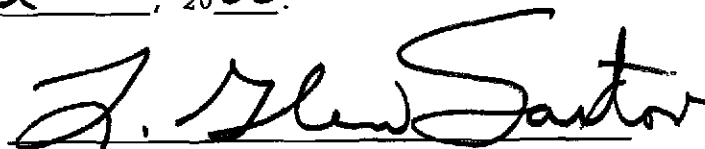
PLACE OF USE: WILDLIFE, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before August 1, 2001.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
5. Stockwater use is for 70 range cattle.

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

4th day of August, 2000.


Karl J. Dreher, Director

for

MICROFILMED

OCT 12 2000

RECEIVED

JUL 26 2000

Form 202
5/85

Department of Water Resources

STATE OF IDAHO

Ident. No. 45-13949

AMENDED

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

FEB 23 1999

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

5-16-2000

U.S. Dept. of Interior
Bureau of Land Management1. Name of applicant Cascade Resource Area Phone (208) 348-3300Post office address 3948 Development Ave Boise ID 837052. Source of water supply Groundwater which is a tributary of _____3. Location of point of diversion is NE 1/4 of NW 1/4 of NE 1/4, Govt. Lot _____Sec. 10 Township 06 N Range 04 W B.M. Payette County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.03 for Stockwater purposes from 0101 to 1231 (both dates inclusive)
(cfs or acre-feet per annum)Amount 0.03 for Wild life purposes from 0101 to 1231 (both dates inclusive)
(cfs or acre-feet per annum)Amount 0 for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)5. Total quantity to be appropriated is (a) 0.03 and/or (b) 0
cubic feet per second acre feet per annum

6. Proposed diverting works.

a. Description of ditches, flumes, pumps, headgates, etc. Well, Pipeline, Troughb. 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 UNKNOWN inches, proposed depth of well is UNKNOWN feet.d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

Completed 1 1/2 years (minimum 1 year).

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OCT 12 2000

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 46⁷⁰ range cattle ; Wild life
- c. Municipal; show name of municipality. RM 5/16/00
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
06N	04W	10		S															0
06N	04W	10		W															0

Total number of acres to be irrigated 0

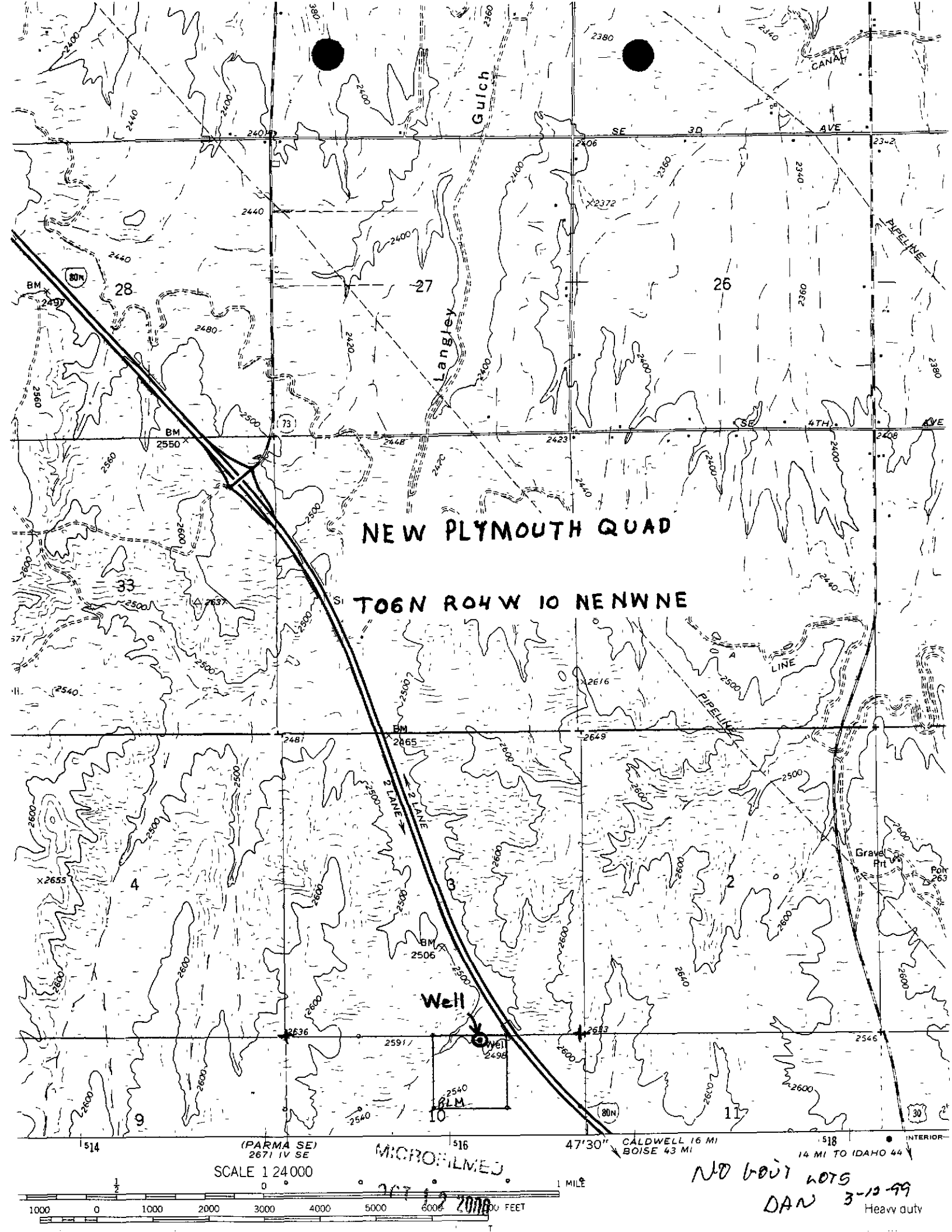
10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? U.S.D.I. Bureau of Land Management
- b. Who owns the land to be irrigated or place of use? U.S.D.I. Bureau of Land Management
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Amended application to add 70 head of livestock to existing water right 65-0054 in the name of Don K. Weilmunster.

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OCT 12 2000



NEW PLYMOUTH QUAD

T06N R04W 10 NE NWNE

SCALE 1 24000

MICROFILMED

NO BOUT LOTS
DAN 3-13-99
Heavy duty

06N OHW

01

01

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

MICROFILM

007 1 2 2020

Application for permit to appropriate the public waters of
 X Thomas M. Woodward, Pitt
 (Applicant)

Received by Ab Date 4/23/99 Time 1:10 Preliminary check by DAN
Fee \$ 5000 Receipted by KH # W024827 Date 2/23/99
Publication prepared by st Date 5-31-00 Published by INDEPENDENT ENTERPRISE
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

MICROFILM
OCT 12 2000

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)	PRELIMINARY ORDER RESCINDING
FOR PERMIT IN THE NAME OF THE)	AN ORDER VOIDING AN APPLICATION,
BUREAU OF LAND MANAGEMENT)	REINSTATING THE APPLICATION AND
_____)	ADVANCING THE DATE OF PRIORITY

This matter having come before the Department of Water Resources (Department) as a petition for reconsideration of a preliminary order to void an application for permit, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On February 23, 1999, the Bureau of Land Management (applicant) filed an application for permit (application) with the Department seeking to divert 0.03 cfs of groundwater for stockwater and wildlife purposes. The application proposed the diversion and the place of use within the NW ¼ NE ¼, Sec 10, T6N, R4W, Payette County.
2. On December 2, 1999, the Department requested additional information from the applicant and asked that the information be submitted within thirty (30) days of the date of the letter.
3. On March 21, 2000, the Department issued a preliminary order to void the application for failure by the applicant to submit the requested information within thirty (30) days of the date of the request
4. On April 4, 2000, the applicant filed a petition for reconsideration of the preliminary order and provided the requested information.

CONCLUSIONS OF LAW

1. Section 67-5243(3), *Idaho Code*, provides in pertinent part as follows:

Unless otherwise provided by statute or rule, any party may file a motion for reconsideration of a recommended order or a preliminary order within fourteen (14) days of the issuance of that order. The presiding officer shall render a written order disposing of the petition.

2. The petition for reconsideration was filed timely.
3. The Department should rescind the order voiding the application and should reinstate the application

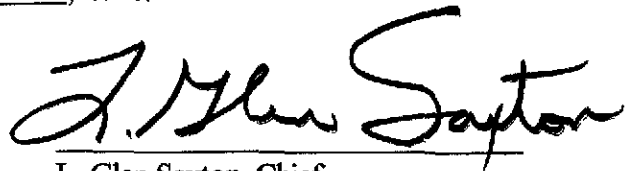
MICROFILMED
JUL 12 2000

4. The Department should advance the date of priority of the application to the date of receipt of the requested information in accordance with the provisions of Section 42-204, *Idaho Code*.

ORDER

IT IS HEREBY ORDERED that the order voiding the Application is **RESCINDED** and the application is **REINSTATED** with the date of priority advanced to April 4, 2000.

Dated this 7th day of April, 2000.



L. Glen Saxton, Chief
Water Allocation Bureau

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR PERMIT IN THE NAME OF THE)
BUREAU OF LAND MANAGEMENT)
_____)

**PRELIMINARY ORDER
VOIDING APPLICATION**

FINDINGS OF FACT

1. On February 23, 1999, the Bureau of Land Management ("applicant") filed an application for permit with the Department of Water Resources ("IDWR") seeking to divert 0.03 cfs of groundwater for stockwater and wildlife purposes. The application proposed the diversion and the place of use within the NW ¼ NE ¼, Sec. 10, T6N, R04W, Payette County.
2. On December 2, 1999, IDWR requested additional information from the applicant and asked that the information be submitted within thirty (30) days of the date of the letter.
3. The applicant did not respond to the correspondence.

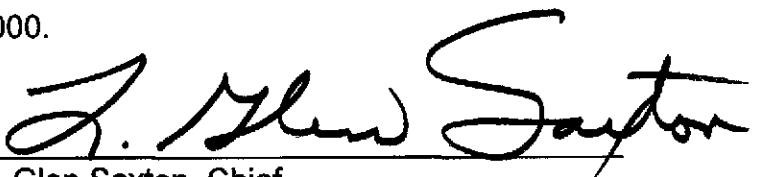
CONCLUSIONS OF LAW

1. Section 42-204, Idaho Code, and the Rules of Procedure of IDWR provide that if an applicant does not submit requested information within thirty (30) of the date of request, that IDWR may void the application.
2. The applicant has failed or refused to submit the requested information to IDWR.
3. IDWR should void the application.

ORDER

IT IS HEREBY ORDERED that the application for permit submitted in the name of the Bureau of Land Management to divert 0.03 cfs of groundwater for stockwater and wildlife purposes purposes is **VOIDED**.

Dated this 21st day of March, 2000.



L. Glen Saxton, Chief
Water Allocation Bureau

MICROFILMED
OCT 12 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

September 8, 2000

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

RE: Proof of Beneficial Use Submitted for 65-13949

Dear Permit Holder:

The department acknowledges receipt of the Proof of Beneficial Use form submitted for the above referenced permit. Upon review of the proof, there was some discrepancy noted in the completed information on the form. This proof was filed with the department at the time the original application for permit was filed, February 23, 1999, and reflected the use to be stockwater (465 range cattle) and wildlife. However, the original application was amended on May 16, 2000, changing the number of stock from 465 to 70. The department issued a permit on August 4, 2000, conditionally allowing stockwater use for 70 range cattle. The proof was not changed, so I corrected the proof to reflect the permitted use for 70 head of cattle.

Additionally, the department acknowledges receipt of \$50.00 for the license examination fee, submitted with the Proof of Beneficial Use form on February 23, 1999. However, ground water permits for 0.04 cfs or less are exempt from paying a license examination fee. I will request that a refund be prepared for you in the amount of \$50.00. You can expect to receive your refund approximately seven (7) to ten (10) business days from today.

To avoid future confusion, I suggest that proof of beneficial use be submitted either upon your receipt of: (1) a Proof Due Notice from the department, or (2) a Permit to Appropriate Water.

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 meets the permitted beneficial use.

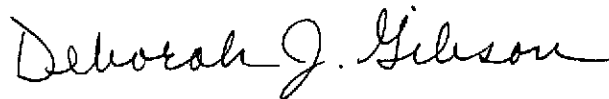
MICROFILMED
SEP 12 2000

U.S. Department of Interior
September 8, 2000
Page 2

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. If you have any other questions, or if I can be of any assistance regarding the proof process, please contact me at (208) 327-7953.

Sincerely,



Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: Brenda Corbett - Fiscal
IDWR - Regional Office

MICROFILMED
OCT 12 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 65-13949 Reviewed by D Gibson Date 9/6/00

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Stockwater / Wildlife

Correct Uses? yes

SOURCE OF WATER

no Surface water source

yes Ground water source

yes Drilling permit required?

no Copy in the file? Drilling Permit No. _____

Amount paid for permit _____ Correct?

Well log in the file?

LICENSE EXAMINATION FEE

no Required?

\$50 Amount Submitted

no Correct?

MEASURING DEVICE

no Required?

Installed?

Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>2/23/99</u>	
Date proof due	<u>8/1/01</u>	-
No. of days late		=
Priority Date		+
New Priority Date		

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof. Notify customer/permit holder that ~~proof~~ the permit limits the number of stock to 70 head, not the 465 on the proof.
according to the Amended Application

DATA ENTRY

New Address no Proof Made 2/23/99



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 8, 2000

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13949

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of 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

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AUG 12 2000

Please disregard the
this (3rd) paragraph
re: beneficial use forms.
They are already
in the file.
Thank you!

homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED
OCT 12 2000

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of August, 2000, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 65-13949

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705



Kari Lynn Townsend
Secretary

MICROFILMED
OCT 12 2000

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 7/26/00

4/4/2000.
priority

No. 65-13949 Name: Bum Corp. Officers DA Ad ok _____ Govt Lots _____

AREA OF CONCERN: No/Yes Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 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 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 10 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 - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 8/01/2001

MISC CONDITIONS/REMARKS:

~~Protested~~ - 020-W19
Development Period
≤ 1 yr - P16
> 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
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-081(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
i.e. D/convenience store)

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 _____ - _____ (Per updated map)

IRR VOLUME/ACRE _____

OTHER CONDITIONS/REMARKS

COMMENTS Probably the overlapping claim will be objected to in SRBA by Bum
and private cattle owners will assign to Bum (this is what
has happened w/ all others in this category per disc. w/ Kay W.)

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

JUL 26 2000

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: DAN DATE: 5-16-00 APPLICATION: 65-13949

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
NO P/D
NO P/U

ADDITIONAL INFORMATION

NO ADVERTISE REMARK(S)
(Reviewer identify which remarks)

X T FLAG CHANGED TO P FLAG

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. NON CONSUMPTION USE UNDER 13,000 GPD
- ☐ 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 _____

PROCESSING

APP. NO. 5

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. # _____
☐ ☒ Water Planning Bureau
☒ ☐ Other DON K. WEILMUNSTER

P.O. Box 4
Garden Valley, ID
83622

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:
☐ ☐ Final date for protest 6-26-00
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Water delivered by water master? District # _____
☒ ☐ Special conditions of approval or cover letter: STANDARD CONDITIONS

See below for additional informationRecommended Date or Priority 5-16-2000Recommended by: Daniel A. Nelson Date: 7-17-00ADDITIONAL INFORMATION:

The applicant has amended Their permit
to increase the water use from 500hd
of cattle to 510 head of cattle. Don
Weilmunster holds the original license
on the property and history for 500hd
of cattle. Since, this permit is for a
a different owner we can allow this domestic
stock water permit for the additional 10 head.

RECEIVED

JUL 26 2000

Department of Water Resources

FILE PRESENTATION

This application was processed prior to the January 12, 2000 memo "Changes to Water Right Applications." The old technique of making application changes was used.

To avoid additional processing delay, the file is forwarded as "one in the pipeline" with respect to that memo. The regional office anticipates that this will be acceptable for this limited group of applications.

MICROFILMED

OCT 12 2000

Comments: Date: 5/18/2000 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

APPLICANT: This application is to provide domestic water for 70-additional head of cattle from a well associated with water right 65-00514 owned by Don Weilmunster.

IDWR: This right is overlapped by 65-00514 owned by Don Weilmunster. This right will use the same well and same points of diversion. Mr. Weilmunster only filed for stockwater for 500 head of cattle on a grazing allotment owned by the Bureau of Land Management (BLM) The grazing allotment allows up to 570 head of cattle. Mr. Weilmunster no longer holds the grazing lease and refuses to assign the original license back to BLM to amend the adjudication claim to include the extra 70 head of cattle. So BLM filed this application to supply enough water for the lease.

MICROFILMED

OCT 12 2000

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Notice of Application for Water Rights
TITLE OF PUBLICATION

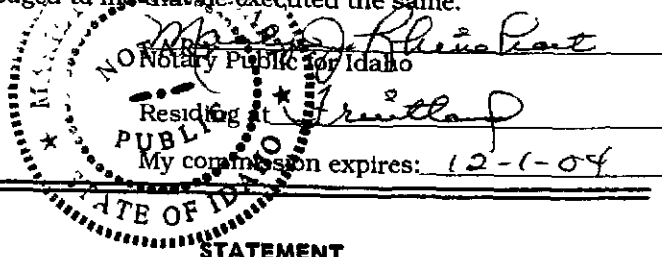
Dept. of Water Resources
SPONSOR OF PLAINTIFF
PLAINTIFF OR LEGAL AGENT

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

That She is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
June 7, 2000, and ending with the issue
of June 14, 2000.
STATE OF IDAHO
COUNTY OF

On this 15th day of June in the year of 2000, before me,
a Notary Public, personally appeared Viola Hawkins
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.



STATEMENT
Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 46
Number of Insertions (2) Two
46 Lines @ 1.21 ... \$ 55.66
46 Lines @ 1.02 ... \$ 46.92
TOTAL COST
WILL BE \$ 102.58

Copy of Notice

NOTICE OF APPLICATION FOR WATER RIGHT
The Following application(s) have been filed to
appropriate the public waters of the State of
Idaho:

65-13948
W & S INVESTMENTS INC.
4225 S RIVA RIDGE WAY
BOISE, ID 83705
Source: GROUNDWATER
Diversion Pt: SWSW Sec. 26 T 09N R 05W
in PAYETTE County.
Use: IRRIGATION

Total Diversion: 0.150 CFS
Date Filed: 5/09/2000
In: PAYETTE County
T09N R05W S26 SWSW
7.7-ACRES TOTAL
Applicant agrees to mitigate consumptive
use in the future as needed.

65-13949
US DEPT. OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE.
BOISE, ID 83705
Source: GROUNDWATER
Diversion Pt: NWNE Sec. 10 T 06N R 04W
in PAYETTE County.
Use: STOCKWATER
WILDLIFE
TOTAL DIVERSION: 0.030 CFS
0.030 CFS
0.030 CFS

Date Filed: 5/16/2000
In: PAYETTE County
T06N R04W S10 NWNE
Permits will be subject to all prior water rights
Protests may be submitted based on the criteria of
Sec. 42-203 A, Idaho Code. Any protest against
the approval of this application must be filed with
the Director, Dept. of Water Resources, Western
Region, 2735 Airport Way, Boise, Idaho 83705, to
gether with a protest fee of \$25.00 for each appli-
cation on or before JUNE 26, 2000. The protes-
tant must also send a copy of the protest to the ap-
plicant.

No. 149
KARL J. DREHER, Director
June 7, 14

RECEIVED

JUN 21 2000

WATER RESOURCES
WESTERN REGION

MICROFILMED

OCT 12 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

June 5, 2000

KARL J. DREHER
DIRECTOR

Donald K. Weilmunster
PO Box 4
Garden Valley ID 83622

Re: Application for Water Right No. 65-13949 in the Name of the Bureau of Land
Management

Dear Sir:

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 26, 2000.

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

Sincerely,

Gary Spackman
DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

Gary Spackman

GS:st

Encl: Copy of Application

MICROFILMED
OCT 12 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 7, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

RE: Preliminary Order Rescinding an Order Voiding an
Application, Reinstating the Application and Advancing the Date
of Priority

Dear Permit Holder(s):

The accompanying order 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 unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

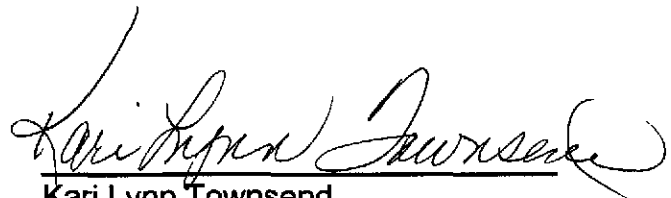
OCT 12 2000

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of **April, 2000**, I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

**RE: Preliminary Order Rescinding an Order Voiding an Application,
Reinstating the Application and Advancing the Date of Priority**

**US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705**



Kari Lynn Townsend
Secretary

MICROFILMED
OCT 12 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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

OCT 12 2000

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Lower Snake River District, Boise Field Office
3948 Development Avenue
Boise, Idaho 83705-5389
Phone: 208-384-3300
FAX: 208-384-3326

Fax

TO:

Name: JEFF PEPPERSACK

Organization: IDAHO DEPT. OF WATER RESOURCES

Fax #: (208) 327-7866

Phone #: (208) 327-7940

From: BOB MALLIS

Date: APRIL 4, 2000

Subject: PETITION FOR RECONSIDERATION

of Pages: 3

Comments:

MICROFILMED

SEP 12 2000



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Lower Snake River District
Boise Field Office
3948 Development Avenue
Boise, Idaho 83705-5389
<http://www.id.blm.gov>

In Reply Refer To:

7250

April 4, 2000

Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-0098

Attn: Jeff Peppersack

PETITION FOR RECONSIDERATION

The Bureau of Land Management, Lower Snake River District, hereby petitions the Idaho Department of Water Resources for reconsideration of a preliminary order to void an application for permit submitted in the name of the Bureau of Land Management to divert 0.03 CFS of groundwater for stockwater and wildlife purposes. The proposed point of diversion and place of use of the application is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T6N, R04W, Payette County.

By letter dated December 2, 1999, the Department asked whether the Bureau of Land Management planned to water more than 500 head of livestock on the property or wheter we wanted to withdraw the application. In answer to these two questions:

1. The Bureau of Land Management has authorized 570 cattle to graze on the subject property, therefore, the proposed diversion of water would serve up to 570 head of cattle.
2. The Bureau of Land Management does not want to withdraw its application for the proposed diversion of water.

Please address any correspondence or inquiries regarding this petition to Mr. Bob Mallis of this office. Bob can be reached 384-3348 (FAX 384-3326).

John Fend
Cascade Field Manager

MICROFILMED

OCT 12 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

March 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705

RE: Preliminary Order for Application for Permit

Dear Applicant(s):

The accompanying order 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 unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Peppersack'.

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

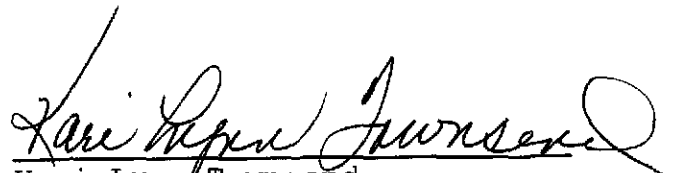
2000

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of **March, 2000**, I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

RE: Preliminary order for Application for Permit

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE ID 83705


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 12 2000

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MICROFILMED

OCT 12 2000

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

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- (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.

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- 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

TO: SUE TAYLOR

FROM: DANIEL A. NELSON

DATE: 1/4/00

SUBJECT: VOIDING APPLICATION FOR PERMIT

Please begin the process to void this application for permit. I tried to get BLM to tell me what to do on this application since it was received in February of 1999. BLM has refused to respond except when I call them concerning the application and then they never return my call. I sent a 30-day letter on 12/2/1999 and have not received a response as of the above date.

Therefore, please begin the process of voiding this application for permit.

This application has not been advertised or data entered.

Thank you for your time and effort.

Daniel A. Nelson
Sr. Water Right Agent

3010 12/2/99

100 12/2/99



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

12/2/99

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

USDI BUREAU OF LAND MANAGEMENT
CASCADE RA
ATTN: JON HAAPT
3948 DEVELOPMENT AVE
BOISE, ID 83705

COPY

**RE: APPLICATION FOR PERMIT TO DIVERT GROUNDWATER IN
PAYETTE COUNTY**

Dear Mr. Haupt,

I have spoken with you many times concerning this application for permit to divert groundwater. This is the application that Don K. Weilmunster already holds a water right on (65-00514). It is further described as BLM # 6501481056. We have communicated back and forth several times concerning this application. In order to refresh your memory, our office can not process this application for the water already licensed by 65-00514. However, we can process this application for any amount over the amount licensed for Mr. Weilmunster. Water right 65-00514 was filed to provide water for 500 head of livestock.

Therefore, please let me know if you plan to water more than 500 head of livestock on this property or if you want to withdraw this application,

In order to process all of the applications in our office as efficiently as possible, we are required by Idaho Code § 42-204 to ask that this information be sent to our office within 30 days or we are to void the application for permit. I have held this application since February 23, 1999 and can no longer hold this folder. **Therefore, if we do not receive the above information by 1/3/2000 we will be forced to void your applications for permit.** If your permit is voided you will be able to re-file for these water rights with a later priority date. If you have any questions or concerns please contact me at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

RECEIVED

DEC 12 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 10-6-99

TO: Phil Davidson

FROM: DAN NELSON
Idaho Department
of Water Resources.

DOCUMENT DESCRIPTION: Change of Ownership ; Profile
Report of Don Weilmunster's Water
Right.

TOTAL PAGES SENT: 3 + COVER SHEET

CONTACT: _____

MICROFILMED
OCT 12 2000

9/98

IDAHO DEPARTMENT OF WATER RESOURCES APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: DAN DATE: 3-9-99 APPLICATION: 65-

REQUIRED INFORMATION

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

Gov't. Lots:

NO P/DNO P/U

ADDITIONAL INFORMATION

____ ADVERTISE REMARK(S)

(Reviewer identify which remarks)

____ T FLAG CHANGED TO P FLAG

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.
- ☒ Bull trout impact area, IDFG letter needed
- ☒ 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. ~~open~~ NON CONSUMPTIVE. under 13,000 gpm.
- ____ 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 _____

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. # _____
☒ ☒ Other Don K. Weilmunster
P.O. Box 4
Garden Valley, ID
83622

FINAL REGIONAL PROCESSING REVIEW:

YES NO

☐ ☐ Affidavit of publication received:
☐ ☐ Application published correctly: If not, record action taken.

☐ ☐ Publication dates and paper recorded on application:

☐ ☐ Final date for protest _____

☐ ☐ Protests received.

☐ ☐ Recommendations attached:

☐ ☐ Measuring device required:

☐ ☐ Water delivered by water master? District # _____

☐ ☐ Special conditions of approval or cover letter: _____

☐ ☐ See below for additional information

Recommended Date or Priority _____

Recommended by: _____ Date: _____

ADDITIONAL INFORMATION:

There is a water right for the same
phase of use in P/O. This could be a
significant water overlap. Both water rights
claim ownership.

OWNER	PRIORITY	USE PERIOD	DIVERSION	DIVERSION		
CODE	NAME & ADDRESS	DATE	WATER USE	FROM TO	RATE	VOLUME
C	DON K. WEILMUNSTER	06/01/1959	STOCKWATER	01/01 12/31	0.020 CFS	6.70 AFA
TOTAL DIVERSION:					0.020 CFS	6.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T06N R04W S10 NWNE PAYETTE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE									
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	-----	-----	:
06N	04W	10	:			S		:					:					:						:	

Pou County: PAYETTE

Dates:	App. Received:	Priority Date:	06/01/1959
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

f15 Chain was fixed.

MICROFILMED
OCT 12 2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-00514
Date Received: 2/13/1990
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON K. WEILMUNSTER 208-462-0377
Address: P.O. BOX 4
GARDEN VALLEY, ID 83622

2. Date of Priority: JUN 01, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	04W	10	NW	NE			PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		6.70

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 6.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	04W	10	NW	NE		STOCK	

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? YES

A65-00514

Page 1

Date: 04/17/90

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OCT 12 2000

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SEP 15 1992

13 Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-00514
Date Received: 2/13/1990
Receipt No: X999999
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON K. WEILMUNSTER 208-462-0377
Address: P.O. BOX 4
GARDEN VALLEY, ID 83622

2. Date of Priority: JUN 01, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	04W	10	NW	NE			PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		6.70

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 6.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	04W	10	NW	NE		STOCK	

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? YES

A65-00514 Page 1 Date: 02/13/90

MICROFILMED

OCT 12 2000

MICROFILMED

SEP 15 1992

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

VS

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Bob Williams Date: _____
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of FEB 1990 James C.

this 13th day
James E. Sullivan
 Notary Public

Seal

Residing at BORSE, ID
My Commission Expires 11/08/1994

MICROFILMED
JUL 12 2000

MICROFILMED

SEP 15 1992

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 43

* INDICATES TOTAL *

SOURCE: GROUNDWATER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS AT RIGHT NO
65-0702	STATE OF IDAHO & AYRE, J. RANDOLPH, LESSEE DEPARTMENT OF LANDS, STATEHOUSE, BOISE, IDAHO 83720 REMARKS: LOT 10, BLOCK 2, PINECREST ADDITION.	6/ 1/1959	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWNE S32 T19N R 3E	SWNE S32 T19N R 3E	BENEFICIAL USE
65-10778	STEPHENSON, WILBUR E. BOX 191, HORSESHOE BEND, IDAHO 83629	6/ 1/1959	DOMESTIC	1/ 1 12/31	2.40 AFA .08 CFS	NWSE S34 T 7N R 2E	NWSE S34 T 7N R 2E	BENEFICIAL USE
65-9874	U. S. DEPT. OF AGRI. FOREST SERVICE, FEDERAL BLDG., 324 25TH STREET, OGDEN, UTAH 84401 REMARKS: GRANDJEAN C. G.	6/ 1/1959	DOMESTIC	1/ 1 12/31	3.00 AFA .04 CFS	NESW S35 T10N R11E	NESW S35 T10N R11E	BENEFICIAL USE
65-9902	U. S. DEPT. OF AGRI. FOREST SERVICE, FEDERAL BLDG., 324 25TH STREET, OGDEN, UTAH 84401 REMARKS: RIVERSIDE C. G.	6/ 1/1959	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NW S29 T12N R 7E	NW S29 T12N R 7E	BENEFICIAL USE
65-9966	U. S. DEPT. OF AGRI. FOREST SERVICE, FEDERAL BLDG., 324 25TH STREET, OGDEN, UTAH 84401 REMARKS: SWINGING BRIDGE CAMPGROUND.	6/ 1/1959	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NENE S29 T10N R 3E	NENE S29 T10N R 3E	BENEFICIAL USE
65-10297	WATSON, MYRON E. BOX 14, GARDEN VALLEY, IDAHO 83622	6/ 1/1959	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SESW S26 T 9N R 4E	SESW S26 T 9N R 4E	BENEFICIAL USE
65-0514	WEILMUNSTER, DON K. ROUTE 2, PARMA, IDAHO 83660	6/ 1/1959	STOCKWATER	1/ 1 12/31	6.70 AFA .02 CFS	NWNE S10 T 6N R 4W	NWNE S10 T 6N R 4W	BENEFICIAL USE
65-0515	WEILMUNSTER, DON K. ROUTE 2, PARMA, IDAHO 83660	6/ 1/1959	STOCKWATER	1/ 1 12/31	6.70 AFA .02 CFS	SWSE S28 T 7N R 4W	SWSE S28 T 7N R 4W	BENEFICIAL USE
65-8049	WILSON, DILLON L. & WILSON, IMOGENE BOX 273, NEW PLYMOUTH, IDAHO 83655	6/ 1/1959	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	NESE S 4 T 7N R 4W	NESE S 4 T 7N R 4W	BENEFICIAL USE
65-33729	WILES, LEWIS U. & WILES, MARTHA M. 904 NORTH 4TH STREET, PAYETTE, IDAHO 83661	6/10/1959	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	SWSE S28 T 9N R 5W	SWSE S28 T 9N R 5W	BENEFICIAL USE

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SEP 15 1992

Claim No.

Wesley S. Cruickshank
Montour, Idaho 83640

- (1) Date of priority. (When was the water first applied to a beneficial use, or date that permit was issued) 1959, spring
- (2) Describe source of water. (Name of stream, lake, spring, etc., or groundwater) subterranean
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.
- | Quantity | Use | Period of Use From | To |
|---|--------------------|--------------------|--------------|
| ~~XXXXXXX~~ <u>0.4</u> AFS GDP AFS | <u>stock water</u> | <u>1/1</u> | <u>12/31</u> |
| Quantity | Use | Period of Use From | To |
| ~~XXXXXXX~~ <u>0.4</u> AFS GDP AFS | <u>stock water</u> | <u>1/1</u> | <u>12/31</u> |
| Quantity | Use | Period of Use From | To |
| ~~XXXXXXX~~ <u>0.4</u> AFS GDP AFS | <u>stock water</u> | <u>1/1</u> | <u>12/31</u> |
- (4) ~~XXXXXXX~~ 0.4 TOTAL QUANTITY CLAIMED 10 gallons per minute
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW 4 NE 4
Sec. 10, Twp 6N, Rge 4W, B.M.; additional points:
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible well, pump and motor, 10,000 gallon storage tank and 500 gallons stock tank
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box if use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No of acres.

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: water for beef cattle 500 head
- (7) Effluent, sewage waste, or return water from this use is discharged into: none
- (8) If you are claiming water as a member of an organization, list name of organization: none
- (9) Remarks: _____
- (10) Basis of claim (Check one): ☒ A) Right based on diversion and beneficial use
☐ B) Right decreed by court, cite title of case _____
☐ C) Right based on application license, or claim filed with the Idaho Department of Water Administration.

DATE OF EXAM

FIELD EXAMINER

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OCT 12 2000

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SEP 15 1992

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO.

MAP NO.

PAYETTE

65-0514

Notice is hereby given that

RT. 2 PARMA ID 83660
Nontour Idaho 83660

(Name of Claimant)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 6/1 1959, spring
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) subterranean 6W
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: (Both Dates Inclusive)
- Use stock water Period of Use From Jan. 1 To Dec. 31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
- Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
- Use Period of Use From To
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
- (4) Quantity of water claimed: 02 Cubic Feet Per Second, or 6.7 Acre Feet Per Annum, and/or 10 Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 NE 1/4 Sec. 10 Twp. 6 N Rge. 4 W B.M.; additional points:
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc) Give sizes and capacities; be as specific as possible well, pump and motor, 10,000 gallon water storage tank and 500 gallon stock tank
- (6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6	N	4	10	X															

Total No. of acres

R) If water is used for other than irrigation, fully describe that use, being as specific as possible:

500 water for beef cattle

- (7) Effluent, sewage waste, or return water from this use is discharged into none
- (8) If you are claiming water as a member of an organization, list name of organization none
- (9) Remarks
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No.:

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

July 10, 1970
(Date)

Individual

Wesley S. Cruickshank
(Signature of Claimant)

Organization

BP
2-9-77
(Signature of Authorized Agent)

State of Idaho

County of Ada

Organization
Seal

On this 10th day of July, in the year 1970, before me,

a notary public, personally appeared Wesley S. Cruickshank and Minnie E. Cruickshank known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

Notary Public residing at Boise, Idaho

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My commission expires 8/12/70

OCT 12 2000

also 11-23-77 SEP 15 1992

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MOVE

John Holman
Says

He can move the water
off the property or sell
the ~~property~~ ~~to~~ the
water right. to the new
owner.

However, there would be
a question of ownership, but
as long as the water right
has been used in the last
5 years it can be done.

FORFEITURE

CURRENT LEASE
HOLDER { Davidson
sons

MICROFILMED

OCT 12 2000

TALK TO ~~MICHAEL~~ John Holman

OCT 12 2000

John Haupt - BLM
called and said
that

WILMUNSTER
WANTED TO
TALK TO ME.
Call him BACK
(EARLY ^{WORKS.} or LATE)
AND DETERMINE IF
HE CAN TRANSFER
WATER RIGHT OR
CHANGE OWNERSHIP.

Phone # 462-3777

Important Message



Time: 10:50 Date: 10-6

For: Dan

From: Phil Dawson

Telephone: 459-6802

- | | |
|--|---|
| ☐ Telephoned | ☒ Please call |
| ☐ Wants to see you | ☐ Will call again |
| ☐ Returned your call | ☐ URGENT |
| ☐ Was here to see you | |

Message: FOX-454-0605
SEND Change of Ownership

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Taken by: OCT 12 2000

Post-it® 7679-4 ©GM 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

~~65-13949~~

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
CASCADE RESOURCE AREA
3948 DEVELOPMENT AVE
BOISE, ID 83705

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Source: GROUNDWATER

Diversion Pt: NWNE Sec 10 T 06N R 04W in PAYETTE County.

Use: STOCKWATER	(	0.030 CFS)
WILDLIFE	(	0.030 CFS)
Total Diversion:	(	0.030 CFS)

Date Filed: 5/16/2000

In: PAYETTE County
T06N R04W S10 NWNE

MICROFILMED

OCT 12 2000