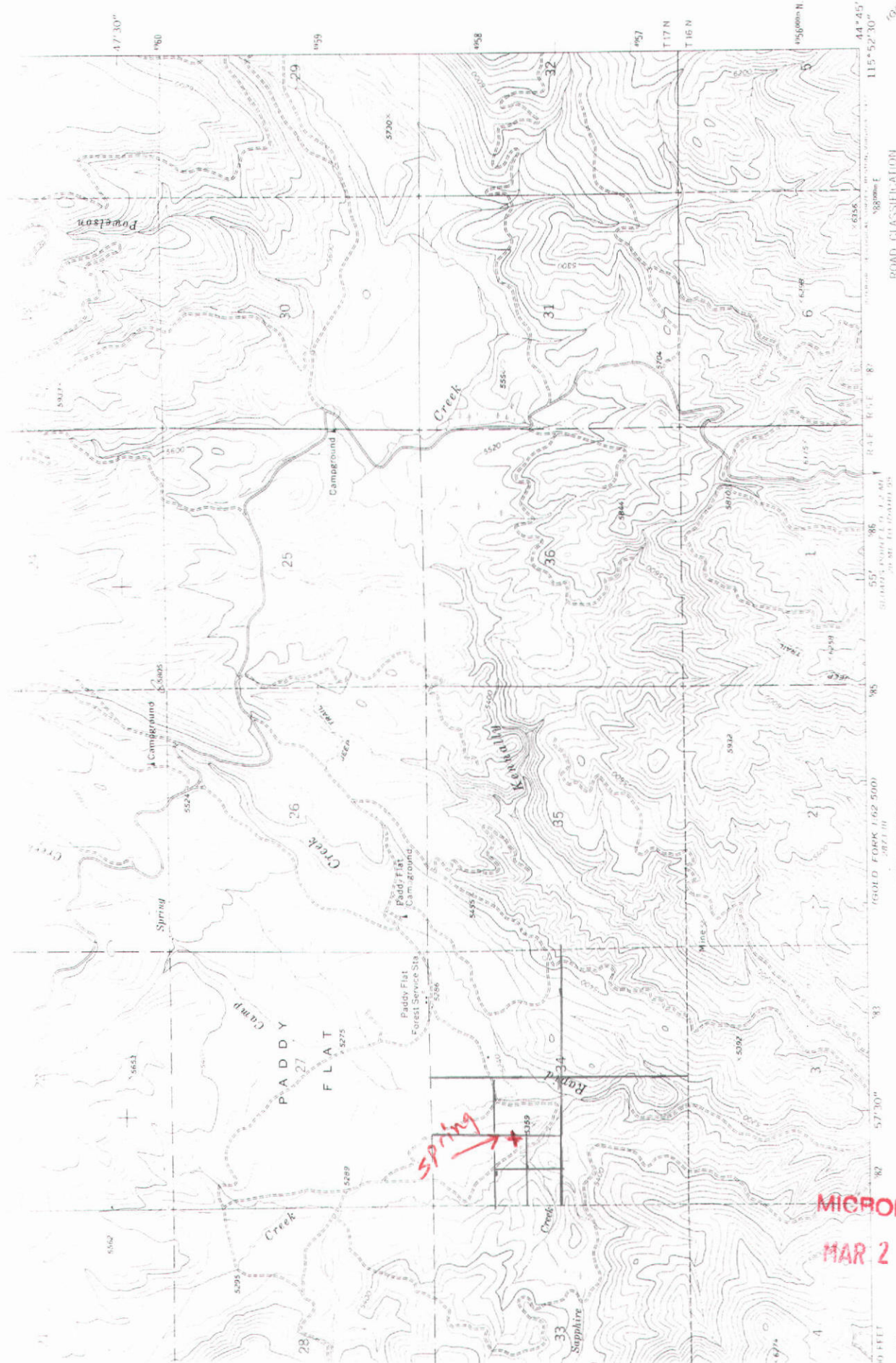




ROAD CLASSIFICATION
Primary highway
hard surface
Secondary highway
hard surface
Light duty road, hard or
unpaved surface
Unimproved road
Unimproved road

SCALE 1:24,000
GOLD FORK 1:62,500
2011 M

MICROFILMED
MAR 20 2000

NO G-OUT LONG
T-17N R-4E SW NW
Sec. 34. DAN 11-22-99

MICROFILMED

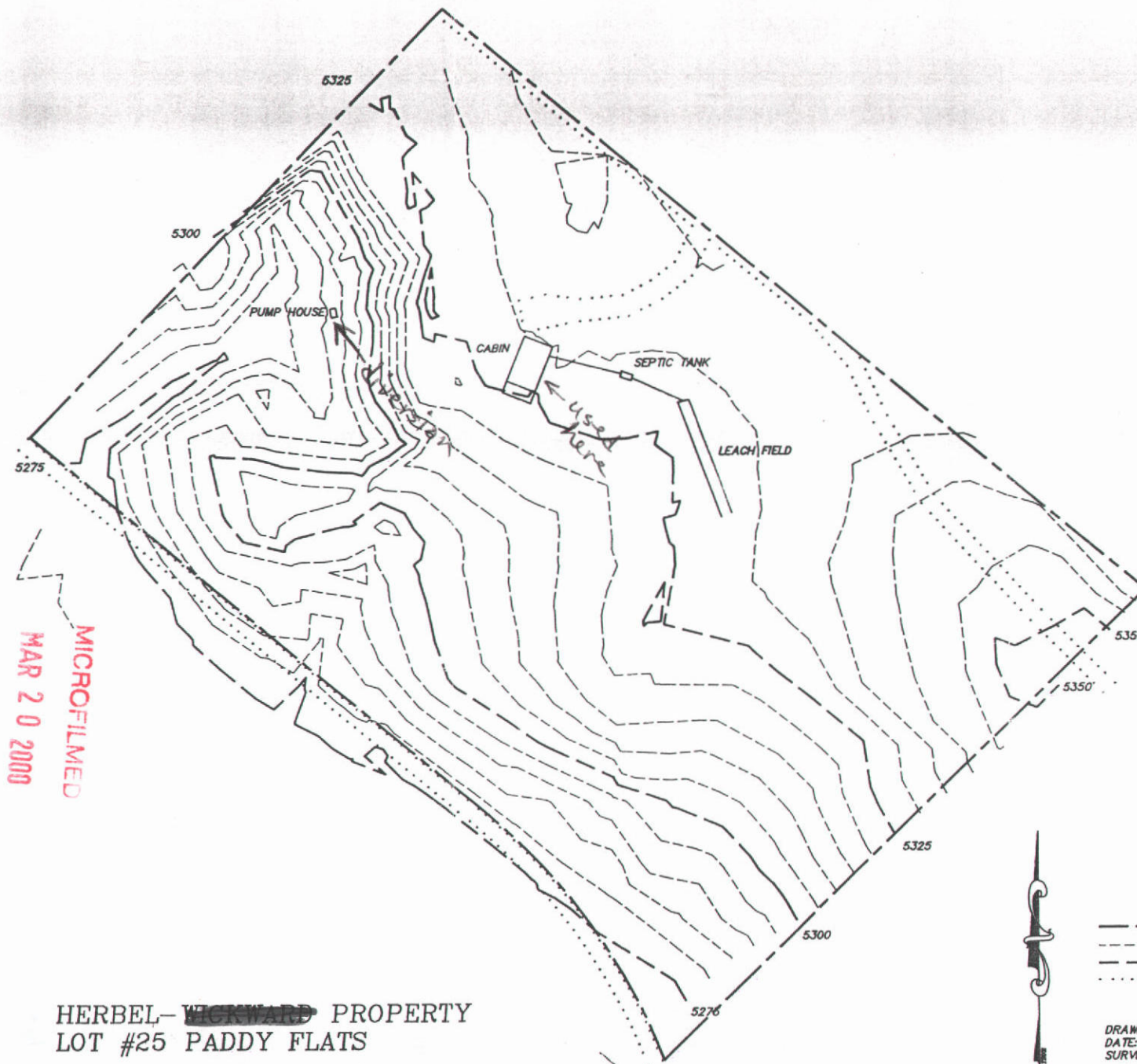


CONTINUED ON SHEET 2

A 10
insid
bour

W 1/4 Cor , Sec. 34
Found Brass Cap

Paddy Flat Subdivision
Donnelly Idaho
Lot #25



MICROFILMED
MAR 20 2000

HERBEL-~~WICKWARD~~ PROPERTY
LOT #25 PADDY FLATS

GRAPHIC SCALE
0 50 75 100
(IN FEET)

--- APPROXIMATE PROPERTY LINE
- - - 5' CONTOUR
- - - 25' CONTOUR
... GRAVEL ROAD

DRAWN BY: KML
DATE: MAY 15, 1989
SURVEYED: JUNE 10, 1988



- LEGEND**
- SET 1/2" REBAR
 - ⊙ SET 5/8" REBAR
 - ⊙ FOUND BRASS CAP
 - 33 LOT NUMBER

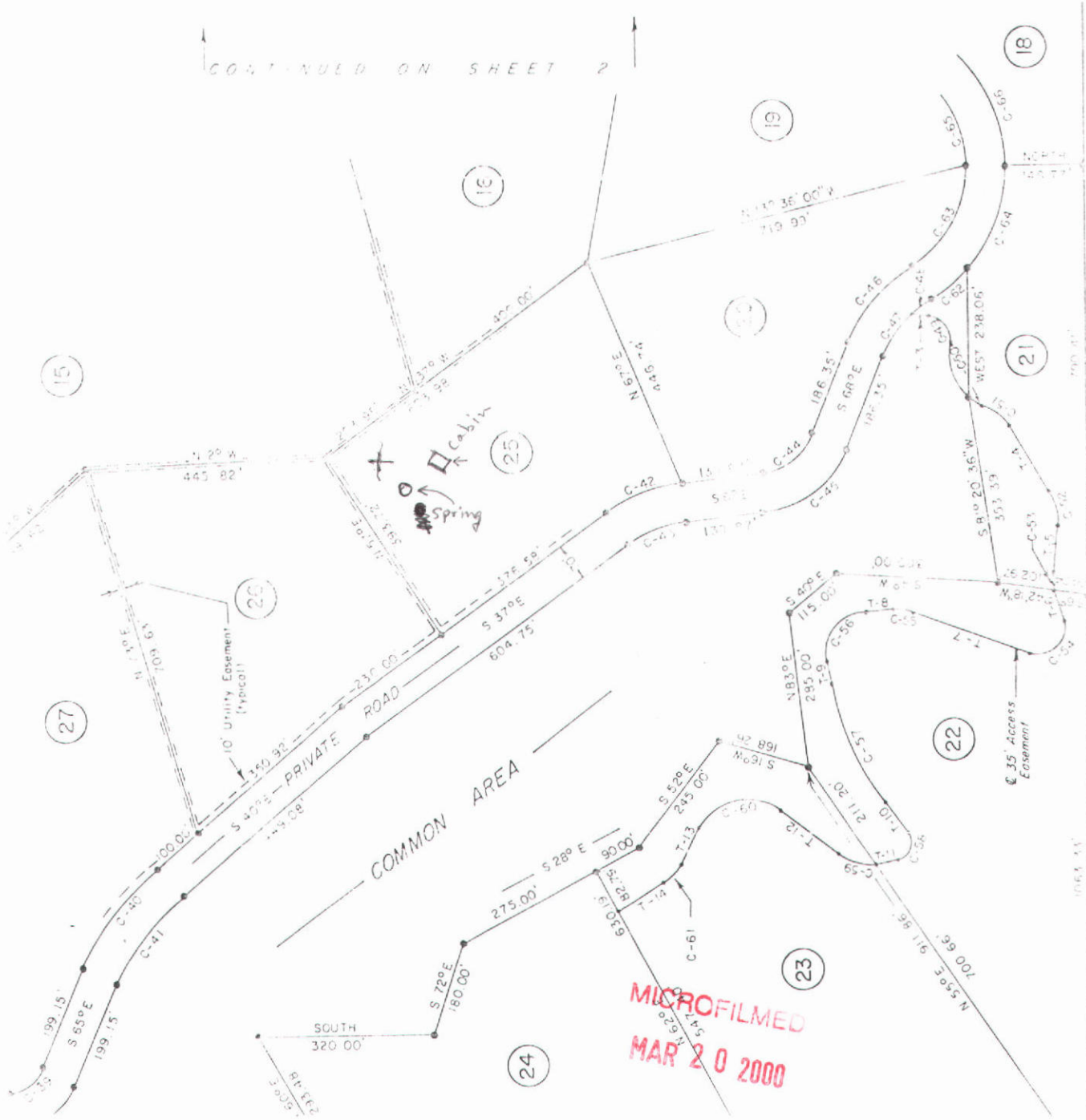
NOTE

A 10' utility B drainage easement exists inside all lot lines along roads and sub boundary. 10' centered on all interior lot

TANGENT TABLE

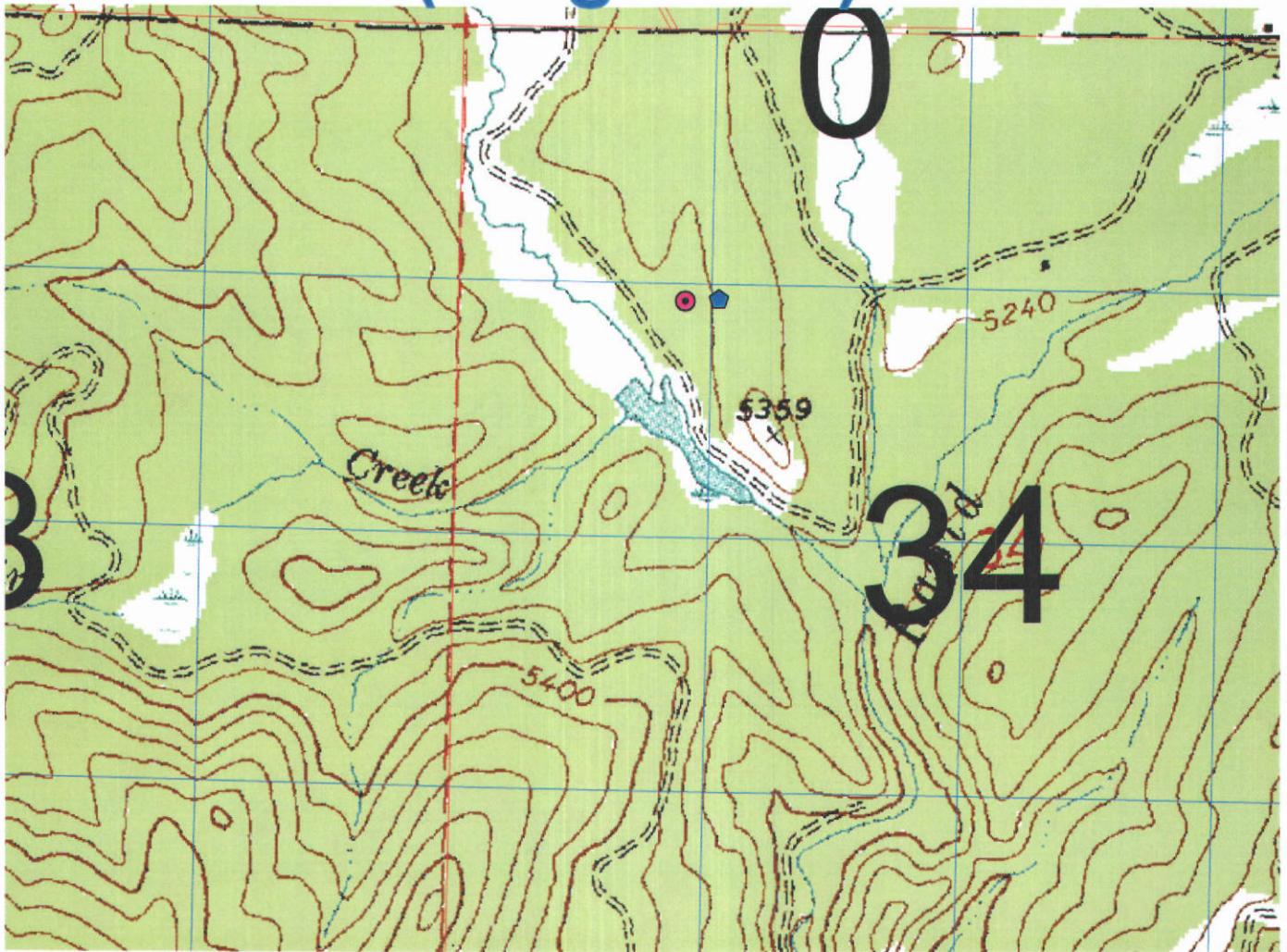
NO.	BEARING	LENGTH
3	S 3°00'00"W	33.17
4	S 58°00'00"W	141.54
5	N 85°00'00"W	92.37
6	S 75°00'00"W	58.95
7	N 20°00'00"E	229.65
8	N 3°00'00"W	48.28
9	S 80°00'00"W	45.51
10	S 52°00'00"W	70.88
11	N 6°00'00"W	39.90
12	N 36°00'00"E	128.94
13	N 60°00'00"W	75.07
14	N 32°00'00"W	99.35

CONTINUED ON SHEET 2



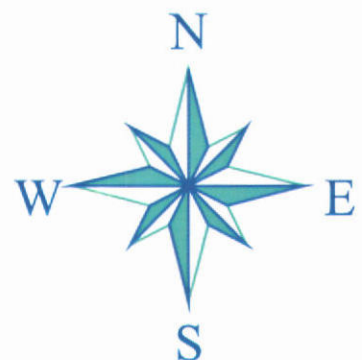
MICROFILMED
MAR 20 2000

● 65-13909 ●
T17N R4E S34
(no gov lts)



0.3 0 0.3 0.6 Miles

● Cabin
● Spring
Sections
1/41/4
MICROFILMED
JUL 16 2002





-P/D

controlling
works



-P/u

MICROFILMED
111 16 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13909

Priority: October 05, 1999

Maximum Diversion Rate 0.02 CFS
Maximum Diversion Volume: 0.6 AF

It is hereby certified that EUGENE HERBEL And/or BONNIE HERBEL
14898 KARCHER RD
CALDWELL ID 83607 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 05, 1999; and have
submitted Proof of Beneficial Use on February 07, 2000. An examination indicates that the works have
a diversion capacity of 0.02 cfs of water from:

SOURCE

SPRING

Tributary: PADDY CREEK

and a water right has been established as follows.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT OF DIVERSION:

SPRING NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 34, Twp 17N, Rge 04E, B M., VALLEY County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	04E	34									X								

CONDITIONS OF APPROVAL

- 1 Domestic use is for 1 home.
- 2 Point of diversion and place of use are located within Lot 25, Paddy Flat Subdivision.
- 3 Use of water under this water right will be regulated by the watermaster of State Water District No. 65
- 4 A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

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

Signed and sealed this 9th day of MAY, 2002

MICROFILMED

JUN 16 2002

Acting for

KARL J. DREHER
Director



RECEIVED

MAY - 9 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

Department of Water Resources

(For Licensing Purposes)

WATER RIGHT NO. 65-13909

Date of Priority: October 05, 1999

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

Comes now EUGENE HERBEL And/Or BONNIE HERBEL
14898 KARCHER RD

CALDWELL ID 83607 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 65-13909, and requests that the permit be changed as follows:

Source: SPRING

Tributary: PADDY CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

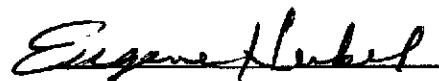
LOCATION OF POINT OF DIVERSION:

SPRING NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34, Twp 17N, Rge 04E, B.M., VALLEY County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 04E 34								X									

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 24 day of April, 2002


(Signature)

MICROFILMED

JUL 16 2002

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13909

FOR DEPARTMENT USE ONLY
Preliminary check by Kew Fee = \$50.00 Received by JM # C061942 Date 5/9/02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-13909 with the following:

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. Point of diversion and place of use are located within Lot 25, Paddy Flat Subdivision.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Witness my hand this 9TH day of MAY, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

JUL 16 2002

FEB 7 - 2000

FOR OFFICE USE ONLY
Amt of Fee \$ 50.00
Receipt No. 0048012
Receipt By. A. Knack
Date Received: 2-7-00

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 7 - 2000

PROOF OF BENEFICIAL USE

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. 65-13909 Telephone No. (208) 454-3801

2. Name of Permit Holder(s): Eugene Herbel & Bonnie Herbel

3. Mailing Address: 14898 Karcher Rd

City Caldwell State ID Zip 83607

4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled. mo. ____ / yr. ____

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____ - ____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes ____ or No X

Has the measuring device been installed?

Yes ____ or No 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 Eugene Herbel Telephone Number. (208) 454-3801

Address 14898 Karcher Rd. (Caldwell), ID 83607

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:

Eugene Herbel (include your title, if on behalf of company or organization)

Date 2-2-2000

VER 2.0 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13909

Priority: October 5, 1999

Maximum Diversion Rate:

0.04 CFS

This is to certify, that HERBEL EUGENE
BONNIE EUGENE
14898 KARCHER RD
CALDWELL ID 83605

has applied for a permit to appropriate water from:
SPRING tributary of PADDY CREEK

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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: NESWNW , Sec. 34, Township 17N, Range 04E
VALLEY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

17N 04E 34

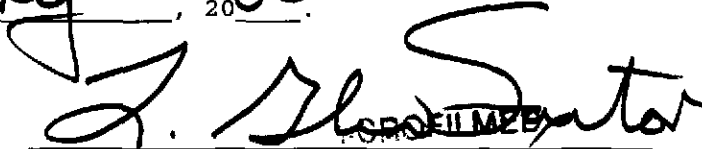
SWNW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before February 1, 2001.
2. Subject to all prior water rights.
3. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
4. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
5. Domestic use is for 1 home.
6. Point of diversion and place of use are located within Lot 25, Paddy Flat Subdivision.

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

28th day of January, 2000


Karl J. Dreher, Director
for

10-9-99
RECEIVED

OCT 05 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 65-13909

RECEIVED

JAN 20 2000

Department of Water Resources

1. Name of Applicant Eugene and/or Bennie Herbel Phone (208) 454-3801
Mailing address 14878 Karcher Rd Caldwell, ID. 83605
2. Source of water supply Spring which is a tributary of Paddy Creek
3. Location of point of diversion is Township 17N Range 4E Sec. 34, in the NE 1/4, 51W 1/4, NW 1/4, Govt. Lot _____, B.M., Valley County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .04 CFS for Domestic purposes from Jan 1 to Dec 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)
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) .04 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source 6 gpm 12 volt DC Pump
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? No
e. If well is already drilled, when? _____; Drilling firm _____; Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in KW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. ONE
e. Other; describe fully. _____

MICROFILMED

MAR 20 2000

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	
17N	4E	34							D										

Total number of acres to be irrigated 2

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? Eugene & Bonnie Herbel

b. Who owns the land to be irrigated or place of use? Eugene & Bonnie Herbel

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: _____

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

MICROFILMED

MAR 20 2000

Eugene Herbel

Signature of Applicant (and title, if applicable)

Received by Rh Date 10/5/99 Time 10:58 Preliminary check by DAV
 Fee \$ 3000 Received by Rh # W025192 Date 10/5/99
 Publication prepared by LM Date 12-16-23-99 Published in _____
 Publication approved _____ Date 1-11-00 **STAR NEWS**

Ident. No. 65-13909

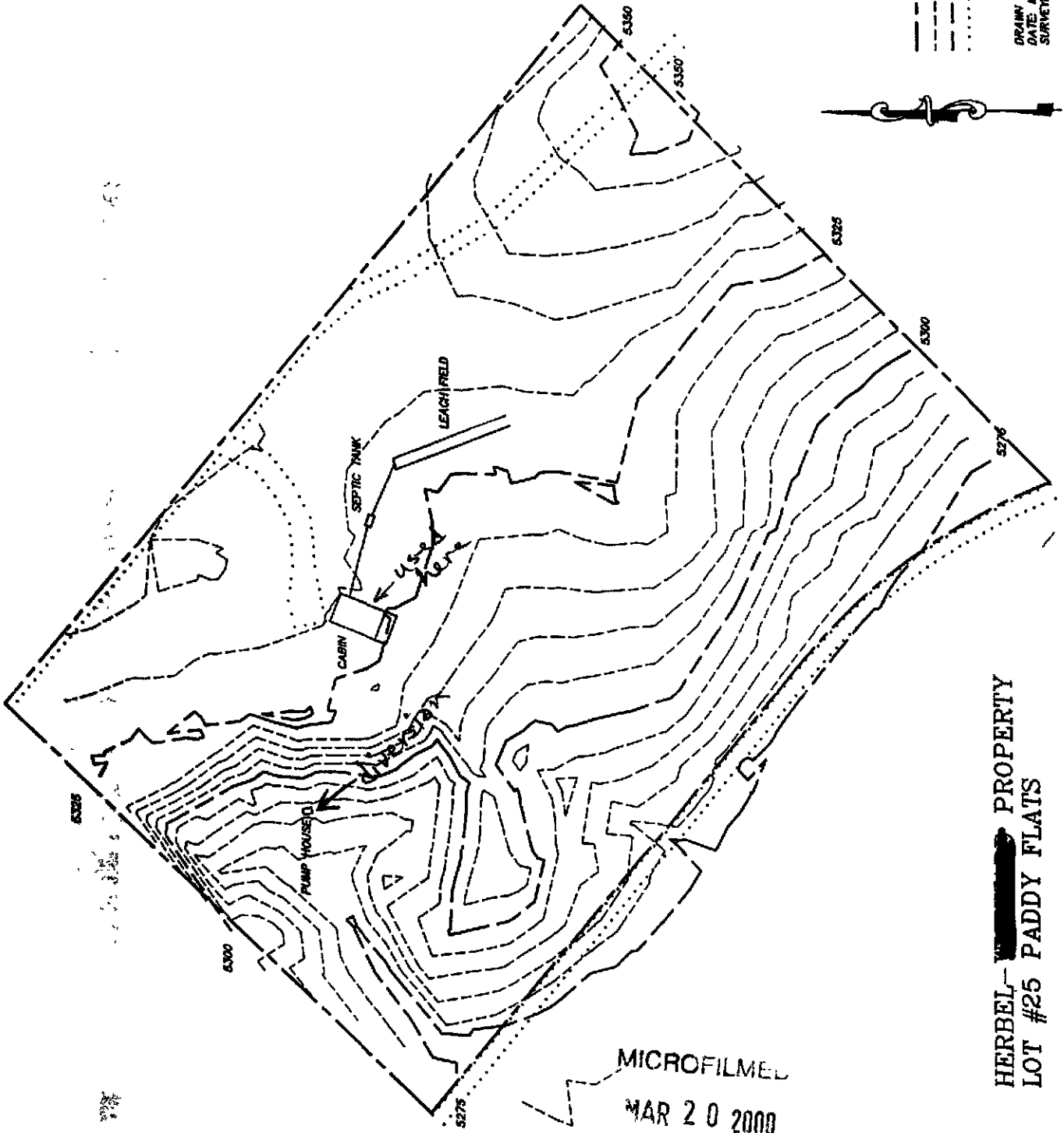
Comments: Date: 11/22/1999 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

APPLICANT: Place of use also known as lot # 25 Paddy Flat
Subdivision. domestic use is for one home.

IDWR: P/D and P/U are very close to 1/4 1/4 line and could be on
either side of line.

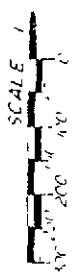
MICROFILMED
MAR 20 2000



HERBEL-[REDACTED] PROPERTY
 LOT #25 PADDY FLATS

MICROFILMED
 MAR 20 2000

DRAWN BY: K. J. L. J.
 DATE: MAY 15, 1988
 SURVEYED: JUNE 10, 1988



LEGEND

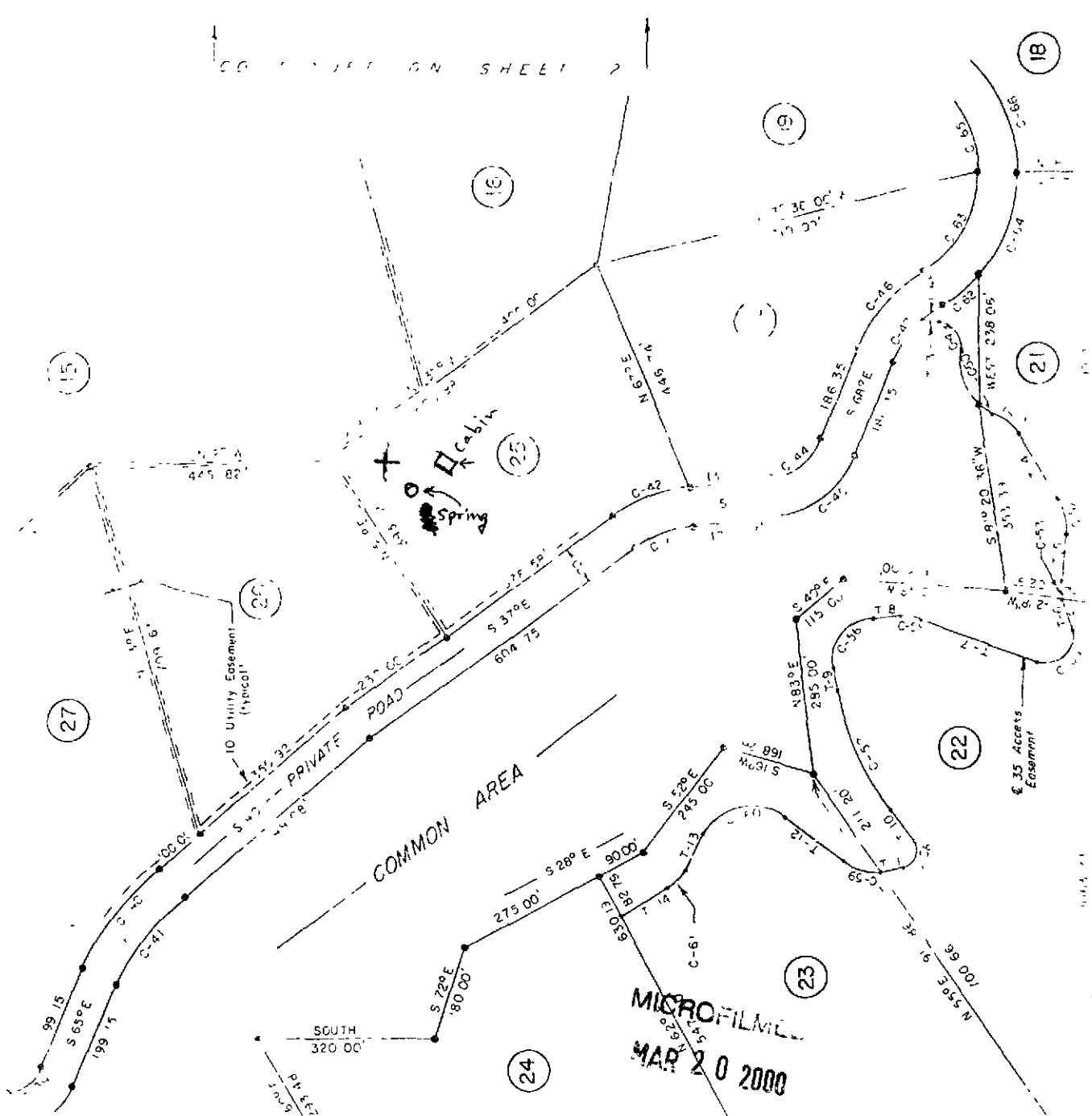
- SET 1 2 REBAR
- SET 5 N REBAR
- FOUND BRASS CAP
- LOT NUMBER

NOTE

A 10' utility easement is shown inside all lot lines along roads and sub-boundary 10' centered on all interior lot

TANGENT TABLE

NO.	BEARING	LENGTH
3	S 30°00'00"W	33.17
4	S 58°00'00"W	141.54
5	N 85°00'00"W	32.37
6	S 75°00'00"W	58.95
7	N 20°00'00"E	229.45
8	N 30°00'00"W	18.25
9	S 84°00'00"W	35.76
10	S 52°00'00"W	70.84
11	N 6°00'00"W	39.90
12	N 76°00'00"E	128.94
13	N 60°00'00"W	75.07
14	N 32°00'00"W	99.35



MICROFILMED
MAR 20 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 13, 2002

EUGENE HERBEL
BONNIE HERBEL
14898 KARCHER RD
CALDWELL ID 83607

RE. License No. 65-13909 - Issuance of License

Dear Water Right Holder(s):

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

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

Enclosed is a copy of the approved Application for Amendment.

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,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

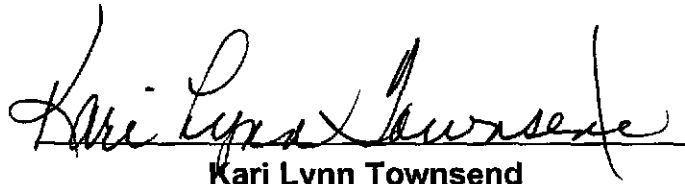
MICROFILMED
JUN 15 2002

CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 65-13909

**EUGENE HERBEL
BONNIE HERBEL
14898 KARCHER RD
CALDWELL ID 83607**

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

**Kari Lynn Townsend
Secretary**

**MICROFILMED
JUL 16 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED
JUL 16 2002

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 17, 2002

EUGENE HERBEL
BONNIE HERBEL
14898 KARCHER RD
CALDWELL ID 83607

RE: Water Right Permit No. 65-13909

Dear Permit Holders:

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

Place of Use

The enclosed Application for Amendment form depicts the elements of the water right as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

Enclosure

4-25
Mr. Herbel called -
wondered why amendment
was needed. Will
submit amendment
KW
MICROFILMED
JUL 16 2002

LICENSE REVIEW CHECKLIST

Permit No. 65-13909 Date: 4-16-02 Reviewer Kay Walker

Change/OK

Name/Address

fix names per orig. app.

Source

Point of Diversion

OK

Does change clarify original intended source? If no, void permit
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

change

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s) _____
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.04 cfs
Fee Limit 0.20 cfs
Measured _____ cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.02

Water Uses

OK Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater _____ cfs _____ af
Domestic 0.02 cfs 0.4 af
_____ cfs _____ af
_____ cfs _____ af
Total 0.02 cfs 0.4 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
≤1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

_____ cfs x 1.9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks:

R02, R04, W01, W59/W60

Additional Conditions

65 Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below
no

SRBA Claim?

N/O

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

P49

S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 15 2001

Idaho Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13909

1. Owner: Eugene and Bonnie Herbel Phone No. 454-3801

Current Address: 14898 Karcher Rd Caldwell ID 83607

2. Accompanied by: _____ EXAM DATE : 9/26/01

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Spring tributary to Paddy Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	NW	34	17N	4E	Valley	GPS Reading, Topo, Exam

2. Place(s) of Use

Indicate Method of Determination same as above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	4E	34								D									

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OCT 15 2002

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

Y Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

N Aerial Photo Attached (required for irrigation of 10+ acres).

Y Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None. System in place, allow .02 cfs.

E. NARRATIVE/REMARKS/COMMENTS

A spring, located in an old placer mine, gravity feeds a 120 gallon storage tank via 3/4" perforated pipe buried in a gravel rock drain. Two twelve volt RV pumps are used to pump the water from the storage tank to a 3' x 2' bladder tank used to pressurize a 3/4" line that feeds the cabin. The old placer mine has been converted into a submerged shed for the spring's diversion works. No external domestic use was found. No other water rights are used.
P/D and P/U are located within lot 25, Paddy Flat Subdivision. Because applicant and IDWR noted in comments that the P/D and the P/U were close to the 1/41/4 line and could be on either side, P/U amendment may not be necessary.

Have conditions of permit approval been met? x yes no

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111 16 2002

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

Allow .02 cfs. No measurement was made.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

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

2. Volume Calculations for Other Uses:

Internal domestic use: .6 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period Of Use		Rate Of Diversion Q (CFS)	Annual Volume V (AFA)
	From	To		
Domestic	1/1	12/31	.02	.6
TOTAL			.02 cfs	.6 afa

2. Recommended Amendments

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

I. AUTHENTICATION

Lori Graves—Senior Agent

Field Examiner's Name

Lori Graves

Date

10/1/01

Reviewer _____

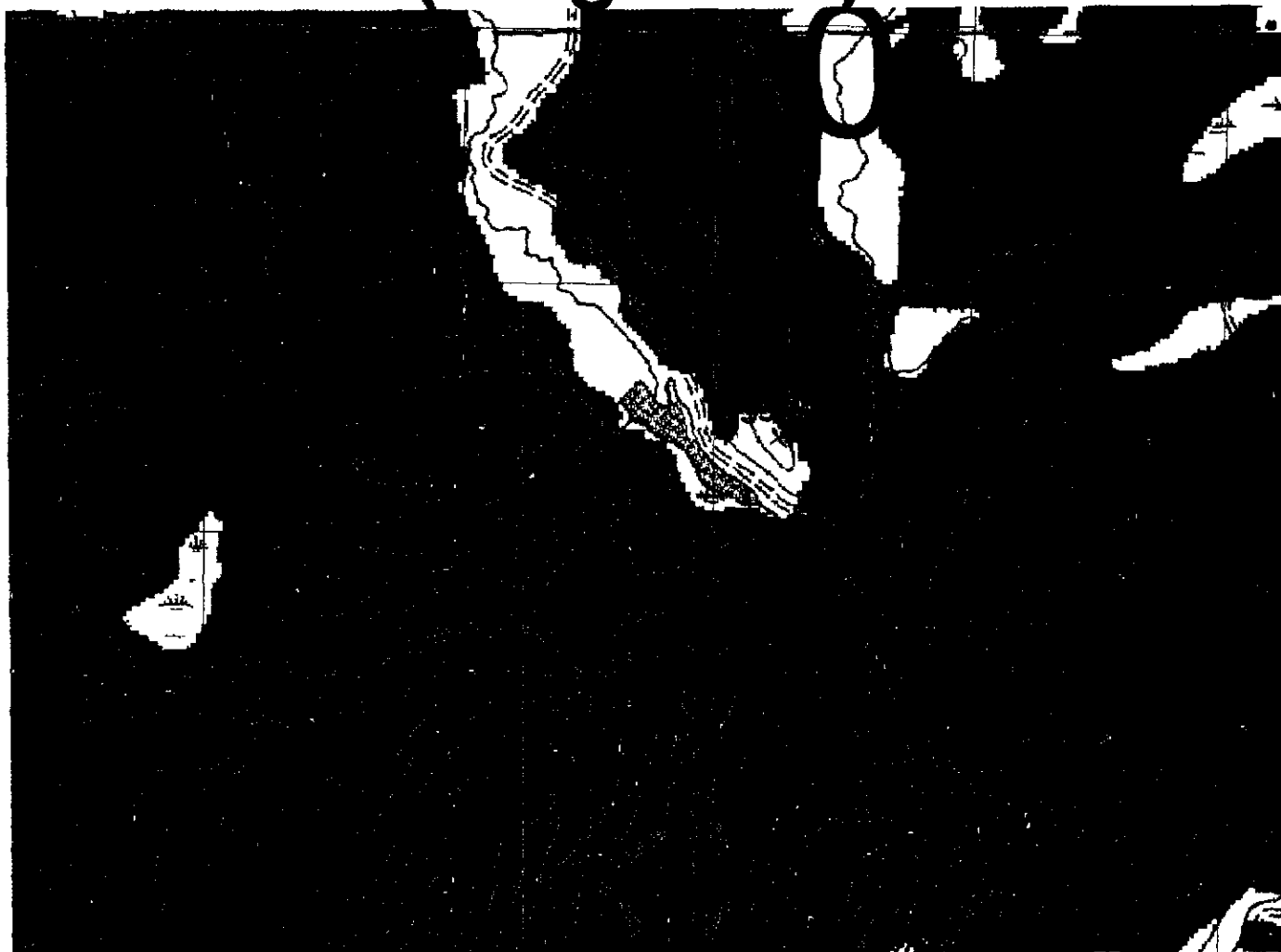
Date _____

SEAL

MICROFILMED

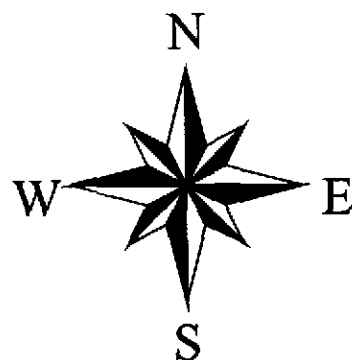
MAY 16 2002

● 65-13909 ●
T17N R4E S34
(no gov lts)



0.3 0 0.3 0.6 Miles

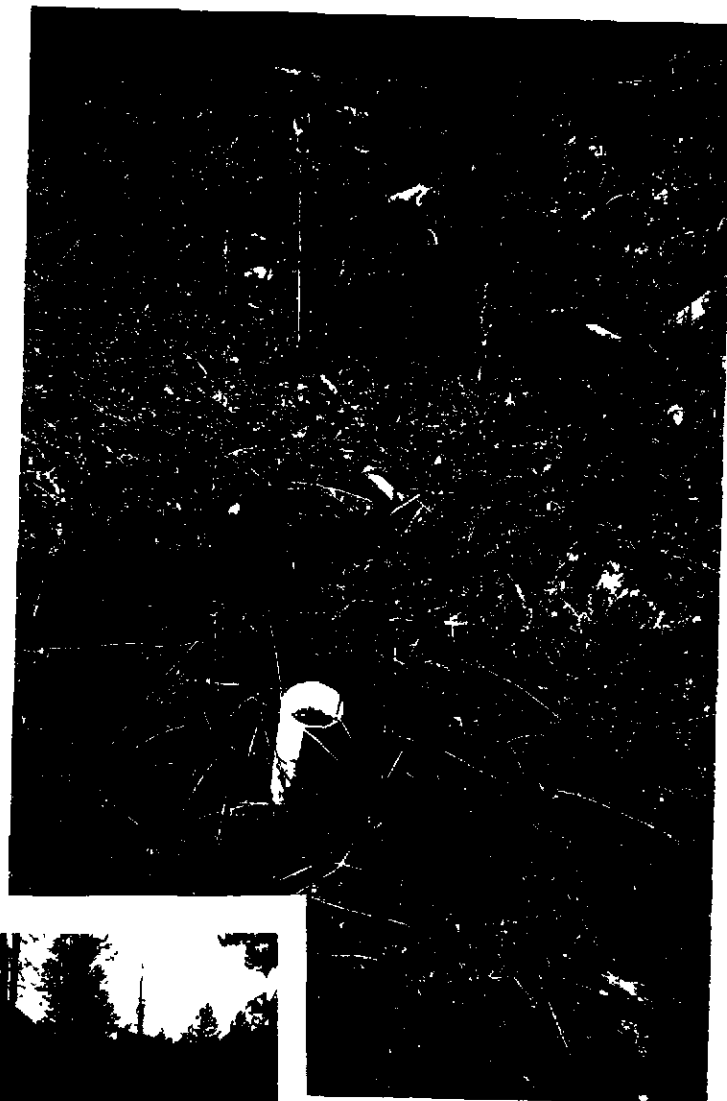
◆ Cabin
● Spring
Sections
1/41/4
MICROFILMED
111 1 6 2002





-P/D

controlling
works —



— P/u

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16 2002



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 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EUGENE HERBEL
BONNIE HERBEL
14898 KARCHER RD.
CALDWELL ID 83607

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13909

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 conduct a field examination to determine and confirm the use being made of the water.

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,

A handwritten signature in cursive script, reading 'Deborah Drew-Ellis', written in dark ink.

Deborah Drew-Ellis
Administrative Asst. I, Water Allocations

c: IDWR - Regional Office

MICROFILMED

MAR 20 2000

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13909 Reviewed by de Date 3/6/00

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit?
No Address same as permit?
No Yes Proof timely received? Correct Uses? _____
If not, complete calculation below.

SOURCE OF WATER

Yes Surface water source
No Ground water source
_____ Drilling permit required?
_____ Copy in the file? Drilling Permit No. _____
_____ Amount paid for permit _____ Correct?
_____ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50 Amount Submitted
yes Correct?
No Required?
_____ Installed?
_____ Waiver requested?

PRIORITY CALCULATION

Date proof received _____
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

*Correct zip code in address & update Proof made date.
acknow recit of proof*

DATA ENTRY

New Address Change zip code to 83607 Proof Made 2/7/00 3/6/00 de

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 0048042

Date:
Time: 27 8/2000
10:24:21

Received
From: HERBEL GENE OR BONNIE E

Type of Payment	Program A cct	Amount
BENEFICIAL USE	56104 229 21 1155	50.00
CHECK: 1096		
Total		\$ 50.00

Region: STATE

Signature: Ape Roach

MICROFILMED
MAR 20 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

January 31, 2000

DIRK KEMPTHORNE
GOVERNOR

HERBEL EUGENE
BONNIE EUGENE
14898 KARCHER RD
CALDWELL ID 83605

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13909

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.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

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 homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

MAR 20 2000

SK:klt
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of January, 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. 65-13909

HERBEL EUGENE
BONNIE EUGENE
14898 KARCHER RD
CALDWELL ID 83605


Kari Lynn Townsend
Secretary

MICROFILMED
MAR 20 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

MAR 20 2000

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

Reviewed by Sharla Curtis on 1/20/00

No. 65-13909 Name: Herbel Corp. Officers N/A Ad ok ✓ Govt Lots

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

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
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 Lo Geo~~ - 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: 2/01/2001

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 None objection
In/Above MSF - WB9
PLANNING SECTION REVIEW/RESPONSE
In-stream development - P52
WD - R04 (WD# 45)
≤ 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) N/A
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 W01
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R) N/A
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5
Moratorium approvable - W03 (2400 gpd - meets domestic definition
i.e. D/convenience store)

IRRIGATION SEASON - (Per updated map)

OTHER CONDITIONS/REMARKS

COMMENTS

~~Multiple pd's per 1/4~~ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60 Yict 25, Paddy Flat Subd.
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

JAN 20 2000

ILLINOIS DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

DATA ENTRY
complete.

Department of Water Resources

INITIAL REVIEW BY: DAN DATE: 11-22-99 APPLICATION: 65-13909

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) Gov't. Lots:
- ☒ Period of use: NO P/D
- ☒ Nature of proposed use: (Include description of use) NO PIU
- ☒ 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

ADDITIONAL INFORMATION

NO 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.
- ☐ ☒ 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. Domestic NON-CONSUMPTIVE USE.
- ☐ ☐ 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. 15 13 909

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. # 105
☐ ☒ 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 1-3-99
☐ ☒ Protests received.
☐ ☒ Recommendations attached:
☒ ☐ Measuring device required:
☒ ☐ Water delivered by water master? District # 105
☒ ☐ Special conditions of approval or cover letter: STANDARD CONDITIONS,
WATER MASTER CONTROL.

See below for additional information

Recommended Date or Priority 10-6-1999
 Recommended by: Daniel A. Nelson Date: 1-13-99

ADDITIONAL INFORMATION:

~~There is~~ There is a water overlapping Right
 BUT IT IS FOR WATER FROM ~~area~~ Sapphire
 Creek and used on the other side of Road.

Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

.ss

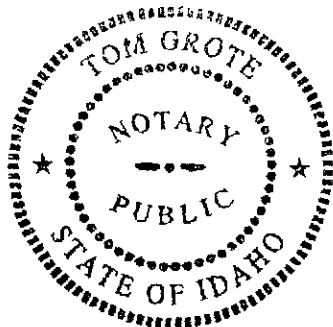
I, S. Lynn Goodwin, being duly sworn and say, I am the receptionist of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of afore said and is a legal newspaper; that the PUBLIC NOTICE, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for a period of two weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began December 16, 1999 and ended December 23, 1999.

S. Lynn Goodwin

Subscribed and sworn before me this the December 27th, 1999.
STATE OF IDAHO

COUNTY OF VALLEY

On this 27th day of December, in the year of 1999, before me, a Notary Public, personally appeared S Lynn Goodwin, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Tom Grote

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 1999

RECEIVED

JAN 04 2000

WATER RESOURCES
WESTERN REGION

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13908 Rasmussen, Bette L., 1937 S Roosevelt, Boise, ID 83705

Source: BIG PAYETTE LAKE, Tributary: PAYETTE RIVER, NORTH FORK. Diversion Pt. SENW Sec 28 T 19N R 03E in VALLEY County. Use: DOMESTIC (0.040 CFS) Total Diversion: (0.040 CFS). Date Filed: 9/27/1999. In: VALLEY County. T19N R03E S28 SENW.

65-13909 Eugene, Herbel, Eugene, Bonnie, 14898 Karcher Rd., Caldwell, ID 83605.

Source: SPRING. Tributary: PADDY CREEK. Diversion Pt. NESWN Sec 34 T 17N R 04E in VALLEY County. Use: DOMESTIC (0.040 CFS) Total Diversion: (0.040 CFS). Date Filed: 10/5/1999. In: VALLEY County. T17N R04E S34 SWNW.

65-13911 Charles, Brian W., Kirk, W. David, 1003 N Third, McCall, ID 83638.

Source: UNNAMED STREAM. Tributary: SINKS. Diversion Pt. SWSW Sec 22 T 17N R 03E in VALLEY County. Use: IRRIGATION STORAGE (3.00 AF), IRRIGATION FROM STORAGE (3.00 AF), STOCKWATER STORAGE, (1.00 AF), WILDLIFE STORAGE (60.00 AF), Total Diversion: (60.00 AF). Date Filed: 10/6/1999. In: VALLEY County T17N R03E S22 SWSW. 1.0 Acres Total. Applicant agrees to mitigate consumptive use in the future as needed

65-13916 Vlasach, Janet, 326 29th St., Hermosa Beach, CA 90254.

Source: BOULDER CREEK. Tributary: PAYETTE RIVER, NORTH FORK. Diversion Pt: LOT 2 (SWNW) Sec 30 T 18N R 04E in VALLEY County Use: WILDLIFE (0.200 CFS), AESTHETIC (0.200 CFS) Total Diversion: (0.200 CFS) Date Filed: 10/7/1999. In: VALLEY County. T18N R04E S30 Lot 2 (SWNW) Applicant agrees to mitigate consumptive use in the future as needed.

65-13918 Billye McBride Trust, c/o U.S. Bank, Trustee, P O Box 7928, Boise, ID 83707-1928

Source: GROUNDWATER Diversion Pt: LOT 10 (SESE) Sec 1 T 17N R 02E in VALLEY County. Use: DOMESTIC (0.060 CFS). Total Diversion: (0.060 CFS). Date Filed: 11/15/1999. In: VALLEY County T17N R02E S01 Lot 10 (SESE).

65-13919 McCumber, Myron, McCumber, Susan, 14096 Morell Rd., McCall, ID 83638.

Source: SPRING. Tributary: BOULDER CREEK. Diversion Pt: SWSWN Sec 30 T 18N R 04E in VALLEY County. Use: IRRIGATION (0.160 CFS). Total Diversion: (0.160 CFS). Date Filed: 11/22/1999. In: VALLEY County T18N R03E S25 SENE, R04E S30 Lot 2 (SWNW), 8.0 ACRES TOTAL. Applicant agrees to mitigate consumptive use in the future as needed.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before January 3, 2000. The protestant must also send a copy of the protest to the applicant. Karl J. Dreher, Director 2tc/12/23

over
→

01-99

State of Idaho
Department of Water Resources

RECEIVED

DEC 22 1999

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application No: 65-13909

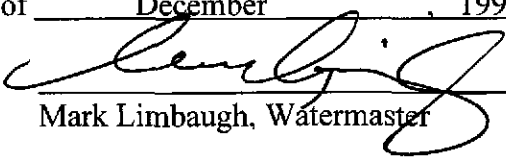
Applicant's Name: Eugene and/or Bonnie Herbel

Watermaster's Recommendation:

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

Dated this 20th day of December, 1999

Water District No. 65


Mark Limbaugh, Watermaster

Use reverse side of page if you need more space.

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MAR 20 2000

Taylor, Sue

From: Lester, Steve
Sent: Monday, December 20, 1999 1:48 PM
To: Taylor, Sue
Subject: FW: Numerous Water Right Applications

Sue.

Please file a copy in each of the applications listed in Scott's message.

thanks,

Steve

-----Original Message-----

From: SCOTT GRUNDER [mailto:sgrunder@IDFG.STATE.ID.US]
Sent: Monday, December 20, 1999 1:22 PM
To: slester@idwr.state.id.us
Cc: CECE MANN; TERRY VERNHOLM
Subject: Numerous Water Right Applications

Dear Mr. Lester,

The Idaho Department of Fish and Game has reviewed the following applications for permit for a water right and we do not anticipate significant adverse effects to fish or wildlife habitats as a result of granting permits:

51-07371/BLM
51-07370/BLM
51-07369/BLM
65-13912/MacGregor
65-13914/Nuzzo
65-13908/Rasmussen
77-07380/Pyle
67-08044/Stippich
55-07463/BLM
65-13907/BOR
~~65-13909/Herbel~~
65-13915/Hamlin
65-13911/Charles
63-12545/Atkeson
65-13919/McCumber
65-13916/Vlasach
65-13910/Seehusen/Crow
67-08043/Ferrel
63-12548/McGrew

We have a concern with application for permit 63-12550 by Richard Porter and Robert Horowitz. Those comments will be in a separate letter signed by the regional supervisor. Thank you for the opportunity to comment on these applications.

Scott Grunder
Environmental Staff Biologist
IDFG-SW Region Office, Nampa
465-8465

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MAR 20 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 15, 1999

MARK LIMBAUGH
102 N MAIN
PAYETTE ID 83661

Re: Applications for Water Right

Dear Watermaster.

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

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

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

Sincerely,

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

Gary Spackman

GS:st

Encl: Copy of Application
Recommendation of Watermaster Form

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MAR 20 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR
DECEMBER 8, 1999

Legal Notices Department
The Star News
PO Box 985
McCall, ID 83638

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 3, 2000.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

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MAR 29 2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

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MAR 20 2009

65-13909

EUGENE, HERBEL
EUGENE, BONNIE
14898 KARCHER RD
CALDWELL, ID 83605

Source: SPRING

Tributary: PADDY CREEK

Diversion Pt: NESWNW Sec 34 T 17N R 04E in VALLEY County.

Use: DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.040 CFS)

Date Filed: 10/ 5/1999

In: VALLEY County	
T17N R04E S34	SWNW

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MAR 20 2000

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 for each application on or before JANUARY 3, 2000. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 12/16/1999 & 12/23/1999

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MAR 20 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

November 15, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

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

Re: Application for Permit

Dear Sir:

Enclosed are copies of applications for permit 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 January 3, 2000

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

Sincerely,

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

Gary Spackman

GS:st

Encl

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MAR 20 1999

October 3, 1999

Dear Sirs,

This spring I received a letter telling me that I needed to send in my application for water rights for a small spring that is on our property of which I was claiming water rights. I guess I thought we had done that long ago but apparently hadn't

Yesterday I received a package from you, or a division of your department on 1301 North Orchard St., containing the forms and information needed to send in a Notice of Error and how to appeal your decision of "Right Number 65-19667 - NO LAWFULL APPROPRIATION SHOWN". My intention is not to question you on your decision but to get all of the information I need to correctly apply for the water rights that I must have for my home at Paddy Flats

I am sending you an application for permit and \$50 of which I understand is the proper fees along with several maps to correctly identify the point of diversion.

I hope this is what you are needing to get our water rights on track. Please contact me if there is something that I am missing or if I am going about this in the wrong way

Sincerely,

Gene Herbel
14898 Karcher Rd.
Caldwell, ID 83605
(208) 454-3801
(208) 454-3836 fax

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OCT 05 1999

WATER RESOURCES
WESTERN REGION

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MAR 20 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

March 31, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Claim to a Water Right No.65-19667

Gene and Bonnie Herbel
14898 Karcher Rd
Caldwell, Id 83605

Dear Claimant:

We are currently in the process of reviewing the above referenced claim which was filed during the Snake River Basin Adjudication (SRBA) claims filing. However, due to the problem explained below we may not be able to recommend this claim to the SRBA Court in Twin Falls for decree. A copy of this claim is enclosed for your review.

Your claim was filed indicating the water use claimed began after the implementation of the water appropriation statute requiring that any new use of water from a surface water source must have an application for permit filed and approved prior to any diversion of the water. On May 20, 1971, the water appropriation statute, under Idaho Code, Volume 8, Section 42-201 for surface water diversion was implemented. The water use you have claimed did require a permit filing and after researching our records, no previously filed permit was found. We will likely recommend this claim to the court for disallowal based on the water appropriation statute and priority date claimed. Therefore, you should file an application for permit in order to insure you have a water right in the future. Enclosed is an application for permit form with instructions.

If you have any questions concerning this letter, please feel free to contact this office by phone. If you plan on coming into the office to discuss you filing, please contact the office first to make an appointment to guarantee someone will be available to assist you.

Sincerely,

Sue Bock
Senior Water Resource Agent

DEPT. OF WATER RESOURCES
WESTERN REGIONAL OFFICE

Enclosures

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MAR 26 2003