

map U-61

T-9N

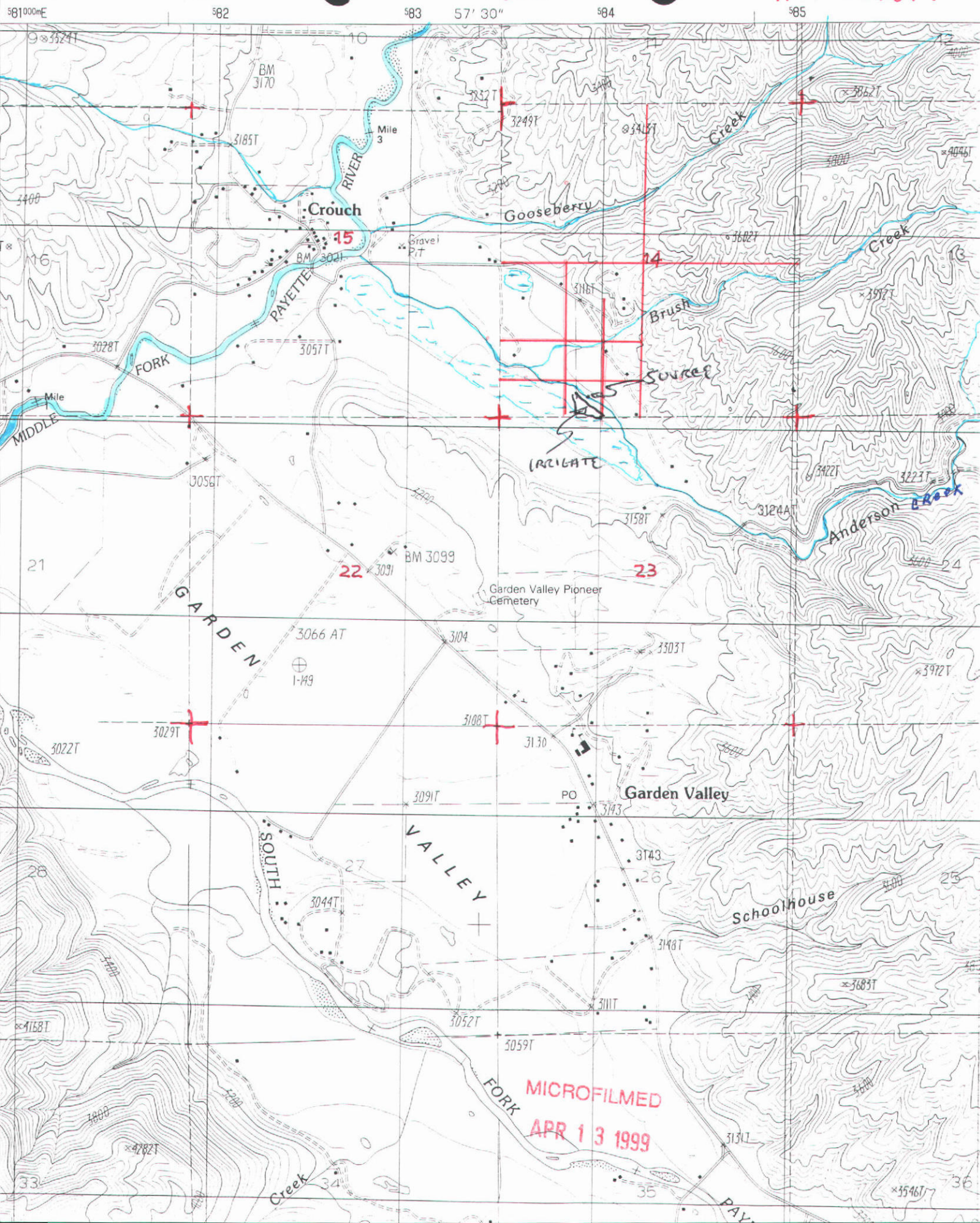
R-4E

SW SE SW

sec-14

Gov. Lot 5

new map
supplied by
Applicant.



NORTH
N 0° 23' E
W 217
39.00
40.00

RECORDED
APR 13 1999

Sec. 11
3 620.05

35.16
4
35.60

WEST
(17.91) (20.00)

77.91
40.00

35.99

80

160

36.32 Sec. 14

3 633.17
40

36.54

6

38.67 42.07 41.88 41.70

(118.32) (20.00) (20.00) (20.00)

S 89° 55' E
78.32

Sec. 12
640

160

WEST
80.00

160

160

Sec. 13

643.20

80

80

2

(20.00) (20.00) (20.00) (20.00)

N 89° 35' E
79.82

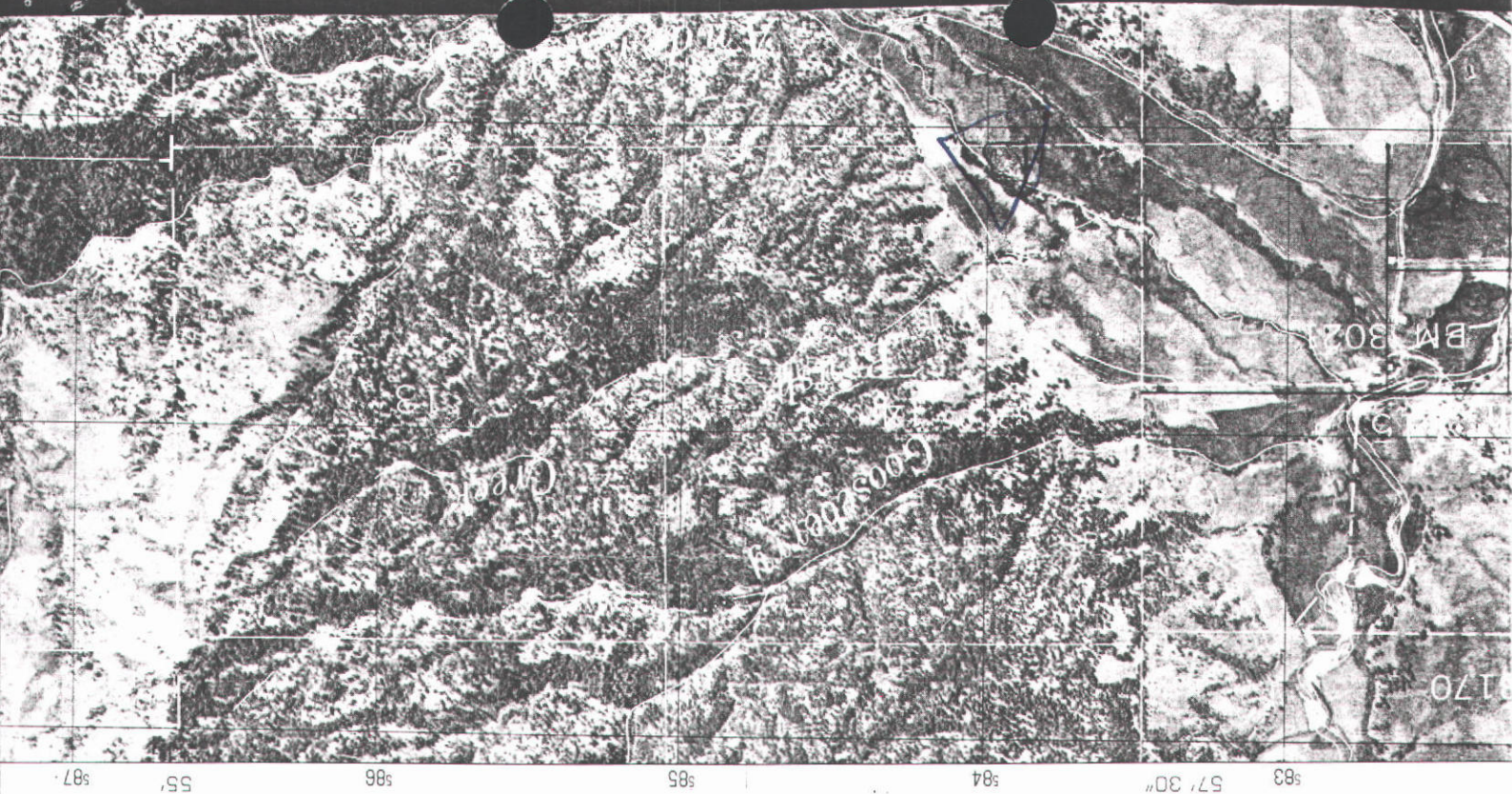
N 0° 21' E
39.72

N

N 0° 10' W 38.88

W

26° 31



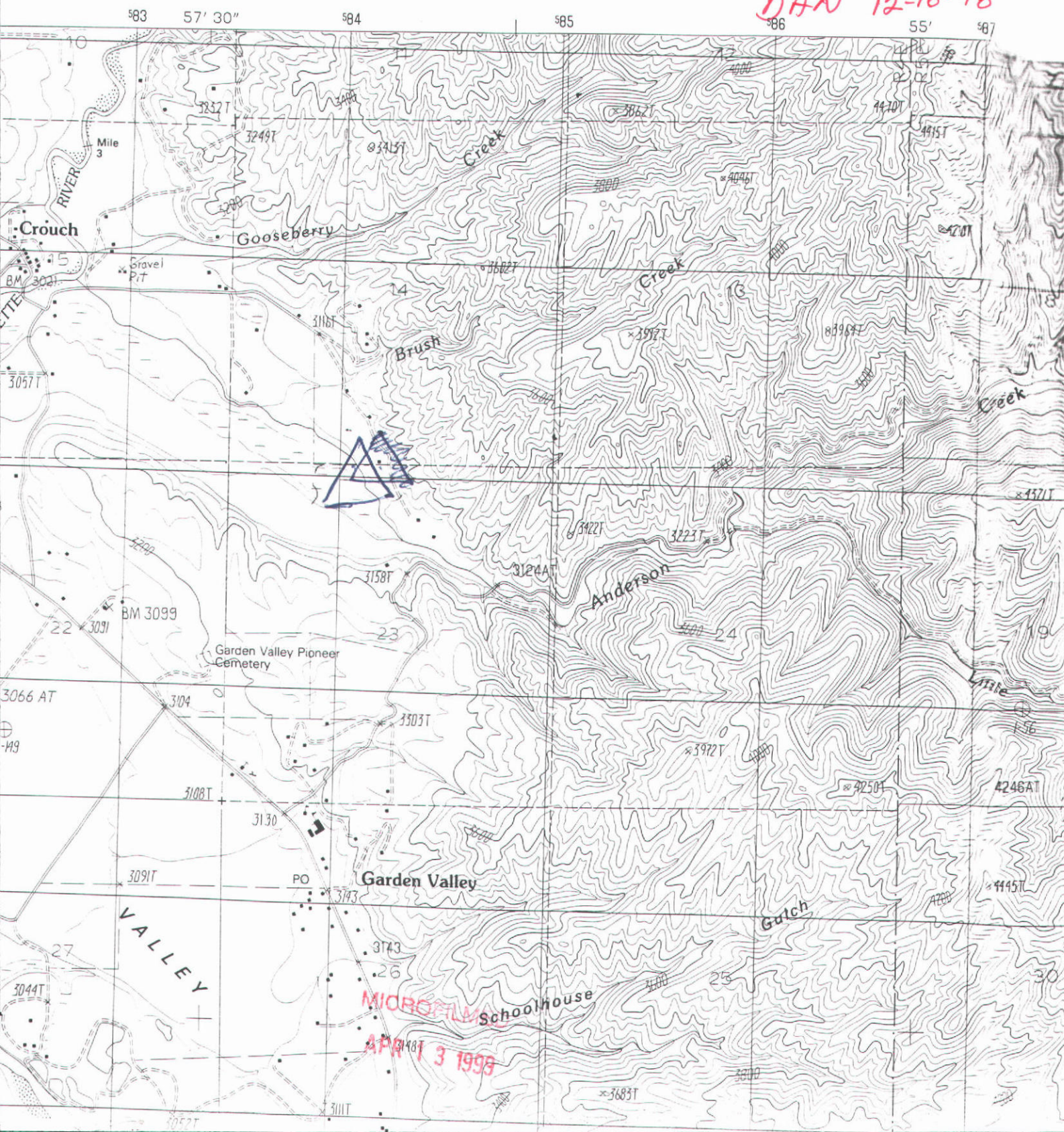
R4E R5E

OLD MAP
new map
supplied
DAN 12-16-1998

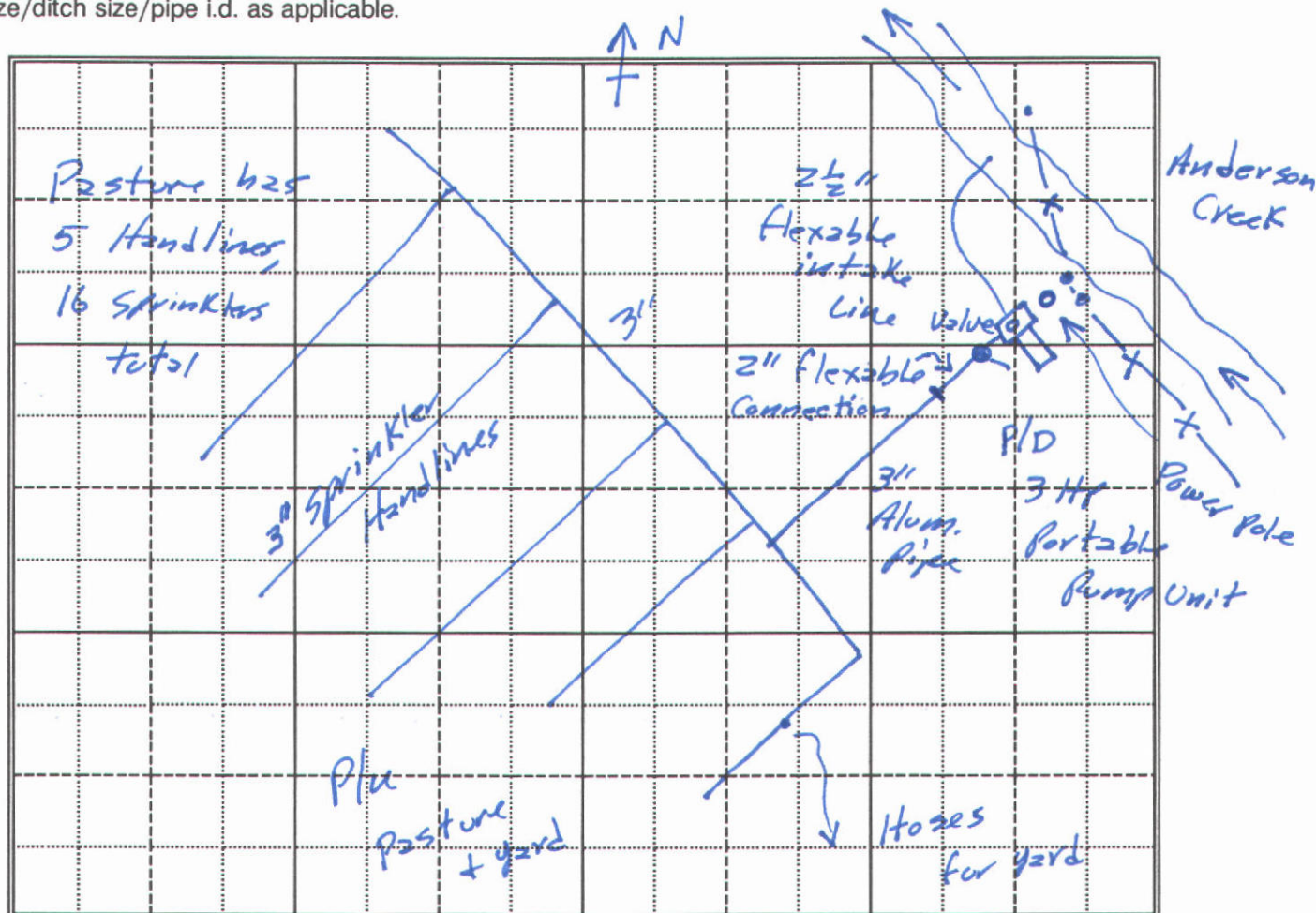
V

MICROFILMED
APR 13 1999

See
New map
supplied
DAN 12-16-98



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



Scale: 1" = None

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

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

☒ 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
<u>Creek Pump</u>	<u>Century</u>	<u>3</u>	<u>8-124765-01</u>	<u>Jacuzzi</u>	<u>357150196</u>
			<u>SFA 14.0</u>		<u>model 3DM1-113-58</u>

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

D. FLOW MEASUREMENTS

1.

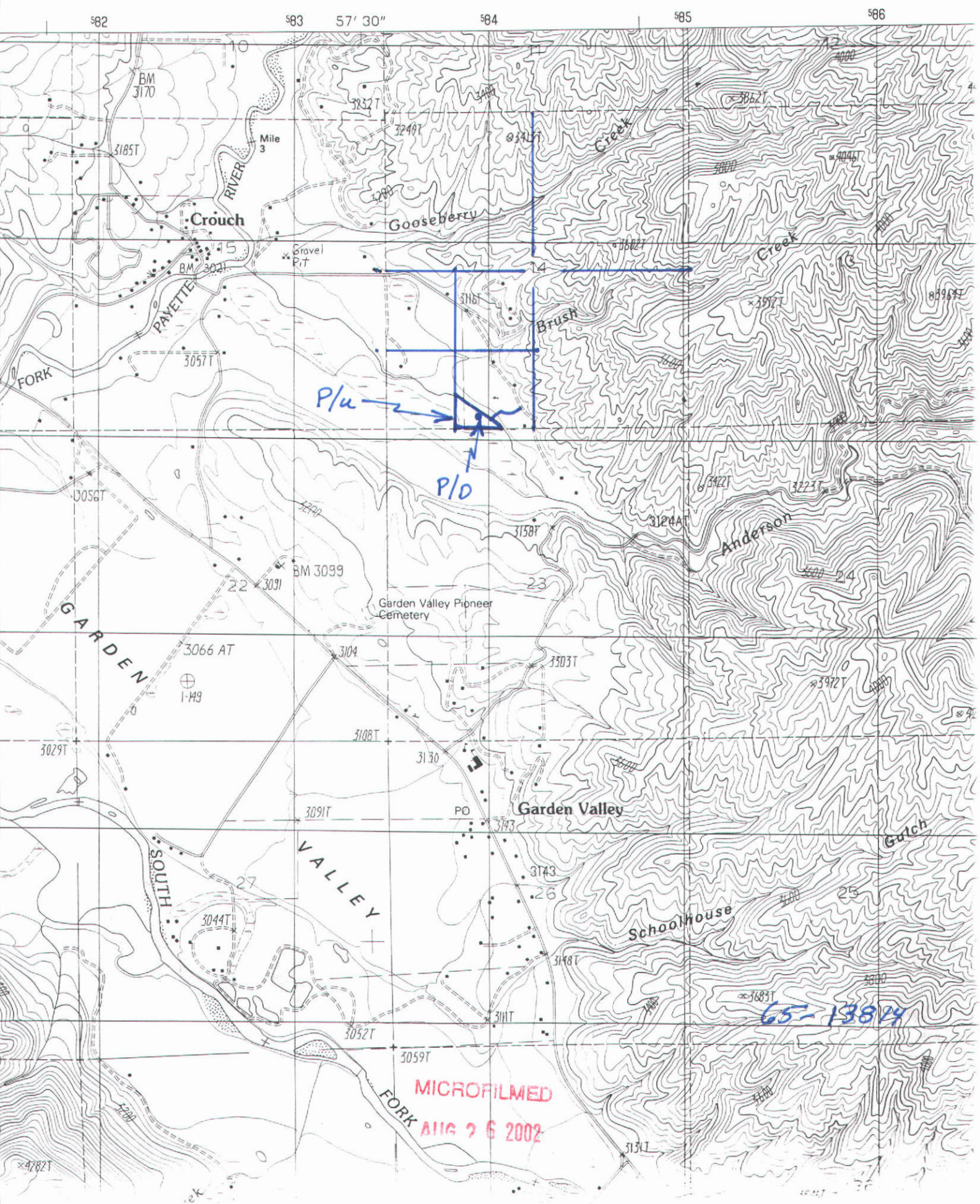
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: None - 4' lift, 35 psi of pressure
(Closed system)

MICROFILMED

AUG 26 2002

T 9N, 4E, Sec. 14, SE 1/4, lot 5



RECORD OF SURVEY
1990
AGRICULTURAL DIV

This sketch is for location purposes only. The Company assumes no liability for variations.
PIONEER TITLE COMPANY
of Ada County

UNPLATTED LANDS
YOU'REN

Anderson Creek Road

COUNTY

ROAD

#159

65-13814

LOT 1
11.62 acres

LOT 2
6.07 acres

3" handlines
Plu
Pasture

P/D, 3 HP
pump unit

Bridge

House

Domestic Well

MICROFILMED
AUG 26 2002

BASE OF BEARING

1/16 Corner

509.91

S 47° 53' 00" E 302.53

S 89° 22' 04" W 243.96

S 37° 49' 39" E 62.52

S 5° 45' 05" E 65.28

S 53° 15' 09" E 94.66

S 36° 08' 20" E 225.58

N 85° 11' 02" E 350.55

N 57° 05' 07" W 385.98

271.98

114.00

232.50

1/16 Corner

DAY

500.00

1381.40

N 0° 45' 47" W

DETAIL "A"

N 38° 47' 00" W 149.51

N 61° 50' 00" W 304.00

N 47° 56' 00" W 145.00

N 53° 15' 00" W 88.00

N 82° 00' 00" W 57.00

30' EASEMENT

S 57° 00' 00" W

208.71

S 00° 37' 56" E

Lot Line Adjustment

KORE

MESER

3" CREEK

Anderson Creek

Anderson Creek Road

UNPLATTED LANDS

YOU'REN

PIONEER TITLE COMPANY

of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.

RECORD OF SURVEY

1990

AGRICULTURAL DIV

65-13814

Domestic Well

House

Hoses for yard

Barn

Bridge

P/D, 3 HP pump unit

3" handlines Plu Pasture

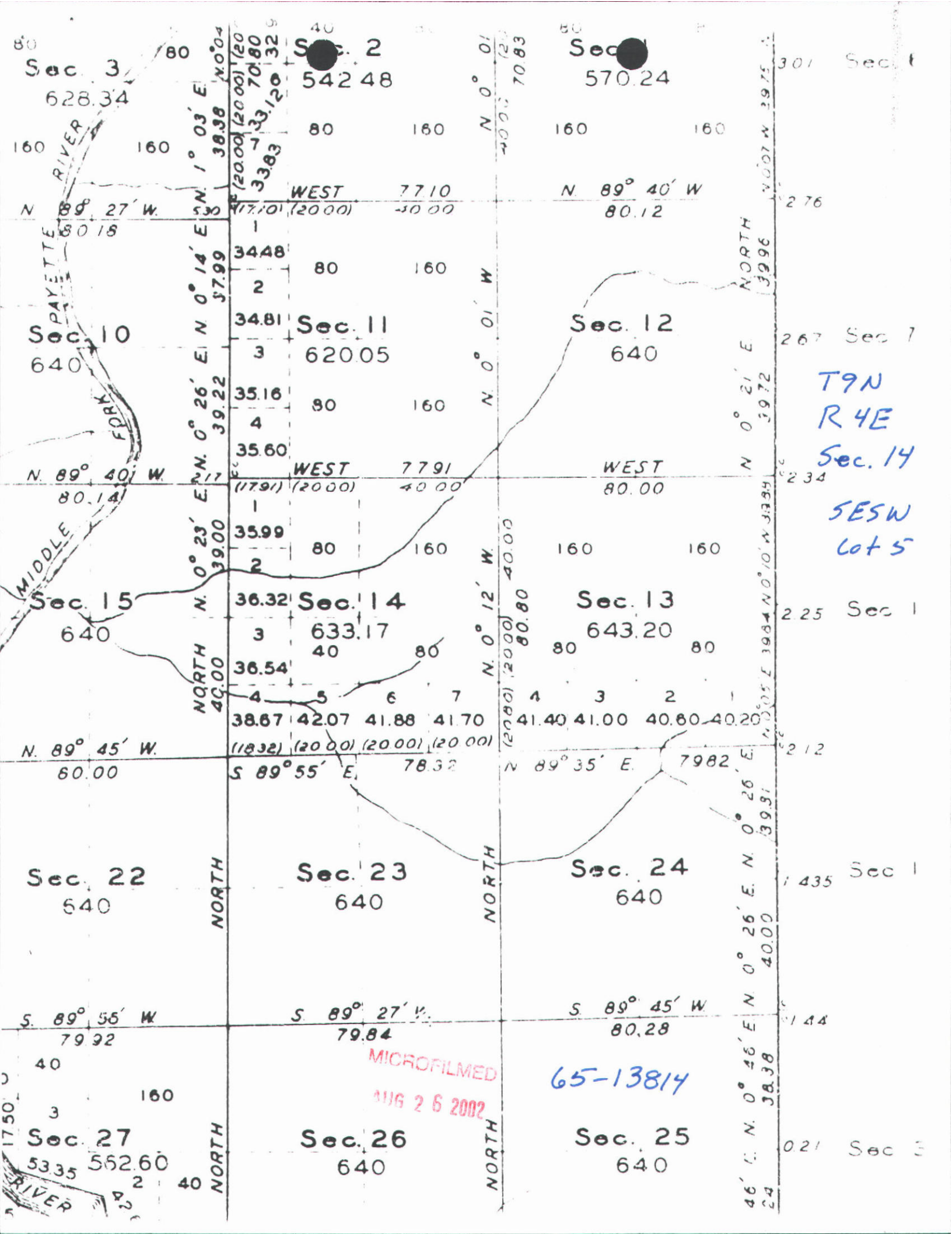
LOT 2 6.07 acres

LOT 1 11.62 acres

UNPLATTED LANDS YOU'REN

PIONEER TITLE COMPANY of Ada County

This sketch is for location purposes only. The Company assumes no liability for variations.



Sec. 3
628.34

Sec. 2
542.48

Sec. 1
570.24

Sec. 10
640

Sec. 11
620.05

Sec. 12
640

Sec. 15
640

Sec. 14
633.17

Sec. 13
643.20

Sec. 22
640

Sec. 23
640

Sec. 24
640

Sec. 27
533.35 552.60

Sec. 26
640

Sec. 25
640

T9N
R4E
Sec. 14
5ESW
Lot 5

MICROFILMED
AUG 26 2002

65-13814

1 of 3



P/O

3 HP

Pump
unit

at

Anderson
Creek



P/O

Portable

Pump

and

3/4"

main line

pipe

MICROFILM

AUG 25 2002

65-13814

2 of 2



P/u

3" mainline
through
small
corral
from pump
to
pasture.



P/u

Sprinkler
Hand lines
in pasture.
Hose along
fence for
yard.

MICROFILMED
AUG 26 2002
View Looking
West

65-13814

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13814

Priority: June 8, 1998

Maximum Diversion Rate 0.12 CFS
Maximum Diversion Volume 21 0 AF

It is hereby certified that JAMES E DAVIES
159 ANDERSON CREEK RD
GARDEN VALLEY ID 83622 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 8, 1998; and has
submitted Proof of Beneficial Use on June 2, 1999. An examination indicates that the works have a
diversion capacity of 0 22 cfs of water from

SOURCE

ANDERSON CREEK

Tributary: MIDDLE FORK PAYETTE RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	3/15 to 10/31	0 12 CFS	21 0 AF

LOCATION OF POINT(S) OF DIVERSION:

ANDERSON CREEK L5 SW¼SE¼SW¼ Sec. 14, Twp 9N, Rge 4E, B M. BOISE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	Totals
09N 04E 14	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	60
			60 L5		60

Total Acres 6 0

CONDITIONS OF APPROVAL

- 1 Use of water under this water right will be regulated by the watermaster of State Water District No 65.
2. When water is not available to fill this right, the right holder shall cease diversion, shall rent water from the Payette River Rental Pool, or shall otherwise mitigate the depletion of water caused by this water use
3. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined.

MICROFILMED

JUN 15 2002

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13814

4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. Upon specific notification by the Department, the right holder shall install lockable controlling works of a type acceptable to the Department 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 2ND day of August, 2002.

Acting for


KARL J. DREHER
Director

MICROFILMED

10/4 & 9 2002

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT	)	ORDER GRANTING PETITION
NO. 65-13814 IN THE NAME OF	)	TO REMOVE LOCKABLE
JAMES E. DAVIES	)	DEVICE REQUIREMENT
_____	)	

This matter having come before the Department of Water Resources (Department) as a petition to remove a lockable controlling works requirement, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On February 11, 1999, the Department issued Permit 65-13814 (permit) to James E Davies (permit holder) with a condition of approval requiring the installation of lockable controlling works as part of the diversion works
2. On August 9, 1999, the Department received the recommendation of the watermaster of Water District No. 65 that the lockable controlling works requirement be waived.

CONCLUSIONS OF LAW

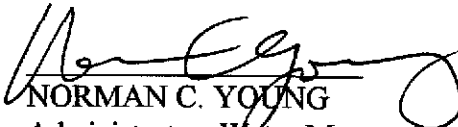
- 1 Installation of lockable controlling works for the permit are not necessary at this time but may be necessary in the future.
- 2 The Department should waive the lockable controlling works requirement until such time as it is necessary for regulation of the water right

ORDER

Approval condition no. 4, which requires the permanent installation of lockable controlling works as part of the diversion works for the permit, is **MODIFIED** as follows.

Upon specific notification by the Department, the right holder shall install lockable controlling works of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

Dated this 2ND day of August, 2002.


NORMAN C. YOUNG
Administrator, Water Management Division

MICROFILMED

AUG 23 2002

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50 -
 Receipt No. CD45600
 Receipt By: HWL/COMB
 Date Received: 10/18/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN - 2 1999

PROOF OF BENEFICIAL USE

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 be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 65-13814 Telephone No. 208-462-5204
2. Name(s) of Permit Holder(s): JAMES E DAVIES
3. Mailing Address: 159 ANDERSON CREEK RD GARDEN VALLEY ID 83622
4. Source of Water: ANDERSON CREEK If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
- a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____
- b. **OPTIONAL:**
Pump Horsepower: 3hp Pressure (psi): ? Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): 6 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .12 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- | | | |
|-------------------------------|--|---|
| Measuring Device: | Is a measuring device required? | Yes _____ or No ☒ |
| | Has the measuring device been installed? | Yes _____ or No _____ |
| Flow Measurement Port: | Is a flow measurement port required? | Yes _____ or No ☒ |
| | Has the measurement port been installed? | Yes _____ or No _____ |
8. Fee Enclosed: \$ 50- (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: JAMES DAVIES Telephone Number: 208 462 5204

Address: 159 ANDERSON CREEK RD GARDEN VALLEY ID 83622
10. The information given on this form 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.

Signature of permit holder:

James E. Davis
(Include your title, if on t

Date:

5/31/99

(Include your title, if on behalf of company or organization)

AUG 09 1999

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13814

Proposed Priority: June 8, 1998

Maximum Diversion Rate:

0.12 CFS

This is to certify, that **JAMES E DAVIES**

159 ANDERSON CREEK RD

GARDEN VALLEY ID 83622

has applied for a permit to appropriate water from:

ANDERSON CREEK

tributary of **PAYETTE RIVER, MIDDLE FORK**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/15 to 10/15

0.12 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 5 (SESW), Sec. 14, Township 09N, Range 04E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	04E	14	Lot 5 (SESW)	6.0		6.0

Total number of acres irrigated:

6.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **February 1, 2000.**
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. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
7. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.

MICROFILMED

SEP 13 1999

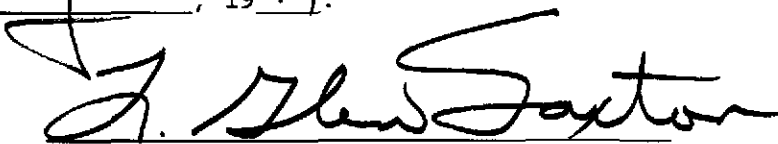
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13814

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

11 th day of February, 1999.


Karl J. Dreher, Director
for

MICROFILMED

APR 13 1999

RECEIVED

DEC 15 1998

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

To appropriate the public waters of the State of Idaho

RECEIVED

JUN 08 1998

WATER RESOURCES
WESTERN REGION

- Name of Applicant JAMES E DAVIES Phone 208 462 5204
Post Office address 159 ANDERSON CREEK RD GARDEN VALLEY ID 83622
- Source of water supply ANDERSON CREEK which is a tributary of MIDDLE FORK PAYETTE R.
- Location of point of diversion is SE 1/4 of SW 1/4 of Govt. Lot 5
Sec. 14 Township 9N Range 4E B.M. BOISE County; additional points of diversion if any: _____
- Water will be used for the following purposes:
Amount 107 ^{12 CFS} for IRRIGATION purposes from 15 APR to 15 OCT (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)
- Total quantity to be appropriated is (a) 12 CFS and/or (b) _____
cubic feet per second acre feet per annum
- Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 3HP PUMP 3" SPRINKLER LINE
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____:
Well was drilled for (well owner) _____
- Time required for completion of works and application of water to proposed beneficial use is 1 ^{1/2} years (minimum 1 year)
- Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity if KW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. _____

CLARIFIED TRIBUTARY OF AND
CUSTOMER CORAES PONDENCE.CORRECTED CFS PER
0 AM 12-16-98.
MICROFILMED

APR 13 1999

9. Description of place of use: SE SW T9N R4E SECT 14

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	
9N	4E	14												6					6
														LOT 5					

Total number of acres to be irrigated 6

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? JAMES E DAVIES

b. Who owns the land to be irrigated or place of use? JAMES E DAVIES

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

12. Remarks: D. APPLICANT AGREES TO MITIGATE CONSUMPTIVE USE IN THE FUTURE AS NEEDED. DAN 12-17-98

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

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

James E. Davies
(Applicant)

MICROFILMED

APR 13 1999

Received by Kh Date 6/8/98 Time 1:17 Preliminary check by DAN
Fee \$ 50 Received by Kh # W023978 Date 6/8/98
Publication prepared by dt Date 12-30-98 Published in Id. World
Publication approved dt Date 1-27-99 1-6 + 13-99

MAP U-61

T-9N

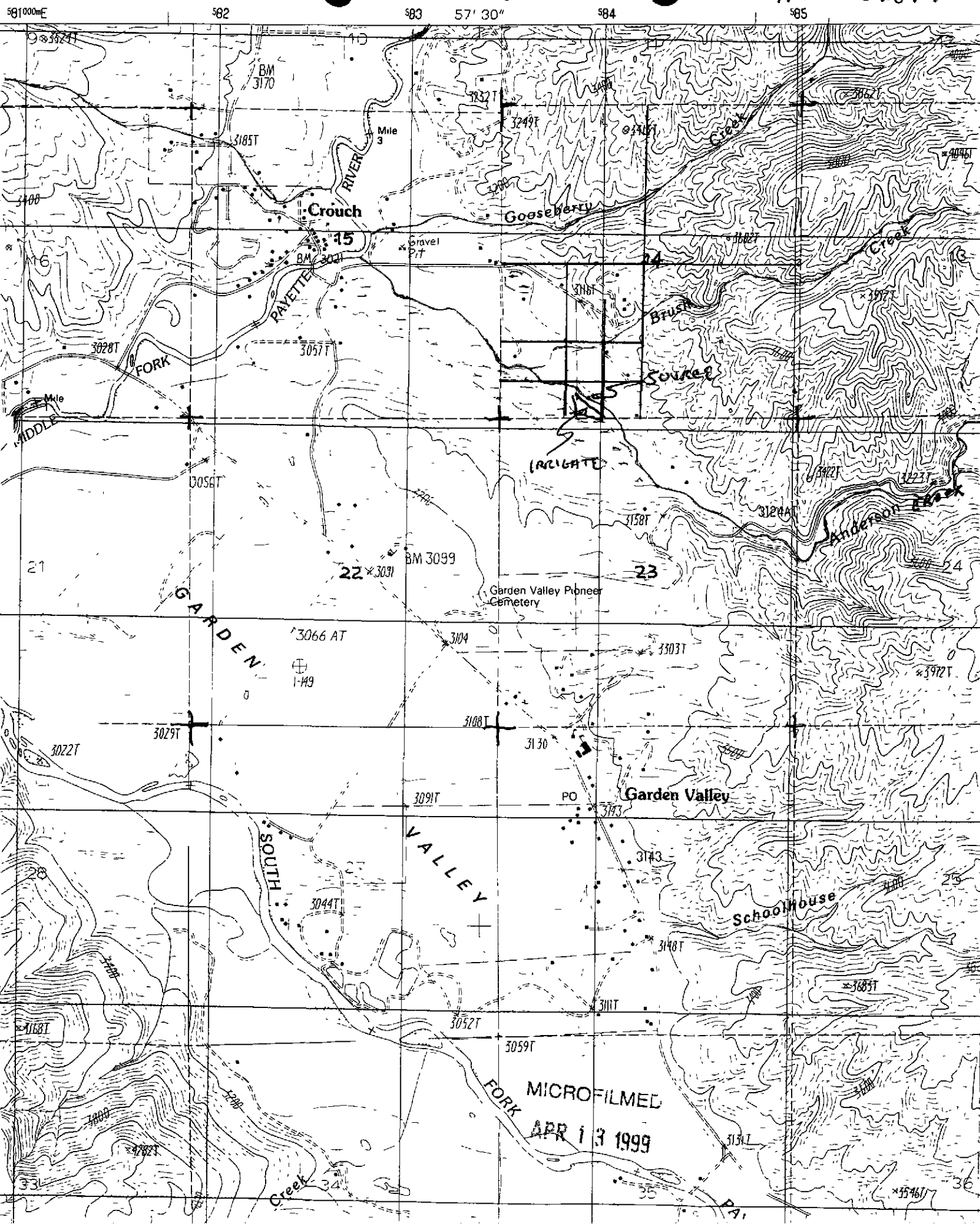
R-4E

SW SE SW

Sec-14

GOV. LOT 5

NEW MAP
SUPPLIED BY
APPLICANT.



MICROFILMED
APR 13 1999

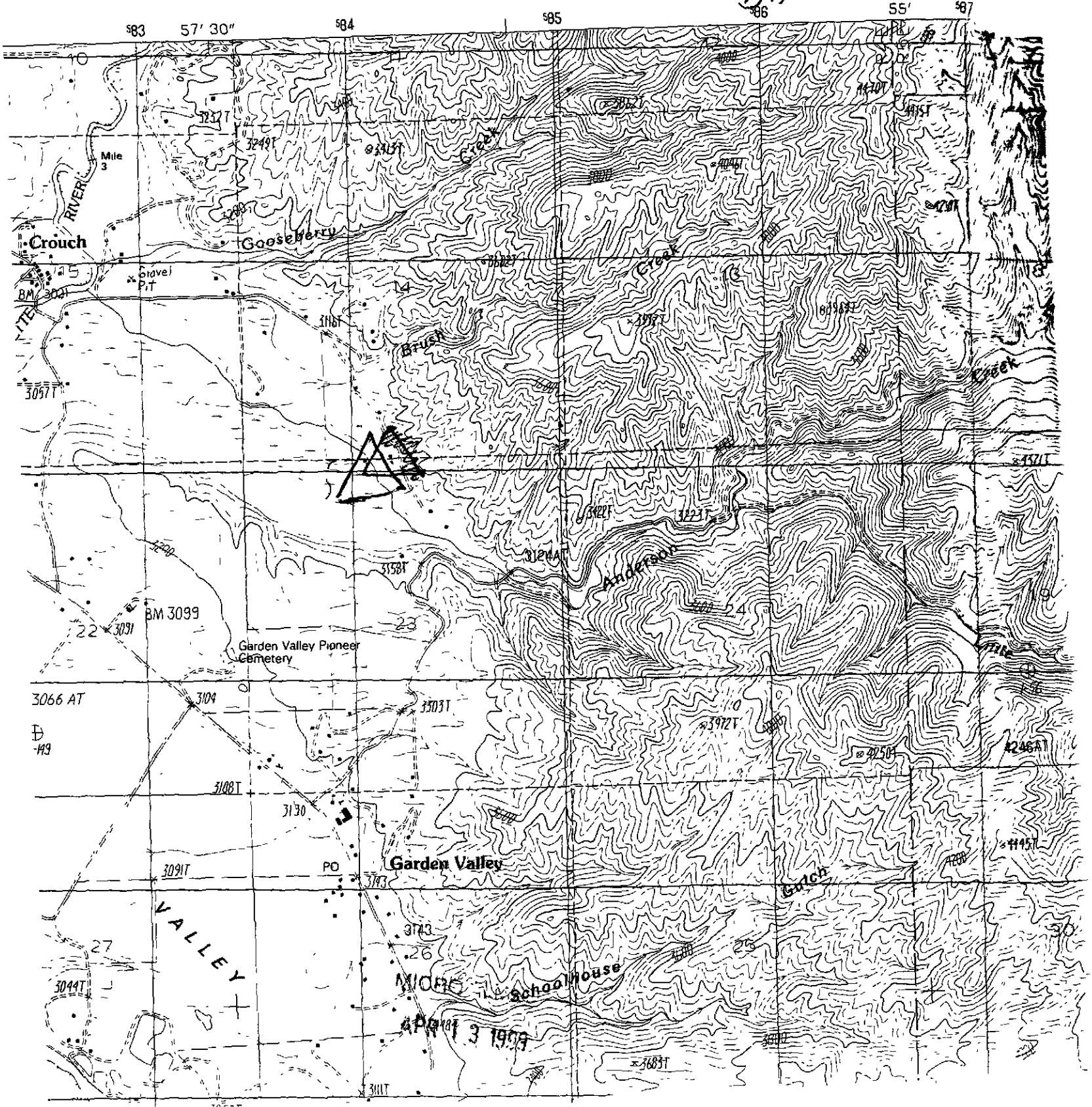


OLD MAP
NEW MAP
SUPPLIED
DAN 12-16-1998

MICRO - LAL
APR 13 1993

T9N 60W Lt 5
RUE SESW
Sec 14

See
New map
supplied
DAN 12-16-98



Comments: Date: 12/18/1998 User-ID: DNELSON

Subject: ADDITIONAL INFORMATION

There are overlapping water rights in the same 40 acre tract of this permits point of diversion and place of use. However, none of these overlapping rights are in the owners name and not all of the 40 acres in this tract have been covered by irrigation. Therefore, the overlapping water rights should not be significant to this application.

MICROFILMED

APR 13 1999



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

August 6, 2002

JAMES E DAVIES
159 ANDERSON CREEK RD
GARDEN VALLEY ID 83622

RE: License No 65-13814 - 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.

Also enclosed is an order modifying the requirement that you maintain lockable controlling works on your diversion.

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)

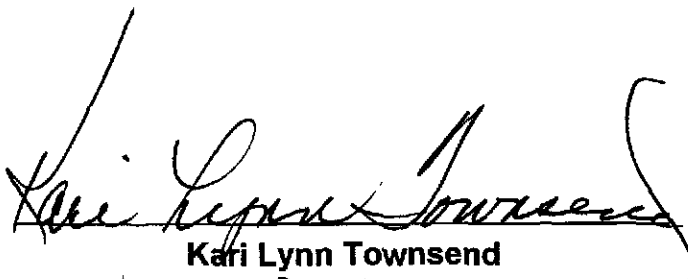
MICROFILMED
AUG 26 2002

CERTIFICATE OF SERVICE

I hereby certify that on August 6, 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. 65-13814

**JAMES E DAVIES
159 ANDERSON CREEK RD
GARDEN VALLEY ID 83622**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
AUG 26 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

AUG 26 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.

the diversion.

Comment Report

65-13814

1. Shelley Keen 7/30/2002 Licensing Review

Comment: Licensing review and data entry by Shelley Keen on 7/30/2002.

No overlapping irrigation rights. Rights 65-12282 and 65-10874 appear to be for land on the north side of Anderson Creek.

2. DNELSON 12/18/1998 ADDITIONAL INFORMATION

Comment: There are overlapping water rights in the same 40 acre tract of this permits point of diversion and place of use. However, none of these overlapping rights are in the owners name and not all of the 40 acres in this tract have been covered by irrigation. Therefore, the overlapping water rights should not be significant to this application.

3 VAULT 6/2/1999 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

MICROFILMED
AUG 26 2002

RECEIVED

NOV 08 1999

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 65-138141. Owner: James E. Davies Phone No. (208) 462-5204Current Address: 159 Anderson Creek Rd, Garden Valley, ID 836222. Accompanied by: Jim Davies EXAM DATE: 8-5-99Address: Same Phone No. SameRelationship to Permit Holder: Same3. Source: Anderson Creek tributary to Payette River, Middle Fork

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None - has domestic well too.2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Method of Determination/Remarks
	5		SE	SW	14	9N	4E	Boise	Site Visit, map

2. Place(s) of Use:

Indicate Method of Determination Site Visit, map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	4E	14												6.0 6.0 5					6.0 AC

MICROFILMED

AUG 26 2002

2. Measurements:

None - 4' lift, 35 psi. of pressure (closed system)

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

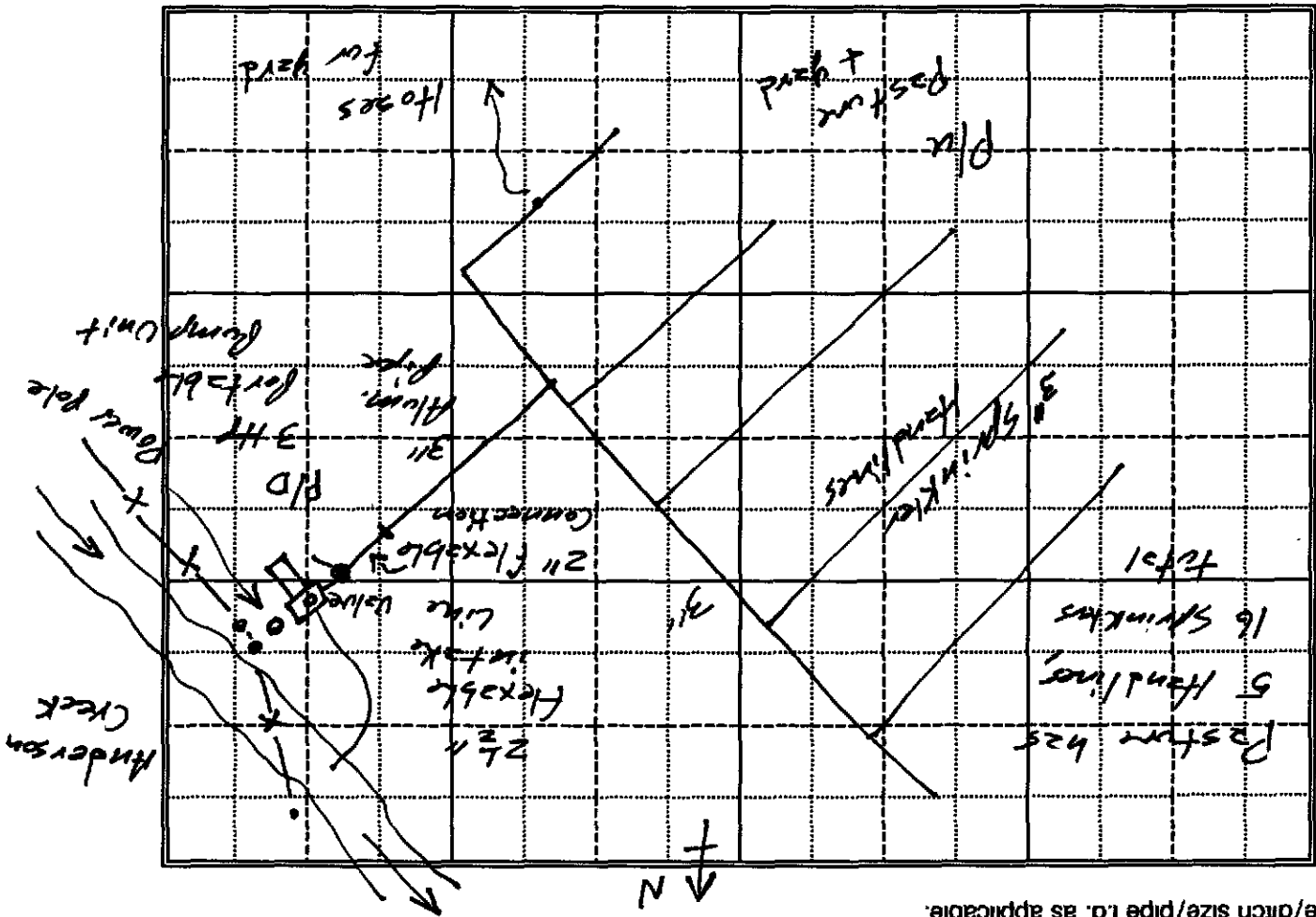
D. FLOW MEASUREMENTS

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

Well or Diversion Identification No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Creek Pump	Century	3	8-124265-01	Jacuzzi	357/50/96

4.

Scale: 1" = None
 Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
 Aerial Photo Attached of (required for irrigation of 10+ acres)
 Photo of Diversion and System Attached



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

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for 6.0 Ac. of irrigation from Anderson Creek. The water is used on "Lot 2" of the survey plat of 6.07 Acres. About 0.07 Ac. of the tract is taken by the house, barn, driveway and small corral by the barn.

2. A 3 Hp portable pump unit is installed on the South bank of Anderson Creek each season. The pump supplies water to a pasture through 3" Alum. pipe laid on top of the ground, and 3" Alum. hand liner with sprinklers. Hoses from the pipe nearest to the house are used to irrigate the yard. A domestic well furnishes water for the house.

3. There were no other water rights in SE SW, Lot 5, South of Anderson Creek.

4. Condition 4 requires a lockable device at the diversion. Jim Davies requested a waiver on this requirement from the Payette River Watermaster - Mark Limbaugh. Enclosed is a copy of the letter from the Watermaster recommending that this requirement be waived until it becomes necessary for monitoring purposes. There is no lockable device at the diversion, but the portable pump can be removed or the power supply shut off to meet this requirement. We recommended that
Have conditions of permit approval been met? ☐ yes ☒ no this requirement be
waived until such time
MICROFILMED (cont. 4) that it is needed.
JUN 25 2002

5. At times the owner may also be watering parts of his yard from the well.

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: None - Closed System - Theoretical Cal.

$$Q = \frac{(8.8)(34\text{ ft})(702)}{4' + (35\text{ psi})\left(\frac{34'}{14.7\text{ psi}}\right)} = 0.22\text{ cfs} > 0.12\text{ cfs}$$

$$\text{Allow } Q = (6.0\text{ AC.})(0.02 \frac{\text{cfs}}{\text{AC.}}) = 0.12\text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (6.0)(3.5 \frac{\text{AFA}}{\text{AC.}}) = 21.0\text{ AFA}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.12)(184)(1.9835) = 43.8$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 21.0\text{ AFA}$$

2. Volume Calculations for Other Uses:

6.0 AC. based on Survey plot:

6.07 AC. Total in Lot 2
— 0.07 House, barn, driveway, corrals
6.0 AC. pasture + yard

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Irrigation</u>	<u>04/15</u>	<u>10/15</u>	<u>0.12</u>	<u>21.0</u>
Totals:			<u>0.12</u>	<u>21.0</u>

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Don Zand Date 11-3-89

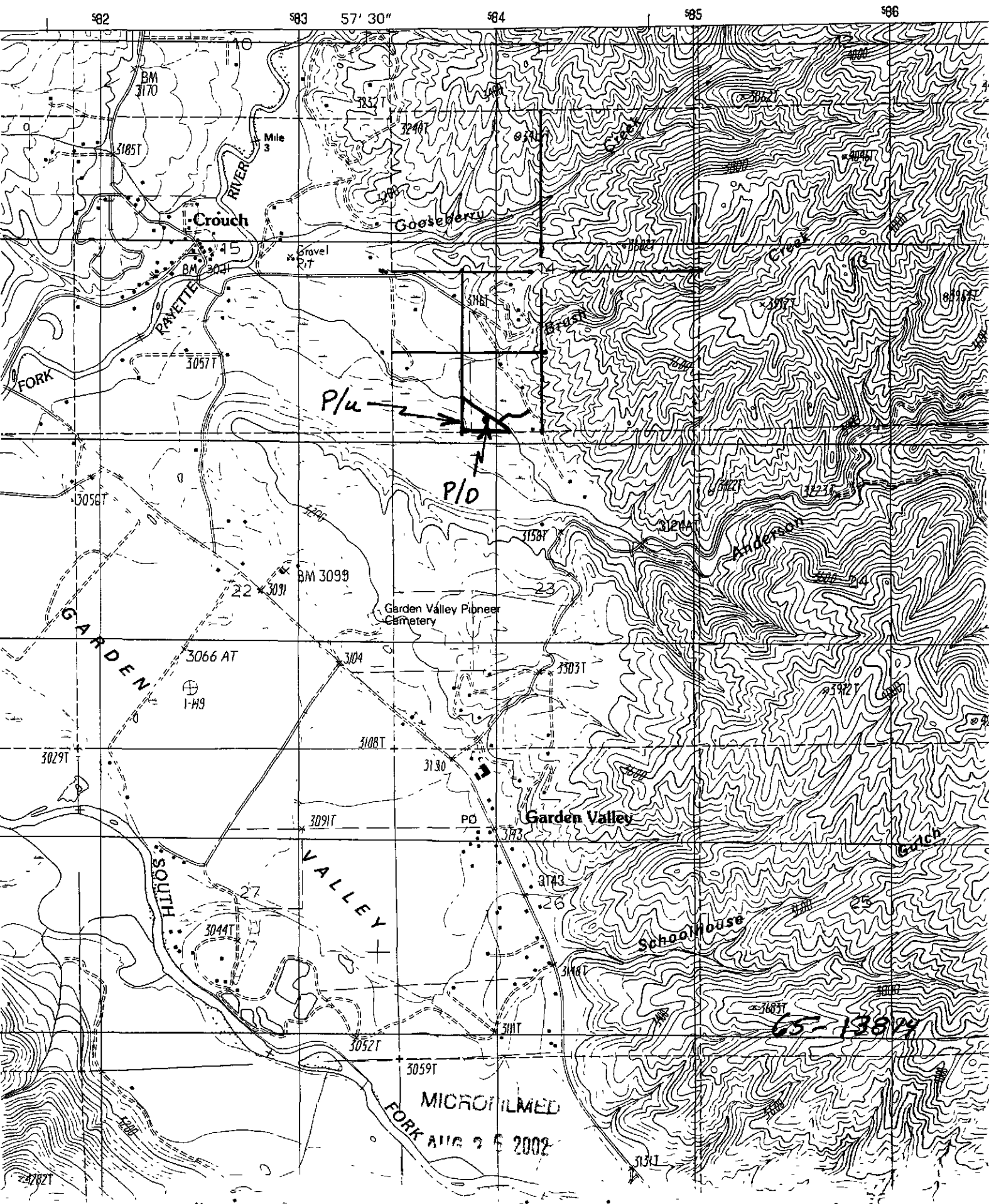
Reviewer _____ Date _____

SEAL

MICROFILMED

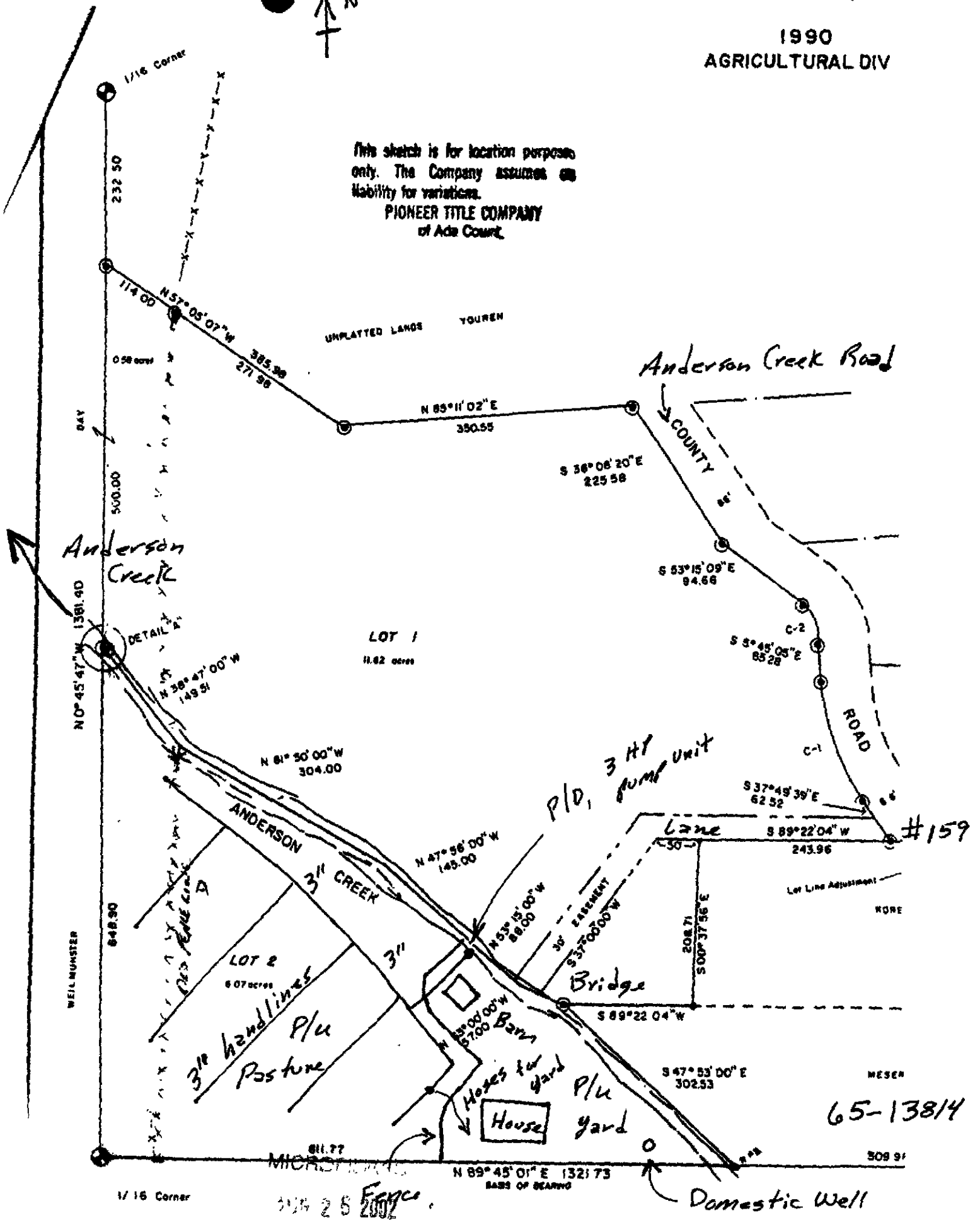
11/3/89

T 9 N, 4 E, Sec. 14, SE 1/4, lot 5



$$\uparrow^N$$

PIONEER TITLE COMPANY
of Ada County



Water District No. 65

*Payette River Basin, State of Idaho
102 North Main Street
Payette, Idaho 83661*

*Watermaster
Mark Limbaugh*

*Phone (208) 642-4465
Fax (208) 642-1042
E-Mail wdist65@primenet.com*

August 5, 1999

Mr. James E. Davies
159 Anderson Creek Rd.
Garden Valley, ID 83622

RECEIVED

AUG 09 1999

**WATER RESOURCES
WESTERN REGION**

Re: Request for Waiver of Lockable Controlling Works and Measuring Device for New Permit No. 65-13814

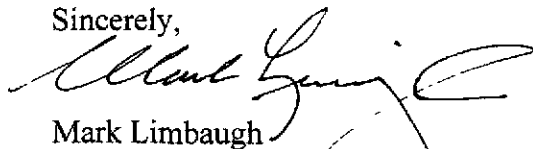
Dear Mr. Davies:

Thank you for your written request for a waiver of the requirement for a lockable controlling works and measuring device on your irrigation pump. It is my understanding your diversion is from a tributary to the South Fork of the Payette River. These tributaries are currently not monitored by Water District No. 65, but could be monitored in the future. As I explained to you on Monday, August 2nd, the requirement for a lockable controlling works and an approved measuring device on your diversion is enforceable at any time during the period of use of your permit. In the future, it may become necessary for Water District No. 65 to account for your diversion of natural flow from the Payette River drainage.

Due to the nature and location of your diversion related to the current water right accounting functions of this District, I am recommending to the Idaho Department of Water Resources the requirement for a lockable controlling works and measuring device for your diversion (Permit No. 65-13814) be waived until such time it becomes necessary your diversion be monitored by the Water District No. 65 Watermaster.

If you have any further questions or comments, please do not hesitate to call on me at your convenience.

Sincerely,



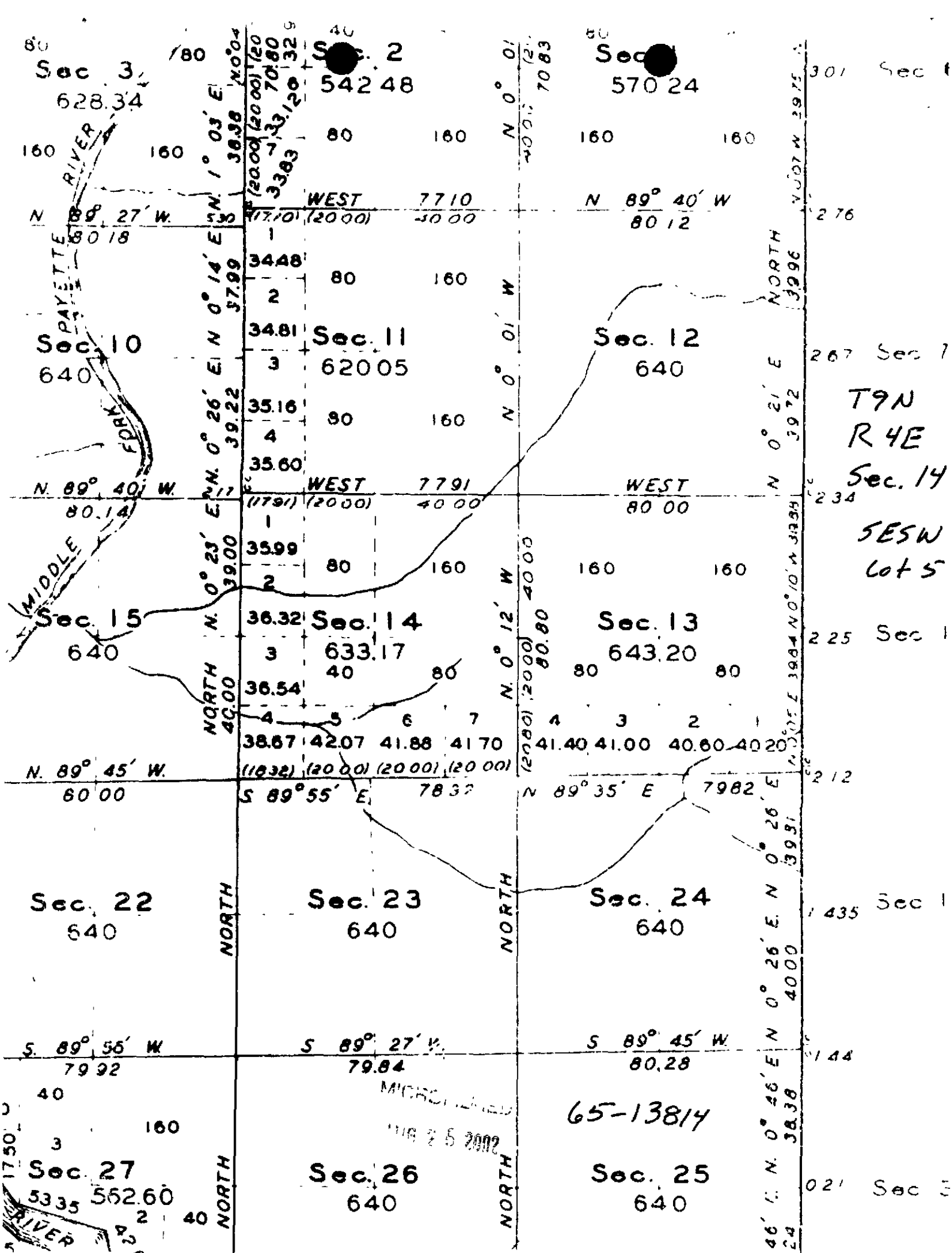
Mark Limbaugh
Watermaster, Water District No. 65

✓Cc: Mr. Gary Spackman, IDWR

MICHAEL L. LEE

AUG 25 2002

65-13814



1 of 2



P/O

3 HP

Pump
unit

at

Anderson

Creek



P/O

Portable

Pump

and

3"

main line

pipe

MICRO...

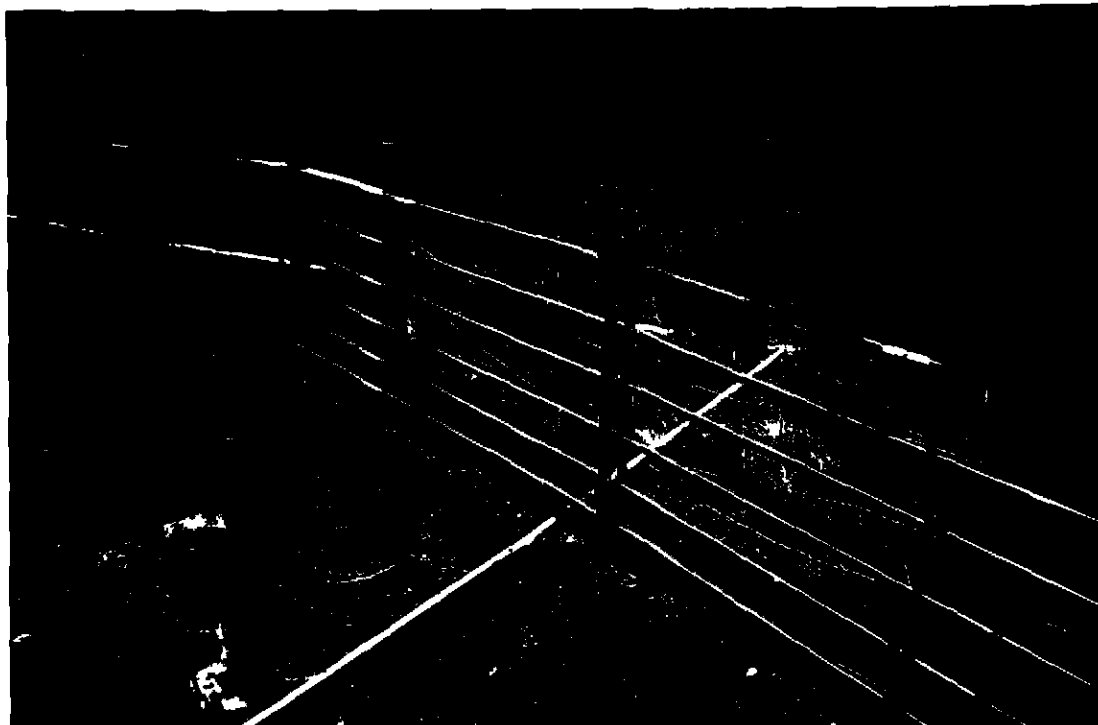
JUG 25 2002

65-13814

2 of 2

P/u

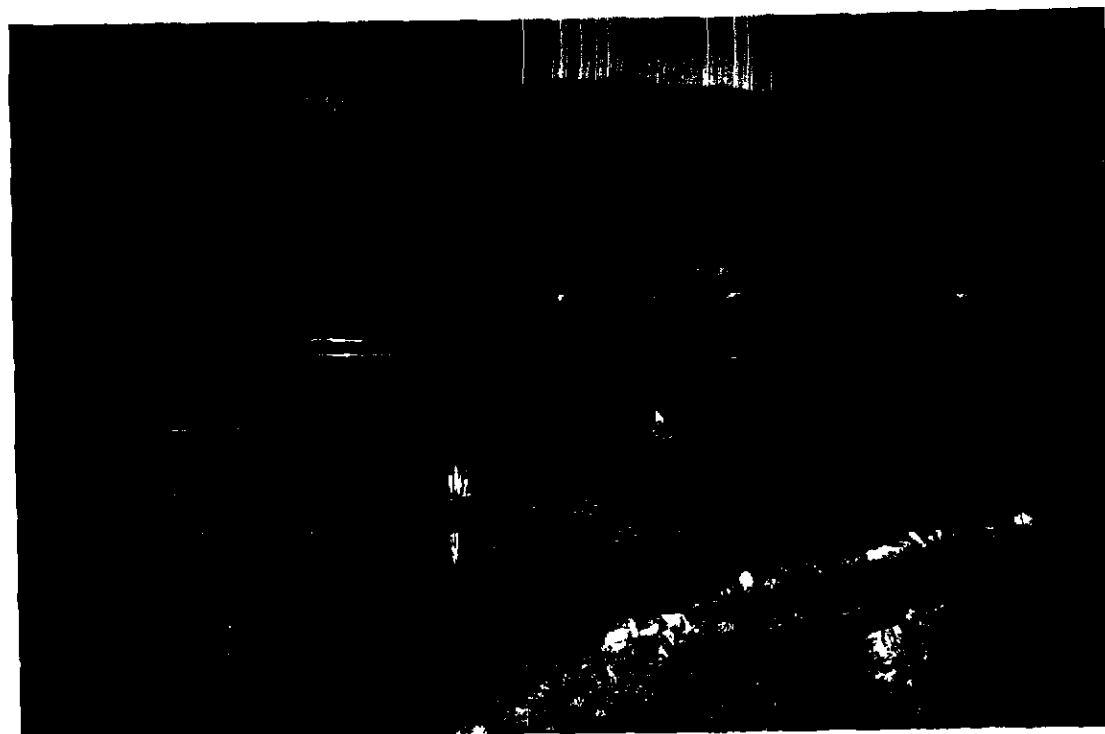
3" mainline
through
small
corral
from pump
to
pasture.



P/u

Sprinkler
Handlines
in pasture.

Hose along
fence for
yard.



MICR. View Looking
AUG 25 2002 West

65-13814

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13814 Reviewed by Jef Date 7-8-99

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

☒ Surface water source
☐ 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?
yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

*advise of reliable device requirement.
Proof acceptable*

DATA ENTRY

New Address X Proof Made 6-2-99



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

July 16, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

James E Davis
159 Anderson Creek Rd
Garden Valley ID 83622

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13814

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and license examination fee submitted for the above referenced permit.

Condition No. 4 of your water right permit requires that you install a lockable device to provide the watermaster suitable control of the diversion. Your proof submittal shows that you have not installed this device. Please be aware that your failure to have this device installed and operable at the time the department conducts the field examination may jeopardize the validity of the permit. You may request, in writing, a waiver of the condition by the department.

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

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination or the measurement device condition, please contact the **WESTERN** Regional Office of the department in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Region

MICROFILMED

AUG 09 1999



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

February 11, 1999

JAMES E DAVIES
159 ANDERSON CREEK RD
GARDEN VALLEY ID 83622

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13814

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.

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

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.

MICROFILMED

APR 13 1999

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

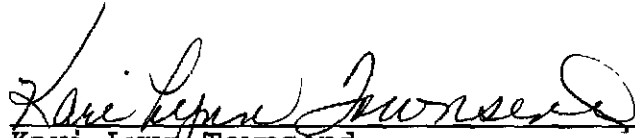
APR 13 1999

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of February, 1999, 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. 65-13814

JAMES E DAVIES
159 ANDERSON CREEK RD
GARDEN VALLEY ID 83622


Kari Lynn Townsend
Secretary

MICROFILMED

APR 13 1999

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.

MICROFILMED

APR 13 1999

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

APR 13 1999

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by CindylonNo.: 65-13814 Name: Davies Date: 2/10/99 Ad OK? ☒ / Gvmt Lts: ☒AREA OF CONCERN: - No/Yes ☐ Mor / ☐ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P18

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated)

FISH & GAME CONTACTED: - YES / NO, WHEN 1/6/99 RESPONSE: 1/22/99 OK

IN ABOVE MSF (✓ MAP)

IN-STREAM DEVELOPMENT - P52 (stream channel alteration)

WD (✓ MAP & LISTING)

- > 0.10 cfs - R04 (WD # 65)
- ~~> 0.10 cfs~~ - 01J-P08 (MD & LD)
- ~~> 0.10 cfs~~ - 01H(P01) LD, 01P or No MD (in-stream stock)

WMD (✓ MAP)

- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

- Snake R (01) - *W22-P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R (65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- STORAGE (✓ 3 compo) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3 0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3 0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(reg)-081-P10
- FISH PROPAGATION - 029(70's only)-007-042(reg)-081 (WQ)-P10
- HEATING/COOLING - R07 (injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use), 17G (FERC) or 17M (FERC), 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr, GW supp to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070

FIRE PROTECTION

- 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P64 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code) -

- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

STANDARD REMARKS:

- W22

BENEFICIAL USE DUE:

- 2. /1/ 2000

COMMENTS:

01-99

State of Idaho
Department of Water Resources

RECEIVED

FEB 09 1999

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application No: 65-13814

Applicant's Name: James E. Davies

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

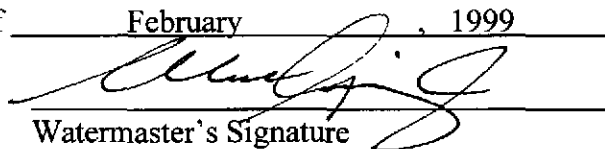
No. 65

c) ☐ I oppose approval of this application for the following reasons:

d) Additional Comment: _____

Dated this 4th day of February, 1999

Water District No. 65


Watermaster's Signature

Use reverse side of page if you need more space.

MICROFILMED

FEB 13 1999

FEB 05 1999

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources
INITIAL REVIEW BY: Don Nelson

DATE: 12-10-98

APPLICATION: 65-13814

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:

yes P/D

yes P/U

yes

ADVERTISE REMARK(S)

(Reviewer identify which remarks)

ADDITIONAL INFORMATION

yes 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.
- ☐ 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. # 65
☐ ☒ 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 1-25-99

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☒ ☐ Water delivered by water master? District # 65

☐ ☐ Special conditions of approval or cover letter: 120, Under control of watermaster

See below for additional information

Recommended Date or Priority 6/8/98Recommended by: DanyDate: 2/2/98**ADDITIONAL INFORMATION:**

There are overlapping water rights
to this point of diversion & place
of use, but none of them are in
the same name and not all of the acres in
this 40 have been covered by irrigation.
Therefore, they should not be significant.

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED

JAN 20 1999

WATER RESOURCES
WESTERN REGION

State of Idaho)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Jan 6, 1998 and ending with the issue of Jan 13, 1998.

Deanna Stevenson

State of Idaho)
County of Boise)

On this 18 day of Jan in the year 1998, before me, a notary public, personally appeared Deanna Stevenson 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.

Deanne E. Cavahin

Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 6/26/2001

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13802

NILSSON, JERRY
36 SCRIVER BLUFF ROAD
GARDEN VALLEY, ID 83622

Source: SCRIVER CREEK Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: SENE Sec 27 T 10N R 04E in BOISE County.

Use: DOMESTIC (0.020 CFS)
Total Diversion: (0.020 CFS)

Date Filed: 8/27/1998

In: BOISE County
T10N R04E S27

SENE

65-13814

DAVIES, JAMES E
159 ANDERSON CREEK RD
GARDEN VALLEY, ID 83622

Source: ANDERSON CREEK Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: LOT 5 (SESW) Sec 14 T 09N R 04E in BOISE County.

Use: IRRIGATION (0.120 CFS)
Total Diversion: (0.120 CFS)

Date Filed: 6/8/1998

In: BOISE County
T09N R04E S14 Lot 5 (SESW)

6.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in 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 on or before JANUARY 25, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Idaho World January 6 and 13, 1999

MICROFILMED

APR 13 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DAK KEMPTHORNE GOVERNOR

January 6, 1999

KARL J. DREHER
DIRECTOR

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

Re: Application for Permit Nos. 65-13816 in the Name of PTR Inc., 65-13802 in the Name of Jerry Nilsson, 65-13814 in the Name of James E. Davies, 61-07749 in the Name of Stephen &/or Helen Percy and 57-07670 in the Name of Jay &/or Carol Cox

Dear Sir: *Scott*

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. 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 25, 1999.

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

Sincerely,

Gary Spackman 1-12-98
Gary Spackman

GS:st

Encl.

Gary - None of the water right applications included should adversely affect fish or wildlife habitat. Thank you for the opportunity to comment.

MICROFILMED

APR 13 1999

[Signature]
IDWG



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

January 6, 1999

KARL J. DREHER
DIRECTOR

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

Re: Application for Permit Nos. 65-13816 in the Name of PTR Inc., 65-13802 in the Name of Jerry Nilsson, 65-13814 in the Name of James E. Davies, 61-07749 in the Name of Stephen &/or Helen Percy and 57-07670 in the Name of Jay &/or Carol Cox

Dear Sir: *Scott*

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. 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 25, 1999.

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

Sincerely,

Gary Spackman
Gary Spackman

GS:st

Encl.

MICROFILMED

APR 13 1999



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

January 7, 1999

KARL J. DREHER
DIRECTOR

MARK LIMBAUGH
WATER DISTRICT 65
102 N MAIN
PAYETTE ID 83661

Re: Application for Permit Nos. 65-13816 in the Name of PTR Inc., 65-13802 in the Name of
Jerry Nilsson and 65-13814 in the Name of James E. Davies

Dear Sir. *Mark*

Enclosed are copies of the above-referenced applications for permit within your district.
Also, enclosed is a form for your recommendation concerning these applications for permit.

Please review the applications and submit any comments you may have within two weeks.
If you have any questions or need information, feel free to contact this office.

Sincerely,

Gary Spackman
Gary Spackman

GS:st

Encl.

MICROFILMED

APR 13 1999

REQUEST TO PROCESS

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

Name of Applicant JAMES E DAVIES
Mailing Address 159 ANDERSON CREEK RD
GARDEN VALLEY ID 83622
Application No. 65-
(if known)

 IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

 PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

✓ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

James E Davies

Date

12/14/98

Please return this form to:

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

MICROFILMED

APR 13 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

12/10/1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES E. DAVIES
159 ANDERSON CREEK ROAD
GARDEN VALLEY, IDAHO 83622

RE: APPLICATION FOR PERMIT

Dear Applicant:

I am in the process of reviewing your application for permit for your irrigation diversion on Anderson Creek. The department needs some clarification of this permit to insure that your application will be processed accurately. I will list each area below that needs clarification in numerical order:

SECTION 4. Water will be used for the following purposes.

According to your permit you are going to be irrigating 6 acres of ground. Under the standards set by the department you are allowed to divert .02 cfs of water per acre. .02 cfs per acre multiplied by 6 acres equals .12 cfs or 54 gallons per minute. You have listed .012 cfs as your diversion rate. This is only 5 gallons per minute. The average sprinkler uses about 3-5 gpm, which would limit you to only one sprinkler. You can change this amount to the maximum allowable of .12 cfs to guarantee that you will have enough water to operate all 3 of your sprinklers. There would be no extra fees or cost you if you change the diversion rate to this amount and it would allow you to set up your system as you stated in your description of diversion works.

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

You listed 100 years to complete the work on this irrigation system. The department can not allow this much time to complete the work for a permit. The department only allows 1 to 5 years to complete work on a permit and to put the water to use. We can not approve your permit unless you list a number between 1 and 5 years to complete your project.

MAP OF PLACE OF USE AND POINT OF DIVERSION:

The map that you sent into our office is unclear as to the actual area that irrigation will occur and there is no mark to show where the water will be diverted. I have enclosed a new map for you to clearly mark only the acres that will be irrigated and clear mark where the water will be diverted. Please draw arrows to these areas and note which is the land irrigated and which is the point where the water will be taken from Anderson Creek.

MICROFILMED

APR 13 1999

RECEIVED

DEC 15 1998

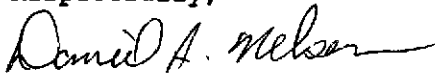
WATER RESOURCES
WESTERN REGION

REQUEST TO PROCESS FORM

I have enclosed a Request to Process form and accompanying letter. The department does not allow processing of Application for Permit forms until we have received a completed Request to Process form. Please read through the accompanying letter and mark one of the three choices on the form. Most of the applicants choose to mark the third choice so they do not have to put together a complicated plan.

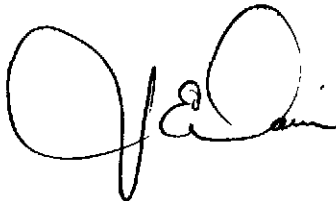
If you have any questions please contact me at the above address or telephone number if you have any questions or call and make an appointment to come into the office and I will help you complete the form.

Respectfully,



Daniel A. Nelson
Water Right Agent

THANKS FOR ALLOWING ME TO MAKE THESE CHANGES.
I HAVE ENCLOSED ALL THE PAPERWORK YOU SENT WITH APPROPRIATE
ANNOTATIONS



MICROFILMED

APR 13 1999

65-13814

DAVIES, JAMES E
159 ANDERSON CREEK RD
GARDEN VALLEY, ID 83622

Source: ANDERSON CREEK

Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: LOT 5 (SESW) Sec 14 T 09N R 04E in BOISE County.

Use: IRRIGATION	(	0.120 CFS)
Total Diversion:	(	0.120 CFS)

Date Filed: 6/ 8/1998

In: BOISE County
T09N R04E S14 Lot 5 (SESW)

6.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in future as needed

MICROFILMED

APR 13 1999