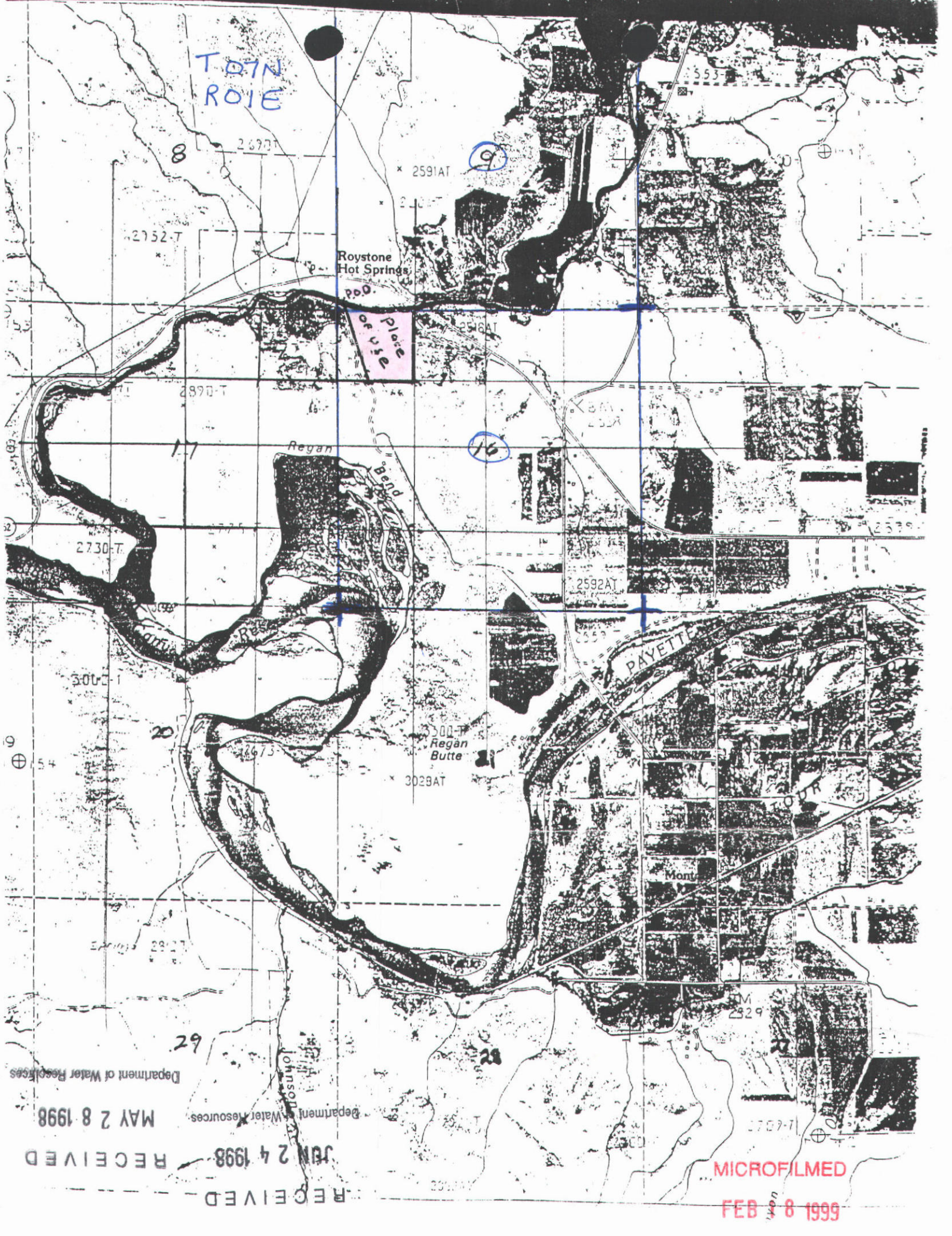




TOIN
ROIE

Roystone
Hot Springs

Regan
Bend

PAYETTE

Mont

JOHN

RECEIVED

JUN 24 1998

Department of Water Resources

MAY 28 1998

Department of Water Resources

MICROFILMED

FEB 8 1999

RECEIVED

JUL 27 1998

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

SS.

COUNTY OF GEM,

Mary K. Black, being first duly sworn, on her oath deposes and says that she is the clerk of the Messenger Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly and continuously for more than 78 weeks prior to the first publication of the annexed document; and that the document notice, process, or advertisement hereunto annexed was published in the regular edition of Messenger Index for two

consecutive weekly issues thereof, beginning with the issue of July 15, 1998, and ending with the issue of July 22, 1998.
Mary K. Black

Subscribed and sworn to me this

32nd day of July, 1998.
[Signature]

Notary Public

Residing at Emmett, Idaho

MY COMMISSION EXPIRES
JUNE 21ST, 2003

My Commission Expires

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13795

MEYER, BRUCE C
MEYER, MALEA
1721 VERMONT
BOISE, ID 83706

Source: SQUAW CREEK

Tributary: PAYETTE RIVER

Diversion Pt: SWSW Sec 9 T 07N R 01E in GEM County.
NWNW Sec 16 T 07N R 01E in GEM County.

Use: IRRIGATION (0.500 CFS)
Total Diversion: (0.500 CFS)

Date Filed: 6/24/1998

In: GEM County
T07N R01E S09 SWSW
S16 NWNW

25.0 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 AUGUST 3, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Pub.: 7 - 15, 22, 1998

Legal Notice No. 3292
Published in the Messenger Index

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FEB 18 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No 65-13795
Name(s) of Permit Holder Bruce & Malen Meyer
Address: P.O. Box 108 City Sweet State ID Zip 83620
8535 Hwy 52 Emmett
Telephone No. 584-3000 Date Proof is Due: Jan 1, 2004

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

10 HP pump & numerous 3-4" sprinkler pipe purchased
electrical wire to pump site in place

Costing \$ 3000⁰⁰

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

I have been building my house for the past 2 years &
previously had to sell my other house in Boise. I also was
supposed to have access to current pump on squaw creek by
Cheele ranch and have been denied use so I have had to
purchase & place my own pump.

Permit holder(s) request an extension to Jan 1, 2006

Bruce Meyer Malen Meyer 12/8/03
(Signature)*
*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

APPROVED and the time within which to submit proof of beneficial use
is extended to January 1, 2006.

igned this 12th day of December, 2003

[Signature]
GARY SPACKMAN

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13795

Proposed Priority: June 24, 1998 Maximum Diversion Rate: 0.50 CFS

This is to certify, that **BRUCE C MEYER**
MALEA MEYER
1721 VERMONT
BOISE ID 83706

has applied for a permit to appropriate water from:
SQUAW CREEK tributary of **PAYETTE RIVER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	0.50 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 9, Township 07N, Range 01E
NWNW , Sec. 16, Township 07N, Range 01E
GEM 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>
07N	01E	9	SWSW	1.0		1.0
		16	NWNW	24.0		24.0

Total number of acres irrigated: 25.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 2004**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. This right authorizes a single point of diversion.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65A.
6. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

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FEB 18 1999

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

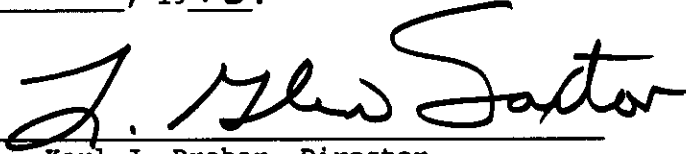
NO. 65-13795

CONDITIONS OF APPROVAL AND REMARKS

8. 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.
9. 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.

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

22nd day of December, 1998.


Karl J. Dreher, Director
for

MICROFILMED

FEB 18 1999

RECEIVED

JUN 25 1998

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. 65-13795

RECEIVED

JUN 24 1998

Department of Water Resources

1. Name of Applicant Burt C Meyer and Mable Meyer Phone 208-384-0117
Mailing address 1721 Vermont Boise Idaho 83706
2. Source of water supply Squaw Creek which is a tributary of Payette River
3. Location of point of diversion is Township 7 N Range 1 E Sec. 9, in the SW 1/4, SW 1/4, SW 1/4, Govt. Lot NW 1/4, S16, T1N, R1E, B.M. * 6EN County: CHOTEAU
additional points of diversion if any: Section line 16 & 9
4. Water will be used for the following purposes:
Amount 0.50^{Bm} for irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
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) 0.50^{Bm} 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 Pump and pipe line to sprinklers
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? _____
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 5 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. _____
e. Other; describe fully. water will be used to keep the level in a storage-retention pond full

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SEP 18 1999

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	
7N	1E	16						24	3m										24 3m
7N	1E	9											1						1

Total number of acres to be irrigated 25 3m

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? applicant

b. Who owns the land to be irrigated or place of use? "

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 8 1/2 x 11" 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.

Bruce Meyer Malen Meyer
Signature of Applicant (and title, if applicable)

Received by [Signature] Date 6/24/98 Time 10:00 AM Preliminary check by [Signature]
Fee \$ 100.00 Received by [Signature] # 1042156 Date 6/24/98
Publication prepared by ST Date 7/8/98 Published in Messenger-Index on 7/15 & 22/98
Publication approved by [Signature] KG Date 8/4/98

RECEIVED

TWIN
ROCK

8

2752.7

2591AT

Roystone
Hot Springs

2870.7

Regan

2730.7

2592AT

Regan
Butte

3028AT

PAYETTE

29

Department of Water Resources

MAY 2 8 1998

Department of Water Resources

JUN 2 4 1998

RECEIVED

RECEIVED

MICROFILMED

FEB 8 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

December 15, 2003

BRUCE MEYER
MALEA MEYER
PO BOX 108
SWEET ID 83670

RE: PERMIT NO. 65-13795

Dear Permit Holder:

I have enclosed a copy of the approved Request for Extension of Time ("request") you submitted to the department in connection with the above referenced permit, which extends the time to submit proof of beneficial use to **January 1, 2006**. Please note that the department granted this extension based on evidence of **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed, since the department may not be able to grant an additional extension request based on this category.

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. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Additionally, these forms can be found on our website at: www.idwr.state.id.us

If you have any questions regarding this matter, contact me at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No 65-13795

Reviewed By dgibson

Date. December 12, 2003

	<u>Yes</u>	<u>No</u>	
Request received timely?	X		Is delay by a government agency?
Appropriate fee	X		Is supporting documentation needed to support the file?
Additional Amount Due:			
Receipt No		C071894	Has the permit been involved in litigation?
Name and signature same as permit?	X		Is supporting documentation needed to support the file?
Is address same as permit?		X	Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?
Has adequate work been completed to demonstrate due diligence?	X		

Priority Calculation

Extension request received	12/09/2003	New proof due date	01/01/2006
Date proof due	- 01/01/2004		
Lapse notice sent	-		
No of days late	= 0		
Holiday allowance	+		
Priority date	+ 06/24/1998		
New priority date	= 06/24/1998		

Action Taken

Acknowledge request and extend proof deadline to Jan. 1, 2006.

U.S. Postal Service

CERTIFIED MAIL RECEIPT

First-class mail only. No insurance coverage.

7000 1670 0011 3314 1404

136

136

136

136

Total Postage & Fees \$

11/6/03

Postmark
Here

dy

Sent to

Street Address

City, State

Bucci & Maura Meyer

P.O. Box 108

Summit, Id. 83670-0108

PS Form 3800, May 2000

See back for instructions

Certified Mail Provides:

- A mailing receipt
- A unique identifier for your mailpiece
- A signature upon delivery
- A record of delivery kept by the Postal Service for two years

Important Reminders

- Certified Mail may ONLY be combined with First-Class Mail or Priority Mail
- Certified Mail is *not* available for any class of international mail
- NO INSURANCE COVERAGE IS PROVIDED with Certified Mail. For valuables, please consider Insured or Registered Mail
- For an additional fee, a *Return Receipt* may be requested to provide proof of delivery. To obtain Return Receipt service, please complete and attach a Return Receipt (PS Form 3811) to the article and add applicable postage to cover the fee. Endorse mailpiece "Return Receipt Requested." To receive a fee waiver for a duplicate return receipt, a USPS postmark on your Certified Mail receipt is required.
- For an additional fee, delivery may be restricted to the addressee or addressee's authorized agent. Advise the clerk or mark the mailpiece with the endorsement "Restricted Delivery."
- If a postmark on the Certified Mail receipt is desired, please present the article at the post office for postmarking. If a postmark on the Certified Mail receipt is not needed, detach and affix label with postage and mail.

IMPORTANT Save this receipt and present it when making an inquiry

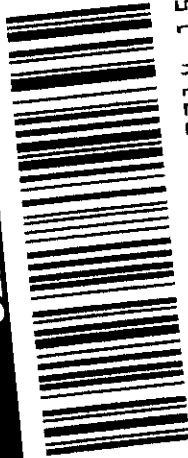
Left 11/5
message with
Bruce Meyer
@ 584-3000,
Sweet, Id. if
they were the
same as Bruce
& Malia to
call back -
dz

P.O. Box 108
Sweet, Id.
83670-
0108

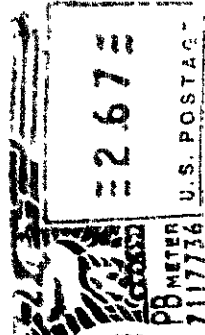
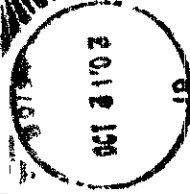
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street, P O Box 83720
Boise, Idaho 83720-0098

Return Service Requested

CERTIFIED MAIL



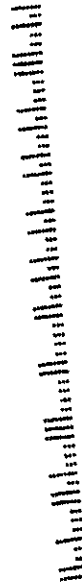
7000 1470 0011 3314 1539



RECEIVED
NOV - 5 2003

Department of Water Resources

*Received
11/6/03
dy*



8370643332

October 31, 2003

BRUCE C MEYER
MALEA MEYER
1721 VERMONT
BOISE, ID 83706

PROOF DUE NOTICE

RE: PERMIT NO. 65-13795

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

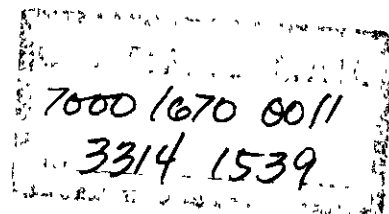
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures





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

December 23, 1998

PHILIP E. BATT
GOVERNOR

BRUCE C MEYER
MALEA MEYER
1721 VERMONT
BOISE ID 83706

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13795

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

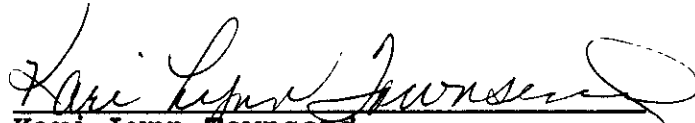
MICROFILMED
FEB 18 1999

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of December, 1998, 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. 65-13795

BRUCE C MEYER
MALEA MEYER
1721 VERMONT
BOISE ID 83706


Kari Lynn Townsend
Secretary

MICROFILMED
FEB 18 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.

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FEB 18 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
FEB 18 1999

APPLICATION FOR PERMIT STATE OFFICE ANALYSIS

by Cindy GlenNo.: 65-13795 Name: Weiser Date: 11/3/98 ^{12/21/98} Ad OK? ☒ ☒ Gvmt Lts: AREA OF CONCERN: ☒ Yes ☐ No Mor / GWMA / Trust / Non-trustPROTESTED: ☐ 020 (Protest Agreement) or ☐ *W19 (Order)

SYSTEM COMPLETED:

> 1 year - P17
≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

WMD (✓ MAP)

> 0 24 cfs/5 acres

≤ 0 24 cfs/5 acres

WMD Supplemental use

> 0 24 cfs/5 acres

≤ 0 24 cfs/5 acres

- North / East / West

- 067 or No MD (in-stream stock or power)

- No MD

- 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)

- 01M (report when notified)

- No MD

DRILLING PERMIT:

All wells (✓ WDQ3)

In Basin 34?

Irr within WD

- 046-P23

- 085

- P05 (new well location)

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

FISH & GAME CONTACTED

IN/ABOVE MIN STR FLOW (✓ MAP)

WD (✓ MAP & LISTING)

> 0 10 cfs

≤ 0 10 cfs

WMD (✓ MAP)

> 0 24 cfs/5 acres

≤ 0 24 cfs/5 acres

- YES / ~~NO~~, RESPONSE None

- *WB9

- 04 (WD # 04A)- 04A (MD & LD)

- 01H-P01 (LD), 01P or No MD (in-stream stock)

- 067 or No MD (in-stream stock or power)

- No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0 24 cfs/5 acres

≤ 0 24 cfs/5 acres

- 01M or No MD (in-stream stock or power)

- No MD

RIVER BASINS: (*Surface water)

Snake R (01)

(02/03-irr)

Payette R(65)

Salmon R(70's)

Weiser R (67)

- *W22 -P04, NA

- 007 (w/ remark *WB9 if above Weiser), NA

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

- 029 (fish screens), NA

- 086, 087

USE:

Domestic surface

>1 in rest area

Fire Protection

Fish Propagation

Heating/Cooling

Irr ≤ 5 acres

> 5 acres

Mining

Municipal

Power

Stockwater

Storage (✓3 compo)

- *WB5 (Big Wood R or Boise R ↑ Star Bridge), 27A (Payette River), NA

- 071-070

- 077

- 029(70's only)-007-042(req)-081 (WQ)-P10

- R07 (injection well)

- R66/R67/R68/R69 (0 03 cfs/acre + 3 0/3 5/4 0/4 5 AF)

- R62/R63/R64/R65 (0 02 cfs/acre + 3 0/3 5/4 0/4 5 AF)

- 054(req) -081-P10

- 022, 075, 004 (+memo?), NA (not in restricted area)

- 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

- R37 (BLM/USFS), NA

- 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

42-248 area

Boise Front LoGeo

In-stream dev

Mitigation

SWAN FALLS FLAG (See Code Chart)

Trust

Non-Trust (1)

- P84 (in 20/30/40/50/60/70/80 (87) basin)

- 058 (<85° GW temp only)

- P52 (stream channel alteration)

- 020

- 051-052-053-P74 (Consumptive Uses), NA

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 076- 0722- 01/ 2004



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

November 3, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Idaho Dept. of Fish & Game
Southwest Region
Scott Grunder
3101 S. Powerline Rd.
Nampa ID 83686

RE: Application for Permit No. 65-13795

To Whom It May Concern:

The Department of Water Resources (IDWR) is preparing to issue a water appropriation permit for the above application. Before proceeding, IDWR would appreciate receiving your comments, if any, on the proposed diversion and use of surface water. I have enclosed copies of the application for your review. Please respond with your comments by November 18, 1998. If I have not heard from you by then, I will assume you have no comment and will proceed with issuing the permit.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Respectfully,

Cindy Zimmerman
Water Resource Agent

Enclosure

MICROFILMED

FEB 18 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

NOV 02 1998

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: MT DATE: 7/7/1998 APPLICATION: 65-13795

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) 1 POP
- ☒ County: Adair
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map: (show T, R, S, QQ &/or QQQ)
- ☒ Subdivision plat: (for > 1 home in restricted area. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
NO P/D
NO P/U

ADDITIONAL INFORMATION

YES ADVERTISE REMARK(S) litigation
(Reviewer identify which remarks)

N/A 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:
- ☒ Bull trout impact area NOT PRESENT
- ☒ 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:
- ☒ Send 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

Ownership of POP - same pump as 63-13793 (Cherhoke Ranch) ?

YES, per T. Tleyer. Eventually several users will use this pump. MT 7/8/1998

Will provide documentation of access to diversion. MT 7/8/1998

Date Requested 7/08/1998 Date Response Received 7/08/1998 Tel. conversation w/ Makena Tleyer

PROCESSING

APP. NO. 65-13795

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. # 65A - Squaw Creek
☐ ☒ 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 8-3-98

☐ ☒ Protests received.

☐ ☒ Recommendations attached:

☐ ☒ Measuring device required:

☐ ☒ Measuring port required:

☒ ☐ Water delivered by water master? District # 65A

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

Upon being notified by TDWR, must measure & report. (120)

See below for additional information

Recommended Date or Priority 6/24/98Recommended by: Day 5Date: 10/28/98**STATE OFFICE REVIEW**

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

Overlaps: 65-02545: Owned by Hunter (Chechaole Ranch). Squire-Fayerette R
 65-13269B: Chechaole Ranch. 3 acres along w/dge of N.W. No overlap
 Hunter owned large POU - now subdivided into large +
 small parcels. Share fID with Hunter + other potential
 owners. Will send copy of agreement re: pump. TTR 7/8/98

RECEIVED

AUG 27 1998

WATER RESOURCES
WESTERN REGION

RE: permit # 65-13795

1721 Vermont

Boise ID 83704

Aug 25, 1988

Dear Denise

Enclosed copy of deed + legal
+ earnest \$ agreement that
mentions the pump.

Maureen Meyer

384-0117

384-9977 fax.

65-13795 - SR

MICROFILMED

FEB 18 1999

3-20981

Warranty Deed

For Value Received

R.J. HUNTER, Trustee, CHEEHAOLE RANCH, a Trust known as THE CHEEHAOLE TRUST
 the grantor, does hereby grant, bargain, sell and convey unto
 BRUCE C. MEYER and MALEA MEYER, husband and wife
 whose current address is 1721 Vermont, Boise, Idaho 83706

the grantee, the following described premises, in GEM County Idaho, to wit:

SEE ATTACHED LEGAL DESCRIPTION

SUBJECT to: Restrictive and Protective Covenants of Westridge Ranch

DO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and
 their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said
 Grantee and that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated. May 26, 1998

R.J. Hunter
 R.J. HUNTER, Trustee, Cheehaole Ranch, a
 Trust known as THE CHEEHAOLE TRUST

STATE OF IDAHO, COUNTY OF GEM
 On this 26th day of May, 1998,
 before me, a notary public in and for said State, personally appeared

R.J. Hunter, Trustee, Cheehaole
 Trust known as THE CHEEHAOLE TRUST

known to me to be the person whose name
 subscribed to the within instrument, and acknowledged to me that
 executed the same.

Notary Public
 Notary Public
 Residing in
 Comm. Expires

MICROFILMED

FEB 18 1999

EXHIBIT A

That portion of the SW 1/4 of the SW 1/4 of Section 9, and the NW 1/4 of the NW 1/4 of Section 16, Township 7 North, Range 1 East, B.M., Gem County, Idaho, described as follows:

BEGINNING at the Southeast corner of the NW 1/4 of the NW 1/4 of Section 16, T. 7 N., R. 1 E., B.M., Gem County, Idaho, marked by a found 5/8" iron pin; thence
South 89°34'38" West, 802.00 feet along the South line of said NW 1/4 of the NW 1/4, to a point referred to hereafter as point "A"; thence
North 50°00'36" West, 128.15 feet; thence
North 16°08'59" West, 856.81 feet; thence
North 00°14'11" East, 493.60 feet, to a point on the centerline of Squaw Creek; thence along the centerline of said Squaw Creek, the following courses and distances:
South 70°51'44" East, 104.60 feet;
South 51°48'08" East, 318.52 feet;
South 84°30'41" East, 158.07 feet;
North 73°15'58" East, 208.20 feet;
North 56°17'19" East, 143.87 feet;
North 79°15'34" East, 119.03 feet, to a point on the North line of said NW 1/4 of the NW 1/4; thence leaving said Squaw Creek,
North 89°27'52" East, 199.29 feet, along said North line, to the Northeast corner of said NW 1/4 of the NW 1/4; thence
South 00°13'58" West, 1310.50 feet to the REAL POINT OF BEGINNING.

RESERVING UNTO THE Grantors, their heirs and assigns, a 30.00 foot wide ingress, egress and utility easement lying Easterly of the following described line:

BEGINNING at point "A" described above; thence
North 50°00'36" West, 128.15 feet; thence
North 16°08'59" West, 856.81 feet; thence
North 00°14'11" East, 493.60 feet, to a point on the centerline of Squaw Creek and the terminus of this easement.

TOGETHER with a 40.00 foot wide ingress and egress easement lying Southerly of and adjoining the South line of the NW 1/4 of the NW 1/4, the NE 1/4 of the NW 1/4 and the NW 1/4 of the NE 1/4 of Section 16, Township 7 North, Range 1 East, B.M., Gem County, Idaho, described as follows:

BEGINNING at point "A" described above; thence
Easterly 2825.93 feet, along the South line of the NW 1/4 of the NW 1/4, the NE 1/4 of the NW 1/4, and the NW 1/4 of the NE 1/4 of said Section 16, to the Westerly right-of-way of State Highway 52 and the terminus of this easement.

MICROFILMED

FEB 18 1994

REAL ESTATE PURCHASE AND SALE AGREEMENT

THIS DOCUMENT IS INTENDED TO BE A LEGALLY BINDING AGREEMENT. DO NOT SIGN THIS DOCUMENT UNLESS IT IS FULLY COMPLETED AND YOU COMPLETELY UNDERSTAND BOTH THE FRONT AND BACK OF IT.

IDAHO LAW PROHIBITS ANYONE OTHER THAN A LICENSED ATTORNEY FROM GIVING LEGAL ADVICE. THIS TRANSACTION WILL AFFECT YOUR LEGAL RIGHTS AND OBLIGATIONS. CONSULT AN ATTORNEY IF YOU HAVE ANY QUESTIONS.

AGREEMENT. The undersigned buyer(s) agree to buy, and the undersigned seller(s) agree to sell, the property described below, at the price and terms described herein.

Buyer's Signature: Bruce C. Meyer Date: 4/6/98 Seller's Signature: [Signature] Date: 4-6-98
Buyer's Signature: Malva Meyer Date: 4/6/98 Seller's Signature: _____ Date: _____

State of _____

County of _____

On this _____ day of _____, 1998, before the undersigned a Notary Public, personally appeared _____

known to me to be the person(s) who signed this agreement and acknowledged to me that he executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for _____ Residing at _____ My bond expires _____ 1998

SPECIFIC TERMS AND DETAILS OF AGREEMENT

1 Legal Description: 30 A.M/L Hunter Parcel #1
Bordering Gabra Prop. Legal To Be
ATTACHED.

2 Property Address: N/A

3 Amount of Earnest Money: FIVE THOUSAND DOLLARS
(\$5000.00) Acknowledged by: S.G.

4 Form of Earnest Money: ☒ Personal Check ☐ Cashiers Check ☐ Cash
☐ Promissory Note ☐ Other (Describe in Additional Terms of Purchase)

5 Total Price of Property: Eighty Five Thousand Dollars
(\$85,000.00)

6 Financing: ☒ Cash ☐ FHA ☐ VA ☐ FHA
☐ Conventional ☐ Assume Seller's Loan
☐ Seller Financing (Describe in "Additional Financing Terms", below)

7 Down Payment: CASH @ CLOSING
(\$85,000.00)

8 Additional Financing Terms: CHECK TO BE DEPOSITED
UPON ACCEPTANCE BY BOTH
PARTIES.

Item 13 & 20 to be agreed on
by 4-13-98 [Signature]

9 Contingencies: ☐ None (No Contingencies Apply)
Contingent on Financing: ☐ Yes ☐ No
Contingent on sale of buyer's home: ☐ Yes ☐ No
Other Contingency (Describe in Additional Financing Terms): ☐ Yes ☐ No
Maximum interest rate for Buyer's loan: _____ %
Maximum number of points: _____
Seller is obligated to pay: _____
Maximum cost of link/code repairs to be paid by Seller: \$ _____
Property to remain on market: ☐ Yes ☐ No

10 Date of Closing: MAY 20, 98 Date of Financing: CLOSING

11 Closing to be performed by: ALLIANCE TITLE & ESTATE

12 Title Insurance to be provided by (Title Company): ALLIANCE TITLE

13 Property Specifically INCLUDED in Sale: WATER RITES & PUMP
IN GOOD CONDITION.

14 Property Specifically EXCLUDED from Sale: NONE

15 Offer subject to Acceptance by (Date): 4-8-98 (Time): 12 o'clock PM

16 Listing Broker: S.D.R. Selling Broker: S.D.R.

17 Responsible Broker: Roger Gabra Amount of Commission: _____

18 AGENCY DISCLOSURE: At the time of signing this agreement the agent working with the buyer represented N/A and the agent working with the seller represented N/A. Each party signing this document confirms that prior written disclosure of agency was provided to him/her in this transaction. Each party to this transaction has read and understands the contents of the agency disclosure brochure previously received.

19 Parties to Transaction: Buyer's Name(s): Bruce C. Meyer
Name(s): Malva Meyer
Address: 1721 Vermont
City State Zip: Boise, ID 83706
Seller's Name(s): Chevalier Trust
Name(s): BOB & MAE HUNTER
Address: MANTON, ID
City State Zip: 83617

20 Additional Terms of Purchase: SUBJECT TO ROAD & WATER
AGREEMENTS TO SATISFY BUYERS.
SELLER TO GUARANTEE 30 ACRES.
LOTS # 3 AND 4 NO MOBILE OR
MANUFACTURED HOMES.

Buyer hereby receives for a copy of this agreement with the seller's signature showing seller's acceptance of offer. OR agent certifies that the buyer's copy with seller's acceptance was sent to buyer via certified mail.

Signature: _____ Date: _____

The provisions on the BACK of this form are also a part of this agreement. Buyer's Initials: _____ Seller's Initials: _____

MICROFILMED

CONVERSATION MEMORANDUM

DATE 08/25/1998

FILE 45-13795

NAME OF PARTY Eric Heer

EMPLOYEE M. Minicucci

RE: Watermaster Comments 305 5583

8:00 584-3515: Answering machine tape. At capacity - no message w/
365-8583. Call phone, no answer
584 3472. Janice Lane: IN CONTACT w/MR. Heer infrequently
(once a year).

Marla Peyer 384-0117

Send copy of Ernest Roney agreement to JWR? No copy
in our file.

Change of ownership 465-18436 Pond
Request for deed w/legal. Will send to D. BIRFINGTON
She will investigate access agreement to be written
into deed. In the mean time she will send us a copy of
the Ernest Roney agreement that speaks to access
agreement

8/28/1998

584-3515: Busy 8:00

8/29/1998. Mr. Heer is familiar with diversion.

Diversion is below most Squaw Creek users.

Water may back up Creek from Reservoir to
pump site but usually this location is fairly dry later in the
irrigation season. Upstream users consulted by Mr. Heer
have no objection to this diversion. TT

MICROFILMED

FEB 18 1999

✓
KH

RECEIVED

JUL 27 1998

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Mary K. Black, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two

consecutive weekly issues thereof,
beginning with the issue of
July 15, 1998,
and ending with the issue of
July 22, 1998
Mary K. Black

Subscribed and sworn to me this

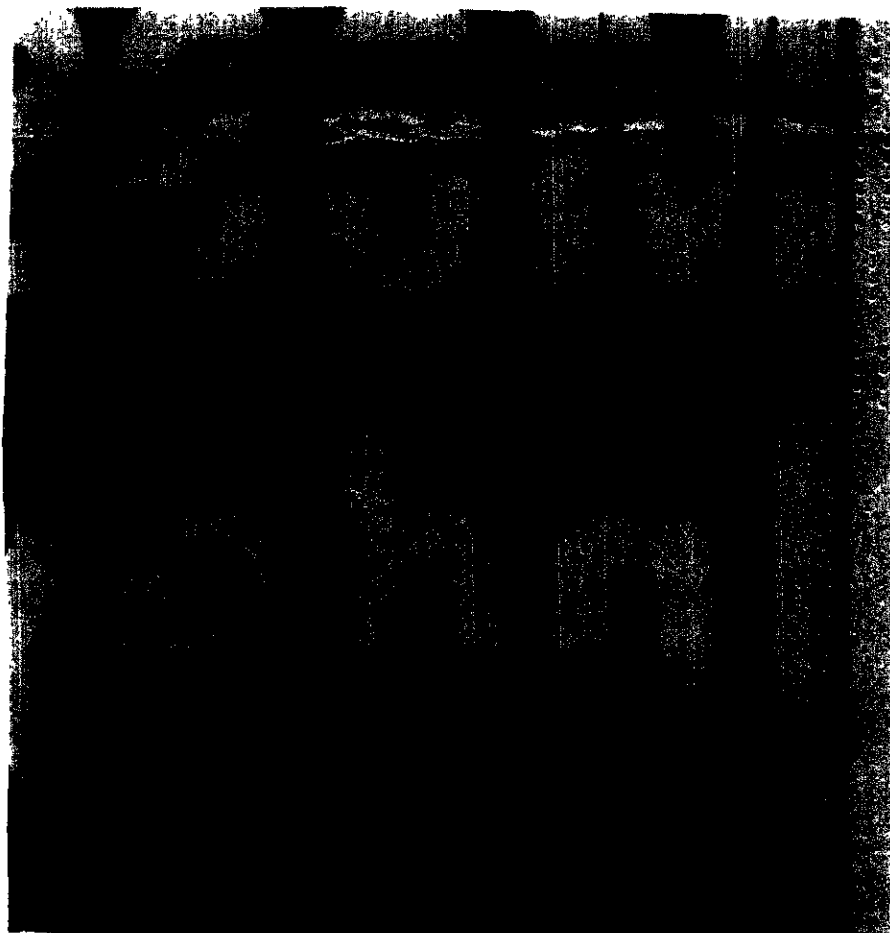
22nd day of

July, 1998

[Signature]

Notary Public

Residing at Emmett, Idaho



MY COMMISSION EXPIRES
JUNE 21ST, 2003

My Commission Expires

MICROFILMED

FEB 18 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 10, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ERIC HERR
WATER DISTRICT 65A
8917 BUTTE RD
SWEET ID 83670

Re: Application for Permit No. 65-13795 in the Name of Bruce C. &/or Malea Meyer

Dear Sir:

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

Please review the application 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,

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

Gary Spackman

GS:st

Encl.

MICROFILMED
FEB 18 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JULY 8, 1998

Legal Notices Department
Messenger-Index
P.O. Box 577
Emmett, ID 83617

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 AUGUST 3, 1998.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED
FEB 18 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED
FEB 18 1999

65-13795

MEYER, BRUCE C
MEYER, MALEA
1721 VERMONT
BOISE, ID 83706

Source: SQUAW CREEK

Tributary: PAYETTE RIVER

Diversion Pt: SWSW Sec 9 T 07N R 01E in GEM County.
 NWNW Sec 16 T 07N R 01E in GEM County.

Use: IRRIGATION (0.500 CFS)
 Total Diversion: (0.500 CFS)

Date Filed: 6/24/1998

In: GEM County
 T07N R01E S09 SWSW
 S16 NWNW

25.0 ACRES TOTAL

Applicants agree to mitigate consumptive use in the future as needed.

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FEB 18 1999

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 AUGUST 3, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 7/15/1998 & 7/22/1998

MICROFILMED
FEB 18 1999

RECEIVED
JUN 24 1998
Department of Water Resources

RESPONSE FORM

COMPLETE ONLY IF YOU WANT YOUR
APPLICATION TO BE PROCESSED

Name of Applicant Bruce C Meyer and Malca Meyer

Mailing Address 1721 Vermont Boise Idaho 83706

Application No. _____

Mitigation

Yes, I agree to accept a condition of approval on my application that will require mitigation related to fishery resources based upon a finding by the Director, Idaho Dept. of Water Resources. I understand that mitigation is not needed now but may be needed in the future. I also understand that the Director will not invoke this condition until I have an opportunity to participate in the process by which mitigation is identified and quantified.

Signature ✓

5/26/98 Bruce C. Meyer

Date ✓

5/26/98 Malca Meyer

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082
MICROFILMED
FEB 18 1999