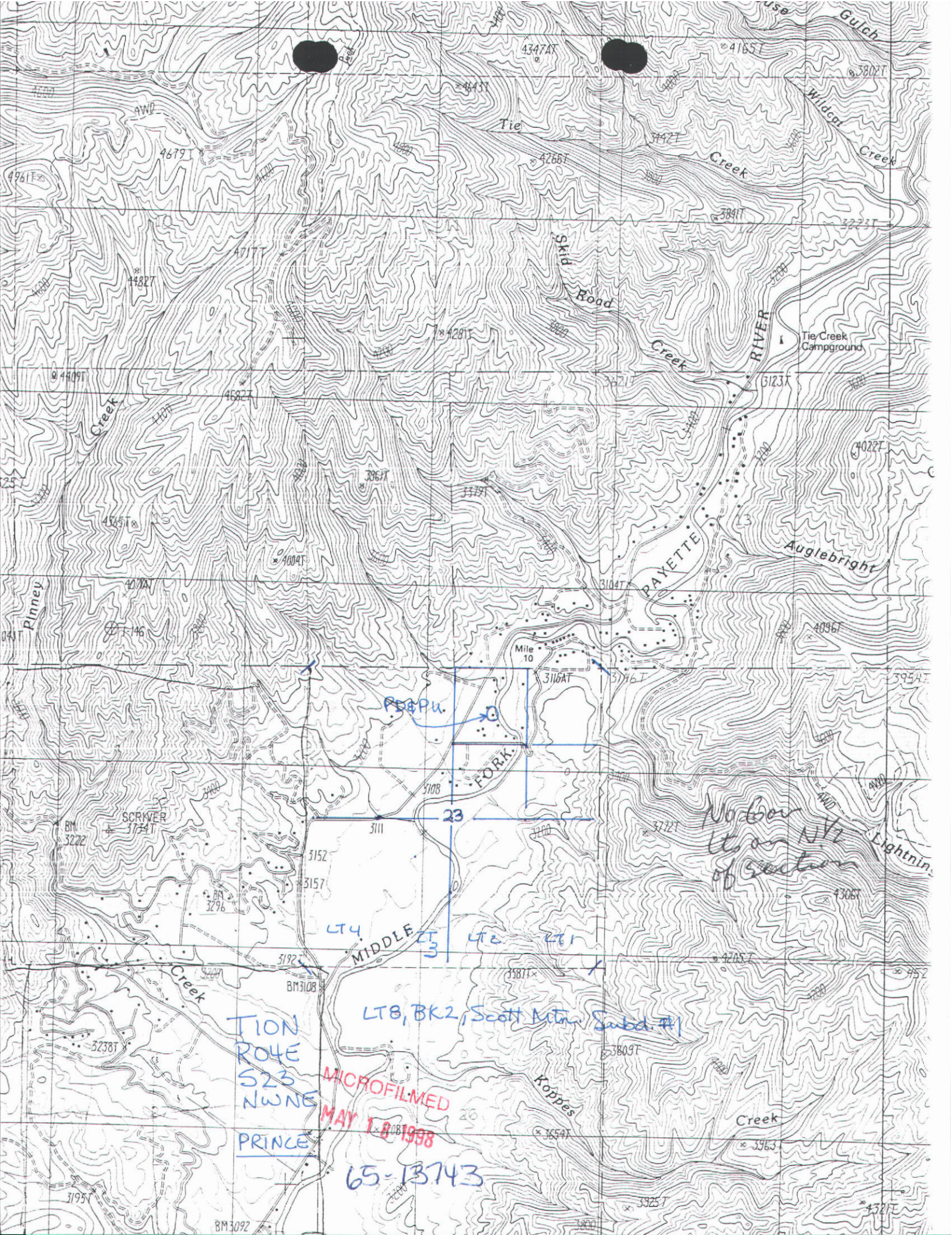




PDAU

23

LT4

LT2

LT1

LT8, BK2, Scott Actn Subd #1

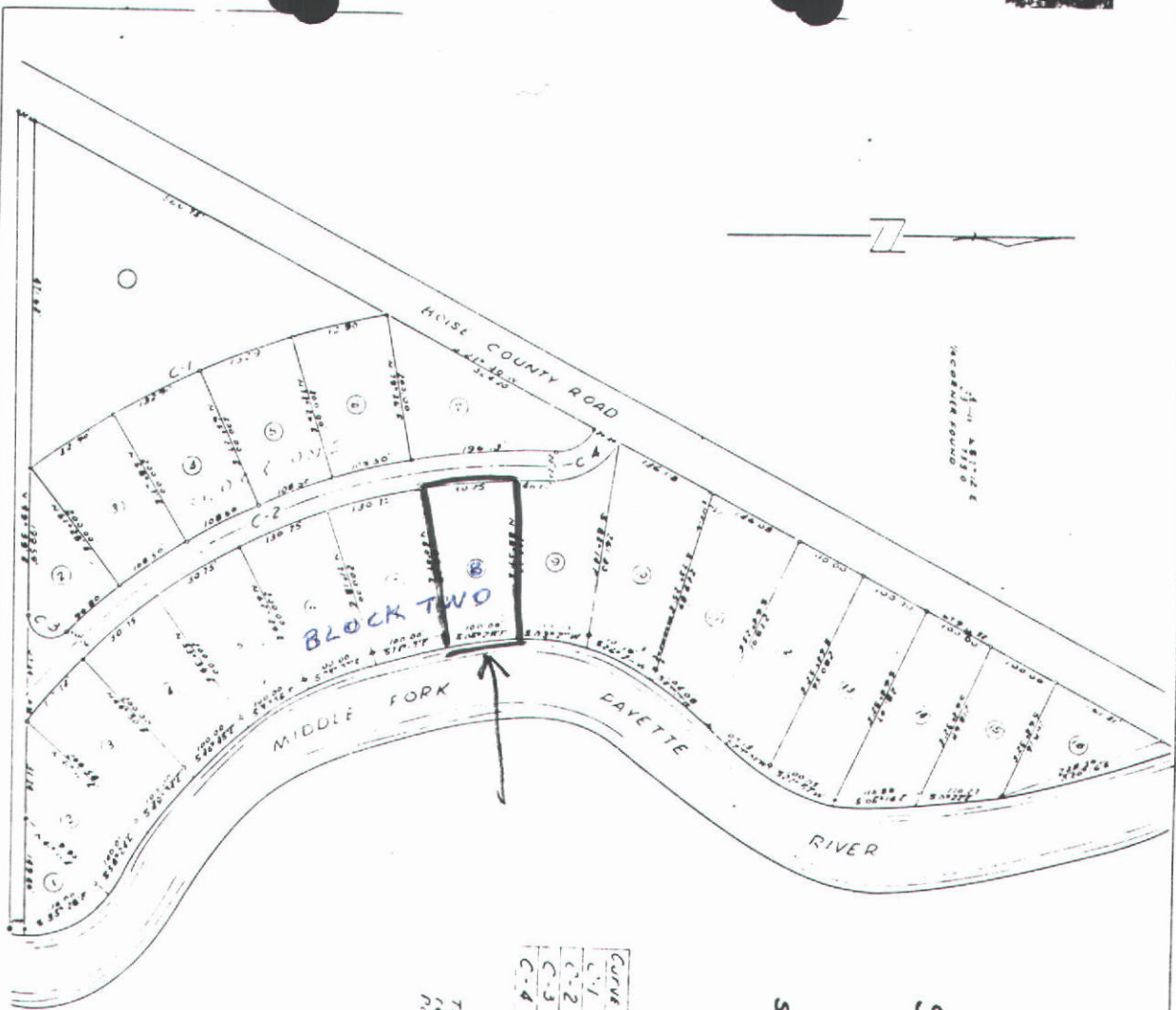
TION
ROYE
S23
NWNE
PRINCE

MICROFILMED
MAY 18 1998

65-13743

No Gov
Lt or NW
of section

65-13743



SCOTT MOUNTAIN SUBDIVISION NO. 1

A PORTION OF
SW 1/4 S. 14 AND NW 1/4 S. 23
T. 10N., R. 4E., B. 1M.
BOISE COUNTY, IDAHO

SCALE: 1" = 100'

CURVE	A. H. L. C.	BRG.
C-1	27° 38' 10.00"	S 26° 1' N 42° 33' W
C-2	53° 12' 8.70"	S 70° 1' N 42° 33' W
C-3	44° 13' 30.21"	N 21° 52' E
C-4	65° 10' 00"	S 54° N 30° 10' W

Legend
5/8" Steel bar with 1"
aluminum cap
2 x 3" Galv Iron Pipe

This Subdivision shall be controlled by the
restrictive covenants as filed in
Page Book of the Boise County Records

THIS IS TO CERTIFY THAT THE ABOVE
IS AN ACCURATE COPY OF THE RECORD
OF THE SCOTT MOUNTAIN SUBDIVISION

W. A. Johnson
Surveyor

While this map is a photographic reproduction of that on
file in either the recorder's or surveyor's office, the
company assumes no liability for variation, if any, with
another or re-survey.

MICROFILMED
MAY 18 1998

$N \leftarrow$



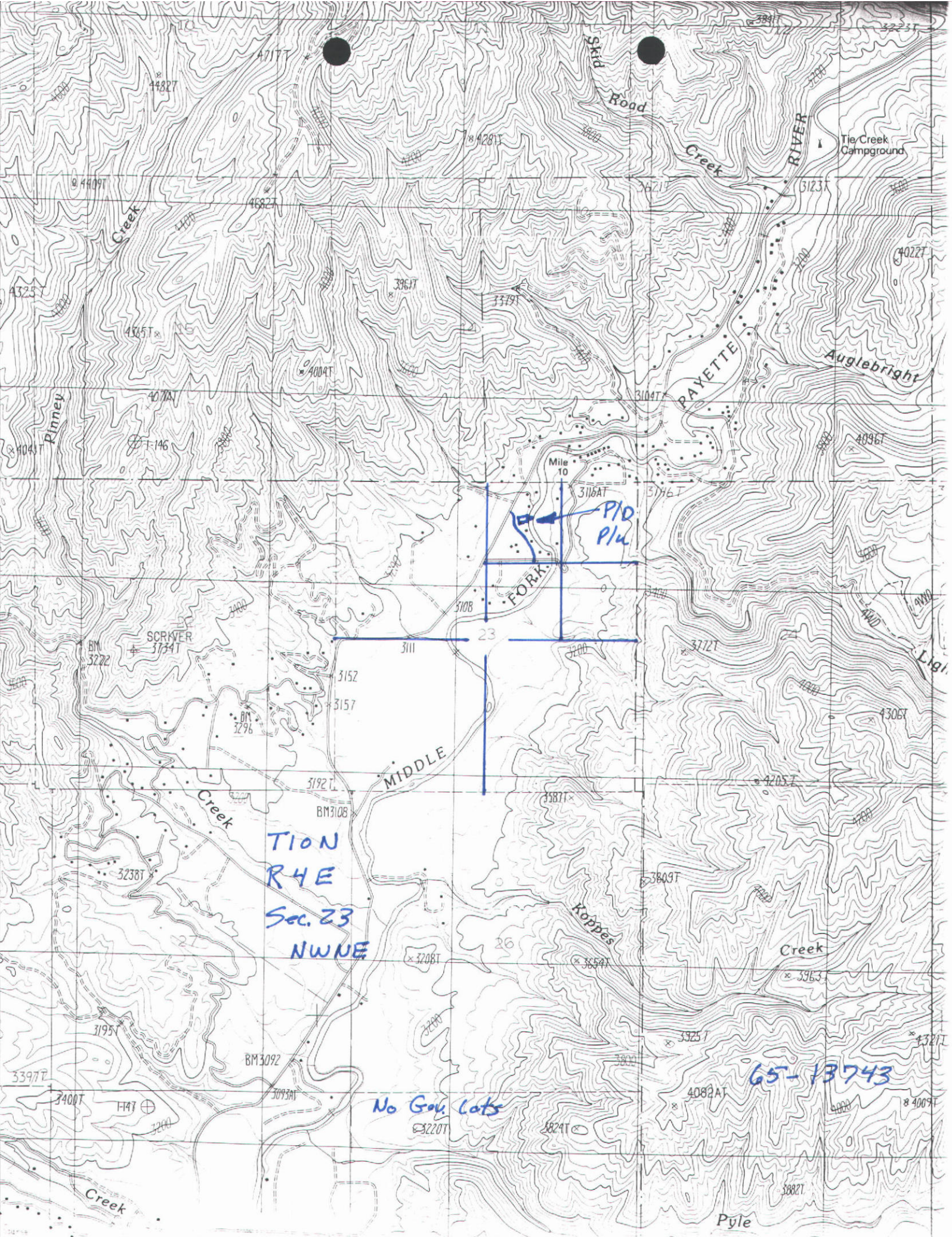
✓ Photo of Diversion and System Attached

4.

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

1.

2. Measurements: $Q = 5 \text{ Gal.} / 35 \text{ sec.} = 9 \text{ Gpm} = 0.02 \text{ cfs}$



SCOTT MOUNTAIN SUBDIVISION

NO. 1

A PORTION OF
SW 1/4 S. 14 AND NW 1/4 S. 23
T. 10N., R. 4E., B. 1M.
BOISE COUNTY, IDAHO

SCALE: 1" = 100'

Curve	A	B	C	LC	Brng.
C-1	27° 18' 00"	526.71	1000.00	1000.00	N 24° 33' 30" W
C-2	55° 12' 30"	870.71	1101.00	1101.00	N 24° 33' 30" W
C-3	44° 55' 30"	445.30	221.00	221.00	N 21° 52' 00" E
C-4	65° 00' 00"	650.00	85.4	85.4	N 30° 10' 00" W

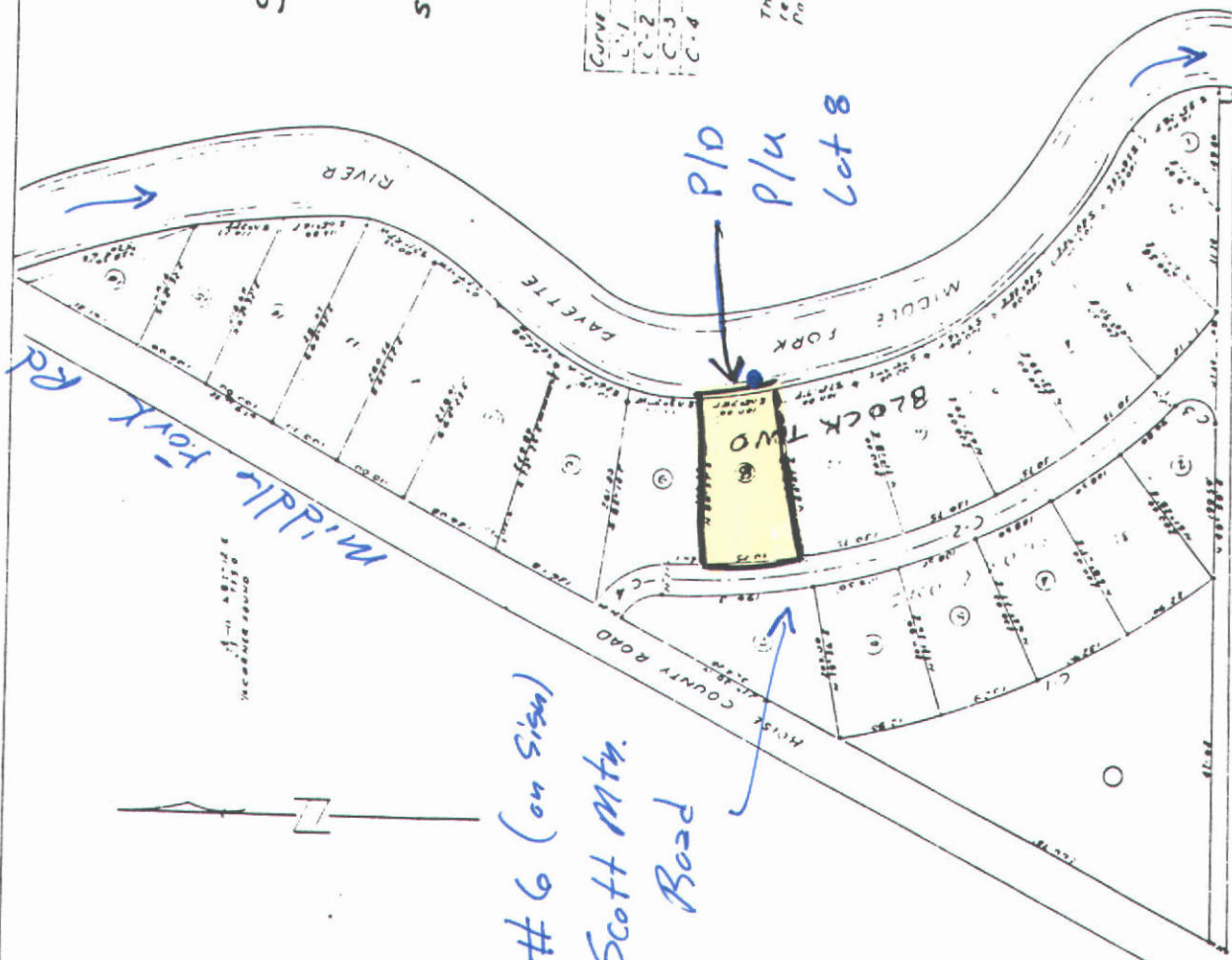
Legend
5/8" Steel bar with 1" aluminum cap
2 x 3" Galv. Iron Pipe

This Subdivision shall be controlled by the restrictive covenants as filed in Page Book of the Boise County Records

This is to certify that this is a true and correct copy of the original map of the SCOTT MOUNTAIN SUBDIVISION

and a return of the same

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another or re-survey.



65-13743

65-13743

Lot 2

P10

Pump

Unit 4

2+

River



P14

Place
of

Measurement



65-13743

2 of 2

Plu

Domestic
well

House

Note 1" PE

Pipe on
ground

by

Well House

- from river
pump.



1/2" PE pipe from
well house connects
into river pump
Pipe - here



Plu

yard

1" PE
pipe is
from
river
pump

65-13743

The Idaho World

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

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 Dec 17, 1997 and ending with the issue of Dec 24, 1997.

Deanna Stevenson

State of Idaho >
>
County of Boise >

On this 9th day of Jan in the year 98, 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.

Diane E. Caughlin
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:

65-13743 *✓ set*

PRINCE, JAMES C
PRINCE, DOROTHY
9390 USTICK RD #64
BOISE, ID 83704

Source: PAYETTE RIVER, MIDDLE FORK

Tributary: PAYETTE RIVER

Diversion Pt: NWNE Sec 23 T 10N R 04E in BOISE County.

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

Date Filed: 9/ 3/1997

In: BOISE County
T10N R04E S23 NWNE

65-13769

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

Source: RICHARDS CREEK

Tributary: PAYETTE RIVER, SOUTH FORK

Diversion Pt: LOT 6 (SENESE) Sec 17 T 09N R 09E in BOISE County.

Use: FISH PROPAGATION (1.500 CFS)
FISH PROP. STORAGE (24.00 AF)
DIVERSION TO STORAGE (1.500 CFS)
Total Diversion: (1.500 CFS) (24.00 AF)

Date Filed: 11/ 4/1997

In: BOISE County
T09N R09E S17 Lot 6 (NESE)

Withdrawn

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 5, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Idaho World December 17 and 24, 1997

MICROFILMED

MAY 18 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 21 1998

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 65-13743 Telephone No (208) 375-3960

2 Name(s) of Permit Holder(s) JAMES C PRINCE DOROTHY PRINCE

3 Mailing Address 9390 USTICK RD #64, Boise, Id 83704

4 Source of Water PAYETTE RIVER MIDDLE FORK If GROUNDWATER (well), Date Drilled mo / yr

a. Well Driller Drilling Permit Number - - -

b. OPTIONAL
Pump Horsepower Pressure (psi) Dynamic pumping level (ft)

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

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

Irrigation (No. of acres) Other

6 Total rate of diversion and/or volume for which proof is submitted 0.02 cfs OR C-20 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 <u> </u>	or	No <u>X</u>
	Has the measuring device been installed?	Yes <u> </u>	or	No <u>X</u>
Flow Measurement Port	Is a flow measurement port required?	Yes <u> </u>	or	No <u>X</u>
	Has the measurement port been installed?	Yes <u> </u>	or	No <u>X</u>

8 Fee Enclosed \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name JAMES C PRINCE Telephone Number (208) 375-3960

Address 9390 USTICK RD #64 BOISE, ID 83704

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 Mrs James C Prince Date 12-17-98
(include your title, if on behalf of company or organization)

MICROFILMED
SEP 05 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 65-13743

Proposed Priority. September 3, 1997 Maximum Diversion Rate. 0.02 CFS

This is to certify, that JAMES C PRINCE
DOROTHY PRINCE
9390 USTICK RD #64
BOISE ID 83704

has applied for a permit to appropriate water from:
PAYETTE RIVER, MIDDLE FORK 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>
-----------------------	----------------------	--------------------------

DOMESTIC	01/01 to 12/31	0.02 CFS
----------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec 23, Township 10N, Range 04E
BOISE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

10N 04E 23

NWNE

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, 1999
- 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. 55
- 4 The Director retains jurisdiction to limit diversion of water to in-house uses only
- 5 Water shall not be diverted under this right when flows in the Payette River, South Fork, are below established minimum stream flows
- 6 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
- 7 Place of use is located within Lot 8, Blk 2, Scott Mountain Subdivision No 1
- 8 Domestic use is for 1 home

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

30th day of January, 1998

MICROFILMED

MAY 18 1998

Karl J. Dreher, Director

RECEIVED

SEP - 4 1997

WATER RESOURCES
WESTERN REGION

FORM 202

2/96

Ident No 65-13743

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 23 1998

APPLICATION FOR PERMIT

SEP 03 1997

DEPARTMENT OF WATER RESOURCES

To appropriate the public waters of the State of Idaho

Department of Water Resources

- 1 Name of Applicant JAMES C. PRINCE / OR DOROTHY PRINCE Phone (208) 375-3960
Mailing address 9390 USICK RD #64 - BOISE, ID 83704
- 2 Source of water supply A.F. PAYETTE RIVER which is a tributary of PAYETTE RIVER
- 3 Location of point of diversion is Township 10 N Range 4 E Sec 23 in the NE 1/4, NW 1/4, NE 1/4, Govt Lot _____, B.M. BOISE County _____
additional points of diversion if any NONE
- 4 Water will be used for the following purposes
Amount 0.02 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- 5 Total quantity to be appropriated is (a) 0.02 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 3/4 HP PUMP WITH 3/4" PIPE PUMPED TO HOME
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? 1987 Drilling firm AQUA MASTERS - KENT BROWN #130
Well was drilled for (well owner) APPLICANT Drilling Permit No 7
- 7 Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
- 8 Description of proposed uses (if irrigation only, go to item 9)
a Hydropower, show total feet of head and proposed capacity in KW _____
b Stockwatering, list number and kind of livestock _____
c Municipal, show name of municipality _____
d Domestic, show number of households ONE - WITH LAWN
e Other, describe fully _____

MICROFILMED

MAY 18 1998

*not applicable on 9/3/97

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	
10N	4E	23		D															

Total number of acres to be irrigated N/A

10 Describe any other water rights used for the same purposes as described above NONE

11 a Who owns the property at the point of diversion? JANES C. PRINCE / OR DOROTHY PRINCE

b Who owns the land to be irrigated or place of use? Same as above

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 Place of use is located within Lot B, Blk 2, Scott Mountain Subdivision #1

13 MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range (A photocopy of a USGS 7 1/2 minute topographic quadrangle map is preferred)

✓ see attach topo & subd plat

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

MICROFILMED

MAY 18 1998

James C Prince
Signature of Applicant (and title, if applicable)

Received by C3 Date 9/3/97 Time 2:00 pm Preliminary check by _____
 Fee \$ 50.00 Receipted by C2 # 6040038 Date 9/3/97
 Publication prepared by At Date 10-2-97 Published in Idaho Enterprise
 Publication approved At Date 10-13-97 2-97 13-97 10-13-97 1-3-98
At Id World - 11-5-97 12-17-97 1-3-98
1-14-98

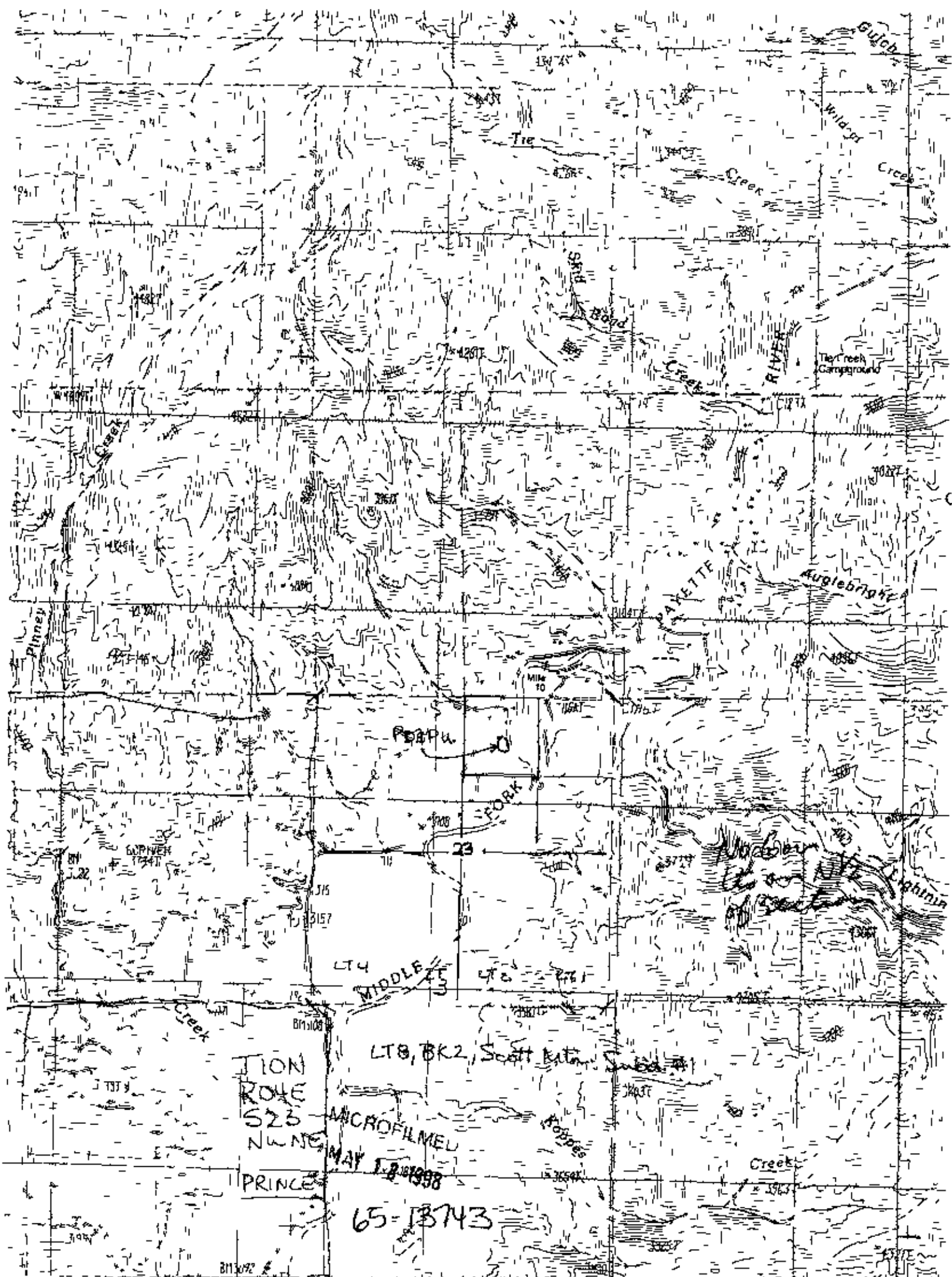
Ident No. 65-1374.

Comments: Date: 9/ 3/1997 User-ID: CZIMMERM

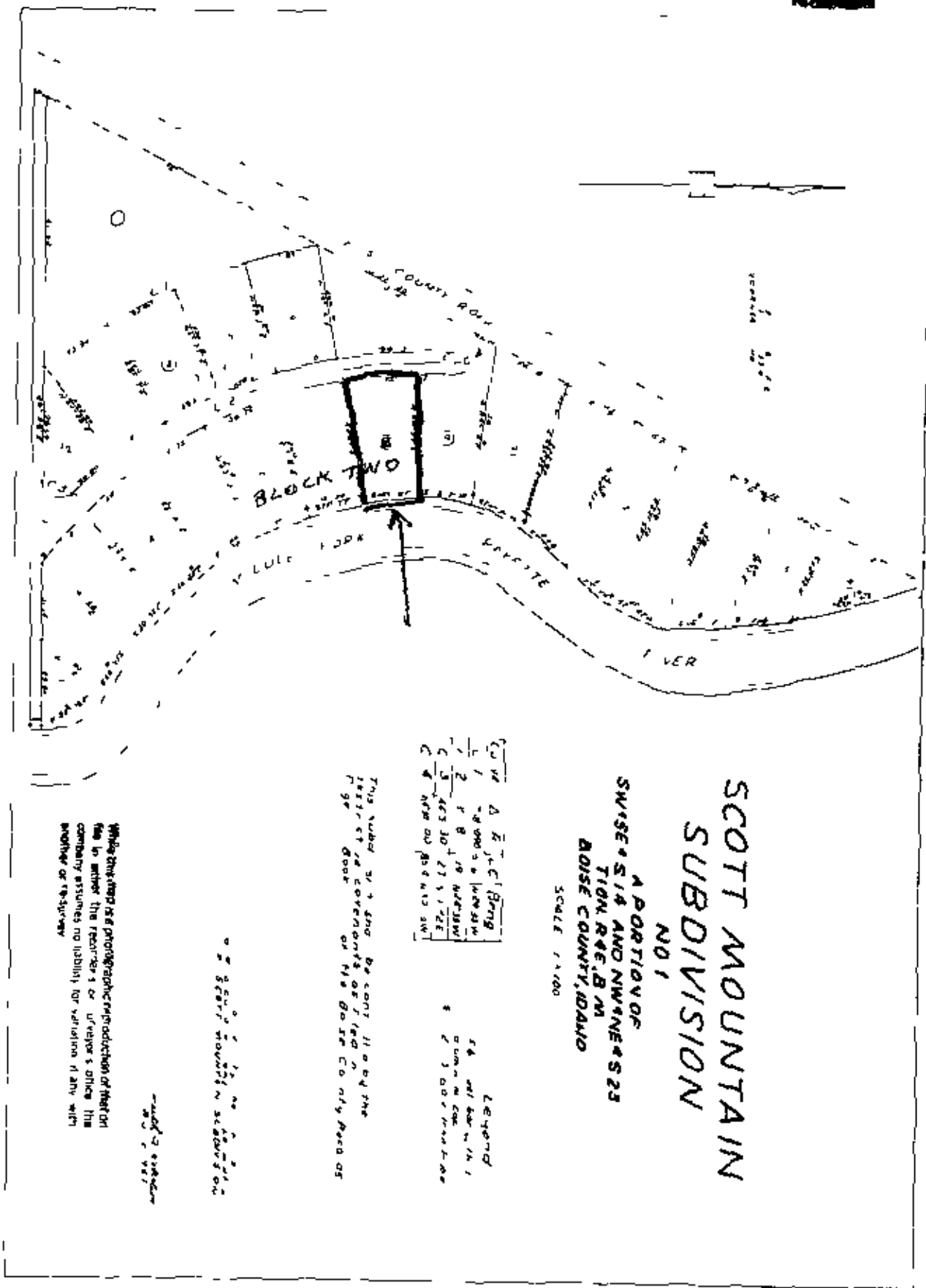
Subject: DIVERSION DESCRIPTION

3/4 pump in river to 3/4" pipe to home.
Place of use and point of diversion are located within Lot 8,
Blk. 2, Scott Mountain Subdivision No. 1.
Domestic use is for 1 home with lawn.

MICROFILMED
MAY 18 1998



45-13743

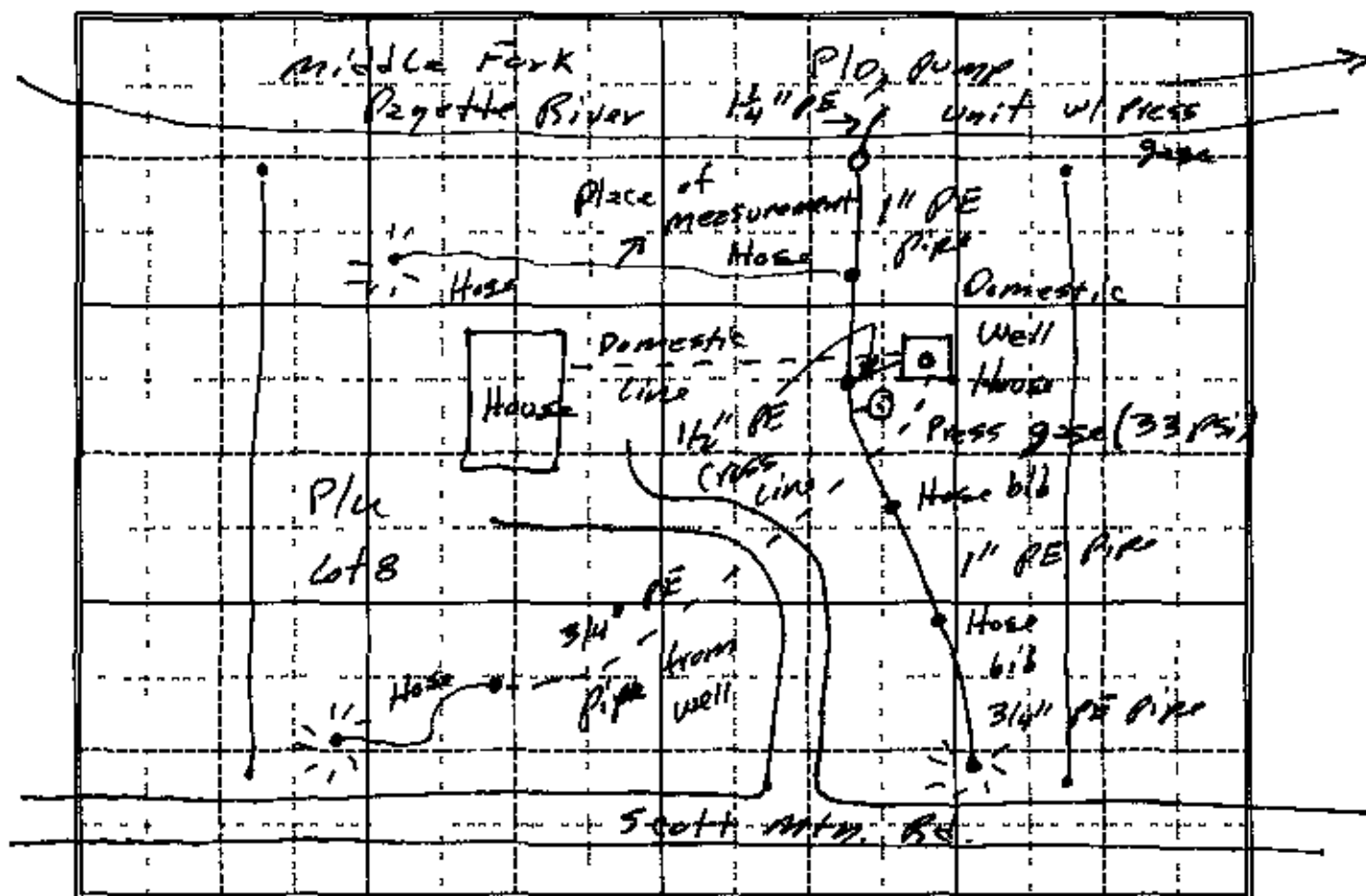


MICROFILMED
MAY 18 1998

[illegible]

3 Delivery System Diagram Indicate all major components and distances between components Indicate weir size/ditch size/pipe I d as applicable

N ←



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	Model Motor Serial No	Pump Make	Pump Serial No or Discharge Size
River	GE motor	1/2	5KH39HN	Diamond	Model CJCSO
Pump			3550 AX11		

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

D FLOW MEASUREMENTS

1

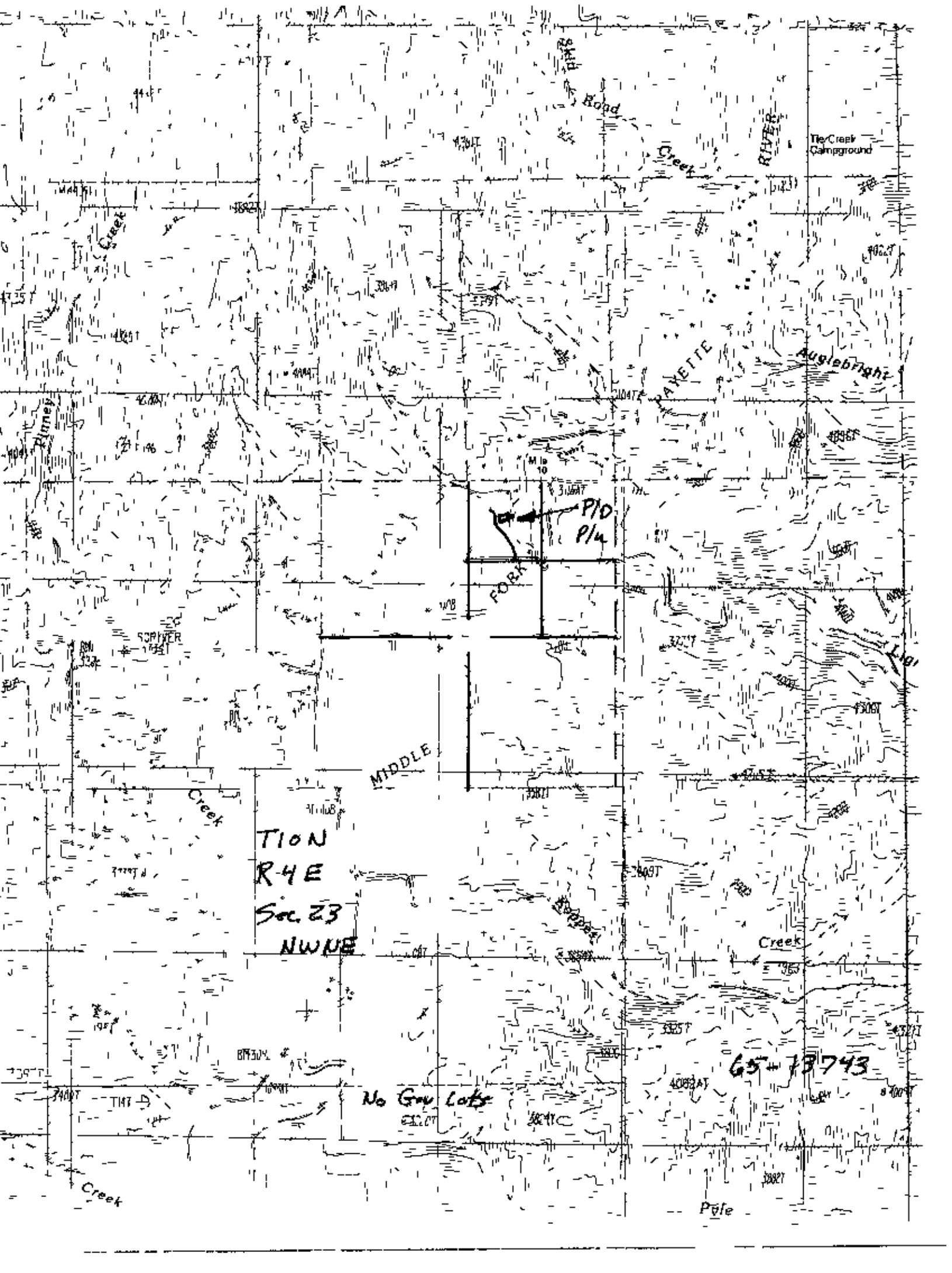
Measurement Equipment	Type	Make	Model No	Serial No	Size	Calib Date
5 Gal. Bucket						

2 Measurements. $Q = 5 \text{ Gal} / 35 \text{ sec} = 9 \text{ GPM} = 0.02 \text{ cfs}$

E NARRATIVE/REMARKS/COMMENTS

- 1 This permit is for yard irrigation of Lot 8, ^{Bike} Scott Mountain Subdivision, No. 1, from the river. The lot also has a domestic well located in a wood well house. A $\frac{1}{2}$ " PE pipe from the well house interconnects to the 1" PE mainline from the river pump. The well can pump into the same pipe that is the mainline from the river pump. The well also pumps irrigation water through a buried $\frac{3}{4}$ " PE pipe to a hose bib; and a portion of the yard is irrigated with a hose & sprinkler using well water from this line.
- 2 A $\frac{1}{2}$ HP portable pump unit is placed on the river bank and pumps into a 1" PE pipe mainline. The mainline serves 4 hose bibs for irrigation of the yard with hoses and sprinklers. The river pump is for external use only (Cond. 4 - in-house use?). The pump unit is removed at the end of the season.
3. The entire yard can be irrigated with the river pump; or from the well. Well water is used at the house as the domestic supply.
- 4 What does Cond. 4 mean?

Have conditions of permit approval been met? ☒ yes ☐ no



Road

Tie Creek
Campground

Creek

RIVER

Creek

Auglebright

PALETTE

P/O
P/4
FOR

MIDDLE

TION
R 4 E
Sec. 23
NW NE

Creek

No Gov. Lats

65-13743

Pile

SCOTT MOUNTAIN SUBDIVISION

NO 1
A PORTION OF
SW 1/4 S 14 AND NW 1/4 S 23
T 10N, R 4E, B 1M
BOISE COUNTY, IDAHO

SCALE 1" = 100'

Curve	A	B	C	D
LC	1	2	3	4
Angle	27° 00'	27° 00'	27° 00'	27° 00'
Stationing	1+00.00	1+27.00	1+54.00	1+81.00

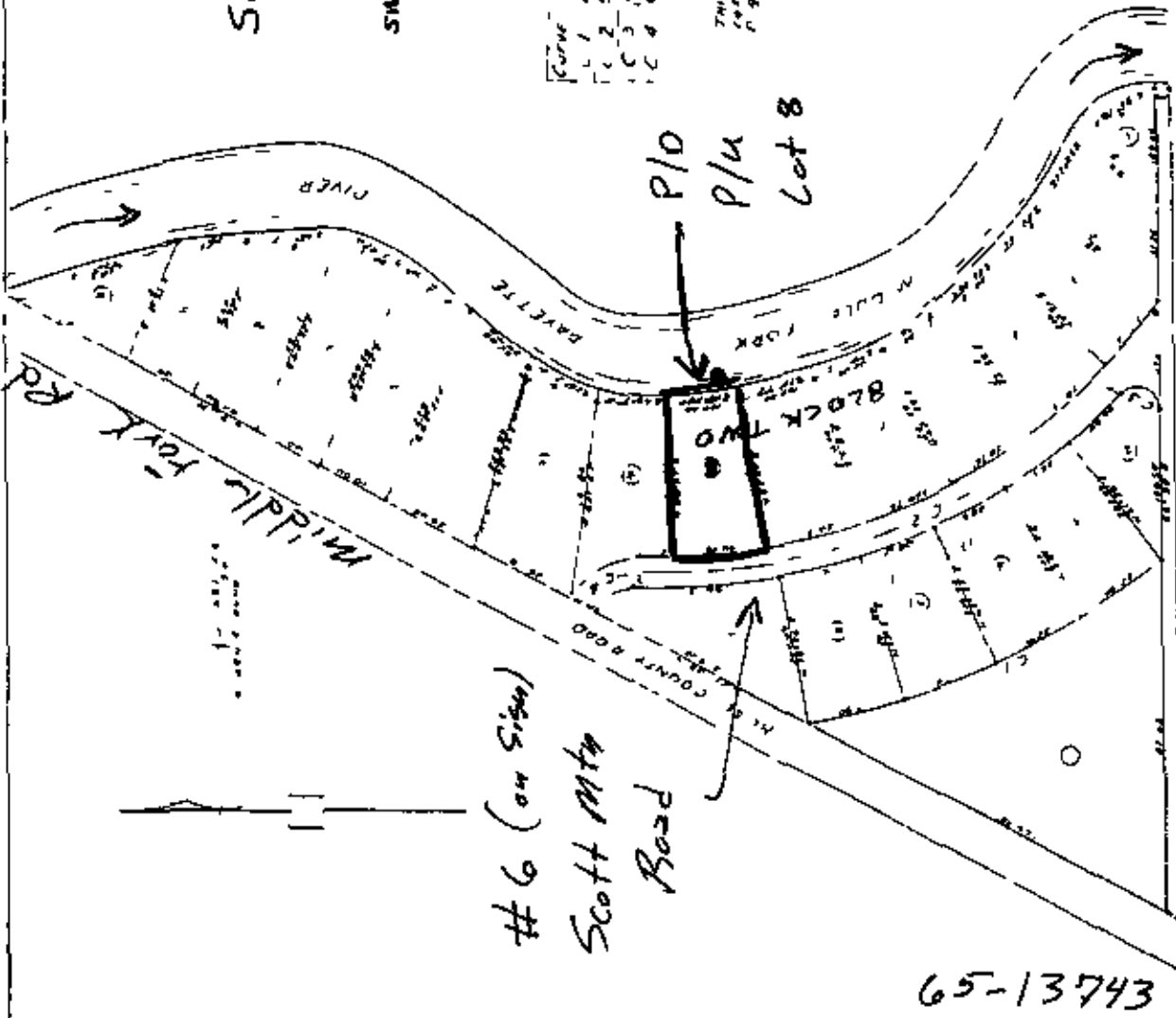
Legend
S.S. Street line with 1' minimum edge
S.S. 1/2" scale line to 100'

This Subd. shall be controlled by the
recording of the Boise County Records
Page Book of the Boise County Records

THE SCOTT MOUNTAIN SUBDIVISION

NOT A SURVEY

While this map is a photographic reproduction of that on
file in either the recorder's or a vendor's office, the
company assumes no liability for deviation if any with
another or resurvey



65-13743

65-13743

Lot 2



P/O

Pump

Unit 4

at

River



P/u

Place
of

Measurement

65-13743

2 of 2

P/u

Domestic
well

House

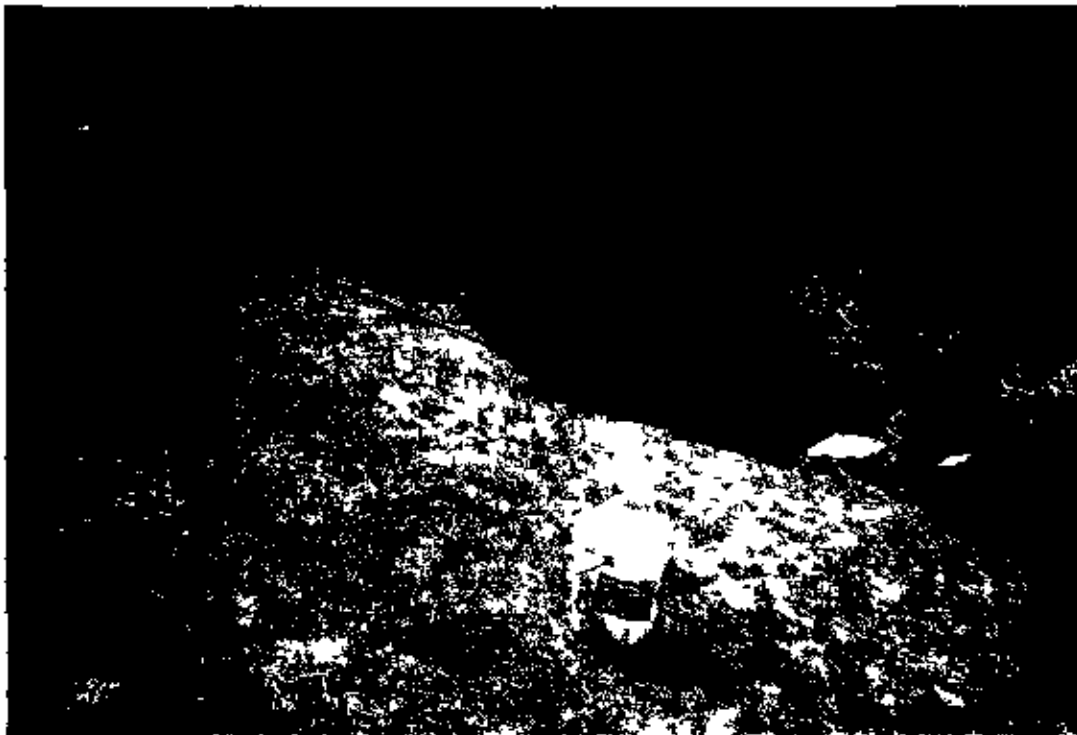
Note 1" PE

pipe on
ground

by

Well House

- from river
pump



1/2" PE pipe from
well house connects
into river pump
pipe - here

P/u

yard

1" PE

pipe is

from

river

pump



65-13743

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No 12-143 Reviewed by [Signature] Date 12-30-98

GENERAL CONSIDERATIONS

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

TYPES OF USE

dom

Correct Uses? yes

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

Yes Required?

50 Amount Submitted

Yes Correct?

MEASURING DEVICE

nc Required?

☐ Installed?

☐ Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof Accepted

DATA ENTRY

New Address [Crossed out] Proof Made 12/1/98



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

PHILIP F. BATT
GOVERNOR

KARL J. DREIER
DIRECTOR

January 11 1999

James and Dorothy Prince
9390 Ustick Rd No 64
Boise ID 83704

PROOF ACKNOWLEDGMENT LETTER

RE PERMIT NO 65-13743

Dear Permit Holder

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

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

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c IDWR - Regional Office

MICROFILMED

JAN 13 1999

November 30, 1998

JAMES C PRINCE
DOROTHY PRINCE
9090 USTICK RD #64
BOISE ID 83704

PROOF DUE NOTICE

RE PERMIT NO 65-13743

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 February 1, 1999 (See last page of your approved permit or your last approved extension request). Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

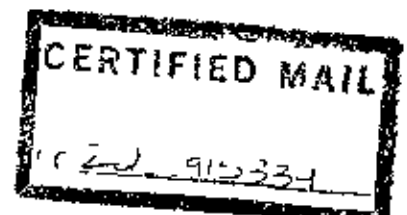
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

JULIE L. YARBROUGH
Senior Secretary

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

February 2, 1998

PHILIP E. BATT
GOVERNOR

JAMES C. PRINCE
DOROTHY PRINCE
9390 USTICK RD #64
BOISE ID 83704

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE. PERMIT NO 65-13743

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.

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.

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.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

MAR 18 1998

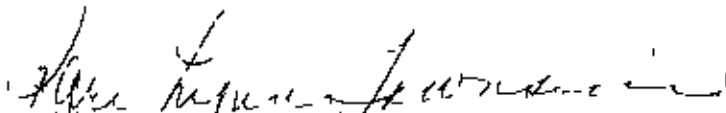
SK:klt

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of February, 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 65-13743

JAMES C PRINCE
DOROTHY PRINCE
9390 USTICK RD #64
BOISE ID 83704



Kari Lynn Townsend
Secretary

MICF

MAY 17 1998

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

MAY 18 1998

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.

1 COPY FILED
MAY 18 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

JAN 26 1998
DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY 6 DATE 9/24/97 APPLICATION 65-13743

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)
- ☒ Fee
- ☒ Yes ☐ No* in form to receipt

Gov't Lots
☒ P/D
☒ P/U

*5 1/2 section
only*

ADDITIONAL INFORMATION

ADVERTISE REMARK(S)

(Reviewer identify which remarks)

T FLAG CHANGED TO P FLAG

YES NO

- ☐ ☐ Overlapping place of use (Describe source & relationship to present application on next page)
- ☒ ☐ Overlapping point of diversion
- ☐ ☐ Critical groundwater area
- ☐ ☐ Groundwater management area
- ☐ ☒ 1992 moratorium
- ☐ ☒ Copy to SCA staff (perennial stream, non-pump diversion &/or any mining)
- ☐ ☒ Copy to Dam Safety staff (for any storage)
- ☐ ☒ Mitigation plan where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge
- ☐ ☒ 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

DATE REQUESTED

ADDITIONAL INFORMATION ON REVERSE SIDE

PROCESSING

APP NO

126-12743

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

YES NO

- ☐ ☒ I D. Health & Welfare
☐ ☒ I D District Health
☐ ☒ I D Fish & Game
☐ ☒ I D Lands
☐ ☐ Adjudication Bureau

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
Re-advertised in L.A. World 12-17 to 24-97
☒ ☐ Publication dates and paper recorded on application 24
☐ ☐ Protests received Final date for protest 11-5-97 1-5-98
☐ ☒ Protest dates, resolution of protest recorded on application
☐ ☒ Recommendations attached
☐ ☒ Measuring device required
☐ ☒ Measuring port required
☒ ☐ Water delivered by water master? District # 65
☐ ☐ Special conditions of approval or cover letter 04/ Use of water limited to 1/2 acre irrigation and diversion of not more than 13,000 gal per day. subject to control of water master of district #65, Payette River.

See below for additional information

Recommended Date or Priority

9/3/97

Recommended by

Dany S

Date

1/22/98

STATE OFFICE REVIEW

See below for additional information

By

Date

ADDITIONAL INFORMATION

The Idaho World

P O Box 99
Garden Valley ID 83622
208 462-3487

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 Dec 17, 1997 and ending with the issue of Dec 14, 1997

Deanna Stevenson

State of Idaho >
>
County of Boise >

On this 7th day of Jan in the year 98 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

Sharon E. Cunningham
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:

65-13743 ✓ et

PRINCE, JAMES C
PRINCE, DOROTHY
9390 USTICK RD #64
BOISE ID 83704

Source PAYETTE RIVER MIDDLE FORK Tributary: PAYETTE RIVER

Diversion Pt NWNE Sec 23 T 10N R 04E in BOISE County

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

Date Filed 9/3/1997

In BOISE County
T10N R04E S23 NWNE

65 13769

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE, ID 83707

Source RICHARDS CREEK Tributary: PAYETTE RIVER SOUTH FORK

Diversion Pt LOT 6 (SENESE) Sec 17 T 09N R 09E in BOISE County

Use FISH PROPAGATION (1.500 CFS)
FISH PROP STORAGE (24.00 AF)
DIVERSION TO STORAGE (1.500 CFS)
Total Diversion (1.500 CFS) (24.00 AF)

Date Filed 11/4/1997

In BOISE County
T09N R09E S17 Lot 6 (NESE)

Withdrawn

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 5, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER Director

Published in The Idaho World Stateside: 22 and 24, 1997

MICROFILM

844 1427

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 5, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published. 12/17/1997 & 12/24/1997

MICROFILMED

MAY 18 1998



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

KARI J. DREHER
DIRECTOR

DECEMBER 10, 1997

Legal Notices Department
The Idaho World
PO Box 99
Garden Valley, ID 83622

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 5, 1998.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

MAY 12 1998

RECEIVED

NOV 19 1997

WATER RESOURCES
WESTERN REGION

The Idaho World

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

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 four (4) 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 Nov 5, 1997 and ending with the issue of Nov 19, 1997.

Deanna Stevenson

State of Idaho >

County of Boise >

On this 17 day of Nov in the year 1997 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

Deanna Stevenson
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

65-13737

STOUT WILLIAM MICHAEL
1605 DENVER AVE
BOISE, ID 83706

Source SPRING

Tributary SINKS

Diversion Pt

NENWSE Sec 33 T 10N R 04E in BOISE County
NWNWSE Sec 33 T 10N R 04E in BOISE County

Use DOMESTIC

(0.040 CFS)

Total Diversion (0.040 CFS)

Date Filed 9/30/1997

In BOISE County
T10N R04E S33

NWSE

65 13743

PRINCE JAMES C
PRINCE, DOROTHY
9390 USTICK RD #64
BOISE ID 83704

Source PAYETTE RIVER NORTH FORK Tributary PAYETTE RIVER

Diversion Pt

NWNE Sec 23 T 10N R 04E in BOISE County

Use DOMESTIC

(0.020 CFS)

Total Diversion (0.020 CFS)

Date Filed 9/3/1997

In BOISE County
T10N R04E S23

NWNE

65-13752

HODGES DEAN
HODGES LAREE
PO BOX 514
GARDEN VALLEY ID 83622

Source SPRINGS

Tributary PAYETTE RIVER SOUTH FORK

Diversion Pt

NWNE Sec 11 T 08N R 05E in BOISE County
NENW Sec 11 T 08N R 05E in BOISE County

Use HEATING

(0.170 CFS)

RECREATION STORAGE

(1.00 AF)

DIVERSION TO STORAGE

(0.170 CFS)

Total Diversion

(0.170 CFS)

Date Filed 10/7/1997

In BOISE County
T08N R05E S11

NWNE NENW

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 83706 together with a protest fee of \$25.00 on or before NOVEMBER 24, 1997. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published In The Idaho World November 5 and 12, 1997

MICROFILMED

MAY 18 1998

RECEIVED

OCT 27 1997

WATER RESOURCES
WESTERN REGION

APPLICATION FOR PERMIT FOR WATER RIGHT

NO 65 - 13743

RECOMMENDATION OF WATERMASTER

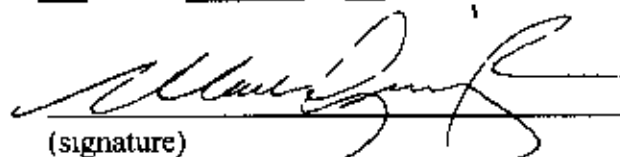
I, Mark Limbaugh, watermaster of the Payette River, of Water District No 65, County of Boise, State of Idaho whose address is 102 N Main, Payette, Idaho 83661, have read the attached copy of the application for permit for a water right in the name of James &/or Dorothy Prince

- A I hereby endorse the above numbered application and recommend that the Director of the Department of Water Resources approve the application subject to the following conditions Water right is subject to the control of the Watermaster for Water District #65

OR

- B I do not endorse approval of the above numbered application for water right as requested for the following reasons

Dated at Payette, Idaho this 23rd day of October, 1997


(signature)

MICROFILMED

MAY 18 1998



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. BREHER
DIRECTOR

October 16, 1997

MARK LIMBAUGH
WATER DISTRICT 65
102 N MAIN
PAYETTE ID 83661

Re Application for Permit No 65-13743 in the Name of James &/or Dorothy Prince

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,

Gary Spackman

GS st

Encl

MICROFILMED

MAY 18 1998



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

OCTOBER 8, 1997

Legal Notices Department
Independent Enterprise
P.O. Box 520
Payette, ID 83661

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 NOVEMBER 3, 1997.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Sue'.

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MICROFILMED

MAY 18 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICHOFILMED

MAY 18 1998

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 NOVEMBER 3, 1997. The protestant must also send a copy of the protest to the applicant

KARL J DREHER, Director

Published 10/15/1997 & 10/22/1997

MICROFILMED

MAY 18 1996

65-13743

PRINCE, JAMES C
PRINCE, DOROTHY
9390 USTICK RD #64
BOISE, ID 83704

Source: PAYETTE RIVER, NORTH FORK Tributary: PAYETTE RIVER
Diversion Pt: NWNE Sec 23 T 10N R 04E in BOISE County.

Use: DOMESTIC (0 020 CFS)
Total Diversion: (0.020 CFS)

Date Filed 9/ 3/1997

In BOISE County
 T10N R04E S23 NWNE

MICROFILMED

MAY 18 1998

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICRO LIME

MAY 18 1998

65-13743

PRINCE, JAMES C
PRINCE, DOROTHY
9390 USTICK RD #64
BOISE, ID 83704

Source: PAYETTE RIVER, MIDDLE FORK Tributary: PAYETTE RIVER

Diversion Pt NWNE Sec 23 T 10N R 04E in BOISE County.

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

Date Filed: 9/ 3/1997

In BOISE County
 T10N R04E S23 NWNE

IN REFILED

MAY 18 1998

65-13743

PRINCE, JAMES C
PRINCE, DOROTHY
9390 USTICK RD #64
BOISE, ID 83704

Source: PAYETTE RIVER, NORTH FORK Tributary PAYETTE RIVER

Diversion Pt: NWNE Sec 23 T 10N R 04E in PAYETTE County.

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

Date Filed 9/ 3/1997

In: PAYETTE County
T10N R04E S23 NWNE

COPIED

MAY 18 1998