

576

2' 30"

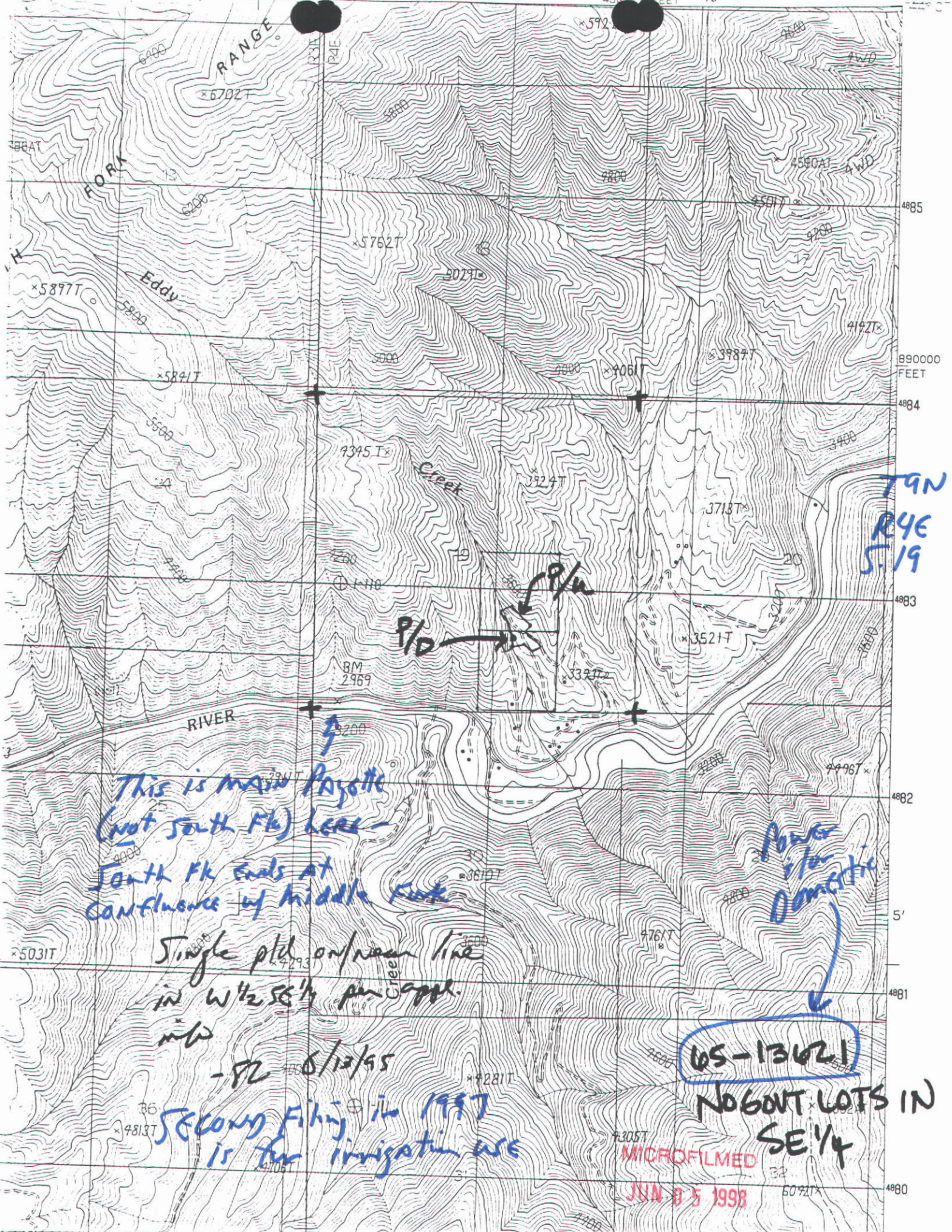
-77

578

430000 FEET

579

116° 30'



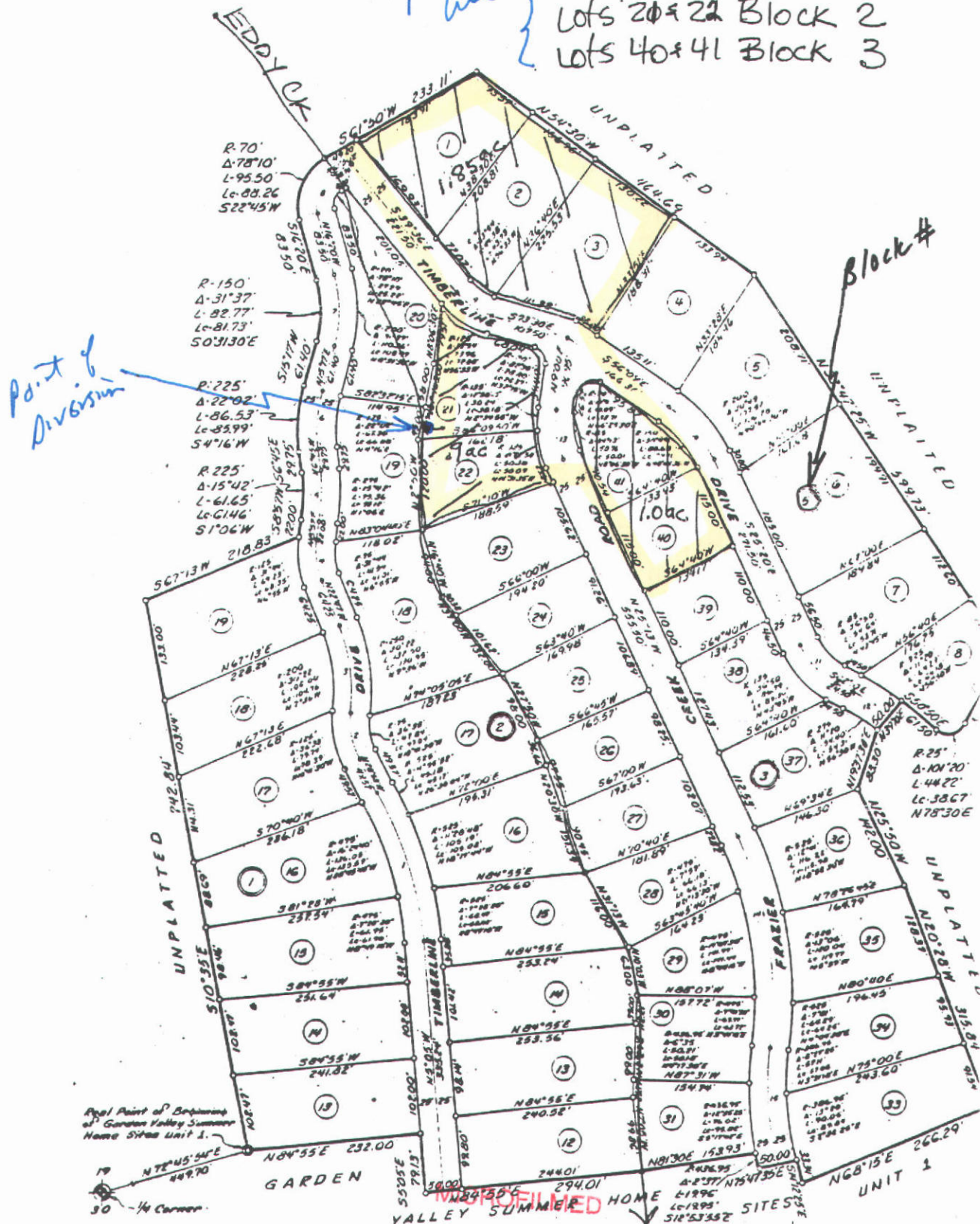
Boise County, Idaho

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.

III = place of use

lots 40 & 41 Block 3

Block #



JUN 05 1998

576

2' 30"

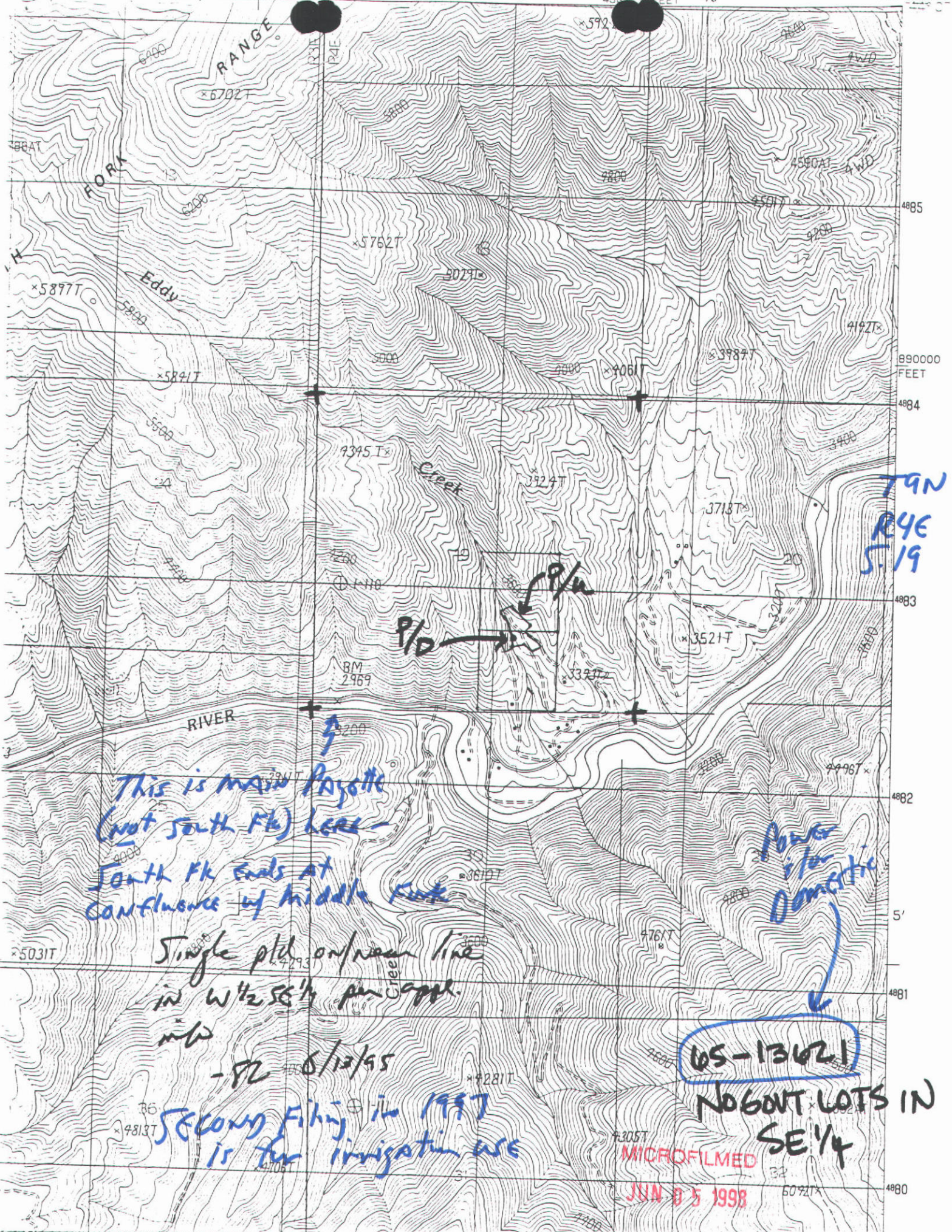
-77

578

430000 FEET

579

116° 30'



This is main Payette
(not south fork) here -

South fork ends at
confluence of middle fork

Single pld. on near line
in W 1/2 SE 1/4 per app.

mb

-82 6/12/95

SECOND Filing in 1997
is for irrigation use

65-13621

NO GOVT LOTS IN
SE 1/4

MICROFILMED

JUN 05 1998

T9N
R4E
S.19

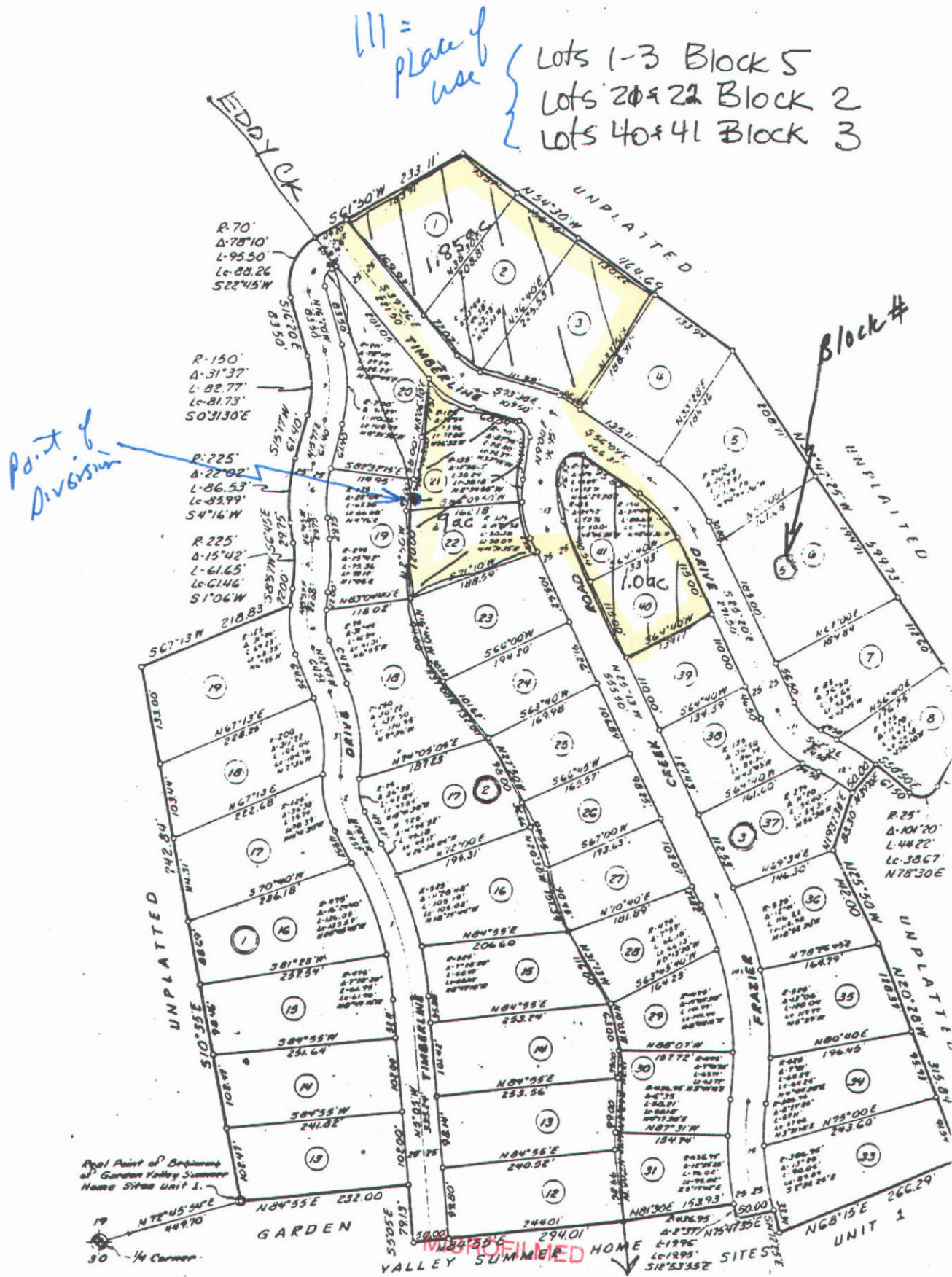
Power
for
domestic

GARDEN VALLEY Summer Home SITES UNIT 2

A PORTION of S. 11 T. 9 N., R. 4 E., B. 7 M.

Boise County, Idaho

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.



Amt. of Fee \$ 55
Receipt No. 2049302
Receipt By [Signature]
Date Received 5/30/2000

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 10 2000

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 65-13719 Telephone No. 208 4623614

2. Name of Permit Holder(s) ZANE & KATHLEEN WOLFF

3. Mailing Address POB 38

City GARDEN VALLEY State ID Zip 83622

4. Source of Water: CREEK If GROUNDWATER (well), Date Drilled: mo _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: _____

5. Use(s) (as authorized by the water right permit)
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): APRX 4AC. Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 50 GPM cfs OR _____ acre feet
0.20

7. Measuring Device Requirement (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No /
Has the measuring device been installed? Yes / or No _____

8. Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use) *(PUMP)*

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

Name ZW Telephone Number 4623614

Address POB 38 GARDEN VALLEY ID 83622

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder [Signature] Date May 26 00
(include your title, if on behalf of company or organization)

MICROFILMED

26 2000

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13719

Proposed Priority: April 8, 1997

Maximum Diversion Rate:

0.12 CFS

This is to certify, that **ZANE WOLFF**

KATHLEEN WOLFF

PO BOX 38

GARDEN VALLEY ID 83622-0038

has applied for a permit to appropriate water from:

EDDY CREEK

tributary of **PAYETTE RIVER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/15 to 10/15

0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 19, Township 09N, Range 04E

SWSE , Sec. 19, Township 09N, Range 04E

BOISE County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

09N 04E 19

NWSE 2.0

SWSE 2.0

4.0

Total number of acres irrigated:

4.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 1, 2000**.
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. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
5. 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.
6. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED

JUN 13 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

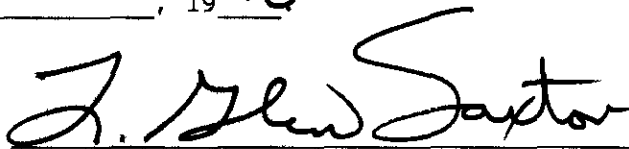
NO. 65-13719

CONDITIONS OF APPROVAL AND REMARKS

7. 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.
8. This right authorizes a single point of diversion.
9. This right shall be diverted only when the flow of Eddy Creek exceeds and can be maintained at 0.25 cfs.
10. Rights 65-13621 and 65-13719 when combined shall not exceed a total diversion rate of 0.50 cfs from April 15 through June 30, nor exceed a total diversion rate of 0.25 cfs from July 1 through October 15.
11. Water shall not be diverted under this right when flows in the Payette River are below established minimum stream flows.
12. 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.
13. Point of diversion is located within Lot 21, Blk. 2, Garden Valley Summer Homesites No. 2.
14. Places of use are located within Lots 21-22, Blk. 2; Lot 40-41, Blk. 3; and Lots 1-3, Blk. 5; Garden Valley Summer Homesites No. 2.
15. Source is locally known as Frazier Creek.

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

3rd day of June, 1978


for Karl J. Dreher, Director

MICROFILMED

JUN 05 1998

Ident. No. 65-13719

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

APR 08 1997

WATER RESOURCES
WESTERN REGION

1. Name of Applicant ZANE s/w Kathleen Wolff Phone 208-462-3614
Mailing address PO Box 38 GARDEN VALLEY ID 83622
2. Source of water supply GOODY CREEK which is a tributary of PAYETTE RIVER
3. Location of point of diversion is Township 9N Range 4E Sec. 19 in the ~ 1/4, NW 1/4, SE 1/4, Govt. Lot ~, B.M., BOISE County, additional points of diversion if any: SWSE 5.19 (single point on/NEAR Q&A line)

4. Water will be used for the following purposes:

- .12 Amount → Irrigation for IRRIGATION purposes from 4/15 to 10/15 (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) .12 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 + pipeline
- 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 2 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. _____

MICROFILMED

JUN 6 1998

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	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	46	19														2	2		4

Total number of acres to be irrigated 4

10. Describe any other water rights used for the same purposes as described above. NONE (65-13621 is same system but for power i/u domestic - no irrigation)

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: P/D within L. 21, BL 2. Place of use within L. 21-22, Block 2; L. 40-41 Block 3; L. 1-3, Block 5 Garden Valley Summer Home Sites #2.

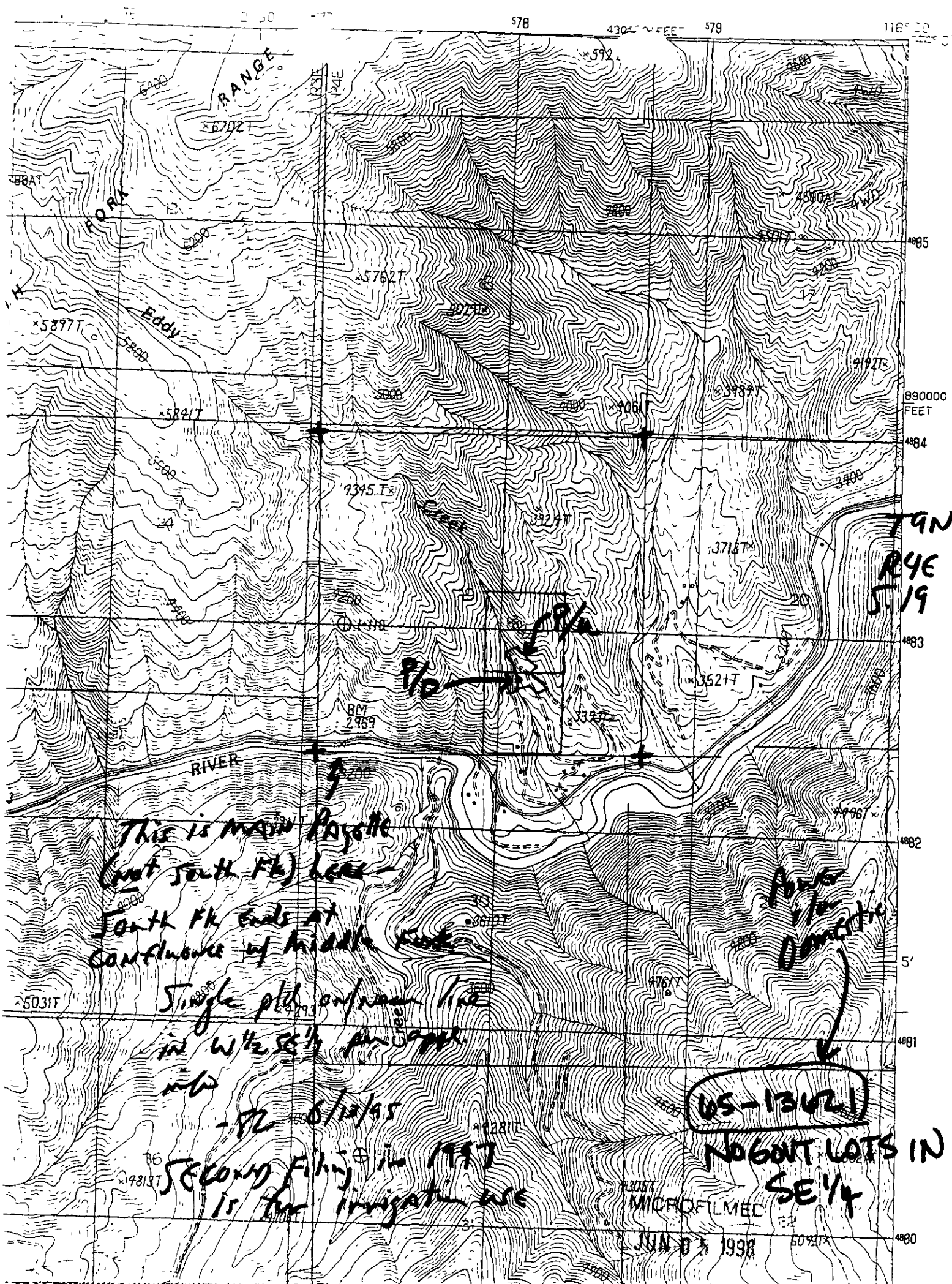
USE under this right and 65-13621 must allow at least .25 cfs to remain in Gddy Creek; not exceed .25 cfs total July 1-March 31; not exceed .50 cfs total April 1-June 30 per agreement with ID. Dept. Fish & Game.

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 7.5 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.

[Signature] MICROFILMED JUN 05 1998
Signature of Applicant (and title, if applicable)

Received by DB Date 4-8-97 Time 11:45 A Preliminary check by LG
Fee \$ 50.00 Receipted by DB # W022110 Date 4-8-97
Publication prepared by ST Date 3/11/98 Published in Ed World 3/19/26/98
Publication approved ST Date 4/10/98



This is main Payette
(not south fork) here -
South fork ends at
confluence of middle fork

Single plot on main line
in W 1/2 SE 1/4 per upper
mls

-82 6/12/95

SECOND FILING in 1997
is for irrigation use

65-13621
NO GOVT LOTS IN
SE 1/4

T9N
R4E
S19

Payette
River
Domestic

MICROFILMED

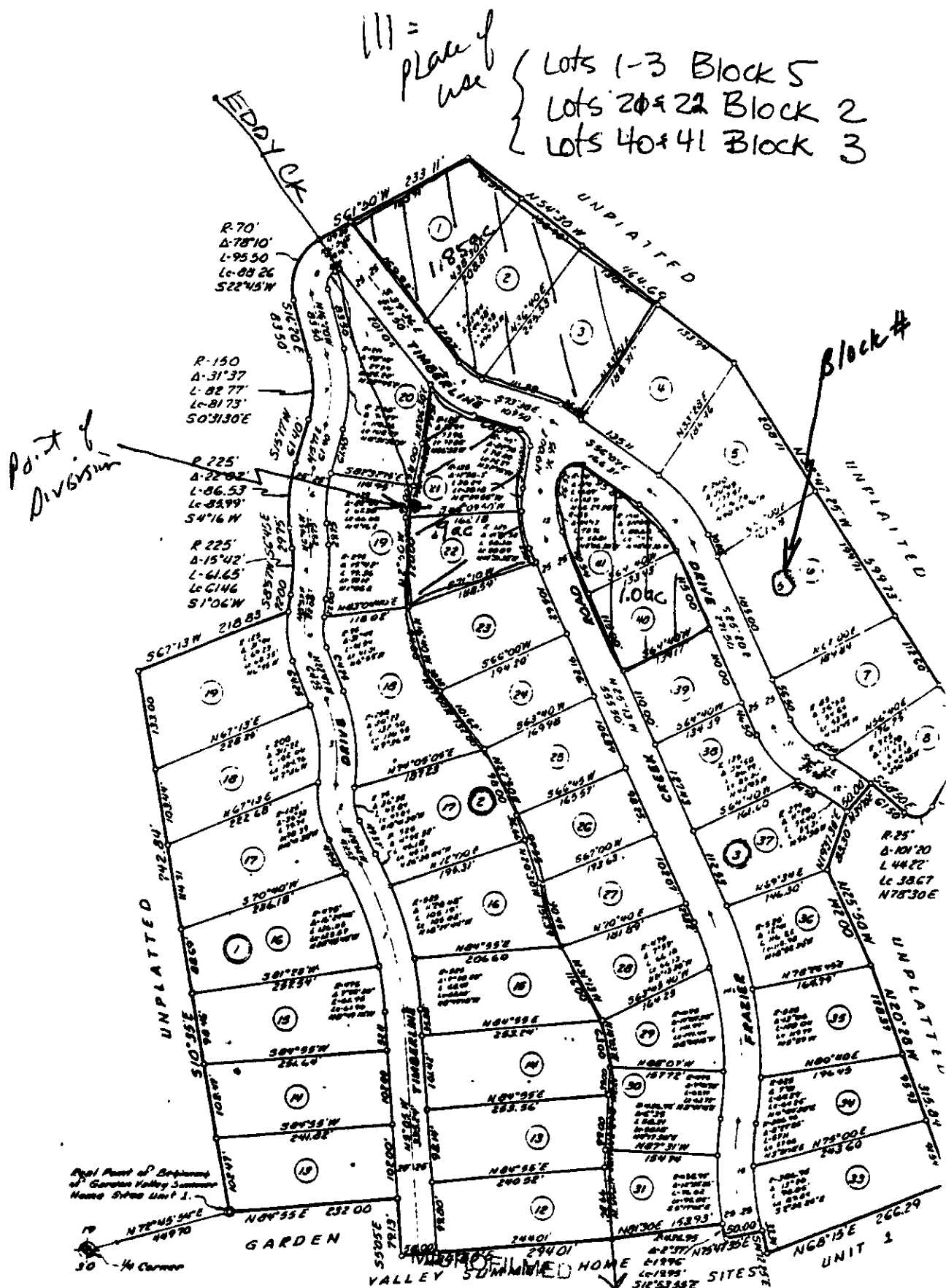
JUN 03 1998

GARDEN VALLEY Summer Home Sites Unit-2.

A portion of S.W. T. 9N, R. 4E, B.M.

Boise County, Idaho

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.





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

June 14, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ZANE & KATHLEEN WOLFF
PO BOX 38
GARDEN VALLEY ID 83622

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13719

Dear Permit Holder:

The department acknowledges receipt of the proofs of beneficial use forms submitted for the above referenced permits. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made meets the permitted beneficial use.

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,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office

MICROFILMED

JUN 28 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 65-13719 Reviewed by D. Ellis Date 6/14/00

GENERAL CONSIDERATIONS

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

TYPES OF USE

Irrigation
Yes Correct Uses?

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

Yes Required?
\$50 Amount Submitted
Yes Correct?

MEASURING DEVICE

Yes Required?
/ Installed?
No Waiver requested?

PRIORITY CALCULATION

Date proof received 5/30/00
Date proof due 6/1/00
No. of days late / = /
Priority Date / + /
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address N/A Proof Made 5/30/2000

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No:

0049302

Date:

Time: 5/31/2000

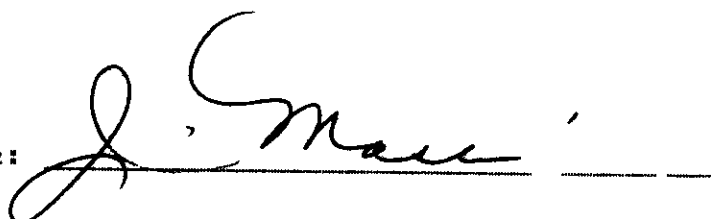
11:03:11

Received

From: WOLFF ZANE

	Type of Payment		Program A cct	Amount
BENEFICIAL USE	#65-13719	56104	229 21 1155	50.00
CHECK	2555			
			Total	50.00

Region: STATE

Signature: 

MICROFILMED

JUN 26 2000

March 31, 2000

ZANE WOLFF
KATHLEEN WOLFF
PO BOX 38
GARDEN VALLEY ID 836220038

PROOF DUE NOTICE

RE: PERMIT NO. 65-13719

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 June 1, 2000.

(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.

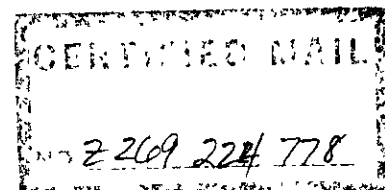
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures MICROFILMED

MAR 31 2000





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 3, 1998

ZANE WOLFF
KATHLEEN WOLFF
PO BOX 38
GARDEN VALLEY ID 83622-0038

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13719

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.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

MICROFILMED

JUN 9 1998

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,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

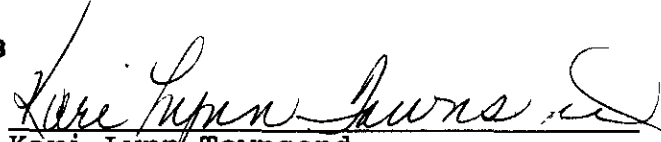
MICROFILMED
JUN 05 1998

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of June, 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. 65-13719

ZANE WOLFF
KATHLEEN WOLFF
PO BOX 38
GARDEN VALLEY ID 83622-0038


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 05 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.

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.



IDAHO FISH & GAME

SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

Philip E. Batt / Governor
Jerry M. Conley / Director

May 14, 1996

RECEIVED

MAY 17 1996

**WATER RESOURCES
WESTERN REGION**

DM
David R. Tuthill, P.E.
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

RE: Application for Water Right No. 65-13621; Zane Wolff

Dear Mr. Tuthill:

The Idaho Department of Fish and Game has recently discussed with Mr. Wolff his application for water right from Eddy Creek, tributary to the South Fork Payette River. As you may recall from our November 17, 1995 letter to you, Fish and Game was concerned about significant or complete dewatering of the stream channel and resultant impacts to aquatic resources and the riparian community. We asked that consideration be given to a bypass flow. In your December 22, 1995 letter to Mr. Wolff, you asked the two sides to work out a suitable arrangement. We propose the following tentative diversion rates and bypass flow regime.

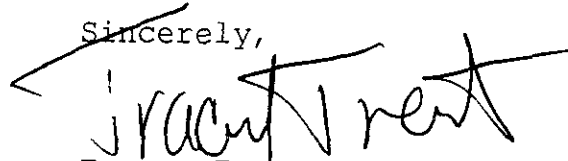
During the high water months of April, May, and June, Mr. Wolff would be allowed to divert no more than 0.5 cubic feet per second (cfs) from Eddy Creek to generate electricity and for irrigating his property. Any flows in excess of 0.5 cfs would be left in the natural stream channel. During the rest of the year (July-March), Mr. Wolff's diversion rate would decrease to no more than 0.25 cfs for generating electricity and for irrigation. If and when the natural flow of Eddy Creek drops below 0.25 cfs, no diversion would be allowed.

MICROFILMED

Mr. David R. Tuthill
Page 2
May 14, 1996

We hope the above scenario is acceptable to Mr. Wolff and the Department of Water Resources. If you have any questions, please contact Scott Grunder.

Sincerely,

A handwritten signature in black ink, appearing to read "Tracey Trent". The signature is stylized with a large, sweeping "T" and a long horizontal stroke extending to the right.

Tracey Trent
Regional Supervisor

TT:sag

cc: NRPB (Cindy Robertson)
Southwest Region (Steve Yundt, Lou Nelson, Rob Brazie)

MICROFILMED
JUN 10 1996
V. 102 107

APPLICATION FOR PERMIT STATE OFFICE REVIEW

by *Cindy Lou*
 No.: 65-13719 Name: WOLF Date: 5/29/98 Ad OK? ✓ Gvmt Lts: ✓

 AREA OF CONCERN: - None ✓ Mor / GWMA / Trust / Non-trust

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

SYSTEM COMPLETED:

- > 1 year - 26AP17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

- WMD (✓ MAP) - North / East / West
- > 0 24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0 24 cfs/5 acres - No MD
- WMD Supplemental use - 065-079 (if GW use SW 1st-statewide)-(cannot move SW off)
- > 0 24 cfs/5 acres - 01M (report when notified)
- ≤ 0 24 cfs/5 acres - No MD

DRILLING PERMIT:

- All wells (✓ WDQ3) - 046-P23
- In Basin 34? - 085
- Irr within WD - P05 (new well location)

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

- IN/ABOVE MIN STR. FLOW (✓ MAP) - *WB9 PAYETTE R
- WD (✓ MAP & LISTING) - P04 (WD # 65)
- 0.10 cfs DW-(P04) MD & LD (use same as 65-13621)
- ≤ 0.10 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

- WMD (✓ MAP)
- > 0 24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0 24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE

- > 0 24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0 24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water)

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

USE:

- Domestic surface - *WB5 (Big Wood R or Boise R ↑ Star Bridge), 27A (Payette River), NA
- >1 in rest area - 071-070
- Fire Protection - 077
- Fish Propagation - 029-007-042(req)-081 (WQ)-P10
- Heating/Cooling - R07 (injection well)
- Irr ≤ 5 acres - ~~R62/R63/R64/R65~~ 0 03 cfs/acre + 3 0/3 5/4 0/4 5 AF
- > 5 acres - R62/R63/R64/R65 (0 02 cfs/acre + 3 0/3 5/4 0/4 5 AF)
- Mining - 054(req) -081-P10
- Municipal - 022, 075, 004 (+memo?), NA (not in restricted area)
- Power - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons use), 17G (FERC) or 17M (FERG), 18B-P09, >25 cfs-P18
- Stockwater - R37 (BLM/USFS), NA
- Storage (✓3 compo) - 18A (in & out MD for on-stream storage), 18B-P09 (>10' dam), NA

LOCATION:

- 42-248 area - P84 in 20/30/40/50/60/70/80 (87) basin
- Boise Front LoGeo - 058 (<85° GW temp only)
- In-stream dev - P52 (stream channel alteration)
- Mitigation - 120

SWAN FALLS FLAG (See Code Chart)

- Trust -
- Non-Trust (1) - 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
- ① WB9 ② W22 ③ W59 ④ W60 ⑤ 25 in Eddy Cr.
- 6/1/ 2000
- same discussion as 65-13621 - add'l uses.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

MAY 22 1998
DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: TR DATE: 5/10/1998 APPLICATION: 65-13719

REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

YES NO

☒ T FLAG CHANGED TO P FLAG
TR 5/10/1998

- ☒ 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, KNOWN ABSENT WATERSHED.
- ☒ 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

PROCESSING

APP. NO. 65-13719

YES NO

☒

In form for advertising:

☒

Statewide advertising: (> 10 cfs &/or 1000 af)

☒

Fee amount, receipt number and date recorded on application:

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐☒

I.D. Health & Welfare

☐☒

I.D. District Health

☐☒

I.D. Fish & Game

☐☒

I.D. Lands

YES NO

☐☒

U.S. BLM

☐☒

U.S. Forest Service

☐☒

Water Dist. #

☐☒

Other

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 4-6-98☐☒

Protests received.

☐☒

Recommendations attached:

☒

Measuring device required:

☐☒

Measuring port required:

☒Water delivered by water master? District # 65☐Special conditions of approval or cover letter: R04 (65, Payette River), 120, 01HSee Maria Minicucci's Memo dated 4/30/98

See below for additional information

Recommended Date or Priority 4/8/97Recommended by: GaryDate: 5/20/98

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:65-13621 is same system but does NOT include IRR. use.Source AKA Frazer Creek. Garden Valley Summer Home Sites has 2applications 65-12998 & -12999 which may overlap Pou. ~~RR 3/10/98~~K-Zane one of applicants for 65-13552, permit for IRR/comm/Dom/Rec.on other lots in same subd. RR 3/10/1998

CONVERSATION MEMORANDUM

DATE 4/30/1998

FILE 65-13719

NAME OF PARTY ~~EFF~~ SCOTT GRUNDER, IDFG

EMPLOYEE TRINLUCCI

RE: Conditions of approval

Scott indicated that F&G would support approval of this application if the conditions of the applicants' previous permit (65-13621) are continued. Those conditions are

- ① diversion allowed only when flow of Eddy Creek exceeds and can be maintained at .25 CFS
- ② Permanent measuring devices

MICROFILMED

JUN 05 1998

RECEIVED

APR 09 1998

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 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 March 1998 and ending with the issue of March 1998.

Deanna Stevenson

State of Idaho >

County of Boise >

On this 7 day of Apr in the year 1998 before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Sam S. B. [Signature]
Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 2-20-03

NOTICE OF APPLICATION FOR WATER RIGHT

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

LONG, TOM
RT 1 BOX 117A
HORSESHOE BEND, ID 83629

Source: PAYETTE RIVER

Tributary: SNAKE RIVER

Diversion Pt: LOT 1 (NENW) Sec 35 T 08N R 02E in BOISE County.

Use: IRRIGATION (0.030 CFS)
Total Diversion: (0.030 CFS)

Date Filed: 3/11/1997

In: BOISE County
T08N R02E S35 Lot 1 (NENW)

1.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed.

WOLFF, ZANE
WOLFF, KATHLEEN
PO BOX 38
GARDEN VALLEY, ID 83622

Source: EDDY CREEK

Tributary: PAYETTE RIVER

Diversion Pt: NWSE Sec 19 T 09N R 04E in BOISE County.
SWSE Sec 19 T 09N R 04E in BOISE County.

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

Date Filed: 4/ 8/1997

In: BOISE County
T09N R04E S19 NWSE SWSE

4.0 ACRES TOTAL

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

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before APRIL 6, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Idaho World March 18 and 25, 1998

MICROFILMED

APR 9 1998

4-8-97

RECEIVED

FEB 18 1998

WATER RESOURCES
WESTERN REGION

RESPONSE FORM

COMPLETE ONLY IF YOU WANT YOUR
APPLICATION TO BE PROCESSED

Name of Applicant ZANE WOLFF

Mailing Address POB 38

GARDELL VALLEY ID 83622

Application No. 65 13719

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

Zane Wolff

Date

Feb 15, 98

Please return this form to:

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

MICROFILMED

MAR 0 1998

65-13719

WOLFF, ZANE
WOLFF, KATHLEEN
PO BOX 38
GARDEN VALLEY, ID 83622

Source: EDDY CREEK

Tributary: PAYETTE RIVER

Diversion Pt: NWSE Sec 19 T 09N R 04E in BOISE County.
 SWSE Sec 19 T 09N R 04E in BOISE County.

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

Date Filed: 4/ 8/1997

In: BOISE County
 T09N R04E S19 NWSE SWSE

4.0 ACRES TOTAL

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

MICROFILMED
JUN 05 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

March 18, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ZANE &/OR KATHLEEN WOLFF
PO BOX 38
GARDEN VALLEY ID 83622

RE: APPLICATIONS FOR PERMIT

Dear Applicants:

Enclosed are two applications for permit to establish water rights from Eddy Creek per our recent telephone conversation. Processing of the amended version of 65-13621 can continue once you sign and return the revised version. No additional fee is needed to amend the application.

That amended filing in which irrigation is deleted will be limited to in-house use for three homes and power production for use on your property. Please note the suggested conditions of approval listed in the application "comments" section. Flow limits are to be imposed to address concerns that you have discussed with the Idaho Department of Fish and Game. The bottom line for the flow limits is that at least .25 cfs (112 gpm) would have to remain in Eddy Creek whenever you divert water once a water right is issued.

The second application is one to be filed to cover proposed irrigation. Please review the hand-written application for accuracy. The signed application (only one signature necessary) and \$50 fee can be returned to me at your convenience. The irrigation filing cannot be processed at this time per our conversation, but at least a priority date for proposed irrigation can be established by filing the second application.

Also enclosed for your convenience is a stream channel alteration ("404") application that will be needed to cover any return flows to the creek related to power production. This filing should include a \$25 fee and can also be completed and sent to this office. Stream channel alteration applications take about 60 days to process. The stream channel application represents a joint filing submitted to this office and the US Army Corps of Engineers.

Your response within 30 days will facilitate the continued processing of application 65-13621. Please let me know if you have any questions.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

c: Tracey Trent, IDFG Regional Supervisor

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JUN 05 1998

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ZANE WOLFF	06/02/1995	POWER	04/01 06/30	0.500 CFS	
C	KATHLEEN WOLFF		POWER	07/01 03/31	0.250 CFS	
			DOMESTIC	01/01 12/31	0.080 CFS	
					TOTAL DIVERSION:	0.500 CFS

Amended
Version

Water Source: EDDY CREEK

Tributary to: PAYETTE RIVER

Stage: APPLICATION

Point(s) of Diversion: T09N R04E S19 NWSE SWSE BOISE County

Place of use Legal Description for: POWER

				NE				NW				SW				SE									
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	:	-----	-----	-----	-----	-----	-----	:
09N	04E	19	:					:					:					:		P		P		:	

Place of use Legal Description for: POWER

09N 04E 19 :	:	:	:	:	P	P
--------------	---	---	---	---	---	---

Place of use location for DOMESTIC is the same location as described for: POWER

Pou County: BOISE

Other Water Rights with Same Point(s) of Diversion and Source:
65-12998

Other Water Rights Listing Overlapping Place(s) of use:
65-13515 65-13552 65-13553

Remarks: Domestic use is for 3 homes.
Point of diversion located within Lot 21 Block 2, Garden Valley Summer Home Sites #2.
Place of use located within lots 21 & 22 Block 2, lots 40 & 41 Block 3 and lots 1-3 Block 5, Garden Valley Summer Home Sites #2.
Single point of diversion located on or near tract line between NWSE and SWSE Section 19, T09N R04E.

Dates: App. Received: 06/02/1995 Priority Date: 06/02/1995
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 06/02/1995 User-ID: CHODGES Subject: POWER INFORMATION, SYSTEM DESCRIPTION

Power generation using an in-stream Pelton wheel and generator.

Maximum anticipated production = 5KW.

A pump will pick up available flows after power production station and transport to home lots via buried pipeline to storage tanks.

One home situated within each group of lots: 1-3, 20-21, 40-41.

A private well in Lot 21 also serves the home under construction in lots 1-3. These lots are not served by the Summer Home Sites community system. No other rights are used.

Date: 03/18/1997 User-ID: SLESTER Subject: AMENDMENT & ADDITIONAL FILING

Per 3-14-97 telecon with Zane W., application is amended to drop irrigation, which will be filed in a separate application. Uses from this right and any other rights from Eddy Creek for this property are limited by agreement with IDFG as follows:

Diversion must allow at least .25 cfs to remain in creek at all times.

Total use is limited under any/all rights to .50 cfs from 4-1 through 6-30 each year.

Total use is limited under any/all rights to .25 cfs from 7-1 through 3-31 each year.

The amount of water diverted from the creek for power use must be totally returned to the creek to ensure that no consumptive use occurs for power production.

Additionally, return flows to Eddy Creek must be accomplished under a separate IDWR stream channel permit. Other conditions of approval can be added by IDWR in any permit approval granted.

Domestic use is limited to in-house use only.

Amended application does not require additional fee or re-advertising (a reduction of use) nor cause any delay in priority.

Audit: 06/02/95 CHODGES 06/13/95 SLESTER



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

February 4, 1998

DISTRIBUTION: Applicants whose water right applications were held without action pending fishery resources issues.

Dear Applicant:

You filed an application for permit to develop a water right that includes consumptive use (see attached profile report). This office was not been able to process such applications in your area until some water supply issues related to fishery resources were resolved.

A method to address these issues now exists. Applications that include consumptive use can be processed if applicants are willing to accept a condition of approval that can require mitigation at a later date if the need for mitigation is clearly documented. Mitigation can include steps such as purchasing storage water to offset adverse impacts to fishery resources that new water developments might cause.

Enclosed is a response form to be completed and returned if you want your application to be processed. To the extent possible given other factors, applications will be processed in the order in which they were filed.

Also enclosed is a withdrawal form. If you no longer have an interest in obtaining the water right outlined in your filing, please complete and return this form. You will receive a refund for the filing fee associated with the application.

Delays in processing due to department considerations such as those discussed in this letter do not affect the priority date of your application. Please contact this office at 334-2190 if you have any questions about your application.

Sincerely,

MICROFILMED

JUN 04 1998

Western Region Allocation Staff

Enclosures: Profile Report, Response Form and Withdrawal Form