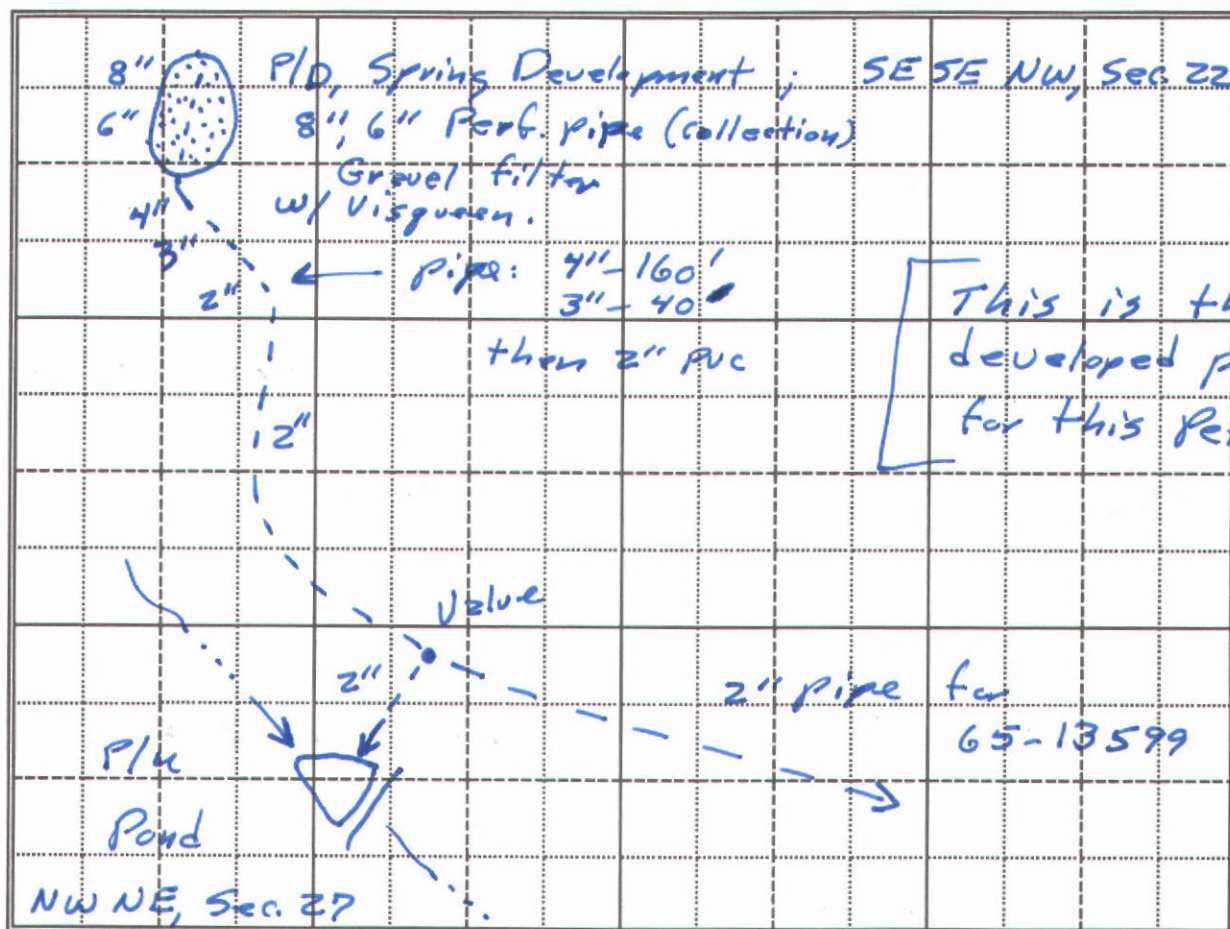


3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = None

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

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

☒ Photo of Diversion and System Attached

4.

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

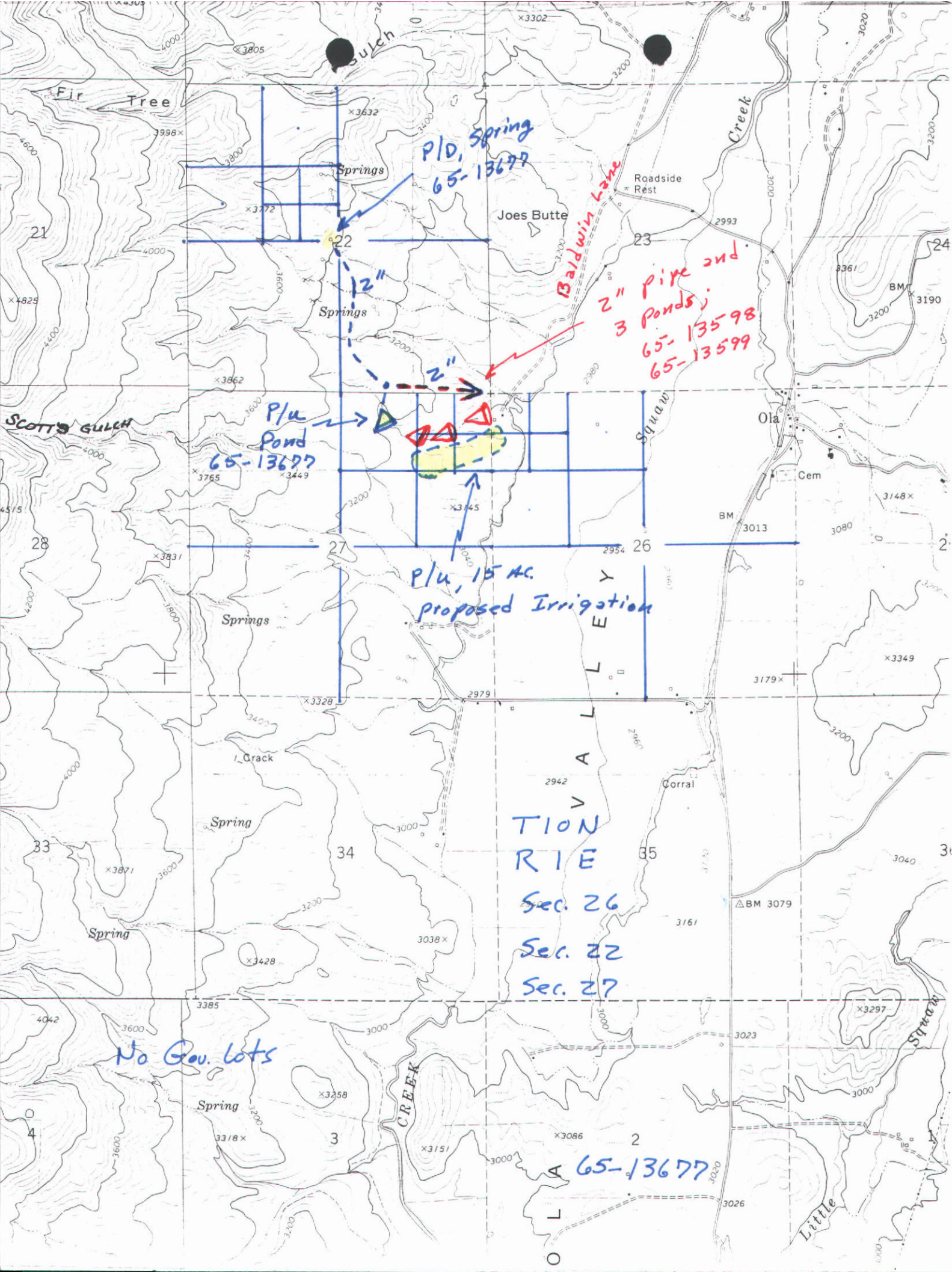
*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Name



P/O, Spring
65-13677

2" pipe and
3 ponds;
65-13598
65-13599

P/u
Pond
65-13677

P/u, 15 AC.
proposed Irrigation

SECTION
R 1 E
Sec. 26
Sec. 22
Sec. 27

No Gov. lots

65-13677

P/D, Spring

2"

Valve

2"

22 23

27 26

P/u
Pond

65-13598
65-13599

P/u

Proposed 15 Ac.
irrigation

Baldwin Lane

T33

65-13677

2

4.5

13.7

32.4

T66

2

16.2

27.2

4

21.9

HEL

HEL

W

T

1 of 4



P/O

Spring

Development



P/O

Spring

Development
in
back-
ground.

65-13677

3 of 4

P/D

pipe
just
below
Spring.



View from

Spring
looking
along
pipeline
route.

Pipeline
follows
Road
alignment.



View Looking South

65-13677

3 of 4

P/u
Storage
Pond.

Note 2"
PVC pipe
from
Valve Box
on top
of hill
in back-
ground.



View Looking North

P/u
Pond.

View
Looking
South



65-13677

4 of 4



View Looking West

Proposed
Area for
15 Ac. of
irrigation.

Note

Pond -

Center-right,
and another
pond,

Right -

for 65-13598.



View Looking NE.
Owner's House in photo

Proposed
Area of
15 Ac. of
irrigation.

Note

Third Pond
for

65-13598.

65-13677

RECEIVED

AUG 15 1996

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
ss.
COUNTY OF GEM,

Charlene Cline, 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
8-7, 1996,
and ending with the issue of
8-14, 1996

Charlene Cline
Subscribed and sworn to me this

17th day of
August, 1996
Donna Lusk

Notary Public
Residing at Emmett, Idaho

MY COMMISSION EXPIRES
JUNE 21st, 1997

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:

65-13677 *✓st*

DERBONNE MOOERS, BETTY L
MOOERS, JACK D
PO BOX 70
OLA, ID 83657

Source: SPRING

Tributary: SINKS

Diversion Pt: NWNWNW Sec 26 T 10N R 01E in GEM County.
NENENE Sec 27 T 10N R 01E in GEM County.

Use: IRRIGATION	(0.200 CFS)	
IRRIGATION STORAGE		(3.00 AF)
IRRIGATION FROM STORAGE		(3.00 AF)
WILDLIFE	(0.020 CFS)	
WILDLIFE STORAGE		(3.00 AF)
Total Diversion:	(0.200 CFS)	

Date Filed: 7/8/1996

In: GEM County		
T10N R01E	S26	NWNW
	S27	NENE

15.0 ACRES TOTAL

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 26, 1996. The protestant must also send a copy of the
protest to the applicant.

Pub.: 8 - 7, 14, 1996

KARL J. DREHER, Director

Legal Notice No. 2594
Published in the Messenger Index

RECEIVED

OCT 03 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 26 1998

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 who has been appointed by the department.

1. Permit No. 65-13677 Telephone No. 584-3728

2. Name(s) of Permit Holder(s): Betty & (Jack) Darlene Mooers

3. Mailing Address: P.O. Box 20 Ola Id. 83657

4. Source of Water: Spring If GROUNDWATER (well), Date Drilled: NO / yr. DNA

a. Well Driller: None 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): Stockwater (No. and type of stock):

Irrigation (No. of acres): Other:

6. Total rate of diversion and/or volume for which proof is submitted: 12 cfs OR acre feet

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

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

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

Flow Measurement Port: Is a flow measurement port required? Yes or No
Has the measurement port been installed? Yes or No

8. Fee Enclosed: \$ 50.00 (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: Same Telephone Number:

Address:

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: Jack D. Mooers Date: Aug 24/98
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 65-13677

Proposed Priority: July 8, 1996

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **BETTY L DERBONNE MOOERS**
JACK D MOOERS
PO BOX 70
OLA ID 83657-0070

has applied for a permit to appropriate water from:
SPRING tributary of **SINKS**

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>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.20 CFS	
IRRIGATION STORAGE	01/01 to 12/31		3.0 AF
IRRIGATION FROM STORAGE	04/15 to 10/15		3.0 AF
WILDLIFE STORAGE	01/01 to 12/31		3.0 AF
	Totals	0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNWNW , Sec. 26, Township 10N, Range 01E
NENENE , Sec. 27, Township 10N, 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>
10N	01E	26	NWNW	5.0		5.0
		27	NENE	10.0		10.0

Total number of acres irrigated: 15.0

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1998**.
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. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

OCT 03 1996

State of Idaho
Department of Water Resources

Permit To Appropriate Water

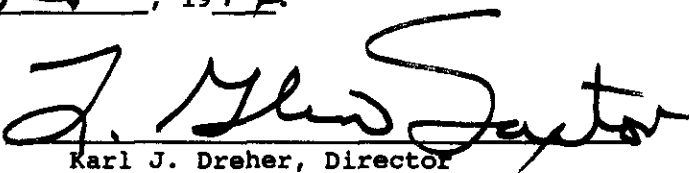
NO. 65-13677

CONDITIONS OF APPROVAL AND REMARKS

6. Single point of diversion located on or near line between NWNWNW, S26 and NENENE, S27, T10N, R01E.
7. This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation.

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

16th day of September, 1996

for 
Karl J. Dreher, Director

OCT 03 1996

Ident. No. 65-13677

RECEIVED

SEP 10 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name: BETTY L DERBONNE MOOERS 208-584-3728
Address: PO BOX 70
OLA ID 83657
AND/OR
Name: JACK D MOOERS 208-584-3728
Address: PO BOX 70
OLA ID 83657

2. Source: SPRING Trib. to: SINKS
3. Location of Point of Diversion: NWNWNW Sec. 26, Township 10N, Range 01E
NENENE Sec. 27, Township 10N, Range 01E
GEM County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/15	10/15	0.200		
IRRIGATION STORAGE	01/01	12/31			3.00
IRRIGATION FROM STORAGE	04/15	10/15			3.00
* WILDLIFE	01/01	12/31	0.020		
WILDLIFE STORAGE	01/01	12/31			3.00

5. Total quantity to be appropriated is:

0.200 CFS (and/or)

~~2.000~~ AF

*D'Base already corrected
-jz 9/6/96*

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc.
SMALL POND, PUMP FROM POND
b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
c. Proposed well diameter is inches; proposed depth of well is
feet.
d. Is groundwater with a temperature greater than 85F being sought? NO
e. If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 year(s).

OCT 03 1996

* per dept standards 9/12/96 c.j

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
10N	01E	26	NWNW 05			5
		27	NENE 10			10

Total number of acres irrigated: 15

Place of Use: IRRIGATION FROM STORAGE, same as IRRIGATION use

Place of Use: WILDLIFE, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?
APPLICANT
- b. Who owns the land to be irrigated or place of use?
APPLICANT
- c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

11. Map of proposed point of diversion and place of use attached? ☒

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

X *Jack D. Moser*
Applicant

Received by *cjl* Date 7/8/96 Time 0845 Preliminary check by *ly*

Fee \$ 50.00 Receipted by *cjl* #W021159 Date 7/ 8/1996

Publication prepared by *st* Date 7-24-96 Published in *Messenger-Index*

Publication approved *st* Date 8-30-96

OCT 03 1996

Ident. No. 65-13677

Comments: Date: 7/ 8/1996 User-ID: CHODGES

Subject: APPLICATION INFO

Single P/D on or near tract line.

Diversion will be small pond, .5 ac X 10' max depth; spring arises in bottom of pond.

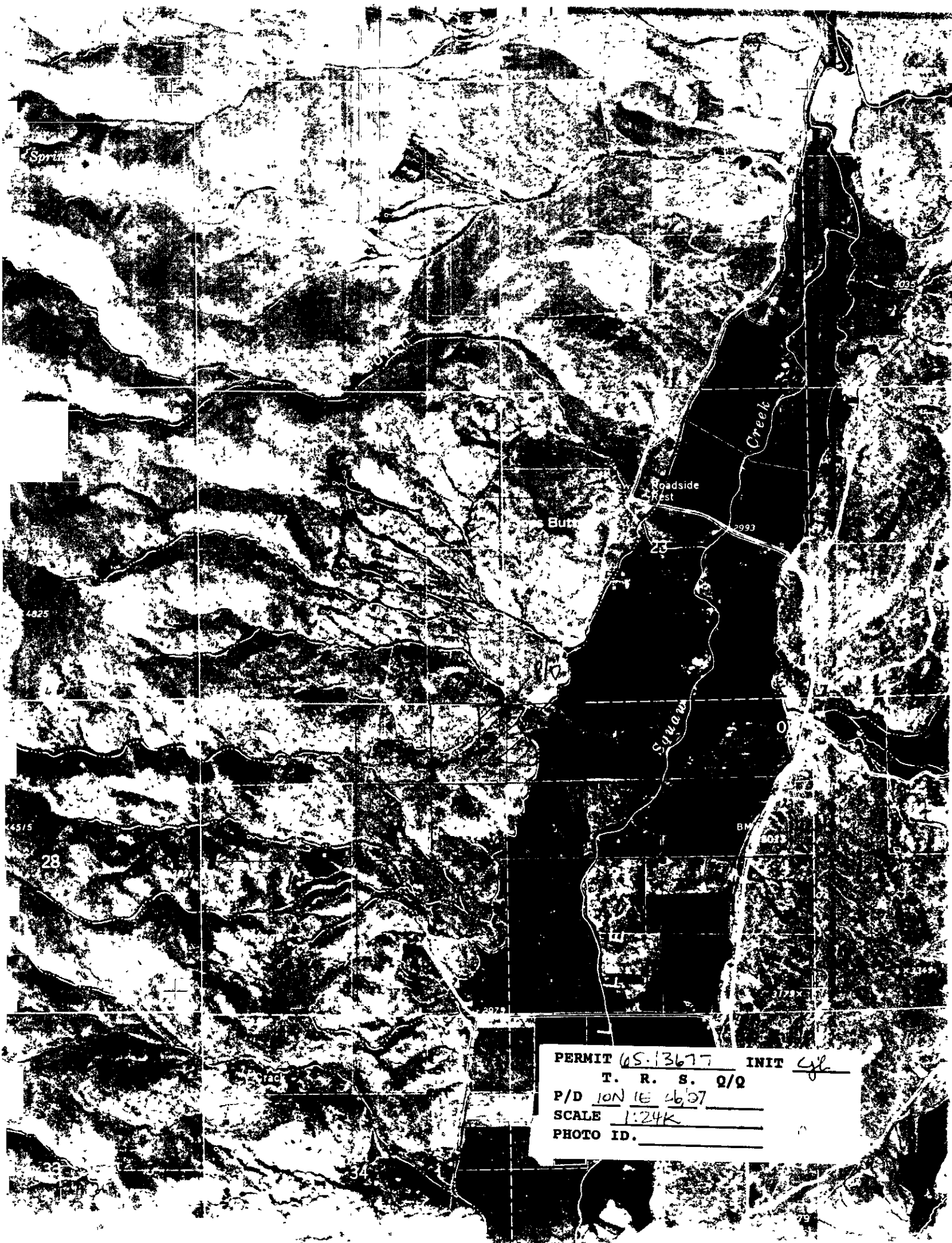
Wildlife uses for geese and migratory waterfowl habitat.

Comments: Date: 7/ 8/1996 User-ID: CHODGES

Subject: OVERLAP INFO

This right may irrigate some of same acres as shown in 65-13598 and/or 65-13599, from a different source. 65-03012 is used on separate acres.

OCT 08 1996





RECEIVED

NOV - 2 2004

DEPARTMENT OF
WATER RESOURCES

LAW OFFICES
801 W Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE 208 388-1300
WEBSITE www.givenspursley.com

Gary G. Allen
Kelly T. Barbour *
Christopher J. Beeson
William C. Cole
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Timothy P. Feamside
Jeffrey C. Faraday
Steven J. Hippler
Karl T. Klein
Deborah K. Kristensen
Anne C. Kunkel
Jeremy G. Ladle
Franklin G. Lee
David R. Lombardi

D. David Lorelio, Jr.
Emily A. MacMaster
Kimberly D. Maloney
John M. Marshall
Kenneth R. McClure
Kelly Greene McConnell
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
Deborah E. Nelson
W. Hugh O'Riordan, LL.M.
Michael C. Orr
Kenneth L. Pursley

Bradley V. Sneed
H. Barton Thomas, LL.M.
J. William Varin
Conley E. Ward
Robert B. White
Michael V. Woodhouse

Raymond D. Givens
RETIRED

James A. McClure
RETIRED

*Licensed in Texas

November 1, 2004

Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Right Permit Nos. 65-13677, 65-13598, and 65-13599
Our File No. 7346-1



To Whom It May Concern:

Please notify me when any action is taken with respect to Permits 65-13677, 65-13598, and 65-13599. My contact information is as follows:

Deborah E. Nelson
Givens Pursley LLP
601 West Bannock Street
P.O. Box 2720
Boise, ID 83701-2720
Telephone: 208-388-1200
Facsimile: 208-388-1300

Thank you for your assistance with this matter. If you have any questions or require any additional information please call.

Sincerely,

Deborah E. Nelson

DEN:kdt S:\CLIENTS\7346\1\DEN Ltr to IDWR re Notification re Permits 65-13677- 65-13598 and 65-13599.DOC

JAN 19 2000

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 65-13677

1. Owner: Betty L. Derbonne Mooers
Jack D. Mooers

Current Address: P.O. Box 70, 012, ID 83657-0070

2. Accompanied by: Jack Mooers EXAM DATE: 10-19-99

Address: Same Phone No. Same

Relationship to Permit Holder: same

3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-13598, 65-13599

2. Other water rights with the same point of diversion: 65-13599

C. DIVERSION AND DELIVERY SYSTEM

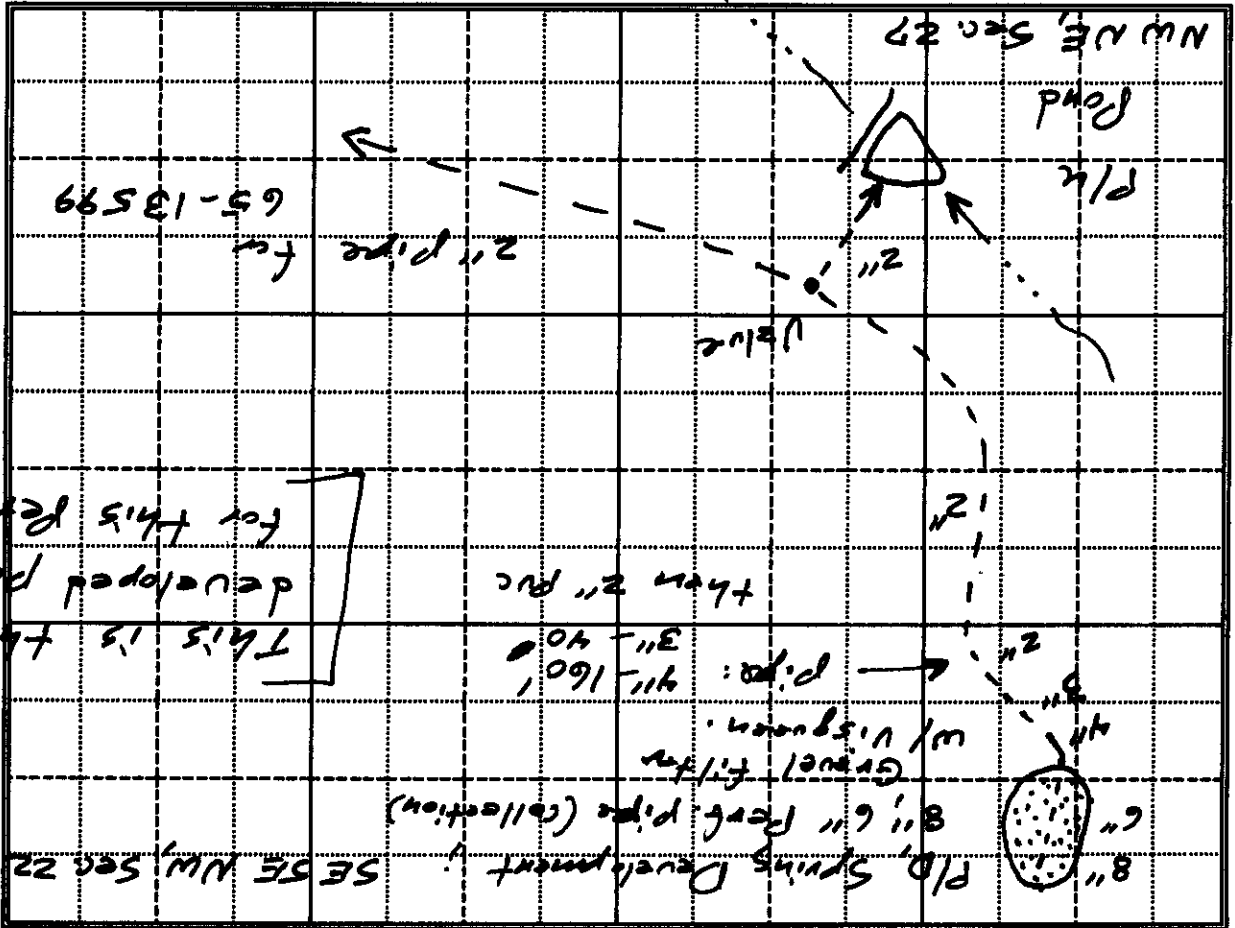
1. Point(s) of Diversion: *one Spring Development*

[illegible]

2. Place(s) of Use: (No Irrigation) Indicate Method of Determination Site Visit map

[illegible]

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



Scale: 1" = 100' *Notes*

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)
 Aerial Photo Attached (required for irrigation of 10+ acres)
 Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: *None*

5. The irrigation of the 15 Ac. will probably be developed in conjunction with 65-13598 & 65-13599.

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for Irrigation, and Irrigation & Wildlife Storage from a spring. At the time of the exam, the spring was developed and the storage constructed, but there was no irrigation development.

2. A 2" pipeline from the spring development conveys the water to a pipe junction above the developed storage pond. A 2" pipe from this junction (value box) is used to fill the pond. The pond also gets inflow from the ~~intermittent~~ intermittent stream bed where it is located. From the (value box) pipe junction, the 2" pipe line continues downhill for use in the development of WR 65-13598.

3. Downstream of the pond constructed for this permit, the owner has constructed 3 more ponds in the same intermittent stream bed. These 3 ponds are under WR 65-13598. A tract of land on the right (south) side of these 3 ponds has been partially cleared for the 15 Ac. of irrigation under this permit, and WR 65-13598 & 65-13599. The owner plans to install a pump in one of the 3 ponds to irrigate the 15 Ac. and more land. The water in the pond (upstream) for this permit would be released as needed when the entire system is completed.

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

4. For this permit, the spring development, pipeline, and storage pond is completed, but there is no developed irrigation at this time. The irrigation will be developed at some future time.

using PVC pipe tables

Additional Computation Sheets Attached

F. FLOW CALCULATIONS

Measured Method: None! Theoretical cal. for 2" pipe from springs

to Pond.

2" PVC 3400'

280' drop.

$$H = H_f + H_c + H_v$$

Pipe friction loss. $\frac{1}{2}$ ft. $\frac{1}{2}$ ft. $\frac{1}{2}$ ft.

1. Volume Calculations for Irrigation:

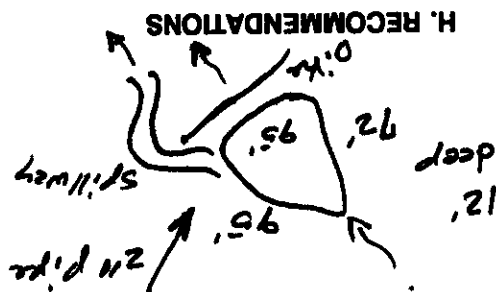
Assume ϕ	Vel. fts	Total Head loss	Head Avail.
0.20	90	7.8	350'
0.15	67	6.0	220'
0.17	96	6.5	250'
0.18	81	6.9	280'
None			
= (Acres Irrigated) x (Irrigation Requirement) =			
$V_{DR} = [\text{Diverson Rate (cts)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$			
$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} =$			

2. Volume Calculations for Other Uses:

Vol. of Storage - Pond.

$$Vol. = [(1/2)(72' + 95')][1/2][12']$$

$$\frac{(66)(66)(10) \text{ fts}}{AF} = 1.1 AF$$



H. RECOMMENDATIONS

1. Recommended Amounts - Maybe just Div. Rate (0.18 cts) and Wildlife Storage for now.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
7 Irrigation Storage (?)	01/01 to 03/15	0.18	1.1 AF
8 Irrigation (?)	10/31 to 12/31	0.18	1.1 AF
Wildlife Storage	01/01 to 12/31	0.18	1.1 AF
11 New Irrigation Season.	Totals:	0.18	1.1 AF

2. Recommended Amendments

Change P.D. as reflected above ☒ Add P.D. as reflected above ☐ Other ☐

Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other ☐

1) P.D. is SESE NW, Sec. 22
2) Pond - Storage in NW NE, Sec. 22
3) No Irrigation of land.

I. AUTHENTICATION

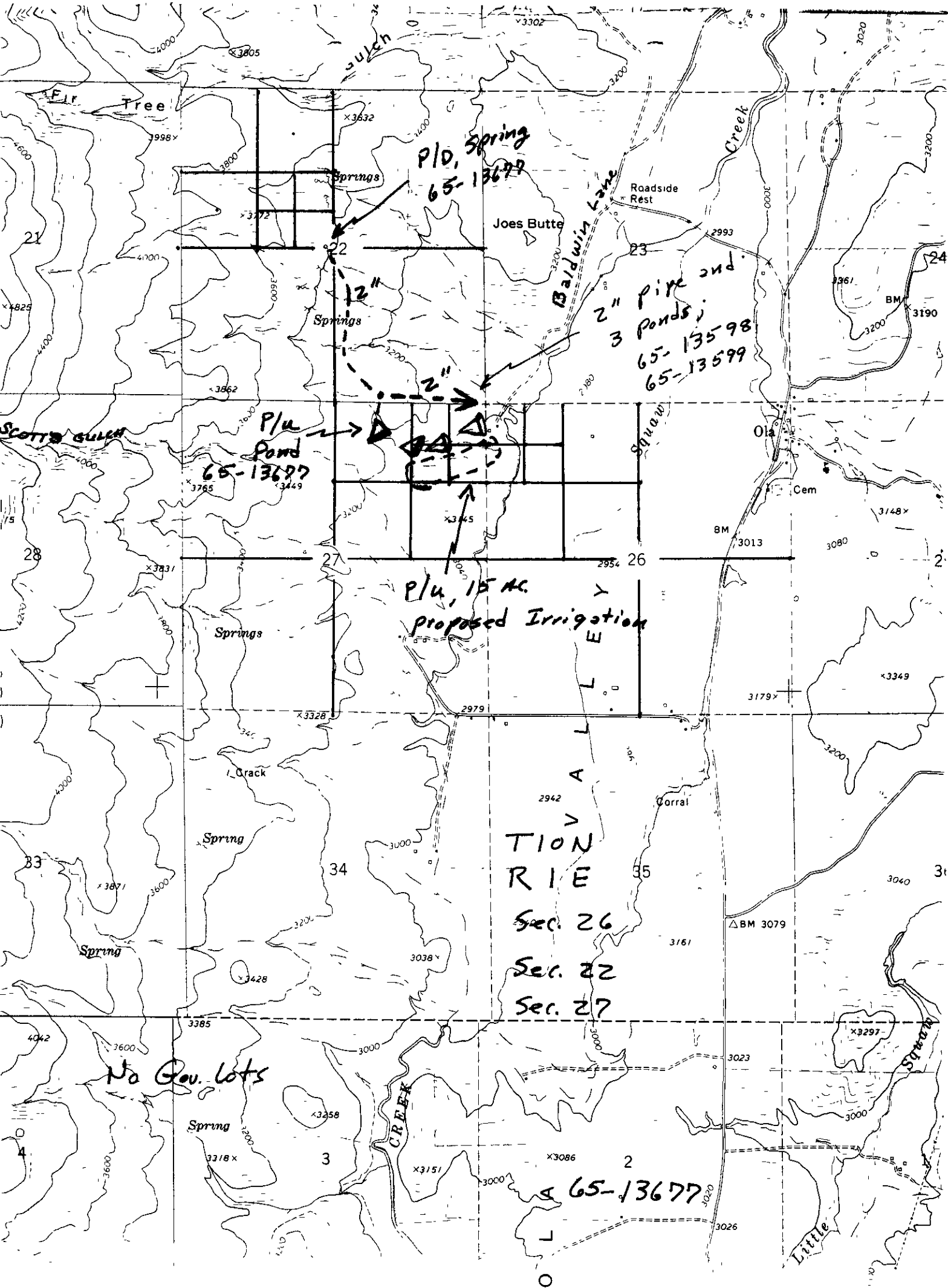
Field Examiner's Name Don Jones Date 1-7-00

Reviewer _____ Date _____

SEAL

of land.

The irrigation portion should be covered when he completes 65-13598 \$ 65-13599.



P10, 56

2"

P/u
pond

13598

13599

P/u

Proposed 15 Ac.
irrigation

65-13677

2

45

137

1 of 4

P/O

Spring

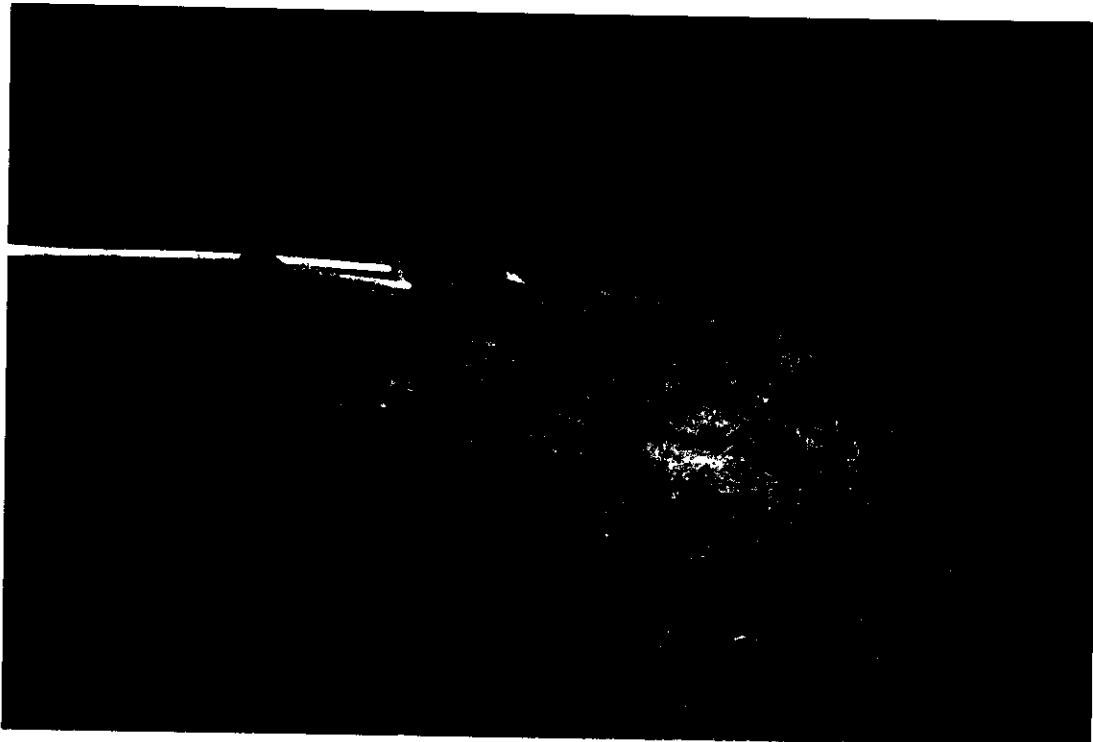
Development



P/O

Spring

Development
in
back-
ground.



65-13677

Blot 5

110

pipe

just

below

Spring.



View from
Spring

looking
along

pipeline
route.

Pipeline
follows
Road
alignment.



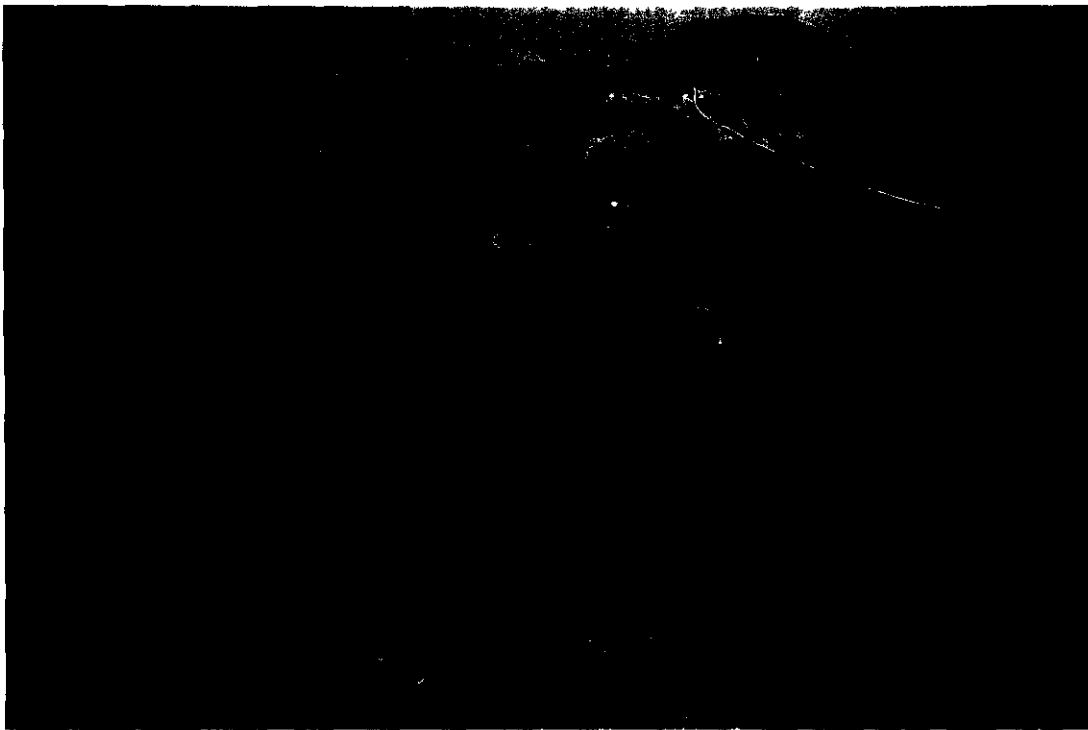
View Looking South

65-13677

3 of 4.

P/u
Storage
Pond.

Note 2"
PVC pipe
from
Valve Box
on top
of hill
in back-
ground.



View Looking North

P/u
Pond.

View
Looking
South



65-13677

4 of 4

Proposed
Area for
15 Ac. of
irrigation.

Note

Pond -

(center-right,
and another
pond,

Right -

for 65-13598.



View Looking West

Proposed
Area of
15 Ac. of
irrigation.

Note

Third Pond

for

65-13598.



View Looking NE.
Owner's House in photo

65-13677

65-13672
Permit No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Staff Analysis Sheet
Beneficial Use Field Report

RECEIVED

JAN 19 2000

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

☒ Blank Field Report Form

☒ Copy of Permit

☒ Copy of Proof of Beneficial Use

☒ Copies of any Amendments/Orders with Conditions of Approval

N/A Well Inspection Form (If Needed)

☒ Aerial Photo Required? ☒ yes ☐ no If yes: 15 AC. copy attached

☒ SRBA Claim Required (required if proof filed by 11-19-1987)

☐ Yes ☒ No If yes: claim filed? (check AJ5, AJQ1, AJQ4)

☐ Copy of U.S.G.S. Quad

☒ Check for Government Lots. If so, make a copy of government plat None

☒ Check of P/D index DT 9-29-99 (initial & date)

Overlap ☒ yes ☐ no If yes: copy of exam(s) attached? ?

Type of Overlap: ☐ Same source ☐ Other source

☒ Check of P/U index DT 9-29-99 (initial & date)

Overlap? ☒ yes ☐ no If yes: copy of water right(s) attached? ?

Type of Overlap: ☒ Same land, same source

☒ Same land, other source

☐ Other land &/or other uses

*copies attached only if needed for analysis

N/A Irrigation from groundwater (all basins):

Surface water currently or previously used ☐ Yes ☐ No

If yes: identify water source, water right, and explain current or previous use.

☒ Scheduling Letter Sent? No DT 9-29-99 (initial & date)

☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

☒ Fully Completed and Signed Field Report Form

☒ Photographs of Point of Diversion and Place of Use

C. Review and Processing:

Exam Completed [Signature] 1-7-00 (signature of examiner & date)

Exam Sent to State Office 118100 KH (initial & date)

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13677 Reviewed by [Signature] Date 10-20-98

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50 - Amount Submitted
yes Correct?
NO Required?
/ Installed?
_____ Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address X Proof Made 8-24-98



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 E. BATT
GOVERNOR

October 21, 1998

KARL J. DREHER
DIRECTOR

Betty L Derbonne Mooers
Jack D Moores
PO Box 70
Ola ID 83657

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13677

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

OCT 27 1998

June 30, 1998

BETTY L DERBONNE MOOERS
JACK D MOOERS
PO BOX 70
OLA ID 836570070

PROOF DUE NOTICE

RE: PERMIT NO. 65-13677

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 September 1, 1998. (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.

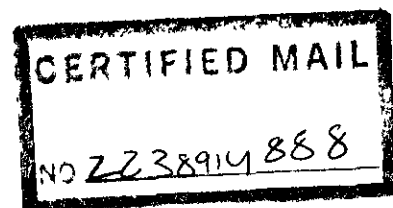
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

OCT 27 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

September 16, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BETTY L DERBONNE MOOERS & JACK D MOOERS

PO BOX 70

OLA ID 83657-0070

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13677

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

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.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify 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 to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

OCT 03 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 65-13677 Name: Mobers Date: 9/12/96 Ad OK? /
Correct Fee? ✓ Receipt #: W021159 Priority: 7/8/96 ✓ Gvmt Lts: /

AREA OF CONCERN? - No/Yes Mor GWMA Trust/Non-trust
- In 20/30/40/50/60/70/80 (87) basin? P84
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. - - - - -, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

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

Water District(~~dem~~) - 005 (req) WD # - - - - - <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev)-P08
=/- 0.2 cfs - 01H(lock dev)-P01 or No MD
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

SNAKE R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA
(not regulated)

USE:

Domestic (surface) - *WB5(Boise R † Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10;044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - - - - - - <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner**OTHER CONDITIONS:****STANDARD REMARKS:**

① w07 ② w33

BENEFICIAL USE DUE:**COMMENTS:**

9-1-1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: g DATE: 7/23/96 APPLICATION: 65-13677

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:

RECEIVED

Gov't. Lots:

☒ P/D

☒ P/U

SEP 10 1996

Department of Water Resources

ADDITIONAL INFORMATION

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ ☐ Overlapping point of diversion.
- ☐ ☐ Field check required: Field check by: _____
- ☐ ☒ Field report attached:
- ☐ ☒ 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:
- ☐ ☒ Power efficiency form:
- ☐ ☒ 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.

65-13677

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

YES NO

I.D. Health & Welfare

I.D. District Health

I.D. Fish & Game

I.D. Lands

Adjudication Bureau

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: 26

Protests received. Final date for protest

Aug. 1996

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master?

District # non-regulated source is WD #65A

Special conditions of approval or cover letter:

026A-003-060 (.02 cfs/acre) - don't need 005?

See below for additional information

Recommended Date or Priority

7-8-1996

Recommended by:

JC - Approve

Date:

9/6/96

STATE OFFICE REVIEW

See below for additional information. By

Date

ADDITIONAL INFORMATION:

P/H: 65-03012

-13598

-13599

see appl comments

P/D: 65-13598

-00144

-Groundwater N/A

RECEIVED

AUG 15 1996

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Charlene Cline, 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 8-7, 1996, and ending with the issue of 8-14, 1996

Charlene Cline

Subscribed and sworn to me this 14th day of August, 1996

Donna Lusk
Notary Public

Residing at Emmett, Idaho

My Commission Expires _____

NOTICE OF APPLICATION FOR WATER RIGHTS
The following application(s) have been filed to establish the water rights of the State of Idaho.

88-13877 ✓

DERBONNE MOGERS, BETTY L.
MOGERS, JACK D.
PO BOX 70
OLA, ID 83657

Source: SPRING

Tributary: SINKS

Diversion Pt:

N4NWNW Sec 26 T 10N R 01E in GEM County
NENE Sec 27 T 10N R 01E in GEM County

Use: IRRIGATION	(0.00 CFS)	
IRRIGATION STORAGE		(1.00 AF)
IRRIGATION FROM STORAGE		(3.00 AF)
WILDLIFE	(0.020 CFS)	
WILDLIFE STORAGE		(3.00 AF)
Total Diversion:	(0.020 CFS)	

Date Filed: 7/8/1996

In: GEM County
T10N R01E

S26
S27

S4NWNW
NENE

15.0 ACRES TOTAL

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 26, 1996. The protestant must also send a copy of the protest to the applicant.

Pub.: 8-7, 14, 1996

KARL J. CREHER, Director

Legal Notice No. 2594
Published in the Messenger Index

OCT 03 1996

65-13677

DERBONNE MOOERS, BETTY L
MOOERS, JACK D
PO BOX 70
OLA, ID 83657

Source: SPRING

Tributary: SINKS

Diversion Pt: NWNWNW Sec 26 T 10N R 01E in GEM County.
 NENENE Sec 27 T 10N R 01E in GEM County.

Use: IRRIGATION	(	0.200 CFS)		
IRRIGATION STORAGE			(	3.00 AF)
IRRIGATION FROM STORAGE			(	3.00 AF)
WILDLIFE	(	0.020 CFS)		
WILDLIFE STORAGE			(	3.00 AF)
Total Diversion:	(	0.200 CFS)		

Date Filed: 7/ 8/1996

In: GEM County
T10N R01E S26 NWNW
 S27 NENE

15.0 ACRES TOTAL

1996