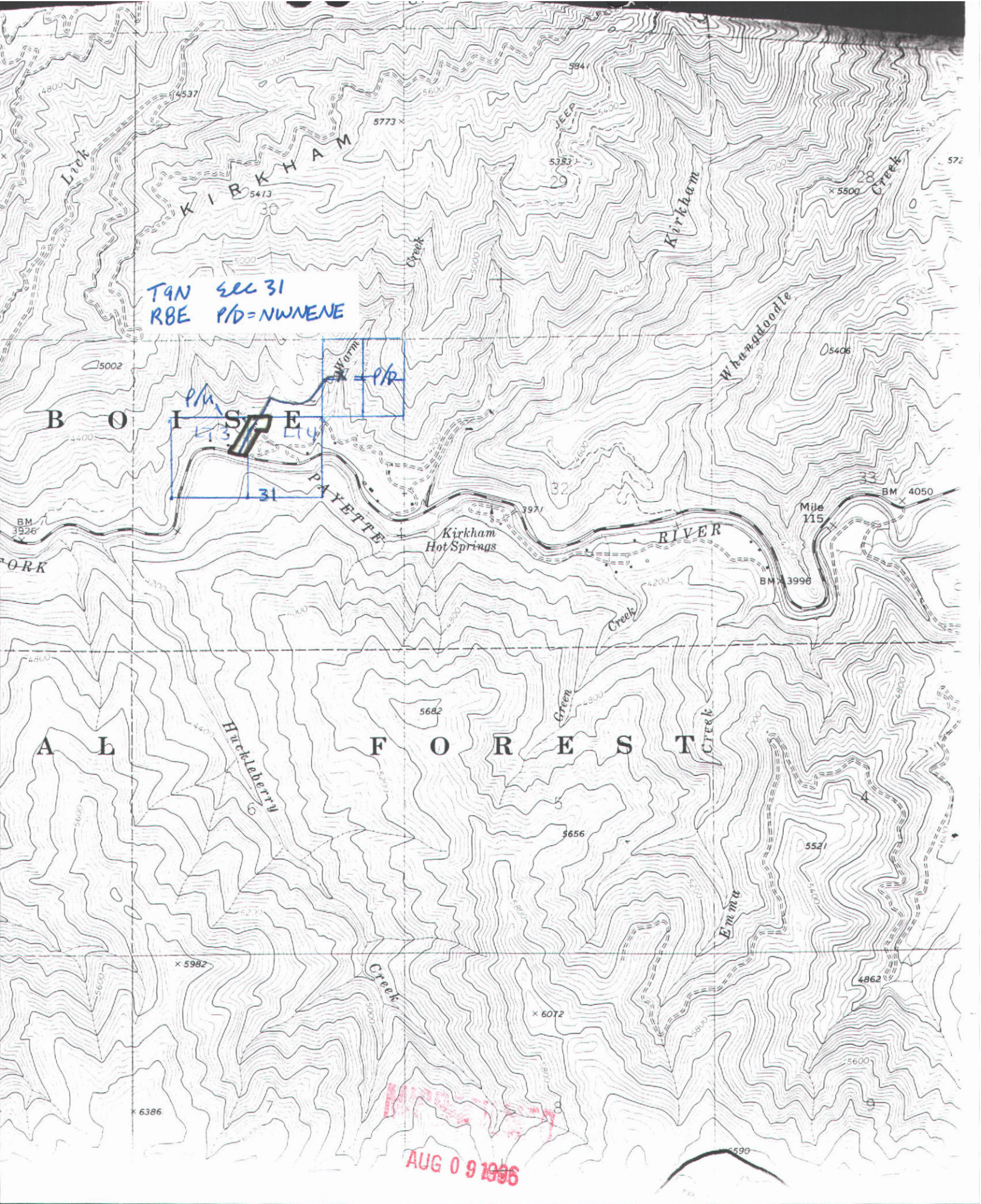




TAN sec 31
RBE P/D=NWNENE



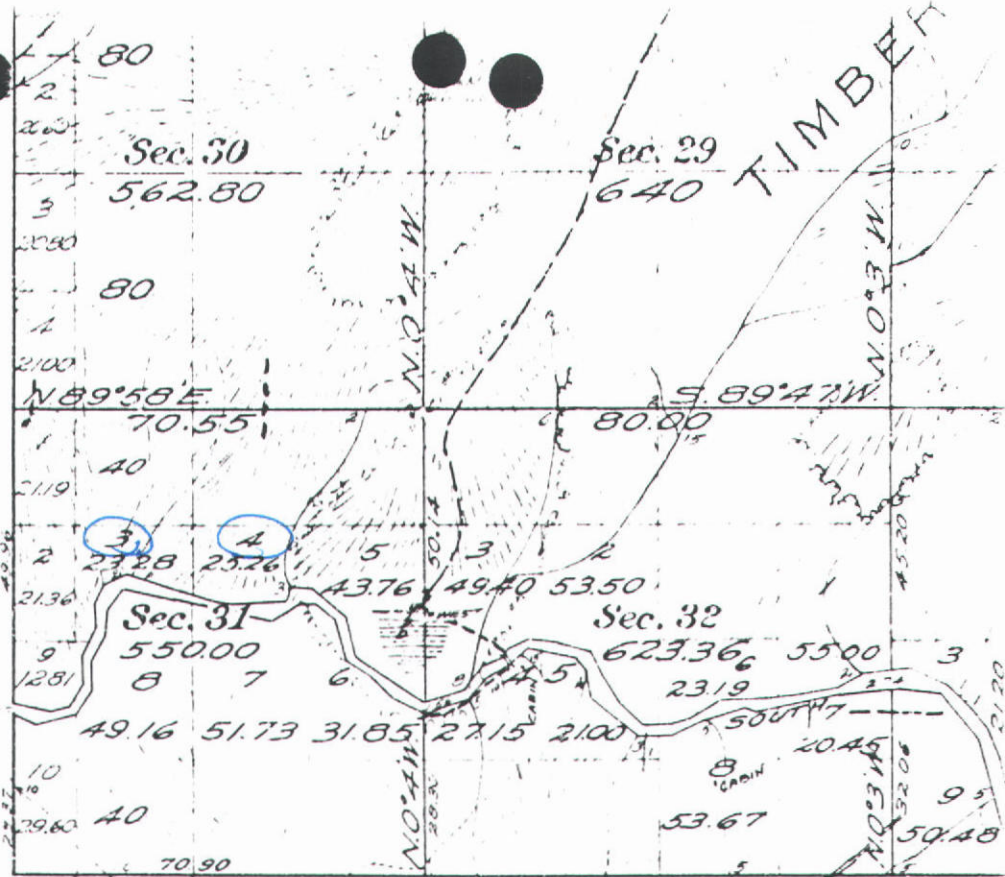
AUG 09 1996

7

M

m

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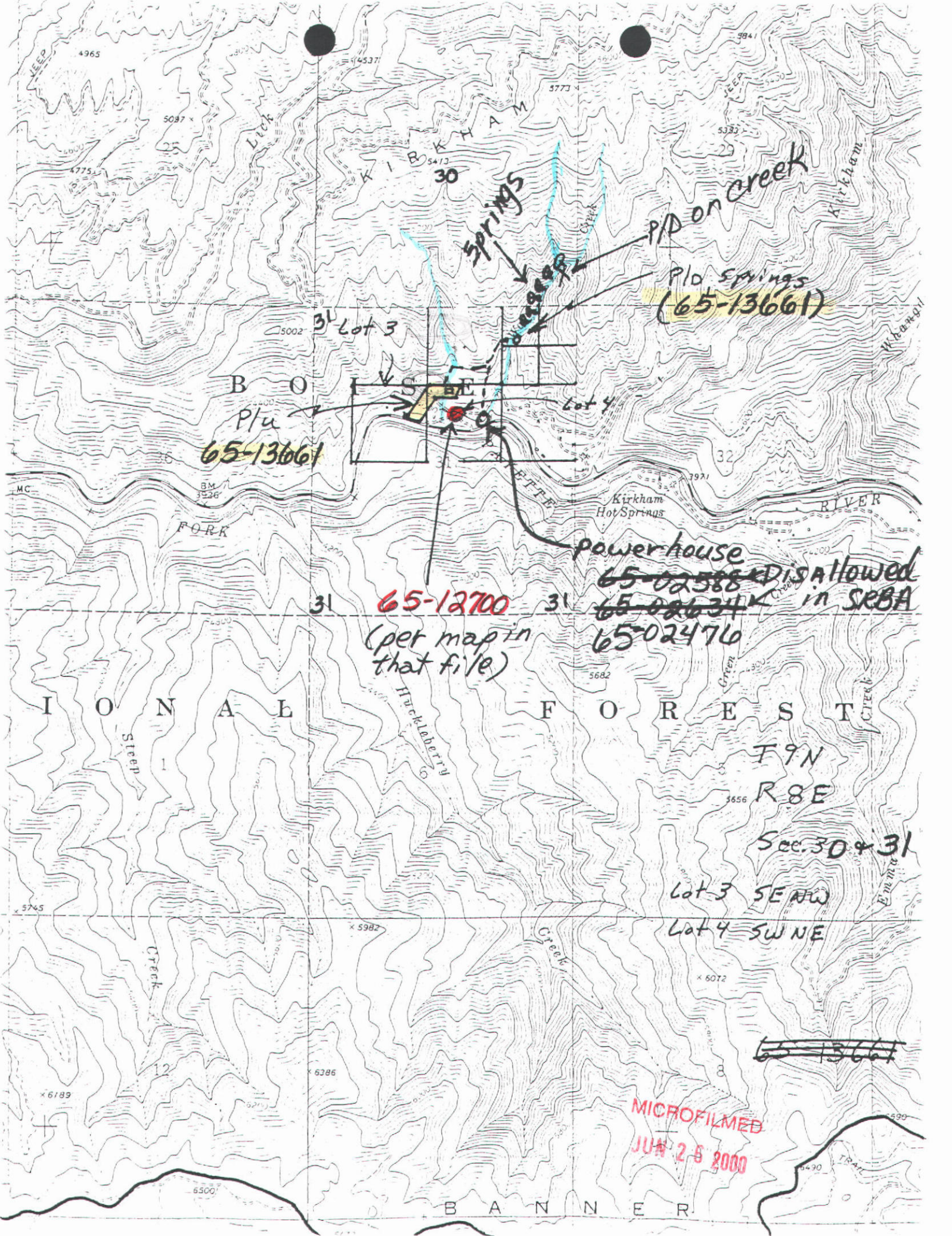
n o o P

Surveys Designated.	By Whom Surveyed.	Contract		Am M.
		No.	Date	
South Boundary	Albinus N Kimmell	305	December 17, 1908	5
Subdivisions	" " "	"	" " "	57
Meanders	" " "	"	" " "	19
Connections	" " "	"	" " "	
East Boundary	" " "	297	June 1, 1908	5
Standard	" " "	"	" " "	5
Standard	William D. Bush	"	March 19, 1906	
West Boundary	" " "	271	" " "	5

2-M.D.B.

RECEIVED

AUG 09 1996



Spring
P/D on creek
P/D Springs (65-13661)

Lot 3
B O
P/u
65-13661

65-12700
(per map in that file)

powerhouse
65-02588 Disallowed
65-02634 in SEBA
65-02476

Sec. 30 & 31
Lot 3 SE NW
Lot 4 SW NE

~~65-13661~~

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JUN 25 2000

BANNER

Also, P/D (1 of 2)

65-02588 (?)

65-02634

65-12700

T9N, R8E
Sec. 31
NWNE
P/D

3 springs

Developments
w/ Collection
Pipes, Sediment
Traps; at
Junction of
3 dry ravines.



Spring
Area

~~Region~~
Start of
Flowing
Stream

4" pipe

4000' ±

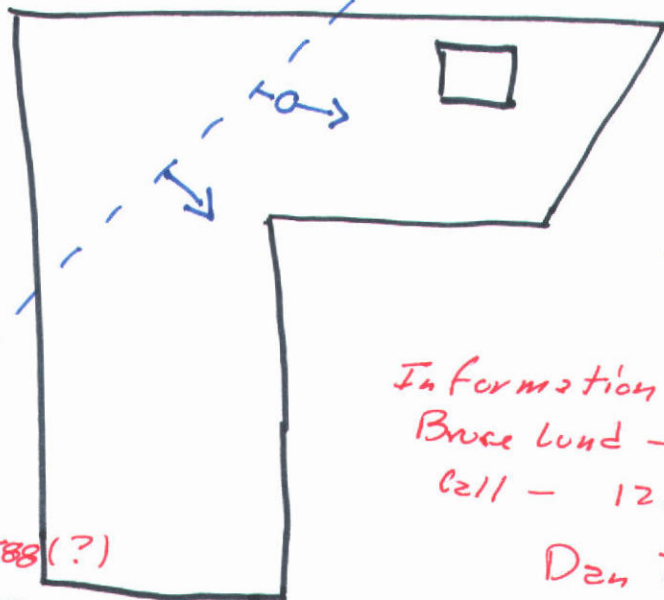
pipeline

from P/D
to 500 Gal.
Tank

500 Gal. storage
Tank

4" 100' ±

Forest Service



P/u, Bruce Lund
Lot D + E
H.E.S. #88

Information from
Bruce Lund - phone
call - 12/13/99

Dan Tomich

65-02588 (?)

65-02634

65-12700

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JUN 26 2000

65-13661

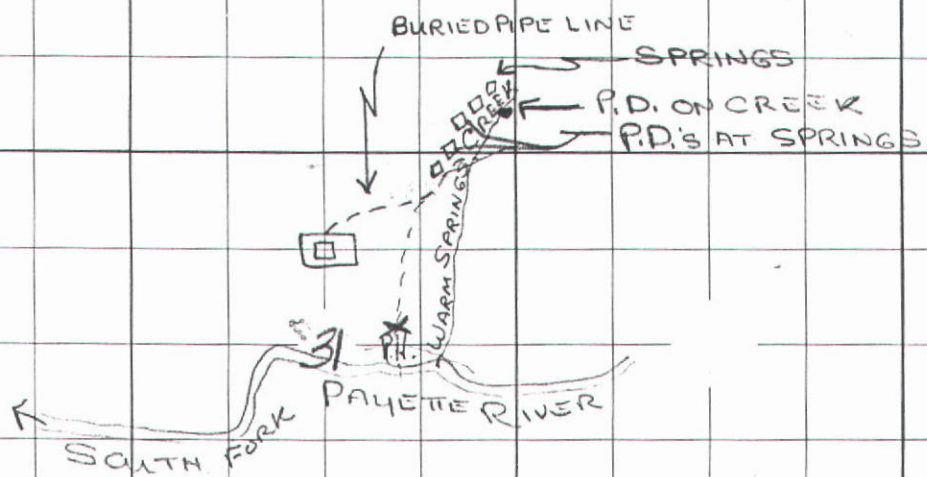
R & E

Town
of
Lawman

T
9
N

36

30



CONCRETE & ROCK POWER HOUSE
100' N. FROM ROAD AT ENTRANCE ROAD
OF PROPERTY

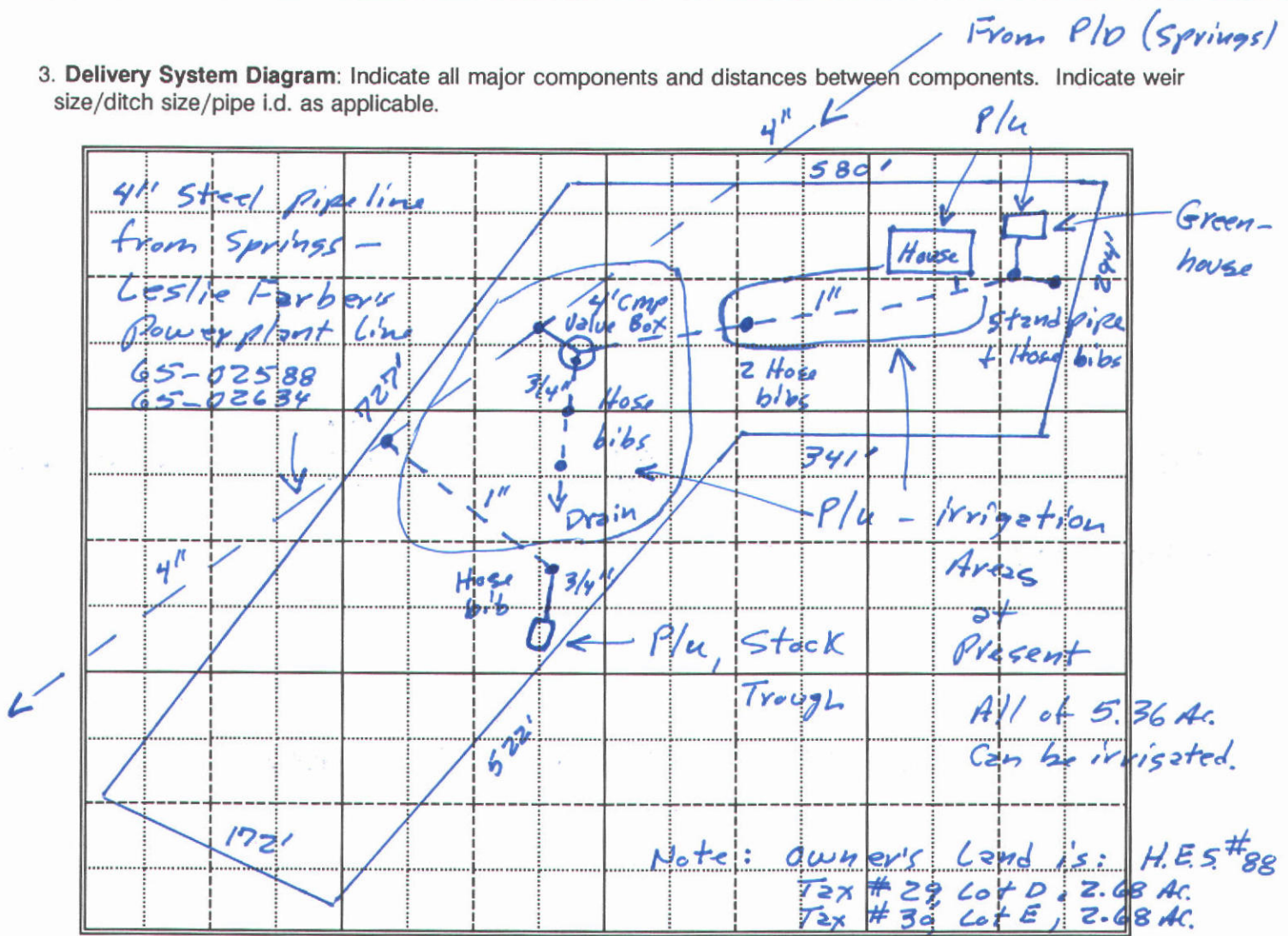
SEE PERMIT # 1995A C 27358

allow. 0.2 cfs for power

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JUN 26 2000

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

Total 5.36 Ac.

No - Farber's P/D

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
5 Gal. Bucket						

2. Measurements: 5 Gal. Bucket - 5 Gal / 5 sec. = 60 Grm
= 0.13 cfs.

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JUN 26 2000

K

K

L

T9N

R8E

L Sec. 31

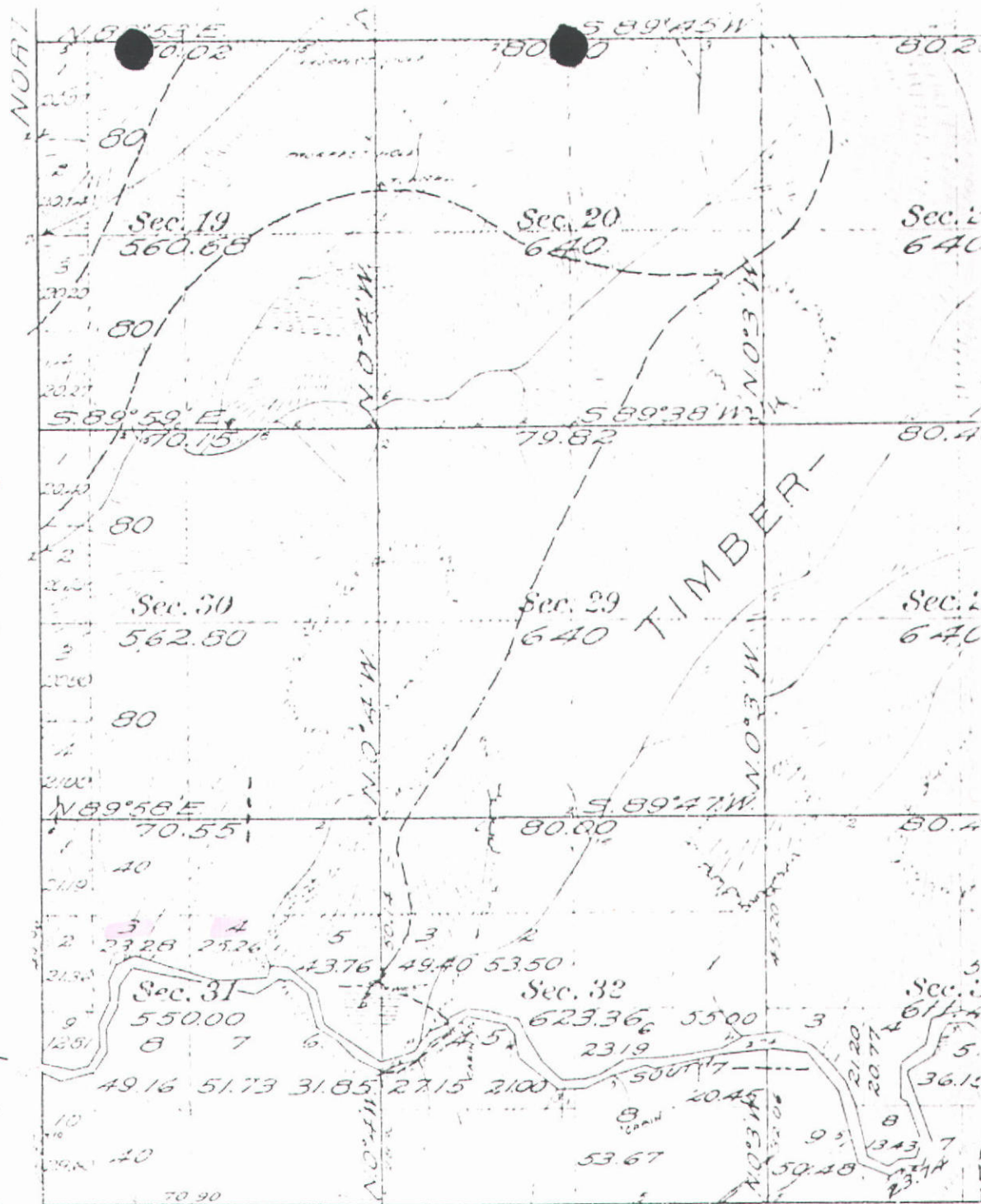
Lot 3

Lot 4

M

m

N



65-13661

Surveys Designated	By Whom Surveyed	Contract No.	Date	Amount of \$
South Boundary	Albinus Whinnell	305	January 7, 1908	5 10
Subdivisions	" " "	"	" " "	57 65
Meanders	" " "	"	" " "	19 11
Connections	" " "	"	" " "	8
East Boundary	" " "	297	June 1, 1908	5 53
Standard	" " "	"	" " "	5 37
Standard	William D. Bush	"	March 19, 1908	5 1

1 of 4



Note - 4" Steel
Power pipe line, and
1" Tee for upper line
is buried about 10' from Valve Box.

4' Comp
Valve Box
where
upper 1"
line takes
off 4"
steel power
line.

Note 3/4"
irrigation
line from
1" steel
upper
line.



4' Comp Valve
Box, fore-
ground, for
upper line.

plus
House,
yard.

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JUN 26 2000

65-13661

3 of 4

Place of
measurement
on upper
line by
house.



P/u
Greenhouse
by
House



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65-13661

3 of 4

P/u

House

Irrigated
pasture.



P/u

Garden



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JUN 26 2000

65-13661

4 of 4

P/u

Irrigated
yard in
foreground.

Irrigated
pasture
in
background.



P/u

Stock
Trough

The
Dog
drinks
free!

Note: This is off
Lower Line.

MICROFILMED
JUN 26 2000

65-13661

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13661

Priority: April 19, 1996

Maximum Diversion Rate:

0.14 CFS

Maximum Diversion Volume:

15.7 AF

This is to certify, that BRUCE LUND

HC 77 BOX 3250

LOWMAN ID 83637

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 19, 1996; and has submitted Proof of Beneficial Use on June 13, 1996. An examination indicates that the works have a diversion capacity of 0.200 cfs of water from:

SPRINGS

tributary to PAYETTE RIVER, SOUTH FORK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.10 CFS	15.0 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.14 CFS	15.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNENE , Sec. 31, Township 09N, Range 08E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	08E	31	Lot 4 (SWNE) 2.5	Lot 3 (SENE) 2.5		5

Total number of acres irrigated: 5

PLACE OF USE: STOCKWATER

TWN RGE SEC
09N 08E 31 Lot 4 (SWNE)

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

MICROFILMED

APR 21 1997

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
3. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

State of Idaho
Department of Water Resources
Water Right License

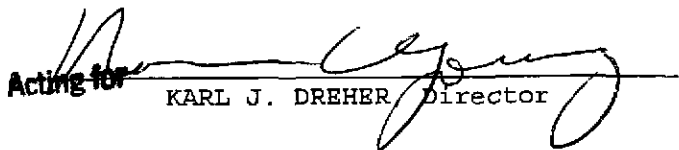
WATER RIGHT NO. 65-13661

CONDITIONS OF APPROVAL AND REMARKS

4. Water shall not be diverted under this right when flows in the South Fork of the Payette River are below established minimum stream flows.
5. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
6. Three points of diversion are located within NWNENE, S31, T9N, R8E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 6TH day of MARCH, 2000.

Acting for


KARL J. DREHER, Director

MICROFILMED

MAR 25 2000

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT	)	ORDER GRANTING PETITION
NO 65-13661 IN THE NAME OF	)	TO REMOVE LOCKABLE
BRUCE LUND	)	DEVICE REQUIREMENT
_____	)	

This matter having come before the Department of Water Resources (Department) as a petition to remove a measuring device requirement, the Department makes the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

- 1 On May 28, 1996, the Department issued Permit 65-13661(permit) to Bruce Lund (permit holder) with a condition of approval requiring the installation of a lockable device to allow watermaster control of the diversion works before any diversion of water under the permit.
2. On March 2, 2000, the Department received the permit holder's petition to remove the lockable device requirement
- 3 Installation of a lockable device is not necessary at this time because it is unlikely that the proposed diversion will be actively regulated by the watermaster

CONCLUSIONS OF LAW

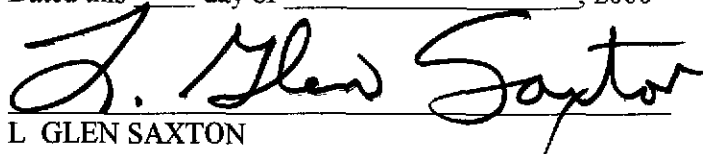
- 1 Beneficial Use Examination Rule 35 02.d. (IDAPA 37.03 02.35.02 d) provides for the waiver of a lockable device requirement by the Department.

ORDER

The condition of approval requiring the installation of a lockable device as part of the diversion works for the permit is **MODIFIED** as follows:

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

Dated this 3rd day of March, 2000



L GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
JUN 26 2000

RECEIVED

JUN 13 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 65-13661 Telephone No. 208 259-3518
2. Name(s) of Permit Holder(s): Bruce A. Lund
3. Mailing Address: H.C. 77 Box 3250 Lowman, Id. 83637
4. Source of Water: Springs 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): 5 horses & beef
Irrigation (No. of acres): 5 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.14 cfs OR 0.14 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 <u>X</u>
	Has the measuring device been installed?	Yes _____	or	No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or	No <u>X</u>
	Has the measurement port been installed?	Yes _____	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: Bruce A. Lund Telephone Number: 208-259-3518
Address: H.C. 77 Box 3250 Lowman, Id. 83637
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: Bruce A. Lund

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

Date: 6/6/96

AUG 09 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 65-13661

Proposed Priority: April 19, 1996

Maximum Diversion Rate:

0.14 CFS

This is to certify, that **BRUCE LUND**

HC 77 BOX 3250

LOWMAN ID 83637

has applied for a permit to appropriate water from:

SPRINGS

tributary of **PAYETTE RIVER, SOUTH FORK**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/15	0.10 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNENE , Sec. 31, Township 09N, Range 08E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	08E	31	Lot 4(SWNE) 2.5	Lot 3(SENW) 2.5		5.0

Total number of acres irrigated: 5.0

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, 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 June 1, 1997.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
4. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
5. 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.
6. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
7. The issuance of this right does not grant any right-of-way or easement across the land of another.
8. Domestic use is for 1 home.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13661

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

28 th day of May, 1996



for Karl J. Dreher, Director

RECEIVED
MAY 23 1996

Ident. No. 65-13661

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: BRUCE LUND
Address: HC 77 BOX 3250
LOWMAN ID 83637
208-259-3518
2. Source: SPRINGS
Trib. to: PAYETTE R, S FORK
3. Location of Point of Diversion: NWNENE Sec. 31, Township 09N, Range 08E
BOISE County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/15	10/15	0.100		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

0.160 CFS (and/or) AF
0.14
5. Total quantity to be appropriated is:
0.160 CFS (and/or) AF
0.14
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
3 COLLECTION BOXES, 4" BURIED STEEL PIPE, GRAVITY FLOW
 - 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 1 year(s).
8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
09N	08E	31	Lot 4 (SWNE) 02.5	(Lot 3 (SE) 02.5		5

Total number of acres irrigated: 5

AUG 08 1996

Place of Use: STOCKWATER same as Irrigation

TWN RGE SEC
09N 08E 31

Place of Use: DOMESTIC same as Irrigation

TWN RGE SEC
09N 08E 31

9. a. Who owns the property at the point of diversion?
US FORREST SERVICE
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.
SPECIAL USE PERMIT

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.

Beverly A. Lund
Applicant

Received by Ly Date 4/19/96 Time 11:30 Preliminary check by Cjl

Fee \$ 50 Receipted by Ly # W020749 Date 4/19/96

Publication prepared by dt Date 4-24-96 Published in Id-World

Publication approved dt Date 5-21-96

AUG 09 1996

Ident. No. 65-136

Comments: Date: 4/19/1996 User-ID: LGRAVES

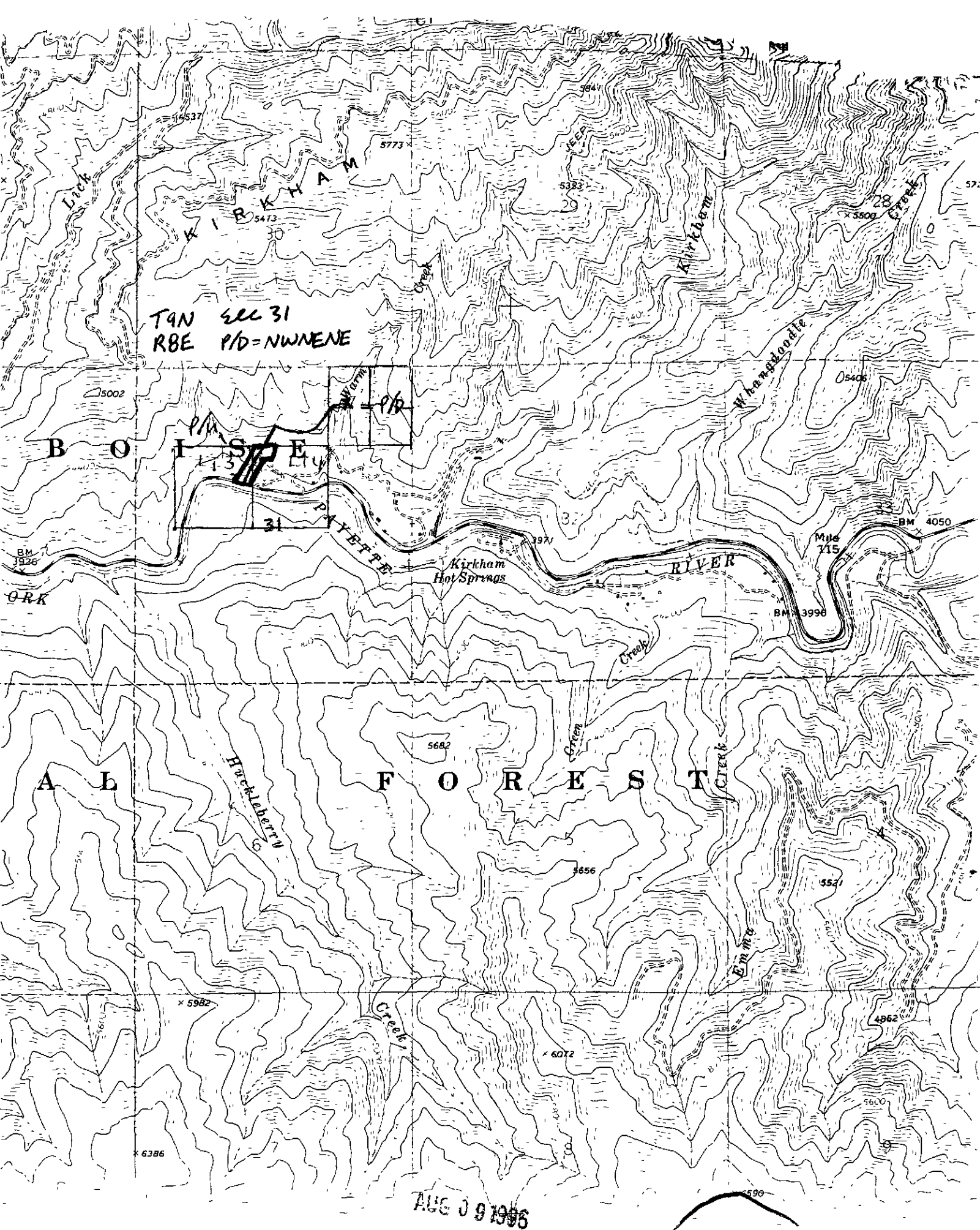
Subject: ADDITIONAL INFO

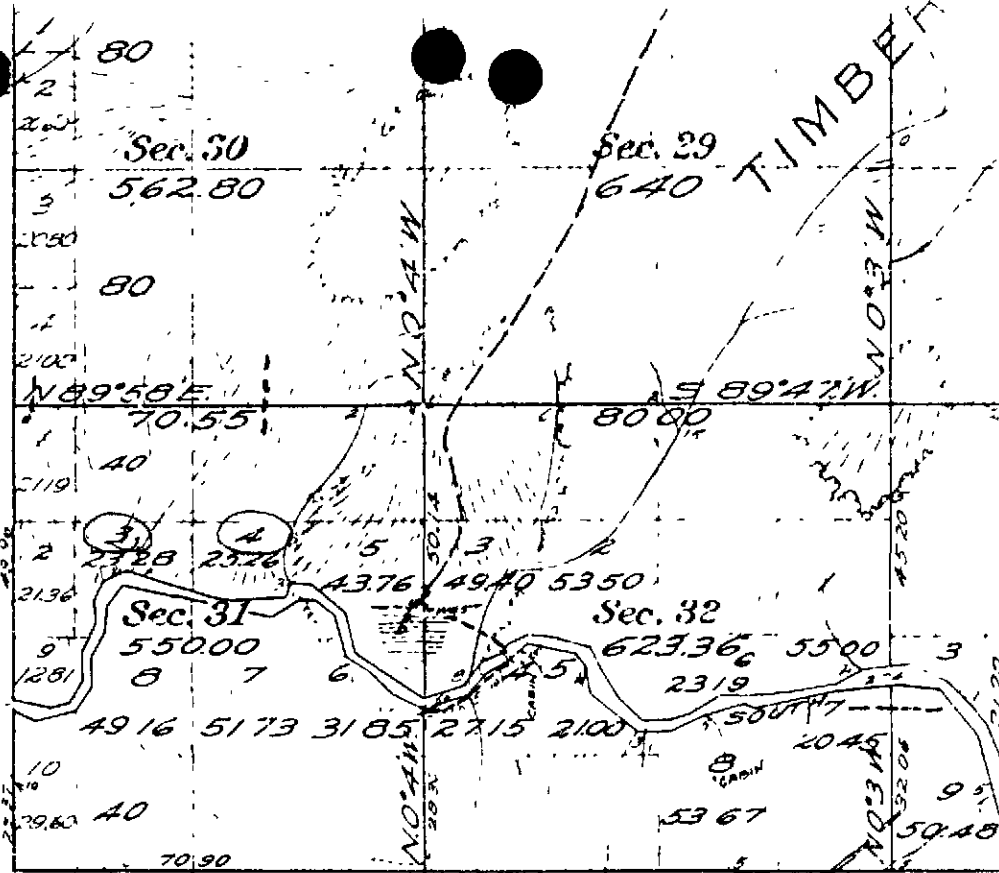
Uses have occurred since 1978. No other water is used on the property.

Domestic/1 home

Stock/5 beef

AUG 09 1996




$$P \quad O \quad O \quad P$$

Surveys Designated.	By Whom Surveyed	No.	Contract Date	Amount Paid
South Boundary	Albinus N Kimmell	305	December 17, 1908	57
Subdivisions	" " "	"	" " "	19
Meanders	" " "	"	" " "	5
Connections	" " "	"	" " "	5
East Boundary	" " "	297	June 1, 1908	5
Standard	" " "	"	" " "	5
Standard	William D Bush	277	March 19, 1908	5
West Boundary	" " "	271	" " "	5

2-MDB.

0-9 000



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

March 7, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BRUCE LUND
HC 77 BOX 3250
LOWMAN ID 83637

RE: WATER RIGHT 65-13661

Dear Mr. Lund:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

Also enclosed is a copy of an Order Granting Petition to Remove Lockable Device Requirement issued by the Department.

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.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:klt

Enclosure

MICROFILMED

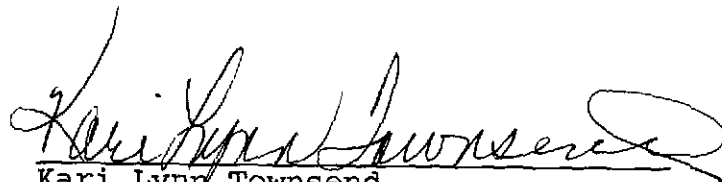
MAR 25 2000

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of **March, 2000**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 65-13661

BRUCE LUND
HC 77 BOX 3250
LOWMAN ID 83637


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 26 2008

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.

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.

BRUCE A. LUND

702 E. Main St.
Boise, Idaho 83720

208-226-3318 home
208-249-3328 office
Brlund@aol.com

RECEIVED

FEB 14 2000

Department of Water Resources

February 29, 2000

Kay Walker
Sr. Water Resources Agent
Dept. of Water Resources
1301N. Orchard
P.O. Box 83720
Booise, Idaho 83720

RECEIVED

MAR 2 . 2000

Department of Water Resources

Kay, I am sending you this letter in response to your inquiry of 1-6-00, regarding my application for a neww water right (65-13661). I am requesting at this time that you remove the requirement for a lockable device from my permit. I don't believe I would ever be in conflict with any irrigation issues and have met all the other requirements of the application process. Your consideration of this matter is appreciated and I will wait to hear from you.

Sincerely, Bruce A. Lund

Signature

Bruce A. Lund

MICROFILMED

JUN 26 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

January 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BRUCE LUND
HC 77 BOX 3250
LOWMAN ID 83637

RE: Permit No. 65-13661

Dear Mr. Lund:

We are reviewing the above referenced permit so we can issue a license for the uses developed. In a review of our file we notice that you have not complied with a condition of approval of the permit. The condition we are referring to is on your permit as follows:

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Our field examiner found no lockable device on your diversion and we must resolve this issue before a license can be issued. Pursuant to Section 42-219(6), Idaho Code, if the conditions of approval on a permit are not complied with, we may issue an order voiding the permit or issue a license for only a portion of the uses developed under the permit. You have a couple of options that you can take to resolve this problem. You could either submit documentation that you have complied with this condition and our examiner was not informed of the compliance at the time of the exam; install the lockable device, as required on your permit; or request removal of this requirement from your permit. If you request removal of the requirement you should also submit documentation that this request would be acceptable to the watermaster of Water District No. 65.

We will withhold further action on this permit for 30 days from the date of this letter in order to allow you time to respond. If we do not receive a response from you within this time period we will assume you are not interested in pursuing a water right license and will take action as suggested above.

If you have any questions in regard to this matter, please do not hesitate to contact me.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

2/28/2000
Bruce Lund
called - system is
gravity flow, excess
water ~~flowing~~ back
into river - will
request waiver of
meas. device
KW

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JUN 16 2000

Memorandum

To: Files 65-12700 & 65-13661

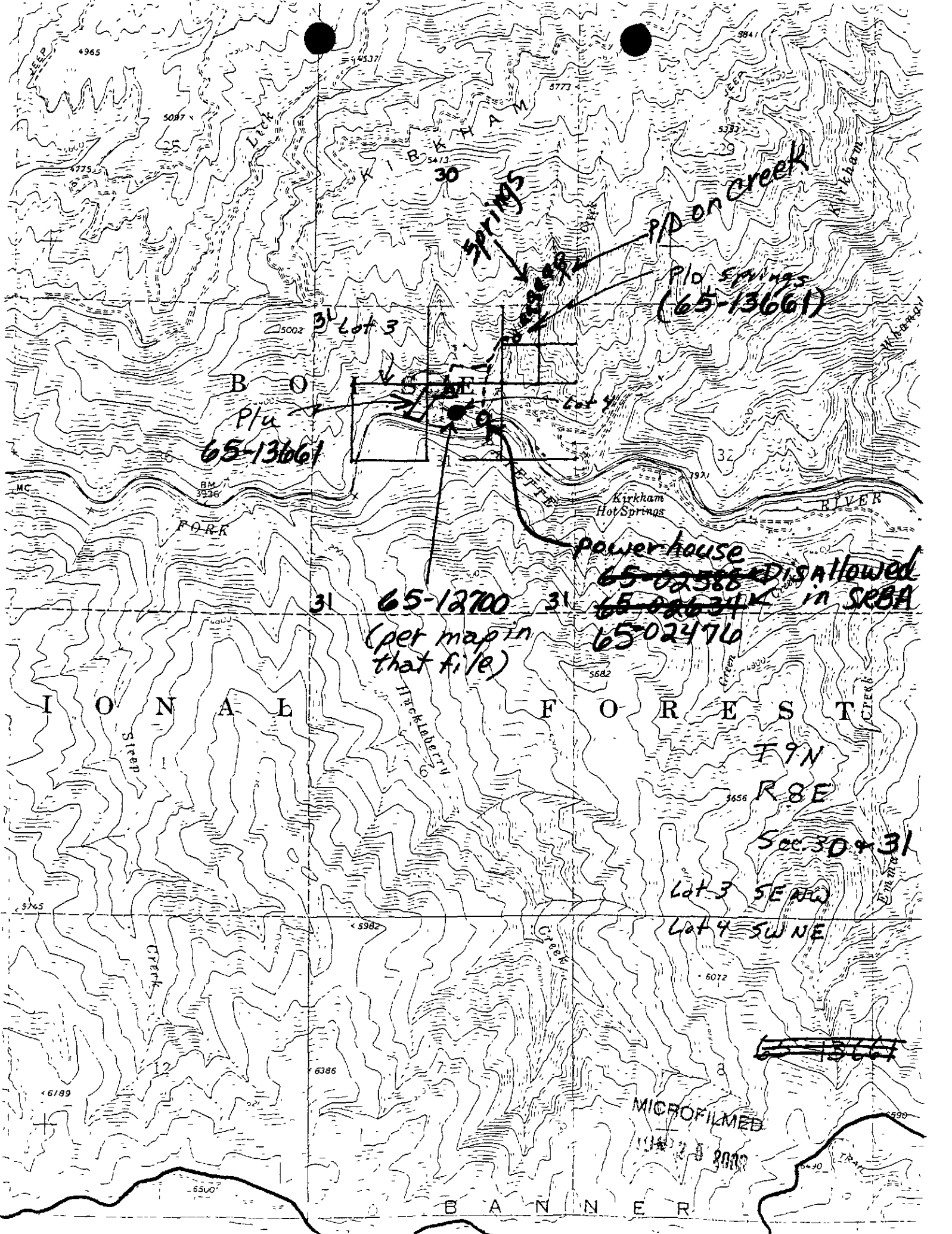
From: Kay Walker *KW*

Date: 1/5/2000

Re: License Reviews

In reviewing the above referenced permits for licensing, I found overlapping rights which were decreed in the PRBA (Payette River Basin Adjudication) and are now recommended to be disallowed in the SRBA. These overlapping rights were diverted from the spring/stream system listed in Permit 65-12700. The recommended claims for portions of 65-02476 are from an unnamed stream located in NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31 and do not overlap the points of diversion described in the above referenced permits. Since we do not have a capacity for the entire spring system I recommend that we show a capacity of 0.20 cfs as previously decreed under disallowed Rts. 65-02588 and 65-02634. The two permits using this system add up to 0.18 cfs – 0.04 cfs for 65-12700 and 0.14 cfs for 65-13661. A combined use limitation would not be applicable since the two permits do not exceed 0.20 cfs.

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JAN 25 2000



springs

P/O on creek
P/O Springs
(65-13661)

P/O
65-13661



powerhouse

65-12700
(per map in
that file)

~~65-02588~~ Disallowed
~~65-02634~~ in SEBA
65-02476

T9N
R8E
Sec. 30 & 31
Lot 3 SE 1/4
Lot 4 SW 1/4

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1947 2 2000

BANNER

A 13809NP
No. R65-02476A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/05/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PENNY MYERS	10/24/1946	IRRIGATION	04-15 10-15	0.040 CFS	
C	HARLAN DOTY		DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.040 CFS	

Water Source: UNNAMED STREAM

Tributary to: PAYETTE RIVER, SOUTH FORK

Stage: DECREED

Point(s) of Diversion:

109N 08E S31

NWNE

NENW

BOISE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S	: Lt Ac	NENE	NWNE	SWNE	SENE	: NENW	NWNW	SWNW	SENW	: NESW	NWSW	SWSW	SESW	: NESE	NWSE	SWSE	SESE	: SUM
09N	08E	31	:		01	04-01	:	01		03-02	:					:				5.0
TOTAL ACRES																			5.0	

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

POU County: BOISE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 - ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
 - DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
 - ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

different
system

MICROFILMED
JUN 26 2002

AJ5809NP
No. R65-02476B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/05/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NANCY F LINK	10/24/1946	IRRIGATION	04-15 10-15	0.020 CFS	
C	THOMAS R LINK		POWER	01-01 12-31	0.060 CFS	
TOTAL DIVERSION:					0.060 CFS	

Water Source: UNNAMED STREAM

Tributary to: PAYETTE RIVER, SOUTH FORK

Stage: DECREED

Point(s) of Diversion:

T09N R08E S31

NWNE

NENW

BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		---
09N	08E	31	:				04-02	:					:					:					:	2.0
TOTAL ACRES																							2.0	

Place of use Legal Description for: POWER

				NE				NW				SW				SE							
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
---	---	---		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
09N	08E	31	:				04-P	:					:					:					:

POU County: BOISE

Other Rights: 65-02588, 65-02634

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 - ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
 - DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
 - ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

*different
system*

MICROFILMED
2000 2 6 2000

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

01/05/00 10:21:55
Page 1

Water Right Number - R65-02588

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
LINK

THOMAS R

1 - 7375 GREEN ACRES DR
2 -
3 -

City- BOISE State- ID Zip- 83709

Phone - 208-362-9557

LINK

NANCY F

1 - 7375 GREEN ACRES DR
2 -
3 -

City- BOISE State- ID Zip- 83709

Phone - 208-362-9557

*** O - ORIGINAL OWNER ***
FARBER

LESLIE

1 -
2 -
3 -

City- LOWMAN State- ID Zip- 83637

Phone - 208-000-0000

FARBER

MURIEL

1 -
2 -
3 -

City- LOWMAN State- ID Zip- 83637

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/09/1954 14 WESTERN I - DISALLOWED

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
SPRINGS PAYETTE RIVER, SOUTH FORK
UNNAMED STREAM PAYETTE RIVER, SOUTH FORK

Point of Diversion							Diversion Name
Twn	Rng	Sec	Tract	Lot	RFlg	County	
09N	08E	30	SE SE			(15) BOISE	
		31	NE NE			(15) BOISE	

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
28 - POWER		01/01	12/31	0.200	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.200 0.0

Place of Use							Description	County
Twn	Rng	Sec	Tract	Lot	Acres	Code		
09N	08E	31	SW NE			28 POWER		(15) BOISE

+ - - Diversion Means - SPRING BOXES AND PIPELINES

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JUN 25 2009

Water right number - R65-02588

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use - POWER PLANT

+ - - Other Rights for Same Use - 65-02634, 65-02476

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
P04 - FORFEITED/ABANDONED: This is included for a claim based on a
- defense or license that is PROPOSED to be disallowed on the basis
- that the water right no longer exists because forfeiture of the
- right by nonuse was confirmed and a defense to forfeiture was not
- confirmed, or because abandonment of the right was confirmed.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
STATE OF IDAHO A & C CORP., ET AL. 00/00/0000

+ - - Audit Fields - 12/21/99 SVANHOF

+ - - - - - Comments - - - - -
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 02/09/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 65
Licensed Date	- 00/00/0000	Receipt Number	- X999999	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

MICROFILMED
JAN 25 1999

01/05/00 10:22:31
Page 1

Old (D) Number -

+ - - Diversion Means - SPRING BOXES AND PIPELINES

AJ5808NP
(0D-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

01/05/00 10:23:05
Page 2

Water right number - R65-02634

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use - POWER PLANT

+ - - Other Rights for Same Use - 65-02588, 65-02476

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
P04 FORFEITED/ABANDONED: This is included for a claim based on a
- decree or license that is PROPOSED to be disallowed on the basis
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- right by nonuse was confirmed and a defense to forfeiture was not
- confirmed, or because abandonment of the right was confirmed.

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STATE OF IDAHO A & C CORP., ET AL. 00/00/0000

+ - - Audit Fields - 12/21/99 SVANHOF

+ - - - - - Comments - - - - -
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 02/09/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 65
Licensed Date	- 00/00/0000	Receipt Number	- X999999	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

FILED
JAN 26 2000
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MEMORANDUM

To: Sharla Curtis, State Office
From: Dan Tomich, Western
Subj.: 65-13661, Bruce Lund

RECEIVED

DEC 14 1999

Department of Water Resources

I discussed the P/D with Bruce Lund by phone on 12-13-99. He said there were 3 separate spring developments in a common spring area that was located at the junction of 3 dry ravines. Above this spring area, the ravines are very steep and rocky, and normally there is no surface water flowing. The three separate spring developments consist of collection pipes and sediment traps(probably spring boxes), and provide the water for the 4 inch pipeline. Excess water from the spring area flows down the drainage known as Warm Creek. It appears that this spring area is the beginning of the surface water flow for Warm Creek. The collection system for the 4 inch pipeline does not pick up any surface water.

From the spring area, the 4 inch pipeline was constructed downhill for about 4000 feet to a 500 gal. storage tank. This storage tank is located about 100 feet above Bruce Lund's property. From the tank, the 4 inch pipeline continues across Bruce Lund's property to serve other water rights near the highway. Bruce takes his water from the 4 inch line at two points as described in my report.

The spring area is located on Forest Service land, along with the 4 inch pipeline down to Bruce Lund's property. The spring development work, and pipeline were apparently done by Leslie Farber. Leslie Farber is now deceased, and Bruce thought that the power plant for one of the rights on this pipeline had been abandoned.

area

Three other water rights show this same spring area as one of their P/D's, along with another P/D in SESE of Section 30. It may be that the unnamed stream listed in these rights is in Section 30, or that it could be Warm Creek. Not sure about the P/D's for these other rights, but the 4 inch pipeline that Bruce takes his water off is active, and serving other users. Again, Bruce said that the pipeline does not take in any surface water, so maybe the previous field examiner made a mistake if they reported that for the other rights.

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JUN 25 2000

12-13-99

CUA

Also, P/D (1 of 2)

65-02588 (?)

65-02634

65-12700

T9N, R8E
Sec. 31
NWNE
P/D

3 springs

Developments
w/ Collection

Pipes, Sediment

Traps; at

Junction of

3 dry ravines.

4" pipe

4000' ±

pipeline

from P/D
to 500 Gal.
Tank

500 Gal. storage
Tank

4" 100' ±

Forest Service

P/u, Bruce Lund
Lot D + E
H.E.S. #88

Information from
Bruce Lund - phone
call - 12/13/99

Dan Tomich

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JUN 26 2006

65-02588 (?)

65-02634

65-12700

65-13661

MEMORANDUM

TO: File 65-13661

FROM: Sharla

DATE: October 26, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 65-13661 are as follows.

H. RECOMMENDATIONS

Irrigation	4/1 – 10/31	0 10 cfs	15.0 af
Stockwater	1/1 – 12/31	0.02 cfs	0 1 af
Domestic	1/1 – 12/31	0.02 cfs	0 6 af
	TOTALS	0 14 cfs	15.7 af

The stanndard irrigation season for this area is 4/1 – 10/31.

Exam Date. July 21, 1998
Examiner Dan Tomich

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JUN 25 2000

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L6513661	T09N R08E S31 SPRINGS																	
	:			04-02	:			03-02	:									4
	:			04-X	:				:									
6502476	UNNAMED ST :		01	04-03	:	01		03-02	:									7
A6502476A	UNNAMED ST :		01	04-01	:	01		03-02	:									5
R6502476A	UNNAMED ST <i>Hyers/Dodge</i>			04-01	:	01		03-02	:									5
A6502476B	UNNAMED ST :			04-02	:				:									2
R6502476B	UNNAMED ST <i>Link</i>			04-02	:				:									2
6510550	KIRKHAM CR :			04-14 05-17	:			03-08	:									39
A6510550	KIRKHAM CR <i>Sellman/Holcomb</i>			04-14 05-17	:			03-08	:									39
A6510550A	KIRKHAM CR :			05-02	:				:					05-02				4
R6510550A	KIRKHAM CR :			05-02	:				:					05-02				4
~~6513661~~	~~SPRINGS~~			~~04-02~~	~~:~~			~~03-02~~	~~:~~									~~4~~

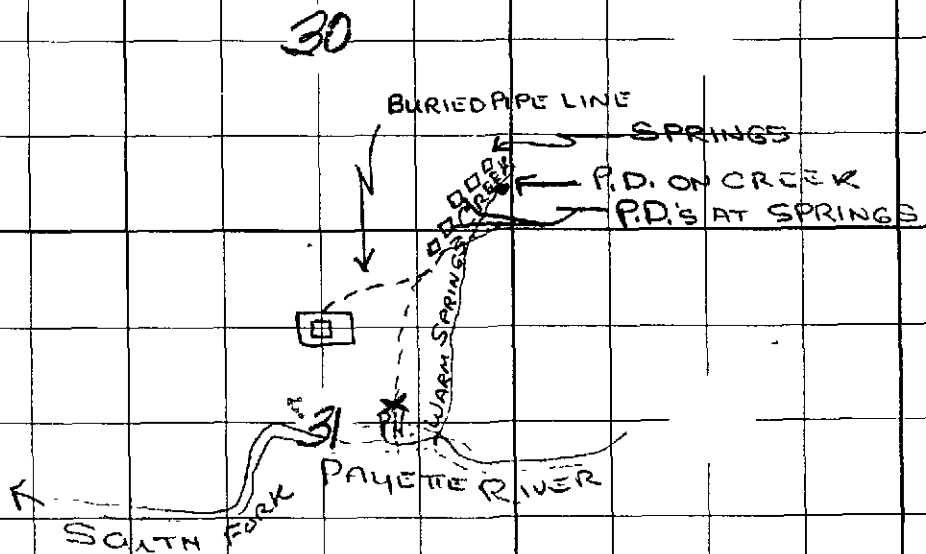
NO MAPPING INFO AVAILABLE

R & E

Town
of
Lawman

T
7
N

36



CONCRETE & ROCK POWER HOUSE
100' N. FROM ROAD AT ENTRANCE ROAD
OF PROPERTY

SEE PERMIT # 1995A C 27358

allow. 0.2 cfs for power

MICROFILMED

DATE: 8 2000

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 25113

This proof is for ~~Comp. of Works & Bene. Use~~

In Water District No.

1. Name of applicant Leslie S. & Fronia A. Farber

2. Source of water supply: unnamed creek and springs

3. Location of point of diversion: Is in the NE 1/4 of Section 31

T. 9N R. 8E County of Boise

4. Describe works as they exist, giving dimensions and capacities of same:

BURIED PIPE LINE FROM P.D.'S TO LACE FOR DOMESTIC & IRRIGATION & FURTHER DIVERTED TO POWER PLANT FOR ELECTRICITY SEE PERMIT # 27358 & # 11134 FOR COMPLETE POWER PLANT DESCRIPTION, DIMENSIONS & CAPACITIES

5. Water is used for: power, ~~the irrigation~~

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

IRRIGATION OF 3 ACRES NE 1/4 NW 1/4
1 ACRES NW 1/4 NE 1/4
1.5 ACRES SE 1/4 NW 1/4
2.5 ACRES SW 1/4 NE 1/4
5.2 ACRES covered under other permits
SW 1/4 NE 1/4 SEC 31 T 9N - R 8E

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? S. Fork of the PAYETTE

Remarks:

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See 12 1" 11754 7-54

This examination was made on the 6th day of June, 1967

(Signed) Don Watts

Examiner.

25113

DR. = W.

plat 1
PW

LICENSE REVIEW CHECKLIST

Reviewed by Sharla Curtis on 10/21/99

Permit No. 68-13661

BU Fee Pd \$50.00

Name/Address: OK CHANGE

Govt Lots 1 n/a 1 plat copy attached

AREA OF CONCERN: No/Yes 1 1 Moratorium 1 1 GWMA 1 TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

Supp irr (irr = only use) - 065-079
Supp irr (+ other uses) - 100-101
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M (if on permut)

SURFACE WATER: (✓Flow Chart)

In/Above MSF - WB9 377 (Payette He)
WD - R04 (WD# 65)
≤ 0.20 cfs/others - R02- 01P or No MD
> 0.20 cfs - R43

LOCATION:

~~Trust~~ - R55 (consumptive uses)
~~Non-Trust~~ - 048-049 (consumptive uses
or non-cons. > 1.0 cfs)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

PD Change - P39/P47 - feds (P40)
PD Add - P45/P42 - 3 collection boxes
shown on app. (since 1976)
PU Change - P41/P47 - feds (P43) no amendment
PU Add - P41/P42 req'd

RIVER BASINS: (SW special considerations)

Snake R (01) - W22, N/A
(02,03) - WB9 if above Weiser
Payette R (65) - 047 (Payette Lake) N/A
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

STORAGE - 18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 081
FISH PROP - 029 (70's only) - 042-081
HEAT/COOL - R07 (injection well)
FIRE PROT - 077

USES:

POWER - R22-R23 (+uses) - 025-081-W42-W43-027
MUNICIPAL
Restricted area - 022, 075
Irr, GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette R) N/A
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5 ✓
~~Lawn/garden included~~ - W01

ADVANCE PRIORITY? 1 Yes 1 No

MISC CONDITIONS/REMARKS:

Multiple pd's per 1/4 - W32 3 collection
Subd lot desc (pd) - W59 boxes unknown
Subd lot desc (pu) - W60 except 3 listed on
Use definitions example - Culture shop
Non-consumptive - 027 founder already
Water Quality - 081-R07 in place
~~Mitigation~~ - 121 (if on permit)
~~PPU-acre limit~~ - W27

OVERLAP ANALYSIS/RATES/VOLUMES:

PD overlap rights - W35-W36 Right # 65-12588
PU overlap rights - WB7-W31 (<1 ac) 02634
GW replaced SW - 050

Permit Rate 6.14 cfs Fee Limit 020 cfs
Measured 0.13 cfs Theoretical 1 cfs

Use	Rate	Volume
<u>0.14</u>	<u>11</u> cfs	<u>5836.15</u> af
<u>0.4</u>	<u>12</u> cfs	<u>1</u> af
<u>0.3</u>	<u>12</u> cfs	<u>6</u> af
TOTALS	<u>14</u> cfs	<u>157</u> af

OTHER CONDITIONS/REMARKS/COMMENTS

SRBA Claim Filed 1 Yes 1 No

If no, is a claim required: 1 Yes 1 No

AMENDMENTS REQUIRED 1 Yes 1 No

Adjustment Memo Needed 1 Yes 1 No

If yes, paragraph codes: 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 21 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13661

1. Owner: Bruce A. Lund Phone No. (208) 259-3518

Current Address: HC 77 Box 3250, Lowman, ID 83637

2. Accompanied by: Bruce Lund EXAM DATE: 7-21-98

Address: (Same) Phone No. 259-3518

Relationship to Permit Holder: (Same)

3. Source: Springs tributary to Payette River, South Fork

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: 65-02588, 65-02634
(Power)

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NE	NE	31	9N	8E	Boise	Site Visit, Map

2. Place(s) of Use:

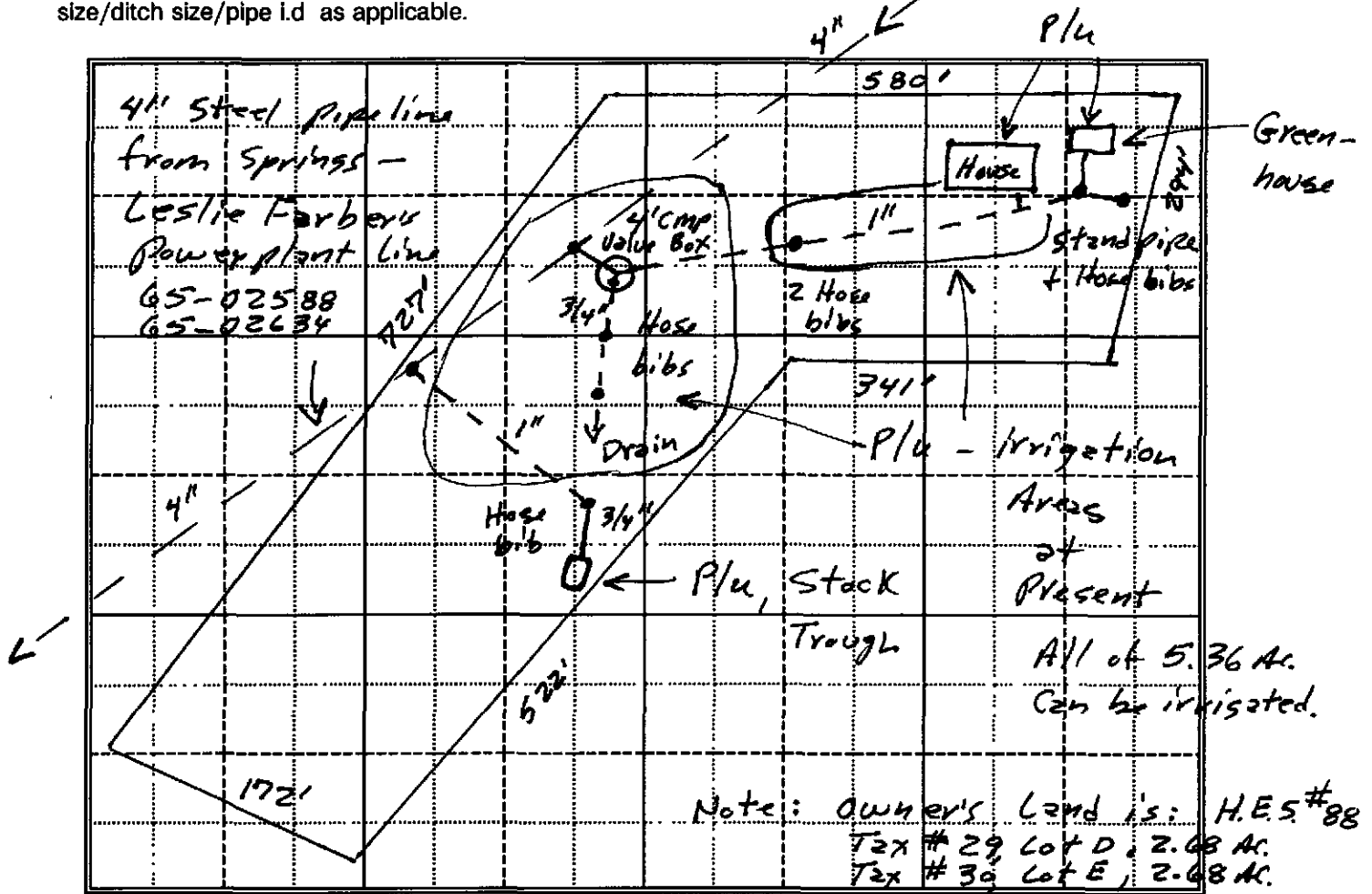
Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	8E	31			2.5 6+4 D, S				2.5 6+3										5.0 AC

MICROFILMED

DEC 21 1998

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well 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

Total 5.36 AC.

No - Farber's P/D

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
5 Gal. Bucket						

2. Measurements: 5 Gal. Bucket - 5 Gal / 5 sec. = 60 Gpm
= 0.13 cfs.

WICHITA COUNTY

1980

4. The water system for this permit was developed in the 1980's, but the owner just recently decided to obtain a water right.

E. NARRATIVE/REMARKS/COMMENTS

1. This Permit is for Irrigation, Stockwater and Domestic water for one home, 5 Head of Stock, and irrigation on a 5.36 AC. tract of land. At the time of the exam, irrigation water was being used on the lawn/yard by the house, in a greenhouse by the house, and about 2 AC. of the land that had a garden, trees, and pasture for the stock. The water system can irrigate all of the 5.36 AC. tract and 5.0 AC. of irrigation should be allowed - Most of this would be pasture for the stock. He plans to irrigate all of it.

2. The Source of the water are Springs that were developed by Leslie Farber under WR's 65-02588, and 65-02634. A 4" Steel pipeline crosses Bruce Lund's Property and supplies water to a powerplant located on the North bank of the S. Fork of the Payette River. At the present time, the powerplant is not being used. The water right div. rate for the power rights is 0.20 cfs. Bruce Lund has an agreement with Farber to take water off the 4" high pressure line where it crosses his property. Two 1" lines serve this permit off the 4" steel pipeline - both lines provide irrigation through hose bibs, and the upper line serves the house, while the lower line serves 1 Stock trough. Both lines have hose bibs

Have conditions of permit approval been met? ☒ yes ☐ no if no lockable device is req.

that serve hoses with sprinklers for irrigation

3. The Pld at the Springs developed by Leslie Farber does not have a lockable device (Cond. 4), and this requirement may not be practical for this system.

Additional Computation Sheets Attached

Allow the 0.14 cfs in permit
since only one line was
measured; and there are
two lines off the 4"
steel power pipeline.

(Upper Yino)

1. Volume Calculations for Irrigation:

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \frac{(0.10)(184)(1.9835)}{1.9835} = 36.5$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 15.0 \text{ AF/A}$$

V = Smaller of V_{IB} and V_{DB} =

Stock: $AFA = \left(\frac{12 \text{ GRD}}{1 \text{ head}} \right) \left(\frac{51 \text{ head}}{1} \right) \left(\frac{365 \text{ Days}}{\text{Ann.}} \right) \left(\frac{AF}{325,850 \text{ Gal.}} \right) = 0.07$
 Allow 0.10 AFA

Domestic: Internal use only - 0.6 AFR

1. Recommended Amounts

2. Recommended Amendments

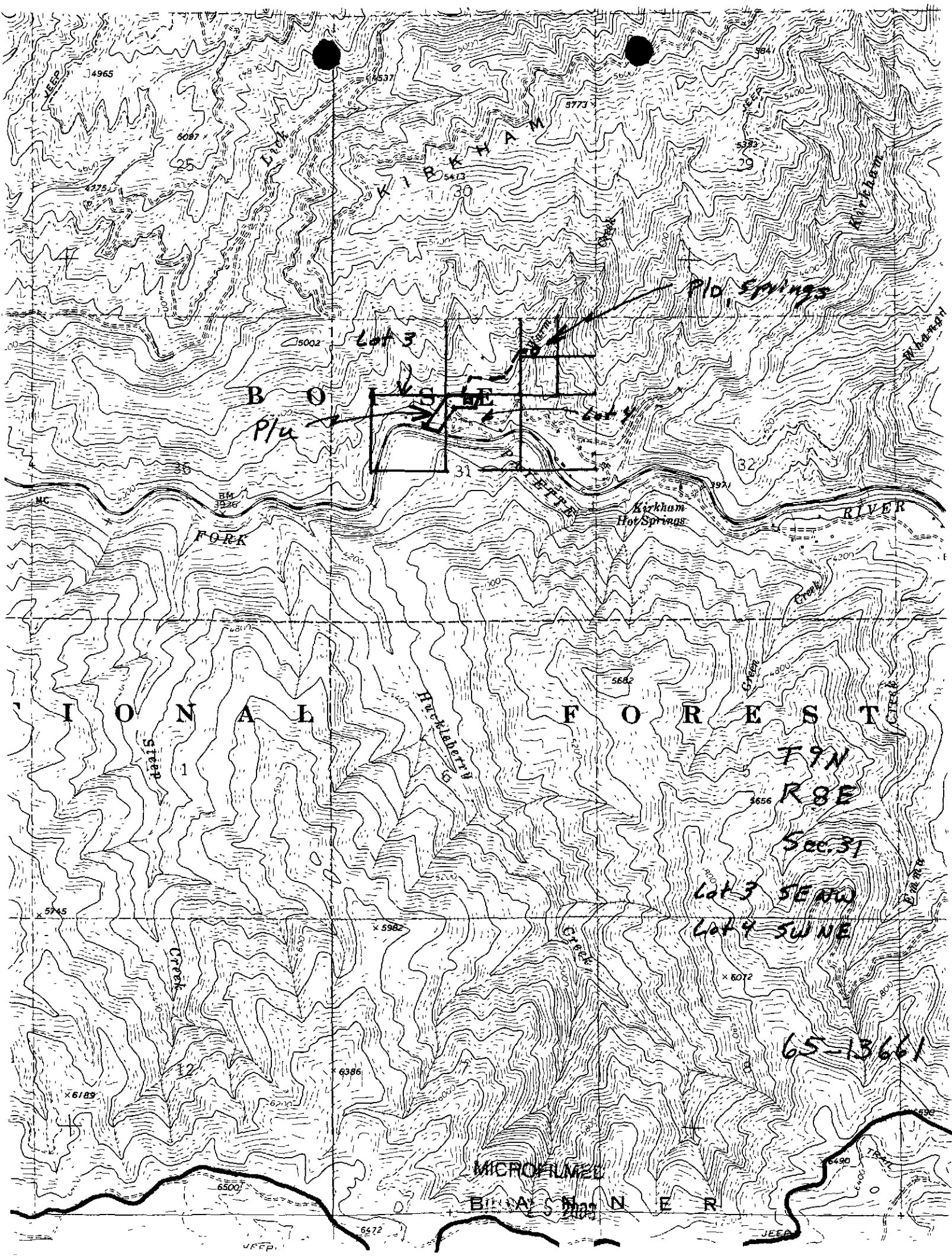
___ Change P.D. as reflected above ___ Add P.D. as reflected above ☒ None
 ___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

Field Examiner's Name Van Zandt Date 12-17-98

Reviewer	Date
----------	------

SEAL

ACI OFILMLL



K

K

L

T9N

R8E

Sec. 31

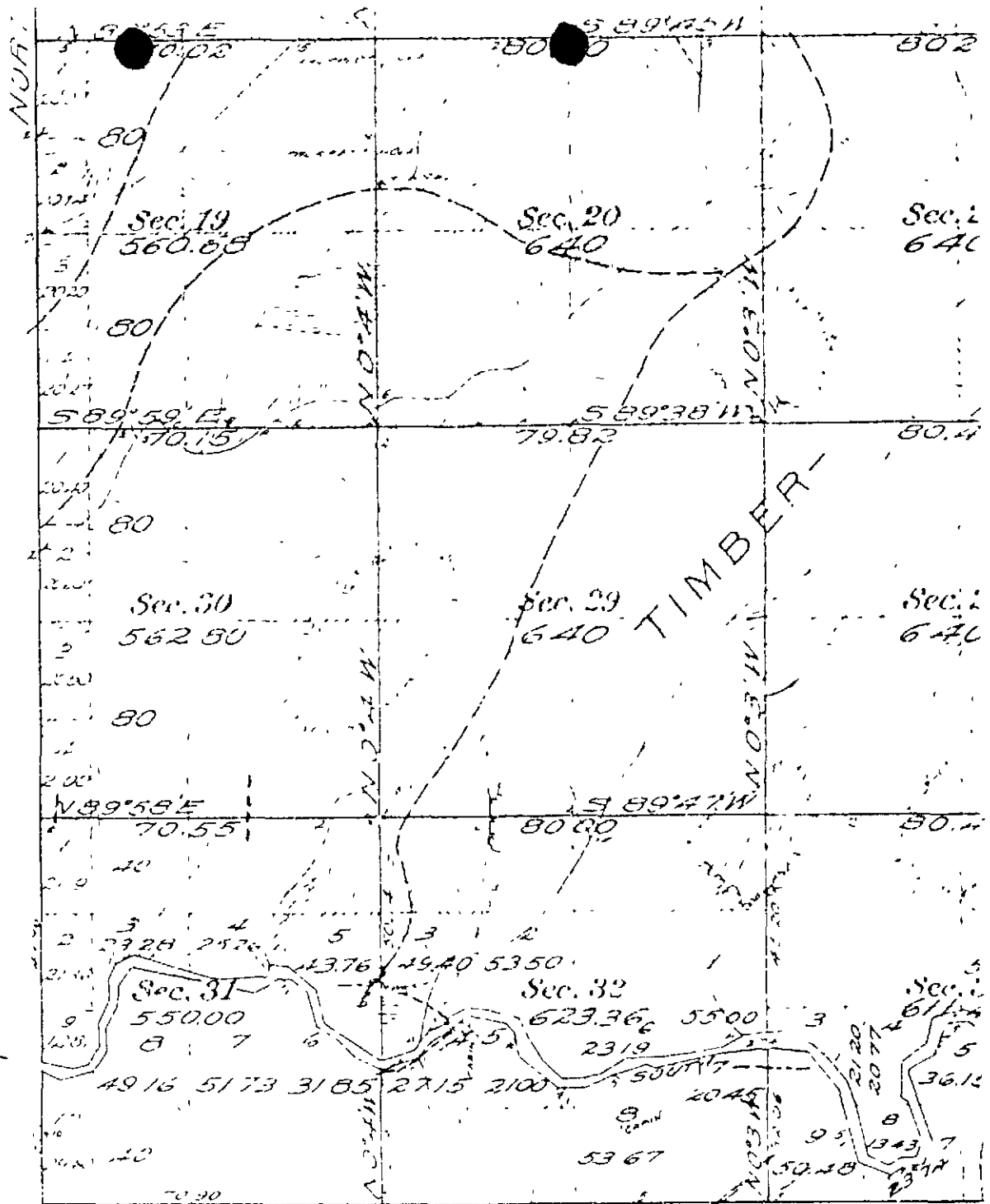
Lot 3

Lot 4

M

m

N



65-13661

H

O

O

P

P

Surveys Designated	By Whom Surveyed	No.	Contract Date	Amount of \$
South Boundary	Alvin W. Murrell	305	Jan 1, 1908	5 10
Subdivisions	"	"	"	57 65
Meanders	MICROFILMED	"	"	19 11
Connections	"	"	"	8
East Boundary	John G. 26 2000	297	Jan 1, 1908	5 53
Standard	"	"	"	5 37
Standard	William D. B. 35 177	"	March 9, 1908	5 1

1 of 4

4' comp
Value Box
where

upper 1"
line takes
off 4"
steel power
line.

Note 3/4"
irrigation
line from
1" steel
upper
line.

Note - 4" steel
power pipe line, and
1" Tee for upper line
is buried about 10' from Value Box.

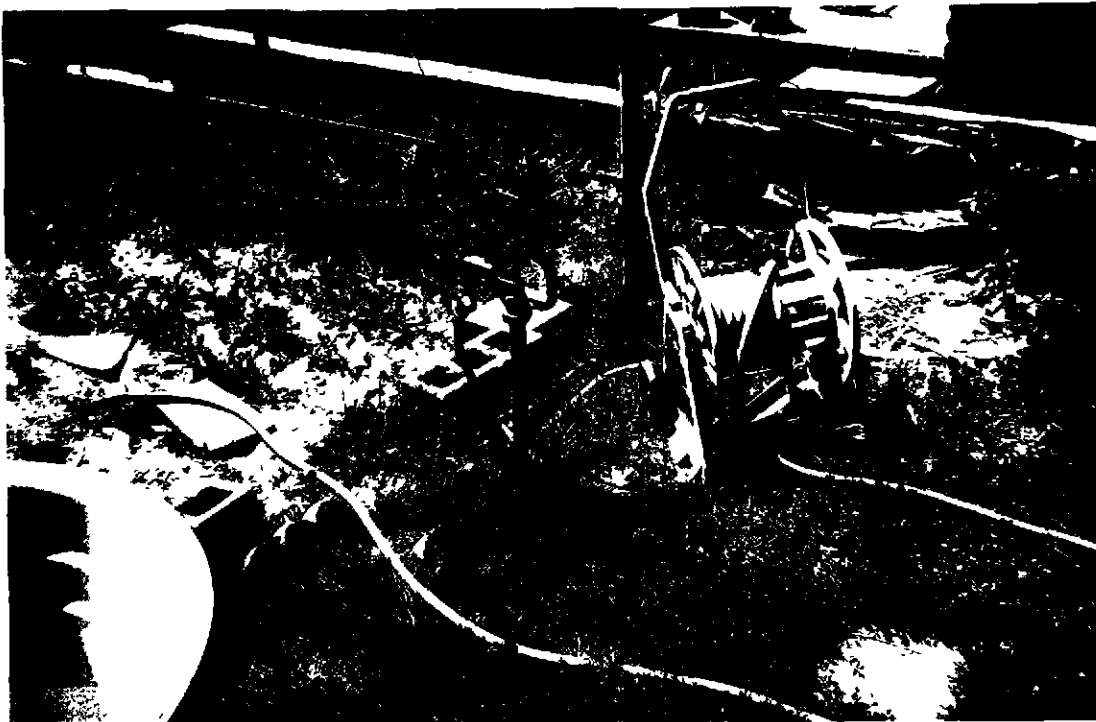
4' comp Value
Box, fore-
ground, for
upper line.

plu
House,
yard.

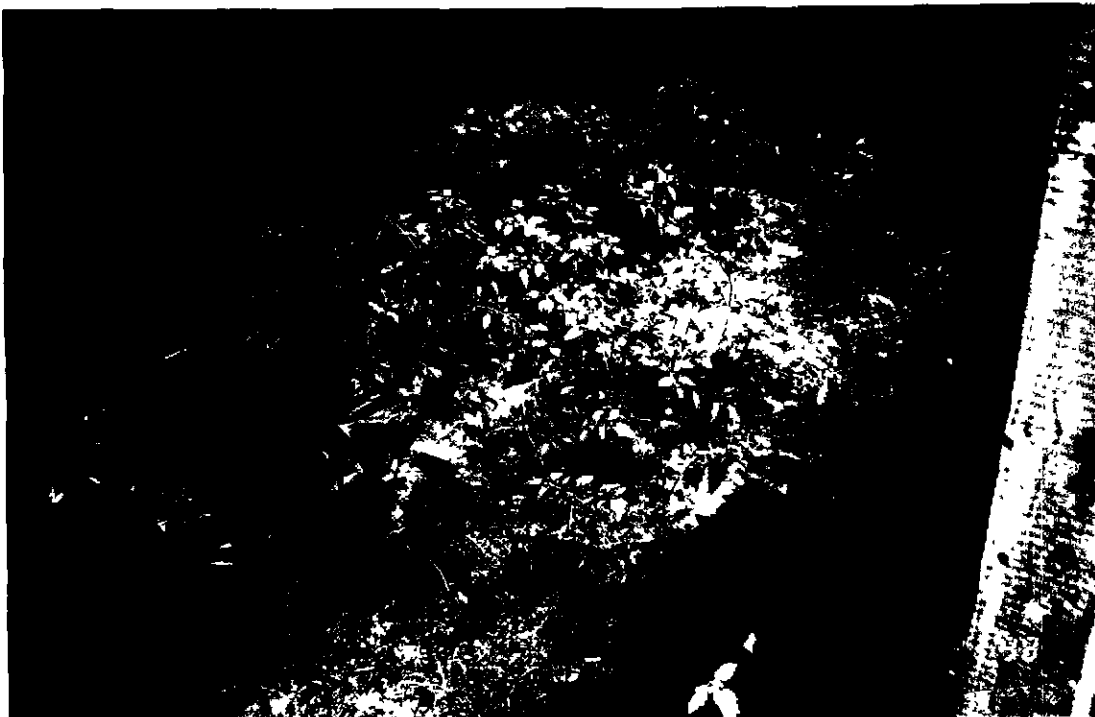
MICROFILMED
JUN 26 2000

65-13661

2 of 4



Place of
measurement
on upper
line by
house.



P/u
Greenhouse
by
House

MICROFILMED
JUN 26 2000

65-13661

3 of 4

P/u

House

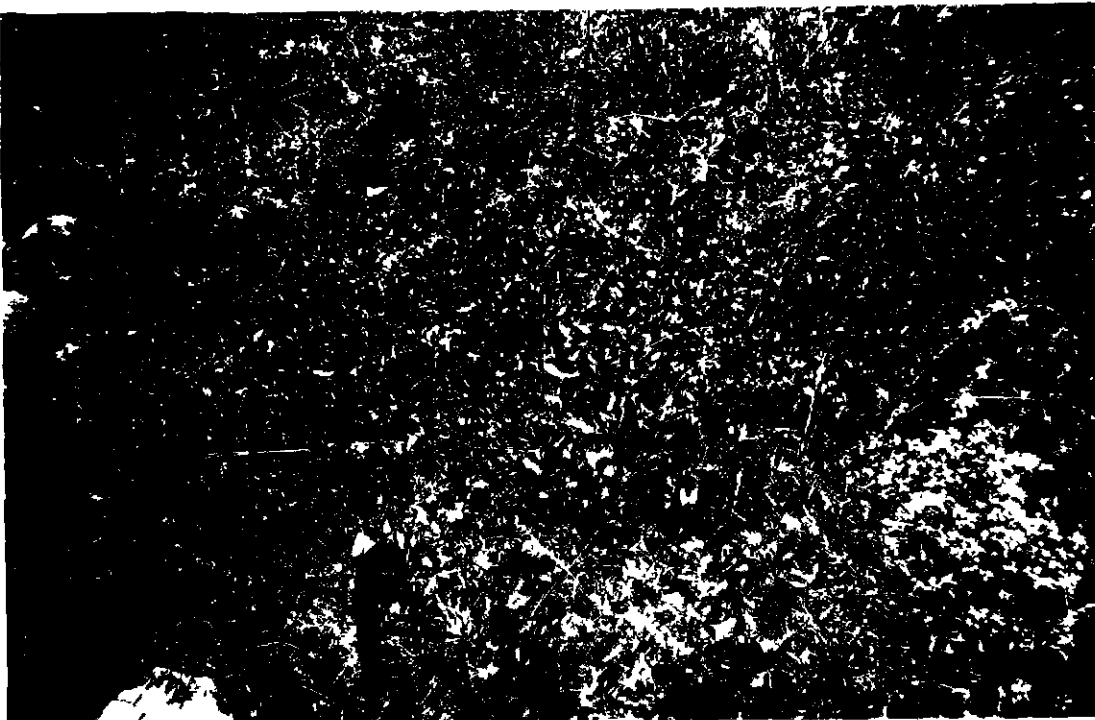
Irrigated

pasture.



P/u

Garden



MICROFILMED

APR 26 1987

65-13661

4 of 4

P/u

Irrigated
yard in
foreground.

Irrigated
pasture
in
background



P/u

Stock
Trough

The
Dog
drinks
free!



Note: This is off
lower line.

MICROFILM
JUN 25 2009

65-13661

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65 13661 Reviewed by [Signature] Date 6-27-96

GENERAL CONSIDERATIONS

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

TYPES OF USE

clam, air stock

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

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	$\begin{array}{r} \diagup \\ - \\ = \\ + \\ \diagdown \end{array}$	_____
Date proof due	_____		_____
No. of days late	_____		_____
Priority Date	_____		_____
New Priority Date	_____		_____

DEFICIENCIES OR ACTION ITEMS

*Inform of lockable device requirement.
Proof acceptable*

DATA ENTRY

New Address _____ Proof Made 6 13 96



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 28, 1996

BRUCE LUND
HC 77 BOX 3250
LOWMAN ID 83637

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-13661

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.

Please be advised that one of the conditions of your water right permit requires that the permit holder install and maintain a lockable controlling device on the diverting works(refer to condition # 4 of your permit.) This condition must be complied with before the license examination.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

AUG 09 1996



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 28, 1996

BRUCE LUND
HC 77 BOX 3250
LOWMAN ID 83637

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13661

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

1996

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

No.: 65-1366-1 Name: Lind Date: 5/24/96 Ad OK? ✓
Correct Fee? ✓ Receipt #: W020749 Priority: 4/19/96 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes Mor GWMA Trust/Non-trust
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 # 65 <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

USE:

Domestic (surface) - 021(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 - B/k <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU) USFS

OTHER CONDITIONS: -

STANDARD REMARKS: - ① w/85/1 62-100/5

BENEFICIAL USE DUE: - 6-1-1997

COMMENTS: -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: ijl DATE: 4/23/96 APPLICATION: 65-13661

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. ≥ 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

RECEIVED
MAY 23 1996

ADDITIONAL INFORMATION

Department of Water Resources

YES	NO	
☒	☐	Overlapping place of use: (Describe source & relationship to present application on the back.)
☒	☐	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)
☐	☐	Copy to Dam Safety staff: (for any storage)
☐	☐	Basin 63 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.)
☐	☐	<u>*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT</u>

DATE REQUESTED: _____

Additional information on reverse side:

PROCESSING

APPLICATION NO. 65-13661

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 and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

U.S. BLM

U.S. Forest Svc.

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:

Protests received. Final date for protest 5-20-96

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DWR

Measuring device required:

Measuring port required:

Water delivered by water master? District # Not in WM delivery area

Special conditions of approval or cover letter:

04

See below for additional information

Recommended Date or Priority 7/19/1996

Recommended by: DWR

Date 5/21/1996

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

Numerous P/A overlaps - application info indicates all on adjacent properties.

P/A overlaps: 65-2588, 2634, 12700 all common development owned by separate party. Not sure if same spring. No good map available.



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

May 2, 1996

US DEPT OF AGRICULTURE
FOREST SERVICE
324 25TH ST
OGDEN UT 84401

Re: Application for Permit No. 65-13661 in the Name of Bruce Lund

Dear Sir:

Enclosed is a copy of the above-referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by May 20, 1996.

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

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:st

Enclosure(s):

AUG 09 1996

The Idaho World

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

RECEIVED

MAY 21 1996

WATER RESOURCES
WESTERN REGION

State of Idaho >

County of Boise >

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with May 1, 1996 and ending with the issue of May 8, 1996.

Deanna Stevenson

State of Idaho >

County of Boise >

On this 20 day of May in the year 1996 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.

L. Cadotte
Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 6-25-2000

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13655

CHARTERS, JACQUELINE
13382 INITIAL POINT RD
MELBA, ID 83641

Source: UNNAMED STREAM Tributary: SINKS
Diversion Pt: NWNW Sec 34 T 09N R 04E In BOISE County.
Use: IRRIGATION (0.130 CFS)
STOCKWATER (0.020 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.190 CFS)

Date Filed: 3/19/1996

In. BOISE County
T09N R04E S34NWNW

4.5 ACRES TOTAL

System is partially completed and in use.

65-13661

LUND, BRUCE
HC 77 BOX 3250
LOWMAN, ID 83637

Source: SPRINGS Tributary: PAYETTE RIVER, SOUTH FORK
Diversion Pt: NWNENE Sec 31 T 09N R 08E In BOISE County

Use: IRRIGATION (0.100 CFS)
STOCKWATER (0.020 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.160 CFS)

Date Filed: 4/19/1996

In. BOISE County
T09N R08E S31 Lot 4 (SWNE) Lot 3 (SENE)

5.0 ACRES TOTAL

65-13662

HORSESHOE BEND HYDROELECTRIC CO
PO BOX 2797
BOISE, ID 83701

Source: GROUNDWATER
Diversion Pt: LOT 5 (SWNE) Sec 32 T 07N R 02E In BOISE County.
Use: COOLING (0.050 CFS)
Total Diversion: (0.050 CFS)

Date Filed: 4/12/1996

In. BOISE County
T07N R02E S32 Lot 5 SWNE

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 MAY 20, 1996. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Idaho World May 1 and 8, 1996.

MAY 21 1996

Copy of a letter to
F.S. for your files
Ident # 65-13661
another # on app.
form was W020749 ?
filed on 4/19/96

4/22/96

Walt Rogers, Ranger
U S D A Forest Service
Lowman Ranger District
Lowman, Idaho
83637

thanks
Bruce A. Lund

Walt,

Enclosed please find my application to the State of Idaho for water rights. This water is diverted on Forest land and travels through a pipeline that also crosses Forest property. Although there is presently a special use permit for this diversion and pipeline, these documents are not in my name and were originally applied for the purpose of generating power. As you can see I'm applying to the State for water rights for domestic, irrigation, and stockwater. This letter is to address issues concerning the current use permit and to apply for a totally separate permit that would be issued to me.

I own two adjoining parcels in Lowman that said pipeline runs through. When I purchased each of these parcels I was guaranteed rights to this water and ownership of the pipeline in the amount of one third per parcel. Due to technicalities in the sale agreements with the former owner the actual water rights were attached to a third parcel not owned by me. This third parcel has now been owned by two different parties since the time I originally purchased my property. I have repeatedly tried to work with these owners to enter into some kind of agreement to protect the rights I was granted.

I have been using this water and maintained the water system for domestic and irrigation since I purchased my property in 1978. I have solely maintained this system since at least 1985.

Since I have not been able to enter into any agreements with the other owners, and the original purpose of the existing permit was power generation, (which has not occurred for at least ten years), I am petitioning you to grant me a new permit. The folks at the I D W R have also indicated that the water rights for power generation are null and voided if no power has been generated for five years and would have to be reapplied for if the power plant was put back into operation.

With these facts in mind your consideration of this matter will be greatly appreciated.

Thank You,
Bruce A. Lund

c.c. Idaho Dept. Water Resources
Richard K. Linville, Atty

AUG 09 1996

RECEIVED

APR 23 1996

WATER RESOURCES
WESTERN REGION

65-13661

LUND, BRUCE
HC 77 BOX 3250
LOWMAN, ID 83637

Source: SPRINGS

Tributary: PAYETTE RIVER, SOUTH FORK

Diversion Pt: NWNENE Sec 31 T 09N R 08E in BOISE County.

Use: IRRIGATION	(	0.100 CFS)
STOCKWATER	(	0.020 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.160 CFS)

Date Filed: 4/19/1996

In: BOISE County
T09N R08E S31 Lot 4(SWNE) Lot. 3(SENW)

5.0 ACRES TOTAL