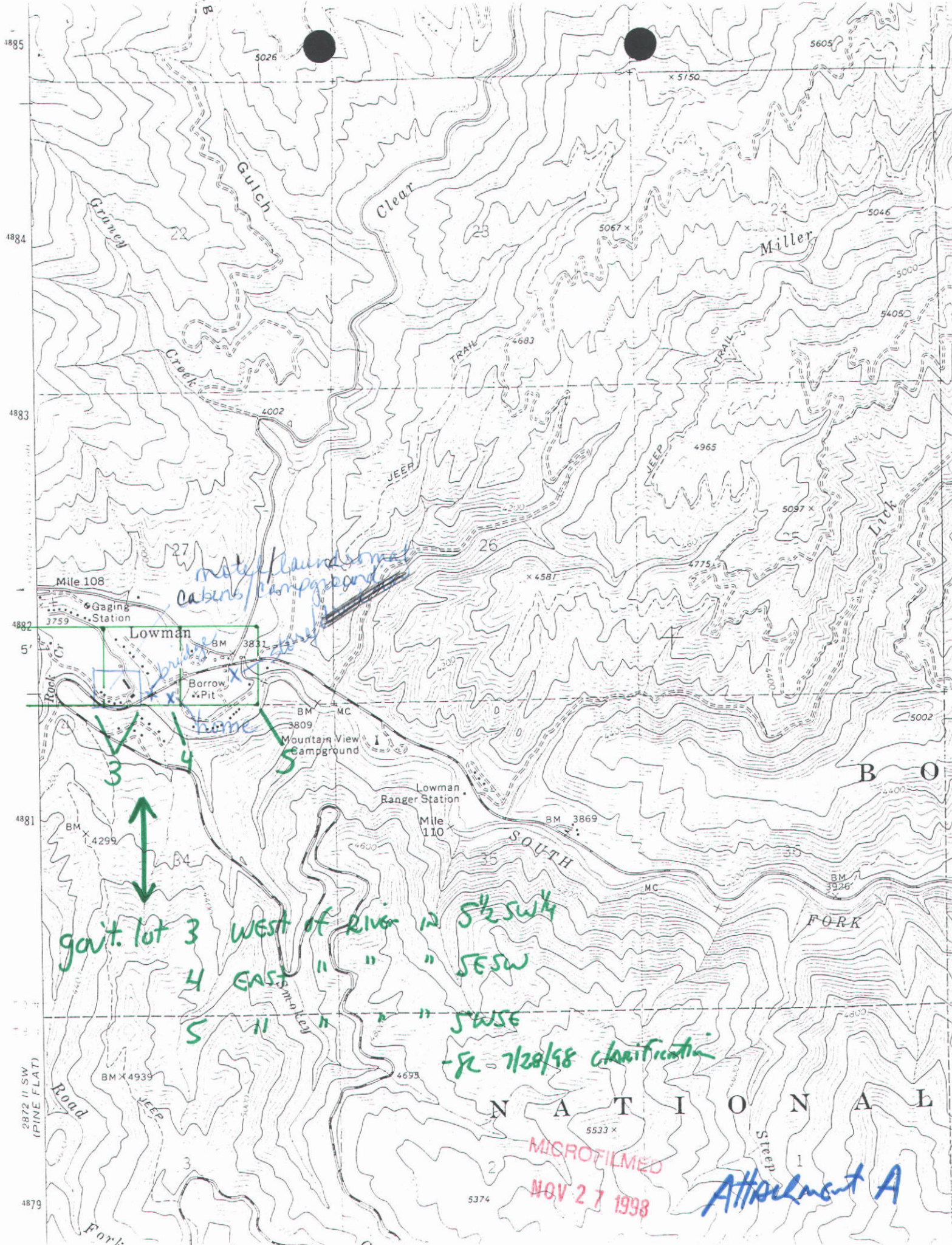
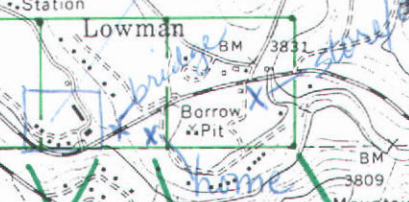




not a landmark  
cabins/campground



gov't. lot 3 west of river in S<sup>1</sup>/<sub>2</sub> SW  
lot 4 east " " " SESW  
lot 5 " " " " SWSE

- 7/28/98 clarification

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NOV 27 1998

Attachment A

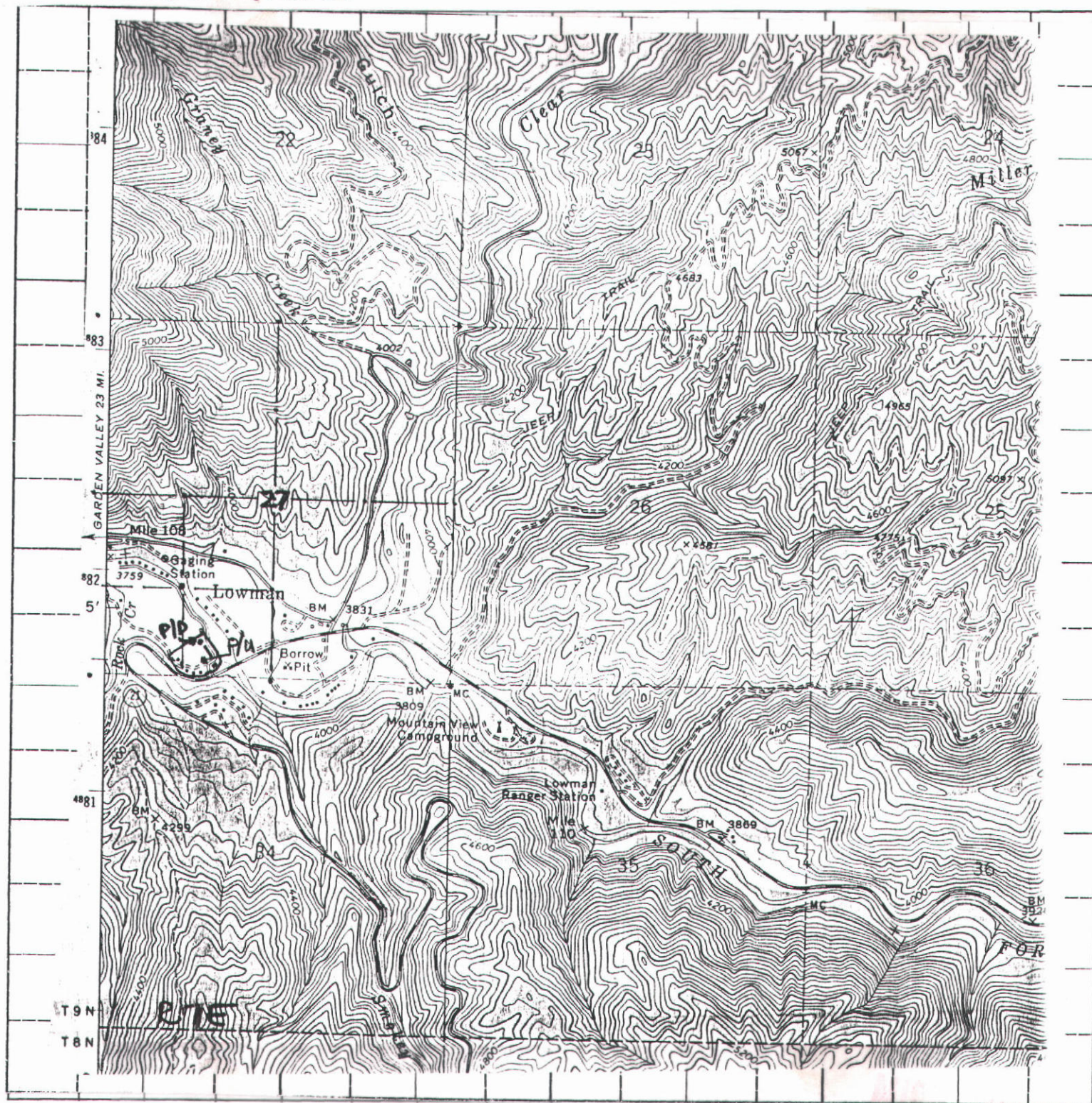
| Contract | Amount of Survey<br>M. Ch. 178 | When Surveyed        | Mean Declination |
|----------|--------------------------------|----------------------|------------------|
| 419.1906 | 17 23 22                       | July 16-Sept 5, 1906 |                  |

The above Map of Township 139 G  
 For 1898

Scale in chains to

State to change to

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

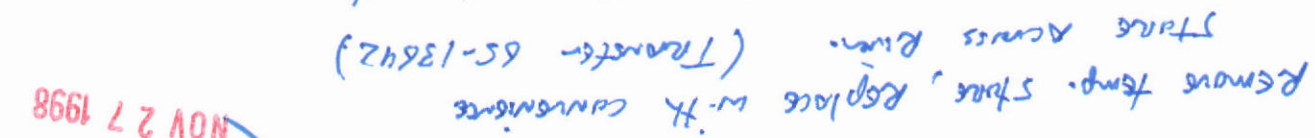
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

*Robert P. Downey*  
(Applicant)

DEC 01 1995

↓

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Re: old new restaurant @ site of temp. store to  
 restore the South Fork bridge operation. (App. 65-13748).

Well will save money  
Well drilled under w.o. 65-95-C-0327-000 (\$200 paid).

not appear that future work  
is new present will be needed - mid-air use, it non-combat

SRSA N/A. Appears with filings can be approved.

# The Idaho World

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

RECEIVED

AUG 26 1998

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 Aug 5, 1998 and ending with the issue of Aug 12, 1998.

Deanna Stevenson

State of Idaho )  
 )  
County of Boise )

On this 20 day of August in the year 1998, before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Diane E. Caughlin

Notary Public for Idaho  
Residing at Garden Valley, Idaho

My commission expires 6/26/2001

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT, TRANSFER NO. 5310

Notice is given that ROBERT & EDITH DOWNEY OF HC 77 Box 3300C, Lowman ID 83637 have applied to the Department of Water Resources to change the Place of Use pursuant to I.C. § 42-222 for the following right in Boise County (all sites are in T9N R7E S27):

**License #65-13642**, priority 9-28-1995, .07 cfs from ground water diverted in the SESW and used in SWSW & SESW for commercial and domestic uses (motel, cabins, temporary store etc.) around site of the old South Fork Lodge.

PROPOSED CHANGE

Change location of store (now housed in trailer) from SESW to a new convenience store to be located across the river in SWSE. The well for this right is also proposed for a new restaurant in Application for Permit #65-13798 (to more or less replace the old South Fork Lodge).

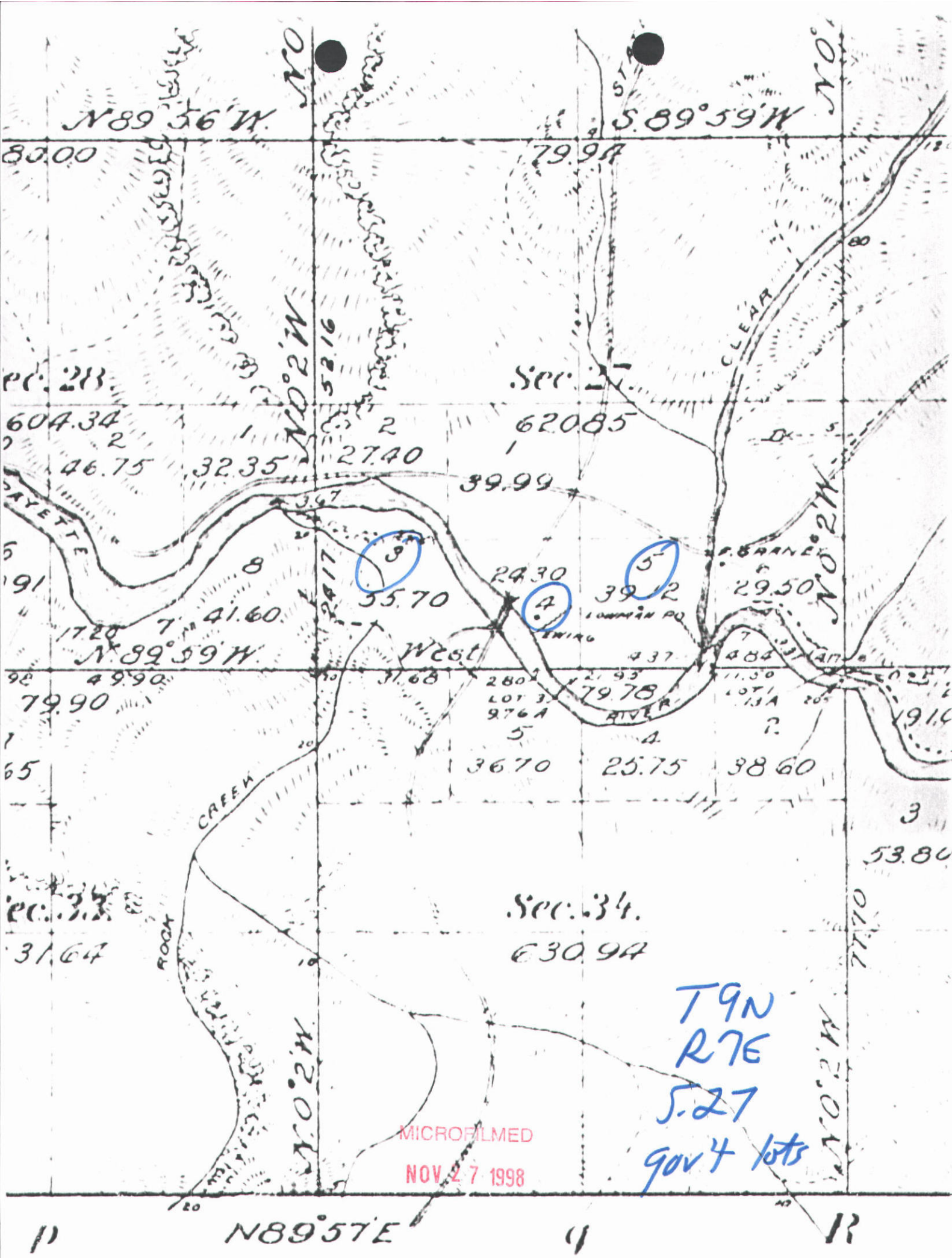
Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before August 24, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

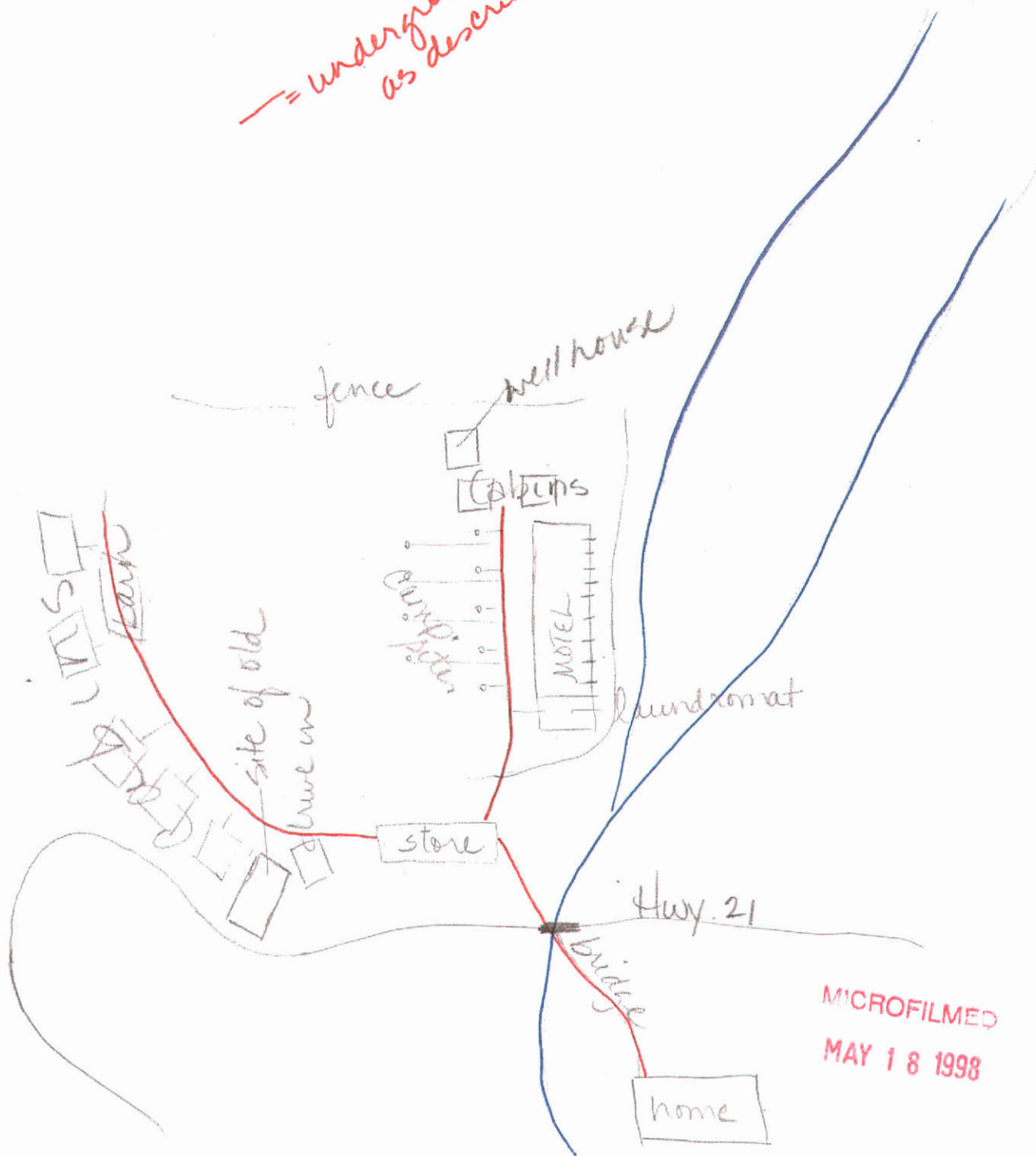
**Published in The Idaho World August 5 and 12, 1998**

MICROFILMED

NOV 27 1998



*= underground pipeline  
as described by rt holder*



MICROFILMED  
MAY 18 1998

4883

4882

5'

Mile 108

Gaging  
Station

Lowman

Borrow  
Pit

4002

27

4000

3759

3831

MICROFILMED  
MAY 18 1998

Rock  
Cr

orig  
\*site of  
home (trailer)

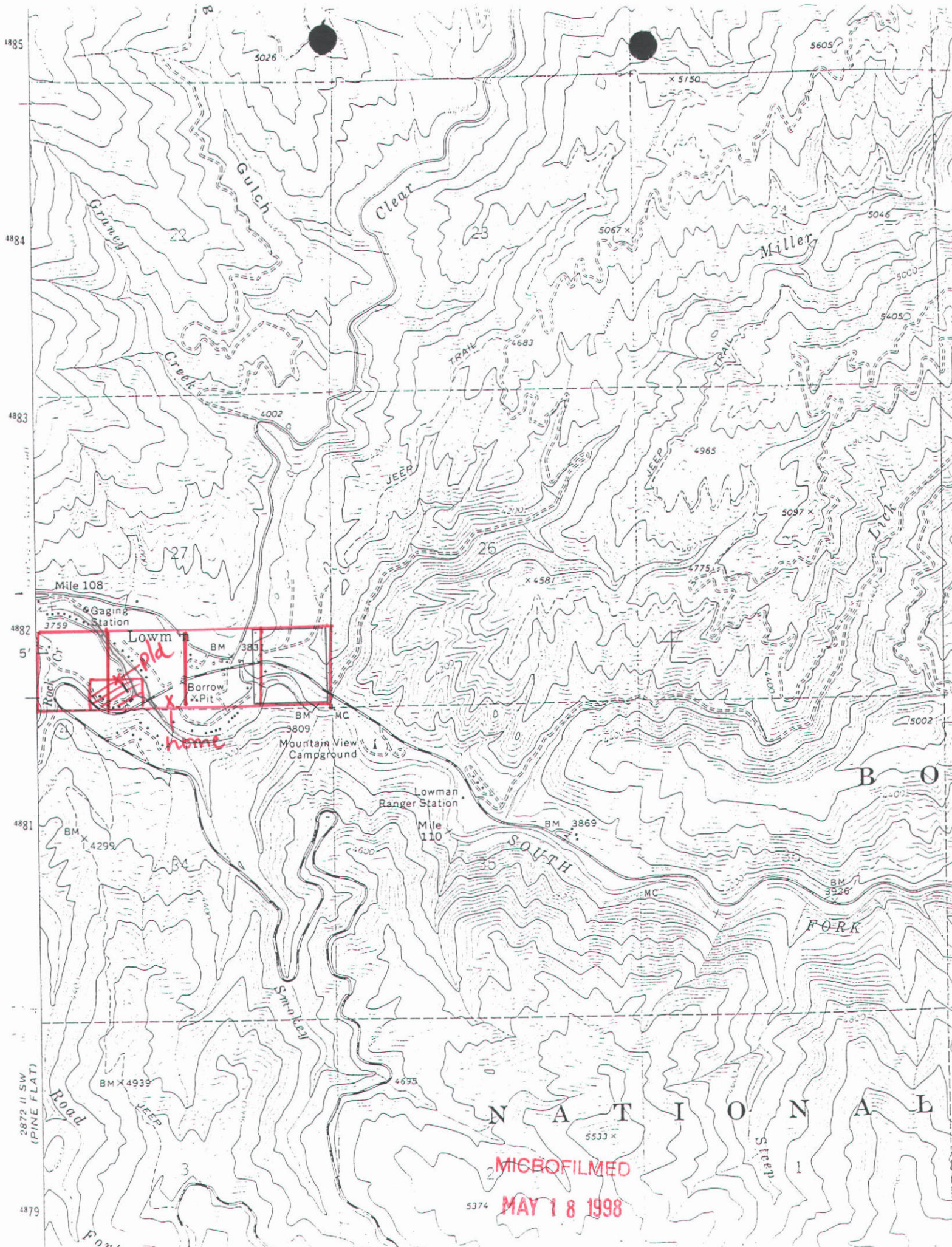
motel + laundry  
lodge  
(burnt  
1994)

site of new  
home

Cabins

\*\* new app to be filed to cover  
lodge when its re-built  
(construction trailers)

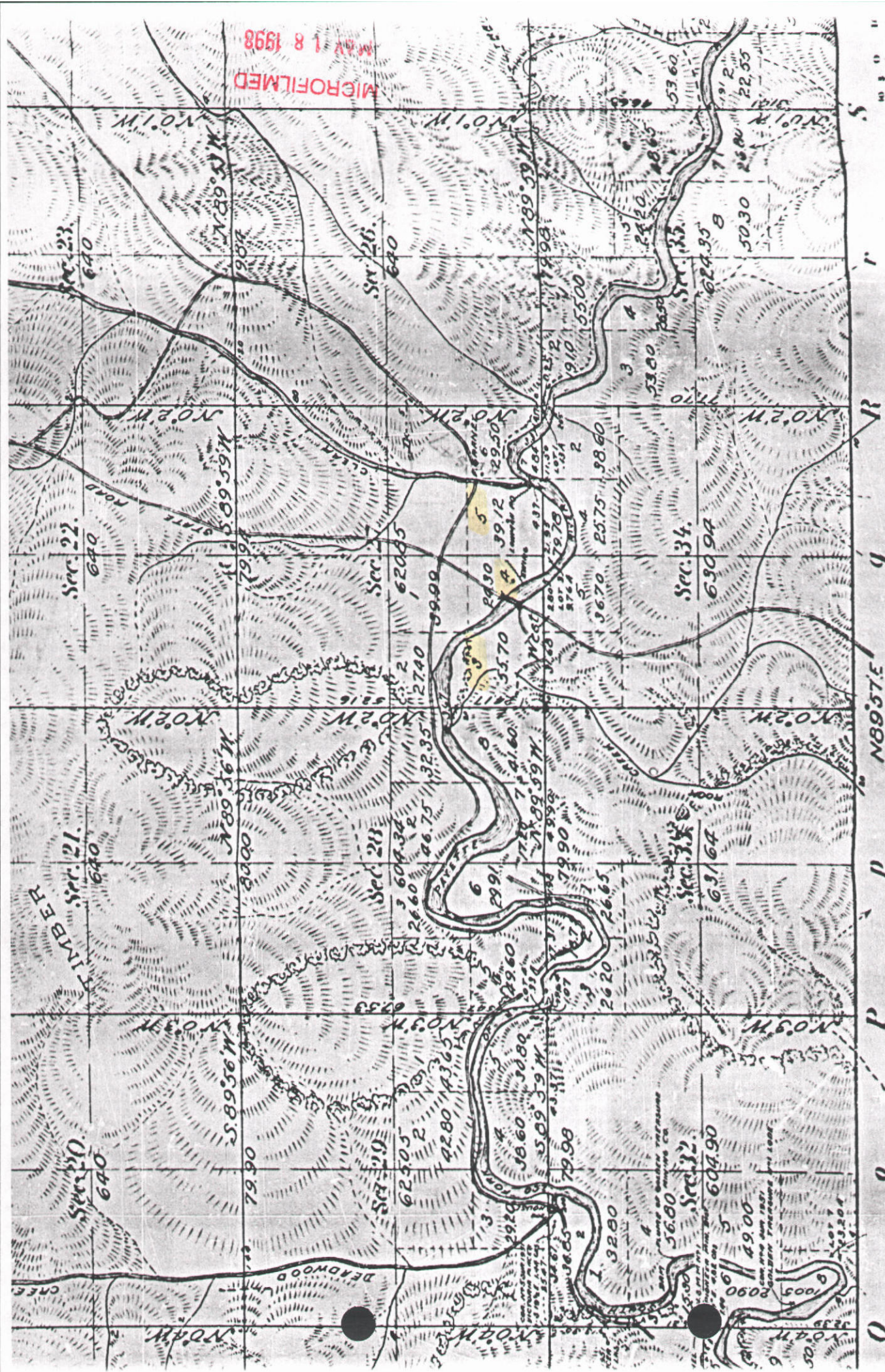
\* domestic dwelling replaced & moved across  
river (fall of 1997) transfer app. filed to change plan of snack food store -



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MAY 18 1998

2872 II SW  
(PINE FLAT)



MICROFILMED  
MAR 18 1998

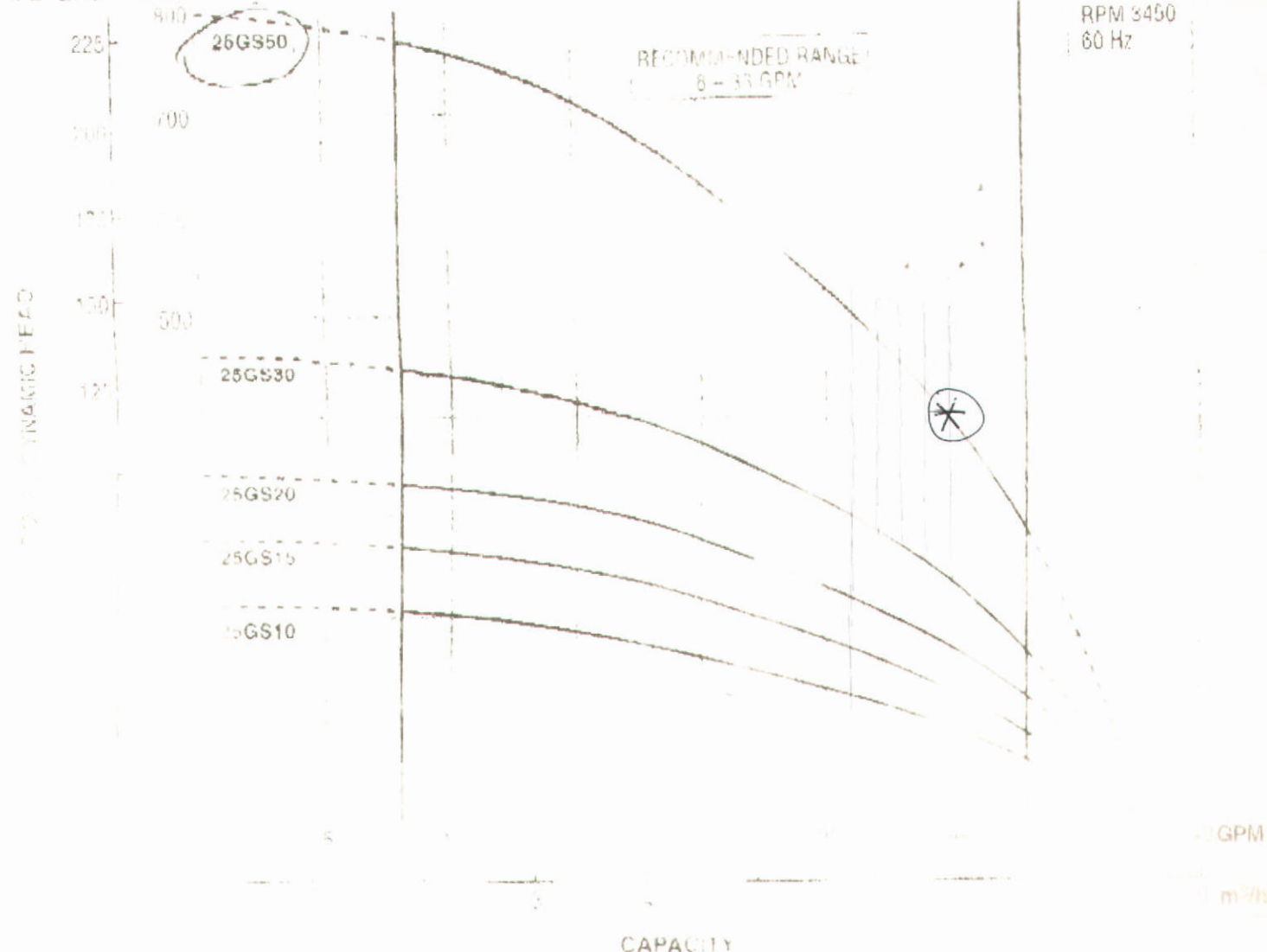
Public Land 21323.03 A Total number of Acres 2148647

| No. | Date of Contract   | Amount of Surveys |     |     | When Surveyed        | Near Declaration |
|-----|--------------------|-------------------|-----|-----|----------------------|------------------|
|     |                    | N.                | Ch. | 1/2 |                      |                  |
| 4   | 27/ March 19, 1906 | 17                | 23  | 22  | July 16-Sept 5, 1906 |                  |

The above Map of Towns  
Boise  
notes of the survey thereon

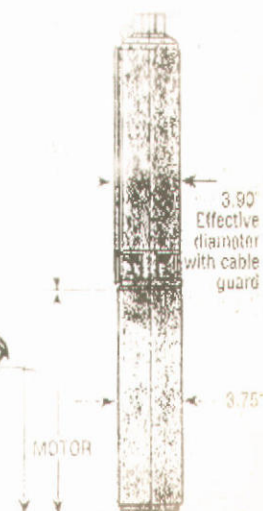
# 25GS

MEETERS FEET



## DIMENSIONS AND WEIGHTS

| Model     | HP    | Phase | S | Length (inches) |       |         | Weight (lb) |       |         |
|-----------|-------|-------|---|-----------------|-------|---------|-------------|-------|---------|
|           |       |       |   | W F 2           | Motor | L O A 3 | W F         | Motor | L O A 3 |
| 25GS1012  | 1/2   | 1     |   | 12.1            | 11.8  | 24.5    | 6           | 8     | 24.5    |
| 25GS15132 | 3/4   | 1     |   | 14.6            | 13.6  | 29.1    | 8           | 10    | 29.1    |
| 25GS2014  | 1     | 1     |   | 14.6            | 15.1  | 28.7    | 8           | 10    | 28.7    |
| 25GS3015  | 1 1/2 | 3     |   | 14.6            | 11.8  | 26.4    | 8           | 10    | 26.4    |
| 25GS4016  | 2     | 1     |   | 16.5            | 15.1  | 31.8    | 9           | 11    | 31.8    |
| 25GS5017  | 3     | 1     |   | 16.5            | 13.6  | 30      | 9           | 11    | 30      |
| 25GS6018  | 3     | 3     |   | 20.2            | 23.5  | 43      | 11          | 13    | 43      |
| 25GS7019  | 5     | 3     |   | 20.2            | 20.6  | 40      | 11          | 13    | 40      |
| 25GS8020  | 7 1/2 | 3     |   | 23.8            | 29.5  | 61      | 13          | 15    | 61      |
| 25GS9021  | 10    | 3     |   | 23.8            | 23.6  | 55.4    | 13          | 15    | 55.4    |



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MAY 18 1998



119 gallon pressure tank

3" pvc piping



4" pipe

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5 cabins +  
equip bldg



9  
- camp sites  
(water/sewer  
hook-ups)

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MAY 18 1998



2 Cabins

well house  
behind trees & cabins

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MAY 18 1998

drive-in



convenience  
store  
(snack-food  
shop)



motel  
w/ laundromat  
on end

MICROFILMED  
MAY 18 1998

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 5310  
WATER RIGHT NO. 65-13642

This is to certify that: **EDITH DOWNEY**  
**ROBERT DOWNEY**  
**HC 77 HWY 21 BOX 3300C**  
**LOWMAN ID 83637**

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| COMMERCIAL            | 01/01 to 12/31       | 0.07 CFS              | 3.3 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS              | 1.2 AF               |
|                       | Totals               | 0.07 CFS              | 4.5 AF               |

SOURCE  
GROUNDWATER

Priority: 09/28/1995

LOCATION OF POINT(S) OF DIVERSION: Lot 3( SESW), Sec. 27, Township 09N, Range 07E  
BOISE County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09N 07E 27 Lot 3(SWSW) Lot 4(SESW) Lot 5(SWSE)

PLACE OF USE: DOMESTIC

TWN RGE SEC

09N 07E 27 Lot 4(SESW)

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

MICROFILMED

NOV 27 1998

TRANSFER NO. 5310  
WATER RIGHT NO. 65-13642

CONDITIONS OF APPROVAL AND REMARKS

3. Commercial use is for a 9 unit motel, 7 cabins, a 9 unit campground, a drive-in restaurant, a store, and a laundromat.
4. Domestic use is for 1 home.

Dated this 9<sup>th</sup> day of November, 1998.

  
Chief, Water Allocation Bureau

RECORDED  
DEC 21 1998

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APR 21 1998

Page 1 of 6

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGION

Transfer No. 5310

RECEIVED

NOV 04 1998

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Name of applicant

Robert & Edith Downey

Phone

259-3350 (business)  
259-3351 (home)

Post Office address

HC 77 Box 3300C 7236 Hwy 21 Lowman Id 83637

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2 Describe the reason for the proposed changes Convenience store being moved  
across the river

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

| 1. Right Number | Priority       | Amount<br>(cfs/ac-ft) | Nature<br>of Use  | Period of Use              |
|-----------------|----------------|-----------------------|-------------------|----------------------------|
| <u>65-13642</u> | <u>9/28/95</u> | <u>.07</u>            | <u>Commercial</u> | <u>1/1</u> to <u>12/31</u> |
|                 |                | <u>.04</u>            | <u>Domestic</u>   | <u>1/1</u> to <u>12/31</u> |
|                 |                |                       |                   | to _____                   |
|                 |                |                       |                   | to _____                   |

2. Total amount of water being transferred .07 cubic feet per second and/or 4.5 acre-feet per annum.

3 Source of water Groundwater tributary to \_\_\_\_\_

4. Point(s) of Diversion:

| Lot      | 1/4 | 1/4       | 1/4       | Sec.      | Twp.      | Rge.      | County       | Local name for diversion |
|----------|-----|-----------|-----------|-----------|-----------|-----------|--------------|--------------------------|
| <u>3</u> |     | <u>SE</u> | <u>SW</u> | <u>27</u> | <u>9N</u> | <u>7E</u> | <u>Boise</u> |                          |
|          |     |           |           |           |           |           |              |                          |
|          |     |           |           |           |           |           |              |                          |
|          |     |           |           |           |           |           |              |                          |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 9N   | 7E   | 27   |        |        |        |        |        |        |        |        |        |        | C      | C/D    |        |        | C      |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        | Lot 3  | Lot 4  |        |        | Lot 5  |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
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MODIFIED  
MAY 21 1998

Total acres \_\_\_\_\_

**PART 1**

**6. General Information:**

a Description of diversion system well, pump and pipeline

b Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes \_\_\_\_\_ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer  
N/A

d. Remarks:

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_

And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

*[Handwritten signature and date stamp]*

WR5809NP  
No. 65-13642

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 07/28/98  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | ROBERT DOWNEY          | 09/28/1995       | COMMERCIAL | 01/01 12/31           | 0.070 CFS         | 3.30 AFA            |
| C             | EDITH DOWNEY           |                  | DOMESTIC   | 01/01 12/31           | 0.040 CFS         | 1.20 AFA            |
|               | HC 77 HWY 21 BOX 3300C |                  |            |                       |                   |                     |
|               | LOWMAN ID 83637        |                  |            |                       |                   |                     |
|               | (208) 359-3350         |                  |            |                       |                   |                     |
|               |                        |                  |            | TOTAL DIVERSION:      | 0.070 CFS         | 4.50 AFA            |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.070 CFS

Point(s) of Diversion: T09N R07E S27 Lot 03( SESW)

BOISE County

Place of use Legal Description for: COMMERCIAL

| NE  |     |    |   | NW |    |    |    | SW |    |    |    | SE   |      |    |    |    |    |
|-----|-----|----|---|----|----|----|----|----|----|----|----|------|------|----|----|----|----|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt   | Ac   | Lt | Ac | Lt | Ac |
| 09N | 07E | 27 | : |    |    |    |    |    |    |    |    | 03-C | 03-C |    |    |    |    |

Place of use Legal Description for: DOMESTIC

|     |     |    |   |  |  |  |  |  |  |  |  |      |  |  |  |  |  |
|-----|-----|----|---|--|--|--|--|--|--|--|--|------|--|--|--|--|--|
| 09N | 07E | 27 | : |  |  |  |  |  |  |  |  | 04-D |  |  |  |  |  |
|-----|-----|----|---|--|--|--|--|--|--|--|--|------|--|--|--|--|--|

Pou County: BOISE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

|           |           |          |          |          |          |          |          |          |          |
|-----------|-----------|----------|----------|----------|----------|----------|----------|----------|----------|
| 65-02571A | 65-02571X | 65-07655 | 65-10308 | 65-10343 | 65-10523 | 65-10594 | 65-10621 | 65-10644 | 65-10657 |
| 65-10777  | 65-11080  |          |          |          |          |          |          |          |          |

Other Water Rights Listing Overlapping Place(s) of use:

|           |           |           |          |
|-----------|-----------|-----------|----------|
| 65-02428X | 65-02571A | 65-02571X | 65-12728 |
|-----------|-----------|-----------|----------|

Remarks: GEN Commercial use is for a 9 unit motel, 7 cabins, a 9 unit  
campground, a drive-in restaurant, a store and a laundromat.  
Domestic use is for 1 home.

*replace existing one w/ new one across  
River.*

|        |                 |            |                    |            |                           |
|--------|-----------------|------------|--------------------|------------|---------------------------|
| Dates: | App. Received:  | 09/05/1995 | Priority Date:     | 09/28/1995 | (Priority Date Advanced.) |
|        | Proof Due Date: | 12/01/1997 | Proof Made Date:   | 12/24/1997 | (Proof Received Late.)    |
|        | Exam Made Date: | 04/09/1998 | Exam Sent to S.O.: | 04/10/1998 |                           |
|        | Licensed Date:  | 04/10/1998 |                    |            |                           |

*-SL 7/28/98  
classification*

Misc: Water District Number: Field Exam Fee: R (Received)

|        |                   |                   |                   |                   |
|--------|-------------------|-------------------|-------------------|-------------------|
| Audit: | 09/18/95 SLESTER  | 09/25/95 SCURTIS  | 11/01/95 CZIMMERM | 11/16/95 CZIMMERM |
|        | 12/22/97 COMMENTS | 12/29/97 COMMENTS | 02/24/98 JYARBROU | 04/07/98 SCURTIS  |
|        | 04/08/98 SCURTIS  | 04/10/98 CZIMMERM | 04/10/98 SCURTIS  | 04/10/98 CZIMMERM |
|        | 04/13/98 SCURTIS  |                   |                   |                   |

*MICROFILMED  
PG 27 1998*

*PS 3 of 6*

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water \_\_\_\_\_ tributary to \_\_\_\_\_

4. Date or priority \_\_\_\_\_

5. Water is used for the following purpose:

amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above \_\_\_\_\_

- 10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
 \_\_\_\_\_ If yes, describe N/A due to how young this right is; license 1998

- fl 7/28/98  
 Christian

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

## 2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 3. Lands irrigated or place of use

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

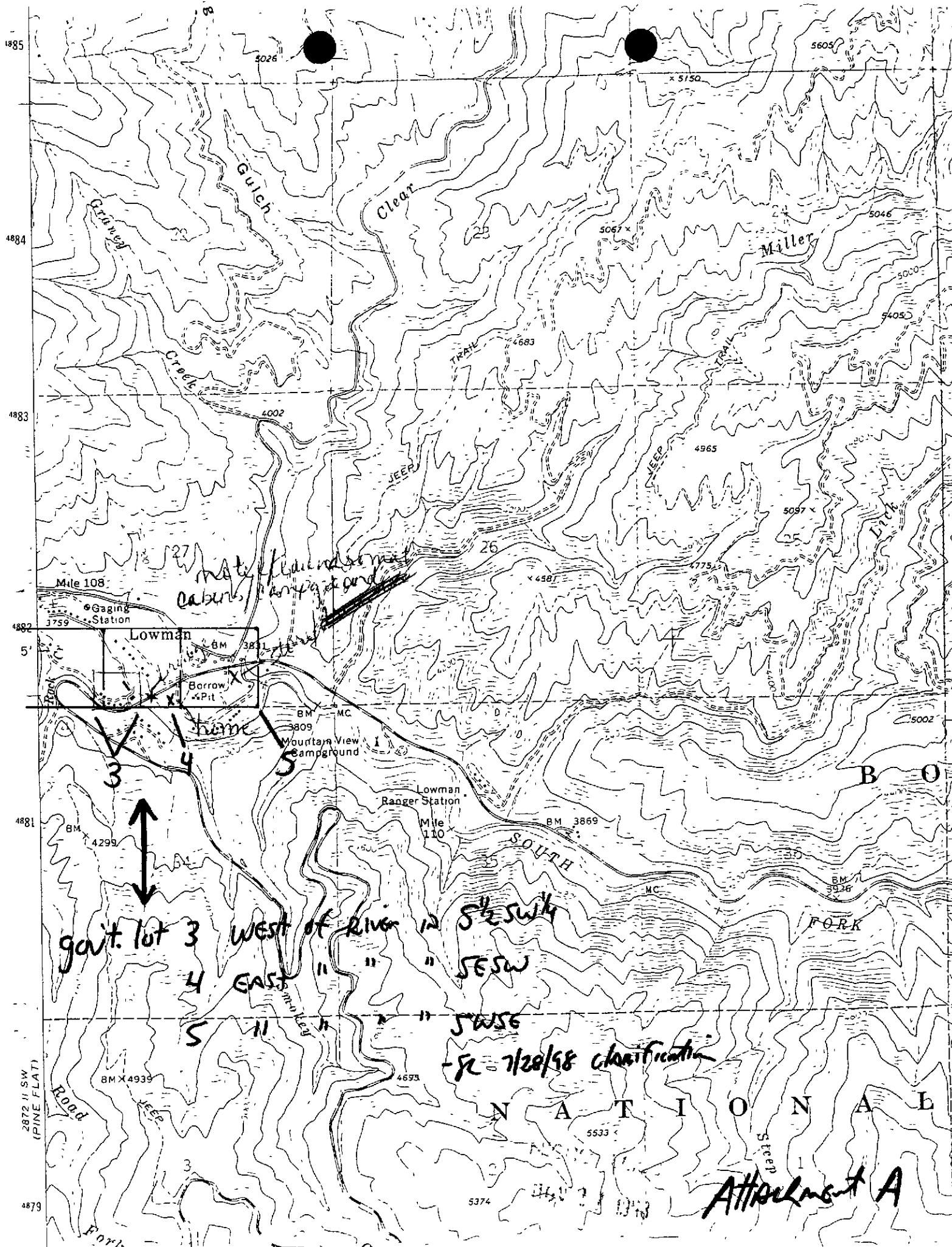
## 2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 3. Lands irrigated or place of use:

| Twp | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|-----|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|     |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|     |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_



Attachment A

09N 07E 27

• Lowman

well location  
c040916a

• c040916c proposed  
site of store after move

c040916b  
old lodge site  
location of store now

65-13642-49/98

65-13642-49/98

Attachment  
B

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See attached topo map  
(Attachments A+B)

### PART 3

#### B. CHANGES IN NATURE OF USE

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use  |
|---|-------------------|-----------------------|-----------------|----------------|
|   | _____             | _____                 | _____           | _____ to _____ |
|   | _____             | _____                 | _____           | _____ to _____ |

2. Quantity and quality of return flows and location of discharge:

\_\_\_\_\_

\_\_\_\_\_

3 Describe effects on other water uses resulting from the proposed change.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

X Robert P. Dancy  
(Signature of Applicant)

Subscribed and sworn to before me this 9th day of April, 19 98.

Shirley B. Curtis  
(Notary Public)

My commission expires 10-6-2006

#### FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by SC Date 4/9/98 Protest filed by \_\_\_\_\_

Prelim. check by SC Fee \$1000

Receipted by Ketring Date 4/9/98 # 0042221

Published in Ed World Copies of protest forwarded by \_\_\_\_\_

Pub. dates 8-5-12-1998 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO.      65-13642

Priority: September 28, 1995      Maximum Diversion Rate:      0.07 CFS  
Maximum Diversion Volume:      4.5 AF

This is to certify, that ROBERT DOWNEY  
EDITH DOWNEY

HC 77 HWY 21 BOX 3300C  
LOWMAN ID 83637

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 5, 1995; and has submitted Proof of Beneficial Use on December 24, 1997. An examination indicates that the works have a diversion capacity of 0.070 cfs of water from a **GROUNDWATER** 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> |
|-----------------------|----------------------|--------------------------|----------------------|
| COMMERCIAL            | 01/01 to 12/31       | 0.07 CFS                 | 3.3 AF               |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 | 1.2 AF               |
|                       | Totals               | 0.07 CFS                 | 4.5 AF               |

LOCATION OF POINT(S) OF DIVERSION: Lot 3( SESW), Sec. 27, Township 09N, Range 07E  
BOISE County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09N 07E 27      Lot 3(SWSW)      Lot 3(ESW)

PLACE OF USE: DOMESTIC

TWN RGE SEC

09N 07E 27      Lot 4(ESW)

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Commercial use is for a 9 unit motel, 7 cabins, a 9 unit campground, a drive-in restaurant, a store, and a laundromat.

MICROFILMED

SEP 16 1998

State of Idaho  
Department of Water Resources

# Water Right License

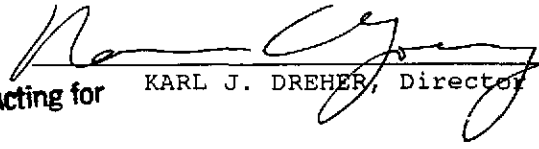
WATER RIGHT NO. 65-13642

CONDITIONS OF APPROVAL AND REMARKS

6. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 10<sup>TH</sup>  
day of APRIL, 1992.

Acting for

  
KARL J. DREHER, Director

MICROFILMED

MAY 10 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

|                                      |   |               |
|--------------------------------------|---|---------------|
| IN THE MATTER OF PERMIT NO. 65-13642 | ) | ORDER OF      |
|                                      | ) |               |
| IN THE NAME OF ROBERT & EDITH DOWNEY | ) | REINSTATEMENT |
|                                      | ) |               |

---

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before December 1, 1997; and,

WHEREAS, the Department notified the permit holder on September 30, 1997, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

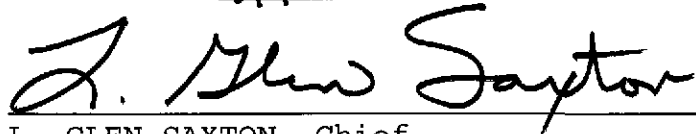
WHEREAS, the department lapsed the permit on December 22, 1997, since an acceptable proof of beneficial use or extension of time request had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on December 24, 1997;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-13642 is **REINSTATED** with an advance in priority to **September 28, 1995**.

DATED this 24<sup>th</sup> day of February, 1998.



L. GLEN SAXTON, Chief  
Water Allocation Bureau

FEB 18 1998

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 24 1997

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. 65-13642 Telephone No. 259-3350

2. Name(s) of Permit Holder(s): Robert Downey

3. Mailing Address: South Fork Lodge HC-77 Box 3300C Lewman ID 83637

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

a. Well Driller: S.O.S Drilling Permit Number \_\_\_\_ - \_\_\_\_ - \_\_\_\_

b. OPTIONAL:  
Pump Horsepower: 5 Pressure (psi): 50 Dynamic pumping level (ft): 3450 Pst. Artesian

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: Motel - 9 units 7 cabins

6. Total rate of diversion and/or volume for which proof is submitted: \_\_\_\_ 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 X

Has the measuring device been installed? Yes \_\_\_\_ or No X

Flow Measurement Port: Is a flow measurement port required? Yes \_\_\_\_ or No X

Has the measurement port been installed? Yes \_\_\_\_ or No X

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: Robert Downey Telephone Number: 259-3350

Address: HC-77 Box 3300C Lewman, 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: Robert Downey owner Date: 11-1-97  
(include your title, if on behalf of company or organization)

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

NO. 65-13642

Proposed Priority: September 5, 1995      Maximum Diversion Rate: 0.20 CFS

This is to certify, that ROBERT DOWNEY

EDITH DOWNEY

HC 77 HWY 21 BOX 3300C

LOWMAN ID 83637

has applied for a permit to appropriate water from: GROUNDWATER

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> |
|-----------------------|----------------------|--------------------------|
| COMMERCIAL            | 01/01 to 12/31       | 0.16 CFS                 |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS                 |
|                       | Totals               | 0.20 CFS                 |

LOCATION OF POINT(S) OF DIVERSION: Lot 3( SESW), Sec. 27, Township 09N, Range 07E  
BOISE County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09N 07E 27      Lot 3(SWSW)      Lot 3(SESW)

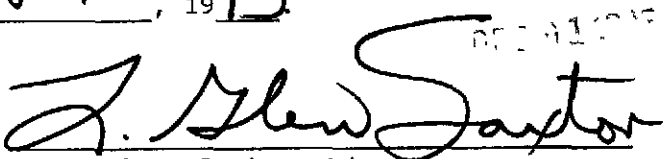
PLACE OF USE: DOMESTIC, same as COMMERCIAL use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1997.
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. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Construction of the well must comply with Idaho well construction standards.
6. Commercial use is for South Fork Lodge, 9 unit motel, 8 cabins, 40 unit campground, restaurant and laundromat.
7. Domestic use is for 1 home.

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

17<sup>th</sup> day of November, 1995

for   
Karl J. Dreher, Director

RECEIVED

NOV 15 1995

Ident. No. 65-13642

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: ROBERT DOWNEY 208-359-3350  
Address: HC 77 HWY 21 BOX 3300C  
LOWMAN ID 83637  
AND/OR  
Name: EDITH DOWNEY 208-359-3350  
Address: HC 77 HWY 21 BOX 3300C  
LOWMAN ID 83637

2. Source: GROUNDWATER Trib. to:  
3. Location of Point of Diversion: Lot 3 (SESW), Sec. 27, Township 09N, Range 07E  
BOISE County

4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| COMMERCIAL | 01/01 | 12/31 | 0.160 |      |    |
| DOMESTIC   | 01/01 | 12/31 | 0.040 |      |    |

5. Total quantity to be appropriated is:  
0.200 CFS (and/or) AF

6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.  
DRILLED WELL, PUMP & PIPELINES
  - 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.
  - Proposed well diameter is 8 inches; proposed depth of well is 150  
feet.
  - Is groundwater with a temperature greater than 85F being sought? NO
  - 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).

NOV 01 1995

8. Place of Use: COMMERCIAL

TWN RGE SEC

09N 07E 27 Lot 3(SWSW) Lot 3(SESW)

Place of Use: DOMESTIC, same as COMMERCIAL 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:

Commercial use is for South Fork Lodge and associated 9 unit  
motel, 8 cabins, 40 unit campground, restaurant and laundromat.  
Domestic use is for 1 home and associated yard.

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.

*See  
original*

\_\_\_\_\_  
Applicant

Received by CJ Date 9/5/95 Time 2:43 Preliminary check by Lg

Fee \$ 50.00 Receipted by CJ #C033499 Date 9/ 5/1995

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_

Publication approved \_\_\_\_\_ Date \_\_\_\_\_

*D'entry 9/18/95 for complement expedited drilling permit being issued by S.O.*

*-82*

SD-0420-2  
ADD COMMENT

Idaho Department of Water Resources  
Modify Comment

Date: 09/18/95  
Time: 10:20:56

Water Right Number: 65-13642

Comment Date: 9/18/1995 User ID: SLESTER

Subject: DRILLING PERMIT

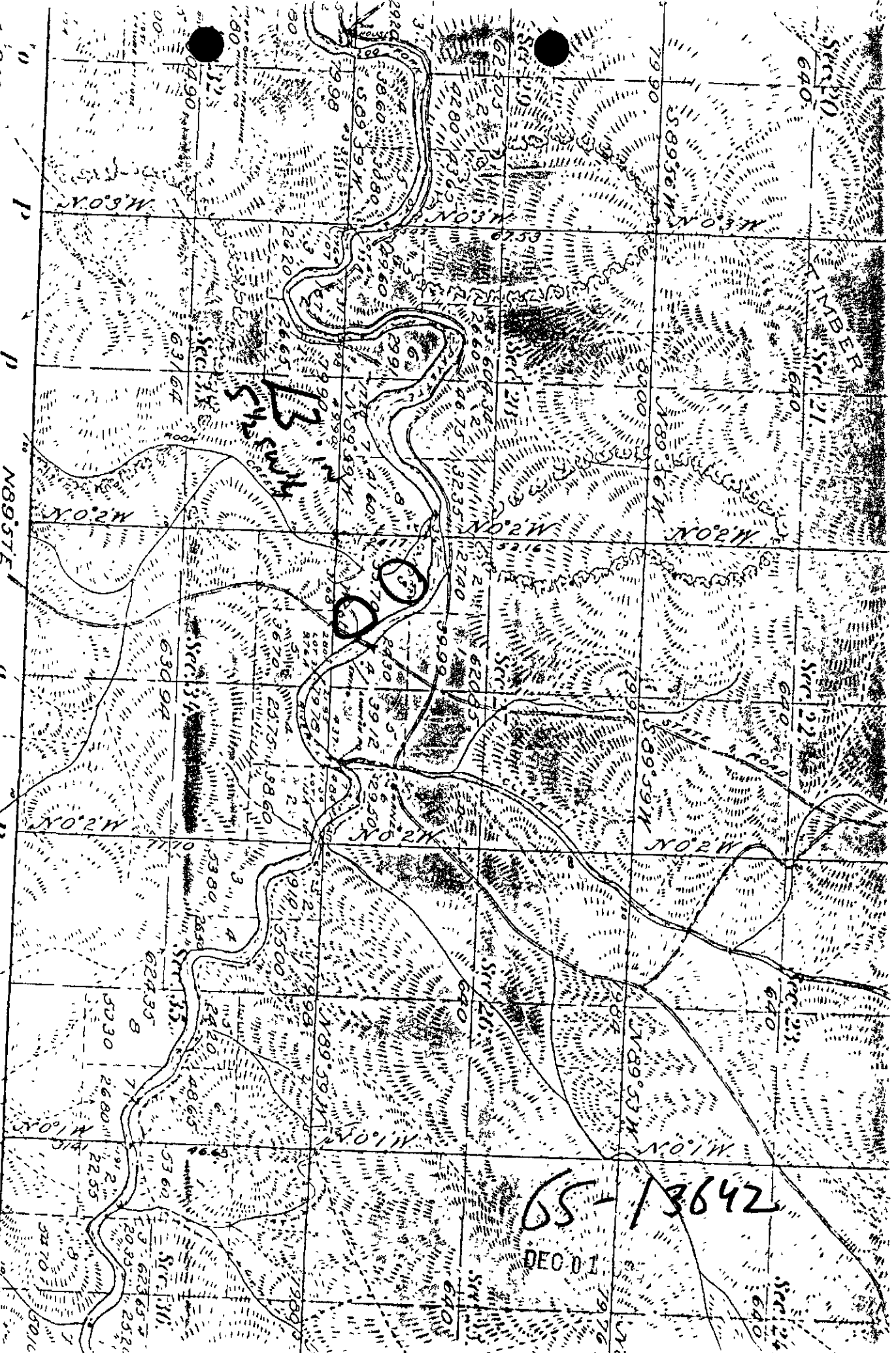
Per Doug Davidson at S.O., drilling permit 65-95-C-0327-000 being  
issued as expedited d.p. limited to exempted 42-111 use while  
water right application is pending. Applicants paid \$200 for d.p.

(Enter=Add) (Gold4=Prev) (Gold5=Next) (Gold7=Return to Comment Selection)

09/18/95

| Contract | Amount of Survey | When Surveyed        | Mean Declination |
|----------|------------------|----------------------|------------------|
| 4191906  | 17 23 22         | July 16-Sept 5, 1906 |                  |
| 57 73 81 |                  |                      |                  |

21323.0374 Total number of Jcrs 21486.47



65-13642

DEC 01

The above Map of Township 199  
Boise

Scale in Chains to

RECEIVED  
SEP 05 1995  
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident No 65-13642

RECEIVED  
SEP 06 1995

WATER RESOURCES  
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name of applicant Robert & Edith Downey Phone 208-357-3350  
Post office address HC 77 Hwy 21 Box 3300C LAUMAN ID 83637
2. Source of water supply ground water which is a tributary of \_\_\_\_\_
- \* 3. Location of point of diversion is SE SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$ , Govt. Lot 3  
Sec 27 Township 9N Range 7E B M Boise County, additional  
points of diversion if any \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 0.16 for commercial purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.04 for domestic purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.20 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works  
a. Description of ditches, flumes, pumps, headgates, etc well w/ Pump  
\_\_\_\_\_  
\_\_\_\_\_  
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 8" inches; proposed depth of well is 150 feet.  
d. Is ground water with a temperature of greater than 85°F being sought? NO  
e. If well is already drilled, when? \_\_\_\_\_; Drilling firm \_\_\_\_\_  
Well was drilled for (well owner) \_\_\_\_\_

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

2 years (minimum 1 year).  
per attached quad map + Sew & plat. by 9/11/95

8 Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower, show total feet of head and proposed capacity in KW \_\_\_\_\_
- b. Stockwatering; list number and kind of livestock \_\_\_\_\_
- c. Municipal, show name of municipality. \_\_\_\_\_
- d. Domestic; show number of households 1 home
- e. Other; describe fully. Commercial use for South Fork Lodge comprising of lodge, 9 unit motel, 8 cabins, campground (40 spaces) restaurant with lodge & laundromat

9. Description of place of use

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example. D for Domestic) in the corresponding place of use below See instructions for standard symbols

| TWP | RANGE | SEC | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |                                  |                     | SE¼ |     |     |     | TOTALS |
|-----|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----------------------------------|---------------------|-----|-----|-----|-----|--------|
|     |       |     | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼                              | SE¼                 | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 2N  | 7E    | 27  |     |     |     |     |     |     |     |     |     |     | <sup>1/3</sup><br>D              | <sup>1/3</sup><br>D |     |     |     |     | +      |
| 9N  | 7E    | 27  |     |     |     |     |     |     |     |     |     |     | <del>2</del> <sup>1/3</sup><br>D | <sup>1/3</sup><br>D |     |     |     |     | +      |
|     |       |     |     |     |     |     |     |     |     |     |     |     |                                  |                     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |                                  |                     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |                                  |                     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |                                  |                     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |                                  |                     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |                                  |                     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |                                  |                     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |                                  |                     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

10 Describe any other water rights used for the same purposes as described above. \_\_\_\_\_

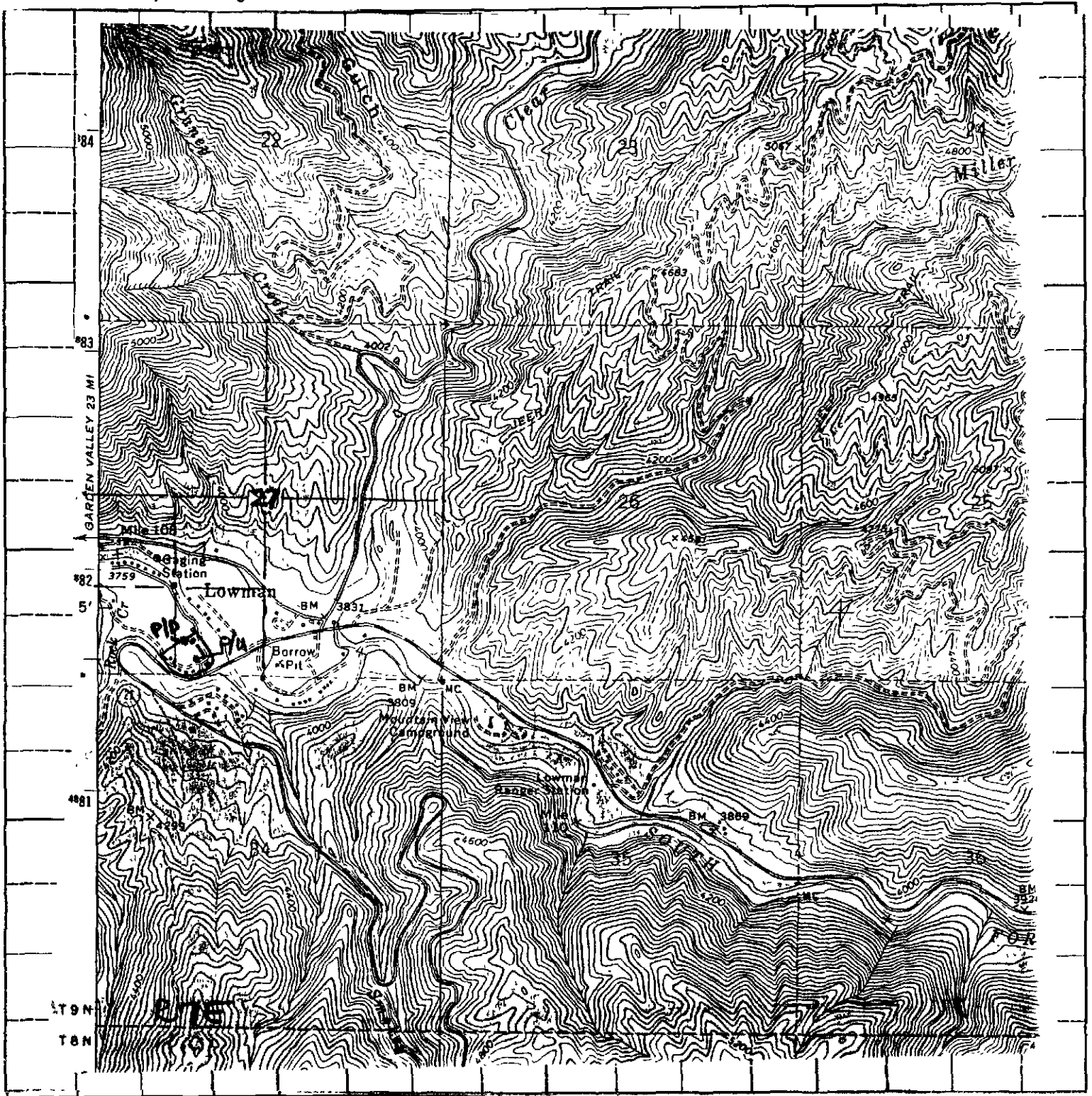
11 a Who owns the property at the point of diversion? Robert & Edith Downey

b Who owns the land to be irrigated or place of use? \_\_\_\_\_

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. \_\_\_\_\_

12 Remarks Commercial use in for 1 lodge, 9 unit motel, 8 cabins, 40 space campground, restaurant, and laundromat.

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale 2 inches equal 1 mile

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

*Robert L. Dunning*  
(Applicant)

Received by C-3 Date 9/5/95 Time 14.43 Preliminary check by 6g  
Fee \$ 50.00 Receipted by C-3 # C-033499 Date 9/5/95  
Publication prepared by AT Date 9-27-95 Published in Idaho World  
Publication approved AT Date 10-25-95

### ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. \_\_\_\_\_, and said application is hereby \_\_\_\_\_.

1. Approval of said application is subject to the following limitations and conditions

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before \_\_\_\_\_, 19 \_\_\_\_.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

November 10, 1998

EDITH DOWNEY  
ROBERT DOWNEY  
HC 77 HWY 21 BOX 3300C  
LOWMAN ID 83637

RE: Water Right 65-13642 (Transfer 5310)

Dear Mr. & Mrs. Downey:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5310). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

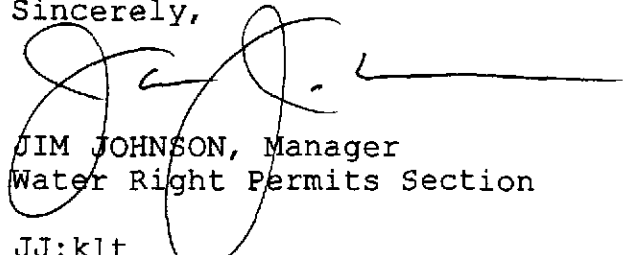
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,

  
JIM JOHNSON, Manager  
Water Right Permits Section

JJ:klt  
Enclosures

MICROFILMED

NOV 27 1998

**CERTIFICATE OF MAILING**

I hereby certify that on the **10th** day of **November, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

**WATER RIGHT 65-13642 (Transfer 5310)**

**EDITH DOWNEY  
ROBERT DOWNEY  
HC 77 HWY 21 BOX 3300C  
LOWMAN ID 83637**

  
\_\_\_\_\_  
Kari Lynn Townsend  
Secretary

RECEIVED

NOV 27 1998

## Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

### PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

### EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

### ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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NOV 27 1996

### CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

### FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

### APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

NOV 27 1998

## MEMORANDUM

**TO:** File 65-13642

**FROM:** Pam Skaggs<sup>524</sup>/State Office

**SUBJECT:** Transfer 5310

**DATE:** November 9, 1998



---

Transfer 5310 changes the place of use under Right 65-13642 to describe the change in location of the convenience store provided water under the commercial use of this right

The transfer simply adds an adjacent quarter quarter to the licensed place of use. The applicants are continuing to work on the property and have also filed an additional application for a new lodge.

Recommended conditions include licensing remarks and standard transfer conditions.

NOV 27 1998

NOV 27 1998

(07-98)

Date Reviewed 11-06-98 32

|    |    |    |    |     |
|----|----|----|----|-----|
| 1  | 2  | 3  | 4  | 5   |
| 6  | 7  | 8  | 9  | 10  |
| 11 | 12 | 13 | 14 | 15  |
| 16 | 17 | 18 | 19 | 20  |
| 21 | 22 | 23 | 24 | 25  |
| 26 | 27 | 28 | 29 | 30  |
| 31 | 32 | 33 | 34 | 35  |
| 36 | 37 | 38 | 39 | 40  |
| 41 | 42 | 43 | 44 | 45  |
| 46 | 47 | 48 | 49 | 50  |
| 51 | 52 | 53 | 54 | 55  |
| 56 | 57 | 58 | 59 | 60  |
| 61 | 62 | 63 | 64 | 65  |
| 66 | 67 | 68 | 69 | 70  |
| 71 | 72 | 73 | 74 | 75  |
| 76 | 77 | 78 | 79 | 80  |
| 81 | 82 | 83 | 84 | 85  |
| 86 | 87 | 88 | 89 | 90  |
| 91 | 92 | 93 | 94 | 95  |
| 96 | 97 | 98 | 99 | 100 |

**B:**Change P/D    **C:**Add P/D    **D:**Change P/U    **E:**Change Nature of Use  
**F:**Change Period of Use    **G:**Other    **H:**Change P/D & Add P/D  
**I:**Change P/D & P/U    **J:**Add P/D & Change P/U

Proof of Ownership \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(1) ☒ Priority (2) ☒ Use (3) ☒ Season (4) ☒ Rate (5) ☒ Volume  
(6) ☒ Source (7) ☒ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map  
License 4-10-98  
(11) ☒ NA Water District (12) ☒ ND Pertinent Conditions (13) ☒ ND Expansion

[illegible]

Existing Well

\_\_\_\_\_

"T" Files Update Complete ✓ Approval Form ✓ Transfer Memo ✓  
Database Updated Following Approval ✓ Memo/Form Files Deleted ✓

11-9-98 

Comments: Date: 07/29/1998 User-ID: STAYLOR Subject: TRANSFER 5310  
Transfer 5310 changes the place of use under Right 65-13642.

**SPLIT RIGHT SUMMARY**  
**11/6/98**  
**TRANSFER 5310**

SD-0611-2 Basin: 65 Starting Water Right: 13642

| S | Water     | Name           | O | Priority   | STG/ | Use         | S         |
|---|-----------|----------------|---|------------|------|-------------|-----------|
| L | Right No. | Last, First    | N | Date       | STS  | Desc        | S         |
| — | 65-13642  | DOWNEY, ROBERT | C | 09/28/1995 | L/   | GROUNDWATER | COMMER WR |
| — |           | DOWNEY, EDITH  | C |            |      |             | DOMEST    |
| — | T65-13642 |                |   | 09/28/1995 | L/   | GROUNDWATER | COMMER WR |
| — |           |                |   |            |      |             | DOMEST    |
| — |           |                |   |            |      |             |           |
| — |           |                |   |            |      |             |           |
| — |           |                |   |            |      |             |           |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

RECEIVED  
NOV - 4 1998

Department of Water Resources

APPLICANT Robert i/w Edith Downey

TRANSFER NO. 5310

INITIAL ALLOCATION REVIEW BY RZ DATE 7/28/98  
SRBA SUPERVISOR REVIEW BY N/A DATE (Past) - SRBA Right

1. Right number(s) 65-13642

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim  
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☒ Change P/U  
☐ Change N/U ☐ Change Source ☐ Split Right  
☐ Other: \_\_\_\_\_

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose  
☒ Period N/A SRBA Claim  
☒ Description of original point(s) of diversion  
☒ Description of original place of use  
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

*NONE for  
same uses by  
Downey*

*VERY simple  
transfer, memo  
not needed.  
SEE attached  
disgram.*

- a. N/A Reviewer's analysis memo completed (always include)  
b. ☒ All of right  
c. N/A Part of right (**NOTE!** Part B should be filled in only if part of right is owned by the applicant)  
d. ☒ Description of point(s) of diversion *no change*  
e. ☒ Description of place of use *add SWSE to plan*  
f. ☒ Map showing P/D & P/U after transfer  
g. ☒ Correct notarized signature and \$100 fee  
h. N/A Proof of ownership of right &/or land from which water is transferred *as discussed with S.G. & S.O.*  
i. ☒ Expansion in use of right - Comments: NONE anticipated.

*but applicant  
to answer  
question e  
/ liens etc on  
property,  
letter sent  
7/29/98 to  
applicant*

*Just RE/vents store from temp. trailer west of river  
to new convenience store proposed east of river (from  
SESW to SWSE).*

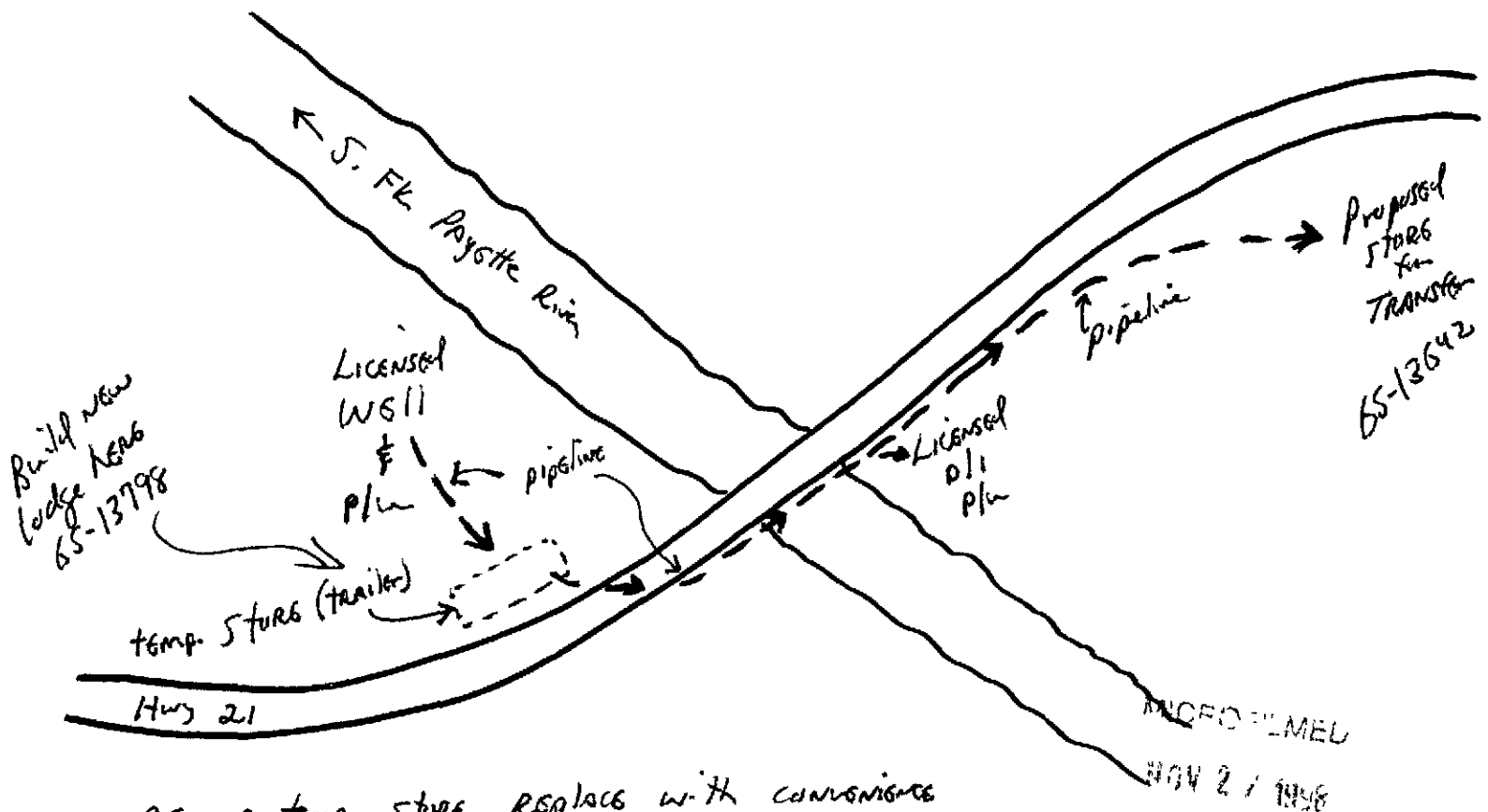
*± replaces S. Fk.  
ledge that burned  
down few yrs ago*

*→ Expansion of system will be covered by appl 65-13798  
for new lodge to be built at where temp. trailer  
store currently is located.*

# Downey Proposals - Transfer & New Permit

SL  
7/28/98

↑  
N  
↓



Remove temp. store, replace with convenience store across river. (Transfer 65-13642)

Build new restaurant e site of temp. store to ± restore the South Fork Lodge operation. (Appl. 65-13798).

Same well will serve licensed & proposal permit uses.  
Well drilled under W.O. 65-95-C-0327-000 (\$200 paid).

Does not appear that "future mitigation" for restaurant use in new permit will be needed - minor use, ± non-consumptive.  
SRBA N/A. Appears both filings can be approved.

j. ☒ Existing rights from same source, on land water is being transferred to; right number(s): NONE. Also no other

rights used for current system

k. ☒ SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain)

N/A Right = 1995 priority

l. ☒ Comment letters ☐ Yes ☒ No  
If yes ☐ Water District #  
☐ Other, see #2 below for name and address

Note that well drilling already completed with (proper fee etc.) 05-95-C-0327-000

### PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ☒ Yes

### 2. COMMENT LETTERS

Watermaster recommendation requested on \_\_\_\_\_, Received on \_\_\_\_\_

Other comments letters: ☐ See attached information

3. Transfer published correctly? ☒ Yes ☐ No

4. Affidavit of publication received? ☒ Yes ☐ No

5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes

6. Data entry of application completed? ☒ Yes

### RECOMMENDED ACTION

1. ☒ Approve ☐ See attached memo

2. ☐ Deny due to \_\_\_\_\_

3. Conditions (special conditions in Water Districts) Standard xfer cond.

4. By Gary S Date 10/31/98

### FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? ☒ Yes

2. File forwarded to S.O.: by At date 11-3-98

# The Idaho World

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

RECEIVED

AUG 26 1998

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 100 ( 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 Aug 5, 1998 and ending with the issue of Aug 12, 1998.

Deanna Stevenson

State of Idaho )  
County of Boise )

On this 26 day of August in the year 1998, before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Deanna E. Stevenson

Notary Public for Idaho  
Residing at Garden Valley, Idaho

My commission expires 6/26/2001

## NOTICE OF PROPOSED CHANGE OF WATER RIGHT, TRANSFER NO. 5318

Notice is given that ROBERT & EDITH DOWNEY OF HC 77 Box 3300C, Lowman ID 83637 have applied to the Department of Water Resources to change the Place of Use pursuant to I.C. § 42-222 for the following right in Boise County (all sites are in T9N R7E S27):

**License #65-13642**, priority 9-28-1995, .07 cfs from ground water diverted in the SESW and used in SWSW & SESW for commercial and domestic uses (motel, cabins, temporary store etc.) around site of the old South Fork Lodge.

### PROPOSED CHANGE

Change location of store (now housed in trailer) from SESW to a new convenience store to be located across the river in SWSE. The well for this right is also proposed for a new restaurant in Application for Permit #65-13798 (to more or less replace the old South Fork Lodge).

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before August 24, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in The Idaho World August 5 and 12, 1998

RECORDED

AUG 26 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 29, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

ROBERT &/OR EDITH DOWNEY  
HC 77 BOX 3300C  
7236 HWY 21  
LOWMAN ID 83637

**RE: WATER RIGHT LICENSE NO. 65-13642**

Dear Applicants:

Your *application for transfer* to allow use of water under the above referenced water right for a new store is being processed. In order to complete the information needed in this process, please respond to question no. 6b as shown in the attached copy of page 2 of the transfer application.

A reply at your earliest convenience will be helpful. Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester  
Water Rights Supervisor

Enclosure

MICROFILMED

NOV 27 1998

INTER-DEPARTMENT MEMO--1

FROM

Sharla

DATE

4/13/98

TO

Steve Lester

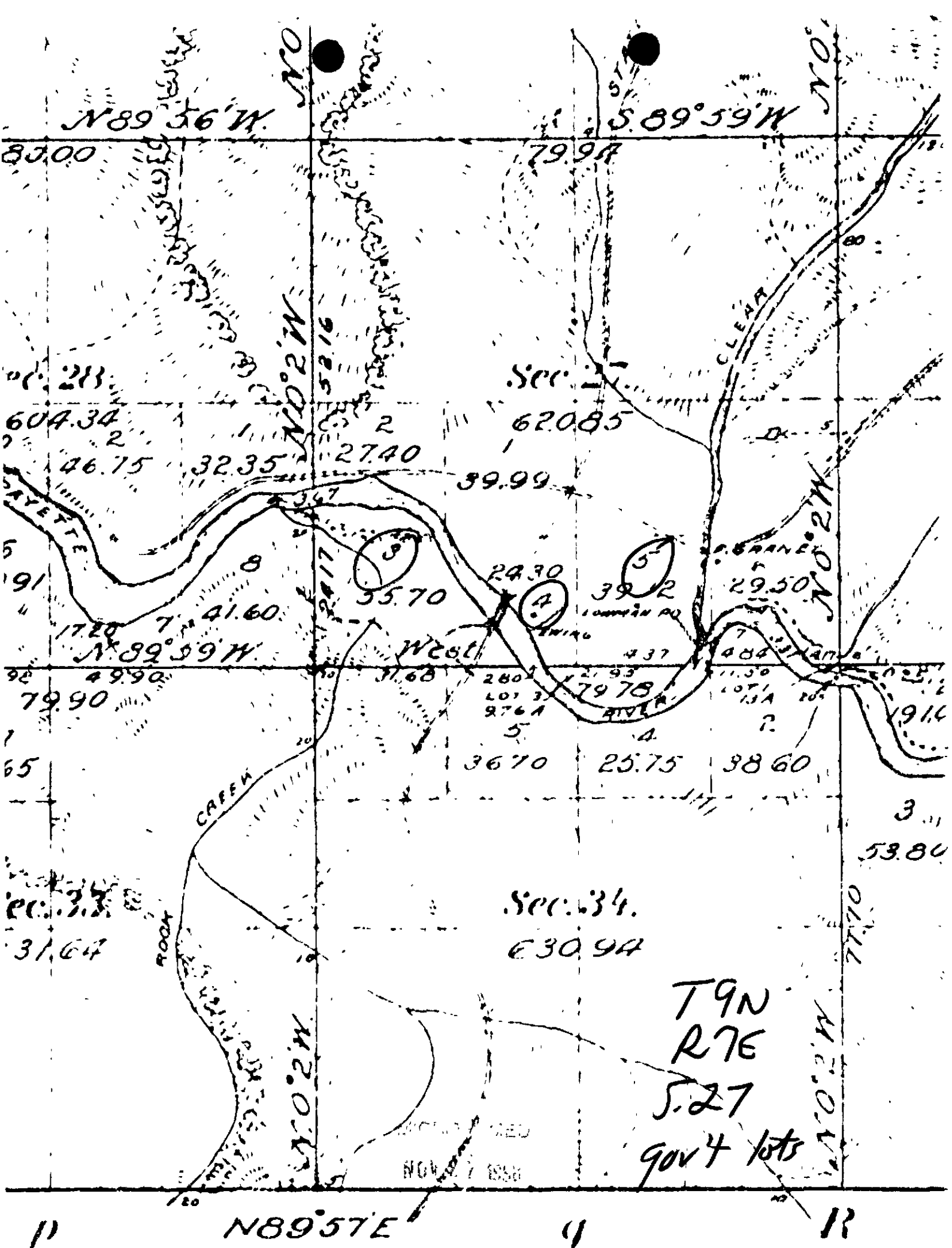
SUBJECT

Attached is a new app. for permit and a transfer app. to be processed. The uses are in Lowman on the property of the South Fork Lodge complex. I just did a field exam on the existing right 65.13642 and it was licensed last week. So if there are any questions or you need add'l background, give me a call.

SIGNATURE

RECEIVED

NOV 27 1998



**NOTICE OF PROPOSED CHANGE OF WATER  
RIGHT, TRANSFER NO. 5310**

Notice is given that **ROBERT & EDITH DOWNEY** of HC 77 Box 3300C, Lowman ID 83637 have applied to the Department of Water Resources to change the Place of Use pursuant to I.C. § 42-222 for the following right in Boise County (all sites are in T9N R7E S27):

**License #65-13642**, priority 9-28-1995, .07 cfs from ground water diverted in SESW and used in SWSW & SESW for commercial and domestic uses (motel, cabins, temporary store etc.) around site of the old South Fork Lodge.

**PROPOSED CHANGE**

Change location of store (now housed in trailer) from SESW to a new convenience store to be located across the river in SWSE. The well for this right is also proposed for a new restaurant in Application for Permit #65-13798 (to more or less replace the old South Fork Lodge).

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before August 24, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho World on August 5 and 12, 1998.

PROPOSED CHANGE

PAGE 2 / 10



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

April 13, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

ROBERT DOWNEY  
EDITH DOWNEY  
HC 77 HWY 21 BOX 3300C  
LOWMAN ID 83637

RE: WATER RIGHT NO. 65-13642

Dear Water Right Holder(s):

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 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 this 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 this 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, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

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## ORAL ARGUMENT

If the Department grants a petition to review the 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 the 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.

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

Sincerely,

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

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

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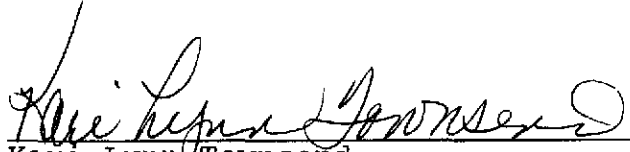
3  
MAY 18 1998

CERTIFICATE OF MAILING

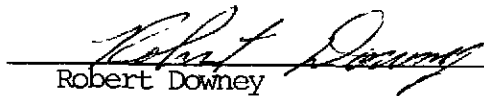
I hereby certify that on the 13th day of April, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 65-13642

ROBERT DOWNEY  
EDITH DOWNEY  
HC 77 HWY 21 BOX 3300C  
LOWMAN ID 83637

  
Karl Lynn Townsend  
Secretary

This certificate of mailing is hereby altered to reflect the fact the the above mentioned Preliminary Order (Approved License) was picked up in person by:

  
Robert Downey

4-13-98  
Date

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## B/U FIELD EXAM REVIEW

by Cindy Lou

Permit #: 65-13647 Name: Downey Date: 4/10/98 ✓ Lots ✓

NAME Chng Same Or Address Change?

SOURCE Clarify source  
Prelim. Order to Void - Source change.

P/D Amendment Needed? Addn'l 1/4? Legal P39  
Same 1/4? W32 P36  
Overlap(s) \_\_\_\_\_

P/U Amendment Needed? Dom - Lt 4 (sesw) Clarify govt lots. P41  
Comm - Lt 3 (swsw & sesw)  
Overlap(s) \_\_\_\_\_  
(Gov't use special ¶s) \_\_\_\_\_ \*P/D & P/U Amend? P37

RATE Permit/proof fee limits 0.20 / 0.20  
Measured Quantity = 0.07 cfs Theoretical Quantity = 0.07 cfs  
pump curve = 0.07 cfs; measured w/ stopwatch & bucket = 5ga in 10sec  
(HP)  $\frac{8.8 \times 0.70 \times 5}{400 + (2.31 \times 30)} = 0.07$  cfs  
Recommended capacity 0.07 cfs  
Recommended rate 0.07 cfs

VOLUME Season: ( / ) 1/1 - 12/31 = 365 days  
Calculations: \_\_\_\_\_  
Dom = 1 km x 1.2 AF/km = 1.2 AF  
Comm, see exam = 3.3  
Flow limit: 0.07 cfs x 365 days/yr. x 1.9835 = 50.7 AF  
Recommended volume 4.5 AF

USES Same Nature of Use? P46  
Amendment Needed?

REMARKS Multiple p/d's in same 1/4? Use W32  
① W01 / 1 (C) Comm/laundry, Eabins, C.G., Restaurant & store

CONDITIONS Measuring Device (R43) or Lockable Controlling Works (R02)  
Watermaster Control (R04) - WD #  
Irrigation rate/annual volume overlap  
GW irrigation replaces surface water (050)  
GW irrigation supplements surface water (065)  
Water Quality  
Other

PRIORITY App Rod 9/5/95 Due 12/1/97 Rcd 12/24/97  
Receipt# 6040980 Fee OK? Yes/No \$50  
Order to Reinstate Needed? Yes/No Done? 2/24/98 Advanced to: 9/28/95  
Priority 9/28/95 Examined 4/9/98

COMMENTS: flow limited by capacity

| USE     | CFS  | VOLUME |
|---------|------|--------|
| Dom / 1 | 0.04 | 1.2    |
| Comm    | 0.09 | 3.3    |
| TOTAL   | 0.07 | 4.5    |

SRBA Overlap None  
Adjustment Memo \_\_\_\_\_  
LICENSE  
#1 AMEND: \_\_\_\_\_/P38  
#2 AMEND: (R)P42/(C)P47

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

Permit No. 65-13642  
Phone No. 259-3351 (home) 259-3350 (business)

1. Owner: Robert & Edith Downey  
Current Address: HC 77, Box 3300C (7236 Hwy 21) Lowman Id 83637

2. Accompanied by: Robert Downey EXAM DATE: 4/9/98

Address: same as above Phone No. \_\_\_\_\_

Relationship to Permit Holder: permit holder

3. Source: Groundwater tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: NONE (65-10523 <sup>Payette R. adj. by claim</sup> decreed 1986 for motel & lodge facilities from SFR Payette R claimed in SRBA for domestic use)  
2. Other water rights with the same point of diversion: NONE

**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 |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           | 3         |     | SE  | SW  | 27   | 9N   | 7E   | Boise  | GPS/TOPO                        |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

2. Place(s) of Use:

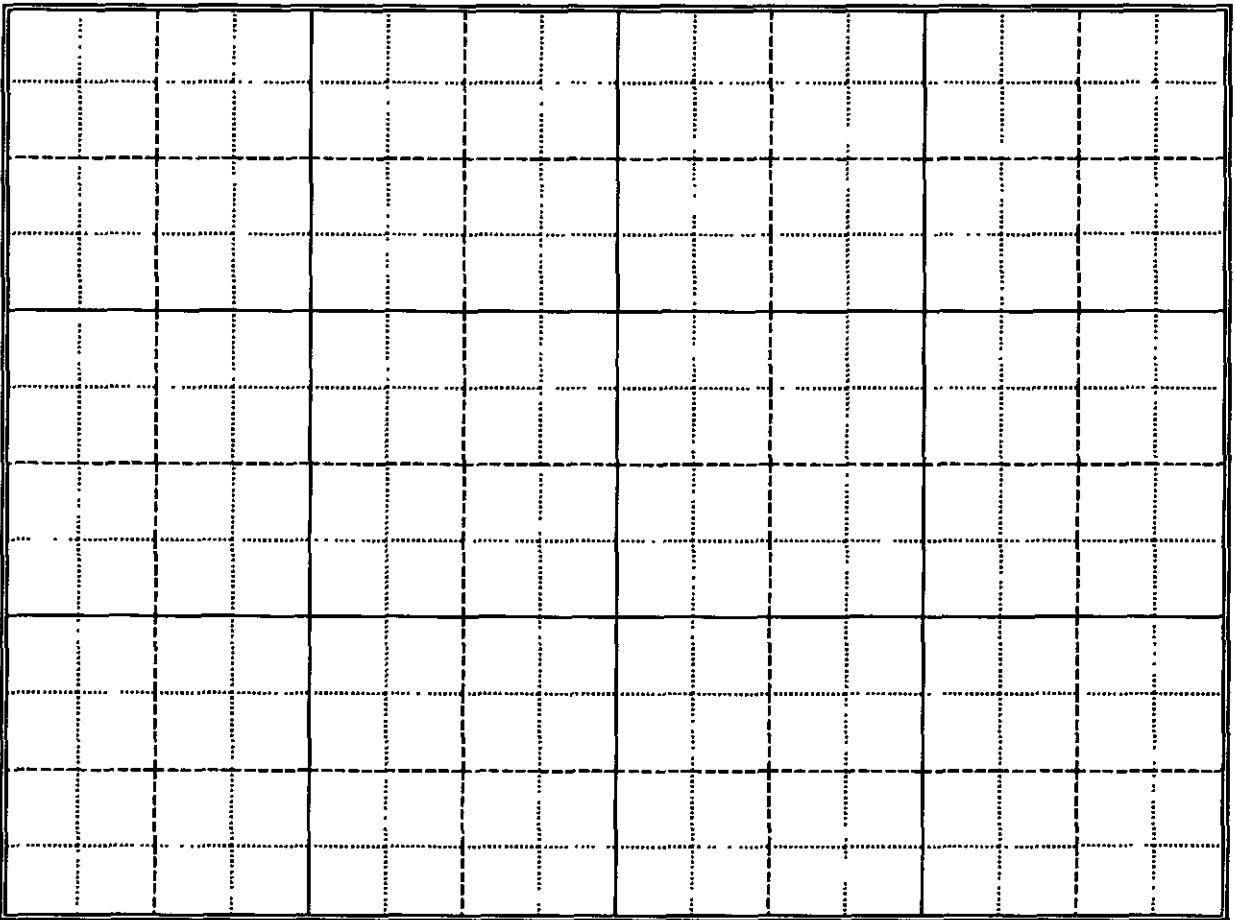
Indicate Method of Determination GPS/TOPO

| 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  | 7E  | 27  |    |    |    |    |    |    |    |    |    |    | C     | C/D   |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    | Lot 3 | Lot 4 |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |       |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |       |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |       |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |       |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |       |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |       |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |       |       |    |    |    |    |        |

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



Scale: 1" = \_\_\_\_\_  
 \_\_\_\_\_ 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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       | unknown    | 5  | unknown          | could     |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

\*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 |
|-----------------------|------|------|-----------|------------|------|-------------|
| bucket/stopwatch      |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

NO. MEAS. MADE

see theoretical

bucket (5 gal./10 sec.) .07 cfs  
 bucket (5 gal./11 sec.) .06 cfs  
 Pump curve = 30 gpm (.07 cfs)

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**E. NARRATIVE/REMARKS/COMMENTS**

System is a well with a 5 hp pump & pipeline serving a 9-unit motel (sink/toilet/shower) with laundromat (6 washers, 5 dryers), 7 cabins w/ bath & kitchen (each w/ a hot water heater), drive-in, snack food shop (construction trailer) w/ 1 toilet and 1 sink, 9 hook-up campground (water spigot, sewer hook-up).

One 119 gallon pressure tank - turns on at 38 psi and shuts off at 50 psi

The "lodge" burnt down in 1994, the Downeys bought this property in Jan. 1995. A construction trailer was moved in on the lodge site <sup>(spring of 1995)</sup> and is used for a snack food shop. This commercial use (trailer) is to be moved shortly across the river to the SWSE, S27. A transfer app. was taken to cover this change. Intentions are to rebuild the lodge then at its original site and a new app. for permit was left w/ the rt. holder for this purpose

The commercial use volume calculations are based on the rt. holders estimates of use.

Well is 435-440' deep, pump set at 400' - pressure gauge 5 lbs - 30 lbs when running

At the time Downeys bought this property, a "river well" (located right at the river) was used for all the above uses. When the new well was drilled in 1996, the "river well" was disconnected and is no longer used. The new well was hooked up to existing pipeline from old system and was extended under bridge

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

to the domestic use when a manufactured home was set up last year. Very little add pipeline will be needed to extend from vicinity of home to the new location of the store.

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## F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$\frac{5 \times 8.8 \times .7}{400 + (2.31 \times 40)} = .06$$

$$\frac{5 \times 8.8 \times .7}{( \times 30)} = .07$$

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

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

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses:

5/15-11/15- 185 days  
 1 Domestic w/ lawn 1.2 af (2 double beds)  
 Motel (5/15-11/15) ave. 4 people/unit - 10 rentals/week (100 gpd x 10) .6 af  
 \*laundromat 8 hrs/wk - winter, 24 hrs wk/summer 1.2 af  
 Cabins (5/15-11/15) 2 rentals/wk (4 people) 200 gpd .1 af  
 Campground (5/15-11/15) 3 sites @ a time/day (150 gpd) .1 af  
 Restaurant (drive-in) 50 gpd x 365 days/yr. .1 af  
 Snack food store  
 combined 3.3 af

## H. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Commercial     | 1/1           | 12/31 | .07                          | 3.3                      |
| Domestic       | 1/1           | 12/31 | .04                          | 1.2                      |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .07                          | 4.5                      |

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

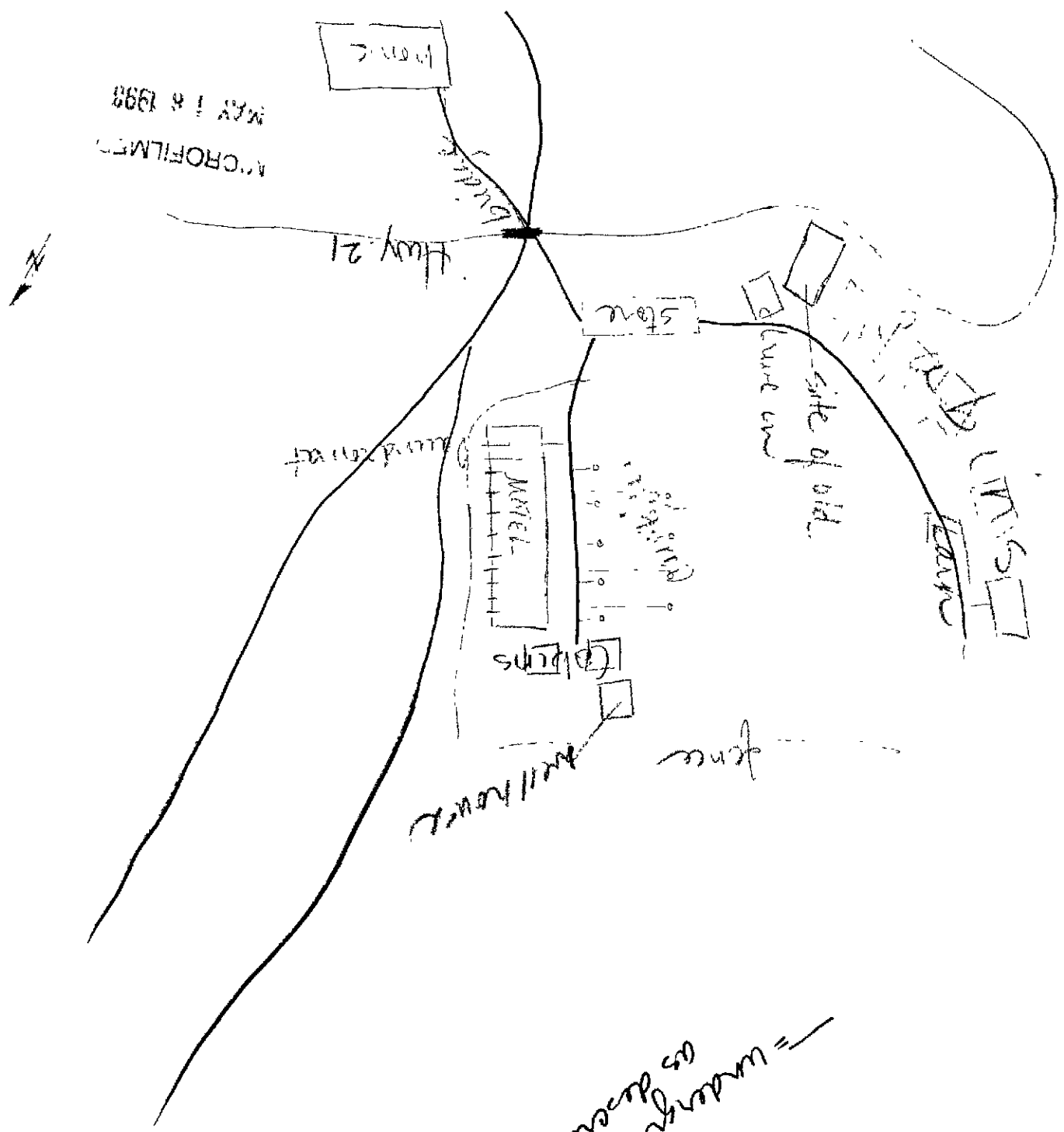
## I. AUTHENTICATION

Field Examiner's Name Sharla Curtis Date 4/9/98

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL

\* 50 gal x 2 washings x 20 customers/day (summer) 1.1 af  
 " " 2 " (winter) .1 af  
 1.2 af  
 MICROFILMED  
 MAY 18 1998



= underground pipeline  
as described by at holder

4883

4002

Creek

Mile 108

Gaging  
Station

4882

3759

Lowman

5'

Rock Cr

orig  
site of  
home, (under)

met + lign  
beds  
(basal  
lava)

BM

3831

MICROFILMED

MAY 18 1998

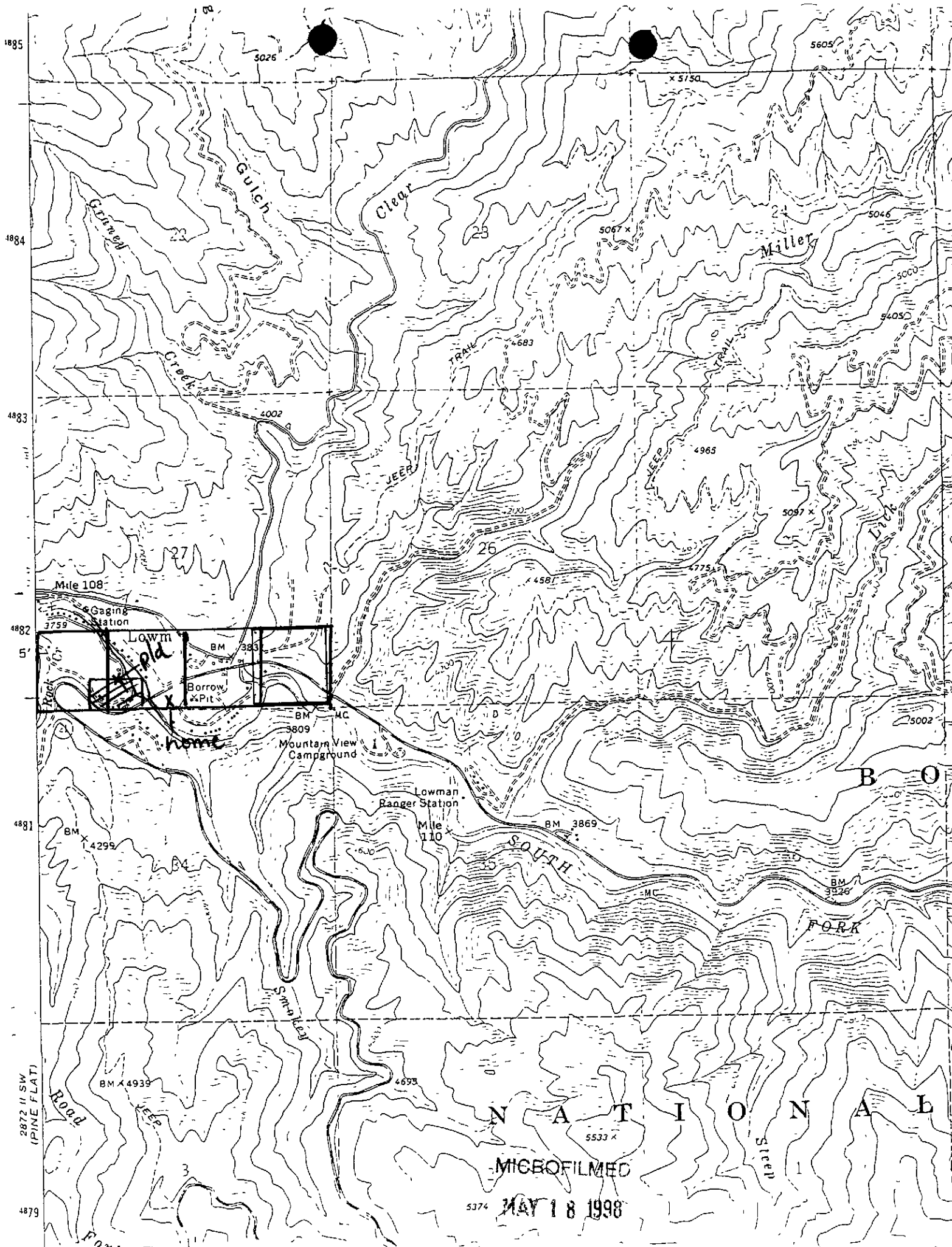
Borrow

Pit

site of old  
home

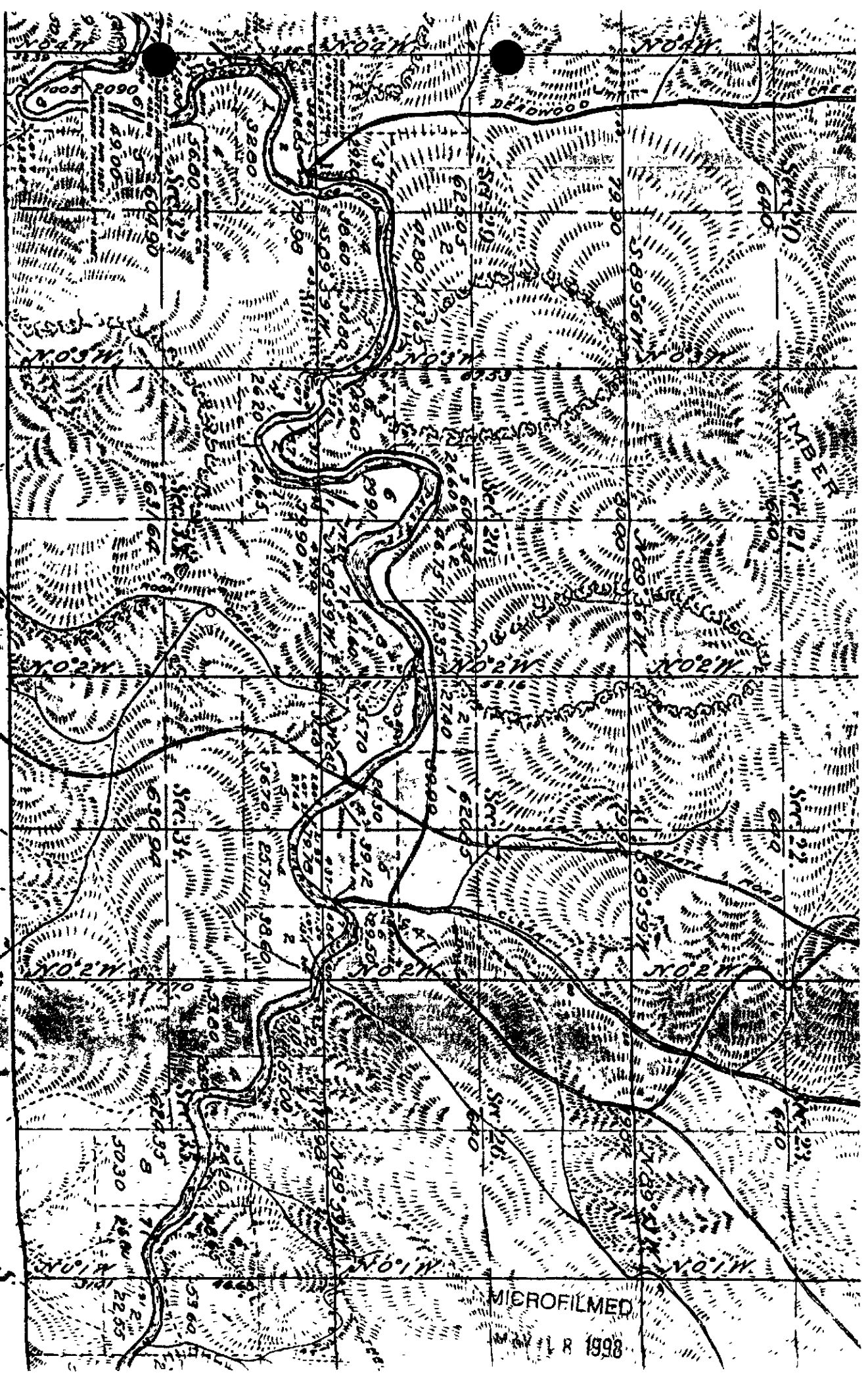
embank

\* domestic structure replaced & moved across  
river (fall of 1997) transfer app filed to change use of snack food store - construction trailer  
\*\* app to be filed to cover  
ledge when the railroad



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5374 MAY 18 1998



Public Land 2132303N Total number of Acres 2148647

| Date of Contract | Amount of Survey<br>in Acres | When Surveyed     | Magnetic Declination |
|------------------|------------------------------|-------------------|----------------------|
| 27 March 191906  | 17 23 22                     | July 16 Sept 1906 | 10° E                |

The above Map of the  
Boise  
under the survey of the

MICROFILMED  
8661 R 1998

09N 07E 27

• Lowman

well location  
c040916a

• c040916c proposed  
site of store after move

c040916b  
old lodge site  
location of store now

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MAY 18 1998

c040916c.txt

44.081971622, -115.613787980, 332464.437, 370789.939, 1180.739, GeoExplorer, 04/09/98, 10:44:43am, c040916c.cor, 4.84  
078, 1173.164  
44.080955914, -115.618703776, 332359.349, 370394.128, 1173.451, GeoExplorer, 04/09/98, 10:37:50am, c040916b.cor, 4.13  
6796, 1165.882  
44.081775719, -115.619913035, 332452.309, 370299.096, 1163.462, GeoExplorer, 04/09/98, 10:26:52am, c040916a.cor, 1.77  
28, 1155.894

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exp0410b.txt

Export Started...

Using Export Setup: Sample ArcView Shapefile Setup

The following files in c:\pfddata\sharla\basecorr will be exported:

c040916c.cor

c040916b.cor

c040916a.cor

Reading file c040916c.cor

201 position(s) read.

A total of 1 feature(s) read or created.

1 point feature(s) created from GPS positions.

File c040916c.cor read successfully

Reading file c040916b.cor

199 position(s) read.

A total of 1 feature(s) read or created.

1 point feature(s) created from GPS positions.

File c040916b.cor read successfully

Reading file c040916a.cor

206 position(s) read.

A total of 1 feature(s) read or created.

1 point feature(s) created from GPS positions.

File c040916a.cor read successfully

3 input file(s) read.

606 position(s) read.

A total of 3 feature(s) read or created.

3 point feature(s) created from GPS positions.

3 feature(s) exported.

3 output file(s) written to c:\pfddata\sharla\export

PosnPnt.shp

PosnPnt.shx

PosnPnt.dbf

The file c040916c.inf contains information on the settings used.

The file c:\winnt35\pfcommon\temp\expfiles.txt contains a list of the files created.

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MAY 18 1998

5GS

GOULDS PUMPS, INC.

FEET

RPM 3450  
60 Hz

RECOMMENDED RANGE  
3-10 GPM

26GS50

26GS30

5GS20

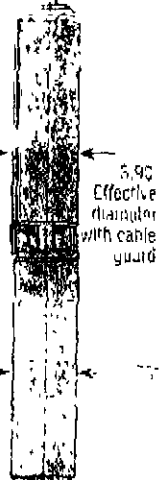
5GS15

5GS10

CAPACITY

WEIGHT

| HP    | Phase | Length inches |       |       | Weight lbs |
|-------|-------|---------------|-------|-------|------------|
|       |       | W F 2         | Motor | L O A |            |
| 1/2   | 3     | 12            | 11.8  | 14.5  | 14.5       |
| 3/4   | 3     | 14.8          | 13.6  | 28    | 28         |
| 1     | 3     | 15.1          | 15.1  | 28    | 28         |
| 1 1/2 | 3     | 17.6          | 17.6  | 28    | 28         |
| 2     | 3     | 19.6          | 19.6  | 28    | 28         |
| 3     | 3     | 23.5          | 23.5  | 28    | 28         |
| 4     | 3     | 23.5          | 23.5  | 28    | 28         |
| 5     | 3     | 23.5          | 23.5  | 28    | 28         |
| 7 1/2 | 3     | 23.5          | 23.5  | 28    | 28         |
| 10    | 3     | 23.5          | 23.5  | 28    | 28         |



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MAY 18 1998

## IDAHO DEPARTMENT OF WATER RESOURCES

### WELL INSPECTION FORM

1. DRILLING PERMIT NO: 65-95-C-0327-000 OTHER APPLICABLE NO: \_\_\_\_\_

2. OWNER: Robert Downey Phone: \_\_\_\_\_  
Address: \_\_\_\_\_

3. WELL LOCATION: Twp. 9N, Rge. 7E, Sec. 27, SE 1/4 SW 1/4  
County Boise (Provide sketch map and photo on reverse.)  
well log's 1/4 desc. incorrect

4. DRILLER: SOS well Drilling Lic. No. \_\_\_\_\_  
When Drilled? 9/96

#### 5. WELL CONSTRUCTION:

Casing Diameter 8 inches Water tight cap? ☒ Yes ☐ No Access Port: ☐ Yes ☒ No

Casing  $\geq$  12 inches above ground? ☐ Yes ☐ No - Describe \_\_\_\_\_

Depth of Casing 440 ft. Method Drilled \_\_\_\_\_

Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe \_\_\_\_\_

Control Valve? ☒ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No

Condition of Piping and Valving good

Auger to a depth of \_\_\_\_\_ ft. Evidence of Annular Seal ☐ Yes ☐ No

Are there obvious construction problems that may be a source for contamination or waste of water?  
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

#### 6. HYDROLOGIC INFORMATION:

Depth to Static Water \* ft. Water Temperature \_\_\_\_\_ °F

Flowing Artesian ☐ Yes ☐ No Pressure: \_\_\_\_\_ (psi)

Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose \_\_\_\_\_

Water Quality Measurements/Observations (Describe) \_\_\_\_\_

#### 7. WELL USE:

☒ Domestic (1) ☐ Irrigation MICROFILMED ☐ Stock

☐ Test ☐ Municipal MAY 18 1998 ☐ Industrial

☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used

☒ Other: Commercial (see field exam)

\* rt holder states there is some artesian pressure which keeps <sup>standing</sup> water level at top of well, but w/ short pumping time the level drops to pump level 400 ft

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MAY 18 1988

3" PVC piping



119 gallon pressure tank



4" pipe



5 cabins +  
equip bldg



9  
- camp sites  
(water/sewer  
hook-ups)

W. FORMEL  
JUL 16 1950



2 cabins

well house  
behind trees & cabins

MICROFILMED

MAY 18 1958

drive-in



convenience  
store  
(snack-food  
shop)



motel  
w/ laundromat  
on end

MICROFILMED

MAY 12 1986

## MEMORANDUM

**TO:** File 65-13642

**FROM:** Sharla

**DATE:** April 9, 1998

**RE:** Additional Information for B/U Field Report

Prior to my trip to Lowman for a field inspection under this permit, the Downey's had contacted the department concerning their plan to extend the service of the well to a location across the river where they propose to re-locate the small snack food shop (convenience store). This store is actually a construction-office trailer which was moved onto the location of the lodge that had existed until it was totally destroyed in a fire in 1994. This small shop is being included in the license and represents no expansion of use, because it can be considered as a use instead of the lodge as permitted.

The Downey's proposal to move the store requires approval from the Boise County P&Z Board; the proposal will be decided upon on the 15th next week. This time constraint required our department to conduct a field inspection to determine the extent of beneficial use and to determine what requirements the Downey's would have to fulfill in the way of water right records. The license will be issued and a transfer application has been filed to add the new place of use description. I also gave Mr. Downey a new application for permit which can be used when they are ready to re-build the lodge. The plans for the new lodge will be for 4 baths, full wet-bar, 1 washer and dryer, a full kitchen, and an upstairs banquet room; no lodging included.

MICROFILMED

MAY 18 1998

RECEIVED

MAR 23 1998

CONVERSATION MEMORANDUM

Department of Water Resources

DATE

3/23/98

FILE

65-13642

NAME OF PARTY

EMPLOYEE

SL

RE:

Possible New Use from WELL

WELL = S. Fr. Lodge & Lumber.

Appears same well to be used for new stores on other side of river (pipe H<sub>2</sub>O under Hwy 21 Bridge).

New use will need W.R. Appl. - can expedite if use  $\leq .04$  cfs not to exceed 2500 gpd.

Otherwise, new Appl. subject to processing delay (c 2-3 month backlog) re "future mitigation" advertising delay.

cc - Reg. File 65-13642

MICROFILMED

MAY 18 1998

**ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE**

Permit No. 65-13642 Reviewed by JY Date 2-19-98

**GENERAL CONSIDERATIONS**

**TYPES OF USE**

yes Name same as permit?  
yes Address same as permit?  
NO Proof timely received? Correct Uses? yes  
*If not, complete calculation below.*

**SOURCE OF WATER**

           Surface water source  
✓ Ground water source  
yes Drilling permit required?  
no Copy in the file? Drilling Permit No. 65-95-C-0327-000  
200- Amount paid for permit yes Correct?  
yes Well log in the file?

**LICENSE EXAMINATION FEE**

**MEASURING DEVICE**

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

**PRIORITY CALCULATION**

Date proof received 12-24-97  
Date proof due 12-1-97 -             
No. of days late 23 = 23  
Priority Date 9-5-95 + 248  
New Priority Date 9-28-95 271

7 9-28-95

**DEFICIENCIES OR ACTION ITEMS**

Reinstate + advance priority to Sept. 28, 1995.  
Proof acceptable

**DATA ENTRY**

New Address X Proof Made 12-24-97



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

February 24, 1998

Robert & Edith Downey  
HC 77 Box 3300 C  
Lowman ID 83637

**PROOF ACKNOWLEDGMENT LETTER**

**RE:** Permit No. 65-13642

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form and supporting information submitted for the above referenced permit.

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to September 28, 1995, as provided in Section 42-218a.2, Idaho Code.

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.

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

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

SEARCHED  
SERIALIZED  
INDEXED  
FILED

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

December 22, 1997

ROBERT DOWNEY  
EDITH DOWNEY  
HC 77 HWY 21 BOX 3300C  
LOWMAN ID 83637

LAPSE NOTICE

RE: PERMIT NO. 65-13642

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated September 30, 1997. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON  
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 12/22/97  
a copy/original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

*[Signature]*

September 30, 1997

ROBERT DOWNEY  
EDITH DOWNEY  
HC 77 HWY 21 BOX 3300C  
LOWMAN ID 83637

PROOF DUE NOTICE

RE: PERMIT NO. 65-13642

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 December 1, 1997. (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.

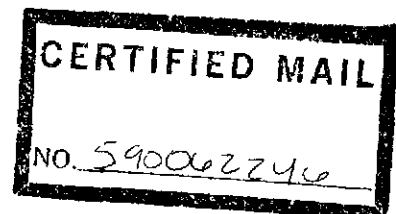
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



RECEIVED

NOV 13 1996

WATER RESOURCES  
WESTERN REGIONIDAHO DEPARTMENT OF WATER RESOURCES  
WELL DRILLER'S REPORTForm 734  
3/95-96

|                 |       |     |
|-----------------|-------|-----|
| Office Use Only |       |     |
| Inspected by    |       |     |
| Twp             | Rge   | Sec |
| 1/4             | 1/4   | 1/4 |
| Lat:            | Long: |     |

1. DRILLING PERMIT NO. 65-96-C-0327-000  
Other IDWR No. 65-13642

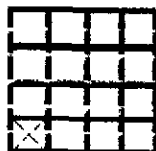
## 2. OWNER:

Name Robert DowneyAddress HC 77 Hwy. 21 Box 3300CCity Lowman State ID Zip 83637

## 3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location

N

Twp. 9 North ☒ or South ☐Rge. 7 East ☒ or West ☐Sec. 27 1/4 SW 1/4 SW 1/4

10 acres 40 acres 160 acres

Gov't lot \_\_\_\_\_ County Boise

Lat. \_\_\_\_\_ Long. \_\_\_\_\_

Address of Well Site Southfork Lodge - Hwy 21City Lowman

(Give at least name of road + Distance to Road or Landmark)

L. \_\_\_\_\_ Bk. \_\_\_\_\_ Sub. Name \_\_\_\_\_

## 4. USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation  
☐ Thermal ☐ Injection ☒ Other commercial

## 5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other

## 6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

## 7. SEALING PROCEDURES

| SEAL/FILTER PACK |      | AMOUNT |                 | METHOD   |
|------------------|------|--------|-----------------|----------|
| Material         | From | To     | Sacks or Pounds |          |
| bentonite        | 0    | 160    | 77              | overbore |
|                  |      |        |                 |          |
|                  |      |        |                 |          |

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) \_\_\_\_\_Was drive shoe seal tested? ☐ Y ☒ N How? \_\_\_\_\_

## 8. CASING/LINER:

| Diameter | From | To  | Casing | Material | Casing Liner                        | Welded                              | Threaded                            |
|----------|------|-----|--------|----------|-------------------------------------|-------------------------------------|-------------------------------------|
| 42       | 43   | 67  | 200    | steel    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| 42       | 67   | 420 | 200    | steel    | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
|          |      |     |        |          | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            |

Length of Headpipe \_\_\_\_\_ Length of Tailpipe \_\_\_\_\_

## 9. PERFORATIONS/SCREENS

☒ Perforations Method perforator☐ Screens Screen Type \_\_\_\_\_

| From | To  | Slot Size | Number | Diameter | Material | Casing                   | Liner                               |
|------|-----|-----------|--------|----------|----------|--------------------------|-------------------------------------|
| 275  | 415 |           | 1600   | 6"       | steel    | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|      |     |           |        |          |          | <input type="checkbox"/> | <input type="checkbox"/>            |
|      |     |           |        |          |          | <input type="checkbox"/> | <input type="checkbox"/>            |

## 10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

flow ft below ground

Artesian Pressure \_\_\_\_\_ lb

Depth flow encountered 235 ft

Describe access port or control

device \_\_\_\_\_

## 11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

| Yield gal/min | Drawdown | Pumping Level | Time       |
|---------------|----------|---------------|------------|
| 25            | 315      | 315           | 15.5 hours |
|               |          |               |            |
|               |          |               |            |

Water Temp. \_\_\_\_\_ Bottom hole temp \_\_\_\_\_

Water Quality test or comments \_\_\_\_\_

Depth first Water Encountered \_\_\_\_\_

## 12. LITHOLOGIC LOG: (Describe repair or abandonment)

## Water

| Bore Dia | From | To  | Remarks: Lithology, Water Quality & Temp. | Y                                   | N                        |
|----------|------|-----|-------------------------------------------|-------------------------------------|--------------------------|
| 12"      | 0    | 2   | brown top soil                            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12"      | 2    | 5   | brown sand & gravel                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12"      | 5    | 13  | brown sand & gravel & boulders            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12"      | 13   | 21  | brown clay                                | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12"      | 21   | 25  | brown sand & gravel                       | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12"      | 25   | 45  | brown decomposed granite                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12"      | 45   | 56  | gray clay                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10"      | 56   | 78  | gray clay                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10"      | 78   | 84  | gray/clear decomposed granite             | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10"      | 84   | 92  | white decomposed granite                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10"      | 92   | 104 | broken brown & white granite              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10"      | 104  | 145 | brown & white decomposed granite          | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10"      | 145  | 208 | brown granite                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10"      | 208  | 218 | white granite                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 218  | 228 | white granite                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 228  | 235 | brown & white granite                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 235  | 236 | crack 16 gpm                              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 236  | 265 | brown granite                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 265  | 267 | cracks 20 gpm accum.                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 267  | 285 | brown granite                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 285  | 287 | cracks 36 gpm accum.                      | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 287  | 291 | brown & white granite                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 291  | 307 | white & black granite w/ cracks 2 gpm     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 307  | 370 | brown & white granite                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 370  | 383 | brown rock 6 gpm accum                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8"       | 383  | 425 | broken green & brown rock 1 gpm           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5"       | 425  | 444 | solid white & tan granite                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DEC 03 1996

Completed Depth 435Date Started 09-16-96Department of Water Resources  
(Institutional)Completed 09-14-96

## 13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed

Firm Name SOS Well Drilling & Pump CoFirm No. 11Firm Official Tom SchmittDate 10-3-96Supervisor or Operator Sam M. Ludwig  
(Signature of Firm Official & Operator)Date 10-3-96

Date: 09/30/96 Time: 12:43 PM



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

November 20, 1995

ROBERT DOWNEY  
EDITH DOWNEY  
HC 77 HWY 21 BOX 3300C  
LOWMAN ID 83637

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13642

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.

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.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosures

DEC 01 1995

APPLICATION FOR PERMIT  
STATE OFFICE REVIEW  
by Cindy Zimmerman

No.: 65-12642 Name: Downey Date: 11/16/95 Ad OK? ✓  
Correct Fee? ✓ Receipt #: 0030499 Priority: 9/5/95 ✓ 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 # \_\_\_\_\_ <SEE MAP & LISTING>  
+ 0.2 cfs - 028(may report)-01J(meas dev)-P08  
=/- 0.2 cfs - 028(may report)-01H(lock dev)-P01 or No MD  
=/+ 5 a. irr. - 028(may report)  
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 WB), 11E (not 42-111 use), NA  
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:  
Domestic (surface) - 021(Boise R ↑ L Peak); 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(FERC); 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 <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)

OTHER CONDITIONS:

STANDARD REMARKS: - ① WOI / 1 ② Comm / lodge, 9 unit motel, 8 cabins, 40 units  
w/ campground, restaurant & luncheonet.  
BENEFICIAL USE DUE: - 12-1-1997

COMMENTS:

Send copy to DEQ

Form No. 202a.  
1/95

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: Ly DATE: 9/12/95 APPLICATION: 65-13642

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 municipal title of signatory is required)
- ☒ Fee:
- ☒ Yes ☐ No\* In form to receipt:

Gov't. Lots:

☒ P/D

☒ P/U

**RECEIVED**  
NOV 15 1995  
Department of Water Resources

ADDITIONAL INFORMATION

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.)
- ☐ ☒ \*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: \_\_\_\_\_

☒ Additional information on reverse side:

PROCESSING

APPLICATION NO. 65-13642

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 10-23-95

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Dr

Measuring device required:

Measuring port required:

Water delivered by water master? District # \_\_\_\_\_

Special conditions of approval or cover letter: \_\_\_\_\_

26A (Allow 2 yrs), 46

See below for additional information

Recommended Date or Priority 9/5/1995

Recommended by: Dr

Date 11/12/1995

STATE OFFICE REVIEW

See below for additional information. By \_\_\_\_\_ Date \_\_\_\_\_

ADDITIONAL INFORMATION

overlap info: several pages, 12 nts - N/A

65-07655 - NW - done

65-12644 - NW - done



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

October 26, 1995

ID DEPT OF HEALTH & WELFARE  
DIV OF ENV QUALITY  
SWIRO  
PO BOX 83720  
BOISE ID 83706

Re: Application for Water Right No. 65-13642 in the Name of Robert  
&/or Edith Downey

Dear Sir:

Enclosed is a copy of the above referenced application for  
water right.

Please review the application and return any comments you might  
have within two weeks. If you have questions or need  
information, feel free to contact this office.

Sincerely,

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

DRT:st

Enclosure: Copy of Application

DEC 01 1995

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

State of Idaho >  
>  
County of Boise >

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Oct 4, 1995 and ending with the issue of Oct 11, 1995

Deanna Stevenson

State of Idaho >  
>  
County of Boise >

On this 20 day of Oct in the year 1995 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.

Michael K. Bowdler  
Notary Public for Idaho  
Residing at Garden Valley, Idaho

My commission expires 6/10/98

## NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12145

MOUGHAMIAN, MATTHEW  
MOUGHAMIAN, JILL  
PO BOX 346  
IDAHO CITY, ID 83631

Source: GROUNDWATER

Diversion Pt: NESESW Sec 27 T 06N R 05E in BOISE County.

USE: IRRIGATION ( 0 180 CFS)  
Total Diversion: ( 0 180 CFS)

Date Filed: 9/20/1994

In: BOISE County  
T06N R05E S27 SESW

9 0 ACRES TOTAL

Water bearing zone to be appropriated is 100 to 300 feet.

65-13637

WOLFKEI, CHARLES L  
WOLFKEI, KAREN E  
RT 1 BOX 111B  
HORSESHOE BEND, ID 836299701

Source: GROUNDWATER

Diversion Pt: SWNW Sec 2 T 07N R 02E in BOISE County.

Use: DOMESTIC ( 0 040 CFS)  
Total Diversion: ( 0 040 CFS)

Dated Filed: 9/5/1995

In: BOISE County  
T07N R02E S02 SWNW

65-13638

WOLFKEI, CHARLES L  
WOLFKEI, KAREN E  
RT 1 BOX 111B  
HORSESHOE BEND, ID 836299701

Source: PAYETTE RIVER Tributary SNAKE RIVER

Diversion Pt: SWNW Sec 2 T 07N R 02E in BOISE County.

Use: IRRIGATION ( 0 030 CFS)  
Total Diversion: ( 0 030 CFS)

Date Filed: 9/5/1995

In: BOISE County  
T07N R02E S02 SWNW

1 0 ACRES TOTAL

65-13642

DOWNEY, ROBERT  
DOWNEY, EDITH  
HC 77 HWY 21 BOX 3300C  
LOWMAN, ID 83637

Source: GROUNDWATER

Diversion Pt: LOT 3 (SESW) Sec 27 T 09N R 07E in BOISE County.

Use: COMMERCIAL ( 0 160 CFS)  
DOMESTIC ( 0 040 CFS)  
Total Diversion: ( 0 200 CFS)

Date Filed: 9/5/1995

In: BOISE County  
T09N R07E S27 Lot 3 (SWSW) Lot 3 (SESW)

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 OCTOBER 23, 1995. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Idaho World October 4 and 11, 1995.

65-13642

DOWNEY, ROBERT  
DOWNEY, EDITH  
HC 77 HWY 21 BOX 3300C  
LOWMAN, ID 83637

Source: GROUNDWATER

Diversion Pt: LOT 3 (SESW) Sec 27 T 09N R 07E in BOISE County.

|                  |   |            |
|------------------|---|------------|
| Use: COMMERCIAL  | ( | 0.160 CFS) |
| DOMESTIC         | ( | 0.040 CFS) |
| Total Diversion: | ( | 0.200 CFS) |

Date Filed: 9/ 5/1995

In: BOISE County  
T09N R07E S27 Lot 3 (SWSW) Lot 3 (SESW)

1995