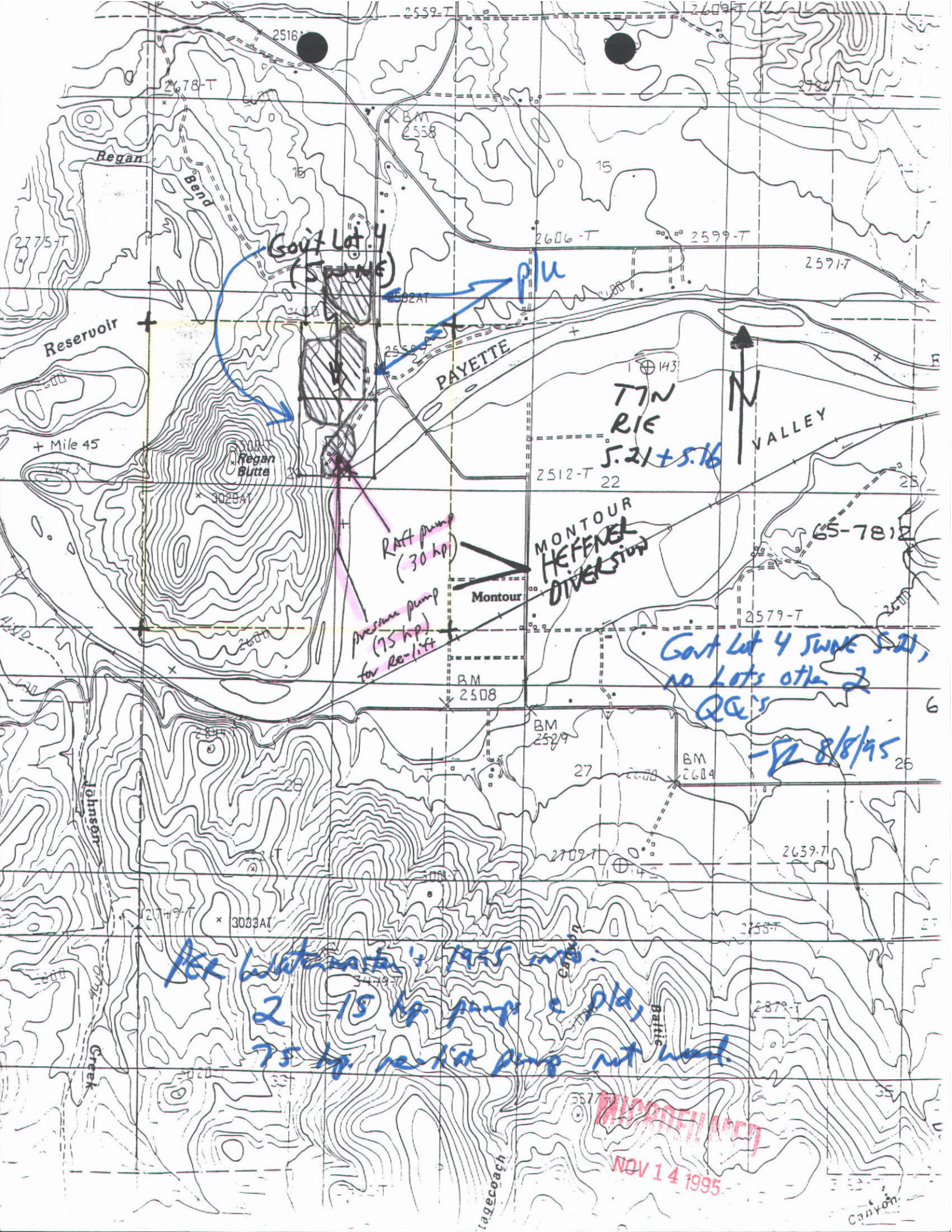




Govt Lot 4
(5 acres)

plu

T7N
R1E
S.21+5.16



VALLEY

RAFT pump
(30 hp)

Pressure pump
(75 hp)
for Re-lift

MONTOUR
HEFNER
DIVERSION

Govt Lot 4 S.W. 5.21,
no Lots other 2
QQ's

-FZ 8/8/95

Per Waterworks 1995 info
2 15 hp pumps & old,
75 hp re-lift pump not used.

NOV 14 1995

Govt
Lots

Area = Lot 4 (Surrender)

35.70 2
3 2

28.00

18.30
5

26.80 3

4

0.16.18 Sec. 20
601.5

5.89° 3
79.3

T7N
R1E
S.21

79.68

38.20

35.60

Sec. 20

528.58

38.00
8

39.50
7

WEST

20.50
1

43.50

WEST

21.40
2

21.40
3

35.30

55.60
5

50.60
6

EAST

27.10
6

PAYETTE

24.82 + 11.00

31.30
2

31.30
3

Sec. 20

487.85

NORTH

66.60
7

34.00
8

5.89° 3

16.10
5

35.50

50.80
1

34.01 EAST

522.10

39.50
6

6

414.4

48.81
2

34.90
1

MICROFILMED
NOV 14 1935

66.90

79.71

RECEIVED

AUG 24 1995

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
SS.
COUNTY OF GEM,

Marianne Charey, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for 2

consecutive weekly issues thereof,
beginning with the issue of
8-16, 1995,
and ending with the issue of
8-23, 1995

Marianne Charey
Subscribed and sworn to me this

23rd day of
August, 1995

James Lusk
Notary Public

Residing at Emmett, Idaho

My Commission Expires MY COMMISSION EXPIRES
JUNE 21st, 1997

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13627 ✓

HEFFNER, DONALD D.
HEFFNER, DONNA
4811 MONTOUR RD
EMMETT, ID 83617
Source: PAYETTE RIVER
Diversión Pt: LOT 4 (SWNE)
Use: IRRIGATION
STOCKWATER
Total Diversión:
Date Filed: 7/20/1995
In: GEM County
T07N ROIE S16
S21
60.0 ACRES TOTAL

Tributary: SNAKE RIVER
Sec 21 T 07N R 01E in GEM County.
(1.200 CFS)
(0.010 CFS)
(1.210 CFS)

SWSE
NWNE

Lot 4(SWNE)

65-13628

GEO THERMAL INVESTMENT CORP
7880 N HYW 52
SWEET, ID 83670
Source: GROUNDWATER
Diversión Pt:
Use: HEATING
Total Diversión:
Date Filed: 7/11/1995
In: GEM County
T07N ROIE S08

SESE Sec 8 T 07N R 01E in GEM County.
(0.070 CFS)
(0.070 CFS)

SESE

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 SEPTEMBER 5, 1995. The protestant must also send a copy
of the protest to the applicant.

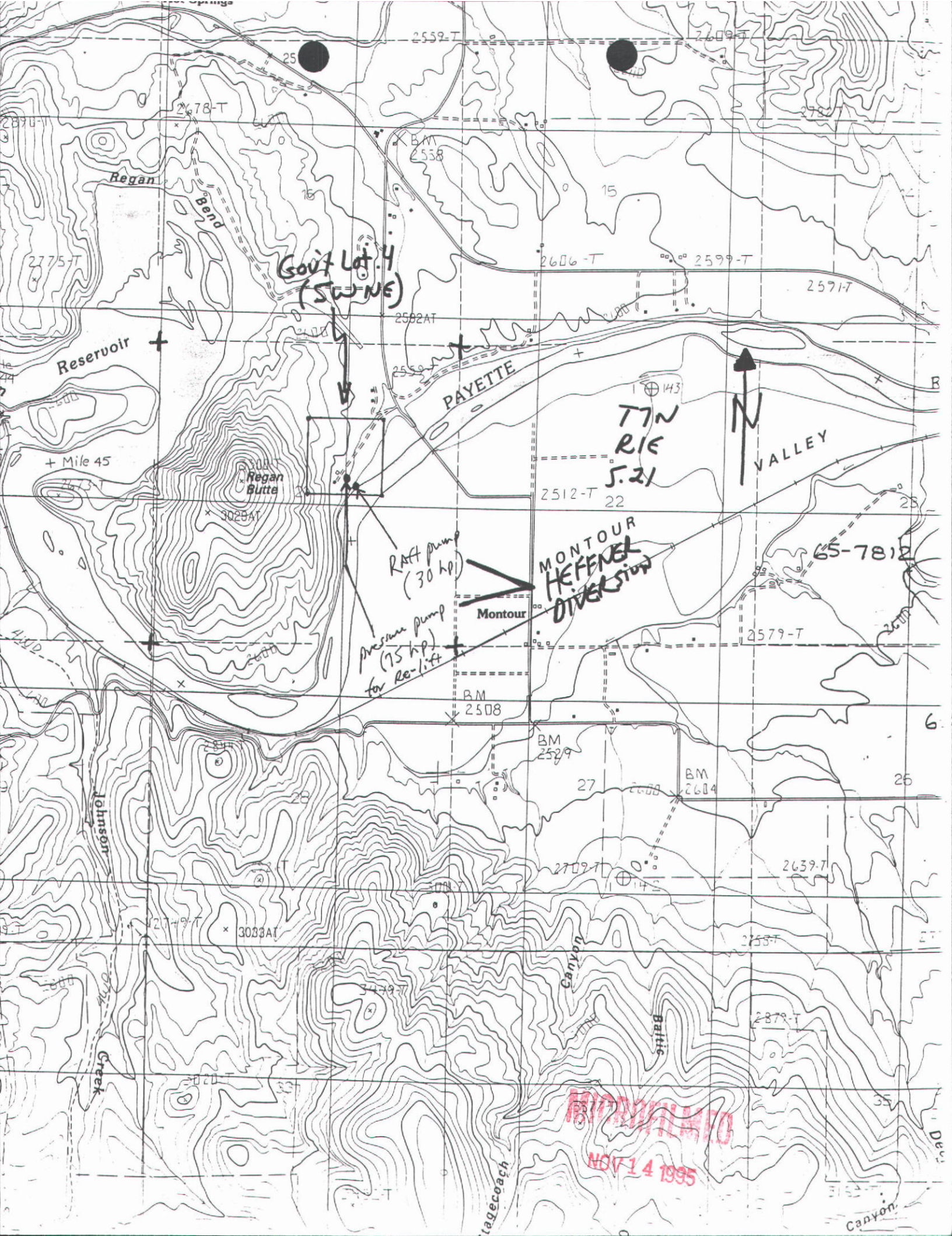
KARL J. DREHER,
Director

Pub.: 8 - 16, 23, 1995

Legal Notice No. 2294
Published in the Messenger Index

NOT REFILED

NOV 14 1995



Gov't Lot 4
(SW NE)

Reservoir

Regan Butte

PAYETTE

VALLEY

RAFT pump
(30 hp)

pressure pump
(75 hp)
for re-lift

MONTOUR
HEFFNER
DIVERSION

T7N
R1E
S.21

65-7812

NOV 14 1995

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OCT 02 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 65-13627 Telephone No. 208 584-3383

2. Name(s) of Permit Holder(s): Donald & Donna Heffner

3. Mailing Address: 4811 Montour Rd, Emmett, Id. 83617

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

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____ - ____

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

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): 106

Irrigation (No. of acres): 60 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 121 cfs OR _____ acre feet

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

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

Measuring Device: Is a measuring device required? Yes ☒ or No ☐

Has the measuring device been installed? Yes ☐ or No ☒

Flow Measurement Port: Is a flow measurement port required? Yes ☐ or No ☐

Has the measurement port been installed? Yes ☐ or No ☐

8. Fee Enclosed: \$ 125.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Same as above Telephone Number: _____

Address: _____

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

Signature of permit holder: D. Heffner owner Date: 10 2 96
(include your title, if on behalf of company or organization)

MICROFILMED
DEC 02 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13627

Proposed Priority: July 20, 1995

Maximum Diversion Rate:

1.21 CFS

This is to certify, that **DONALD D HEFFNER**
DONNA HEFFNER
4811 MONTOUR RD
EMMETT ID 83617

has applied for a permit to appropriate water from:
PAYETTE RIVER tributary of **SNAKE RIVER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	1.20 CFS
STOCKWATER	01/01 to 12/31	0.01 CFS
	Totals	1.21 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWNE), Sec. 21, Township 07N, Range 01E
GEM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	01E	16	SWSE 16.0			16.0
		21	NWNE 30.0	Lot 4(SWNE) 14.0		44.0

Total number of acres irrigated: 60.0

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1996.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
4. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
6. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.
7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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NOV 14 1995

State of Idaho
Department of Water Resources

Permit To Appropriate Water

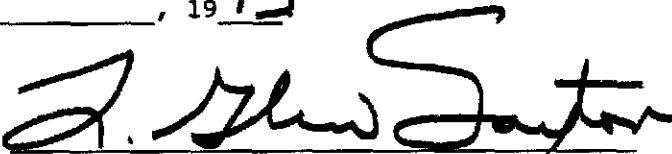
NO. 65-13627

CONDITIONS OF APPROVAL AND REMARKS

8. The issuance of this right does not grant any right-of-way or easement across the land of another.
9. Stockwater use is for 100 cattle and 6 horses.

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

23 day of October, 1975


for Karl J. Dreher, Director

NOV 14 1995

RECEIVED
OCT 18 1995

Ident. No. 65-13627

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: DONALD D HEFFNER 208-584-3383
Address: 4811 MONTGOUR RD
EMMETT ID 83617
AND/OR
Name: DONNA HEFFNER 208-584-3383
Address: 4811 MONTGOUR RD
EMMETT ID 83617
2. Source: PAYETTE RIVER Trib. to: SNAKE RIVER
3. Location of Point of Diversion: Lot 4 (SWNE), Sec. 21, Township 07N, Range 01E
GEM County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	1.200		
STOCKWATER	01/01	12/31	0.010		
5. Total quantity to be appropriated is:
1.210 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
TWO SUBMERSABLE PUMPS
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

NOV 14 1995

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
07N	01E	16	SWSE 16			16
		21	NWNE 30	Lot 4(SWNE) 14		44

Total number of acres irrigated: 60

Place of Use: STOCKWATER, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?

APPLICANT

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

APPLICANT

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

10. Remarks:

Stockwater use is for 100 cattle and 6 horses.

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 120.00 Receipted by _____ #W019615 Date 7/20/1995

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

APR 14 1995

Comments: Date: 8/ 8/ 1995 User-ID: STAYLOR

Subject:

75 hp pump

75 hp re-lift pump in place but not used. Right is to satisfy existing use as per IDWR inventory. Watermaster's info in note by signature block with previous BOR contract for storage. 44 acres in W1/2 NE1/4 S21, per topo estimate, 30 in NWNE plus 14 in SWNE; cannot have 44 acres in NWNE since it's 40 QQ without gov. lot.

RECEIVED
NOV 14 1995

RECEIVED
JUL 20 1995
WATER RESOURCES
WESTERN REGION

Form 202
10/92

Ident. No 65-13627

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- DONALD D.
1. Name of applicant ~~DONALD D.~~ AND DONNA HEFFNER Phone 208-584-3383
Post office address 4811 MONTGOMERY RD. EMMETT, IDAHO 83617
2. Source of water supply PAYETTE RIVER which is a tributary of SNAKE RIVER
3. Location of point of diversion is _____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot 04
Sec 21 Township 7N Range 1E B.M. GEM County; additional
points of diversion if any: 75HP RE-LIFT PUMP IN PLACE BUT NOT USED.
4. Water will be used for the following purposes
Amount 12 cfs for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 101 cfs for STOCKWATER 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)
1.21 ~~1.21~~ and/or (b) _____
cubic feet per second acre feet per annum
5. Total quantity to be appropriated is (a) _____ and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc TWO (2) 15 HP SUBMERSIBLE
SUBMERSIBLE PUMPS ON RAFT IN RIVER (2255150-6 GRUNDOS
PUMPS). RE-LIFT PUMP IN PLACE (75HP) BUT NOT USED AT THIS TIME.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet, total
reservoir capacity _____ acre-feet, period of year when water will be diverted to storage
_____ to _____ inclusive
- c. Proposed well diameter is _____ inches, proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? _____
- e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year).

Microfilm
NOV 14 1995

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. UP TO 100 CATTLE AND UP TO 6 HORSES.
- c Municipal; show name of municipality _____
- d Domestic, show number of households _____
- e Other, describe fully _____

9 Description of place of use Stockwater = Irrigation plr per map's info below *

- 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	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	
7N	1E	21		44	14														44
7N	1E	16															16		16
7N	1E	21		S	14														-
7N	1E	16															S		-

Total number of acres to be irrigated 60

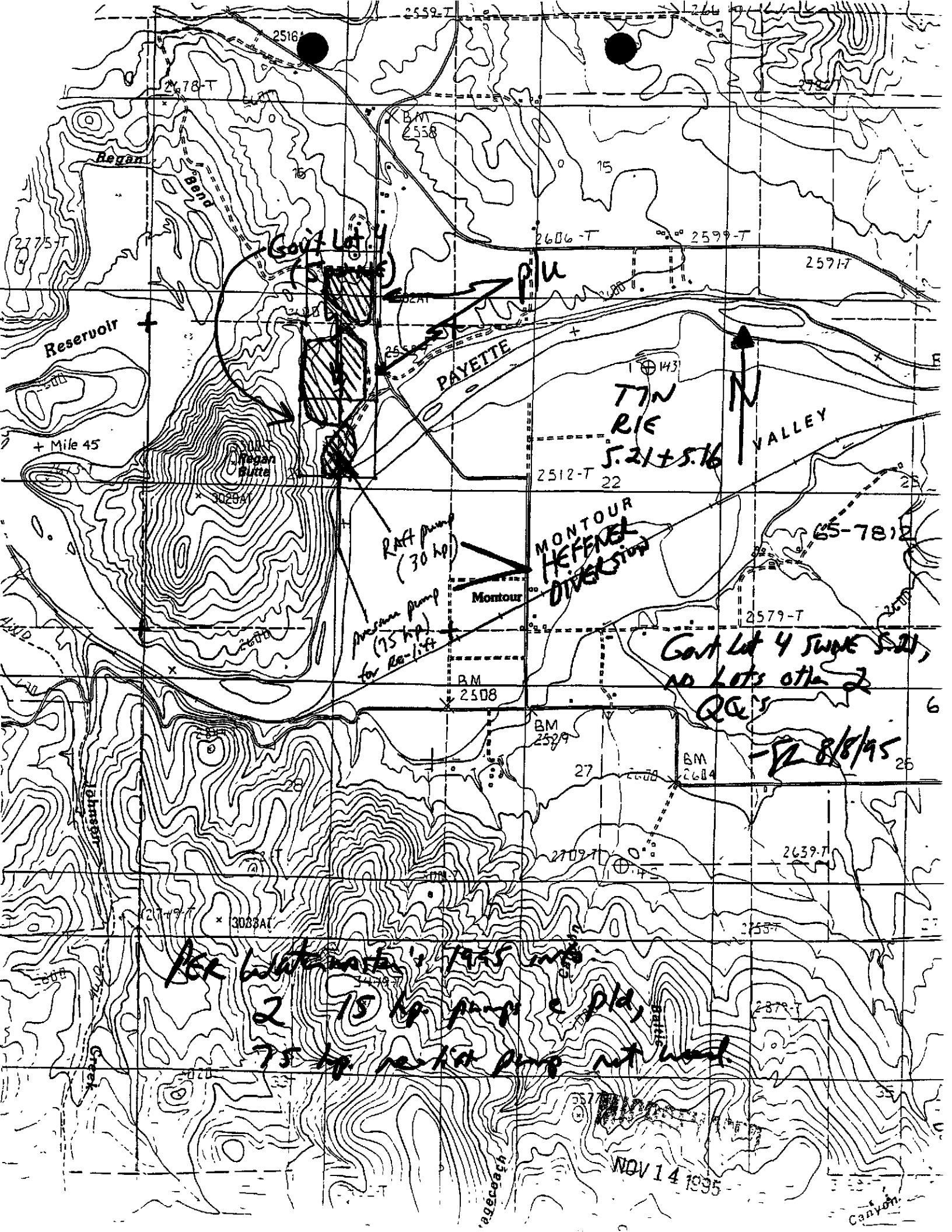
10 Describe any other water rights used for the same purposes as described above. NONE

- 11 a Who owns the property at the point of diversion? BUREAU OF RECLAMATION
- b Who owns the land to be irrigated or place of use? ~~Donal D. and Donna Heffner~~ DONALD D AND DANNIA HEFFNER
- c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing previous BOR storage contract allows access per Wm's note *

12 Remarks RIGHT IS TO SATISFY EXISTING USE. AS PER IOWA INVENTORY. NOV 14 1995

Comments → include: watermaster's info in note by signature block & previous BOR contract for storage.

* 44 acres in W 1/2 NE 1/4 S. 21 : per topo estimate, 30 is NW 1/4 plus 14 is SE 1/4; cannot have 44 ac. in NW 1/4 since is 40 acre Q&A w/out g&A lot. - PL 8/8/95



Govt Lot 4
(5 acres)

Reservoir

PAYETTE

VALLEY

RAFT pump
(30 hp)

Pressure pump
(75 hp)
for Re-lift

MONTOUR
HEFFNER
DIRECTION

T7N
R1E
S.21+5.16

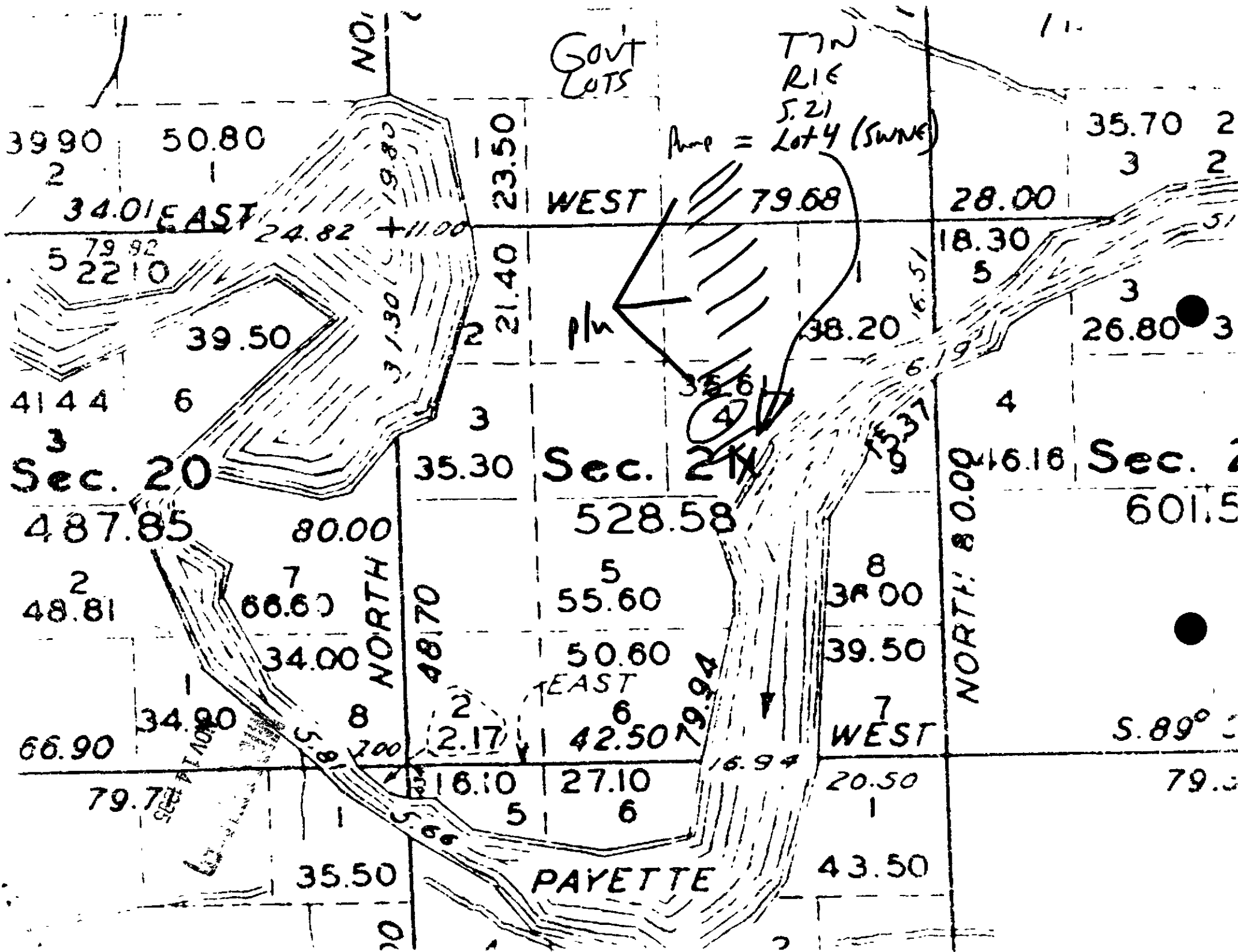
Govt Lot 4 SW 1/4 S.21,
NO Lots other 2
Q&A's

-12 8/8/95

PER Waterworks: 1995 info
2 15 hp pumps & pld,
75 hp re-lift pump not used

NOV 14 1995

Canyon



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

SEE ATTACHED MAPS

PREVIOUSLY HAD DEADWOOD
STORAGE UNDER MOTHER-IN-LAW
LOIS ARMYX NAME (260 AC)
CONTRACT NO. 14-06-100-5637
BUT NO WATER RIGHT

MARK LIMBAUGH
W.D. #65
WATERMASTER

include this
info in
'comments'

NOV 14 1995

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

Donald D. Kiffner
(Applicant)

Received by VR Date 7-20-95 Time 10:00 am Preliminary check by SR
Fee \$ 120- Receipted by VR # W01961.5 Date 7-20-95
Publication prepared by AT Date 8-8-95 Published in Messenger Index
Publication approved AT Date 9-5-95

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:

RECORDED

NOV 14 1995

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13629 Reviewed by [Signature] Date 11-8-96

GENERAL CONSIDERATIONS

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

TYPES OF USE

WATER, STOCK

Correct Uses? YES

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit _____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

YES Required?
YES Amount Submitted
YES Correct?

MEASURING DEVICE

YES Required?
NO Installed?
Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address [X] Proof Made 162-96

November 12, 1996

DONALD D HEFFNER
DONNA HEFFNER
4811 MONTOUR RD
EMMETT ID 83617

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13627

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MICROFILMED
DEC 02 1996

August 31, 1996

DONALD D HEFFNER
DONNA HEFFNER
4811 MONTOUR RD
EMMETT ID 83617

PROOF DUE NOTICE

RE: PERMIT NO. 65-13627

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 November 1, 1996.

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

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

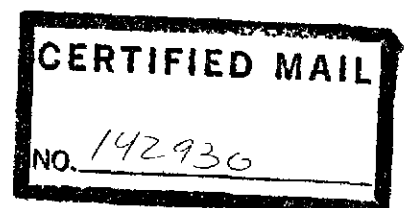
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
DEC 0 2 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 23, 1995

DONALD D HEFFNER
DONNA HEFFNER
4811 MONTGOMERY RD
EMMETT ID 83617

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13627

Dear Permit Holder(s):

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

Be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion. Also note that diversion under this right may be curtailed during low flow periods of the summer months.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

Enclosures

RECEIVED
NOV 14 1995

WR0749NP
No. P65-13627

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/19/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD D HEFFNER	07/20/1995	IRRIGATION	03-15 11-15	1.200 CFS	
C	DONNA HEFFNER		STOCKWATER	01-01 12-31	0.010 CFS	
	4811 MONTOUR RD					
	EMMETT ID 83617					
	(208) 584-3383					
TOTAL DIVERSION:					1.210 CFS	

Water Source: PAYETTE RIVER

Tributary to: SNAKE RIVER

Stage: PERMIT

Point(s) of Diversion: T07N R01E S21 Lot 04(SWNE)

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
07N	01E	16	:					:					:					:					:	16.0
07N	01E	21	:			30	04-14	:					:					:					:	44.0
TOTAL ACRES																							60.0	

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

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion and Source:
65-13627

Other Water Rights Listing Overlapping Place(s) of use:
65-13627

Conditions of Approval:

- 005 - Use of water under this right is subject to control by the watermaster of State Water District No. 65.
- 028 - After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
- 01J - A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
- 064 - When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- 004 - The issuance of this right does not grant any right-of-way or easement across the land of another.

WR0749NP
No. P65-13627

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/19/95
PAGE: 2

Remarks: Stockwater use is for 100 cattle and 6 horses.

Dates: App. Received: 07/20/1995 Priority Date: 07/20/1995
Proof Due Date: 11/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Comments: Date: 08/08/1995 User-ID: STAYLOR Subject: DIVERSION DESCRIPTION
75 hp re-lift pump in place but not used. Right is to satisfy
existing use as per IDWR inventory. Watermaster's info in note
by signature block with previous BOR contract for storage. 44
acres in W1/2 NE1/4 S21, per topo estimate, 30 in NWNE plus 14
in SWNE; cannot have 44 acres in NWNE since it's 40 QQ without
gov. lot.

Audit: 10/19/95 CZIMMERM

(WATER RIGHT NUMBERS THAT BEGIN WITH AN "1" ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A "2" HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				NE				NW				SW				SE				SUM						
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac													
P6513627	T07N R01E S16	PAYETTE RIVER																																						
	:																																	16	:	16				
6502845	PAYETTE RI :																																							
A6502845	PAYETTE RI :																																							
6507855	GROUNDWATE :																																							
A6507855	GROUNDWATE :																																							
6510463	PAYETTE RI :																																							
A6510463A	PAYETTE RI :																																							
A6510463B	PAYETTE RI :																																							
6513148	UNNAMED DR :																																							
6513269	SQUAW CREE :																																							
6513494	GROUNDWATE :																																							
~~6513627~~	~~PAYETTE RI :~~																																							
P6513627	T07N R01E S21	PAYETTE RIVER																																						
	:																																							
6500058	PAYETTE RI :																																							
A6500058	PAYETTE RI :																																							
6502845	PAYETTE RI :																																							
A6502845	PAYETTE RI :																																							
6510463	PAYETTE RI : 01-10																																							
A6510463A	PAYETTE RI : 01-01																																							
A6510463B	PAYETTE RI : 01-13																																							
~~6513627~~	~~PAYETTE RI :~~																																							

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 65-13627 Name: Heffner Date: 10/19/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: W019615 Priority: 8/20/95 ☒ 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 # 65 <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) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - ~~064~~(regulated uses), 047-P04(Payette Lake), NA
USE:
Domestic (surface) - 021(Boise R + 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 - ~~06A~~ (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 LoGep - 058 (-85° GW temp only)
~~In-stream dev. existing~~ - ~~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) BGR
OTHER CONDITIONS: _____
STANDARD REMARKS: - ① W02/1002c, 6 ft
BENEFICIAL USE DUE: - 11-1-1996
COMMENTS: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 3, 1995

JERROLD D GREGG
U S DEPT OF INTERIOR
BOR SNAKE RIVER AREA OFFICE
214 BROADWAY AVE
BOISE ID 83702

RECEIVED
OCT 18 1995
Department of Water Resources

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Application for Water Right No. 65-13627 in the Name of
Donald &/or Donna Heffner

Dear Protestant:

We are in receipt of your letter dated September 12, 1995, in which you expressed concerns about the approval of the above-referenced application for permit. Please be advised, however, that the last day to protest was September 5, 1995. Pursuant to Idaho Code, we cannot officially accept the protest as valid at this time.

Having received no timely protests, we will now continue to process the application subject to certain conditions of approval.

Please feel free to contact this office if you have questions.

Sincerely,

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

DRT:st

NOV 14 1995

NOV 14 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 4, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DEBBIE ALLEN
ID DEPT WATER RESOURCES
1301 N ORCHARD
BOISE ID 83706

RE: Protest Refund for BOR (Application #65-13627)

Dear Debbie:

Jerrold Gregg of the BOR sent a protest of the above-referenced application which was received after the protest date so it was not valid. Would you please refund the \$25.00 protest fee to:

JERROLD GREGG
US BOR SNAKE RIVER AREA OFFICE
214 BROADWAY AVE
BOISE ID 83702

Thanks, Debbie.

Sincerely,

SUE TAYLOR

NOV 14 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 12 1995

WATER RESOURCES
WESTERN REGION

NOTICE OF PROTEST

This form may be used to file a protest with the department under section 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains all the necessary information.

1. Matter being protested Right number 65-13627 in the name of Donald and Donna Heffner
2. Name of protestant United States Department of Interior
3. Protestant's representative for service (if different than protestant) Bureau of Reclamation, Snake River Area Office, Jerrold D. Gregg, Area Manager
4. Service mailing address 214 Broadway Avenue, Boise ID 83702
5. Service telephone number (208) 334-1460
6. Basis of protest (including statement of facts and law upon which the protest is based) The United States holds the water rights for which a water service contract has been in effect since 1967 to Mrs. Lois Amyx to serve the same lands to which Mr. and Mrs. Heffer are applying for "place of use."

The point of diversion indicated under the application is also identical to the point of diversion as identified in the contract to Mrs. Lois Amyx.

7. What would resolve your protest? Withdrawal of application

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 7th day of September, 1995.

United States
PROTESTANT

[Signature]
PROTESTANT'S REPRESENTATIVE

MICROFILMED

NOV 14 1995

fd #25 -
9-12-95
#W019257
By: VR

RECEIVED

SEP 12 1995

WATER RESOURCES
WESTERN REGION

September 7, 1995

SRAO-6415
WTR-1.10

Mr. and Mrs. Heffner
4811 Montour Rd.
Emmett ID 83617

Subject: Filing of Notice of Protest on Right Number 65-13627

Dear Mr. and Mrs. Heffner:

This letter is sent to you in compliance with the state process for protests. The Bureau of Reclamation has filed a Notice of Protest with the State on right number 65-13627 in the name of Mr. Donald D. and Mrs. Donna Heffner. Enclosed you will find a copy of the notice.

Sincerely,

Jerrold D. Gregg
Area Manager

rp:RP
WTR-1.10
(protest)

NOV 14 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: RL

DATE: 8/8/95

APPLICATION: 65-13627

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses of the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map: (show T, R, S, QQ &/or QQQ)
Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No ☐ In form to receipt:

Department of Water Resources

Gov't. Lots:

Y P/D

P/U

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

65

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. # 65

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 9-5-95

Protest dates, resolution of protest recorded on application:

Recommendations attached: Appraise, DRT

Measuring device required:

Measuring port required:

Water delivered by water master? District # 65, Payette River

Special conditions of approval or cover letter:

DIE, 05 (Payette River, 65)

Plz clarify in cover letter that diversion under this rt will be curtailed during low flow periods of
 See below for additional information Summer months.

Recommended Date or Priority 7/20/95

Recommended by: DPA Date 9/20/95

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

Existing use per 1992 inventory - no W.R. found to cover so
 new appl. filed per coordination w/ Watermaster + Applicant.

Overlap - 2 domestic wells in Twp 5.16 & lot 4 (Twp 6) S. 21; no
 irrigation rights found.

Previously - this site used contracted storage flow from BOR (which is why
 pump system found in 1992 visit) but never had recorded water right
 for natural flow irrigation. Storage contract expired per Watermaster's info.

RECEIVED

AUG 24 1995

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
ss.
COUNTY OF GEM,

Marianne Charey, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for 2

consecutive weekly issues thereof,
beginning with the issue of
8-16, 1995,
and ending with the issue of
8-23, 1995

Marianne Charey
Subscribed and sworn to me this
23rd day of
August, 1995
James L. Smith
Notary Public
Residing at Emmett, Idaho

My Commission Expires MY COMMISSION EXPIRES
JUNE 21st, 1997

NOTICE OF APPLICATION FOR WATER RIGHT
The Following application(s) have been filed for appropriate the public use of
the State of Idaho:

HEFFNER, DONALD D.
HEFFNER, DONNA
4811 MONTOUR RD
EMMETT, ID 83617
Source: PAYETTE RIVER
Diversion Pt: LOT 4 (SWNE)
Use: IRRIGATION
STOCKWATER
Total Diversion:
Date Filed: 7/20/1995
In: GEM County
T07N ROIE S16
S21
60.0 ACRES TOTAL

SWSE
NWNE
Lot 4(SWNE)

Primary: SNAKE RIVER
Sec 27 T07N R01E in GEM County
Diversion Pt: S16 S21
Use: IRRIGATION
(1.270 CFS)

GEOTHERMAL INVESTMENT CORP
7880 N HWY 52
SWEET, ID 83670
Source: GROUNDWATER
Diversion Pt:
Use: HEATING
Total Diversion:
Date Filed: 7/11/1995
In: GEM County
T07N ROIE S08
SESE

SESE Sec 6 T07N R01E in GEM County
(0.070 CFS)
(0.070 CFS)

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 application
this application must be filed with the Director, Dept. of Water Resources, Western
Region, 2735 Airport Way, Boise, Idaho 83708 together with a protest fee of
\$25.00 on or before SEPTEMBER 5, 1995. The protestant must also send a copy
of the protest to the applicant.

KARL J. DREHER
Director

Pub.: 6-16, 23, 1995

Least Water Use Fee
Published in the Messenger Index

NOV 14 1995



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

August 11, 1995

MARK LIMBAUGH
102 N MAIN
PAYETTE ID 83661

Re: Applications for Water Right Nos. 65-13627 in the Name of
Donald D. &/or Donna Heffner 65-13624 in the Name of Rivers
Pointe Property Owners Assn. Inc.

Dear Sir:

Enclosed are copies of the above referenced applications for
water right.

Please review the applications 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

10/14/1995

WATER DISTRICT NO. 65

102 N. Main St.
Payette, Idaho 83661
Phone (208) 642-4465
Fax (208) 642-1042

RECEIVED

JUL 20 1995

**WATER RESOURCES
WESTERN REGION**

July 19, 1995

Mr. Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Dear Steve:

Enclosed please find a water right application for Donald D. and Donna Heffner of Montour, Idaho, along with a check for \$120.00 for the application fee. If you have further questions, please give me a call.

Sincerely,



Mark Limbaugh, Watermaster

RECEIVED

NOV 14 1995



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

June 20, 1995

Mr. Don Heffner
4811 Montour Road
Emmett, ID 83617

RE: PAYETTE RIVER DIVERSION

Dear Mr. Heffner:

During the fall of 1992, department staff conducted an inventory of Payette River diversions to assist the Watermaster of Water District No. 65 in regulating water uses from the river as required by Idaho law.

A pumping system that apparently belongs to you was found in Government Lot 4 (SWNE), Section 21, T7N, R1E. No valid water right for this diversion can be identified in records kept by this agency. Without a valid water right, pumping of water from the river must be considered an illegal diversion subject to curtailment as described by Section 42-351, Idaho Code.

You can protect the use of this diversion by filing an *Application for Permit* to obtain a new water right. Please see the partially completed application enclosed for your convenience. The items to complete are circled. Note that an application fee should accompany the completed and signed form (refer to the instructions, also enclosed).

An application or other documentation of valid water right coverage should be received at this office within ten days of the date of this letter to avoid additional complications in this matter. Please contact me at 334-2190 if I can assist you in any way.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

cc: Mark Limbaugh, Payette River Watermaster

RECEIVED
NOV 14 1995

CONVERSATION MEMORANDUM

DATE 6-15-95

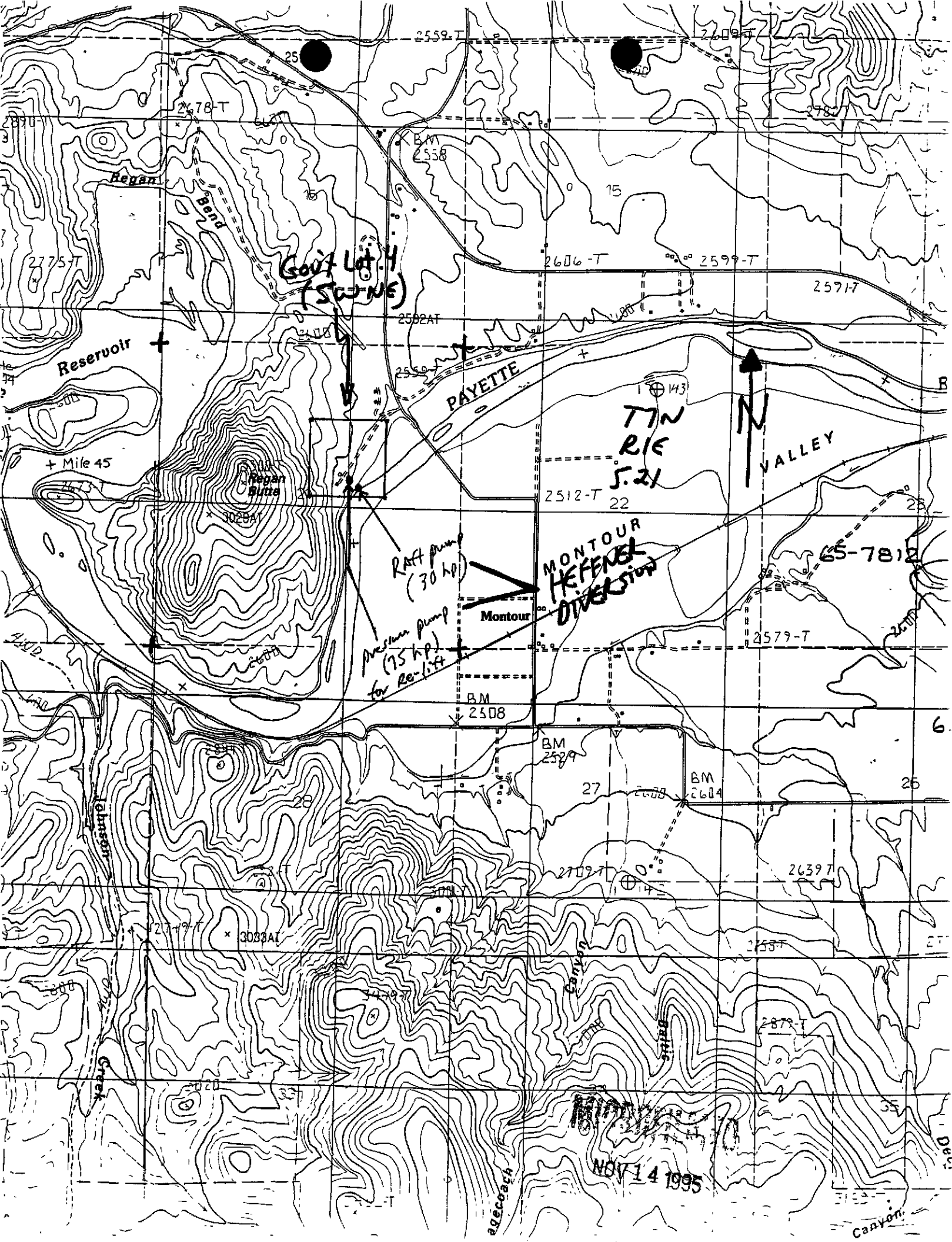
FILE _____

NAME OF PARTY _____

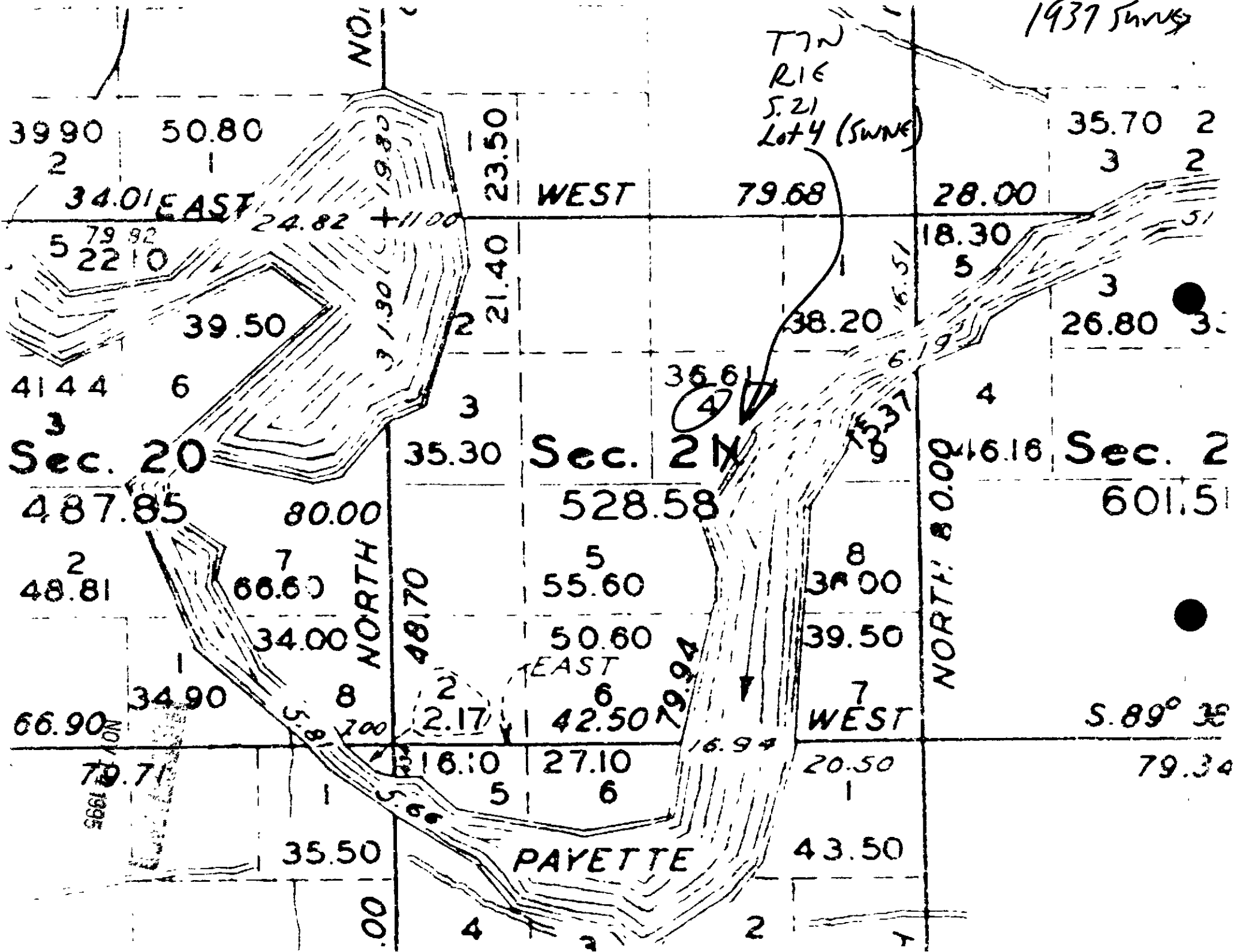
EMPLOYEE Steve ListerRE: Rosebud & Pump & RiverWRGS 7th 16 5.21 SWNE (Lot 4) } Ø
AJGSWRGS Hottel } only Randy H., Payette R.
AJGS P/O elsewhereNo water right / SABA records & w.r. this Q2Gen. Co. Assessor's office (365-2982)Thurs Nov HOFFER4811 Munton RdEmmett 83617Sent letter w/ cc to w.r. #65 Watermark,
appl. for permit needed

MICROFILMED

NOV 14 1995



T7N
R1E
S.21
Lot 4 (SWNE)



DATE: 10/29/92

STREAM: Payette River

DIVERSION NAME: Heffner, Don

POINT OF DIVERSION: T7N R1E Sec. 21, Lot 4 (SESWNE)

ACCESS: Vehicle - South side of Highway 52, take main road towards Montour off 52 then turn right at Heffner residence/farm driveway before Montour bridge. Walk downhill toward river to pumps.

USGS MAP: Montour NE
(name)

W8
(number)

WATERMASTER CONTROL: YES X NO

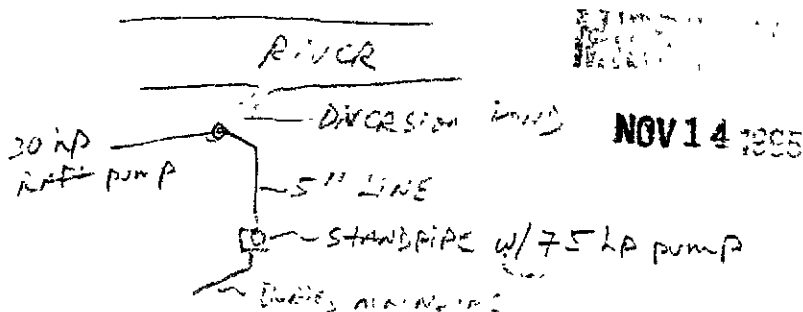
DIVERSION DESCRIPTION: 30 HP Uniclosed electric motor and Jacuzzi centrifugal suction lift pump sits on raft in small channel/pond off river. Raft pump lifts water about 50 ft. uphill thru 5 inch diameter pipeline to an aluminum corrugated standpipe which sits underneath a 75 HP US Electric motor and unknown type pump. From standpipe, water is pumped to buried mainline and place of use.

MEASUREMENT: None at either pump. Appears to be one electric power meter for both pumps. IPCO power box/pole no. = 698
HP Egn. at raft pump: consider lift to standpipe & second/larger pump only, no pressure head or friction losses

$$Q = (0.7) (8.81) (30) / 50 = 3.70 \text{ cfs.}$$

$$Q = 1.94 \text{ cfs with 3 ft. suction lift and 40 psi at pump}$$

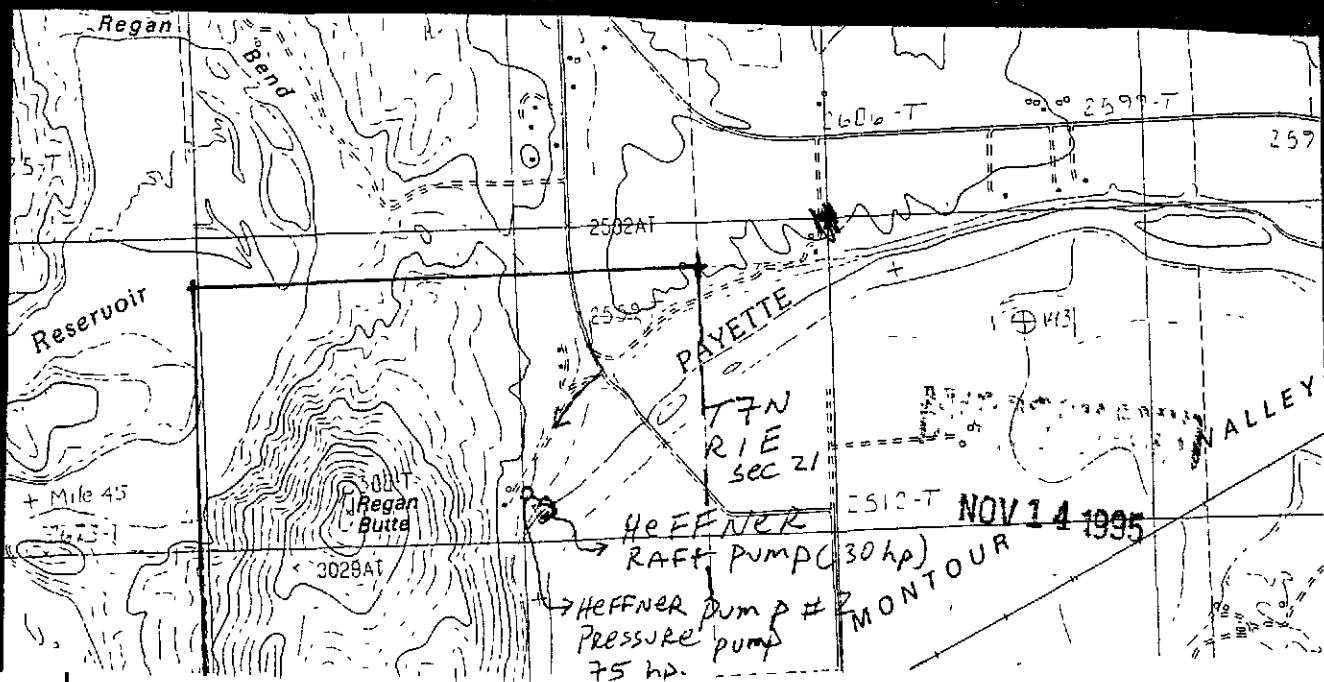
CURRENT WATER RIGHTS: No rights found to match this point of diversion. Place of use or irrigated acreage not determined during diversion inventory.





Bottom: 30 hp.
re-lift pump
& standpipe.

HeFFner Diversion



65-13627

HEFFNER, DONALD D
HEFFNER, DONNA
4811 MONTOUR RD
EMMETT, ID 83617

Source: PAYETTE RIVER

Tributary: SNAKE RIVER

Diversion Pt: LOT 4 (SWNE) Sec 21 T 07N R 01E in GEM County.

Use: IRRIGATION	(	1.200 CFS)
STOCKWATER	(	0.010 CFS)
Total Diversion:	(	1.210 CFS)

Date Filed: 7/20/1995

In: GEM County
T07N R01E S16 SWSE
S21 NWNE Lot 4 (SWNE)

60.0 ACRES TOTAL

NOV 14 1995