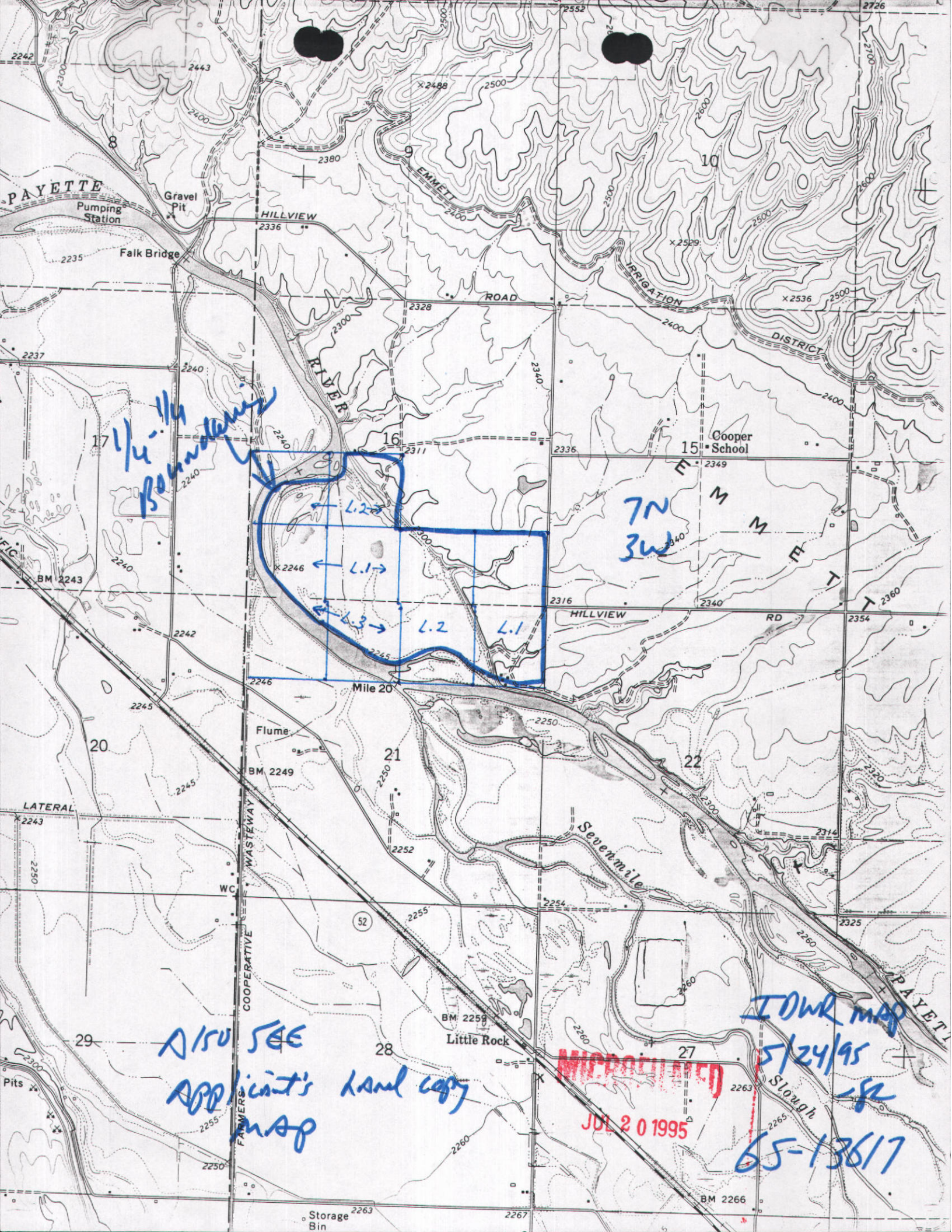




PAYETTE

Pumping Station

Falk Bridge

HILLVIEW

ENMETT

ROAD

7N  
3W

Cooper School

HILLVIEW

RD

LATERAL

COOPERATIVE FARMERS WASTEWAY

Sevenmile

Also see Applicant's land copy map

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JUL 20 1995

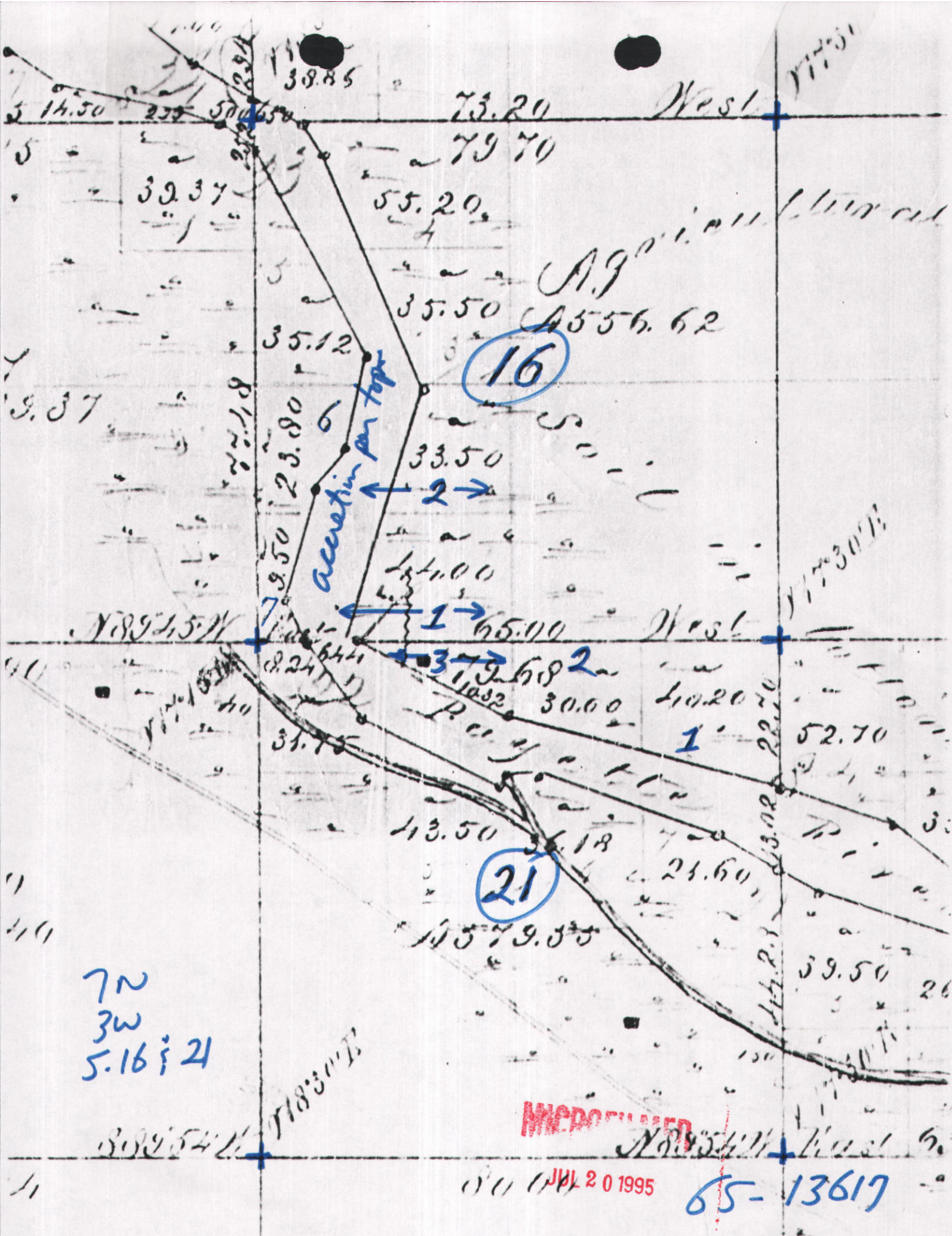
IOWA MAP  
5/24/95  
65-13617

Little Rock

Slough

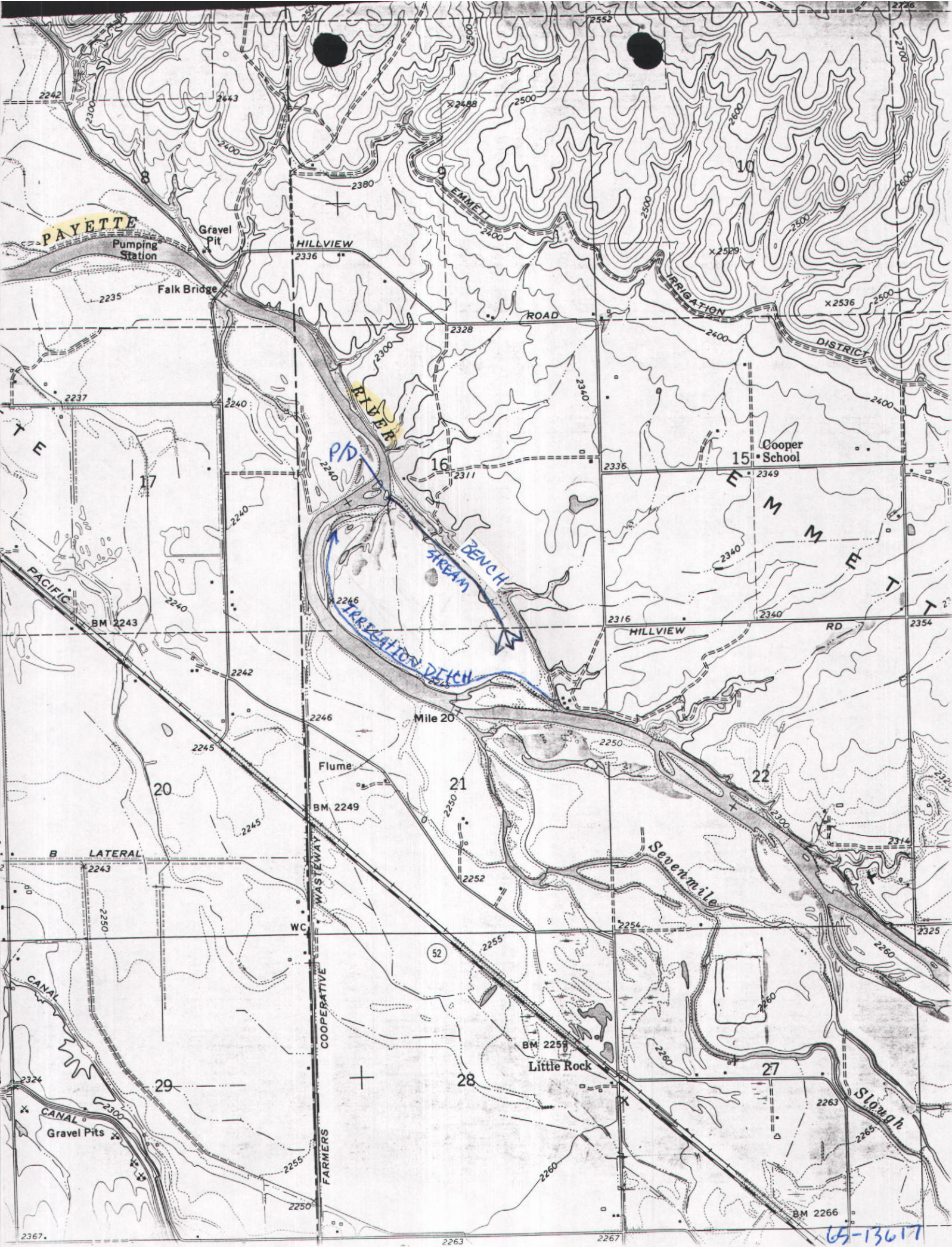
Storage Bin

BM 2266

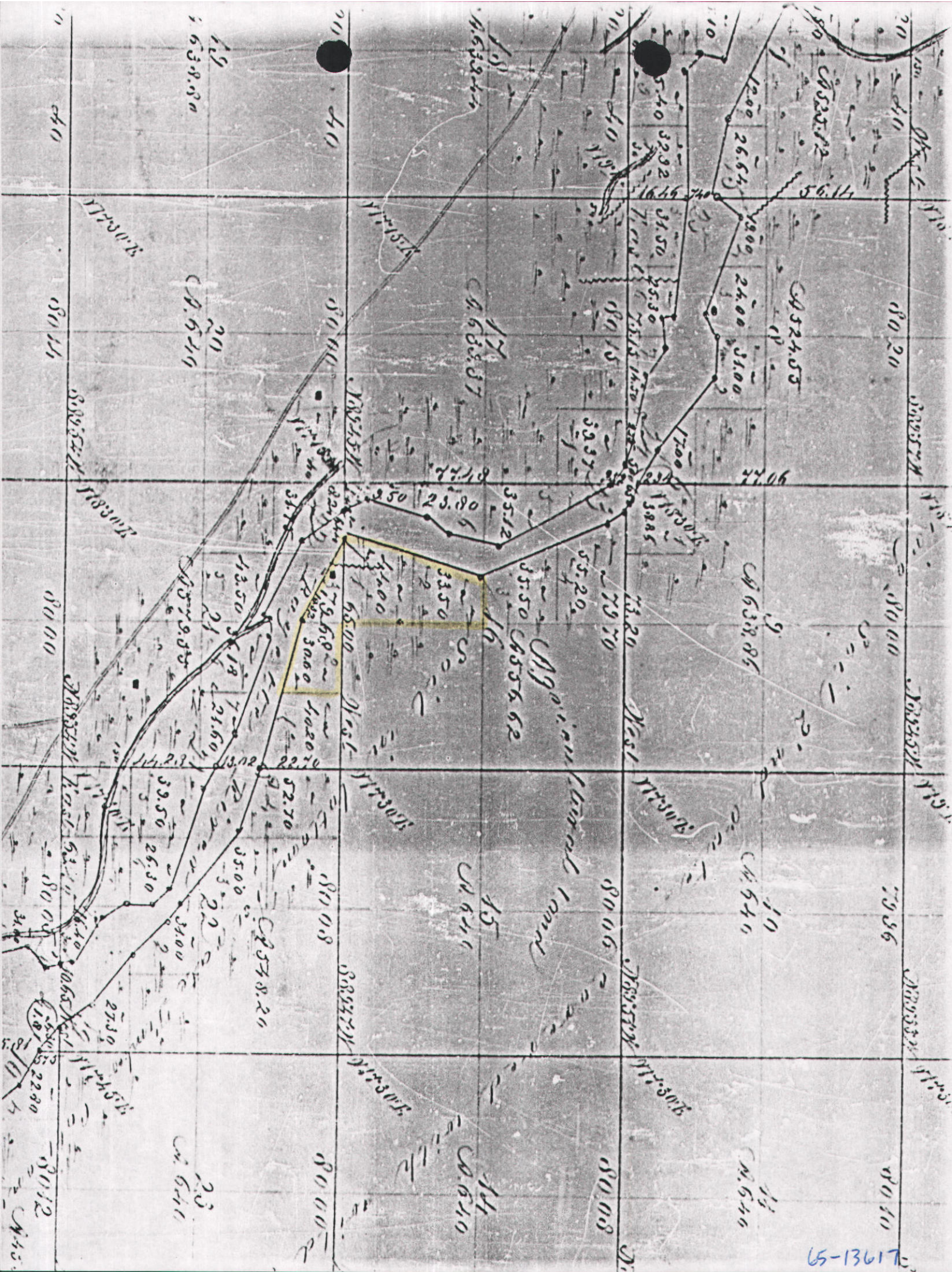


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JUL 20 1995

4 Marjorie A. Cooper  
(Applicant)



65-13617





marshy area →



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JUN 25 1999

65-13617

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,  
                  ss.  
COUNTY OF GEM,

RECEIVED

JUN 16 1995

WATER RESOURCES  
WESTERN REGION

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

consecutive weekly issues thereof,  
beginning with the issue of  
May 31, 1995,  
and ending with the issue of  
June 7, 1995

Ginger Johnson  
Subscribed and sworn to me this

2th day of  
June, 1995

Jeannette Lusk  
Notary Public

Residing at Emmett, Idaho

MY COMMISSION EXPIRES  
JUNE 21st, 1997

My Commission Expires \_\_\_\_\_

## Legal Notices

## Legal Notices

### NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13617

COOPER, MARJORIE A  
11433 LOWER BENCH RD  
EMMETT, ID 83617  
Source: UNNAMED STREAM  
Diversion Pt: SWSE  
LOT 2 (NWNE)

Tributary: PAYETTE RIVER  
Sec 16 T 07N R 03W in GEM County.  
Sec 21 T 07N R 03W in GEM County.  
(0.070 CFS)  
(0.070 CFS)

Use: STOCKWATER  
Total Diversion:  
Date Filed: 5/ 9/1995  
In: GEM County  
T07N R03W

S16 Lot 2 (NESW) Lot 2(NWSW) Lot 1 (SWSW) Lot 1 (SESW)  
SWSE SESE

S21 Lot 1 (NENE) Lot 2(NWNE) Lot 3 (NENW) Lot 3 (NWNW)

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 JUNE 19, 1995. The protestant must also send a copy of the protest to  
the applicant.

KARL J. DREHER, Director  
Pub.: 5 - 31, 6 - 7, 1995

Legal Notice No. 2239  
Published in the Messenger Index

MISSED

JUL 20 1995

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

**WATER RIGHT NO. 65-13617**

Priority: May 9, 1995

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

4.0 AF

This is to certify, that MARJORIE A COOPER

11433 LOWER BENCH RD

EMMETT ID 83617

has complied with the terms and conditions

of the permit, issued pursuant to Application for Permit dated May 9, 1995; and has submitted Proof of Beneficial Use on October 19, 1995. An examination indicates that the works have a diversion capacity of 0.070 cfs of water from:

**UNNAMED STREAM**

tributary to **PAYETTE RIVER**

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> |
|-----------------------|----------------------|--------------------------|----------------------|
| STOCKWATER            | 01/01 to 12/31       | 0.07 CFS                 | 4.0 AF               |

LOCATION OF POINT(S) OF DIVERSION:

|                                |                 |                                  |
|--------------------------------|-----------------|----------------------------------|
| Beginning of Stream Flow Reach | Lot 2 ( NESW ), | Sec. 16, Township 07N, Range 03W |
| End of Stream Flow Reach       | Lot 2 ( NWNE ), | Sec. 21, Township 07N, Range 03W |
|                                |                 | GEM County                       |

PLACE OF USE: STOCKWATER

TWN RGE SEC

|            |              |              |      |
|------------|--------------|--------------|------|
| 07N 03W 16 | Lot 2 (NESW) | Lot 1 (SESW) | SWSE |
| 21         | Lot 2 (NWNE) |              |      |

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. This right is for in-stream stockwatering.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 10<sup>TH</sup> day of

JUNE, 1999.

Acting for

KARL J. DREHER

Director

RECEIVED

JUN 08 1999

Department of Water Resources

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 65-13617**

Date of Priority: May 9, 1995      Maximum Diversion Rate: 0.07 CFS  
Maximum Diversion Volume: 4.0 AF

Comes now      MARJORIE A COOPER  
11433 LOWER BENCH RD  
EMMETT ID 83617

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 65-13617, and requests that the permit be changed as follows:

Source: UNNAMED STREAM      tributary to PAYETTE RIVER

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| STOCKWATER            | 01/01 to 12/31       | 0.07 CFS                 | 4.0 AF               |

**LOCATION OF POINT(S) OF DIVERSION:**

Beginning of Stream Flow Reach      Lot 2 ( NESW ), Sec. 16, Township 07N, Range 03W  
End of Stream Flow Reach      Lot 2 ( NWNE ), Sec. 21, Township 07N, Range 03W  
GEM County

**PLACE OF USE:** STOCKWATER

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u>                                       |
|------------|------------|--------------------------------------------------|
| 07N        | 03W        | 16      Lot 2 (NESW)      Lot 1 (SESW)      SWSE |
|            |            | 21      Lot 2 (NWNE)                             |

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Marjorie A. Cooper, this 3 day of June, 1999.  
10:00 A.M.  
Emmett, Idaho

Marjorie A. Cooper  
(Signature)

JUN 24 1999

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 65-13617**

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = \$50<sup>00</sup> Receipted by DS # 0045258 Date 6-8-99

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, Karl J. Dreher, of the Department of Water Resources hereby approve the  
above Application for Amendment for Permit No. 65-13617 with the following;

**CONDITIONS OF APPROVAL AND REMARKS**

1. Use of water under this water right will be regulated by the  
watermaster of State Water District No. 65.
2. This right is for in-stream stockwatering.

Witness my hand this 10<sup>th</sup> day of JUNE, 1999.

Acting for KARL J. DREHER, Director

MICROFILMED  
JUN 25 1999

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

SEP 25 1995

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. 65-13617 Telephone No. (208) 365-2759 (208) 365-5678

2. Name(s) of Permit Holder(s): MARJORIE A COOPER

3. Mailing Address: 11433 LOWER BENCH ROAD, EMMETT, IDAHO

4. Source of Water: UNNAMED STREAM <sup>TRIBUTARY OF PAYETTE RIVER</sup> 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): 300 RANGE CATTLE

Irrigation (No. of acres): — Other: —

6. Total rate of diversion and/or volume for which proof is submitted: 0.07 cfs OR — acre fee

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: \$ — (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: MARJORIE A. COOPER / TIM G. COOPER Telephone Number: (208) 365-2759 (208) 365-5678

Address: CM RANCHES, 11433 LOWER BENCH ROAD, EMMETT, IDAHO 83617

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: Marjorie A. Cooper  
(include your title, if on behalf of company or organization)

NOV 14 1995

Date: 9-22-95

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

NO. 65-13617

Proposed Priority: May 9, 1995                      Maximum Diversion Rate: 0.07 CFS

This is to certify, that **MARJORIE A COOPER**  
11433 LOWER BENCH RD  
EMMETT ID 83617

has applied for a permit to appropriate water from:  
**UNNAMED STREAM**                      tributary of **PAYETTE 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> |
|-----------------------|----------------------|--------------------------|
| STOCKWATER            | 01/01 to 12/31       | 0.07 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:                      SWSE , Sec. 16, Township 07N, Range 03W  
Lot 2( NWNE), Sec. 21, Township 07N, Range 03W  
GEM County

PLACE OF USE: STOCKWATER

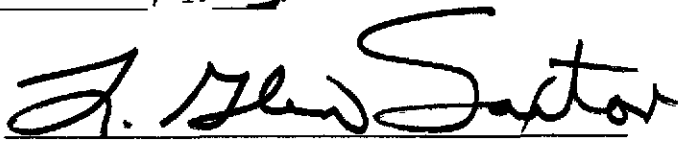
| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> |             |             |             |
|------------|------------|------------|-------------|-------------|-------------|
| 07N        | 03W        | 16         | Lot 2(NESW) | Lot 2(NWSW) | Lot 1(SWSW) |
|            |            |            | Lot 1(ESW)  | SWSE        | SESE        |
|            |            | 21         | Lot 1(NENE) | Lot 2(NWNE) | Lot 3(NENW) |
|            |            |            | Lot 3(NWNW) |             |             |

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 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. Stockwater use is for 300 range cattle.

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 day of July, 1995

  
Karl J. Dreher, Director  
*for*

**MICROFILMED**

JUL 20 1995

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED  
MAY 09 1995

Department of Water Resources Ident No 65-13617

RECEIVED  
MAY 10 1995

WATER RESOURCES  
WESTERN REGION

1. Name of applicant Marjorie A. Cooper Phone 208-365-2759  
DBA CM RANCHES  
Post office address 11433 LOWER BENCH RD Emmett 83617

2. Source of water supply UN NAMED stream which is a tributary of Payette River

3. Location of point of diversion is SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Govt. Lot —

Sec 16 Township 7N Range 3W B M Gem County; additional

points of diversion if any. NWNE SEC 21, T7N R3W  
Lot 2

4. Water will be used for the following purposes:

Amount 0.07 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)

Amount — for — purposes from — to — (both dates inclusive)  
(cfs or acre-feet per annum)

5 Total quantity to be appropriated is (a) 0.07 and/or (b) —  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a Description of ditches, flumes, pumps, headgates, etc open channel (see comments  
in profile report)

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).

\* d'base updated 5/24/95

-82

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JUL 20 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 300 head range cattle
- c Municipal, show name of municipality. \_\_\_\_\_
- d Domestic; show number of households. \_\_\_\_\_
- e Other, describe fully \_\_\_\_\_

## 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 |        |
| 7N  | 3W    | 16   |     |     |     |     |       |     |     |     | -Lot 2- | -Lot 1- |     |     |     |     | S   | S   |        |
|     |       | 21   | 2.1 | 2.2 |     |     | -2.3- |     |     |     |         |         |     |     |     |     | S   | S   |        |
|     |       |      |     |     |     |     |       |     |     |     |         |         |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |       |     |     |     |         |         |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |       |     |     |     |         |         |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |       |     |     |     |         |         |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |       |     |     |     |         |         |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |       |     |     |     |         |         |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |       |     |     |     |         |         |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |       |     |     |     |         |         |     |     |     |     |     |     |        |

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

10. Describe any other water rights used for the same purposes as described above None11. a Who owns the property at the point of diversion? Applicantb. 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 \_\_\_\_\_

12 Remarks Stockwater use is for 300 range cattle.

Comments: see profile report, attached.

JUL 20 1995

\* d'la update 5/24/95

-R

| OWNER<br>CODE    | NAME & ADDRESS    | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | MARJORIE A COOPER | 05/09/1995       | STOCKWATER | 01-01 12-31           | 0.070 CFS         |                     |
| TOTAL DIVERSION: |                   |                  |            |                       | 0.070 CFS         |                     |

Water Source: UNNAMED STREAM
 Tributary to: PAYETTE RIVER
 Stage: APPLICATION

Point(s) of Diversion: T07N R03W S16 SWSE GEM County  
 S21 Lot 02( NWNE) GEM County

Place of use Legal Description for: STOCKWATER

| NENE |     |    |         | NW    |       |       |         | SW    |       |       |         | SE    |       |       |         |
|------|-----|----|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|---------|
| T    | R   | S  | : 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 |
| 07N  | 03W | 16 | :       |       |       |       | :       |       |       |       | :       |       |       |       | :       |
| 07N  | 03W | 21 | :       | 01-S  | 02-S  |       | :       | 03-S  | 03-S  |       | :       |       |       |       | :       |

Pou County: GEM

Other Water Rights Listing Overlapping Place(s) of use:  
 65-01854 65-01858 65-02200 65-02847 65-05623 L65-02847

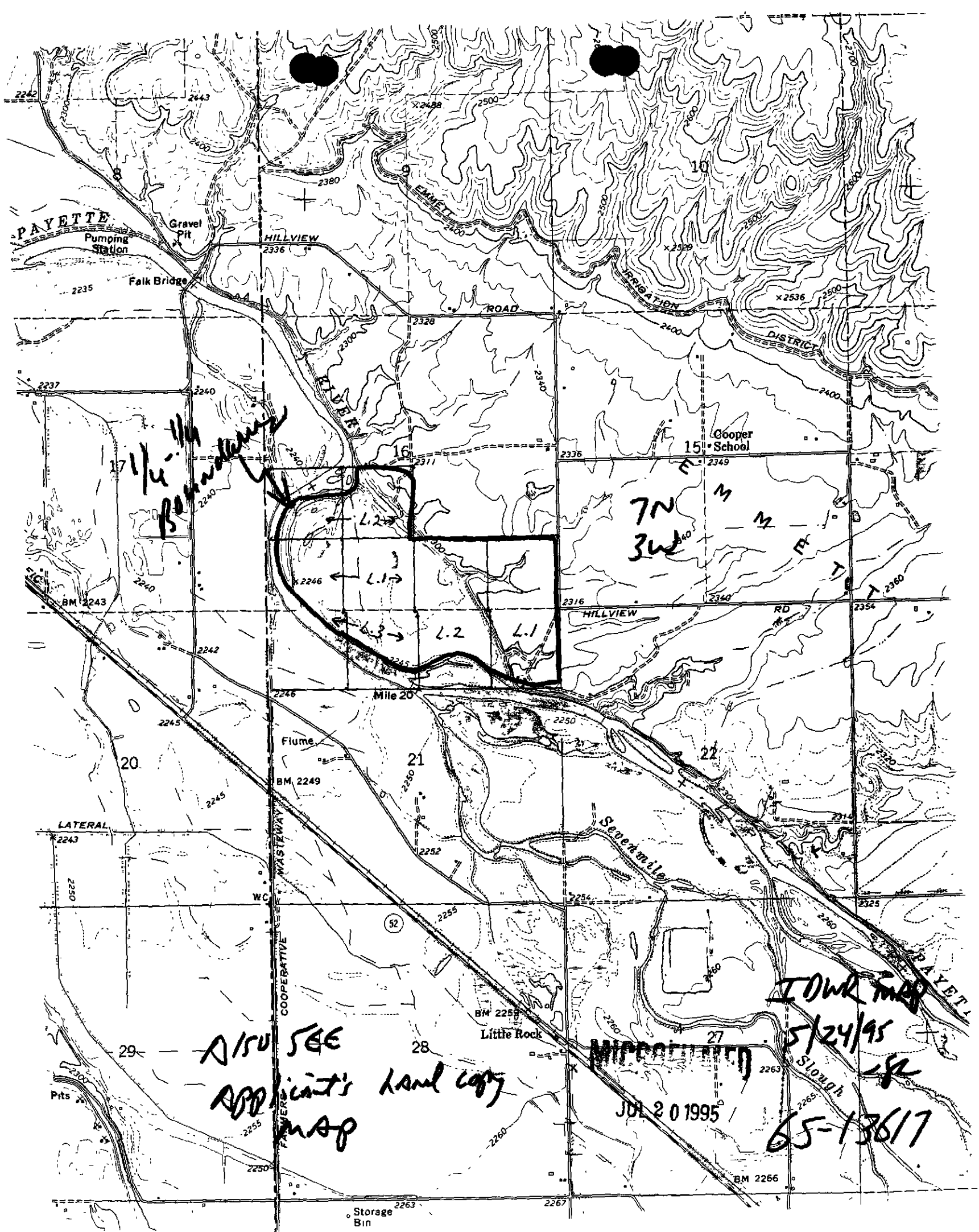
Remarks: Stockwater use is for 300 range cattle.

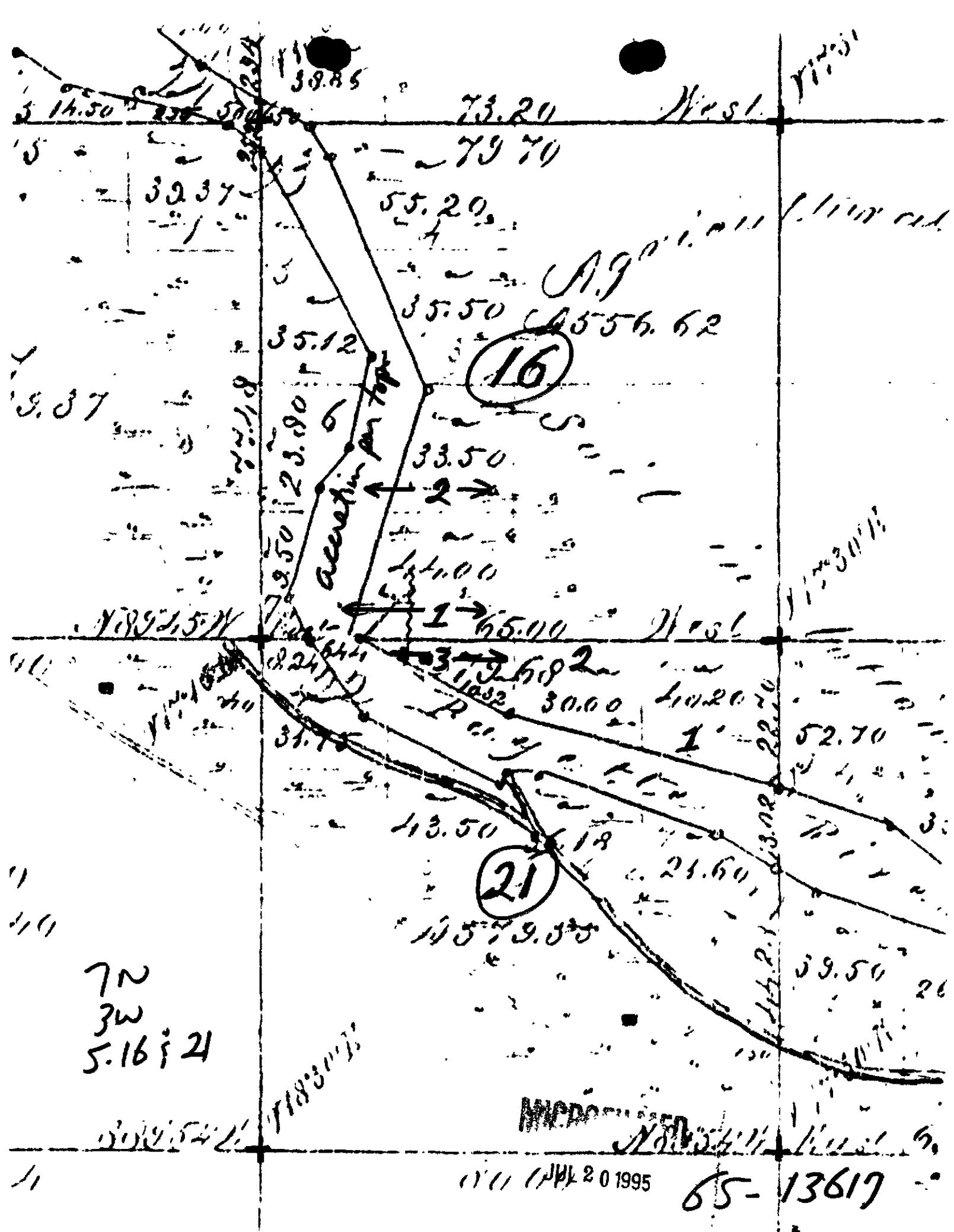
Dates: App. Received: 05/09/1995 Priority Date: 05/09/1995  
 Proof Due Date: Proof Made Date:  
 Exam Made Date: Exam Sent to S.O.:  
 Licensed Date:

Misc: Water District Number: Field Exam Fee:

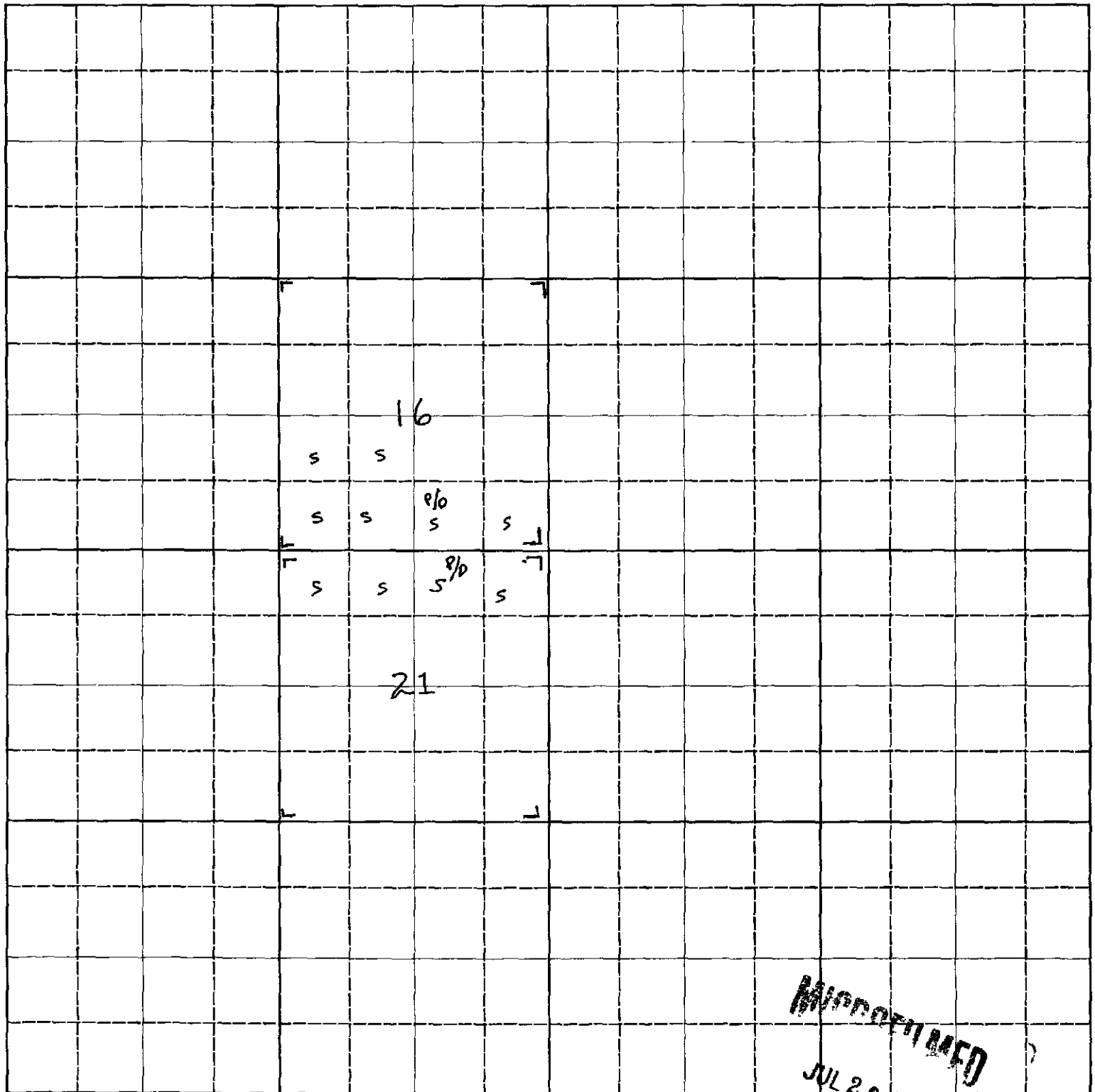
Comments: Date: 05/24/1995 User-ID: SLESTER Subject: CLARIFICATION  
 Property located north of river. Gov't lots in some tracts can be interpreted to extend north into two tracts per lot due to accretion (compare lot plat to topo).  
 Per discussion with Jim Johnson: is this an instream right per I.C. 42-113? If so, does code limit of "natural stream" include unnamed stream where source is runoff/waste water originating from upslope land? Assumes P/D locations are where this water enters land - open channel/ditch system collects water & routes it over site. Given the location where ample tail water is found & stock can use, perhaps can leave clarification of exact details of P/D & P/U to eventual examination? Forwarded for advertising to avoid delay for a relatively simple water use.

Audit: 05/09/95 CZIMMERM 05/24/95 SLESTER





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

*Marjorie A. Cooper*  
(Applicant)

RECORDED  
JUL 20 1995

Received by Jim S. Date 5-9-95 Time 3:07 Preliminary check by SL  
Fee \$ 50.00 Receipted by RT # 032617 Date 5/9/95  
Publication prepared by AT Date 5-24-95 Published in Messenger Index  
Publication approved AT Date 6-29-95

### 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 \_\_\_\_.

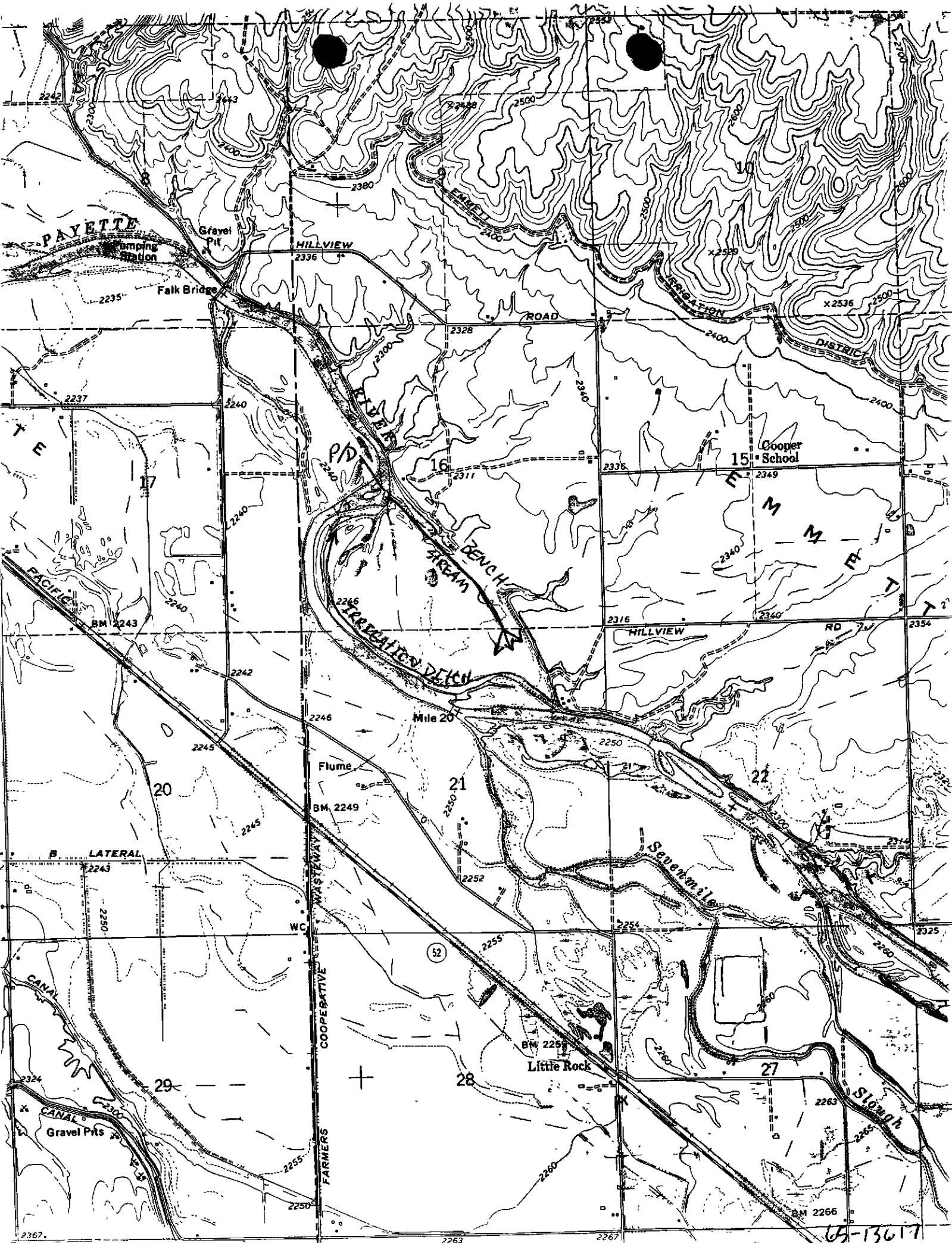
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land

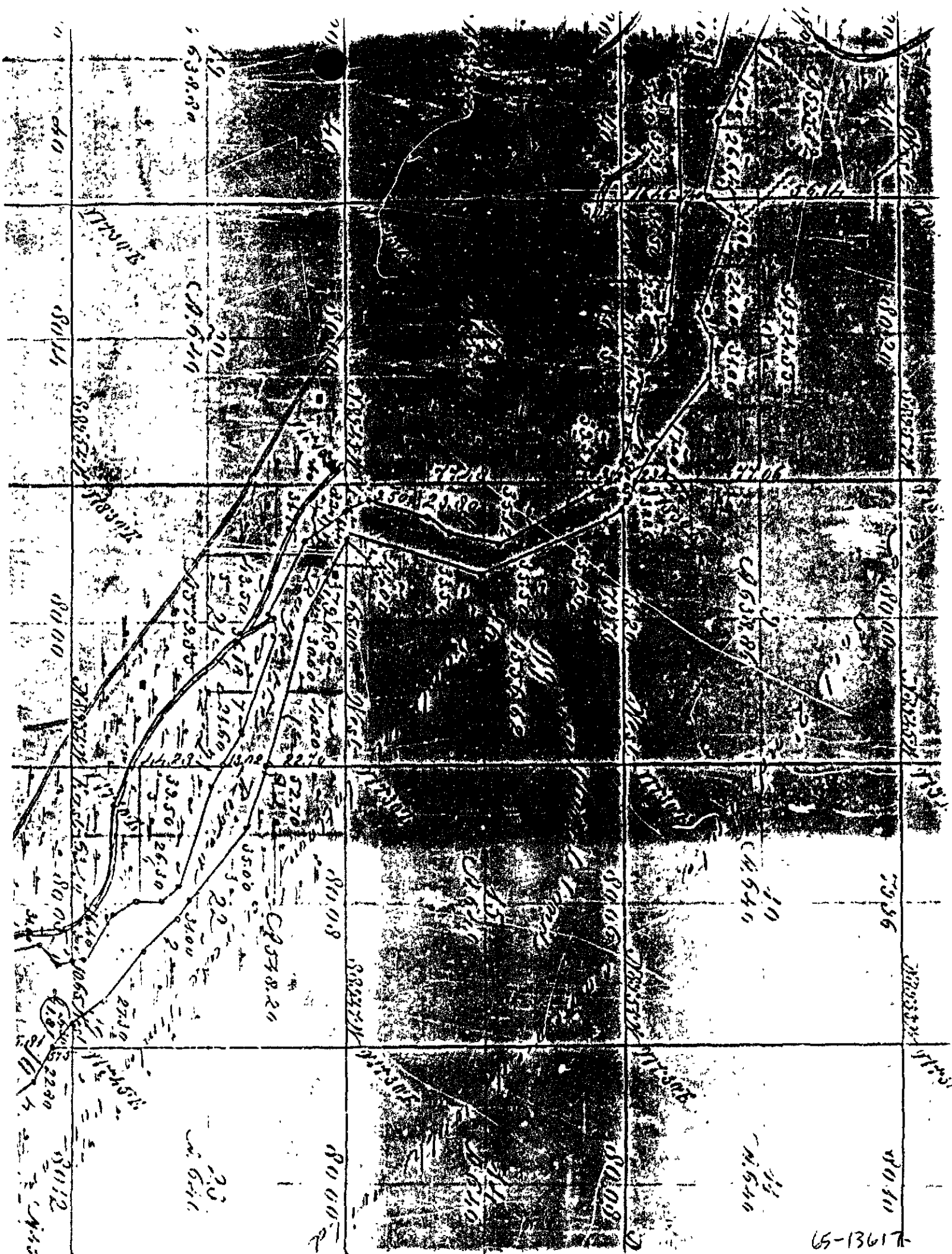
d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim 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

JUL 20 1995





**RECEIVED**  
JUL 12 1995

Department of Water Resources

Ident. No. 65-13617

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: MARJORIE A COOPER  
Address: 11433 LOWER BENCH RD  
EMMETT ID 83617  
208-365-2759
2. Source: UNNAMED STREAM Trib. to: PAYETTE RIVER
3. Location of Point of Diversion: SWSE Sec. 16, Township 07N, Range 03W  
Lot 2( NWNE), Sec. 21, Township 07N, Range 03W  
GEM County
4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| STOCKWATER | 01/01 | 12/31 | 0.070 |      |    |
5. Total quantity to be appropriated is:  
0.070 CFS (and/or) AF
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc.  
OPEN CHANNEL
  - b. Height of storage dam feet; active reservoir capacity  
acre-feet; total reservoir capacity acre-feet; period of  
year when water will be diverted to storage: to inclusive.
  - c. Proposed well diameter is inches; proposed depth of well is  
feet.
  - d. Is groundwater with a temperature greater than 85F being sought? NO
  - e. If well is already drilled, when?  
Drilling Firm  
Well was drilled for
7. Time required for the completion of the works and application of  
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: STOCKWATER

TWN RGE SEC

|            |              |              |              |
|------------|--------------|--------------|--------------|
| 07N 03W 16 | Lot 2 (NESW) | Lot 2 (NWSW) | Lot 1 (SWSW) |
|            | Lot 1 (SESW) | SWSE         | SESE         |
| 21         | Lot 1 (NENE) | Lot 2 (NWNE) | Lot 3 (NENW) |
|            | Lot 3 (NWNW) |              |              |

**MISSOURI**

JUL 20 1995

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 300 range cattle.

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 \$ 50.00 Receipted by \_\_\_\_\_ #C032617 Date 5/ 9/1995

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

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

RECORDED

JUL 20 1995

Comments: Date: 5/ 24/ 1995 User-ID: SLESTER

Subject:  
CLARIFICATION

Property located north of river. Gov't lots in some tracts can be interpreted to extend into two tracts per lot due to accretion (compare lot plat to topo).

Per discussion with Jim Johnson: is this an instream right per I.C. 42-113? If so, does code limit of "natural stream" include unnamed stream where source is runoff/waste water originating from upslope land? Assumes P/D locations are where this water enters land - open channel/ditch system collects water & routes it over site. Given the location where ample tail water is found & stock can use, perhaps can leave clarification of exact details of P/D & P/U to eventual examination? Forwarded for advertising to avoid delay for a relatively simple water use.

JUL 20 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 11, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

MARJORIE A COOPER  
11433 LOWER BENCH RD  
EMMETT ID 83617

RE: WATER RIGHT NO. 65-13617

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 described in the enclosed information sheet.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

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

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

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

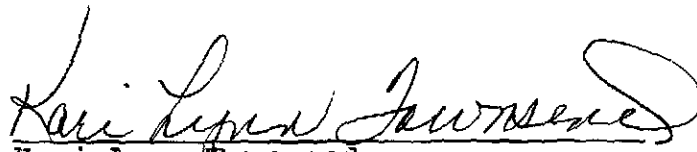
JUN 25 1999

CERTIFICATE OF MAILING

I hereby certify that on the 11th day of June, 1999, 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. 65-13617

MARJORIE A COOPER  
11433 LOWER BENCH RD  
EMMETT ID 83617

  
Kari Lynn Townsend  
Secretary

MICROFILMED  
JUN 25 1999

## 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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JUN 25 1999

### 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

JUN 25 1999



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

May 25, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

MARJORIE A COOPER  
11433 LOWER BENCH RD  
EMMETT ID 83617

RE: WATER RIGHT NO. 65-13617

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion developed is in a location other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

The enclosed Application for Amendment form depicts the point(s) of diversion and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

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

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED  
JUN 25 1999

## MEMORANDUM

**TO:** File 65-13617

**FROM:** Sharla

**DATE:** May 24, 1999

**RE: Recommendation Adjustment(s)**

The adjustments to licensing recommendations for Permit 65-13617 are as follows:

### C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: Lot 2 (NESW), S16, T7N, R3W (Beginning of Reach)  
Lot 2 (NWNE), S21, T7N, R3W (End of Reach)

On this date I spoke with Lori Graves and she concurred that this is an in-stream stockwatering right, thus the point of diversion should be described with beginning and ending of reach descriptions.

Exam Date: October 11, 1997  
Examiner: Lori Graves

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JUN 25 1999

# LICENSE REVIEW CHECKLIST

PERMIT NO. 65-13617 DATE 5/19/99 REVIEWER: SHARLA

NAME OK Change/OK  
 Address OK  
 SOURCE OK Does change clarify orig. intended source? If no, Void permit  
 POINT OF DIV Chg not listed  
OK ☒ Change (P39/P47) ☐ Add (P45/P42) Feds - P40  
 W32 (multiple in 1/4)  
 W36 (overlap)  
 W59 (subd. desc)

Overlaps: Right(s): \_\_\_\_\_  
 File reviewed \_\_\_\_\_ Profile reports printed \_\_\_\_\_

PLACE OF USE OK ☐ Change (P41/P47) ☐ Add (P41/P42) Feds - P43  
 W60 (subd. desc)  
 W27 (ppu acre limit)

Overlaps: Right(s): \_\_\_\_\_  
 File reviewed \_\_\_\_\_ Profile reports printed \_\_\_\_\_

PD & PU amend (P37) Feds - P48

RATE OF DIV  
 Permitted Rate .07 cfs  
 Fee limit .20 cfs \$5000  
 Measured / cfs  
 Theoretical / cfs  
 Recommended Total Div Rate .07 cfs

|              |                |                          |                                             |
|--------------|----------------|--------------------------|---------------------------------------------|
| WATER USES   | <u>OK</u>      | Change (P46)             |                                             |
| <u>Stock</u> | <u>.07</u> cfs | <u>300 x .07 = 21</u> af | Irrig - overlap (R58-R61, R62-R65, R66-R69) |
|              | _____ cfs      | _____ af                 | supp gw (WB7/065/079)                       |
|              | _____ cfs      | _____ af                 | overlap spec. combined rts (W35)            |
|              | _____ cfs      | _____ af                 | <1 acre (W31)                               |
|              | _____ cfs      | _____ af                 | Domestic (W01/WB5/070/071/075)              |
| TOTALS       | <u>.07</u> cfs | <u>4.0</u> af            | Power (W42 or W43/025/027/R22 or R23)       |
|              |                |                          | Fish (042) Fire (077) Wtr Quality (081/R07) |

Flow rate .07 cfs X 365 days X 1.98 = \_\_\_\_\_ af

REMARKS This is an in-stream stockwatering rt.  
Comment 5/300 range cattle.

ADD'L CONDITIONS R04 Watermaster Control WD# 65  
 \_\_\_\_\_ GW Measurement/Measuring Device  
 \_\_\_\_\_ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority \_\_\_\_\_ yes ☒ no SRBA Claim NA Adjust Memo W32  
 Amend letters P39/P38  
P47

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

RECEIVED  
DEC 02 1998

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 65-13617

1. Owner: Marjorie Cooper Phone No. 365-2759

Current Address: 11433 Lower Bench Rd Emmett ID 83617

2. Accompanied by: Tim Cooper EXAM DATE : 10/11/97

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: Son

3. Source: Unnamed Stream tributary to Pavette River

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: see Narrative

2. Other water rights with the same point of diversion: \_\_\_\_\_

**C. DIVERSION AND DELIVERY SYSTEM**

**1. Point(s) of Diversion:**

| Ident No. | Govt. Lot | ¼ | ¼  | ¼  | Sec | Twp | Rge | County | Method of Determination/Remarks |
|-----------|-----------|---|----|----|-----|-----|-----|--------|---------------------------------|
|           | 2         |   | NE | SW | 16  | 7N  | 3W  | Gem    | USGS Quad Map                   |
|           |           |   |    |    |     |     |     |        |                                 |
|           |           |   |    |    |     |     |     |        |                                 |
|           |           |   |    |    |     |     |     |        |                                 |

**2. Place(s) of Use:**

Indicate Method of Determination USGS Quad Map

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW  |    |    |     | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|-----|----|----|-----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE  | NW | SW | SE  | NE | NW | SW | SE |        |
| 7N  | 3W  | 16  |    |    |    |    |    |    |    |    | S   |    |    | S   |    |    | S  |    |        |
|     |     | 21  |    | S  |    |    |    |    |    |    | 142 |    |    | 141 |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |     |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |     |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |     |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |     |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |     |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |     |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |     |    |    |     |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |     |    |    |     |    |    |    |    |        |

FILED  
JUN 25 1999

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

**SEE ATTACHED MAP.**

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

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

Y Photo of Diversion and System Attached

4.

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

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

#### D. FLOW MEASUREMENTS

1.

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

2. Measurements: Obvious capacity for .07 cfs per photos and on-site inspection. No measurement made or possible. Open diversion from River side channel to stream.

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JUN 25 1999

#### E. NARRATIVE/REMARKS/COMMENTS

Water diverts from the Payette River into a side stream then travels ~ 1/2 mile southeast, then sinks into a marshy area which subs back to the Payette River. The stream stretch consists of several marshy areas caused by beaver dams. The stream stretch is located below the bench. The acres below the stream are irrigated with licensed Payette River water (65-02847), which is part of a separate system diverted in NENE Sec 21. This licensed system consists of a ditch that runs along the south end of the property, just above the River, with three laterals to carry the water through the fields. The entire system is located south of this permit's stream (see attached sketch). The irrigation ditch for the license flows northwest while this permit's stream flows southeast. This occurs naturally from the difference of the terrain and also because the fields have been leveled to assist in the gravity

irrigation system. The waste water rights 65-01854 and 65-01858 are no longer used according to field report for 65-02847 and have been recommended for disallowal in the SRBA. 65-01278 is for a seperate source (groundwater) for stock and domestic use. No other water rights are used.

The source for this right has been listed as an unnamed stream because the diversion from the Payette River has occurred naturally due to flood waters and channel development. I feel the source should be clarified as the Payette River, because its a direct diversion off the River and not a stream fed by a bunch of tributaries.

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

1  
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JUN 25 1999

## F. FLOW CALCULATIONS

\_\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

Department Standards:

300 beef x .00022 = .07 cfs

Obvious diversion capacity for .07 cfs.

## 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:

300 beef x .0134 = 4 afa

## H. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use    | Period of Use |              | Rate of Diversion | Annual Volume |
|-------------------|---------------|--------------|-------------------|---------------|
|                   | From          | To           | Q (cfs)           | V (afa)       |
| <u>Stockwater</u> | <u>1/1</u>    | <u>12/31</u> | <u>.07</u>        | <u>4</u>      |
| Totals:           |               |              | <u>.07</u>        | <u>4</u>      |

### 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 Co. Gorman Date 11/25/98

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

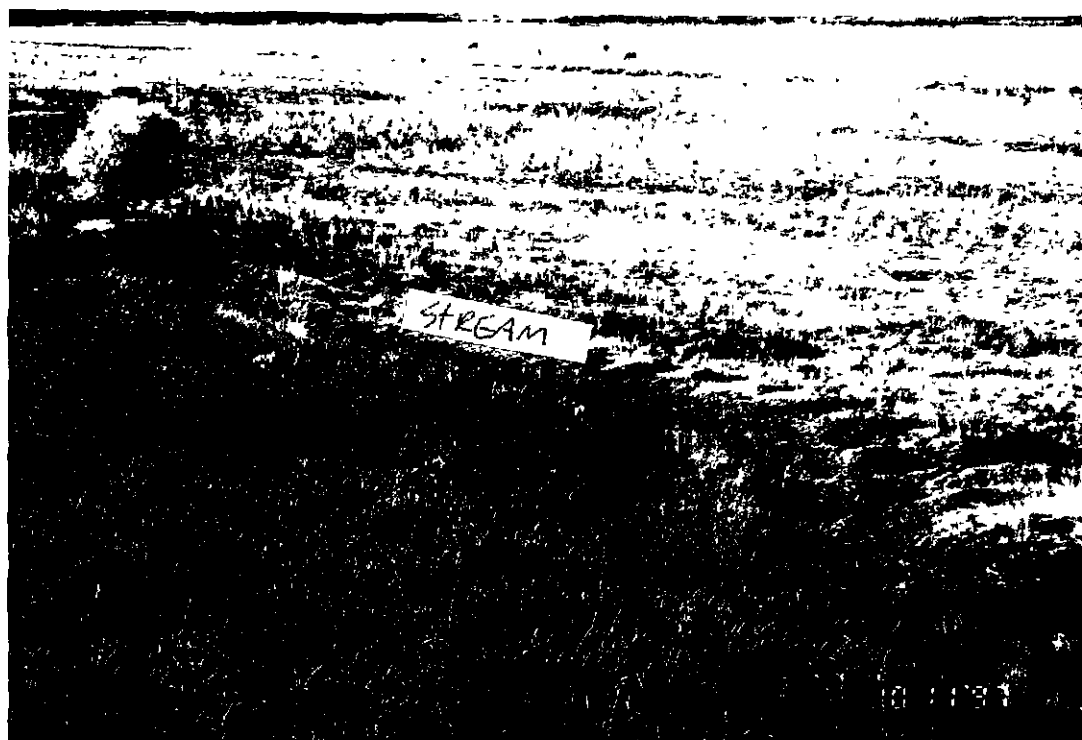
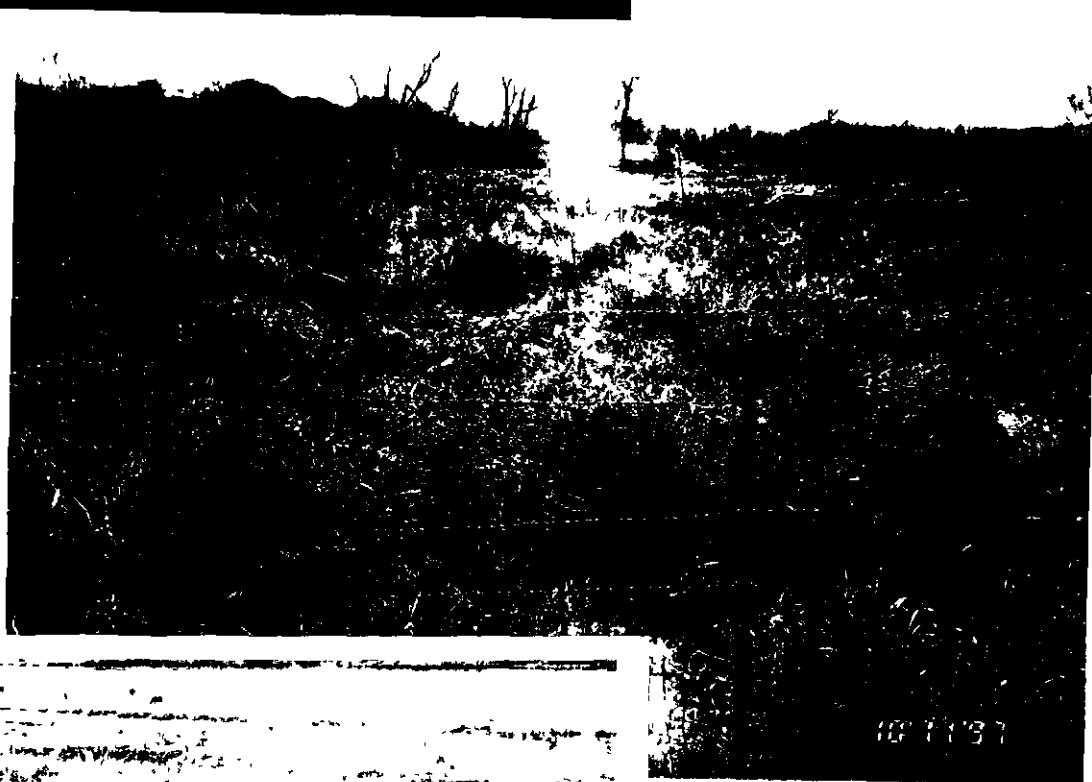
SEAL

MICROFILMED

JUN 25 1999



marshy  
area →



Permit No. 65-13617 Reviewed by [Signature] Date 10-12-95

New Address V Proof Made 9-25-95

October 27, 1995

MARJORIE A COOPER  
11433 LOWER BENCH RD  
EMMETT ID 83617

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13617

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**

NOV 14 1995



**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

October 13, 1995

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

Marjorie A. Cooper  
11433 Lower Bench Rd.  
Emmett, ID 83617

**RE:** Permit No. 65-13617

Dear Permit Holder:

Returned is a copy of the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, the proof can not be accepted as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license examination fee. They are:

1. The water right must use a **groundwater** (well) source, **and**;
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

You do not meet either requirement since you divert water from a surface water source (unnamed spring) and you are diverting 0.07 cfs. Therefore, a license examination fee of \$50.00 applies to the permit.

Please return the copy of the proof form and the license examination fee to my attention within thirty (30) days of receipt of this letter.

If you have any questions or if I can be of any assistance, please feel to contact me at (208)327-7900.

Sincerely,

*Julie L. Yarbrough*

JULIE L. YARBROUGH  
Senior Secretary

NOV 14 1995

Enclosure



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

July 17, 1995

MARJORIE A COOPER  
11433 LOWER BENCH RD  
EMMETT ID 83617

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13617

Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. 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 W. Keen  
Water Rights Supervisor

SK:rl

Enclosures

MICROFILMED  
JUL 20 1995



RECEIVED  
JUL 12 1995

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: SL DATE: 5/24/95 APPLICATION: 65-13617

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: Gov't. Lots: 9 P/D  
☒ Nature of proposed use: (Include description of use) 9 P/U  
☒ 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:

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

65-13617

YES NO

☒ ☒  
☒ ☒  
☒ ☒

In form for advertising:

Statewide advertising: ( &gt; 10 cfs &amp;/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 \_\_\_\_\_

Off-stream source in W.D. #65,  
letter to WM N/A

## 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

6-19-95

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Dnr

Measuring device required:

Measuring port required:

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

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

See below for additional information

Recommended Date or Priority

5/9/1995

Recommended by: \_\_\_\_\_

Dnr

Date

7/10/95

## STATE OFFICE REVIEW

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

Date \_\_\_\_\_

## ADDITIONAL INFORMATION

Overlap

P/O - none

P/O - Several irrigated rights from river, Sand Hollow Cr.,  
lower stream & waste water.

SEE APPL. COMMENTS in PROFILE REPORT.

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,  
                  ss.  
COUNTY OF GEM,

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

consecutive weekly issues thereof,  
beginning with the issue of  
May 31, 1995,  
and ending with the issue of  
June 7, 1995

Einger Johnson  
Subscribed and sworn to me this

7th day of  
June, 1995

Jeane Fisk  
Notary Public

Residing at Emmett, Idaho

MY COMMISSION EXPIRES  
JUNE 21st, 1997

My Commission Expires \_\_\_\_\_

RECEIVED

JUN 16 1995

WATER RESOURCES  
WESTERN REGION

## Legal Notices

## Legal Notices

### NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13617

COOPER, MARJORIE A  
11433 LOWER BENCH RD  
EMMETT, ID 83617  
Source UNNAMED STREAM  
Diversion Pt SWSE  
LOT 2 (NWNE)

Tributary: PAYETTE RIVER  
Sec 16 T 07N R 03W in GEM County.  
Sec 21 T 07N R 03W in GEM County  
(0.070 CFS)  
(0.070 CFS)

Use. STOCKWATER  
Total Diversion:  
Date Filed 5/9/1995  
In: GEM County  
T07N R03W

S16 Lot 2 (NESW) Lot 2(NWSW) Lot 1 (SWSW) Lot 1 (SESW)  
SWSE SESE

S21 Lot 1 (NENE) Lot 2(NWNE) Lot 3 (NENW) Lot 3 (NWNW)

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 JUNE 19, 1995. The protestant must also send a copy of the protest to  
the applicant.

KARL J DREHER, Director  
Pub.: 5 - 31, 6 - 7, 1995

Legal Notice No. 2239  
Published in the Messenger Index

FILED  
JUL 20 1995

65-13617

COOPER, MARJORIE A  
11433 LOWER BENCH RD  
EMMETT, ID 83617

Source: UNNAMED STREAM

Tributary: PAYETTE RIVER

Diversion Pt:           SWSE       Sec 16 T 07N R 03W in GEM County.  
                  LOT 2 (NWNE)   Sec 21 T 07N R 03W in GEM County.

Use: STOCKWATER                   (       0.070 CFS)  
      Total Diversion: (       0.070 CFS)

Date Filed: 5/ 9/1995

In: GEM County  
    T07N R03W S16   Lot 2 (NESW)   Lot 2 (NWSW)   Lot 1 (SWSW)   Lot 1 (SESW)  
                          SWSE                   SESE  
                  S21   Lot 1 (NENE)   Lot 2 (NWNE)   Lot 3 (NENW)   Lot 3 (NWNW)

APPROVED  
JUL 20 1995