

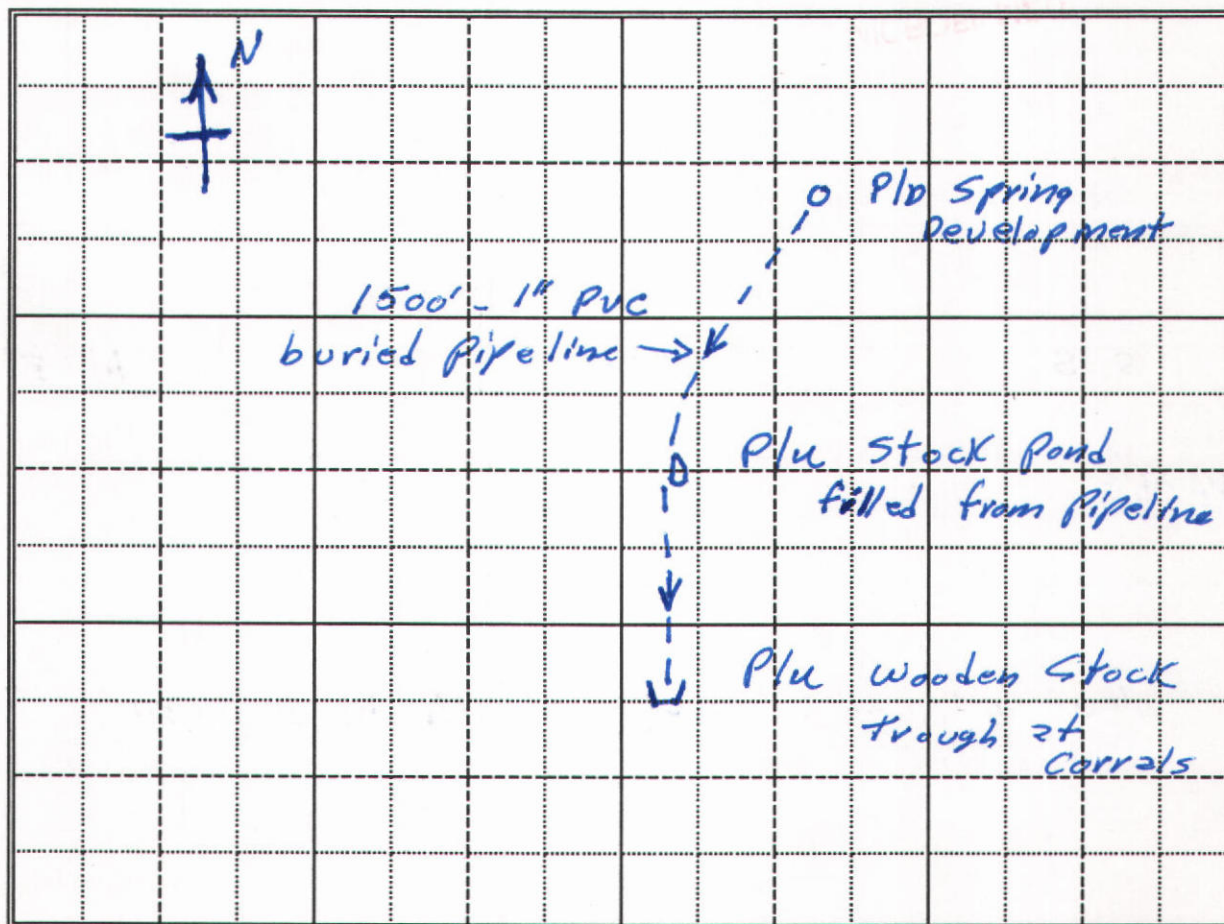
13603
65-~~13603~~
7N1E
Sec 14

Govt Lot in
S.W. only
- 8/23/95



RECORDED
MAY 31 1995

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



Scale: 1" = No Scale

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

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

☒ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

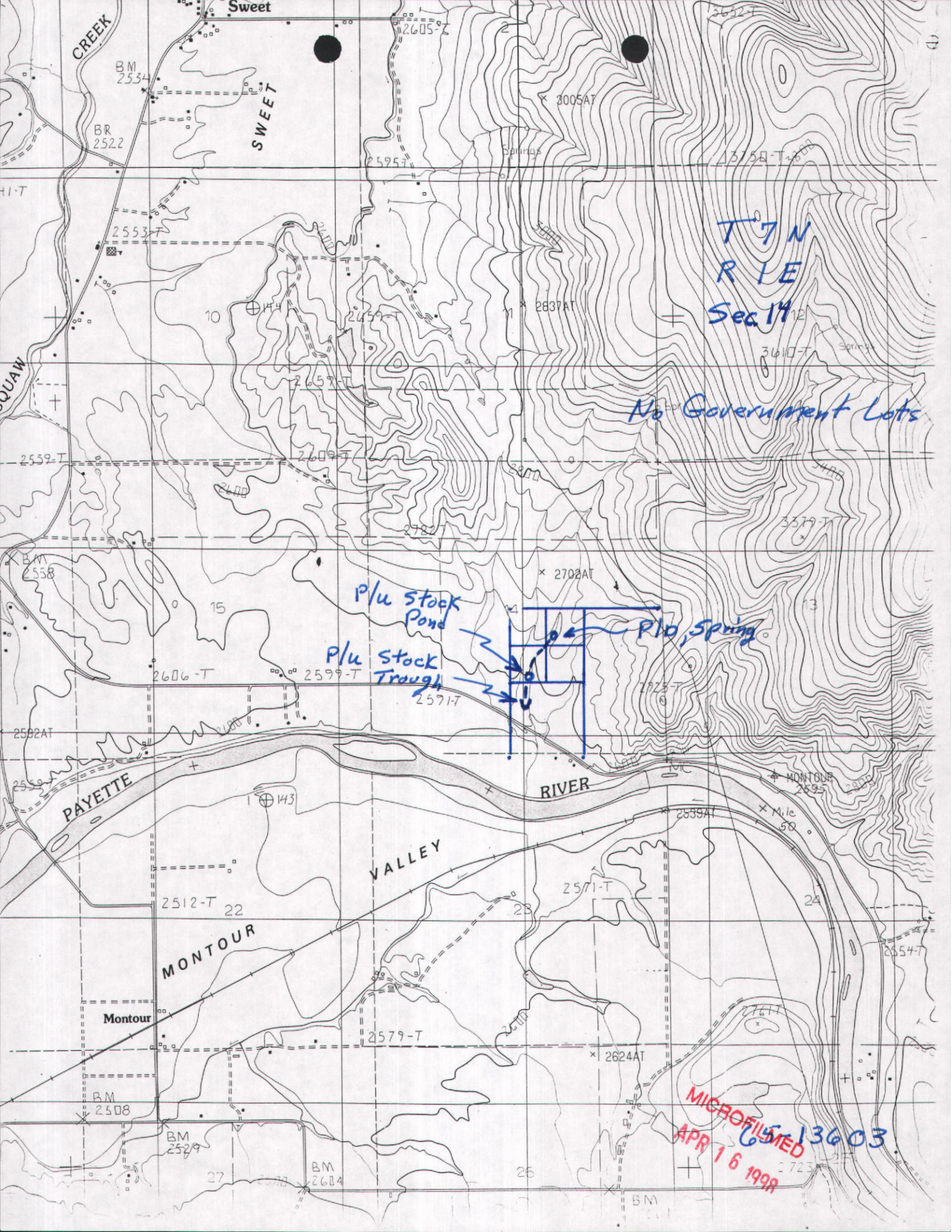
1.

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

2. Measurements: 5 Gal. bucket measurement at wooden trough - $Q = 5 \text{ Gal.} / 3 \text{ min.} = 1.7 \text{ Gpm.}$

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APR 16 1998





P/O

Spring

Development
Area

View
looking
North east



P/u

Stock
watering
Pond

- on
Pipe line
from Spring

View
Looking
North

MICROFILMED
APR 16 1998

65-13603

2 of 2



P/u
Stock
watering
Pond
(Same Pond)
View
Looking
South



P/u
Stock
watering
Trough

View
Looking
North

MICROFILMED
APR 16 1998

65-13603

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13603

Priority: March 1, 1995

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.4 AF

This is to certify, that CHARLIE W NEWELL
DEANA J NEWELL

10700 N HWY 52

HORSESHOE BEND ID 83629-0100

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 1, 1995; and has submitted Proof of Beneficial Use on June 26, 1997. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

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	0.02 CFS	0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 14, Township 07N, Range 01E
GEM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07N 01E 14

NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

MICROFILMED

SEP 12 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13603

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 7th
day of MARCH, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

APR 16 1998

State of Idaho
Department of Water Resources

RECEIVED

FEB 18 1997

1998

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 65-13603

Date of Priority: March 1, 1995

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.4 AF

Comes now

CHARLIE W NEWELL

DEANA J NEWELL

10700 N HWY 52

HORSESHOE BEND ID 83629-0100

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. 65-13603, and requests that the permit be changed as follows:

Source: SPRING

tributary to PAYETTE RIVER

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

STOCKWATER

01/01 to 12/31

0.02 CFS

0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 14, Township 07N, Range 01E
GEM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07N 01E 14

NWSE

SWSE

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 _____, this 13th day of FEBRUARY, 1998.

Charlie W. Newell
MICROFILMED (Signature)

APR 16 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13603

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

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. 65-13603 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

Witness my hand this _____ day of _____, 19____.

KARL J. DREHER, Director

MICROFILMED
APR 16 1968

Dept of Water Resources
1301 N. Orchard St.
Statehouse Mail,
Boise Id 83720-9000

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00
Receipt No. 03937
Receipt By: [Signature]
Date Received: 6/26/97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 26 1997

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. 65-13603 Telephone No. 584-3328

2. Name(s) of Permit Holder(s): Charlie W. and Deana J. Newell

3. Mailing Address: 10700 N. Hwy 52 HORSESHOE BEND, ID

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

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

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

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

Domestic (No. of households): 1 Stockwater (No. and type of stock): horses, 5

Irrigation (No. of acres): Other:

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

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

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

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

Has the measuring device been installed? Yes or No

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

Has the measurement port been installed? Yes or No

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Charlie Newell Telephone Number: 584-3328

Address: 10700 N. Hwy 52, HORSESHOE BEND, ID 83629

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: Charlie Newell Date: 4-28-97
(include your title, if on behalf of company of organization)

MICROFILMED
AUG 10 1997

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 65-13603

Proposed Priority: March 1, 1995

Maximum Diversion Rate:

0.06 CFS

This is to certify, that **DEANA J NEWELL**
CHARLIE W NEWELL
PO BOX 100
HORSESHOE BEND ID 83629-0100

has applied for a permit to appropriate water from:
SPRING 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	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNWSE , Sec. 14, Township 07N, Range 01E
GEM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07N 01E 14 SWSE

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1997**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
5. The Director retains jurisdiction to limit diversion of water to in-house uses only.
6. The issuance of this right in no way grants any right-of-way or easement across the land of another.
7. Stockwater is for 25 range cattle and 4 horses.
8. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-203, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

3rd day of May, 1995.

[Signature]
for **R. Keith Higginson, Director**

RECORDED
MAY 31 1995

RECEIVED
APR 19 1995

Ident. No. 65-13603

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: DEANA J NEWELL 208-584-3328
Address: PO BOX 100
HORSESHOE BEND ID 83629
AND/OR
Name: CHARLIE W NEWELL 208-584-3328
Address: PO BOX 100
HORSESHOE BEND ID 83629

2. Source: SPRING Trib. to: PAYETTE RIVER
3. Location of Point of Diversion: NWNWSE Sec. 14, Township 07N, Range 01E
GEM County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

6. Proposed diverting works:

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

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

RECEIVED
MAY 31 1995

8. Place of Use: STOCKWATER

TWN RGE SEC
07N 01E 14

~~SESE~~ **SWSE** D.E. Chanez 3/1 Cyt

Place of Use: DOMESTIC, same as STOCKWATER use

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

10. Remarks:

Stockwater is for 25 range cattle and 4 horses.
Domestic use is for one home.

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

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

X Annie Newell
Applicant

Received by Cyt Date 3/1/95 Time 1245 Preliminary check by SL

Fee \$ 50.00 Receipted by Cyt #W018656 Date 3/ 1/1995

Publication prepared by AT Date 3-8-95 Published in Messenger-Index

Publication approved AT Date 4-6-95

RECEIVED
MAY 31 1995

Comments: Date: 3/ 1/ 1995User-ID: CHODGES

Subject:
EXISTING SYSTEM

System was developed in part approximately one year ago, using
wood springbox and pvc line to one home.

RECEIVED
MAY 31 1995

13603
65-14003-
7N1E
SEC 14

GOVT. LAB.
NEW YORK

3/3/95

MAY 31 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 13, 1998

CHARLIE W NEWELL
DEANA J NEWELL
10700 N HWY 52
HORSESHOE BEND ID 83629-0100

RE: Water Right No. 65-13603

Dear Water Right Holder:

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 an preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below.

Your application for amendment to include the stockwater use in the SWSE, Section 14, T7N, R1E, is also enclosed. It is being returned to you without Department action because you did not pay the required filing fee.

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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APR 16 1998

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,

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APR 16 1998

- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent.

Shelley W. Keen
Water Rights Supervisor

Enclosure

MICROFILMED

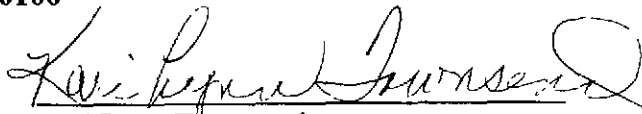
APR 16 1998

CERTIFICATE OF MAILING

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

Water Right 65-13603

**CHARLIE W NEWELL
DEANA J NEWELL
10700 N HWY 52
HORSESHOE BEND ID 83629-0100**


Kari Lynn Townsend
Secretary

MICROFILMED

APR 16 1998



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

February 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLIE W NEWELL
DEANA J NEWELL
10700 N HWY 52
HORSESHOE BEND ID 83629-0100

RE: Permit 65-13603

Dear Mr & Mrs Newell:

I have received the signed copy of the Application for Amendment for permit 65-13603, however the required filing fee of \$50.00 was not included.

In order for us to process the application and issue the water right license, the filing fee must be paid.

Please forward the \$50.00 filing fee within 14 days so that we may complete the processing of the application and issue your license. If I do not receive the filing fee within the specified time, a Water Right License will be issued for less than could have been allowed.

If you have any questions regarding this matter you may call me at 208-327-7946.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SWK:klt

MICROFILMED

APR 16 1998



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

February 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLIE W NEWELL
DEANA J NEWELL
10700 N HWY 52
HORSESHOE BEND ID 83629-0100

RE: WATER RIGHT NO. 65-13603

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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APR 16 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLIE W NEWELL
DEANA J NEWELL
10700 N HWY 52
HORSESHOE BEND ID 83629-0100

RE: WATER RIGHT NO. 65-13603

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 your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use 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

APR 16 1998

WR0749NP
No. L65-13603

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/21/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CHARLIE W NEWELL	03/01/1995	STOCKWATER	01/01 12/31	0.020 CFS	0.40 AFA
C	DEANA J NEWELL 10700 N HWY 52 HORSESHOE BEND ID 83629-0100 (208) 584-3328					
TOTAL DIVERSION:					0.020 CFS	0.40 AFA

Water Source: SPRING

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 0.020 CFS

Point(s) of Diversion: T07N R01E S14 NWSE GEM County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07N	01E	14	:													S	S

Pou County: GEM

Other Water Rights Listing Overlapping Place(s) of use:
65-00225 65-02508

Conditions of Approval:

- ✓ R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 65.

Dates: App. Received: 03/01/1995 Priority Date: 03/01/1995 (Priority Date Advanced.)
Proof Due Date: 05/01/1997 Proof Made Date: 06/26/1997 (Proof Received Late.)
Exam Made Date: 11/04/1997 Exam Sent to S.O.: 12/15/1997
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee: R (Received)

Comments: Date: 03/01/1995 User-ID: CHODGES Subject: EXISTING SYSTEM
System was developed in part approximately one year ago, using
wood springbox and pvc line to one home.

Date: 04/28/1995 User-ID: CZIMMERM Subject: P/D & P/U OWNERSHIP
The point of diversion and place of use are located on land owned
by Annie Newell, and leased by right holder.

Date: 05/12/1997 User-ID: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

Date: 06/26/1997 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd

WR0749NP
No. L65-13603

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/21/98
PAGE: 2

=====
Comments: Date: 06/26/1997 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 01/21/98 SCURTIS

LICENSE REVIEW CHECKLIST

PERMIT NO. 65-13603

DATE 1/21/98

REVIEWER: SHARLA

NAME Change OK

Address Change street addrs. on b/u form

SOURCE Change ✓

Is change clarification of originally intended source? ✓

POINT OF DIV Change ✓

If not, prepare Notice of Intent to Void Amendment required NO

PLACE OF USE Change ✓

Amendment required yes

Does map agree with written description? ✓ yes no

OVERLAPS Change P/D P/U
Overlap file pulled & reviewed _____

RATE OF DIV

Permitted Rate .06 cfs
Fee limit .20 cfs \$50⁰⁰
Measured .01 cfs
Theoretical .02 cfs .03 1" pipe

Recommended Total Div Rate .02 cfs

ANNUAL VOLUME/ NATURE OF USES

Use	cfs	Volume Calc	af
<u>✓</u> <u>Stock</u>	<u>.02</u>	<u>.4</u>	<u>af</u>
<u>29 x 12 x 365 / 325,850 =</u>	<u>.4</u>	<u>.4</u>	<u>af</u>
<u>SUBTOTAL</u>	<u>.02</u>	<u>.4</u>	<u>af</u>

Flow rate .02 cfs X 365 days X 1.98 = 14.5 af

Total volume recommended _____ af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS

RO4 Watermaster Control WD# 65
_____ GW Measurement/Measuring Device
_____ Overlap
_____ Use-specific conditions

Advancement of Priority Date Required _____ yes ✓ no

SRBA Claim Filed NA
Adjustment Memo _____

1st Amend Letter P41, P38
2nd Amend Letter P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 16 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13603

1. Owner: Deane J. & Charlie W. Newell Phone No. (208) 584-3328

Current Address: P.O. Box 100, Horseshoe Bend, ID 83629-0100

2. Accompanied by: Charlie Newell EXAM DATE: 11-4-97

Address: (Same) Phone No. _____

Relationship to Permit Holder: (Same)

3. Source: Spring tributary to Payette River

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NW	SE	14	7N	1E	Gem	Site Visit, Map

2. Place(s) of Use:

Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	1E	14													S	S			

MICROFILMED

SEP 16 1998

E. NARRATIVE/REMARKS/COMMENTS

1. The water system consists of a spring development, a 1500'- 1" PVC buried pipeline to a small stock pond, and a wooden trough located in the Corral near the house.

2. The water system only serves for stockwater at 2-Plu. There is no domestic use of this water as shown on the permit. The owner's house is now served by a domestic well.

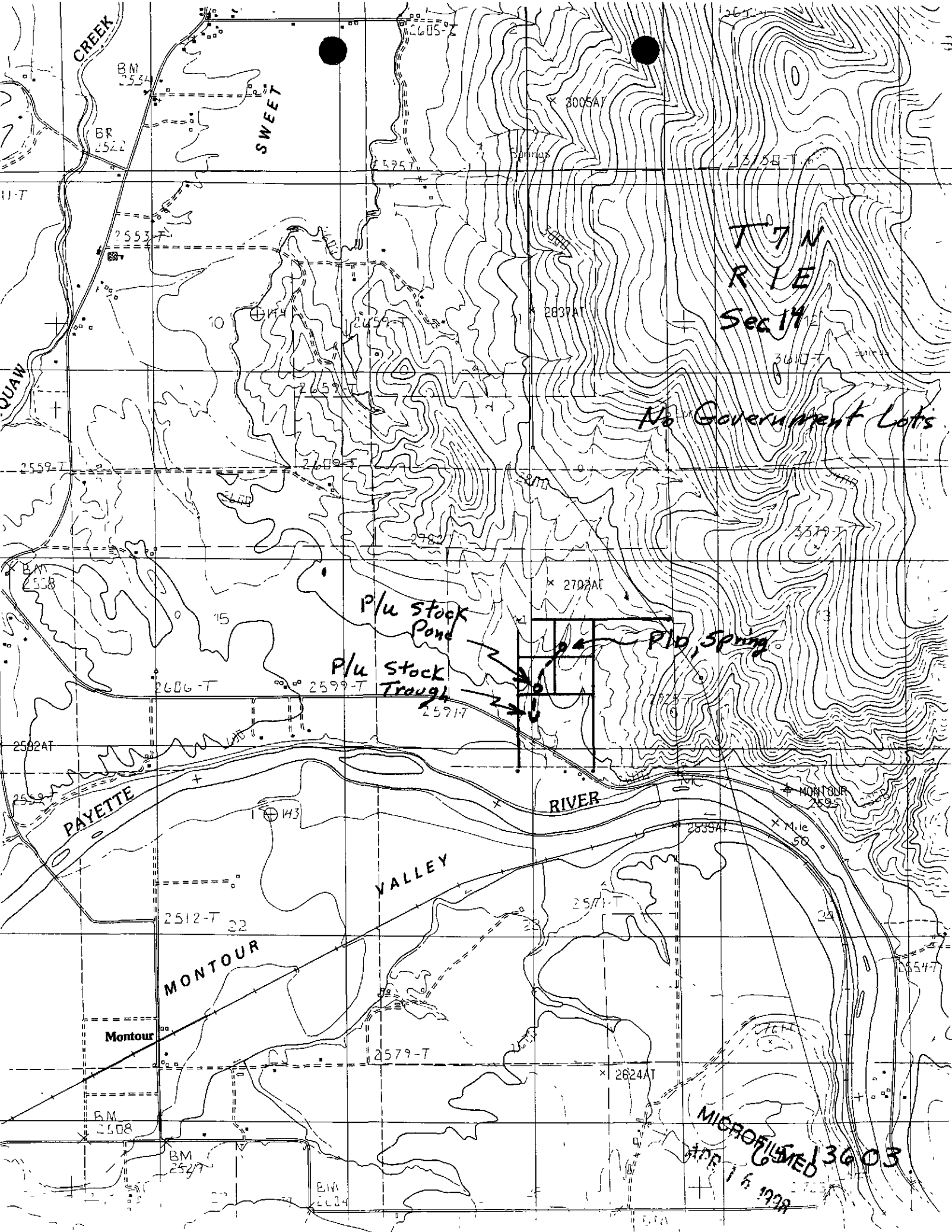
3. The system serves 25 cows and 4 horses / range cattle

4. Although the measured flow was only 1.7 GPM, the ^{owner} owner stated that the flow is much higher during the spring and early summer.

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

except, there is no domestic use

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APR 16 1968



1 of 2



P/D

Spring

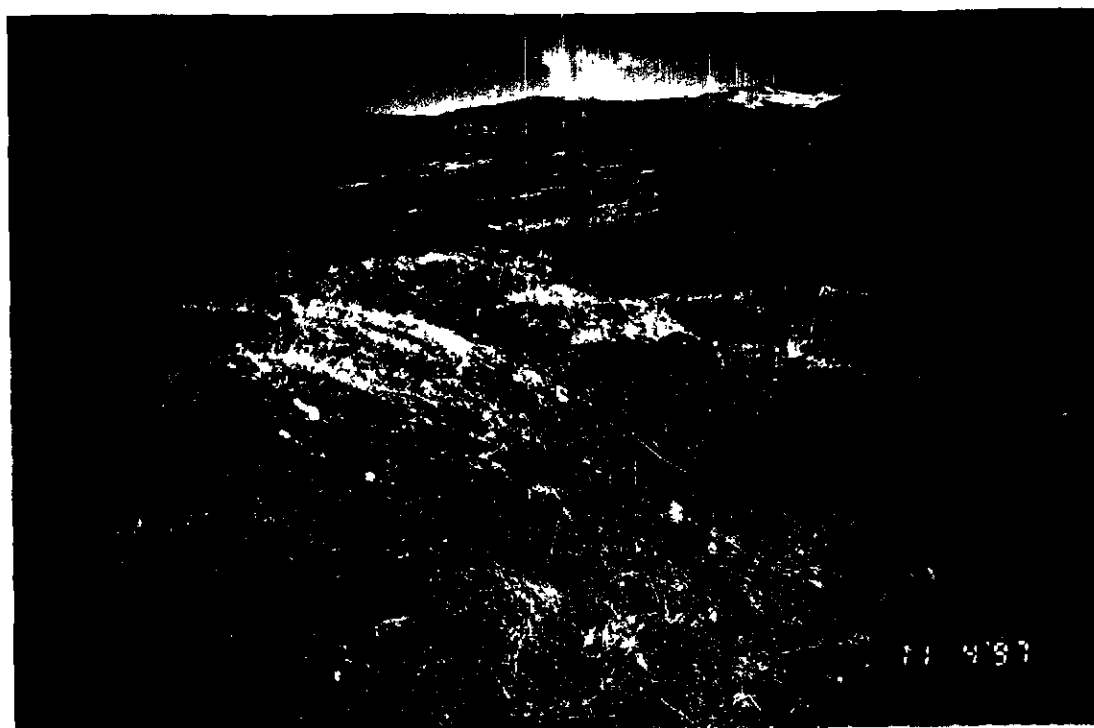
Development

Area

View

Looking

North east



P/u

Stock

watering

Pond

- on
Pipe line
from Spring

View

Looking

North

65-13603

65-13603

P/u

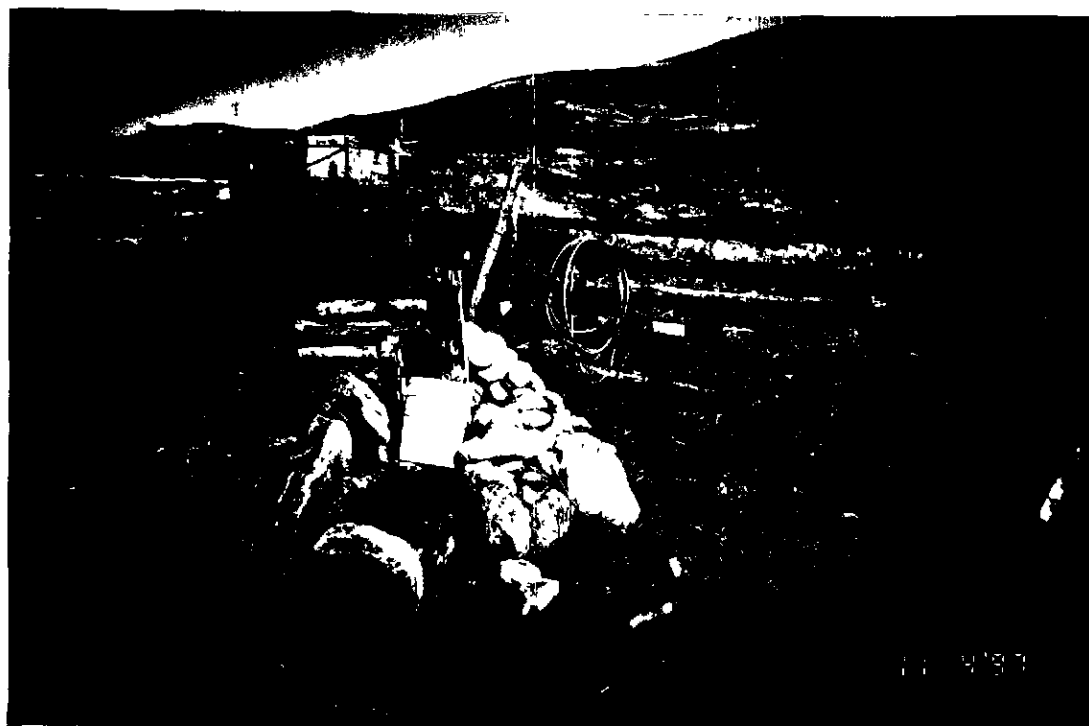
Stock
watering
Pond
(same pond)
View
Looking
South



P/u

Stock
watering
Trough

View
Looking
North





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

July 29, 1997

Charlie W. Newell
10700 N. Hwy 52
Horseshoe Bend, ID 83629

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13603

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The department has issued the enclosed order reinstating the permit and advancing the priority date to April 26, 1995, since proof was submitted after the proof due date.

Please be advised that Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, please feel free to contact the **WESTERN** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - Region

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13603 Reviewed by [Signature] Date 7-9-97

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

MEASURING DEVICE

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

PRIORITY CALCULATION

Date proof received	<u>6-26-97</u>	<u>177</u>	
Date proof due	<u>5-1-97</u>	<u>- 121</u>	
No. of days late		<u>= 56</u>	
Priority Date	<u>3-1-95</u>	<u>+ 60</u>	
New Priority Date	<u>4-26-95</u>	<u>116</u>	<u>> 4-26-95</u>

DEFICIENCIES OR ACTION ITEMS

Reinstate & advance priority to April 26, 1995.
Proof acceptable

DATA ENTRY

New Address 10700 N HWY 52 Proof Made 6-26-97

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

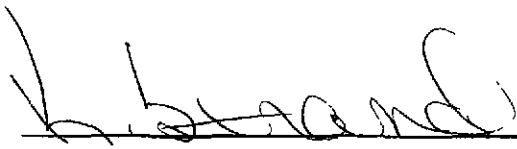
Receipt No: C039370

Date: 6/26/1997
Time: 14:54:33

Received From: G & H HORSE LOGGING

	Type of Payment		Program Acct	Amount
BENEFICIAL USE	65-13603	56104	229 21 1155	50.00
CHECK	1089			
			Total	\$ 50.00

Region: STATE

Signature: 

MICROFILMED
AUG 20 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-13603)
IN THE NAME OF DEANA J. NEWELL AND)
CHARLIE W. NEWELL)
_____)

ORDER OF
REINSTATEMENT

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

WHEREAS, the Department notified the permit holder on February 28, 1997, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

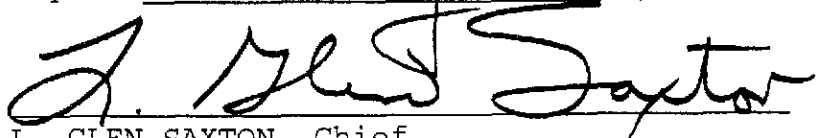
WHEREAS, the Department mailed the permit holder a lapse notice on May 12, 1997, since an acceptable proof of beneficial use or extension of time request had not been received; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof on June 26, 1997;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-13603 is REINSTATED with an advance in priority to April 26, 1995.

DATED this 29th day of July, 1997.


L. GLEN SAXTON, Chief
Water Allocation Bureau

DEPARTMENT OF WATER RESOURCES

RECEIVED

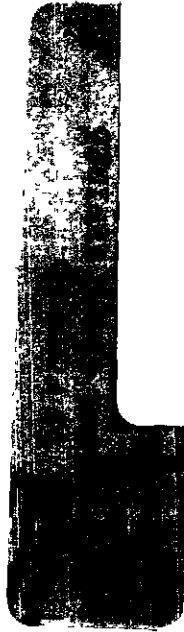
MAY 15 1991

Department of Water Resources

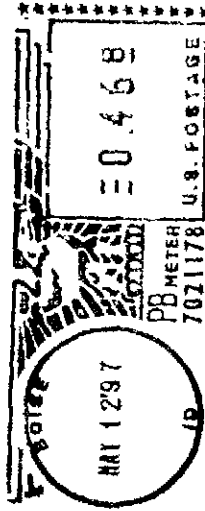
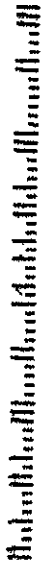


10700 N Hwy 52
H5B Jd 8 30 29

MICROFILM
AUG 20 1987



19





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 12, 1997

DEANA J NEWELL
CHARLIE W NEWELL
PO BOX 100
HORSESHOE BEND ID 836290100

LAPSE NOTICE

RE: PERMIT NO. 65-13603

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1997. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

A handwritten signature in black ink, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

STATE OF IDAHO 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. _____ Telephone No. _____

2. Name(s) of Permit Holder(s): _____

3. Mailing Address: _____

4. Source of Water: _____ 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): _____

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

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

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

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

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

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: _____ 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: _____ Date: _____
(include your title, if on behalf of company of organization)

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING PROOF OF BENEFICIAL USE

HOW TO MAKE PROOF:

In order for a permit holder to fulfill the conditions of the permit obtain a water right license, the permit holder must submit the Proof of Beneficial Use form (proof) together with the license examination fee (if required) **OR** submit the proof together with a completed field examination report prepared by a certified water right examiner on or before the date set in the permit for the proof. The information submitted by the permit holder will enable the department to determine the extent of beneficial use before the license is issued. The information entered on the proof form should show the extent of actual development of the project and should correspond to that authorized by the permit. If it does not, an amendment to the permit may be required.

Additional information is optional for an irrigation well diverting more than 0.20 cfs (90 gpm or 10 miner's inches). To complete Section 4.b., indicate the pump horsepower and the wellhead pressure in psi. The dynamic pumping level is the sum of the static or standing water level in the well and the drawdown when pumping. Do not confuse the dynamic pumping level with the pump setting depth. Provide the best estimate if unsure about the answers.

WHAT TO DO IN CASE YOU HAVE NOT FULLY APPLIED THE WATER TO BENEFICIAL USE:

If the development authorized by the permit has not been completed in the time allowed, the permit holder may submit a request for extension of time. In order for a request for extension of time to be considered without loss of priority, it must be filed prior to the date on which proof of beneficial use is due. Each request for extension of time will be considered on its own merits.

WHAT IF YOU FAIL TO MAKE PROOF OF BENEFICIAL USE ON TIME:

If you have applied the water to beneficial use, but did not submit the proof of beneficial use on or before the date set for the proof, the permit will lapse. A lapsed permit may be reinstated within sixty (60) days from the date the department sends a lapse notice. In order for the department to reinstate a permit, the permit holder must show reasonable cause why the permit should be reinstated. Submission of an acceptable proof of beneficial use form within sixty (60) day period will be considered as reasonable cause for reinstatement.

EXAMINATION FEE:

Section 42-217 and Section 42-221, Idaho Code, require an examination fee as part of the proof of beneficial use submittal if a completed field examination report prepared by a certified water right examiner is not submitted as part of the proof. The fee is based upon the rate of diversion or volume of water claimed on the proof of beneficial use form. **The appropriate fee can be determined from the license examination fee schedule on the back of this sheet.**

ISSUANCE OF LICENSE:

The department will issue a license of water right based on the determination of the amount of water beneficially used in compliance with existing law. The license will include specific information to describe the water right developed.

NOTE - You must comply with the conditions of approval of your permit or seek to have the department waive the conditions. (See the last page of the permit).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSE EXAMINATION FEE SCHEDULE

(C.F.S. = cubic feet per second AF = acre feet)

<u>CFS</u>	<u>AF</u>	<u>FEE</u>
0 - 0.20	0 - 20	\$50.00*
.21 - 1.00	21 - 100	100.00
1.01 - 2.00	101 - 200	125.00
2.01 - 3.00	201 - 300	150.00
3.01 - 4.00	301 - 400	175.00
4.01 - 5.00	401 - 500	200.00
5.01 - 6.00	501 - 600	225.00
6.01 - 7.00	601 - 700	250.00
7.01 - 8.00	701 - 800	275.00
8.01 - 9.00	801 - 900	300.00
9.01 - 10.00	901 - 1000	325.00
10.01 - 11.00	1001 - 1100	350.00
11.01 - 12.00	1101 - 1200	375.00
12.01 - 13.00	1201 - 1300	400.00
13.01 - 14.00	1301 - 1400	425.00
14.01 - 15.00	1401 - 1500	450.00
15.01 - 16.00	1501 - 1600	475.00
16.01 - 17.00	1601 - 1700	500.00
17.01 - 18.00	1701 - 1800	525.00
18.01 - 19.00	1801 - 1900	550.00
19.01 - 20.00	1901 - 2000	575.00
20.01 - over	2001 - over	600.00

Checks should be made payable to the
Idaho Department of Water Resources (IDWR)

A license examination fee is not required in connection with
permits which use a ground water source AND have a total rate of
diversion of 0.04 cfs or less or where the total volume stored is 4.0 AF per annum or less.

A license exam fee is required for ANY permit which uses surface water

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. _____

Name(s) of Permit Holder: _____

Mailing Address: _____

Date Proof is Due: _____ Telephone No. _____

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

_____ Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Permit holder(s) request an extension to _____, 19 _____.

FEE: \$50.00

(Signature)*

**If other than permit holder, Power of Attorney must be supplied.*

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be

Signed this _____ day of _____, 19 _____.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**INSTRUCTIONS FOR EXTENSION OF TIME REQUEST
TO SUBMIT PROOF OF BENEFICIAL USE**

If the water right development authorized by your permit is not complete and you need more time to submit proof of beneficial use of water under your permit, please read the following:

Under the provisions of Section 42-204, Idaho Code, the department can extend the proof due date of your permit only once, and then only if you can demonstrate that you have been pursuing development of the permit with due diligence.

The Request for Extension of Time form requires that you indicate the extent of development that has occurred, the cost, and the reason(s) the work has not been completed. This information must be provided in enough detail to show due diligence. Examples of work performed are: well drilled, pump installed, 10 acres now irrigated, fish propagation ponds constructed, sprinkler system purchased, etc.

If no work has been accomplished, the statutes provide that the Request for Extension of Time must be denied. **Lack of financial resources, the state of the economy or personal illness usually cannot be considered adequate reasons to approve a Request for Extension of Time.**

EXCEPTIONS TO ONLY ONE EXTENSION

The proof due date for a permit that has not been developed for one of the following reasons may receive one or more extensions of time even though no work has been accomplished:

1. When there is a lack of a required consent or final approval from a federal government agency (evidence of delay must be submitted with the request), i.e. right-of-way easement or land classification such as Desert Land Entry or Carey Act.
2. When litigation related to title of the water has prevented development of the permit (evidence must be submitted with the request).
3. When the water project is of a large scale -- storage of more than 200,000 acre-feet or diversion of more than 25,000 acre-feet in one irrigation season for an irrigation project of at least 5,000 acres.
4. When the water right permit is held by the United States of America (reason for request must be submitted).

A non-refundable filing fee of **\$50.00** must accompany the Request for Extension of Time form.

NOTE that in no case should a Proof of Beneficial Use form and a Request for Extension of Time form both be submitted. If your water development project is completed, then the proof of beneficial use form should be completed and returned. If the project is started but not completed, then the Request for Extension of Time form should be completed and returned in compliance with the guidelines above. If the project has not been initiated and does not fit into one of the exceptions listed above, then neither form should be returned and the permit will lapse and become of no further force nor effect. A new application will then need to be submitted to the department if water right development is still planned.

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

May 12, 1997

DEANA J NEWELL
CHARLIE W NEWELL
PO BOX 100
HORSESHOE BEND ID 836290100

LAPSE NOTICE

RE: PERMIT NO. 65-13603

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1997. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

MICROFILMED
AUG 20 1997

CERTIFICATION OF MAILING
I hereby certify that on 5/12/97
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

February 28, 1997

DEANA J NEWELL
CHARLIE W NEWELL
PO BOX 100
HORSESHOE BEND ID 836290100

PROOF DUE NOTICE

RE: PERMIT NO. 65-13603

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 May 1, 1997.

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

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

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

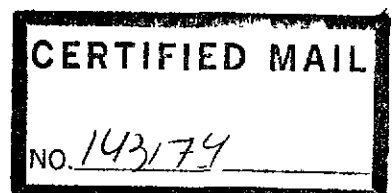
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

AUG 20 1997





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

R. KEITH HIGGINSON
DIRECTOR

May 4, 1995

DEANA J NEWELL
CHARLIE W NEWELL
PO BOX 100
HORSESHOE BEND ID 83629-0100

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13603

Dear Permit Holder:

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

As a permit owner you must commence the excavation or
construction of the diverting works within one year of the date
the permit was issued, and you must proceed diligently until the
project is completed. The date shown under condition no. 1
is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately
60 days prior to the above referenced date requesting you to file
either a Proof of Beneficial Use form or a Request for Extension
of Time form.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECORDED
MAY 31 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 65-13566 Name: Newell Date: 4/28/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: W 818655 Priority: 3/1/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes Mor GWMA Trust/Non-trust
PROTESTED: - 020 (Prehearing agreement) or W19 (See 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. (POU cmp) - 01M, 803 (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):
Water District (dem) - 005 (req) WD # 65 <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU cmp)

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 (consump. use), 047-P04 (Payette Lake), NA

USE:
Domestic (surface) - 021 (Boise R + L Peak); ^{27A}~~064~~ (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr - 5 acres - 057 (0.03 cfs/A)
+ 5 acres - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs-P18; 17G (FERC) or 17M (FERC); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CONDITION 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) Pense w/ Anne Newell

OTHER CONDITIONS: -

STANDARD REMARKS: -

BENEFICIAL USE DUE: -

COMMENTS: -

1 woi/1
2 woi/25 RC & 4H

5-1-1997

7N 16 RECEIVED
APR 19 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: RL DATE: 3/2/95 APPLICATION: 65-13603

REQUIRED INFORMATION

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

Gov't. Lots:

N P/D
P/U

ADDITIONAL INFORMATION

YES NO

N/A Small system
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:

APPLICATION NO.

ADDITIONAL INFORMATION

RECEIVED

MAR 23 1995

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
ss.
COUNTY OF GEM,

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
March 15, 1995,
and ending with the issue of
March 22, 1995
Ginger Johnson

Subscribed and sworn to me this
22nd day of

March, 1995
Kenne Gust

Notary Public
Residing at Emmett, Idaho

MY COMMISSION EXPIRES
JUNE 21st, 1997

My Commission Expires _____

the State of Idaho

DERBONNE, BETTY L
3940 HANCOCK ST #202
SAN DIEGO, CA 92110
Source: UNNAMED STREAMS
Source: FIR TREE GULCH
Diverson Pt: LOT 1 (NENE)

65-13598

Tributary: SQUAW CREEK
Tributary: SQUAW CREEK

Sec 21 T 10N R 01E in GEM County.
SWNW Sec 22 T 10N R 01E in GEM County.
SWNW Sec 22 T 10N R 01E in GEM County.
SWNW Sec 22 T 10N R 01E in GEM County.
SESW Sec 22 T 10N R 01E in GEM County.
SESW Sec 22 T 10N R 01E in GEM County.
SESW Sec 22 T 10N R 01E in GEM County.
NENE Sec 27 T 10N R 01E in GEM County.
NWNE Sec 27 T 10N R 01E in GEM County

Use: IRRIGATION	(				
IRRIGATION STORAGE					32.00 AF)
IRRIGATION FROM STORAGE					32.00 AF)
WILDLIFE	(	4.000 CFS)			
WILDLIFE STORAGE					32.00 AF)
DIVERSION TO STORAGE	(	4.000 CFS)			
Total Diversions:		4.000 CFS)			

Date Filed: 2/23/1995
In: GEM County
T10N R01E

S22	NESW	NWSW	SWSW	SESW
S26	SWSE			
S27	NWNW			
	NENE	NWNE	NENW	

200.0 ACRES TOTAL

DERBONNE, BETTY L
3940 HANCOCK ST #202
SAN DIEGO, CA 92110
Source: SPRINGS
Diverson Pt:

65-13599

Tributary: SQUAW CREEK

NESENW Sec 22 T 10N R 01E in GEM County.
SESENW Sec 22 T 10N R 01E in GEM County.
NENESW Sec 22 T 10N R 01E in GEM County.
SESESW Sec 22 T 10N R 01E in GEM County.
SWNWSE Sec 22 T 10N R 01E in GEM County.
SENWSE Sec 22 T 10N R 01E in GEM County

Use: IRRIGATION	(	2.800 CFS)			
STOCKWATER		0.030 CFS)			
DOMESTIC		0.040 CFS)			
Total Diversions:		2.870 CFS)			

Date Filed: 2/23/1995
In: GEM County
T10N R01E

S22	SWNE	SESW	NWSE	SWSE
S26	NWNW			
S27	NENE	NWNE	NENW	

140.0 ACRES TOTAL

NEWELL, DEANA J
NEWELL, CHARLIE W
PO BOX 100
HORSESHOE BEND, ID 83629
Source: SPRING
Diverson Pt:
Use: STOCKWATER
DOMESTIC

65-13603

Tributary: PAYETTE RIVER

NWNWSE Sec 14 T 07N R 01E in GEM County.
0.020 CFS)
0.040 CFS)
0.060 CFS)

Total Diversions:
Date Filed: 3/1/1995
In: GEM County
T07N R01E

S14	SWSE
-----	------

65-13568

CHARTERS, DEAN
1507 JORDAN LN
EMMETT, ID 83617
Source: UNNAMED DRAIN
Diverson Pt: LOT 2

Tributary: PAYETTE RIVER

(NWNE) Sec 4 T 06N R 01W in GEM County.
SWNE Sec 4 T 06N R 01W in GEM County
0.20 CFS)
0.20 CFS)

Use: IRRIGATION
Total Diversions:
Date Filed: 10/24/1994
In: GEM County
T06N R01W

S04	SWNE
-----	------

10.0 ACRES TOTAL

HAW CREEK RANCH INC
PO BOX 785
EMMETT, ID 83617
Source: GROUNDWATER
Diverson Pt:
Use: IRRIGATION
Total Diversions:
Date Filed: 1/12/1995
In: GEM County
T07N R01W

65-13592

NENW Sec 17 T 07N R 01W in GEM County.
1.00 CFS)
1.00 CFS)

S08	SESW			
S17	NENW	NWNW	SWNW	SENW
	NWSW	SWSW		
S18	NESE	SESE		

360.0 ACRES TOTAL

This right will irrigate 50 acres per year in a 360 acre rotation area.

HAW CREEK RANCH INC
PO BOX 785
EMMETT, ID 83617
Source: GROUNDWATER
Diverson Pt:

65-13591

NENE Sec 8 T 07N R 01W in GEM County.
NWNE Sec 8 T 07N R 01W in GEM County.
SWNE Sec 8 T 07N R 01W in GEM County.
SENE Sec 8 T 07N R 01W in GEM County

Use: IRRIGATION	(	1.00 CFS)			
Total Diversions:		1.00 CFS)			

Date Filed: 1/12/1995
In: GEM County
T07N R01W

S08	NENE	NWNE	SWNE	SENE
S09	NWNW	SWNW		

240.0 ACRES TOTAL

A single well in the NE 1/4 will irrigate 50 acres per year in a 240 acre rotation area

WOODIE, RON
WOODIE, JUDY
PO BOX 785
EMMETT, ID 83617
Source: SPRING
Diverson Pt:
Use: STOCKWATER
Total Diversions:
Date Filed: 1/12/1995
In: GEM County
T07N R01W

65-13590

Tributary: HAW CREEK

NENESW Sec 3 T 07N R 01W in GEM County.
0.30 CFS)
0.30 CFS)

S03	NESW
-----	------

WOODIE, RON
WOODIE, JUDY
PO BOX 785 EMMETT, ID 83617
Source: SPRING
Diverson Pt: LOT 3
Use: STOCKWATER
Total Diversions:
Date Filed: 1/12/1995
In: GEM County
T07N R01W

65-13589

Tributary: HAW CREEK

(SWNENW) Sec 3 T 07N R 01W in GEM County.
0.30 CFS)
0.30 CFS)

S03	Lot	3(NENW)
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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 APRIL 3, 1995. The protestant must also send a copy of the protest to the applicant

R KEITH HIGGINSON, Director

Pub. 3 - 15, 22, 1995

Legal Notice No 2170
Published in the Messenger Index

MAY 31 1995

65-13603

NEWELL, DEANA J
NEWELL, CHARLIE W
PO BOX 100
HORSESHOE BEND, ID 83629

Source: SPRING

Tributary: PAYETTE RIVER

Diversion Pt: NWNWSE Sec 14 T 07N R 01E in GEM County.

Use: STOCKWATER	(	0.020 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.060 CFS)

Date Filed: 3/ 1/1995

In: GEM County
T07N R01E S14 SWSE

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MAY 31 1995