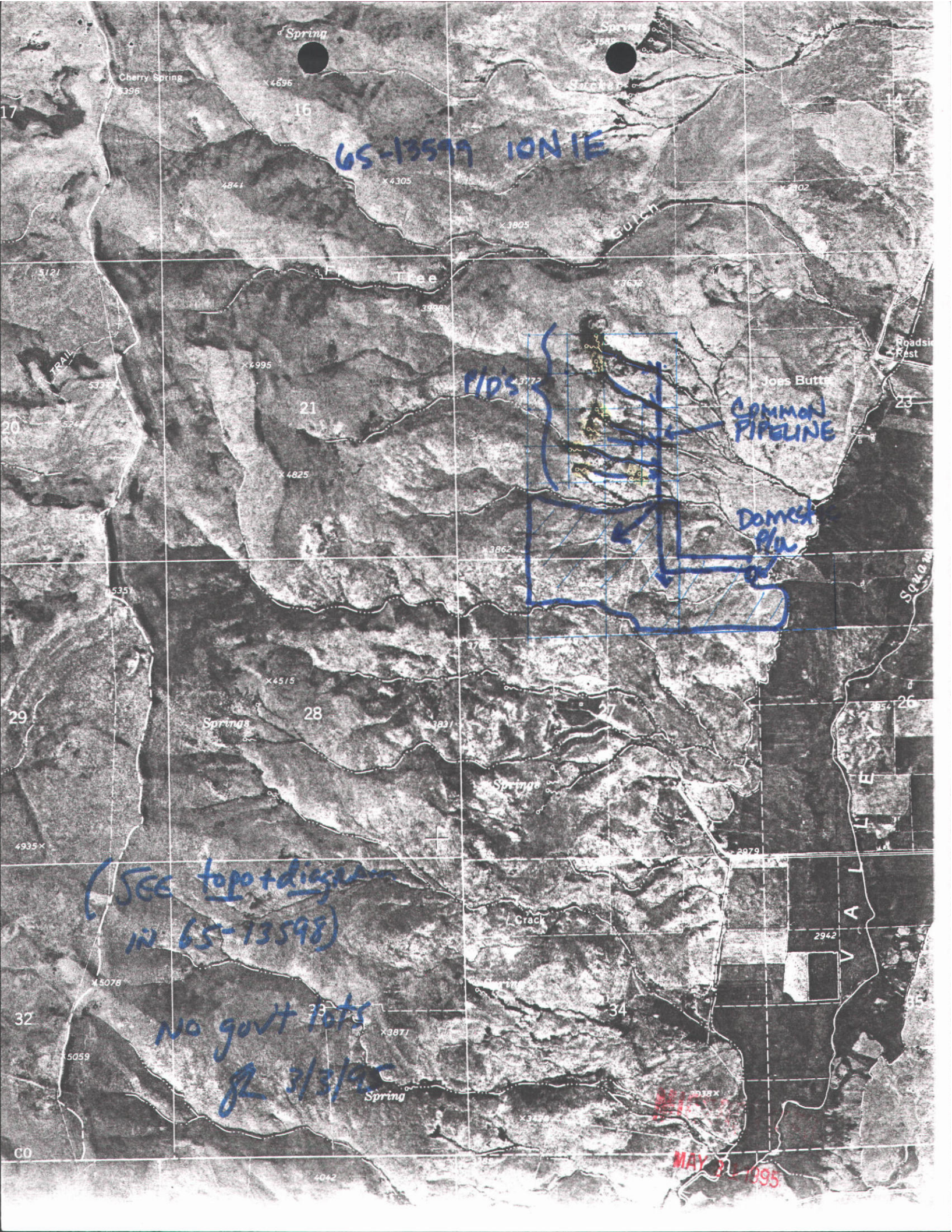




65-13599 10N 1E

FID's

COMMON PIPELINE

Domestic Plan

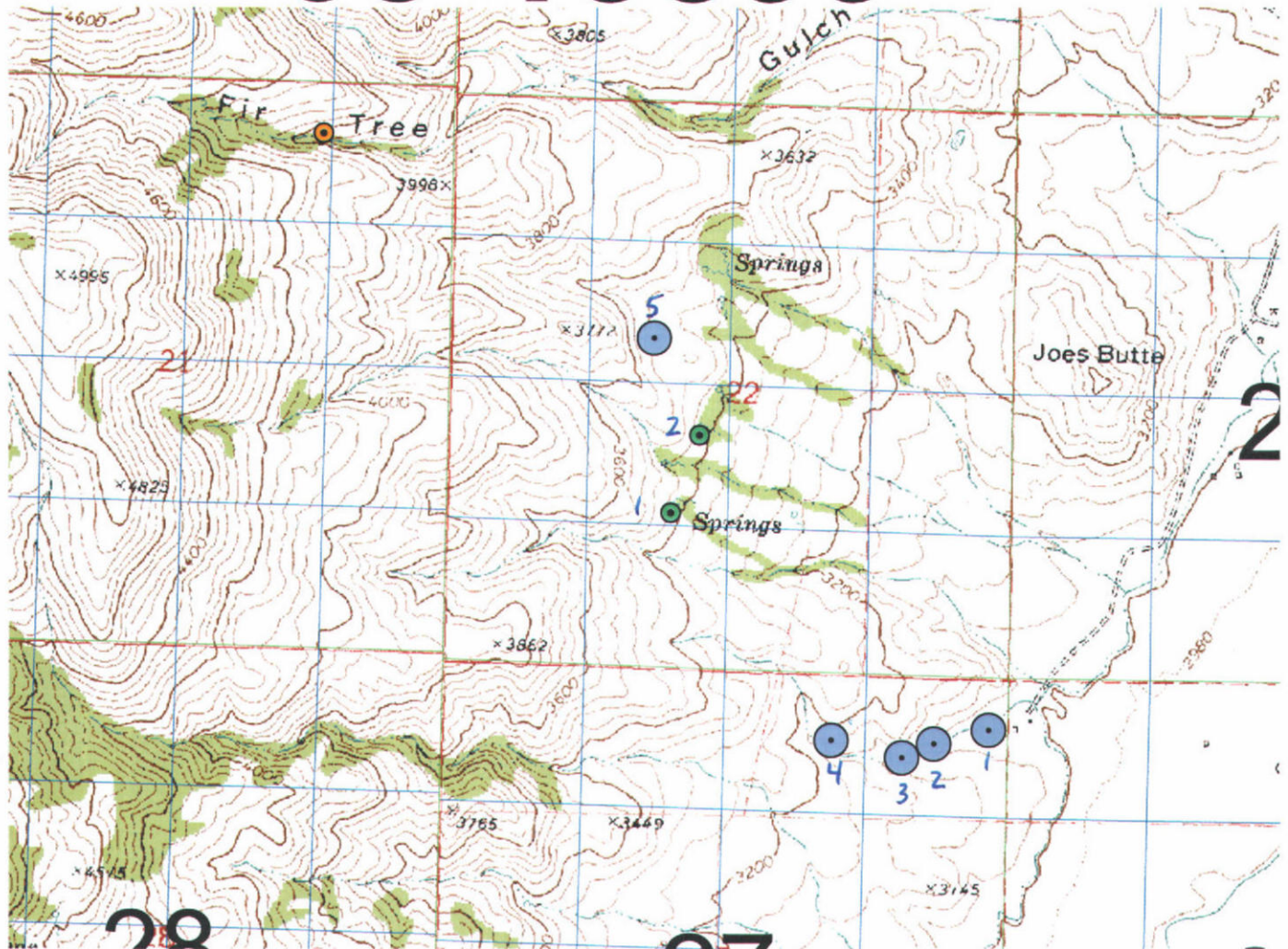
(SEE topo + diagram
IN 65-13598)

NO govt lots
JL 3/3/95

MAY 21 1995

65-13598

65-13599

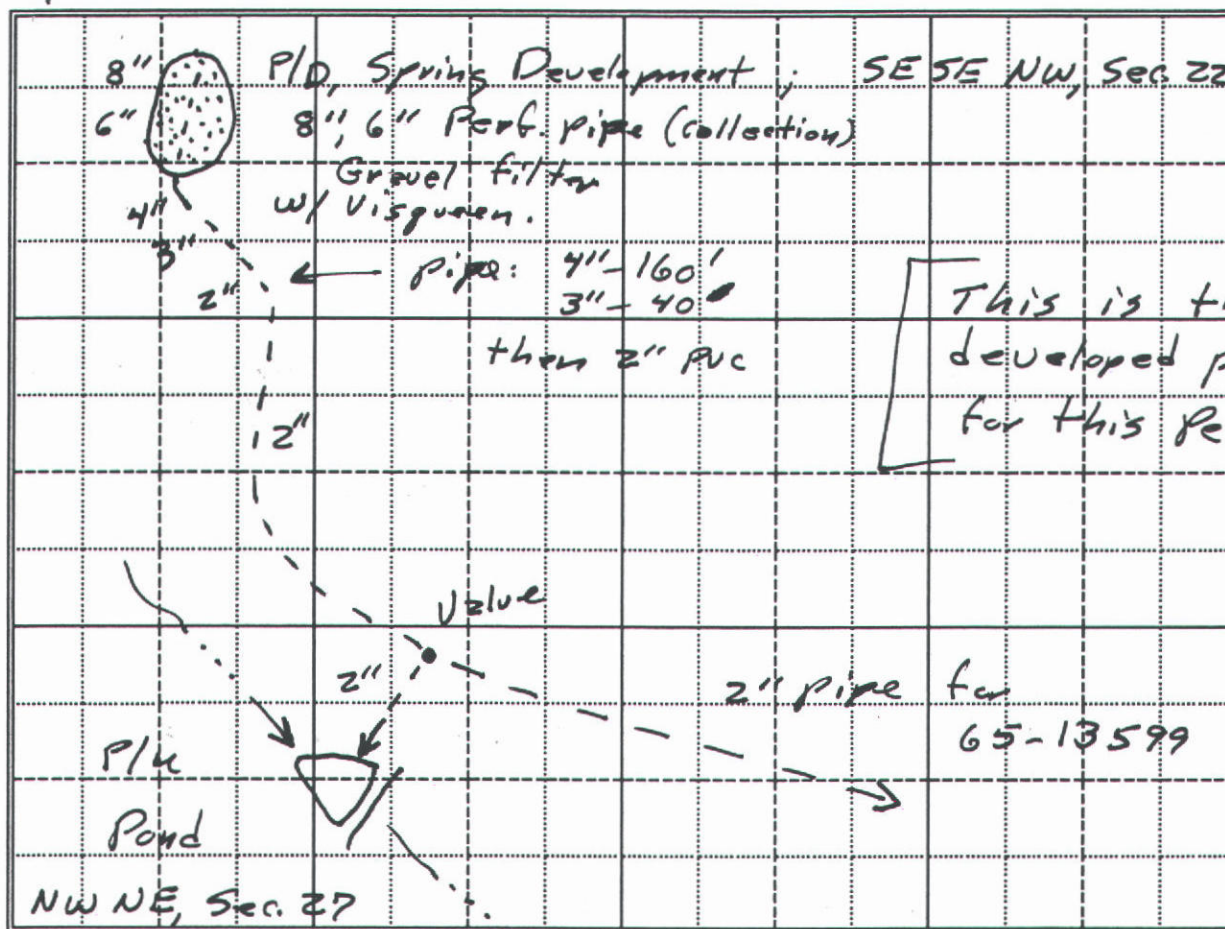


0.5 0 0.5 1 Miles

- Reservoirs
- Springs
- Fir Tree Gulch Creek p/d
- Section
- 1/41/4



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



Scale: 1" = None

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

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

☒ Photo of Diversion and System Attached

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: Name

The irrigation portion should be covered when he completes 65-13598
\$ 65-13599

P10, Spring

Baldwin Lane

Valve

2"

22	23
27	26

2"

P/u Pond

65-13598
65-13599

P/u

Proposed 15 Ac.
irrigation

T33

65-13677

2
4.5

13.7

32.4

T66

2
16.2

1
27.2

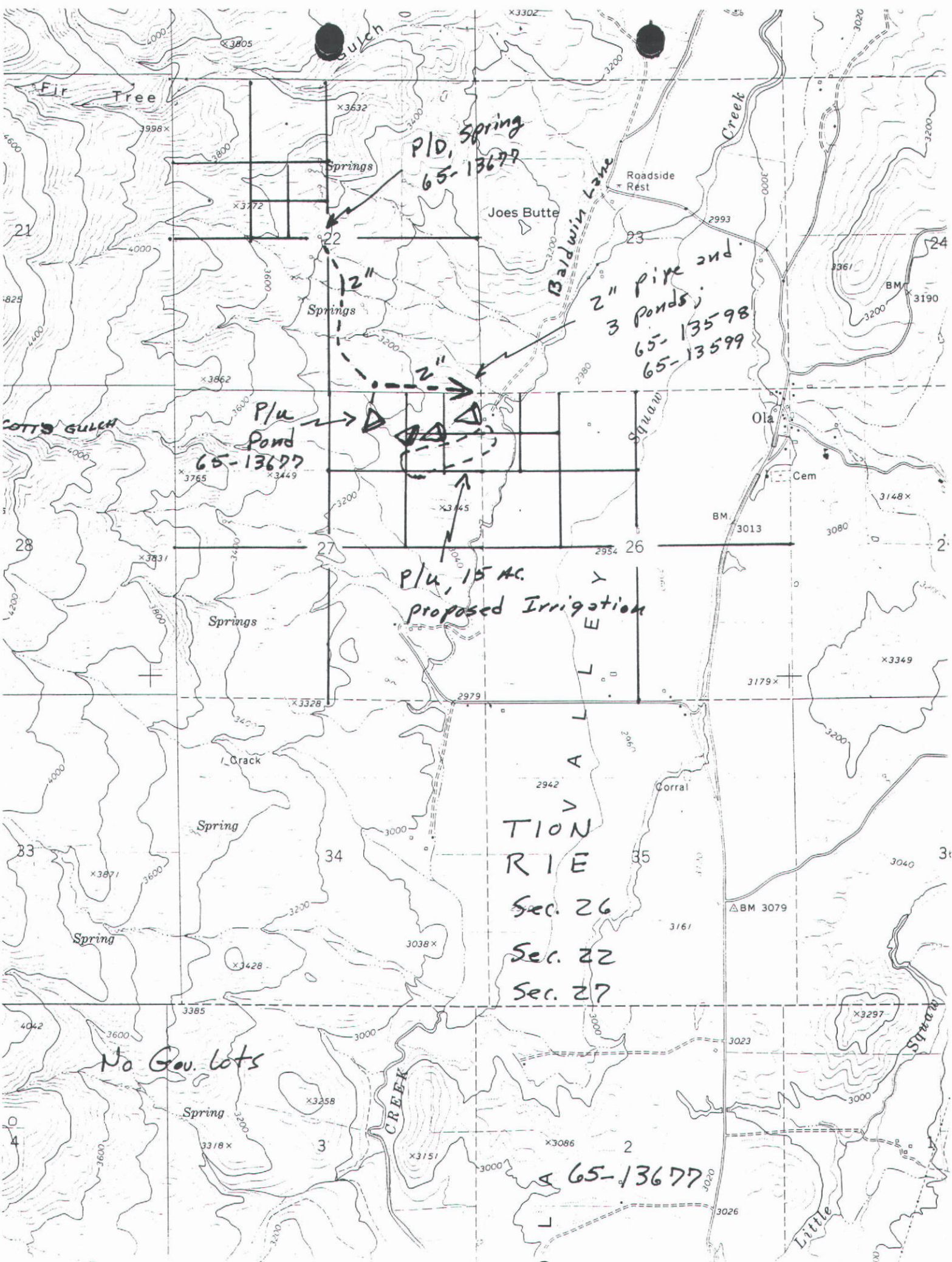
4
21.9

HEL

HEL

W

T



P/O, Spring
65-13677

2" pipe and
3 Ponds;
65-13598
65-13599

P/u
Pond
65-13677

P/u, 15 AC.
proposed Irrigation

SECTION
R 1 E
Sec. 26
Sec. 22
Sec. 27

No Gov. lots

65-13677



SPRING 1

also covered
on 65-13677.
for wildlife
storage

SPRING 2



RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 28 2000

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.

1 Permit No. 5-13599 Telephone No. 584-3728

2. Name of Permit Holder(s): Jack & Beth Moores (Dorbonne)

3 Mailing Address: PO Box 70, Olathe, MO 64665

City _____ State _____ Zip _____

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

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

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): wildlife
Deer-Elk-bar-

Irrigation (No. of acres): ? Other: irrigation

6. Total rate of diversion and/or volume for which proof is submitted: 2.85 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 _____

8 Fee Enclosed \$ 150 (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 Jack Moores Telephone Number: 584-3728

Address: PO Box 70, Olathe, MO 64665 - Baldwin Lane.

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

Signature of permit holder [Signature] Date April 25/00
(Include your title, if on behalf of company or organization)

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
Permit To Appropriate Water

NO. 65-13599

Proposed Priority: February 23, 1995 Maximum Diversion Rate: 2.85 CFS

This is to certify, that **BETTY L DERBONNE**
3940 HANCOCK ST #202
SAN DIEGO CA 92110
has applied for a permit to appropriate water from:
SPRINGS tributary of **SQUAW CREEK**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/15	2.80 CFS
STOCKWATER	01/01 to 12/31	0.03 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
Totals		2.85 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESENW ,	Sec. 22, Township 10N, Range 01E
SESENW ,	Sec. 22, Township 10N, Range 01E
NENESW ,	Sec. 22, Township 10N, Range 01E
SENESW ,	Sec. 22, Township 10N, Range 01E
SWNWSE ,	Sec. 22, Township 10N, Range 01E
SENWSE ,	Sec. 22, Township 10N, Range 01E

GEM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10N	01E	22	SESW 30.0	SWSE 20.0		50.0
		26	NWNW 10.0			10.0
		27	NENE 30.0	NWNE 30.0	NENW 20.0	80.0

Total number of acres irrigated: 140.0

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
10N	01E	22
		SWNE
		NWSE

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
10N	01E	26
		NWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 2000.
2. Subject to all prior water rights.

NOT RECORDED
MAY 31 1995

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

NO. 65-13599

CONDITIONS/REMARKS:

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. 65A.
5. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
6. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.
7. The Director retains jurisdiction to limit diversion of water to in-house uses only.
8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
9. Stockwater is for 100 range cattle.
10. Domestic use is for 1 home.
11. Domestic use does not include lawn, garden, landscape, or other types of irrigation.
12. After specific notification, the right holder shall annually report to the department the amount of water diverted under this right.

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

15th day of May, 1995

R. Keith Higginson
for R. Keith Higginson, Director

MAY 31 1995

RECEIVED
APR 21 1995

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Ident. No. 65-13599

RECEIVED

FEB 23 1995

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name: BETTY L DERBONNE
Address: 3940 HANCOCK ST #202
SAN DIEGO CA 92110

619-225-1254

2. Source: SPRINGS

Trib. to: SQUAW CREEK

3. Location of Point of Diversion:

NESENW	Sec. 22, Township 10N, Range 01E
SESENW	Sec. 22, Township 10N, Range 01E
NENESW	Sec. 22, Township 10N, Range 01E
SENESW	Sec. 22, Township 10N, Range 01E
SWNWSE	Sec. 22, Township 10N, Range 01E
SENWSE	Sec. 22, Township 10N, Range 01E
GEM	County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/15	10/15	2.800		
STOCKWATER	01/01	12/31	0.030		
DOMESTIC	01/01	12/31	~~0.040~~		
			0.02		

5. Total quantity to be appropriated is:

2.870 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.
SPRINGBOXES AND COMMON 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 5 year(s).

MAY 31 1995

8. Place of Use: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL	
10N	01E	22	SESW	30		SWSE	20		50	
		26	NWNW	10					10	
		27	NENE	30		NWNE	30	NENW	20	80

Total number of acres irrigated: 140

Place of Use: STOCKWATER

TWN	RGE	SEC		
10N	01E	22	SWNE	NWSE

Place of Use: DOMESTIC

TWN	RGE	SEC	
10N	01E	26	NWNW

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:

Domestic use is for one home.

Stockwater is for 100 range cattle.

~~Multiple points of diversion are found within the legal subdivisions shown.~~

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.

Betty Lou Desborne
Applicant

Received by VR Date 2/23/95 Time 11:50 am Preliminary check by FR

Fee \$ 140.00 Receipted by VR # W018632 Date 2-23-95

Publication prepared by AT Date 3-8-95 Published in Miner's Index

Publication approved AT Date 4-6-95

MAY 31 1995

65-13599

Comments: Date: 1/ 25/ 1995 User-ID: CHODGES

Subject:

ADDITIONAL INFORMATION

Springs will all be developed at springhead and piped to a common pipeline for distribution to stock tanks, domestic and irrigation uses. Irrigation from this source will be on same acres and will supplement irrigation filed simultaneously under 65-13598.

Domestic use also from groundwater under 65-00194.

SEE Related Appl. 65-13598 for topo & diagram showing both filings together. Also, other file has local contact person.

discuss update 3/3/95
-JL

RECORDED
INDEXED

MAY 31 1995

Cherry Spring
3395

071710

2844

X4305

3005

Evich

3142 e

X4995

21

X4825

3177

Joos Butte

CHARTER
TIMELINE

Roadside
West

23

Daniel
Spring

3354

X4515

28

Spring

3131

27

Spring

26

935 x 1

X5078

23

X3871

Spring

Crack

34

2942

A

338X

335



LAW OFFICES
601 W Bannock Street
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300
WEBSITE: www.givenspursley.com

November 1, 2004

Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Right Permit Nos. 65-13677, 65-13598, and 65-13599
Our File No. 7346-1

To Whom It May Concern:

Please notify me when any action is taken with respect to Permits 65-13677, 65-13598, and 65-13599. My contact information is as follows:

Deborah E. Nelson
Givens Pursley LLP
601 West Bannock Street
P.O. Box 2720
Boise, ID 83701-2720
Telephone: 208-388-1200
Facsimile: 208-388-1300

Thank you for your assistance with this matter. If you have any questions or require any additional information please call.

Sincerely,

Deborah E. Nelson

RECEIVED

NOV - 2 2004

DEPARTMENT OF
WATER RESOURCES

Gary G. Allen
Kelly T. Barbour *
Christopher J. Beeson
William C. Cole
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Timothy P. Fearnside
Jeffrey C. Fereday
Steven J. Hippler
Karl T. Klein
Deborah K. Kristensen
Anne C. Kunkel
Jeremy G. Ladle
Franklin G. Lee
David R. Lombardi

D. David Lorello, Jr.
Emily A. MacMaster
Kimberly D. Maloney
John M. Marshall
Kenneth R. McClure
Kelly Greenea McConnell
Cynthia A. Meldillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
Deborah E. Nelson
W. Hugh O'Riordan, LL.M.
Michael C. Orr
Kenneth L. Pursley

Bradley V. Sneed
H. Barton Thomas, LL.M.
J. William Vann
Conley E. Ward
Robert B. White
Michael V. Woodhouse

Raymond D. Givens
RETIRED

James A. McClure
RETIRED

*Licensed in Texas

NOTE

OCT - 2 2003

Department of Water Resources

RECEIVED

JUN 03 2003

WATER RESOURCES
WESTERN REGION

June 2, 2003

Laura E. Burn
Jetticy R. Christensen
D. Blair Clark
Michael J. Doolittle
S. Bruce Farns
Patrick O. Putcy
David Hammettquist
Charles L. Hunsinger
Joseph B. Jones
James P. Kautman
Jennifer Reid Mahoney
James G. Reid
William F. Ringert
Daniel V. Steenson
Alynn L. Swerney

RECEIVED

SEP 23 2003

WATER RESOURCES
WESTERN REGION

Mr. Gary Spackman
Ms. Lori Graves
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5032

Re Measuring Devices for Permit Nos. 65-13598 and 65-13599, and Jack Mooers'
Intent Re Diversions of Water

Dear Mr. Spackman and Ms. Graves

I had intended to get this correspondence to you last week. However, because I was out of town on other matters for most of last week, I did not receive my client's approval of this correspondence until today. I apologize for the delay.

Thank you both for taking the time to visit the Mooers property on May 8, 2003. We are hopeful that your understanding of Mr. Mooers' diversions and water use is much more clear as a result.

After my conversations with you over the past couple of weeks, and after conversations with my client and his consulting hydrogeologist, Ed Squires, I write to inform you of the actions which Mr. Mooers has agreed to take, and certain other actions Mr. Mooers intends to take in furtherance of the development of his water rights and his property.

1. Actions Pursuant to Discussions During the May 8, 2003 Site Visit

Pursuant to recent conversations with both of you, it is my understanding that, so long as Mr. Mooers takes the actions on which he agreed during our joint site visit of May 8, 2003, IDWR will not require that he install measuring devices contemplated by the above-referenced permits.

During the May 8, 2003 site visit, my client agreed to act as follows:

1. Ensure that the "overflow" from diversions of spring water to Mr. Mooers' domestic water cistern remains in the basin feeding Mr. McKenzie's "southern" instream stockwater right. Mr. Mooers will take action either to pipe the

Gary Spackman
Lori Graves
June 2, 2003
Page 2

"overflow" currently spilling into a separate drainage back into its originating drainage, or install a float valve mechanism in his cistern to ensure that no such "overflow" occurs

2. Ensure that Mr. Mooers' diversions from Fir Tree Gulch cease upon his receipt of notice that water from Sagehen Reservoir is being used to supplement flows in Squaw Creek. We request that IDWR notify us as soon as the call for storage water from Sagehen Reservoir is made
3. Ensure that Mr. Mooers does not divert any water from the Box Canyon area where he has placed a collection device and drilled a small well. To this end, Mr. Mooers has already placed a more secure cap (thereby ensuring a tighter seal) on the pipe through which he could divert water from the Box Canyon area.

As I stated above, it is my understanding from our recent conversations, that so long as Mr. Mooers acts as outlined, IDWR will not require that any measuring devices be placed on the Mooers diversion works. Based upon Mr. Mooers' agreement, my recent conversations with both of you regarding measurement devices, and, pursuant to the suggestion in Ms. Graves' letter of April 4, 2003, Mr. Mooers hereby requests that the measuring device requirements be removed from Permit Nos. 65-13598 and 65-13599.

If you believe that removal of the condition is inappropriate, or that some other solution should be discussed, please contact me immediately.

2 Action to Ensure that Water Flows Naturally from Box Canyon Springs

Mr. Mooers is aware that if he desires to divert water under either of his permits, he must establish that water is available for his diversions. Therefore, to that end, Mr. Mooers intends to seal the pipe from the Box Canyon collection device through which the Suttons' water right is currently being delivered. Thus, the Suttons will have to get their water from their original ditch diversion on their own property.

Mr. Mooers is taking this action pursuant to both my advice, and that of Ed Squires. Mr. Squires and I believe that in order to determine whether any water is available for his own diversions, Mr. Mooers must determine the time periods during which the natural flow of water from the Box Canyon springs reaches both the Sutton diversion, and the McKenzie property. It is not Mr. Mooers' intent to cause any hardship to the Suttons; it is instead his intent to determine whether there are any Box Canyon flows available to fill his own permitted water rights. Mr. Mooers certainly appreciates the good relationship he has with the Suttons, and expects to

Gary Spackman
Lori Graves
June 2, 2003
Page 3

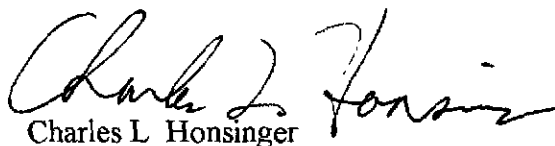
continue to work with the Suttons in a joint attempt to meet the parties' water rights. Although Mr. Mooers will personally be calling the Suttons, we are also notifying the Suttons, by mailing them a copy of this letter, that on or about June 4, 2003, Mr. Mooers intends to seal the pipe through which their Box Canyon springs water is currently delivered, and that they will be required to use their diversion ditch for at least one year.

The sealing of the pipe may or may not be permanent, depending upon what Mr. Mooers learns about the natural flow of water from the Box Canyon Springs. Regardless, Mr. Mooers will not interfere with any naturally flowing water from the Box Canyon Springs until he obtains information showing that he either can or cannot divert water without affecting the water rights of either Mr. McKenzie or the Suttons, and until he provides notice of his intent to with respect to the springs to IDWR and both parties dependent upon those spring flows.

Mr. Mooers will also be observing flows feeding the other water right held by Mr. Sutton and the water right held by Mr. Carlock to determine whether and when Mr. Mooers will be able to divert water under his permit and pending application. Once sufficient information is obtained, we will inform IDWR and the parties of Mr. Mooers' intentions regarding his permits and his application.

Should you have any questions or concerns regarding any of these matters, please feel free to contact me for discussion.

Sincerely,


Charles L. Honsinger

cc: Jack Mooers
Ed Squires
Chuck McKenzie
Allan Sutton
Pat Carlock

RECEIVED

SEP 11 2002

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13599

1. Owner: Betty Derbonne Phone No. 619-225-1254

Current Address: 3940 Hancock St #202, San Diego CA 92110

2. Accompanied by: Jack Moore EXAM DATE: 8/21/01

Address: PO Box 70, Ola ID 83657 Phone No. 584-3728

Relationship to Permit Holder: Husband

3. Source: Springs tributary to Squaw Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-13677

2. Other water rights with the same point of diversion: 65-13677

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2 Place(s) of Use

Indicate Method of Determination

[illegible]

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

SEE ATTACHED SHEET.

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

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

 X Photo of Diversion and System Attached

RECEIVED

APR - 7 2003

Department of Water Resources

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:** See exam 65-13677 attached.

E. NARRATIVE/REMARKS/COMMENTS

Spring No. 1 is also covered on permit 65-13677, which was field examined 10/19/99. The p/d for that spring was recommended in the SESENW S22. A GPS reading for this exam shows the actual location of that spring in the SENESW S22. Spring No. 1 can provide wildlife storage water to the four lower ponds as documented and covered in exam 65-13677 or domestic/stockwater via gravity flow through a 2" pvc pipe (per this permit). Spring No. 2 open discharges from a 2" pvc pipe into a stock trough at the spring site. The irrigation portion under this permit has not been developed. No other rights are used

Have conditions of permit approval been met? yes X no

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

Spring 1 recommended for .18 cfs per permit 65-13677.**Spring 2 open discharges from a 2" pipe into a stock trough. Flowing ~1 gpm at time of exam.****G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:** $V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ **2. Volume Calculations for Other Uses:****Domestic use for 1 home and lawn: 1.2 afa****Stockwater use for 100 beef cattle: .0134 x 100 = 1.34 afa****H. RECOMMENDATIONS****1. Recommended Amounts**

Beneficial Use	Period Of Use		Rate Of Diversion Q (CFS)	Annual Volume V (AFA)
	From	To		
Domestic	1/1	12/31	.02	1.2
Stockwater	1/1	12/31	.03	1.34
TOTAL			.05 cfs	2.54 afa

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**

Lori Graves - Senior Agent

Field Examiner's Name

Lori Graves

Date

6/27/02

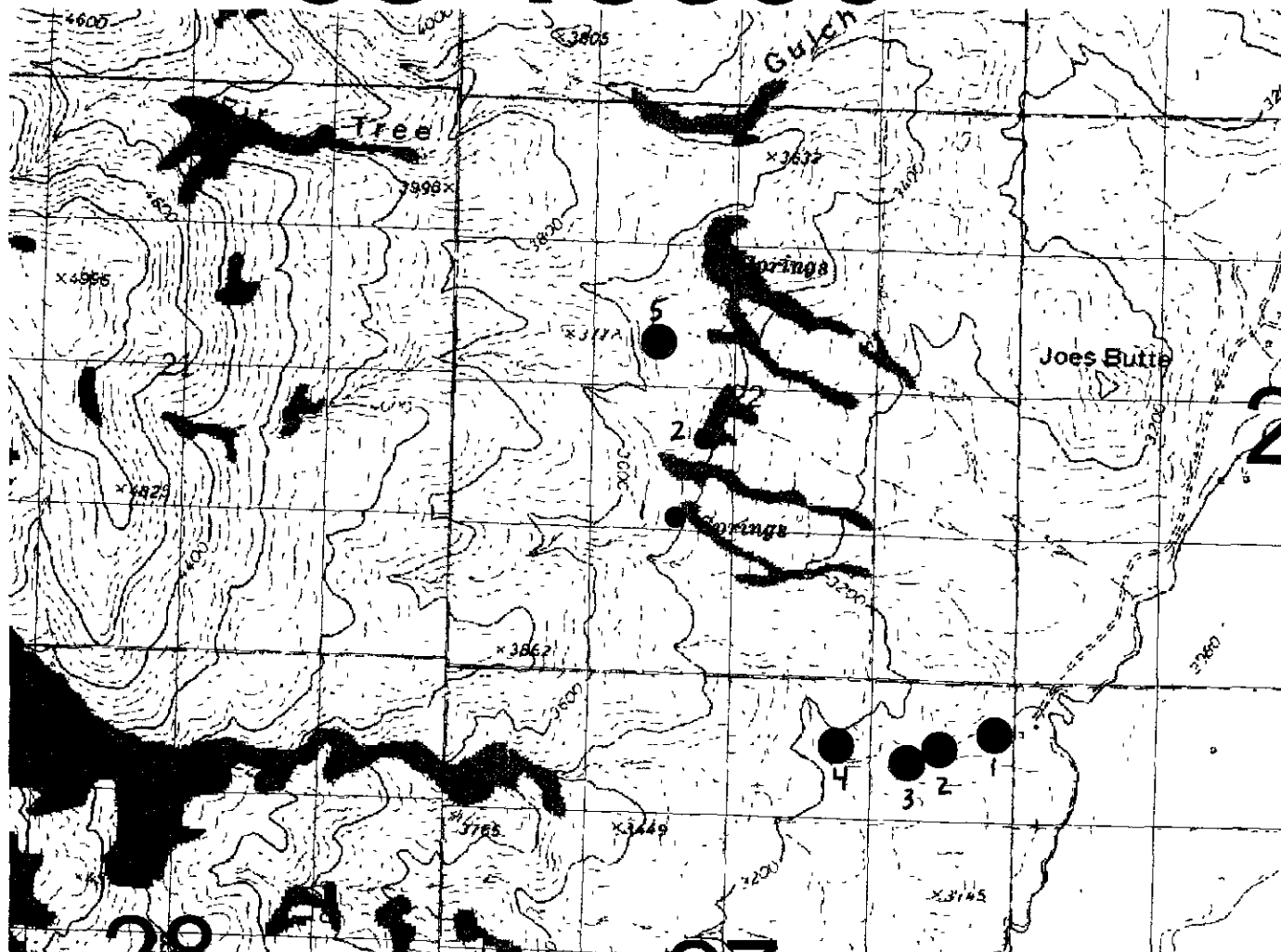
Reviewer _____

Date _____

SEAL

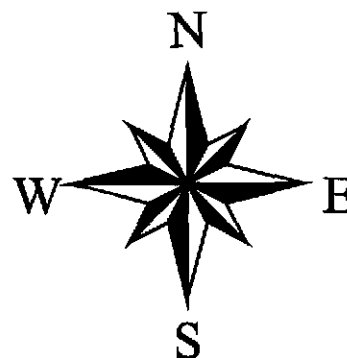
65-13598

65-13599



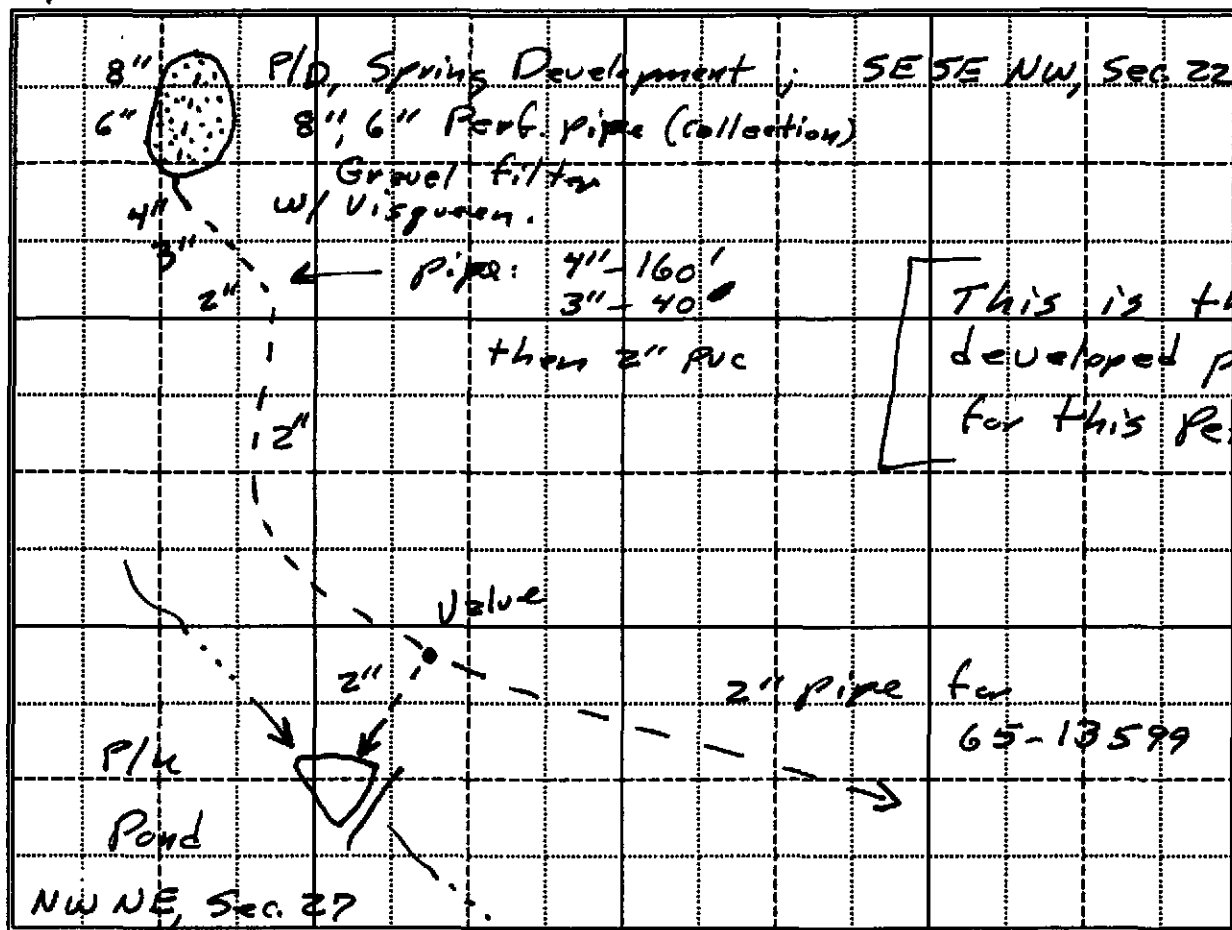
0.5 0 0.5 1 Miles

- Reservoirs
- Springs
- Fir Tree Gulch Creek p/d
- Section
- 1/41/4



[illegible]

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



Scale: 1" = None

→ To 3 other Ponds; 65-13598

☒ 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: Name

5. The irrigation of the 15 Ac. will probably be developed in conjunction with 65-13598 & 65-13599.

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for Irrigation, and Irrigation & Wildlife Storage from a spring. At the time of the exam, the spring was developed and the storage constructed, but there was no irrigation development.

2. A 2" pipeline from the spring development conveys the water to a pipe junction above the developed storage pond. A 2" pipe from this junction (valve box) is used to fill the pond. The pond also gets inflow from the ~~inter~~ intermittent stream bed where it is located. From the (valve box) pipe junction, the 2" pipe line continues downhill for use in the development of WR 65-13599.

3. Downstream of the pond constructed for this permit, the owner has constructed 3 more ponds in the same intermittent stream bed. These 3 ponds are under WR 65-13598. A tract of land on the right (south) side of these 3 ponds has been partially cleared for the 15 Ac. of irrigation under this permit, and WR 65-13598 & 65-13599. The owner plans to install a pump in one of the 3 ponds to irrigate the 15 Ac. and more land. The water in the pond (upstream) for this permit would be released as needed when the entire system is completed.

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

4. For this permit, the spring development, pipeline, and storage pond is completed, but there is no developed irrigation at this time. The irrigation will be developed at some future time.

912, 2152

Bay

P/u
fame

13578
13592

27 20

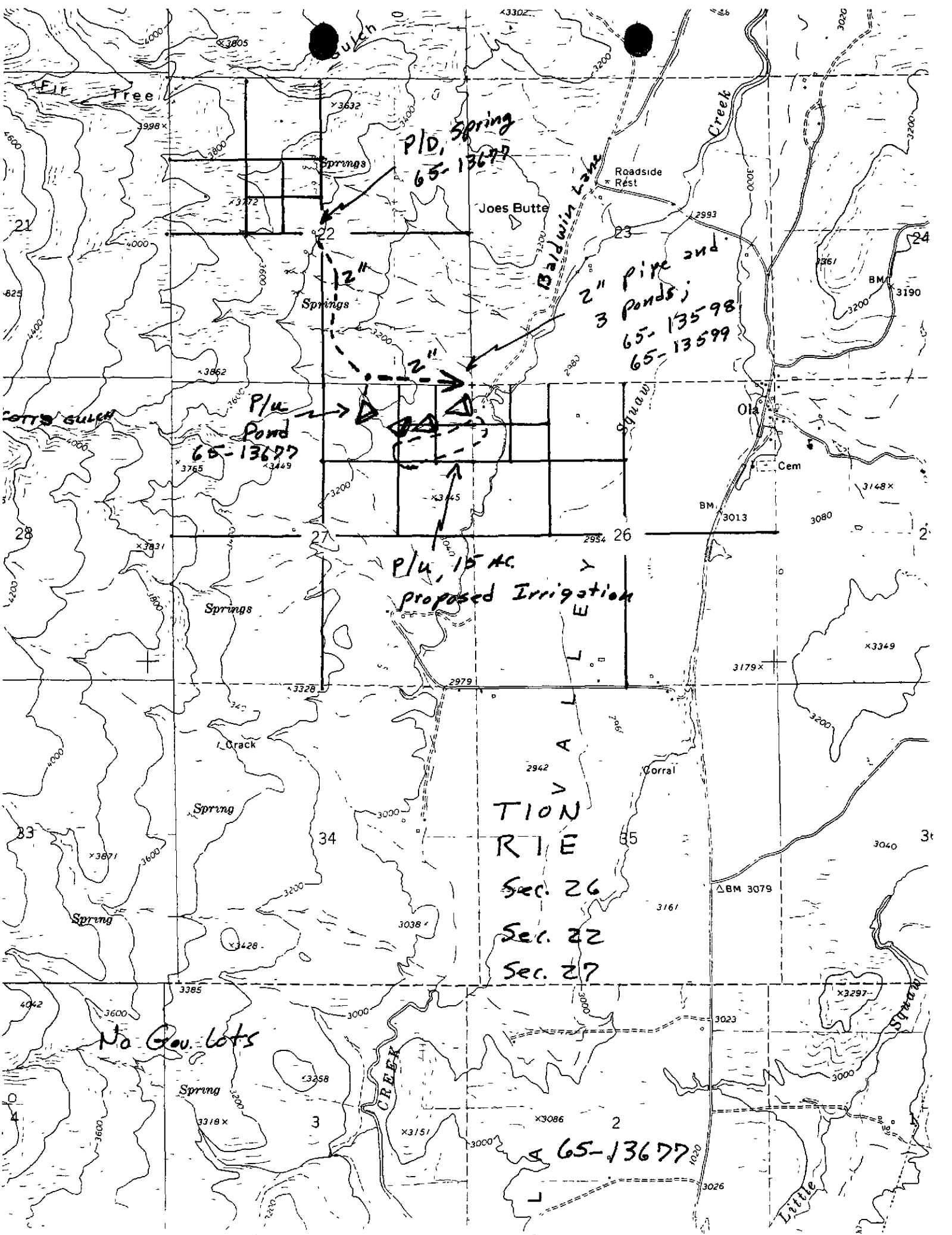
P/u

Proposed 15 AC
irrigation

T33

65-13677

13.7



P/O Spring
65-13677

12"
Springs

2" pipe and
3 ponds;
65-13598
65-13599

P/O
Pond
65-13677

P/O, 15 AC.
proposed Irrigation

No Gov. lots

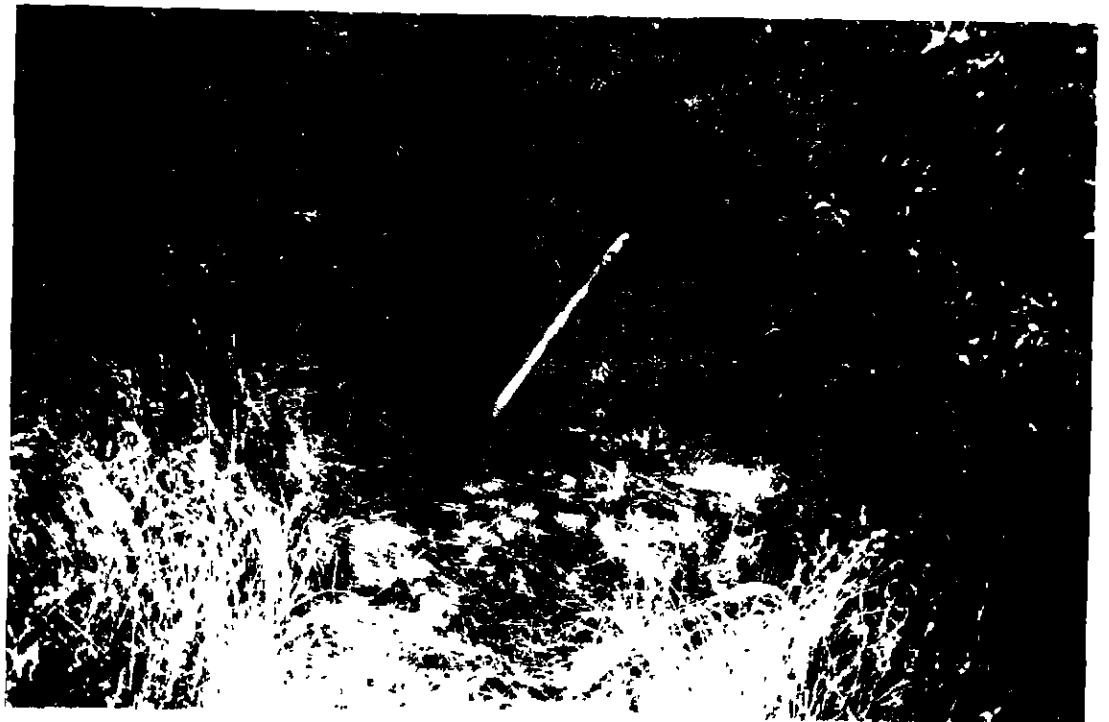
SECTION
R 1 E
Sec. 26
Sec. 22
Sec. 27

65-13677



SPRING 1

also covered
on 65-13677
for wildlife
storage



SPRING 2



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 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BETTY L DERBONNE
JACK MOOERS
PO BOX 70
OLA ID 83657

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13599

Dear Permit Holder:

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

While reviewing the Proof of Beneficial Use form you filed with the department, I had one question. According to condition of approval no. 5 of this permit, you are required to permanently install and maintain a measuring device and controlling works as part of the diverting works. 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. You must have the measuring device and controlling works installed when the department conducts the examination.

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

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

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

MAY 25 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 05-13599 Reviewed by D. Ellis Date 5/12/00

GENERAL CONSIDERATIONS

TYPES OF USE

Yes Name same as permit?
No Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

Irrigation & stockwater
Correct Uses? Yes w/ domestic

SOURCE OF WATER

Yes Surface water source
No 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?
\$150 Amount Submitted
Yes Correct?

Yes Required?
Unknown Installed?
No Waiver requested?

PRIORITY CALCULATION

Date proof received 4/28/00
Date proof due 5/1/2000
No. of days late / = /
Priority Date / + /
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof, inform of measuring device requirement.

DATA ENTRY

New Address P.O. Box 70, Ora, Id. 83657 Proof Made 4/28/00

— 1 — 1, — 2, — 3

$$\frac{1}{2} \quad 1.4 \quad 2 \quad 3 \quad 4 \quad 5 \quad 6 \quad 7 \quad 8 \quad 9 \quad 10$$
$$\frac{1}{2} \quad 1.4 \quad 2 \quad 3 \quad 4 \quad 5 \quad 6 \quad 7 \quad 8 \quad 9 \quad 10$$

From:

Type of Payment

Amount

$$J_{\text{max}} = 2 \times 10^6 \text{ J}$$

$\frac{1}{2} \quad \frac{1}{2} \quad \frac{1}{2}$

1 2

1000 1000 1000

$$\lim_{n \rightarrow \infty} \frac{1}{n} \sum_{i=1}^n \frac{1}{i} = \frac{1}{2}$$

J. S. Mason

JUN 26 2000

February 28, 2000

BETTY L DERBONNE
3940 HANCOCK ST #202
SAN DIEGO CA 92110

PROOF DUE NOTICE

RE: PERMIT NO. 65-13599

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, 2000.

(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.

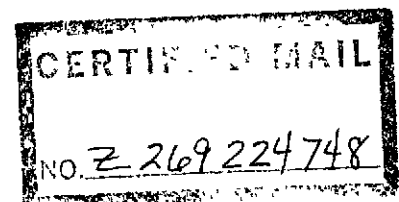
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED

JUN 26 2000





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 15, 1995

BETTY L. DERBONNE
3940 HANCOCK ST #202
SAN DIEGO CA 92110

PERMIT APPROVAL NOTICE

RE: PERMIT NOS. 65-13598 AND 65-13599

Dear Permit Holder:

Enclosed are copies of your approved applications for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listings on the permits.

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

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

Regarding permit no. 65-13598, be sure to note the special condition requiring you to install a measuring device and lockable controlling works that will enable the watermaster to control the rate of diversion.

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

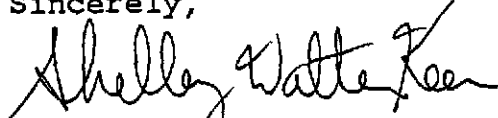
Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion

RECORDED

MAY 31 1995

structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,

A handwritten signature in cursive script, reading "Shelley Walter Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

Enclosure

MAY 31 1987

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 65-13599 Name: Darbonne Date: 9/1/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: W018632 Priority: 2/23/95 ✓ 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 # 65A <SEE MAP & LISTING>
+ 0.2 cfs - 01J-P08 or 01M
- 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp) *modify in remark*
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 (FERE); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

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

OTHER CONDITIONS: -

STANDARD REMARKS: - ① wB5 ② wcz/100 ③ Gm modified

BENEFICIAL USE DUE: - 5-1-199 2000

COMMENTS: -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
APR 21 1995

Department of Water Resources

INITIAL REVIEW BY: RL DATE: 3/3/95 APPLICATION: 65-13599

REQUIRED INFORMATION

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

Gov't. Lots:

P/D

P/U

ADDITIONAL INFORMATION

YES NO

☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ ☐ Overlapping point of diversion: -None per PDD Index (3/3/95 Selection file)
☐ ☐ 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. 65-13599

YES NO

☒ ☐
☐ ☒
☒ ☐

In form for advertising:
Statewide advertising: (> 10 cfs &/or 1000 af)
Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare
I.D. District Health
I.D. Fish and Game
I.D. Lands
Adjudication Bureau

YES NO

☒ ☐
☐ ☒
☒ ☐
☐ ☒

U.S. BLM
U.S. Forest Svc.
Water Dist. # 65-A
Other _____

*Significant flows immediately
trib. to Squaw Crk*

*No response
rec'd.
Dw*

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 4-3-95
Protest dates, resolution of protest recorded on application:
Recommendations attached: *Approve, Dw*
Measuring device required:
Measuring port required:
Water delivered by water master? District # 65-A
Special conditions of approval or cover letter:

05(65-A, Squaw Creek & Tribs), OLE, 26A (Allow 3 yrs)

☐ ☒ See below for additional information

Recommended Date or Priority 2/23/1995

Recommended by: Dw

Date 4/17/1995

STATE OFFICE REVIEW

☐ ☒ See below for additional information. By _____

Date _____

ADDITIONAL INFORMATION

Also see related Appl. 65-13598. Areas 12-13599 are part of
area 12-13598 (140 of 200 acres).

- Overlap -

P/O & but unav. stream & permit 65-13155 shown to be the
discharge drainage from 1 of springs now filed upon & this appl.*

SEE POW-COMP - P/L - ~~also~~ (as 12 65-13598, appears 65-03012 (Squaw Crk) is for
24 other area & NWN 5 26

** per CJH 1/26/95 letter,
see file*

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
32nd day of
March, 1995
Kenneth J. Galt

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
Diversions Pt LOT 1 (NENE)

65-13598

Use: IRRIGATION (4 000 CFS)
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 Diversion: { 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
Diversions Pt

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
SENESW Sec 22 T 10N R 01E in GEM County
SWNWSW Sec 22 T 10N R 01E in GEM County
SENWSW Sec 22 T 10N R 01E in GEM County

Use: IRRIGATION (2 800 CFS)
STOCKWATER { 0.030 CFS)
DOMESTIC { 0.040 CFS)
Total Diversion: { 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
Diversions Pt
Use: STOCKWATER
DOMESTIC
Total Diversion
Date Filed: 3/1/1995
In GEM County
T07N R01E S14

65-13603

Tributary: PAYETTE RIVER
NWNWSW Sec 14 T 07N R 01E in GEM County
(0.020 CFS)
(0.040 CFS)
(0.060 CFS)

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

65-13566

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 (0.20 CFS)
Total Diversion: { 0.20 CFS)
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
Diversions Pt
Use: IRRIGATION (1.00 CFS)
Total Diversion: { 1.00 CFS)
Date Filed: 1/12/1995
In GEM County
T07N R01W S08 NESW
S17 NENW NWNW SWNW SENW
S18 NWSW SWSW SESE

65-13592

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

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
Diversions Pt

65-13591

NENE Sec 8 T 07N R 01W in GEM County
NWNW 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
(1.00 CFS)
(1.00 CFS)

Use: IRRIGATION (1.00 CFS)
Total Diversion: { 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
Diversions Pt
Use: STOCKWATER
Total Diversion
Date Filed: 1/12/1995
In GEM County
T07N R01W S03 NESW

65-13590

Tributary: HAW CREEK
NENESW Sec 3 T 07N R 01W in GEM County.
(0.30 CFS)
(0.30 CFS)

WOODIE, RON
WOODIE, JUDY
PO BOX 785 EMMETT, ID 83617
Source: SPRING
Diversions Pt LOT 3
Use: STOCKWATER
Total Diversion
Date Filed: 1/12/1995
In GEM County
T07N R01W S03 Lot 3(NENW)

65-13589

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

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the 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

Pub 3 - 15, 22, 1995

R. KEITH HIGGINSON, Director

Legal Notice No 2170
Published in the Messenger Index

RECEIVED
MAY 31 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 9, 1995

KIRK DARNELL
BOX 13
SWEET ID 83670

Re: Applications for Water Rights Nos. 63-13598 and 63-13599 in
the Name of Betty L. Derbonne

Dear Sir:

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

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'David R. Tuthill, Jr.'.

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

DRT:st

Enclosure: Copy of Applications

RECEIVED
MAY 31 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 25, 1995

JACK MOOERS
PO BOX 70
OLA ID 83657
584-3728

*Local contact per
1/23/95 telephone msg*

RE: Application for Permit Filings 65-13598/13599

Dear Jack:

Enclosed are the draft filings we have discussed. Please review them carefully. I made several presumptions during the preparation of the applications; any necessary changes may be noted on the documents and I will correct our records upon receipt. I assumed the filings were to be in the name of Betty L. Derbonne, to remain consistent with other records.

Application no. 65-13598 reflects appropriation from the several unnamed streams and Fir Tree Gulch into two reservoirs. This is a complex application showing injection and re-diversion of flows between drainages. I have limited total irrigation to 200 acres to avoid a requirement to submit additional large diversion and development information. If you would like to include more acreage please let me know.

You will be required to obtain a storage certificate for the large dam and comply with Idaho dam safety standards for both impoundments. I have enclosed an application for construction permit for the proposed 18' dam. A staff person from our Dam Safety section will contact you after the application is submitted. We have no information on file for the existing dam in Section 22.

Application no. 65-13599 shows the multiple spring development for irrigation, stockwater and domestic uses. The irrigated area shown from the springs does not include the acres just below the upper reservoir, as I was uncertain how the flows could be delivered there. For stockwater purposes, I assumed 100 range cattle. If any of this is in error, please let me know.

I checked on Snake River Adjudication claim no. A65-03012 (irrigation from Squaw Creek, Section 26) to determine if we had enough information available to change the ownership of the claim to Betty L. Derbonne. Other files in Ms. Derbonne's name contain a warranty deed which also describes the land in Section 26, therefore, we will be making that change and will forward the updated claim copy to Ms. Derbonne at her San Diego address.

MAY 31 1995

1/26/95

Page 2

Also enclosed are copies of Water Right Permits no. 65-13155 and 65-13156 in the name of Circle Arrow Grazing. These permits identify two separate sources of water to fill the same pond for identical uses. The unnamed stream in 65-13155 is shown on the application map as being the discharge drainage from one of the springs on which you are filing. As such, 65-13155 would be the senior right on that source, but not the other springs. It is not inconceivable that a second right could be issued identifying this spring or its discharge as source waters. An adjustable turnout or overflow valve constructed at that springbox would allow for the regulated delivery of the downstream senior right.

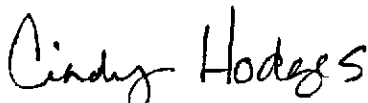
The Squaw Creek drainage is a previously decreed water right area. All water deliveries, including permits, are under the jurisdiction of a state appointed Watermaster, who is also requested to make a recommendation concerning all new water right permits issued from Squaw Creek and its tributaries. Before these applications are submitted, it may be prudent to visit the Squaw Creek Watermaster, Kirk Darnell, and solicit his comments on realistic water availability in your area, and expected duration of actual deliveries for newer rights. Mr. Darnell resides in Sweet; his telephone is 584-3441.

Please call if you have any questions concerning the new filings or any of the claims already on file. If the draft applications are satisfactory, please have Ms. Derbonne sign, or forward them for her signature, and return to me with the filing fees. Filing fees may be submitted in a single check or money order.

If there are significant modifications which must be made in the applications, please contact me so that I may make the changes and forward clean copies for signature. If you should decide against either of the filings, please advise me as soon as possible.

Please respond by Friday, February 10.

Sincerely,



Cindy Hodges
Sr. Water Resource Agent

Enclosures

267
1995
FEB 21 1995

65-13599

DERBONNE, BETTY L
3940 HANCOCK ST #202
SAN DIEGO, CA 92110

Source: SPRINGS

Tributary: SQUAW CREEK

Diversion Pt:	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.
	SENESW	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 Diversion:	(	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

RECORDED
FEB 28 1995