

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

116° 00' 00" 581000mE 582 583 57' 30"

44° 07' 30"

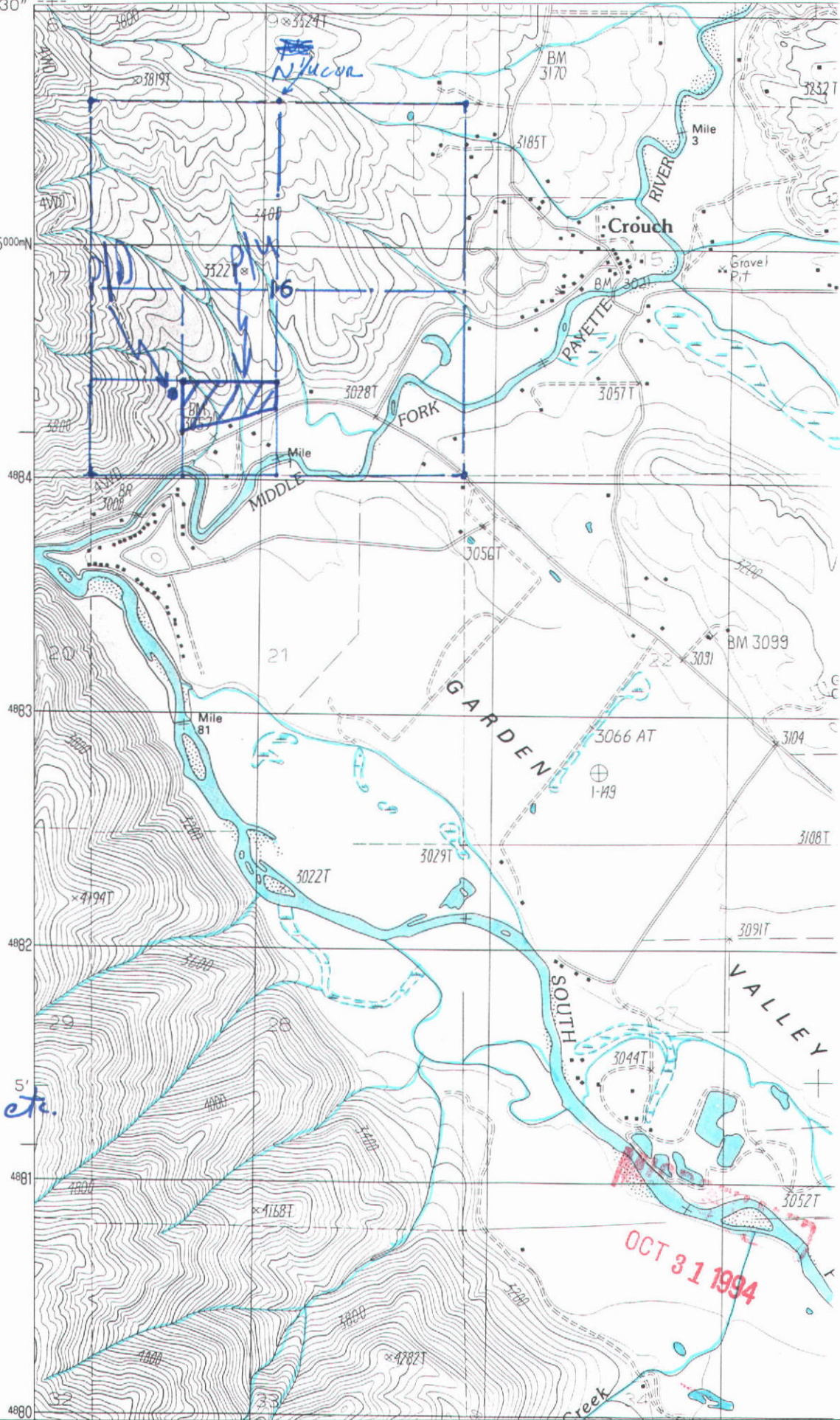
9N
4E
5.16

No quit lots

IOWR map
based on
applicant's 2 maps etc.

8/9/94

-JL



--LEGEND--
PAVED ROADS
STATE HWYS. UNPAVED
IMPROVED ROADS
DIRT ROADS
INFERIOR ROADS
RAILROADS
TRAILS



RECORD OF SURVEY LANDS SITUATE IN SECTION 16, T9N, R4E, B.M.3 BOISE COUNTY, IDAHO 1984

LEGEND

- Find Original G.L.O. Monument as noted
- Find Cor. Perpetuation Mon. - as noted
- Find 2" G.L.P. Repetition to be monument set by HLF, L.S. 770, set in Summer of 1966
- Find 7/8" I.P. monument - as noted
- Remounted Public Land Cor. - as noted
- Set P.K. Nattie Walker - L.S. 874
- Set 7/8" I.P. cap - L.S. 874
- Set 1/2" I.P. cap - L.S. 874
- Slaked and Flagged Easement I=112701
- Calculated Position - no monument set
- Indicates Right Angle Measurement

SURVEYOR'S CERTIFICATION

I, James V. Potter, a Licensed Land Surveyor Registered in the State of Idaho, L.S. 874, do hereby certify that this Record of Survey Plat is an accurate representation of an actual survey performed under my direct supervision in 1984; was drawn from the field notes of said survey; an said survey and plat are in compliance with Idaho Codes relating to Plats and surveys including IC 55, IC and IC 55, 19. No certification is made to owners of lands other than those named hereon.

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another or re-survey.



SURVEYOR'S NOTES

The Northeast corner, and the North quarter corner of subject Section 16, were set by HLF, L.S. 770 in 1966. These corner monuments do not fit the mathematical positions called in said survey, however, parcel evidence of long time residents establishes that the existing monument where placed in said survey. The subject monument by reputation, been accepted as the respective corners for eighteen years; and although not the true corners, are controlling property corners protecting, bonafide property rights of long standing.

POTTER

RECORDER'S CERTIFICATION

This plat was presented for filing at the request of James V. Potter, L.S., at 3:00 minutes past 3 o'clock, P.M., on this 22 day of Jan., 1984 A.D., and was recorded as Instrument No. 115875. Records of Boise County, Idaho.

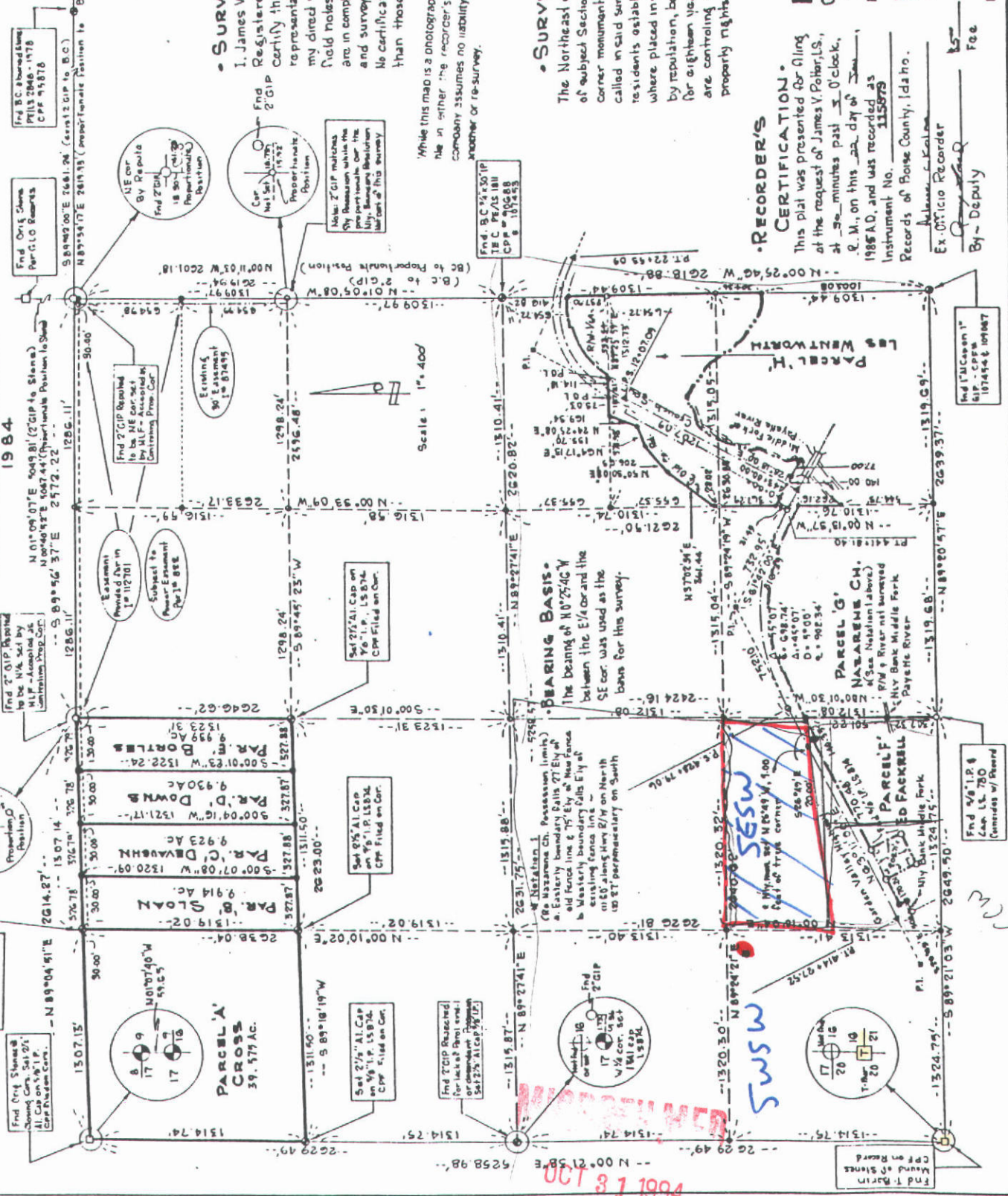
Ex. Officer Recorder
By: Deputy

LAND SURVEYING

GARDEN VALLEY, IDAHO 83622
4G2-3232 888-5491
FILE NO. 84-159 DATE NOV. 1984
BOUNDARY SURVEYS FOR
CROSS, SLOAN ET AL
SECTION 16, T9N, R4E, B.M.

INDEX NO. 941-10-0-0-0-00-00

Application # 65-13533



1 OCT 31 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO.	)	ORDER OF
65-13533 IN THE NAME OF	)	REINSTATEMENT
STEVE SEMELS AND MARY JO	)	
SEMELS	)	
_____	)	

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 November 1, 1996, and,

WHEREAS, on November 13, 1996, the permit holder filed a Request for Extension of Time to provide additional time in which to submit proof of beneficial use with the Department. On November 20, 1996, the Department approved the request extending the proof due date to November 1, 2000; and,

WHEREAS, the Department notified the permit holder on August 31, 2000, 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, on October 31, 2000, a Proof of Beneficial Use was filed by the current owners, however, the Department had no evidence of the real estate transaction between the previous and current owners. Therefore, the Department requested that an Assignment of Permit was necessary in order to process the Proof of Beneficial Use.

WHEREAS, on November 1, 2000, the permit lapsed, since the permit holder had not submitted an acceptable proof of beneficial use without an Assignment of Permit being on file with the Department; 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 a notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable assignment of permit on November 16, 2000; and,

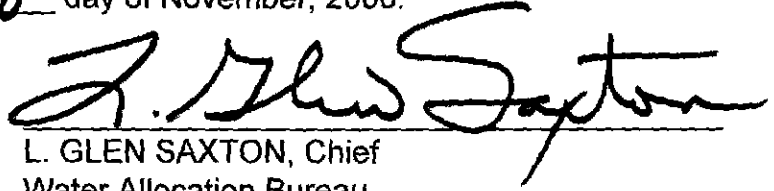
Order, p. 1

MICROFILMED

NOV 16 2000

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-13533 is
REINSTATED with an advance in priority to August 16, 1994.

DATED this 20th day of November, 2000.


L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

OCT 31 2000

Department of Water Resources

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

1. Permit No 65-13533 Telephone No 462-3927

2. Name of Permit Holder(s):
STEVE & MARY JO SEMELS

3. Mailing Address: 836 BANKS-LOWMAN

City GARDEN VALLEY State ID Zip 83622

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

Well Driller _____ Drilling Permit Number. _____

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

Domestic (No. of households) 3 Stockwater (No and type of stock):

Irrigation (No. of acres): 15 Other _____

6. Total rate of diversion and/or volume for which proof is submitted: .20 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 X or No _____

Has the measuring device been installed?

Yes X 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 STEVE SEMELS Telephone Number 462-3927

Address 836 BANKS-LOWMAN RD, GARDEN VALLEY, ID 83622

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 undeveloped portion of the permit to the State of Idaho.

Signature of permit holder Steve Semels
(include your title, if on behalf of company or organization)

Date 10/16/00

11/99

For Office Use Only
→ \$25 filing fee 25.00
Receipt # 005170
Date 11-16-00

RECEIVED

NOV 16 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

Department of Water Resources

I, Kathleen Vaughan, hereby assign to Steve or Mary Jo Semels
of, 836 Banks Lowman, Garden Valley, ID 83622 462-3927
(Full Address) (Phone)

All my right, title, and interest in and to Permit No 65-13533 to
appropriate the public waters of the State of Idaho

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 8th day of November, 2000.

Kathleen M. Vaughan
Permit Holder(s)

State of Idaho)
County of Bolise)ss

On this 8th day of November, 2000, personally appeared before me the signer(s) of the above
instrument, who duly acknowledged to me that he (she) (they) executed the same

Diane E. Caughlin
Notary Public residing at
Garden Valley, ID

SEAL

My commission expires 6/26/2001

NOTARY PUBLIC

STATE OF IDAHO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

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

NOV 13 1996

Department of Water Resources

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. 65-13533

Name(s) of Permit Holder: KATHY VAUGHAN

Mailing Address: HC 76 Box 2976 GARDEN VALLEY, ID 83622

Date Proof is Due: 11/1/96 Telephone No. 208-462-3234

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".)

SPRING HAS BEEN TAPPED, A RESERVOIR INSTALLED, WATER LINES
HAVE BEEN LAID TO BOTH RESIDENCES, THIS SOURCE HAS BEEN
FEEDING BOTH RESIDENCES FOR 1 YEAR.

Costing \$ _____

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

A PROPERTY LINE DISPUTE EXISTS. NEGOTIATIONS ARE ON-
GOING. I BELIEVE A SETTLEMENT IS CLOSE AT HAND.
(SEE ATTACHED LIT PENDING.)

Permit holder(s) request an extension to 11-1 19 2000.

FEE: \$50.00

(Signature)*

Kathleen M. Vaughan

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

MICROFILMED

P.S. ALAN DUANE VAUGHAN IS DECEASED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to November 1, 2000.

IT IS FURTHER ORDERED that the permit is REINSTATED and the priority date is advanced to August 9, 1994.

Signed this 20th day of November, 19 96

Z. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13533

Proposed Priority: July 28, 1994 Maximum Diversion Rate: 0.38 CFS

This is to certify, that KATHLEEN M VAUGHAN
ALAN DUANE VAUGHAN
HC 76 BOX 2976
GARDEN VALLEY ID 83622
has applied for a permit to appropriate water from:

SPRING tributary of PAYETTE RIVER, MIDDLE FORK

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	0.30 CFS
DOMESTIC	01/01 to 12/31	0.08 CFS
	Totals	0.38 CFS

LOCATION OF POINT(S) OF DIVERSION: NESWSW , Sec. 16, Township 09N, Range 04E
BOISE 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>
09N	04E	16	SESW	15		15

Total number of acres irrigated: 15

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1996.
2. Subject to all prior water rights.
3. 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. 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 issuance of this right in no way grants any right-of-way or easement across the land of another.

RECEIVED

OCT 31 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13533

CONDITIONS/REMARKS:

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. Domestic use is for 2 homes.
10. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.

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

21st day of October, 1994.

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED

OCT 1 1994

Ident. No. 65-13533

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 23 1994

APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name: ALAN DUANE VAUGHAN 208-462-3033
Address: HC 76 BOX 2976
GARDEN VALLEY ID 83622
OR
Name: KATHLEEN M VAUGHAN 208-462-3033
Address: HC 76 BOX 2976
GARDEN VALLEY ID 83622

2. Source: SPRING Trib. to: MIDDLE FORK, PAYETTE RIVER
3. Location of Point of Diversion: NE SWSW Sec. 16, Township 09N, Range 04E
BOISE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/15	10/15	0.300		
DOMESTIC	01/01	12/31	0.080		

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

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc.
DEVELOPED SPRING WITH GRAVITY IRRIGATION/DOMESTIC
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).

OCT 31 1994

* d'base updated per dept. standards - 8/9/94 SL

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
09N 04E 16	SESW 15			15

Total number of acres irrigated: 15

Place of Use: DOMESTIC, same as IRRIGATION use

9. a. Who owns the property at the point of diversion?
NAZARENE CHURCH OF ID.
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.
AGREEMENT PENDING AT PRESENT

10. Remarks: Domestic use is for 2 homes.

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.

Alan Eugene Vaughan
Applicant

Received by JFW Date 7/28/94 Time 4:30 Preliminary check by JZ

Fee \$ 100⁰⁰ Receipted by JFW # W 017833 Date 7/28/94

Publication prepared by JT Date 8-10-94 Published in Id. World

Publication approved JT Date 9-12-94

Domestic = 2-homes w/ yards

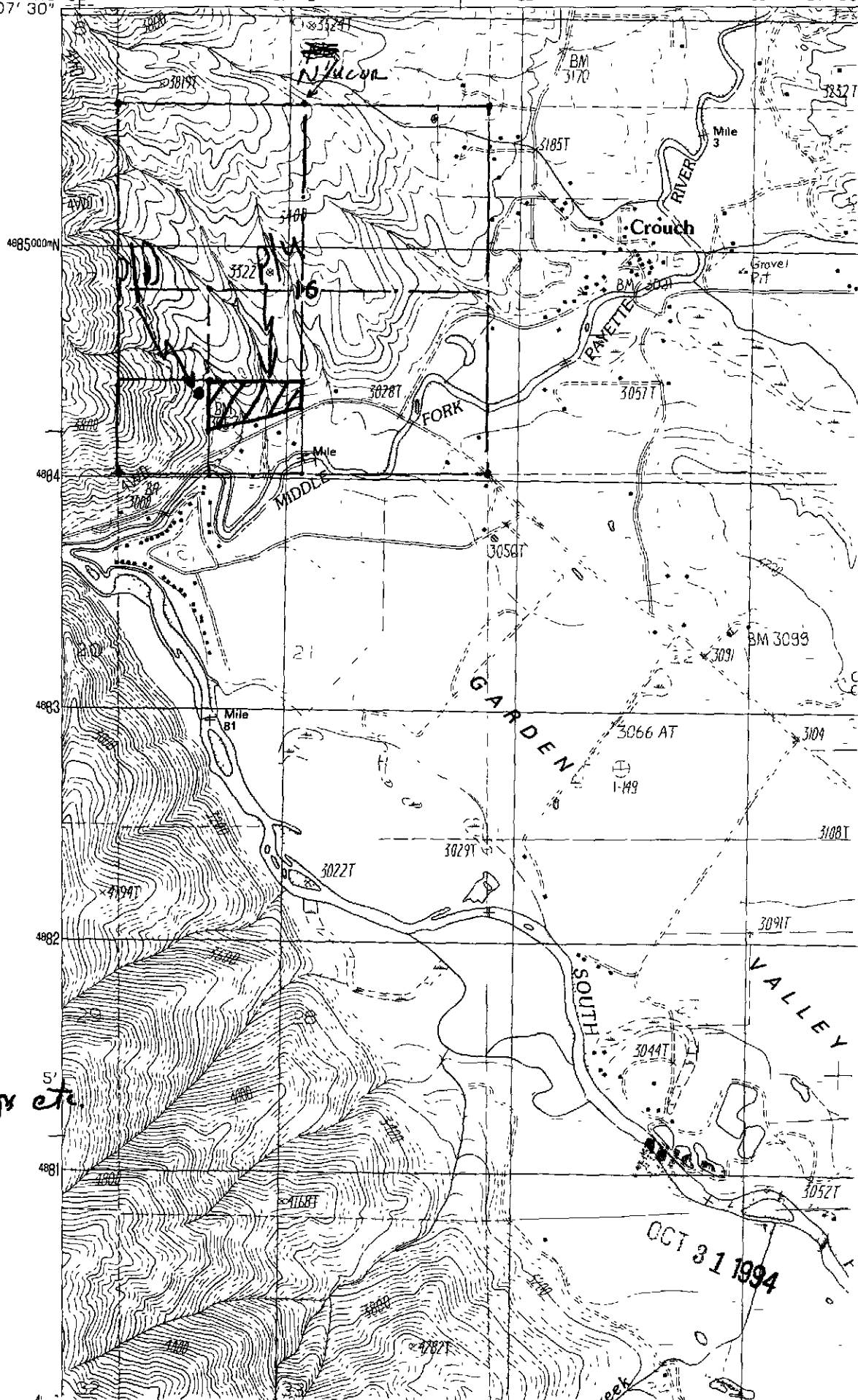
Storage Tank - 10 ft Dia X 12' long
(7,050 gal.)

* D'base updated per above note, 8/9/94 - JZ

OCT 31 1994

DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

116° 00' 116° 07' 30" 581000E 582 583 57' 30"



9N
4E
5.16

No quit ltr

IOWA map
based on
applicant's 2 maps etc

8/9/94

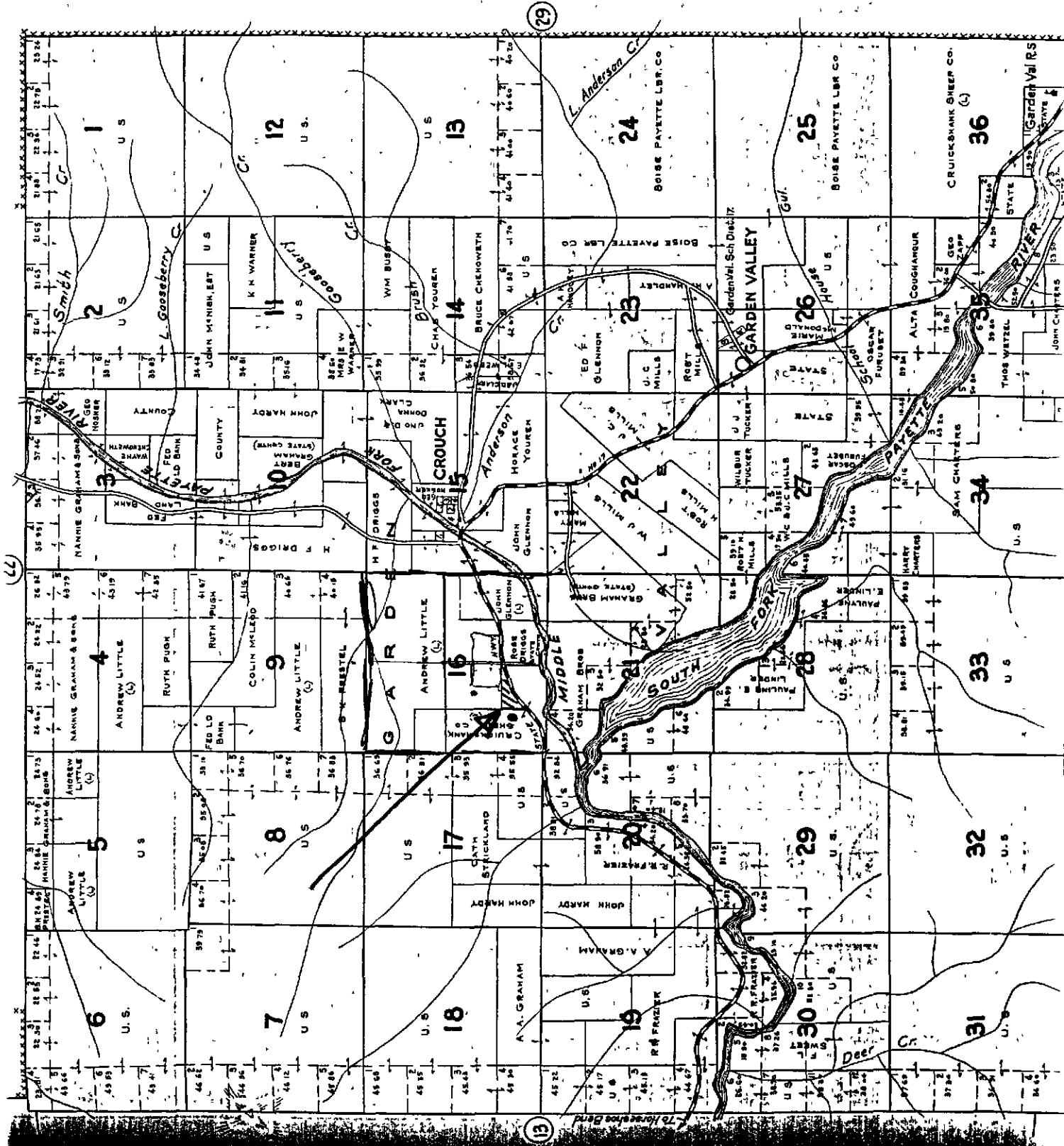
-JL

OCT 31 1994

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

Reproduction in whole
 or part for personal use
 resale is prohibited by law

LEGEND
 PAVED ROADS
 STATE HWYS. UNPAVED
 IMPROVED ROADS
 DIRT ROADS
 INTERIOR ROADS
 RAILROADS
 TRAILS



1984

- Find Original G.L.O. Monument as noted
- ⊕ Find Cor Perpetuation Mon. ~ as noted
- Find 2° G.P. Reputed to be monuments set by HLF, 1870, set in Summer of 1966
- Find 3/8" I.P. monument ~ as noted
- ⊕ Remonumented Public Land Cor ~ as noted
- ▲ Set PK Name Washer - L.S. 874
 - Set 3/8" I.P. cap - L.S. 874
 - Set 1/2" I.P. cap - L.S. 874
- Staked and Flagged Easement I ~ 112701
 - Calculated Position - no monument set
 - 7 Indicates right angle measurement

I, James V Potter, a Licensed Land Surveyor Registered in the State of Idaho, LS. 874, do hereby certify that this Record of Survey Plat is an accurate representation of an actual survey performed under my direct supervision in 1984; was drawn from the field notes of said survey; and said survey and plat are in compliance with Idaho Codes relating to Plats and surveys including IC 55.16 and IC 55.19. No certification is made to owners of lands other than those named hereon.

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another or re-survey.



The Northeast corner, and the North quarter corner of subject Section 16, were set by HLF, LS720 in 1966. These corner monuments do not fit the mathematical positions called in said survey, however parcel evidence of long time residents establishes that the existing monuments were placed in said survey. The subject monuments have, by reputation, been accepted as the respective corners for eighteen years and although not the true corners, are controlling property corners protecting bona-fide property rights of long standing.



LAND SURVEYING

GARDEN VALLEY, IDAHO 83622
462-3232 888-5491

FILE NO. 84-139 DATE Nov. 1984

BOUNDARY SURVEYS FOR
CROSS, SLOAN, ET. AL.
SECTION 16, T.9N., R.4E., B.M.

INDEX NO. 941-16-0-0-0-00-00

This plat was presented for filing at the request of James V Poltor, LS, at 30 minutes past 3 O'clock, P M, on this 22 day of June 1985 A.D. and was recorded as Instrument No. 115873
Records of Boise County, Idaho.

Ex Officio Recorder
By - Deputy

Free

Application-# 65-13533

Real property to be deeded by Warranty Deed:

Being situate in Boise County, Idaho:

A tract of land situate in Section 16, Twp. 9 N., R. 4 E., B.M., Boise County, Idaho, described as follows:

Commencing at a found aluminum cap monumenting the Southeast corner of said Section 16, thence along the southerly line of said Section 16 S.89°44'57"W. a distance of 2639.37 feet to a found steel pin monumenting the South 1/4 corner of said Section 16, thence leaving said southerly line

N.00°22'30"E. a distance of 943.05 feet to a set steel pin, said pin being the Real Point of Beginning; thence

N.00°22'30"E. a distance of 369.03 feet to a set steel pin; thence

S.89°48'21"W. a distance of 1320.32 feet to a set steel pin; thence

S.00°34'04"W. a distance of 635.47 feet to a set steel pin; thence

N.72°12'51"E. a distance of 98.74 feet to a found steel pin; thence

S.29°12'33"E. a distance of 333.39 feet to a found steel pin; thence

N.63°31'17"E. a distance of 972.63 feet to a found steel pin; thence

N.03°09'33"W. a distance of 158.45 feet to a found steel pin; thence

N.63°31'17"E. a distance of 150.00 feet to a found steel pin; thence

S.03°09'33"E. a distance of 158.45 feet to a found steel pin; thence

N.63°31'17"E. a distance of 69.95 feet to the Real Point of Beginning.

Containing 19.12 acres, more or less.

Including all water and ditch rights appurtenant thereto or used in connection therewith, and including any easements or rights of ways appurtenant to or used for the benefit of said described premises. Subject to easements, rights of ways, reservations and exceptions, if any.

The following described land shall be deeded to Vaughans by Quitclaim Deed:

Being situate in Boise County, Idaho:

Any land lying between the boundaries as described in Warranty Deed dated June 12th, 1987, between the parties hereto, and the boundary fences as presently exist on the ground

ALSO

Any right, title or interest of said Hazel L. Carpenter Swindle in and to that portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Twp. 9 N., R. 4 E. B.M., lying North of State Highway No. 17 as it presently exists, Boise County, Idaho.

EXHIBIT A

OCT 27 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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 20, 2000

STEVE SEMELS
MARY JO SEMELS
836 BANKS-LOWMAN
GARDEN VALLEY ID 83622

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-13533

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order reinstating the permit advancing the priority since complete proof was submitted after the proof due date. 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, and that it meets the permitted beneficial use.

During my review of your proof I note that you presently claim 3 households under your domestic use. According to your permit, domestic use is authorized for 2 households. Additionally, the permit allows .02 cfs diversion and you have claimed .20 cfs. These differences may be oversights, however, issuance of the license can not exceed the authorized uses and limits as presently permitted. If these discrepancies are accurate, I suggest you contact the Western Regional office and talk to an agent about your permit.

Please 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.

MICROFILMED
JAN 1999

Page 2

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

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

MAILED
JUN 10 2009
11:00 AM
139

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 65-13533

Reviewed by D. Hilborn Date 11/20/00

GENERAL CONSIDERATIONS

No Name same as permit?
No Address same as permit?
No Proof timely received?

If not, complete calculation below.

SOURCE OF WATER

Yes Surface water source
No Ground water source

/ Drilling permit required?
/ Copy in the file?
/ Amount paid for permit
/ Well log in the file?

Correct Uses?

TYPES OF USE

Domestic (3) (15 acres)
Irrigation

No - 2 houses limit
0.02 irrigation not 20
Reinstatement dated 11/8/00 - proof not complete until assignment
Rec'd.

LICENSE EXAMINATION FEE

Yes Required?
\$50 Amount Submitted
Yes Correct?

MEASURING DEVICE

Yes Required?
Yes Installed?
Waiver requested?

PRIORITY CALCULATION

Date proof received 11/16/00 320
Date proof due 11/1/00 305
No. of days late = 15
Priority Date 8/9/94 + 221
New Priority Date 8/16/94 236-8 = 228
15-8 for doc assignment was signed

DEFICIENCIES OR ACTION ITEMS

Acknowledge permit, advise of permitted limits of
homes & irrigation, advance priority due to incomplete
proof (not assignment), Reinstall

DATA ENTRY

New Address Steve & Mary Jo Semels
836 Banks-Cowman
Garden Valley, ID 83622

Proof Made 11/16/00

August 31, 2000

KATHLEEN M VAUGHAN
ALAN DUANE VAUGHAN
HC 76 BOX 2976
GARDEN VALLEY ID 83622

PROOF DUE NOTICE

RE: PERMIT NO. 65-13533

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 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.

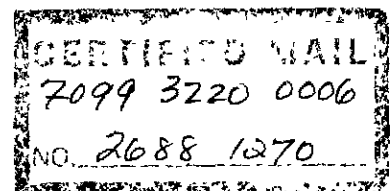
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

ENCLOSURE



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 65-13533 Reviewed by Jay Date 11-20-96

BASIC INFORMATION

11-13-96 Date stamp received
no Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

_____ Has adequate work been completed to demonstrate due diligence?

yes Has the permit been involved in litigation?
Is supporting documentation needed to complete
the file? yes Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete
the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for
irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend extend to Nov. 1, 2000,
on basis of litigation.
Reinstated & advance priority to Aug. 9, 1994.*

PRIORITY CALCULATION

Date extension received	<u>11-13-96</u>	=	_____
Proof due date	<u>11-1-96</u>	=	_____
Number of days late	<u>12</u>	=	_____
Priority date	<u>7-28-94</u>	=	_____
New Priority Date	<u>8-9-94</u>	=	_____

DATA ENTRY

New Address ✓
Change Proof Due Date 11-1-2000
Change Priority Date X 8-9-94



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 20, 1996

Kathy Vaughan
HC 76 Box 2976
Garden Valley, ID 83622

RE: Permit No. 65-13533

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to **November 1, 2000**. Please note that the department has granted this extension based on litigation. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional extension requests.

Additionally, since the extension was received after the proof due date of November 1, 1996, it was necessary for the department to reinstate your permit and advance the date of priority to August 9, 1994.

Please be advised that Section 42-248, Idaho Code, which became affective 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. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

Please contact me at (208)327-7953 if you have any questions concerning this matter..

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

MICROFILMED

Enclosure

RECEIVED

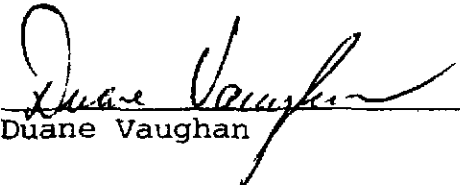
NOV 13 1996

NOTICE OF LIS PENDENS

Department of Water Resources

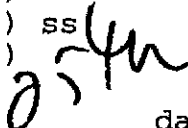
Notice is hereby given that Duane Vaughan and Kathy Vaughan, husband and wife, have filed a lawsuit in the Fourth Judicial District, County of Boise, State of Idaho against the Northwest Nazarene Church in the nature of a quiet title action over a disputed boundary. The property affected by this action owned by the Northwest Nazarene Church is described and incorporated herein as Exhibit "A."

DATED this 25 day of October, 1995.


Duane Vaughan

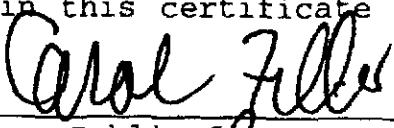
STATE OF IDAHO)

County of Ada)

ss 

On this 25 day of October, 1995, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared Duane Vaughan, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.


Notary Public for State of Idaho
Residing at Boise Idaho
My Commission Expires: 7/30/2000

MICROFILMED
1996

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.

November 8, 1996

KATHLEEN M VAUGHAN
ALAN DUANE VAUGHAN
HC 76 BOX 2976
GARDEN VALLEY ID 83622

LAPSE NOTICE

RE: PERMIT NO. 65-13533

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 August 31, 1996. 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.

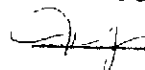
L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

NOTIFIED
DEC 9 1996

CERTIFICATION OF MAILING

I hereby certify that on 11/8/96
a copy of this document was
deposited in the United States mail,
properly addressed to the
individual(s) named above.



August 31, 1996

KATHLEEN M VAUGHAN
ALAN DUANE VAUGHAN
HC 76 BOX 2976
GARDEN VALLEY ID 83622

PROOF DUE NOTICE

RE: PERMIT NO. 65-13533

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1996.

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

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

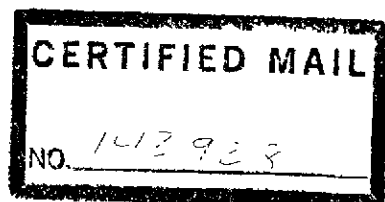
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

140700 1000
JUL 30 1996





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 21, 1994

KATHLEEN M VAUGHAN
ALAN DUANE VAUGHAN
HC 76 BOX 2976
GARDEN VALLEY ID 83622

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13533

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.

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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

OCT 31 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 65-13533 Name: Vaughan Date: 10/17/94 Correct Fee? ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust

SYSTEM COMPLETED:

No - 26A-P17
Complete in 1 year - P16

Yes

Proof not submitted - P16
Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <FLO-CH> - T17 (new), 01K (existing), No MD
- 0.2 cfs - No MD <FLOW CHART>

Drilling Permit:

Included w/permit - Permit No. _____, P99
Existing well - NA (pre 7/1/87)
No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

~~SURFACE WATER~~: not in WD - T17 (+.2 w/pump), No MD <FLOW CHART>

LOCATION:

Water District(~~dem~~) - WD No. 65
*Surface water - 005 (req) *01J-P08 <FLOW CHART>
(doesn't sink) or 01H-P01 <FLOW CHART>; No MD
Groundwater - P05 (new irrigation well)
In stream channel - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (-85° GW temp only)
Swan Falls Flag - 5 <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA
Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA
Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10
044 (N 1000 Spr)
Irrigation - 03A/057, 803(if GW use SW 1st) (45A PU comp), NA
Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Mining - 054 (req) & 06A/010/09E-P10
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
Domestic (surface) - 021(Boise R + L Peak), 064(Payette R), NA

OWNERSHIP:

Non land owner

PROTESTED:

OTHER CONDITIONS:

REMARKS:

① w01(2) ② w04

BENEFICIAL USE DUE:

COMMENTS:

10-1-1996

WR0749NP
No. P65-13533

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/17/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KATHLEEN M VAUGHAN	07/28/1994	IRRIGATION	05-15 10-15	0.30 CFS	
C	ALAN DUANE VAUGHAN HC 76 BOX 2976 GARDEN VALLEY ID 83622 (208) 462-3033		DOMESTIC	01-01 12-31	0.08 CFS	
TOTAL DIVERSION:					0.38 CFS	

Water Source: SPRING

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: PERMIT

Point(s) of Diversion: T09N R04E S16 NESWSW BOISE County

Place of use Legal Description for: IRRIGATION

NE								NW								SW								SE								
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
09N	04E	16	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	15.0	
TOTAL ACRES																												15.0				

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

Pou County: BOISE

Other Water Rights with Same Point(s) of Diversion and Source:
65-13533

Other Water Rights Listing Overlapping Place(s) of use:
65-07608 65-13384 65-13533

Conditions of Approval:

- 26A - 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.
- 005 - Use of water under this right is subject to control by the watermaster of State Water District No. 65.
- 01J - A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
- 064 - When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.
- 004 - The issuance of this right in no way grants any right-of-way or easement across the land of another.
- 03A - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Remarks: Domestic use is for 2 homes.
The domestic use authorized under this permit shall not exceed

WR0749NP
No. P65-13533

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/17/94
PAGE: 2

Remarks: 13,000 gallons per day per dwelling in accordance with
Section 42-111, Idaho Code.

Dates: App. Received: 07/28/1994 Priority Date: 07/28/1994
Proof Due Date: 11/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 653 Field Exam Fee:

Comments: Date: 10/17/1994 User-ID: CZIMMERM Subject: P/D OWNERSHIP
The point of diversion is located on land owned by the Nazarene
Church of Idaho. No agreement is on file.

Audit: 10/17/94 CZIMMERM

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
6513533	T09N R04E S16 SPRING																	
	:													15	:			15
6502856	PAYETTE RI :																	22
A6502856	PAYETTE RI :																	22
6507608	PAYETTE RIVER (diff source, different land)													07	:			7
A6507608	PAYETTE RI :													10	:			10
6507935	CASTLE CRE :	15																15
A6507935	CASTLE CRE :	15																15
R6507935	CASTLE CRE :	15																15
6510663	CASTLE CRE :	05																5
A6510663	CASTLE CRE :	05																5
6513384	PAYETTE RIVER (diff source, different land)													02	:			2
	C150-V 61 :	11												13	:	17	20	33
																		94

No overlaps

GN 4E 5.16 SWSW
SEOW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SL DATE: 8/9/94 APPLICATION: 65-13533

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) Gov't. Lots:
Period of use: N P/D
Nature of proposed use: (Include description of use) P/U
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No* In form to receipt:

ADDITIONAL INFORMATION

YES	NO	
☒	☐	Overlapping place of use: (Describe source & relationship to present application on the back.)
☒	☐	Overlapping point of diversion:
☐	☐	Field check required: Field check by: _____
☐	☐	Field report attached:
☐	☐	Critical groundwater area:
☐	☐	Groundwater management area:
☐	☐	1992 moratorium
☐	☐	Copy to SCA staff (perennial stream, non-pump diversion):
☐	☐	Send dam safety information:
☐	☐	Send power requirement letter:
☐	☐	Send fish farm requirement letter:
☐	☐	Power residency affidavit:
☐	☐	Power efficiency form:
☐	☐	Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐	☐	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐	☐	<u>*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT</u>

DATE REQUESTED: _____ RECEIVED
☒ Additional information on reverse side:

SEP 23 1994

PROCESSING

APPLICATION

65-13533

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. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒

☐ ☒

☐ ☒

☒ ☐

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐

☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

NON MOD-STEM source, N/A

SEND comment letter to party shown in
2/28/94 corr. memo by JFW

☐ ☒

☐ ☒

☐ ☒

☐ ☒

☐ ☒

☐ ☒

☐ ☒

☐ ☒

☒ ☐

Publication dates and paper recorded on application:

Protests received. Final date for protest 9-6-94

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Dnr

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

26A (Allow 2 yrs), 04

See below for additional information

Recommended Date or Priority 7/28/1994

Recommended by:

Dnr

Date 9/21/1994

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

Overlap

P/O - 65-10285 groundwater.

P/L - Several other surface + ground water rights for domestic;
2 mid Fk. Payette R. for total 9 acres irrigation;
assume all are other wells & other lands.

The Idaho World

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

RECEIVED

SEP 12 1994

WATER RESOURCES
WESTERN REGION

State of Idaho >
>
County of Boise >

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Aug 17, 1994 and ending with the issue of Aug 24, 1994.

Deanna Stevenson

State of Idaho >
>
County of Boise >

On this 9 day of Sept in the year 1994 before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

J. Carotte
Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 6-25-2000

OCT 31 1994

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13533 ✓

VAUGHAN, ALAN DUANE
VAUGHAN, KATHLEEN M
HC 76 BOX 2976
GARDEN VALLEY, ID 83622

Source: SPRING Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: NENSW Sec 16 T 09N R 04E in BOISE County.

Use: IRRIGATION (.300 CFS)
DOMESTIC (.080 CFS)
Total Diversion: (.380 CFS)

Date Filed: 7/28/1994

In: BOISE County
T09N R04E S16 SESW

15.0 ACRES TOTAL

65-13534

BIGELOW, LYNN W
BIGELOW, THELMA W
3465 BEVERLY ST
BOISE, ID 83709

Source: EDDY CREEK Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: NENWNE Sec 30 T 09N R 04E in BOISE County.

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

Date Filed: 7/29/1994

In: BOISE County
T09N R04E S30 NWNE

1.0 ACRES TOTAL

65-13536

HAMM, WALTER N
HAMM, SHIRLEY D
HC 76 BOX 2487
GARDEN VALLEY, ID 83622

Source: GROUNDWATER

Diversion Pt: NENW Sec 27 T 10 N R 04E in BOISE County

Use: IRRIGATION (.150 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.190 CFS)

Date Filed: 8/3/1994

In: BOISE County
T10N R04E S27 NENW

5.0 ACRES TOTAL

65-13539

PORTER, RONALD J
PORTER, KATHRYN A
11103 HINSDALE
BOISE, ID 83713

Source: PAYETTE RIVER, MIDDLE FORK Tributary: PAYETTE RIVER

Diversion Pt: NENSW Sec 23 T 10N R 04E in BOISE County.

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

Date Filed: 7/26/1994

In: BOISE County
T10N R04E S23 NESW

1.0 ACRES TOTAL

63-12128

SMITH, KENNETH R.
PO BOX 163
IDAHO CITY, ID 83631

Source: GROUNDWATER

Diversion Pt: NESW Sec 26 T 06N R 05E in BOISE County

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

Date Filed: 7/25/1994

In: BOISE County
T06N R05E S26 NESW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before SEPTEMBER 6, 1994. The protestant must also send a copy of the protest to the applicant.

R. KEITH HIGGINSON, Director

Published in The Idaho World August 17 and 24, 1994.

00-181134



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

August 15, 1994

TERRY MARTIN
NAZARENE CHURCH DIST OFFICE
PO BOX 1159
NAMPA ID 83653

Re: Application for Water Right No. 65-13533 in the Name of
Alan Duane &/or Kathleen M. Vaughan

Dear Mr. Martin:

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

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

Sincerely,

A handwritten signature in cursive script that reads "David R. Tuthill, Jr.".

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

DRT:st

Enclosure: Copy of Application

RECEIVED
AUG 15 1994

CONVERSATION MEMORANDUM

DATE 7/28/94FILE # 65-13533NAME OF PARTY Alan VaughanEMPLOYEE JFW, WesternRE: Application for Permit

Mr. Vaughan filed the application with no agreement with regard to access to the P/D owned by the Nazarene Church. He stated, they were in the process of negotiating an access agreement. I explained the differences between a water right and trespassing. I told him we would accept the application, but would notify the P/D owner.

Attn: Terry Martin

Nazarene Church Dist. Office

P.O. Box 1159

Nampa ID 83653

Please notify.

65-13533

VAUGHAN, ALAN DUANE
VAUGHAN, KATHLEEN M
HC 76 BOX 2976
GARDEN VALLEY, ID 83622

Source: SPRING

Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: NESWSW Sec 16 T 09N R 04E in BOISE County.

Use: IRRIGATION (.300 CFS)
DOMESTIC (.080 CFS)
Total Diversion: (.380 CFS)

Date Filed: 7/28/1994

In: BOISE County
T09N R04E S16 SESW

15.0 ACRES TOTAL