

65-13531 & 13532

Solar Butte

8N
7W
1W

P/O's (2)
13532

P/O's (2)
13531

Pipeline

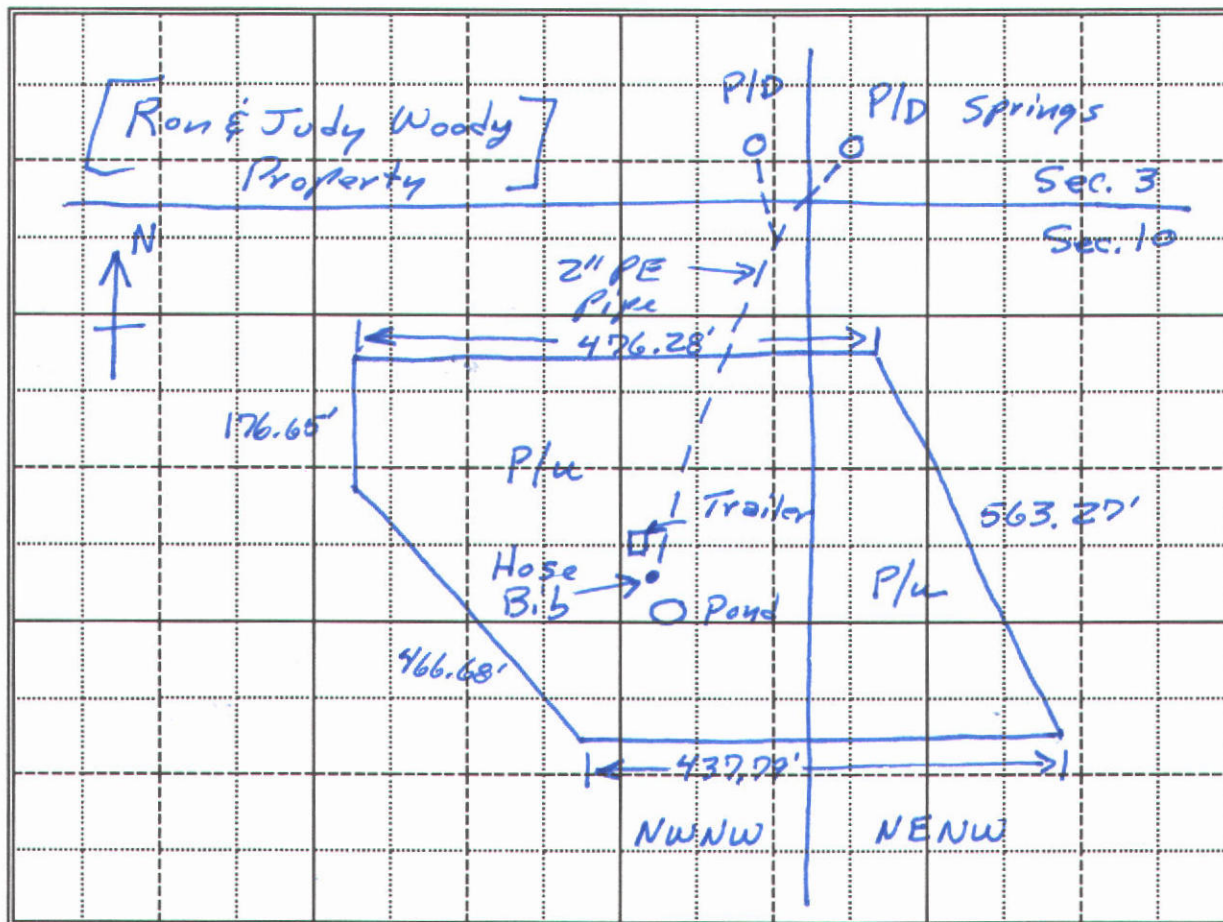
POND

P/O
(both)

RECEIVED

JUN 08 1995

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



Scale: 1" = No Scale

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

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

☒ Photo of Diversion and System Attached

4.

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

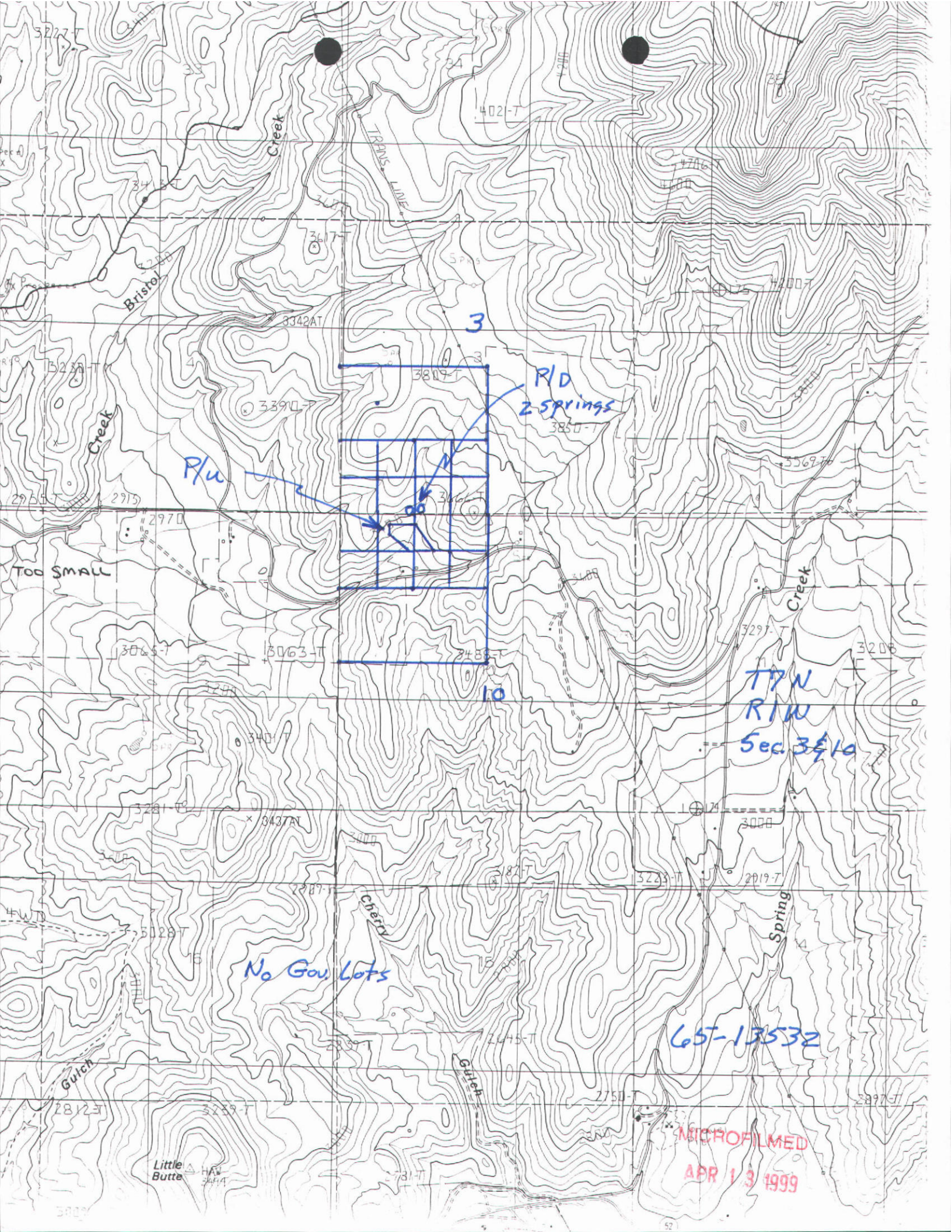
*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 5 Gal. Bucket: $Q = \frac{5 \text{ Gal.}}{45 \text{ Sec.}} = 6.67$
 $= 7.0 \text{ GPM}$



P/u

R/D
2 Springs

3

10

Too Small

No Gov Lots

T7N
R1W
Sec 3&10

65-13532

MICROFILMED
APR 13 1999

Lot 3

P/O
Spring
Area in
SEWSU,
Sec. 3.
View
looking
South.



P/O
Spring Area
in
SEWSU,
Sec. 3.
View
looking
South.



APR 13 1999

65-13532



P/D
View of
Springs
Area
Looking
North.



Place of
measur-
ment.

Hose Bib
at
end of
2" PE
pipeline.

MICROFILMED
APR 13 1999

65-13532



P/u
irrigated
land.

View
Looking
North.



P/u
irrigated
land.

View
Looking
West.

MICROFILMED
APR 13 1999

65-13532

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).:

65-1999, 65-13532, 65-115, 65-1998

Adjudication Claim No(s).:

pd issued License Book

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

Jerry Radandt/Leo & Bessie Radandt

4. New Owner/Claimant(s)

Robert M. English and Amy E. English

New Mailing Address

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
4337 B Highway 90

City, State and ZIP Code

Pace, Florida 32571

New Telephone Number

() _____

5. Date you acquired the property

May 18, 2001

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____

Number and type of stock _____

Diversion rate in CFS _____

Number of homes _____

Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

X Robert M. English
Amy E. English

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

See file WR 65-13532 for support documentation.

*Receipt # W628012
7.10.01 Jan Sharte
\$50.00*

RECEIVED
JUN 18 2001
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 29 2001
WATER RESOURCES
WESTERN REGION

WARRANTY DEED

Order No.:405002195

FOR VALUE RECEIVED

Tract I - Jerry L. Radandt as his sole and separate property and Hendrika Radandt, wife of Jerry L. Radandt the grantors, do hereby grant, bargain, sell and convey unto

Robert M. English and Amy E. English, Husband and Wife

whose current address is

4337 B Highway 90 Pace, FL 32571

the grantees, the following described premises, in Gem County, Idaho, TO WIT:

TRACT I

A tract of land situated in a portion of the NW ¼ of Section 10, Township 7 North, Range 1 West, B.M., Gem County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the NW ¼ of Section 10, T. 7 N., R. 1 W., B.M., Gem County, Idaho; thence South 86°54'18" East, 185.16 feet, along the North line of said NW ¼ to the REAL POINT OF BEGINNING; thence continuing South 86°54'18" East 380.16 feet; thence South 04°35'33" West, 220.08 feet; thence South 86°54'18" East, 316.58 feet; thence South 04°35'33" West, 176.65 feet; thence South 41°04'33" East, 600.72 feet; thence North 89°58'10" West, 365.36 feet to a point referred hereinafter as Point "A"; thence North 13°20'19" West, 103.81 feet; thence North 41°04'32" West, 489.31 feet; thence North 04°35'33" East, 110.71 feet; thence South 85°59'33" West, 318.44 feet; thence North 06°47'46" West, 330.07 feet to the REAL POINT OF BEGINNING.

INCLUDING an ingress, egress and utility easement lying 40.00 feet Easterly of the following described line:

BEGINNING at Point "A" described above; thence South 13°20'19" East, 276.61 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

TOGETHER WITH EASEMENT (Exhibit "A" Attached)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that they are the owners in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that they will warrant and defend the same from all lawful claims whatsoever.

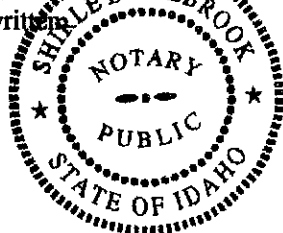
Dated: May 14, 2001


Jerry L. Radandt


Hendrika Radandt

State of Idaho }
County of Gem }

On this 21st day of May, 01, before me, a Notary Public in and for said state, personally appeared Jerry L. Radandt and Hendrika Radandt known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed 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 the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 4/19/2006

MICROFILMED

2001 05 14

WARRANTY DEED

FOR VALUE RECEIVED TRACT II - JERRY L. RADANDT AS HIS SOLE AND SEPARATE PROPERTY AND HENDRIKA RADANDT, WIFE OF JERRY L. RADANDT

the grantors, do hereby grant, bargain, sell and convey unto Robert M. English and Amy E. English, Husband and Wife

whose current address is 4337 B Highway 90 Pace, FL 32571

the grantees, the following described premises, in Gem County, Idaho, TO WIT:

TRACT II

A tract of land situated in a portion of the NW ¼ of Section 10, Township 7 North, Range 1 West, B.M., Gem County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the NW ¼ of Section 10, T. 7 N., R. 1 W., B.M., Gem County, Idaho; thence South 00°11'22" West, 1493.62 feet, along the West line of said NW ¼ to a point on the Northerly right of way of Butte Road; thence

North 66°28'48" East, 598.23 feet, along said Northerly right of way to the REAL POINT OF BEGINNING; thence

North 00°58'54" East, 129.07 feet; thence

North 50°08'57" East, 83.40 feet; thence

North 80°00'46" East, 300.06 feet; thence

North 13°20'19" West, 117.80 feet to a point referred to hereinafter as Point "A"; thence

South 89°58'10" East, 365.36 feet; thence

North 41°04'33" West, 134.04 feet; thence

South 89°58'10" East, 437.79 feet to a point referred to hereinafter as Point "C"; thence continuing

South 89°58'10" East, 40.16 feet to a point referred to hereinafter as Point "B"; thence

South 05°12'42" East, 251.23 feet to a point on the Northerly right of way of Butte Road; thence

South 80°48'49" West, 618.61 feet, along said right of way; thence

South 78°38'40" West, 511.98 feet, along said right of way to the REAL POINT OF BEGINNING.

SUBJECT TO the following described easements:

Easement A:

An easement for ingress, egress and utility purposes lying 40.00 feet Easterly of the following described line:

BEGINNING at Point "A" described above; thence

South 13°20'19" East, 276.61 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

Easement B:

An easement for ingress, egress and utility purposes lying 40.00 feet Westerly of the following described line:

BEGINNING at Point "B" described above; thence

South 05°12'42" East, 251.23 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

Easement C:

An easement for ingress, egress and utility purposes lying 40.00 feet Westerly of the following described line:

BEGINNING at Point "C" described above; thence

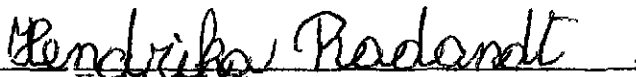
South 05°12'42" East, 40.17 feet to the point of terminus of this easement.

TOGETHER WITH AN EASEMENT (Exhibit "A" Attached)
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that they are the owners in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that they will warrant and defend the same from all lawful claims whatsoever

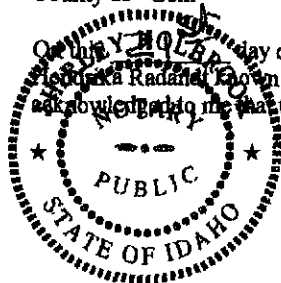
Dated: May 14, 2001

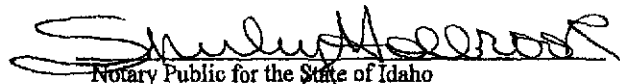

Jerry L. Radandt


Hendrika Radandt

State of Idaho)
County of Gem)

On this 14th day of May, 01, before me, a Notary Public in and for said state, personally appeared Jerry L. Radandt and Hendrika Radandt, known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed same.




Notary Public for the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 4/19/2006

MICROFILMED

100-0-2001

WARRANTY DEED

Order No. 405002195

FOR VALUE RECEIVED

Tract III- Jerry L. Radandt as his sole and separate property and Hendrika Radandt, wife of Jerry L. Radandt
the grantors, do hereby grant, bargain, sell and convey unto

Robert M. English and Amy E. English, Husband and Wife

whose current address is **4337 B Highway 90 Pace, FL 32571**

the grantees, the following described premises, in Gem County, Idaho, TO WIT:

TRACT III

A tract of land situated in a portion of the NW ¼ of Section 10, Township 7 North, Range 1 West, B.M., Gem County, Idaho, more particularly described as follows:

COMMENCING at the Northwest corner of the NW ¼ of Section 10, T. 7 N., R. 1 W., B.M., Gem County, Idaho; thence

South 86°54'18" East, 565.32 feet, along the North line of said NW ¼; thence

South 04°35'33" West, 220.08 feet; thence

South 86°54'18" East, 316.58 feet to the REAL POINT OF BEGINNING; thence continuing

South 86°54'18" East, 476.28 feet; thence

South 26°52'58" East, 563.27 feet to a point referred to hereinafter as Point "C"; thence

North 89°58'10" West, 437.79 feet; thence

North 41°04'33" West, 466.68 feet; thence

North 04°35'33" East, 176.65 feet to the REAL POINT OF BEGINNING.

INCLUDING an ingress, egress and utility easement lying 40.00 feet Westerly of the following described line

BEGINNING at Point "C" described above; thence

South 89°58'10" East, 40.16 feet to the REAL POINT OF BEGINNING; thence

South 05°12'42" East, 251.23 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

TOGETHER WITH EASEMENT (Exhibit "A" Attached)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record

And that they will warrant and defend the same from all lawful claims whatsoever.

Dated: May 14, 2001


Jerry L. Radandt

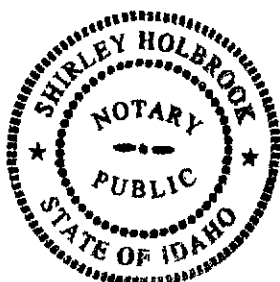

Hendrika Radandt

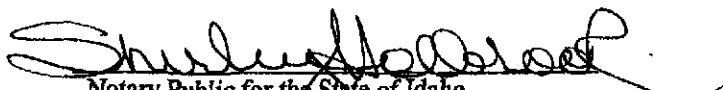
State of Idaho

}
}ss
}

County of Gem

On this 21st day of May, 01, before me, a Notary Public in and for said state, personally appeared Jerry L. Radandt and Hendrika Radandt known or identified to me to be the persons whose names are subscribed to the within Instrument and acknowledged to me that they executed 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 the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 04/19/2006

MICROFILMED

APR 15 1996

"EXHIBIT A"

TOGETHER WITH all water and ditch rights appurtenant to or used for the benefit of said described premises, including all shares of water appurtenant to the above described premises from a certain spring known to all parties and delivered to individual parcels by $\frac{1}{2}$ " stub lines from the 2" main line and as described in Warranty Deed, Instrument No. 99618, records of Gem County, Idaho. Also including any easements or rights of ways appurtenant to or used for the benefit of or dedicated to said described premises.

SUBJECT TO an easement over and across the above described premises in a location known to all parties for a 2" main line for the delivery of water from the spring mentioned herein to the above described premises and adjoining premises and requirements for maintenance thereof and as described in Warranty Deed, Instrument No. 99618, records of Gem County, Idaho. And subject to any other easements, rights of way, reservations and exceptions, if any.

Together with appurtenances.

Order No.:405002195

For Value Received Joni L. Nevers, as her sole and separate property

the grantor, does hereby grant, bargain, sell and convey unto

Robert M. English and Amy E. English, Husband and Wife

whose current address is **4337 B Highway 90 Pace, FL 32571**

the grantees, the following described premises, in Gem County, Idaho, TO WIT:

TRACT IV

A tract of land situated in a portion of the NW ¼ of Section 10, Township 7 North, Range 1 West, Boise Meridian, Gem County, Idaho, more particularly described as follows:

**COMMENCING at the Northwest corner of the NW ¼ of Section 10, T. 7 N., R. 1 W., B.M., Gem County, Idaho; thence
South 86°54'18" East 565.32 feet along the North line of said NW ¼ to the REAL POINT OF BEGINNING;
thence continuing
South 86°54'18" East, 1105.02 feet; thence
South 23°49'27" West, 135.12 feet; thence
South 01°40'15" West, 273.52 feet; thence
South 05°12'42" East, 309.20 feet to a point referred to hereinafter as Point "B"; thence
North 89°58'10" West, 40.16 feet; thence
North 26°52'58" West, 563.27 feet; thence
North 86°54'18" West, 792.86 feet; thence
North 04°35'33" East, 220.08 feet to the REAL POINT OF BEGINNING.**

INCLUDING an ingress, egress and utility easement lying 40.00 feet Westerly of the following described line:

BEGINNING at Point "B" described above; thence

South 05°12'42" East, 251.23 feet to a point on the Northerly right of way of Butte Road and the terminus of this easement.

TOGETHER WITH EASEMENT (Exhibit "A") Attached

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that she will warrant and defend the same from all lawful claims whatsoever.

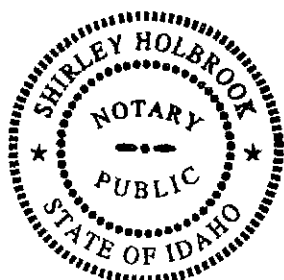
Dated. May 15, 2001

Joni L. Nevers

State of Idaho }
County of Gem }

On this 21st day of May, 01, before me, a Notary Public in and for said state, personally appeared Joni L. Nevers

known or identified to me to be the person whose name is subscribed to the within Instrument and acknowledged to me that she executed 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 the State of Idaho
Residing at: Emmett, Idaho
Commission Expires: 4/19/2006

"EXHIBIT A"

TOGETHER WITH all water and ditch rights appurtenant to or used for the benefit of said described premises, including all shares of water appurtenant to the above described premises from a certain spring known to all parties and delivered to individual parcels by 1/4" stub lines from the 2" main line and as described in Warranty Deed, Instrument No. 99618, records of Gem County, Idaho. Also including any easements or rights of ways appurtenant to or used for the benefit of or dedicated to said described premises.

SUBJECT TO an easement over and across the above described premises in a location known to all parties for a 2" main line for the delivery of water from the spring mentioned herein to the above described premises and adjoining premises and requirements for maintenance thereof and as described in Warranty Deed, Instrument No. 99618, records of Gem County, Idaho. And subject to any other easements, rights of way, reservations and exceptions, if any.

Together with appurtenances.

MICRO

176 6 2 2004

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-13532

Priority: July 27, 1994

Maximum Diversion Rate: 0.06 CFS

Maximum Diversion Volume: 27.0 AF

This is to certify, that JERRY L RADANDT

2848 S BOISE AVE

EMMETT ID 83617

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 27, 1994; and has submitted Proof of Beneficial Use on April 10, 1997. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from:

SPRINGS

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.06 CFS	27.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESWSW , Sec. 3, Township 07N, Range 01W
SWSESW , Sec. 3, Township 07N, Range 01W
GEM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	01W	10	NWNW	6		6

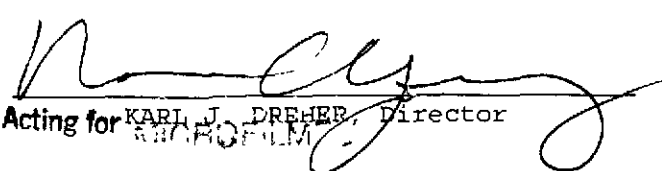
Total number of acres irrigated: 6

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 6TH day of

April, 1997.

Acting for  Director

RECEIVED
MAR 29 1999
Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13532

Date of Priority: July 27, 1994 Maximum Diversion Rate: 0.06 CFS
Maximum Diversion Volume: 27.0 AF

Comes now JERRY L RADANDT
2848 S BOISE AVE
EMMETT ID 83617

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 65-13532, and requests that the permit be changed as follows:

Source: SPRINGS tributary to SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.06 CFS	27.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESWSW , Sec. 3, Township 07N, Range 01W
SWSESW , Sec. 3, Township 07N, Range 01W
GEM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	01W	10	NWNW	6		6

Total number of acres irrigated: 6

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

Signed at EMMETT IDA, this 25 day of MARCH, 1999.


(Signature)

MICROFILMED

SEP 1 1999

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13532

FOR DEPARTMENT USE ONLY

Preliminary check by W Fee = 50.00 Receipted by W # C044977 Date 3/29/99

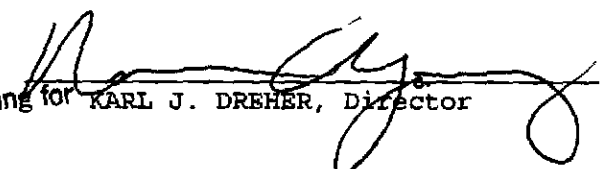
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-13532 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 6th day of April, 1999.


Acting for KARL J. DREHER, Director

MICROFILMED

APR 13 1999

RECEIVED

APR 10 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 65-13532 Telephone No. 208-365-5081

2. Name(s) of Permit Holder(s): JERRY L. RADANT

3. Mailing Address: 2848 S BOISE AVE EMMETT IDA 83617

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

a. Well Driller: Drilling Permit Number: - -

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

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

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

Irrigation (No. of acres): 20 Other:

6. Total rate of diversion and/or volume for which proof is submitted: 0.14 cfs OR acre feet

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

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

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

Has the measuring device been installed? Yes or No

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

Has the measurement port been installed? Yes or No

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

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

Name: JERRY RADANT Telephone Number: 208-365-5081

Address: 2848 S. BOISE AVE EMMETT IDA

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

Signature of permit holder: Jerry L. Radant Date: 4/7/97
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13532

Proposed Priority: July 27, 1994

Maximum Diversion Rate:

0.14 CFS

This is to certify, that JERRY L RADANDT
2848 S BOISE AVE
EMMETT ID 83617

has applied for a permit to appropriate water from:
SPRINGS tributary of SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION: SESWSW , Sec. 3, Township 07N, Range 01W
NENWNW , Sec. 10, Township 07N, Range 01W
GEM County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	01W	10	NWNW	7.0		7.0

Total number of acres irrigated: 7.0

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1997.
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. 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.
5. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. 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.
7. Two points of diversion are on or near the line between SESWSW, S03, and NENWNW, S10, T07N, R01W.

RECORDED

JUN 08 1995

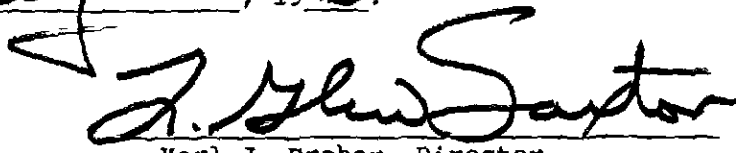
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13532

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

31st day of May, 1995.


Karl J. Dreher, Director
for

1995

RECEIVED

MAY 25 1995

Ident. No. 65-13532

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JERRY L RADANDT
Address: 2848 S BOISE AVE
EMMETT ID 83617

208-365-5081

2. Source: SPRINGS

Trib. to: SINKS

3. Location of Point of Diversion:

SESWSW Sec. 3, Township 07N, Range 01W
NENWNW Sec. 10, Township 07N, Range 01W
GEM County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.140		

5. Total quantity to be appropriated is:

0.140 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

BURIED PERFORATED COLLECTION, STORAGE, GRAVITY IRRIGATION

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).

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
07N	01W	10	NWNW 7			7

Total number of acres irrigated: 7

JUN 08 1995

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.
DEEDED EASEMENT

10. Remarks:

1. Points of diversion are on or near tract line between SESWSW
Sec 3 and NENWNW Sec 10, T07N R01W.
2. Two point of diversion located in the above description.

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

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


Applicant

Received by Cyt Date 7/27/94 Time 1200 Preliminary check by g

Fee \$ 50- Receipted by nm # W617815 Date 07/27/1994

Publication prepared by st Date 8-10-94 Published in Messenger-Index

Publication approved st Date 9-8-94

JUN 08 1995

65-13531 & 13532



Comments: Date: 7/27/1994 User-ID: CHODGES

Subject:
ADDITIONAL INFO

Springs may flow into pond shown on 65-13531 before being used
for irrigation.

Springs are piped together into a common collection.

JUN 08 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

July 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ROBERT M ENGLISH
AMY E ENGLISH
4337 B HWY 90
PACE FL 32571

RE. Change of Ownership for Water Rights 65-1999 and 65-13532

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

ENCLOSURE

7/27/01

Idaho Department of Water Resources Receipt

Receipt ID W028012

Payment Amount	\$100.00	Date Received	7/10/2001 12:28:25 PM	Region	Western	Status	
Payment Type	Check	Check Number	13686	RECEIVED JUL 10 2001 Idaho Department of Water Resources			
Payer	BOBBY ENGLISH AUTO SALES						
Comment	Extension of time - 65-13876 - \$50 Change of Ownerships- 65-1999 & 65-13532 - \$50						

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	ADJUDICATION FILING FEE	0337		42503	1155

Signature Line (Dept. Representative)

COPY

MICROFILMED

7/10/2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 12, 2001

ROBERT M ENGLISH
AMY E ENGLISH
4337 B HIGHWAY 90
PACE FL 32571

RE Change of Ownership for Water Rights 65-1999 & 65-13532

Dear Mr & Mrs. English:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

✓ Filing Fee of \$25 per water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. We have determined that the filing fee for your notice will be \$50.00.

Because the Department cannot process the ownership change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

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

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

MICROFILMED

JUN 15 2001



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

April 7, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JERRY L RADANDT
2848 S BOISE AVE
EMMETT ID 83617

RE: WATER RIGHT NO. 65-13532

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

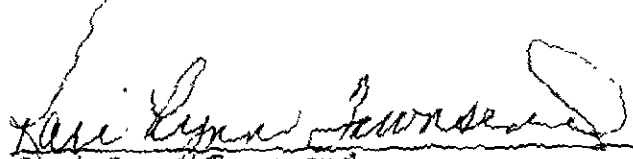
APR 14 1999

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of April, 1999, I mailed
a true and correct copy, postage prepaid, of the foregoing
PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 65-13532

JERRY L. RADANDT
2848 S BOISE AVE
EMMETT ID 83617


Kari Lynn Townsend
Secretary

RECORDED
APR 13 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MICROFILMED
SEP 13 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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



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

March 24, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JERRY L. RADANDT
2848 S BOISE AVE
EMMETT ID 83617

RE: WATER RIGHT NO. 65-13532

Dear Permit Holder(s):

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

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

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

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

APR 13 1999

B/U FIELD EXAM REVIEW

By C. Anderson

Permit #: 65-13532 Name: Radandt Date: 3/18/99 ✓ Lots ✓

NAME Chng Same ✓ Or Address Change?

SOURCE ✓ Clarify source (2)
 Prelim. Order to Void - Source change.

P/D ✓ Amendment Needed? Addn'l 1/4? Legal change NENW NW, S10 to SWSE SW, S3 **P39**
 Same 1/4? W32 **P36**
 Overlap(s) none

P/U _____ ✓ Amendment Needed? _____ P41
Overlap(s) None
(Gov't use special T's) _____ *P/D & P/U Amend? P37

RATE _____ Permit/proof fee limits 0.14 / 0.20
 _____ Measured Quantity = 7 gpm = 0.02 cfs Theoretical Quantity = 0.06 cfs
 _____ 5 gal. in 45 sec (measured in July) allow 1/2" / ac = 0.06 cfs
 (HP) 8.8 x 0.70 x
+ (2.31 x) = cfs

☒ Recommended capacity 0.06 cfs
☒ Recommended rate 0.06 cfs

* per telecon w/ examiner, 0.06 cfs is more likely than 0.12 cfs during high spring flows.

VOLUME ✓ Season: (D / 4.5) 3/15 - 11/15 = 246 days
Calculations: 6.0 ac x 4.5 AF/ac = 27.0 AF
Flow limit: 0.06 cfs x 246 days/yr. x 1.9835 = 29.3 AF
✓ Recommended volume 27.0 AF

USES _____ ☒ Same Nature of Use? _____ P46
 _____ ☐ Amendment Needed? _____

REMARKS 1 Multiple p/d's in same 1/4? Use W32 _____

CONDITIONS

<u>01M</u>	Measuring Device (R43) or Lockable Controlling Works (R02)
<u>—</u>	Watermaster Control (R04) - WD # _____
<u>R65</u>	Irrigation rate/annual volume overlap
<u>—</u>	GW irrigation replaces surface water (050)
<u>—</u>	GW irrigation supplements surface water (065)
<u>—</u>	Water Quality
<u>—</u>	Other

PRIORITY App Rod 7/27/94 Due 6/1/97 Rcd'd 4/10/97
Receipt# 6038580 Fee OK? Yes/No \$ 50
Order to Reinstate Needed? Yes/No Done? Advanced to:
Priority 7/27/94 Examined 7/15/97

COMMENTS: amend P/D: see memo

USE	CFS	VOLUME
1rr	0.06	27.0
TOTAL	0.06	27.0

SRBA Overlap none
Adjustment Memo ✓
LICENSE
#1 AMEND: P39 /P38
#2 AMEND: (R)P42/(R)P40

MEMORANDUM

DATE: March 18, 1999
TO: File No. 65-13532
FROM: Cindy Lou Zimmerman
SUBJECT: Review of Beneficial Use Field Report

On July 15, 1997, the examiner, Dan Tomich, measured the flow of the springs at a hose bib at 7.0 gpm or about 0.02 cfs. With the understanding that spring flows will rise in the spring, Dan recommended 0.12 cfs for irrigation of 6.0 acres from the springs. The photographs in the exam show a somewhat green pasture of natural grasses.

I called Dan today asking if he thought the right holder could get 54 gpm (0.12 cfs) from that hose bib using a hose and movable sprinklers. Dan stated that he thought the right holder used more than one hose and portable rainbird (of unknown size) and moved the hoses and sprinklers around as needed to on the entire 6 acres to keep it green. Dan agreed that the right holder probably had not developed the full inch of water per acre but felt the spring probably produced more water earlier in the year than the 0.02 cfs that he measured in July. Dan is confident that probably one-half inch per acre can be diverted from the spring earlier in the year.

The following adjustments¹ were made on the field report to reflect department standards and licensing practices for uses developed under this permit:

F. Flow Calculations.

- a. Irrigation; 6 acres @ 1/2" per acre.
 $F_{IR} = \text{acres} \times \text{cfs/acre} = 6.0 \times 0.01 = \underline{0.06} \text{ cfs.}$

G. Volume Calculations.

- a. Irrigation
 $V_{IR} = \text{acres} \times \text{AF/acre} = 6.0 \times 4.5 = \underline{27.0} \text{ AF.}$
 $V_{DR} = \text{rate} \times \text{days} \times 1.9835 = 0.06 \times 246 \times 1.9835 = 29.3 \text{ AF}$
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{27.0} \text{ AF}$

H. Recommendations.

1. Recommended amounts:

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Irrigation	3/15-11/15	<u>0.06</u> cfs	27.0 AF
	Totals:	<u>0.06</u> cfs	27.0 AF

Examiner: Dan Tomich
Examined: July 15, 1997

MICROFILMED
APR 13 1999

¹ Adjustments are **bolded and underlined.**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 29 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13532

1. Owner: Jerry L. Radandt Phone No. (208) 365-5081

Current Address: 2848 S. Boise Av., Emmett, ID 83617

2. Accompanied by: Jerry Radandt EXAM DATE: 7-15-97

Address: (Same) Phone No. (Same)

Relationship to Permit Holder: (Same)

3. Source: Springs tributary to Sinks

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: 2 Springs

Ident No	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	SW	3	7N	1W	Gem	Site Visit, Map
		SE	SW	SW	3	7N	1W	Gem	

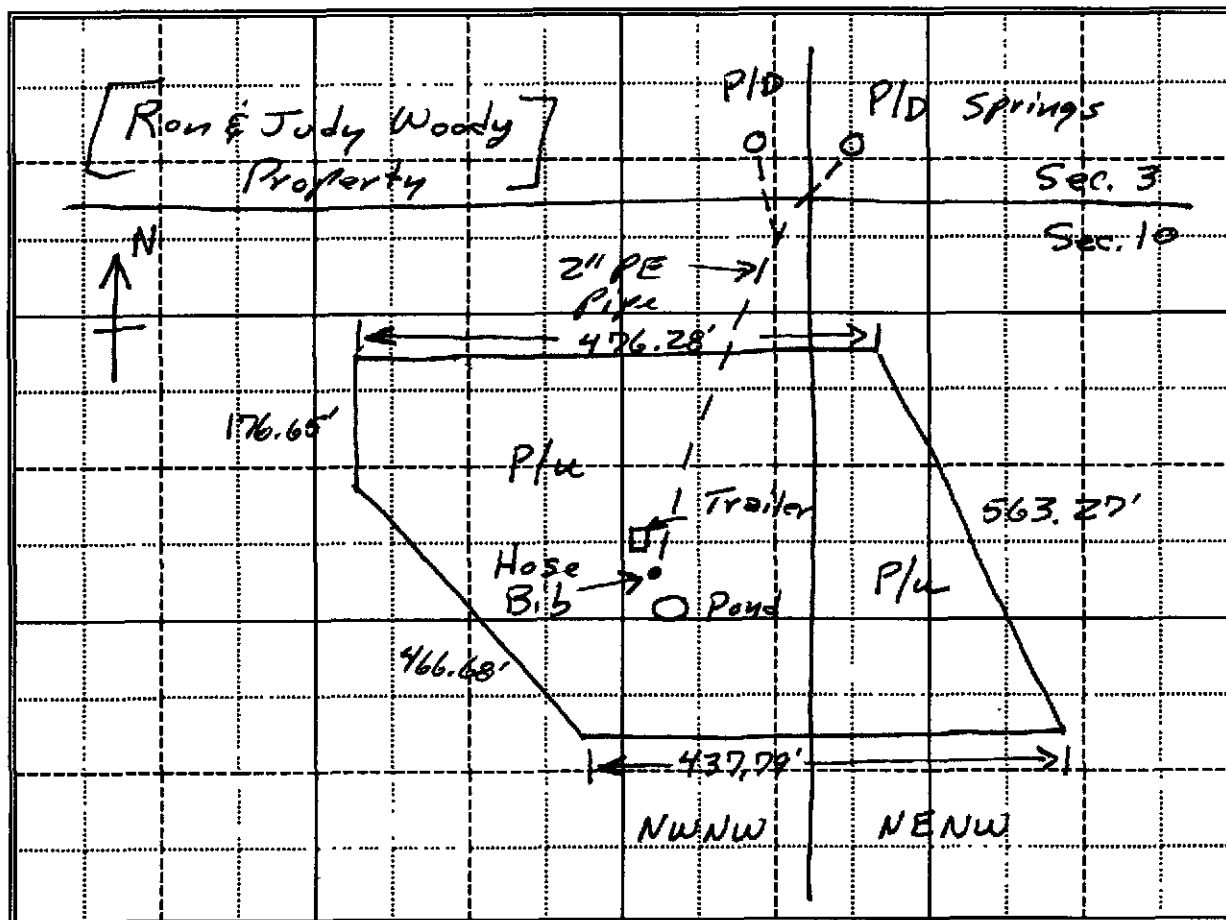
2. Place(s) of Use:

Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7N	1W	10					2.0	4.0											6.0
7N	1W	10					2.0	4.0											6.0

6 Acres total - Not 7.0 Acres as in permit.

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



Scale: $r =$ No Scale

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

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

☒ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 5 Gal. Bucket: $Q = \frac{5 \text{ Gal.}}{45 \text{ Sec.}} = 6.67$
 $= 7.0 \text{ GPM}$

E. NARRATIVE/REMARKS/COMMENTS

1. The water system consists of two springs developments, a 2" PE pipe from each spring to a 2" PE pipeline which conveys the water to the irrigated land, and a hose bib and hoses for irrigation of the land with movable sprinklers.
2. The two springs are located in Section 3, just North of the Section line, and are on property owned by Ron & Judy Woody.
3. The flow from both springs was measured at the hose bib, and found to be about 7.0 Gpm. This flow would be inadequate to irrigate the land for a normal agriculture crop, but could be used for pasture. It appears that the owner is just using the land for pasture, and grazing some cattle and horses. It's possible that the springs could produce more water in the spring and early summer.
4. The irrigated land is Tax 11 - tract, and has 6.0 Acres, not 7.0 Ac. as shown in the permit. The total Acres calculated from Tax 11 survey dimensions is 5.93 Acres.

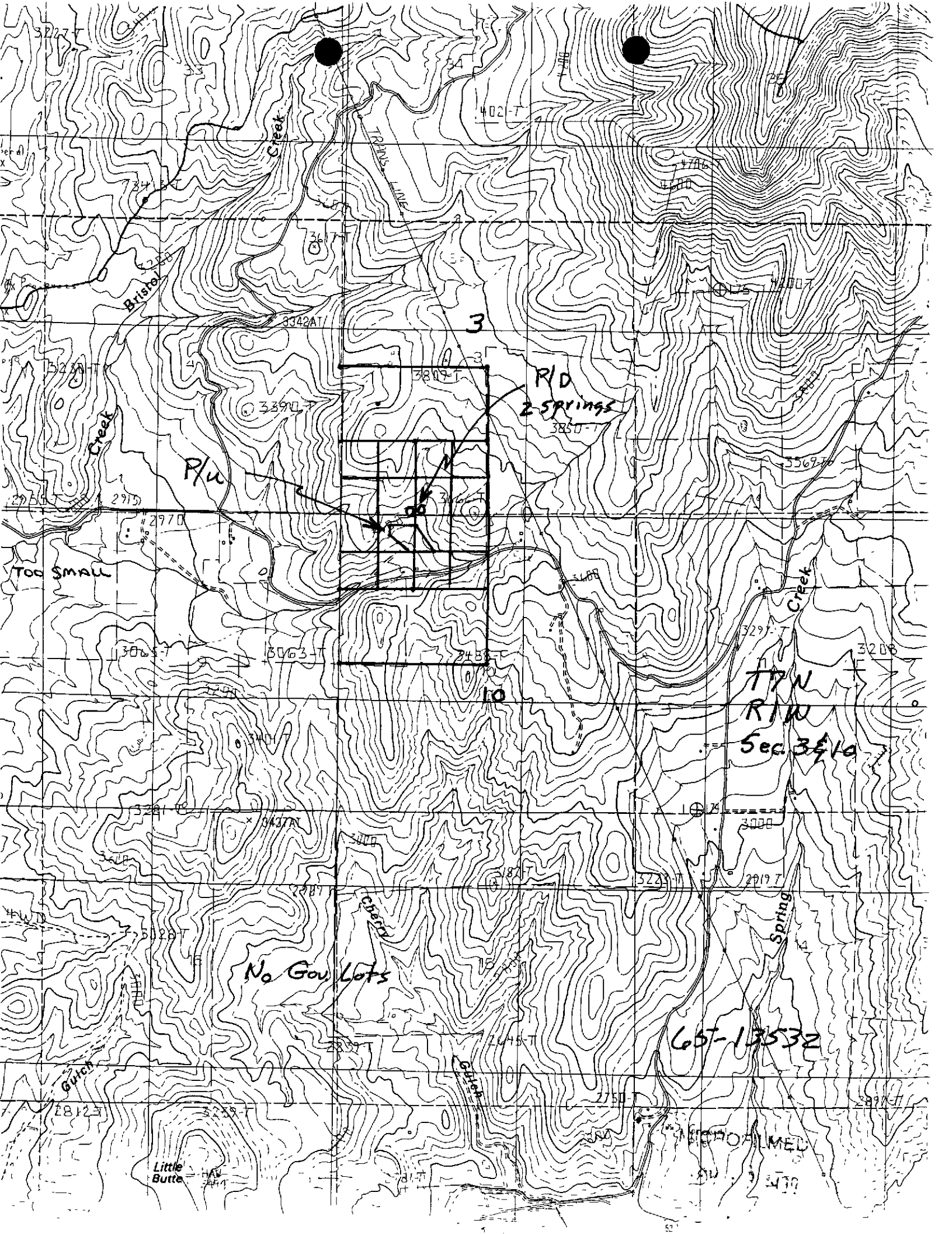
Have conditions of permit approval been met? ☒ yes ☐ no

MICROFILMED

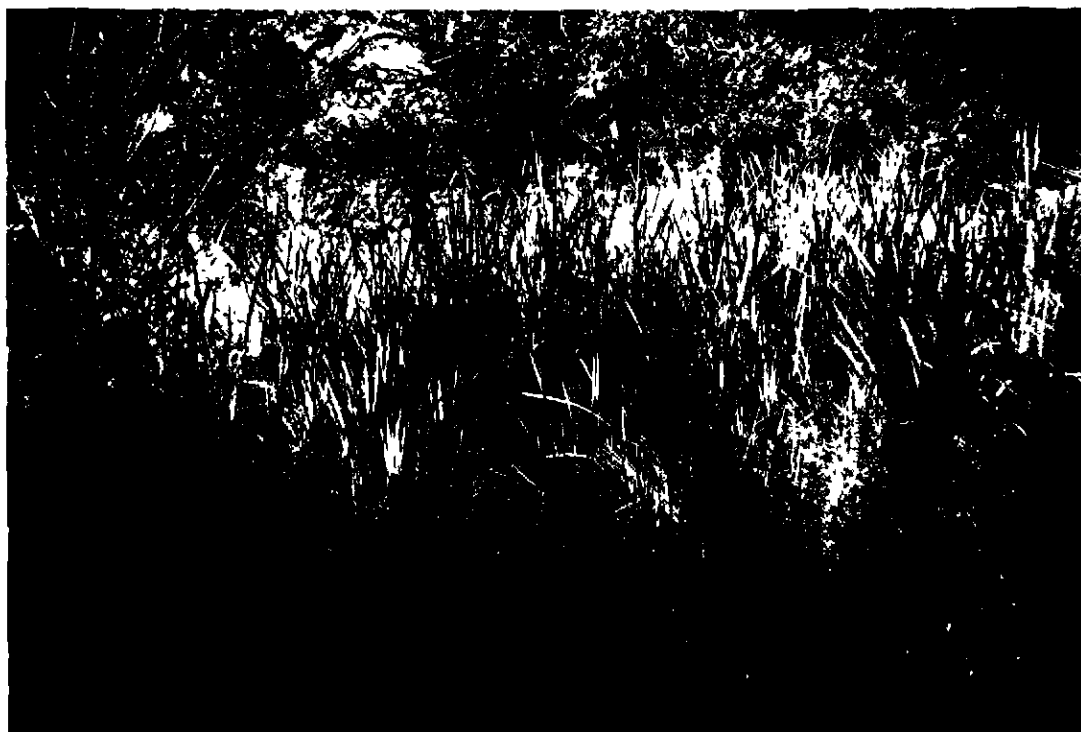
SEP 17 1981

Although the land is 6.0 Ac, not 7.0 Ac, and the springs are both located in Section 3.

UNCLASSIFIED
DATE 11-14-00



1 of 3



P/D

Spring
Area in
SESWSW,
Sec. 3.

View
Looking
South.



P/D

Spring Area
in
SWSESW,
Sec. 3.

View
Looking
South.

65-13532

2 of 3



P/D

View of
Springs
Area
Looking
North.



Place of
Measure-
ment.

Hose Bib
at
end of
2" PE
pipeline.

65-13532
100 13 1993

65-13532

3 of 3



Plu
irrigated
land.

View
looking
North.



Plu
irrigated
land.

View
Looking
West.

WICHITA, KAN.

SEP 11 1994

65-13532

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13532 Reviewed by Jay Date 4-21-97

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

MEASURING DEVICE

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

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____ Proof Made 6-10-97



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
April 22, 1997

JERRY L. RADANDT
2848 S BOISE AVE
EMMETT ID 83617

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13532

Dear Permit Holder:

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

Please be advised that Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. 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.

If you have questions concerning the field examination, contact the **WESTERN** Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

C: IDWR - Region

APR 23 1997
APR 23 1997

March 31, 1997

JERRY L RADANDT
2848 S BOISE AVE
EMMETT ID 83617

PROOF DUE NOTICE

RE: PERMIT NO. 65-13532

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 June 1, 1997.

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

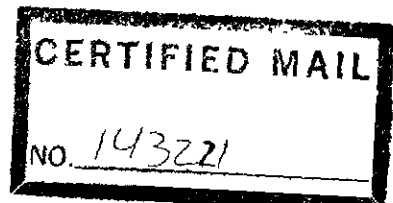
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





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

June 1, 1995

JERRY L RADANDT
2848 S BOISE AVE
EMMETT ID 83617

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13532

Dear Permit Holder:

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

JUN 08 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 65-13532 Name: Radandt Date: 5/30/95 Ad OK? ☒
Correct Fee? ☒ Receipt #: W07685 Priority: 7/27/94 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes Mor GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
- 0.2 cfs - No MD
+ 5 a. (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 # <SEE MAP & LISTING>
Source: + 0.2 cfs - 01J-P08 or 01M
Sinks: - 0.2 cfs - 01H-P01 or No MD
+ 5 a. irr. - 01M (POU cmp)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
+ 5 a. irr. - 01M (POU/cmp)

RIVER BASINS (*Surface water):
Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) ^{Source} _{sinks} - 064(consump. use), 047-P04(Payette Lake), NA

USE:
Domestic (surface) - 021(Boise R ↑ L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr - 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 W32/W33

BENEFICIAL USE DUE: - 6-1-1997

COMMENTS: -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
MAY 25 1995

Department of Water Resources

INITIAL REVIEW BY: g DATE: 8/4/94 APPLICATION: 65-13532

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:
☒ 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:
☐ ☐ 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.)
☐ ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

☒ Additional information on reverse side:

PROCESSING

APPLICATION NO. 65-13532

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.

☐ ☒ 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: Approved
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☐ ☒ Water delivered by water master? District # _____
☐ ☒ Special conditions of approval or cover letter: _____

26A (Allow 2 yrs)

☒ See below for additional information

Recommended Date or Priority 7/27/94

Recommended by: Dra Date 5/16/1995

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

P/D (see 10) (none in sec 3)
overlaps: 65-12307 Washo water 01, 04
- 01, 15 Spring 15

P/U
65-00115 Spring 01, 04 see comments for 65-13531
- 01498 Spring 13
- 01379 G.W. 04

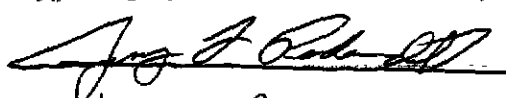
IN THE MATTER OF
APPLICATIONS FOR PERMIT
Nos. 65-13531 & 65-13532
IN THE NAME OF
JERRY L. RADANT

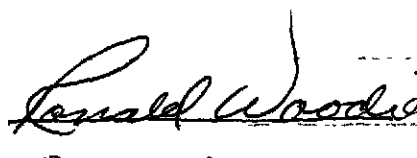
WITHDRAWAL OF APPLICATION
AND
WITHDRAWAL OF PROTEST

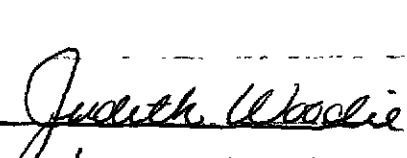
We, the undersigned, agree to resolve the protest to approval
of the above-referenced applications by the following process:

1. The applicant Jerry Radant agrees to withdraw application no. 65-13531 for commercial, diversion to storage and aesthetic storage purposes.
2. The protestants, Ronald and Judith Woodie, agree to withdraw their protest to application no. 65-13532 for irrigation purposes.

Signed this 12th day of April, 1995.


Jerry L. Radant


Ronald Woodie


Judith Woodie

JUN 08 1995

2 384 917 354



Receipt for Certified Mail

No Insurance Coverage Provided

JERRY L. RADANT
2848 S BOISE AVE
EMMETT ID 83617

PS Form 3800

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom Date and Addressee's Address	
TOTAL Postage & Fees	\$252
Postmark (or Date)	

JUN 08 1995

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE.
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1 If you want this return postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge)

2 If you do not want this receipt postmarked, stick the gummed stub to the right of the return address or the article date detach and retain the receipt, and mail the article

3 If you want a return receipt write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permit. Otherwise affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number

4 If you want delivery restricted to the addressee or to an authorized agent of the addressee endorse **RESTRICTED DELIVERY** on the front of the article

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 7 of Form 3811

6 Save this receipt and present it if you make inquiry

1056003-93-B-0218

2 384 917 353



**Receipt for
Certified Mail**

No Insurance Coverage Provided

RONALD & JOR JUDITH WOODYE
PO BOX 785
EMMETT ID 83617

PS Form 3801

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom Date, and Addressee's Address	
TOTAL Postage & Fee:	\$2.52
Postmark or Date	

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1 If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and prevent the article at a post office service window or hand it to your rural carrier (no extra charge).

2 If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

3 If you want a return receipt write the certified mail number and your name and address on a return receipt card Form 3811, and attach it to the front of the article by means of the gummed ends of space permits. Otherwise, affix to back of article Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4 If you want delivery restricted to the addressee, or to an authorized agent of the addressee endorse **RESTRICTED DELIVERY** on the front of the article.

5 Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of form 3811.

6 Save this receipt and present it if you make inquiry.

105603-83-B 0218

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JERRY L. RADANT
2848 S BOISE AVE
EMMETT ID 83617

4a. Article Number

2 384 917 354

4b. Service Type

- | | |
|--|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☒ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

JUN 08 1995

5. Signature (Addressee)

Picky Radant

6. Signature (Agent)

PA 3/31

8. Addressee's Address (Only if requested and fee is paid)

BOI CTY
UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

BOISE RIVER FESTIVAL

5 YEAR ANNIVERSARY

U.S. MAIL

RECEIVED

APR 03 1995

WATER RESOURCES
WESTERN REGION

RECEIVED
APR 08 1995

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705



Is your RETURN ADDRESS completed on the reverse side?

65-12251

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

RONALD &/OR JUDITH WOODIE
PO BOX 785
EMMETT ID 83617

4a. Article Number

2 384 917 353

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

3-31-95

5. Signature (Addressee)

Ronald & Judith Woodie

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

BOI CITY
UNITED STATES POSTAL SERVICE

Official Business

RECEIVED

APR 03 1995

WATER RESOURCES
WESTERN REGION



RECEIVED
JUN 08 1995



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705



IDAHO DEPARTMENT OF WATER RESOURCES
2735 Airport Way, Boise, ID 83705

Conducted by: David R. Tuthill, Jr., P.E.

ADDRESS

Ken L. Woodie	Box 785	Emmett, IDA.
Judy Woodie	PO Box 785	Emmett 83617
Sally Stigile	1805 Hwy. 16, Rm. 1,	Emmett
M. J. Fishman	419 E 3 rd ST	EMMETT
Ing. F. Caldwell	2248 S. BOISE AVE	EMMETT

SECRET

JUN 08 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS	)	
	)	NOTICE OF CONFERENCE
FOR PERMIT NOS. 65-13531 AND	)	
	)	
65-13532 IN THE NAME OF JERRY L.	)	
	)	
RADANT.	)	

On July 27, 1994, Jerry L. Radant filed with the Department of Water Resources three applications for permit to appropriate the public waters of the State of Idaho. The applications were protested by Ronald &/or Judith Woodie. On August 22, 1994, Mr. Radant withdrew one of the applications, which had been numbered 65-13535.

The Department has set the matter of protest for a conference to be held on Wednesday, April 12, 1995, at 10:00 a.m., at the Gem County Courthouse, Commissioners' Room, 415 E. Main, Emmett, Idaho 83617. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity

[Handwritten signature]
JUN 08 1995

shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 29th day of March, 1995.

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

I hereby certify that on the 30th day of March, 1995, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Senior Secretary

Certified Mail

JERRY L. RADANT
2848 S BOISE AVE
EMMETT ID 83617

RONALD &/OR JUDITH WOODIE
C/O JAMES E RISCH
407 W JEFFERSON
BOISE ID 83702

Non-Certified Mail

JAMES E RISCH ESQ
407 W JEFFERSON
BOISE ID 83702

LEE WILLIAMS
803 E SECOND
EMMETT ID 83617

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The Applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. the applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize

JUN 08 1995

themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may be written stipulation waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

JUN 08 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR PERMIT NOS. 65-13531 AND)
65-13532 IN THE NAME OF JERRY L.)
RADANT.)

NOTICE OF CANCELLATION
OF CONFERENCE

At the request of the protestant and as agreed by the applicant, the conference scheduled for Tuesday, January 17, 1995, is hereby cancelled.

The conference will be rescheduled after the protest date of the applications filed by Ronald &/or Judith Woodie on January 12, 1995.


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

I hereby certify that on the 13th day of January, 1995, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:


Sue Taylor
Secretary/Office Coordinator

JERRY L. RADANT
2848 S BOISE AVE
EMMETT ID 83617

JAMES E RISCH ESQ
407 W JEFFERSON
BOISE ID 83702

RONALD &/OR JUDITH WOODIE
PO BOX 785
EMMETT ID 83617

LEE WILLIAMS
803 E SECOND
EMMETT ID 83617

JUN 08 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS	)	
	)	
FOR PERMIT NOS. 65-13531 AND	)	NOTICE OF CONFERENCE
	)	
65-13532 IN THE NAME OF JERRY L.	)	
	)	
RADANT.	)	

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The Department has set the matter of protest for a conference to be held on January 17, 1995, at 10:00 a.m., at the Gem County Courthouse, 415 E. Main, Emmett, Idaho 83617. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

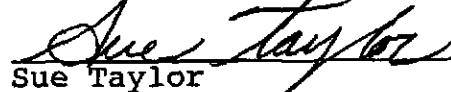
Dated this 22nd day of December, 1994.



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

JAN 08 1995

I hereby certify that on the 22nd day of December, 1995, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:


Sue Taylor
Secretary

Certified Mail

JERRY L. RADANT
2848 S BOISE AVE
EMMETT ID 83617

RONALD &/OR JUDITH WOODIE
C/O JAMES E RISCH
407 W JEFFERSON
BOISE ID 83702

NON-CERTIFIED MAIL

JAMES E RISCH ESQ
407 W JEFFERSON
BOISE ID 83702

LEE WILLIAMS
803 E SECOND
EMMETT ID 83617

CONFERENCE AND HEARING PROCEDURE

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- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
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The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize

JUN 08 1995

themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may be written stipulation waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

JUN 08 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

September 27, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RONALD &/OR JUDITH WOODIE
C/O JAMES E RISCH
407 W JEFFERSON
BOISE ID 83702

Re: Applications for Permit Nos. 65-13531, 65-13532 and
65-13535 in the Name of Jerry Radandt (Application
#65-13535 has been withdrawn)

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced applications. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please see the attached letter for more information concerning the above-referenced applications.

If this office can be of further assistance, please contact us.

Sincerely,

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

DRT/st

Encl.

JUN 08 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

September 27, 1994

JERRY L RADANDT
2848 S BOISE AVE
EMMETT ID 83617

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Re: Applications for Permit Nos. 65-13531, 65-13532 and
65-13535 (Application #65-13535 has been withdrawn)

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

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

Enclosure: Copy of protest(s)

JUN 08 1995

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST**

RECEIVED

SEP 06 1994

WATER RESOURCES
WESTERN REGION

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

1. Matter being protested Filings by Jerry Radant 65-13531, 65-13531* 65-13531*
 2. Name of protestant Ronald & Judith Woodlee
 3. Protestant's representative for service (If different than protestant)
James E. Risch
 4. Service mailing address 407 W. Jefferson Boise, Idaho 83702
 5. Service telephone no. 208-345-9974
 6. Basis of protest (including statement of facts and law upon which the protest is based) see attached
- (additional pages may be attached to describe the nature of the protest)
7. What would resolve your protest? Deny Mr. Radant's filings.

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

Signed this 1st day of September, 19 94

RISCH GOSS & INSINGER

JAMES E. RISCH
ATTORNEY AT LAW

407 WEST JEFFERSON
BOISE, IDAHO 83702

RESIDENCE
BOISE, IDAHO

Ronald & Judith Woodlee
JUN 08 1995
PROTESTANT'S REPRESENTATIVE

* appears to mean 65-13532 per
attached letter

- 5 9/22/94

NOTE:

- a) Not more than two (2) representatives for service of documents may be designated on a protest. If this protest is signed by more than one person without identifying the representative(s) for service of documents, the hearing officer may select the person(s) upon whom documents will be served.
- b) A protestant is required to timely file a protest with the department together with a \$25.00 protest fee in order for the protest to be considered by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.
-

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."
 2. Show the name of the protestant.
 3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.
 4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.
 5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.
 6. Specifically describe the nature of the protest.
 7. Describe the relief being sought by the protestant.
-

FOR DEPARTMENT USE ONLY

Received by VR Date 9-6-94 Time 1:30 pm
\$25.00 fee Receipted by VR # W018052 Date 9-6-94

JUN 08 1995

RECEIVED

SEP 06 1994

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources
Notice of Protest

#6. Basis of Protest - The application of 65-13535 has tapped into the water line for our stockwater tank, 65-13165, and has at this point reduced our flow by about one third. This was a line that had been in non-use for at least 5 years when we filed for our water permit. Parts of the old water right of 65-00115 have not been put to beneficial use for at least the last ten years that we know of while we have owned the property where this water right is located. On his application, Mr. Radandt made mention of a private contract to supply Ron Woody (Woodie) with adequate stockwater. We know of no such contract.

The applications of 65-13531 and 65-13532 will take water that is already allocated by water right 65-7110. This right is in the name of David Little and is for storage in the Haw Creek Dam. This water right is dated December 25, 1969 and calls for 100 Acre Ft. for irrigation storage and 10 Acre feet for stockwater. The springs that he has applied for drain down into Haw Creek which feeds this reservoir.

We also have a water right A65-01274 for the NESW of Section 3 T 07N R 01W for stock water that came with the property when we bought it.

Ron & Judy Woodie
P. O. Box 785
Emmett, Idaho 83617

SEP 08 1995

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
Aug 17, 1994,
and ending with the issue of
Aug 24, 1994

Ginger Johnson
Subscribed and sworn to me this

24th day of
August, 1994
Ginger Johnson

Notary Public

Residing at Emmett, Idaho

MY COMMISSION EXPIRES
JUNE 21st, 1997

My Commission Expires _____

JUN 08 1995

NOTICE OF APPLICATION FOR WATER RIGHTS

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

65-13531

RADANDT, JERRY L
2848 S BOISE AVE
EMMETT, ID 8361
Source: GROUNDWATER
Diversion Pt: SENESW Sec 3 T
07N R 01W in GEM County.
Use: COMMERCIAL (.060 CFS)
AESTHETIC STORAGE (1.80 AF)
DIVERSION TO STORAGE (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 7/27/1994
In: GEM County
T07N R01W S10 NWNW
65-13532

RADANDT, JERRY L
2848 S BOISE AVE
EMMETT, ID 83617
Source: SPRING
Tributary: SINKS
Diversion Pt: SESWSW Sec 3 T
07N R 01W in GEM County.
NENWNW Sec 10 T 07N R 01W in
GEM County.
Use: Irrigation (.140 CFS)
Total Diversion: (.140 CFS)
Date Filed: 7/27/1994
In: GEM County
T07N R01W S10 NWNW
7.0 ACRES TOTAL
65-13535

RADANDT, JERRY
2848 S BOISE AVE
EMMETT, ID 83617
Source: SPRING
Tributary: SINKS
Diversion Pt: NENESW Sec 3 T
07N R 01W in GEM County.
Use: STOCKWATER (.020 CFS)
Total Diversion: (.020 CFS)
Date Filed: 8/3/1994
In: GEM County
T07N R01W S03 NESW
65-13540

BOYD, WINSTON E
BOYD, JEAN F
3702 MILL RD
EMMETT, ID 83617
Source: WASTEWATER
Diversion Pt: LOT 4 (SWSW)
Sec 19 T 06N R 01W in GEM
County.
Use: IRRIGATION (.150 CFS)
Total Diversion: (.150 CFS)
Date Filed: 8/1/1994
In: GEM County
T06N R01W S19 Lot 4(SWSW)
5.0 ACRES TOTAL

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
Pub.: 8 - 17, 24, 1994

Legal Notice No. 1987
Published in the Messenger Index

RECEIVED

AUG 25 1994

WATER RESOURCES
WESTERN REGION

65-13532

RADANDT, JERRY L
2848 S BOISE AVE
EMMETT, ID 83617

Source: SPRING

Tributary: SINKS

Diversion Pt: SESWSW Sec 3 T 07N R 01W in GEM County.
 NENWNW Sec 10 T 07N R 01W in GEM County.

Use: IRRIGATION (.140 CFS)
 Total Diversion: (.140 CFS)

Date Filed: 7/27/1994

In: GEM County
 T07N R01W S10 NWNW

7.0 ACRES TOTAL