



4968

4967

65-13460 / 65-13507

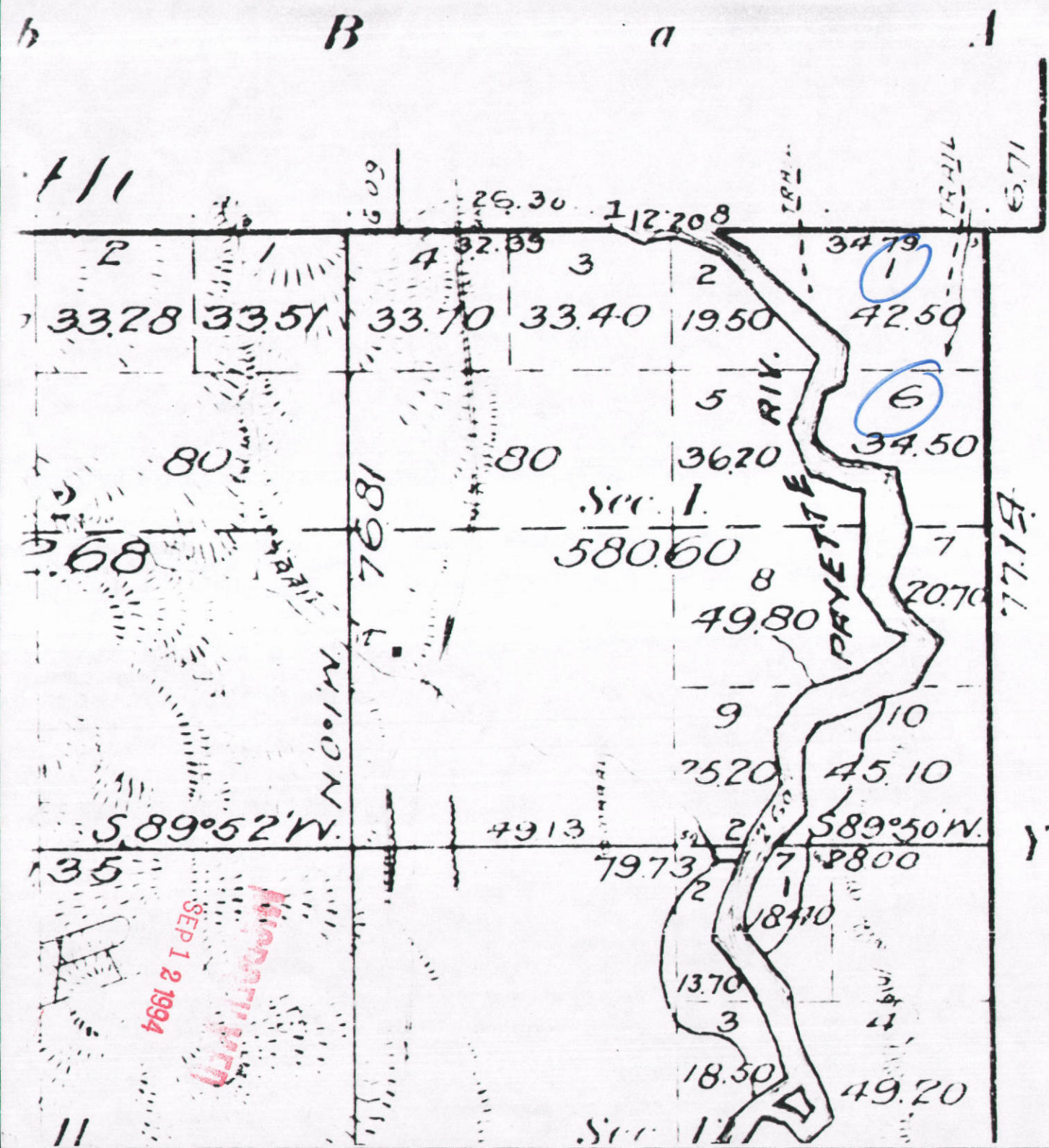
SEP 12 1994

Posts Courses

17N

2E

5.1

 $2.1 \div 6$ 

65-13480
5/19/95 S.H.



P/u:
pond
10' x 52.5' x 1'

direct flow-through
back to the
Payette River,
North Fork



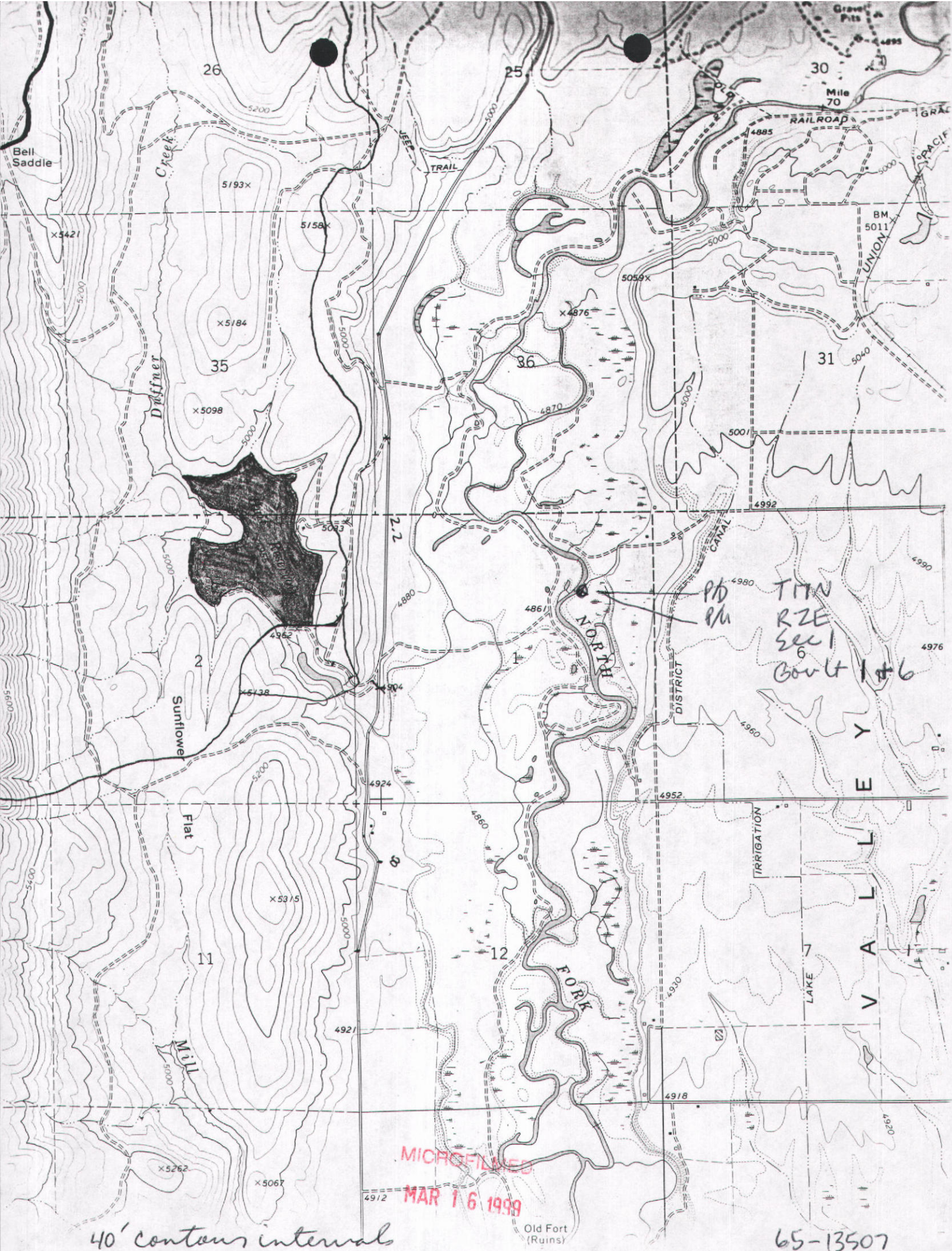
P/D:

Spring comes
out under the
rock below the
water level of
the pond

MICROFILMED

MAR 16 1999

REC-21 1995



40' contours interval

MICROFILMED
MAR 16 1999

Old Fort
(Ruins)

65-13507



— P/u



P/D —

3/4 HP pump
submerged

MICROFILMED
MAR 16 1999

65-13507

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 65-13507

Priority: May 18, 1994

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

9.7 AF

This is to certify, that DONALD L SABALA
PO BOX 741

LAKE FORK ID 83635 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 18, 1994; and
has submitted Proof of Beneficial Use on July 9, 1996. An examination indicates
that the works have a diversion capacity of 0.290 cfs of water from:

PAYETTE RIVER, NORTH FORK

tributary to PAYETTE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
AESTHETIC	05/15 to 10/15	0.04 CFS	9.7 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 6 (SENE), Sec. 1, Township 17N, Range 02E
VALLEY County

PLACE OF USE: AESTHETIC

TWN RGE SEC

17N 02E 1 Lot 6 (SENE)

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Use of water under this right shall be non-consumptive.

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 20th day of FEBRUARY, 1997.

Acting for

KARL J. DEEHER, Director

MICROFILMED

MAY 16 1993

RECEIVED

FEB 19 1999

Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 65-13507

Date of Priority: May 18, 1994

Maximum Diversion Rate: 0.04 CFS

Maximum Diversion Volume: 9.7 AF

Comes now

DONALD L SABALA

PO BOX 741

LAKE FORK ID 83635

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. 65-13507, and requests that the permit be changed as follows:

Source: PAYETTE RIVER, NORTH FORK

tributary to PAYETTE RIVER

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

AESTHETIC

~~01/01 to 12/31~~
Sec below

0.04 CFS

9.7 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 6 (SENE), Sec. 1, Township 17N, Range 02E
VALLEY County

PLACE OF USE: AESTHETIC

TWN RGE SEC

17N 02E 1 Lot 6 (SENE)

Shelly, per our conversation of 2/12. I am not using the water for consumptive purposes. The water goes through a water fall, into a pond & back into the river.

I am quite sure I am not using more than 18 gallons per

The pump is minute.

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 Donald L Sabala this 12 day of Feb., 1999.

(Signature)
MICROFILMED

MAR 16 1999

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13507

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Receipted by BB # C04464 date 2-19-99

ACTION OF THE DEPARTMENT OF WATER RESOURCES

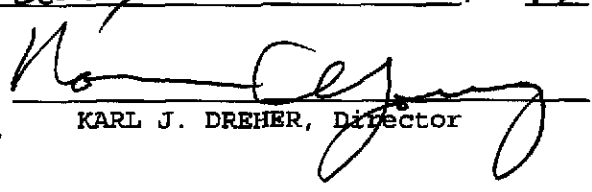
I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-13507 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
3. Use of water under this right shall be non-consumptive.

Witness my hand this 20th day of February, 1999.

Acting for


KARL J. DREHER, Director

MICROFILMED
MAR 16 1999

RECEIVED

JUL 11 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 09 1996

WATER RESOURCES
WESTERN REGION

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. 65-13507 Telephone No. 634-7894

2. Name(s) of Permit Holder(s): DON SABALA

3. Mailing Address: Box 741 LAKE FORK, Id. 83635

4. Source of Water: Payette River, N. Fork If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

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

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

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

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

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

6. Total rate of diversion and/or volume for which proof is submitted: .04 cfs OR _____ acre feet

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

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

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

Has the measuring device been installed? Yes _____ or No _____

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

Has the measurement port been installed? Yes _____ or No _____

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

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

Name: Don Sabala Telephone Number: 634-7894

Address: _____

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

Signature of permit holder: Don Sabala Co-owner Sabala Bros Date: July 9, 1996
(include your title, if on behalf of company or organization)

AUG 09 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13507

Proposed Priority: May 18, 1994 Maximum Diversion Rate: 0.04 CFS

This is to certify, that DONALD L SABALA
1123 KIMBERLY LN
BOISE ID ID 83712
has applied for a permit to appropriate water from:

PAYETTE RIVER, NORTH FORK tributary of PAYETTE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u> Lot 1(NENE), Sec. 1, Township 17N, Range 02E Lot 6(SENE), Sec. 1, Township 17N, Range 02E VALLEY County		

PLACE OF USE: DOMESTIC

TWN RGE SEC
17N 02E 1 Lot 1(NENE) Lot 6(SENE)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 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 lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion 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. A separate stream alteration permit from the IDWR is required for any activity in the stream channel other than construction and/or maintenance of the diversion structure. If the proposed construction or operation involves construction of an outfall or any other work in the stream channel other than a water diversion, the right holder contact the Department and obtain a Stream Channel Alteration permit prior to the start of construction.

SEP 12 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

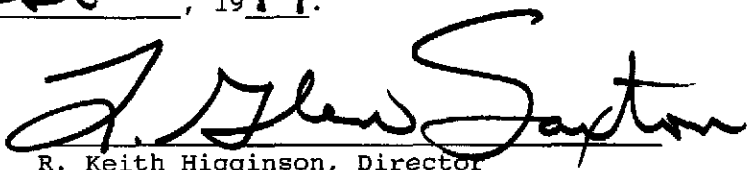
NO. 65-13507

CONDITIONS/REMARKS:

8. Single point of diversion located on or near the line between Lot 1 (NENE) and Lot 6 (SESE), S01, T17N, R02E.
9. Single place of use located on or near the line between Lot 1 (NENE) and Lot 6 (SESE), S01, T17N, R02E.
10. Domestic use is for up to 1/2 acre irrigation and miscellaneous outside uses associated with a home.

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

29th day of August, 1994.


R. Keith Higginson, Director
for

SEP 12 1994

RECEIVED

AUG 11 1994

Ident. No. 65-13507

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: DONALD L SABALA
Address: 1123 KIMBERLY LN
BOISE ID ID 83712

208-336-3117

2. Source: PAYETTE RIVER, NORTH FORK Trib. to: PAYETTE RIVER
3. Location of Point of Diversion: Lot 1(NENE), Sec. 1, Township 17N, Range 02E
Lot 6(SENE), Sec. 1, Township 17N, Range 02E
VALLEY County

4. Water will be used for the following purposes:

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

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

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
PUMP, PIPELINE, SPRINKLER SYSTEM
- 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.
- Proposed well diameter is inches; proposed depth of well is
feet.
- Is groundwater with a temperature greater than 85F being sought? NO
- 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).

8. Place of Use: DOMESTIC

TWN RGE SEC
17N 02E 1 Lot 1(NENE) Lot 6(SENE)

208-336-3117

AUG 12 1994

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.
NEIGHBOR HAS P/D EASEMENT, DELIVERY AGREEMENT ENTERED W/NEIGHBOR

10. Remarks:

Domestic use is for up to 1/2 acre irrigation and miscellaneous
outside uses associated with a home.

Single point of diversion and place of use located on or near
tract line between Lot 1 (NENE) and Lot 6 (SENE) S01, T17N R02E.

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.

Donald L. Salata
Applicant

Received by Cyt Date 5/18/94 Time _____ Preliminary check by SL
Fee \$ 30 Receipted by Cyt # W017500 Date 5/18/94
Publication prepared by SL Date 5-25-94 Published in Star News
Publication approved SL Date 7-26-94

SEP 12 1994

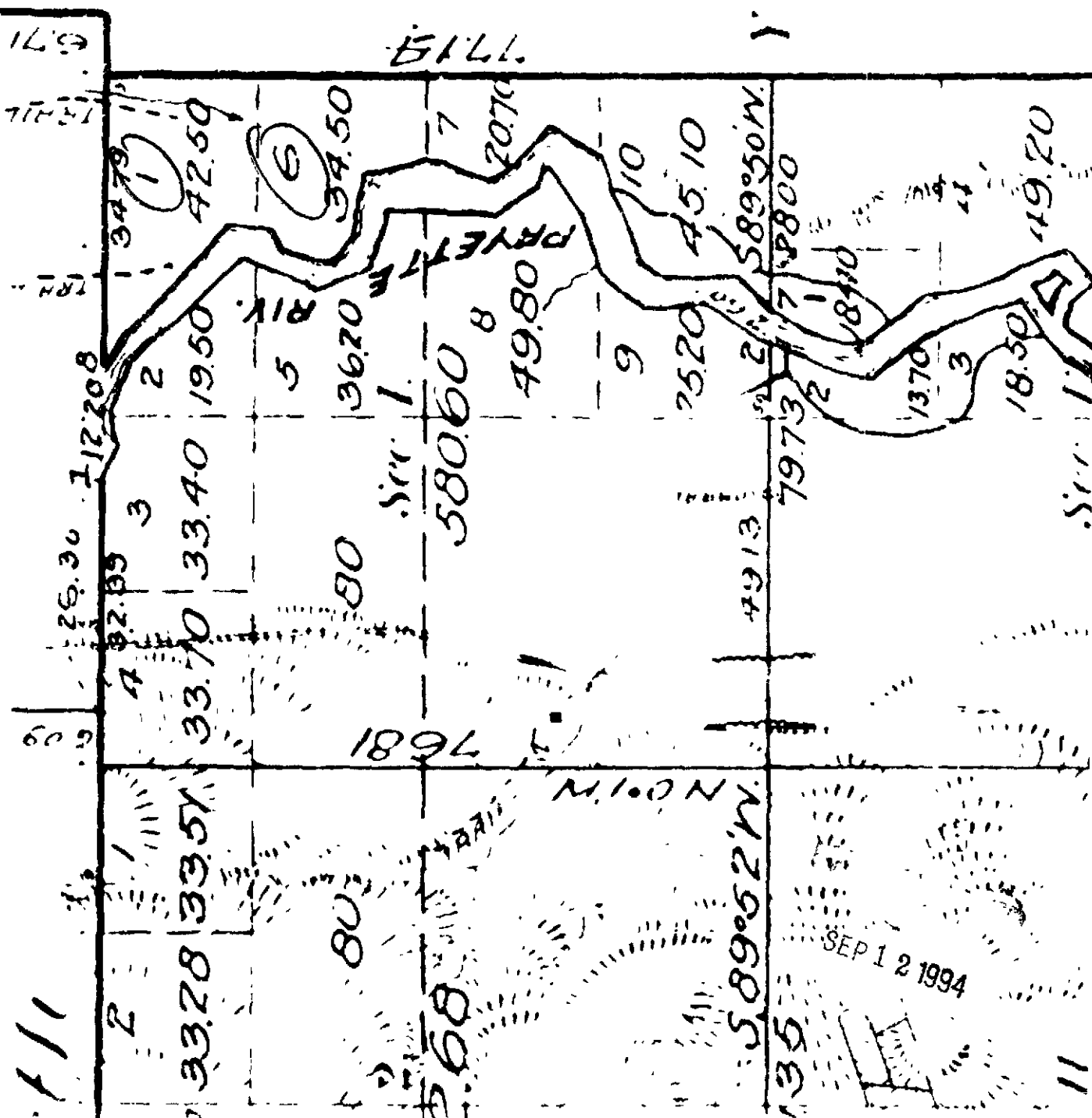
Comments: Date: 5/18/1994 User-ID: HODGES

Subject:
ADDITIONAL INFO

P/D and P/U overlaps are with 65-13480, held by same applicant,
for wildlife/aesthetic storage from spring source.

SEP 12 1994

7-3-6





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 www.idwr.state.id.us/idwr/idwrhome.htm

February 22, 1999

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DONALD L SABALA
PO BOX 741
LAKE FORK ID 83635

RE: WATER RIGHT NO. 65-13507

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 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 this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

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

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

MICROFILMED
MAR 16 1999

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

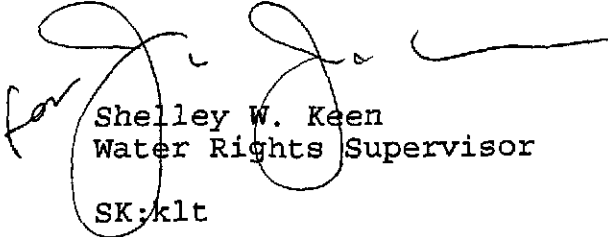
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 87-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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,


for Shelley W. Keen
Water Rights Supervisor
SK:klt

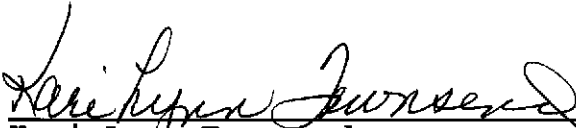
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of February, 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. 65-13507

DONALD L SABALA
PO BOX 741
LAKE FORK ID 83635


Kari Lynn Townsend
Secretary

MICROFILM

MAR 16 1999

Sally,

RECEIVED

FEB 19 1999

Department of Water Resources

Thanks for going over my
application with me on the
phone. I hope this takes care
of everything

Don



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

January 29, 1999

DONALD L. SABALA
PO BOX 741
LAKE FORK ID 83635

RE: WATER RIGHT NO. 65-13507

Dear Mr. Sabala:

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 nature of water use developed falls into the category of aesthetic use rather than domestic use as was described on your permit. The term domestic implies in-house use and irrigation of lawn/garden/landscaping and watering of household stock. The waterfall developed under this permit provides scenic beauty and is thus best described as aesthetic use. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the water use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days. Some of the proposed conditions of approval and remarks may be modified upon further administrative review.

The examiner also found that the pumping system supplying water under this right diverts at a much higher rate than the limit under this right. The diversion rate under this right is inadequate for the standard operating procedures of your system. Authorization for diversion above 0.04 cfs requires the filing of a new application for permit. An application and instructions can be obtained from this office or our Western Regional Office located at 2735 Airport Way, Boise. Assistance in filling out the application can also be provided at either office.

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, appearing to read 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

MICROFILMED

JAN 16 1999

Enclosure

WR0749NP
No. L65-13507

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/28/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD L SABALA PO BOX 741 LAKE FORK ID 83635 (208) 634-7894	05/18/1994	AESTHETIC	01/01 12/31	0.040 CFS	9.70 AFA
TOTAL DIVERSION:					0.040 CFS	9.70 AFA

Water Source: PAYETTE RIVER, NORTH FORK ✓

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Diversion Capacity:

0.290 CFS ✓

Point(s) of Diversion:

T17N R02E S01 Lot 06(SENE)✓

VALLEY County

Place of use Legal Description for: AESTHETIC

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
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
17N	02E	1	:	06-A	:	:	:	:	:	:	:	:	:	:	:

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
65-13507 65-13644

Other Water Rights Listing Overlapping Place(s) of use:
65-13644

Conditions of Approval:

- ✓ R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- ✓ 01P - Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
- ✓ 027 - Use of water under this right shall be non-consumptive.

Dates: App. Received: 05/18/1994 Priority Date: 05/18/1994
Proof Due Date: 09/01/1996 Proof Made Date: 07/09/1996
Exam Made Date: 10/01/1997 Exam Sent to S.O.: 11/25/1998
Licensed Date:

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

Comments: Date: 05/18/1994 User-ID: HODGES Subject: ADDITIONAL INFO
P/D and P/U overlaps are with 65-13480, held by same applicant,
for wildlife/aesthetic storage from spring source.

Date: 07/11/1996 User-ID: SCURTIS Subject: Proof of Beneficial Use Rcvd

WR0749NP
No. L65-13507

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/28/99
PAGE: 2

Comments: Date: 07/11/1996 User-ID: SCURTIS Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 01/28/99 SCURTIS

LICENSE REVIEW CHECKLIST

PERMIT NO 65-13507 DATE 1/26/99 REVIEWER: SHARLA

NAME OK Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK ☐ Change (P39 /P47) ☐ Add (P45/P42) Feds - P40
 W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s) _____
 File reviewed _____ Profile reports printed _____

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

Overlaps: Right(s) _____
 File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate .04 cfs
 Fee limit .20 cfs \$5000
 Measured _____ cfs
 Theoretical 30 cfs 33 150 gpm
 Recommended Total Div Rate .04 cfs

WATER USES	<u>OK chg</u>	Change (P46)	
<u>Acsh</u>	<u>.04</u> cfs	<u>9.7</u> af	Irrig - overlap (R58-R61, R62-R65, R66-R69)
_____	_____ cfs	_____ af	supp gw (WB7/065/079)
_____	_____ cfs	_____ af	overlap spec combined rts (W35)
_____	_____ cfs	_____ af	<1acre (W31)
_____	_____ cfs	_____ af	Domestic (W01/WB5/070/071/075)
TOTALS	_____ cfs	_____ af	Power (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate .04 cfs X 365 days X 1.98 = 29.0 af

REMARKS _____

ADD'L CONDITIONS ☐ Watermaster Control WD# _____
☐ GW Measurement/Measuring Device

027 Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority ☐ yes ☒ no

SRBA Claim N/A

Adjust Memo pld i plu
 Amend letters spee letter

MEMORANDUM

TO: File 65-13507

FROM: Sharla

DATE: January 28, 1999

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit 65-13507 are as follows

C DIVERSION AND DELIVERY SYSTEM

1. Point of Diversion:
T17N, R2E, S1 – SENE (Lot 6)
- 2 Place(s) of Use:
T17N, R2E, S1 – SENE (Lot 6)

The original application listed two $\frac{1}{4}$ descriptions for the point of diversion and place of use with an explanation that there was only one point of diversion and one place of use located on the line between the two $\frac{1}{4}$ s. The examiner recommended the license the same way; however, by correctly placing the 40-acre land locator template onto the topo map and lining up the southeast corner, the point of diversion and place of use are both located in the SENE.

Examiner: Lori Graves

Exam Date: September 15, 1997

RECORDED

JAN 16 1999

65-1348Z
5/19/95 S.H.



P/u:
pond
10' x 52.5' x 1'

direct flow-through
back to the
Payette River,
North Fork



P/D:

spring comes
out under the
rock below the
water level of
the pond

MICROFILMED
MAR 16 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 25 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13507

1. Owner: Donald Sabala Phone No. 634-7894

Current Address: PO Box 741 Lake Fork ID 83635

2. Accompanied by: Donald EXAM DATE : 9/15/97

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Payette River, North Fork tributary to Payette River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-13480

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	¼	¼	¼	Sec	Twp	Rge	County	Method of Determination/Remarks
	1		NE	NE	1	17N	2E	Valley	USGS Quad Map
	6		SE	NE	1	17N	2E	Valley	

2. Place(s) of Use:

Indicate Method of Determination _____

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	2E	1	D			D													

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. *see File 65-13480 field report*

SEE ATTACHED SHEET.

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

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

Y Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		3/4	Submersible	Gould	

*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: Gerhard Borbonus installed the pump and stated that it was capable of 150 gpm with 10' lift.
Theoretical calculated pumping capacity at 130 gpm.

E. NARRATIVE/REMARKS/COMMENTS

A 3/4 hp submerged pump lifts payette River water 10 feet to flow over a rock waterfall. The water then flows into a pond area, then back into the river. The pond is also fed by a spring located at the bottom of the pond, which is covered by license 65-13480 for .5 af of storage. No other rights are used for the waterfall. The use listed on this permit could be clarified as aesthetic use but should not require an amendment. The pond is small and should be considered part of the diversion system. A well is used for the home and landscape area. The p/d and p/u are located between gov lts 1 and 6.

Have conditions of permit approval been met? X yes no
(pump can be removed, lockable device N/A)

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MAR 16 1999

F. FLOW CALCULATIONS

__Y__ Additional Computation Sheets Attached

Measured Method:

Theoretical

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

$$.04 \text{ cfs} \times 365 \text{ dys} \times 1.9835 = 29 \text{ afa}$$

$$18 \text{ gpm} \times 60 \text{ min} \times 8 \text{ hrs} \times 365 \text{ dys} / 325850 = 9.7 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
<u>Domestic</u>	<u>01/01</u>	<u>12/31</u>	<u>.04</u>	<u>9.7</u>
Totals:			<u>.04</u>	<u>9.7</u>

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name Lo Guamer Date 11/23/98

Reviewer _____ Date _____

SEAL

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Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Lori Graves

11/23/98

Project: Flow Computat65-13507

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:

$$f = 0.2083 * (100 / \text{roughness})^{1.85} * ((\text{cfs} * 448.8)^{1.852} / \text{ID}^4.8655 * \text{Length})$$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lif 10.00 feet

Pressure Req 0.00 psi

Required Hea 10.00 feet

Pump Horsepo 0.75 horsepower

Pipe Roughne 150.00 Note: pvc = 150, smooth and straight pipe = 140
 aluminum - joint length 20' = 125, joint lengt
 30' = 130, joint length 40' = 132, joint lengt
 50' = 134, new riveted steel = 100
 old riveted steel = 100, old cast iron = 95,
 old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction	Head Loss per 100 ft
2.00	20.00	5.56		27.81

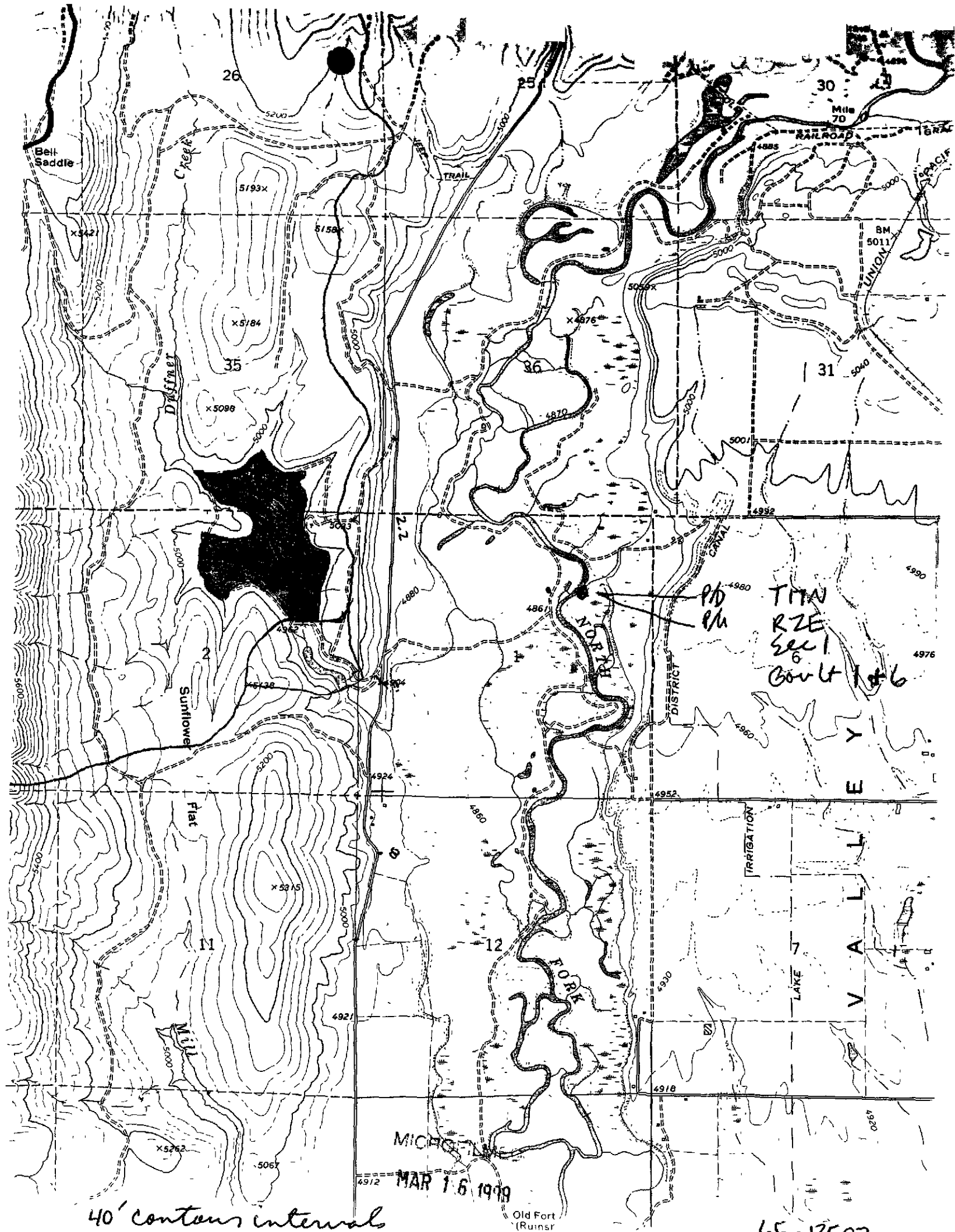
5.56

Initial Estimate of Rate of Flow: 0.290 CFS

Computation of Rate of Flow: 0.30

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MAR 16 1999



65.

92.50

34.50

ET

7-2076

589.5014

0080

1990

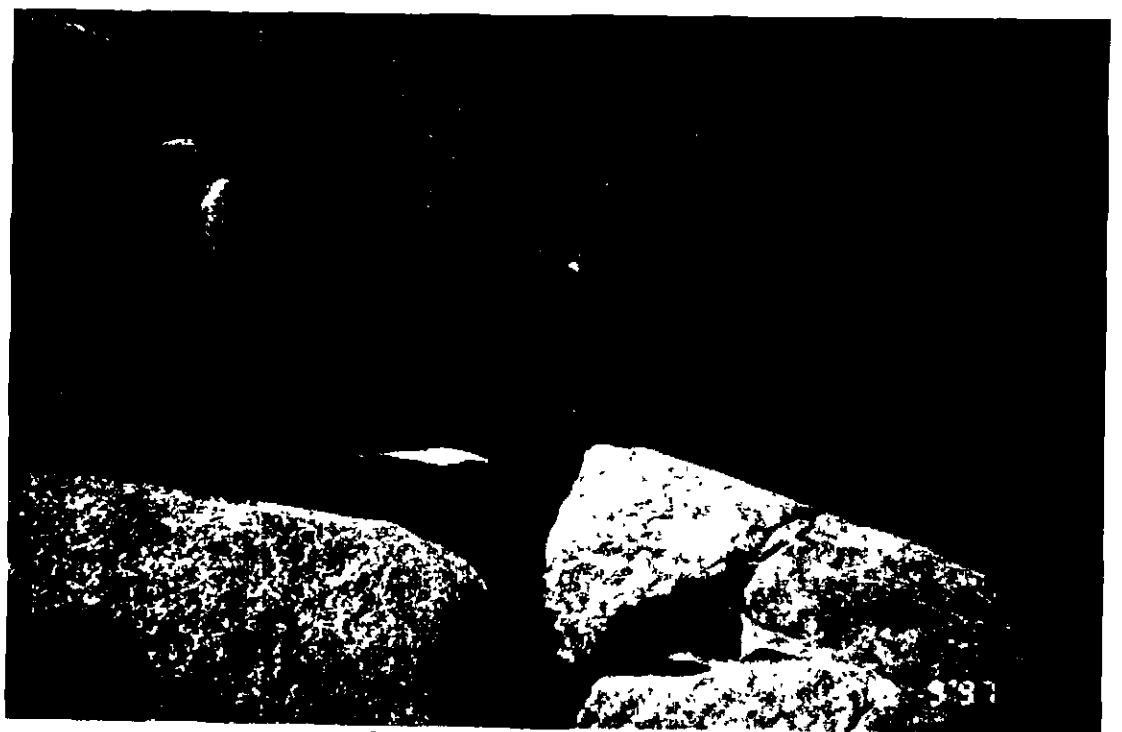
News from

237

65-13507



— P/u



P/D —
 3/4 HP pump
 submerged

100 ft
 100 ft

65-13507

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 6.5-13507

Reviewed by Jay

Date 7-24-96

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

no Address same as permit?

yes Proof timely received?

Correct Uses? _____

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

yes Required?

50- Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

no Installed?

no Waiver requested?

PRIORITY CALCULATION

Date proof received _____

Date proof due _____

No. of days late _____

Priority Date _____

New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

*inform of lockable device condition.
Proof acceptable*

DATA ENTRY

New Address P.O. Box 741

Proof Made 7-9-96

late for K, add 8-3635



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

August 7, 1996

DONALD L SABALA
PO BOX 741
LAKE FORK ID 83635

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-13507

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.

One of the conditions of your water right permit requires that the permit holder install and maintain a lockable controlling device on the diverting works (refer to condition #5 of your permit.) This condition must be complied with before the license examination.

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.

If you have questions concerning the field examination or lockable device requirement, please contact the WESTERN Regional Office in Boise, at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

AUG 09 1996

June 30, 1996

DONALD L SABALA
1123 KIMBERLY LN
BOISE ID ID 83712

PROOF DUE NOTICE

RE: PERMIT NO. 65-13507

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 September 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.

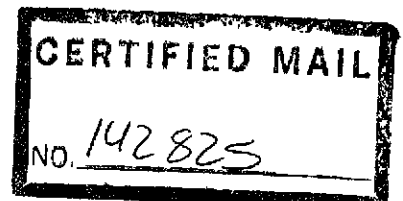
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

AUG 09 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

August 29, 1994

DONALD L SABALA
1123 KIMBERLY LN
BOISE ID ID 83712

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13507

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 lockable device that will provide the watermaster control on your diversion.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson'.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

RECEIVED

SEP 12 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 65-13507 Name: Sabala Date: 8/22/94 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 - B <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)(+5A PU comp), NA
Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERC); 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), ~~27A~~(Payette R), NA

OWNERSHIP:

Non land owner

PROTESTED: - 020(Prehearing agreement)/W19(See Order)

OTHER CONDITIONS:

REMARKS:

① w20, (L & G) ② w23

BENEFICIAL USE DUE:

- 9-1-1996

COMMENTS:

PROCESSING

APPLICATION

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.

* ON N. FK. Pays 1/6 but above Cascade
 Reservoir & minor use so WM
 comment N/A

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☒ ☒

Publication dates and paper recorded on application:

Protests received. Final date for protest 6-26-94

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DM

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

26A (Allow 2 yrs)

Not in area administered by WM

See below for additional information

Recommended Date or Priority 5/18/94

Recommended by: DM

Date 8/6/94

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

yard use could be listed as irrig. but would also need domestic
 for other misc. non-yard external uses so this was filed as
 domestic with clarifying remark for simplicity.

RECEIVED
JUL 11 1994

Publisher's Affidavit of Publication

STATE OF IDAHO

County of Valley

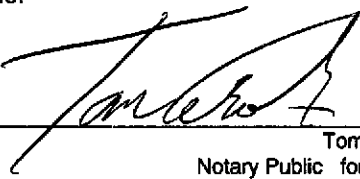
.SS

I, Ramona A French, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began June 2, 1994 and ended June 9, 1994

Subscribed and sworn before me this the 16th day of June, 1994
STATE OF IDAHO

COUNTY OF VALLEY

On this 16th day of June, in the year of 1994, before me, a Notary Public, personally appeared Ramona A. French, 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 she executed the same.


Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires. 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13507

SABALA, DONALD L

1123 KIMBERLY LN

BOISE, ID 83712

Source: PAYETTE RIVER, NORTH
FORK

Tributary: PAYETTE RIVER

Diversion: LOT 1 (NENE) Sec 1 T 17N R
02E in VALLEY County.

LOT 6 (SENE) Sec 1 T 17N R 02E in
VALLEY County.

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 5/18/1994

In: VALLEY County

T17N R02E S01 Lot 1 (NENE) Lot 6
(SENE)

65-13508

WILDE, RALPH

PO BOX 984

MCCALL, ID 83638

Source: GROUNDWATER

Diversion Pt: SESE Sec 5 T 17N R 03E in
VALLEY County.

Use: IRRIGATION (.060 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.100 CFS)

Date Filed: 5/6/1994

In: VALLEY County

T17N R03E S05 NESE

2.0 ACRES TOTAL

Permits will be subject to all prior water
rights. Protests may be submitted based on the
criteria of Sec. 42-103A, Idaho Code. Protests
must be filed with the Director, Dept. of Water
Resources, Western Region, 2735 Airport Way,
Boise, Idaho 83705 on or before JUNE 20,
1994.

R. KEITH HIGGINSON, Director 216/9

SEP 12 1994

65-13507

SABALA, DONALD L
1123 KIMBERLY LN
BOISE ID, ID 83712

Source: PAYETTE RIVER, NORTH FORK Tributary: PAYETTE RIVER

Diversion Pt: LOT 1 (NENE) Sec 1 T 17N R 02E in VALLEY County.
 LOT 6 (SENE) Sec 1 T 17N R 02E in VALLEY County.

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

Date Filed: 5/18/1994

In: VALLEY County
 T17N R02E S01 Lot 1(NENE) Lot 6(SENE)