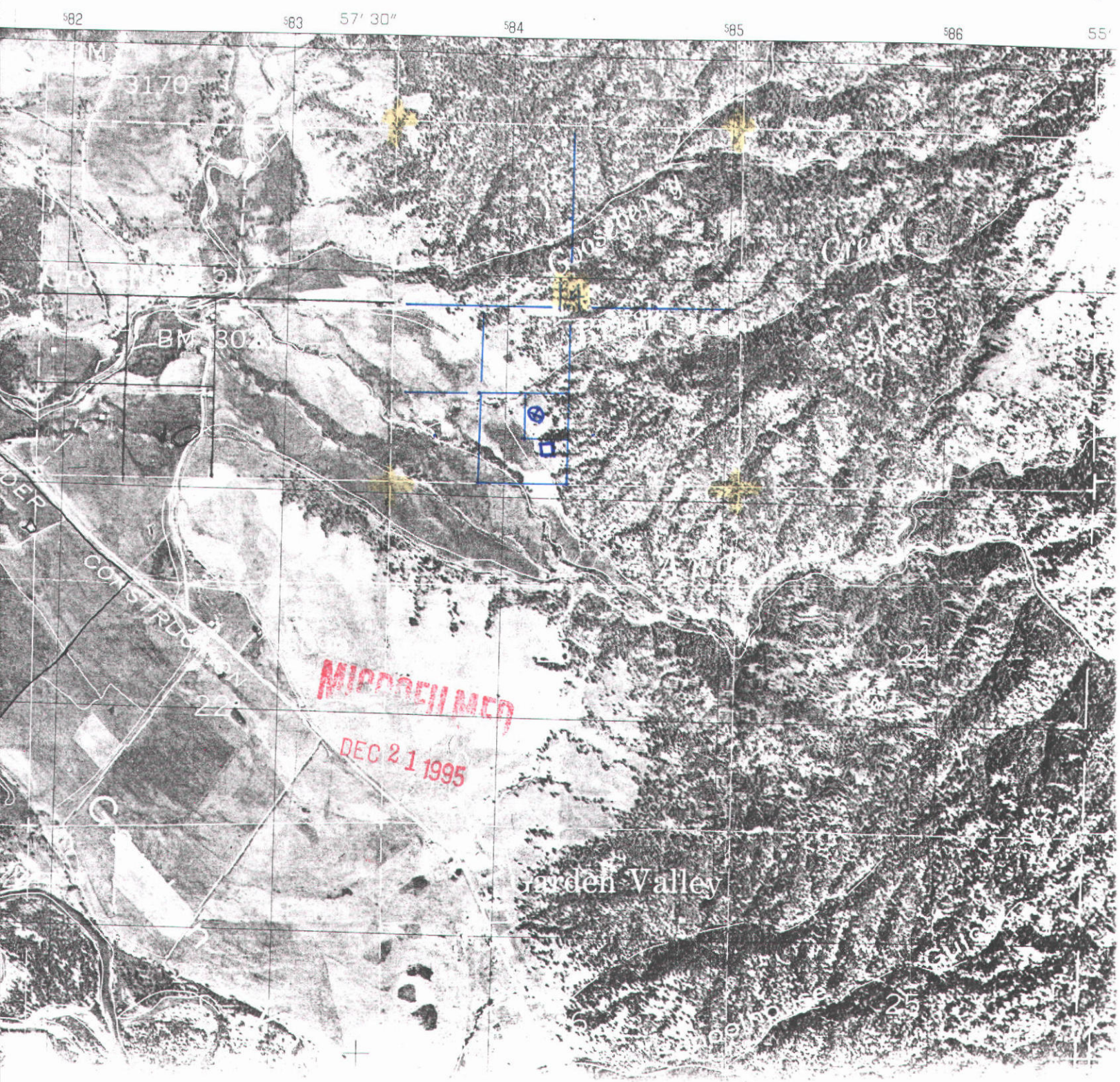


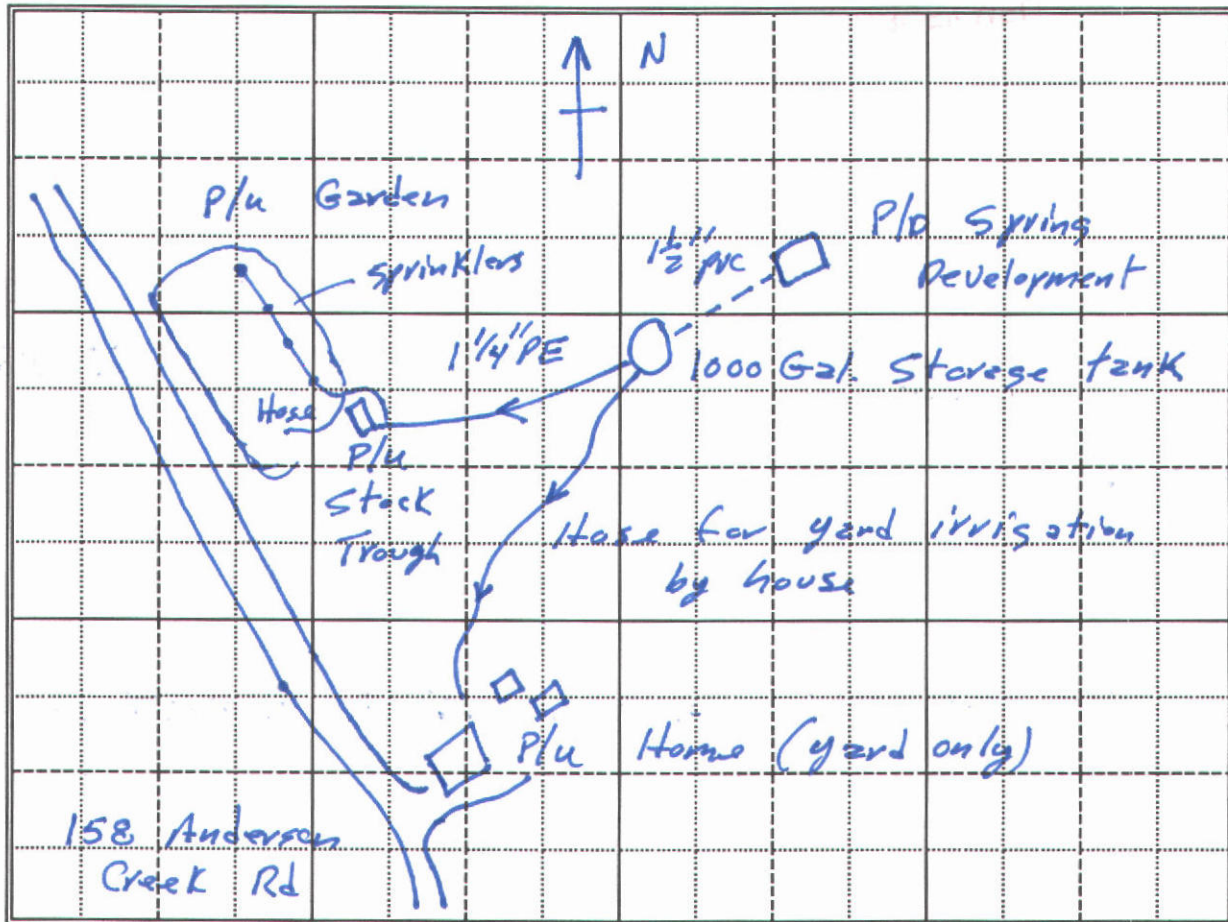
DEC 21 1995

65-13443
9N4E Sec 14

R4E F



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



Scale: 1" = None

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

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

☒ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

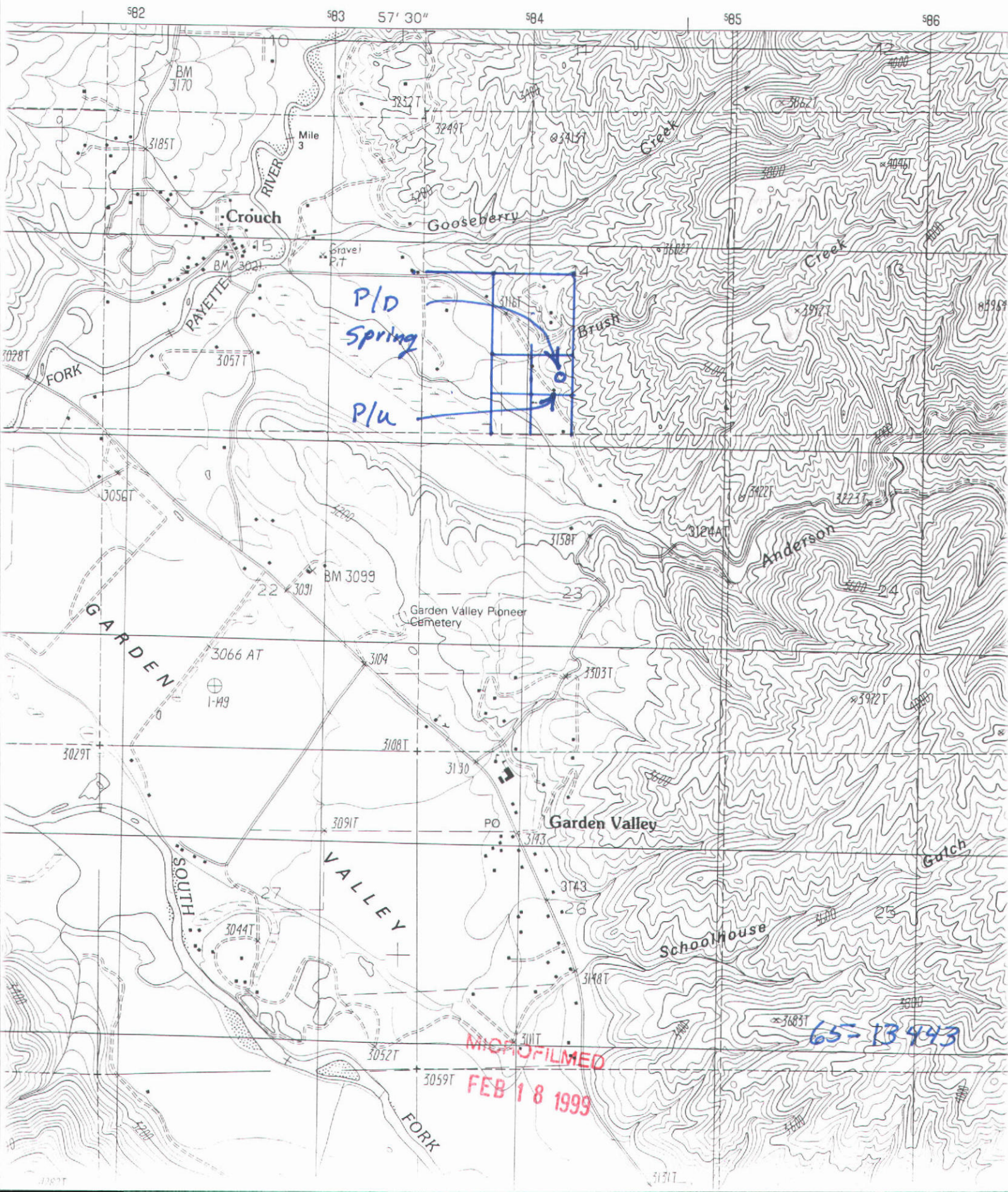
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

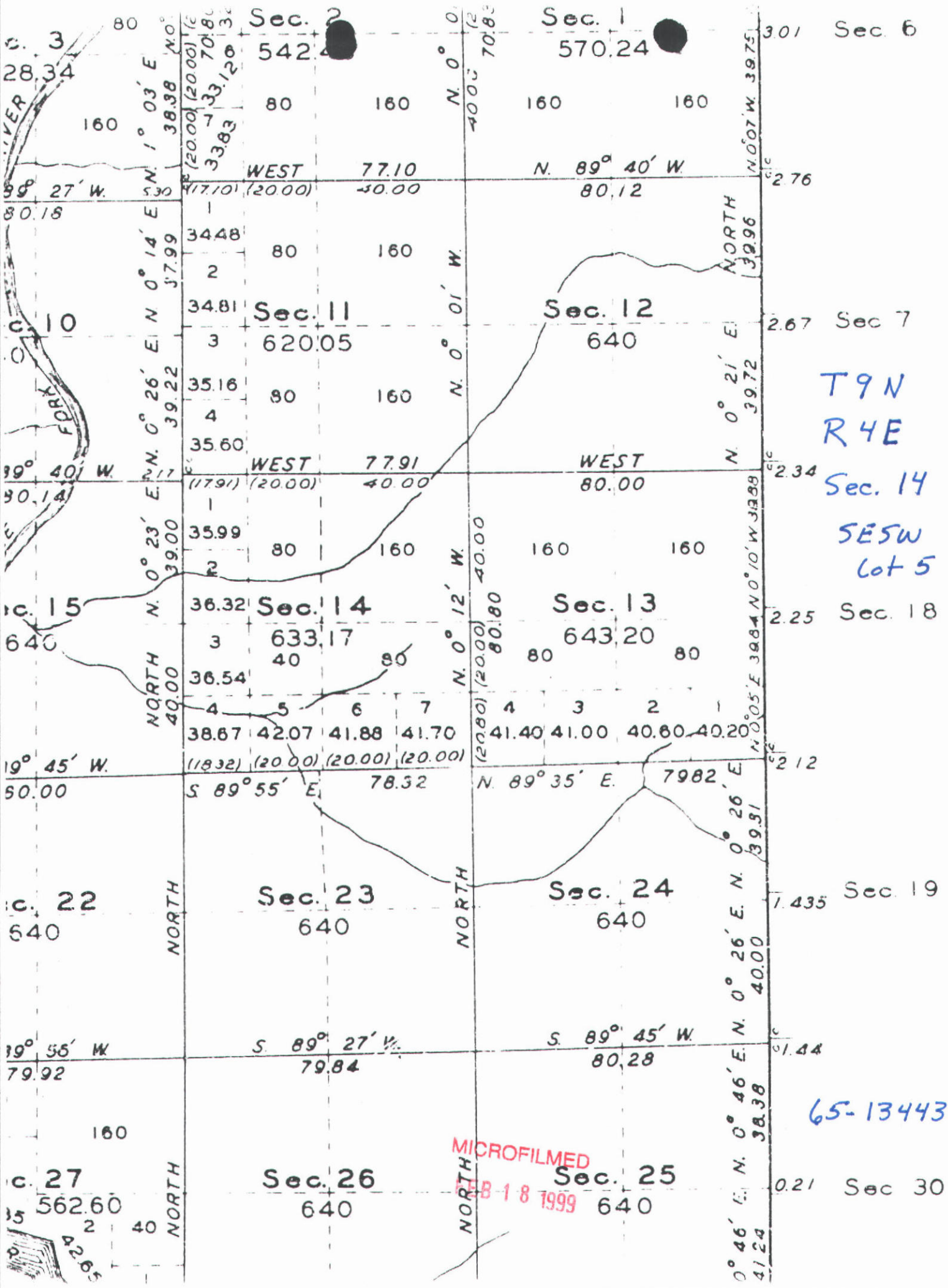
2. Measurements: None

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T9N, R4E, Sec. 14, SE5W, Gw. Lot 5.





T9N
R4E
Sec. 14
SE5W
Lot 5

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FEB-18 1999

65-13443

1 of 2

P/O

Spring

Development



P/O

1000 Gal.

Storage

Tank



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FEB 18 1999

65-13443

2 of 2

P/u
Stock
Trough
and
garden.

View
Looking
West



P/u
yard
irrigation
at
house.

Note hose
on lawn
from
Storage
Tank.



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FEB 18 1999

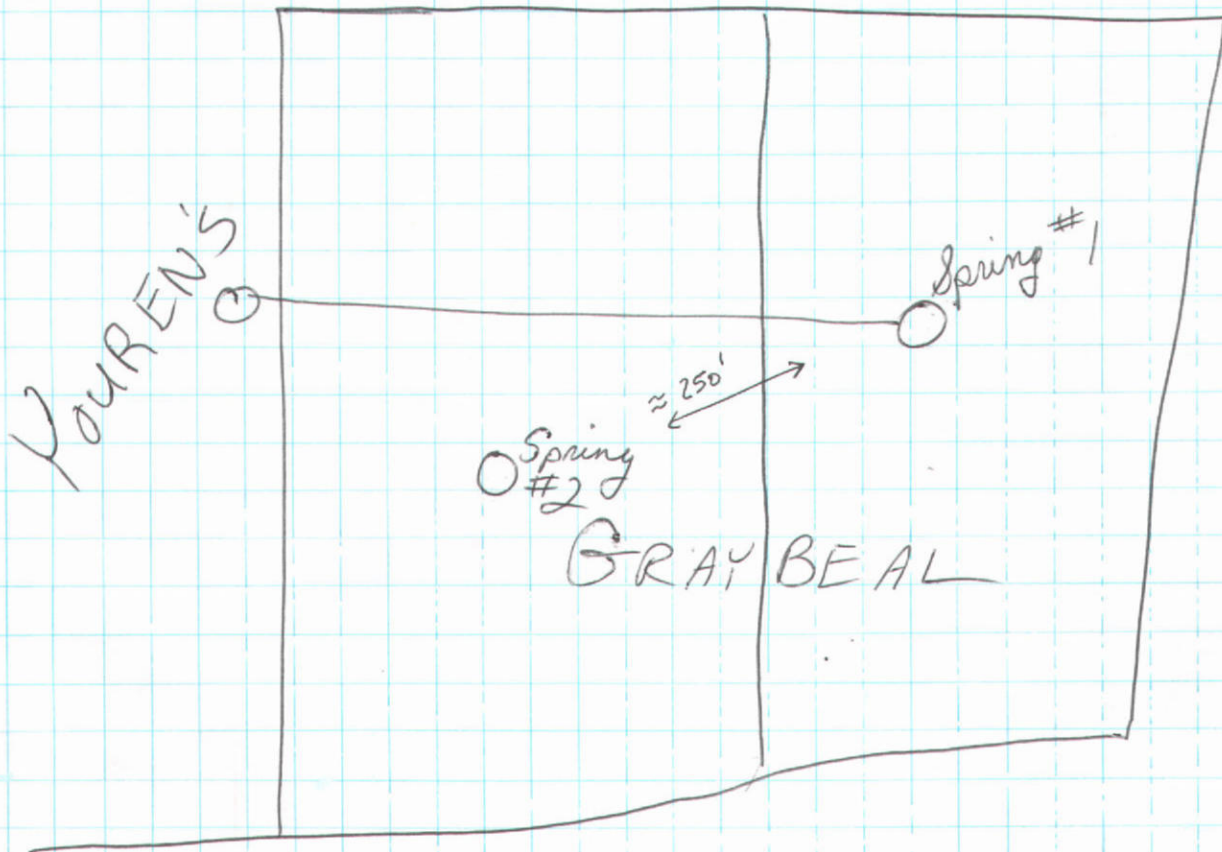
65-13443

Permit # 5-13443

File

Dear Sirs,

The spring, #2 that we the Graybeal's, want to develop is separate from spring #1 that the Youren's have developed and are using. We have contacted both James Youren and Debbie Youren concerning the springs. We also



told the woman whom filed our paperwork about both springs and that we were not filing on #1

Thank You

Gods B. Graybeal

RECEIVED

JUN 14 1993

Department of Water Resources
Western Regional Office

MICROFILMED

DEC 21 1995

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 65-13443

Priority: May 20, 1993

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that JODIE A GRAYBEAL
STEVEN L GRAYBEAL

PO BOX 149

GARDEN VALLEY ID 83622-0149

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 14, 1993; and has submitted Proof of Beneficial Use on January 6, 1998. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

SPRING

tributary to ANDERSON CREEK

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>
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 5 (NESESW), Sec. 14, Township 09N, Range 04E
BOISE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

09N 04W 14 Lot 5 (SESW)

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. The Director retains jurisdiction to limit diversion of water to in-house uses only.
3. The irrigation occurring under this domestic use shall not exceed 1/2 acre and is authorized only in connection with a home.
4. Domestic use is for 1 home.
5. Place of use is located within Lots 1 & 2, Olympic Knoll Subdivision.

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 8TH day of DECEMBER, 1998.

MICROFILMED

Acting for

KARL J. DREHER, Director

FEB 18 1999

STATE OF IDAHO

MICROFILMED
FEB 26 1938

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JAN 06 1998

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 105-13443 Telephone No. (208) 462-3444
2. Name(s) of Permit Holder(s): STEVEN L. & JODIE A. GRAYBEAL
3. Mailing Address: P.O. Box 149 GARDEN VALLEY, ID. 83622
4. Source of Water: SPRING If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: ____ Drilling Permit Number: ____ - ____ - ____
 - b. **OPTIONAL:**
Pump Horsepower: ____ Pressure (psi): ____ Dynamic pumping level (ft): ____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): ____
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: STEVEN L. GRAYBEAL Telephone Number: (208) 462-3444
Address: P.O. Box 149, GARDEN VALLEY, ID. 83622
158 ANDERSON CREEK ROAD
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: Jodie A. Graybeal Date: 01-05-98
(include your title, if on behalf of company or organization)

FEB 26 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13443

Proposed Priority: April 14, 1993

Maximum Diversion Rate:

0.04 CFS

This is to certify, that JODIE A GRAYBEAL

STEVEN L GRAYBEAL

PO BOX 149

GARDEN VALLEY ID 83622-0149

has applied for a permit to appropriate water from:

SPRING

tributary of ANDERSON CREEK

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 5(NESESW), Sec. 14, Township 09N, Range 04E
BOISE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

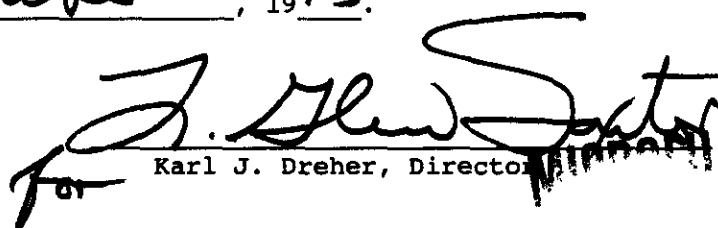
09N 04W 14 Lot 5(ESW)

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1997.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
5. The Director retains jurisdiction to limit diversion of water to in-house uses only.
6. Domestic use is for 1 home.
7. Place of use is located within Lots 1 & 2, Olympic Knoll Subdivision.

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 November, 1995.


for Karl J. Dreher, Director

DEC 21 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 65-13443 IN THE NAME OF) **ORDER DISMISSING**
JODIE A. &/OR STEVEN L. GRAYBEAL) **PROTEST**
_____)

This matter having come before the Idaho Department of Water Resources (Department) pursuant to an Order to Show Cause, the Department makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW and ORDER:

FINDINGS OF FACT

1. On April 14, 1993, Jodie A. &/or Steven L. Graybeal filed with the Department an application to appropriate 0.04 cubic feet per second (cfs) of water from a spring in Boise County. The water is requested to be used for domestic purposes.

2. The application was protested by James E. Youren and Mr. and Mrs. Dusty Youren. The Department set a conference for October 5, 1993. The protestant was sent a certified notice but failed to claim it at the Post Office so the conference was cancelled.

3. On December 22, 1994, the Department sent a letter to the protestants requesting written comments regarding the protests but the protestants refused to provide such comments.

4. On June 15, 1995, The Department sent an Order to Show Cause to the protestants to show why they did not respond to the Department's correspondence. The protestants did not respond.

CONCLUSIONS OF LAW

1. Pursuant to the provisions of the Idaho Code, the Director of the Department of Water Resources is empowered to

RECORDED

DEC 21 1995

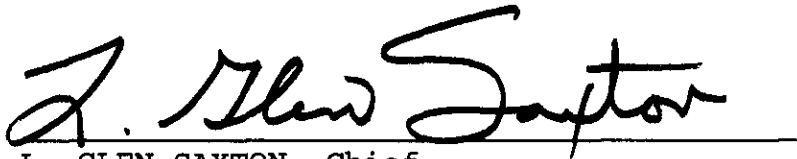
dismiss a protest for which requested information is not received within thirty (30) days.

2. The protestants James E. Youren and Mr. and Mrs. Dusty Youren have failed or refused to respond to requests from the Department to supply necessary information.

ORDER

IT IS HEREBY ORDERED that the protests against approval of Application for Permit No. 65-13443 in the name of Jodie A. &/or Steven L. Graybeal are **DISMISSED**.

DATED this 26th day of September, 1995.

A handwritten signature in cursive script, reading "L. Glen Saxton", written over a horizontal line.

L. GLEN SAXTON, Chief
Water Allocation Bureau

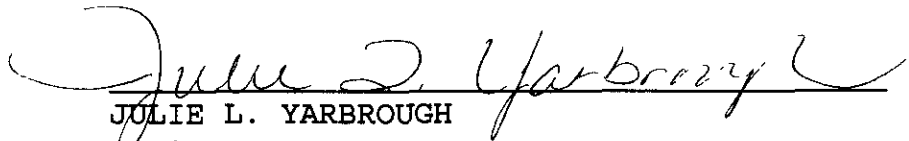
CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 28th day of September, 1995,
I mailed a true and correct copy, postage prepaid, of the foregoing
ORDER DISMISSING PROTEST to the following:

Jodie A. Graybeal
Steven L. Graybeal
P.O. Box 149
Garden Valley, ID 83622

James E. Youren
Garden Valley, ID 83622

Mr. and Mrs. Dusty Youren
HC 76 Box 2681
Garden Valley, ID 83622


JULIE L. YARBROUGH
Senior Secretary

MEMO

DE

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SEP 25 1995

Ident. No. 65-13443

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: JODIE A GRAYBEAL 208-462-3444
Address: PO 149
GARDEN VALLEY ID 83622
AND/OR
Name: STEVEN L GRAYBEAL 208-462-3444
Address: PO 149
GARDEN VALLEY ID 83622

2. Source: SPRING Trib. to: ANDERSON CREEK
* 3. Location of Point of Diversion: 45 NESEW Sec. 14, Township 09N, Range 04E
BOISE 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.
COLLECTION BOX AND PIPELINE
 - 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
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 3 year(s).

8. Place of Use: DOMESTIC

* TWN RGE SEC
09N 04W 14 45 SESW

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DEC 21 1995

* Date entered 4/19/93 6

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

10. Remarks:

Domestic use is for one home.

Place of use also known as Lots 1 & 2, Olympic Knoll Subdivision.

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.

Rich. H. Shepherd
Applicant

Received by CYU Date 4/14/93 Time 440 Preliminary check by ly

Fee \$ 30 Receipted by CYU # W016125 Date 4/14/93

Publication prepared by At At Date 4-28-93 Published in Id. World

Publication approved At Date 5-5-93
6-2-93

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DEC 21 1995

A. UTTER IN. 1907.

Sec. 9

Sec. 16

Sec. 21

Sec. 15
SURVEYED

Sec. 10

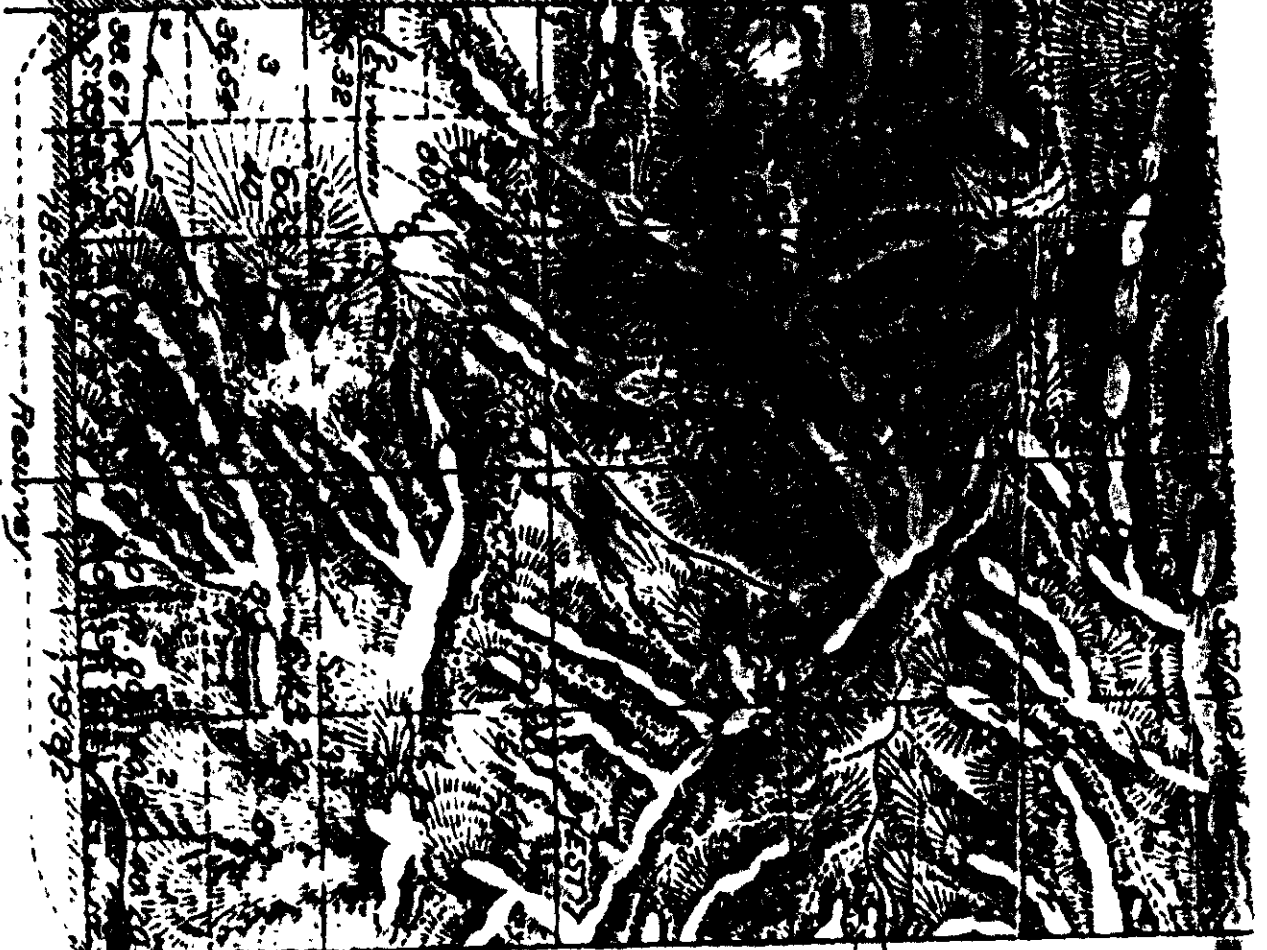
Sec. 22

BY

ALLEN

Retraced
77.0

NORTH 40.00 N. 0.251 E. 30.00 S. 0.251 E. 30.00 N. 0.251 E. 30.00 S. 0.251 E. 30.00 N. 0.251 E. 30.00 S. 0.251 E. 30.00



Sec. 23

Sec. 24

NORTH
Resurvey

DEC 21 1995

65-13443

9N4E Sec 14

R4E

F

582

583

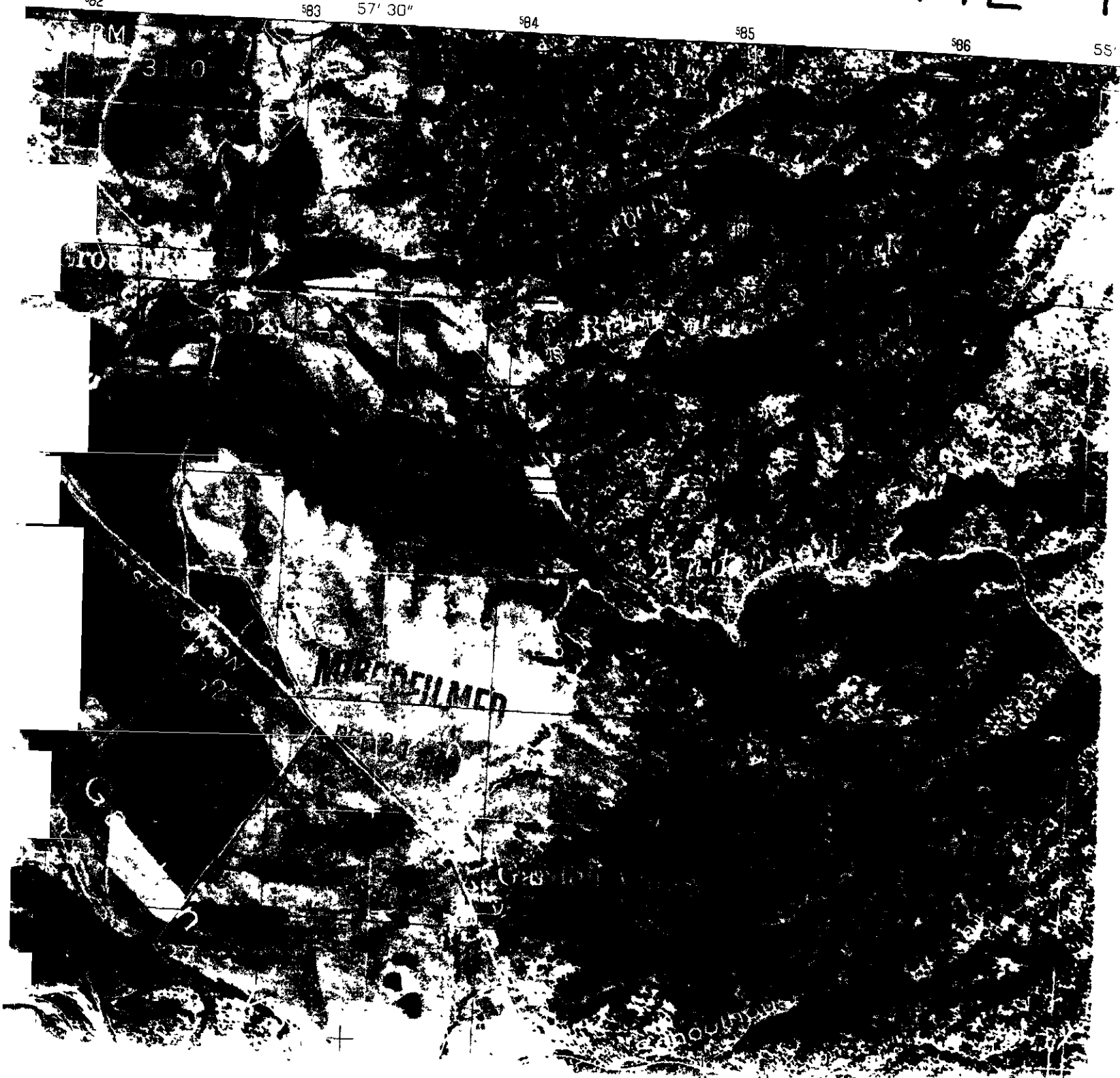
57' 30"

504

585

SRA

55





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

December 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JODIE A GRAYBEAL
STEVEN L GRAYBEAL
PO BOX 149
GARDEN VALLEY ID 83622-0149

RE: WATER RIGHT NO. 65-13443

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.

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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.

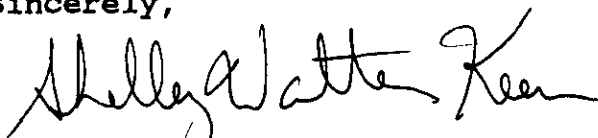
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FEB 18 1999

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

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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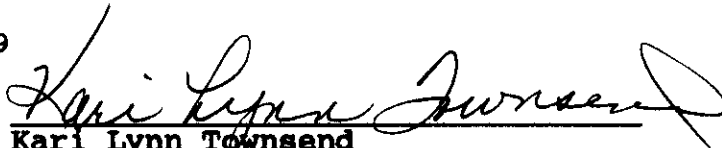
FEB 18 1999

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of December, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 65-13443

JODIE A GRAYBEAL
STEVEN L GRAYBEAL
PO BOX 149
GARDEN VALLEY ID 83622-0149


Kari Lynn Townsend
Secretary

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FEB 18 1999

LICENSE REVIEW CHECKLIST

PERMIT NO 65-13443 DATE 11/30/98 REVIEWER: SHARLA

NAME 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 \$50.00
 Measured _____ cfs
 Theoretical _____ cfs
 Recommended Total Div Rate _____ cfs

WATER USES	<u>OK</u>	Change (P46)		
<u>Dom</u>	<u>.04</u> cfs	<u>.6</u> af	Irrig -	overlap (R58-R61, R62-R65, R66-R69)
	<u>1</u> cfs	<u>1</u> af		supp gw (WB7/065/079)
	<u>1</u> cfs	<u>1</u> af		overlap spec combined rts (W35)
	<u>1</u> cfs	<u>1</u> af		<1acre (W31)
	<u>1</u> cfs	<u>1</u> af	Domestic	(W01/WB5/070/071/075)
TOTALS	<u>1</u> cfs	<u>1</u> 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 spec in house cond

ADD'L CONDITIONS 04 Watermaster Control WD# 65
 _____ GW Measurement/Measuring Device
 _____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes ☒ no SRBA Claim N/A Adjust Memo _____
 Amend letters _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 65-13443

1. Owner: Steven L. & Jodie A. Graybeal Phone No. (208) 462-3444

Current Address: P.O. Box 149, Garden Valley, ID 83622-0149

2. Accompanied by: Steven Graybeal EXAM DATE: 7-15-98

Address: (Same) Phone No. _____

Relationship to Permit Holder: (Same)

3. Source: Spring tributary to Anderson Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None (There is an old well at house - No water right found)
2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	5	NE	SE	SW	14	9N	4E	Boise	Site Visit, Map

2. Place(s) of Use:

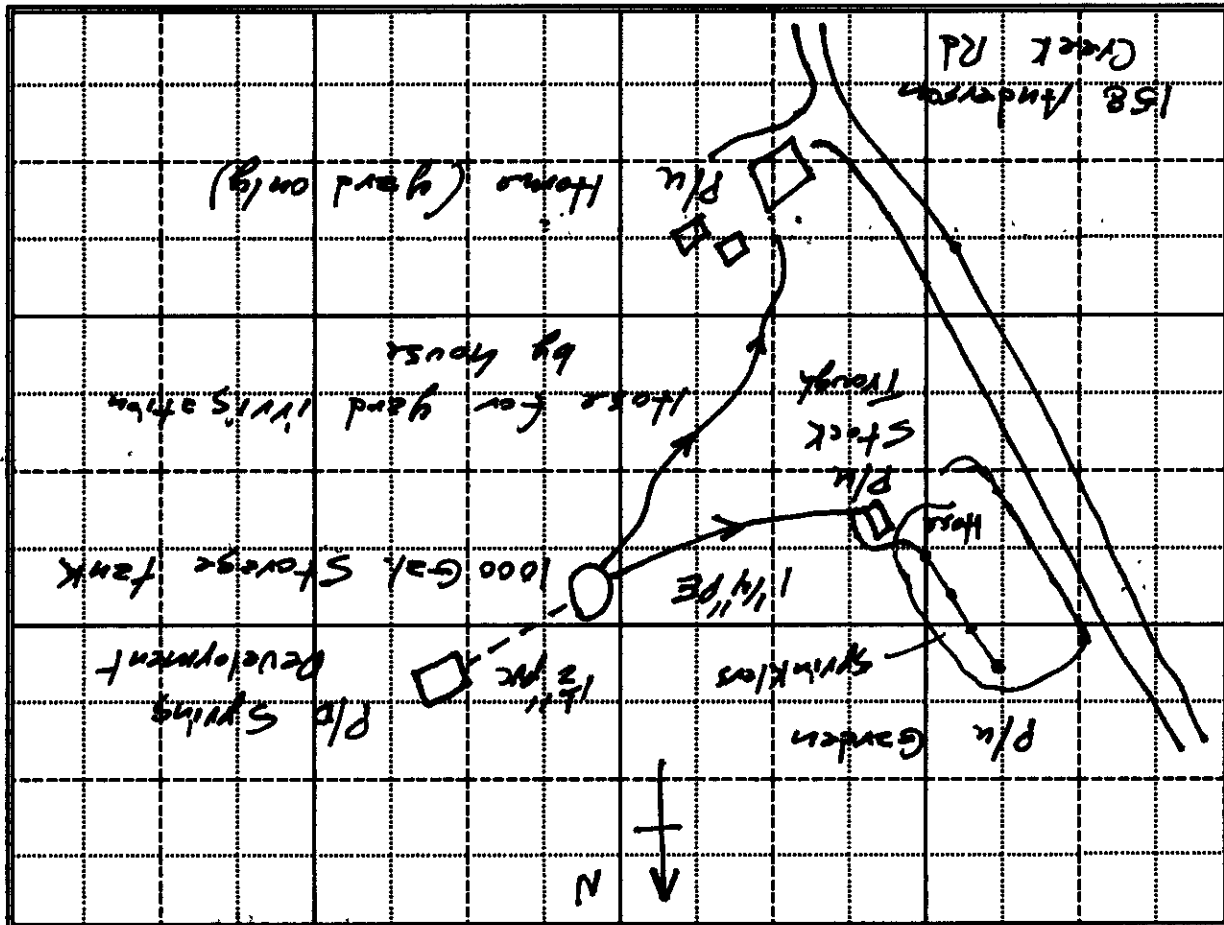
Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	4E	14																	

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



Scale 1" = 100'

☒ 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: None

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E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for domestic use of water from a Spring development at 158 Anderson Creek Rd. The water is used at one stock trough, a garden, and for the yard at the house. The house has an old well that supplies potable water. No water right was found for this well.
2. A $1\frac{1}{2}$ " PVC pipe from the Spring development fills a 1000 Gal. storage tank. From the tank, a $1\frac{1}{4}$ " PE ^{pipe} supplies water to the stock trough and garden. A hose from the tank supplies water to the yard around the house.
3. At the present time, there is no in-house use of the water. The water is only used for irrigation (less than $\frac{1}{2}$ Ac.), and for stock water. (Condition 5)
4. The Spring development is in a horse corral and is an open pit that is accessible to the horses. The water appears to be contaminated, and most likely will never be used in-house as potable water.

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

For Condition 5 -
water is used for
external purposes
only.

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Additional Computation Sheets Attached

Assume $\mathcal{G}$

0.04 cK, 18 Grm

Head Head
GSS April

$$H = H_L + H_e + H_v$$

0.10 45

Q. 40' 10'

$$10' = \left(\frac{psf \cdot loss}{100'} \right) \left(\frac{20'}{1} \right) \left(\frac{34'}{14.7 psf} \right) + 102.14$$

0.10 45

1.2' 10'

0.20 70

4.5' 10'

0.25 112

2.5' 10'

The diversion pipe can deliver more than 0.04 cfs.

1. Volume Calculations for Irrigation: $\sqrt[3]{29}$

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{DB} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

V = Smaller of V_{IR} and V_{DR} =

2. Volume Calculations for Other Uses:

For External Domestic Use only, allow 0.6 A/FM.

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>01/01</u>	<u>12/31</u>	<u>0.04</u>	<u>0.60</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals:			<u>0.04</u>	<u>0.60</u>

2. Recommended Amendments

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

change Condition
5 to External
Use only.

I. AUTHENTICATION

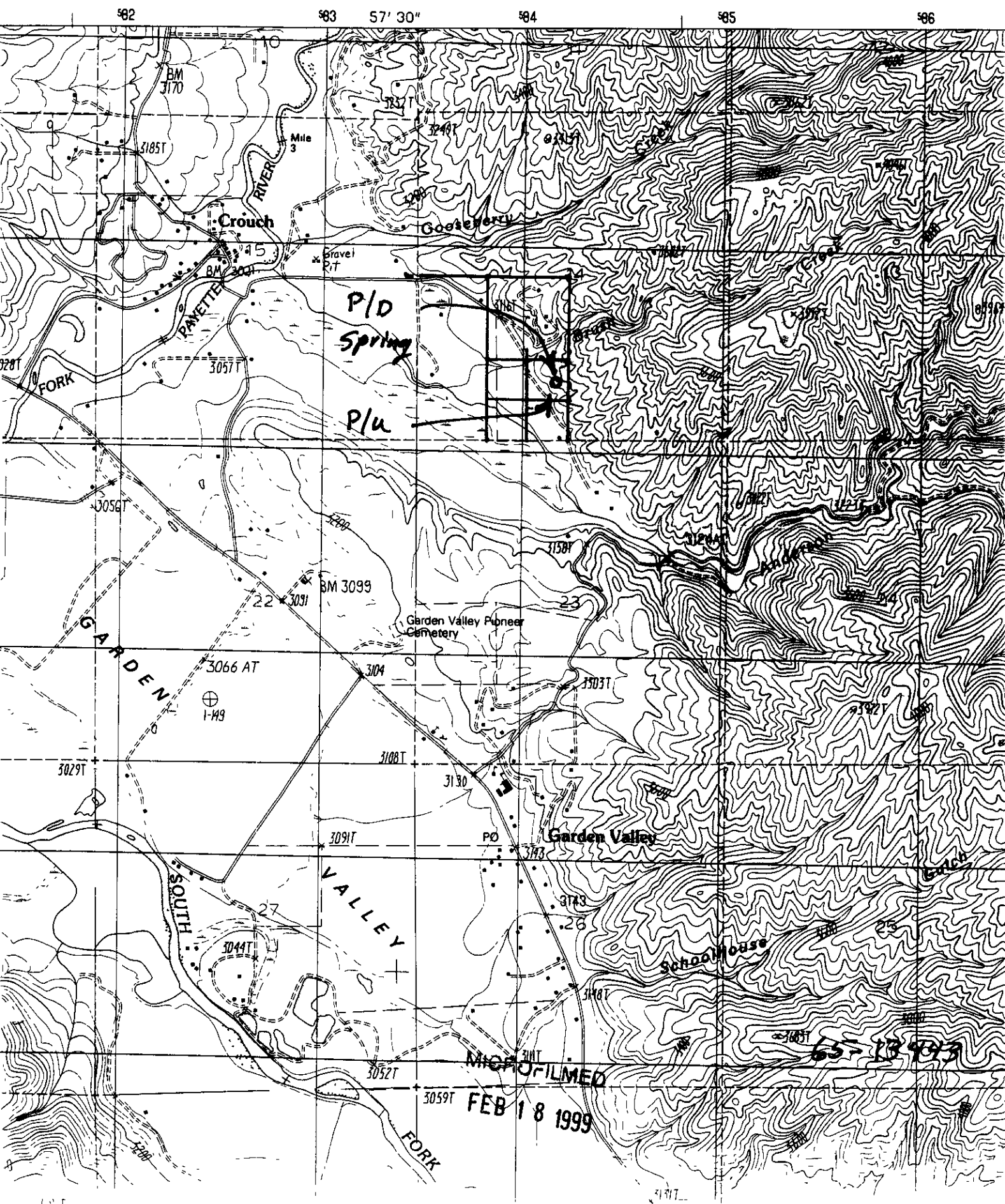
Field Examiner's Name Wasserman Date 11-20-98

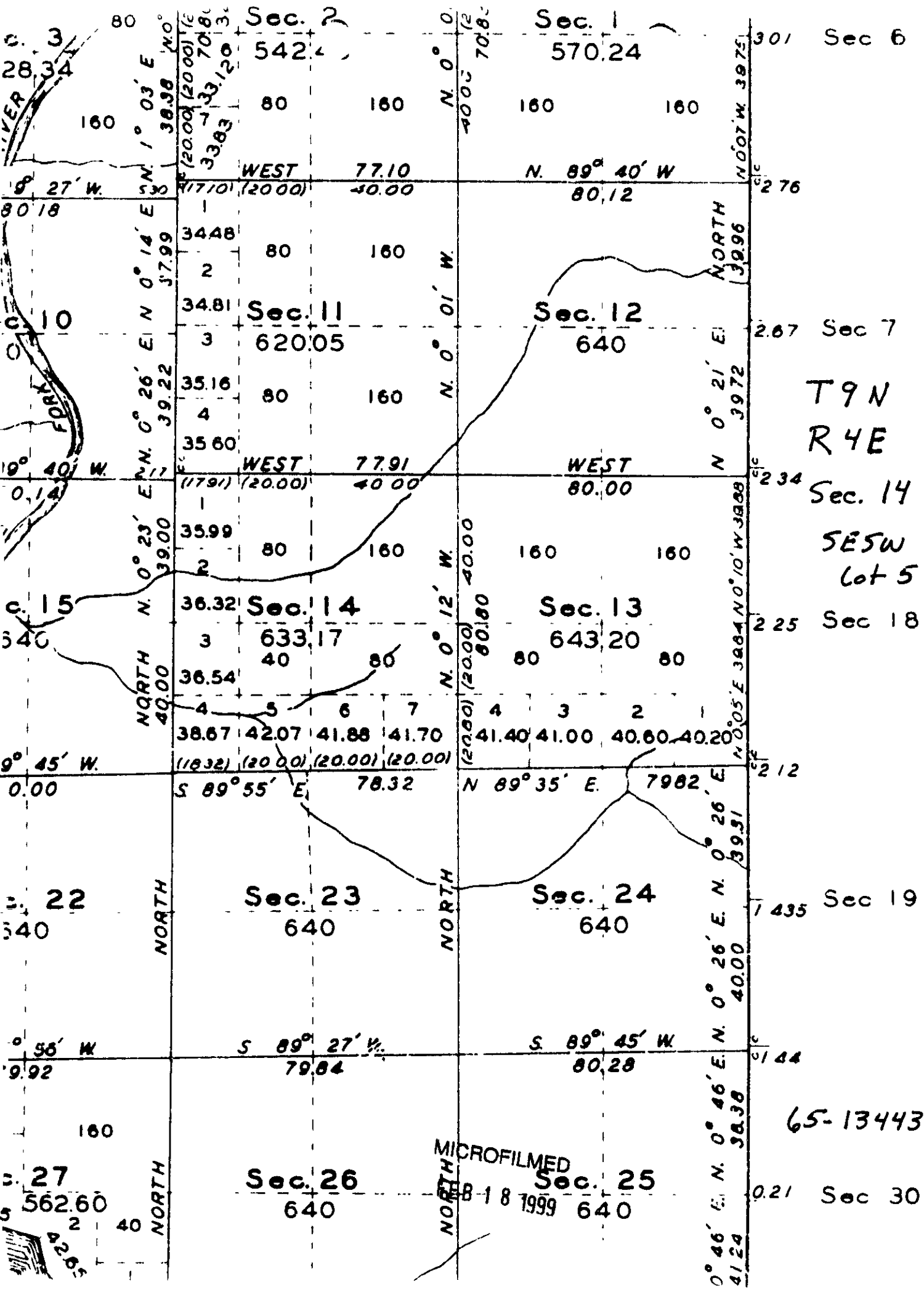
Reviewer _____, Date _____

SEAL

MICROFILMED
FEB 18 1999

R





T9N
R4E
SESW
lot 5

MICROFILMED
B-18-1999

65-13443



1 of 2
P/O
Spring
Development



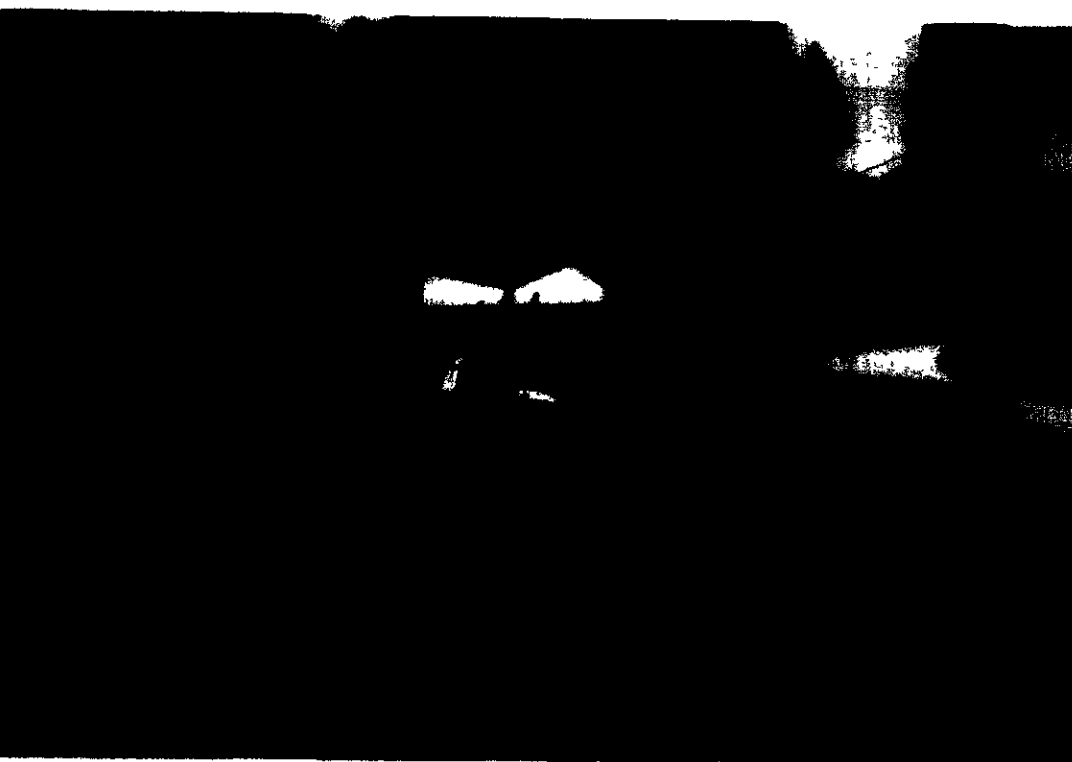
P/O
1000 Gal.
Storage
Tank

MICROFILMED
FEB 18 1999
65-13443

2 of 2

P/u
Stock
Trough
and
garden.

View
Looking
West



P/u
yard
Irrigation
at
house.

Note hose
on lawn
from
Storage
Tank.

MICROFILMED
FEB 18 1999

65-13443

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13443 Reviewed by Jay Date 2-20-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

dom.

yes Address same as permit?

NO Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit _____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?

NO Required?

50- Amount Submitted

☐ Installed?

yes Correct?

☐ Waiver requested?

PRIORITY CALCULATION

Date proof received 1-6-98

Date proof due 12-1-97

No. of days late 36 = 36

Priority Date 4-14-93 + 104

New Priority Date 5-20-93 140

7 5-20-93

DEFICIENCIES OR ACTION ITEMS

Reinstate & advance priority to may 20, 1993.
Proof acceptable

DATA ENTRY

New Address X Proof Made 1-6-98



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

February 24, 1998

Jodie Graybeal
Steven Graybeal
PO Box 149
Garden Valley ID 83622

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 65-13443

Dear Permit Holder:

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

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to May 20, 1993, as provided in Section 42-218a.2, Idaho Code.

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

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

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED
FEB 26 1998

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

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

RECEIVED
JAN 15 1968

December 22, 1997

JODIE A GRAYBEAL
STEVEN L GRAYBEAL
PO BOX 149
GARDEN VALLEY ID 836220149

LAPSE NOTICE

RE: PERMIT NO. 65-13443

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated September 30, 1997. No further construction or additional development is authorized under this permit unless it is reinstated.

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

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

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

MICROFILMED
FEB 26 1998

CERTIFICATION OF MAILING

I hereby certify that on 12/22/97
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



September 30, 1997

JODIE A GRAYBEAL
STEVEN L GRAYBEAL
PO BOX 149
GARDEN VALLEY ID 836220149

PROOF DUE NOTICE

RE: PERMIT NO. 65-13443

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 December 1, 1997. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

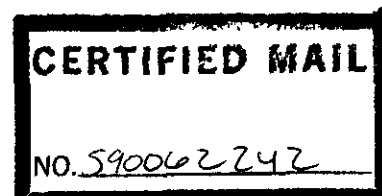
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
FEB 26 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 29, 1995

JODIE A GRAYBEAL
STEVEN L GRAYBEAL
PO BOX 149
GARDEN VALLEY ID 83622-0149

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13443

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
DEC 21 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 65-13443 Name: Granbeal Date: 11/27/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: W016125 Priority: 4/14/93 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: *protest dismissed* - 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. - 01M, 065 (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 is regulated):

Water District (~~dem~~) - 005 (req) WD # 65 <SEE MAP & LISTING>
+ 0.2 cfs - 028 (may report) - 01J (meas dev) - P08
=/- 0.2 cfs - ~~028~~ (may report) - 01H (lock dev) - P01 or No MD
=/+ 5 a. irr. - 028 (may report)
~~In-WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-↑ Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (regulated uses), 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 <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs-P18; 17G (FERC) or 17M (FERC); 18B-P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

W01/1

BENEFICIAL USE DUE:

12-1-1997

COMMENTS:



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

September 28, 1995

RE: In the Matter of Application for Permit No. 65-13443 in the name of Jodie A. &/or Steven L. Graybeal

Dear Interested Parties:

I have enclosed a copy of the **ORDER DISMISSING PROTEST.**

If you have any questions regarding the enclosed order, please feel free to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

cc: IDWR - Region

RECEIVED
DEC 21 1995

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

SEP 25 1995

INITIAL REVIEW BY: 6

DATE: 4/19/93

APPLICATION: 65-13443

Department of Water Resources

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for 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
- ☒ ☐ Diversion within interim protected river area
- ☒ ☐ 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 Supplementar 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:

N/A
DOM
USE

YES NO

In form advertising:

Statewide advertising:

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 May 17, 1993

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Deny

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

26A (Allow 2 y/g)

See below for additional information

Recommended Date or Priority 4/14/1993

Recommended by: DM

Date 9/21/1995

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

BEFORE THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 65-13443 IN THE NAME) ORDER TO SHOW CAUSE
OF STEVEN L. &/OR JODIE GRAYBEAL.)

Whereas, the protestants were asked for written comments regarding the approval of the above-referenced water right application, and

Whereas, the protestants have not complied with this request,

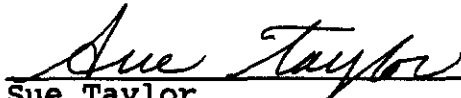
Now, therefore, IT IS HEREBY ORDERED that the protestants, James E. Youren and Mr. & Mrs. Dusty Youren supply, no later than July 3, 1995, any information as to why we should not void these protests. Failure to provide this information will result in voiding of the protests.

Dated this 15th day of June, 1995.


David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

CERTIFICATE OF MAILING

I hereby certify that on the 15th day of June, 1995, I mailed true and correct copies, postage prepaid, of this document to persons listed below:


Sue Taylor
Secretary - Office Coordinator

CERTIFIED MAIL

JAMES E YOUREN
GARDEN VALLEY ID 83622

MR & MRS DUSTY YOUREN
HC 76 BOX 2681
GARDEN VALLEY ID 83622

MAILED

DEC 21 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

December 22, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JAMES E YOUREN
GARDEN VALLEY ID 83622

MR & MRS DUSTY YOUREN
HC 76 BOX 2681
GARDEN VALLEY ID 83622

Re: Protested Application for Permit No. 65-13443 in the Name of
Steven L. &/or Jodie A. Graybeal

Dear Protestants:

In a routine review of our files, I note that we have not yet received any written comment regarding the protests that you filed against the approval of the Graybeal application noted above. I have spoken on the telephone with Mrs. Graybeal, who indicated that perhaps your protests may be able to be withdrawn because the spring that they are developing is different from your spring.

Enclosed please find a withdrawal of protest. If you choose to withdraw your protest in this matter, please complete this document and return it to this office. If you choose not to file a withdrawal, we will setting a conference in this matter shortly after the new year.

Please feel free to call me if you have questions about this process.

Sincerely,

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

DRT/st

Encl: Withdrawal Form

FILED
DEC 21 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 5, 1993

Jodie A. and/or Steven L. Graybeal
P.O. Box 149
Garden Valley, ID 83622

James E. Youren
Garden Valley, ID 83622

Mr. and Mrs. Dusty Youren
HC 76 Box 2681
Garden Valley, ID 83622

*I called 10/25.
No resolution yet.
DK*

RE: Protested Application for Permit No. 65-13443

Dear Interested Parties:

I was advised today that the protestants in this matter, the Yourens, did not pick up their certified mailings last week and thus did not receive timely notice of the conference that was scheduled to be held today. Thus, the conference was canceled.

The purpose of this letter is to attempt to move forward on resolution of this matter in place of rescheduling the conference.

It is my understanding that the Graybeals are filing on a spring that has been identified as Spring No. 2 as described on the enclosed copy of a map that was provided by the Graybeals. Based on this information, would the parties please contact one another and meet at the site of the springs at your convenience, in order to clarify the source that is proposed to be appropriated? If after that meeting there is still a discrepancy, or if either party is unwilling to have such a meeting, please notify me and I will reschedule the conference.

Sincerely,

David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

DEC 21 1993

P 311 578 272



**Receipt for
Certified Mail**

No Insurance Coverage Provided

JAMES E YOUREN

GARDEN VALLEY ID 8

PS Form 3800, June 1991

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	\$ 2.25
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 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 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 if 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

U.S. GPO 1991-302-916

P 423 600 518



**Receipt for
Certified Mail**

No Insurance Coverage Provided

JODIE A &/OR STEVEN L
GRAYBEAL

PO 149

GARDEN VALLEY ID 83622

PS Form 3800, June 1991

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	\$ 2.22
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).**

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

105603-92-B-0226

P 311 578 273



**Receipt for
Certified Mail**

No Insurance Coverage Provided

MR & MRS DUSTY YOUREN

HC 76 BOX 2681

GARDEN VALLEY ID 83622

PS Form 3800, June 1991

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	\$
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).**

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- 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

U S GPO 1991-302-916

Z 206 598 897



**Receipt for
Certified Mail**

No Insurance Coverage Provided

Postage for International Mail

MR & MRS DUSTY YOUREN
HC 76 BOX 2681
GARDEN VALLEY ID 83622

PS Form 3804

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

DEC 21 1985

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

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- 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 if 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

Z 206 598 896



**Receipt for
Certified Mail**

No Insurance Coverage Provided

**JAMES E YOUREN
GARDEN VALLEY ID 83622**

PS Form 3801

Postage	\$
Certified Fee	
Special Delivery	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date and Addressee's Address	
TOTAL Postage & Fees	\$
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 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 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 if 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.

105603-93-B-02-18

Is your RETURN

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

4a Article Number

P 423 600 518

JODIE A &/OR STEVEN L GRAYBEAL
PO 149
GARDEN VALLEY ID 83622

4b Service Type

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

7 Date of Delivery

9-21-93 dep

5. Signature (Addressee)

6. Signature (Agent)

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

Thank you for using Return Receipt Service.

02 01-27-2305
UNITED STATES POSTAL SERVICE



Official Business

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



1993
DEC 21 1995

Print your name, address and ZIP Code here

RECEIVED
SEP 22 1993

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

Department of Water Resources
Western Regional Office

Is your RETURN ADDRESS completed on the reverse side?

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:

MR & MRS DUSTY YODREN
HC 76 BOX 2681
GARDEN VALLEY ID 83622

4a. Article Number

2 206 598 897

4b. Service Type

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

7 Date of Delivery

Jun 6/19/ 95

5. Signature (Addressee)

Dusty Yodren - Dusty Yodren

6. Signature (Agent)

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

Thank you for using Return Receipt Service.

06-13-95 2106

UNITED STATES POSTAL SERVICE

Official Business



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



RECEIVED

JUN 20 1995

WATER RESOURCES
WESTERN REGION

DEC 21 1995

Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY

BOISE, IDAHO 83705

06



Is your RETURN ADDRESS completed on the reverse side?

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

9661 12 998

3 Article Addressed to

MR & MRS DUSTY YOUREN
HC 76 BOX 2681
GARDEN VALLEY ID 83622

4a. Article Number

AP-311 578 273

4b. Service Type

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

7 Date of Delivery

gm 10/25/93

5. Signature (Addressee)

6 Signature (Agent)

Dusty Youren

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

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

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

Consult postmaster for fee

Thank you for using Return Receipt Service.

15-26-9878163Y
UNITED STATES POSTAL SERVICE

Official Business
RECEIVED

OCT 27 1993

**WATER RESOURCES
WESTERN REGION**



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



DEC 21 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?

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

JAMES E YOURS
GARDEN VALLEY ID 83622

4a. Article Number

P 311 578 272

4b Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

10-23-93

5. Signature (Addressee)

6. Signature (Agent)

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

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business

RECEIVED

OCT 26 1993

WATER RESOURCES
WESTERN DISTRICT



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES
PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE

DEC 21 1995



Print your name, address and ZIP Code here

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY
BOISE, IDAHO 83705

IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION

2735 Airport Way

Boise, Idaho 83705-5082

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 65-13443 IN THE)
NAME OF JODIE A. &/OR STEVEN L.)
GRAYBEAL)

NOTICE OF CONFERENCE

*Delayed
Per telecon
10/5/93
(applicant's
had rec'd
notice but
protestants
had not)
Over*

On April 14, 1993, Jodie A. &/or Steven L. Graybeal filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by the James E. Youren &/or Mr. & Mrs. Dusty Youren.

The Department has set the matter of protest for a conference to be held on Tuesday, October 5, 1993, at 2:30 p.m., at the Garden Valley Ranger Station, Garden Valley Idaho 83622. 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 20th day of September, 1993.

David R. Tuthill Jr.

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

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DEC 21 1995

I hereby certify that on the 20th day of September, 1993, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

Certified Mail

JODIE A &/OR STEVEN L GRAYBEAL
PO 149
GARDEN VALLEY ID 83622

JAMES E YOUREN 462-3730
GARDEN VALLEY ID 83622

MR & MRS DUSTY YOUREN 462-3586
HC 76 BOX 2681
GARDEN VALLEY ID 83622

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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

DEC 21 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 by 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.

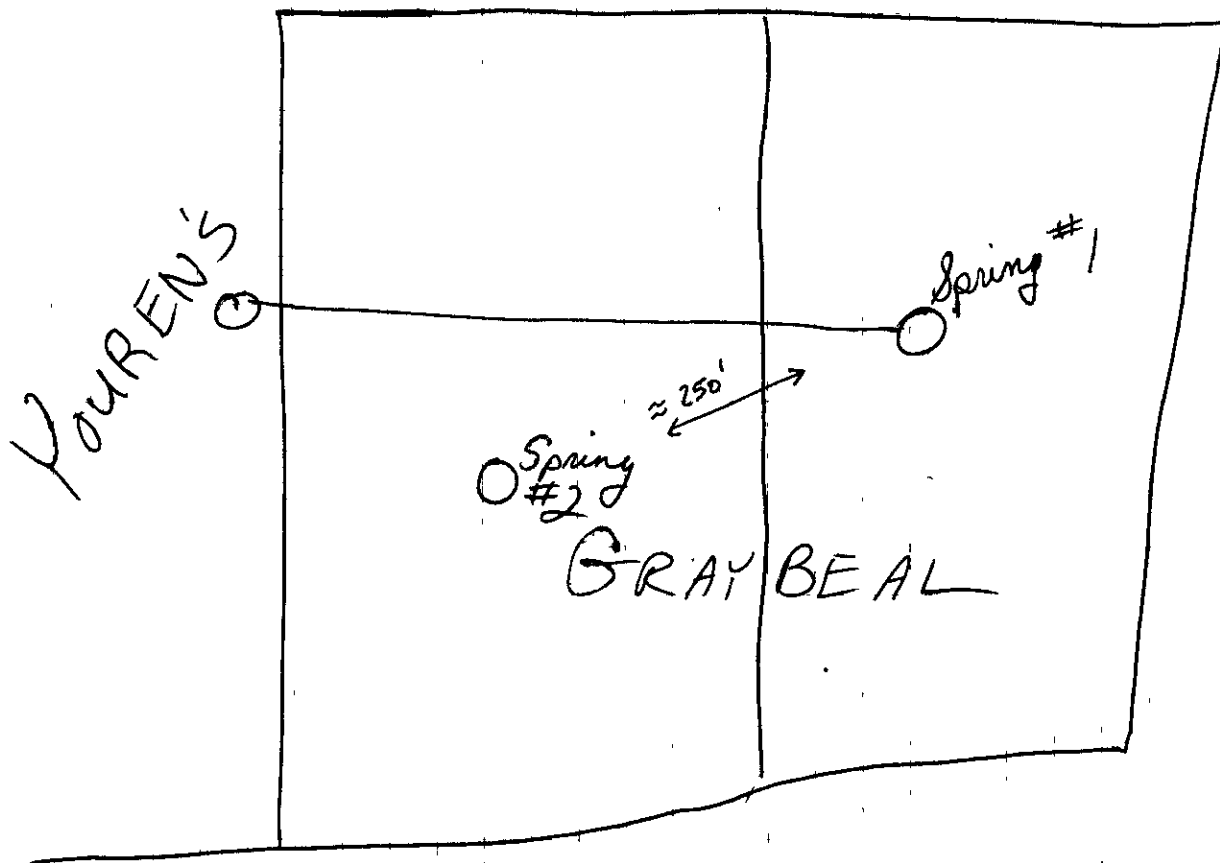
MICROFILMED
DEC 21 1995

Permit # 5-13443

File

Dear Sirs,

The spring, #2 that we the Graybeal's, want to develop is separate from spring #1 that the Youren's have developed and are using. We have contacted both James Youren and Debbie Youren concerning the springs. We also



told the woman whom filed our paperwork about both springs and that we were not filing on #1

Thank You

Gods A. Graybeal
MICROFILMED

RECEIVED

JUN 14 1993

Department of Water Resources
Western Regional Office

DEC 21 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

May 20, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

STEVEN L &/OR JODIE A GRAYBEAL
PO 149
GARDEN VALLEY ID 83622

Re: Application for Permit No. 65-13443

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)

RECORDED

DEC 21 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

May 20, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JAMES E YOUREN
GARDEN VALLEY ID 83622

MR & MRS DUSTY YOUREN
HC 76 BOX 2681
GARDEN VALLEY ID 83622

Re: Application for Permit No. 65-13443 in the Name of Steven
L. &/or Jodie A. Graybeal

Dear Protestants:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. 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 or 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?

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

Sincerely,

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

DEC 21 1995

RECEIVED

MAY 18 1993

May 14, 1993

Department of Water Resources
Western Regional Office

David Cathill
Dept. of Water Resources

This is letter of protest concerning the water rights filed by Steven and Jodee Graybeal water right # 65-13443 a spring that has been the domestic water to the house we live in since it was build in the 1920. Graybeals knew when they bought the property they are on now that no water rights existed to the spring. The spring is small and we have to use our water very conservatively. This letter follows a phone call we made to the Water Resource Board Wednesday May 12th 1993. Again the water right # 65-13443 a tributary to Anderson Creek. Garden Valley Idaho

Mr. and Mrs. Dusty Youren
HC 76 Box 2681
Garden Valley, ID 83622

208-462-3586

DEC 21 1995

RECEIVED

MAY 17 1993

Department of Water Resources
Western Regional Office

May 17 1993

R. Keith Nigginson Director of Water Resources

I am protesting the filing on spring water
in Lot 5 Sec 14 T 09N R 04E in Boise county

I have filed on this spring & small creek
and have been in possession of this property
for over 20 years and it is the only water for the
house and sometimes it is not even sufficient for
that purpose. I sold off this piece of property
originally and retained all water rights

James E Yarew 65-5540
Garden Valley, Idaho
83622

MICROFILMED

DEC 21 1995

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-12011

CHESNUT, MICHAEL
CHESNUT, TAWNA
HC33 BOX 2155
BOISE, ID 83706

Source: GROUNDWATER

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

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

Date Filed: 4/26/1993

In: BOISE County
T04N R04E S30 SWNE

63-12012

COOK, EDWARD C
COOK, CAROLE
HC BOX 4138
BOISE, ID 83706

Source: SPRINGS Tributary: CLEAR CREEK

Diversion Pt: NWSWNE Sec 32 T 05N R 04E in BOISE County.

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

Date Filed: 4/27/1993

In: BOISE County
T05N R04E S32 SWNE

63-12013

THIEBERT, CORINNE
614 BOISE HILLS DR
BOISE, ID 83702

Source: SPRINGS Tributary: MORES CREEK

Diversion Pt: SWSWSE Sec 24 T 05N R 04E in BOISE County.
NWNWNE Sec 26 T 05N R 04E in BOISE County.

Use: DOMESTIC (.020 CFS)
Total Diversion: (.020 CFS)

Date Filed: 4/27/1993

In: BOISE County
T05N R04E S24 SWSE

65-13443

GRAYBEAL, JODIE A
GRAYBEAL, STEVEN L
PO 149
GARDEN VALLEY, ID 83622

Source: SPRING Tributary: ANDERSON CREEK

Diversion Pt: LOT 5 (NESESW) Sec 14 T 09N R 04E in BOISE County.

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

Date Filed: 4/14/1993

In: BOISE County
T09N R04W S14 Lot 5 (SESW)

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MAY 17, 1993.

R. KEITH HIGGINSON, Director

Published in The Idaho World May 5 and 12, 1993.

DEC 21 1995

65-13443

GRAYBEAL, JODIE A
GRAYBEAL, STEVEN L
PO 149
GARDEN VALLEY, ID 83622

Source: SPRING

Tributary: ANDERSON CREEK

Diversion Pt: LOT 5 (NESESW) Sec 14 T 09N R 04E in BOISE County.

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

Date Filed: 4/14/1993

In: BOISE County
T09N R04W S14 Lot 5 (SESW)

MIDGLEY

DEC 21 1995