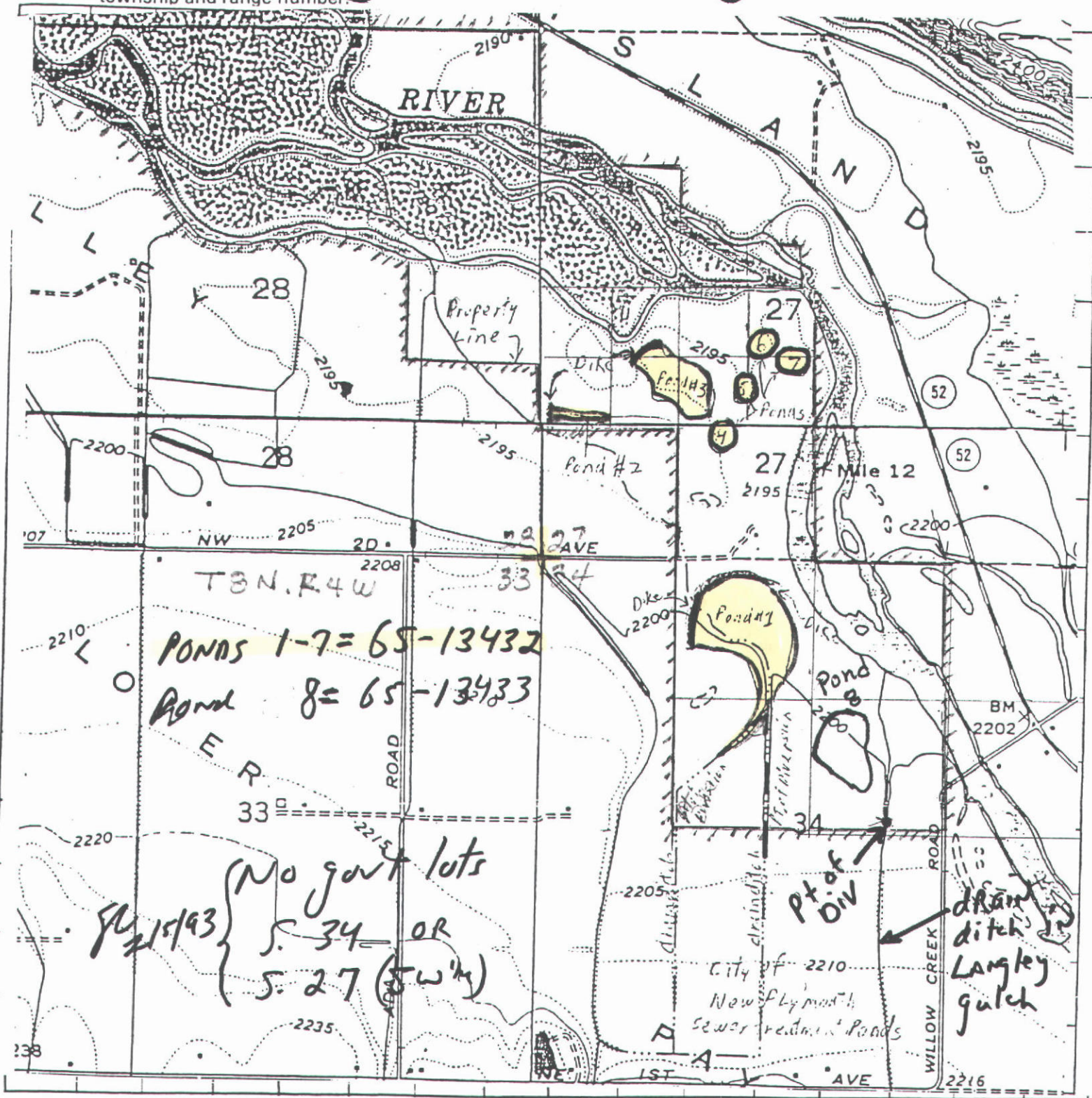


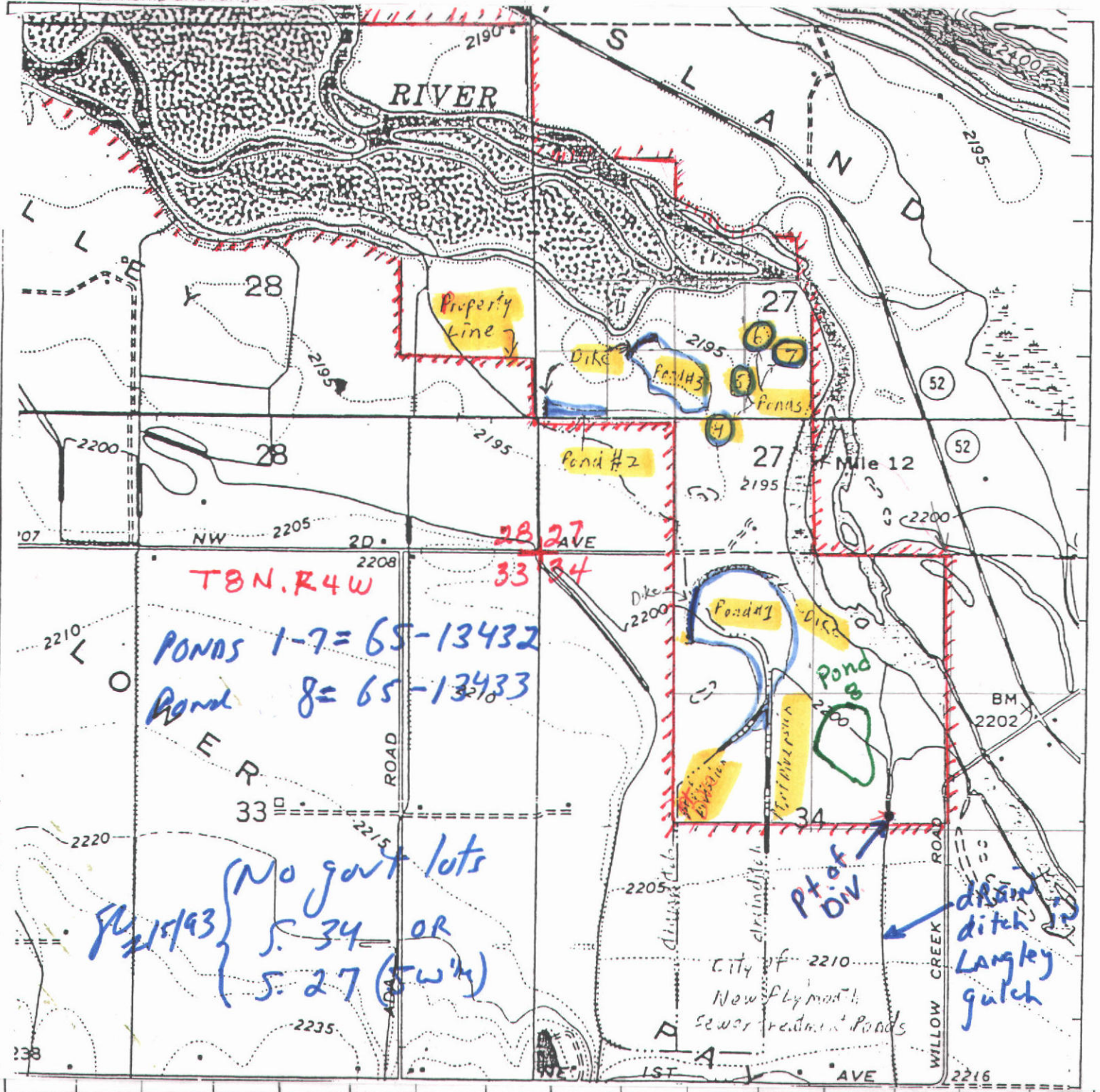
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number



4" = 1 mile

JAN 20 1994

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

4" = 1 mile

Staney Yablonsky
(Applicant)

JAN 20 1994

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Application For Water Rights
TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Viola Olsen, being

duly sworn, deposes and says:

That he is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
Feb 17, 19 93 and ending with the issue
of Feb 24, 19 93.

STATE OF IDAHO
COUNTY OF

On this 25 day of Feb. in the year of 1993, before me,
a Notary Public, personally appeared Viola Olsen
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Michael J. Rhinehart
Notary Public for Idaho

Residing at Idaho

My commission expires: 12-1-98

Copy of Notice
(First Copy)

NOTICE OF APPLICATION FOR WATER RIGHTS

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

65-13432 ✓

STATE OF IDAHO
DEPT OF FISH & GAME
600 S WALNUT
BOISE, ID 83707

Source: PONDS

Tributary: PAYETTE RIVER

Source: WASTE WATER

Tributary: PAYETTE RIVER

Source: SPRINGS

Tributary: PAYETTE RIVER

Diversion Pt: NENESW Sec 27 T 08N R 04W in PAY-
ETTE County.

SWNESW Sec 27 T 08N R 04W in PAYETTE County.

SENESW Sec 27 T 08N R 04W in PAYETTE County.

NENWSW Sec 27 T 08N R 04W in PAYETTE County.

SWNWSW Sec 27 T 08N R 04W in PAYETTE County.

SENWSW Sec 27 T 08N R 04W in PAYETTE County.

NWSESW Sec 27 T 08N R 04W in PAYETTE County.

NENW Sec 34 T 08N R 04W in PAYETTE County.

Use: WILDLIFE STORAGE
Total Diversion:

(28.10 AF)
(28.10 AF)

Date Filed: 12/14/1992

In: PAYETTE County
T08N R04W S27 NESW NWSW SESW
S34 NENW SENW

The permit(s) will be subject to all prior water rights.
Protests must be filed with the Director, Dept. of
Water Resources, Western Region, 2735 Airport
Way, Boise, Idaho 83705 on or before March 8,
1993.

R. Keith Higginson, Director
Feb. 17, 24

No. 137

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 35

Number of Insertions two

35 Lines @ .90 ... \$ 31.50

35 Lines @ .72 ... \$ 25.20

TOTAL COST
WILL BE \$ 56.70

RECEIVED

MAR 3 1993

Department of Water Resources
Western Regional Office

JAN 20 1994

No. 137

STATE OF IDAHO

Amt. of Fee \$ 100.00
 Date 4/25/94
 Receipt No. C030146
 Received by dw

DEPARTMENT OF WATER RESOURCES
 PROOF OF BENEFICIAL USE

RECEIVED
 APR 25 1994

Department of Water Resources

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

- Permit No. 65-13432 Telephone No. 887-6229
- Name(s) of Permit Holder(s): Idaho Dept of Fish & Game
- Post Office Address: 3101 South Power Line Rd. Nampa ID
- Source of Water: Ponds; waste water springs Tributaries of Payette River ⁸³⁶⁸⁶
 - If ground water, well driller's name: N/A Date drilled: N/A
 - Pump horsepower: N/A Pressure (psi): N/A Dynamic pumping level (ft.): N/A
- Extent of Use:

Domestic _____ (No. of households)	Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock)	Other <u>Wildlife storage</u>
<u>for water fowl production</u>	
- Total rate and/or volume for which proof is submitted _____ cfs 88.1 acre/feet
- Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No ☐ Installed? Yes ☒ No ☐

OR

Flow Measurement Port: Required? Yes ☒ No ☐ Installed? Yes ☒ No ☐
- Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)
- Person to contact to accompany the Department representative during the field examination:

Tim Shelton 208-642-9446
 Name Telephone No.

2038 Center Ave Payette ID. 83661
 Address
- The above information 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.

4/18/94
 Date

Tim Shelton
 Signature (and title if on behalf of a company or organization)

WATER RESOURCES

JUL 01 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13432

Proposed Priority: December 14, 1992

Maximum Storage Volume:

28.1 AF

This is to certify, that **STATE OF IDAHO**
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 837200025

has applied for a permit to appropriate water from:

PONDS	tributary of	PAYETTE RIVER
WASTE WATER	tributary of	PAYETTE RIVER
SPRINGS	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>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		28.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NENESW , Sec. 27, Township 08N, Range 04W
SWNESW , Sec. 27, Township 08N, Range 04W
SENESW , Sec. 27, Township 08N, Range 04W
NENWSW , Sec. 27, Township 08N, Range 04W
SWNWSW , Sec. 27, Township 08N, Range 04W
SENWSW , Sec. 27, Township 08N, Range 04W
NWSESW , Sec. 27, Township 08N, Range 04W
NENW , Sec. 34, Township 08N, Range 04W
PAYETTE County

PLACE OF USE: WILDLIFE STORAGE
TWN RGE SEC

08N 04W 27	NESW	NWSW	SESW
------------	------	------	------

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 1994.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
4. Wildlife storage is for waterfowl production areas.
5. This permit authorizes an annual volume of water to fill the ponds and the amount required to replace losses through evaporation.

RECEIVED

JAN 20 1994

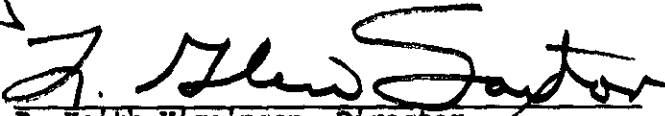
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13432

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

18th day of January, 1994.


R. Keith Higginson, Director

for



JAN 20 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: IDAHO DEPT OF FISH AND GAME 208-334-3700
Address: 600 S WALNUT
PO BOX 25
BOISE ID 83707

2. Source: PONDS Trib. to: PAYETTE RIVER
WASTE WATER PAYETTE RIVER
SPRINGS PAYETTE RIVER

3. Location of Point of Diversion: NENESW Sec. 27, Township 08N, Range 04W
SWNESW Sec. 27, Township 08N, Range 04W
SENESW Sec. 27, Township 08N, Range 04W
NENWSW Sec. 27, Township 08N, Range 04W
SWNWSW Sec. 27, Township 08N, Range 04W
SENWSW Sec. 27, Township 08N, Range 04W
NWSESW Sec. 27, Township 08N, Range 04W
NENW Sec. 34, Township 08N, Range 04W
PAYETTE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
WILDLIFE STORAGE	01/01	12/31			28.10

5. Total quantity to be appropriated is:
CFS (and/or) 28.10 AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
7 PONDS, ONSTREAM STORAGE, SAME SYSTEM AS 65-12828
- Height of storage dam 6 feet; active reservoir capacity 90.5 acre-feet; total reservoir capacity 90.5 acre-feet; period of year when water will be diverted to storage: 1/1 to 12/31 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 1 year(s).

JAN 20 1994

* Capacity per 1989 exam of 65-12828 ; covered by multiple rights with this new filing.

SL 2/5/93

8. Place of Use: WILDLIFE STORAGE

TWN RGE SEC

08N 04W 27
34

NESW
NENW

NWSW
SENW

SESW

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:

~~Ponds are~~ for waterfowl production areas.
Wildlife storage is

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.

See original for signature
Applicant

Received by MM Date 12/14/92 Time 2:41 Preliminary check by JL

** Fee \$ 45 75.00 Received by JL #W015737 Date 12/14/1992

Publication prepared by GG Date 2-10-93 Published in Independent Enterprise
2/18 & 2/25/93

Publication approved AT Date 3-22-93

— SEE COMMENTS —

MINOR REVISION

JAN 20 1994

* Database updated 2/5/93

** \$75 fee paid for 2 original applications, 1 for \$45 & 1 for \$30.
The \$45 fee is applied to split filing of 1 application:
65-13432 @ \$45, 65-13433 @ \$45, total is \$45 (no
additional fee).

The \$30 fee is applied to appl. 65-13434.

Sent memo to Debbie Allen 2/18/93 to correct receipt.

— JL

Comments: Date: 2/ 5/1993 User-ID: LESTER

Subject:

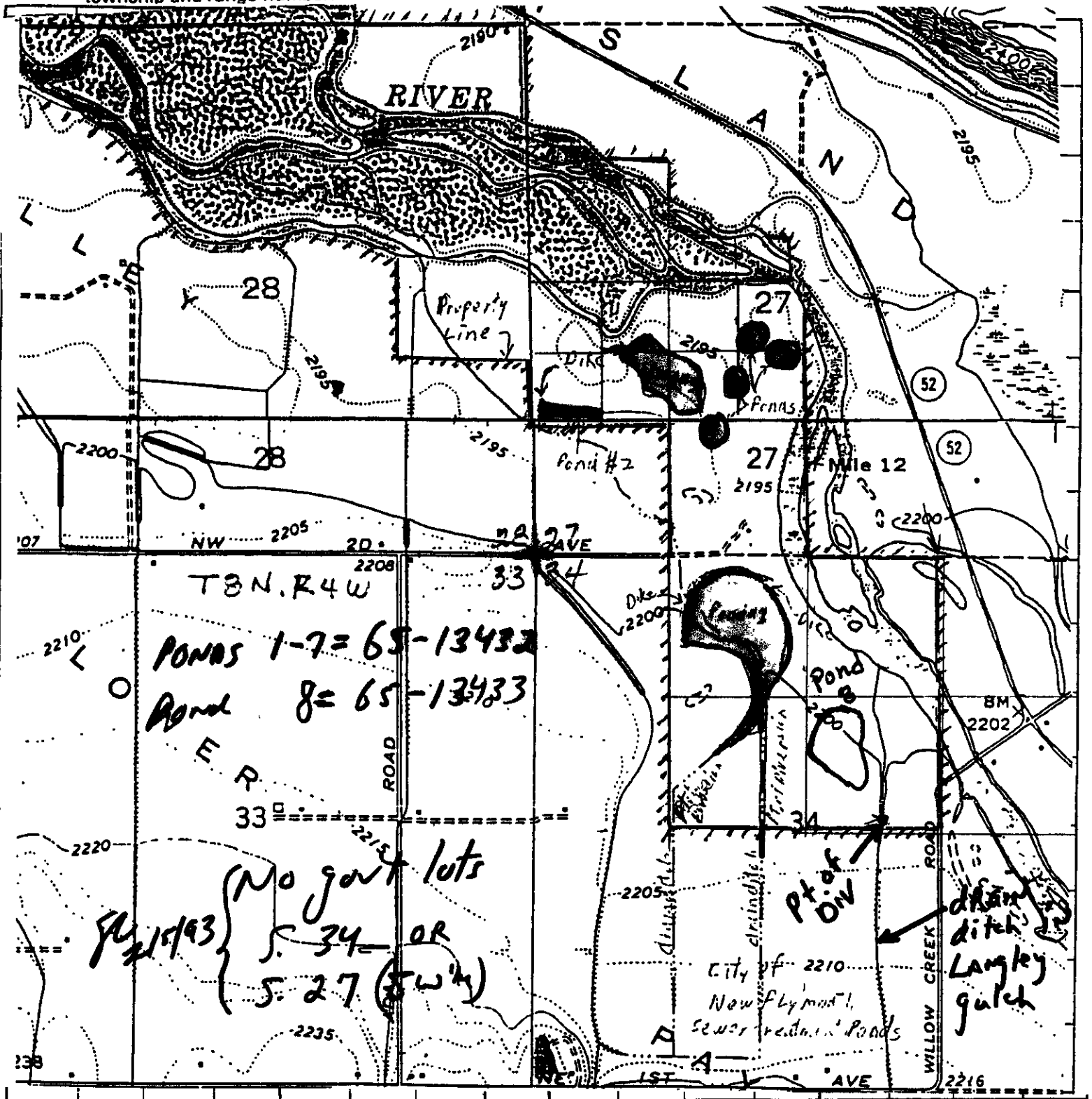
SPLIT FILING DUE TO MORATORIUM

The original application received on 12/14/92 was for 8 ponds for 40.1 af. Permit 65-12828 was examined in 1989 and found a 90.5 af storage system for these ponds. That permit allowed 62.4 af. The ponds in use by 11/87 and thus possibly exempted from moratorium covered 28.1 af in addition to the 62.4 in 65-12828. An added 12 af for pond 8 was developed after 11/87 and thus is not exempt from the moratorium. Therefore, the original application is split into 65-13432 to be advertised and processed and covering ponds 1 through 7. Sources are ponds (since existing when application filed), waste water for dikes on ditches, and springs for water in/around pond areas. All storage is on-stream. The other part of the original is application 65-13433 for pond 8, a 12 af pond that covers more than 1/2 acre area and thus is held due to moratorium. No additional fee needed since split results from moratorium issues. Appl. 65-13433 uses same diversion as 65-00490 which is an irrigation right.

MISSOURI

JAN 20 1994

13. Map of proposed project: clearly the proposed point of diversion, place of use, section number, township and range number:



4" = 1 mile

JAN 20 1994

RECEIVED

DEC 14 1992

Department of Water Resources
Western Regional Office

Form 202
6/85

Ident No _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1 Name of applicant Idaho Department of Fish & Game Phone 334-3700

Post office address 600 S. Walnut, P.O. Box 25, Boise, Idaho 83707

2 Source of water supply Springs & waste water which is a tributary of Payette River

3 Location of point of diversion is SW 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____

Sec 34 Township 08N Range 04W B.M. PAYETTE County; additional
points of diversion if any: NESW, NWSW, SEC 27; NENW, SEC 34, T8N, R4W

4 Water will be used for the following purposes:

Amount 40.1 AF for diversion to storage purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 28.1 40.1 AF for wildlife storage purposes from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5 Total quantity to be appropriated is (a) _____ and/or (b) 40.1 28.1
cubic feet per second acre feet per annum

6. Proposed diverting works.

a. Description of ditches, flumes, pumps, headgates, etc There are eight major ponds. Ponds number 1, 2, and 3 were built by lowhead dams across a drain ditch. Pond number 8 is a lowhead dike; water diverted from drain by existing structures and irrigation ditch. The remaining ponds were developed by excavated gravel ponds.

b. Height of storage dam < 10' feet; active reservoir capacity 40.1 28.1 90.5 acre-feet, total reservoir capacity 40.1 28.1 90.5 acre-feet, period of year when water will be diverted to storage January 1 to December 31 inclusive.

c Proposed well diameter is N/A inches; proposed depth of well is _____

d Is ground water with a temperature of greater than 90°F being sought? No JAN 20 1994

7 Time required for the completion of the works and application of the water to the proposed beneficial use is

1 years (minimum 1 year).

* per permit of 65-12828 12 1989

—ORIGINAL—

Remove pond 8, goes on new

appl. for

65-13432

65-13433

8 Description of proposed use (irrigation only, go to item 9)

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock _____
- c. Municipal; show name of municipality _____
- d. Domestic; show number of households _____
- e. Other, describe fully Ponds are used to supply production areas for waterfowl.

Description of place of use

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below See instructions for standard symbols.

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8N	4W	34			X		W			W									
		27									W	W		W					

Total number of acres to be irrigated _____

10 Describe any other water rights used for the same purposes as described above 65-12828

- 11 a. Who owns the property at the point of diversion? Department of Fish and Game
- b. Who owns the land to be irrigated or place of use? Department of Fish and Game
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. N/A

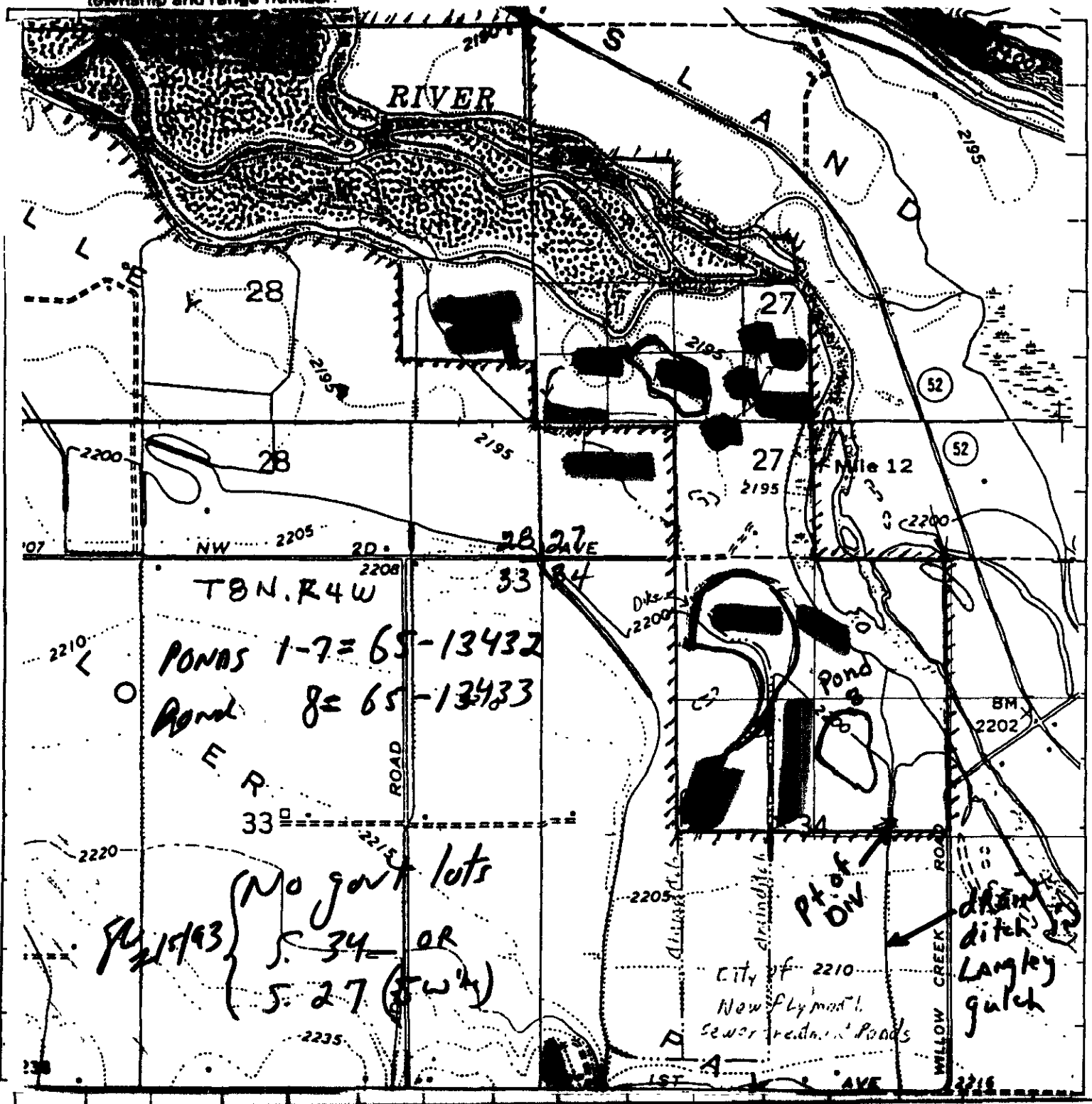
12. Remarks: Permit #65-12828 permits 62.4 AF of storage, however field exam indicates a storage capacity of 90.5 AF. A difference of 28.1 AF plus an additional 12 AF in a new pond constructed since field exam (6-6-89), equals total 40.1 AF.

Comments

pond 8, new pool
MISSOURI

JAN 20 1994

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

4" = 1 mile

Stanley T. H. H. H.
 (Applicant)

JAN 20 1994

Received by MM Date 1-14-92 Time 2:46pm Prelim check by SL
Fee \$ 45⁰⁰ Received by SL # W015737 Date 12/14/92
Publication prepared by SL Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No _____, and said application is hereby _____.

1 Approval of said application is subject to the following limitations and conditions.

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 _____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other

MINISTER

JAN 20 1994

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Copy of Notice
(First Copy)

Application For Water Rights
TITLE OF PUBLICATION

SPONSOR OF PLAINTIFF
Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Viola Olsen, being

duly sworn, deposes and says:

That he is the principal clerk of
THE INDEPENDENT ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
Feb 17, 1993 and ending with the issue
of Feb 24, 1993.

STATE OF IDAHO
COUNTY OF

On this 25 day of Feb. in the year of 1993, before me,
a Notary Public, personally appeared Viola Olsen
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Michael D. Rhinehart
Notary Public for Idaho

Residing at Frutkin

My commission expires: 12-1-98

STATEMENT
Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 35

Number of Insertions two

35 Lines @ 90 . . . : 31.50

35 Lines @ 72 . . . : 25.20

TOTAL COST
WILL BE : 56.70

RECEIVED

MAR 3 1993

Department of Water Resources
Western Regional Office

JAN 20 1994

Nº 137

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 65-13432

Reviewed by [Signature]

Date 5-4-94

GENERAL CONSIDERATIONS

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

TYPES OF USE

wildlife storage

Correct Uses? yes

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?
100.00 Amount Submitted
yes Correct?

MEASURING DEVICE

☐ Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

Date proof received			
Date proof due		-	
No. of days late		=	
Priority Date		+	
New Priority Date			

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____

Proof Made 4-25-94

May 5, 1994

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 837200025

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13432

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.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

JUL 01 1994



IDAHO FISH & GAME

600 South Walnut
P.O. Box 25
Boise, ID 83707-0025

April 21, 1994

RECEIVED
APR 25 1994
Department of Water Resources

Mr. Jim Johnson
Water Rights Supervisor
Idaho Department of Water Resources
1301 North Orchard Street
Boise, ID 83706

RE: Proof of beneficial use for permit no. 65-13432

Dear Mr. Johnson:

I have enclosed the completed proof of beneficial use form and a check (#152641) for the above-referenced water right permit. If there are questions regarding the submittal of this form, please contact me at 334-2597 or Tim Shelton at 642-9446.

Sincerely,

Cindy Robertson

Cindy Robertson
Staff Biologist

CR:alb

cc: Tim Shelton, Southwest Region
Dale Turnipseed, Southwest Region

Enclosure

Cecil D. Andrus / Governor
Jerry M. Conley / Director

Equal Opportunity Employer



RECEIVED
JUL 01 1994

February 28, 1994

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 837200025

PROOF DUE NOTICE

RE: PERMIT NO. 65-13432

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1994. (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.

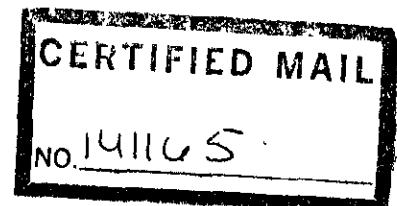
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

JUL 01 1994





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

January 19, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83720-0025

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13432

Dear Permit Holder(s):

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECORDED

JAN 20 1994

APPLICATION FOR PERMIT REVIEW

Application #: 65-13432 Date: 4/15/93 Reviewer: Cindy Zimmerman 3

SYSTEM COMPLETED:

- No - 26A-P17
- Complete in 1 year - P16
- Yes
- Proof not submitted - P16
- Proof submitted - N/A

AREA OF CONCERN? Yes.

Snake River Moratorium
pre-1987 development

GROUNDWATER:

- GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
- No measurement required <flow chart>
- LT. 0.2 cfs - No measurement required <flow chart>

Drilling Permit:

- Approved w/permit - P99 Permit No. _____
- Not included - 046-46A-46B-P23 (after 7/1/87), N/A

SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

LOCATION:

- Water Districts - WD No. 65
- Surface water - 005, 005-01H-P01(LT.2 w/pump)
- 005-01J-P08(GT.2), NMR <flow chart>
- Groundwater - P05 (if well has not been drilled)
- Irrigation Districts - 023
- Canal Co. Areas - 023
- Drainage Districts - 024
- Boise Front (63) - 058 (Groundwater)
- Swan Falls Flag - (1, Blank or Other)
- Trust - 051-052-053-P74(Consumptive Uses)
- Non Trust <1> - 048-049

RIVER BASINS:

- (Surface Water) Water District Control Condition &....
- Boise (63) - 05A & 11E
- Payette (65) - 047-P04, 059-P71 N/A
- Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

USE:

- Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
- 042 (req), 002-P06(MD), 07A(Special),
- 044(Policy 5G)
- Power - 08A, 17K, 025, 027 (req); 01F-P19; 09E-P10;
- <25 cfs-P18; 17G or 17M; 18B-P09
- Mining - 06A, 010, or 09E-P10 & 054 (req)
- Storage - 18A-for multiple measuring devices(In WD),
- 18B-P09(Size)
- Rec/Wildlf/Aes - 027(Non-Consumptive)
- Domestic - 021 (Boise River - upstream from L Peak)
- (restricted areas) 27A (Payette River & main tributaries)

OWNERSHIP:

- Non land owner - 004

PROTESTED:

- Agreement - 020

Beneficial Use Due Date - 5-1-1994

Other Conditions/Remarks: - W07(no active flow component given)

SEP 12 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: FL DATE: 2/9/93 APPLICATION: 65-13432

REQUIRED INFORMATION

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

Gov't. Lots:
N P/D
N 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 *APPEARS TO BE EXEMPTED, DEVELOPMENT < 11/87 **
☐ ☐ 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 Supplementary Analysis Sheet.)
☐ ☐ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary)
☐ ☐ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

☒ ☐ Additional information on reverse side:

RECEIVED
MAR 29 1993

Department of Water Resources

* See file - copy of info with Reading "Dept. of Army" dated 6/30/87.
✓ DW

PROCESSING

APPLICATION NO. 65-13432

YES NO

☒ ☒
☒ ☒
☒ ☒

In form for 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. # 65

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 March 8, 1993

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Dr

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

See below for additional information

Recommended Date or Priority 12/14/1992Recommended by: DrDate 3/26/1993

STATE OFFICE REVIEW

See below for additional information. By

Date

ADDITIONAL INFORMATION

Overlap: 65-12828 = 62.4 of } Common system,
 NSW Appl. = 28.1 of } new Appl resulted
 F&G TOTAL 90.5 of capacity in ponds 1-7 } from exam of -12828
 property }
 65-00487 } Erry. dimensions for F&G mgt. area, dated systems.
 -00490 }
 65-09130 well for other uses, other property.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 12, 1993

HELEN BIVINS
828 CENTRAL AVE
PAYETTE ID 83661

Re: Application for Permit No. 65-13432 in the Name of ID Dept
of Fish & Game

Dear Watermaster:

Enclosed is an application(s) for a water right(s) within your
water district. Also enclosed is a form for your
recommendation concerning this application for permit.

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

Sincerely,

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

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

JAN 20 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 28, 1992

Mr. Stacy Gebhards
Regional Supervisor, Region 3
C/O Idaho Dept. of Fish & Game
600 S. Walnut Street, Box 25
Boise, ID. 83707

RE: Applications for Permit for Payette Wildlife Management Area

Dear Mr. Gebhards:

This office recently received two applications for permit for wildlife ponds in the above-referenced management area. Several items require additional information to complete the applications. Please consider the following points in your response.

APPLICATION NO. 1 FOR 8 ACRE-FEET

1. The smaller application proposes a water right permit for an existing irrigation pump associated with decreed right no. 65-00486. Because water will be pumped to the pond, a diversion rate is needed in the application. The irrigation right allows .50 cfs. A \$30 application fee was paid which covers up to .20 cfs. Do you want to limit the diversion to storage component to .20 cfs with no additional fee needed, or would you prefer to establish a right for .50 cfs, in which case an extra \$15 fee is needed? In the latter case, please remit the fee with your reply.

2. According to the F&G employee delivering the applications, the pond exists but was not in place prior to November, 1987 which is the commencement date of the Snake River Basin Adjudication (SRBA). Also, he stated that the pond covers more than one-half acre of surface area. Due to the drought-related moratorium on new water rights, applications for storage ponds cannot be approved unless the system was in place prior to SRBA commencement (verification needed) or unless the pond covers one-half acre or less. Without information to the contrary, the application must be held pending withdrawal of the moratorium.

3. Based on responses to the above points, the application will be modified if needed and held as explained in item no. 2. Delays related to IDWR decisions do not affect the date of priority of an application. You will be notified of any changes in the moratorium situation.

RECEIVED

JAN 20 1994

Mr. Stacy Gebhards
December 28, 1992
Page 2

APPLICATION NO. 2 FOR 40.1 ACRE-FEET

The larger application for permit includes storage not covered by license no. 65-12828 plus another pond constructed after the June, 1989 field examination of 65-12828. The examiner found 90.5 acre-feet (af) stored in ponds, of which 62.4 af were covered by the earlier right. The balance of 28.1 af plus an added 12 af from a pond built after the exam are filed upon now for 40.1 af.

License 65-12828 was issued for waste water and pond water. If an excavated site results in an existing pond but is now being filed upon to obtain an after the fact right, the source is shown as pond instead of springs or shallow ground water. Sources for application no. 2 should be ponds and waste water.

According to our records and the application, the ponds are existing and cover more than one-half acre total surface area. The newest pond was built after 11/1987, but were the others ponds in place prior to 11/1987? If so, and if verification can be provided (photographs, aerial photos, or affidavits are examples), all but the new pond can be considered for approval as an exemption to the moratorium.

1. Please provide verification if ponds 1-7 were constructed before 11/1987.

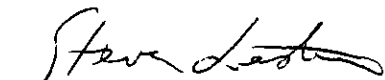
2. For pond 8, the application indicates that water is diverted from a drain to the pond. A rate of diversion is needed. License 65-12828 does not include a diversion rate (storage only), and an estimated rate should be provided. An application fee of \$45 was paid, which allows from .21 to 1.00 cfs. A rate higher than 1.00 cfs requires additional fees. What diversion to storage rate is desired? See the attached fee schedule for rates exceeding 1.00 cfs and remit fees if applicable for application no. 2.

3. Pond 8 appears to cover more than one-half acre and cannot be exempted from the moratorium.

4. Based on the preceeding discussion and your response, application no. 2 will be held in its entirety due to the moratorium or the application can be split into two parts. One part can be processed if ponds 1-7 were used prior to 11/1987, and the other part for pond 8 would be held.

If you need more information in preparing a response, please contact me at 334-2190.

Sincerely,



Steve Lester
Water Rights Supervisor

Enclosure: Fee Schedule

MSC

JAN 20 1994

INTER-DEPARTMENT MEMO

TO: Robbie Allen

SUBJECT: Receipt # W015737

FROM: Steve Latta

DATE: 2-8-93

Receipt was issued 12/14/92 for two appls. for permit in name of Tel. Dept. Fish & Game. Subsequently, one appl. needed to be split into two parts. A total of three appls. then existed. Additional fees for the split appls. were not needed. Water Right #'s assigned after.

Can receipt # W015737 be changed to show the following?

Appl. 65-13432	\$45	} total is \$45; these are split filings, OK per original filing.
65-13433	\$45	

65-13433 \$30

TOTAL \$75

() For your information

(X) Response required

signature

— Cont. —

Receipting is done.

INTER-DEPARTMENT MEMO

TO: _____

SUBJECT: W015737 Cont.

FROM: _____

DATE: _____

Might not be possible to enter the info in receipt
since program may report 3 entries where $45 + 45 + 30 = 75$.
My concern came from data entry of receipt # in 65-13482;
appl. printed out showing fee = \$75 with this receipt #; actual
fee for appl is \$45 & this was corrected on appl. form.

It may not ~~matter~~ matter in receipt date if with appl.
is not attached to receipt # correctly?

Let me know if this isn't clear. Thanks

() For your information

() Response required

signature *[Signature]*

CONVERSATION MEMORANDUM

DATE 2/2/93FILE 2 W.R. ApplicationsNAME OF PARTY Dale Vin Steen 887-6729EMPLOYEE Steve LottRE: Response to my 12/28/92 letter:1 Appl - 8 a.f.

65-13434-

post 11/87 but existing, covers more than 1/2acre surface area, subject to moratorium.Will send addtl. \$15 to bring rate up to .50 %.1 Appl - 40.1 af. - split into 2 Appls. due to moratorium issues:

65-13432

a) ponds 1-7 28.1 af, pre 11/1987 (see into submitted filing). SCA permit issued ~~4/87~~ 6/87 with work to be done by 6/90 - but actually completed work summer-fall of 1987. Original slides available if needed from applicant.no div. to storage; \$45 fee will cover 28.1 af, OK to advertise & process.

65-13433

Followed up with2/3/93Steen's confirming thisb) pond 8 12 af, exists but post 11/87, ~~covers~~ covers more than 1/2 acre surface **IMPROVED** due to moratorium.Split from original due to moratorium, addtl. fee required. Same \$45 as in a above covers this filing.1 af div to storage, 12 af stored, pld SE SWNE S.34, same as 65-00490

JAN 20 1994



DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
BUILDING 802, CITY-COUNTY AIRPORT
WALLA WALLA, WASHINGTON 99362-9265

REPLY TO
ATTENTION OF

June 30, 1987

Operations, Construction,
and Readiness Division

SUBJECT: NPW No. 071-OYC-4-003157

Idaho Department of Fish and Game
109 West 44th Street
Boise, Idaho 83714

Gentlemen:

The enclosed permit authorizes you to discharge approximately 960 cubic yards of dredged material in wetland area during construction of nesting and loafing islands in wetlands adjacent to the Payette River, Sec. 27, T.8N., R.4W., B.M., Payette County, Idaho. The permit should be filed in an appropriate location for future reference. The yellow Notice of Authorization should be posted at the project site during construction.

Should it become necessary to deviate from the approved drawings, revised drawings showing the proposed changes must be submitted to us for approval before any work is started.

This office must be notified when the work authorized by the enclosed permit is started and immediately after its completion so that timely inspections may be conducted during and after construction.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

James B. Royce
James B. Royce
Colonel, Corps of Engineers
District Engineer

Enclosures

*INTS hand-drawn 2/2/93 by Dale VanSteen of IDFG.
Ponds 1-7 were in place by 11/87, installed 1983-1986.
Army Corps permit issued 6/30/87 for work on pond #2
to be done by 6/90. Work completed summer early fall
1987 according to Dale V.S.
Also see slide pg (last pg the
attachment); see next pg*

*8/1
2/8/93*

JAN 20 1994

65-13432

Date V.S.

*INTS suggesting
that ponds 1-7 in
place < 11/87 :*

Copies furnished:

U.S. Fish and Wildlife Service
Division of Ecological Services
4696 Overland Road, Room 576
Boise, Idaho 83705

Environmental Protection Agency
ATTN: Ms. Michelle Stevens
422 West Washington
Boise, Idaho 83702-5998

Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705

7-14-87 NAPP W4NE

- CAN see outline of pond #1 clearly on photo.
- hard to tell smaller ponds clearly north of pond #1.
- these are shallow ponds with vegetation in/around them
so won't appear as solid dark bodies of water
- 1987 photo suggests that Fig note is correct,
ponds 1-7 were in place prior to 11/87.

JAN 20 1994

DEPARTMENT OF THE ARMY PERMIT

Idaho Department of Fish and Game
Permittee _____

071-OYC-4-003157
Permit No. _____

Walla Walla District
Issuing Office _____

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

~~Project Description:~~
Discharge of approximately 960 cubic yards of dredged material in wet-land area during construction of nesting and loafing islands. A maximum of 8 ponds (with 16 islands) to be constructed within an 8-acre area. (Not all of the area is a wetland.)

THE PLANS AND DRAWINGS (SHEET 1 THROUGH SHEET 2), ENCLOSED
HERETO, ARE MADE A PART OF THIS PERMIT

Project Location:

Wetlands adjacent to the Payette River, S1/2NW1/4SW1/4 Sec. 27, T.8N., R.4W., B.M., Payette County, Idaho.

Permit Conditions:

General Conditions:

June 20, 1990

1. The time limit for completing the work authorized ends on _____. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

JAN 20 1994

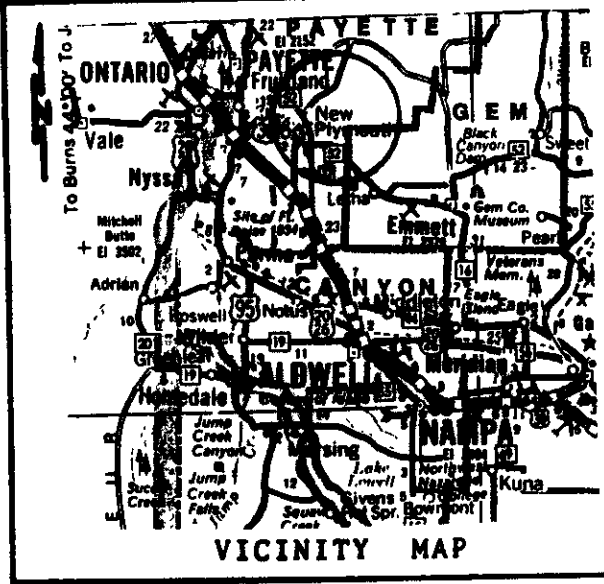
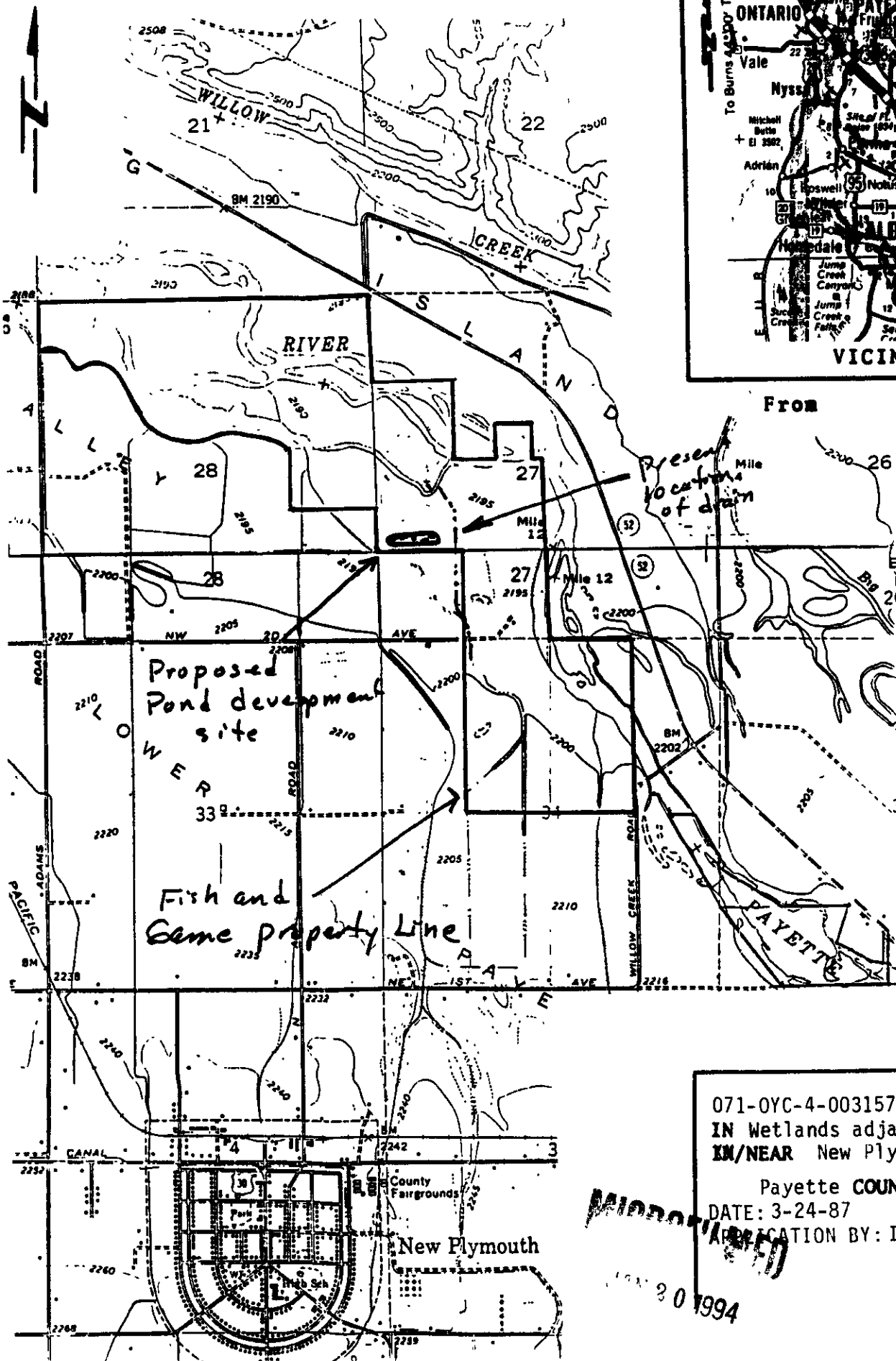
- Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.**

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below

(DATE)

JAN 20 1994



From
 Present locations of drain
 ←
 Flows pond #2

071-OYC-4-003157
 IN Wetlands adjacent to Payette River
 IN/NEAR New Plymouth

Payette COUNTY, Idaho
 DATE: 3-24-87 SHEET 1 OF 2
 APPLICATION BY: ID Dept. of Fish & Game

Minor 1987

1994

Pond area - island
Kennedy 7-83



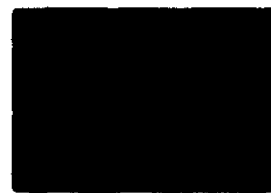
Von Steen 11

Dike-pond
Kennedy-7-83



Von Steen 10

Gravel pond on
Kennedy property



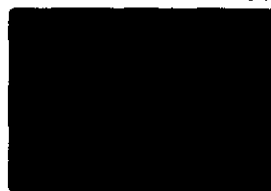
Von Steen 9

Pond area - new
Kennedy 7-83



Von Steen 12

Gravel pond &
island lower



Kennedy July 86
DVS 4

Pond area - Kennedy
New - 7-83



Von Steen 15

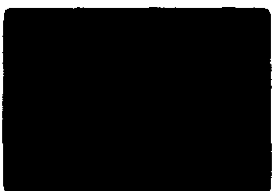
Slides
show
ponds
1-7
July 1983 -
July 1986

New dike - Lower
Kennedy.



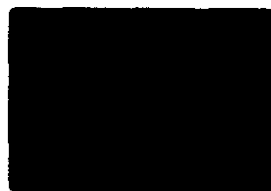
July 86
DVS 8

New dike Kennedy
7-83



Von Steen 81

Gravel ponds
islands. Lower



Kennedy July 86
DVS 9

Dike pond -
Kennedy 7-83



Von Steen 13

Slides
show:
Existing ponds,
gravel areas excavated plus
1 or 2 built;
work completed in 1987
Summer/Fall before Nov. 1987.
Original slides available from F&G,
R3 office. JAN 20 1994

!p

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

FEBRUARY 10, 1993

Independent Enterprise
P.O. Box 520
Payette, ID 83661

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 8, 1993.

Yours truly,

GAIL GARRETT
Secretary

Encl.

RECEIVED

JAN 20 1994

Tributary: PAYETTE RIVER
Tributary: PAYETTE RIVER
Tributary: PAYETTE RIVER

Use: WILDLIFE STORAGE (28.10 AF)
Total Diversion: (28.10 AF)

In: PAYETTE County			
T08N R04W S27	NESW	NWSW	SESW
S34	NENW	SENW	

JAN 20 1994