

63-13401

135

2737AT

2720

26114-T

26114-T

26114-T

TRAILS

CANAL

2419-T

E 7

32

21 AC

FOUR

15a

BN

32

15a

9

govt Lot 2
W 1/2 SW 1/4
S. 32

T7N
T6N

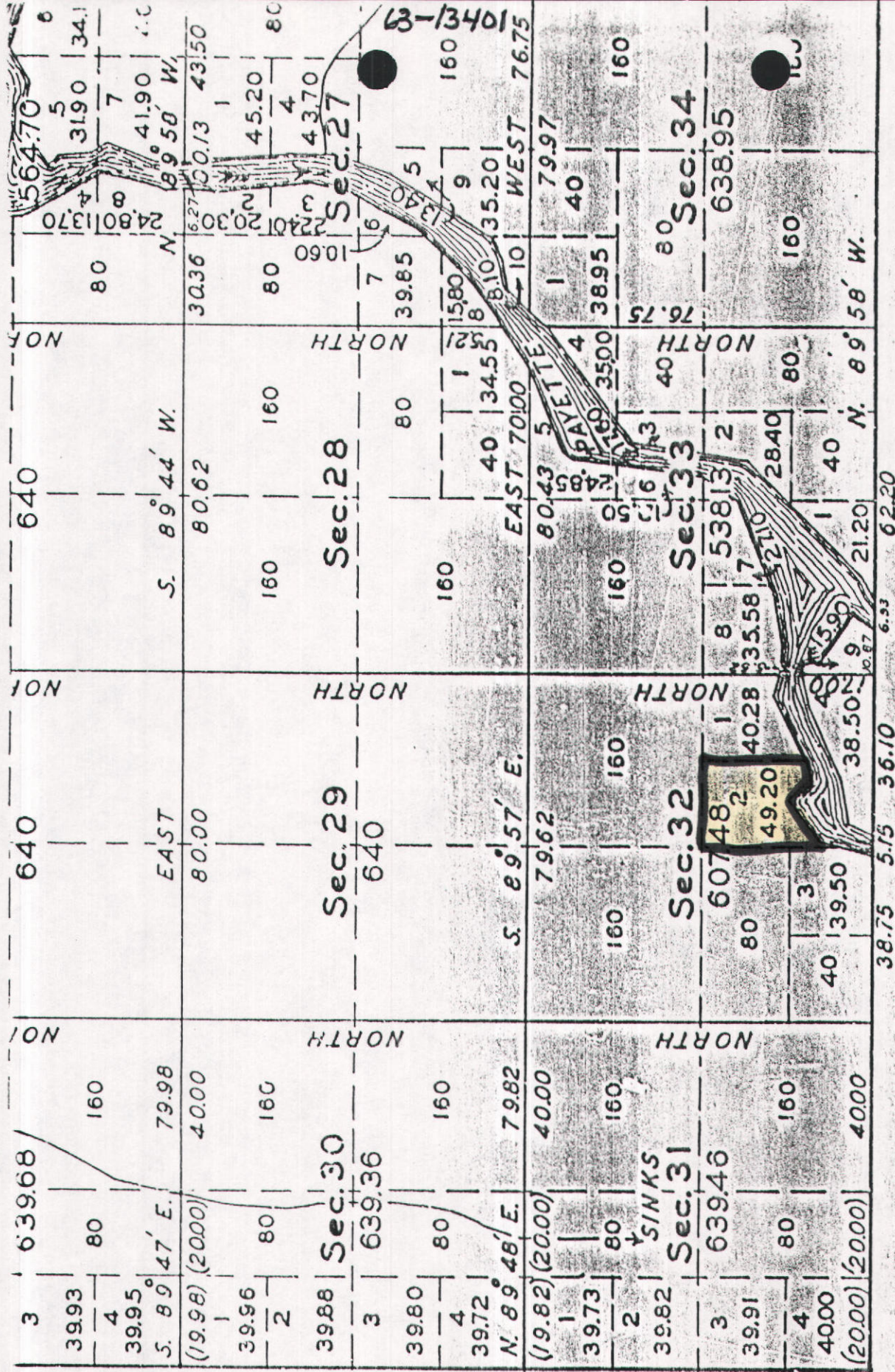
810 000
FEET

MICROFILMED

AUG 21 1992

43°52'30"

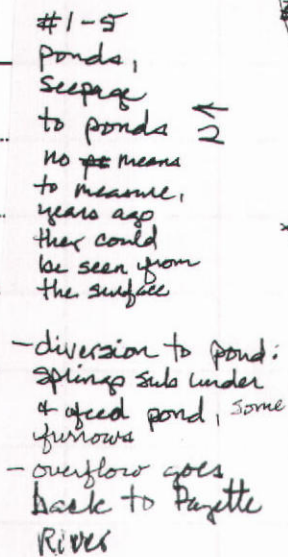
Handwritten signature or initials



MICROFILMED

AUG 21 1992

COMPILED FROM THE OFFICIAL RECORD

[illegible]

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements:

RECEIVED

ANG 091000

65-13401
5/3/95 S.H.

P/D:
Spring #1

P/D:
Spring #2

Payette River

P/D:
~~793'~~ 13' x 6'
pond

P/D:
Spring #3

AUG 09 1996

flow
furrows +
seepage

spings #1-3 uncovered over from a slide/shift of land from the bench — they used to be visible, but now the flow comes out lower, & no physical measurement could be taken

65-13401
5/3/95 S.H.



P/O #4
Spring
high foliage,
so physical
measurement
taken from
spring



P/O:
Spring #5

high foliage,
so physical
measurement
taken from
spring

AUG 09 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13401

Priority: January 15, 1992

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

7.5 AF

This is to certify, that LAWRENCE KINCAID
864 E IDAHO BLVD
EMMETT ID 83617

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated January 15, 1992; and
has submitted Proof of Beneficial Use on July 22, 1994. An examination indicates
that the works have a diversion capacity of 0.020 cfs of water from:

SPRINGS

tributary to **PAYETTE RIVER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.5 AF
STOCKWATER STORAGE	01/01 to 12/31		7.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.02 CFS	
	Totals	0.02 CFS	7.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (SENWSE), Sec. 32, Township 07N, Range 01W
Lot 2 (NESWSE), Sec. 32, Township 07N, Range 01W
GEM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07N 01W 32 Lot 2 (SWSE)

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

AUG 09 1996

State of Idaho
Department of Water Resources

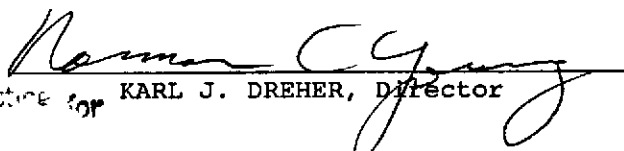
WATER RIGHT LICENSE

WATER RIGHT NO. 65-13401

CONDITIONS OF APPROVAL AND REMARKS

6. Two point of diversion located within Lot 2 (NESWSE), S32, T07N, R01W.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 3RD
day of AUGUST, 1996.


Acting for KARL J. DREHER, Director

9-736

RECEIVED

JUL 25 1994

Department of Water Resources

FOR OFFICE USE ONLY

Amt of Fee \$ 50

Receipt No. W917790

Receipt By. 8

Date Received: 7/22/94

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 65-13401 Telephone No. 365-6890

2. Name(s) of Permit Holder(s): Lawrence Kincaid

3. Mailing Address: 864 E Id Blvd, Emmett, Id. 83617

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

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

b. **OPTIONAL:**

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

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

Domestic (No. of households): _____ Stockwater (No. and type of stock) 35

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

6. Total rate of diversion and/or volume for which proof is submitted: .02 cfs OR 7.5 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 (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: same as above Telephone Number: _____

Address: _____

AUG 15 1994

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: Lawrence Kincaid
(include your title, if on behalf of company or organization)

Date: 7-22-94

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13401

Proposed Priority: January 15, 1992 Maximum Diversion Rate: 0.02 CFS
This is to certify, that **LAWRENCE KINCAID**

864 E IDAHO BLVD
EMMETT ID 83617

has applied for a permit to appropriate water from:

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>
STOCKWATER	01/01 to 12/31	0.02 CFS	
STOCKWATER STORAGE	01/01 to 12/31		7.5 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.02 CFS	
	Totals	0.02 CFS	

LOCATION OF POINT(S) OF DIVERSION: Lot 2 (SESWSE), Sec. 32, Township 07N, Range 01W
Lot 2 (NESWSE), Sec. 32, Township 07N, Range 01W

PLACE OF USE: STOCKWATER
TWN RGE SEC

07N 01W 32 Lot 2 (SWSE)

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1994**.
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. Four points of diversion are located within SEWSE, Sec 32, T07N R01W.
6. Stockwater use is for 35 range cattle.

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

6th day of August, 1992

RECORDED

AUG 21 1992

R. Keith Higginson
for R. Keith Higginson, Director

COPY

Ident. No. ~~65-12360~~

NEW # 65-13401

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: LAWRENCE KINCAID 208-365-6890
Address: 864 E IDAHO BLVD
EMMETT ID 83617

2. Source: SPRINGS Trib. to: PAYETTE RIVER
3. Location of Point of Diversion: Lot 2 (SESWSE), Sec. 32, Township 07N, Range 01W
Lot 2 (NESWSE), Sec. 32, Township 07N, Range 01W
GEM County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
~~IRRIGATION~~	~~03/15~~	~~11/15~~	~~0.660~~		
~~IRRIGATION STORAGE~~	~~01/01~~	~~12/31~~			~~7.50~~
~~IRRIGATION FROM STORAGE~~	~~03/15~~	~~11/15~~			~~7.50~~
STOCKWATER	01/01	12/31	0.020		
STOCKWATER STORAGE	01/01	12/31			7.50
* DIVERSION TO STORAGE	01/01	12/31	~~0.680~~	.02	

5. Total quantity to be appropriated is:
~~0.680 CFS~~ (and/or) ~~7.50 AF~~ 7.50
.02

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
SPRINGS DITCHED TO HOLDING POND; SPRINKLER SYSTEM
- Height of storage dam $\varnothing$ feet; active reservoir capacity 7.50
acre-feet; total reservoir capacity 7.50 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.
- Proposed well diameter is inches; proposed depth of well is
feet.
- Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 years.

8. Description of proposed uses:
~~IRRIGATION AND STOCKWATER~~

AUG 21 1992

* database update based on item 6a, water will be diverted to storage;
this is a clarification instead of an increase in amount - JL 1/17/92
of water, no delay in date of priority.

9. Place of Use: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
~~07N~~	~~01W~~	32	Lot 2(NWSE)	21	Lot 2(SWSE)	12			33

Total number of acres irrigated: 33

Place of Use: IRRIGATION FROM STORAGE, same as IRRIGATION use

Place of Use: STOCKWATER

TWN RGE SEC
07N 01W 32 Lot 2(SWSE)

10. Describe any other water rights used for the same purposes.
EMMETT IRRIGATION DISTRICT

11. 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.

12. Remarks:
Stockwater use is for 35 range cattle.
There are four points of diversion in SENWSE Sec 32, T7N R1W.

13. 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.

Lawrence L. Ince
Applicant

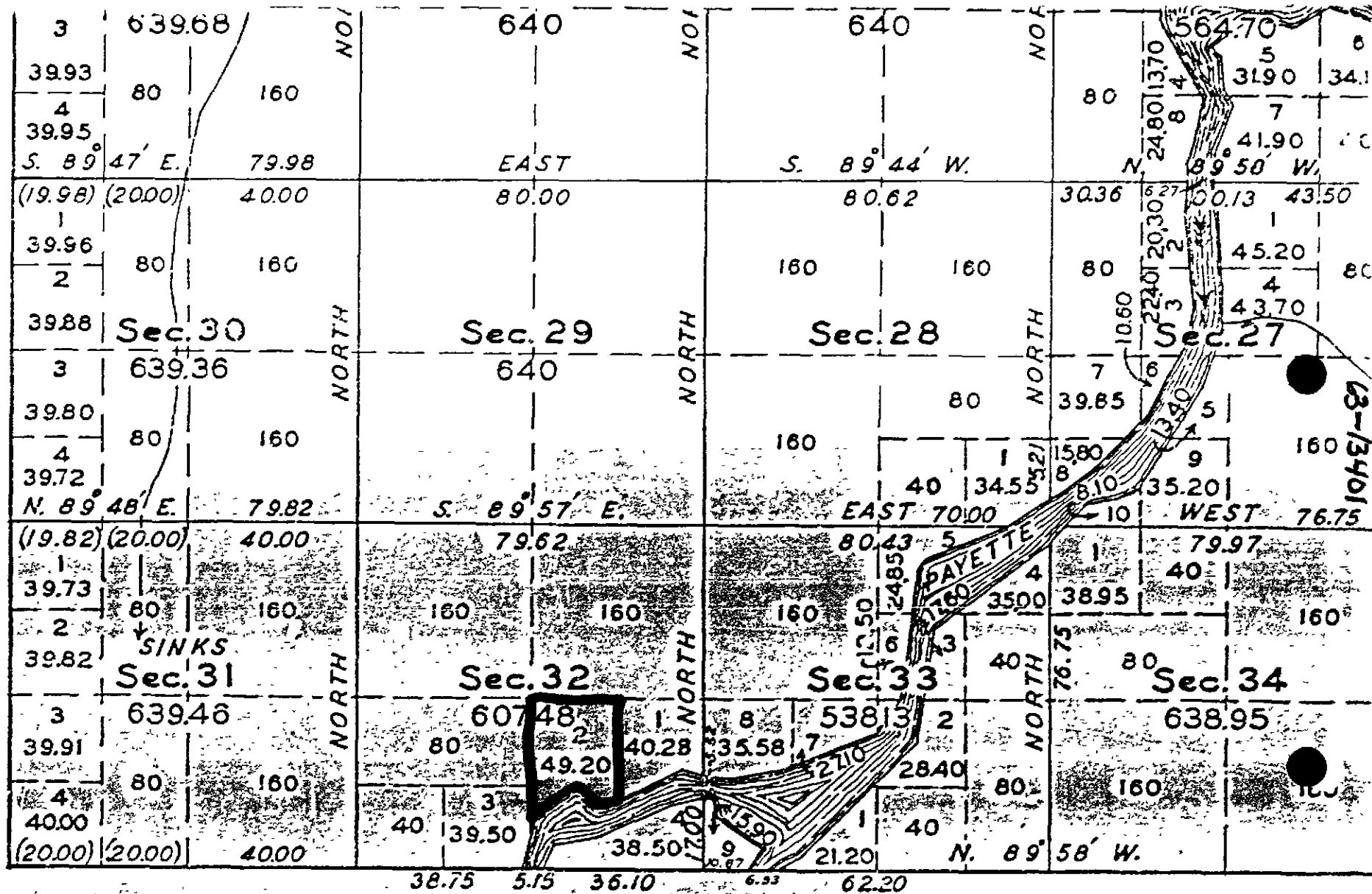
Received by GL Date 1/15/92 Time 12:30 Preliminary check by SL

Fee \$ 45.00 Receipted by GL # W014012 Date 1/15/92

Publication prepared by GG Date 1-29-92 Published in Messenger-Index

Publication approved _____ Date 2/6 & 2/13/92
3/5 + 3/12/92

AUG 21 1992



INCH

AUG 21 1992

COMPILED FROM THE OFFICIAL RECORD

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
ss.
COUNTY OF GEM.

RECEIVED
MAR 19 1992

RECEIVED
MAR 19 1992

Department of Water Resources
Water Rights Section

Joy Fridley, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two

consecutive weekly issues thereof,
beginning with the issue of
Mar. 4, 19 92,

and ending with the issue of
Mar. 11, 19 92

Joy Fridley
Subscribed and sworn to me this
11th day of

March, 19 92
Janner
Notary Public

Residing at Emmett, Idaho

NOTICE OF CORRECTION OF
APPLICATION FOR PERMIT

Notice is hereby given that on
February 5, 12, 1992, Application for
Permit No. 65-13360 in the name of
the Lawrence Kincaid was advertised
in error.

The Point of Diversion was
advertised as Lot 2 (SENWSE) S23
T07N R01W in Gem County. Lot 2
(NESWSE) Sec 32 T07N R01S in
Gem County. The Use was advertised
as Irrigation (660CFS); Stockwater
(7.50AF); Irrigation from Storage (7.50
AF); Stockwater from Storage (7.50
AF); Diversion to Storage (6.80 CFS);
Whereas, the Point of Diversion should
have read Lot 2 (SENWSE) S32 T07N
R01W in Gem county. Lot 2
(NESWSE) Sec 32 T07N R01W in
Gem County. The Use should have
read Irrigation (660 CFS); Stockwater
(0.020 CFS); Irrigation Storage (7.50
AF); Irrigation from Storage (7.50 AF);
Stockwater Storage (7.50 AF);
Diversion to Storage (6.80 CFS).

Any protest against approval of this
water right application must be filed
with the Director, Dept. of Water
Resources, Western Region, 2735
Airport Way, Boise, ID 83705 on or
before March 23, 1992

R. Keith Higginson, Dir.

Pub: 3-4, 11-92

Legal Notice No. 1321

Published in the Messenger Index

My Commission Expires March 21, 1997

RECEIVED
AUG 21 1992

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO.
ss.
COUNTY OF GEM.

RECEIVED
FEB 18 1992

FEB 20 1992

Department of Water Resources

Department of Water Resources
Western Regional Office

Joy Fridley, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two

consecutive weekly issues thereof,
beginning with the issue of
Feb 5, 1992,
and ending with the issue of
Feb 12, 1992

Joy Fridley
Subscribed and sworn to me this
12th day of

February, 1992
James H. Haggard
Notary Public
Residing at Emmett, Idaho

Legal Notices

NOTICE OF APPLICATION FOR
WATER RIGHT

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

KINCAID, LAWRENCE

864 E IDAHO BLVD

EMMETT, ID 83617

Source: SPRINGS

Tributary: PAYETTE RIVER

Diversion Pt. LOT 2 (SESWSE) Sec 23

T 07N R 01W in GEM County.

LOT 2 (NESWSE) Sec 32 T 07N R

01S in GEM County.

Use: IRRIGATION (660 CFS) ✓

STOCKWATER (7.50 AF)

IRRIGATION STORAGE (7.50 AF) ✓

IRRIGATION FROM STORAGE (7.50

AF)

STOCKWATER FROM STORAGE

(7.50 AF)

DIVERSION TO STORAGE (680 CFS) ✓

Total Diversion: (680 CFS) (7.50 AF)

Date Filed 1/15/1992

In GEM County

T07N R01W S32 2 (NWSE) Lot

2(SWSE)

33.0 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protest must be filed
with the Director, Dept of Water Re-
sources, Western Region, 2735 Airport
Way, Boise, Idaho 83705 on or before
FEBRUARY 24, 1992.

R. KEITH HIGGINSON, Director

Pub.: 2-5, 12-92

Legal Notice No. 1286

Published in the Messenger Index

MY COMMISSION EXPIRES
JUNE 21st, 1997

My Commission Expires

RECEIVED
AUG 21 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 5, 1996

LAWRENCE KINCAID
864 E IDAHO BLVD
EMMETT ID 83617

RE: WATER RIGHT NO. 65-13401

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

AUG 09 1996

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 65-13401 Name: Kincaid Date: 7/12/96 ✓ Lots ✓

NAME Chng Same Or Address Change?

SOURCE Clarify source
Prelim. Order to Void. - Source change.
3 in SENESE; 2 in NESWSE

P/D Amendment Needed? Spd's total. P39
Overlap(s) none

P/U Amendment Needed? P41
Overlap(s) none
(Gov't special #'s) *P/D & P/U Amend? P37

RATE Permit/fee limits: 0.02 / 0.02
Measured Q= cfs/Theoretical Q= cfs
not measurable; allow permitted 0.02 cfs.
(HP) 8.8 x 0.70 x = =
+ (2.31 x)
Recommended capacity 0.02 cfs
Recommended rate 0.02 cfs

VOLUME Season: (/) 1/1-12/31 = 365 days
Calculations:
stock = (35 h/d x 12 gpd x 365 d/y) ÷ 325.850 = 0.5 AF
Storage = ((793 x 63) ÷ 43560) x 6 = 6.88 x 7.0 AF
Flow limit: 0.02 x 365 x 1.9835 = 14.5 AF
Recommended volume 7.0 + 0.5 = 7.5 AF

USES Same Nature of Use? P46
Amendment Needed?

REMARKS Multiple p/d's in 1/4? W32 3 in SENESE, 2 in NESWSE
W302/35FE

CONDITIONS Measuring (R01)/Locking (R02) Devices
R04 Watermaster Control (R04) - WD # 65
Irrigation rate/volume overlap
GW irrigation replaces surface water (050)
GW irrigation supplements surface water (065)
Water Quality/Other

PRIORITY App Rcd 1/15/92 Due 9/1/94 Rc'd 7/22/94
Receipt# W017790 Fee OK? Yes/No
Order to Reinstate Needed? Yes/No Done? —
If Yes, Advanced? Yes/No to:
Priority 1/15/92 Examined 5/3/95

COMMENTS:

USE	CFS	DIV VOL	SRBA Overlap
<u>Stock</u>	<u>0.02</u>	<u>0.5</u>	<u>Adjustment Memo</u> ✓
<u>Stock Stor</u>	<u>—</u>	<u>7.0</u>	<u>LICENSE LTR: P49</u>
<u>Div to Stor</u>	<u>0.02</u>	<u>—</u>	<u>#1 AMEND LTR: /P38</u>
<u>TOTAL</u>	<u>0.02</u>	<u>7.5</u>	<u>#2 AMEND LTR: P42/P47</u>

MEMORANDUM

DATE: July 12, 1996
TO: File No. 65-13401
FROM: Cindy Zimmerman *CJ.*
SUBJECT: Review of Beneficial Use Field Report

~~~~~  
The examiner recommended an annual volume of 0.5 AF for diversion to storage use. Per department policy, diversion to storage use is not credited with an annual volume. The following adjustments<sup>1</sup> were made on the field report to reflect department policy and other omissions on the report:

- C. Diversion and Delivery System.  
2. Place of use is located within SWSE, **S32, T07N, R01W.**
- H. Recommendations.  
1. Recommended amounts:

| Beneficial Use       | Period of Use | Rate of diversion | Annual Volume        |
|----------------------|---------------|-------------------|----------------------|
| Stockwater           | 1/1-12/31     | 0.02 cfs          | 0.5 AF               |
| Stockwater Storage   | 1/1-12/31     |                   | 7.0 AF               |
| Diversion to Storage | 1/1-12/31     | 0.02 cfs          |                      |
|                      | Totals:       | 0.02 cfs          | <b><u>7.5 AF</u></b> |

*Cindy,*

*Based on Sandy's finding that springs #1-3 are no longer surface features, lets call the area where the water arises one spring.*

*S.V. Keen*

*CJ.*

---

<sup>1</sup> Adjustments made are **bolded and underlined**

AUG 09 1996

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
DEC 11 1995

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 65-13401

1. Owner: Lawrence Kincaid Phone No. (208) 365-6890

Current Address: 864 E. Idaho Blvd. Emmett, Id 83617

2. Accompanied by: Lawrence Kincaid EXAM DATE: 5/3/95

Address: 864 E. Idaho Blvd. Emmett, Id 83617 Phone No. (208) 365-6890

Relationship to Permit Holder: Self

3. Source: Spring tributary to Payette River

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 65-13360

2. Other water rights with the same point of diversion: 65-13360

**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 |
|-------------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
| Spring #1-3 | 2         | SE  | NW  | SE  | 32   | 7N   | 1W   | Gem    | USGS Ortho., + exam             |
| Spring #4-5 | 2         | NE  | SW  | SE  | 32   |      |      |        |                                 |
|             |           |     |     |     |      |      |      |        |                                 |
|             |           |     |     |     |      |      |      |        |                                 |

**\* 2. Place(s) of Use:**

Indicate Method of Determination USGS Ortho., + exam

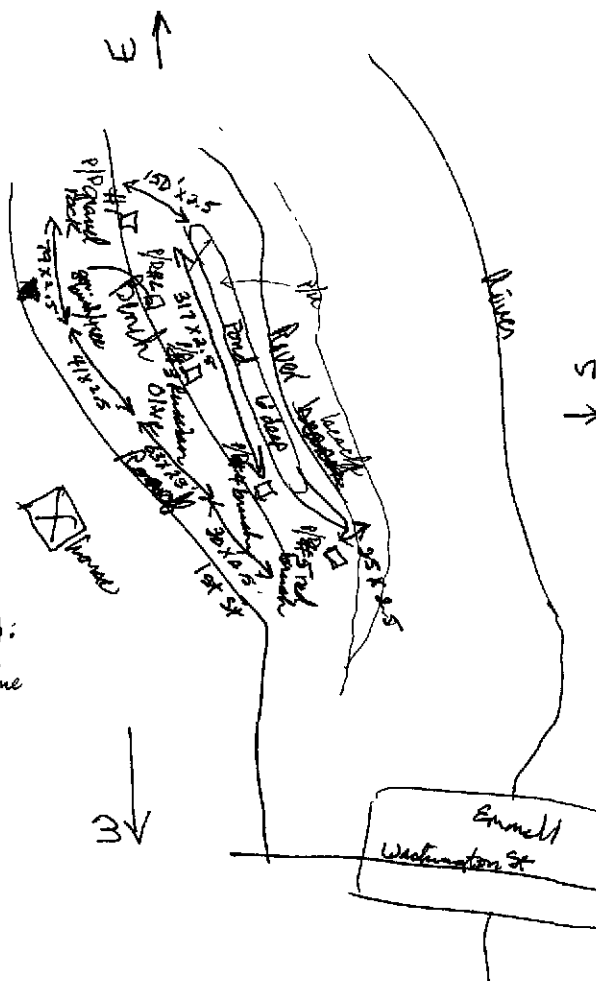
| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | S  |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | SS |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    | B  |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

AUG 09 1995

[illegible]

#1-5  
Ponds,  
Seepage  
to ponds  
no ~~pe~~ means  
to meanwile,  
years ago  
that could  
be seen from  
the surface

- diversion to pond: Springs sub under 4' deep pond, some furrows
- overflow goes back to Payette River



Scalar  $\tau =$

**Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required)**

N/A

**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**

## 1.

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

## 2. Measurements:

\_\_\_\_\_

E. NARRATIVE/REMARKS/COMMENTS

- The P/D's are 5 springs that no physical measurement of flow can be taken because of too much foliage in the flow <sup>(#4 & #5)</sup> or w/ springs #1-3 the land/soil from the bench has shifted & covered the live flow of these springs. Mr. Kincaid said that a few years ago, these springs were very visible above the ground.
  - Overlap for P/D & P/U 65-13360 is for irrigation, irrigation storage, irrigation fire protection storage, & diversion to storage. Mr. Kincaid said 5/3/95 that is not going to develop this water right & put a pump in the pond, since the furrows & seepage from the springs keeps the 12 acres wet year round. He plans to let this one lapse by not submitting proof.
  - P/D & P/U <sup>are</sup> found in Gov't. lot #2.
  - Other water sources available: Emmett Valley Irrigation.
  - Use is stockwater for 35 cattle, Diversion to storage from springs by means of furrows & seepage, & stockwater storage. (793' x 63' x 6' pond). Other use wildlife.
  - The system consists of 5 springs along the north end of the property, in the bench. <sup>The</sup> Springs were all visible until a few years ago, but there has been some land slides that covered #1-3. All 5 springs flow into a ditch that has furrows leading to the pond, along w/ seepage. To fill the 793' x 63' x 6' pond used by 35 cattle, misc. birds, fish, & wildlife. The overflow from the ditch, <sup>(the flow from the 5 springs)</sup> & the pond goes out to the Payette River. The pond <sup>also</sup> gets some seepage from the Payette River.
- Have conditions of permit approval been met? ☒ yes ☐ no

AUG 09 1996

Recommend allowing the 02c's Diversion to Storage since it is very visible that ~~that~~ the springs divert to the pond, but a measurement could not be taken.

## F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

stockwater Table 1 Recommended Diversion Rates 26-50 cattle = .02 cfs  
 Allow Diversion to Storage .02 cfs since physical measurement could not be taken due to seepage + foliage, + land sliding

## G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

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

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

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

### 2. Volume Calculations for Other Uses:

Pond (stockwater storage) 793' x 63' x 6' (see attachment)  
 Surface Area (S.A.) = 1.1 acres  
 Capacity = 7.0 Afa

stockwater  
 $V_{IR} = (35 \text{ head} \times 12 \text{ gpd} \times 365) / 325,850 = .47 = .5$

$$V_{D.R.} = .02 \text{ cfs} \times 365 \times 1.9835 = 14.47 = 14.5$$

$$V = \underline{.5 \text{ Afa}}$$

## H. RECOMMENDATIONS

Diversion to storage  $.02 \text{ cfs} \times 365 \times 1.9835 = 14.5$   
 Allow the same as what was allowed for stockwater for diversion to stockwater of .5 Afa

### 1. Recommended Amounts

| Beneficial Use              | Period of Use |              | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-----------------------------|---------------|--------------|------------------------------|--------------------------|
|                             | From          | To           |                              |                          |
| <u>Stockwater</u>           | <u>1/1</u>    | <u>12/31</u> | <u>.02</u>                   | <u>.5</u>                |
| <u>Stockwater storage</u>   | <u>1/1</u>    | <u>12/31</u> |                              | <u>7.0</u>               |
| <u>Diversion to storage</u> | <u>1/1</u>    | <u>12/31</u> | <u>.02</u>                   | <u>.5 *</u>              |
|                             |               |              |                              |                          |
|                             |               |              |                              |                          |
| Totals:                     |               |              | <u>.02</u>                   | <u>8.0 *</u>             |

### 2. Recommended Amendments

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

## I. AUTHENTICATION

Field Examiner's Name Gudy Hemerway Date 11/30/95

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL

\* Adjustments made during the review of this right for license approval.  
 See memo for additional information. 7/12/96 csg.

AUG 09 1996

① Permit: stockwater 1/1-12/31 .02 cfs 65-13401  
 stockwater storage 1/1-12/31 7.5 Afa  
 Diversion to storage 1/1-12/31 .02  
 .02 cfs

② B/u fee: \$50<sup>00</sup> 7/22/94 pd. 0 - .20 cfs 0-20 Afa

③ Max. Allowable:

stockwater

Table 1 Recommended Diversion Rates  
 for stockwater

26-50 cattle = .02 cfs

④ Measurement

stockwater table 1 Rec. Diversion rates for stockwater  
 35 cattle = .02 cfs

pond

793' X 63' X 6'

surface area (S.A) =  $\frac{L \times W}{43,560} = \frac{793 \times 63}{43,560} = 1.14 \text{ acre}$

capacity = (S.A) X max. depth = 1.14 X 6 = 6.88 = 7.0 Afa

AUG 0 9 1994



PERMIT 65-13401 INIT S.H.

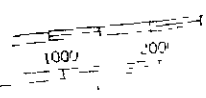
T. R. S. Q/Q

R/D 7N 1W 32 NWSE + SWSE

SCALE 7.5 USGS Dotted.

PHOTO ID. W-7

SCALE

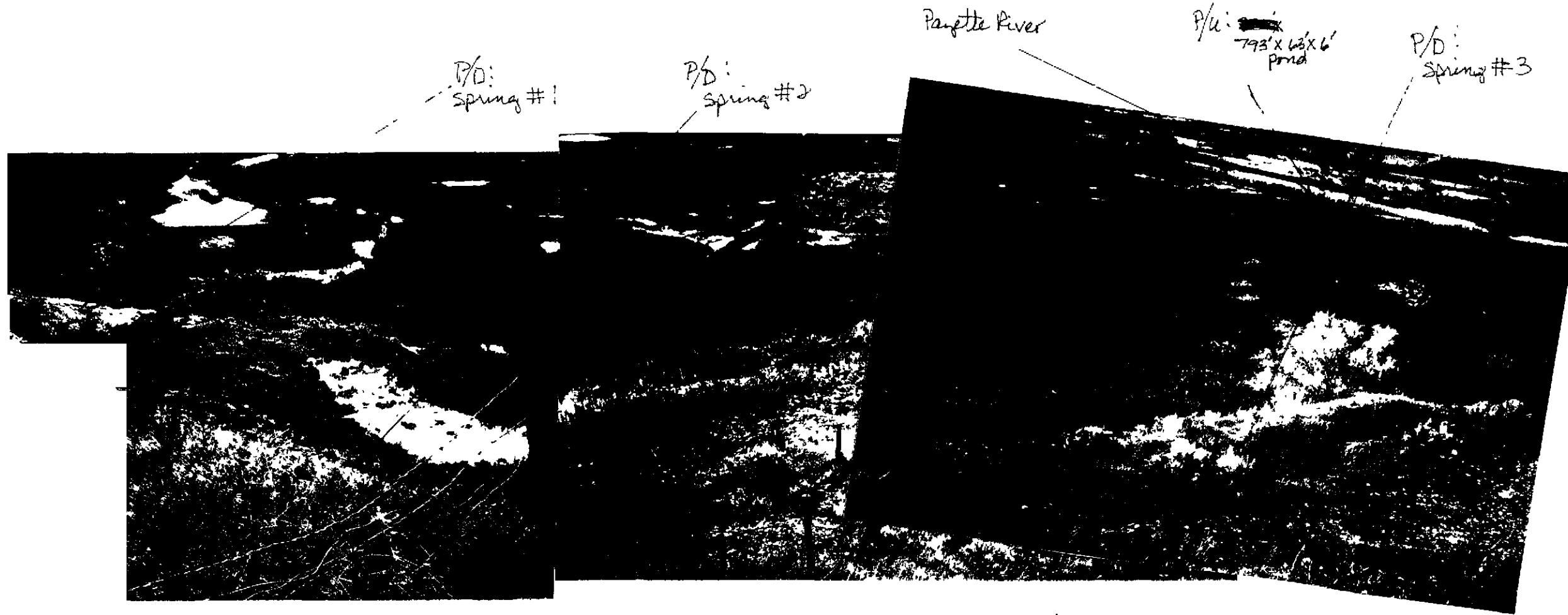


310' 0"

AUG 19 1965

30' Surveyed by the Geological Survey

65-13401  
5/3/95 S.H

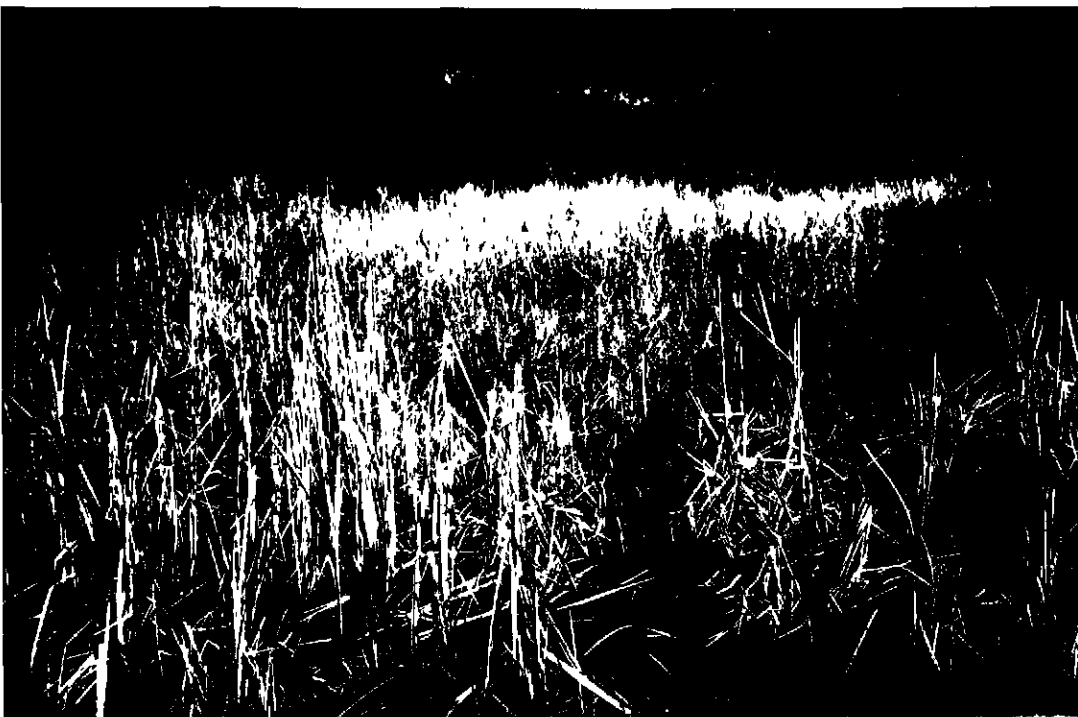


Spring #1-3 uncovered over from a slide/<sup>shift</sup> of land from the bench — they used to be visible, but now the flow comes out lower, & no physical measurement could be taken

65-13401  
5/3/95 S.H.



P/O #4  
Spring  
high foliage,  
so physical  
measurement  
taken from  
spring



P/O:  
Spring #5

high foliage,  
so physical  
measurement  
taken from  
spring

August 1, 1994

LAWRENCE KINCAID  
864 E IDAHO BLVD  
EMMETT ID 83617

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13401

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

11/01/94 15:00  
AUG 15 1994

June 30, 1994

LAWRENCE KINCAID  
864 E IDAHO BLVD  
EMMETT ID 83617

PROOF DUE NOTICE

RE: PERMIT NO. 65-13401

Dear Permit Holder:

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

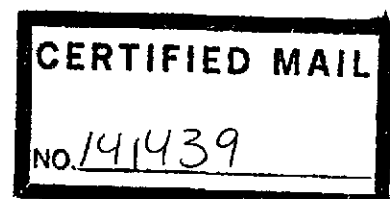
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures

AUG 15 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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

August 7, 1992

LAWRENCE KINCAID  
864 E IDAHO BLVD  
EMMETT ID 83617

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13401

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

BRENDA L. MILLER  
Water Resource Agent

BLM:cz

Enclosures

MICROFILMED  
AUG 21 1992

## MEMORANDUM

TO: Application 65-13360  
FROM: Brenda  
DATE: July 29, 1992  
RE: *PARTIAL MORATORIUM HOLD*

=====

This irrigation, irrigation storage, and irrigation from storage portions of the above referenced application will be held until the Snake River Basin Moratorium (issued May 15, 1992) is lifted. As proposed, it does not qualify for an exempt status.

The remaining non-consumptive uses of the application (stockwater, stockwater storage, and diversion to storage) will be issued a new number, 65-13401, and processed as a permanent permit.

RECEIVED  
AUG 21 1992



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KETH HIGGINSON  
DIRECTOR

July 27, 1992

Lawrence Kincaid  
864 E. Idaho Blvd.  
Emmett, ID 83617

RE: Application for Permit No. 65-13360

Dear Applicant(s):

On May 21, 1992, the Department of Water Resources sent you a letter explaining that a moratorium had been declared on the approval of certain pending and future applications to appropriate water in the Snake River Basin.

The letter included a request to complete and return to us a "Moratorium Exemption Questionnaire". The information would determine whether your proposed use(s) would qualify for the supplemental irrigation exemption, be partially approved, or be held without action. As of this date, the Department has not received the questionnaire. Enclosed is another one for your convenience.

Please return the questionnaire within twenty (20) days of the date of mailing of this letter, or the Department will initiate proceedings to void your application.

If you have any questions regarding this request, please contact me immediately at 327-5452.

Sincerely,

BRENDA L. MILLER  
Water Resource Agent

Enclosure

RECORDED  
AUG 8 1 1992



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 26, 1992

Messenger-Index  
PO BOX 577  
EMMETT, ID 83617

Re: Error in Advertising, Application for Permit #65-13360 in  
the name of Lawrence Kincaid

Dear Legal Dept.:

Enclosed is a copy of the original notice for the  
above-referenced application and the affidavit of publication  
received by our office. Note that there is a discrepancy in the  
two notices.

Please readvertise this application with the enclosed notice of  
correction. Upon receipt of an affidavit of publication for the  
correction notice, we will forward the bill for the first  
publication to our accounting section.

Thank you for your cooperation.

Sincerely,

Sue Taylor  
Secretary, Office Coordinator

Enclosures: Copy of Original Notice  
Copy of Affidavit  
Legal notice

**RECEIVED**

AUG 21 1992

NOTICE OF CORRECTION OF APPLICATION FOR PERMIT

Notice is hereby given that on February 5, 12, 1992, Application for Permit No. 65-13360 in the name of the Lawrence Kincaid was advertised in error.

The Point of Diversion was advertised as Lot 2 (SESWSE) S23 T07N R01W in Gem County. Lot 2 (NESWSE) Sec 32 T07N R01S in Gem County. The Use was advertised as Irrigation (.660 CFS); Stockwater (7.50 AF); Irrigation Storage (7.50 AF); Irrigation from Storage (7.50 AF); Stockwater from Storage (7.50 AF); Diversion to Storage (6.80 CFS); Whereas, the Point of Diversion should have read Lot 2 (SESWSE) S32 T07N R01W in Gem County. Lot 2 (NESWSE) Sec 32 T07N R01W in Gem County. The Use should have read Irrigation (.660 CFS); Stockwater (0.020 CFS); Irrigation Storage (7.50 AF); Irrigation from Storage (7.50 AF); Stockwater Storage (7.50 AF); Diversion to Storage (6.80 CFS).

Any protest against approval of this water right application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before March 23, 1992.

R. Keith Higginson, Dir.

Advertised in The Messenger-Index on March 5 and 12 1992.

RECORDED  
AUG 21 1992

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

---

Boise, Idaho 83705  
(208) 334-2190

JANUARY 29, 1992

Messenger-Index  
P.O. Box 577  
Emmett, ID 83617

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 FEBRUARY 24, 1992.

Yours truly,

GAIL GARRETT  
Secretary

Encl.

RECEIVED

AUG 21 1992

65-13360

KINCAID, LAWRENCE  
864 E IDAHO BLVD  
EMMETT, ID 83617

Source: SPRINGS

Tributary: PAYETTE RIVER

Diversion Pt: LOT 2 (SENWSE) Sec 32 T 07N R 01W in GEM County.  
LOT 2 (NESWSE) Sec 32 T 07N R 01W in GEM County.

|                         |             |            |
|-------------------------|-------------|------------|
| Use: IRRIGATION         | ( .660 CFS) |            |
| STOCKWATER              | ( .020 CFS) |            |
| IRRIGATION STORAGE      |             | ( 7.50 AF) |
| IRRIGATION FROM STORAGE |             | ( 7.50 AF) |
| STOCKWATER STORAGE      |             | ( 7.50 AF) |
| DIVERSION TO STORAGE    | ( .680 CFS) |            |
| Total Diversion:        | ( .680 CFS) | ( 7.50 AF) |

Date Filed: 1/15/1992

In: GEM County  
T07N R01W S32 Lot 2(NWSE) Lot 2(SWSE)

33.0 ACRES TOTAL

1992