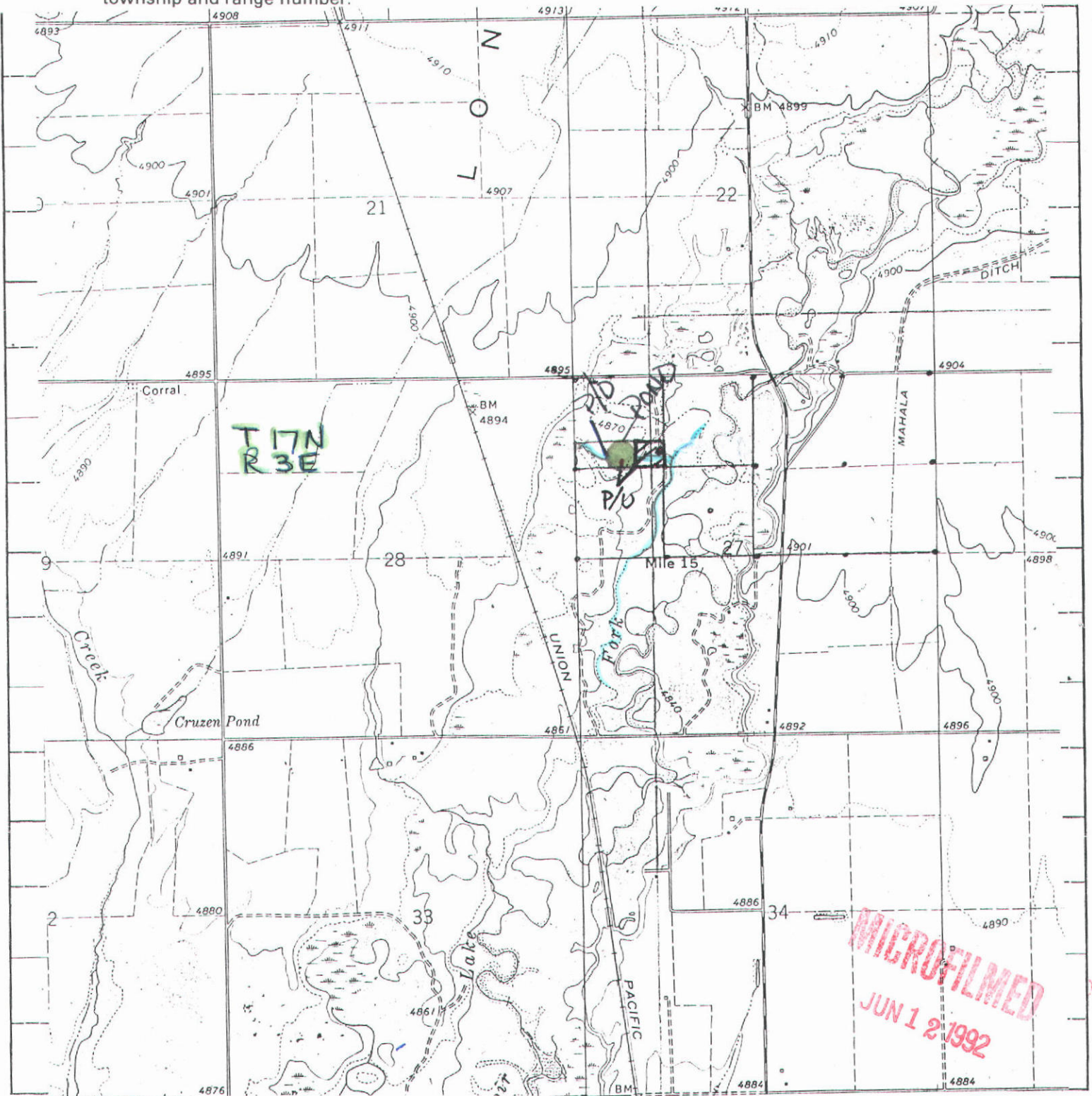


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

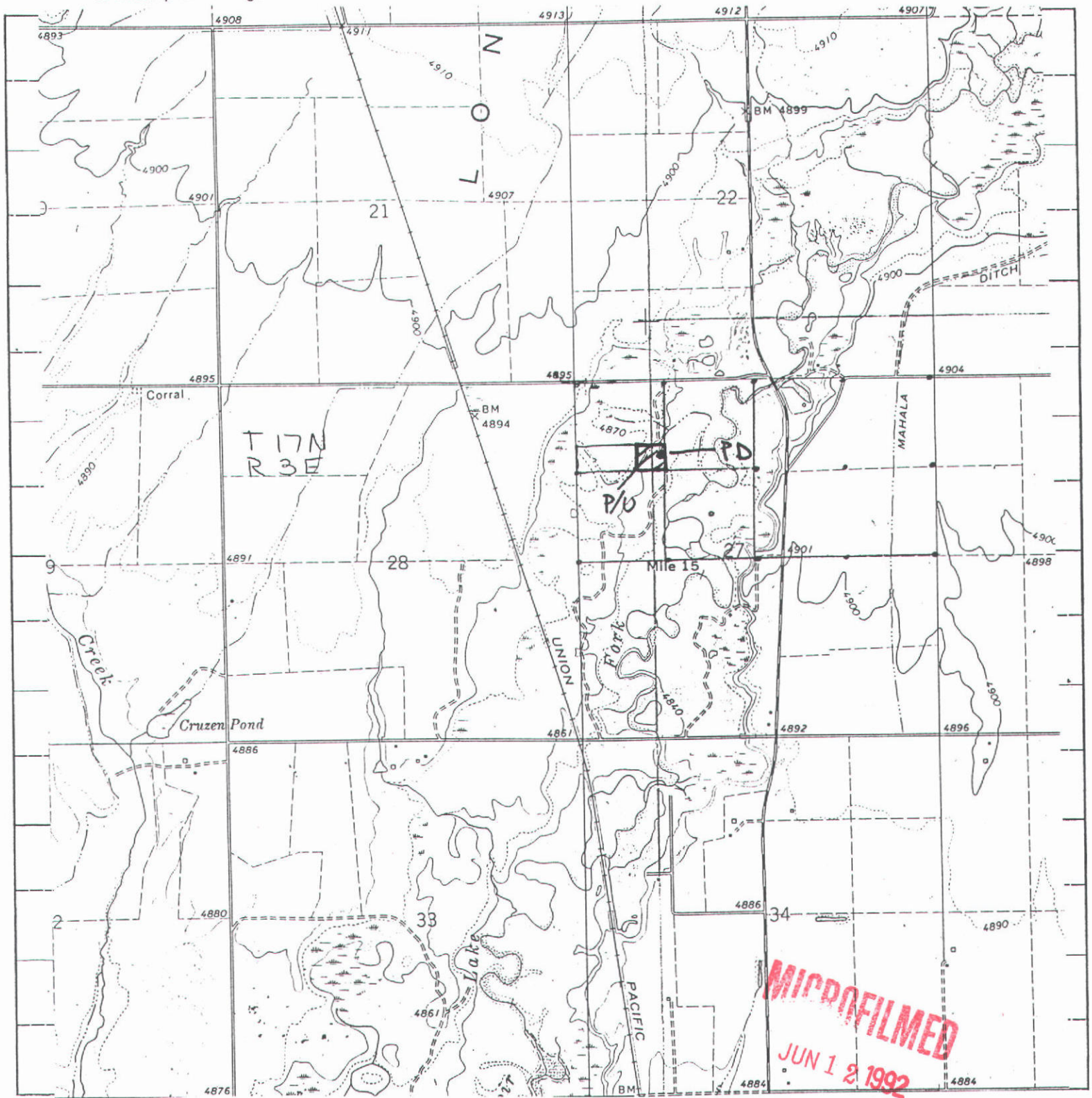


Scale: 2 inches equal 1 mile.

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.

[Signature]
(Applicant)

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



Scale: 2 inches equal 1 mile.

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.

[Signature]
(Applicant)

RECEIVED

MAR 30 1992

Publisher's Affidavit of Publication

STATE OF IDAHO }
 } .SS
 County of Valley }

I, Ramona A. George, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION FOR WATER RIGHT, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began March 19, 1992 and ended March 26, 1992.

Ramona A. George
 Subscribed and sworn before me this the 26th day of March, 1992.
 STATE OF IDAHO

COUNTY OF VALLEY }
 }

On this 26th day of March, in the year of 1992, before me, a Notary Public, personally appeared Ramona A. George, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tom Grote
 Tom Grote
 Notary Public for Idaho
 Residing at McCall, Idaho
 Commission Expires: 1993

NOTICE OF APPLICATION FOR WATER RIGHTS

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:
 65-13368

FRONTINO, TONY, FRONTINO, ROSE, PO BOX 742, DONNELLY, ID 83615

Source: UNNAMED STREAM, Tributary: LAKE FORK CREEK
 Diversion Pt: NWNW Sec 27 T 17N R 03E in VALLEY County.

Use IRRIGATOIN STORAGE (25.00 AF)

IRRIGATION FROM STORAGE (25.00 AF)

WILDLIFE STORAGE (45.00 AF)

Total Diversion: (45.00 AF)

Date Filed: 2/25/1992

In: VALLEY County

T17N R03E S27 NWNW

5.0 ACRES TOTAL

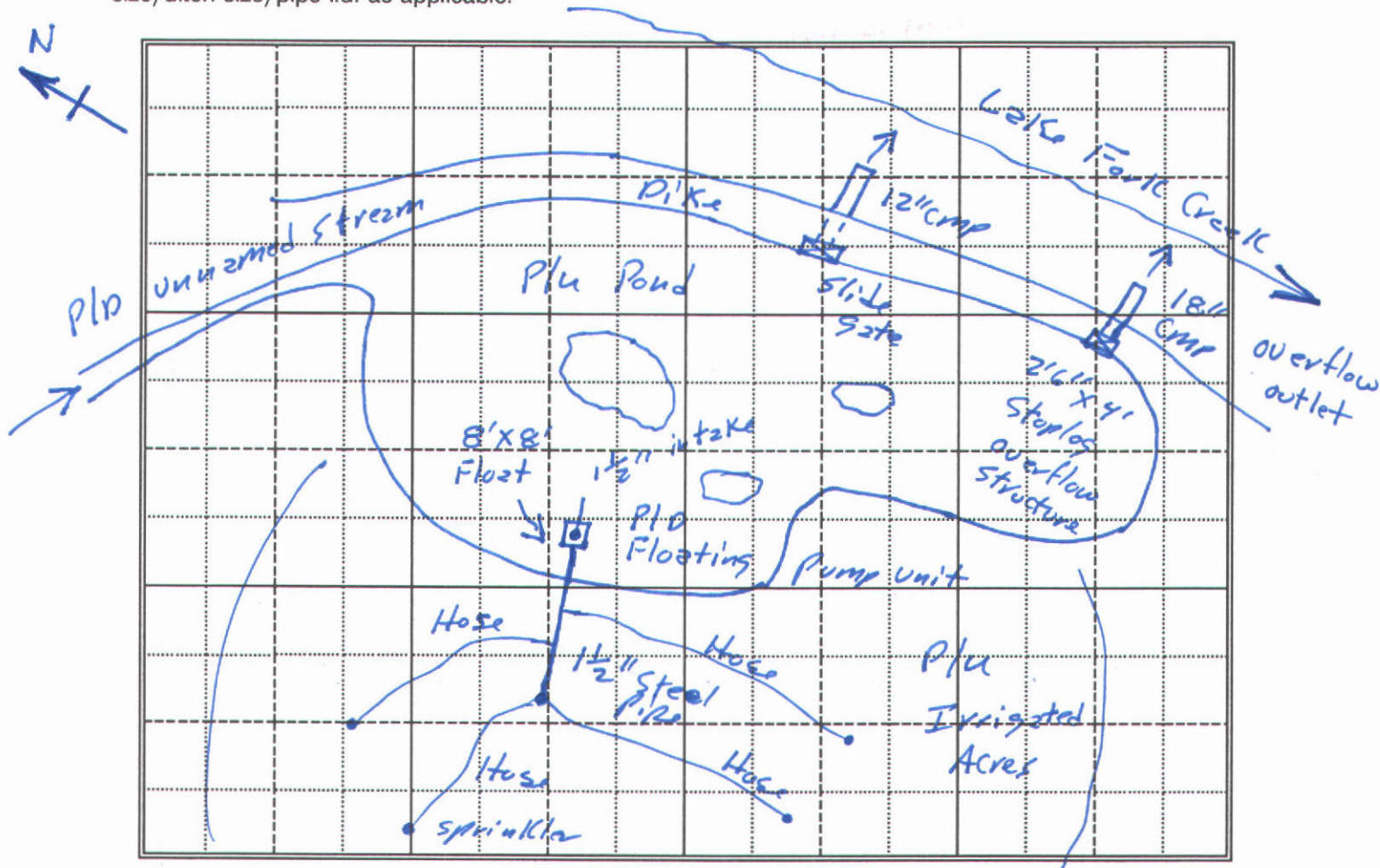
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before APRIL 6, 1992.

R. KEITH HIGGINSON, Director
 2/3/26

MICROFILMED
 JUN 12 1992

Idaho Dept. of Water Resources
Place of Use Comparison Report[illegible]

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
Pond Pump	A.O. Motor	1/2	3156819	Sears + Roebuck	Model 57813 1 1/4 IBC

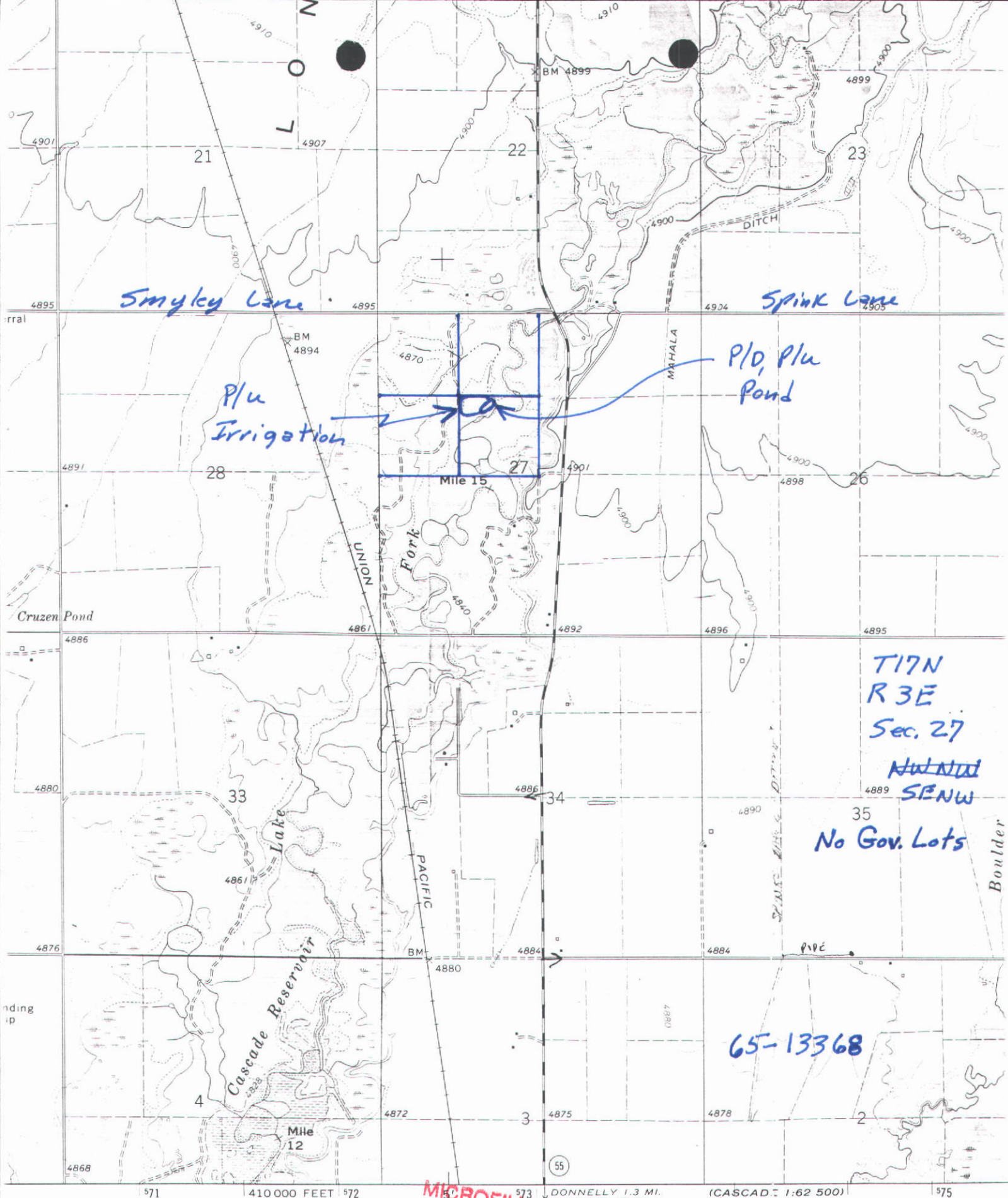
*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

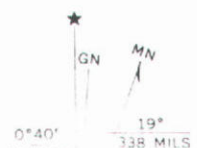
2. Measurements: None - Pump was removed for repairs.
operating pressure is about 35 PSI.



ed by the Geological Survey
Forest Service
nd USFS
ethods from aerial
1972. Field checked 1973

MICROFILMED
SEP 19 2001

SCALE 1:24 000



1 of 3

P10

Pump
Unit
being
repaired.



P10, P11

1 1/2" Steel
Pipe
Mainline
and
hoses
used for
irrigation

Portion of
irrigated
land in
background



MICROFILMED
SEP 19 2001

65-13368

2 of 3

P/D

Bank
where
irrigation
pump is
installed
each year.

Plu

Pond



Plu

Pond



MICROFILMED
SEP 19 2001

65-13368

3 of 3



Plu
irrigated
land
on West
side of
pond.



Plu
irrigated
land
on West
side
of
pond.

MICROFILMED
SEP 19 2001

65-13368

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13368

Priority: February 25, 1992

Maximum Diversion Volume 17.0 AF

It is hereby certified that TONY FRONTINO And/Or ROSE FRONTINO
PO BOX 742
DONNELLY ID 83615 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 25, 1992, and have
submitted Proof of Beneficial Use on May 05, 1995. An examination indicates that the works have a
storage capacity of 17.0 af of water from

SOURCE

UNNAMED STREAM

Tributary: LAKE FORK

and a water right has been established as follows

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION STORAGE	11/01 to 04/14	17.0 AF
IRRIGATION FROM STORAGE	04/15 to 10/31	17.0 AF
WILDLIFE STORAGE	01/01 to 12/31	17.0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27, Twp 17N, Rge 03E, B M., VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
17N 03E 27								3.5									3.5

Total Acres 3.5

PLACE OF USE: IRRIGATION STORAGE – Same as Irrigation from Storage

PLACE OF USE: WILDLIFE STORAGE – Same as Irrigation from Storage

CONDITIONS OF APPROVAL

- 1 Use of water under this water right will be regulated by the watermaster of State Water District No 65K
- 2 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above
- 3 Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion

MICROFILMED

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13368

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 used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 6th day of July, 2001


for KARL J. DREHER
Director

MICROFILMED
SEP 9 2001

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13368

Date of Priority: February 25, 1992

Maximum Diversion Volume 17 0 AF

Comes now TONY FRONTINO And/Or ROSE FRONTINO
PO BOX 742

DONNELLY ID 83615 and represents to the Director of the Idaho Department
of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No 65-13368, and requests that the permit be changed as follows

Source: UNNAMED STREAM

Tributary: LAKE FORK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	11/01 to 04/14	17 0 AF
IRRIGATION FROM STORAGE	04/15 to 10/31	17 0 AF
WILDLIFE STORAGE	01/01 to 12/31	17 0 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 27, Twp 17N, Rge 03E, B M, VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 03E 27								35									35

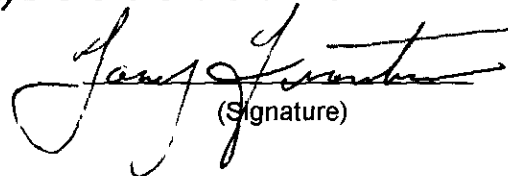
Total Acres: 3 5

PLACE OF USE: WILDLIFE STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 03E 27								X									

PLACE OF USE: IRRIGATION STORAGE - Same as Wildlife Storage

Permit holder asserts that no one will be injured by such change and that such change will be made at
permit holder's own risk Signed this 3 day of July, 2001


(Signature)

MICROFILMED

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13368

FOR DEPARTMENT USE ONLY
Preliminary check by FW Fee = 50.00 Received by FW # 1054681 Date 7/5/01

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No 65-13368 with the following.

CONDITIONS OF APPROVAL

- 1 Use of water under this water right will be regulated by the watermaster of State Water District No 65K
- 2 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above
- 3 Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion

Witness my hand this 6th day of July, 2001


for KARL J. DREHER
Director

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

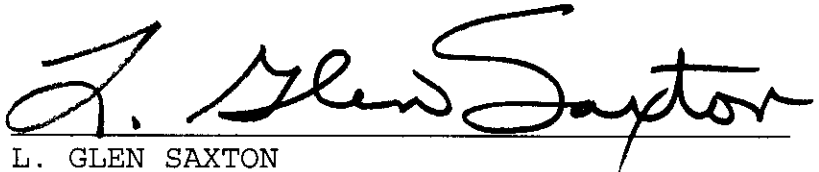
IN THE MATTER OF CHANGING THE FLOW)
MEASUREMENT DEVICE CONDITION OF) **ORDER**
OF APPROVAL FOR PERMIT NO. 65-13368)
IN THE NAME OF TONY AND ROSE FRONTINO)
_____)

WHEREAS, the Department of Water Resources (department) has issued the above captioned water right permit with a condition of approval requiring the permit holder to install a permanent measuring device to facilitate the measurement and determination of the rate of diversion by the department; and

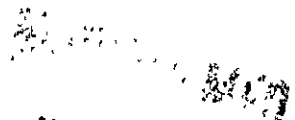
WHEREAS, the department has determined that the rate of diversion for certain surface water uses can be estimated by the department without the use of a measuring device; and,

IT IS THEREFORE, HEREBY ORDERED that the condition of approval requiring the installation of a measuring device for the above captioned permit be **WAIVED**. The department retains jurisdiction to require the condition be reinstated in the future upon a finding of need by the department.

Dated this 18th day of May, 1995.



L. GLEN SAXTON
Chief, Water Allocation Bureau


MAY 31 1995

RECEIVED

MAY 05 1995

Department of Water Resources

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. 65-13368 Telephone No. 634-3770
2. Name(s) of Permit Holder(s): Tony + Rose Frontino
3. Mailing Address: P.O. Box 742, Donnelly, Id. 83615
4. Source of Water: stream If **GROUNDWATER** (well), Date Drilled: mo. / yr.
a. Well Driller: Luke Fork Creek Drilling Permit Number: - -
b. **OPTIONAL:**
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): Stockwater (No. and type of stock):
Irrigation (No. of acres): 5 Other:
6. Total rate of diversion and/or volume for which proof is submitted: cfs OR 45 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: same as above Telephone Number:

Address:

MAY 31 1995

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: [Signature] Date: 5-5-95
(include your title, if on behalf of company of organization)

While You Were Out

Date 9/11 Time 11:45
 For: Rainey
 From: Lonny King, Lonny
Po Box 4179 McCall 83638
 Phone #: _____

- | | |
|--|--|
| ☐ Telephoned | ☐ Please call |
| ☐ Wants to see you | ☐ Will call again |
| ☐ Returned your call | ☐ URGENT |
| ☐ Was here to see you | |

Message plz mail copies of
B/u. to on 65-13968

Done
9-11-97
KL

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13368

Proposed Priority: February 25, 1992

Maximum Storage Volume:

45.0 AF

This is to certify, that **TONY FRONTINO**
ROSE FRONTINO
PO BOX 742
DONNELLY ID 83615

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of **LAKE FORK CREEK**

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>
IRRIGATION STORAGE	10/16 to 04/14		25.0 AF
IRRIGATION FROM STORAGE	04/15 to 10/15		25.0 AF
WILDLIFE STORAGE	01/01 to 12/31		45.0 AF
	Totals		45.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 27, Township 17N, Range 03E
VALLEY County

PLACE OF USE: IRRIGATION STORAGE
TWN RGE SEC ACRES

17N 03E 27

NWNW 5

ACRES

ACRES

TOTAL

5

Total number of acres irrigated:

5

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION STORAGE use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 3, 1995.
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. 65K.
5. Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

MIIDOFILMED

JUN 12 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13368

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

4th day of June, 1992.

for J. Shu Saxton
R. Keith Higginson, Director

RECEIVED

JUN 12 1992

STATE OF IDAHO

Ident No 65-13368
65-13368

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- 1 Name of applicant Tony & Rose Frontino Phone (208) 634-3461 ³⁷⁷⁰
Post office address P.O. Box 742 Donnelly, Id 83615
- 2 Source of water supply unnamed stream which is a tributary of Lake Fork Creek
- 3 Location of point of diversion is _____ 1/4 of NW 1/4 of NW 1/4, Govt Lot _____
Sec 27 Township 17N Range 3E B.M. Valley County, additional
points of diversion if any _____
- 4 Water will be used for the following purposes
Amount 45 for Wildlife storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 25 for Irrigation storage purposes from 10/16 to 4/14 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 25 for Irrigation from storage purposes from 9/15 to 10/15 (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) 45 and/or (b) 95
cubic feet per second acre feet per annum
- 6 Proposed diverting works.
a Description of ditches, flumes, pumps, headgates, etc _____

b. Height of storage dam N/A feet, active reservoir capacity 95 acre-feet; total
reservoir capacity 95 acre-feet; period of year when water will be diverted to storage
_____ to _____ inclusive
c Proposed well diameter is _____ inches, proposed depth of well is _____ feet
d Is ground water with a temperature of greater than 90°F being sought? _____
- 7 Time required for the completion of the works and application of the water to the proposed beneficial use is
3 years (minimum 1 year)

8 Description of proposed uses (if 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 _____

9 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	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
17N	03E	27						WS 5											5

Total number of acres to be irrigated 5

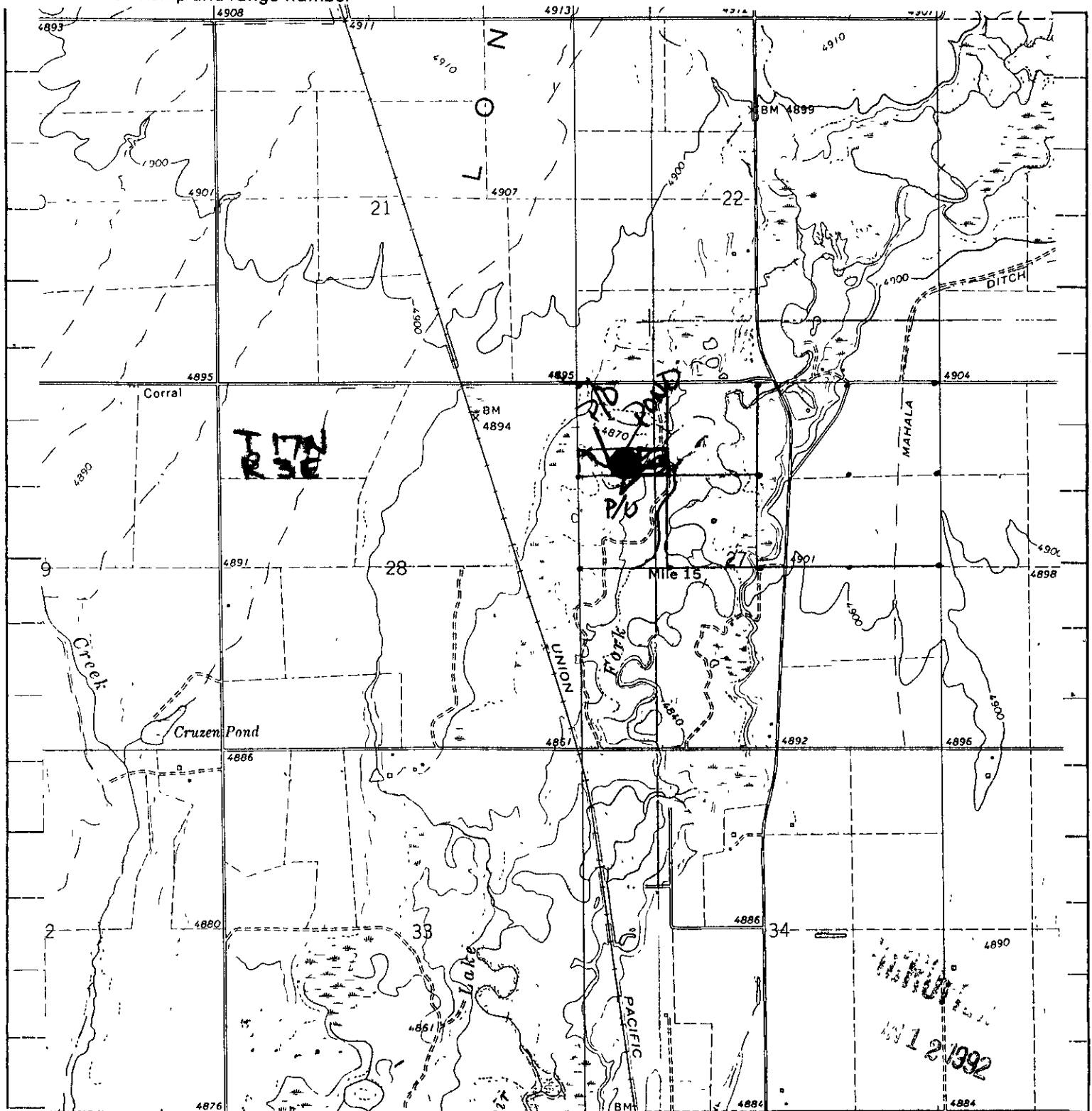
10 Describe any other water rights used for the same purposes as described above P65-13345

- 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 _____

NOTED
JUN 12 1992

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



Scale 2 inches equal 1 mile

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

[Signature]
(Applicant)

Received by SC Date 2/25/92 Time 4:25pm Preliminary check by cyf
Fee \$ 45⁰⁰ Received by SC # C023343 Date 2/25/92
Publication prepared by GG Date 3-11-92 Published in Star News
Publication approved ST Date 4-6-92 3/18 & 3/25/92

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

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JUN 12 1992

SD-0604-2		Township: 17N		Range: 03E		Section: 27		Tract: NWNW		Lot:	
S	L	STATE		O		S		Max # Records		28	
E	O	Water		Name		W		T		Priority Use	
L	Tract	T	Right No.	Last, First		N	AC	G	Date	Code	Desc
	NWNW		65-13345	FRONTINO, ROSE		C	5	P	09/20/1991	01	IRR
				FRONTINO, TONY		C					

FOR OVERLAP ANALYSIS:
See attached.

(Enter=Continue)

(GOLD 7=This Query)

(Menu ____)

2/2/92

State of Idaho
Department of Water Resources

FEB 18 1992

Permit To Appropriate Water

Department of Water Resources
Western Regional Office

NO. 65-13345

Proposed Priority: September 20, 1991 Maximum Diversion Rate: 0.15 CFS

This is to certify, that TONY FRONTINO
ROSE FRONTINO
PO BOX 742
DONNELLY ID 83615

has applied for a permit to appropriate water from:

SPRING

tributary of LAKE FORK CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/15	0.15 CFS

LOCATION OF POINT(S) OF DIVERSION: SENWNW , Sec. 27, Township 17N, Range 03E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
17N 03E 27	NWNW 5			5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 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. 65K.
5. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
6. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

RECEIVED
JUN 12 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13345

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

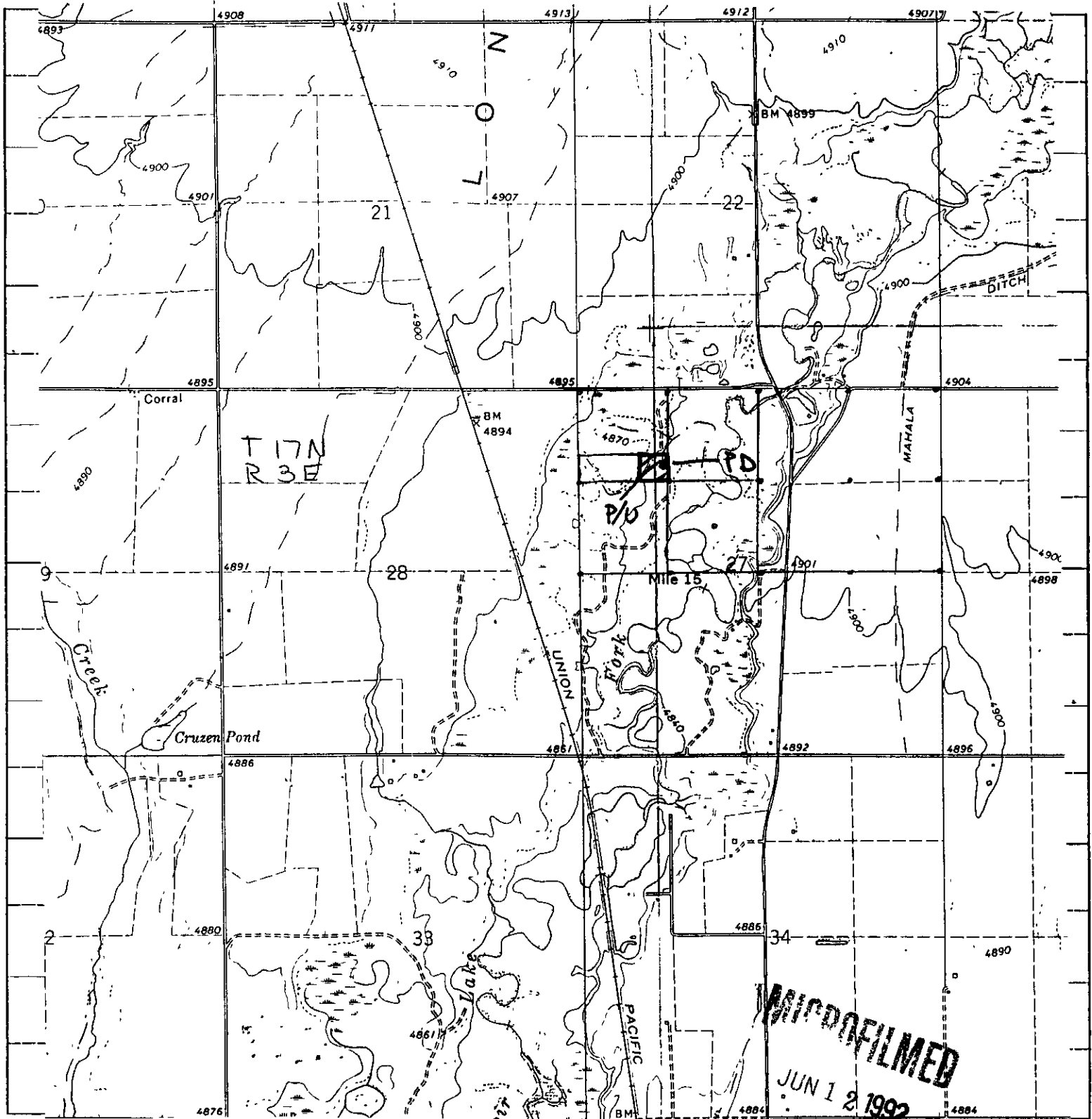
14th day of February, 1992

R. Keith Higginson

for
R. Keith Higginson, Director

RECEIVED
JUN 12 1992

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



Scale 2 inches equal 1 mile

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

[Signature]
(Applicant)

RECEIVED
MAR 30 1992

Publisher's Affidavit of Publication

STATE OF IDAHO }
County of Valley } .ss

I, Ramona A. George, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION FOR WATER RIGHT, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began March 19, 1992 and ended March 26, 1992


Subscribed and sworn before me this 26th day of March, 1992.
STATE OF IDAHO

COUNTY OF VALLEY }

On this 26th day of March, in the year of 1992, before me, a Notary Public, personally appeared Ramona A. George, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.


Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 1993

NOTICE OF APPLICATION FOR WATER RIGHTS

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

65-13368
FRONTINO, TONY, FRONTINO, ROSE, PO BOX 742, DONNELLY, ID 83615

Source: UNNAMED STREAM, Tributary: LAKE FORK CREEK
Division Pt: NWNW Sec 27 T 17N R 03E in VALLEY County.
Use IRRIGATION STORAGE (25.00 AF)

IRRIGATION FROM STORAGE (25.00 AF)

WILDLIFE STORAGE (45.00 AF)

Total Diversion: (45.00 AF)

Date Filed: 2/25/1992

In: VALLEY County

T17N R03E S27 NWNW

5.0 ACRES TOTAL

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 APRIL 6, 1992.

R. KEITH HIGGINSON, Director
2/3/26



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 12, 2001

TONY FRONTINO
ROSE FRONTINO
PO BOX 742
DONNELLY ID 83615

RE License No 65-13368 - Issuance of License

Dear Water Right Holder(s)

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK klt

Enclosure(s)

MICROFILMED

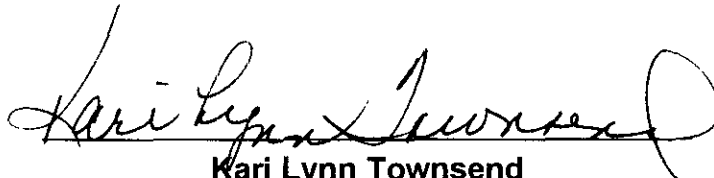
SEP 11 2001

CERTIFICATE OF MAILING

I hereby certify that on July 12, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below

RE: WATER RIGHT NO. 65-13368

**TONY FRONTINO
ROSE FRONTINO
PO BOX 742
DONNELLY ID 83615**


**Kari Lynn Townsend
Secretary**

MICROFILMED
JUL 13 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37 01.01302 and 37 01 01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director 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 Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- I A hearing was held,
- II The final agency action was taken,
- III The party seeking review of the order resides, or
- IV The real property or personal property that was the subject of the agency action is located

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

June 19, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

TONY FRONTINO and/or ROSE FRONTINO
PO BOX 742
DONNELLY ID 83615

RE Water Right Permit No. 65-13368

Dear Permit Holder(s)

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

☒ Point(s) of Diversion

☒ Place(s) of Use

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

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED

7-2-2001-
Mr. Frontino called-
did not understand
need for amendment.
after discussing he
said he would
send amendment
& fee in. kw

LICENSE REVIEW CHECKLIST

Permit No 65-13368 Date 6-18-2001 Reviewer Kay Walker

Change/OK

Name/Address OK

Source OK
Point of Diversion change

Does change clarify original intended source? If no void permit
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use change

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps Right(s) none
File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion

Permitted rate 45 AF
Fee Limit 20 AF Recommended Total Diversion Rate 17.0 AF
Measured 17.0 cfs AF
Theoretical cfs

Water Uses OK

Change (P46)

Season of Use per new Standards

4-15 10-31

Irrigation stor cfs 17.0 af
Stockwater cfs af
Domestic cfs af
IFS cfs 10.5 af 17.0
WS cfs 17.0 af
Total cfs 17.0 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

~~supp Gw (W87/065/104)~~
~~overlap spec combined rts (W35)~~
~~51 acre (W31)~~
~~Domestic (W01/wb5/070/071/075)~~
~~Power (W42 or W43/025/027/R22 or R23)~~
~~Fish (042)~~
~~Fire (077)~~
~~Water Quality (081/R07)~~
~~Payette - (W22/047/27A)~~
~~Stockwater for US (R37)~~

Volume Determination

cfs x 1 9835 x days = af (vs) 2.5 acres x 3.0 (FHR) = 10.5 af

Remarks R04, R62

3.5 x 5.0 = 17.5 - allow 17.0

Additional Conditions yes

Watermaster Control 65K
GW Measurement/Measuring Device
Other
Trust R55 - remove 051)
Non-trust (048/049)

GW Dist? _____
Water Msmt Dist? _____
Cnt. GWMA? _____
GWMA? _____
Government Lots? No

Advance Priority? yes If yes, explain why below
no

SRBA Claim? not req'd

Adjust memo _____

Amend Letters

P87, S06

Second Amendment Notice

S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 21 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13368

1. Owner: Tony & Rose Frontino Phone No. (208) 634-3770

Current Address: P.O. Box 742, Donnelly, ID 83615

2. Accompanied by: Tony Frontino EXAM DATE: 8-6-98

Address: (Same) Phone No. (208) 634-3770

Relationship to Permit Holder: (Same)

3. Source: Unnamed Stream tributary to Lake Fork Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None (65-13345 had 12 cfs)

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
			SE	NW	27	17N	3E	Valley	Site Visit, Map

2. Place(s) of Use:

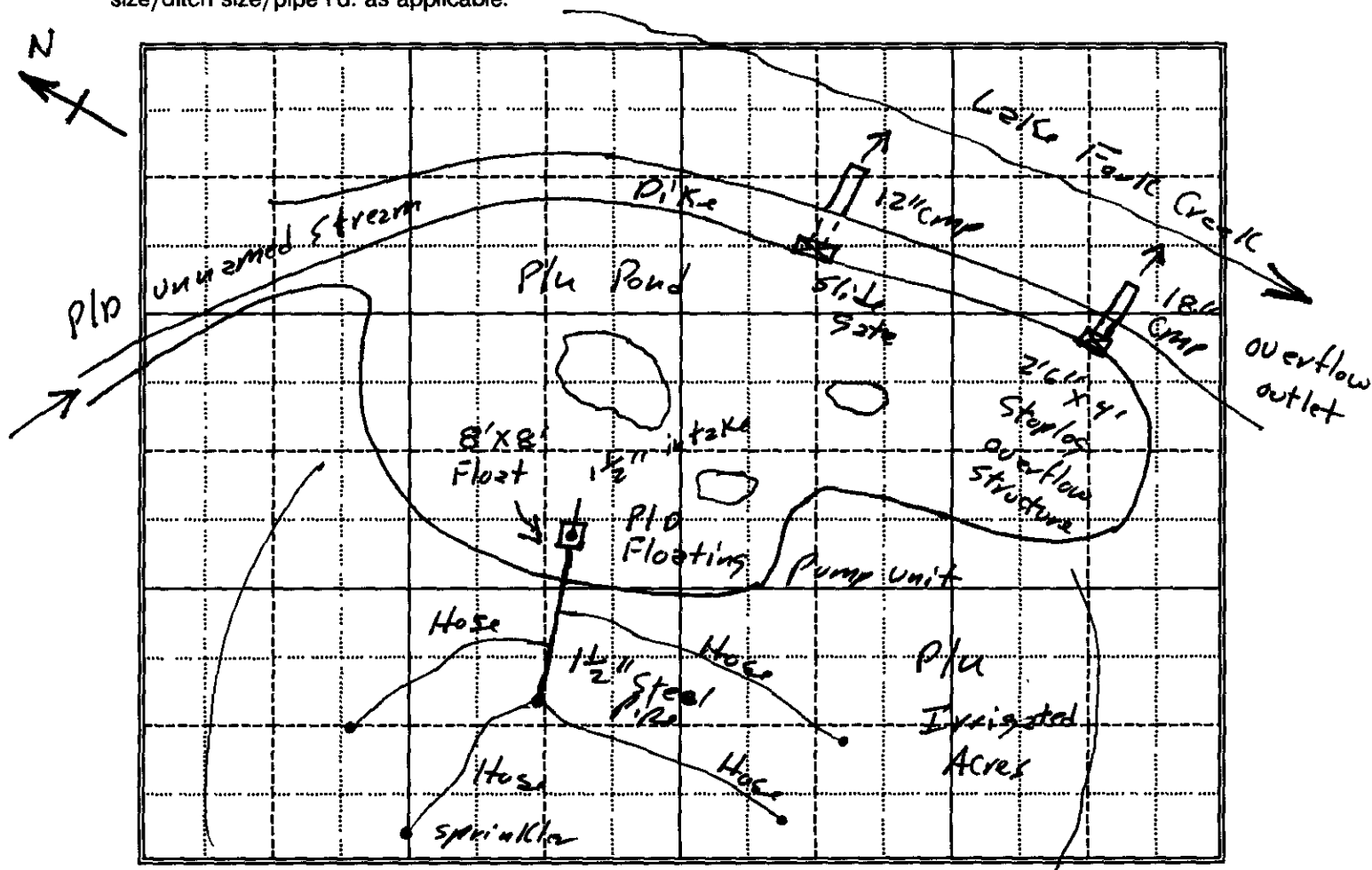
Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	3E	27								3.5									3.5 AC

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SEP 1 1999

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



Scale: T - 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
Pond Pump	A.O. Motor	1 1/2	3156819	Sears & Roebuck	Model 57813
					1 1/4 IBC

*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 - Pump was removed for repairs.
operating pressure is about 35 PSI.

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for Irrigation + Irrigation Storage, and Wild life Storage. A pond was constructed at the site of an old mine settling pond adjacent to Lake Fork Creek. The pond is in the stream channel of an unnamed stream which originates at Springs(?) to the west. The pond has 3 nesting islands, a 12" crop outlet with slide gate control, and a 18" crop overflow outlet. The overflow outlet has a 2'6"x4' stoplog structure at the inlet to the pipe. The stoplogs are set to keep the pond at a constant water surface elevation, and the unnamed stream flow enters the pond and overflows to Lake Fork Creek.

2. A 8'x8' Floating platform is installed in the pond during the Spring for the irrigation pump. The irrigation pump is set on the platform and pumps water through a 1 1/2" steel mainline on the west bank. The mainline has 3 hose turnouts. The irrigated land is on the west side of the pond and is irrigated with the hoses and sprinklers. The pump & pipe are removed each fall, and re-installed in the Spring.

3. The owner originally had WR 65-13345, (Irrigation) but after this permit was issued, he changed his proposed use of the water to include the pond

Have conditions of permit approval been met? ☒ yes MICROFILMED for irrigation storage and wild life storage.

WR 65-13345 Permit has lapsed since he did not file proof. Letter Notice Feb. 7, 1994.

4. The permanent measuring device, Condition 5, was waived on May 18, 1995.

F. FLOW CALCULATIONS

Measured Method:

None - Pump was removed for repairs.

Additional Computation Sheets Attached

Theoretical Cal.

$$Q = \frac{(8.8)(1/2 \text{ Hp})(70\%)}{5' + (35 \text{ ft})(\frac{34'}{14.7 \text{ ft}})} = 0.04 \text{ cfs}$$

$$Q_{\text{allowed}} = (0.03 \frac{\text{cfs}}{\text{Ac}})(3.5 \text{ Ac})$$

$$= 0.11 \text{ cfs}$$

$$Q_{\text{max.}} = 0.04 \text{ cfs for this pump}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (3.5 \text{ Ac.})(3.0 \frac{\text{AF}}{\text{Ac.}}) = 10.5 \text{ AF}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.04)(184)(1.9835) = 14.6$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 10.5 \text{ AF}$$

2. Volume Calculations for Other Uses:

$$\text{Irrigated Ac.} = \left[\left(\frac{1}{2} \right) (560' + 350') (320') \right] \frac{\text{Ac.}}{(66)(66)(10)} = 3.34 \text{ Ac., Allow } 3.5 \text{ Ac.}$$

$$\text{Pond Vol. (Storage)} = \left[(180' \times 350') + (180')(180') \right] (8' \text{ deep}) \frac{\text{AF}}{(66)(66)(10)} = 16.53 \text{ AF, Allow } 17.0 \text{ AF}$$

$$\text{Wildlife Storage} = 17.0 \text{ AF}; \text{ Irrigation Storage: } 10.5 \text{ AF}$$

$$\begin{array}{r} 10.5 \text{ AF} \\ 2.5 \text{ losses} \\ \hline 14.0 \text{ AF} \end{array}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	04/12	10/15	0.04	10.5 AF
Irrigation Storage	10/16	04/14		14.0 AF
Irrigation from Storage	04/15	10/15	0.04	10.5 AF
Wildlife Storage	01/01	12/31		17.0 AF
Totals:			0.04	17.0

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

1) Note: The irrigation storage includes 2.5 estimated losses.

I. AUTHENTICATION

Field Examiner's Name

Don Tomich

Date

12-14-78

Reviewer

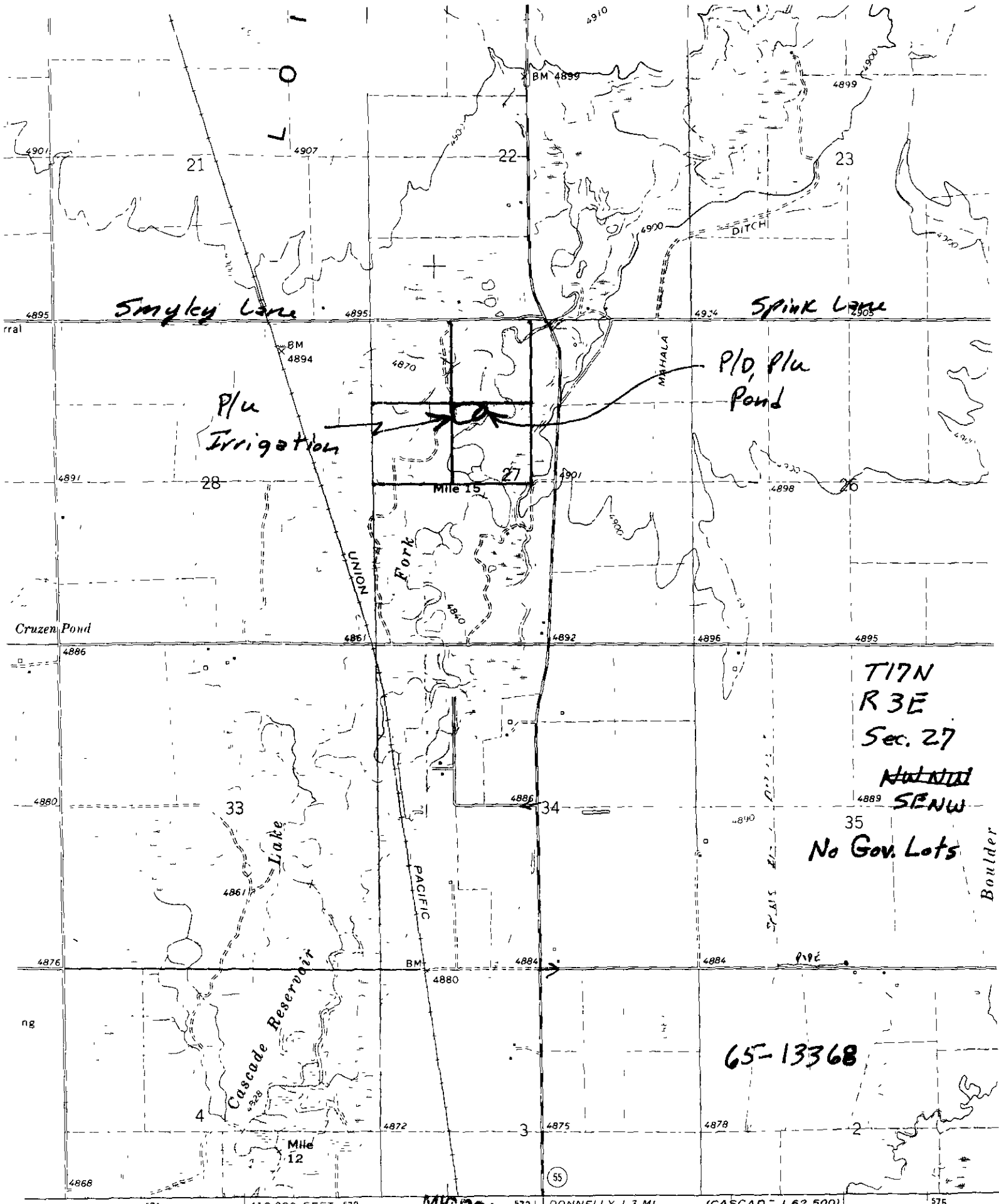
Date

MICROFILMED

2) P/D + P/U is in SE NW.

SEAL

3) Irrigated Ac is only 3.5 Ac.



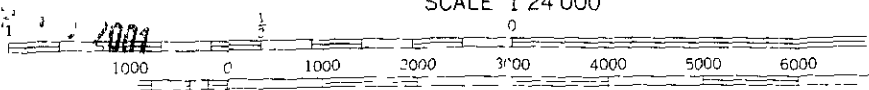
by the Geological Survey
rest Service

USFS

hods from aerial
72 Field checked 1973



MICROFILMED



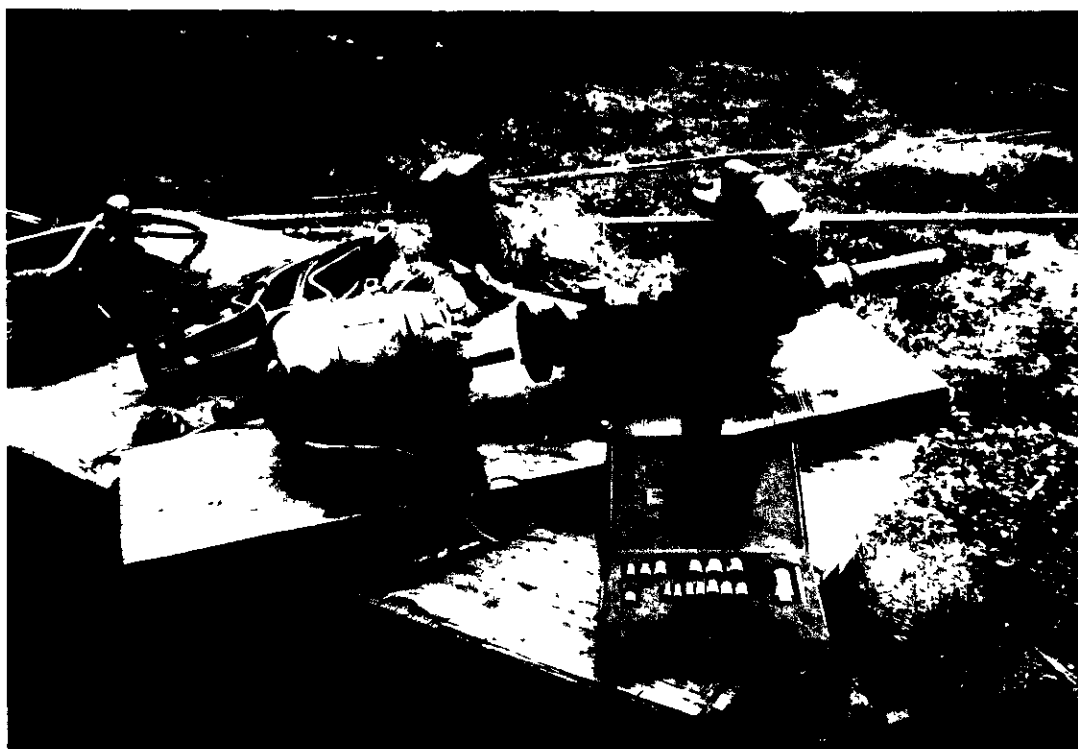
SCALE 1:24,000

CONTOUR INTERVAL 20 FEET

1 of 3

Plp

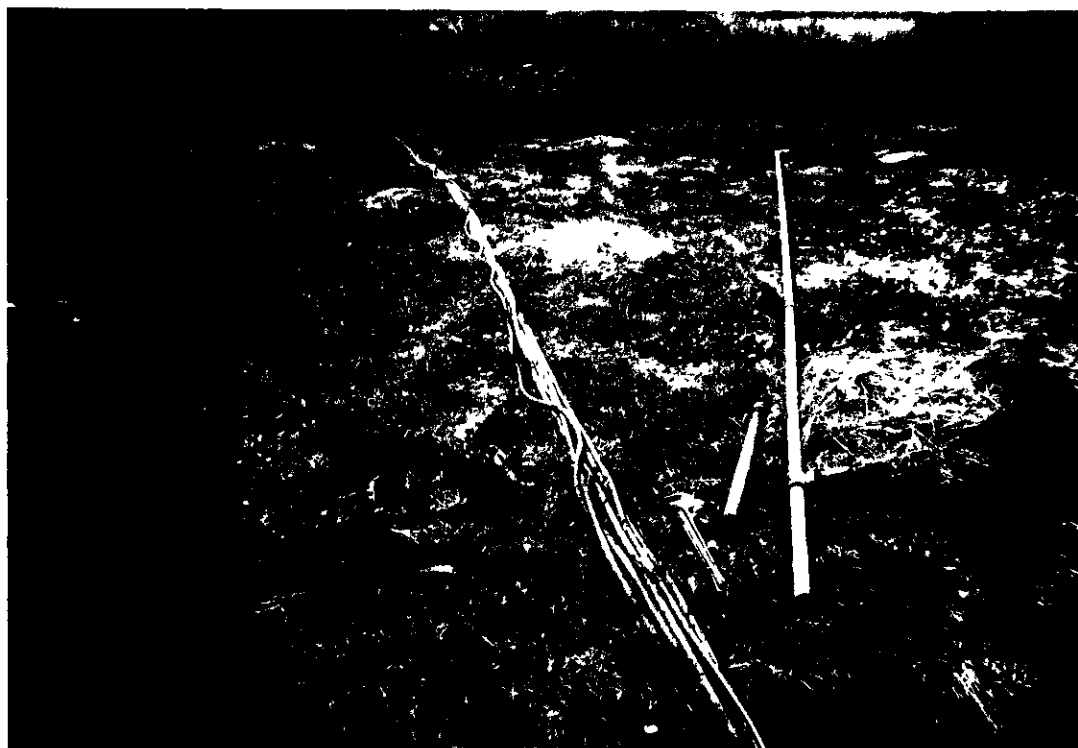
Pump
Unit
being
repaired.



Plp, Plu

1 1/2" Steel
Pipe
Mainline
and
hoses
used for
irrigation

Portion of
irrigated
land in
background



MICROFILM

65-13368

2 of 3

P/D

Bank
where
irrigation
pump is
installed
each year.

Plu

Pond



Plu

Pond



65-13368

65-13368

3 of 3

P/u

irrigated
land
on West
Side of
Pond.



P/u

irrigated
land
on West
Side
of
Pond.



11030-11 ME-

65-13368

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13368 Reviewed by [Signature] Date 5-15-95

GENERAL CONSIDERATIONS

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

TYPES OF USE

Irr.

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?
50.00 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
yes Waiver requested? - verbally

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Should waive MD condition
Proof acceptable

DATA ENTRY

New Address _____ Proof Made 5-5-95



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

May 18, 1995

TONY FRONTINO
ROSE FRONTINO
P O BOX 742
DONNELLY ID 83615

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-13486

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.

Additionally, enclosed is an Order **waiving** the measuring devise condition from your permit.

Please be advised that the department retains the jurisdiction to require the measuring devise condition be reinstated upon a finding of need by the department.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

MAY 31 1995

April 30, 1995

TONY FRONTINO
ROSE FRONTINO
PO BOX 742
DONNELLY ID 83615

PROOF DUE NOTICE

RE: PERMIT NO. 65-13368

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 July 1, 1995.

(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.

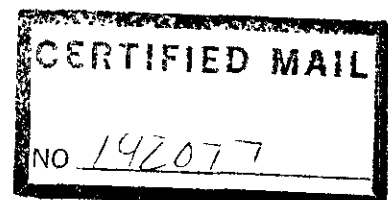
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MAY 31 1995





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

June 8, 1992

TONY FRONTINO
ROSE FRONTINO
PO BOX 742
DONNELLY ID 83615

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13368

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
Technical Records Specialist

BLM:cz

Enclosures

RECEIVED
JUN 12 1992

APPLICATION FOR PERMIT REVIEW

Application #: 65-13368 Reviewer: Brenda Miller
 Date: 6-2-92

SYSTEM COMPLETED:

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

GROUNDWATER:

GT. 0.2 cfs <flo-ch> - 01G-P03, 01C-P03 (existing well)
 - NMR <fl ch>, A of C
 LT. 0.2 cfs - No measurement required <flow chart>
 Drilling Permit:
 Approved w/permit - P99
 Not included - 046-P23(wells-7/1/87 to present), N/A
 SURFACE WATER: not in w/d - 01C-P03 (=GT.2 w/pump), NMR <flow chart>

LOCATION:

Water Districts - WD No. 65-K
 Surface water - 005, 005-01H-P01(LT.2 w/pump)
 005-01J-P08(GT.2), NMR <flow chart>
 Groundwater - P05
 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
 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(Spec.),
 044(Policy 5G)
 Power - Use Power Review
 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(restricted areas)

OWNERSHIP:

Non land owner - 004

PROTESTED:

Agreement - 020

Beneficial Use Due Date: - 07-03-1995

Other Conditions Recommended

MEMORANDUM

TO: Application 65-13368
FROM: Brenda
DATE: June 1, 1992
RE: Telephone Conversation

=====

Mr. Frontino called today inquiring on the status of his application. He said he is working with the Bureau of Reclamation, Department of Fish & Game, and the Department of Lands on this development and action needs to be done as quickly as possible to coordinate all of the necessary activities. He received a letter from Gene Gibson (February 28th) that stated that it would not be necessary for him to obtain a stream channel alteration permit.

RECEIVED
JUN 1 2 1992

MEMORANDUM

TO: Files 65-13345 and 65- (new app)
FROM: Sharla
DATE: February 25, 1992
RE: Clarification of Water Right Filings

On this date, Mr. Frontino was in the office to record his intentions to store water for wildlife and irrigation purposes. In helping him fill out an application, it became apparent that his original filing, Permit 65-13345, did not completely reflect his proposed use of water.

The "spring" identified on his original permit flows into an old mining settling pond. It is the pond that Mr. Frontino plans to further excavate for a larger volume of storage. The pond will cover a surface area of approximately 3 acres. The water source is better termed an unnamed stream since the pond is downstream from the spring (storage facility located on-stream). Water flows through the pond and on into Lake Fork Creek. This is not a change in source, simply a clarification.

The new application for permit will cover Mr. Frontino's storage facility (old mining settling pond) for wildlife and irrigation. The direct flow permit earlier approved will allow him to pump from the pump during the irrigation season.

I explained to the applicant that a stream channel alteration permit may also be necessary for the excavation since it is on-stream and told him to contact Gene Gibson about this matter.

MICROFILMED
JUN 12 1992

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: Cjt DATE: 3/6/92 APPLICATION: 65-13368
Frontino

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:

new P/D

new 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:
☐ ☐ 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 analysis sheet.)
☐ ☐ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

Additional information on reverse side: _____

RECEIVED
APR 20 1992

Department of Water Resources

PROCESSING

APPLICATION NO. 65-13368

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. Lake Fork
☒ ☐ Water Dist. # 65 K **
☐ ☒ Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐ Affidavit of publication received: Yes
☒ ☐ Application published correctly: If not, record action taken.

** This appears to be below Lake Fork
 W.D.'s diversions but I am not
 sure. There are 65K uses in SE Sec 27.

☒ ☐ Publication dates and paper recorded on application:
☐ ☒ Protests received. Final date for protest April 6, 1992
☐ ☒ Protest dates, resolution of protest recorded on application:
☐ ☒ Recommendations attached: Approve, OK
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☒ ☐ Water delivered by water master? District # 65-K, Lake Fork Creek
☒ ☐ Special conditions of approval or cover letter:

184 ~~05~~ 05 65-K, Lake Fork Creek and tributaries

Note: No response from watermaster, but this is not req'd

See below for additional information

Recommended Date or Priority 2 / 27 / 1992Recommended by: DW Date 4/13/1992

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

(see attached)

P/D & P/U overlap: Applicants have P65-13345 for irrigation
 from a Spring on same 5 ac. Since this ap. proposes
 irrigation from Storage only (no direct flow) then there should
 be no conflict.

Sources should probably be considered separate anyway.
 (one Spring, one unnamed stream from another area)

Per Shavla C., same source both permits. Note to file 65-13345
 (at S.O.) explains discrepancy in wording of 1st permit, which
 may be clarified as necessary during field exam.

3/9/92 GJH



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

March 18, 1992

JOHN LEEDOM
147 N 3RD #7
MCCALL ID 83638

Re: Application for Permit No. 65-13368 in the Name of Tony
&/or Rose Frontino

Dear Watermaster:

Enclosed is an application(s) for transfer of 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,

A handwritten signature in cursive script, likely belonging to David R. Tuthill, Jr.

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

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

MICROFILMED

JUN 12 1992

S T A T E O F I D A H
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

MARCH 11, 1992

The Star News
P.O. Box 985
McCall, ID 83638

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 APRIL 6, 1992.

Yours truly,

GAIL GARRETT
Secretary

Encl.

JUN 12 1992

65-13368

FRONTINO, TONY
FRONTINO, ROSE
PO BOX 742
DONNELLY, ID 83615

Source: UNNAMED STREAM

Tributary: LAKE FORK CREEK

Diversion Pt: NWNW Sec 27 T 17N R 03E in VALLEY County.

Use: IRRIGATION STORAGE	(25.00 AF)
IRRIGATION FROM STORAGE	(25.00 AF)
WILDLIFE STORAGE	(45.00 AF)
Total Diversion:	(45.00 AF)

Date Filed: 2/25/1992

In: VALLEY County
 T17N R03E S27 NWNW

5.0 ACRES TOTAL

1992