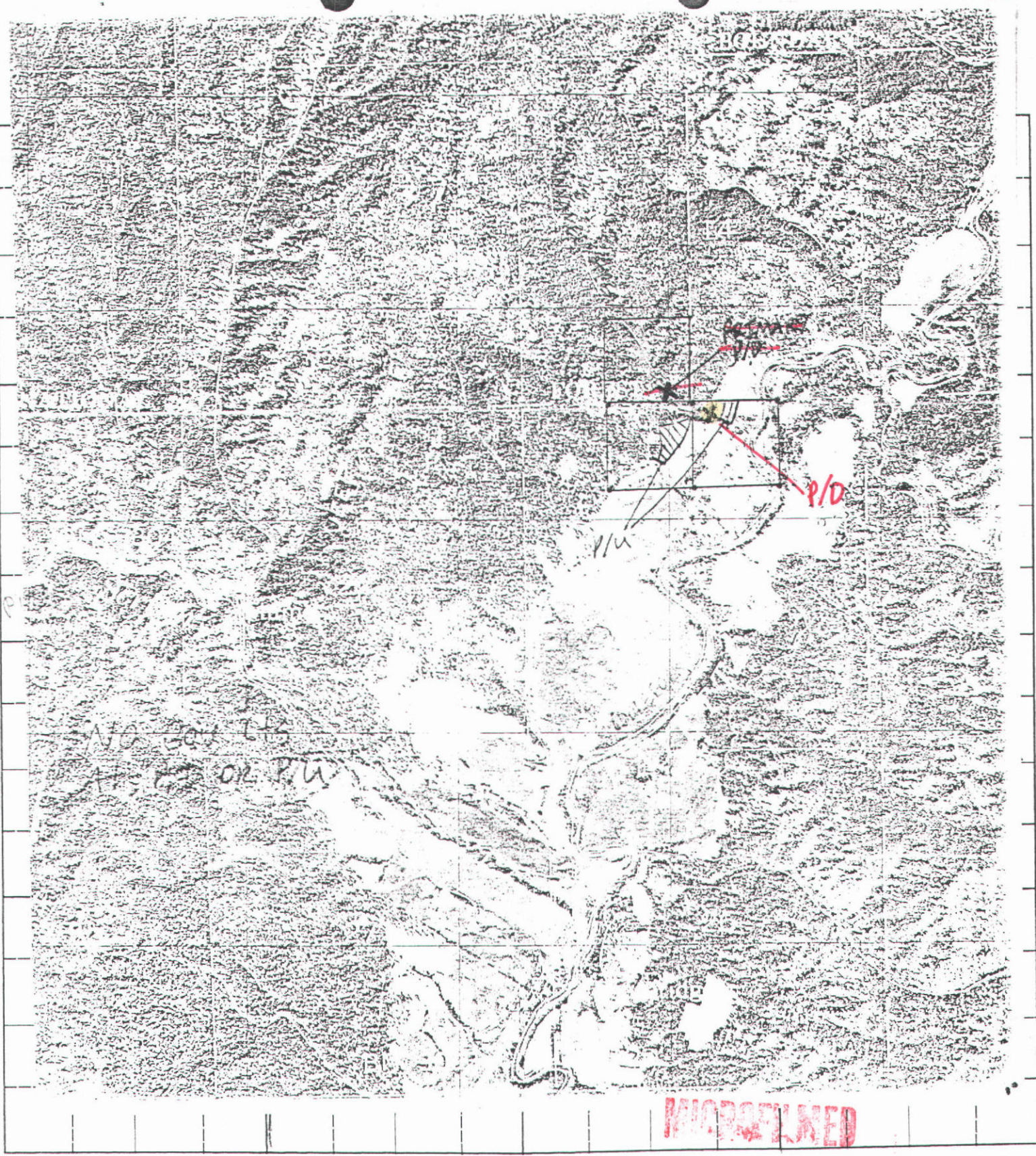


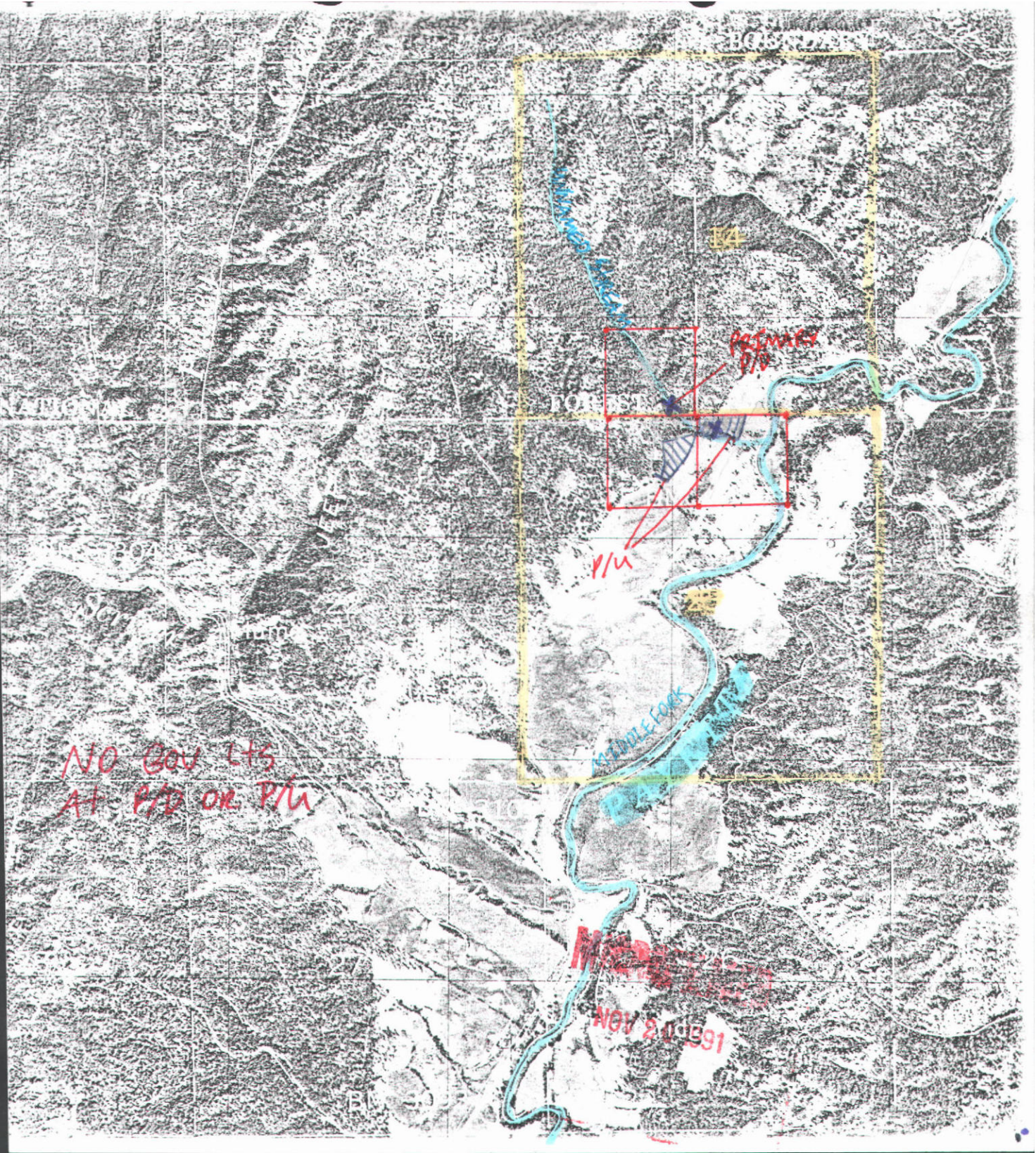


Scale: 2 inches equal 1 mile.

NOV 20 1991

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.

Debbie Harrington
(Applicant)



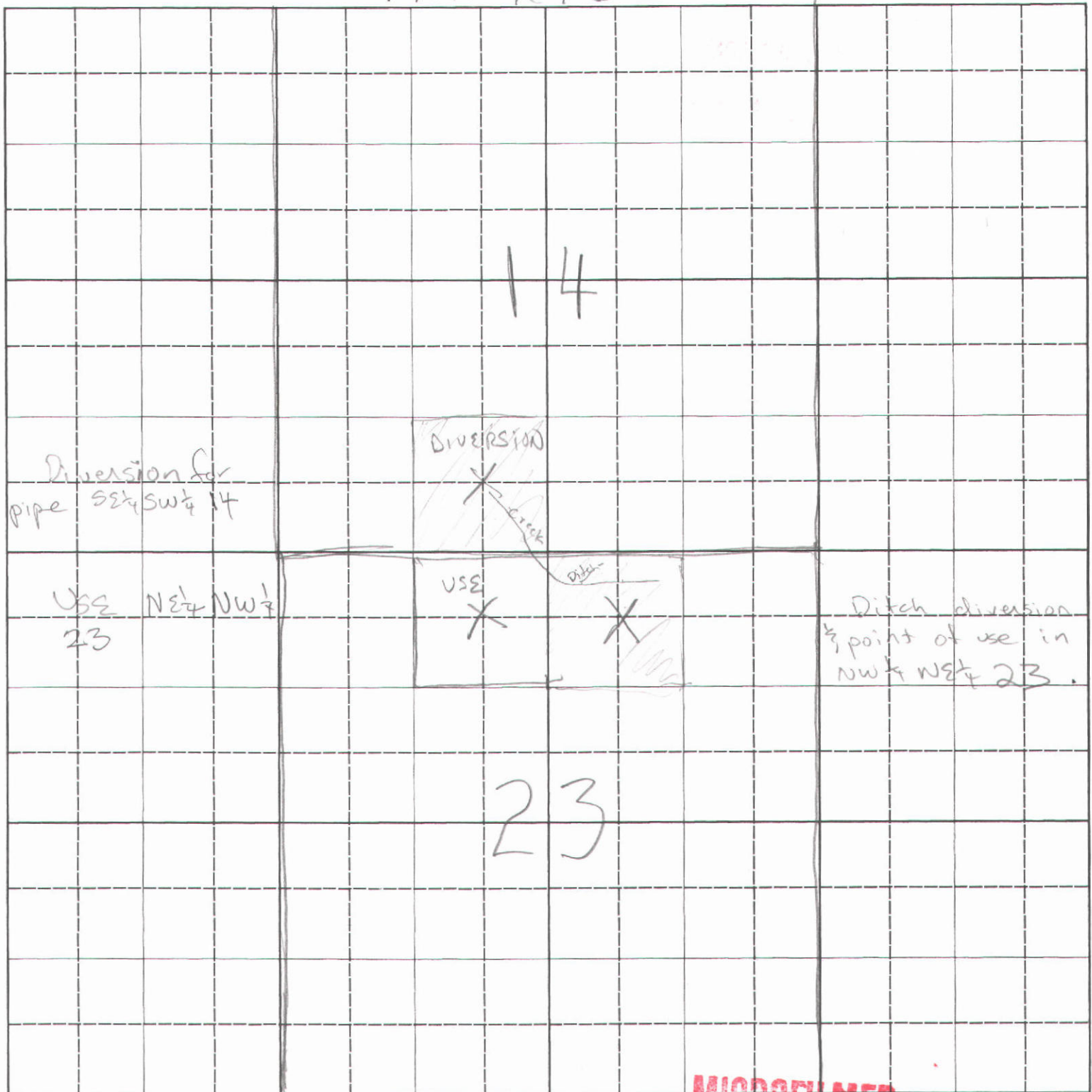
PRIMARY
P/D

P/U

NO GOV LTS
AT P/D OR P/U

NOV 20 1991

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. *T 10 N R 4 E*



Scale: 2 inches equal 1 mile.

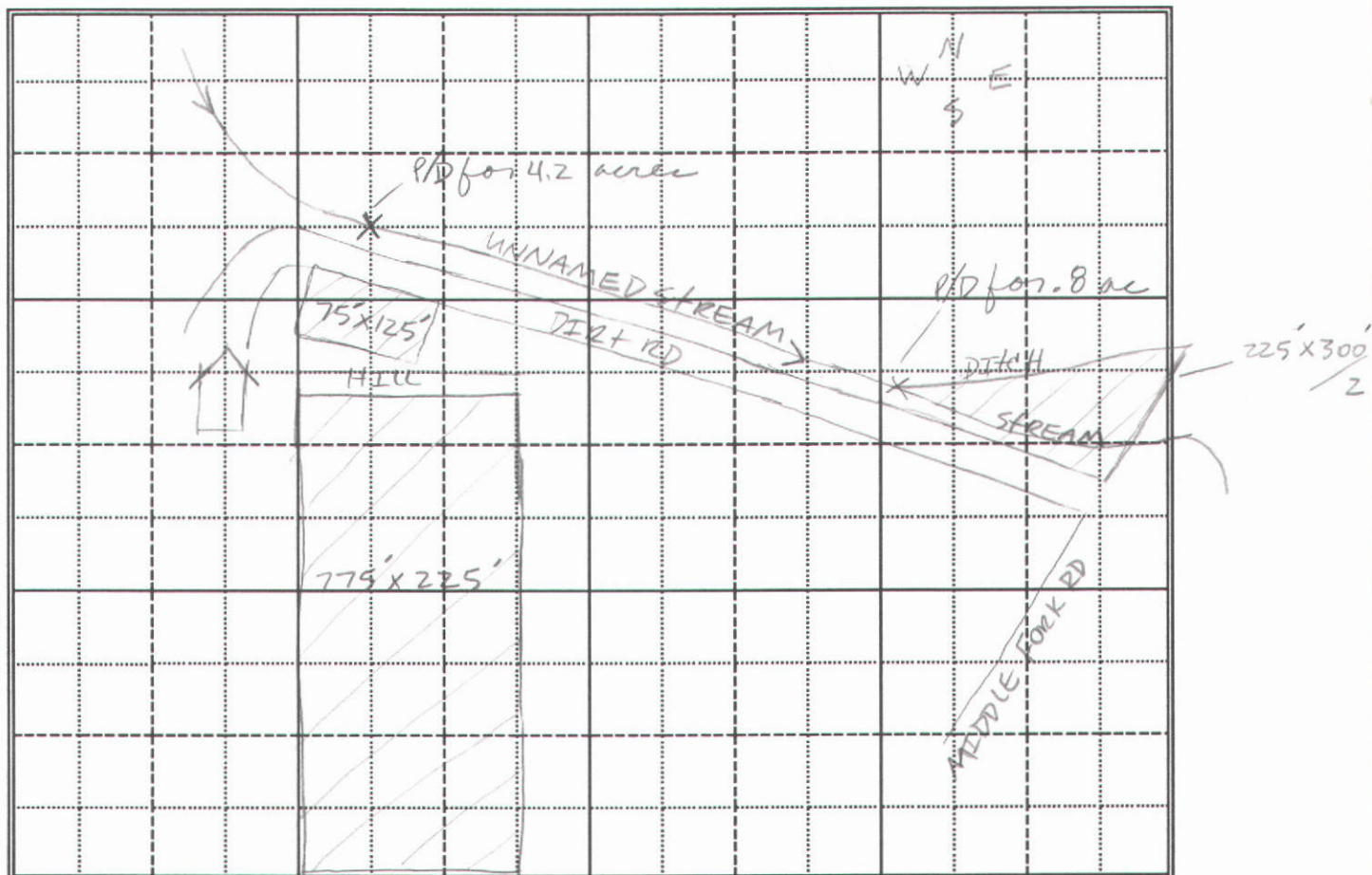
RECEIVED

NOV 20 1991

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.

Debbie Harrington
(Applicant)

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



Scale: 1" = not to scale

Copy of USGS Quadrange 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
	Franklin Electric	1	4103030416	hermotor	BCN100B77

*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
Theoreticals						

2. Measurements: pump had been pulled for the season and stream was dry. Flow calculations based on theoreticals

MAY 31 1995

TION RUE
sec 23
(no gov lts)



23

FORK

MIDDLE

Koppes

Creek

Pyle

MAY 8 1995

Smith

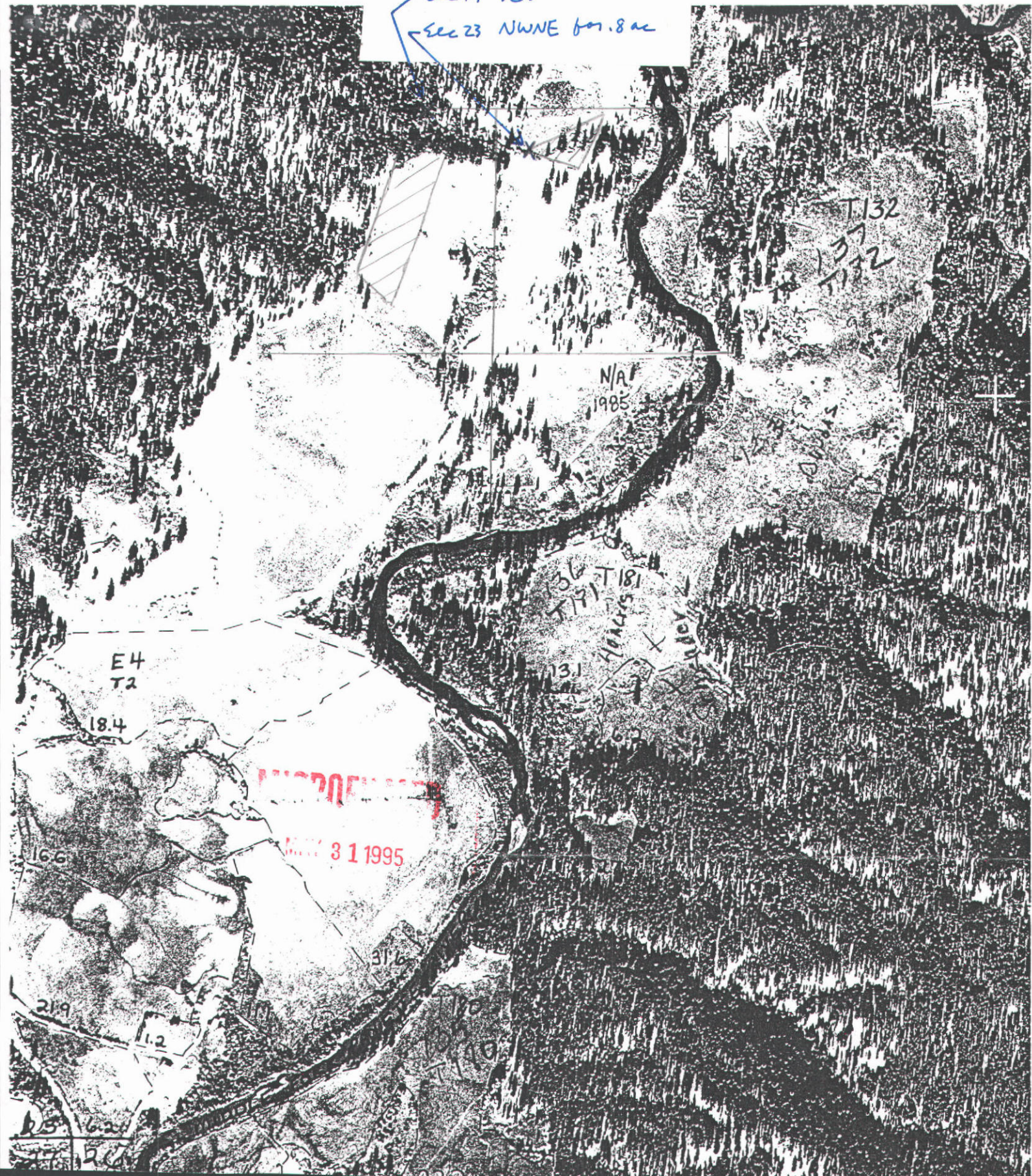
TION R4E sec 23

P/U: sec 23 NENW 4.2 ac

NWNE .8 ac

P/O: sec 23 NENW } single pt for
sec 14 SESW } 4.2 ac

← sec 23 NWNE for .8 ac





1 HP pump
used for 4.2 ac
(pulled for
reason)

Michigan

MAY 31 1995



4.2 ac P/D



1.5" PVC pipe
in stream
bed leading
to .8 ac field



↙
natural stream

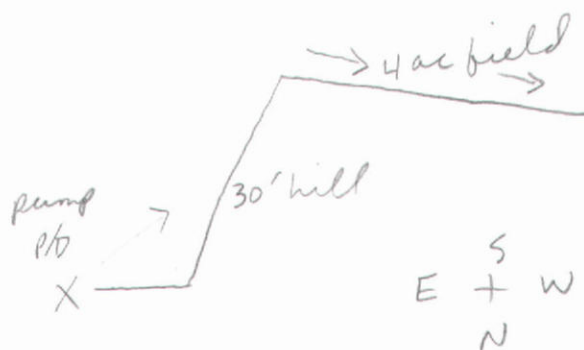
↘ Ditch +/or pipe
P/D in NWNE
FOR .8 acre

MIDDLEBURY

MAY 31 1995



1.5" PVC pipe used for
gravity and sprinkler
irrigation (gravity
pressurized - see below)



MI-1000000

MAY 31 1995

4 ac field



**FOREST SERVICE**
Fax Message**RECEIVED**

JUN 5 1991

Department of Water Resources
Western Regional Office**To:***R. Keith Higgerson***From:***U. S. Forest Service***Remarks:***1 page to follow
Hard copy in mail -**Please call 801-625-5346
and verify receipt -***MICROFILMED****NOV 20 1991***Thanks**Sandy*



United States
Department of
Agriculture

Forest
Service

Intermountain
Region

324 25th Street
Ogden, UT 84401

Reply to: 2540-1

Date: June 3, 1991

Mr. R. Keith Higginson
Director
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

Dear Mr. Higginson:

We are writing about Application for Permit No. 65-13321 filed by John F. &/or Debbie S. Harrington to appropriate 18 cfs from an unnamed stream tributary to the Middle Fork of the Payette River for irrigation purposes. We are concerned for the following reasons:

1. The United States needs a quantity of instream flow to accomplish the purposes of the National Forests under the Organic Administration Act of 1897 and the Multiple-Use Sustained-Yield Act of 1960.

2. The Forest Service is already putting the water to beneficial use and there is no unappropriated water left in the source.

3. The applicant does not have authority to occupy National Forest lands. Until the applicant has a Special Use Permit, action on the Application should be deferred.

Sincerely,

for Sandace R. Hall
GRAY F. REYNOLDS
Regional Forester

cc:
Boise NF

MICROFILMED

NOV 20 1991



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13321

Priority: April 23, 1991

Maximum Diversion Rate: 0.15 CFS
Maximum Diversion Volume: 17.5 AF

This is to certify, that DEBBIE S HARRINGTON
JOHN F HARRINGTON

HC 76 BOX 2404

GARDEN VALLEY ID 83622

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 23, 1991; and has submitted Proof of Beneficial Use on October 26, 1992. An examination indicates that the works have a diversion capacity of 0.160 cfs of water from:

UNNAMED STREAM tributary to PAYETTE RIVER, MIDDLE FORK

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>
IRRIGATION	04/15 to 10/15	0.15 CFS	17.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 14, Township 10N, Range 04E
NWNE , Sec. 23, Township 10N, Range 04E
NENW , Sec. 23, Township 10N, Range 04E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10N	04E	23	NWNE 0.8	NENW 4.2		5

Total number of acres irrigated: 5

CONDITIONS/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.

MAY 31 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

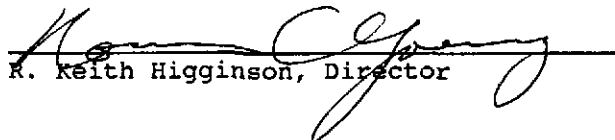
WATER RIGHT NO. 65-13321

CONDITIONS/REMARKS:

6. One point of diversion is located on or near the line between SESW, S14 and NENW, S23, T10N, R04E.
7. This right when combined with Right 65-03227A and all other rights shall provide no more than .03 cfs per acre nor exceed a combined annual diversion volume of 17.5 af for the lands above.

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 6TH
day of MAY, 1975.

Acting for


R. Keith Higginson, Director

RECEIVED
MAY 21 1965

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
MAY 02 1995
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13321

Date of Priority: April 23, 1991

Maximum Diversion Rate: 0.15 CFS
Maximum Diversion Volume: 17.5 AF

Comes now

DEBBIE S HARRINGTON
JOHN F HARRINGTON

HC 76 BOX 2404
GARDEN VALLEY ID 83622

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. 65-13321, and requests that the permit be changed as follows:

Source: **UNNAMED STREAM**

tributary to **PAYETTE RIVER, MIDDLE FORK**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.15 CFS	17.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 14, Township 10N, Range 04E
NWNE , Sec. 23, Township 10N, Range 04E
NENW , Sec. 23, Township 10N, Range 04E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10N	04E	23	NWNE 0.8	NENW 4.2		5

Total number of acres irrigated: 5

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MAY 31 1995

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Garden Valley, Idaho, this 30th day of April, 1995.

Debbie S Harrington
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13321

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Received by SCC # 2002574 Date 3-4-75

ACTION OF THE DEPARTMENT OF WATER RESOURCES

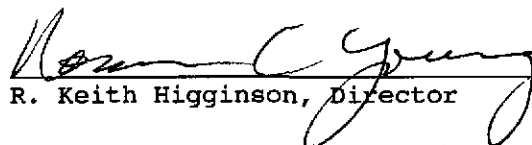
I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 65-13321 with the following;

CONDITIONS/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.
6. One point of diversion is located on or near the line between SESW, S14 and NENW, S23, T10N, R04E.
7. This right when combined with Right 65-03227A and all other rights shall provide no more than .03 cfs per acre nor exceed a combined annual diversion volume of 17.5 af for the lands above.

Witness my hand this 6TH day of MAY, 1975.

Acting for


R. Keith Higginson, Director

MAY 31 1975

Amt. of Fee \$ 50.00
Date 10/27/92
Receipt No. 0025846
Receipt by [Signature]

RECEIVED

OCT 26 1992

Department of _____ 1993

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 65-13321 Telephone No. 208-462-3352
2. Name(s) of Permit Holder(s): John F. & Debbie S. Harrington
3. Mailing Address: HC 76 Box 2404 GARDEN VALLEY, ID 83622
4. Source of Water: UNNAMED Stream

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

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

Irrigation 9 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .18 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

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

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ 50.⁰⁰ (See License Fee Schedule on back of Instruction Sheet)

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

John or Debbie Harrington 462-3352 or 462-3774
Name HC 76 Box 2404 Telephone No. (home) (work)
GARDEN VALLEY, ID 83622
Address

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

10/23/92
Date

Debbie Harrington
Signature (and title, if on behalf of a company or organization)

19 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13321

Proposed Priority: April 23, 1991 Maximum Diversion Rate: 0.18 CFS

This is to certify, that DEBBIE S HARRINGTON

JOHN F HARRINGTON

HC 76 BOX 2404

GARDEN VALLEY ID 83622

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of PAYETTE RIVER, MIDDLE FORK

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/01 to 11/01

0.18 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNE Sec. 23, Township 10N, Range 04E
BOISE County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

10N 04E 23

NWNE 5

NENW 4

9

Total number of acres irrigated:

9

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 2, 1992.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
4. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

8th day of November, 1991.

R. Keith Higginson
R. Keith Higginson, Director

NOV 20 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: DEBBIE S. HARRINGTON 208-462-3352
Address: HC 76 BOX 2404
GARDEN VALLEY, ID 83622

Name: JOHN F. HARRINGTON 208-462-3352
Address: HC 76 BOX 2404
GARDEN VALLEY, ID 83622

2. Source: UNNAMED STREAM

Trib. to: PAYETTE RIVER, MIDDLE FORK

* 3. Location of Point of Diversion: ~~SESW~~ Sec. 14, Township 10N, Range 04E
NWNE BOISE 23 County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/01	11/01	0.180		

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

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.
PIPE AND 2 SMALL DAMS TO DITCHES

b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: 4/01 to 11/01 inclusive.

c. Proposed well diameter is inches; proposed depth of well is
feet.

d. 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 1 years.

NOV 20 1991

8. Description of proposed uses:

* Misunderstanding during telephone conversation with applicant regarding their P/D intentions. Application is being re-advertised to reflect actual P/D as originally applied for. The P/D in the SESW, sec 14, that was advertised should have been eliminated during the application review per tel conv with applicant 5/3/91. LW 8/21/91

9. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
10N 04E 23	NWNE 5	NENW 4		9

Total number of acres irrigated: 9

10. Describe any other water rights used for the same purposes.
A65-12047, A65-18098

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:

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

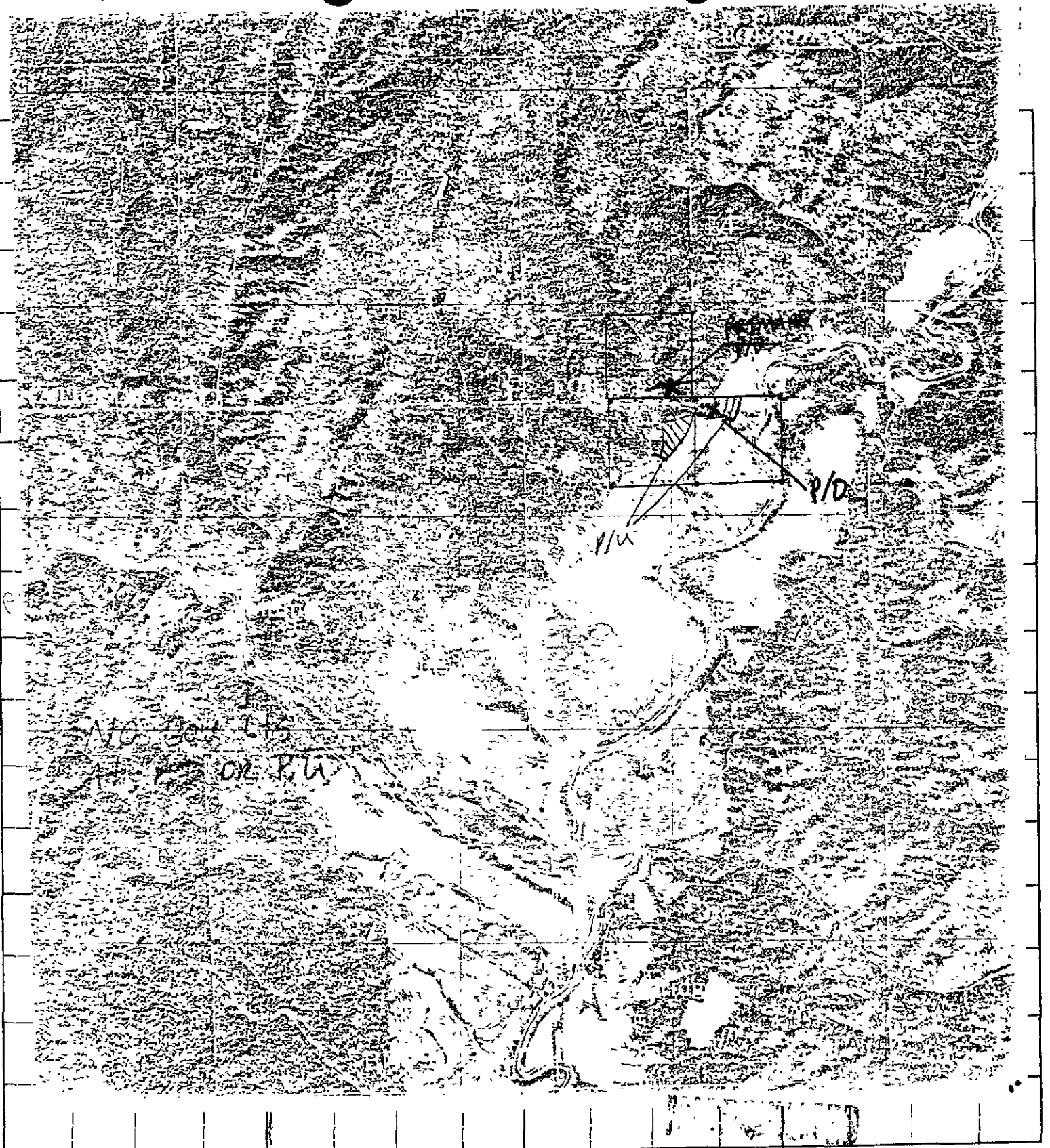
Fee \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED

NOV 20 1991



Scale 2 inches equal 1 mile

NOV 20 1991

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

Debban Harrington
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant John F. &/or Debbie S. HARRINGTON Phone 462-3352
Post office address HC 76 Box 2404 GARDEN VALLEY, ID 83622
2. Source of water supply UNNAMED STREAM which is a tributary of Middlefork Payette River
3. Location of point of diversion is ~~Section 13~~ 1/4 of NW 1/4 of NE 1/4, Govt. Lot ---
* Sec. ~~13~~ Township 10 N Range 4 E B.M. Boise County; additional
points of diversion if any: SE 1/4, SW 1/4, Sec. 14, T10N, R4E
SESW
4. Water will be used for the following purposes:
* Amount .18 cfs for IRRIGATION purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum) 3-15 to 4-15
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .18 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. #1 Primary 1 1/2" black plastic pipe with
secondary 2 small dams in creek located in SE 1/4, SW 1/4 of Sec. 14, T10N, R4E
#2 2 small irrigation ditches located on our property NW 1/4, NE 1/4, Sec. 23, T10N R4E
- b. Height of storage dams 2 feet; active reservoir capacity (small diversion dam) acre-feet, total
reservoir capacity _____ acre-feet, period of year when water will be diverted _____
_____ 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? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 year years (minimum 1 year).

NOV 20 1991

MICROFILMED

* changed irrig season to reflect Dept. recommendations. LW 5/3/91
* sec 23 P/D represents secondary P/D (ditch div.) LW 5/3/91

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

- Hydropower, show total feet of head and proposed capacity in KW _____
- Stockwatering, list number and kind of livestock _____
- Municipal, show name of municipality _____
- Domestic, show number of households. _____
- Other, describe fully. _____

9 Description of place of use

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

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
TION	R 4S	23		5			4												9

Total number of acres to be irrigated 9

- Describe any other water rights used for the same purposes as described above. WE HAVE TWO OTHER WATER RIGHTS A65-12047 & A65-18098 - ONE OF THESE IS USED FOR IRRIGATION
- Who owns the property at the point of diversion? PIPE DIVERSIONS (SEC. 14) - U.S. FOREST SERVICE
 - Who owns the land to be irrigated or place of use? DITCH DIVERSIONS (SEC. 23) - WE OWN WE DO
 - If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Assume special use permit required

12. Remarks. _____

NOV 20 1991

HOCHSTADT

14

FORBES

Y/M

NO. 115
AT 110 ON R/W

May 1951

Received by ST Date 4-23-91 Time 10:40 am Preliminary check by W
Fee \$ 30⁰⁰ Received by ST # W013239 Date 4-23-91
Publication prepared by GG Date 5-8-91 Published in ID World
ST 9-30-91 5/15 & 5/22/91
Publication approved ST Date 6-24-91 correction

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:

RECEIVED

NOV 20 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 17, 1995

DEBBIE S HARRINGTON
JOHN F HARRINGTON
HC 76 BOX 2404
GARDEN VALLEY ID 83622

RE: WATER RIGHT NO. 65-13321

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 8, 1995

DEBBIE S HARRINGTON
JOHN F HARRINGTON
HC 76 BOX 2404
GARDEN VALLEY ID 83622

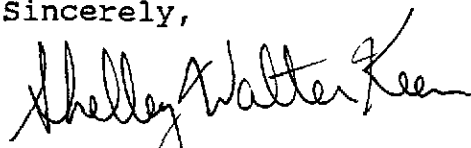
RE: WATER RIGHT NO. 65-13321

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

31 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 65-13321 DATE 4-13-95

NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE ☐ ☒ Advance? ☐ Advanced to: ☐
 Order to reinstate needed? ☐
 Incorrect fee for rate recommended? NO

SOURCE ☐ ☒ Changes or just clarification of originally intended source? ☐
 Notice of Intent to Void necessary? ☐

POINT OF DIV ☒ ☐ Amendment needed? Add SE SW OF 14 & NENEW OF 23
 Overlaps? ☒

PLACE OF USE ☐ ☒ Amendment needed? ☐
 Overlaps? Partial with 65-03227A / different source

DIV RATE ☐ ☒ Permit/fee limits: .18 CFS
 Meas Q = 5X.02 = .10 Theo Q = .156 Recommend: .15 CFS
5X.03 = .15
 Combined rates exceed capacity ☐ NEW

ANNUAL VOLUME ☐ ☒ Volume Limit: Season: B/3.5 (4-15 to 10-15)
 Calculations: 5X 3.5 = 17.5 cfs
 Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable ☐

USES ☐ ☒ Change in Nature of Use or additional uses? ☐
 Amendment necessary? ☐

ADDITIONAL INFO Supplemental Groundwater ☐ PPU Scenario ☐
 Irr/Dom Combination ☐ Shared G/W System ☐

NEW REMARKS NO Multiple p/d(s) in 1/4 1/4? But W33 (one on or near)
W44 Other 65-03227A / .03 CFS / 17.5 line

NEW CONDITIONS NO Watermaster control - District 65
NO Measuring/Locking Devices
NO Irrigation Overlap
NO Other
NO Water Quality Heat/Cool/Fish verified ☐

COMMENTS: Reduce acres AND RATE

Amend p/d

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	Adjustment Memo Needed
<u>Irrigation</u>	<u>.15</u>	<u>17.5</u>	<u>NO</u>	<u>NO</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

LICENSE

1ST AMEND LETTER P39 + P38 + S05
 2ND AMEND LETTER P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 18 1995

Department of Water Resources

A. GENERAL INFORMATIONPermit No. 1-5-133211 Owner: Debbie + John Harrington Phone No. 1162-3352Current Address: HC 76 BOX 2404 Garden Valley 836222. Accompanied by: Debbie EXAM DATE: 10/12/94Address: same Phone No. _____Relationship to Permit Holder: owner3. Source: unnamed stream tributary to Payette R. middle fork**B. OVERLAP REVIEW**

1. Other water rights with the same place of use. numerous - list included in file
2. Other water rights with the same point of diversion: " " " " "

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	SW	14	10N	4E	Boise	USGS Quad ASCS Photo
			NE	NW	23	10N	4E	Boise	" " " "
									← (same PD on Qtr line)
			NW	NE	23	10N	4E	Boise	

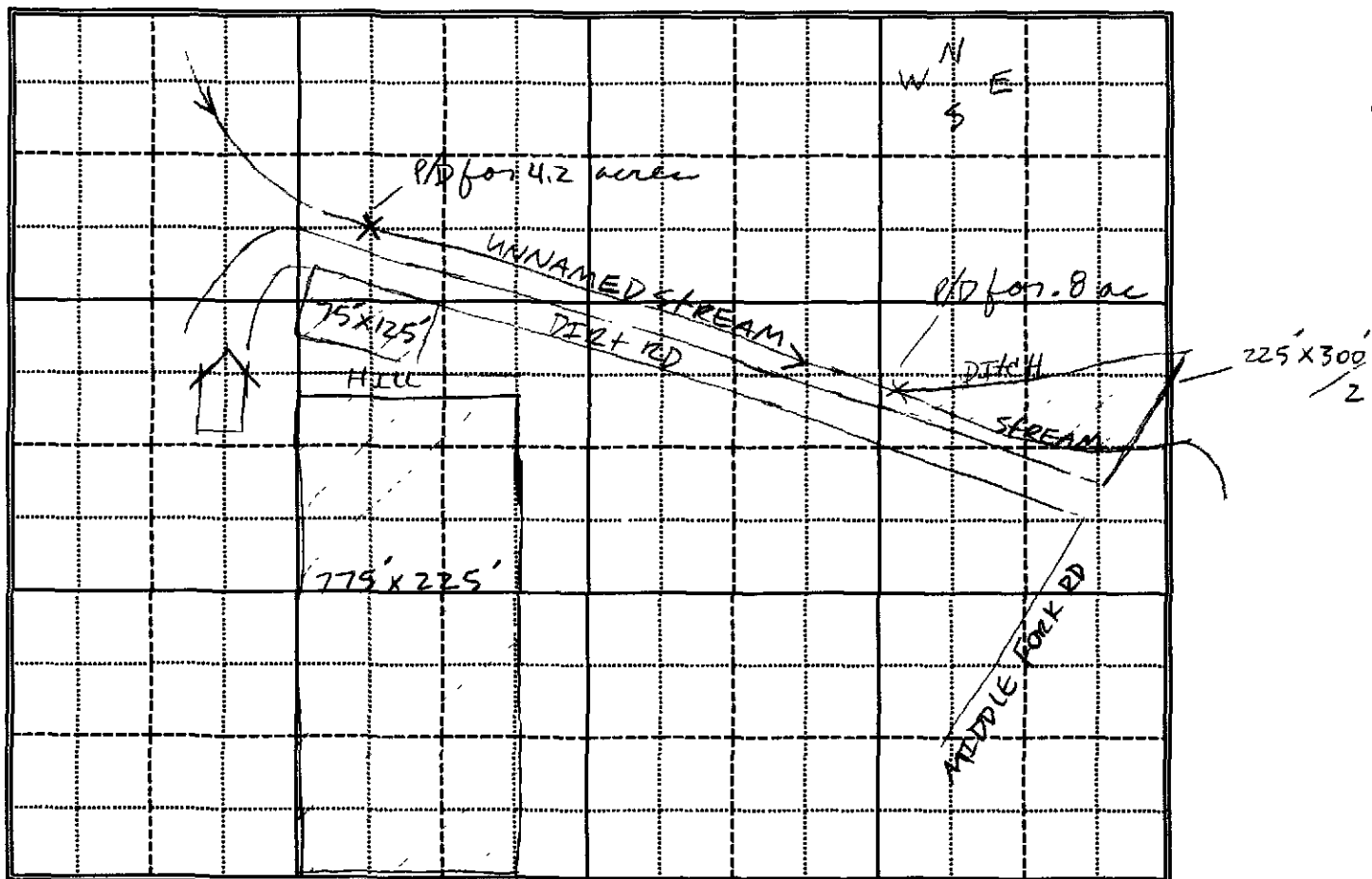
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	4E	23		.8			4.2												5

MAY 31 1995

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



Scale: 1" = not to scale

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
	Franklin Electric	1	4103030416	hermotor	BCN100B77

*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
Theoreticals						

2. Measurements: Pump had been pulled for the season and stream was dry. Flow calculations based on theoreticals.

E. NARRATIVE/REMARKS/COMMENTS

Water from an unnamed stream is diverted to 4.2 acres using a board & tarp dam, 1 HP pump and 1.5" PVC pipe. The pump is used to get the water up to a 4 acre field that is gravity +/or sprinklers irrigated with 1.5" PVC mainline, two 1" PVC laterals consisting of 4 9/16" sprinklers per lateral. A small .2 acre area just west of the stream and dirt rd is also irrigated from this P/D.

A 2nd P/D downstream is used to irrigate another .8 acre field via a underblock dam and gravity irrigation with PVC pipe and ditch.

Payette R. water can also be used and is decreed to part of the 4 ac field under the name of Kolla Sledge, 65-03227A, who is Debbie Harrington's Father and original owner of the property. The Harringtons also have license 65-12047 from the same stream, but represents a separate system and P/D, that they use for their lawn. A GW well is used for their internal domestic use. No other water etc are used.

NOTE: Because of limited stream flow, the Harringtons have diverted water for the .8 ac field starting from the upper P/D using a 1.5" PVC pipe for conveyance rather than the stream bed to eliminate seepage loss.

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

This diversion means made a pipe flow theoretical possible using no elevation difference between the upper P/D and the lower .8 ac field or total head. (see attached spreadsheet).

MAY 31 1995

F. FLOW CALCULATIONS

Measured Method:

$$\frac{144 \times 5.8 \times .7}{40 \text{ TDH}} = .154 \text{ cfs}$$

30' per topo

10' added for friction loss

Additional Computation Sheets Attached

← pipe flow theoretical from P/D to .2 acre

← pump theoretical from P/D to 4.8 acres

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \times 3.5 = 17.5$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .15 \times 184 \times 1.9835 = 54.7$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 17.5$$

2 Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/15	10/15	.15	17.5
Totals:			.15	17.5

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 Lon Gnauer Date 11/10/94

Reviewer _____ Date _____

SEAL

MAY 31 1995

Pipeflow Computation Spreadsheet (DRT 12/31/1992)

Data Entered By: LORI GRAVES

Project: Flow Computation for 65-13321 Harrington

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:

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

To Find: Compute the Rate of Flow

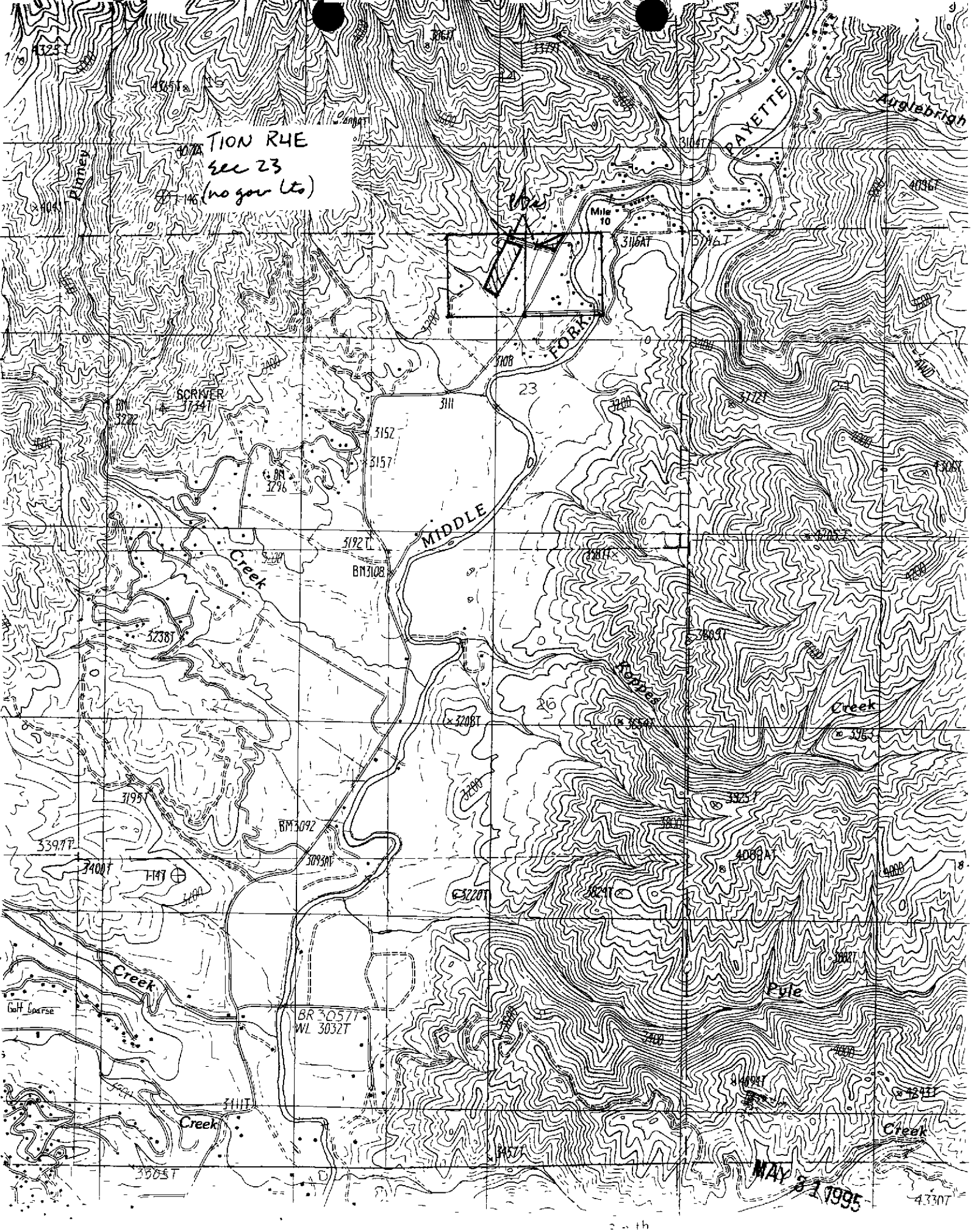
Data Table

Total Head: 50.00 feet - *per topo map (40' intervals)*
Pressure Req'd: 10.00 psi - *friction loss est*
Available Head: 26.90 feet
Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140
aluminum - joint length 20' = 125, joint length
30' = 130, joint length 40' = 132, joint length
50' = 134, new riveted steel = 100
old riveted steel = 100, old cast iron = 95,
old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Head Loss from Pipe Friction
1.50	75.00	26.82	
1.00	0.00	0.00	
1.00	0.00	0.00	
			26.82

Rate of Flow: 0.156 CFS

100-13321-1
MAY 8 1993



TION RUE
sec 23
(no gov lts)

MAY 31 1995

TION R4E Sec 23

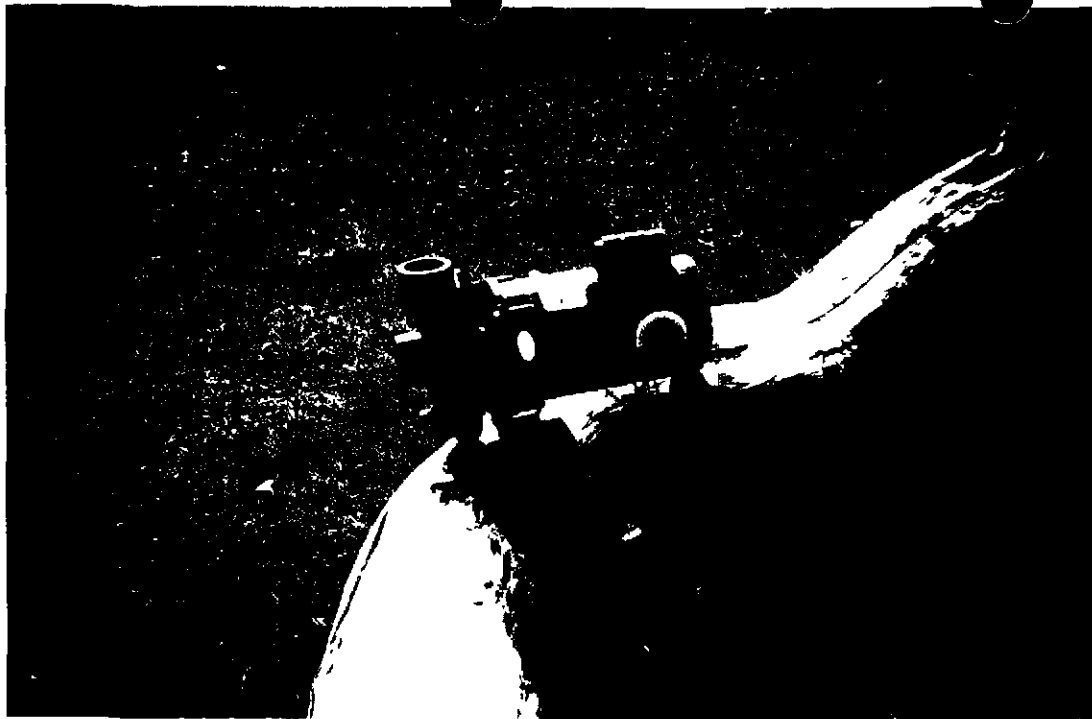
P/U: Sec 23 NENW 4.2 ac

NWNE .8 ac

P/D: Sec 23 NENW } single pt for
Sec 14 SESW } 4.2 ac

← Sec 23 NWNE for .8 ac





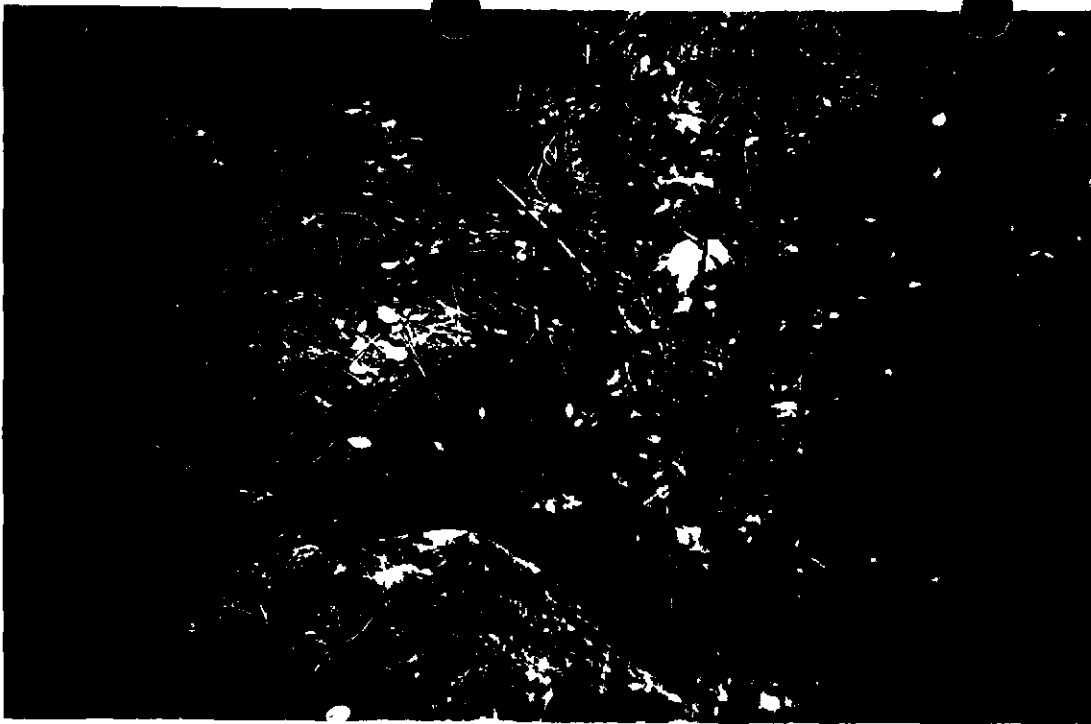
1 HP pump
used for 4.2 ac
(pulled for
season)



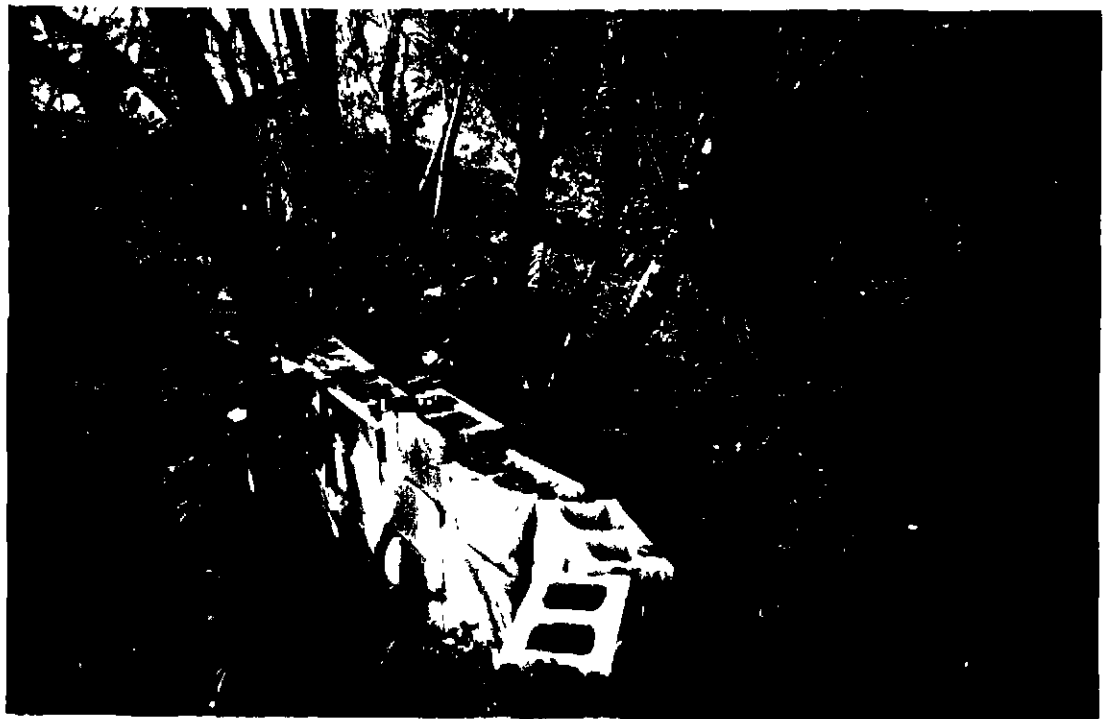
MAY 31 1995



4.2 ac P/D



1.5" PVC pipe
in stream
bed leading
to .8 ac field



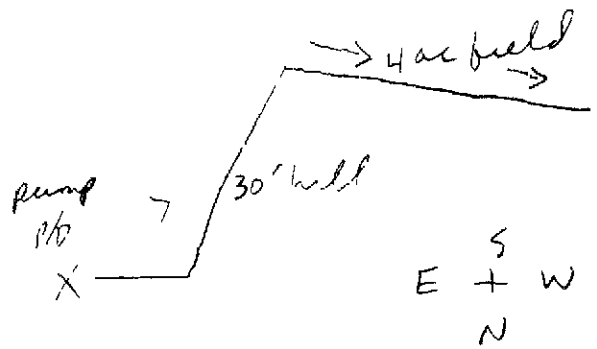
↙
natural stream

↘ Ditch for pipe
P/D in NWNE
FOR .8 acre

MAY 31 1995

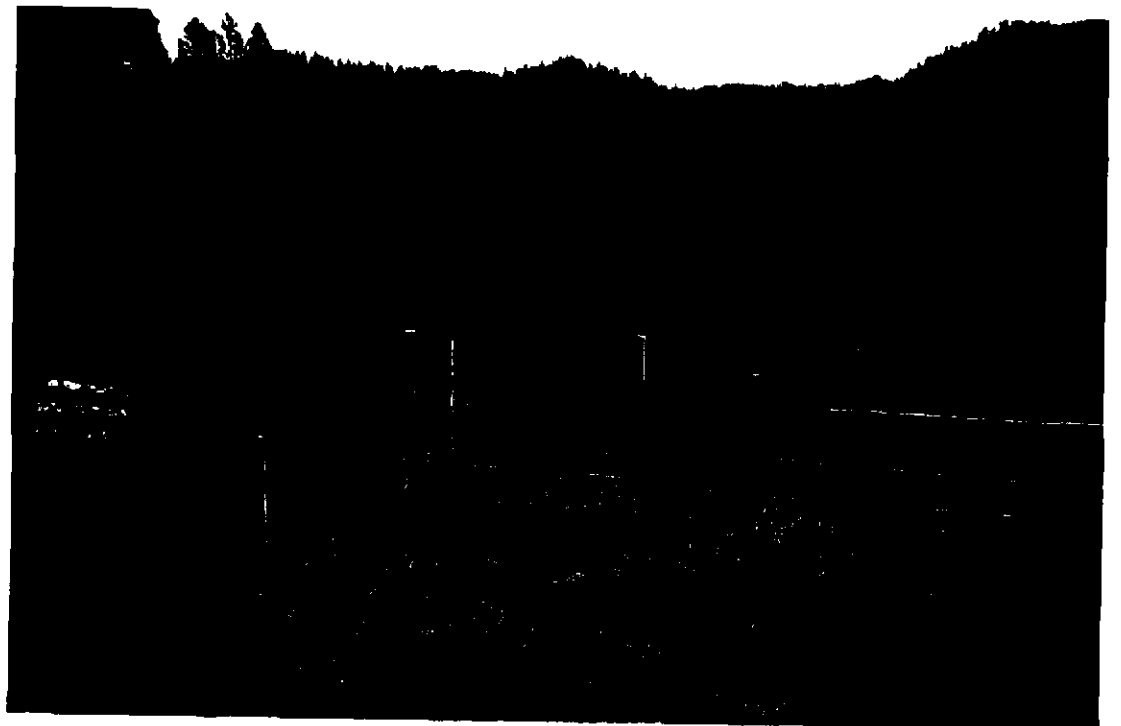


1.5" PVC pipe used for
gravity and sprinkler
irrigation (gravity,
pressurized - see below)



MAV 395

4 ac field



October 30, 1992

DEBBIE S HARRINGTON
JOHN F HARRINGTON
HC 76 BOX 2404
GARDEN VALLEY ID 83622

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13321

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
NOV 19 1992

August 31, 1992

DEBBIE S HARRINGTON
JOHN F HARRINGTON
HC 76 BOX 2404
GARDEN VALLEY ID 83622

PROOF DUE NOTICE

RE: PERMIT NO. 65-13321

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 November 1, 1992. (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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL

NO. 139488

NOV 1 9 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. KEITH HIGGINSON
DIRECTOR

November 14, 1991

DEBBIE S HARRINGTON
JOHN F HARRINGTON
HC 76 BOX 2404
GARDEN VALLEY ID 83622

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13321

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.

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

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

NOV 20 1991

SEP 17 1991

The Idaho World

Department of Water Resources
Western Regional Office

P O Box 220
Idaho City, ID 83631
208 392-4989

P O Box 99
Garden Valley, ID 83622
208 462-3487

State of Idaho >

County of Boise >

Wayne Hart, being duly sworn, deposes and says: that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for YUMB (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Sept 4, 1991 and ending with the issue of Sept 11, 1991.

Wayne Hart

State of Idaho >

County of Ada >

On this 15th day of September in the year 1991, before me, a notary public, personally appeared WAYNE HART known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Wayne Hart
Notary Public for Idaho

Boise ID
Residing at

My commission expires 9/10/96

NOV 20 1991

NOTICE OF CORRECTION ON APPLICATION FOR AMENDMENT

NO 65-13321 *vat*

Notice is hereby given that on July 17 and July 24, 1991, application for amendment in the name of John and/or Deb Harrington was advertised in error. The point of diversion was listed incorrectly. The application is recorded as follows

Application for amendment filed on 4/23/1991 for the diversion of Unnamed Stream from Payette River, Middle Fork with a point of diversion within the SESW, Sec. 14, T10N, R4E, to be use for irrigation purposes from 4/1 to 11/1 within portions of NWNE and NENW, Sec. 23, T10N, R4E

The applicant now proposes to amend the application by changing the point of diversion to NWNE, Sec. 23, T10N, R4E

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before September 23, 1991.

R. Keith Higginson
Director

Published in The Idaho World on 9/4 and 9/11/1991.

NOTICE OF CORRECTION ON APPLICATION FOR AMENDMENT

NO. 65-13321

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R. Keith Higginson
Director

Published in the Idaho World on 9/4 and 9/11/1991.

NOV 20 1991

NOTICE OF
APPLICATION FOR AN AMENDMENT

NO 65-13321

Notice is hereby given that application No 65-13321 in the name of John and/or Deb Harrington was filed on 4/23/1991 for the diversion of Un-named Stream from Payette River, Middle Fork with a point of diversion within SESW, Sec 14, T10N, R04E to be used for irrigation purposes from 4/1 to 11/1 within portions NWNE and NENW, sec 23, T10N, R04E

The applicant now proposed to

amend the application by changing the point of diversion to NENW, Sec. 23, T10N, R04E

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before August 5, 1991

R Keith Higginson
Director

Published in The Idaho World July 17 and 24, 1991

The Idaho World

P O Box 220, Idaho City, ID 83631
208 392-4989

State of Idaho >
>
County of Boise >

Wayne Hart, being duly sworn, deposes and says: that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with July 17, 1991 and ending with the issue of July 24, 1991.

Wayne Hart

State of Idaho >
>
County of Ada >

On this 11th day of August in the year 1991, before me, a notary public, personally appeared WAYNE HART known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Jan E Hart
Notary Public for Idaho

Boise ID
Residing at

My commission expires 9/10/96

RECORDED

NOV 20 1991

NOTICE OF APPLICATION FOR AMENDMENT

NO. 65-13321

Notice is hereby given that application No. 65-13321 in the name of John and/or Deb Harrington was filed on 4/23/1991 for the diversion of Unnamed Stream from Payette River, Middle Fork with a point of diversion within SESW, Sec. 14, T10N, R04E to be used for irrigation purposes from 4/1 to 11/1 within portions NWNE and NENW, Sec. 23, T10N, R04E.

The applicant now proposed to amend the application by changing the point of diversion to NENW, Sec. 23, T10N, R04E.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before August 5, 1991.

R. Keith Higginson
Director

Published in the Idaho World on 7/17 and 7/24/1991.

NOV 20 1991

MEMORANDUM

TO: LORI WHITE/WESTERN REGION
FROM: PAM SKAGGS
RE: P/D CHANGE & RE-ADVERTISEMENT
DATE: 20-AUG-1991

=====

Application #65-13321 arrived in the State Office for final review and processing. I'm a little confused concerning changes and corrections made to the application.

Corrections in red ink were made on the application on 5-3-91 removing one point of diversion. The Forest Service withdrew their protest to the application stating that the applicant had relocated the point of diversion (Where?). Your memo of 7-3-91 states something about moving the dam in the creek and P/D listed on the original application (Which one and where to?). Your memo also mentions re-advertising will be necessary and there is no evidence that this was done.

Could you please clarify this application and take care of any advertising necessary before forwarding back to the State Office. Thanks for your help.

W. L. White

NOV 20

69-7101 + 62-13321

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "TURN TO" Space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Gray F. Reynolds, Reg. Forester
U.S. Dept. of Agriculture
Forest Service
324 25th St.
Ogden, UT 84401

4. Article Number

P 581 149 755

Type of Service:

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

Always obtain signature of addressee or agent and DATE DELIVERED

5. Signature — Addressee

X

6. Signature — Agent

X

7. Date of Delivery

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

NOV 20 1991

65-13521

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

John F. & Debbie Harrington
HC 76 Box 2404
Garden Valley, ID 83622

4. Article Number

P 581 149 754

Type of Service:

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

Always obtain signature of addressee or agent and DATE DELIVERED

5. Signature — Addressee

X Debbie Harrington

6. Signature — Agent

X

7. Date of Delivery

8-1-91

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

AUG 02 1991

Department of Water Resources
Western Regional Office

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705



RECEIVED
NOV 20 1991



PENALTY FOR PRIVATE
USE, \$300

69-1101 + (6-15521)

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "TO" Space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:

Gray F. Reynolds, Reg. Forester
U.S. Dept. of Agriculture
Forest Service
324 25th St.
Ogden, UT 84401

4. Article Number

5. Type of Service

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

5. Signature — Addressee

X *Janet Ott*

6. Signature — Agent

X

7. Date of Delivery

8-1-91

Always obtain signature of addressee or agent and DATE DELIVERED

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

AUG 05 1991

Department of Water Resources
Western Regional Office

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO** 

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705



**PENALTY FOR PRIVATE
USE, \$300**



P-581 149 754

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

* 10 FOR "CERTIFIED MAIL"

John F. & Debbie Harrington

HC 76 Box 2404

Garden Valley, ID 83622

USC

Postage	\$
Certified Fee	\$
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	\$

Postmark or Date

NOV 20 1991

PS Form 3800, June 1985

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

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card Form 3811, and attach it to the front of the article by means of the gummed ends of space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811
6. Save this receipt and present it if you make inquiry

P-581 149 755

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

Gray F. Reynolds, Reg. Forester
U.S. Dept. of Agriculture
Forest Service
324 25th St.
Ogden, UT 84401

U.S.

Postage	\$ 29
Certified Fee	1 -
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1 -
Return Receipt showing to whom Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.29

Postmark or Date

PS Form 3800, June 1985

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

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or take it to your carrier for the extra charge.
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and retain the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends of space, or pins. Otherwise, attach to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the appropriate blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 2, 1991

Gray F. Reynolds, Regional Forester
U. S. Dept. of Agriculture
Forest Service
324 25th St.
Ogden, UT 84401

Re: Application for Permit No. 65-13321 in the Name of John F.
&/or Debbie S. Harrington

Dear Protestant:

This office acknowledges receipt of the withdrawal of protest
against the above-referenced application.

The Department now will continue to process the application.

Sincerely,

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

DRT:st

CC: John F. &/or Debbie S. Harrington

P.S. This letter also constitutes notice of cancellation
of the conference scheduled for Aug. 29, 1991.

CC: Encl. to Manager District

UNRECORDED

1991 20 1991



United States
Department of
Agriculture

Forest
Service

Intermountain
Region

324 25th Street
Ogden, UT 84401

Reply to: 2540-1

Date: JUL 30 1991

RECEIVED
AUG 01 1991

Mr. David R. Tuthill, Jr.
Manager, Western Regional Office
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Department of Water Resources
Western Regional Office

Dear Mr. Tuthill:

On June 3, we protested Application for Permit No. 65-13321 filed by John F. and/or Debbie S. Harrington. The Applicants have since relocated their point of diversion to their own property. Therefore, we withdraw our protest.

Sincerely,

GRAY F. REYNOLDS
Regional Forester

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NOV 20 1991



Caring for the Land and Serving People

FS-6200-28b(4/88)

FROM

lw

DATE

7/3/91

TO

65-13321

SUBJECT

Dam will be moved down to sec. 23
in NW 1/4 - Dam for sm diversion ditch
in Creek. P/D listed on original applic.
Re-advertise no fee required -
misunderstanding on NW 1/4 P/D during
applic. review.

MICROFILMED

NOV 20 1991

lei White

SIGNATURE

RECEIVED

JUL 2 1991

Department of Water Resources
Western Regional Office

John & Debbie Harrington
HC 76 Box 2404
Garden Valley, ID 83622

July 1, 1991

David R. Tuthill, Jr., P.E.
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

Dear Mr. Tuthill,

We are writing in regards to our application for permit NO. 65-13321 and the subsequent protest filed by the U.S. Forest Service.

After consulting with the Soil Conservation Service, we've determined that we can locate both types of diversion (gravity flow pipe & dam diversion) on our property. This would eliminate the need for the additional proposed pipe intake on the U.S. Forest Service property. The proposed points of diversion and use would be in Section 23, which is on our property only.

The abovementioned change should alleviate any problems concerning our water system and use. If you have any questions, please call us at 462-3352.

Thank you,

Mr & Mrs John Harrington

Mr. & Mrs. John Harrington

cc: Gray F. Reynolds, Reg. Forester USFS
Dave Hale, Emmett Ranger District USFS

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NOV 20 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION	)	
	)	
FOR PERMIT NO. 65-13321 IN THE	)	NOTICE OF CONFERENCE
	)	
NAME OF JOHN F. &/OR DEBBIE S.	)	
	)	
<u>HARRINGTON</u>	)	

On April 23, 1991, John F. &/or Debbie S. Harrington filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by the U.S. Forest Service.

The Department has set the matter of protest for a conference on Thursday, August 29, at 10:00 a.m., in the Second Floor Conference Room, Department of Water Resources, 1301 N. Orchard St., Boise, Idaho 83706. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 29th day of July, 1991.

David R. Tuthill Jr.

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

[Handwritten initials]

NOV 20 1991

I hereby certify that on the 30th day of July, 1991, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

Certified Mail

John F. &/or Debbie S. Harrington
HC 76 Box 2404
Garden Valley, ID 83622

Gray F. Reynolds, Regional Forester
U. S. Dept. of Agriculture
Forest Service
324 25th St.
Ogden, UT 84401

Non-Certified Mail

Emmett Ranger District
1648 N. Washington
Emmett, ID 83617

NOV 20 1991

CONFERENCE INFORMATION

IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

In accordance with Idaho Code, Section 42-203(A), the following issues are involved in the consideration of the application and protest(s):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the State of Idaho?

The intent of the conference is to resolve any conflicts regarding the proposed water appropriation in light of these five factors. The conference will not be recorded in an effort to promote full discussion of the issues. Possible resolutions are: (1) clarification of the issues resulting in a determination by all parties that the application is acceptable, (2) modification of the application to make it acceptable to the protestant(s), or (3) addition of acceptable restrictions or conditions of approval. If a resolution is not attainable, then a hearing will be set by the Department.

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NOV 20 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 25, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

John F. &/or Debbie S. Harrington
HC 76 Box 2404
Garden Valley, ID 83622

Re: Application for Permit No. 65-13321

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

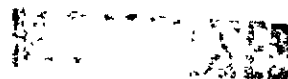
1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

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

Enclosure: Copy of protest(s)



NOV 20 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 25, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Gray F. Reynolds, Regional Forester
U. S. Dept. of Agriculture
Forest Service
324 25th St.
Ogden, UT 84401

Re: Application for Permit No. 65-13321 in the Name of John F.
&/or Debbie S. Harrington

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-1203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

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

Sincerely,

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

DRT/st

NOV 20 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 25, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

George N. Stoops
2508 Eldorado
Boise, ID 83704

Re: Application for Permit #65-13321 in the Name of John F.
&/or Debbie S. Harrington

Dear Mr. Stoops:

We are in receipt of your letter dated June 20, 1991, in which you expressed concerns about the approval of the above-referenced application for permit. Please be advised, however, that the letter was not received by the state office until June 20, 1991. Pursuant to Idaho Code, we cannot officially accept the protest as valid at this time.

You may be aware that another protest was received by this office in a timely manner. This protest was submitted by the U.S. Forest Service. Therefore, the application is currently officially protested and the applicant will be sent a copy of the protest. Acknowledgement of the protest will be mailed by this office on June 25, 1991, and we typically wait 20 days from that date before setting the matter for conference and/or hearing.

Pursuant to Rule 6 of the Rules and Regulations, Practice and Procedure for this Department dated October 19, 1983, you may request to become a full party to this action by requesting leave for intervention. Enclosed we are providing a copy of the rules and regulations, and for your information we have also enclosed a copy of the other protest. For informational purposes, we are sending a carbon copy of your protest letter to the applicant, so that he will be apprised on your concerns.

Please feel free to contact this office if you have questions about the procedure for intervention or other matters related to the application.

Sincerely,

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

DRT:st

CC: John & Debbie Harrington

Encl: Rules & Regulation, Practice & Procedure
Protest

Mr. Gary Spachman,
Water Allocation Section
1301 North Oakland
Boise, Idaho 83720

June 20, 1991
RECEIVED
JUN 20 1991

JUN 21 1991

Department of Water Resources

Department of Water Resources
Western Regional Office

Dear Mr. Spachman:

I am writing this letter to ask that the request for more water from the Spring-Tub. to South River, Middle Fork (the name of Spring) be denied. Joseph and Wilbur Harrington, for the following reasons; He is that in line on water rights to the water but was taking water out of the stream from the spring above me, causing my gravity flow system to take in air, causing much trouble and time, because of the dam that was constructed tapping all the water supply at times they seem to feel that the water that they could spare I could have. Mr. Briggs also had his line in the same dam, that means that they both had their 1 1/2" lines in this dam and at times were taking all the water.

NOV 20 1991

Their request shouldn't be granted because there isn't enough water. I understand the law to grant me a second water right so that I should be second position in the Spring water stream.

I also understand that I have been granted the same amount of water as Mr. Briggs (0.64c) and Mr. Harrington but that Mr. Briggs should be first then in the spring, I think it should be second in the spring water stream, and Mr. Harrington should be third place in the water source.

The request he has made would reduce the quantity of water so that the first users right would be violated.

I have water from this source piped into our house and need it for the 1/3 acre of property we have.

I also have questioned if Harrington's water right goes back correctly to 1977. I didn't think he purchased the property that early.

Thank you for all the work you have done.

Sincerely,

Steve M. [Signature]

APR 20 1991

REGION

TEL 801-625-5127



**FOREST SERVICE
Fax Message**

RECEIVED

JUN 5 1991

Department of Water Resources
Western Regional Office

To: *R. Keith Higinson*

From: *U. S. Forest Service*

Remarks: *1 page to follow
Hard copy in mail -*

*Please call 801-625-5346
and verify receipt -*

MICROFILM

NOV 20 1991

Thanks

Sarah



United States
Department of
Agriculture

Forest
Service

Intermountain
Region

304 251
Ogden, UT

Reply to: 2540-1

Date: June 3, 1991

Mr. R. Keith Higginson
Director
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

Dear Mr. Higginson:

We are writing about Application for Permit No. 65-13321 filed by John F. Debbie S. Harrington to appropriate 18 cfs from an unnamed stream tributary to the Middle Fork of the Payette River for irrigation purposes. We are concerned for the following reasons:

1. The United States needs a quantity of instream flow to accomplish the purposes of the National Forests under the Organic Administration Act of 1897 and the Multiple-Use Sustained-Yield Act of 1960.

2. The Forest Service is already putting the water to beneficial use and there is no unappropriated water left in the source.

3. The applicant does not have authority to occupy National Forest lands. Until the applicant has a Special Use Permit, action on the Application should be deferred.

Sincerely,

for *Randall H. Stace*
GRAY F. REYNOLDS
Regional Forester

cc:
Boise NF

MICROFILMED

NOV 20 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

May 15, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Gray F. Reynolds, Regional Forester
U. S. Dept. of Agriculture
Forest Service
324 25th St.
Ogden, UT 84401

Re: Application for Permit No. 65-13321 in the name of John F.
&/or Debbie S. Harrington

Dear Sir:

Enclosed is a copy(s) of the above-referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by June 3, 1991.

If you have any questions regarding the application, please contact this office.

Sincerely,

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

DRT:st

Enclosure(s):

RECEIVED
NOV 20 1991

NOTICE OF APPLICATION FOR WATER RIGHTS

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

65-13319

RODES, JIM
RODES, SHIRLEY
P. O. Box 9
GARDEN VALLEY, ID 83622

Source: GROUNDWATER

Diversión Pt: NWNW Sec 15 T 09N R 04E

Use: IRRIGATION (.100 CFS)
DOMESTIC (.040 CFS)
Total Diversión: (.140 CFS)

Date Filed: 4/25/ 1991

In: T09N R04E S15 NWNW

5.0 ACRES TOTAL

65-13320

RODES, SHIRLEY
RODES, JIM
P.O. BOX 9
GARDEN VALLEY, ID 83622

Source: SPRINGS
Source: UNNAMED STREAMS

Tributary: PAYETTE RIVER, MIDDLE FOR
Tributary: PAYETTE RIVER, MIDDLE FOR

Diversión Pt: NWNWNW Sec 15 T 09N R 04E

Use: IRRIGATION (.100 CFS)
Total Diversión (.100 CFS)

Date Filed: 4/25/ 1991

In: T09N R04E S15 NWNW
5.0 ACRES TOTAL

65-13321

HARRINGTON, JOHN F.
HARRINGTON, DEBBIE S.
HC76 BOX 2404
GARDEN VALLEY, ID 83622

Source: UNNAMED STREAM

Tributary: PAYETTE RIVER, MIDDLE FOR

Diversión Pt: (SESW) Sec 14 T 10N R 04E

Use: IRRIGATION (.180 CFS)
Total Diversión (.180 CFS)

Date Filed: 4/23/ 1991

In: T10N R04E S23 NWNE NENW

9.0 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 JUNE 3, 1991.

R. KEITH HIGGINSON, Director

Published in The Idaho World May 15 and 22, 1991.

NOV 20 1991

Subscribe & Save

65-13321

HARRINGTON, JOHN F.
HARRINGTON, DEBBIE S.
HC76 BOX 2404
GARDEN VALLEY, ID 83622

Source: UNNAMED STREAM

Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: SESW Sec 14 T 10N R 04E

Use: IRRIGATION (.180 CFS)
 Total Diversion: (.180 CFS)

Date Filed: 4/23/ 1991

In: T10N R04E S23 NWNE NENW

9.0 ACRES TOTAL

RECORDED

NOV 20 1991