

65-13317



8N1E SEC 10

ONLY 1 P/D

NW SW
SW SW



PU

SE NW

8N1E
SEC 15

RECEIVED
SEP 04 1991

RECEIVED
JUN 17 1991

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
SS.
COUNTY OF GEM,

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

consecutive weekly issues thereof,
beginning with the issue of
June 5, 1991,

and ending with the issue of
June 12, 1991

Joy Fridley
Subscribed and sworn to me this

12th day of
June, 1991

Joanne Sisk
Notary Public

Residing at Emmett, Idaho

My Commission Expires _____

MY COMMISSION EXPIRES
JULY 12th, 1991

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

65-13317

CUNNINGHAM, MARILYN

P.O. BOX 59

OLA, ID 83657

Source: LITTLE COTTONWOOD
CREEK

Tributary: SQUAW CREEK

Diversion Pt: NWSW Sec 10 T 08N R

01E SWSW Sec 10 T 08N R 01E

Use: IRRIGATION (.020 CFS)

Total Diversion: (.020 CFS)

Date Filed: 4/3/1991

In: T08N R01E 51S SENW 0.5 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 Air-
port Way, Boise, Idaho 83705 on or be-
fore JUNE 24, 1991.

R. KEITH HIGGINSON, Director
Pub.: 6-5,12-91

Legal Notice No. 1117
Published in the Messenger Index

✓ Dmr/ST

Not
Fatal.
Reasonable
Assumption
is that this
means 5 15.

Dmr 7/8/91

MICROFILMED

SEP 04 1991

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13317

Proposed Priority: April 3, 1991 Maximum Diversion Rate: 0.02 CFS
This is to certify, that **MARILYN CUNNINGHAM**

P.O. BOX 59
OLA, ID 83657

has applied for a permit to appropriate water from:

LITTLE COTTONWOOD CREEK tributary of **SQUAW 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	03/15 to 11/15	0.02 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

SWSW Sec. 10, Township 08N, Range 01E
NWSW Sec. 10, Township 08N, Range 01E
GEM 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>
08N	01E	15	SENE	0.5		0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1992**.
2. Subject to all prior water rights.
3. Use of water under this permit is subject to control by the watermaster of State Water District No. 65A.
4. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
6. Single point of diversion located on or near line between SWSW and NWSW, S10, T08N, R01E.

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

21st day of August, 1991

RECORDED

for R. Keith Higginson, Director

SEP 04 1991

Ident. No. 65-13317

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: MARILYN CUNNINGHAM
Address: P.O. BOX 59
OLA, ID 83657
2. Source: LITTLE COTTONWOOD CREEK Trib. to: SQUAW CREEK
3. Location of Point of Diversion: SWSW Sec. 10, Township 08N, Range 01E
NWSW Sec. 10, Township 08N, Range 01E
GEM County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 03/15 | 11/15 | 0.020 | | |
5. Total quantity to be appropriated is:
0.020 CFS (and/or) AF
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc.
EARTH, PLASTIC DAM IN CREEK, DITCHES, GRAVITY FLOWS, DRIP SYSTEM
- 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: to 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.
8. Description of proposed uses:
IRRIGATION OF LAWN, GARDEN AND SMALL ORCHARD
9. Place of Use: IRRIGATION
- SEP 04 1980

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
08N	01E	15	SE	0.5			0.5

Total number of acres irrigated: .05

10. Describe any other water rights used for the same purposes.
A65-18773

11. a. Who owns the property at the point of diversion?
MC CAULOU
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.
DITCH EASEMENT WILL BE OBTAINED BY APPLICANT

12. Remarks:

P/D IS ON 1/4 1/4 LINE OF NWSW & SWSW T8N, R1E SEC. 10.
ONLY 1 P/D IN LEGAL.

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 Rch Date 4/3/91 Time 12:10 Preliminary check by for
Fee \$ 30.00 Receipted by Rch # W013272 Date 4/3/91
Publication prepared by GG Date 5-29-91 Published in Messenger-Index
Publication approved ST Date 6/17/91
6/6 & 6/13/91

RECEIVED
SEP 04 1991

68-13347

BNIE SEC 10

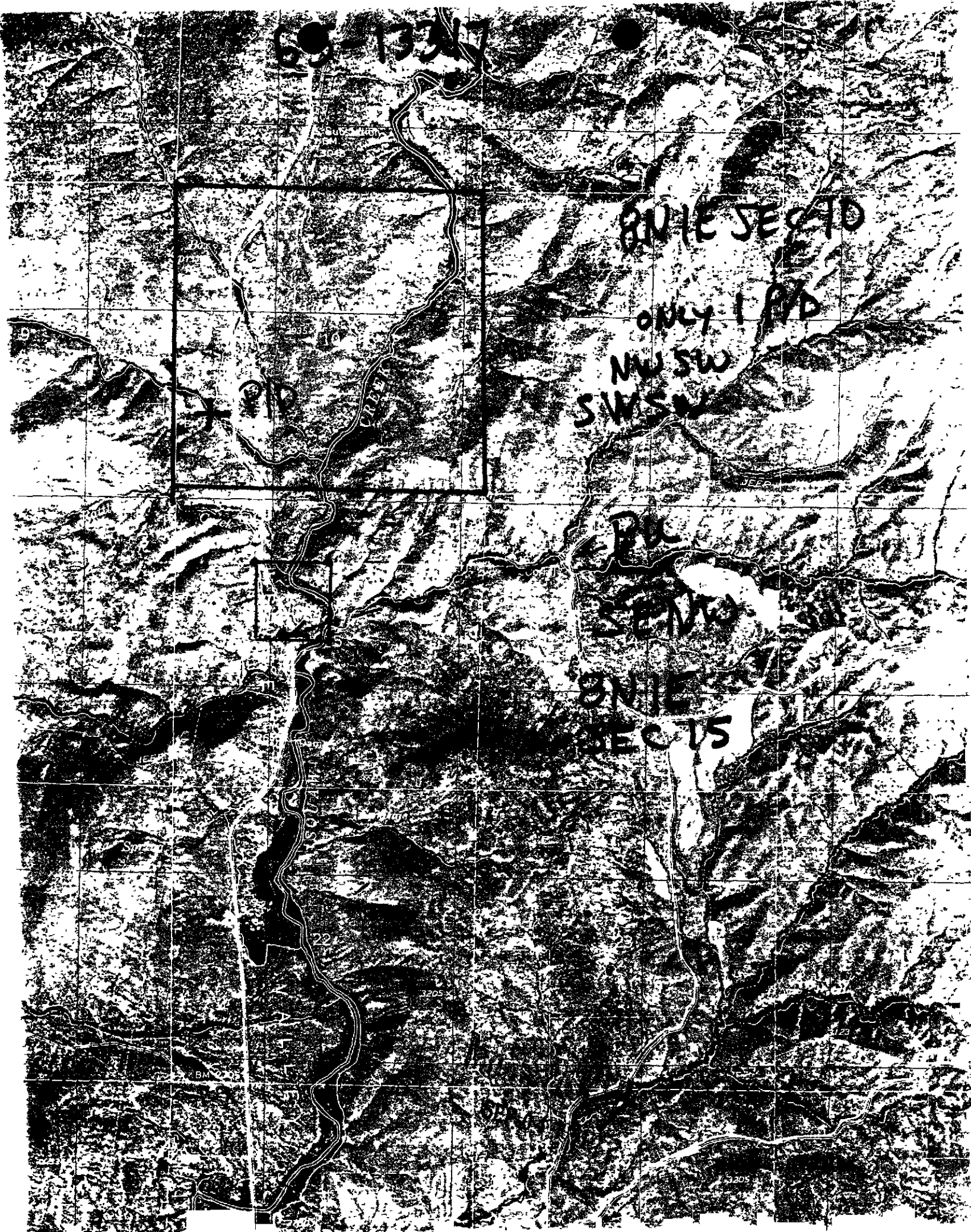
ONLY 1 RD

NU SW
S W S W

RD

SECTO

BNIE
SEC 15



JUN 17 1991

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
SS.
COUNTY OF GEM,

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

consecutive weekly issues thereof,
beginning with the issue of
June 5, 1991,
and ending with the issue of
June 13, 1991

Subscribed and sworn to me this

12th day of
June, 1991

Joanne Sisk

Notary Public

Residing at Emmett, Idaho

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

65-13317

CUNNINGHAM, MARILYN

P O BOX 59

OLA, ID 83657

Source LITTLE COTTONWOOD
CREEK

Tributary SQUAW CREEK

Diversion Pt NWSW Sec 10 T 08N R

01E SWSW Sec 10 T 08N R 01E

Use IRRIGATION (.020 CFS)

Total Diversion (.020 CFS)

Date Filed: 4/3/1991

In T08N R01E S10W 0.5 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 Air-
port Way, Boise, Idaho 83705 on or be-
fore JUNE 24, 1991

R. KEITH HIGGINSON, Director

Pub 6-5, 12-91

Legal Notice No. 1117
Published in the Messenger Index

Not
Fatal.
Reasonable
Assumption
is that this
means 5 15.

Done 7/8/91

My Commission Expires _____

MY COMMISSION EXPIRES
JULY 12th, 1991

SEP 04 1991

October 9, 1991

MARILYN CUNNINGHAM
P.O. BOX 59
OLA ID 83657

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13317

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,

Nina Shields
Secretary/Records Manager

c: IDWR - Region

RECEIVED

NOV 20 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 65-13317

Date 10-8-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☒ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☒ Surface water source
☐ Ground water source
☒ NA Drill permit req'd?
☐ Copy in file? Drill permit no. _____
☐ Amt paid for drilling permit? _____ Correct?
☐ Well log in file?

LICENSE EXAMINATION FEE

- ☒ NO Required?
☐ Amount submitted?
☐ Correct amount?

MEASURING DEVICE

- ☒ NO Measuring device or access port required?
☐ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

JB

Date proof received

NA

Date proof due

-

No. of days late

=

Priority date

+

NEW PRIORITY DATE

=

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SEP 05 1991

STATE OF IDAHO

For Office Use Only

Amt. of Fee \$

Date

Receipt No

Received by

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1 Permit No 65-13317 Telephone No 208-584-3545

2 Name(s) of Permit Holder(s) Marilyn Cunningham

3 Post Office Address P.O. Box 59, Ola, Idaho 83657

4 Source of Water: Stream - Little Cottonwood Creek

a If ground water, well driller's name: _____ Date drilled: _____

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

5 Extent of Use:

Domestic _____ (No. of households)

Irrigation 0.5 (No. of acres)

Stockwater X (No. and type of stock)
2 horse, 2 cows

Other (garden + small orchard)

6 Total rate and/or volume for which proof is submitted 0.02 cfs _____ acre/feet

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

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

OR

Flow Measurement Port Required? Yes X No Installed? Yes No

8 Fee Enclosed \$ n/a (See License Examination Fee Schedule)

9 Person to contact to accompany the Department representative during the field examination:

Diversion dam is in, ditches + drip system completed

Name Marilyn Cunningham

Telephone No

208-584-3545

11875 Sweet/Ola Hwy Address

Sweet, Id 83670

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.

9-1-91
Date

Marilyn Cunningham
Signature (and title if on behalf of a company or organization)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 27, 1991

MARILYN CUNNINGHAM
P.O. BOX 59
OLA, ID 83657

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13317

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

SEP 04 1991

APPLICATION FOR PERMIT REVIEW

Application #: 65-13317

Date: 8-19-91

Reviewer:

Pam Skaggs

✓ Existing:

☒ No

✓ Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

GT. 0.2 cfs - 01G-P03, 01C-P03 (existing well)

LT. 0.2 cfs - N/A

Drilling Permit:

Approved w/permit - P99

Not included - 046-P23 (All GW, even existing wells)

✓ Location:

✓Water Districts - WD No. 65-A

✓Surface water - 005, 005-01H-P01 (LT.2 w/pump)
005-01J-P08 (GT.2)

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 - 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 or 010, 09E-P10 & 054 (req.)

Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027 (Non-Consumptive)

Domestic - 021(restricted areas)

✓Ownership:

✓ Non land owner - 004

Protested:

Agreement - 020

✓ Beneficial Use Due Date: - 09-01-1992

Other Conditions Recommended

SEP 04 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: lw DATE: 5/7/91 APPLICATION: 65-13317

REQUIRED INFORMATION ✓ 5/23/91

- ☒ 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: Gov't. Lots: ☒ P/D
☒ Nature of proposed use: (Include description of use) ☒ P/U
☒ 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:

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

RECEIVED
AUG 16 1991

Department of Water Resources

DATE REQUESTED: 5/23/91

☒ ☐ Additional information on reverse side:

* tele conv: Marilyn Cunningham will obtain easement from McCaulon if application does not get protested.

PROCESSING

APPLICATION NO. 65-13317

YES NO

☒ ☒
☒ ☒
☒ ☒

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

☒ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☒ ☒
☒ ☒

Publication dates and paper recorded on application:

Protests received. Final date for protest

Protest dates, resolution of protest recorded on application:

Recommendations attached: *Approve, Dm*Measuring device required: *(Lockable device instead)*

Measuring port required:

Water delivered by water master? District # *65-A, Squaw Creek*

Special conditions of approval or cover letter:

05(65-A, Squaw Creek), 04, 01H

See below for additional information

Recommended Date or Priority *4/3/1991*Recommended by: *Dm*Date *8/6/1991*

STATE OFFICE REVIEW

See below for additional information. By _____

Date _____

ADDITIONAL INFORMATION

P/D OVERLAP: SWSW 65-03045X DE MASTERS BIG COTTONWOOD CR.
LITTLE "P/U OVERLAP: SENW 65-07262 MC CAULON Rattlesnake CR.
SPRING (04, 43-N/A)
-12160 " (43-N/A)
-12522 GOODALL SQUAW CR. (01-APPLICABLE)



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 1, 1991

Brad Little
Little Land & Livestock Co.
Box 205
Emmett, ID 83617

Re: Application for Permit No. 65-13317 in the Name of Marilyn
Cunningham

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,

A handwritten signature in cursive script that reads 'David R. Tuthill, Jr.'.

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

DRT:st

CC: Marilyn Cunningham



SEP 04 1991

RECEIVED

JUL 31 1991

Department of Water Resources
Western Regional Office

Dear Mr. Hill ^{Eno}
Dept of Water Resources
2735 Argent Way
Boise Id 83705

Dear,

I wish to lift
my protest of M Cunningham
application # 65-13317

^{Smith}
MICROFILMED

SEP 04 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
)
FOR PERMIT NO. 65-13317 IN THE) NOTICE OF CONFERENCE
)
NAME OF MARILYN CUNNINGHAM)

On April 3, 1991, Marilyn Cunningham 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 Brad Little, Little Land & Livestock.

The Department has set the matter of protest for a conference on Tuesday, August 20, 1991, at 10:00 a.m., Gem County Courthouse, 415 E. Main, Emmett, Idaho 83617. 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 22nd day of July, 1991.

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

SEP 04 1991

I hereby certify that on the 24th 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

Marilyn Cunningham
P.O. Box 59
Ola, ID 83657

Brad Little
Little Land & Livestock Co.
Box 205
Emmett, ID 83617

SEP 04 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.

SEP 04 1991

65 - 13317

● **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. 2. ☐ Restricted Delivery (Extra charge)

3 Article Addressed to:

Brad Little
Little Land & Livestock Co
Box 205
Emmett, ID 83617

4. Article Number
P 581 149 858

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always sign in signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X

6. Signature — Agent
X *Caryl Fisher*

7. Date of Delivery
JUL 25 1991

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

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.

RECEIVED

JUL 26 1991

Department of Water Resources
Western Regional Office



PENALTY FOR PRIVATE
USE, \$300

RETURN
TO



FILMED

SEP 04 1991

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

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY
BOISE, IDAHO 83705



1 62-12311

● **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:

Marilyn Cunningham
P.O. Box 59
Ola, ID 83657

4. Article Number

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 *Marilyn Cunningham*

6. Signature — Agent

X

7. Date of Delivery

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

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.

SEP 04 1991



PENALTY FOR PRIVATE
USE, \$300

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

RETURN
TO
RECEIVED
JUL 29 1991

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY
BOISE, IDAHO 83705

Department of Water Resources
in Regional Office

P-581 149 856

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

FIRST CLASS PERMIT NO. 1000 ALBUQUERQUE, NM

George Dovel
Route 1, Box 61
Horseshoe Bend, ID 8362

U S C

PS Form 3800, June 1985

Postage	\$ ✓
Certified Fee	✓
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	SEP 04 1977 ✓
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	\$ 2.70
Postmark or Date	

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

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

P-581 149 855

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

Double Diamond Inc.
c/o Donald Rumsey
200 Sunrise Rim
Boise, ID 83705

U.S.

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	\$ 7.00
Postmark or Date	SEP 04 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 a receipt postmarked, stick the gummed stamp to the right of the return address, leaving the receipt attached and present the article at a post office service window or mail box for a return receipt (first class extra charge)
2. If you do not want this receipt postmarked, stick the gummed stamp 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 end of the receipt strip. Otherwise, affix to back of article. Enclose front of article. **RETURN RECEIPT REQUESTED** adjace it to the number.
4. If you want delivery restricted to the addressee or to an authorized agent of the addressee, enclose **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.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 20, 1991

Marilyn Cunningham
P.O. Box 59
Ola, ID 83657

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Re: Application for Permit No. 65-13317

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)

SEP 04 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 20, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Brad Little
Little Land & Livestock Co.
Box 205
Emmett, ID 83617

Re: Application for Permit No. 65-13317 in the Name of Marilyn
Cunningham

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

SEP 04 1991

Little Land & Livestock Co.

Box 205
Emmett, Idaho 83617

JUN 20 1991

June 17, 1991

Director
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Atten: Dave Tuthill

Little Land & Livestock protests Marilyn Cunningham's filing
on water rights to Little Cottonwood Creek, application number
65-13317.



Brad Little

RECEIVED

SEP 04 1991

SPECIAL NOTE: _____

Application No. 65-13317

PROTEST INFORMATION SHEET

Protestant - Name(s)

Withdrawn

Brad Little, Little Land & Livestock Co.

Address Box 205, Emmett, ID 83617

Attorney - Name & Address _____

Date Filed 4-3-91

Protest Date 6-24-91

Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

SEP 04 1991

Protest Information submitted in Computer (following hearing): _____

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

Boise, Idaho 83705
(208) 334-2190

MAY 29, 1991

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

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before JUNE 24, 1991.

Yours truly,

GAIL GARRETT
Secretary

Encl.

RECEIVED
SEP 04 1991

65-13317

CUNNINGHAM, MARILYN
P.O. BOX 59
OLA, ID 83657

Source: LITTLE COTTONWOOD CREEK

Tributary: SQUAW CREEK

Diversion Pt:	NWSW	Sec 10 T 08N R 01E
	SWSW	Sec 10 T 08N R 01E

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

Date Filed: 4/ 3/ 1991

In: T08N R01E S15 SENW

0.5 ACRES TOTAL

SEP 04 1991