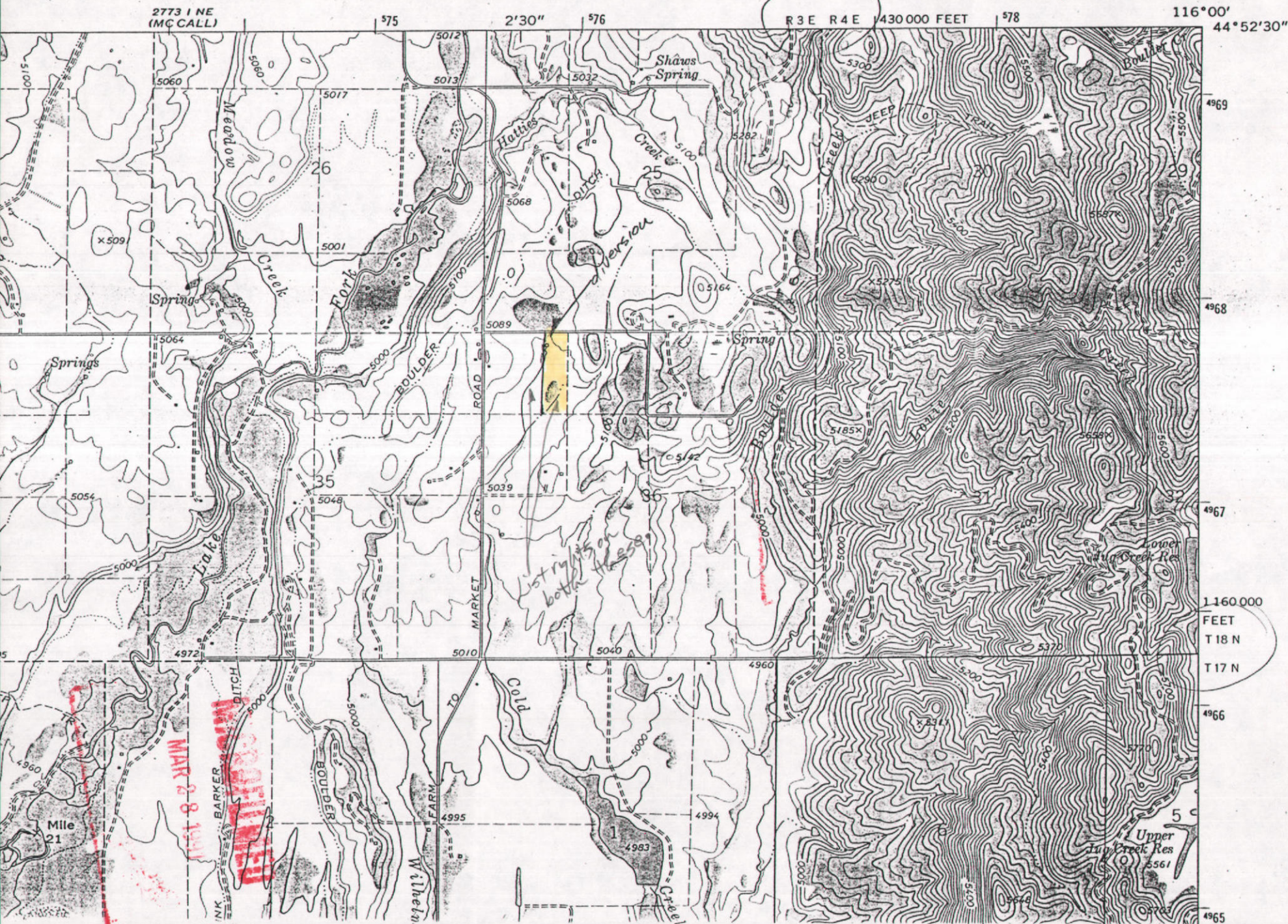


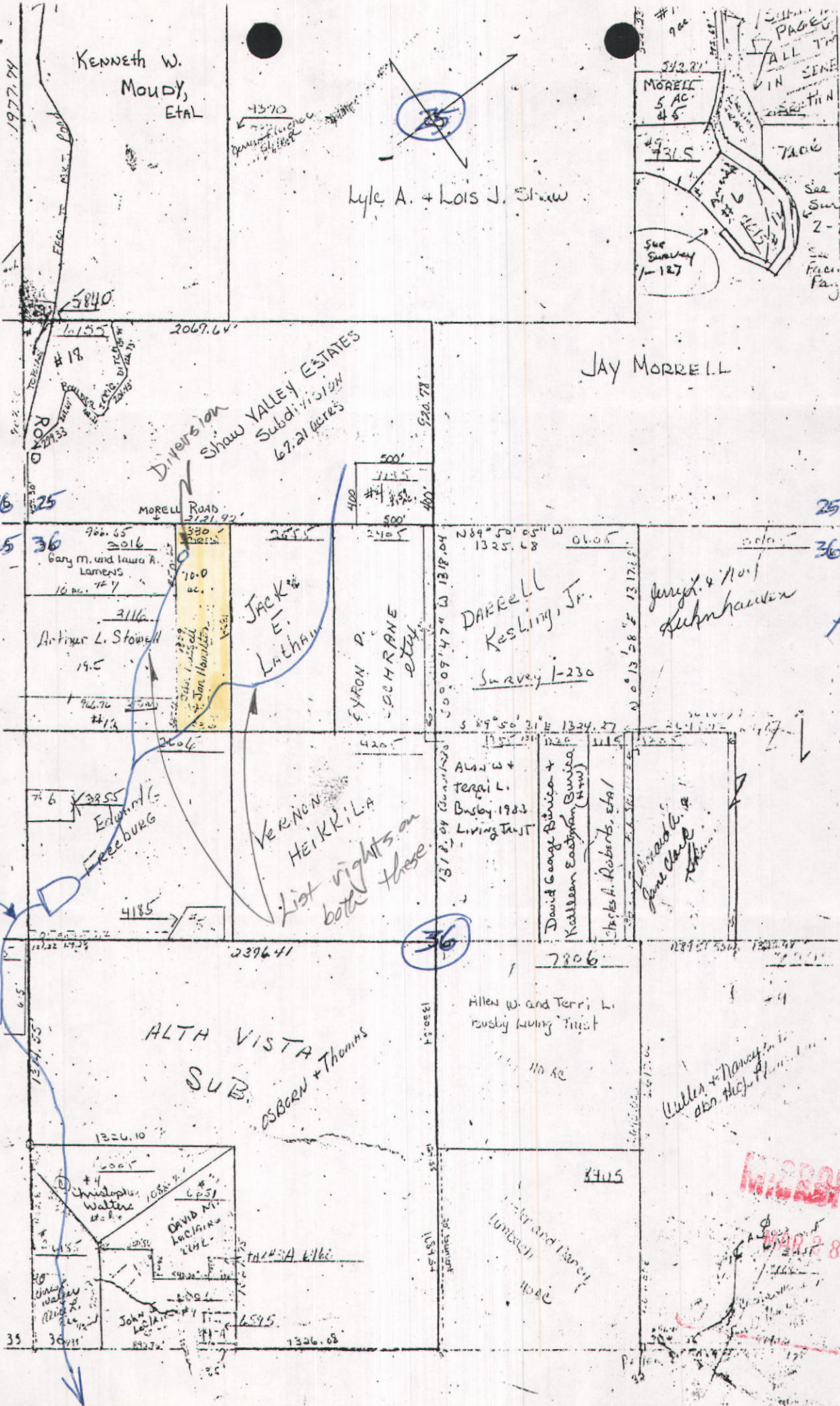
LAKE FORK QUADRANGLE

IDAHO—VALLEY CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

2873 IV NW
(FITSUM SUMMIT)





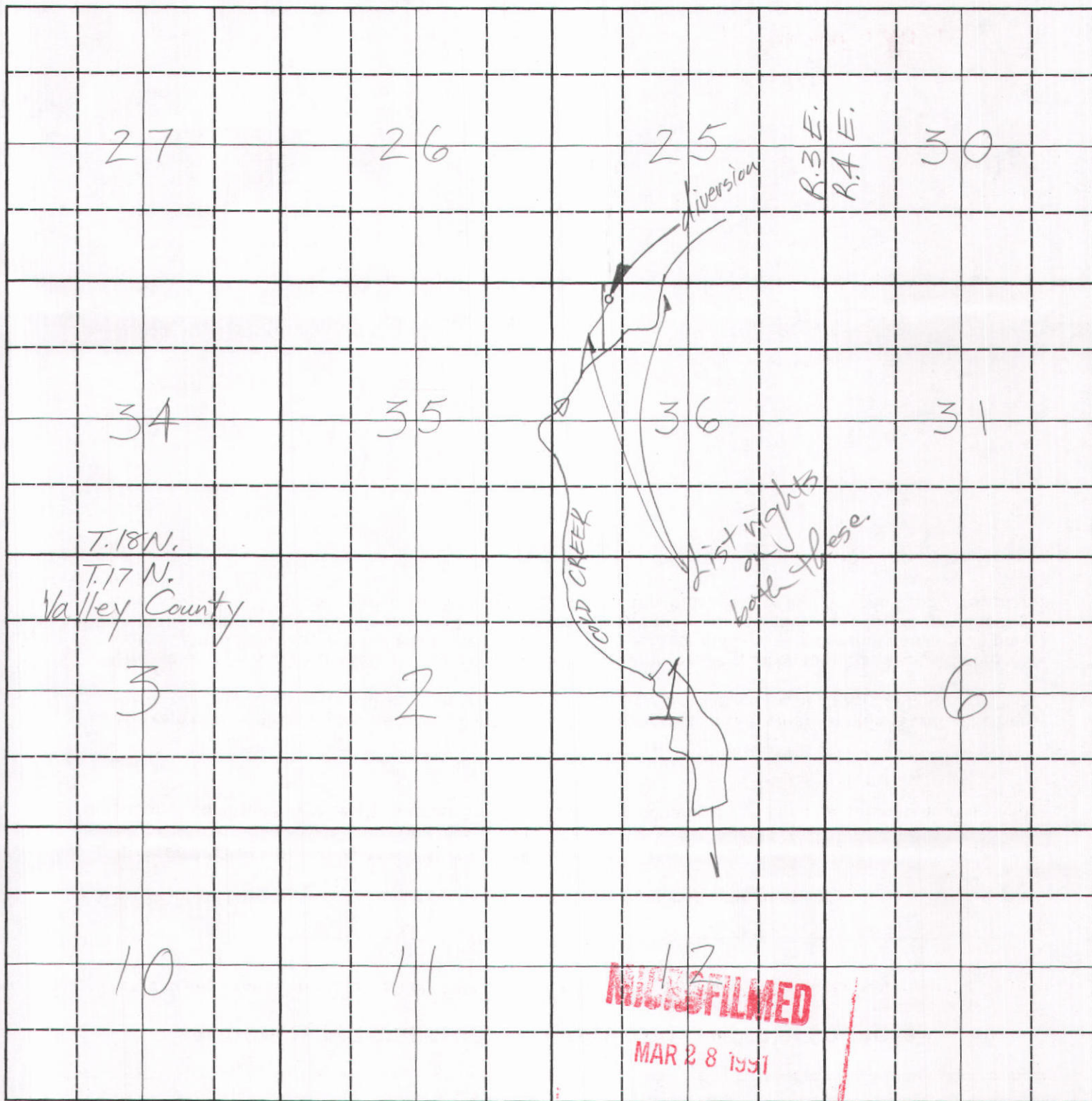
Valley
County
Assessors
Plat

T18N
R3E.

RECORDED

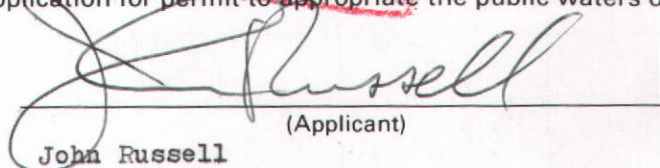
APR 8, 1991

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

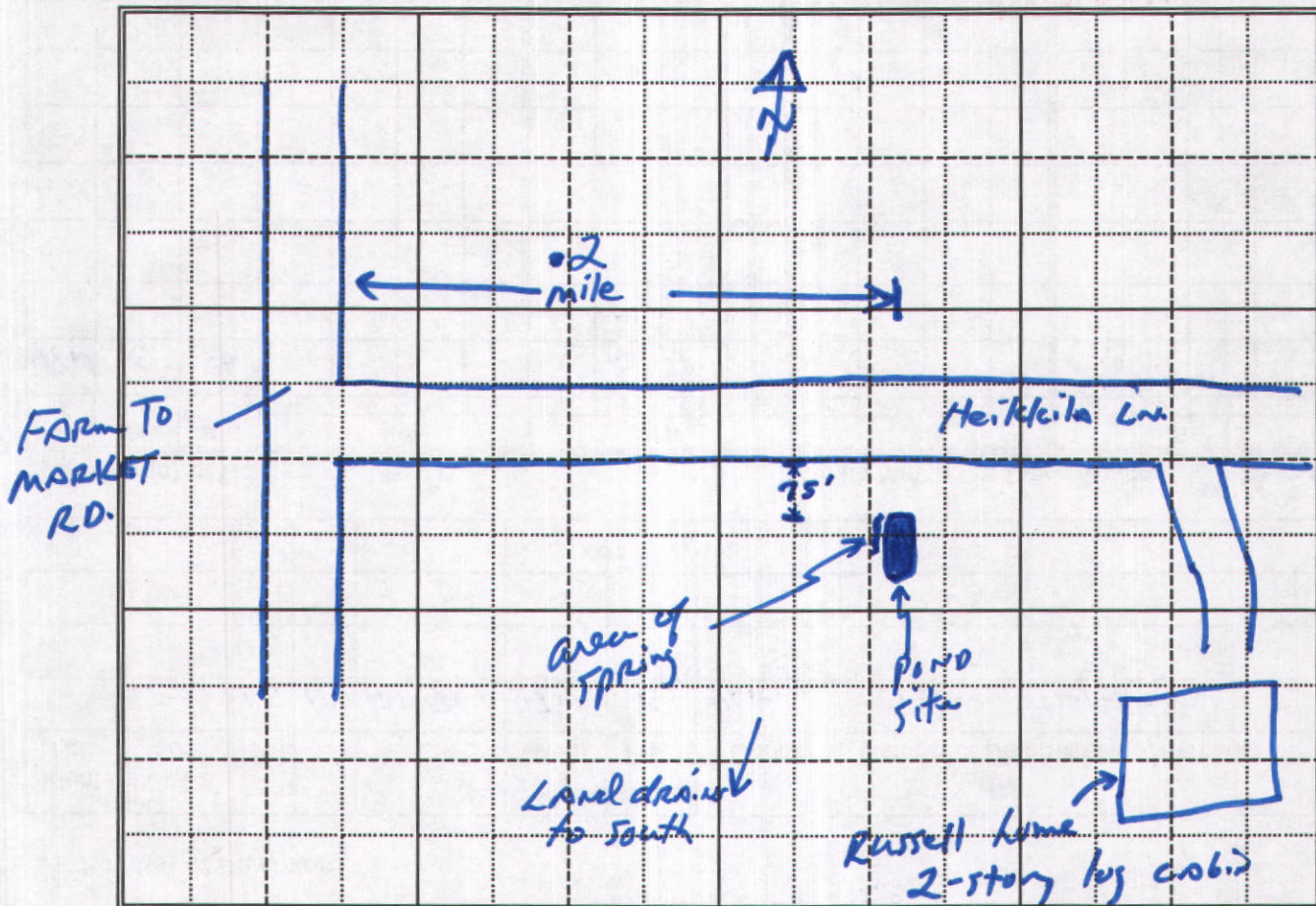


Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.


(Applicant)
John Russell

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



Scale: 1" = 50

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

N/A Aerial Photo Attached (required for irrigation of 10+ acres)

☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	N/A				

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

D. FLOW MEASUREMENTS

1.

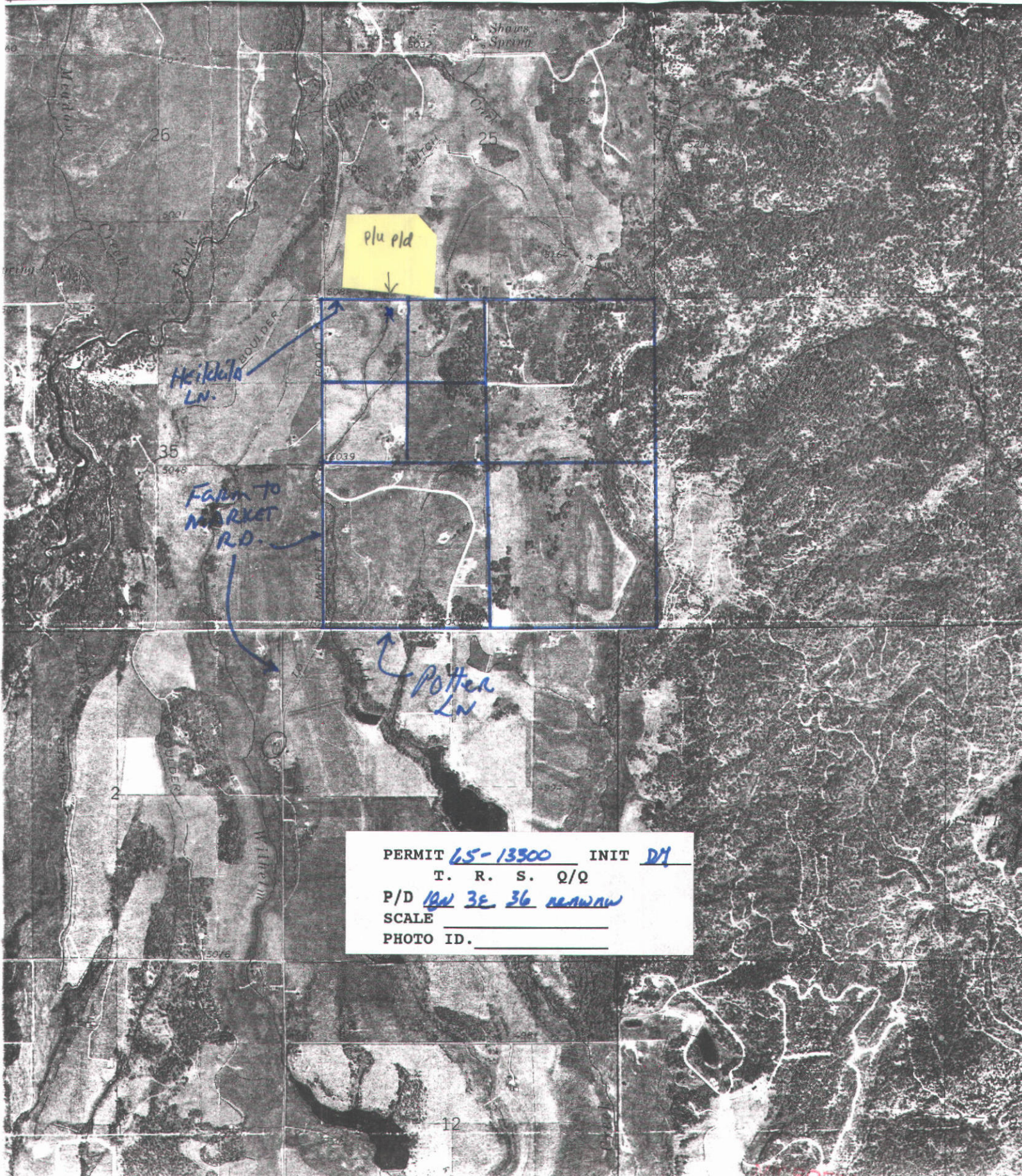
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: NONE POSSIBLE

DEPARTMENT OF WATER RESOURCES

MICROFILMED
NOV 5 1986

DEC 23 1996
RECEIVED



Plu pld

Heikkila LN.

Farm to Market R.D.

Potters Ln.

PERMIT 65-13300 INIT DM
T. R. S. Q/Q
P/D 1A 3E 36 NEARAW
SCALE _____
PHOTO ID. _____

NOT RECORDED

DEC 23 1996

Property at 243 Heikkila Ln.



PHOTO ONE-

Looking north at small
rectangular pond site next to
Heikkla Rd. SE of McCall.
Dry during winter exam

PHOTO TWO-

MICROFILMED
DEC 23 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13300

Priority: December 3, 1990

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.2 AF

This is to certify, that JOHN RUSSELL

PO BOX 945

MC CALL ID 83638-0945

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 3, 1990; and has submitted Proof of Beneficial Use on February 20, 1992. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

UNNAMED STREAM
SPRING

tributary to COLD CREEK
tributary to COLD CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
AESTHETIC STORAGE	01/01 to 12/31		0.1 AF
	Totals	0.02 CFS	0.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENWNW , Sec. 36, Township 18N, Range 03E
VALLEY County

PLACE OF USE: STOCKWATER

TWN RGE SEC

18N 03E 36

NWNW

CONDITIONS OF APPROVAL AND REMARKS

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

RECORDED

1992

State of Idaho
Department of Water Resources

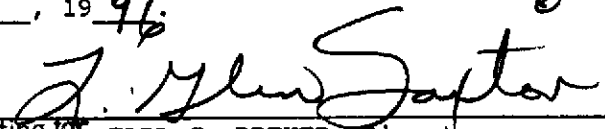
WATER RIGHT LICENSE

WATER RIGHT NO. 65-13300

CONDITIONS OF APPROVAL AND REMARKS

6. This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation.

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 December, 1996.


Acting for KARL J. DREHER, Director

MICROFILMED

DEC 1 1996

RECEIVED

DEC 05 1996

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13300

Date of Priority: December 3, 1990

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.2 AF

Comes now JOHN RUSSELL
PO BOX 945
MC CALL ID 83638-0945

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. 65-13300, and requests that the permit be changed as follows:

Source: UNNAMED STREAM
Source: SPRING

tributary to COLD CREEK
tributary to COLD CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.1 AF
AESTHETIC STORAGE	01/01 to 12/31		0.1 AF
	Totals	0.02 CFS	0.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENWNW , Sec. 36, Township 18N, Range 03E
VALLEY County

PLACE OF USE: STOCKWATER

TWN RGE SEC

18N 03E 36 NWNW

MICROFILMED
DEC 3 1996

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 Moscow ID., this 3 day of December, 1996


(Signature)

(why do I have to pay for something I already paid for? R)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13300

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-13300 with the following;

CONDITIONS OF APPROVAL AND REMARKS

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

Witness my hand this 6th day of December, 1996.

[Signature]
for KARL J. DREHER, Director

MICROFILMED
DEC 23 1996

RECEIVED
FEB 20 1992

STATE OF IDAHO

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 65-13300 Telephone No 634-7607 o/634-3600

2 Name(s) of Permit Holder(s) John Russell

3 Post Office Address: P.O. Box 945, McCall, Idaho 83638

4 Source of Water Cold Creek Spring

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

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

5 Extent of Use

Domestic 1 (No. of households) Irrigation _____ (No. of acres)

2 horse

Stockwater 2 cattle (No. and type of stock) Other _____

6 Total rate and/or volume for which proof is submitted .04 cfs .5 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 Examination Fee Schedule)

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

John Russell

634-7607

Name

Telephone No

P.O. Box 945, McCall, Idaho 83638

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

2/19/92

Date

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

John Russell

RECORDED

MAR 06 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13300

Proposed Priority: December 3, 1990 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **JOHN RUSSELL**
P.O. BOX 945
MC CALL, ID 83638

has applied for a permit to appropriate water from:

COLD CREEK tributary of PAYETTE RIVER, NORTH FORK
SPRING tributary of COLD CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	
DOMESTIC	01/01 to 12/31	0.04 CFS	
DOMESTIC STORAGE	01/01 to 12/31		0.5 AF
DOMESTIC FROM STORAGE	01/01 to 12/31		0.5 AF
	Totals	0.04 CFS	

LOCATION OF POINT(S) OF DIVERSION: NENWNW Sec. 36, Township 18N, Range 03E
VALLEY County

PLACE OF USE: DOMESTIC
TWN RGE SEC

18N 03E 36 NWNW

PLACE OF USE: STOCKWATER, same as DOMESTIC use

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

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 2, 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. 65D.
4. Domestic use is for 1 home.
5. Stockwater use is for 2 horses and 2 range cattle.

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

18 day of March, 1991.

RECEIVED

[Signature]
for
R. Keith Higginson, Director

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 Russell Phone 208-634-7607 o
208-634-3600 h
Post office address P.O. Box 945, McCall Idaho 83638

* 2 Source of water supply Cold Creek which is a tributary of N. Fk. Payette

3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot n/a
Sec. 36 Township 18 North Range 3 East B M Valley County; additional
points of diversion if any _____

** 4 Water will be used for the following purposes.

Amount .04 cfs for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .5 for Domestic STORAGE purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .5 for Domestic from STORAGE purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

5 Total quantity to be appropriated is (a) .04 cubic feet per second and/or (b) .5 af acre feet per annum

** 6. Proposed diverting works.

a Description of ditches, flumes, pumps, headgates, etc I propose to excavate a pond where the
spring surfaces on my land, 60' x 60' x 6' deep. (21,600cf).
pump, pipeline

b Height of storage dam 2 feet feet, active reservoir capacity .5 af acre-feet; total
reservoir capacity .66 af acre-feet; period of year when water will be diverted to storage
Jan. 1 to Dec. 31 inclusive

c. Proposed well diameter is n/a 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 years (minimum 1 year).

* Clarified in Remarks 12-5-90 RR

** Added per conversation with John 12-5-90 RR

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

- a Hydropower, show total feet of head and proposed capacity in KW. _____
- b Stockwatering; list number and kind of livestock. 2 HEAD HORSES, 2 HEAD BEEF CATTLE
- c Municipal, show name of municipality _____
- d Domestic, show number of households 1
- e Other, describe fully. _____

9 Description of place of use

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

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
18N	3E	36						D/S											

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. unknown

11 a Who owns the property at the point of diversion? John Russell & Jan Hamilton

b Who owns the land to be irrigated or place of use? same as above

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 I have enclosed a portion of the 'Lakefork' USGS quad with our land highlighted, along with the spring. I am interested (and will pay for your time) to obtain a listing of all water right owners of record, on both stream courses that cross our land. (See topo). Could this listing entail name, amount of right, usage etc., and if so should I pay for your research in advance.???? Also enclosed is a current copy of the County assessors plat.

LAKE FORK QUADRANGLE

IDAHO-VALLEY CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

2873 IV NW
(FITSUM SUMMIT)

2773 I NE
(MC CALL)

575

2'30"

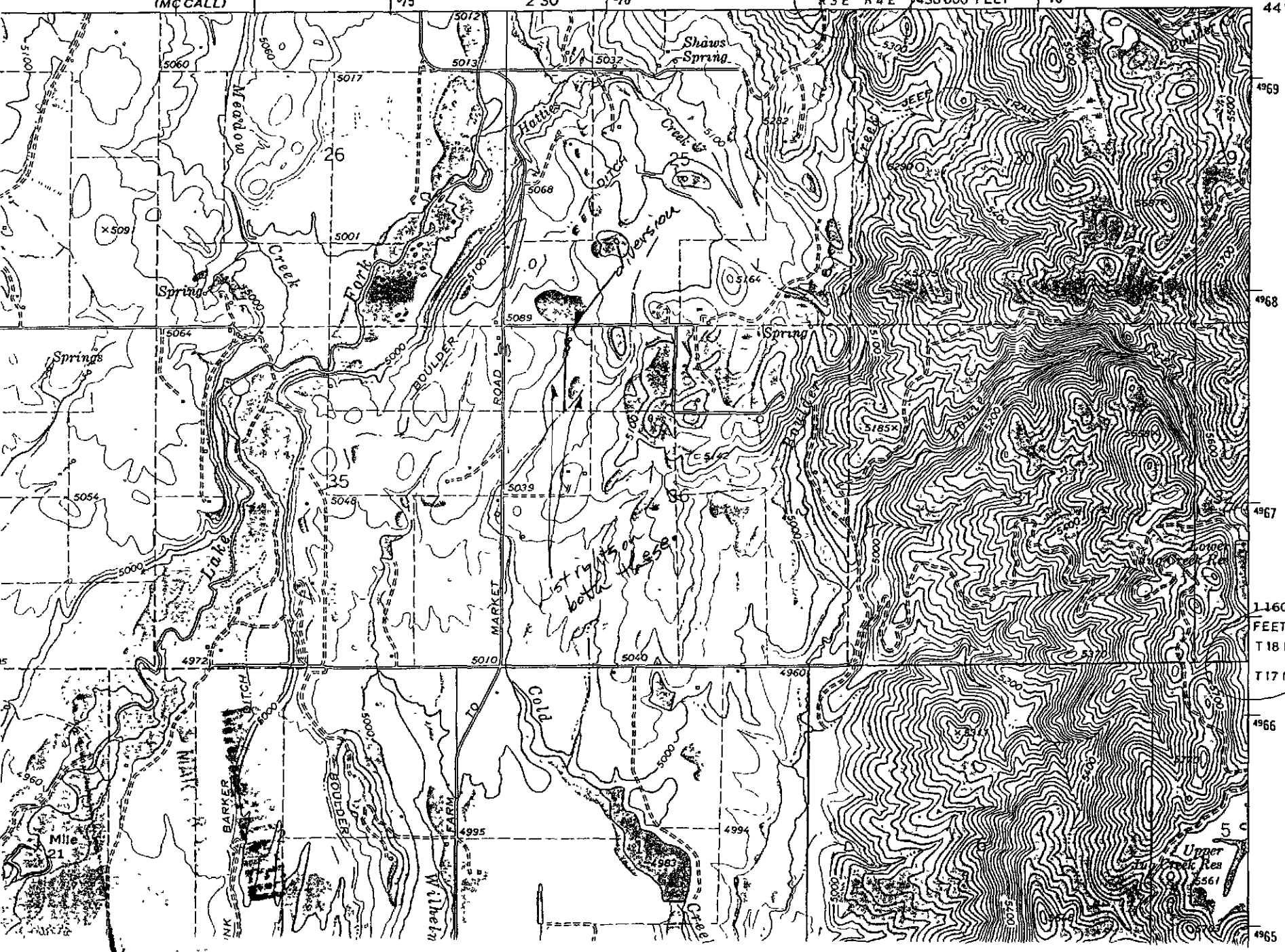
576

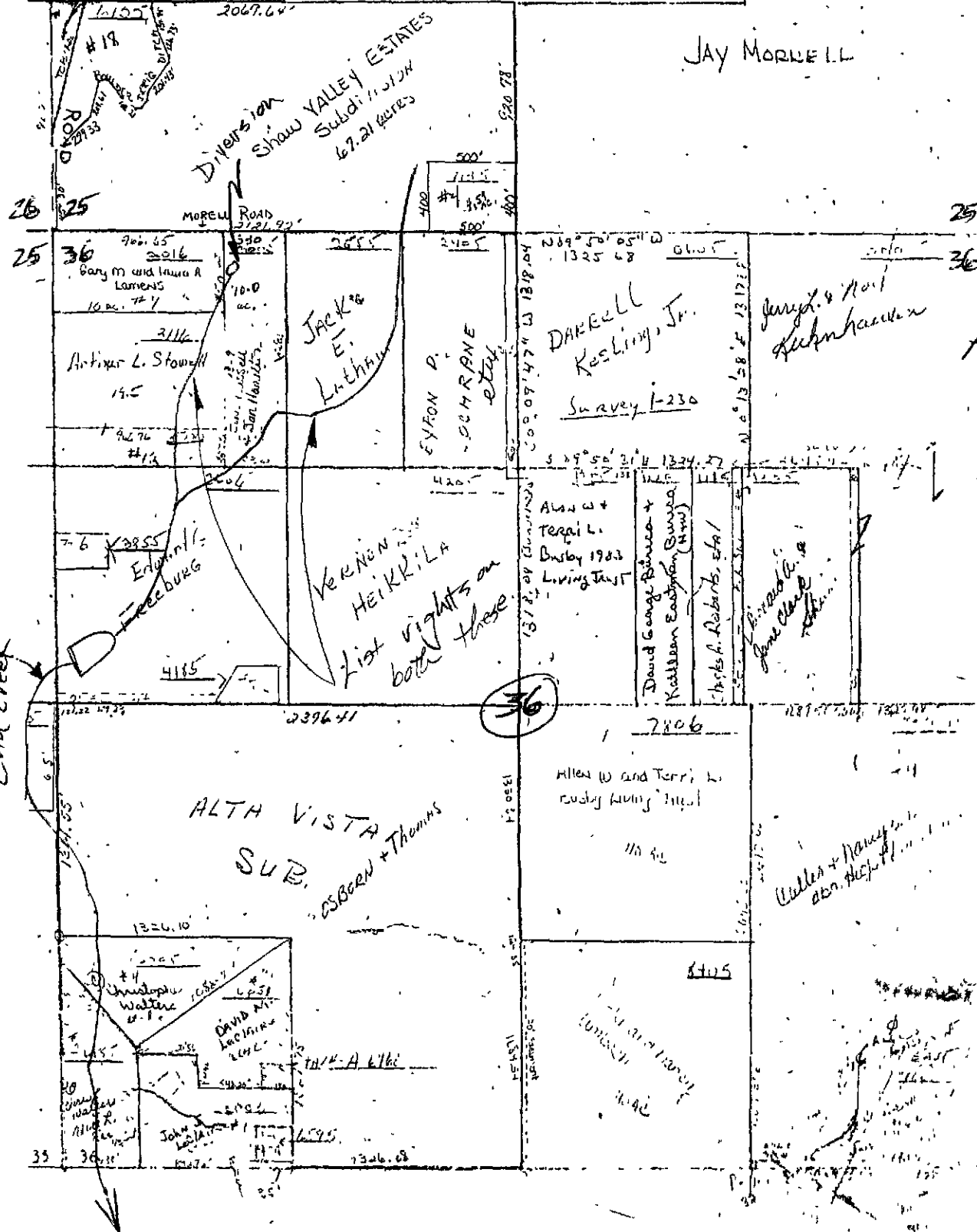
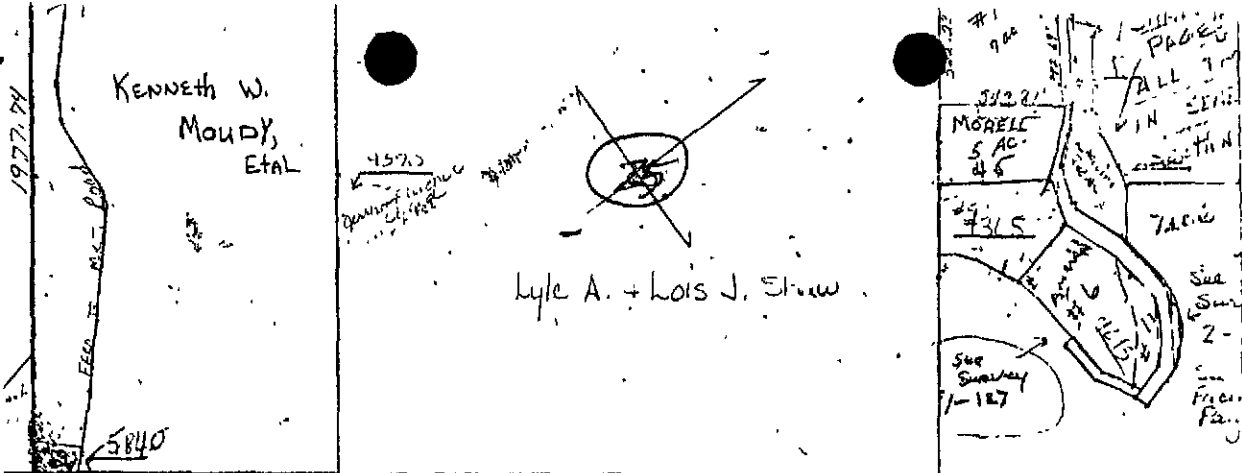
R 3 E R 4 E 1430 000 FEET

578

116°00'

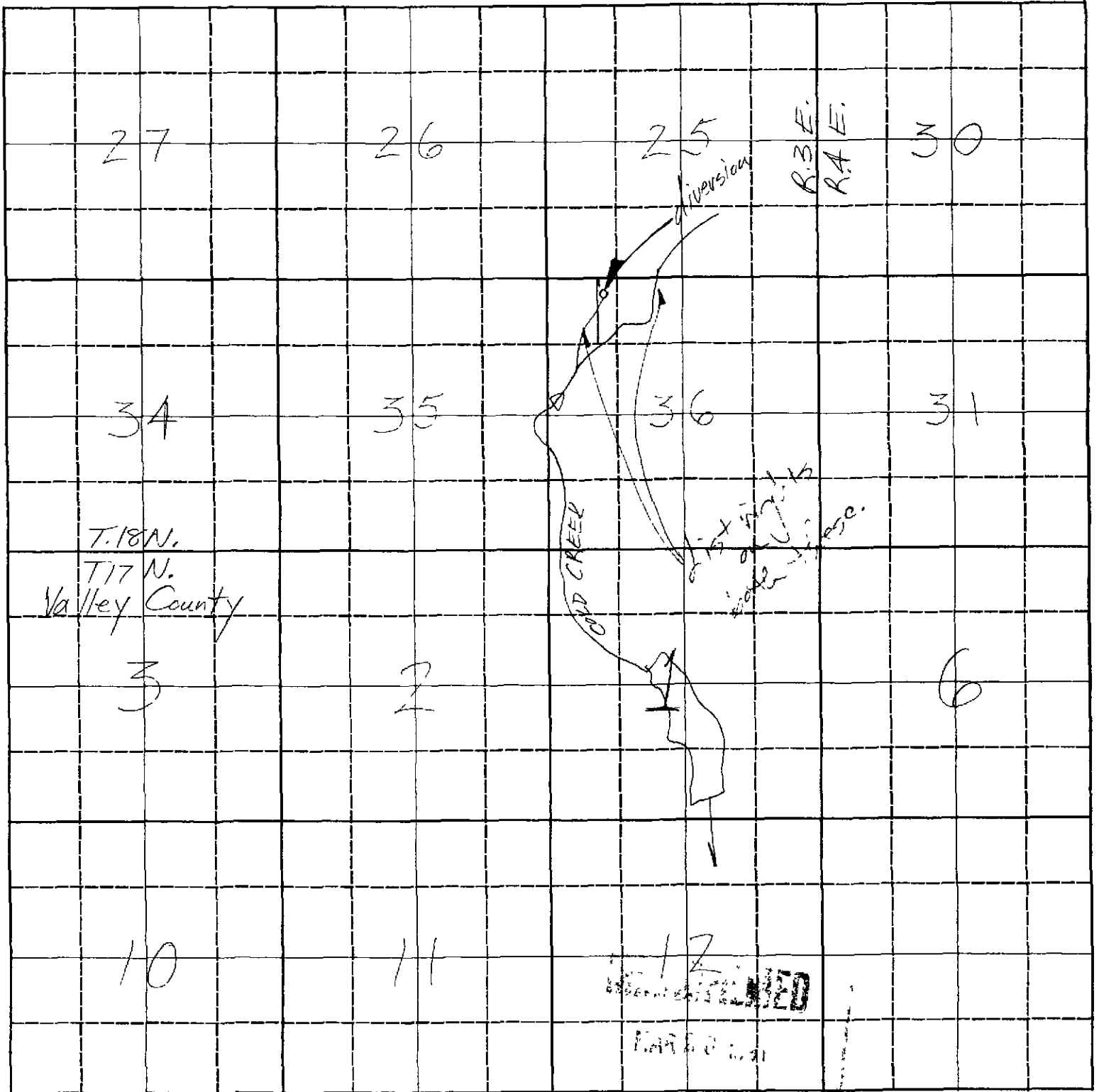
44°52'30"





Valley County Assessor's Plat
T18N R3E.

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



Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

John Russell
 (Applicant)
 John Russell

Received by Ms. Date 12/3/90 Time 1:05 pm Preliminary check by [Signature]
Fee \$ 30⁰⁰ Receipted by [Signature] # W012891 Date 12-4-90
Publication prepared by GG Date 12/12/90 Published in Star News
12/19 & 12/26/90
Publication approved [Signature] Date 1-17-91

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

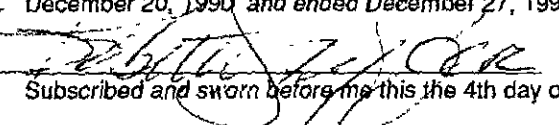
Publisher's Affidavit of Publication

STATE OF IDAHO }

.SS

County of Valley }

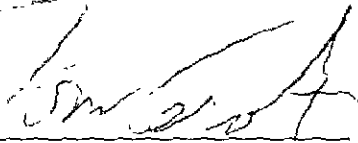
I, Bobette S. Steffler, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION FOR WATER RIGHT, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began December 20, 1990 and ended December 27, 1990.


Subscribed and sworn before me this the 4th day of January, 1991.

STATE OF IDAHO

COUNTY OF VALLEY }

On this 4th day of January, in the year of 1991, before me, a Notary Public, personally appeared Bobette S. Steffler, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn declared that the statements therein are true, and acknowledged to me that she executed the same.

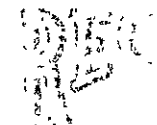

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires 1993

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:
65-13300
RUSSELL, JOHN
P.O. BOX 945
MC CALL, ID 83638
Source: COLD CREEK
Tributary: PAYETTE RIVER, NORTH FORK
Diversion Pt: NENWNW Sec 36 T 18 N R 03E
Use: STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)

DOMESTIC STORAGE (.50 AF)
DOMESTIC FROM STORAGE (.50 AF)
Total Diversion: (.040 CFS) (.50 AF)
Date Filed: 12/3/1990
In: T18N R03E S36 NWNW

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 JANUARY 7, 1991.
R. Keith Higginson, Director 2/12/27


JAN 10 1991
Notary Public
Tom Grote



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

December 9, 1996

JOHN RUSSELL
PO BOX 945
MCCALL ID 83638-0945

RE: WATER RIGHT NO. 65-13300

Dear Mr. Russell:

I have enclosed 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.

On your Application for Amendment form you inquired about the necessity of the amendment fee. IDWR cannot issue a water right license when the basic elements of the water use do not match the permit issued by IDWR. Therefore, when the water use actually developed differs from the water use indicated on the permit, the permit must be amended before a water right license can be issued. In your case, an amendment was required so that License 65-13300 could include an aesthetic storage use that was not indicated on the permit issued in 1991. Section 42-221C of the Idaho Code requires IDWR to collect a \$50.00 fee with each application for amendment of a permit.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address **PRIOR** TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:ph
Enclosures



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

November 13, 1996

JOHN RUSSELL
PO BOX 945
MC CALL ID 836380945

RE: WATER RIGHT NO. 65-13300

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within fourteen (14) days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

If you have any questions, please call me at (208) 327-7946.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure



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

October 22, 1996

JOHN RUSSELL
PO BOX 945
MC CALL ID 836380945

RE: WATER RIGHT NO. 65-13300

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 actual use of water found by a representative of our department at the time of the field examination. The enclosed Application for Amendment contains this information. 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 of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur or have any questions with this information, please contact me as soon as possible. My telephone number is (208) 327-7947.

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,

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

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

WR0749NP
No. L65-13300

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/21/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN RUSSELL PO BOX 945 MC CALL ID 83638-0945 (208) 634-7607	12/03/1990	STOCKWATER AESTHETIC STORAGE	01/01 12/31 01/01 12/31	0.020 CFS	0.10 AFA 0.10 AFA
TOTAL DIVERSION:					0.020 CFS	0.20 AFA

Water Source: UNNAMED STREAM
SPRING

Tributary to: COLD CREEK
COLD CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.020 CFS

Point(s) of Diversion: T18N R03E S36 NENWNW VALLEY County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
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18N	03E	36	:	:	S	:	:	:	:	:	:	:	:	:	:

Pol County: VALLEY

Other Water Rights with Same Point(s) of Diversion and Source:
65-13300

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 65D.

Remarks: This right authorizes an annual volume of water to fill the
storage facility and the amount required to replace losses
through evaporation.

Dates: App. Received: 12/03/1990 Priority Date: 12/03/1990
Proof Due Date: 03/02/1992 Proof Made Date: 02/20/1992
Exam Made Date: 07/22/1993 Exam Sent to S.O.: 03/28/1996
Licensed Date:

Misc: Water District Number: 65D Field Exam Fee: R (Received)

Audit: 10/21/96 CZIMMERH

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 05-13500 Name: Russell Date: 10/18/96 ✓ Lots 1

NAME Chng Same Or Address Change?

SOURCE Clarify source Cold Creek Service To Amend & Turn
Prelim. Order to Void - Source change. Take Cold

P/D Amendment Needed? P39
Overlap(s) _____

P/U Amendment Needed? P41
Overlap(s) _____
(Gov't special #'s) _____ *P/D & P/U Amend? P37

RATE Permit/fee limits 0.04 / 0.04
Measured Q= _____ cfs/Theoretical Q= _____ cfs
4 HRC = 0.04 ≈ 0.04 OK

Recommended capacity 0.04 cfs
Recommended rate 0.04 cfs

VOLUME Season: (1/1 -12/31 = 365 days
Calculations:
 $(40 \times 15 \times 43560) \times 3 = 0.042$ 0.1 AF capacity
4 head + 0.2 AF
Flow limit: 0.02 x 365 x 1.9835 = 14.5 AF
Recommended volume 0.2 AF

USES Same Nature of Use? domestic P46
Amendment Needed? Yes

REMARKS Multiple p/d's in 1/1? W32
1.007

CONDITIONS Measuring (R01)/Locking (R02) Devices
R04 Watermaster Control (R04) - WD # 652
Irrigation rate/volume overlap
GW irrigation replaces surface water (050)
GW irrigation supplements surface water (065)
Water Quality
Other

PRIORITY App Rcd 12/3/96 Due 3/2/97 Rc'd 2/20/97
Receipt# 002300 Fee OK? Yes/No
Order to Reinstate Needed? Yes/No Done? _____
If Yes, Advanced? Yes/No to: _____
Priority 12/3/96 Examined _____

COMMENTS:

USE	CFS	DIV VOL	SRBA Overlap
<u>Stick</u>	<u>0.02</u>	<u>0.1</u>	<u>Adjustment Memo</u> <u>✓</u>
<u>AerIn Star</u>	_____	<u>0.1</u>	LICENSE LTR: <u>P49</u>
_____	_____	_____	#1 AMEND LTR: <u>P46/P38</u>
_____	_____	_____	#2 AMEND LTR: <u>P42/P47</u>
<u>TOTAL</u>	<u>0.02</u>	<u>0.2</u>	

MEMORANDUM

DATE: October 18, 1996
TO: File No. 65-13300
FROM: Cindy Zimmerman
SUBJECT: Review of Beneficial Use Field Report

~~~~~

The following adjustments<sup>1</sup> were made on the field report to clarify aesthetic storage use:

H. Recommendations.

1. Recommended amounts:

| Beneficial Use                  | Period of Use | Rate of diversion      | Annual Volume |
|---------------------------------|---------------|------------------------|---------------|
| Stockwater                      | 1/1-12/31     | 0.02 cfs               | 0.1 AF        |
| Aesthetic <b><u>Storage</u></b> | 1/1-12/31     |                        | 0.1 AF        |
| Total Diversion                 |               | <b><u>0.02 cfs</u></b> | 0.2 AF        |

Examiner: Steve Lester  
Examined: 11/19/93

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

RECEIVED

DEC 1 1996

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

RECEIVED

MAR 29 1996

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 65-13300

1. Owner JOHN RUSSELL Phone No. 834-3600

Current Address: PO Box 945 McCall ID 83638

2. Accompanied by: NO ONE HOME BUT EXAM DATE: 11/19/93

Address: DISCUSSED WITH OWNER 11/10/93 TELEPHONE Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: Cold Spring Creek tributary to Cold Creek

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 65-07287 g.w. for other use, other land

2. Other water rights with the same point of diversion: \_\_\_\_\_

**C. DIVERSION AND DELIVERY SYSTEM**

**1 Point(s) of Diversion:**

note: Russell's 65-13350 Lapsed per 3/6/96 ✓

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           | —         | NE  | NW  | NW  | 36   | 18N  | 3E   | Valley | 7 1/2' orthophoto               |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

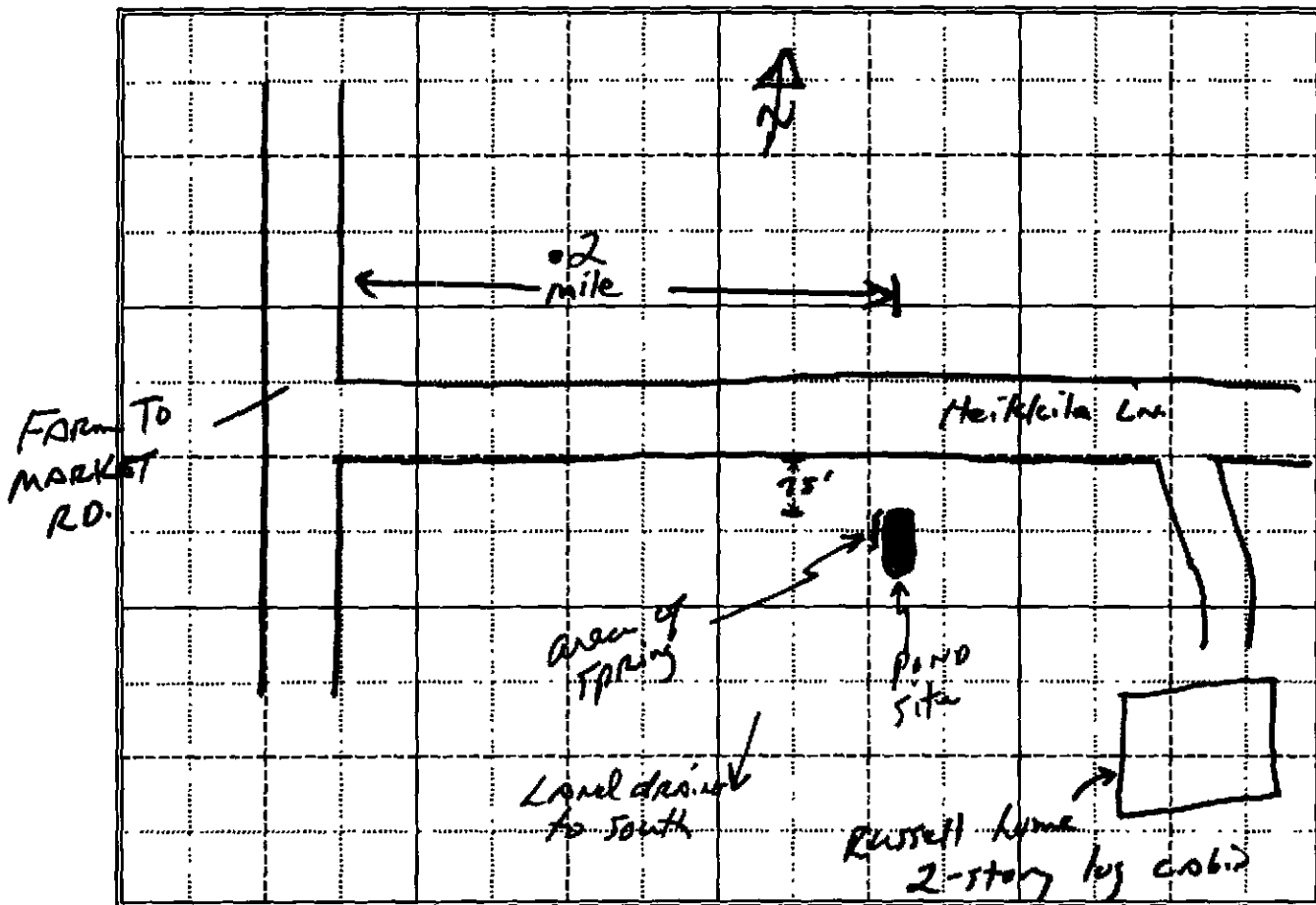
**2. Place(s) of Use:**

Indicate Method of Determination Same

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 18N | 3E  | 36  |    |    |    |    |    | S  |    |    |    |    |    |    |    |    |    |    |        |
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AUG 20 1996

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



Scale: 1" = 60

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

N/A Aerial Photo Attached (required for irrigation of 10+ acres)

☐ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       | N/A        |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

\*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 |
|-----------------------|------|------|-----------|------------|------|-------------|
| NONE                  |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements: NONE POSSIBLE

NVE 5-3-1000

1000000

E. NARRATIVE/REMARKS/COMMENTS

"On-stream" storage in headwaters area of Cold Spring Creek NO withdrawal from storage (use occurs only at pond).

Excavated site approx. 75' south of Heikkila Lane.

\* Pond is rectangular & approx. 40' x 15' x 3'.

There is no defined channel for Cold Creek at this area. Although the water for pond contributes to Cold Creek since it is headwater area, it is not accurate to call this a Cold Cr. diversion.

Instead, the sources are unusual stream (runoff) & a spring that seeps into pond due to excavating the site. Both sources flow into pond site & fill this pond.

\* 40 x 15 x 3

43,560

= .04 AFA

less than .1 AFA so recommend  
as rate of flow right; storage N/A

Storage capacity; recommended rate of flow  
fills pond < 24 hrs so detail of system.

1 photo - looking north at pond.

AMENDMENT - no Dum. use developed; instead, change to aesthetic use.

Permit D/I .04 cfs, implies .6 - 1.2 AFA; plus Dum. storage c. .5 AFA.

Replace with Aesthetic, additional use of same water used for stock.

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

Note cfs components allow multiple fill for aesthetic capacity pond.  
Note stockwater volume  $\approx$  pond capacity; both values rounded to  
NEAREST minimum used in licensing standards.  
Aesthetic use here does not represent expansion when replacing  
D/I uses.

## F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

none - allow .04 cfs from runoff &/or spring. No way to measure or estimate.

## G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

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

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

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

### 2. Volume Calculations for Other Uses:

a) Stock 4 cattle/horses (mixed stock) use @ 9 mos./yr.

$$(4)(.0134)(9/12) = .04 \text{ Af} \quad \text{vs.} \quad (.02)(365)(1.9835) = 14.5 \text{ Af.}$$

Recommend minimum allowable of .1 Af since VR < .1 Af.

b) Aesthetic - same as stockwater since same pond water in use for this purpose @ 9 mos./yr.

## H. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use                | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-------------------------------|---------------|-------|------------------------------|--------------------------|
|                               | From          | To    |                              |                          |
| Stockwater <del>Storage</del> | 1/1           | 12/31 | .02                          | .1                       |
| Aesthetic <del>Storage</del>  | 1/1           | 12/31 | .04                          | .1                       |
|                               |               |       |                              |                          |
|                               |               |       |                              |                          |
|                               |               |       |                              |                          |
| Totals:                       |               |       | .02 .04                      | .2                       |

SEE NARRATIVE

### 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

N/A from Domestic to aesthetic per owner's request 11/10/93 tekun

## I. AUTHENTICATION

Field Examiner's Name

STEVE LESTER  
Steve Lester

Date

11/19/93  
updated 3/6/96

Reviewer

Date

SEAL

plu pld

PERMIT LS-13300 INIT DM  
T. R. S. Q/Q  
P/D 104 3E 36 NEARBY  
SCALE \_\_\_\_\_  
PHOTO ID. \_\_\_\_\_

Property at 243 Heikkila Ln.

CONVERSATION MEMORANDUM

DATE 11/10/93

FILE 65-13300

NAME OF PARTY John Russell 634-7609 (work)

EMPLOYEE Steve Lester

RE: FIELD Exam -

Dave G. partial exam.

OK to drop by anytime to complete - 243 Heikkila Ln.  
off Farm to Mkt. Rd.

Pond next to road,  $\pm$  dry now.

Source - spring & pond bottom plus runoff.

No withdrawal from pond.

No domestic use.

Fills in spring & proceeds to dry out, fill more as  
weather changes.

65-13350 similar but not developed yet

Use: Stock

aesthetic (change M/L to this? - will see  
when complete exam details)

MICROFILMED

DEC 23 1996

EXAM 65-13300



PHOTO ONE-

Looking north at small  
Rectangular pond site next to  
Heikkla Rd. SE of McCall.  
Dry during winter exam

~~PHOTO TWO-~~

February 28, 1992

JOHN RUSSELL  
P.O. BOX 945  
MC CALL ID 83638

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13300

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

**MICROFILMED**

**MAR 06 1992**

JOHN RUSSELL  
P.O. BOX 945  
MC CALL ID 83638

138362  
December 31, 1991

PROOF DUE NOTICE

RE: PERMIT NO. 65-13300

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 March 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

MICROFILMED  
MAR 06 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

March 20, 1991

JOHN RUSSELL  
P.O. BOX 945  
MC CALL, ID 83638

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13300

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,

JIM JOHNSON  
Water Rights Supervisor

JJ:blm

Enclosures

RECEIVED  
FILMED

MAR 28 1991

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

---

Boise, Idaho 83705  
(208) 334-2190

DECEMBER 11, 1990

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

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before JANUARY 7, 1991.

Yours truly,

GAIL GARRETT  
Secretary

Encl.

RECEIVED

MAR 28 1991

65-13300

RUSSELL, JOHN  
P.O. BOX 945  
MC CALL, ID 83638

Source: COLD CREEK

Tributary: PAYETTE RIVER, NORTH FORK

Diversion Pt: NENWNW Sec 36 T 18N R 03E

|                       |             |           |
|-----------------------|-------------|-----------|
| Use: STOCKWATER       | ( .020 CFS) |           |
| DOMESTIC              | ( .040 CFS) |           |
| DOMESTIC STORAGE      |             | ( .50 AF) |
| DOMESTIC FROM STORAGE |             | ( .50 AF) |
| Total Diversion:      | ( .040 CFS) | ( .50 AF) |

Date Filed: 12/ 3/ 1990

In: T18N R03E S36 NWNW