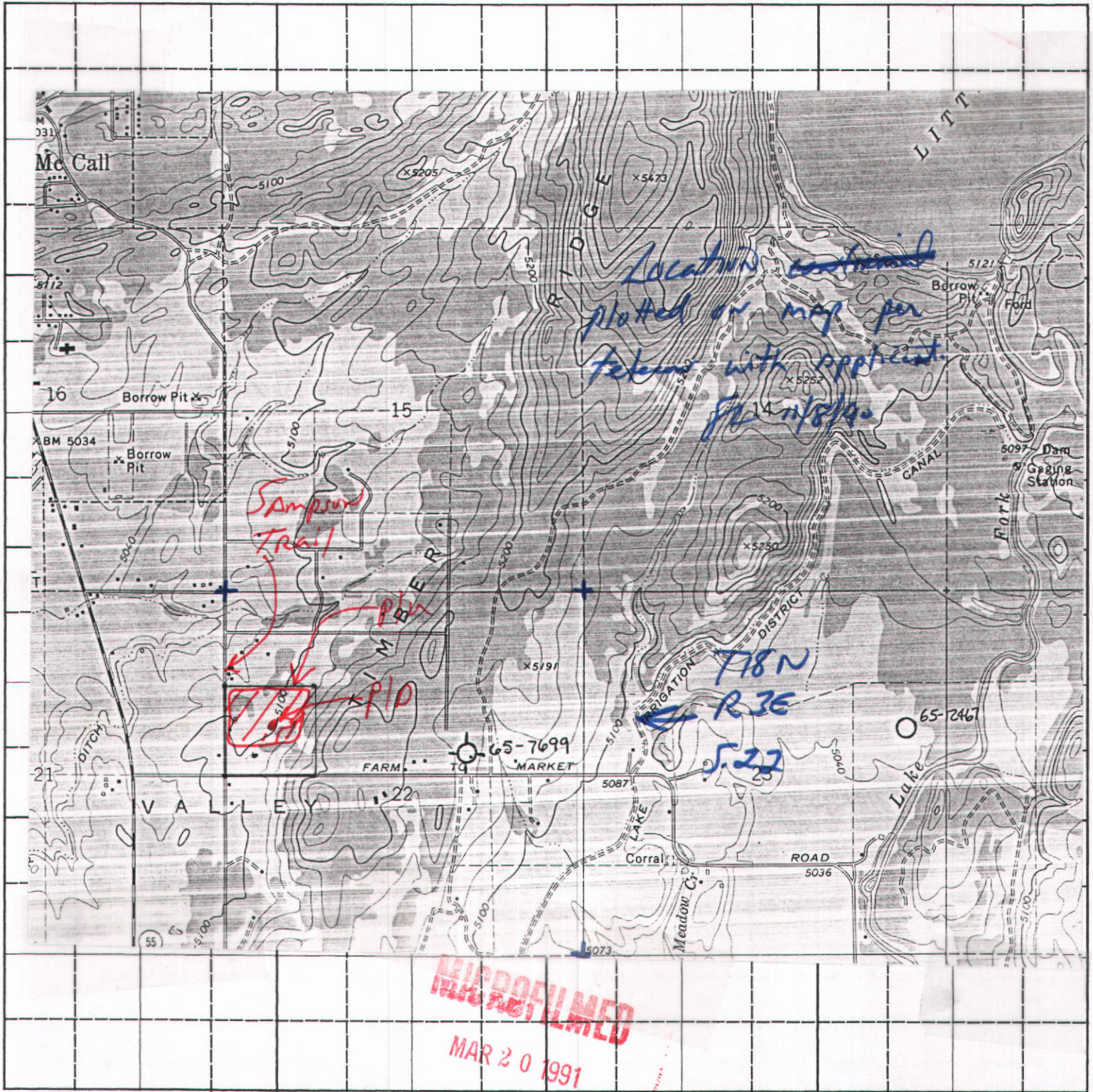


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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

*[Signature]*  
(Applicant)

# 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 there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began November 21, 1990 and ended November 29, 1990.

*[Signature]*  
Subscribed and sworn before me this the 29th day of November, 1990.

STATE OF IDAHO }  
COUNTY OF VALLEY }

On this 29th day of November, in the year of 1990, 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.

*[Signature]*  
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:

65-13296 ✓ *st*  
THEM, WALTER J.  
RT. 1 BOX 118  
MC CALL, ID 83638  
Source: GROUNDWATER  
Diversion Pt: SWNW Sec 22 T 18N R 03E  
Use: IRRIGATION (.500 CFS)  
Total Diversion: (.500 CFS)  
Date Filed: 11/1/1990  
In: T18N R03E S22 SWNW  
25.0 ACRES TOTAL  
65-13297  
BOY SCOUTS OF AMERICA  
110 SCOUT LN.  
BOISE, ID 83702  
Source: GROUNDWATER  
Diversion Pt: SESE Sec 26 T 19N R 03E  
NENE Sec 35 T 19N R 03E  
SWNE Sec 35 T 19N R 03E  
Use: DOMESTIC (.040 CFS)  
Total Diversion: (.040 CFS)  
Date Filed: 10/31/1990  
In: T19N R03E S26 Lot 4 (SWSE)  
S35 NENE NWNE SWNE SENE

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 DECEMBER 10, 1990.  
R. KEITH HIGGINSON, Director 2/11/29

RECEIVED

MAR 20 1991

RECEIVED  
DEC 18 1990  
Department of Water Resources  
Western Regional Office

A hand-drawn map on a grid background, oriented with North (N.) at the top. The map depicts a large rectangular area divided into several sections. In the top-left corner, a small rectangular area is labeled 'UN-IRRIGATED PORTION (5 ACRES) APPROX.' with an arrow pointing to it. Below this, a larger rectangular area is labeled '6 ACRES'. To the right of the '6 ACRES' area, a horizontal line is labeled 'MAINLINE PIPELINE'. Below the 'MAINLINE PIPELINE', a horizontal line is labeled 'PIPERLINE'. To the right of the 'PIPERLINE', a horizontal line is labeled 'NON IRRIGATED'. Below the 'NON IRRIGATED' line, a horizontal line is labeled 'FOREST'. In the bottom-left corner, a rectangular area is labeled '5 ACRES'. In the bottom-right corner, a rectangular area is labeled '9 ACRES'. The map also includes several small rectangular areas labeled 'CAND', 'BANK', 'HUNT', and 'HONEY'. Arrows indicate flow or direction throughout the map. A note at the bottom right states: '\* SEE MAPS. \* SEE REMARKS (GRID OVERLAY FOR DETERMINATION)'. The map is drawn with black ink on a white grid background.

✓ Photo of Diversion and System Attached

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| SUBMERSIBLE                           | —          | 3  | —                | —         |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

MICROFILMED

FEB 27 1997

65-17902

WEST PLACE SUB

16 15  
21 22

T503  
A76

T92  
A124

T504  
A125

Lot

T90  
A126

SUB

T98  
A99

LOTS

T99  
A44

LOTS

A18  
(35A)

21 22  
28 27

Survey  
Invest-  
ment

LOTS

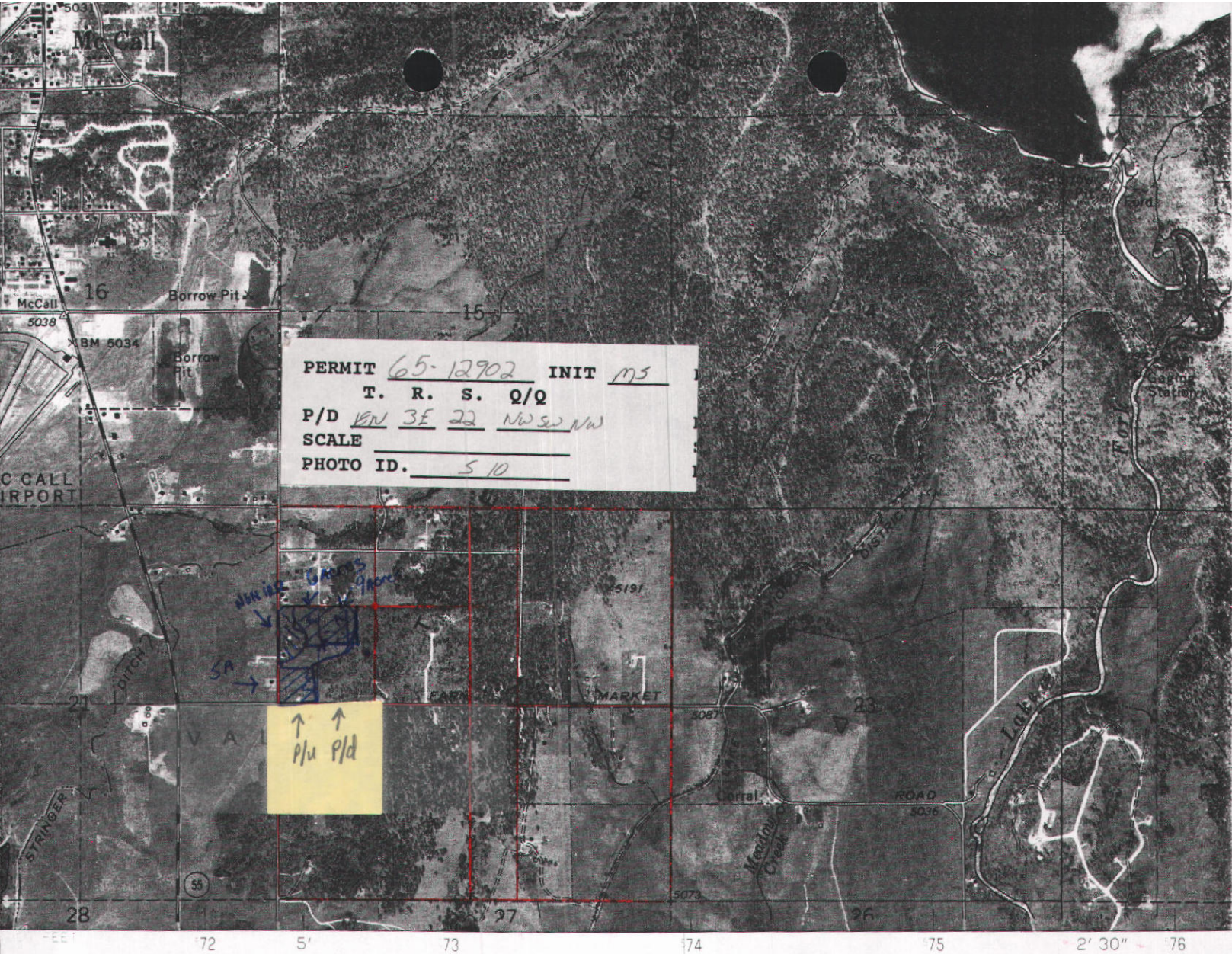
LOT

T103  
A381

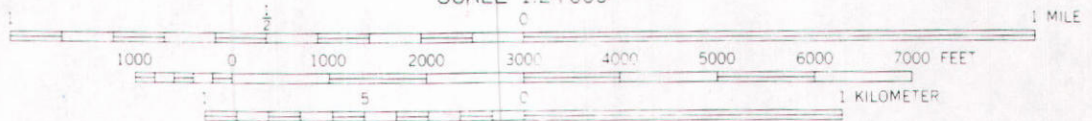
T102

A2

FEB 27 1917



SCALE 1:24 000



COPIED PRINTS MAY BE PURCHASED FROM  
IDAHO DEPARTMENT OF LANDS, STATEHOUSE, BOISE, IDAHO 83720  
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

65-12902

MICROFILMED  
FEB 27 1997



WELL AND LINE  
HEADING TO LOWER MAIN-  
LINE OF THE PROPERTY.

PHOTO ONE-

>

LINE TO THE SOUTH PASTURE.



MICROFILMED  
FEB 27 1992

PHOTO TWO-



line from the north  
side of the well.

PHOTO THREE-

>

un-irrigated - western-  
portion of the  
property.

MICROFILMED  
FEB 27 1997

PHOTO FOUR-



State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-13296

Priority: November 1, 1990

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

14.5 AF

This is to certify, that WALTER J THEM  
805 SAMSON TRAIL  
MC CALL ID 83638

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 1, 1990; and has submitted Proof of Beneficial Use on December 7, 1993. An examination indicates that the works have a diversion capacity of 0.300 cfs of water from a GROUNDWATER 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       | 0.04 CFS                 | 14.5 AF              |

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 22, Township 18N, Range 03E  
VALLEY 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 18N        | 03E        | 22         | SWNW         | 20           |              | 20           |

Total number of acres irrigated: 20

## 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 that 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

RECORDED

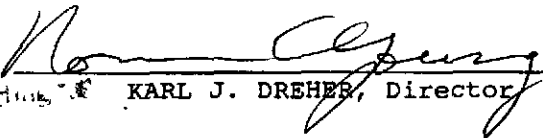
2004.12.15

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-13296

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 8<sup>TH</sup>  
day of FEBRUARY, 1997.

  
KARL J. DREHER, Director

RECEIVED

DEC 07 1993

OFFICE USE ONLY

Amt of Fee \$ \_\_\_\_\_

Date \_\_\_\_\_

Receipt No. \_\_\_\_\_

Receipt by \_\_\_\_\_

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. 65-13296 Telephone No. 634-8760
2. Name(s) of Permit Holder(s): Walter J. Thern
3. Mailing Address: 805 Samson Trail McCall, ID 83638
4. Source of Water: groundwater

If GROUNDWATER, Well Driller's Name: Robert Gestin Date Drilled: 8-1-91

OPTIONAL:

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

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

Domestic \_\_\_\_\_ (No. of households) Stockwater 29 fallow deer (No. and type of stock)

Irrigation 3-4 (No. of acres) Other \_\_\_\_\_

6. Total rate and/or volume for which proof is submitted 02-.03 cfs OR \_\_\_\_\_ acre/feet

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

Measuring device: Required? \_\_\_\_\_ Yes ☒ No Installed? \_\_\_\_\_ Yes \_\_\_\_\_ No

Flow Measurement Port. Required? \_\_\_\_\_ Yes ☒ OR No Installed? \_\_\_\_\_ Yes \_\_\_\_\_ No

8. Fee Enclosed: \$ \_\_\_\_\_ (See License Fee Schedule on back of Instruction Sheet) none required

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

Walter Thern 634-8760  
Name Telephone No.

805 Samson Trail McCall, ID 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.

1 Dec 93 Walter J. Thern DEC 07 1993  
Date Signature (and title, if on behalf of a company or organization)

DEC 7 1992

For Office Use Only  
\$15 Fee Received by [initials]  
Date 12-8-92  
Receipt No. 05710220

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF  
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 65-13296Name(s) of Permit Holder: Walter J. ThumMailing Address: 805 Samson Trail McColl, ID 83638Date Proof is Due 1 Feb 93 Telephone No. 634-8760

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

Well drilled (to 140') with an apparent  
yield of 40 gpm. Pump installed & tried, but  
well runs dry in a few hours. Plan to per-  
forate next summer & try again. Costing \$ 4511.07

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Have been unable to obtain services of a  
driller to perforate well pipe at level  
desired (some water by-passed in drilling).

Permit holder(s) request an extension to 30 October, 19 93.

FEE: \$15.00

(Signature)\* Walter J. Thum

\*If other than permit holder, Power of Attorney must be supplied.

## ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED  
and the time within which to submit proof of beneficial use is  
extended to February 1, 1994.

DEC 15 1992

Signed this 10<sup>th</sup> day December, 19 92A. New Saylor  
Chief, Water Allocation Bureau

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**  
NO. 65-13296

Proposed Priority: November 1, 1990      Maximum Diversion Rate: 0.50 CFS  
This is to certify, that **WALTER J. THEM**  
RT. 1 BOX 118  
MC CALL, ID 83638  
has applied for a permit to appropriate water from: **GROUNDWATER**  
and a permit is **APPROVED** for development of water as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
|-----------------------|----------------------|--------------------------|

|            |                |          |
|------------|----------------|----------|
| IRRIGATION | 04/15 to 10/15 | 0.50 CFS |
|------------|----------------|----------|

LOCATION OF POINT(S) OF DIVERSION:      SWNW      Sec. 22, Township 18N, Range 03E  
VALLEY 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 18N        | 03E        | 22         |              | SWNW 25      |              | 25           |

Total number of acres irrigated: 25

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The rate of diversion of water for irrigation under this permit 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

20<sup>th</sup> day of February, 1991.

*R. Keith Higginson*  
R. Keith Higginson, Director

for  
MAR 20 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Walter J. Thoms Phone 634-8260  
Post office address Box 118 McCall, ID 83638
2. Source of water supply ground water which is a tributary of \_\_\_\_\_
3. Location of point of diversion is SW 1/4 of NW 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4, Govt Lot \_\_\_\_\_  
Sec. 22 Township 18N Range 25E B.M. Valley County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes  
Amount .50 for irrigation purposes from 15 Apr to 15 Oct (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)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .50 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works.  
a. Description of ditches, flumes, pumps, headgates, etc well, pipeline & pump.  
\_\_\_\_\_  
\_\_\_\_\_  
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. MAR 20 1991  
c. Proposed well diameter is 6" inches, proposed depth of well is 80-100 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  
2 yrs years (minimum 1 year).

NOTE

ATTACHED WELL DRILLING PERMIT APPL. - REQUEST  
FOR APPROVAL AS SOON AS W.R. APPL.  
APPROVED. FL 11/8/90

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

- a Hydropower, show total feet of head and proposed capacity in KW. \_\_\_\_\_
- b Stockwatering, list number and kind of livestock \_\_\_\_\_
- c Municipal; show name of municipality \_\_\_\_\_
- d. Domestic, show number of households \_\_\_\_\_
- e. Other, describe fully. \_\_\_\_\_

9 Description of place of use

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

| TWP | RANGE | SEC | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |     | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 8N  | 3E    | 22  |     |     |     |     |     |     | 25  |     |     |     |     |     |     |     |     |     | 25     |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 25

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

11 a. Who owns the property at the point of diversion? Applicant

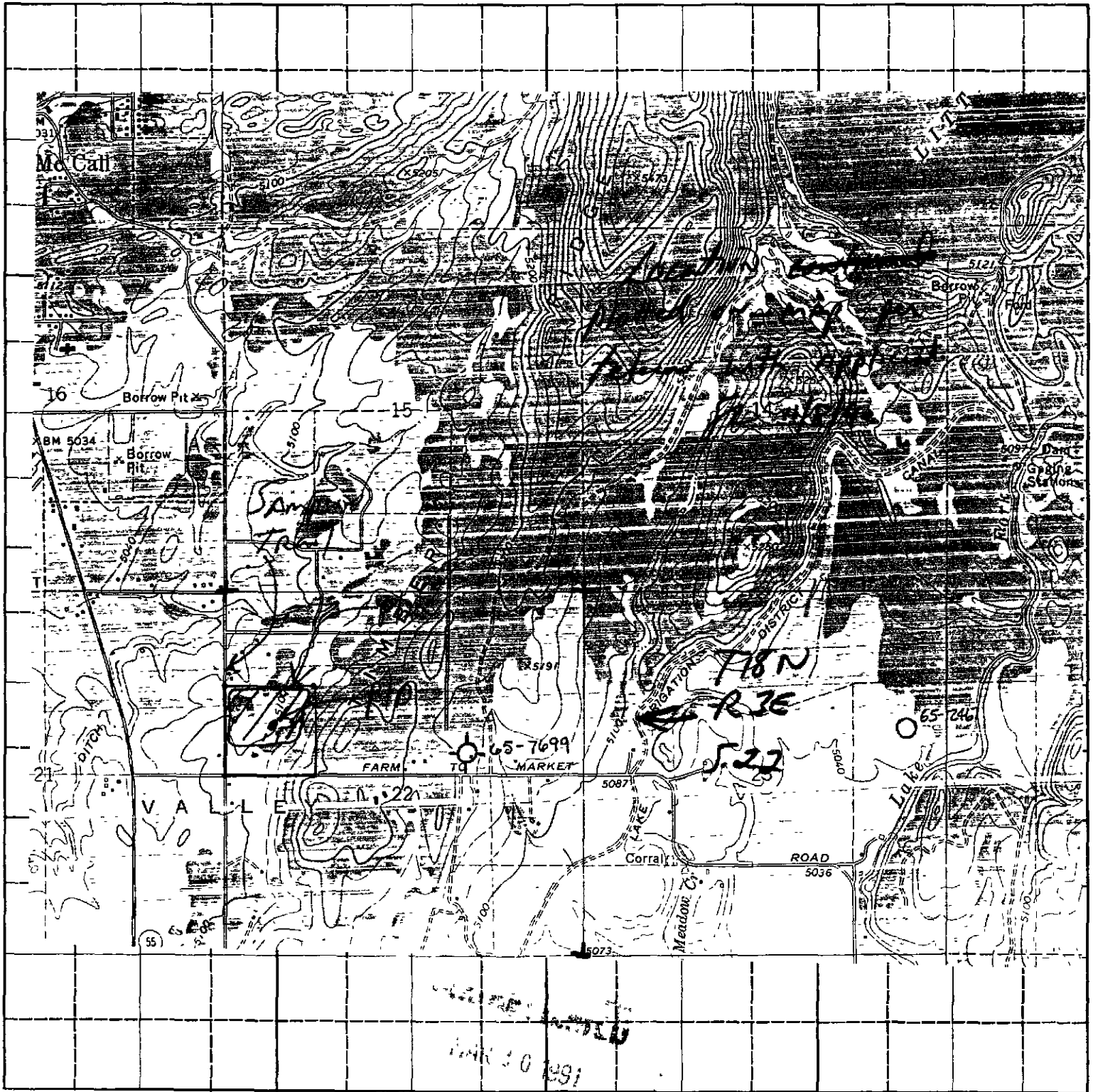
b Who owns the land to be irrigated or place of use? Applicant

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 \_\_\_\_\_

MAR 24 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.

*[Signature]*  
(Applicant)

Received by T. Lake Date 11-1-90 Time 11:45 A.M. Preliminary check by FL  
Fee \$ 45.00 Receipted by DL # 2018757 Date 11-1-90  
Publication prepared by GG Date 11/14/90 Published in Star News  
11/21 & 11/28/90  
Publication approved DL Date 12-18-90

### 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:

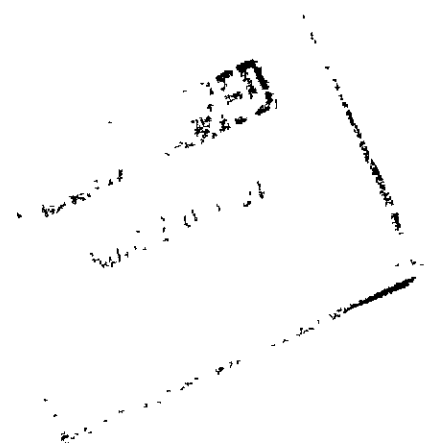
a. SUBJECT TO ALL PRIOR WATER RIGHTS

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 November 21, 1990 and ended November 29, 1990.

Subscribed and sworn before me this the 29th day of November, 1990.

STATE OF IDAHO

COUNTY OF VALLEY

On this 29th day of November, in the year of 1990, 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:

65-13296 ✓  
THEM, WALTER J.  
RT. 1 BOX 118  
MC CALL, ID 83638  
Source: GROUNDWATER  
Diversion Pt: SWNW Sec 22 T 18N R 03E  
Use: IRRIGATION (.500 CFS)  
Total Diversion: (.500 CFS)  
Date Filed: 11/1/1990  
In: T18N R03E S22 SWNW  
25.0 ACRES TOTAL  
65-13297  
BOY SCOUTS OF AMERICA  
110 SCOUT LN.  
BOISE, ID 83702  
Source: GROUNDWATER  
Diversion Pt: SESE Sec 26 T 19N R 03E  
NENE Sec 35 T 19N R 03E  
SWNE Sec 35 T 19N R 03E  
Use: DOMESTIC (.040 CFS)  
Total Diversion: (.040 CFS)  
Date Filed: 10/31/1990  
In: T19N R03E S26 Lot 4 (SWSE)  
S35 NENE NWNE SWNE SENE

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 DECEMBER 10, 1990.  
R. KEITH HIGGINSON, Director 2/11/29



## 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

February 11, 1997

WALTER J. THEM  
805 SAMSON TRAIL  
MCCALL ID 83638

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RE: WATER RIGHT NO. 65-13296

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

#### PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

#### EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

### ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

### CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

### FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

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

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

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

### APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,

- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen  
Water Rights Supervisor

SWK:pah

c: Western Region

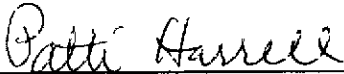
Enclosures

**CERTIFICATE OF MAILING**

I hereby certify that on the **11th** day of **February, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

**Water Right No. 65-13296**

**WALTER J. THEM  
805 SAMSON TRAIL  
MCCALL ID 83638**

  
\_\_\_\_\_  
Patti Harrell  
Secretary



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

December 16, 1996

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

WALTER J. THEM  
805 SAMSON TRAIL  
MCCALL ID 83638

RE: Permit No. 65-13296

Dear Right Holders:

Permit 65-13296 is currently being reviewed for licensing. The Department's field examiner recommended licensing your water right with a diversion rate of 0.30 cfs. However, because no examination fee was submitted with your Proof of Beneficial Use, your license will be limited to 0.04 cfs.

If you want your water right license to reflect the 0.30 cfs found by the examiner, you must submit the additional examination fee of \$50.00 required for a diversion of 0.30 cfs, plus a late payment penalty of \$25.00, within 30 days. If we receive the examination fees after 30 days from the date of this letter, the priority date of your right will be advanced in accordance with Section 42-217, Idaho Code.

If you have any question, please contact me as soon as possible at (208) 327-7946.

Sincerely,

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

Shelley W. Keen  
Water Rights Supervisor

SWK:ph

# LICENSE REVIEW CHECKLIST

PERMIT NO. 65-13296

DATE 11/15/96

REVIEWER: S H A R L A

|              |        |                                     |                                                                                                                      |
|--------------|--------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| NAME         | Change | OK                                  | Address Change <u>use address from blu</u>                                                                           |
| SOURCE       | —      | <input checked="" type="checkbox"/> | Is change clarification of originally intended source? <u>—</u><br>If not, prepare Notice of Intent to Void <u>—</u> |
| POINT OF DIV | —      | <input checked="" type="checkbox"/> | Amendment required <u>No</u>                                                                                         |
| PLACE OF USE | —      | <input checked="" type="checkbox"/> | Amendment required <u>No</u>                                                                                         |

Does map agree with written description? ☒ yes ☐ no

OVERLAPS ☐ P/D ☐ P/U

**RATE OF DIV**

|                |            |     |
|----------------|------------|-----|
| Permitted Rate | <u>.50</u> | cfs |
| Fee limit      | —          | cfs |
| Measured       | <u>.30</u> | cfs |
| Theoretical    | <u>.10</u> | cfs |

**# NO FEE PD.**

Recommended Total Div Rate 30.04 cfs

*request addl fee  
30.04  
fee not paid*

**ANNUAL VOLUME/  
NATURE OF USES**

4/15-10/15

|                |                           |
|----------------|---------------------------|
| Use <u>Ir.</u> | Volume Calculation        |
| —              | <u>20 X 3.0 = 60.0</u> af |
| —              | — af                      |
| —              | — af                      |
| —              | — af                      |
| SUBTOTAL       | <u>60.0</u> af            |

Flow rate 30.04 cfs X 183 days X 1.9834 = 108.7 af  
 Total volume recommended 14.5 af  
 (SUBTOTAL or Flow Rate, whichever is less)

**REMARKS**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CONDITIONS ☐ Watermaster Control WD# \_\_\_\_\_

☐ GW Measurement/Measuring Device

R29 Overlap

☐ Use-specific conditions

Advancement of Priority Date Required ☐ yes ☒ no

SRBA Claim Filed N/A

1st Amend Letter N/A

Adjustment Memo volume

2nd Amend Letter \_\_\_\_\_

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

RECEIVED

JAN 03 1995

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 65-13296

1. Owner: WALTER J THEM Phone No. 634-8760

Current Address: RT 1 Box 118

2. Accompanied by: WALTER J THEM EXAM DATE: 6-23-94

Address: SAME Phone No. SAME

Relationship to Permit Holder: SAME

3. Source: GROUNDWATER tributary to NA

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

**C. DIVERSION AND DELIVERY SYSTEM**

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

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           |           |     | SW  | NW  | 22   | 18N  | 03E  | VALEY  | QUADS - OWNER ID                |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

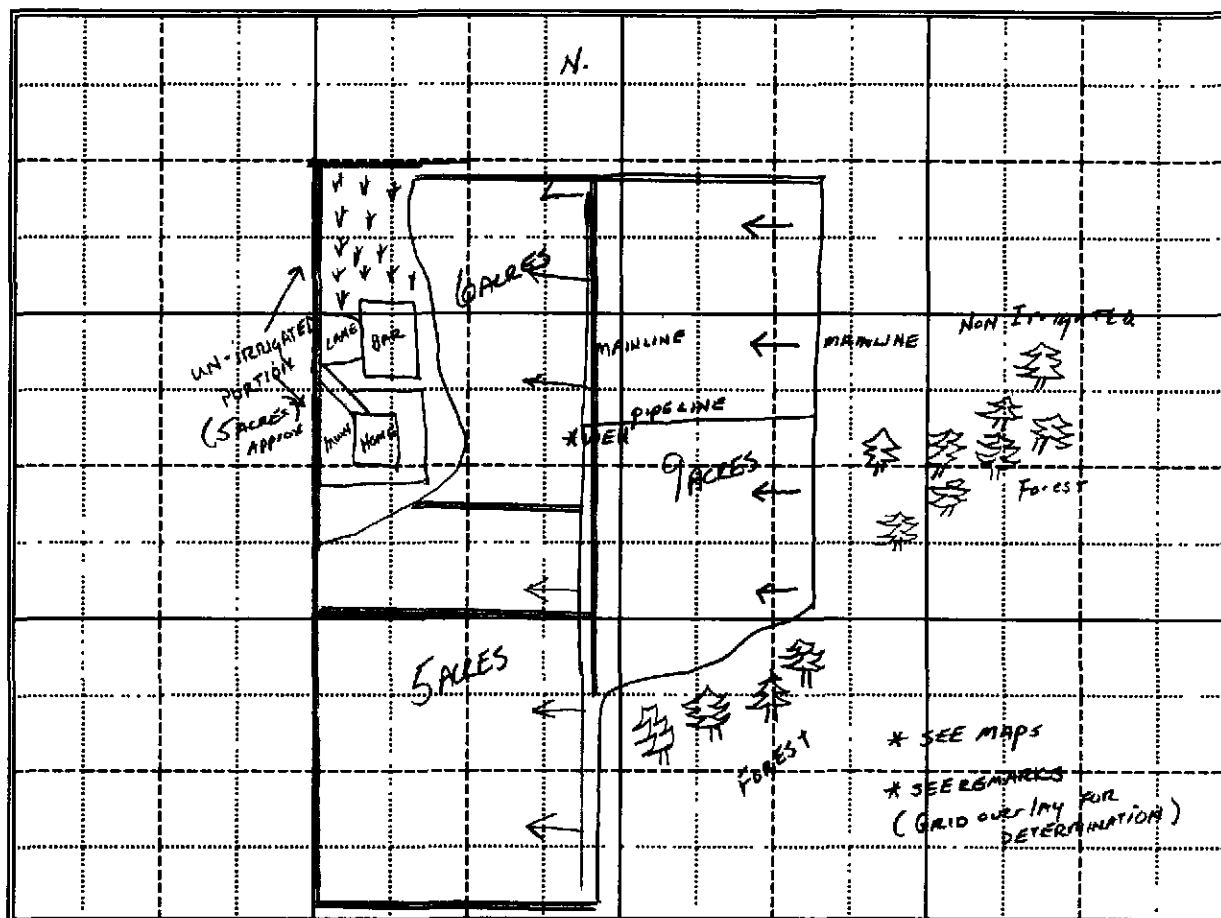
**2. Place(s) of Use:**

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 |          |
| 18N | 03E | 22  |    |    |    |    |    |    | 20 |    |    |    |    |    |    |    |    |    | 20 Acres |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |          |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |          |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |          |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |          |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |          |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |          |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |          |

COPIES

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



Scale: 1" = \_\_\_\_\_

✓ 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 |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| SUBMERSIBLE                           | —          | 3  | —                | —         |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

#### D. FLOW MEASUREMENTS

1.

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

2. Measurements: THEORETICAL : SPRINKLER HEAD : 20 HEADS <sup>45psi</sup> <sup>EXHIBIT 9</sup>  $\frac{3}{16}" = 20 \times 7.03 = 140.6 \text{ gal/min}$   
 $140.6 \text{ gal/min} / 448.8 = .3 \text{ CFS}$

E. NARRATIVE/REMARKS/COMMENTS

THIS SYSTEM (BY OWNER INFORMATION) HAS A 3HP. SUBMERSED IN A 145' WELL. THE STATIC WATER LEVEL FOR THE AREA IS 68' AND THE DROP IS ONLY 7'. THEREFORE THE DYNAMIC PUMPING LEVEL IS AT 75'.

THE SYSTEM USES HANDLINES AND TWO MAIN LINES TO IRRIGATE @ 20 ACRES. THE OWNER RUNS 20  $\frac{3}{4}$ " HEADS AT ONE TIME AT A PRESSURE OF 45 PSI. BENEFICIAL USE AND EVIDENCE WERE OPERATING AND VISIBLE AT THE TIME OF THE EXAMINATION.

\* WELL LOGS WERE NOT AVAILABLE FOR THIS SYSTEM. THE OWNER ESTIMATED A 3HP AT 145'. THEORETICAL DOES NOT CONFIRM THIS OUT, THE SPRINKLER HEAD TEST GAVE A CLEAR RESULT OF SYSTEM CAPABILITY. I SUSPECT THE EXISTENCE OF A 5HP. WELL LOGS INDICATED DEPTH: DYNAMIC LEVEL OF AREA.

\* AREA: ACREAGE WERE DETERMINED THROUGH THE USE OF A GRID OVERLAY. THE PROPERTY IS FORESTED WITH MEADOW LANDS/PASTURES THE OWNER IS IRRIGATING. LAND (IRRIGATABLE) WAS ESTIMATED THROUGH AERIAL PHOTOS AS WELL AS ORTHOPHOTO QUADS. THE OWNER AND I DETERMINED PIPELINE DIAGRAMS AND IRRIGATABLE ACRES WITH THE USE OF A GRID OVERLAY.

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

MICROFILMED  
FEB 27 1977

**F. FLOW CALCULATIONS**

\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

SPRINKLER HEAD = 20 3/16" HEADS @ 15psi = Exhibit 9

$$20 \times 7.03 = 140.6 \text{ gal/min} / 448.8$$

$$\text{THEORETICAL} \cdot \frac{8.8 \times 3 \times .7}{(2.31 \times 45) + 75} = \frac{18.48}{178.95} = .1 \text{ cfs} = \textcircled{.30 \text{ psi}}$$

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 20 \times 2 = 40 \text{ AFA}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .3 \times 184 \times 1.9835 = 109.5$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 40 \text{ AFA}$$

## 2. Volume Calculations for Other Uses:

-NA-

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use    | Period of Use |              | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-------------------|---------------|--------------|------------------------------|--------------------------|
|                   | From          | To           |                              |                          |
| <u>Irrigation</u> | <u>4-15</u>   | <u>10-15</u> | <u>.3 cfs</u>                | <u>40 AFA</u>            |
| _____             | _____         | _____        | _____                        | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| _____             | _____         | _____        | _____                        | _____                    |
| Totals:           |               |              | <u>.3 cfs</u>                | <u>40 AFA</u>            |

## 2. Recommended Amendments

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

**I. AUTHENTICATION**Field Examiner's Name Dave Gray Date 6-29-94

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

SEAL

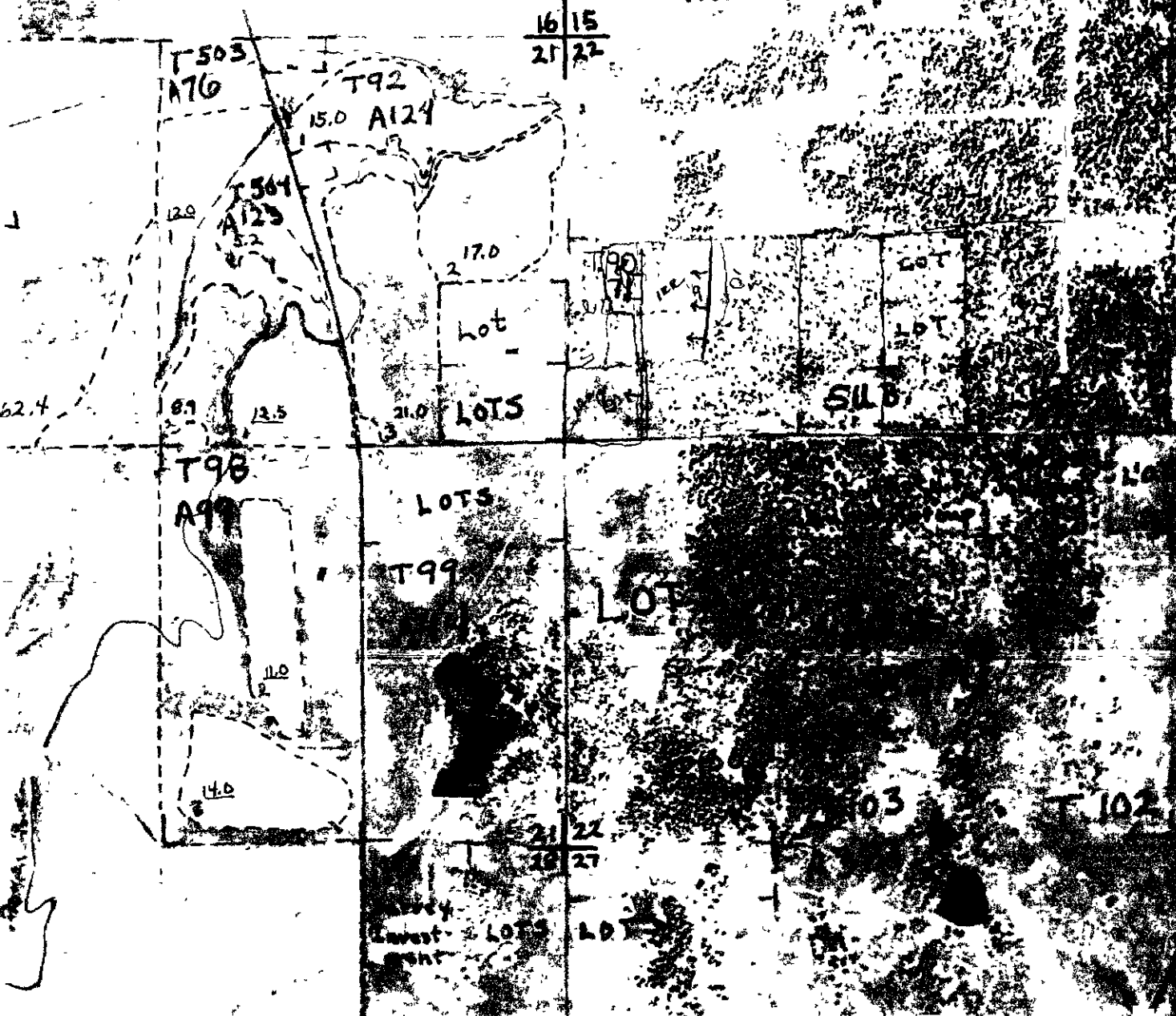
# IDAHO DEPARTMENT OF WATER RESOURCES

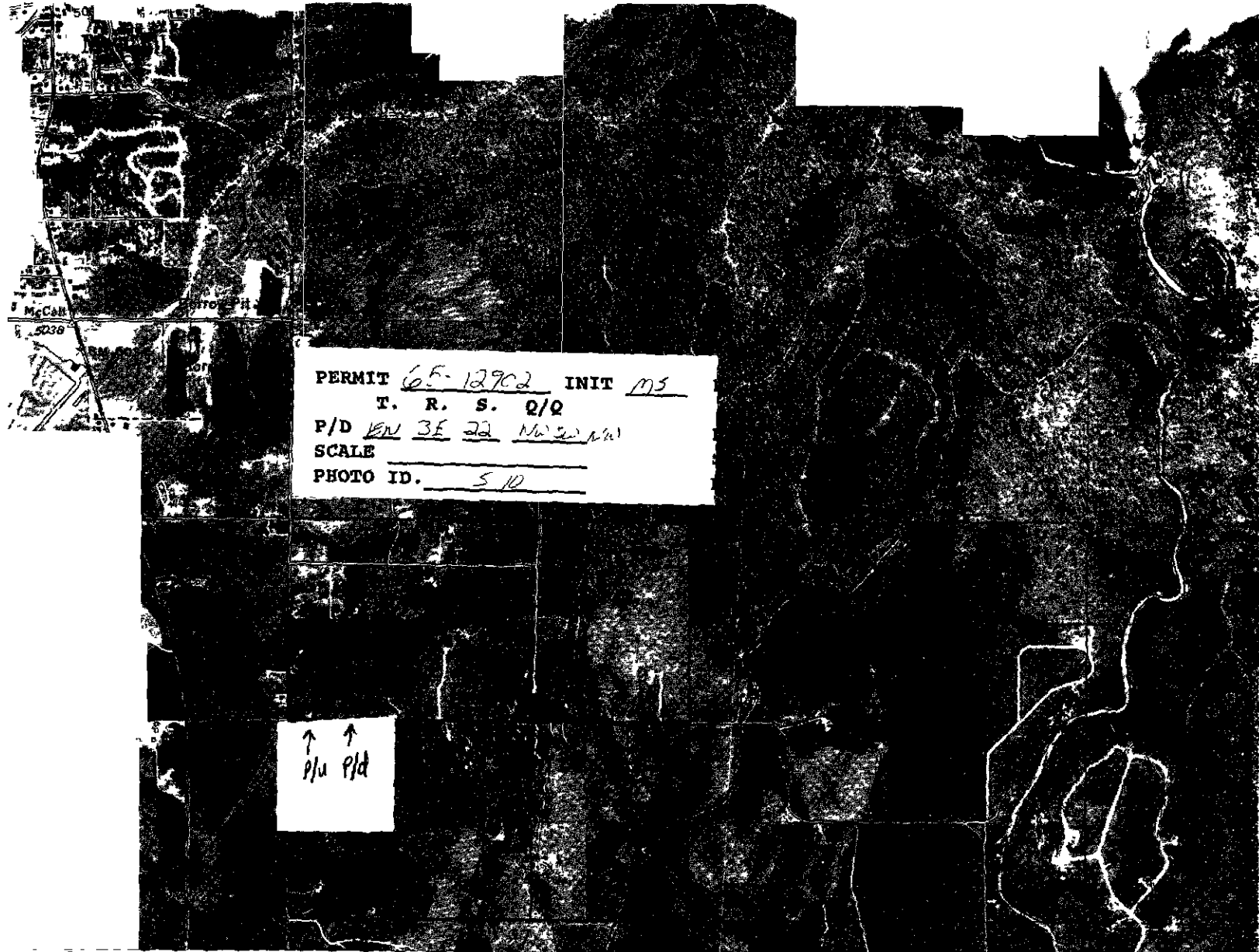
## WELL INSPECTION FORM

1. DRILLING PERMIT NO: NOT AVAILABLE OTHER APPLICABLE NO: 65-12902
2. OWNER: WALTER THEM Phone: 634-8260  
Address: Rt 1 Box 11B McCall, Id 83638
3. WELL LOCATION: Twp 18N, Rge. 3E, Sec. 22, SW 1/4 NW 1/4  
County Valley (Provide sketch map and photo on reverse.)
4. DRILLER: NOT AVAILABLE Lic. No. \_\_\_\_\_  
When Drilled? \_\_\_\_\_
5. WELL CONSTRUCTION:  
Casing Diameter 6" inches Water tight cap? ☐ Yes ☒ No Access Port: ☐ Yes ☒ No  
Casing  $\geq$  12 inches above ground? ☒ Yes ☐ No - Describe \_\_\_\_\_  
Depth of Casing \_\_\_\_\_ ft. Method Drilled \_\_\_\_\_  
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe \_\_\_\_\_  
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☒ No  
Condition of Piping and Valving Good  
Auger to a depth of \_\_\_\_\_ ft. Evidence of Annular Seal ☐ Yes ☒ No  
Are there obvious construction problems that may be a source for contamination or waste of water?  
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:  
Depth to Static Water 68 ft. Water Temperature \_\_\_\_\_ °F  
Flowing Artesian ☐ Yes ☒ No Pressure: \_\_\_\_\_ (psi)  
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose \_\_\_\_\_  
Water Quality Measurements/Observations (Describe) Cap on (casing) system was not tight
7. WELL USE:  
☐ Domestic ☒ Irrigation ☐ Stock  
☐ Test ☐ Municipal ☐ Industrial  
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used  
☐ Other: \_\_\_\_\_

65-17902

WEST PLACE SUB

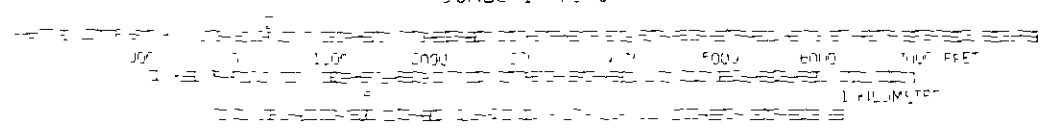




PERMIT 65-12902 INIT MS  
T. R. S. Q/Q  
P/D EN 3E 22 NW 20 NW 1  
SCALE \_\_\_\_\_  
PHOTO ID. 510

↑ ↑  
p/u p/d

SCALE 1:4000



inate

COPIED PRINTS MAY BE PURCHASED FROM  
IDAHO DEPARTMENT OF LANDS, STATEHOUSE, BOISE, IDAHO 83720  
THIS FILE COMPLIES WITH THE NATIONAL ARCHIVAL STANDARDS

65-12902



WEN AND LINE  
HEADING TO LOWER MAIN -  
LINE OF THE PROPERTY

PHOTO ONE-

>

LINE TO THE SOUTH'S PASTURE

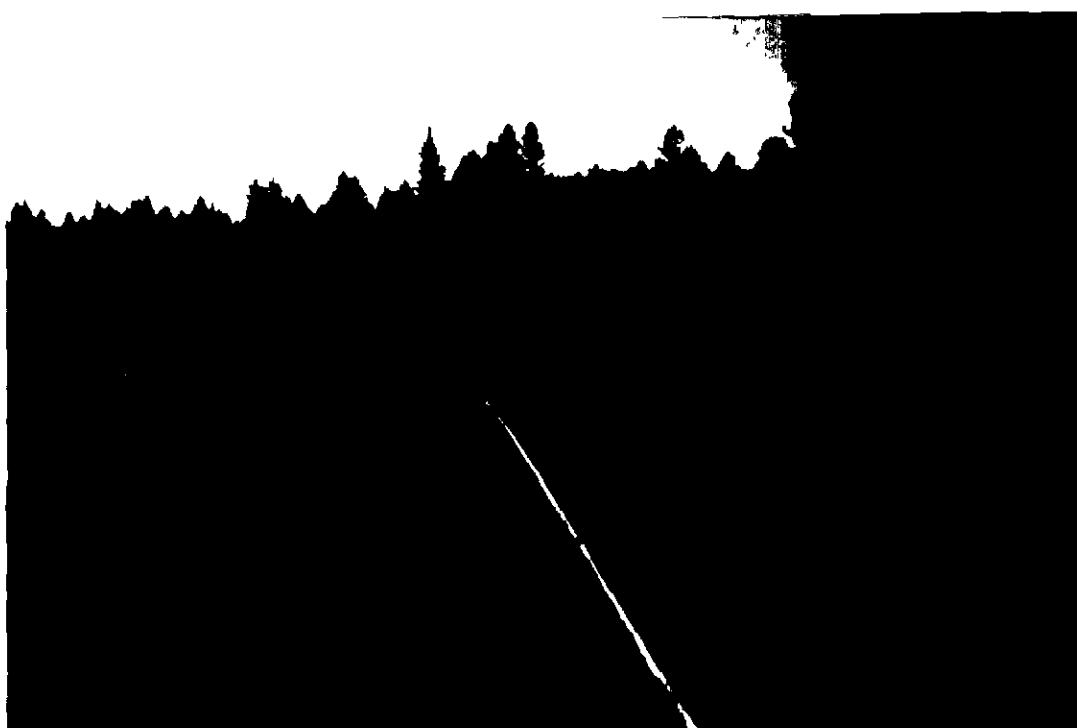


PHOTO TWO-



lin. from the NORTH  
SIDE OF THE WEIR.

PHOTO THREE-

>

UN-IRRIGATED - WESTERN  
PORTION OF THE  
PROPERTY.



PHOTO FOUR-

December 22, 1993

WALTER J THEM  
805 SAMSON TRAIL  
MCCALL ID 83638

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-13296

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

Enclosure

c: IDWR - Region

RECEIVED  
DEC 21 1993

ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE

Permit No. 65-13296

Reviewed by [Signature]

Date 12-16-92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

err

no Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

SOURCE OF WATER

— Surface water source

yes Ground water source

yes Drilling permit required?

yes Copy in the file? Drilling Permit No. 65-91 2-0000

200.00 Amount paid for permit yes Correct?

yes Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

no Required?

— Required?

— Amount Submitted

— Installed?

— Correct?

— Waiver requested?

PRIORITY CALCULATION

Date proof received 5 - 1

Date proof due 5 - 1

No. of days late 7 = 2

Priority Date 7 + 5

New Priority Date 7 + 5

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address 805 Samson Trail  
McAul WA. 82628

Proof Made 12-7-93

November 30, 1993

WALTER J. THEM  
805 SAMSON TRAIL  
MC CALL ID 83638

PROOF DUE NOTICE

RE: PERMIT NO. 65-13296

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 February 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

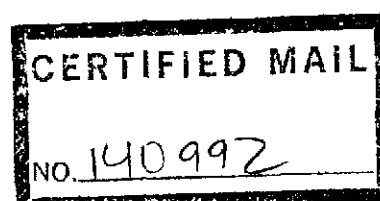
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

SINCERELY,

JULIE L. YARBROUGH  
Senior Secretary

Enclosures



140992-1117  
FEB 27 1994



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

December 10, 1992

Walter Them  
Route 1 Box 118  
McCall, ID 83638

Re: Permit No. 65-13296

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to February 1, 1994. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson  
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECORDED

DEC 15 1992

ANALYSIS SHEET  
FOR  
EXTENSION OF TIME

Permit No. 65-13296 Reviewed by Klg Date 12/9/92

BASIC INFORMATION

12/7/92 Date stamp received  
yes Extension received timely  
yes Fee received and receipted  
yes Name and signature same as permit  
yes Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?  
Has the permit been involved in litigation?  
Is supporting documentation needed to complete the file? Requested?  
Is delay by a government agency?  
Is supporting documentation needed to complete the file? Requested?  
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend approval Based on due diligence  
Extend to 2/1/94*

PRIORITY CALCULATION

|                         |           |   |       |
|-------------------------|-----------|---|-------|
| Date extension received | <u>NA</u> | = | _____ |
| Proof due date          |           | = | _____ |
| Number of days late     |           | = | _____ |
| Priority date           |           | = | _____ |
| New Priority Date       |           | = | _____ |

DATA ENTRY

New Address 805 Samson Trail  
Change Proof Due Date \_\_\_\_\_  
Change Priority Date \_\_\_\_\_

November 30, 1992

WALTER J. THEM  
RT. 1 BOX 118  
MC CALL ID 83638

PROOF DUE NOTICE

RE: PERMIT NO. 65-13296

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 February 1, 1993. (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



DEC 15 1992

## WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources  
within 30 days after the completion or abandonment of the well.

## 1. WELL OWNER

Name WALTER J. Them  
Address RT. 1 Box 118 McCall, Idaho  
Drilling Permit No. 65-91-2-006  
Water Right Permit No. 5-13296

## 7. WATER LEVEL

Static water level 89 feet below land surface.  
Flowing? ☐ Yes ☒ No G.P.M. flow \_\_\_\_\_  
Artesian closed-in pressure \_\_\_\_\_ p.s.i.  
Controlled by: ☐ Valve ☐ Cap ☐ Plug  
Temperature 48 OF. Quality good  
Describe artesian or temperature zones below \_\_\_\_\_

## 2. NATURE OF WORK

- ☒
- New well
- ☐
- Deepened
- ☐
- Replacement
- 
- ☐
- Well diameter increase
- 
- ☐
- Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

## 8. WELL TEST DATA

☐ Pump ☐ Bailor ☒ Air ☐ Other \_\_\_\_\_

| Discharge G.P.M. | Pumping Level | Hours Pumped |
|------------------|---------------|--------------|
| <u>42</u>        | <u>144</u>    | <u>1</u>     |

## 3. PROPOSED USE

- ☒
- Domestic
- ☒
- Irrigation
- ☐
- Test
- ☐
- Municipal
- 
- ☐
- Industrial
- ☐
- Stock
- ☐
- Waste Disposal or Injection
- 
- ☐
- Other \_\_\_\_\_ (specify type)

## 4. METHOD DRILLED

- ☒
- Rotary
- ☒
- Air
- ☐
- Hydraulic
- ☐
- Reverse rotary
- 
- ☐
- Cable
- ☐
- Dug
- ☐
- Other \_\_\_\_\_

## 5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other \_\_\_\_\_  
Thickness \_\_\_\_\_ Diameter \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
• 250 inches 6 inches + 1 feet 145 feet  
\_\_\_\_\_ inches \_\_\_\_\_ inches \_\_\_\_\_ feet \_\_\_\_\_ feet  
\_\_\_\_\_ inches \_\_\_\_\_ inches \_\_\_\_\_ feet \_\_\_\_\_ feet  
\_\_\_\_\_ inches \_\_\_\_\_ inches \_\_\_\_\_ feet \_\_\_\_\_ feet  
Was casing drive shoe used? ☒ Yes ☐ No  
Was a packer or seal used? ☐ Yes ☒ No  
Perforated? ☒ Yes ☐ No  
How perforated? ☐ Factory ☐ Knife ☒ Torch ☐ Gun  
Size of perforation 1/8 inches by 4 inchesNumber \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
60 perforations 140 feet 144 feet  
\_\_\_\_\_ perforations \_\_\_\_\_ feet \_\_\_\_\_ feet  
\_\_\_\_\_ perforations \_\_\_\_\_ feet \_\_\_\_\_ feetWell screen installed? ☐ Yes ☒ No

Manufacturer's name \_\_\_\_\_

Type \_\_\_\_\_ Model No. \_\_\_\_\_

Diameter \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ feet to \_\_\_\_\_ feet

Diameter \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ feet to \_\_\_\_\_ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel \_\_\_\_\_

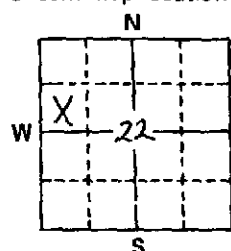
Placed from \_\_\_\_\_ feet to \_\_\_\_\_ feet

Surface seal depth 19 Material used in seal. ☐ Cement grout☒ Bentonite ☐ Puddling clay ☐ \_\_\_\_\_Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

Weld

☐ Cemented between strataDescribe access port SANITARY WELL SEAL

## 6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name \_\_\_\_\_

Lot No. \_\_\_\_\_ Block No. 15 1992County VALLEYSW 1/4 NW 1/4 Sec. 22, T. 18 N ☒ S ☐ E ☒ W ☐

## 10.

Work started 7-31-91 finished 8-1-91

## 11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were  
complied with at the time the rig was removed.Firm Name Gestrich Well Drilling Firm No. 408Address HC 38 Box 10 Donnelly, Id. Date 8-1-91Signed by (Firm Official) Ralph W. Gestrich

and

(Operator) Ralph W. Gestrich

State of Idaho  
Department of Water Resources

**APPLICATION FOR DRILLING PERMIT**

1. Applicant (please print) Walter J. Thiem
2. Mailing Address RT 1 Box 118 McCall, ID 83638  
Telephone 634-8760
- ☒ Well Owner ☐ Well Operator ☐ Other, specify \_\_\_\_\_
3. Proposed well location SW ~~1/4~~ NW 1/4 1/4, or Gov't Lot No. \_\_\_\_\_  
Sec. 22, Twp. 18N, Rge. 3E, County Valley  
Street Address of Well Site Near NE corner of Samson Trail  
Lot, block and subdivision NA + Farm to Market Road
4. Proposed use of well:
- ☐ Domestic. The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd, or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd
- Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.
- ☒ Non-Domestic. Any beneficial use not included within the definition of domestic. - Irrig. 25 acres
- ☐ Injection
- ☐ Monitoring - A well bore schematic and map is required for each well.  
No. of proposed wells: \_\_\_\_\_
5. Well construction information:
- A ☒ New well ☐ Deepen ☐ Replace - See Condition 9
- B. Proposed Surface Diameter 6" Proposed Maximum Depth 80-100' (est.)
- C. Anticipated bottom hole temperature: **NOT FILLED**
- ☒ 85°F or less (Cold water well)  
☐ 85°F to 212°F (Low temp. geothermal well)  
☐ 212° or more (Geothermal well)
6. Construction Start Date ASAP - soon as water right + permit rec'd
7. Anticipated Well Driller Robt. Gestrin  
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature Walter J. Thiem Date 31 Oct 90  
Title owner  
(Owner, Firm Representative, Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is

**APPROVED**

Date

2-20-91

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

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MAR 20 1991

MANAGER

GROUNDWATER PROTECTION SECTION

*Ltutik P. Reese*

Signature of Authorized Department Representative

Title

Receipt No. 028752 Received by IT Fee 200<sup>00</sup> Date 11-1-90

**EXTENSION OF DRILLING PERMIT**

Extension approved by \_\_\_\_\_ Approval Date \_\_\_\_\_

This extension is good for 60 days beyond the above extension approval date.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 25, 1991

WALTER J. THEM  
RT. 1 BOX 118  
MC CALL, ID 83638

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13296

Dear Permit Holder:

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

**RECEIVED**

MAR 20 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:blm

Enclosures

V *9-20-91*

**APPLICATION FOR PERMIT REVIEW**

Application #: 65-13296

Reviewer:

Pam Skaggs *JS*

Date: 2-7-91

✓ Existing:

✓ No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - N/A

✓ Groundwater:

GT. 0.7 cfs - 01G-P03, 01C-P03(existing well)

✓ LT. 0.7 cfs - N/A

✓ Drilling Permit:

✓ Approved w/permit - P99

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

✓ Location:

Water Districts - WD No. 65D

Surface water - 005, 005-01H-P01(LT.7 w/pump)

005-01J-P08(GT.7)

✓ Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

✓ Swan Falls Flag -        (1 or Blank)

Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr

Non Trust - 048-049 or Irr & Dom)

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 11D-P72

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 002-P06, 06A, 007, 09E-P10, 010, 042, 044

Power - Use Power Review

Mining - 06A, 006, 09E-P10, 010, 054(req.)

Storage - 18A-P for multiple measuring devices(In W.D.), 18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

✓ Beneficial Use Due Date: - 02-01-1993

Other Conditions Recommended \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: FL DATE: 11/8/90 APPLICATION: 65-13296

REQUIRED INFORMATION

☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)  
☒ Address:  
☒ Source: (See USGS Quad for names of water sources)  
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)  
☒ County:  
☒ Quantity: (flow and/or volume) Gov't. Lots:  
☒ Period of use: N P/D  
☒ Nature of proposed use: (Include description of use) N 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

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DEC 28 1990

☒      DATE REQUESTED:  
☒      Additional information on reverse side:

Department of Water Resources

NOTE REQUEST FOR APPROVED WELL DRILLING PERMIT  
AS SOON AS WATER RIGHT APPROVED.  
DRILLING APPL. ATTACHED.

## PROCESSING

APPLICATION NO.

65-13296

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: *Approved, Am*☐☒

Measuring device required:

☐☒

Measuring port required:

☐☒

Water delivered by water master? District #

☒☐

Special conditions of approval or cover letter:

*26A, Allow 2 yrs*

See below for additional information

Recommended Date or Priority *11/1/1990*Recommended by: *DM*Date *12/24/1990*

## STATE OFFICE REVIEW

See below for additional information. By

Date

## ADDITIONAL INFORMATION

*Overlap**65-08005 Different well for domestic/stroke.**65-12902 own stream (runoff) for irrigation of 10 of the 25  
acres in Appl.**Both rights are for applicant's property.*

**RECEIPT**  
**For Monies Paid**  
**to the**  
**IDAHO DEPARTMENT OF WATER RESOURCES**

**Receipt No:** C018757

**Date:** 11/01/90  
**Time:** 12:08:07

**Received**

**From:** THEM, WALTER J., NAVARRE

| Type of Payment                 | Program Acct Class | Amount         |
|---------------------------------|--------------------|----------------|
| APPLICATION FOR WATER RIGHT     | 0510199 1238 6390  | \$45.00        |
| APPLICATION FOR DRILLING PERMIT | 0570350 1238 6390  | \$200.00       |
| <b>Total</b>                    |                    | <hr/> \$245.00 |

CHECK 4330

Idaho Department of Water Resources

Region: STATE

Signature: Linda Yancy

NOV 1 1990

MAH 0 1

## CONVERSATION MEMORANDUM

DATE 11/8/60FILE 65-13296NAME OF PARTY Walter Rem 634-8760EMPLOYEE Steve ListerRE: Application for Permit1) map

Songster Trail is  $\frac{1}{4}$  mi E. of hwy 55 & intersects  
Farm to Market Rd.

Well is in the middle of SWNW c 900' NE of  
W $\frac{1}{4}$  cor. S. 22.

Acres are W, E, & a little S. of well, all in survey.

2) New well planned3) acres include those in 65-12902.

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MAR 20 1961

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

---

Boise, Idaho 83705  
(208) 334-2190

NOVEMBER 14, 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 DECEMBER 10, 1990.

Yours truly,

GAIL GARRETT  
Secretary

Encl.

65-13296

THEM, WALTER J.  
RT. 1 BOX 118  
MC CALL, ID 83638

Source: GROUNDWATER

Diversion Pt:               SWNW       Sec 22 T 18N R 03E

Use: IRRIGATION                       ( .500 CFS)  
      Total Diversion: ( .500 CFS)

Date Filed: 11/ 1/ 1990

In:   T18N R03E S22               SWNW

25.0 ACRES TOTAL