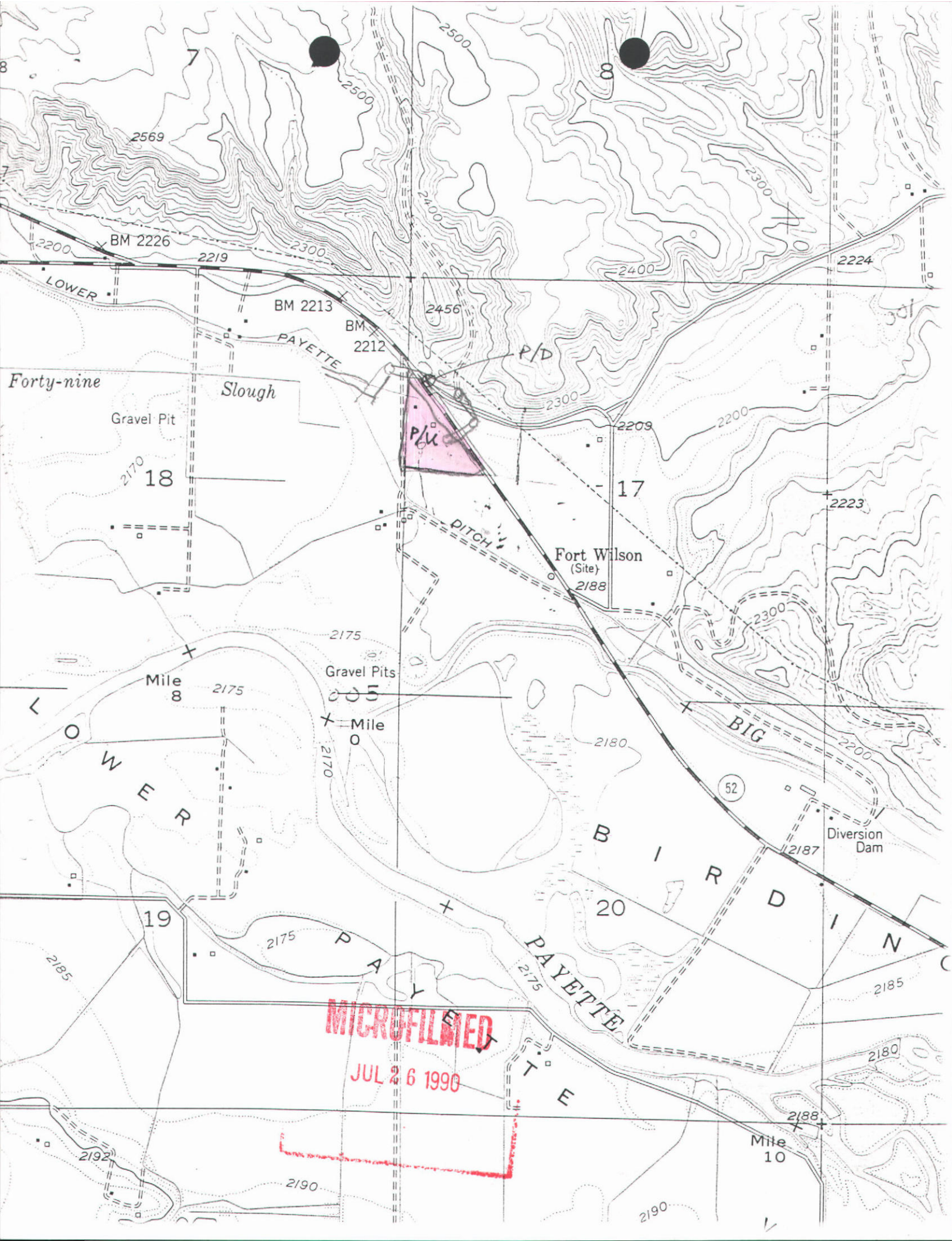
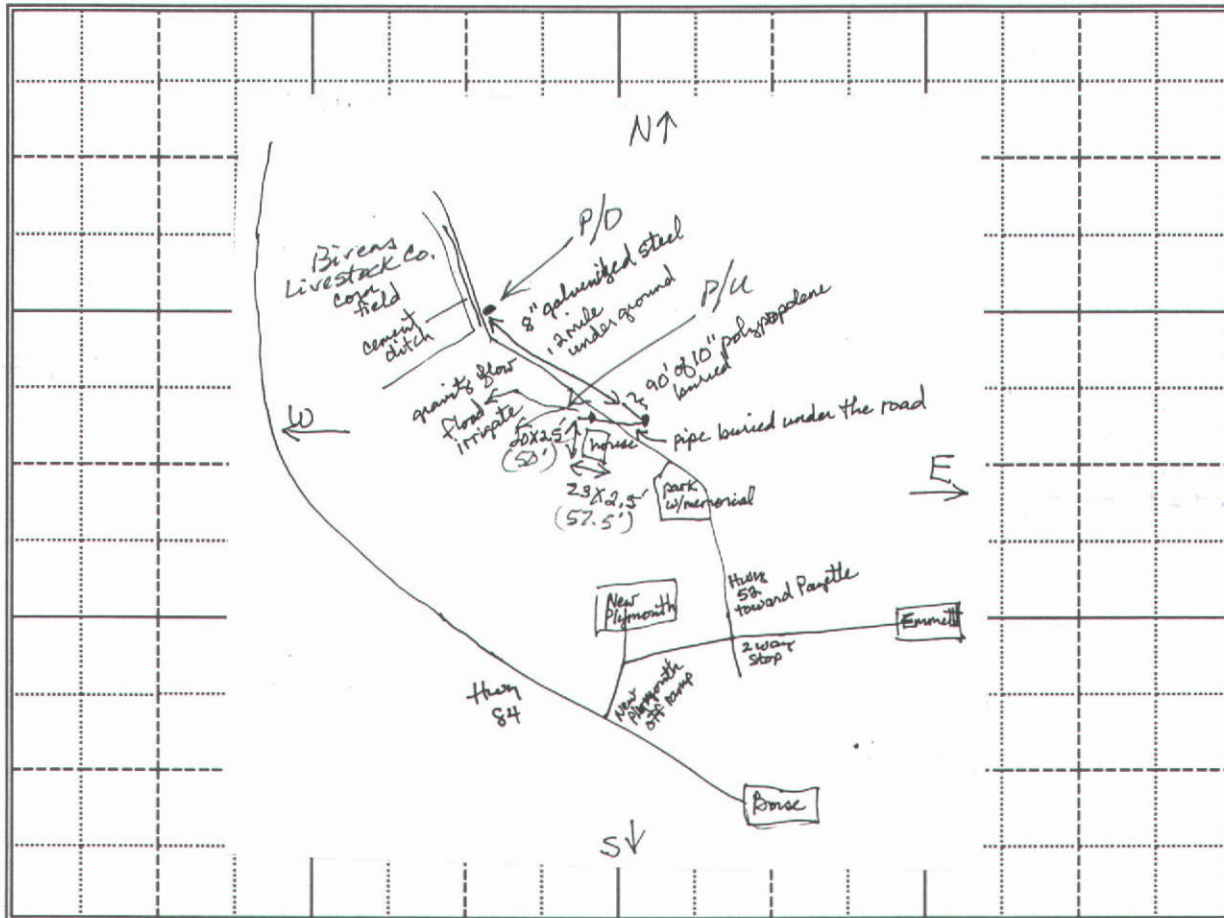




3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



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

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

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

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

\*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 |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

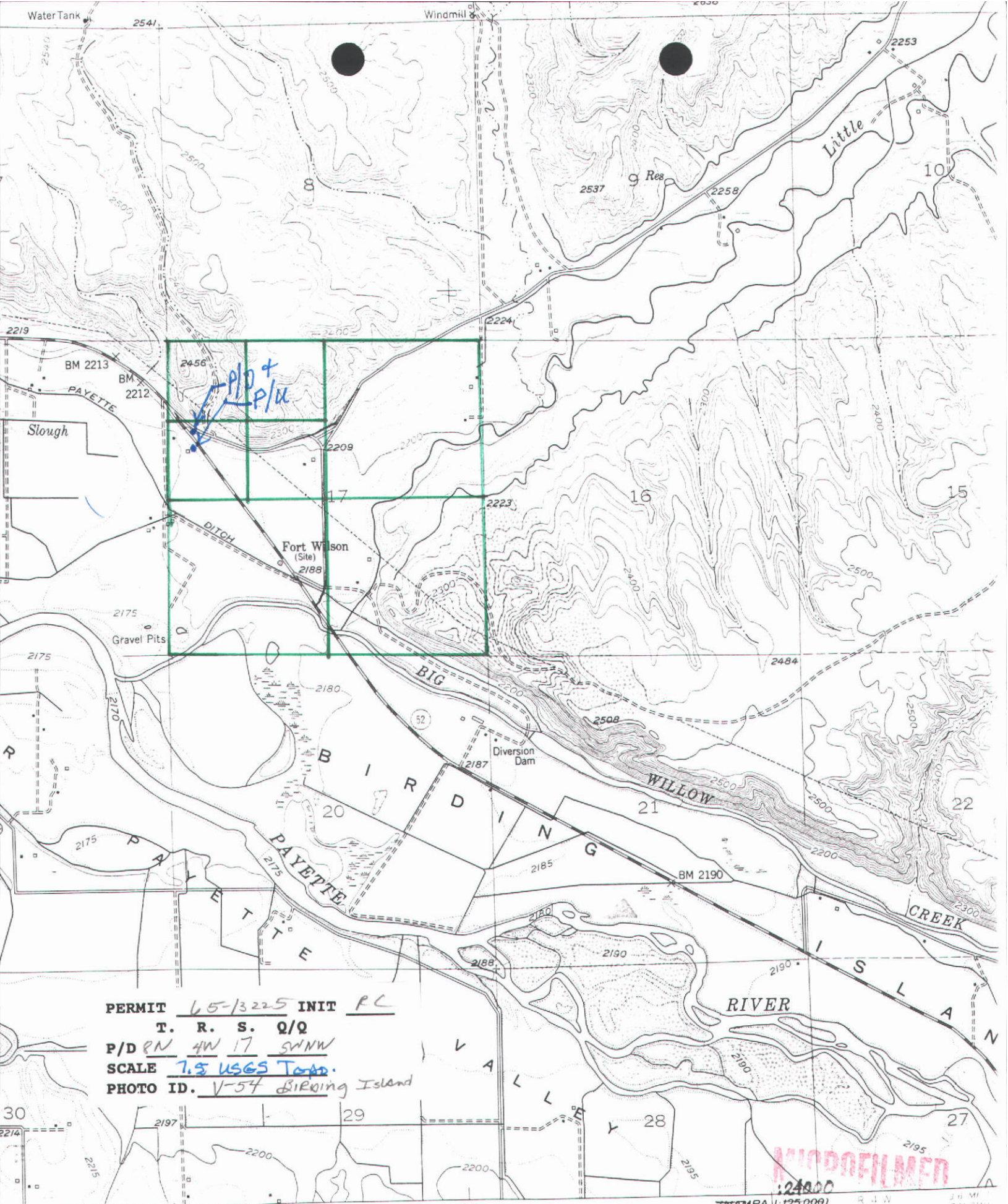
2. Measurements:

1.98 total acres owned

87120 - 2875 (house) = 1.93 acres irrigated

43560

NOV 09 1995



PERMIT 65-13225 INIT PL  
T. R. S. Q/Q  
P/D RN 4W 17 SWNW  
SCALE 7.5 USGS Topo.  
PHOTO ID. V-54 Birding Island

**MICROFILMED**  
1:24000

TRAMPAU: 125 000  
New Plymouth  
SCALE 1:24000 9 1995

65-13225

6/23/95



P/D:  
cement ditch from  
Bivens Livestock Co.  
that goes under  
the road where  
Mr. Head buried  
90' of 10' PVC 25' of  
ditch into 8" ~~at~~  
culvert going under  
the road to Mr. Head's  
property

P/u:

1.9 acre  
alfalfa  
grass for  
livestock

2 1/2 - 3" ditch going  
east west w/ furrowed  
rows to irrigate by  
gravity flow, flowing  
south



P/D:  
8" culvert that  
comes under the  
road + delivers  
waste water to  
Mr. Head's property

MICROFILMED

NOV 09 1995

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-13225

Priority: April 24, 1990

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

8.6 AF

This is to certify, that JIM HEAD  
MARGARET HEAD

3573 HWY 52

PAYETTE ID 83661

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 24, 1990; and has submitted Proof of Beneficial Use on February 22, 1991. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

WASTE WATER

tributary to PAYETTE RIVER

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            | 03/15 to 11/15       | 0.04 CFS                 | 8.6 AF               |

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 17, Township 08N, Range 04W  
PAYETTE County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 08N        | 04W        | 17         | SWNW         | 1.9          |              | 1.9          |

Total number of acres irrigated: 1.9

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. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

NOV 09 1995

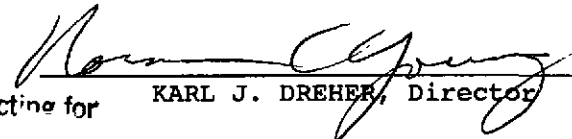
State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-13225

## CONDITIONS OF APPROVAL AND REMARKS

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 30<sup>th</sup>  
day of NOVEMBER, 1995.

  
Acting for KARL J. DREHER, Director

10/1995

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FEB 22 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources  
Western Regional Office

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.

Permit No. p. 65-13225 Telephone No. (208) 642-2853

Name(s) of Permit Holder(s). Jim OR Margaret Head

Post Office Address: 3573 HWY 52, payette, ID 83661

Source of Water: \_\_\_\_\_

If ground water, well driller's name: \_\_\_\_\_ Date drilled: \_\_\_\_\_

Extent of Use:  
Domestic \_\_\_\_\_ (No. of households) Irrigation 6 (No. of acres)  
Stockwater \_\_\_\_\_ (No. and type of stock) Other \_\_\_\_\_

Total rate and/or volume for which proof is submitted .12 cfs \_\_\_\_\_ acre/feet

Show date water was first diverted and beneficially used under this permit: 1986

One of the following may be a condition of approval of your permit:

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

OR

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

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

Margaret Head Telephone No. \_\_\_\_\_  
Name  
Same  
Address

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

Date 2-22-91 Signature (and title if on behalf of a company or organization) Jim Head

JUN 10 1991

State of Idaho  
Department of Water Resources  
**Permit To Appropriate Water**

NO. 65-13225

Proposed Priority: April 24, 1990      Maximum Diversion Rate: 0.12 CFS  
This is to certify, that **JIM HEAD**

**MARGARET HEAD**  
3573 HWY. 52  
PAYETTE, ID 83661

has applied for a permit to appropriate water from:

**WASTE WATER**      tributary of **PAYETTE RIVER**

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.12 CFS                 |

LOCATION OF POINT(S) OF DIVERSION:      SWNW      Sec. 17, Township 08N, Range 04W  
PAYETTE County

PLACE OF USE:      IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 08N        | 04W        | 17         | SWNW         | 6            |              | 6            |

Total number of acres irrigated: 6

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1991**.
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. 65.
4. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. The Director retains jurisdiction of this permit to require purchase or lease of storage water to compensate for diversion of the streamflow authorized by this right.
6. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
7. 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.

**MICROFILMED**

JUL 16 1990

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 65-13225

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

23<sup>rd</sup> day of July, 1990.

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

MICROFILMED

JUL 20 1990

Ident. No. 65-13225

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JIM HEAD 208-642-2853  
Address: 3573 HWY. 52  
PAYETTE, ID 83661  
AND/OR  
Name: MARGARET HEAD 208-642-2853  
Address: 3573 HWY. 52  
PAYETTE, ID 83661

2. Source: WASTEWATER

Trib. to: PAYETTE RIVER

3. Location of Point of Diversion:

SWNW Sec. 17, Township 08N, Range 04W  
PAYETTE County

4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 03/15 | 11/15 | 0.120 |      |    |

5. Total quantity appropriated is:

0.120 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.  
DITCH TO GRAVITY FLOW SYSTEM.

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

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

d. Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of  
the water to the proposed beneficial use is

8. Description of proposed uses:

9. Place of Use: IRRIGATION

TWN RGE SEC  
08N 04W 17

ACRES  
SWNW 6

ACRES ACRES ACRES TOTAL  
6 6 6  
Total number of acres irrigated

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Ident. No. 65-13225  
Page 2

10. Describe any other water rights used for the same purposes.  
65-00165X, 65-11413

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

CYRIL ROLAND

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

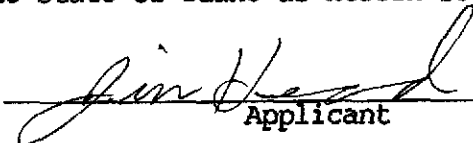
APPLICANTS

c. If the property is owned by a person other than the applicant,  
describe the arrangement enabling the applicant to make this filing.  
APPLICANTS WILL NEED TO ESTABLISH POD ON NEIGHBOR'S PROPERTY.

12. Remarks:

13. Map of proposed point of diversion and place of use attached? [X]

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

  
Applicant

Received by DW Date 4/24/90 Time 2:10 Preliminary check by SD

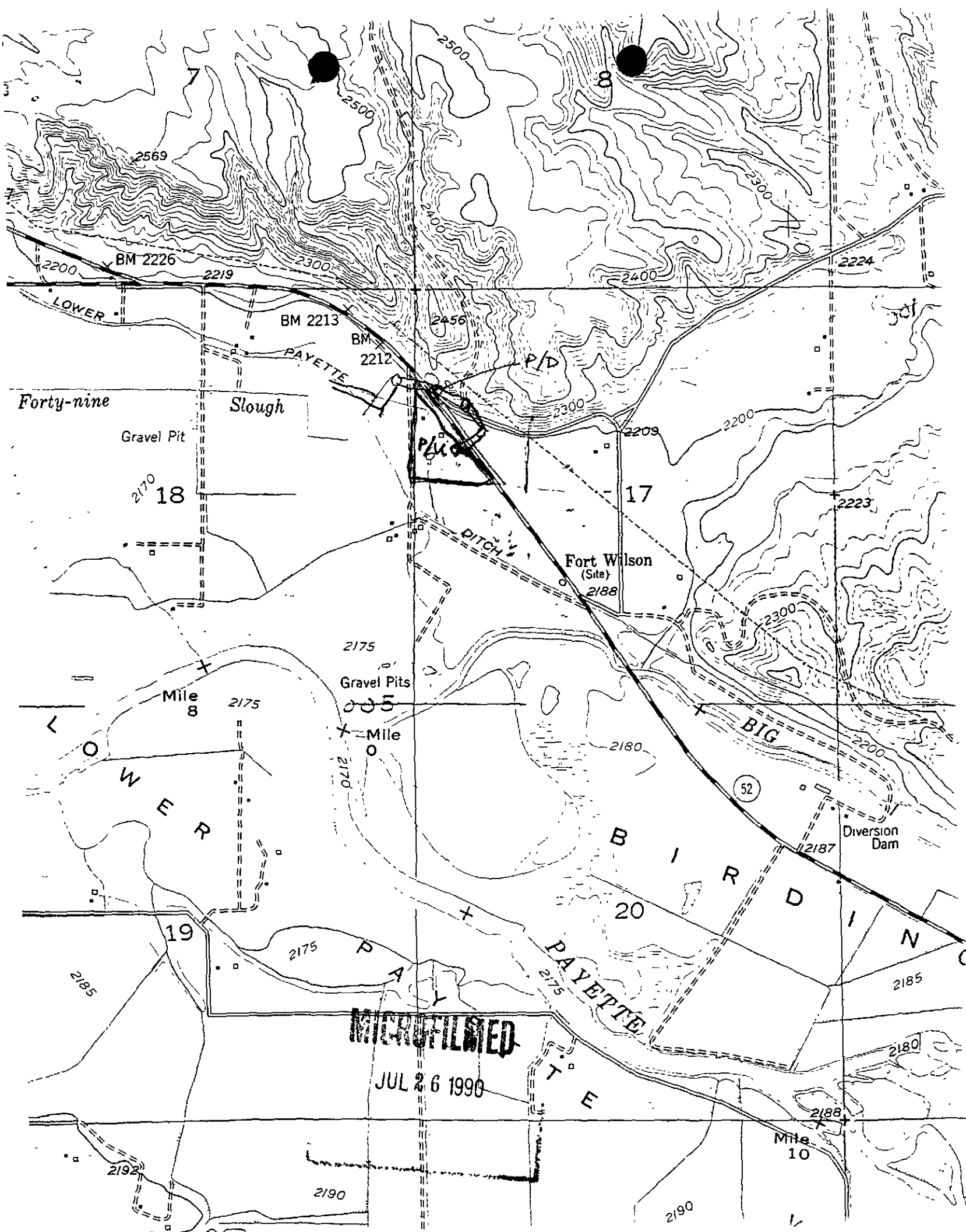
Fee \$ 30.00 Received by DW # W012291 Date 4/24/90

Publication prepared by GG Date 5-9-90 Published in Independent Enterprise

Publication approved at Date 5/17 & 5/24/90  
6-20-90

**MICROFILMED**

JUL 20 1991





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 6, 1995

JIM HEAD  
MARGARET HEAD  
3573 HWY 52  
PAYETTE ID 83661

RE: WATER RIGHT NO. 65-13225

Dear Water Right Holder(s):

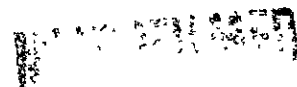
Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:rl

Enclosure



NOV 09 1995

# LICENSE REVIEW CHECKLIST

PERMIT NO. 65-13225 DATE 10-31-95



|                 |                                                                        |                                                                                                                                                                                                        |
|-----------------|------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NAME            | Change <input type="checkbox"/> OK <input checked="" type="checkbox"/> | Or Address Change? _____                                                                                                                                                                               |
| PRIORITY DATE   | <input type="checkbox"/> <input checked="" type="checkbox"/>           | Advance? _____ Advanced to: _____<br>Order to reinstate needed? _____<br>Incorrect fee for rate recommended? <u>NO</u>                                                                                 |
| SOURCE          | <input type="checkbox"/> <input checked="" type="checkbox"/>           | Changes or just clarification of originally intended source? _____<br>Notice of Intent to Void necessary? _____                                                                                        |
| POINT OF DIV    | <input type="checkbox"/> <input checked="" type="checkbox"/>           | Amendment needed? _____<br>Overlaps? <u>ANOTHER SOURCE (GW) (65-05771)</u>                                                                                                                             |
| PLACE OF USE    | <input type="checkbox"/> <input checked="" type="checkbox"/>           | Amendment needed? _____<br>Overlaps? _____                                                                                                                                                             |
| DIV RATE        | <input type="checkbox"/> <input checked="" type="checkbox"/>           | Permit/fee limits: <u>.12 CFS / 6 acres</u><br>Meas Q = _____ Theo Q = _____ Recommend: <u>.04</u><br><u>1.9 x .02 = .04 CFS</u><br>Combined rates exceed capacity _____                               |
| ANNUAL VOLUME   | <input checked="" type="checkbox"/> <input type="checkbox"/>           | Volume Limit: _____ Season: <u>D/4.5 (3-15 to 11-15)</u><br>Calculations: <u>1.9 x 4.5 = 8.6</u><br>Flow limit: _____ cfs x _____ x 1.9835 = _____<br>Combined volumes exceed capacity/allowable _____ |
| USES            | <input type="checkbox"/> <input type="checkbox"/>                      | Change in Nature of Use or additional uses? _____<br>Amendment necessary? _____                                                                                                                        |
| ADDITIONAL INFO |                                                                        | Supplemental Groundwater _____ PPU Scenario _____<br>Irr/Dom Combination _____ Shared G/W System _____                                                                                                 |
| NEW REMARKS     | <input type="checkbox"/> <input type="checkbox"/>                      | Multiple p/d(s) in ¼ ¼? _____<br>Other _____                                                                                                                                                           |
| NEW CONDITIONS  | <input checked="" type="checkbox"/> <input type="checkbox"/>           | <u>R04</u> Watermaster control - District <u>65</u><br><u>R32</u> Measuring/Locking Devices<br>Irrigation Overlap<br>Other _____<br>Water Quality _____ Heat/Cool/Fish verified _____                  |

COMMENTS: Reduce acres & rate. Permit holders diversion is at the end of the ditch carrying wastewater from Bivens Lockstock Co. a measuring device should not be necessary here.

| RECOMMENDATION    | CFS        | VOLUME     | SRBA Claim Filed | Adjustment Memo Needed              |
|-------------------|------------|------------|------------------|-------------------------------------|
| <u>Irrigation</u> | <u>.04</u> | <u>8.6</u> |                  | <u>NO</u>                           |
| _____             | _____      | _____      |                  | <u>YES</u>                          |
| _____             | _____      | _____      | LICENSE          | <input checked="" type="checkbox"/> |
| _____             | _____      | _____      | 1ST AMEND LETTER | _____                               |
| _____             | _____      | _____      | 2ND AMEND LETTER | _____                               |

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

**RECEIVED**

OCT 13 1995

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 65-13225

1. Owner: Jim +/or Margaret Head Phone No. (208) 642-2853

Current Address: 3573 Hwy. 52 Payette, Id 83661

2. Accompanied by: Jim Head EXAM DATE: 6/23/95

Address: 3573 Hwy. 52 Payette, Id. 83661 Phone No. (208) 642-2853

Relationship to Permit Holder: Self

3. Source: waste water tributary to Payette River

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 65-00165X, 65-05771, 65-11413

2. Other water rights with the same point of diversion: 65-05771

**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  | 17   | 8N   | 4W   | Payette | USGS Topo. + exam               |
|           |           |     |     |     |      |      |      |         |                                 |
|           |           |     |     |     |      |      |      |         |                                 |
|           |           |     |     |     |      |      |      |         |                                 |

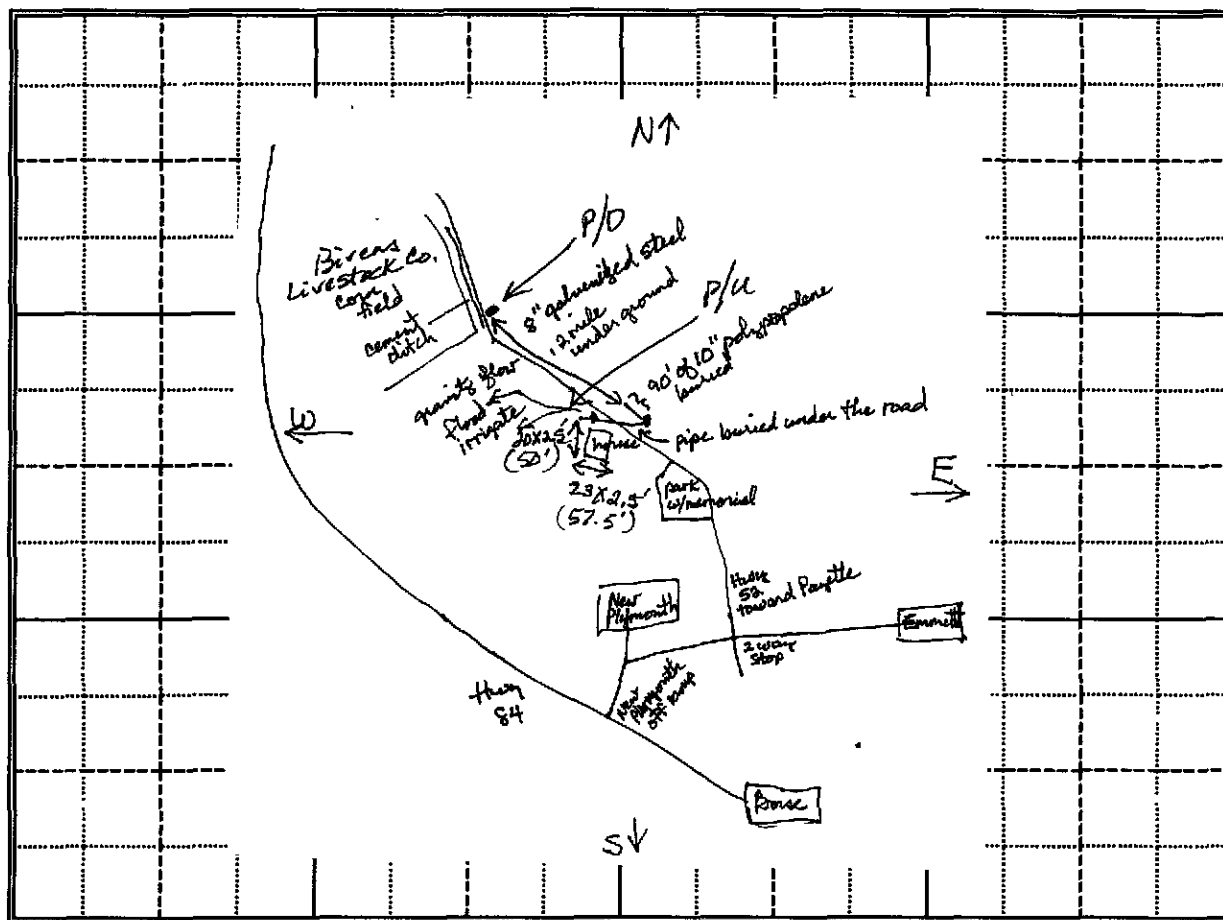
**2. Place(s) of Use:**

Indicate Method of Determination USGS Topo. + exam

| TWP | RGE | SEC | NE |    |    |    | NW |    |     |    | SW |    |    |    | SE |    |    |    | Totals    |
|-----|-----|-----|----|----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|-----------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW  | SE | NE | NW | SW | SE | NE | NW | SW | SE |           |
| 8N  | 4W  | 17  |    |    |    |    |    |    | 1.9 |    |    |    |    |    |    |    |    |    | 1.9 acres |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |           |
|     |     |     |    |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |           |

NOV 09 1995

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



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

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

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

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

\*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:

1.98 total acres owned

87120 - 2875 (house) = 1.93 acres irrigated

43560

NOV 09 1995

E. NARRATIVE/REMARKS/COMMENTS

- Overlaps for P/D was another source.
- Overlaps for P/U was other land for other uses.
- No govt. lots were found.
- The system consists of waste water from Bivens Livestock Co. that runs down cement ditches into a cement pipe that goes under the road; Mr. Head attached & buried ~~to~~ 90' of 10" PVC to 25' of open ditch that goes into a 8" culvert that goes under the road & back to his property. Mr. Head has 2 1/2 - 3' ditch going east & west with furrowed rows to irrigate with gravity flow, flowing south.
- Use is irrigation of 1.93 acres of yard, garden, & grass hay (other property has been sold off)
- No physical measurement was able to be taken, since Mr. Head never knows when Bivens Livestock Co. irrigates (he just gets water when they irrigate & depending on what type of crop the plant determines the frequency he receives water — right now they have corn planted, & due to the abundance of rain this season, he hasn't been receiving water as frequently). I recommend allowing .04 cfs since the system is installed, Bivens Livestock Co. has crops put in, & you can see that they will be irrigating to produce waste water, & because you can see there has been water ~~use on~~ Mr. Head's property.

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

NOV 09 1995

No lockable device installed on diverting works.  
Mr. Head is at the end of the ditch where the run off/waste water from irrigation for Bivens Livestock Co.

✓ Additional Computation Sheets Attached

Measured Method:  
No physical measurement taken, since the source is waste water, determined flow is dependent on when Bivens Livestock Co. irrigates there crops. Recommend allowing  $1.93 (1.9 \text{ acres}) \times .02 \text{ cfs} = .038 = .04 \text{ cfs}$ .

### 1. Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.9 \text{ acres} \times 3.0 = 5.7 \text{ Afa} \\ V_{D.R} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \text{ cfs} \times 246 \times 1.9835 = 19.5 \\ V &= \text{Smaller of } V_{I.R} \text{ and } V_{D.R} = 5.7 \end{aligned}$$

## 2. Volume Calculations for Other Uses:

## 1. Recommended Amounts

|         | Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|---------|----------------|---------------|-------|------------------------------|--------------------------|
|         |                | From          | To    |                              |                          |
| *       | Irrigation     | 3/15          | 11/15 | .04                          | 5.7                      |
|         |                |               |       |                              |                          |
|         |                |               |       |                              |                          |
|         |                |               |       |                              |                          |
|         |                |               |       |                              |                          |
| Totals: |                |               |       | .04                          | 5.7                      |

## 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 And. Hernandez Date 6/26/55

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

\* See adjustment memo. RC

NOV 09 1984

MEMORANDUM

TO: File 65-13225 / Jim Head  
FROM: Brenda Chapman  
DATE: October 31, 1995  
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 65-13225 are based on the information below:

H. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use | Rate of Div | Annual Vol |
|----------------|---------------|-------------|------------|
| Irrigation     | 3-15 to 11-15 | .04         | 8.6        |

The volume has been changed to the current recommended estimate of the consumptive irrigation requirements for crops in that area.

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NOV 09 1995

① Permit: Irrigation 3/15-11/15 .12 cfs  
6 acres not exceed .02 cfs/acre

② B/u fee: \$ 50.<sup>00</sup> 2/22/91 .05-.2 cfs  
6 acres

③ max. allowable

$$1.9 \text{ acres} \times \underbrace{.02 \text{ cfs}}_{\substack{\text{as stated in} \\ \text{conditions not to} \\ \text{exceed this amount}}} = .038 = \textcircled{.04 \text{ cfs}}$$

RECEIVED

NOV 09 1995



65-13225

6/23/95

P/D:

cement ditch from  
Bivers Livestock Co.  
that goes under  
the road where  
Mr. Head buried  
90' of 10' PVC 25' of  
ditch into 8" ~~at~~  
culvert going under  
the road to Mr. Head's  
property

P/u:

1.9 acre

alfalfa  
grass for  
livestock

2 1/2 - 3" ditch going  
east west w/ furrowed  
rows to irrigate by  
gravity flow, flowing  
south



P/D:

8" culvert that  
comes under the  
road & delivers  
waste water to  
Mr. Head's property

NOV 09 1995

June 8, 1992

JIM HEAD  
MARGARET HEAD  
3573 HWY. 52  
PAYETTE ID 83661

RE: Water Right No. 65-13225

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON  
Director

RECEIVED

NOV 09 1995

June 12, 1992

JIM HEAD  
MARGARET HEAD  
3573 HWY. 52  
PAYETTE ID 83661

RE: Water Right No. 65-13225

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON  
Director

NOV 09 1992

May 19, 1992

JIM HEAD  
MARGARET HEAD  
3573 HWY. 52  
PAYETTE ID 83661

RE: Water Right No. 65-13225

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement.

NOV 09 1995

purposes. This type of coordination could minimize the impact on existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at  
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the  
Student Union Building, Albertson College of Idaho,  
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON  
Chief, Water Allocation Bureau

LGS:klg

NOV 09 1995



State of Idaho  
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

June 9, 1992

Mr. Cyril Roland  
4001 Little Willow Road  
Payette, ID. 83661

RE: Complaints Associated with Waste Water Use

Dear Mr. Roland:

This office received a written complaint recently that you or someone associated with your property have interfered with water delivery and/or maintenance of water delivery systems associated with water right permit no. 65-13225. The permit was approved on 7/23/1990 for the use of .12 cfs of waste water to irrigate six acres owned by Jim and Margaret Head.

Of course, I am not in a position to confirm the allegations. I am writing to you for informational purposes to let you know that it is illegal to interfere with someone else's water diversions and delivery systems. It is also illegal to cause property damage on another owner's land while exercising your water rights or while performing maintenance of your water system. Also, you should be aware that the Idaho Supreme Court recently ruled that a ditch user is responsible for maintaining a ditch upstream from the user's property.

Idaho law clearly states ditch users rights and obligations. Users are responsible for proper care of ditches and are obligated to perform these duties without damaging other owners' rights or property. Also, legal access to someone else's land is required while conducting water related business of any sort.

Maintenance of ditches or other water delivery systems must be performed in a legal manner to allow beneficial use of water to occur within the limits of valid water rights such as no. 65-13225. To interfere with legitimate water rights or to practice improper maintenance techniques may subject one to civil penalties under Idaho law.

I am not seeking a response from you but am passing on some information that I hope proves useful.

Sincerely,

Steve Lester  
Sr. Water Resource Agent

RECEIVED  
NOV 09 1995

RECEIVED

MAY 12 1992

Mr. & Mrs. Jim Head  
3573 Hwy 52  
Payette, Id 83661

NO. 65-13225

Department of Water Resources  
Western Regional Office

May 11, 1992

Steve Lester

IDWR

2735 Airport Way  
Boise, Id 83705

Dear Sir:

We purchased this property  
in 1986.

Cyril Roland and family were  
given an easement along the  
front of our yard to run  
irrigation water.

They were to maintain  
the ditch is all.

Only they didn't, the gophers  
kept burrowing so much  
it finally washed out.

Rather than fix the ditch  
they re-routed their  
irrigation system.

The waste water from the  
ranch west of us, comes

09 1995

under highway 52 on the West and out on the east side, flows along a ditch about 180 ft then goes back under the highway and emptys into our pasture.

Our neighbors to the west of us let us use their pump to Water With, also in between their use of it.

I would help them to Clean and maintain their ditches as well as the one for ~~the water~~ Water.

Then the Rolands <sup>NOV 09</sup> took the pump out of the neighbors pump house claiming it to be thier pump, after the neighbor refused to go along

with them about keeping  
water from us.

Needless to say they were  
taken to court and the  
pump re installed.

So then Rolands filled  
the outlet for waste  
water full of dirt.

I helped to clean it back  
out, so the neighbors  
fields weren't washed  
away.

I fought gophers on  
that part and on my  
side since 1986, they  
(Rolands) have never tried  
to control the gophers  
in this area.

The water would run  
down the side of the  
highway

NOV 09 1995

I talked to a local  
official about it, and

he advised me to file for an appropriation permit.

which I did in 1990.

I was granted the permit.

I installed 90 ft of plastic pipe, cleaned the ditch real good and lined it the rest of the way with bisquene, with plans to put pipe all the way, in the future.

In all the years that we have lived here, we have never seen them burn off weeds, or spray the new ones along the fence line.

This year they did NOV 08 1995 and burnt up approximately 50 ft of my pipe.

Then pushed dirt into the ditch to plug it up.

I called the man and told him about the pipe and dirt. He said I had no rights to that ditch or water. Then when I told him I had the document saying I do have the rights. He said they would fix it. Only they didn't.

I am on Crutches due to an injury I sustained on the job.

So I hired 2 mexican men to Clean up the ditch and reline it.

Then Mr. Roland went to the people who are leasing that field NOV 08 1995  
Corn this year, and told them not to let any water come through, as they didn't want any water on

Their property in that area.

The ditch is located on County property.

I would appreciate it if the Roland family would be informed of my rights to that water and to quit harrassing me + my wife.

Sincerely  
Jim Head

NOV 09 1995

138694  
May 31, 1991

JIM HEAD  
MARGARET HEAD  
3573 HWY. 52  
PAYETTE, ID 83661

PROOF DUE NOTICE

RE: PERMIT NO. 65-13225

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 August 1, 1991. (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,

Rita Fleck  
Secretary/Records Manager

Enclosures

RECEIVED  
MAY 31 1991

incorrectly  
sent - proof  
received 7/22/91  
ut

April 16, 1991

JIM HEAD  
MARGARET HEAD  
3573 HWY. 52  
PAYETTE, ID 83661

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13225

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.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

Sincerely,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

JUN 10 1991

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

-----

Statehouse  
Boise, Idaho 83720  
(208) 327-7900  
July 23, 1990

JIM HEAD  
MARGARET HEAD  
3573 HWY. 52  
PAYETTE, ID 83661

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P65-13225

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.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Natural flow of the Payette River is fully appropriated except during periods of flood flow. Your permit is conditioned to require you to obtain storage water to compensate for your diversion of natural flow from the river. The amount of storage which you will be required to obtain is approximately 3 acre-feet per acre of irrigated ground. You will be notified in the future of the necessity to obtain storage water.

We have enclosed 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 for your convenience is a form entitled "Proof of

INDEXED

JUL 26 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

**MICROFILMED**

JUL 26 1990

# NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:  
63-11282

TMCO, INC.  
P.O. BOX R  
NAMPA, IDAHO 83651  
Source: GROUNDWATER  
Diverson Pt: LOT 2 (SENE) Sec 1 T 06N R 05W  
NENSW Sec 1 T 06N R 05W  
SWSENE Sec 2 T 06N R 05W  
Use: IRRIGATION (15.000 CFS)  
Total Diverson: (15.000 CFS)  
Date Filed: 4/16/1990  
In: T06N R05W S01 Lot 1 (NENE) Lot 2 (NWNW)  
SWNE Lot 3 (NENW); Lot 4 (NWNW) NESE NWSE  
SESE; S02 SENE SWNW NESW NWSW; SWSW  
SESW NESE SESE; T07N R05W S36 SWSW SESW  
SWSE SESE.  
51.0 ACRES TOTAL

63-11310  
GRILLO, RICHARD  
GRILLO, MARILYN  
P.O. BOX 842  
PARMA, ID 83660  
Source: GROUNDWATER  
Diverson Pt: SWNW Sec 36 T 07N R 05W  
Use: IRRIGATION (.160 CFS)  
DOMESTIC (.040 CFS)  
Total Diverson: (.200 CFS)  
Date Filed: 4/27/1990  
In: T07N R05W S36 SWNW SENW  
8.0 ACRES TOTAL

65-13207  
PAYETTE COUNTY HISTORICAL SOCIETY  
C/O MARY PEDERSON  
725 N. 7TH ST.  
PAYETTE, ID 83661  
Source: GROUNDWATER  
Diverson Pt: NENESE Sec 33 T 09N R 05W  
Use: IRRIGATION (.020 CFS)  
Total Diverson (.020 CFS)  
Date Filed: 4/9/1990  
In: T09N R05W S33 NESE  
0.5 ACRES TOTAL

65-13208  
NEWMAN, DONALD G.  
NEWMAN, GERALDINE L.  
953 6TH AVE. S.  
PAYETTE, ID 83661  
Source: GROUNDWATER  
Diverson Pt: LOT 4 (NESE) Sec 8 T 08N R 05W  
Use: IRRIGATION (.480 CFS)  
Total Diverson: (.480 CFS)  
Date Filed: 4/9/1990

In: T08N R05W S08 Lot 4 (NESE)  
S09 NWSW  
24.0 ACRES TOTAL

65-13215  
REMINGTON, KEITH M.  
REMINGTON, NYLA M.  
P.O. BOX 424  
FRUITLAND, ID 83619  
Source: PAYETTE RIVER  
Tributary: SNAKE RIVER  
Diverson Pt: LOT 3 (SESW) Sec 10 T 08N R 05W  
Use: IRRIGATION (.020 CFS)  
Total Diverson: (.020 CFS)  
Date Filed: 4/11/1990  
In: T08N R05W S10 Lot 3 (SESW)  
0.5 ACRES TOTAL

65-13214  
CITY OF PAYETTE  
700 CENTER AVE.  
PAYETTE, ID 83661  
Source: GROUNDWATER  
Diverson Pt: SESW Sec 23 T 09N R 05W  
Use: IRRIGATION (1.000 CFS)  
COMMERCIAL (1.000 CFS)  
Total Diverson: (2.000 CFS)  
Date Filed: 4/5/1990  
In: T09N R05W S23 SESW; S26NWNE SWNE NENW  
NWNW; SENW  
150.0 ACRES TOTAL

65-13216  
REMINGTON, KEITH M.  
REMINGTON, NYLA M.  
P.O. BOX 424  
FRUITLAND, ID 83619  
Source: GROUNDWATER  
Diverson Pt: LOT 3 (SESW) Sec 10 T 08N R 05W  
Use: COMMERCIAL (.040 CFS)  
Total Diverson: (.040 CFS)  
Date Filed: 4/11/1990  
In: T08N R05W S10 Lot 3 (SESW)

65-13218  
MC CALLUM, ANGELA L.  
MC CALLUM, FLOYD S.  
10734 N. RIVER  
PAYETTE, ID 83661  
Source: GROUNDWATER  
Diverson Pt: LOT 3 (NESW) Sec 22 T 09N R 05W  
Use: IRRIGATION (.150 CFS)  
Total Diverson (.150 CFS)  
Date Filed: 4/11/1990  
In: T09N R05W S22 Lot 3 (NESW)  
5.0 ACRES TOTAL

65-13219  
MC CALLUM, FLOYD S.

MC CALLUM, ANGELA L.  
10734 N. RIVER  
PAYETTE, ID 83661  
Source: SPRINGS Tributary: SNAKE RIVER  
Diverson Pt: LOT 3 (NENESW) Sec 22 T 09N R 05W  
Use: STOCKWATER (.020 CFS)  
STOCKWATER STORAGE (8.30 AF)  
STOCKWATER FROM STORAGE (8.30 AF)  
Total Diverson (.020 CFS), (8.30 AF)  
Date Filed: 4/11/1990  
In: T09N R05W S22 Lot 3 (NESW)

65-13221  
FAIRCHILD, VIRGIL  
880 N. 11TH AVE.  
PAYETTE, ID 83661  
Source: UNNAMED DRAIN  
Tributary: SNAKE RIVER  
Diverson Pt: NESWSE Sec 32 T 09N R 05W  
Use: IRRIGATION (.300 CFS)  
Total Diverson (.300 CFS)  
Date Filed: 4/12/1990  
In: T09N R05W S32 SWSE SESE  
15.0 ACRES TOTAL

65-13222  
FAIRCHILD, ROGER  
FAIRCHILD, MARY J.  
P.O. BOX 990  
FRUITLAND, ID 83619  
Source: GROUNDWATER  
Diverson Pt: NESWNW Sec 23 T 08N R 05W  
Use: IRRIGATION (.040 CFS)  
Total Diverson: (.040 CFS)  
Date Filed: 4/13/1990  
In: T08N R05W S23 SWNW  
2.0 ACRES TOTAL

65-13225  
HEAD, JIM  
HEAD, MARGARET  
3573 HWY. 52  
PAYETTE, IDAHO 83661  
Source: WASTE WATER  
Tributary: PAYETTE RIVER  
Diverson Pt: SWNW Sec 17 T 08N R 04W  
Use: IRRIGATION (.120 CFS)  
Total Diverson: (.120 CFS)  
Date Filed: 4/24/1990  
In: T08N R04W S17 SWNW  
6.0 ACRES TOTAL

65-13226  
DORSING, DOUGLAS S.  
716 S. 1ST ST.  
FRUITLAND, ID 83619  
Source: PAYETTE RIVER  
Tributary: SNAKE RIVER  
Diverson Pt: LOT 1 (SENE) Sec 15 T 08N R 05W

Use: IRRIGATION (.240 CFS)  
Total Diverson (.240 CFS)  
Date Filed: 4/17/1990  
In: T08N R05W S15 Lot 2 (SWNE) Lot 1 (SENE)  
12.0 ACRES TOTAL

65-13228  
GIFFIN, EDESEL  
938 N. 6TH ST.  
PAYETTE, ID 83661  
Source: GROUNDWATER  
Diverson Pt: SESE Sec 28 T 09N R 05W  
Use: IRRIGATION (.040 CFS)  
STOCKWATER (.020 CFS)  
Total Diverson: (.040 CFS)  
Date Filed: 4/13/1990  
In: T09N R05W S28 SESE  
2.0 ACRES TOTAL

65-13229  
MIKESELL, QUENTIN L.  
MIKESELL, SHARON  
4385 SAND HOLLOW RD.  
NEW PLYMOUTH, ID 83655  
Source: GROUNDWATER  
Diverson Pt: NWSENE Sec 26 T 07N R 04W  
Use: IRRIGATION (.060 CFS)  
STOCKWATER (.200 CFS)  
DOMESTIC (.040 CFS)  
Total Diverson: (.300 CFS)  
Date Filed: 4/9/1990  
In: T07N R04W S26 SENE  
3.0 ACRES TOTAL

65-13232  
WISNER, CHESTER  
WISNER, EDITH  
5825 AKRON RD.  
NEW PLYMOUTH, ID 83655  
Source: GROUNDWATER  
Diverson Pt: SENW Sec 8 T 07N R 04W  
Use: IRRIGATION (.030 CFS)  
DOMESTIC (.040 CFS)  
Total Diverson (.070 CFS)  
Date Filed: 3/2/1990  
In: T07N R04W S08 SENW  
1.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JUNE 4, 1990.

R. KEITH HIGGINSON, Director  
No. 88  
May 16, 23

Independent-Enterprise

65-13225

HEAD, JIM  
HEAD, MARGARET  
3573 HWY. 52  
PAYETTE, ID 83661

Source: WASTE WATER

Tributary: PAYETTE RIVER

Diversion Pt:                SWNW        Sec 17 T 08N R 04W

Use: IRRIGATION                ( .120 CFS)  
                                  Total Diversion: ( .120 CFS)

Date Filed: 4/24/ 1990

In: T08N R04W S17                SWNW

6.0 ACRES TOTAL

**Microfilm**

JUL 26 1990