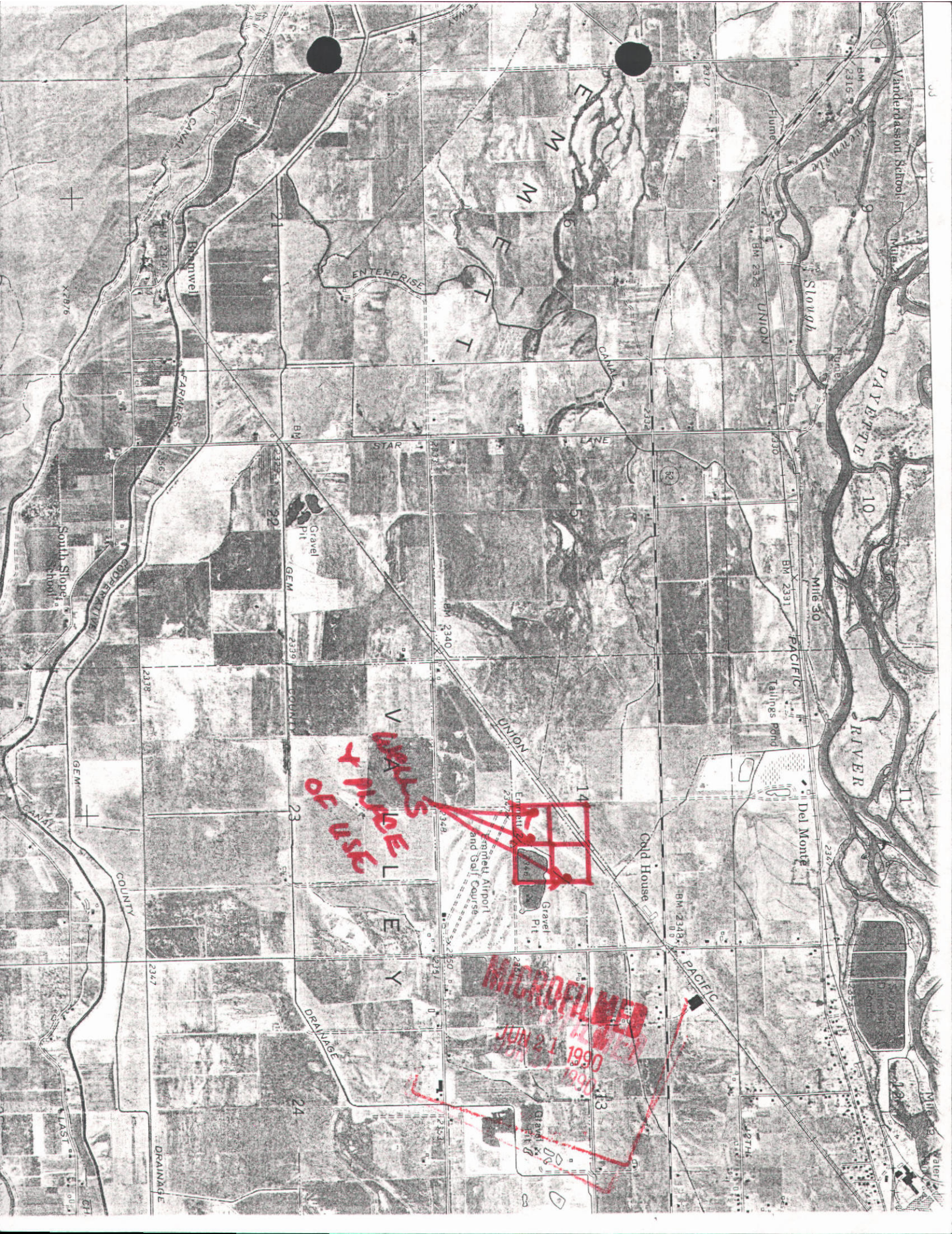




VOLUME 1 OF 10

MICROFILMED  
JUN 21 1990

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Esma Reyes, being first  
duly sworn, on <sup>her</sup> oath deposes and  
says that <sup>she</sup> is the <sup>clerk</sup> printer of Mes-  
senger-Index, a legal weekly news-  
paper published at Emmett, in Gem  
County, Idaho; that said newspaper  
is in general circulation in said  
county and has been published unin-  
terruptedly and continuously for  
more than 78 weeks prior to the  
first publication of the annexed  
document; and that the document  
notice, process, or advertisement  
hereunto annexed was published in  
the regular edition of Messenger-  
Index for Two (2)

consecutive weekly issues thereof,  
beginning with the issue of

MARCH 14, 1990,

and ending with the issue of

MARCH 21, 1990

Esma Reyes

Subscribed and sworn to before me

this 21<sup>st</sup> day of

MARCH, 1990

Mary Ann Hanson

Notary Public,  
Residing at Emmett, Idaho.

My Commission Expires 3-21-95

### NOTICE OF APPLICATION FOR AMENDMENT

Notice is hereby given that application No. 65-13149 in the name of Jay L. and/or Judith L. Morris was filed on 1/31/1990 for the diversion of .170 CFS from a Groundwater Source with a Point of Diversion with the T06N R02W S14 NENWSE And SWNWSE to be used for Commercial Purposes from 01/01 to 12/31 within portions of NWSE S14 T06N R02W, B.M. Gem County.

The applicant now proposes to amend the application by changing the Point of Diversion to T06N R02W S14 NWSE AND NWSE, B.M.

Any protest against approval of the proposed change of amended application for permit must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before April 2, 1990.

R. Keith Higginson, Director  
Pub.: 3-14, 21-90

Legal Notice No. 726  
Pub. in the Messenger Index

**MICROFILMED**

**JUN 21 1990**

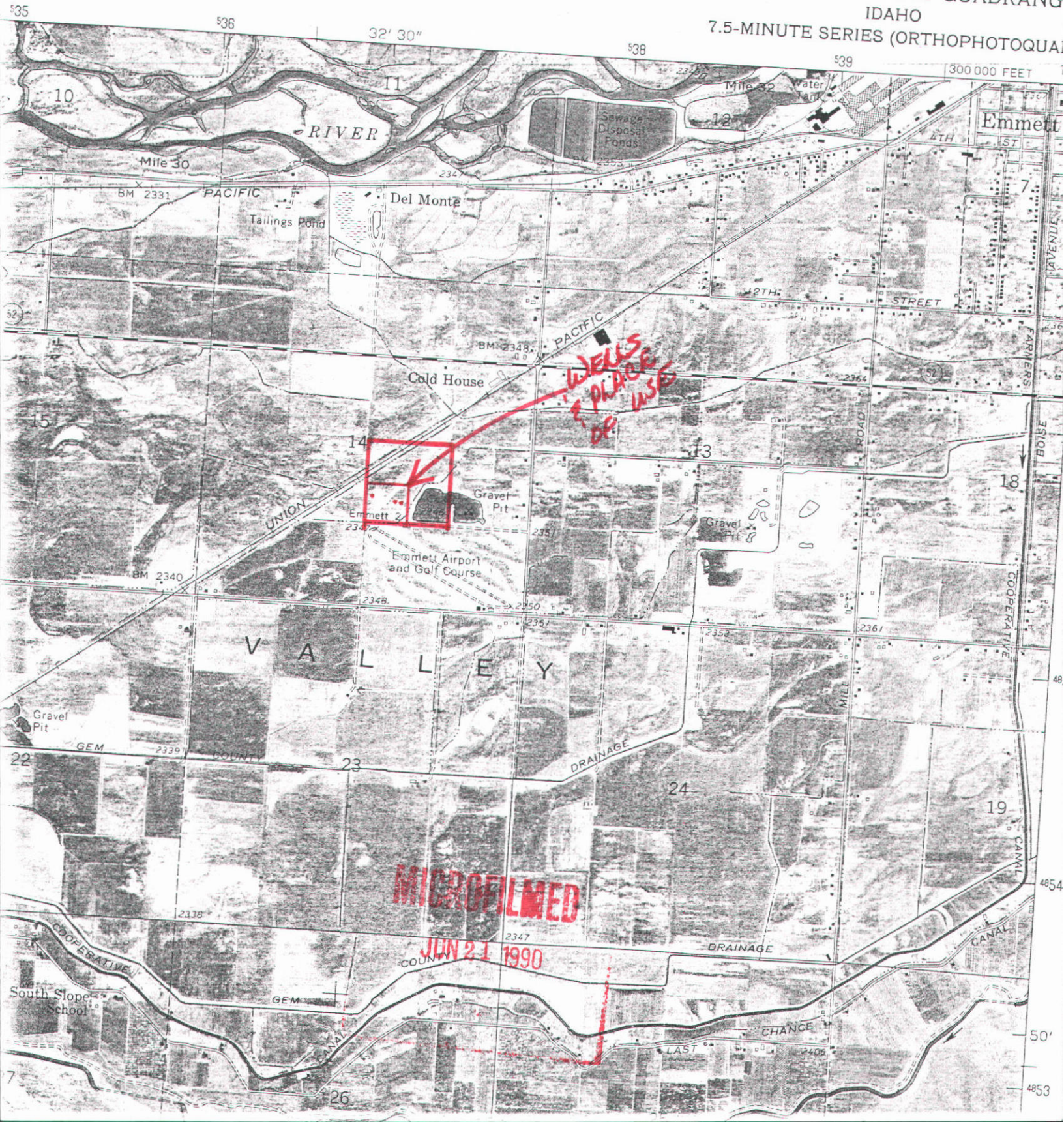
**RECEIVED**

MAR 23 1990

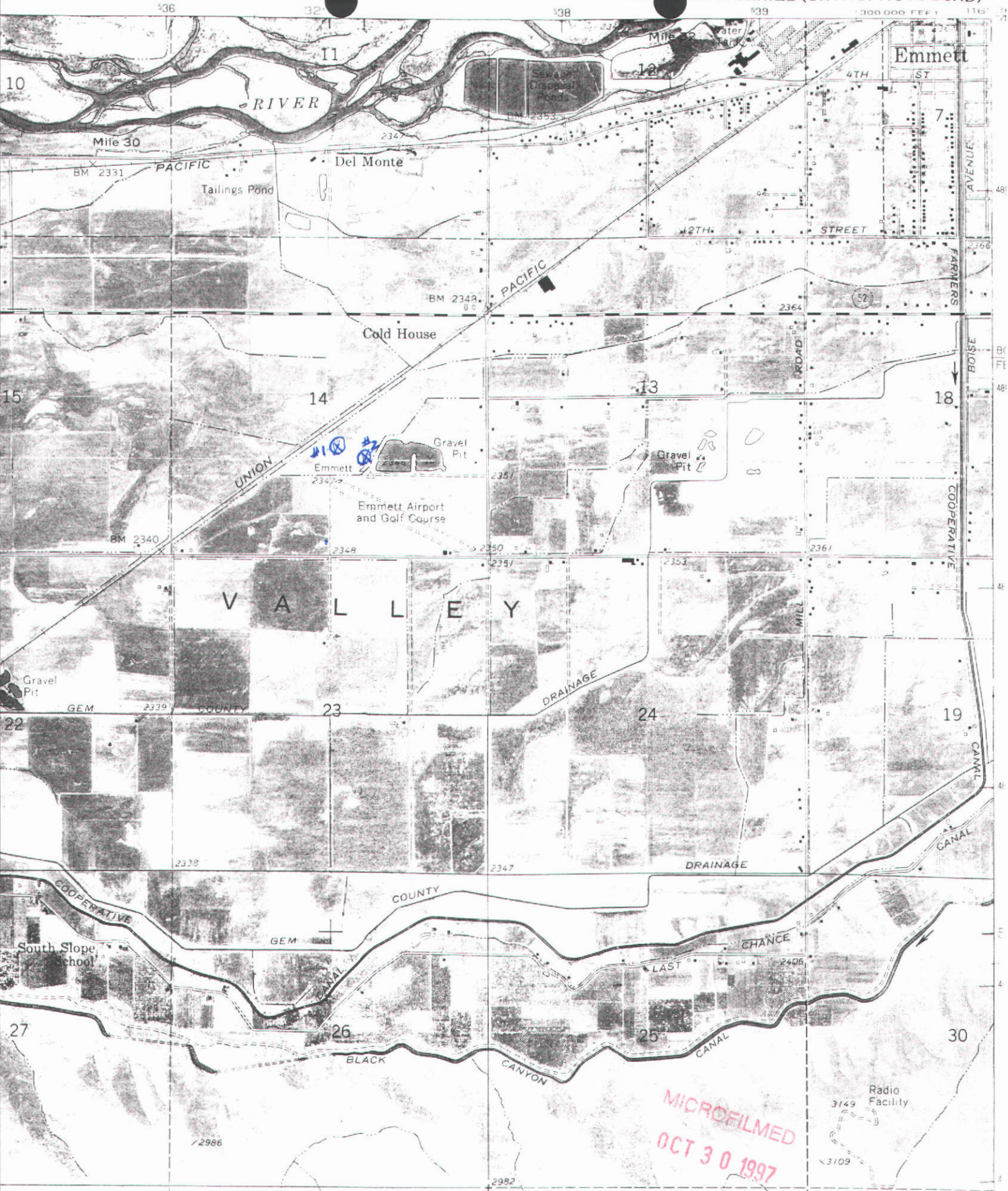
Department of Water Resources  
Western Regional Office

R2W R1N

SOUTHWEST EMMETT QUADRANGLE  
IDAHO  
7.5-MINUTE SERIES (ORTHOPHOTOGRAPHIC)



**SOUTHWEST EMMETT QUADRANGLE**  
**IDAHO**  
**7.5 MINUTE SERIES (ORTHOPHOTOQUAD)**



## WELL DRILLER'S REPORT

\*2  
East well

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 JAY MORRIS  
Address 316 WILSON AVE EMMAET  
Owner's Permit No. \_\_\_\_\_

## 7. WATER LEVEL

Static water level 3 feet below land surface  
Flowing? ☐ Yes ☒ No G.P.M. flow \_\_\_\_\_  
Temperature \_\_\_\_\_ ° F. Quality \_\_\_\_\_  
Artesian closed-in pressure \_\_\_\_\_ p.s.i.  
Controlled by ☐ Valve ☐ Cap ☐ Plug

## 2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement  
☐ Abandoned (describe method of abandoning)

## 8. WELL TEST DATA

☐ Pump ☐ Bailor ☒ Other Comp.  
Discharge G.P.M. 80 Draw Down 0 Hours Pumped 3

## 3. PROPOSED USE

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

## 9. LITHOLOGIC LOG

| Hole<br>Diam. | Depth |    | Material      | Water |    |
|---------------|-------|----|---------------|-------|----|
|               | From  | To |               | Yes   | No |
| 6'            | 0     | 4  | SANDY SOIL    |       |    |
|               | 4     | 5  | GRAVEL + ROCK |       |    |
|               | 5     | 21 | SAND          |       |    |
|               | 21    | 23 | CLAY          |       |    |

## 4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

## 5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 23 feet  
Casing schedule: ☐ Steel ☐ Concrete

| Thickness          | Diameter        | From          | To             |
|--------------------|-----------------|---------------|----------------|
| <u>.250</u> inches | <u>6</u> inches | <u>1</u> feet | <u>23</u> feet |
| _____ inches       | _____ inches    | _____ feet    | _____ 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  
Size of perforation \_\_\_\_\_ inches by \_\_\_\_\_ inches

| Number             | From       | To         |
|--------------------|------------|------------|
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |

Well 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 \_\_\_\_\_ feetGravel packed? ☐ Yes ☒ No Size of gravel \_\_\_\_\_  
Placed from \_\_\_\_\_ feet to \_\_\_\_\_ feetSurface seal depth 18 Material used in seal ☐ Cement grout  
☐ Puddling clay ☒ Well cuttings  
Sealing procedure used ☒ Sherry pit ☐ Temporary surface casing  
☐ Overbore to seal depth

## 6. LOCATION OF WELL

Sketch map location must agree with written location. 65

Subdivision Name \_\_\_\_\_  
Lot No. \_\_\_\_\_ Block No. \_\_\_\_\_  
County Gen

## 10.

Work started 8/17/77 finished 8/30/77

## 11. DRILLERS CERTIFICATION

Firm Name Idem State Drilling Firm No. 277  
Address ATI #287 Eagle Rd Date 9.30.77  
Signed by (Firm Official) L. Roy S. Mullen  
and  
(Operator) John S. MullenMICROFILMED  
OCT 3 1977



Well #1  
(West well)  
5HP portable  
pump

MICROFILMED  
OCT 30 1997

Well #2  
(East well)  
5HP portable  
pump





Nurse Truck  
2000 gal water  
tank

Applicator  
Plane for  
Crop Dusting



7-12-93

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-13149

Priority: January 31, 1990

Maximum Diversion Rate:

0.17 CFS

Maximum Diversion Volume:

6.3 AF

This is to certify, that JUDITH L MORRIS  
JAY L MORRIS

PO BOX 41

EMMETT ID 83617

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 31, 1990; and has submitted Proof of Beneficial Use on June 27, 1991. An examination indicates that the works have a diversion capacity of 0.170 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> |
|-----------------------|----------------------|--------------------------|----------------------|
| COMMERCIAL            | 03/01 to 10/31       | 0.17 CFS                 | 6.3 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 14, Township 06N, Range 02W  
GEM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

06N 02W 14

NWSE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Commercial use is for a crop dusting operation.
6. Two points of diversion are located within NWSE, S14, T6N, R2W.

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 3RD day of OCTOBER, 1997.

MICROFILMED

OCT 30 1997

  
Acting for KARL J. DREHER, Director

**RECEIVED**  
JUN 27 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

**PROOF OF BENEFICIAL USE**

For Office Use Only  
Amt of Fee \$ 50.00  
Date 6/27/91  
Receipt No 6021010  
Received by J. Moran

Department of Water Resources

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

- 1 Permit No. 65-13149 Telephone No. (208) 365-4598
- 2 Name(s) of Permit Holder(s): JAY L. MORRIS, JUDITH L. MORRIS
- 3 Post Office Address: P. O. BOX 41, EMMETT, IDAHO 83617
- 4 Source of Water: Ground
- a If ground water, well driller's name: Associated Driller Inc Date drilled: November 1977
- b Pump horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft.): \_\_\_\_\_
- 5 Extent of Use:
- |                                          |                                                                    |
|------------------------------------------|--------------------------------------------------------------------|
| Domestic <u>1</u> (No. of households)    | Irrigation _____ (No. of acres)                                    |
| Stockwater _____ (No. and type of stock) | Other <u>Commercial: Aerial Application</u><br><u>Crop Dusting</u> |

6 Total rate and/or volume for which proof is submitted 0.17 cfs \_\_\_\_\_ acre/feet

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

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

OR

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

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

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

Jay L. Morris

(208) 365-4598

Name

Telephone No.

P. O. Box 41, Emmett, Idaho 83617

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.

06/25/91

Date

Jay L. Morris  
Signature (and title if on behalf of a company or organization)

**RECEIVED**  
AUG 28 1991

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 65-13149

Proposed Priority: January 31, 1990 Maximum Diversion Rate: 0.17 CFS  
This is to certify, that JAY L. MORRIS

JUDITH L. MORRIS  
P.O. BOX 41  
EMMETT, ID 83617

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>                       |
|-------------------------------------------|----------------------|------------------------------------------------|
| COMMERCIAL                                | 01/01 to 12/31       | 0.17 CFS                                       |
| <u>LOCATION OF POINT(S) OF DIVERSION:</u> | NENWSE               | Sec. 14, Township 06N, Range 02W               |
|                                           | SWNWSE               | Sec. 14, Township 06N, Range 02W<br>GEM County |

PLACE OF USE: COMMERCIAL

TWN RGE SEC

06N 02W 14 NWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1991.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Commercial use is for a crop dusting operation.

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

11<sup>th</sup> day of June, 1990.

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

MICROFILMED

JUN 21 1990

Ident. No. 65-13149

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

AMENDED APPLICATION FOR PERMIT AMENDED

To appropriate the public waters of the State of Idaho

1. Name: JAY L. MORRIS 208-365-4598  
Address: P.O. BOX 41  
EMMETT, ID 83617

OR  
Name: JUDITH L. MORRIS 208-365-4598  
Address: P.O. BOX 41  
EMMETT, ID 83617

2. Source: GROUNDWATER Trib. to:

3. Location of Point of Diversion: NENWSE Sec. 14, Township 06N, Range 02W  
SWNWE Sec. 14, Township 06N, Range 02W  
GEM County

4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| COMMERCIAL | 01/01 | 12/31 | 0.170 |      |    |

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

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.  
WELLS(3)-6"/28', W/5&7 HP PORT. PUMPS/HOSE TO 1500 GAL WTR. TRUCK
- 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.
- Proposed well diameter is 6 inches; proposed depth of well is 28  
feet.
- Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of  
the water to the proposed beneficial use is 1 years.

8. Description of proposed uses:  
COMMERCIAL USE FOR CROP DUSTING OPERATION.

RECEIVED  
JUN 21 1990

Ident. No. 65-13149  
Page 2

9. Place of Use: COMMERCIAL

TWN RGE SEC  
06N 02W 14 NWSE

10. Describe any other water rights used for the same purposes.  
NONE.

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

12. Remarks:

13. Map of proposed point of diversion and place of use attached? ☒

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

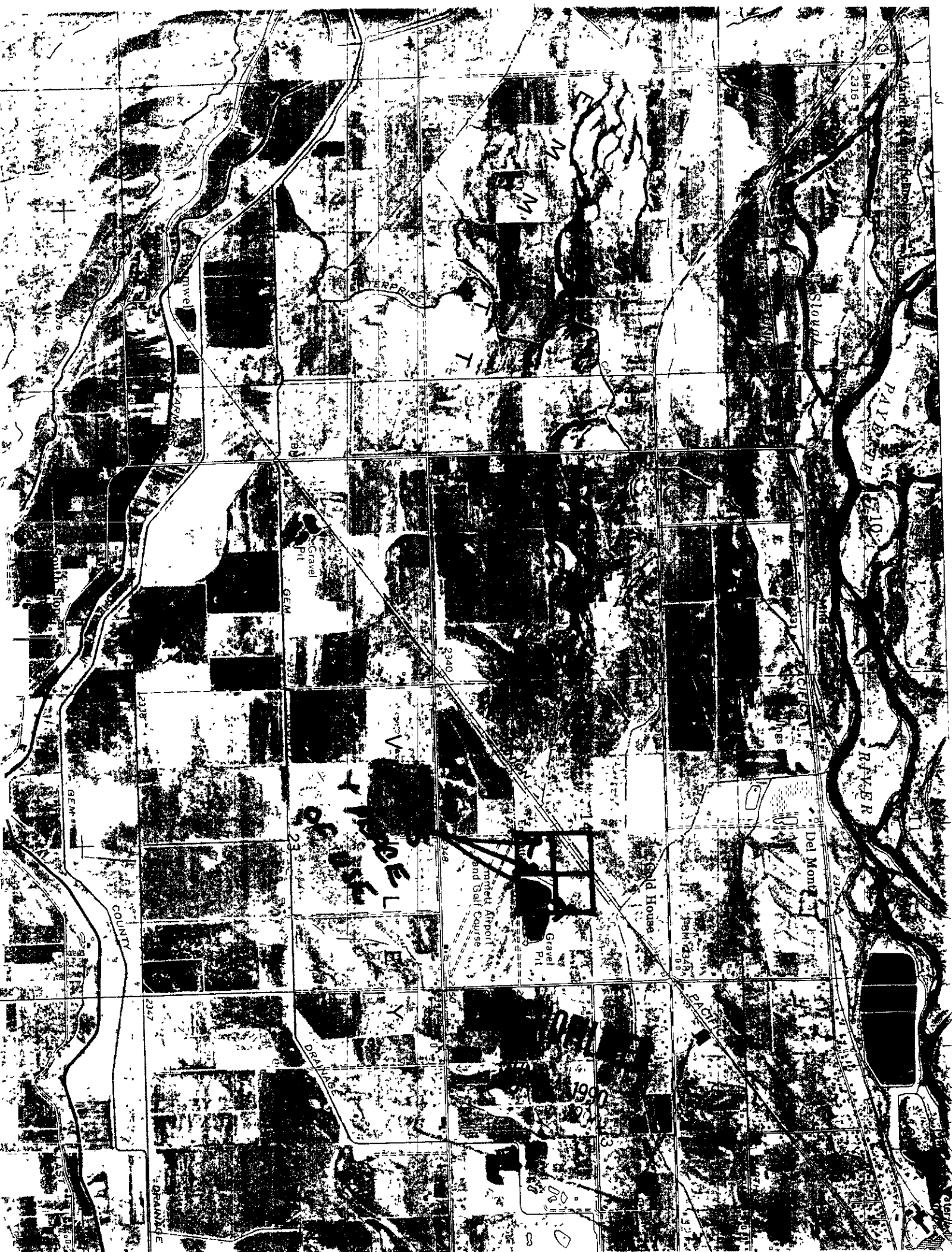
Smith Jones  
Applicant

Received by [Signature] Date 7/26/90 Time 2:07 Preliminary check by GG  
Fee \$ NO FEE\* Received by [Signature] # W008155 Date 1-31-90 DATE CK. REC'D.  
Publication prepared by GG Date 3/7/90 Published in Messenger-Index  
Publication approved [Signature] Date 4-25-90  
3/15 & 3/22/90

MICROFILMED

JUN 21 1990

\* \$30 pd for original app. No fee charged for this amendment as 40 acre tract was not changed. DEC 2/26/90



# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,  
ss.  
COUNTY OF GEM,

Esma Reyes, being first  
duly sworn, on ~~his~~<sup>her</sup> oath deposes and  
says that she is the ~~printer~~<sup>clerk</sup> of Mes-  
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and ending with the issue of  
MARCH 21, 1990



Esma Reyes

Subscribed and sworn to before me  
this 21<sup>st</sup> day of

MARCH, 1990

Mary Ann Hansen

Notary Public,  
Residing at Emmett, Idaho.

My Commission Expires 3-21-95

**MICROFILMED**

**JUN 21 1990**

**RECEIVED**

MAR 23 1990

Department of Water Resources  
Western Regional Office

ORIGINAL

Ident. No. 65-13149

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JAY L. MORRIS 208-365-4598  
Address: P.O. BOX 41  
EMMETT, ID 83617  
OR  
Name: JUDITH L. MORRIS 208-365-4598  
Address: P.O. BOX 41  
EMMETT, ID 83617

2. Source: GROUNDWATER Trib. to:  
3. Location of Point of Diversion: SWNWSE Sec. 14, Township 06N, Range 02W  
GEM County

4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| COMMERCIAL | 01/01 | 12/31 | 0.170 |      |    |

5. Total quantity appropriated is:  
0.170 CFS (and/or) AF

6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc.  
WELLS(3)-6"/28', W/5&7 HP PORT. PUMPS/HOSE TO 1500 GAL WTR. TRUCK  
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 6 inches; proposed depth of well is 28  
feet.  
d. Is groundwater with a temperature greater than 90F being sought? NO  
7. Time required for the completion of the works and application of  
the water to the proposed beneficial use is 1 years.

8. Description of proposed uses:  
COMMERCIAL USE FOR CROP DUSTING OPERATION.

9. Place of Use: COMMERCIAL

TWN RGE SEC  
06N 02W 14 NWSE

MICROFILMED

JUN 21 1990

10. Describe any other water rights used for the same purposes.  
NONE.

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

APPLICANTS

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.

12. Remarks:

13. Map of proposed point of diversion and place of use attached? ☒

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

Ludith E. Leonard  
Applicant

Received by JP Date 1-31-90 Time 9:30 Preliminary check by SP  
Fee \$ 30 Receipted by JP # W008155 Date 1-31-90  
Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_



R2W R1E

SOUTHWEST EMMETT QUADRANG  
IDAHO

7.5-MINUTE SERIES (ORTHOPHOTOGRAPHIC)



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Index for TWO

consecutive weekly issues thereof,  
beginning with the issue of  
FEBRUARY 14, 1990,  
and ending with the issue of  
FEBRUARY 21, 1990

Esma Reyes  
Subscribed and sworn to before me  
this 21<sup>st</sup> day of  
FEBRUARY, 1990  
Mary Ann Hanson  
Notary Public,  
Residing at Emmett, Idaho.

My Commission Expires 3-21-95

## NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13141  
BOWMAN, ELMER  
BOWMAN, HILMA  
5550 VAN DEUSEN RD.  
EMMETT, ID 83617  
Source: GROUNDWATER  
Diversion Pt: SESE Sec 18 T  
07N R 01W  
Use: IRRIGATION (.040 CFS)  
Total Diversion: (.040 CFS)  
Date Filed: 1/23/1990  
In: T07N R01W S18 SESE  
1.5 ACRES TOTAL

65-13145  
SUTTON, KAREN R.  
SUTTON, RODGER E.  
1238 EAGLE HILLS WAY  
EAGLE, ID 83616  
Source: SPRINGS  
Tributary: GOLD RUN CREEK  
Source: UNNAMED STREAM  
Tributary: GOLD RUN CREEK  
Diversion Pt: NESENE Sec 24  
T 10N R 01E  
NESENE Sec 24 T 10N R 01E  
NWNWSE Sec 24 T 10N R 01E  
NESWSE Sec 24 T 10N R 01E  
SESWSE Sec 24 T 10N R 01E  
LOT 2 (NESWNW) Sec 19 T  
10N R 02E  
SENESE Sec 19 T 10N R 02E  
SESESE Sec 19 T 10N R 02E  
SESENE Sec 30 T 10N R 02E  
Use: STOCKWATER (.200 CFS)  
STOCKWATER STORAGE  
(11.70 AF)  
Total Diversion: (.200 CFS)  
(11.70 AF)  
Date Filed: 1/25/1990  
In: T10N R01E S24 SENE  
NESE NWSE SWSE  
R02E S19 Lot 2 (SWNW)  
NESW SESW  
S30 SENW

65-13146  
BILBREY DITCH CO. LTD.  
2551 TOMS CABIN RD.  
EMMETT, ID 83617  
Source: PAYETTE RIVER  
Tributary: SNAKE RIVER  
Diversion Pt: LOT 5 (NWSW)  
Sec 11 T 06N R 02W  
Use: IRRIGATION (1.080 CFS)  
Total Diversion: (.020 CFS)  
Date Filed: 1/15/1990  
In: T06N R02W S09 Lot 4  
(NWNW) SWNW SENW  
S16 NENE NWNE  
54.0 ACRES TOTAL

65-13148  
HERR, RODNEY H.  
HERR, MARCIA H.  
400 COSTON DR.  
BOISE, ID 83712  
Source: UNNAMED DRAIN  
Tributary: SQUAW CREEK  
Diversion Pt: NENE Sec 9 T  
07N R 01E  
NESE Sec 9 T 07N R 01E  
SWSE Sec 9 T 07N R 01E  
Use: IRRIGATION (1.700 CFS)  
Total Diversion: (1.700 CFS)  
Date Filed: 1/30/1990  
In: T07N R01E S09 NENE  
NWNE NESW NWSE  
S16 NWNE NENW  
85.0 ACRES TOTAL

65-13149  
MORRIS, JAY L.  
MORRIS, JUDITH L.  
P.O. BOX 41  
EMMETT, ID 83617  
Source: GROUNDWATER  
Diversion Pt: SWNWSE Sec 14  
T 06N R 02W  
Use: COMMERCIAL (.170 CFS)  
Total Diversion: (.170 CFS)  
Date Filed: 1/31/1990  
In: T06N R02W S14 NWSE

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 MARCH 5, 1990.

R. KEITH HIGGINSON,  
Director

Pub.: 2-14, 21-90  
Legal Notice No. 699  
Pub. in the Messenger Index

*wait for amended  
affidavit.*

MICROFILMED

JUN 21 1990



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098  
Phone: (208) 327-7900 FAX: (208) 327-7866

October 3, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JUDITH L MORRIS  
JAY L MORRIS  
PO BOX 41  
EMMETT ID 83617

RE: WATER RIGHT NO. 65-13149

Dear Water Right Holder(s):

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 or files an exception and/or brief 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.

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### 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.

MICRO

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.

Sincerely,



Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

MPROFILMED  
OCT 30 1997

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of October, 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. 65-13149

JUDITH L MORRIS  
JAY L MORRIS  
PO BOX 41  
EMMETT ID 83617

  
Kari Lynn Townsend  
Secretary

REC'D  
OCT 30 1997

# MEMORANDUM

TO: File 65-13149

FROM: Sharla

DATE: September 26, 1997

RE: System Capacity

The capacity of this system was listed by the examiner as 4.1 cfs based upon a theoretical calculation. One of the factors that could throw the calculation off is friction loss. The examiner didn't give information as to the amount of time it takes to fill the tank; without an actual measurement, it is more reasonable to show the capacity as the licensed rate.

I don't have any tables for friction loss in 2" "hose", nor do I know how many feet of hose are used. However, assuming

$$\text{Area} = \pi r^2 = 3.14 (1 \text{ in}^2) = 3.14 \text{ in}^2 = 0.022 \text{ ft}^2$$

$$\text{Velocity} \approx 5 \frac{\text{ft}}{\text{sec}}$$

$$Q = V \cdot A = 0.022 \text{ ft}^2 \cdot 5 \frac{\text{ft}}{\text{sec}} = 0.11 \text{ cfs}$$

OR

$$Q = V \cdot A = 0.022 \text{ ft}^2 \cdot 8 \frac{\text{ft}}{\text{sec}} = 0.18 \text{ cfs}$$

S.W. Keen  
9/26/97

NOTED

OCT 30 1997

# LICENSE REVIEW CHECKLIST

PERMIT NO. 65-13149 DATE 9/24/97 REVIEWER: SHARLA

|              |                 |             |                                                                 |
|--------------|-----------------|-------------|-----------------------------------------------------------------|
| NAME         | Change <u>—</u> | OK <u>✓</u> | Address Change <u>NO</u>                                        |
| SOURCE       | <u>—</u>        | <u>✓</u>    | Is change clarification of originally intended source? <u>—</u> |
| POINT OF DIV | <u>—</u>        | <u>✓</u>    | If not, prepare Notice of Intent to Void <u>—</u>               |
| PLACE OF USE | <u>—</u>        | <u>✓</u>    | Amendment required <u>NO</u>                                    |

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

## RATE OF DIV

|                                           |                                          |
|-------------------------------------------|------------------------------------------|
| Permitted Rate                            | <u>.17</u> cfs                           |
| Fee limit                                 | <u>.20</u> cfs \$50 <sup>00</sup>        |
| Measured                                  | <u>—</u> cfs well logs = .04 + .18 = .22 |
| Theoretical                               | <u>4.1</u> cfs                           |
| Recommended Total Div Rate <u>.17</u> cfs |                                          |

| ANNUAL VOLUME/<br>NATURE OF USES                                   | Use          | cfs        | Volume Calc               |
|--------------------------------------------------------------------|--------------|------------|---------------------------|
| <u>✓</u>                                                           | <u>Comm.</u> | <u>.17</u> | <u>6.3</u> af as calc.    |
| 3000 X <u>36</u> / 325,850 = <u>.3</u> af                          | <u>—</u>     | <u>—</u>   | <u>—</u> af by examiners  |
| 8000 X <u>7</u> X <u>36</u> / 325,850 = <u>6.2</u>                 | <u>—</u>     | <u>—</u>   | <u>—</u> af is acceptable |
|                                                                    | <u>—</u>     | <u>—</u>   | <u>—</u> af               |
|                                                                    | SUBTOTAL     | <u>.17</u> | <u>6.3</u> af             |
| Flow rate <u>.17</u> cfs X <u>245</u> days X 1.98 = <u>82.5</u> af |              |            |                           |
| Total volume recommended <u>6.3</u> af                             |              |            |                           |
| <small>(SUBTOTAL or Flow Rate, whichever is less)</small>          |              |            |                           |

REMARKS C/crop dusting operation

CONDITIONS — Watermaster Control WD# —  
— GW Measurement/Measuring Device  
— Overlap  
— Use-specific conditions  
 Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A 1st Amend Letter N/A  
 Adjustment Memo — 2nd Amend Letter N/A

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

RECEIVED

SEP 3 - 1993

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 65-13149

1. Owner: Jay + Judith Morris Phone No. 365-4598

Current Address: PO Box 41 Emmett 83617

2. Accompanied by: Judy EXAM DATE: 7/12/93

Address: same Phone No. \_\_\_\_\_

Relationship to Permit Holder: owner

3. Source: \_\_\_\_\_ tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 65-00054X, - 07486

2. Other water rights with the same point of diversion: 65-07486, - 12182, - 12183

**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 |
|----------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|---------------------------------|
| <u>2 wells</u> |           | <u>SW</u> | <u>NW</u> | <u>SE</u> | <u>14</u> | <u>6N</u> | <u>2W</u> | <u>Bem</u> | <u>USGS Quad</u>                |
|                |           |           |           |           |           |           |           |            |                                 |
|                |           |           |           |           |           |           |           |            |                                 |
|                |           |           |           |           |           |           |           |            |                                 |

2. Place(s) of Use:

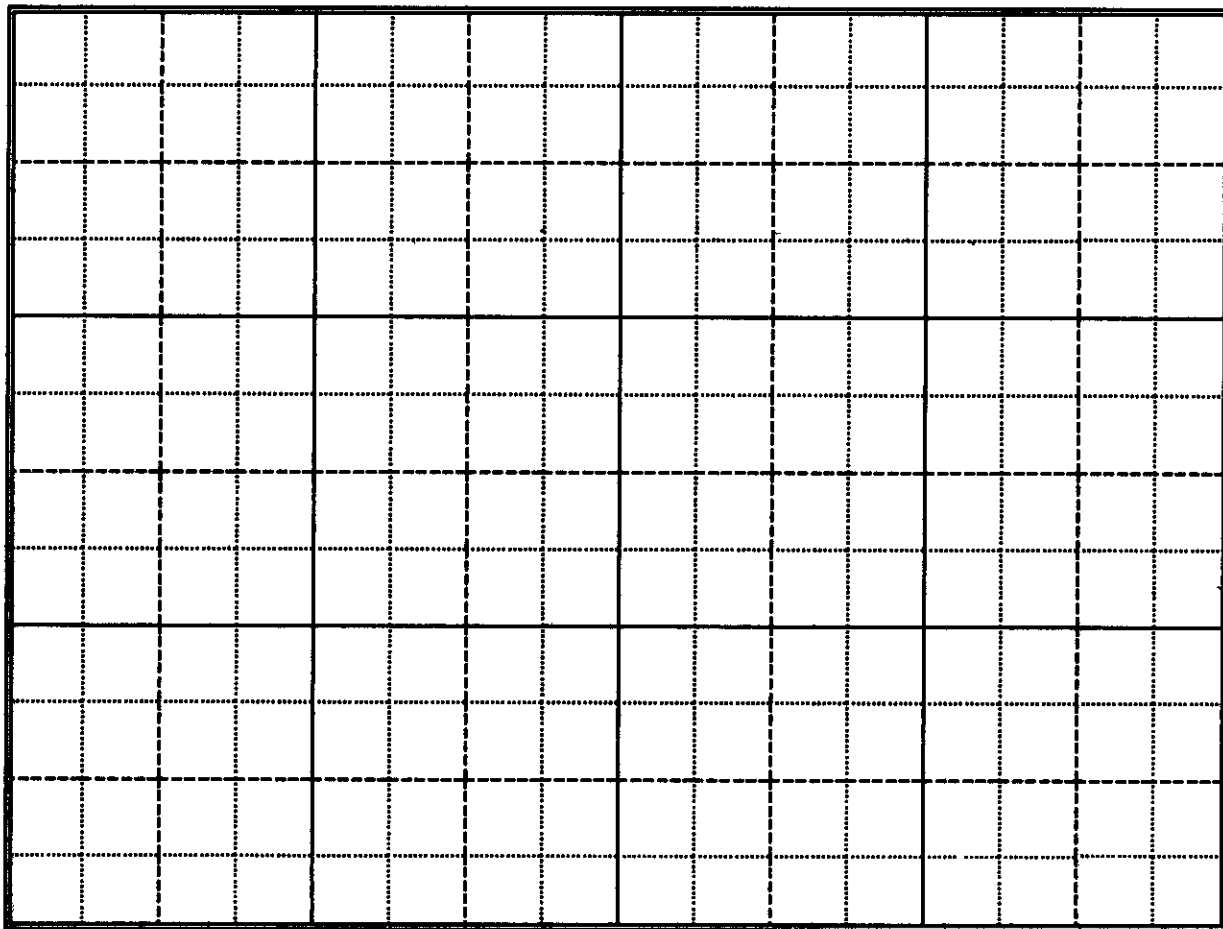
Indicate Method of Determination

| TWP       | RGE       | SEC       | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |          |    |    | Totals |
|-----------|-----------|-----------|----|----|----|----|----|----|----|----|----|----|----|----|----|----------|----|----|--------|
|           |           |           | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW       | SW | SE |        |
| <u>6N</u> | <u>2W</u> | <u>14</u> |    |    |    |    |    |    |    |    |    |    |    |    |    | <u>C</u> |    |    |        |
|           |           |           |    |    |    |    |    |    |    |    |    |    |    |    |    |          |    |    |        |
|           |           |           |    |    |    |    |    |    |    |    |    |    |    |    |    |          |    |    |        |
|           |           |           |    |    |    |    |    |    |    |    |    |    |    |    |    |          |    |    |        |
|           |           |           |    |    |    |    |    |    |    |    |    |    |    |    |    |          |    |    |        |
|           |           |           |    |    |    |    |    |    |    |    |    |    |    |    |    |          |    |    |        |
|           |           |           |    |    |    |    |    |    |    |    |    |    |    |    |    |          |    |    |        |
|           |           |           |    |    |    |    |    |    |    |    |    |    |    |    |    |          |    |    |        |

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3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe l.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 |
|---------------------------------------|------------|----|------------------|-------------------|-----------------------------------|
| #1                                    |            | S  |                  | Briggs + Stratton | 2" hose                           |
| #2                                    |            | S  |                  |                   |                                   |
|                                       |            |    |                  |                   |                                   |

\*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:

*Thurston*

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PHOTOGRAPH

# E. NARRATIVE/REMARKS/COMMENTS

Two 6" wells with a SHP portable pump each supply water for aerial crop dusting and vehicle washing. The water is pumped into 2000 gal tanks via 2" hose (tanks are on nurse trucks) then into planes. The planes use 290 gal per fill. The west well is the primary well used for tank filling. The east well is used for vehicle washing (~3000 gal/wk) and as a backup well for tank filling. The wells are used only March through October. No other water rts are used.

The 3<sup>rd</sup> well listed on the permit in the NeNWSE is for domestic use and covered with SRBA claim A65-18380.

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

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**F. FLOW CALCULATIONS**

Additional Computation Sheets Attached

Measured Method:

$$\frac{5 \times 8.8 \times .7}{15} = 2.05 \times 2 = 4.1 \text{ cfs}$$

5' to surface, 10' into water tank on truck

**G. VOLUME CALCULATIONS****1. Volume Calculations for Irrigation:**

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

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

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

**2. Volume Calculations for Other Uses:**

Water tanks on trucks - 8000 GPD

Vehicle washing - 3000 GPD / 7 = 430 GPD

Required: 8430 GPD x 245 days / 325,850 = 6.3 afa  
VS

Potential: .17 x 365 x 1.9835 = 123 afa

**H. RECOMMENDATIONS****1. Recommended Amounts**

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Commercial     | 1/1           | 12/31 | .17                          | 6.3                      |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .17                          | 6.3                      |

**2. Recommended Amendments**

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

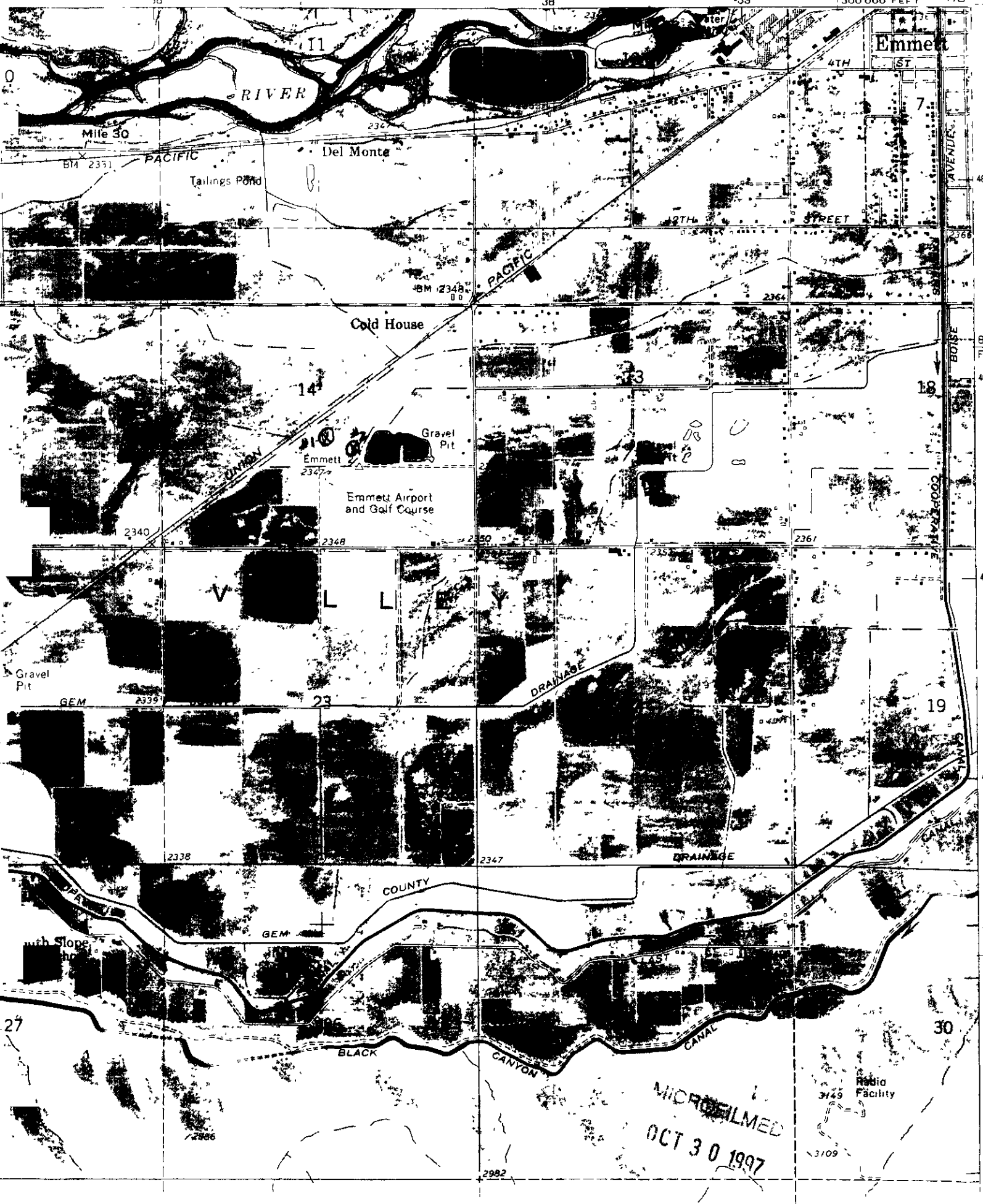
**I. AUTHENTICATION**Field Examiner's Name Lon Cramer Date 7/13/93

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

SEAL

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OCT 30 1997



# IDAHO DEPARTMENT OF WATER RESOURCES

## WELL INSPECTION FORM

2 wells

1. DRILLING PERMIT NO: \_\_\_\_\_ OTHER APPLICABLE NO: 65-13149

2. OWNER: Jay Morris Phone: 365-4598  
Address: PO Box 41 Emmett Id 83617

3. WELL LOCATION: Twp 6N, Rge. 2W, Sec. 14, NW 1/4 Sec 1/4  
County Bern (Provide sketch map and photo on reverse.)

4. DRILLER: Bern State Assoc Drillers 8/17/77 277  
Lic. No. 346  
When Drilled? 1977

5. WELL CONSTRUCTION:  
Casing Diameter 6" inches Water tight cap? ☐ Yes ☒ No Access Port: ☒ Yes ☐ No  
Casing ≥ 12 inches above ground? ☒ Yes ☐ No - Describe \_\_\_\_\_  
Depth of Casing 23+31 ft. Method Drilled Cable  
Condition of Well Casing: ☐ Good ☐ Fair ☐ Poor Describe \_\_\_\_\_  
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☒ No  
Condition of Piping and Valving \_\_\_\_\_  
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 3' ft. Water Temperature cold °F  
Flowing Artesian ☐ Yes ☒ No Pressure: \_\_\_\_\_ (psi)  
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose \_\_\_\_\_  
Water Quality Measurements/Observations (Describe) \_\_\_\_\_

7. WELL USE:  
☐ Domestic ☐ Irrigation ☐ Stock  
☐ Test ☐ Municipal ☐ Industrial  
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used  
☐ Other: commercial

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8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? \_\_\_\_\_

How far away from the well is this source? \_\_\_\_\_

9. REMARKS:

water table is high on both wells.  
portable pumps & hoses are used to pump  
water into truck tanks. Well plates  
are removable for pumps... nothing  
permanent.

*Loi Brewer*

Signature of Dept. Representative & Title

*7/12/93*

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

MICROFILM

OCT 30 1997

## 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 PAUL CRANK  
Address SOUTH SLOPE RD. Emmett  
Owner's Permit No. \_\_\_\_\_

## 7. WATER LEVEL

Static water level 5' feet below land surface  
Flowing? ☐ Yes ☒ No G.P.M. flow \_\_\_\_\_  
Temperature \_\_\_\_\_ ° F. Quality STINKS  
Artesian closed-in pressure \_\_\_\_\_ p.s.i.  
Controlled by ☐ Valve ☐ Cap ☐ Plug

## 2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement  
☐ Abandoned (describe method of abandoning) \_\_\_\_\_

## 8. WELL TEST DATA

☐ Pump ☐ Baller ☒ Other COMPRESSOR

| Discharge G.P.M. | Draw Down             | Hours Pumped |
|------------------|-----------------------|--------------|
| <u>20</u>        | <u>NO MEASUREMENT</u> |              |
|                  |                       |              |
|                  |                       |              |

## 3. PROPOSED USE

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

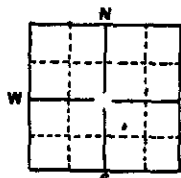
## 4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

## 5. WELL CONSTRUCTION

Diameter of hole 6' inches Total depth 31' feet  
Casing schedule: ☒ Steel ☐ Concrete  
Thickness Diameter From To  
.850 inches 6' inches + 1 feet 31' feet  
\_\_\_\_\_ inches \_\_\_\_\_ inches \_\_\_\_\_ feet \_\_\_\_\_ 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  
Size of perforation \_\_\_\_\_ inches by \_\_\_\_\_ inches  
Number From To  
\_\_\_\_\_ perforations \_\_\_\_\_ feet \_\_\_\_\_ 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 \_\_\_\_\_ feetGravel packed? ☐ Yes ☒ No Size of gravel \_\_\_\_\_  
Placed from \_\_\_\_\_ feet to \_\_\_\_\_ feetSurface seal depth 22 Material used in seal ☐ Cement grout  
☐ Pudding clay ☐ Well cuttings  
Sealing procedure used ☒ Shurry pit ☐ Temporary surface casing  
☐ Overbore to seal depth

## 6. LOCATION OF WELL

Sketch map location must agree with written location. 65

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

Lot No. \_\_\_\_\_ Block No. \_\_\_\_\_

County Idaho  
NW SE 14 6 N 2 W

## 10.

Work started 8/30/77 finished 9/28/77

## 11. DRILLER'S CERTIFICATION

Firm Name ASSOCIATED DRILLERS, INC. Firm No. 346  
Address RT 44 BOLLINGTOWN, IDAHO Date 12/8/77  
Signed by (Firm Official) Jim Smith  
and  
Supervisor/Operator Ed Roy E. SmithMICROFILMED  
OCT 30 1997

[illegible]

well #1  
(West well)  
SHP portable  
pump

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OCT 30 1977

well #2  
(East well)  
SHP portable  
pump



Nurse Truck  
2000 gal water  
tank



Applicator  
Plane for  
Crop Dusting

July 9, 1991

JAY L. MORRIS  
JUDITH L. MORRIS  
P.O. BOX 41  
EMMETT, ID 83617

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13149

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,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

RECEIVED  
AUG 06 1991

ANALYSIS SHEET  
for  
PROOF OF BENEFICIAL USE

Permit No. 65-13149

Date 7-2-91

GENERAL CONSIDERATIONS

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

SOURCE OF WATER

- ☐ Surface water source  
☒ Ground water source  
NA Drill permit req'd?  
1971 ☐ Copy in file? Drill permit no. \_\_\_\_\_  
☐ Amt paid for drilling permit? \_\_\_\_\_ Correct?  
☐ Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?  
50.00 Amount submitted?  
☐ Correct amount?

MEASURING DEVICE

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

DEFICIENCIES OR ACTION ITEMS

*Proof acceptable*

PRIORITY CALCULATION

|                     |           |         |
|---------------------|-----------|---------|
| Date proof received | <u>NA</u> | _____   |
| Date proof due      | <u>/</u>  | - _____ |
| No. of days late    | <u>/</u>  | = _____ |
| Priority date       | <u>/</u>  | + _____ |
| NEW PRIORITY DATE   | <u>/</u>  | = _____ |

*LB*

138489

April 30, 1991

JAY L. MORRIS  
JUDITH L. MORRIS  
P.O. BOX 41  
EMMETT, ID 83617

PROOF DUE NOTICE

RE: PERMIT NO. 65-13149

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 July 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

AUG 06 1991

S T A T E   O F   I D A H O  
D E P A R T M E N T   O F   W A T E R   R E S O U R C E S

-----

Statehouse  
Boise, Idaho 83720  
(208) 327-7900  
June 11, 1990

JAY L. MORRIS  
JUDITH L. MORRIS  
P.O. BOX 41  
EMMETT, ID 83617

P E R M I T   A P P R O V A L   N O T I C E

RE: PERMIT NO.      P65-13149

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.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

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

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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

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Form No. 202a.  
3/89

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: [Signature] DATE: 2-1-90 APPLICATION: 65-13149

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)  
☒ Period of use:  
☒ Nature of proposed use: (Include description of use)  
☒ 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:

Gov't. Lots:  
N/A P/D  
N/A P/U

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: (If yes, attach Large Diversion supplementary analysis sheet.)  
☒ \*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: \_\_\_\_\_  
☒ Additional information on reverse side:

**RECEIVED**  
MAY 18 1990

Department of Water Resources

## PROCESSING

APPLICATION NO.

65-13149

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 April 2, 1990☒ Protest dates, resolution of protest recorded on application:☒ Recommendations attached: approve, Dnr☒ Measuring device required:☒ Measuring port required:☒ Water delivered by water master? District # 65-P05☒ Special conditions of approval or cover letter: \_\_\_\_\_

See below for additional information

Recommended Date or Priority 1/31/1990Recommended by: DnrDate 5/16/1990

## STATE OFFICE REVIEW

P05, P23P1646See below for additional information. By KWDate 6-1-90

## ADDITIONAL INFORMATION

There are other water rights with same legal land description; same source (groundwater) different wells, different purposes, do not appear to be related to this application.

NOTICE OF APPLICATION FOR AMENDMENT

Notice is hereby given that application No. 65-13149 in the name of Jay L. and/or Judith L. Morris was filed on 1/31/1990 for the diversion of .170 CFS from a Groundwater Source with a Point of Diversion with the T06N R02W S14 NENWSE And SWNWSE to be used for Commercial Purposes from 01/01 to 12/31 within portions of NWSE S14 T06N R02W, B.M. Gem County.

The applicant now proposes to amend the application by changing the Point of Diversion to T06N R02W S14 NWSE AND NWSE, B.M.

Any protest against approval of the proposed change of amended application for permit must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before April 2, 1990.

R. Keith Higginson, Director

Published in the Messenger-Index on 3/15 and 3/22/1990

RECORDED

JUN 21 1990

65-13149

MORRIS, JAY L.  
MORRIS, JUDITH L.  
P.O. BOX 41  
EMMETT, ID 83617

Source: GROUNDWATER

Diversion Pt: SNNWSE Sec 14 T 06N R 02W

Use: COMMERCIAL ( .170 CFS)  
Total Diversion: ( .170 CFS)

Date Filed: 1/31/1990

In: T06N R02W S14 NWSE

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JUN 21 1990