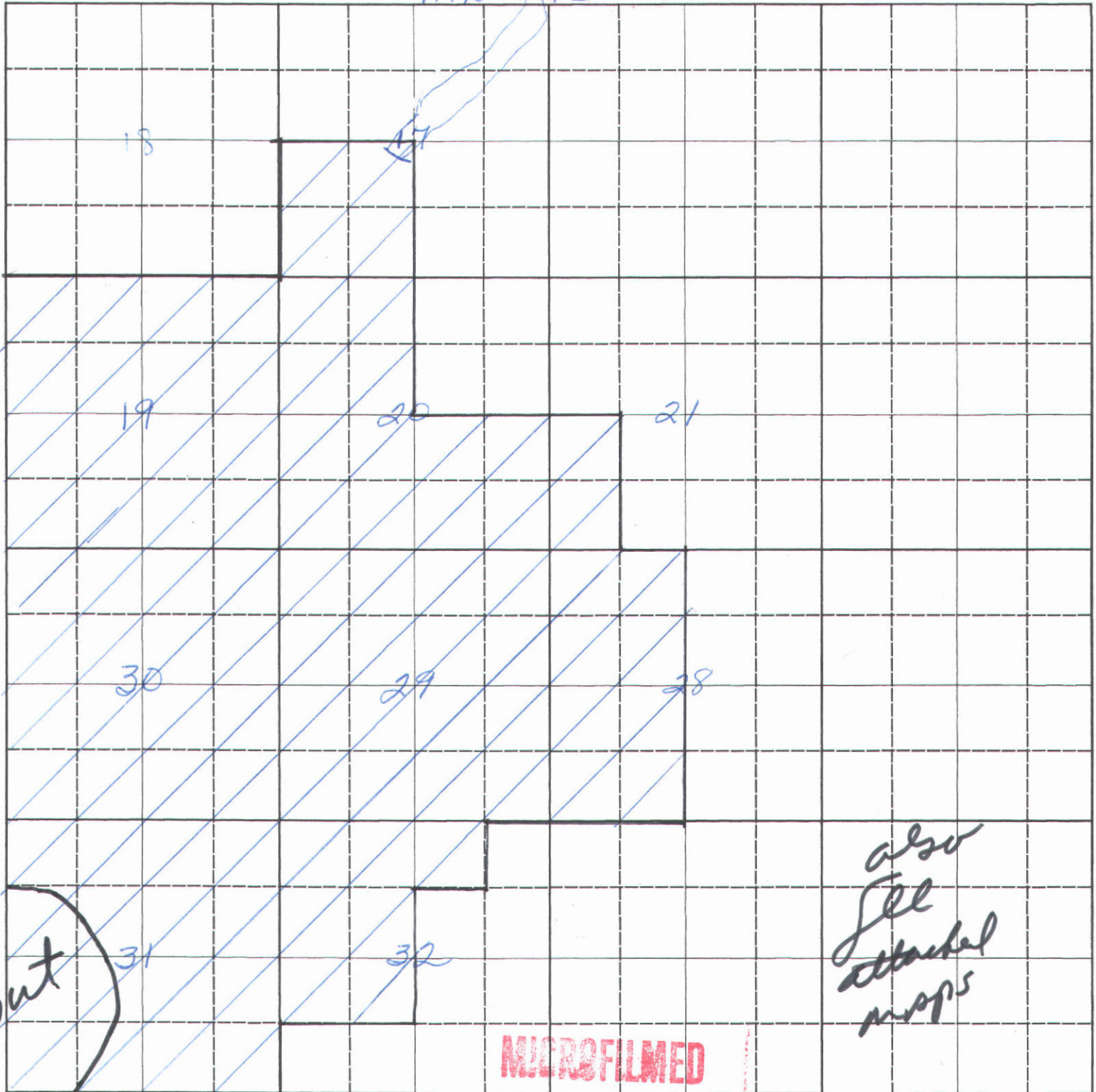


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T14N-R4E



Scale: 2 inches equal 1 mile.

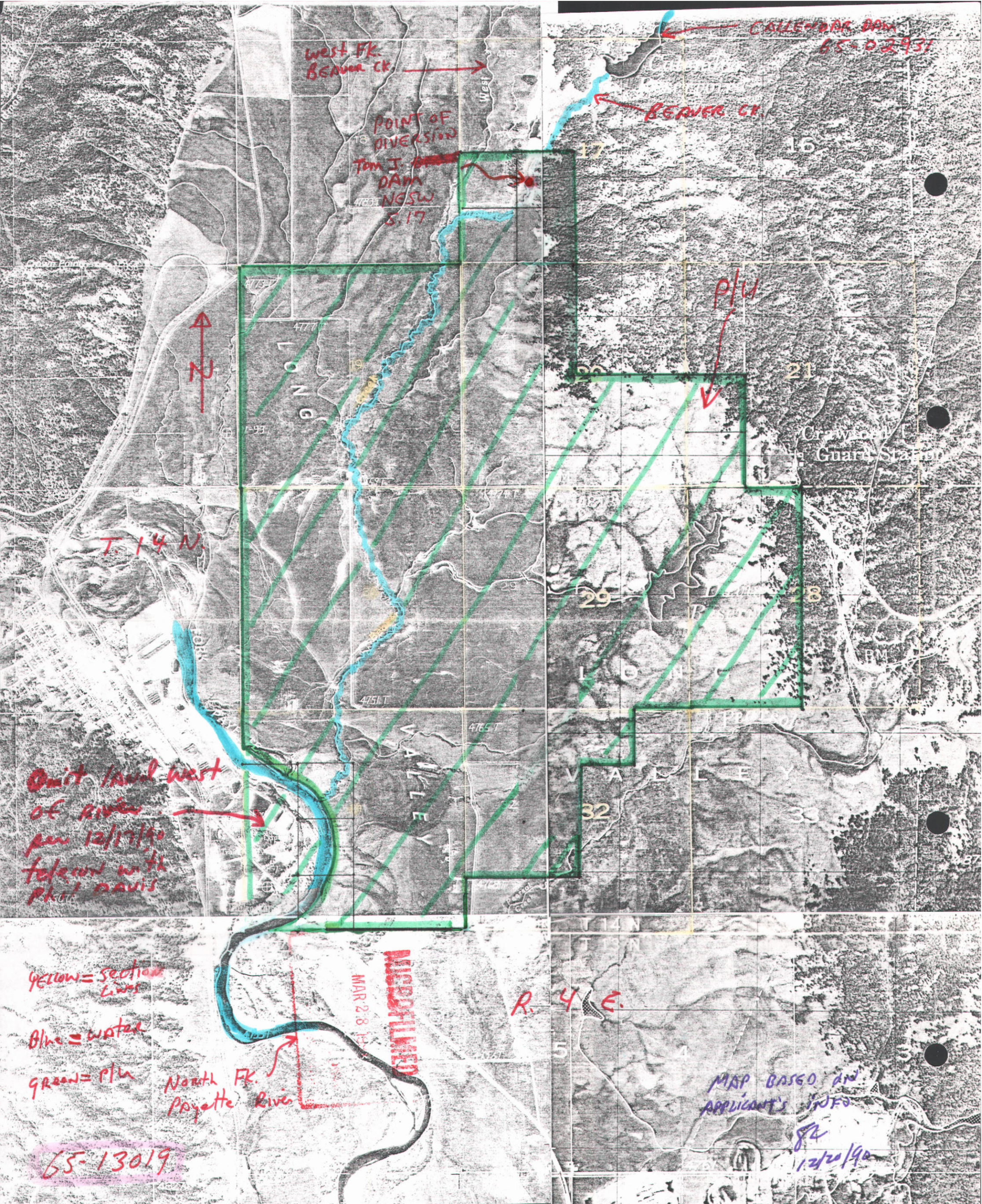
MAR 28 1991

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.

* per 12/17/90 telecon with
Phil Davis, Vice President.

SL


(Applicant)



West Fk.
Beaver Cr.

POINT OF
DIVERSION
Tom J. DAVIS
DAM
NSW
5.17

CALLENDAR DAM
65-02931

BEAVER CR.

N

T. 14 N.

Omit land west
of river
per 12/17/90
telecon with
Phil Davis

Yellow = Section
Lines
Blue = water
Green = P/U

North Fk.
Payette River

RECORDED

MAR 28 1991

R. 4 E.

MAP BASED ON
APPLICANT'S INFO
82
12/20/90

65-13019

65-13019

Sec. 16.

T. 14N.
R. 4E.

Sec. 21.

Sec. 23.

Sec. 3.3.

640.

STANDARD

Total number of Acres 5

Dotted lines added in¹¹
5.31 to show $\frac{1}{4}$ $\frac{1}{4}$ lines in
L. 2, 3, 4, 6, 7. SL 4

82 4/24/89

Surveys Designated

Re: When Survived

Date of Visit: _____

Department of Sociology

11. 12. 13.

RECEIVED

FEB 04 1991

Publisher's Affidavit of Publication

STATE OF IDAHO

.SS

County of Valley

I, Bobette S. Steffler, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION FOR WATER RIGHT, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began January 17, 1991 and ended January 24, 1991.

Subscribed and sworn before me this the 31st day of January, 1991.

STATE OF IDAHO

COUNTY OF VALLEY

On this 31st day of January, in the year of 1991, before me, a Notary Public, personally appeared Bobette S. Steffler, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



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

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13019

DAVIS CATTLE CO.

HC 71 BOX 2005

CASCADE, ID 83611

Source: BEAVER CREEK

Tributary: PAYETTE RIVER, NORTH FORK

Diversion Pt: NESW Sec 17 T 14N R 04E

Use: IRRIGATION STORAGE (2500.00 AF)

IRRIGATION FROM STORAGE (2500.00 AF)

Total Diversion: (2500.00 AF)

Date Filed: 3/20/1989

In: T14N R04E S17 NESW NWSW SWSW SESW

S19 NENE NWNE SWNE SENE NENW Lot 1

(NWNW) Lot 2 (SWNW) SENW NESW Lot 3

(NWSW) Lot 4 (SWSW) SESW NESE NWSE

SWSE SESE

S20 NENW NWNW SWNW SENW NESW

NWSW SWSW SESW NESE NWSE SWSE

SESE

S21 NWSW SWSW

S28 NENW NWNW SWNW SENW NESW

NWSW SWSW SESW

S29 NENE NWNE SWNE SENE NENW

NWNW SWNW SENW NESW NWSW

SWSW SESW NESE NWSE SWSE SESE

S30 NENE NWNE SWNE SENE NENW Lot 1

(NWNW) Lot 2 (SWNW) SENW NESW Lot 3

(NWSW) Lot 4 (SWSW) SESW NESE NWSE

SWSE SESE

S31 NENE NWNE SWNE SENE NENW Lot 1

(NWNW) Lot 2 (SWNW) Lot 2 (SENE) Lot

5 (NESW) Lot 6 (SWSW) Lot 6 (SESW)

NESE NWSE SWSE SESE

S32 NWNE NENW NWNW SWNW SENW

NESW NWSW

3710.6 ACRES TOTAL

65-13301

STATE OF IDAHO

DEPT. OF LANDS

STATEHOUSE

BOISE, ID 83720

Source: GROUNDWATER

Diversion Pt: LOT 2 (NESE) Sec 32 T 19N R 03E

LOT 2 (NWSE) Sec 32 T 19N R 03E

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 12/24/1990

In: T19N R03E S32 Lot 2 (NESE) Lot 2 (NWSE)

The permit(s) will be subject to all prior water rights. protests must be filled with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before FEBRUARY 4, 1991.

R. KEITH HIGGINSON, Director 2t1/24

RECEIVED

MAR 28 1991

RECEIVED

FEB 04 1991

Department of Water Resources
Western Regional Office

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

76.44

Account Number 47628		Identification Notice of Application for Water Right	
Ordered By Gail Garrett	P.O. Number	Rate nt	Run Dates January 17, 24, 1991
Idaho Dept. of Water Resources Western Region 2735 Airport Way Boise ID 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 7378

RECEIVED

JAN 25 1991

Department of Water Resources
Western Regional Office

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13019

DAVIS CATTLE CO.
HC 71 BOX 2005
CASCADE, ID 83611
Source: BEAVER CREEK
Tributary: PAYETTE RIVER,
NORTH FORK
Diversion Pt: NESW Sec 17 T 14N R 04E

Use: IRRIGATION STORAGE (2500.00 AF)

Use: IRRIGATION FROM STORAGE (2500.00 AF)

Total Diversion: (2500.00 AF)

Date Filed: 3/20/1989

In: T14N R04E S17 NESW NWSW SWSW SESW

In: T14N R04E S19 NENE NWNE SWNE SENE NENW Lot 1 (NWNW) Lot 2 (SWNW) SENW NESW Lot 3 (NWSW) Lot 4 (SWSW) SESW NESE NWSE SWSE SESE

In: T14N R04E S20 NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE

In: T14N R04E S21 NWSW SWSW SENW NESW NWSW SWSW SESW

In: T14N R04E S29 NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESW NWSW SWSW SESW

In: T14N R04E S30 NENE NWNE SWNE SENE NENW Lot 1 (NWNW) Lot 2 (SWNW) SENW NESW Lot 3 (NWSW) Lot 4 (SWSW) SESW NESE NWSE SWSE SESE

In: T14N R04E S31 NENE NWNE SWNE SENE NENW Lot 1 (NWNW) Lot 2 (SWNW) Lot 2 (SENW) Lot 5 (NESW) Lot 6 (SWSW) Lot 6 (SESW) NESE NWSE SWSE SESE

In: T14N R04E S32 NWNE NENW NWNW SWNW SENW NESW NWSW

3710.6 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 FEBRUARY 4, 1991.

R. KEITH HIGGINSON
Director

Pub. Jan. 17, 24, 1991

7378

Cherami J. Snow, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for two

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of Jan. 17, 1991

and ending with the issue of Jan. 24, 1991

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 24th day of January in the year of 1991

, before me, a Notary Public, personally appeared Cherami J. Snow, known or identified to

me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Cherami J. Snow
Notary Public for Idaho

Residing at Boise, Idaho

My commission expires: 12/93

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 012491 INVOICE No. L00219588

Account No. 964760 13019

Description 19588THEFO

Times 2 Lines 48

Tab Lines 96

**LEGAL ADVERTISING
INVOICE**

SOLD TO: DEPT. OF WATER RESOURCES
2735 AIRPORT WAY
BOISE
ID 83705

\$ 120.00

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:
19588
65-13019

DAVIS CATTLE CO.
HC 71 BOX 2005
CASCADE, ID 83611

Source: BEAVER CREEK

Tributary: PAYETTE RIVER, NORTH FORK

Diversion Pt: NESW Sec 17 T 14N R 04E

Use: IRRIGATION STORAGE (2500.00 AF)
IRRIGATION FROM STORAGE (2500.00 AF)
Total Diversion: (2500.00 AF)

Date Filed: 3/20/1989

In:	T14N R04E S17	NESW	NWSW	SWSW	SESW
	S19	NENE	NWNE	SWNE	SENE
		NENW	(NWNW)	(SWNW)	SENE
		NESW	(NWSW)	(SWSW)	SESW
		NESE	NWSE	SWSE	SESE
	S20	NENW	NWNW	SWNW	SENE
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S21	NWSW	SWSW		
	S28	NENW	NWNW	SWNW	SENE
		NESW	NWSW	SWSW	SESW
	S29	NENE	NWNE	SWNE	SENE
		NENW	NWNW	SWNW	SENE
		NESW	NWSW	SWSW	SESW
		NESE	NWSE	SWSE	SESE
	S30	NENE	NWNE	SWNE	SENE
		NENW	(NWNW)	(SWNW)	SENE
		NESW	(NWSW)	(SWSW)	SESW
		NESE	NWSE	SWSE	SESE
	S31	NENE	NWNE	SWNE	SENE
		NENW	(NWNW)	(SWNW)	SENE
	Lot 5	(NESW)	(SWSW)	(SESW)	NESE
		NWSE	SWSE	SESE	
	S32	NWNE	NWNW	NWNW	SWNW
		SENE	NESW	NWSW	

3710.6 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 FEBRUARY 4, 1991.

R. KEITH HIGGINSON, Director

RECEIVED

MAR 28 1991

Western Regional Office

DAHO, ss.
Nez Perce

Baumeister, being duly sworn,
I am the Legal Clerk
Publishing Company, a corporation organized and existing
virtue of the laws of the State of Idaho, publishers of the
MORNING TRIBUNE, a newspaper of general circulation
Lewiston, Nez Perce County, Idaho; That the said Lewiston
is an established paper and has been published regular-
regularly at least once a day for more than 21 consecutive
mediately preceding the first publication of this notice, and
published uninterrupted for said period; that the

OF APPLICATION
and which is made a part of this affidavit was published in
on Morning Tribune, 2 time(s). Publication be-
1791, or once a
for 2 consecutive WEEKS, the first
of being on the 011791, and the last pub-
lication on the 012491, and said

OF APPLICATION
and in the regular and entire issue of said newspaper and
ment thereof and was so published in every issue and
said paper, during the period and times of publication as

AND SWORN BEFORE ME THIS THE 28

1991
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

Affidavit of publication

STATE OF IDAHO

COUNTY OF VALLEY

I, Fred K. O'Brien, being duly sworn deposes and says, I am the Publisher of *The Advocate*, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The Applic. for Water Rts., a copy of which is attached hereto; was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began:

1-17, 19 91

and ended 1-24, 19 91

Subscribed and sworn before me, this the

24th day of January, 19 91

On this 24th day of January, 19 91

I, a Notary Public in and for the State of Idaho, state that said person, Fred O'Brien, did in fact present me with this document and I did witness his signature on the document.

Virgil G. Hirschman
Notary Public residing at Cascade, Idaho

PUBLIC NOTICES

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
65-13019

DAVIS CATTLE CO.
HC 71 BOX 2005
CASCADE, ID 83611
Source: BEAVER CREEK

Diversion Pt:
Use: IRRIGATION STORAGE
IRRIGATION FROM STORAGE
Total Diversion
Date Filed: 3/20/1989

Tributary: PAYETTE RIVER, NORTH FORK
NESW Sec 17 T 14N R 04E

(2500.00AF)
(2500.00 AF)
(2500.00AF)

In: T14N R04E S17
S19

NESW
NENE

NWSW
NWNE

SWSW
SWNE

SESW
SENE

NENW LOT 1
NESW LOT 3

(NWNW) LOT 2
(NWSW) LOT 4

(SWNW)
(SWSW)

SESW
SENE

NESE
NENW

NWSE
NWNW

SWSE
SWNW

SESE
SESW

NESW
NESE

NWSW
NWSE

SWSW
SWSE

SESE
SESE

NWSW
NENW

SWSW
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SWNW
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NWNW
NWSW

SWNW
SWSW

SESW
SESE

NESE
NENE

NWSE
NWNE

SWSE
SWNE

SESE
SENE

NENW LOT 1
NESW LOT 3

(NWNW) LOT 2
(NWSW) LOT 4

(SWNW)
(SWSW)

SESW
SENE

NESE
NENE

NWSE
NWNE

SWSE
SWNE

SESE
SENE

NENW LOT 1
NESW LOT 3

(NWNW) LOT 2
(NWSW) LOT 4

(SWNW)
(SWSW)

SESW
SENE

NESE
NENE

NWSE
NWNE

SWSE
SWNE

SESE
SENE

NENW LOT 1
(NESW) LOT 6

(NWNW) LOT 2
(SWSW) LOT 6

(SWNW) LOT 2
(SESW)

(SESW)
NESE

NWSE
NWNE

SWSE
NENW

SESE
NWNW

SESE
SWNW

SESW
SENE

SWNW
NWSW

SWNW
NWSW

SWNW
NWSW

3710.6 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 February 4, 1991.

R. KEITH HIGGINSON, Director
Published January 17 and 24, 1991

JAN 31 1991

Department of Water Resources
Western Regional Office



TOM J RESERVOIR
65-13019
4/26/96



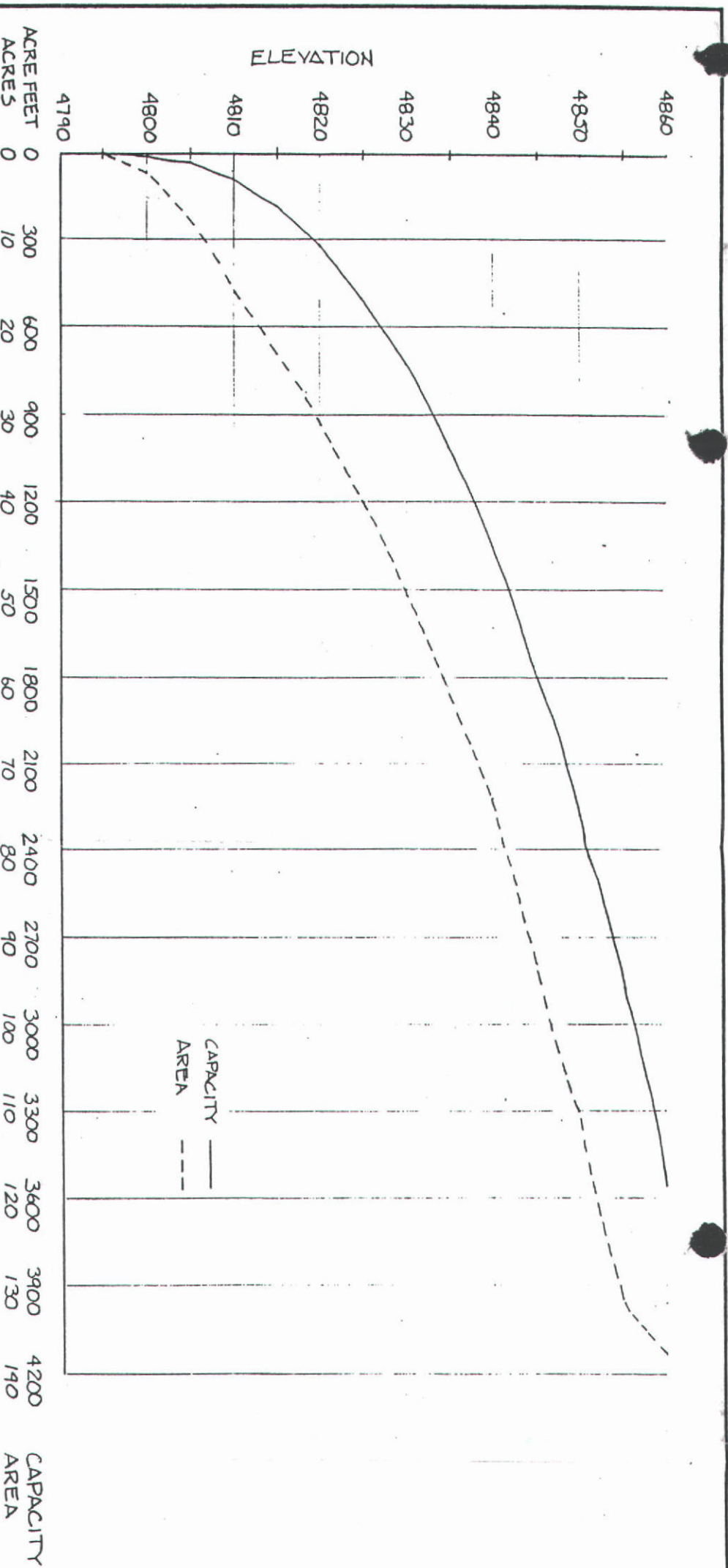
TOM J DAM
65-13019
4/26/96



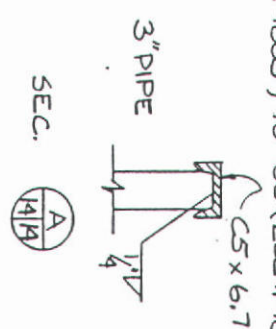
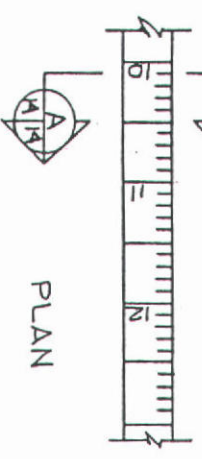
TOM J DAM
OUTLET GATE CONTROL
65-13019
4/26/96



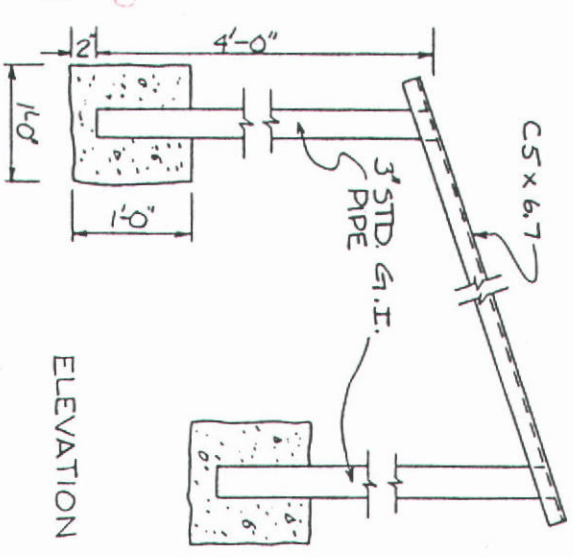
DISCHARGE PIPING
TOM J DAM
65-13019
4/26/96



GRADUATE GAGE TO .10 FT. ELEV. WITH WELD MARKS AS SHOWN, PAINT ELEV. NUMERALS FROM 05 (ELEV. 4805) TO 60 (ELEV. 4860).



GAGE TO BE LOCATED ON UPPER FACE OF DAM AT MAXIMUM CROSS SECTION, WITH FACE OF GAGE FLUSH WITH FILL SURFACE.



RESERVOIR WATER LEVEL GAGE
SCALE: 1"=1'-0"

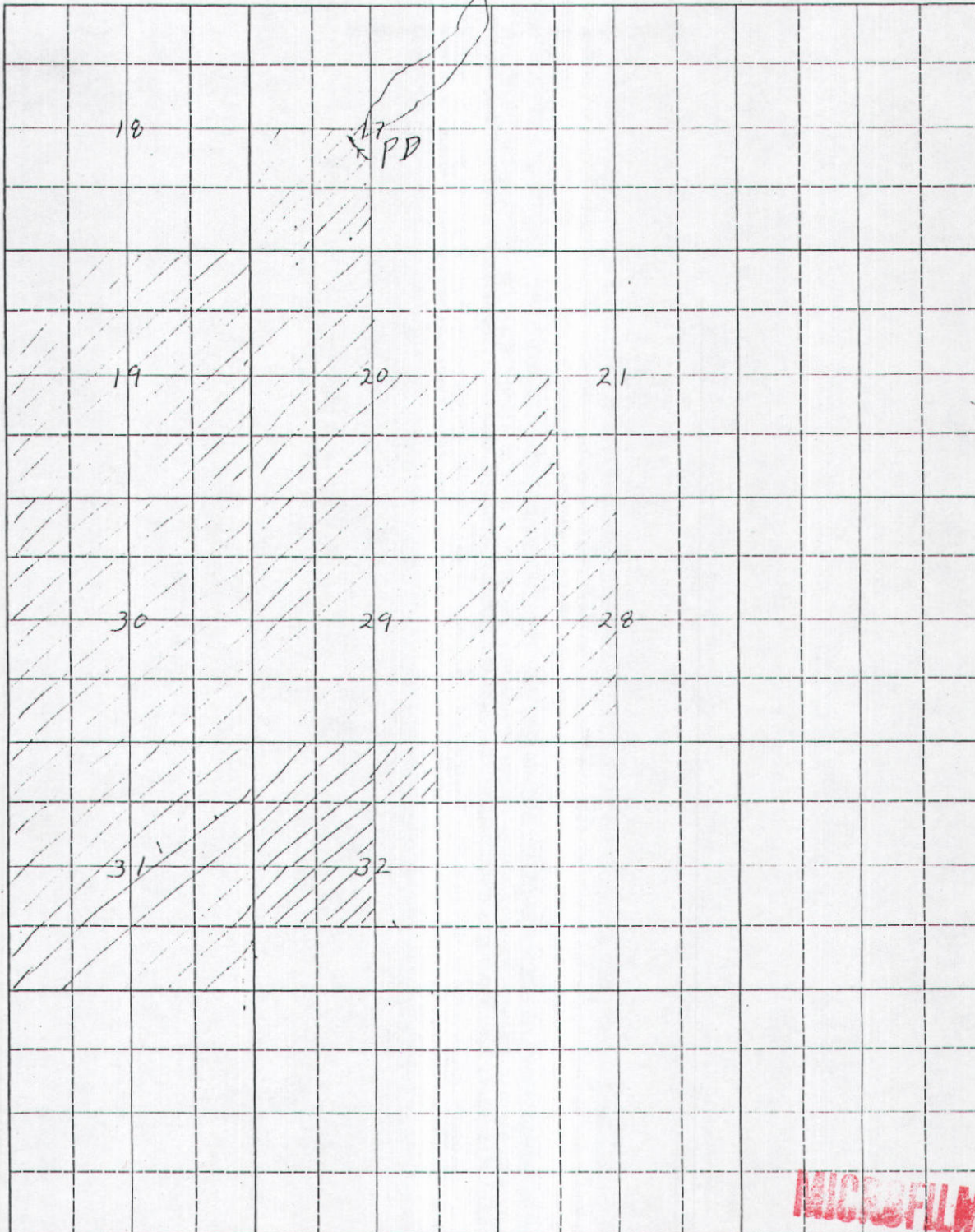
EXHIBIT "3"

RECEIVED
MAY 08 1996
WATER RESOURCES
WESTERN REGION
MICROFILMED
DEC 29 1999

TOM J. DAM	
DETAILS	DRAWN BY R.C.
SCALE	SHEET NO.
A & B ENGINEERING	14
BOISE, IDAHO	
REVISED-10-4-79	12-18-78

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

T 14N - R 4E



Scale: 2 inches equal 1 mile.

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

MICROFILMED

MAR 28 1991

(Applicant)

SHE ADVERTISING
STATEWIDE
IN THESE PAPERS

ADVOCATE
STAR NEWS
STATESMAN
LEWISTON NEWS
TIMES NEWS
POST REGISTAR

Gail

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13019

Priority: May 27, 1989

Maximum Storage Volume: 1360.0 AF

This is to certify, that DAVIS CATTLE CO
19 WARM LAKE HWY
CASCADE ID 83611

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated March 20, 1989; and
has submitted Proof of Beneficial Use on May 8, 1996. An examination indicates
that the works have a storage capacity of 3360.000 af of water from:

BEAVER CREEK tributary to PAYETTE RIVER, NORTH FORK

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 STORAGE	01/01 to 12/31		1360.0 AF
IRRIGATION FROM STORAGE	04/15 to 10/31		1360.0 AF
Totals			1360.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENEW , Sec. 17, Township 14N, Range 04E
VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N	03E	24	SENE 1	NESE 6.9	SESE 5.5	13.4
		25	NENE 16	Lot 8 (SENE) 20	Lot 9 (NESE) 29	
			Lot 12 (SESE) 32.1			97.1
04E	8		SWSW 17	SESW 7.9		24.9
	17		NENW 10	NWNW 33	SWNW 32	
			SENE 0.4	NESW 20	NWSW 33	
			SWSW 40	SESW 29.1		197.5
	18		NESE 10	SWSE 13	SESE 40	63
	19		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	Lot 1 (NWNW) 17	
			Lot 2 (SWNW) 36	SENE 40	NESW 40	
			Lot 3 (NWSW) 40	Lot 4 (SWSW) 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			613
	20		NENW 14	NWNW 40	SWNW 37	
			SENE 1	NESW 2.3	NWSW 39	
			SWSW 40	SESW 32	SWSE 27	
			SESE 20			252.3
	21		SWSW 10			10
	28		NWNW 11			11
	29		NENE 40	NWNE 40	SWNE 40	
			SENE 15	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	

MICROFILMED

11-2-9-1999

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-13019

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		NESE	8	NWSE	39	533
30		NENE	40	NWNE	40	
		SENE	40	NENW	40	
	Lot 2 (SWNW)		39	SENE	40	
	Lot 3 (NWSW)		39	SENE	40	
		NESE	40	NWSE	40	
		SESE	40			637
31		NENE	40	NWNE	40	
		SENE	40	NENW	40	
	Lot 2 (SWNW)		1.7	SENE	40	
	Lot 6 (SESW)		29.2	NWSE	40	
						390.2
32		NWNE	12	SWNE	1	
		NWNW	40	SWNW	40	
		NESW	38	NWSW	39	
						251.1

Total number of acres irrigated: 3093.5

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. Right 65-12202 is also diverted through the point of diversion described above.
6. Rights 65-02536, 65-02832, 65-02920, 65-02931, 65-03579, 65-03580, 65-03582, 65-03583, 65-04031A, 65-04031B, 65-04031X, 65-07312, 65-07649, 65-07777, 65-12202, 65-13019 and 65-13619 when combined shall not exceed 14,500. af at the field headgate, and the irrigation of 4831 acres.
7. Storage facility also known as Tom J reservoir.

MICROFILMED
JUL 29 1999

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-13019

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 13th day of DECEMBER, 1999.

Acting for 
KARL J. DREHER, Director

NOT RECORDED

DEC 14 1999

RECEIVED

NOV 26 1999

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 65-13019

Date of Priority: May 27, 1989

Maximum Storage Volume: 1360.0 AF

Comes now DAVIS CATTLE CO
19 WARM LAKE HWY
CASCADE ID 83611

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 65-13019, and requests that the permit be changed as follows:

Source: BEAVER CREEK tributary to PAYETTE RIVER, NORTH FORK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		1360.0 AF
IRRIGATION FROM STORAGE	05/01 to 09/30		1360.0 AF
	Totals		1360.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENEW, Sec. 17, Township 14N, Range 04E
VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N	03E	24	SENE 1	NESE 6.9	SESE 5.5	13.4
		25	NENE 16	Lot 8 (SENE) 20	Lot 9 (NESE) 29	
			Lot 12 (SESE) 32.1			97.1
04E	8		SWSW 17	SESW 7.9		24.9
	17		NENW 10	NWNW 33	SWNW 32	
			SENE 0.4	NESW 20	NWSW 33	
			SWSW 40	SESW 29.1		197.5
	18		NESE 10	SWSE 13	SESE 40	63
	19		NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	Lot 1 (NWNW) 17	
		Lot 2 (SWNW) 36	SENE 40	SENE 40	NESW 40	
		Lot 3 (NWSW) 40	Lot 4 (SWSW) 40	SESW 40	SWSE 40	
			NESE 40	NWSE 40		613
			SESE 40			
	20		NENW 14	NWNW 40	SWNW 37	
			SENE 1	NESW 2.3	NWSW 39	
			SWSW 40	SESW 32	SWSE 27	
			SESE 20			252.3
	21		SWSW 10			10
	28		NWNW 11			11
	29		NENE 40	NWNE 40	SWNE 40	
			SENE 15	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	

MICROFILM
1999 11 26

State of Idaho
Department of Water Resources

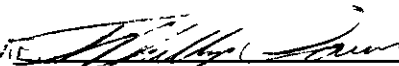
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13019

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		NESE	8	NWSE	39	SWSE 31 533
30		NENE	40	NWNE	40	SWNE 40
		SENE	40	NENW	40	Lot 1 (NWNW) 40
	Lot 2 (SWNW)		39	SENE	40	NESW 40
	Lot 3 (NWSW)		39	Lot 4 (SWSW)	39	SESW 40
		NESE	40	NWSE	40	SWSE 40
		SESE	40			637
31		NENE	40	NWNE	40	SWNE 40
		SENE	40	NENW	40	Lot 1 (NWNW) 33
	Lot 2 (SWNW)		1.7	Lot 2 (SENE)	28	Lot 5 (NESW) 15.3
	Lot 6 (SESW)		29.2	NESE	3	NWSE 40
		SWSE	40			390.2
32		NWNE	12	SWNE	1	NENW 40
		NWNW	40	SWNW	40	SENE 40
		NESW	38	NWSW	39	NWSE 1.1 251.1
Total number of acres irrigated:						3093.5

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Coerule Lake, this 27 day of November, 19 99.

MICHOELME 
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-13019

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50⁰⁰ Received by Jm # C047258 Date 11-26-99

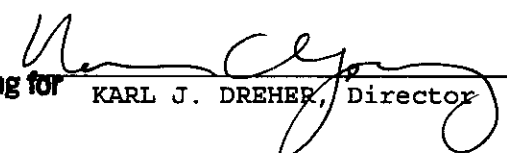
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-13019 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
5. Right 65-12202 is also diverted through the point of diversion described above.
6. Rights 65-02536, 65-02832, 65-02920, 65-02931, 65-03579, 65-03580, 65-03582, 65-03583, 65-04031A, 65-04031B, 65-04031X, 65-07312, 65-07649, 65-07777, 65-12202, 65-13019 and 65-13619 when combined shall not exceed 14,500. af at the field headgate, and the irrigation of 4831 acres.
7. Storage facility also known as Tom J reservoir.

Witness my hand this 13TH day of DECEMBER, 1999.


Acting for KARL J. DREHER, Director

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS ~~OR NOTICE OF CLAIM~~

RECEIVED
OCT 22 1999
WATER RESOURCES
WESTERN REGION

[] Water Right Number(s): _____

[] Claimant Name(s): Davis Cattle Co.
F. Phillip Davis

[] Old Mailing Address: HC 71 Bx 2005
Cascade Id. 83611

[] New Mailing Address: 19 WARM LAKE Hwy
Cascade Id 83611

Telephone Number: 208) 382-4892

[] Signature of Claimant(s): *F. Phillip Davis*

Date: 10/19/99

10-10-11
10-12-11

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-13019)
)
IN THE NAME OF DAVIS CATTLE COMPANY) **ORDER OF**
) **REINSTATEMENT**
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before March 1, 1996; and,

WHEREAS, the Department notified the permit holder on December 31, 1995, by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

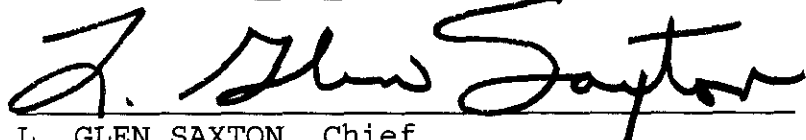
WHEREAS, the department sent a lapse notice on March 8, 1996, since an acceptable proof of beneficial use or extension of time had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use and beneficial use field report on May 8, 1996;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-13019 is **REINSTATED** with an advance in priority to May 27, 1989.

DATED this 11th day of June, 1996.


L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED

FOR OFFICE USE ONLY

Amt. of Fee \$ _____

Receipt No _____

Receipt By _____

Date Received _____

MAY 08 1996

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 13 1996

PROOF OF BENEFICIAL USE

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

1. Permit No. 65-13019 Telephone No. 208-382-48922. Name(s) of Permit Holder(s): Davis Cattle Company3. Mailing Address: 19 Warm Lake Highway, Cascade, ID 836114. Source of Water: Beaver Creek If GROUNDWATER (well), Date Drilled mo N/A / yr. _____a. Well Driller: _____ Drilling Permit Number _____ - _____ - _____ - _____b. **OPTIONAL:** N/A
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households) _____ Stockwater (No. and type of stock) _____

Irrigation (No. of acres) 2,735 Other: _____6. Total rate of diversion and/or volume for which proof is submitted: --- cfs OR 2,500 acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No X

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No X
Has the measurement port been installed? Yes _____ or No X

8. Fee Enclosed: \$ -0- (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: N/A Telephone Number: _____

Address: _____

10. The information given on this form 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

Signature of permit holder: [Signature] Date: 5/8/96
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13019

PLACE OF USE: IRRIGATION STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			LOT 3(NWSW) 39.4	LOT 4(SWSW) 39.3	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			637.8
31			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	LOT 1(NWNW) 33.7	
			LOT 2(SWNW) 3.3	LOT 2(SENW) 30	LOT 5(NESW) 16.6	
			LOT 6(SWSW) 2	LOT 6(SESW) 28	NESE 40	
			NWSE 40	SWSE 40	SESE 40	473.6
32			NWNE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40			280

Total number of acres irrigated: 3710.6

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

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **March 1, 1996**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this permit is subject to control by the watermaster of State Water District No. 65.
5. The storage of water under this permit is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
6. The issuance of this permit in no way grants any right-of-way or easement across the land of another.

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

18th day of March, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

M/H

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1 Name of applicant Davis Cattle Company Phone 382-4892
Post office address HC 71, Box 2005, Cascade, ID 83611

2. Source of water supply Beaver Creek which is a tributary of Payette River, North Fork *

3 Location of point of diversion is — $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt Lot —
Sec 17 Township 14N Range 4E B.M. Valley County; additional
points of diversion if any —

4 Water will be used for the following purposes

Amount 2500 for irri. from stor purposes from 5-1 to 9-30 (both dates inclusive)
(acre-feet per annum)

Amount 2500 for stor. for irrig purposes from 1-1 to 12-31 (both dates inclusive)
(acre-feet per annum)

Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)

Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)

5 Total quantity to be appropriated is (a) — and/or (b) 2500
cubic feet per second acre feet per annum

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc earthfill dam and open ditch
Tom J. Dam

b Height of storage dam 65± feet; active reservoir capacity — acre-feet; total
reservoir capacity 3600 acre-feet, period of year when water will be diverted to storage
1-1 to 12-31 inclusive

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

d Is ground water with a temperature of greater than 90°F being sought? —

7 Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

RECEIVED

* per orthophotoguard 4/24/89, SL.

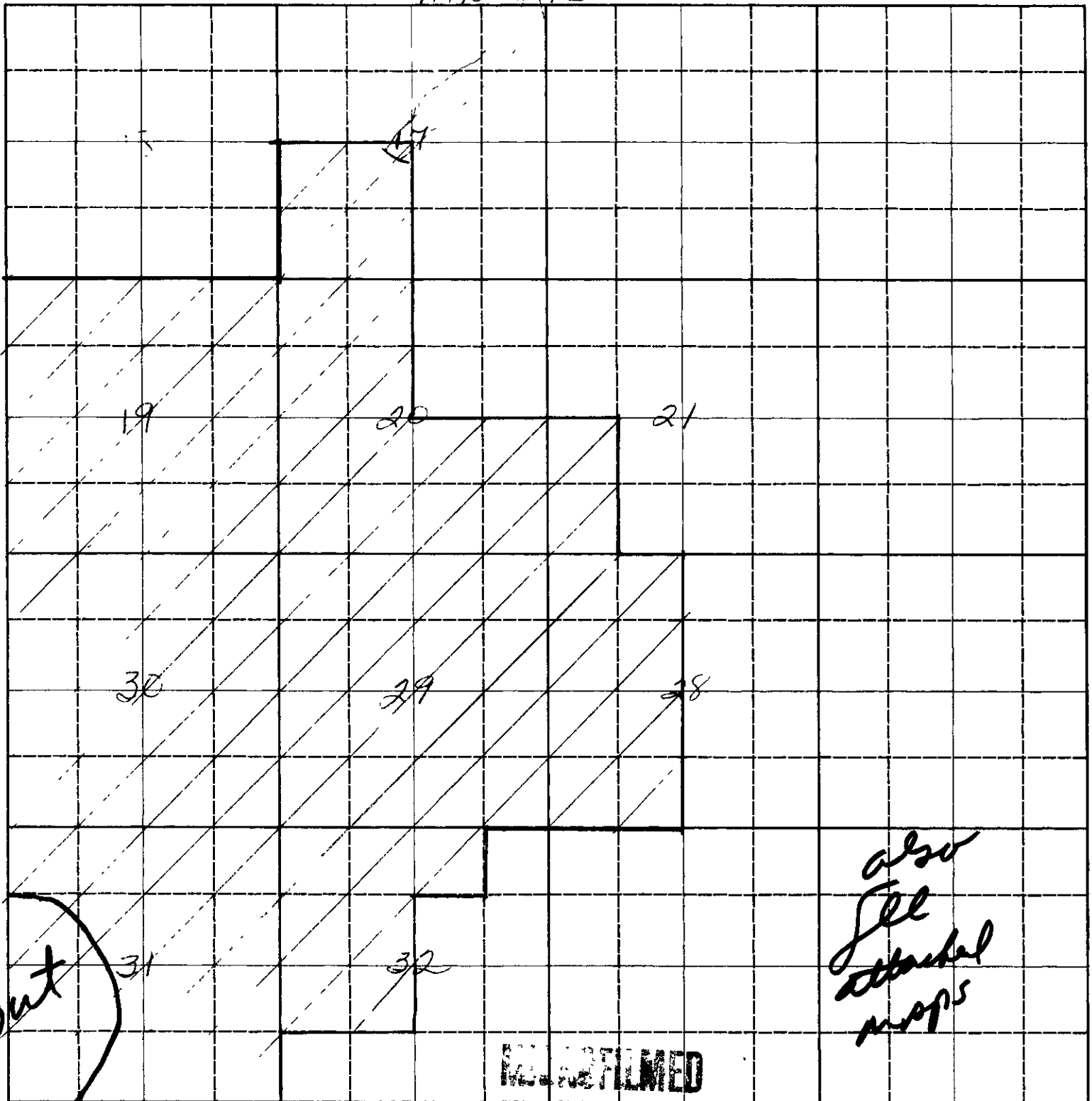
SEE 12/20/90
MEMO

SL

12/17/90

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

T14N-R4E



Scale 2 inches equal 1 mile

March 23 1931

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

[Signature]
(Applicant)

* per 12/17/90 telecon with
Phil Davis, Vice President. SL

RECEIVED

MAR 28 1991

e Other:

d The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit

c The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land

_____, 19____

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a SUBJECT TO ALL PRIOR WATER RIGHTS.

1 Approval of said application is subject to the following limitations and conditions

Idaho No. _____, and said application is hereby _____

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by _____ Date 3-24-89 Time 9:00 AM
Fee \$ 175.00
Received by _____ Date 3-20-89
Publication prepared by _____ Date 1-9-91
Published in _____
The Advocate & Star News
Date 3/20/89
Advised Statewide
1/2 & 1/9/91
* Advertiser
Date 2-14-91
Publication approved
ID Statesman, Lewiston News, Time News and Post Registrar on 1/3 & 1/10/1991.

65-13019

9000 = 171

810 = 1000

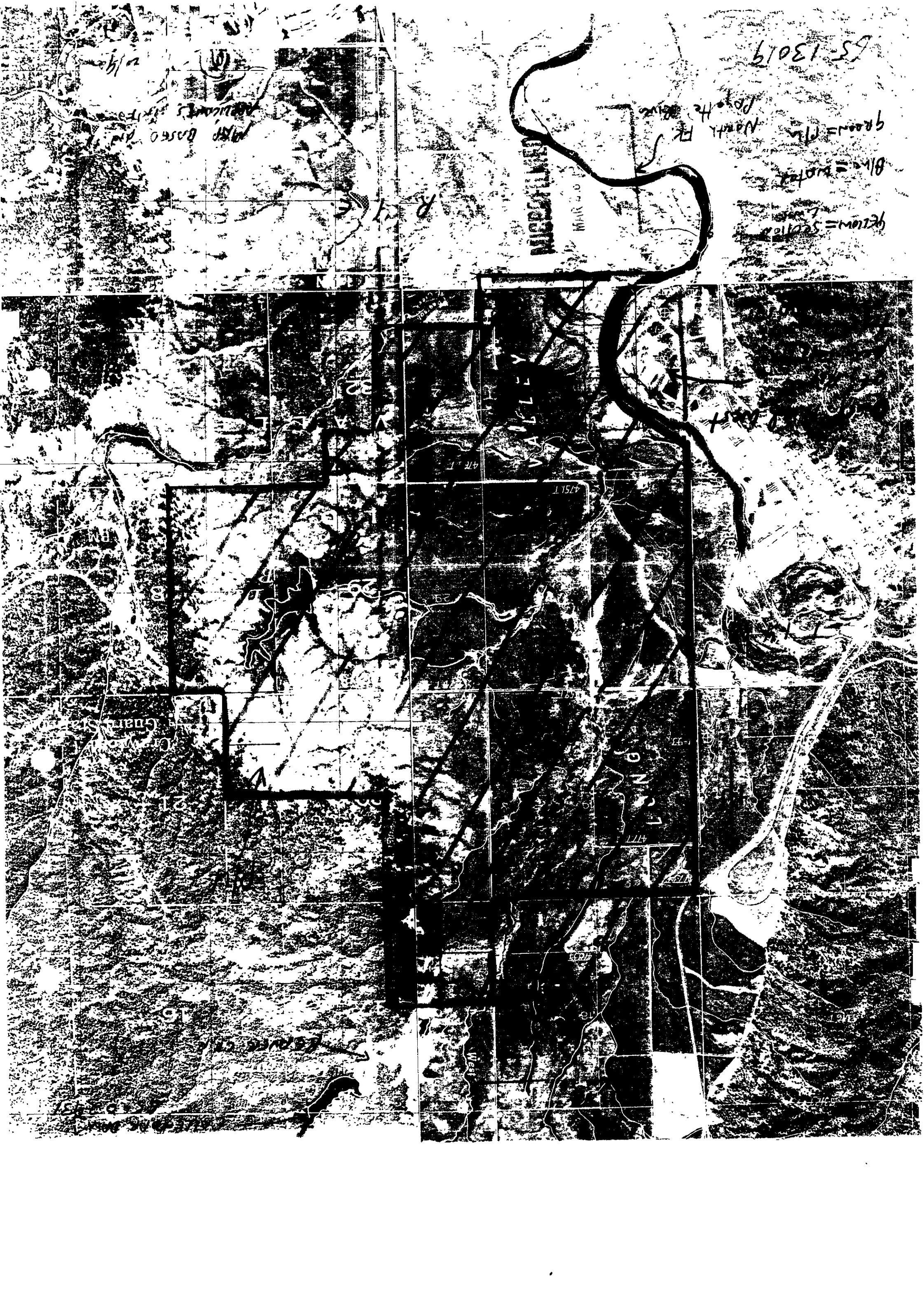
Section = 5000

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APPLICABLE



65-13019

Sec 16

T. 14N.
R. 4E.

Sec. 21

Sec. 28.

Sec. 33.

Sec. 17.

Sec. 20.

Sec. 29.

Sec. 32.

Sec. 18.

Sec. 19.

Sec. 30.

Sec. 31.

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Sec. 29.

Sec. 32.

Sec. 18.

Sec. 19.

Sec. 30.

Sec. 31.

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N 89° 54' E.

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Ident. No. 65-13019

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: DAVIS CATTLE CO. 208-382-4892
Address: HC 71 BOX 2005
CASCADE, ID 83611
2. Source: BEAVER CREEK Trib. to: PAYETTE RIVER, NORTH FORK
3. Location of Point of Diversion: NESW Sec. 17, Township 14N, Range 04E
VALLEY County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION STORAGE	01/01	12/31			2500.00
IRRIGATION FROM STORAGE	05/01	09/30			2500.00
5. Total quantity to be appropriated is:
CFS (and/or) 2500.00 AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
TOM J. DAM AND OPEN DITCH
 - b. Height of storage dam 65 feet; active reservoir capacity 3600.00
acre-feet; total reservoir capacity 3600.00 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 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 5 years. **RECEIVED**
8. Description of proposed uses:
SUPPLEMENTAL IRRIGATION
9. Place of Use: IRRIGATION STORAGE

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
14N	04E	17	NESW 40	NWSW 40	SWSW 40	
			SESW 40			160
		19	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	LOT 1(NWNW) 39.9	
		LOT 2(SWNW)	39.8	SENW 40	NESW 40	

Place of Use: IRRIGATION STORAGE

TWN	RGE	SEC	LOT	3(NWSW)	ACRES	LOT	4(SWSW)	ACRES	SESW	ACRES	TOTAL
				NESE	40		NWSE	40	SWSE	40	
				SESE	40						639.2
		20		NENW	40		NWNW	40	SWNW	40	
				SENW	40		NESW	40	NWSW	40	
				SWSW	40		SESW	40	NESE	40	
				NWSE	40		SWSE	40	SESE	40	480
		21		NWSW	40		SWSW	40			80
		28		NENW	40		NWNW	40	SWNW	40	
				SENW	40		NESW	40	NWSW	40	
				SWSW	40		SESW	40			320
		29		NENE	40		NWNE	40	SWNE	40	
				SENE	40		NENW	40	NWNW	40	
				SWNW	40		SENW	40	NESW	40	
				NWSW	40		SWSW	40	SESW	40	
				NESE	40		NWSE	40	SWSE	40	
				SESE	40						640
		30		NENE	40		NWNE	40	SWNE	40	
				SENE	40		NENW	40	LOT 1(NWNW)	39.6	
			LOT 2(SWNW)	39.5			SENW	40	NESW	40	
			LOT 3(NWSW)	39.4		LOT 4(SWSW)	39.3		SESW	40	
				NESE	40		NWSE	40	SWSE	40	
				SESE	40						637.8
		31		NENE	40		NWNE	40	SWNE	40	
				SENE	40		NENW	40	LOT 1(NWNW)	33.7	
			LOT 2(SWNW)	3.3		LOT 2(SENW)	30		LOT 5(NESW)	16.6	
			LOT 6(SWSW)	2		LOT 6(ESW)	28		NESE	40	
				NWSE	40		SWSE	40	SESE	40	473.6
		32		NWNE	40		NENW	40	NWNW	40	
				SWNW	40		SENW	40	NESW	40	
				NWSW	40						280
Total number of acres irrigated:											3710.6

PLACE OF USE: Irrigated from Storage same as
Irrigation storage (per town data standards)

10. Describe any other water rights used for the same purposes.
65-07312, 65-07649, 65-07777, 65-12202

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

APPLICANT

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

APPLICANT

c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

Ident. No. 65-13019
Page 3

12. Remarks:

WATER IS STORED IN THE TOM J. RESERVOIR.

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

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

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECORDED

MAY 6 1991

Affidavit of Publication

No 21953

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated January 17, 1991, and ending with the issue dated January 24, 1991.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published, and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 24 day of January in the year of 1991, before me, a Notary Public, personally appeared Linda Capps McGuire, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same

Dorena R. Zeltman
Notary Public for Idaho

Residing at

My commission expires:

Twin Falls County
5/19/94

LEGAL NOTICE LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
65-13019 ✓ *st*

DAVIS CATTLE CO.

HC 71 BOX 2005

CASCADE, ID 83611

Source: BEAVER CREEK

Tributary: PAYETTE RIVER, NORTH FORK

Diversion Pt: NESW Sec 17 T 14N R 04E

Use: IRRIGATION STORAGE (2500.00 AF)

IRRIGATION FROM STORAGE (2500.00 AF)

Total Diversion: (2500.00 AF)

Date Filed: 3/20/1989

In: T14N R04E S17 NESW NWSW SWSW SESW

S19 NENE NWNE SWNE SENE

NENW Lot 1 (NWNW) Lot 2 (SWNW) SENW

NESW Lot 3 (NWSW) Lot 4 (SWSW) SESW

NESE NWSE SWSE SESE

S20 NENW NWNW SWNW SENW

NESW NWSW SWSW SESW

NESE NWSE SWSE SESE

S21 NWSW SWSW

S28 NENW NWNW SWNW SENW

NESW NWSW SWSW SESW

S29 NENE NWNE SWNE SENE

NENW NWNW SWNW SENW

NESW NWSW SWSW SESW

NESE NWSE SWSE SESE

S30 NENE NWNE SWNE SENE

NENW Lot 1 (NWNW) Lot 2 (SWNW) SENW

NESW Lot 3 (NWSW) Lot 4 (SWSW) SESW

NESE NWSE SWSE SESE

S31 NENE NWNE SWNE SENE

NENW Lot 1 (NWNW) Lot 2 (SWNW) Lot 2 (SENW)

Lot 5 (NESW) Lot 6 (SWSW) Lot 6 (SESW) NESE

NWSE SWSE SESE

S32 NWNE NENW NWNW SWNW

6ENW NESW NWSW

3710.6 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 FEBRUARY 4, 1991.

R. KEITH HIGGINSON, Director

PUBLISH: Thursday, January 17 and 24, 1991.

RECEIVED

FEB 04 1991

Publisher's Affidavit of Publication

NOTICE OF APPLICATION FOR
WATER RIGHT

STATE OF IDAHO

.SS

County of Valley

I, Bobette S. Steffler, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho, that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION FOR WATER RIGHT, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began January 17, 1991 and ended January 24, 1991

Subscribed and sworn before me this the 31st day of January, 1991

STATE OF IDAHO

COUNTY OF VALLEY

On this 31st day of January, in the year of 1991, before me, a Notary Public, personally appeared Bobette S. Steffler, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

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

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

65-13019

DAVIS CATTLE CO.

HC 71 BOX 2005

CASCADE, ID 83611

Source: BEAVER CREEK

Tribe: PAYETTE RIVER, NORTH FORK

Diversion Pt: NESW Sec 17 T 14N R 04E

Use: IRRIGATION STORAGE (2500.00 AF)

IRRIGATION FROM STORAGE (2500.00 AF)

Total Diversion: (2500.00 AF).

Date Filed: 3/20/1989

In: T14N R04E S17 NESW NW1SW SW1SW

SE1SW

S19 NENE NW1NE SW1NE SENE NENE Lot 1

(NW1N) Lot 2 (SW1N) SENE NESW Lot 3

(NW1N) Lot 4 (SW1N) SENE NESW

SW1SE

S20 NENE NW1N SW1N SENE NESW

NW1SW SW1SW SENE NESW

SE1SE

S21 NW1SW SW1SW

S28 NENE NW1N SW1N SENE NESW

NW1SW SW1SW SE1SW

S29 NENE NW1NE SW1NE SENE NENE

NW1N SW1N SENE NESW NW1SW

SW1SW SE1SW NENE NESW SE1SE

S30 NENE NW1NE SW1NE SENE NENE Lot 1

(NW1N) Lot 2 (SW1N) SENE NESW Lot 3

(NW1N) Lot 4 (SW1N) SENE NESW

SW1SE

S31 NENE NW1NE SW1NE SENE NENE Lot 1

(NW1N) Lot 2 (SW1N) Lot 2 (SE1N) Lot

5 (NE1SW) Lot 6 (SW1SW) Lot 6 (SE1SW)

NENE NESW SE1SE

S32 NENE NENE NW1N SW1N SENE

NW1SW

3710.6 ACRES TOTAL

65-13301

STATE OF IDAHO

DEPT. OF LANDS

STATEHOUSE

BOISE, ID 83720

Source: GROUNDWATER

Diversion Pt: LOT 2 (NESE) Sec 32 T 19N R

03E

LOT 2 (NWSE) Sec 32 T 19N R 03E

Use: DOMESTIC (040 CFS)

Total Diversion: (040 CFS)

Date Filed: 12/24/1990

In: T19N R03E S32 Lot 2 (NESE) Lot 2

(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 FEBRUARY 4, 1991.

R. KEITH HIGGINSON, Director 241/24

Proof of Publication The Post-Register

FEB 04 1991
Department of Water Resources
Western Regional Office

State of Idaho, }
County of Bonneville } ss

I, ... Ted. Delezene , first being duly sworn, depose and say: That I am the
. Foreman of The Post Company, a corporation of Idaho Falls, Bonneville
County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except
Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in
the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903,
such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been
published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and
said Post-Register having been published continuously and uninterruptedly from the date of such consolidation,
up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in
said Post-Register for . . . Two Issues consecutive weeks, first publication having been made
on the 17th day of January , 19 91 . . . , last publication
having been made on the . . . 24th day of January , 19 91 . . . , and that the
said notice was published in the regular and entire issue of said paper on the respective dates of publication, and
that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this . . . 1st . . . day of

February . . . , 19 91.

Ted Delezene
Cathy von Borstel
Notary Public

My commission expires

March 5 . . . , 19 96

N E OF APPLICATION
R WATER RIGHT

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

65-13019

DAVIS CATTLE CO.

HC 71 BOX 2005

CASCADE, ID 83611

Source BEAVER CREEK; Tributary

PAYETTE RIVER, NORTH FORK

Diversion Pt: NESW Sec 17 T 14N R 04E

Use: IRRIGATION STORAGE

(2500.00 AF)

IRRIGATION FROM STORAGE

(2500.00 AF)

Total Diversion. (2500.00 AF)

Date Filed: 3/20/ 1989

In: T14N R04E S17 NESW NWSW SWSW
SESW

S19 NENE NWNE SWNE SENE NENW

Lot 1 (NWNW) Lot 2 (SWNW) SENW

NESW Lot 3 (NWSW) Lot 4 (SWSW)

SESW NESE NWSE SWSE SESE

S20 NENW NWNW SWNW SENW

NESW NWSW SWSW SESW NESE

NWSE SWSE SESE

S21 NWSW SWSW

S28 NENW NWNW SWNW SENW

NESW NWSW SWSW SESW

S29 NENE NWNE SWNE SENE NENW

NWNW SWNW SENW NESW NWSW

SWSW SESW NESE NWSE SWSE SESE

S30 NENE NWNE SWNE SENE NENW

Lot 1 (NWNW) Lot 2 (SWNW) SENW

NESW Lot 3 (NWSW) Lot 4 (SWSW)

SESW NESE NWSE SWSE SESE

S31 NENE NWNE SWNE SENE NENW

Lot 1 (NWNW) Lot 2 (SWNW) Lot 2

(SESW) Lot 5 (NESW) Lot 6 (SWSW) Lot

6 (SESW) NESE NWSE SWSE SESE

S32 NWNE NENW NWNW SWNW

SESW NESW NWSW

3710.6 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 FEBRUARY 4,
1991.

R KEITH HIGGINSON, Director

Published: January 17, 24, 1991

The Idaho Statesman

P O BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

16.44

Account Number 47628		Identification Notice of Application for Water Right	
Ordered By Gail Garrett	P.O. Number	Rate nt	Run Dates January 17, 24, 1991
Idaho Dept. of Water Resources Western Region 2735 Airport Way Boise ID 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 7378

JAN 25 1991

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the waters of the State of Idaho:

DAVIS CATTLE CO.

PO BOX 1001

CRANE CREEK

PROPERTY: JACQUETTE RIVER,

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

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SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

SECTION 17 T 14 N R

Idaho Dept. of Water Resources

Boise, Idaho 83705

Cherami J. Snow, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto, that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for two

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of Jan. 17, 1991

and ending with the issue of Jan. 24, 1991

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 24th day of January in the year of 1991

before me, a Notary Public, personally appeared Cherami J. Snow

known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same

Cherami J. Snow
Notary Public for Idaho

Residing at Boise, Idaho

My commission expires: 12/93

R. KEITH HIGGINSON

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

Date _____ INVOICE No. _____
Account No. _____
Description _____
Times _____ Lines _____
Tab Lines _____ 96

SOLD TO:

\$ _____

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

IDAHO, ss.
Nez Perce

_____, being duly sworn,
says, I am the _____, _____,
Publishing Company, a corporation organized and existing
under the laws of the State of Idaho, publishers of the
MORNING TRIBUNE, a newspaper of general circulation
in Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly at least once a day for more than 21 consecutive
days immediately preceding the first publication of this notice, and
has been published uninterrupted for said period; that the

_____, OF APPLICATION
and which is made a part of this affidavit was published in
the _____ Morning Tribune, _____ time(s). Publication be-
gan on _____, or once a
_____ for _____ consecutive _____, the first
publication being on the _____, and the last pub-
lication being on the _____, and said

_____, OF APPLICATION
appeared in the regular and entire issue of said newspaper and
content thereof and was so published in every issue and
said paper, during the period and times of publication as

Lee Baumeister

AND SWORN BEFORE ME THIS THE 28

Sheryl M. Lentz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

Western Regional Office

APR 28 1991

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date _____ INVOICE No. _____

Account No. _____

Description _____

Times _____ Lines _____

Tab Lines _____ 96

\$ _____

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

_____, being duly sworn,
deposes and says, I am the _____
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, _____ time(s). Publication be-
ing on _____, or once a
_____ WEEK for _____ consecutive _____ WEEKS, the first
publication thereof being on the _____, and the last pub-
lication thereof being on the _____, and said

NOTICE OF APPLICATION
was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____
day of _____, 1991

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

Affidavit of publication

STATE OF IDAHO

COUNTY OF VALLEY

I, Fred K. O'Brien, being duly sworn deposes and says, I am the Publisher of *The Advocate*, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The *Advocate for Water BT*, a copy of which is attached hereto, was published in said newspaper once a week for *2* consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began:

1-17, 19 *21*

and ended *1-24*, 19 *21*

Subscribed and sworn before me, this

24th day of *January*, 19 *21*

day of *January*, 19 *21*

I, a Notary Public in and for the State of Idaho, state that said person, Fred O'Brien, did in fact present me with this document and I did witness his signature on the document.

Harold B. Harrison
Notary Public residing at Cascade, Idaho





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 28, 2002

DONALD J WATTS
A & B ENGINEERING
836 LA CASSIA
BOISE ID 83705

RE: Staff gauge at the Tom J Dam

Dear Mr Watts

I am responding to your inquiry about the need for a staff gauge at the Tom J Dam. I have spoken with Mike Stubblefield, and he indicated that a staff gauge is not necessary for dam safety purposes. Under Water Right Licenses 65-12202 and 65-13019, however, measuring devices are required for water right regulation purposes. Both of the licenses carry the following condition:

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

For an on-stream reservoir within a water district, IDWR requires measuring devices and lockable controlling works so that the watermaster can ensure that the reservoir is not being filled out of priority. IDWR usually prefers to see flow-measuring devices, such as weirs, upstream from the slack water of the reservoir and downstream from the dam.

I understand that the watermaster for Water District 65 does not usually regulate diversions above Black Canyon on a regular basis. However, the need for regulation is periodically re-evaluated. IDWR can waive measuring device requirements when regulation is not likely to be required. If you want to petition for a waiver of the measuring device requirement, please obtain the written recommendation of Water District 65 and submit it with your petition. Otherwise, IDWR expects to see the installation of measuring devices that will enable monitoring of water stored and released from Tom J. Reservoir. If you have questions about the feasibility of a particular measuring device or method, please submit a written proposal for IDWR to review.

If you have any questions, please call me at 208-327-7946, or email me at skeen@idwr.state.id.us.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

c: Mike Stubblefield

MICROFILMED
MAR 27 2002

A&B ENGINEERING

836 LA CASSIA
BOISE, ID 83705
PHONE (208) 342-7751
FAX (208) 383-1183

RECEIVED
JAN 17 2002

Idaho Department of Water Resources

1/15/2002

Mr. Shelley Keen
Idaho Department of Water Resources
1301 N. Orchard St
Boise, ID 83706

Dear Mr. Keen:

At the recommendation of Mike Stubblefield of the Dam Safety division I am writing on behalf of Phil Davis of Cascade. A staff gauge was required as a condition of approval for the Tom J. Dam and the water right for the reservoir storage. Mr. Davis would like to have the staff gauge condition waived and Mike felt that although he has no objection to the removal of the condition the request should be routed through you since the requirement originated with the Water Rights division.

The water source for the reservoir is Beaver Creek and the Davis family are the only water rights holders on the stream so no distribution problems would result from the lack of a staff gauge. As a practical matter it is extremely difficult and costly to install a staff gauge that will stand up to the ice pressures in the prevailing climatic conditions. In the situation described the owners feel, and I tend to agree, that the staff gauge would be an unwarranted expense that would serve no useful purpose. DWR would still have the authority to order a suitable gauge installed if future conditions warrant such an installation.

We would appreciate your earnest consideration of this request. If you have any questions or clarification, please feel free to call me at 342-7751 or Phil Davis at (208)382-4892. Thank you for your consideration in this matter.

Sincerely,



Donald J. Watts, P.E., P.L.S.

MICROFILMED

MAR 27 2002



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

December 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVIS CATTLE CO
19 WARM LAKE HWY
CASCADE ID 83611

RE: WATER RIGHT NO. 65-13019

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 described in the enclosed information sheet.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

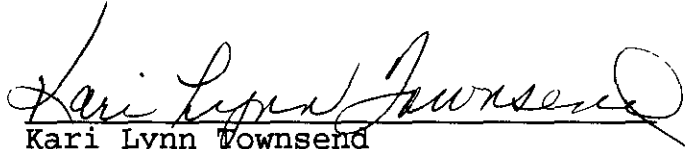
MICROFILMED
DEC 24 1999

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of December, 1999, 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. 65-13019

DAVIS CATTLE CO
19 WARM LAKE HWY
CASCADE ID 83611


Kari Lynn Townsend
Secretary

RECORDED
DEC 23 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order 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 the 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 a 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, a preliminary order will become a final order of the Department.

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

ORAL ARGUMENT

If the Department grants a petition to review a 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.

MICROFILMED

DEC 29 1999

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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

MICROFILMED

DEC 7 - 1999

Memorandum

To: File 65-12202 & 65-13019

From: Kay Walker 

Date: 12/06/99

Re: Season of Use Recommendations
.....

In review of the season of use for these proposed licenses, I found the recommended season of use for this area to be April 15 through October 31. The permits for these rights had an irrigation from storage season of use of May 1 to September 30. To make the proposed licenses consistent I have changed the season of use to the recommended season per our new irrigation season of use map.

I tried to contact Phil Davis to let him know of our new proposed season of use but only got his answering machine. I left a message for Mr. Davis telling him what we planned to do and told him to contact me if he had a problem with the expanded irrigation season of use.

MICROFILMED

DEC 25 1999



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

November 19, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVIS CATTLE CO
19 WARM LAKE HWY
CASCADE ID 83611

RE: WATER RIGHT NO. 65-13019

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion and place(s) of use developed are in locations other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the point(s) of diversion and place(s) of use and other information as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7944.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

DEC 29 1999

Memorandum

To: Files 65-07777, 65-12202, 65-13019 & 65-13619

From: Kay Walker

Date: 11/18/99

Re: Licensing Recommendations
.....

I met with Phil Davis, Sheryl Chapman and Sue Bock at Western Region on October 26, 1999, to go over the licensing recommendations for the above rights and they also went over their SRBA recommendations. We discussed the licensing amendments and found changes need to be made.

Permit 65-12202 – Mr. Davis would like to have 1300 acre feet under this right which is the amount Steve recommended with additional exam fee submittal. Mr. Davis will be submitting an additional \$100.00 to increase the exam fee paid so that we can allow more water under this earlier priority right – per Steve's memo of 2/28/91 this is an acceptable way to allow the increased amount of storage water and the amount that was developed at time of the exam. Late exam fee submitted 11/2/99 under Receipt No. C047006.

Mr. Davis took an assignment of permit form for Permit Nos. 65-07777 & 65-12202 which were in his father's name. He said these permits should be in the name of Davis Cattle Company like the rest of these permits. He will have his father sign the assignment form and return it when he submits the additional exam fee. Mr. Davis returned the assignment form changing the names to Tom J. Davis &/or Davis Cattle Company.

Permit 65-13019 – Reduce the amount of water to 1360 acre feet after receiving the additional exam fee for 65-12202.

Permit 65-13619 – They were happy with the recommendations for this permit. I held onto the application for licensing amendment so we could send them all out for signature together.

MICROFILMED
DEC 23 1999

Memorandum

To: Files 65-12202 & 65-13019

From: Kay Walker *KW*

Date: 11/03/99

Re: Licensing Recommendations
.....

In reviewing the SRBA recommendations along with these proposed licenses I found a couple of other rights which were not addressed in the overlap review of this storage reservoir also known as the "Tom J". Sue Bock had contacted Mr. Davis to find out if these rights should be recognized as being stored in Tom J. He stated that Callender Reservoir had been inundated by Tom J and those rights should now be shown under the Tom J.

License 65-02920 400. Acre feet
License 65-02931 250. Acre feet
License 65-03579 50. Acre feet
Permit 65-12202 1300. Acre feet
Permit 65-13019 1360. Acre feet

Total = 3360. Acre feet

The recommended storage capacity for Permit 65-13019 will be as shown above.

MICROFILM

DEC 29 1999

Memorandum

To: Files 65-12202, ~~65-13019~~ & 65-13619

From: Kay Walker

Date: 10/15/99

Re: Licensing Recommendations
.....

See File 65-07777 for map of entire place of use that is being used in SRBA as well as in licensing the four permits. File 65-07777 also contains the overlapping right profile reports for all of the rights used on the permissible place of use.

MICRO-REC
10/15/99

WR-NUMBER	SOURCE*****	PRIORITY**	STG	TWP	RGE	SN	QQQ***	LOT CFS*****	AFY*****	ACRES**	USE1	USE2	USE3	PRF
R65-03582	PEARSOL CREEK	04/01/1931	D	14N	04E	28	NWNE		11.92	1200.0	1254.2	01	02	03
R65-03582	UNNAMED STREAM	04/01/1931	D	14N	04E	28	NWNE		11.92	1200.0	1254.2	01	02	03
R65-03580	PAYETTE RIVER, NORTH FORK	04/01/1917	D	14N	03E	26	NENE	5	0.84	1764.7	1764.7	01		C
R65-04031A	PAYETTE RIVER, NORTH FORK	04/01/1957	D	14N	03E	26	NENE	5	3.00	1764.7	1764.7	01		C
R65-04031B	PAYETTE RIVER, NORTH FORK	04/01/1964	D	14N	03E	26	NENE	5	7.18	1764.7	1764.7	01		C
R65-04031X	PAYETTE RIVER, NORTH FORK	04/01/1917	D	14N	03E	26	NENE	5	2.50	1764.7	1764.7	01		C
R65-02931	BEAVER CREEK, WEST FORK	08/14/1941	D	14N	04E	5	SWNE		250.0	2282.1	2282.1	02	03	C
R65-07312	BEAVER CREEK, WEST FORK	10/16/1972	L	15N	04E	28	SWNW		2000.0	2282.1	2282.1	02	03	
R65-07312	FLAT CREEK	10/16/1972	L	15N	04E	28	SWNW		2000.0	2282.1	2282.1	02	03	
R65-07649	BEAVER CREEK, WEST FORK	09/04/1976	L	15N	04E	28	SWNW		1000.0	2282.1	2282.1	02	03	
R65-07649	FLAT CREEK	09/04/1976	L	15N	04E	28	SWNW		1000.0	2282.1	2282.1	02	03	
R65-07777	FLAT CREEK	12/03/1976	P	15N	04E	20	SWSE		15.00	2985.0	2985.0	01		
R65-02536	BEAVER CREEK	09/21/1950	D	14N	04E	17	NESW		5.60	3093.5	3093.5	01		
R65-02832	BEAVER CREEK	06/14/1966	D	14N	04E	17	NESW		8.60	3093.5	3093.5	01		
R65-02920	UNNAMED STREAM	09/07/1928	D	14N	04E	29	SENE		4.60	400.0	3093.5	01	02	03
R65-03579	BEAVER CREEK	10/31/1935	D	14N	04E	17	SENW		50.0	3093.5	3093.5	02	03	
R65-03583	BEAVER CREEK	04/01/1900	D	14N	04E	17	SWNW		8.24	3093.5	3093.5	01		

WR-NUMBER*	SOURCE*****	PRIORITY**	STG	TWP	RGE	SN	QQQ**	LOT	FLG	CFS*****	AFY*****	ACRES**	USE1	USE2	PRF
65-02536	BEAVER CREEK	09/21/1950	D	14N	04E	17	NESW			5.60		256.0	01		
65-02832	BEAVER CREEK	06/14/1966	D	14N	04E	17	NESW			8.60		443.0	01		
65-02920	UNNAMED STREAM	09/07/1928	D	14N	04E	29	SENE			4.60	400.0	248.0	01	03	
65-02931	BEAVER CREEK	08/14/1941	D	14N	04E	17	NWNW				250.0	403.0	03		
65-03579	BEAVER CREEK	10/31/1935	D	14N	04E	17	NWNE				50.0	606.0	03		
65-03580	PAYETTE RIVER, NORTH FORK	04/01/1917	D	14N	03E	26	NENE	5		0.84		44.0	01		
65-03582	PEARSOL CREEK	04/01/1931	D	14N	04E	28	NWNE			11.92	1200.0	595.0	01	03	
65-03582	UNNAMED STREAM	04/01/1931	D	14N	04E	28	NWNE			11.92	1200.0	595.0	01	03	
65-03583	BEAVER CREEK	04/01/1900	D	14N	04E	17	SENW			8.24		412.0	01		
65-04031A	PAYETTE RIVER, NORTH FORK	04/01/1957	D	14N	03E	26	NENE	5		3.00		634.0	01		
65-04031B	PAYETTE RIVER, NORTH FORK	04/01/1964	D	14N	03E	26	NENE	5		7.18		634.0	01		
65-04031X	PAYETTE RIVER, NORTH FORK	04/01/1917	D	14N	03E	26	NENE	5		2.50		634.0	01		
65-07312	BEAVER CREEK, WEST FORK	10/16/1972	L	15N	04E	20	SESE				2000.0	2304.0	02	03	
65-07312	FLAT CREEK	10/16/1972	L	15N	04E	20	SESE				2000.0	2304.0	02	03	
65-07649	BEAVER CREEK, WEST FORK	09/04/1976	L	15N	04E	28	SWNW				1000.0	2304.0	02	03	
65-07649	FLAT CREEK	09/04/1976	L	15N	04E	28	SWNW				1000.0	2304.0	02	03	
L65-07777	FLAT CREEK	12/03/1976	L	15N	04E	21	SWSE			6.26	2480.0	2282.1	01		
L65-07777	UNNAMED STREAMS	12/03/1976	L	15N	04E	21	SWSE			6.26	2480.0	2282.1	01		
L65-12202	BEAVER CREEK	04/02/1979	L	14N	04E	17	SENW				1300.0	3093.5	02	03	
L65-13019	BEAVER CREEK	05/27/1989	L	14N	04E	17	SENW				1360.0	3093.5	02	03	
L65-13619	PAYETTE RIVER, NORTH FORK	05/15/1995	L	14N	03E	26	NENE	5		3.96	594.0	198.0	01		

LICENSE REVIEW CHECKLIST

Permit No 65-13019

Date: 10/4/99

Reviewer: Kay Walker

Change/OK

Name/Address

change mail address per other permits & SRBA claims

Source

Point of Diversion

ok change

Does change clarify original intended source? If no, void permit

Change (P39/P47) Add (P45/P42) Feds (P43)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

change

Change (P41/P47) Add (P41/P42) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps Right(s):

see list on field exam

File reviewed Profile reports printed

see file 65-07777

PID & PIU amend (P37) Feds (P48)

for profiles of SRBA "R"s which overlap

Rate of Diversion:

Permitted rate 2500. AF

Fee Limit

Measured

Theoretical

certified examiner
3360. AF

Recommended Total Diversion Rate

2460. AF

*capacity = 3360.
65-12202 = 900.
2460. remaining*

Water Uses

ok

Change (P46)

Irrigation cfs af

Stockwater cfs af

Domestic cfs af

cfs af

cfs af

Total cfs af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp Gw (WB7/065/079)

overlap spec combined rts (W35)

>1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/07/27A)

Volume Determination

cfs x 1 9835 x days = af (vs) acres x 3.0 (FHR) = af

Remarks

Additional Conditions

☒ Watermaster Control

☐ GW Measurement/Measuring Device

☐ Other

Trust (052/R55 - remove 051)

Non-trust (048/049)

Government Lots? ☒

Advance Priority? ☒ yes

☒ no

If yes, explain why below

SRBA Claim?

N/A

Adjust memo

Amend Letters

P37, P87, S06

Conditions

R04-65

R43

R40

R62

Remarks

W36- 65-12202

W35

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 29 1999

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13019

1. Owner: Davis Cattle Co Phone No. 382-4892

Current Address: _____

2. Accompanied by: Applicant EXAM DATE: 10/3/1991

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Beaver Creek tributary to Payette River, N. Fk.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: See remarks

2. Other water rights with the same point of diversion: 65-12202

C. DIVERSION AND DELIVERY SYSTEM

1 Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NW	17	14N	4E	Valley	USGS Quad, CFSA Photo
									MICROFILMED
									DEC 29 1999

2 Place(s) of Use

Indicate Method of Determination same as above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	3E	24				1									69			5.5	13.4
		25	16			20									29			32.1	97.1
															Lt 9			Lt 12	
	4E	8											17	7.9					24.9
		17					10	33	32	4	20	33	40	29.1					197.5
		18													10		13	40	63
		19	40	40	40	40	40	17	36	40	40	40	40	40	40	40	40	40	613
								Lt 1	Lt 2			Lt 3	Lt 4						
		20					14	40	37	1	23	39	40	32			27	20	252.3
		21											10						10
		28						11											11
		29	40	40	40	15	40	40	40	40	40	40	40	40	8	39	31		533
		30	40	40	40	40	40	40	39	40	40	39	39	40	40	40	40	40	637
								Lt 1	Lt 2			Lt 3	Lt 4						
		31	40	40	40	40	40	33	1.7	28	15.3			29.2	3	40	40		390.2
								Lt 1	Lt 2										
		32		12	1		40	40	40	40	38	39				11			251.1

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

SEE ATTACHED NOTES DATED 5/22/99 IN FIELD EXAM FILE 65-07777.

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

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

Y Photo of Diversion and System Attached

See File 65-07777

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: Dam safety data & measurements used for Tom J. dam (D65-12202)

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DEC 24 1999

E. NARRATIVE/REMARKS/COMMENTS

John Noyes conducted a partial exam on this right in 1984-'87. Steve Lester completed the exam in 1991. The p/u consists of several overlapping water rights and sources. In an effort to coincide with SRBA recommendations, the p/u determination was delayed with the thought of allowing a ppu for all the rights.

On 8/16/1999, Sue Bock and myself met with Phil Davis and Sherl Chapman. Based on CFSA photos and GIS maps, we determined which acres could be irrigated with which water considering the reservoir locations and the existing ditch system. As a result, more than one ppu was recommended for the Davis property because of system limitations.

The Tom J. reservoir capacity is 3360 afa. Although permit 65-12202 lists 3600 afa, proof was filed for only 900 afa. Permit 65-13019 was then filed for the additional volume.

The ppu for water diverted from the Tom J. reservoir is 3093.5 acres. A portion of those acres overlap with the ppu recommended for water diverted from the Jamima K. reservoir. Therefore,

this right and 65-13019 are limited to the irrigation of 3093.5 acres within the irrigation of the combined total of 4,831 acres in a single irrigation season. Combined right nos.: 65-02536, 65-02832, 65-02920, 65-03579, 65-03583, 65-02931, 65-07312, 65-07649, 65-07777, 65-04031A, 65-04031B, 65-04031X, 65-03580, 65-03582. This recommendation coincides with the SRBA recommendations submitted to the court for decree.

The property is irrigated via ditch and gravity irrigation. No other rights are used other than those listed above.

Note: Period of use was recommended as listed on permit. The recommendations on this report coordinate with the recommendations for permit 65-12202 and replaces the field exam report submitted by Sherl Chapman for permit 65-13019 in 1996.

Please see File 65-07777 for field exam notes and photos and file 65-12202 for Gis maps of ppu.

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

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DEC 29 1999

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

N/A

G. VOLUME CALCULATIONS

1 Volume Calculations for Irrigation.

 $V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses:

Per D65-12202 File: 3360 afa reservoir capacity

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation Storage	1/1	12/31	_____	2460
Irrigation Fr. Stor.	5/1	9/30	_____	2460
Totals:			_____	2460

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

Lori Graves - Senior Agent

Field Examiner's Name

Lori Graves

Date

9/27/99

Reviewer _____

Date _____

SEAL

MICROFILMED

DEC 29 1999

Should questions arise during the processing of this application please contact:
 Form 219
 8/92
 SHERL L. CHAPMAN
 410 S. Orchard, Suite 144
 Boise, ID 83705
 344-6690

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
 MAY 08 1996
 WATER RESOURCES
 WESTERN REGION

A. GENERAL INFORMATION

Permit No. 65-13019

1. Owner: Davis Cattle Company Phone No. 208-382-4892

Current Address: 19 Warm Lake Highway, Cascade, ID 83611

2. Accompanied by: Phil Davis EXAM DATE: 4/26/96

Address: same as above Phone No. same as above

Relationship to Permit Holder: Principal

3. Source: Beaver Creek tributary to North Fork Payette River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: See Exhibit "1"

2. Other water rights with the same point of diversion: 65-02002; 02536; 02832; 12202

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
			NE	SW	17	14N	4E	Valley	Field/Aerial Photo

2. Place(s) of Use:

Indicate Method of Determination Aerial Photo-Field

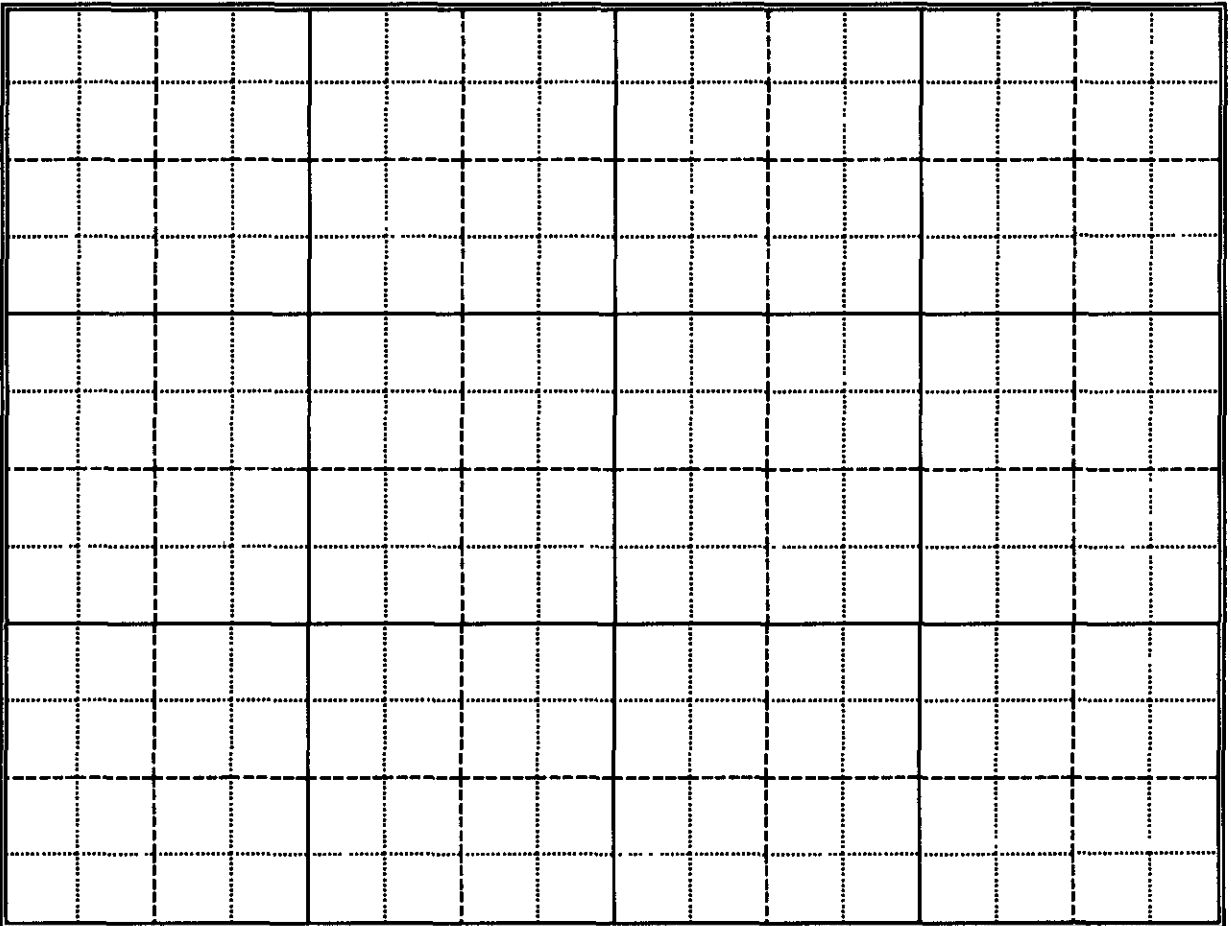
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	4E	17						9	18		12	33	37	21					130
14N	4E	18			3	9	3			5	3			6	38	38	38	37	180
14N	4E	19	37	38	38	38	39	39	39	40	40	40	39	38	39	39	40	40	158
14N	4E	20					9	37	37	1	2	37	38	22			21	3	207
14N	4E	29	38	38	32	10	39	40	38	37	40	40	40	40	8	39	10		489
14N	4E	30	39	39	38	36	37	34	39	40	40	39	39	39	40	38	39	40	616
14N	4E	31	27	39	40	36	38	33	1	24	15			15		17	28		313
14N	4E	32		21			40	39	38	39									177

MICROFILMED

DEC 23 1999

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

SEE AERIAL PHOTO MOSAIC - EXHIBIT "2"



Scale: 1" = _____
 XX Copy of USGS Quadrangle Attached Showing location(s) of _____
 point(s) of diversion and place(s) of use (required)
 XX Aerial Photo Attached _____
 (required for irrigation of 10+ acres)
 XX 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
Area Capacity Curve						
for Reservoir						

2. Measurements: Field observation for comparison to area capacity curve (Attached - Exhibit "3")

DEC 7 9 1999

E. NARRATIVE/REMARKS/COMMENTS

Tom J. Dam and Reservoir constructed and in operation. Area capacity curve for contents obtained from A & B Engineering, Boise, Idaho. Major ditches and reservoir shown on aerial photo mosaic. Minor ditches and channels are not mapped. Water is released into Beaver Creek for rediversion on into one of several canals for irrigation. One canal (Calendar Canal) turns north along the west side of the reservoir for some distance before turning back south allowing irrigation to the northwest of the PD. No flow measurement was made since the outlet is more than capable of releasing over 2,500 ac/ft in any one irrigation season.

Recommend the allowance of 2,500 acre feet per year for irrigation of 2,735 acres within the boundaries as shown by the solid black line on the quadrangle maps, i.e. "permissible place of use".

MICROFILMED

DEC 29 1999

Have conditions of permit approval been met? XX yes ___ no

Additional Computation Sheets Attached

See Area Capacity Curve (Exhibit "3")

1. Volume Calculations for Irrigation:

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

$V =$ Smaller of V_{iR} and $V_{oR} =$

2. Volume Calculations for Other Uses:

1. Recommended Amounts

Period of Use

From

То

12/31

5/1

Irrigation from storage

9/30

Totals:

2,500

Rate of Dive
Q (cts)

Annual Volume
V (a1a)

2. Recommended Amendments

Change P.D. as reflected above

$\overline{X}$ Change P.U. as reflected above

Add P.D. as reflected above

Add P.U. as reflected above

None

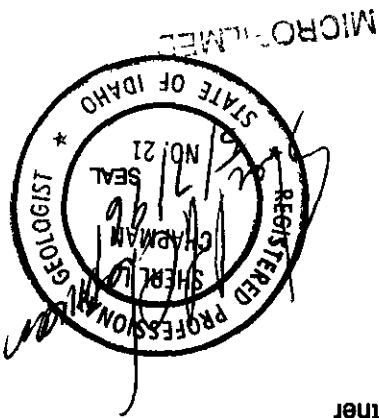
Other

1. AUTHENTICATION

Field Examiner's Name Sheri L. Chapman

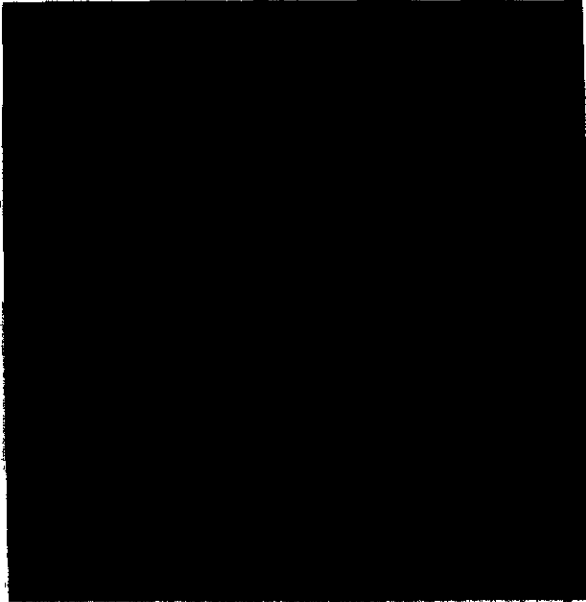
Date 5/7/96

Reviewer _____
Date _____

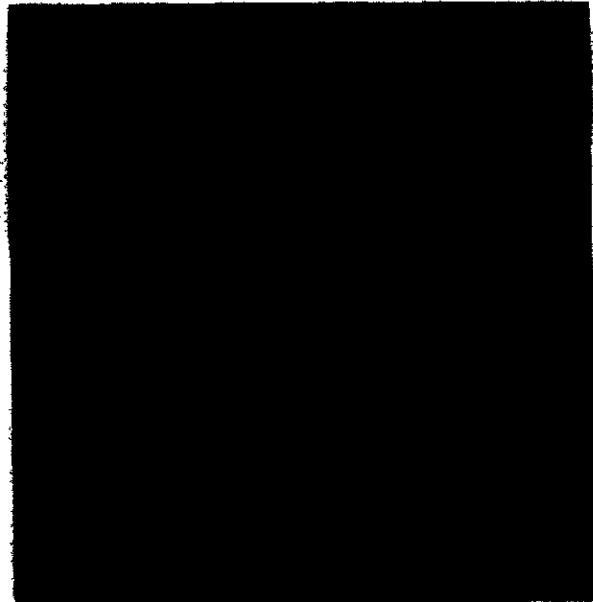


DEC 2 9 1999

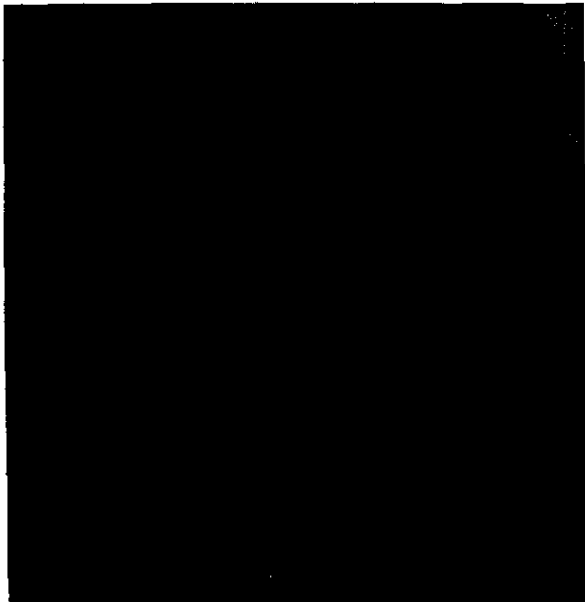
DAVIS CATTLE COMPANY
65-13019



TOM J RESERVOIR
65-13019
4/26/96



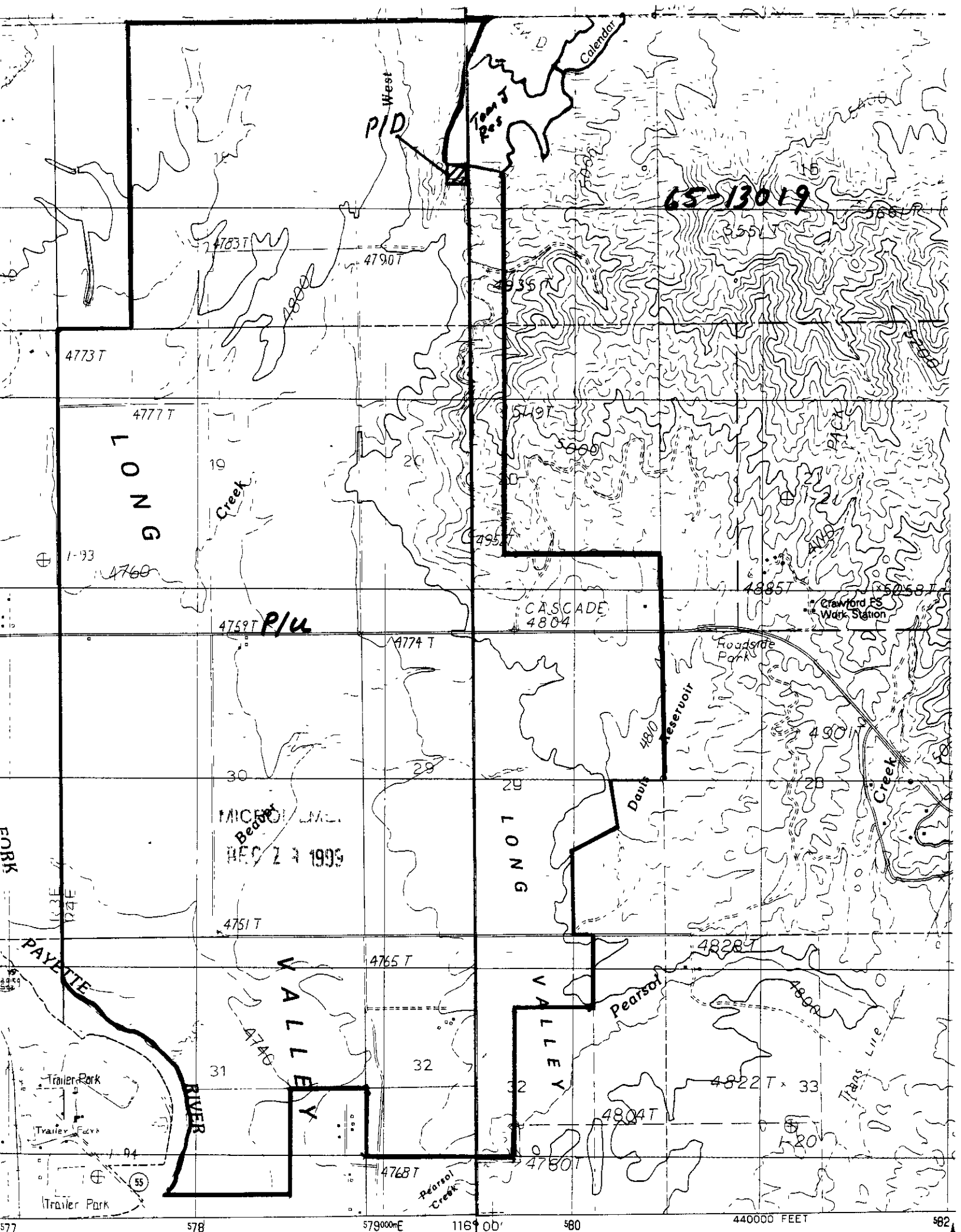
TOM J DAM
65-13019
4/26/96



TOM J DAM
OUTLET GATE CONTROL
65-13019
4/26/96



DISCHARGE PIPING
TOM J DAM
65-13019
4/26/96



65-13019

P/D

P/U

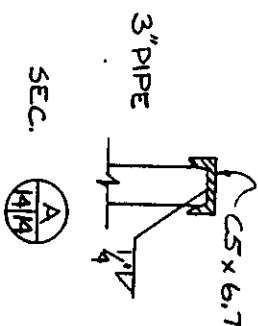
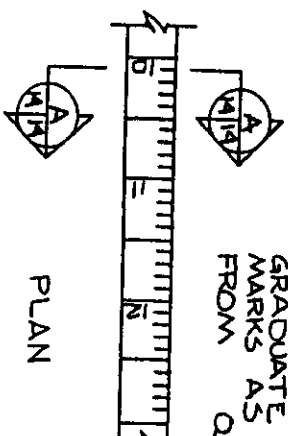
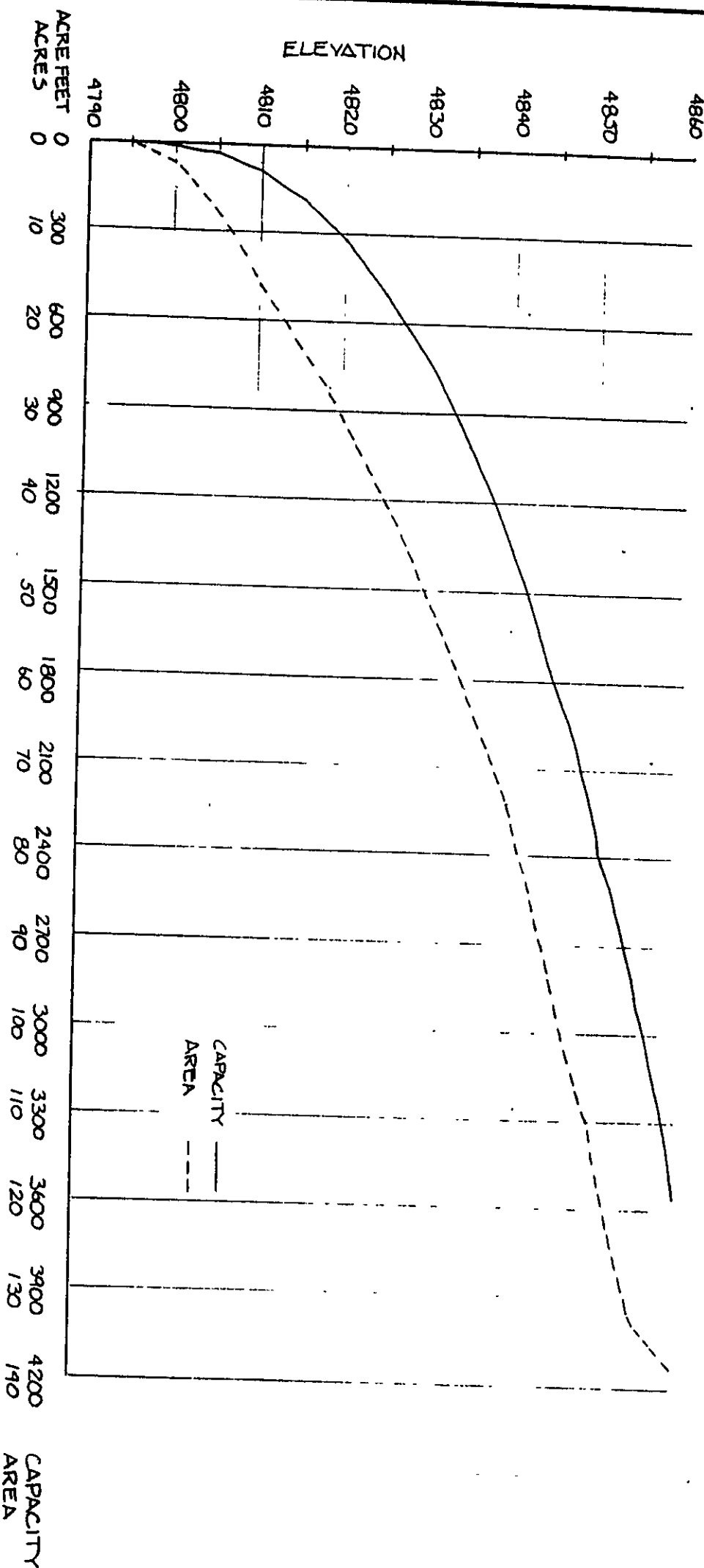
MICHIGAN BEAR
DEC 24 1993

EXHIBIT "1"
OTHER WATER RIGHTS WITH SAME PLACE OF USE
AS 65-13019

65-3579
65-3583
65-7312
65-7649
65-7777
65-7861
65-12202
65-2536
65-2931
65-8559
65-4031A
65-4031B
65-4031X
65-2002
65-2832
65-3582
65-2920
65-3584

RECEIVED
MAY 08 1936
WATER RESOURCES
WESTERN REGION

NO. 29 1933



GAGE TO BE LOCATED ON UPPER FACE OF DAM AT MAXIMUM CROSS SECTION, WITH FACE OF GAGE FLUSH WITH RILL SURFACE.

RESERVOIR WATER

LEVEL GAGE

SCALE: 1"=1'-0"

EXHIBIT "3"

TOM J. DAM

DETAILS

DRAWN BY RC

SCALE

A & B ENGINEERING

BOISE, IDAHO

14

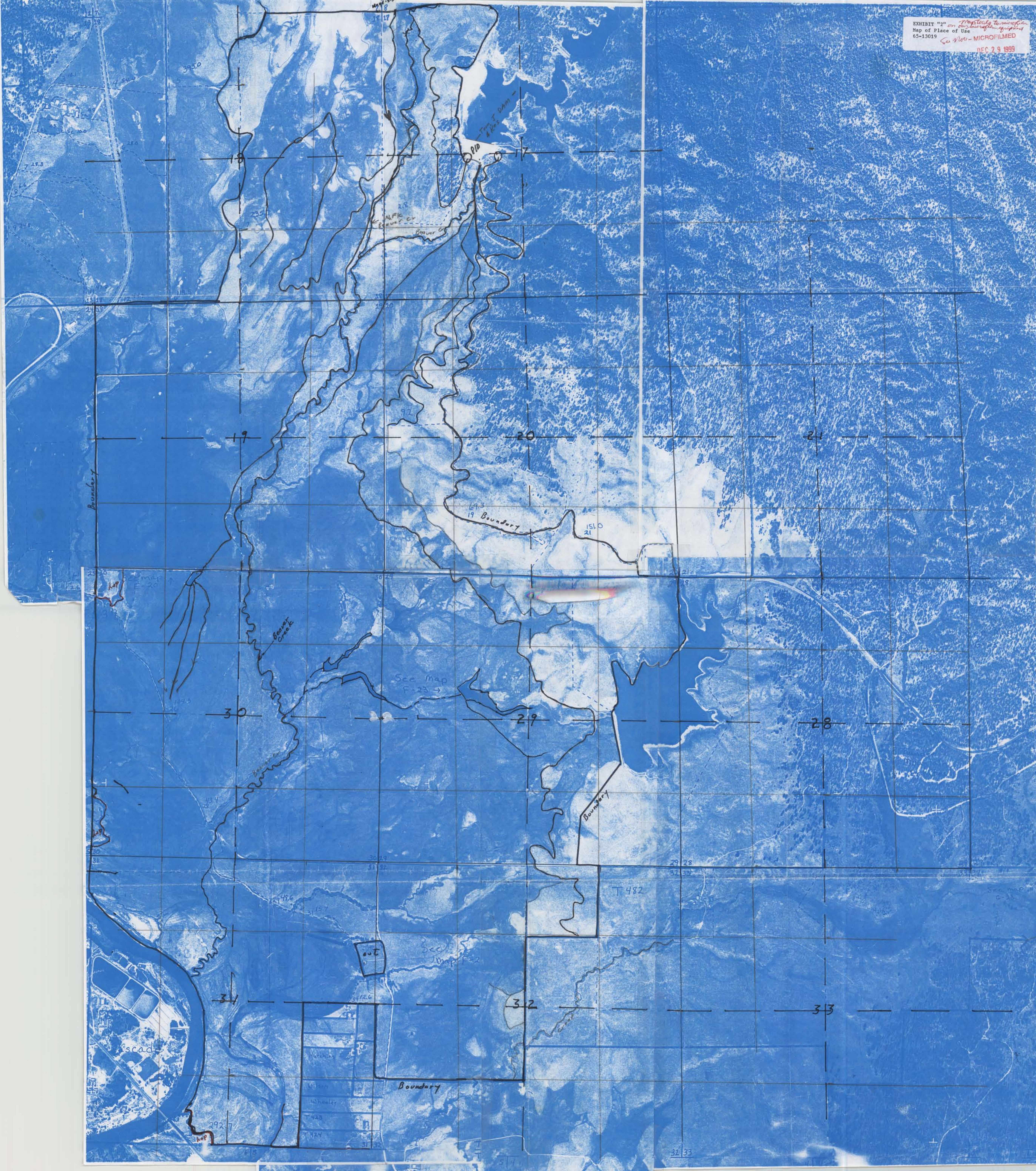
REVISED-10-4-79

DATE

12-18-78

Chilejo Onay Nethic

65-13019



**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13019 Reviewed by Jy Date 5-31-96

GENERAL CONSIDERATIONS

yes Name same as permit?
no Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

Irr.

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit _____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

no Required? exam submitted
/ Amount Submitted
/ Correct?

MEASURING DEVICE

no Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received	<u>5 8 96</u>	<u>128</u>
Date proof due	<u>3-1-96</u>	<u>- 60</u>
No. of days late ^{-lapsed} _{3/8/96}	<u>=</u>	<u>68</u>
Priority Date	<u>3-20 89</u>	<u>+ 79</u>
New Priority Date	<u>5-27-89</u>	<u>147</u>

> 5/27/89

DEFICIENCIES OR ACTION ITEMS

Reinstatement & advance priority to May 27, 1989
Proof acceptable

DATA ENTRY

New Address 19 Warm Lake Hwy Proof Made 5-8-96



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

June 11, 1996

DAVIS CATTLE CO
19 WARM LAKE HWY
CASCADE ID 83611

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 65-13019

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since the proof was received after the proof due date of March 1, 1996. Please note that the priority date has been advanced to May 27, 1989.

The next step in the process of developing a water right is for the department to review the field report for licensing.

If you have questions concerning this matter, please contact Shelley Keen at (208) 327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

MICROFILMED

DEC 29 1999

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

March 8, 1996

DAVIS CATTLE CO.
HC 71 BOX 2005
CASCADE ID 83611

LAPSE NOTICE

RE: PERMIT NO. 65-13019

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated December 31, 1995. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

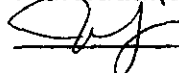
L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

MICROFILMED
DEC 29 1999

CERTIFICATION OF MAILING

I hereby certify that on 3-8-96
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



December 31, 1995

DAVIS CATTLE CO.
HC 71 BOX 2005
CASCADE ID 83611

PROOF DUE NOTICE

RE: PERMIT NO. 65-13019

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1996.

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

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

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

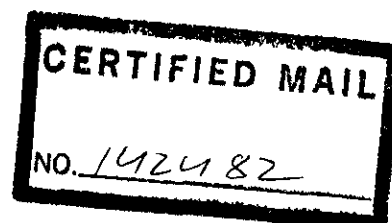
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

DEC 29 1999





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 20, 1991

DAVIS CATTLE CO.
HC 71 BOX 2005
CASCADE, ID 83611

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13019

Dear Permit Holder:

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

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

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

FILED

MAR 24 1991

APPLICATION FOR PERMIT REVIEW

Application #: 65-13019
Date: 3-14-91

Reviewer: Pam Skaggs

Existing:

No

Complete in 1 year - 26A-P17
P16

Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

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

LT. 0.7 cfs - N/A

Drilling Permit:

Approved w/permit - P99

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

Location:

Water Districts - WD No. 65

Surface water - 005 005-01H-P01(LT.7 w/pump)
005-01J-P08(GT.7)

Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

Swan Falls Flag - (1, Blank or Other)

Trust - 051-052-053-P74(Cons.), 041(DCMI, w/Irr
Non Trust - 048-049 or Irr & Dom)

River Basins:

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

Boise (63) - 11D-P72

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

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

Use:

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

Power - Use Power Review

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

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

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004 Dept. of Lands Casment

Protested:

Agreement - 020

Minimum Stream Flow:

Overlapping uses - 029-P20

Beneficial Use Due Date: - 03-01-1996

Other Conditions Recommended _____

FILED
MAR 28 1991

STATEWIDE ADVERTISING
2500 AC-ft.

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SL DATE: 12/20/90 APPLICATION: 65-13019

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) *see 12/20/90 memo*
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:
4 P/D
4 P/U

ADDITIONAL INFORMATION

YES NO

☒ ☐ Overlapping place of use: (Describe source & location 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: CC TO JOHN Westra on 12/20/90
☐ ☒ Send power requirement letter:
☐ ☒ Send fish farm requirement letter:
☐ ☒ Power residency affidavit:
☐ ☒ Power efficiency form:
☐ ☒ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☒ ☐ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☒ ☐ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

RECEIVED
FEB 22 1991

Department of Water Resources

acres ☒ Large Div. Suppl. info
DATE REQUESTED: 4/24/89 letter + 12/14/90 Repeated Request
Additional information on reverse side:

Have not received Large Div. Suppl info yet but Phil Davis called 12/17/90 & said will complete this.
1/3/91 - Received Large Div. response including letter from Valley Co P&Z Commission

PROCESSING

APPLICATION NO. 65-13019

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 February 4, 1991

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, DNRMeasuring device required: Not presently regulated in a water district

Measuring port required:

Water delivered by water master? District # 65 not presently in delivered Sector.

Special conditions of approval or cover letter:

26A (allow 5 years), 18B

* In the permit approval cover letter, state "permit holder must obtain an easement from IDOL for
 See below for additional information locations where stored water will flood

Recommended Date or Priority 3/20/1989Recommended by: DNRDate 2/19/1991

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

Overlap:

SAME RESERVOIR & SAME ACRES = 65-12202. APPLICATION IS TO INCREASE RESERVOIR.SEE 12/20/90 MEMO FOR ALLOWABLE STURABSSEE P10 & P11 ATTACHMENT FOR COMPLETE W.R. LIST.

Note: Additional info submitted for large diversion appears to be marginal
 but acceptable for this particular project.

DNR

* Applicant's letter received 1/3/91 states that part of reservoir is on will be on
 State Land. Applicant is working with IDOL (McCall Area office) for easement.

65-13019

Form No.
7/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHECKLIST OF REQUIREMENTS
LARGE DIVERSION SUPPLEMENTARY
ANALYSIS SHEET*

ON-going reservoir construction,
contact John Western at
Western for info (re:
065-12202)

EFFECT ON EXISTING RIGHTS

- ☒ Yes ☐ No Springs/surface streams with 5 or less existing users
☐ Identify number of impacted rights
☐ Name and address of users
☐ Location of points of diversion
☐ Nature of use of the existing rights
 MA ☐ Yes ☐ No Groundwater
☐ Plat showing proposed well and any other wells &/or
 springs within 1/4 mile radius
☒ Yes ☐ No Statement of design construction, or operation techniques
 which will be used to reduce impact on existing rights

See applicant's
letter, first
paragraph

SUFFICIENCY OF WATER SUPPLY

- ✓ Water Requirements of Proposed Project
☐ Required diversion rate during peak use (Maximum rate)
☐ Required diversion rate during average use period
☐ Annual volume
☐ Season of use
☐ Volume to be consumptively used/year
 ✓ Quantity of Water Available from Source
☐ Flow rates for surface water sources available during peak
 and average water demand period
 MA ☐ Properties of aquifers
☐ Other sources available for supplementation

second paragraph
mentions survey by
Don Watts, Engineer
for AB Eng., Boise

GOOD FAITH, DELAY OR SPECULATION - fourth paragraph but no figures included.

- ✓ Copies of deeds, leases, easements, and right-of-ways from _____
 ✓ Power applications affidavit form 205/206 is required
☐ Yes ☐ No Other needed permits, licenses, or approvals required. If
 none → yes, _____

FINANCIAL RESOURCES - third & fourth paragraphs; again, no figures included.

- ☐ Current certified financial statement
☐ Financial commitment letter/financial statement from
 committed party
☐ Project design/plans along with cost estimation to
 complete project

*For applications of more than 5 cfs. or more than 500 AF.

LOCAL PUBLIC INTEREST

Comments received from:

- | | | |
|---------------------------------------|---|---|
| ☐ City | ☐ Idaho Fish & Game | ☐ Irrigation District |
| ☐ County | ☐ Idaho Health & Welfare | ☐ Canal Company |
| ☐ Reservations | Division of Environment | ☒ Other <u>Valley Co. Planning & Zoning</u> |
- Project impacts/implications report
- Comm. has no objection.*

COMMENTS

STANLEY F HAMILTON
DIRECTOR

RECEIVED
JAN 24 1991

Department of Water Resources
Western Regional Office

January 22, 1991

BOARD OF LAND
COMMISSIONERS

CECIL D. ANDRUS
Governor

PETE T. GENARRUSA
Secretary of State

LARRY ECHOHAWK
Attorney General

J. D. WILLIAMS
State Auditor

JERRY L. EVANS
Sup't of Public
Instruction

TO: Department of Water Resources
Western Region

FROM: Bryce D. Taylor
Leasing Specialist
Bureau of Range Management
and Surface Leasing

RE: 65-13019
Davis Cattle Company

Applicant will need an easement from Idaho Department of Lands wherein stored water will flood onto endowment lands. Lands has no objection to this filing, provisioned on the applicant following through with easement acquisition.

Bryce

BDT:lr

c: Payette Lakes Area
Real Estate Bureau

REFILED

MAR 28 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 17, 1991

Idaho Department of Lands
Bureau of Navigable Waters
Statehouse Mail
Boise, ID 83720

Re: Application for Permit No. 65-13019 in the name of Davis Cattle Company

Dear Sir:

Enclosed is a copy(s) of the above-referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by February 4, 1991.

If you have any questions regarding the application, please contact this office.

Sincerely,

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

DRT:st

Enclosure(s):

FILED

MAR 28 1991

MEMORANDUM

TO: APPLICATION FOR PERMIT FILE 65-13019
FROM: STEVE LESTER
DATE: ~~DECEMBER~~ 20, 1990
SUBJ: ~~STORAGE~~ FROM BEAVER CREEK

The Tom J. Reservoir is common to the application and to Permit 65-12202. Dam Safety file D65-12202 indicates that the ongoing project, when completed, will include a 65' to 70' dam and approximately 3360 ac-ft. Permit 65-12202 was issued for 3600 ac-ft and 3880 acres (more on this below). The new application originally included 3880 acres (same land list found in Permit 65-12202) but was reduced per telecon with applicant and per gov't. lot plat to 3710.6 acres. Some of these acres already have storage water from Beaver Creek via earlier rights 65-02391, 65-03579, and 65-12202. How much additional storage can be permitted for common acres found in the earlier rights and the application? See the attached information for details of the rights.

<u>Right No.</u>	<u>Stage</u>	<u>Ac-Ft</u>	<u>Acres</u>	<u>Ac-Ft-Acre (nearest .1)</u>
65-02931	decree	250	402	.6
65-03579	decree	1818	606	3.0
65-12202	permit	3600	3880	<u>.9</u>
Total				4.5

This indicates that common acres may receive an additional .5 ac-ft from Beaver Creek. However, the limits of 65-12202 are questionable. The permit was issued for 3600 ac-ft for 3880 acres. 1983 and 1988 Dam Safety records (conversation with J. Westra) indicate a 33' dam and estimated 1300 ac-ft capacity (ongoing project and figures are not conclusive).

Proof of beneficial use for 65-12202 was submitted 3/89 (date implies no significant change from 1988 dam safety estimates) and included \$300 for up to 900 ac-ft. Because 65-12202 and the application share the same P/U, a reasonable conclusion is that ≤ 3710.6 acres have been irrigated under 65-12202 and 900 to 1300 ac-ft were stored by 3/89. If so, the limit of 65-12202 = $1300/3710.6 = .4$ ac-ft-acre (assumes user will pay additional \$100 to allow proof of b.u. to reach 1300 ac-ft; if not, 65-12202 = $900/3710.6 = .2$ ac-ft-acre). Under the above scenario, common acres receive $.6 + 3.0 + .2$ or $.4 = 3.8$ to 4.0 ac-ft-acre. Additional storage of 1.0 to 1.2 ac-ft-acre may be approved in the application.

Application 65-13019
Memo 12/20/90, Page 2

Assuming a reservoir, when completed, of approximately 3400 ac-ft and 900 to 1300 ac-ft in 65-12202, the application should include about 2500 ac-ft to provide full storage rights in 65-12202 and 65-13019. Then, .7 ac-ft-acre ($2500/3710.6 = .7$) derives from the application and may be approved. Any discrepancies in the above assumptions can be addressed in license conditions for 65-12202 and 65-13019, e.g. "this right, when combined with ... shall not exceed the reservoir capacity of ... acre-feet".

CC: State and Western file 65-12202
Rita Fleck (re: additional fee, proof of b.u. 65-12202)

RECEIVED

MAR 28 1991

NAME	NUMBER	DAM TYPE	HEIGHT FT	DRAINAGE SQ MI	RES ACRES	YEAR COMP	CREST LENGTH	COUNTY	STREAM	INSPECT-DATE	LOCATION
STRICKLAND (BLACKSTONE)	2	L	3	560	28.0	90.0	50	OWYHEE	LOUSE CREEK RKCHAN 7.0	786 Q100	30-11S-06E FR 1188
SUMRALL	3	J	2	10	12.0	2.0	2	WASHINGTON	TR-MONROE CREEK GLHOLE 3.5	587 Q100	34-12N-05W GD 1189
SURMEIER	2	IO	2	26	26.0	.2	3	PAYETTE	LITTLE WHITLEY GULCH PIPE 5.5	987 Q500	10-07N-05W GD 1189
SWAN FALLS	2	P	2	6900	24.0	41900.0	900	ADA-OWYHEE	SHAKE RIVER CNOVFL 19.5	1087 Q500	18-02S-01E GD 1189
TAYLOR LOWER	3	I	2	60	14.0	.5	16	OWYHEE	CASTLE CREEK (OS) ERCHAN 2.5	588 Q100	03-05S-01E GD 1190
TAYLOR UPPER	3	I	3	50	14.0	.8	14	OWYHEE	CASTLE CREEK (OS) CHNAFD 3.0	588 Q50	03-05S-01E GD 1190
TEAPOT LOWER	2	JG	2	814	27.0	75.0	82	ELMORE	BENNETT CREEK RKCHAN 5.0	587 Q500	03-05S-08E GD 1189
TEAPOT UPPER	2	JG	3	424	25.0	74.0	50	ELMORE	BENNETT CREEK RKCHAN 5.0	587 Q100	34-04S-08E GD 1189
TERTELING	3	K	3	20	10.0	6.0	5	ADA	STEWART CREEK RCHAN 6.0	987 Q50	22-04N-02E FR 1189
TEXAS BASIN	1	I	1	6340	104.0	51.6	190	OWYHEE	SUCCOR CREEK RKCHAN 12.0	1187 PMF	07-03S-05W GD 1189
TIEGS	3	L	2	15	15.0	.1	3	CANYON	BOISE RIVER (OS) ERCHAN 3.0	488 Q100	18-03N-01W FR 1190
TINDALL (BULL CREEK)	2	I	3	130	10.0	.9	32	OWYHEE	BULL CREEK (OS) RCHAN 4.0	785 Q100	27-15S-04E FR 1190
TINDALL	2	I	2	130	10.0	.9	32	OWYHEE	BULL CREEK (OS) RCHAN 4.0	785 Q100	27-15S-04E FR 1190
TRAIL	2	I	2	2532	25.0	3.3	259	ELMORE	LITTLE CANYON CREEK (OS) RKCHAN 5.0	587 Q500	19-04S-10E GD 1189
TRAIL DIVERSION	2	IGH	2	63	22.0	29.0	10	ELMORE	LITTLE CANYON CREEK RECHAN 7.0	587 Q500	29-04S-10E GD 1189

1983 } 33' dam
1988 } 1300' pc-ft
proposed under right. 5-12222 and 65-13019 ; see 065-12202 file

MAR 28 1991

MAR 02, 1979
*INDICATES

FIGE 26

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

SOURCE: BEAVER CREEK

TRIBUTARY TO: NORTH FORK, PAYETTE RIVER

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE ARE ALCEAGE	BASIS FOR RIGHT
45-2931	DAVIS, THOMAS J. CASCADE, IDAHO 83611	8/14/1941	IRRIGATION PROP STOR	4/15 10/15	250.00 AFA --- CFS	SWNE S17 T14N R 4E	S4SW(28) SESE(15) LICENSE S17 T14N R 4E SESE(35) S18 T14N R 4E NENE(38) NENE(37) SWNE(40) SESE(39) NESE(17) NWSE(23) S19 T14N R 4E NENE(21) NENE(36) SWNE(27) NWSE(26) S20 T14N R 4E NESE(24) SESE(15) S24 T14N R 3E *402*	U. 32 R. RI C
65-2536	DAVIS, THOMAS J. CASCADE, IDAHO 83611	9/21/1950	IRRIGATION	4/15 10/15	--- AFA 5.60 CFS	NESW S17 T14N R 4E	SENE(38) NESE(24) LICENSE S24 T14N R 3E S4SW(28) S17 T14N R 4E S4SW(14) SWSE(16) SESE(35) S18 T14N R 4E NENE(39) NENE(37) S19 T14N R 4E NENE(39) S30 T14N R 4E *270*	RIGHT NUMBER 65-0790
65-2832	DAVIS, THOMAS J. CASCADE, IDAHO 83611	6/14/1966	IRRIGATION	4/15 10/15	--- AFA 8.60 CFS	NESW S17 T14N R 4E	NENE(21) NENE(36) LICENSE SWNE(39) SESE(34) NWSW(40) SWSW(40) S29 T14N R 4E NENE(36) NENE(27) SWNE(18) SESE(37) NESE(40) SWSE(36) SESE(39) S30 T14N R 4E *443*	RIGHT NUMBER 65-115-1

acres common to
App. 65-13019
Flow is yellow

250 A.F.
402 Ac. = .6 af/ac

FILED

MAR 28 1991

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

TRIBUTARY TO: NORTH FORK, PAYETTE RIVER

SOURCE: BEAVER CREEK

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-3583	DAVIS, THOMAS J. CASCADE, IDAHO 83611	4/ 1/1900	IRRIGATION 4/15 10/15	--- AFA 8.24 CFS	SEAW S17 TIAN R 4E	SHSW(16) S 8 TIAN R 4E NENW(1) NNNW(33) SHNW(23) NMSW(12) SESW(15) S17 TIAN R 4E SESW(4) NESE(7) NASE(3) SWSE(16) SESE(35) S18 TIAN R 4E SENE(39) NENW(38) NESE(17) NASE(23) S19 TIAN R 4E NENW(2) NNNW(36) SHNW(27) NMSW(26) SHSW(21) SESW(18) S20 TIAN R 4E *412*	BENEFICIAL USE

65-2002	DAVIS, THOMAS J. CASCADE, IDAHO 83611	6/19/1903	IRRIGATION 4/15 10/15	--- AFA 3.60 CFS	NESW S17 TIAN R 4E	SWNE(40) SHNW(38) SENW(40) NESW(40) NMSW(39) S19 TIAN R 4E NESE(24) SESE(15) S24 TIAN R 3E *236*	LICENSE
---------	--	-----------	-----------------------	------------------	-----------------------	--	---------

65-3584	DAVIS, THOMAS J. CASCADE, IDAHO 83611	10/31/1935	IRRIGATION FROM STOR 4/15 10/15	1818.00-AFA --- CFS	NANE S17 TIAN R 4E	SHSW(16) S 8 TIAN R 4E NENW(1) NNNW(33) SHNW(23) NMSW(12) SHSW(28) SESE(15) S17 TIAN R 4E NESE(7) NASE(3) SHSE(16) SESE(35) SESW(14) S18 TIAN R 4E NENE(39) NANE(32) SWNE(40) SESE(39) NENW(38) SHNW(40) NESE(17) NASE(23) S19 TIAN R 4E NASH(26) SHSW(26) SESW(18) NENW(20) NNNW(36) SHNW(23) S20 TIAN R 4E *606*	BENEFICIAL USE
---------	--	------------	---------------------------------	---------------------	-----------------------	---	----------------

$$\frac{1818 \text{ A.F.}}{606 \text{ AC.}} = 3 \text{ AF/AC.}$$

Common 4L
was with
Appl. 65-13019
shown in yellow

RECORDED

MAR 28 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Tom J. Davis Phone 382-4162

Post office address Cascade, Id. 83611

2. Source of water supply Beaver Cr. which is a tributary of Payette R.

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17 Township 14N

Range 4E, B.M. Valley County, additional points of diversion if any

4. Water will be used for the following purposes:

Amount 3600 for irrigation purposes from May 1 to Sept 30 (both dates inclusive)

Amount 3600 for storage purposes from Sept 30 to May 1 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. _____ cubic feet per second and/or b. 3600 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Earth sill dam and open ditch

b. Height of storage dam 65' feet, active reservoir capacity _____ acre-feet; total reservoir capacity 3600 acre-feet, materials used in storage dam Earth Sill

Period of year when water will be diverted to storage Sept 30 to May 1 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches, proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years)

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to _____

supplied with domestic water _____

(5) If water is to be used for other purposes describe. _____

FILED

MAR 28 1991

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14N	4E	17									X	X	X	X					160
		19	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
		20					X	X	X	X	X	X	X	X	X	X	X	X	480
		21										X	X						80
		28					X	X	X	X	X	X	X	X					320
		29	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
		30	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
		32		X			X	X	X	X	X	X							280
		31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	640
Total number of acres to be irrigated																			3880

Common
acres
with
Appl.
65-13019

c. Describe any other water rights used for the same purposes as described above. 65-7777

65-7649 + 65-7777

9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

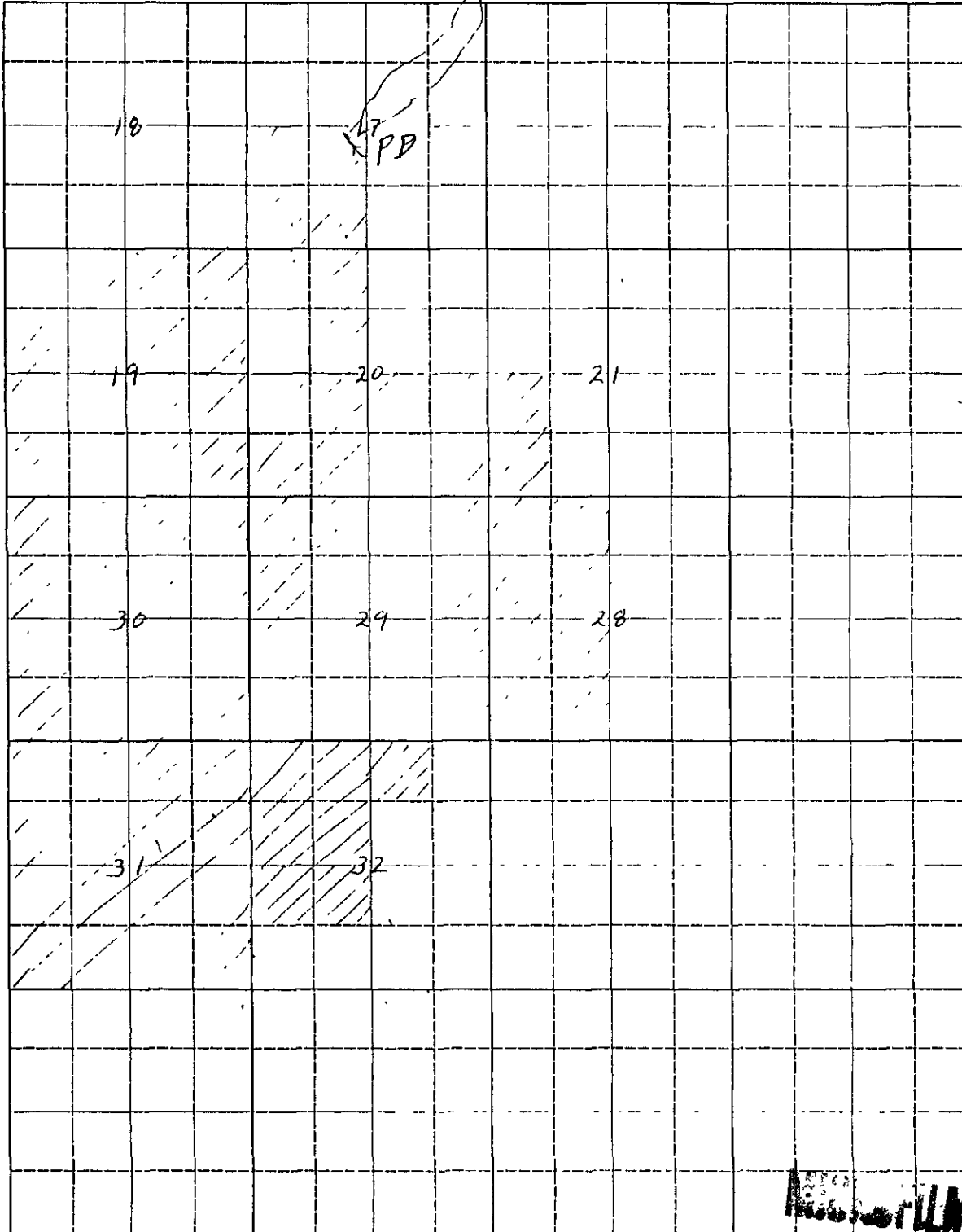
10. Remarks _____

RECORDED

MAR 28 1991

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

T14N-R4E



Scale 2 inches equal 1 mile

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

MAR 28 1951

(Applicant)

Proposed Priority 2-7-79

Received by BK Date 2-7-79 Time 1:20 PM

Preliminary check by R.W.H. Fee \$ 305.00 # 12573

Receipted by KK Date 2/8/79

Publication prepared by KL Date 2/15/79

Published in Star News

Publication dates 2/22 & 3/1

Publication approved KL Date 3/12/79

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DGS J.J.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-12202, and said application is hereby APPROVED.

1 Approval of said application is subject to the following limitations and conditions

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (1) Use of water under this permit is subject to control by the water master of State Water District No. 65, Payette River. (2) The storage of water is contingent upon certification by the Department of Water Resources, of the applicant's dam under the dam safety provisions of the Idaho State Code, authorizing storage. (3) A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

Witness my hand this 27th day of March, 1979.

J. Glen Saxton
Director, Operations Bureau

RECORDED

MAR 28 1979

S17, T14N, R4E

Reinstated

Form 217

03/89

RECEIVED

MAR 20 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 3 1989

For Office Use Only

Fee Received \$300.00

Date 3-20-89

Receipt # 0005919

Receipt by RW

Reviewed by JH

Sent to region CJ

Department of Water Resources

PROOF OF BENEFICIAL USE

Department of Water Resources
Western Regional Office

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 65-12202Name(s) of Permit Holder: Tom J. DavisPost Office Address: HC 71, Box 2005, Cascade, ID 83611Telephone No. 382-4892Source of Water: Beaver Creek

Extent of Use:

Domestic (number of households)Stockwater (number and type of stock)Irrigation 3880 (acres)Other/Remark storage for irrigationTotal rate and/or volume for which proof is submitted cfs 900 acre-feetShow the date water was first diverted and beneficially used under this permit: November 1979Measuring Device: Required? Y Yes No
Installed? Yes NoFee enclosed \$ 300.00
(See License Examination Fee Schedule)Flow Measurement Port: Required? Yes Y No
Installed? Yes No

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

Phil Davis

(Name)

382-4892

(Telephone Number)

same as above

(Address)

FILMED

MAR 28 1989

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.

3/20/89

Date

[Signature]

Signature of Permit Holder (and title, if appropriate)

Copy for
App file
65-13019

OVERLAP INFO

P/D

65-13019

MR4002NP
(00-22)

IDaho DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

DATE: 09/22/90
PAGE: 964

TRP	RNG	SECT	TRACT	LOT	WATER USE CODE	WATER RIGHT NO.	LRST NAME	0	STG	PRIORITY	POB	WATER SOURCE
			1 4 1 4 1 4							DATE	FLAG	
03E	36	SH	NE	01		65-09780	SIMS	C	D	01/01/1949		GROUNDWATER
		SE	NE	07		65-07884	BOISE CASCADE CORP	C	L	07/05/1977		GROUNDWATER
		NE	NH	43		65-09646	ROSE	C	D	06/01/1955		GROUNDWATER
		NH	SE	43		65-08117	HUSTON	C	D	08/01/1940		SPRING
		NH	SE	43		65-08948	ELSHER	C	D	04/01/1952		SPRING
		SH	SE	01		65-02843	REINON	C	D	05/05/1966		UNNAMED STREAM
		SH	SE	01		65-02843	REINON	C	D	05/05/1966		UNNAMED STREAM
		SE	SE	43		65-06896	REINON	C	D	04/01/1930		GROUNDWATER
		SE	SE	01,04		65-08596	MORGAN	C	D	04/15/1963		SPRING
		SE	SE	01,04		65-12694	PRITSON	C	P	11/15/1983		UNNAMED STREAM
04E	6	SE	SH	43		65-07399	STIPICH	C	D	07/30/1973		SPRINGS
		SE	SH	43		65-07399	STIPICH	C	D	07/30/1973		SPRINGS
		SE	NE	01,04,43		65-08156	STIPICH	C	D	07/30/1973		SPRINGS
		NE	NH	43		65-07400	ROBERTS	C	D	04/15/1911		SPRINGS
		NE	NH	43		65-07400	ROBERTS	C	D	07/30/1973		UNNAMED STREAMS
		NE	NH	01		65-08559	D.L. FEEDER CO. IN	C	D	04/15/1917		DEEP CREEK, WEST
		SE	SH	01		65-02022	D.L. FEEDER CO. IN	C	D	09/08/1905		BIG CREEK
		SE	SH	01		65-02022	D.L. FEEDER CO. IN	C	D	09/08/1905		BIG CREEK
		SE	SH	01		65-08559	D.L. FEEDER CO. IN	C	D	04/15/1917		DEEP CREEK, WEST
		SH	SH	01		65-08914	JANERSON	C	D	04/15/1968		UNNAMED STREAM
		SH	SH	01		65-08915	JANERSON	C	D	04/15/1968		SPRING
		SH	SH	43		65-12327	JANERSON	C	L	05/12/1980		SPRING
		SE	SH	01		65-08558	D.L. FEEDER CO. IN	C	D	04/15/1906		UNNAMED STREAM
		NH	NE	03		65-03579	DAVIS	C	D	10/31/1935		BEAVER CREEK
		NH	NH	03		65-02931	DAVIS	C	D	08/14/1941		BEAVER CREEK
		SH	NH	01		65-03583	DAVIS	C	D	04/01/1900		BEAVER CREEK
		SE	NH	01		65-03583	DAVIS	C	D	04/01/1900		BEAVER CREEK
		SE	NH	01		65-02002	DAVIS	C	D	06/19/1903		BEAVER CREEK
		NE	SH	01		65-02536	DAVIS	C	D	09/21/1950		BEAVER CREEK
		NE	SH	01		65-02536	DAVIS	C	D	09/21/1950		BEAVER CREEK
		NE	SH	01		65-02832	DAVIS	C	D	06/14/1966		BEAVER CREEK
		NE	SH	01		65-02832	DAVIS	C	D	06/14/1966		BEAVER CREEK
		NE	SH	02,03		65-13000	DAVIS	C	P	04/02/1979		BEAVER CREEK
		NE	SH	02,03		65-13000	DAVIS	C	P	04/02/1979		BEAVER CREEK
		SE	SE	43		65-09040	AUSTIN	C	D	03/20/1989		BEAVER CREEK
		SE	SE	01,04		65-09040	AUSTIN	C	D	06/01/1929		GROUNDWATER
		SE	SE	01,04		65-09040	AUSTIN	C	D	04/15/1929		SPRING
		NE	SH	43		65-09959	U.S. DEPT. OF AGRI	C	D	06/03/1905		SPRINGS
		NE	SH	43		65-10368	U.S. DEPT. OF AGRI	C	D	06/03/1905		GROUNDWATER
		SE	SH	43		65-10368	U.S. DEPT. OF AGRI	C	D	06/03/1905		GROUNDWATER
		NH	SE	43		65-09959	U.S. DEPT. OF AGRI	C	D	06/03/1905		SPRINGS

RECEIVED

MAR 26 1991

5.17
5m

MAR 28 1971

DATE 01/07/89
PAGE 4099

TRACT	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	SIG	PRIORITY DATE	WATER SOURCE
NE 1/4	1	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	2	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	3	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	4	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	5	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	6	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	7	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	8	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	9	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	10	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	11	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	12	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	13	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	14	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	15	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	16	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	17	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK
NE 1/4	18	40.0	03	65-07312	DAVIS	C	09/01/1972	BEAVER CREEK, WEST FORK

HR400 (NP)
(00-21)

TWP		RNG	SECT	TRACT		LOT	ACRES	WAT
				1	4	4		
14N	18E	4		SW	NE			01
				SW	NE			01
				SE	NE			01
				SE	NE			01
				NE	NW			01
				NW	NW			01
				SW	NW			01
				SE	NW			01
				NE	SW			01
				NW	SW			01
				NE	SE			01
				NE	SE			01
				NW	SE			01
				SE	NE			01
				NE	NE			01
				NE	NW			01.45
				NE	NW		10 0	01.43
				NE	NW		3 0	01.04
				NE	NW		3 2 0	01.02
				NW	NW		12 0	01.04
				NW	NW		4 12 0	01.02
				SW	NW			01.43
				SW	NW		25 0	01.43
				SW	NW		30 0	01.02
				SW	NW		30 0	01.04
				SE	NW			01.43
				SE	NW		15 0	01.43
				SE	NW		25 0	01.02
				SE	NW		25 0	01.04
				SE	SW			01.43
				NE	SW		20 0	01.43
				NE	SW		15 0	01.02
				NE	SW		15 0	01.04
				SE	SW			01.43

HR4001NP
100-211

TWP		RNG	SECT	TRACT	LOT	ALRES	MA
14	N	18	E	SE NE	2	0	01.02
				SE NE	3	0	01.04
		10		NE NW			04.14
		11		SW SW			04.16
		12		NE NW	10	0	01
				NE NW	20	0	01
				NW NW	20	0	01
		14		SE NE	12	0	01
				SE NE	20	0	01.04
				SW SW	13	0	04.16
				NE SE	5	0	01
				NE SE	20	0	01.04
				NW SE	8	0	01
				SW SE	23	0	01
				SW SE	2	0	01
				SW SE	20	0	01.04
				SE SE	3	0	01
15				NE SW			04.16
16				NW NE			04.05
				SW NW			07.13
20							

NORTH FORK	SE NH	39 0 01	65-040318	DAVIS	C	P	09/04/1976	BEAVER CREEK, WEST FORK	SH NE	3 0
NORTH FORK	SE NH	39 0 01	65-040318	DAVIS	C	D	04/01/1964	PAYETTE RIVER, NORTH FORK	SH NE	35 0
NORTH FORK	SE NH	40 0 03	65-07312	DAVIS	C	P	04/01/1971	PAYETTE RIVER, NORTH FORK	SH NE	35 0
NORTH FORK	SE NH	40 0 03	65-07312	DAVIS	C	P	09/25/1972	BEAVER CREEK, WEST FORK	SH NE	35 0
NORTH FORK	SE NH	40 0 03	65-07649	DAVIS	C	P	09/04/1976	BEAVER CREEK, WEST FORK	SH NE	35 0
NORTH FORK	SE NH	40 0 01	65-07777	DAVIS	C	P	12/03/1976	FLAT CREEK	SE NE	5 0
NORTH FORK	SE NH	40 0 03 55	65-07861	DAVIS	C	P	06/01/1978	FRENCH CREEK	SE NE	4 0
NORTH FORK	SE NH	40 0 03 03	65-12202	DAVIS	C	P	03/14/1979	BEAVER CREEK	SE NE	5 0
NORTH FORK	SE NH	40 0 01	65-040318	DAVIS	C	D	04/01/1964	PAYETTE RIVER, NORTH FORK	SE NE	3 0
NORTH FORK	SE NH	40 0 01	65-040318	DAVIS	C	D	04/01/1964	PAYETTE RIVER, NORTH FORK	SE NE	3 0
NORTH FORK	SE NH	40 0 01	65-040318	DAVIS	C	D	04/01/1964	PAYETTE RIVER, NORTH FORK	SE NE	3 0
NORTH FORK	SE NH	40 0 03	65-07312	DAVIS	C	P	09/25/1972	BEAVER CREEK, WEST FORK	SE NE	5 0
NORTH FORK	SE NH	40 0 03	65-07649	DAVIS	C	P	09/04/1976	BEAVER CREEK, WEST FORK	SE NE	5 0
NORTH FORK	SE NH	40 0 01	65-07777	DAVIS	C	P	12/03/1976	FLAT CREEK	SE NE	30 0
NORTH FORK	SE NH	40 0 03 55	65-07861	DAVIS	C	P	06/01/1978	FRENCH CREEK	SE NE	31 0
NORTH FORK	SE NH	40 0 02 03	65-12202	DAVIS	C	P	03/14/1979	BEAVER CREEK	SE NE	5 0
NORTH FORK	SE NH	40 0 03	65-07312	DAVIS	C	P	09/25/1972	BEAVER CREEK, WEST FORK	SE NE	5 0
NORTH FORK	SE NH	40 0 03	65-07649	DAVIS	C	P	09/04/1976	BEAVER CREEK, WEST FORK	SE NE	5 0
NORTH FORK	SE NH	40 0 01	65-07777	DAVIS	C	P	12/03/1976	FLAT CREEK	SE NE	3 0
NORTH FORK	SE NH	40 0 02 03	65-12202	DAVIS	C	P	03/14/1979	BEAVER CREEK	SE NE	3 0
NORTH FORK	SE NH	40 0 01	65-040318	DAVIS	C	D	04/01/1964	PAYETTE RIVER, NORTH FORK	SE NE	5 0
NORTH FORK	SE NH	40 0 03 55	65-07861	DAVIS	C	P	06/01/1978	FRENCH CREEK	SE NE	5 0
NORTH FORK	SE NH	40 0 03	65-07312	DAVIS	C	P	09/25/1972	BEAVER CREEK, WEST FORK	SE NE	5 0

0 5

DATE 01/07/89 PAGE 4084	W40001NP 100-211	IDAHO DEPARTMENT OF WATER RESOURCES WATER RIGHTS MICROFILME BY PLACE OF USE										DATE 01/07/89 PAGE 4089	W40001NP 100-211		
TRNG	SECT	TRACT	LOT ACRES	WATER-USE-CODE	WATER RIGHT NO	LAST NAME	O	STG	PRIORITY	DATE	WATER SOURCE	TRNG	SECT	TRACT	LOT ACRES
14N 04E	30	SH SH	40 0 03		65-07649	DAVIS	C	P	09/04/1976	BEAVER CREEK, WEST FORK	FLAT CREEK	14N 19E	9	NH NH	40 0
		SH SH	40 0 01		65-07777	DAVIS	C	P	12/03/1976	FLAT CREEK					
		SH SH	40 0 02 03		65-12202	DAVIS	C	P	03/14/1979	BEAVER CREEK					
		SH SH	40 0 03		65-07312	DAVIS	C	P	09/25/1972	BEAVER CREEK, WEST FORK					
		SH SH	40 0 03 55		65-07861	DAVIS	C	P	06/01/1978	FRENCH CREEK					
		SE SH	20 0 01		65-040318	DAVIS	C	D	04/01/1931	PAYETTE RIVER, NORTH FORK					
		SE SH	20 0 01		65-040318	DAVIS	C	D	04/01/1931	PAYETTE RIVER, NORTH FORK					
		SE SH	20 0 01		65-040318	DAVIS	C	D	04/01/1931	PAYETTE RIVER, NORTH FORK					
		SE SH	40 0 03		65-07312	DAVIS	C	P	09/25/1972	BEAVER CREEK, WEST FORK					
		SE SH	40 0 03		65-07649	DAVIS	C	P	09/04/1976	BEAVER CREEK, WEST FORK	FLAT CREEK				
		SE SH	40 0 01		65-07777	DAVIS	C	P	12/03/1976	FLAT CREEK					
		SE SH	40 0 03 55		65-07861	DAVIS	C	P	06/01/1978	FRENCH CREEK					
		SE SH	40 0 02 03		65-12202	DAVIS	C	P	03/14/1979	BEAVER CREEK					
		NE SE	40 0 01		65-02832	DAVIS	C	D	06/14/1966	BEAVER CREEK					
		NE SE	40 0 01 03		65-03582	DAVIS	C	D	04/01/1931	PEARSON CREEK					
		NE SE	40 0 02 03		65-12202	DAVIS	C	P	03/14/1979	BEAVER CREEK					
		NH SE	8 0 01 03		65-03582	DAVIS	C	D	04/01/1931	PEARSON CREEK					
		NH SE	40 0 03 55		65-07861	DAVIS	C	P	06/01/1978	FRENCH CREEK					
		NH SE	40 0 02 03		65-12202	DAVIS	C	P	03/14/1979	BEAVER CREEK					
		SH SE	36 0 01 03		65-02832	DAVIS	C	D	06/14/1966	BEAVER CREEK					
		SH SE	36 0 01 03		65-03582	DAVIS	C	D	04/01/1931	PEARSON CREEK					
		SH SE	40 0 03 55		65-07649	DAVIS	C	P	09/04/1976	BEAVER CREEK, WEST FORK	UNNAMED STREAM				
		SH SE	40 0 02 03		65-12202	DAVIS	C	P	03/14/1979	BEAVER CREEK					
		SE SE	39 0 01 03		65-02832	DAVIS	C	D	06/14/1966	BEAVER CREEK					
		SE SE	39 0 01 03		65-03582	DAVIS	C	D	04/01/1931	PEARSON CREEK					
		SE SE	40 0 02 03		65-12202	DAVIS	C	P	03/14/1979	BEAVER CREEK					
		SE SE	43		65-04659	PATTERSON	C	D	06/01/1966	GROUNDWATER					
		NE NE	7 0 03		65-07312	DAVIS	C	P	09/25/1972	BEAVER CREEK, WEST FORK	FLAT CREEK				
		NE NE	40 0 03		65-07649	DAVIS	C	P	09/04/1976	BEAVER CREEK, WEST FORK	FLAT CREEK				
		NE NE	40 0 01		65-07777	DAVIS	C	P	12/03/1976	FLAT CREEK					
		NE NE	40 0 03 55		65-07861	DAVIS	C	P	06/01/1978	FRENCH CREEK					
		NF NE	43		65-09806	PATTON	C	D	06/01/1976	GROUNDWATER					

DATE 01 07 89 PAGE 4084	W40001NP 100-211	IDAHO DEPARTMENT OF WATER RESOURCES WATER RIGHTS MICROFILME BY PLACE OF USE										DATE 01 07 89 PAGE 4100	W40001NP 100-211					
R E	TRNG	SECT	TRACT	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO	LAST NAME	O	STG	PRIORITY DATE	WATER SOURCE	TRNG	SECT	TRACT	LOT	ACRES	
	4N	04E	3	NE NE	40 0 40 0	02 03 03	65-12202 65-07312	DAVIS	C	P	03 14 1979 09 25 1972	BEAVER CREEK BEAVER CREEK, WEST FORK	14N	04E	3	NH	SE	40 0
				NH NE	40 0 40 0	03 03 55	65-07649 65-07777 65-07861	DAVIS	C	P	09 04 1976 12 03 1976 06 01 1978	BEAVER CREEK FLAT CREEK FRENCH CREEK				SH SH	SE SE	40 0
				NH NE	40 0 40 0	02 03 03	65-12202 65-07312	DAVIS	C	P	03 14 1979 09 25 1972	BEAVER CREEK BEAVER CREEK, WEST FORK				SE SE	SE	40 0
				SH SH	40 0 40 0	03 01	65-07649 65-07777 65-07861	DAVIS	C	P	09 04 1976 12 03 1976 06 01 1978	BEAVER CREEK FLAT CREEK FRENCH CREEK				SE NE	SE NE	25 0
				SH SH	9 0 40 0	43 01 02 03	65-10328 65-12202 65-07312	LOYD DAVIS	C	D	07 01 1960 03 14 1979 09 25 1972	GROUNDWATER BEAVER CREEK BEAVER CREEK, WEST FORK				NE NE NE	NE	18 0 24 0 10 0
				SE SE	40 0 40 0	03 03	65-07649	DAVIS	C	P	09 04 1976	BEAVER CREEK, WEST FORK				NH SH SE	NE	10 0
				SE SE	40 0 40 0	01 03 55	65-07777 65-07861	DAVIS	C	P	12 03 1976 06 01 1978	FLAT CREEK FRENCH CREEK				SE NE	NE	10 0
				SE NE	43 40 0	03 02 03	65-08334 65-12202 65-07312	HAWOOD DAVIS	C	D	04 15 1973 03 14 1979 09 25 1972	GROUNDWATER BEAVER CREEK BEAVER CREEK, WEST FORK				NE SE NE	NE	26 0 10 0
				NE NE	14 0 15 0	03 03	65-07649	DAVIS	C	P	09 04 1976	BEAVER CREEK, WEST FORK				NE NE	NE	10 0 40 0
				NE NE	15 0 15 0	01 03 55	65-07777 65-07861	DAVIS	C	P	12 03 1976 06 01 1978	FLAT CREEK FRENCH CREEK				NE NE	NE	10 0 40 0

See map 6

NE NW	40 0 02 00	05-12202	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK
NH NW	40 0 02 00	05-12202	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK
NH NW	37 0 01	05-07680	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK
SH NW	40 0 02 03	05-12202	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK
SE NW	20 0 03	05-07312	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK
SE NW	20 0 03	05-07649	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK
SE NW	70 0 01	05-07777	DAVIS	P 12 03 1976	FLAT CREEK	
SE NW	40 0 03 55	05-07861	DAVIS	P 06 01 1978	FRENCH CREEK	
SE NW	20 0 02 03	05-12202	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK
NE SW	20 0 03	05-07312	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK

NH NW	40 0 02 00	05-12202	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK
NH NW	35 0 01	05-07680	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK
NH NW	0 0 0 0	05-12202	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK
SH NW	15 0 01	05-07649	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK
SH NW	35 0 01	05-07777	DAVIS	P 12 03 1976	FLAT CREEK	
SH NW	2 0 0 0	05-07861	DAVIS	P 06 01 1978	FRENCH CREEK	
SH NW	30 0 0 0	05-12202	DAVIS	P 0 14 1979	BEAVER CREEK	WEST FORK

F 5

DATE 01 07 89
PAGE 4086

HR4001NP
(00-21)

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFILME BY PLACE OF USE

DATE 01 07 89
PAGE 4101

HR4001NP
(00-21)

TWP	RNG	SECT	TRACT	LOT	ACRES	WATER-USE CODE	WATER RIGHT NO	LAST NAME	O	SIG	PRIORITY	DATE	WATER SOURCE	TWP	RNG	SECT	TRACT	LOT	ACRES
14N	04E	31	NE SW		20 0	03	05-07649	DAVIS	C	P	09 04 1976	BEAVER CREEK, WEST FORK	FLAT CREEK	14N	05E	10	SW SW		23 0 0
			NE SW		20 0	01	05-07777	DAVIS	C	P	12 03 1976	FLAT CREEK				SW SW		13 0 01	
			NE SW		20 0	01 55	05-07861	DAVIS	C	P	06 01 1978	FRENCH CREEK				NE SE		0	
			NE SW		40 0	02 03	05-12202	DAVIS	C	P	03 14 1979	BEAVER CREEK				NE SE		33 0 01	
			NE SW		20 0	03	05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK	FLAT CREEK			NE SE		28 0 01	
			NE SW		20 0	03 55	05-07861	DAVIS	C	P	06 01 1978	FRENCH CREEK				SW SE		10 0 01	
			NH SW		40 0	02 03	05-12202	DAVIS	C	P	03 14 1979	BEAVER CREEK				SE SE		0	
			SH SW		40 0	02 03	05-12202	DAVIS	C	P	03 14 1979	BEAVER CREEK				SE SE		20 0 01	
			SH SW		4	01	05-12622	PAUL	C	P	06 02 1983	PEARSON CREEK				SE SE		20 0 01	
			SE SW		30 0	03	05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK				SE SE		20 0 01	
			SE SW		30 0	03	05-07649	DAVIS	C	P	09 04 1976	BEAVER CREEK, WEST FORK				NE NW	2	33 0 0	
			SE SW		30 0	03 55	05-07861	DAVIS	C	P	06 01 1978	FRENCH CREEK				NH NW	3	00 01	
			SE SW		40 0	02 03	05-12202	DAVIS	C	P	03 14 1979	BEAVER CREEK				NH NW	3	00 01	
			SE SW		4	01	05-12622	PAUL	C	P	06 02 1983	PEARSON CREEK				SH NW	20 0 01		
			SE SW		6	30 0	03	05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NW	3	40 0 01	
			SE SW		6	30 0	03	05-07649	DAVIS	C	P	09 04 1976	BEAVER CREEK, WEST FORK			NE SW	4	00 01	
			SE SW		60	30 0	03 55	05-07861	DAVIS	C	P	06 01 1978	FRENCH CREEK			NH SW	30 0 01		
			NE SE		4	03	05-07348	PETERSON	C	D	03 22 1973	GROUNDWATER			SE SW	40 0 01			
			NE SE		4	03	05-02295	WARNER DITCH CO	C	D	07 08 1919	BIG CREEK			SE SW	40 0 01			
			NE SE		6	13 0	01	05-02295	WARNER DITCH CO	C	D	07 08 1919	BIG CREEK			SE SE	40 0 01		
			NH SE		40 0	01	05-07777	DAVIS	C	P	12 03 1976	FLAT CREEK			NE NW	2	30 0 0		
			NE SE		4	03	05-07334	SCOTT	C	D	01 24 1973	GROUNDWATER			SH NW	25 0 01			
			NE SE		1	03 01	05-07340	MURPHY	C	L	02 16 1973	GROUNDWATER			SH NW	25 0 01			
			SE SE		4	03	05-09018	HUTCHENS	C	D	08 01 1974	GROUNDWATER			SE NW	20 0 01			
			SE SE		7	01 02 02 17 55	05-12608	HUTCHENS	C	P	04 15 1983	PEARSON CREEK			NE SW	35 0 01			
			NH NE		40 0	03	05-07312	YORGENSEN	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SH SW	40 0 01			
			NH NE		40 0	03	05-07649	DAVIS	C	P	09 04 1976	BEAVER CREEK, WEST FORK			SE SW	40 0 01			
			NH NE		40 0	03	05-07777	DAVIS	C	P	12 03 1976	FLAT CREEK			SE SW	40 0 01			
			NH NE		40 0	03 55	05-07861	DAVIS	C	P	06 01 1978	FRENCH CREEK			NE SE	8	10 0		
			NH NE		40 0	02 03	05-12202	DAVIS	C	P	03 14 1979	BEAVER CREEK			NH SE	5	00 01		

G 5

DATE 01 07 89
PAGE 4087

HR4001NP
(00-21)

IDAH0 DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFILME BY PLACE OF USE

DATE 01 07 89
PAGE 4102

HR4001NP
(00-21)

TWP RNG SECT			TRACT	LOT	ACRES	WATER-USE CODE	WATER RIGHT NO	LAST NAME	O	SIG	PRIORITY	DATE	WATER SOURCE	TWP RNG SECT			TRACT	LOT	ACRES
14N 04E 32			NE NW	40	03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK	FLAT CREEK	14N 05E 14	SW NE	2	00	01	
FUR			NE NW	40 <td>03</td> <td></td> <td>05-07649</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 04 1976</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>NE NE</td> <td>2</td> <td>00</td> <td>01</td>	03		05-07649	DAVIS	C	P	09 04 1976	BEAVER CREEK, WEST FORK			NE NE	2	00	01	
FUR			NE NW	40 <td>03</td> <td></td> <td>05-07777</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>12 03 1976</td> <td>FLAT CREEK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	03		05-07777	DAVIS	C	P	12 03 1976	FLAT CREEK			SE NE	8	00	01	
FUR			NE NW	40 <td>03 55</td> <td></td> <td>05-07861</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>06 01 1978</td> <td>FRENCH CREEK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	03 55		05-07861	DAVIS	C	P	06 01 1978	FRENCH CREEK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-12202</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-12202	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
FUR			NE NW	40 <td>02 03</td> <td></td> <td>05-07312</td> <td>DAVIS</td> <td>C</td> <td>P</td> <td>09 25 1972</td> <td>BEAVER CREEK, WEST FORK</td> <td></td> <td></td> <td>SE NE</td> <td>8</td> <td>00</td> <td>01</td>	02 03		05-07312	DAVIS	C	P	09 25 1972	BEAVER CREEK, WEST FORK			SE NE	8	00	01	
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VALLEY COUNTY PLANNING AND ZONING COMMISSION

VALLEY COUNTY COURTHOUSE
CASCADE, IDAHO 83611

RECEIVED

JAN 23 1991

December 17, 1990

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

Re: Application for permit 65-13019

Gentlemen:

The Board of County Commissioners considered the application of the Davis Cattle Company for additional storage in the Tom J. Reservoir in Valley County. The Board does not object to the granting of the application.

The activity of construction and operation of the proposed activity does not conflict with provisions of the Comprehensive Plan or the local zoning ordinance. No permits or hearings are required.

Very truly yours,



Leslie L. Ankenman, P. E.
Valley County Engineer
P&Z Administration

LLA:fc

RECEIVED

MAR 20 1991

State of Idaho Department of Water Resources

Attention: Steve Fester

In regards to the application for permit #65-13019. We do not feel there will be any effect on the existing water rights, since we have all the water rights on Beaver Creek, which is the drainage into this reservoir.

The sufficiency of water supply has been surveyed by Ron Watts, engineer, for HB Engineering of Boise.

We're building this reservoir for the sole purpose of irrigation, with no speculative purposes.

The financial resources for this project are supplied solely by Davis Cattle Company. Although subjected to the cattle industry fluctuations, fund should be sufficient to complete this project.

In regards to the local public interest, the reservoir is mostly on private property. A small part is on the state land. We are in the process of negotiating easements with the State of Id. Dept. of Lands in ^{McCall} McCall.

A letter shall be enclosed from

the county commissioners, relating
their interest in this project

John Q. Smith

RECEIVED
JAN 10 1916

FILE

CONVERSATION MEMORANDUM

DATE 12/17/90FILE 65-13019NAME OF PARTY Phil DavisEMPLOYEE Steve LesterRE: Response to my letter of 12/14/90

*
① NO acres W. of River. Delete them. Acres now = 3710.6
Use govt lot plot to show acres/QQ.

② Tom J. Davis - Pres
Phil Davis - V/P
Jerina K. Davis - SFT } Addressee as in appl.

③ increasing dam from 33' to 50'.

Storage in 33' DAM = 65-12202

Now - increase storage for additional H₂O for
some of same lands in 65-12202.

MICROFILMED

MAR 28 1991

* 12/18/90 Called & left message for Phil. This is
original land list - land W. of river & adjusted for
govt lots.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 14, 1990

Davis Cattle Company
HC 71, Box 2005
Cascade, ID. 83611

RE: Application for Permit No. 65-13019

Dear Applicant:

The above application for permit to appropriate water was received at this office on 3/20/89. The last correspondence to you concerning the application occurred on 4/24/89 (see attached copy of that letter). Unless a response is received by 01/15/91, I will assume you are not interested in pursuing the water right, and the application will be voided and a \$475 refund will be issued.

Please contact me if additional help is needed.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Sr. Water Resource Agent

A faint, rectangular stamp, possibly a "RECEIVED" or "FILED" stamp, with illegible text inside.

MAR 28 1991

A faint, rectangular stamp, possibly a "RECEIVED" or "FILED" stamp, with illegible text inside.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 24, 1989

Davis Cattle Company
HC 71, Box 2005
Cascade, Id. 83611

Re: Application for Permit 65-13019

Dear Mr. Davis:

Your recent application for additional storage in the Tom J. Reservoir for irrigation was received and reviewed. Our dam safety files indicate that the dam holds 3360 acre-feet. It appears that the above application, when combined with Permit 65-12202, will provide the full storage water rights that you desire.

Before this office can recommend approval of the application, additional information is needed. The following items are of concern:

- 1) names, titles, and addresses of officers, directors, or other titled people of the Davis Cattle Company.
- 2) information concerning approximately 30 acres in Section 31 that are found on the west side of the North Fork of the Payette River. The remaining 3850 acres described on the application are on the east side of the river. Based on the orthophotoquad at this office and my own familiarity with the area, the land on the west side is occupied by a baseball field, trailer park, motel, etc. Do you intend to provide this area with irrigation water from the reservoir, and, if so, how will this be accomplished?
- 3) information relating to the proposed development as outlined in the attached copy of Water Appropriation Rules 4,5,3,1 through 4,5,3,6,7. This covers the following items:
 - a) effect on existing water rights,
 - b) sufficiency of water supply,
 - c) good faith, delay, or speculative purposes,
 - d) financial resources, and
 - e) local public interest.

MICROFILMED

MAR 28 1991

Page 2
Application 65-13019

I realize that item 3 may take considerable time to complete, but please make at least a partial response to the above requests within 30 days to avoid delays in approving the application. Additional help is available at this office.

Sincerely,

Steve Lester
Sr. Water Resource Agent

SL:sl
Enclosure

RECEIVED

MAY 31

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

Boise, Idaho 83705
(208) 334-2190

JANUARY 9, 1991

The Advocate
P.O. Box 1079
Cascade, ID 83611

Dear Legal Dept.:

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

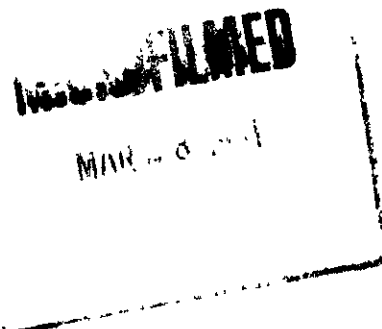
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 4, 1991.

Yours truly,

GAIL GARRETT
Secretary

Encl.



DAVIS CATTLE CO.
HC 71 BOX 2005
CASCADE, ID 83611

Tributary: PAYETTE RIVER, NORTH FORK

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Use:  IRRIGATION STORAGE                ( 2500.00 AF)
      IRRIGATION FROM STORAGE            ( 2500.00 AF)
      Total Diversion:                   ( 2500.00 AF)

```

In:	T14N	R04E	S17	NESW	NWSW	SWSW	SESW
			S19	NENE	NWNE	SWNE	SENE
				NENW Lot 1	(NWNW) Lot 2	(SWNW)	SENW
				NESW Lot 3	(NWSW) Lot 4	(SWSW)	SESW
				NESE	NWSE	SWSE	SESE
			S20	NENW	NWNW	SWNW	SENW
				NESW	NWSW	SWSW	SESW
				NESE	NWSE	SWSE	SESE
			S21	NWSW	SWSW		
			S28	NENW	NWNW	SWNW	SENW
				NESW	NWSW	SWSW	SESW
			S29	NENE	NWNE	SWNE	SENE
				NENW	NWNW	SWNW	SENW
				NESW	NWSW	SWSW	SESW
				NESE	NWSE	SWSE	SESE
			S30	NENE	NWNE	SWNE	SENE
				NENW Lot 1	(NWNW) Lot 2	(SWNW)	SENW
				NESW Lot 3	(NWSW) Lot 4	(SWSW)	SESW
				NESE	NWSE	SWSE	SESE
			S31	NENE	NWNE	SWNE	SENE
				NENW Lot 1	(NWNW) Lot 2	(SWNW) Lot 2	(SENW)
				Lot 5 (NESW) Lot 6	(NWSW) Lot 6	(SWSW)	NESE
				NWSE	SWSE	SESE	
			S32	NWNE	NENW	NWNW	SWNW
				SESW	NESW	NWSW	

ANNOUNCED

MIN. 2 351