

Yonkers

$\frac{21}{28} \frac{22}{27}$

F-12

John S. Hyde

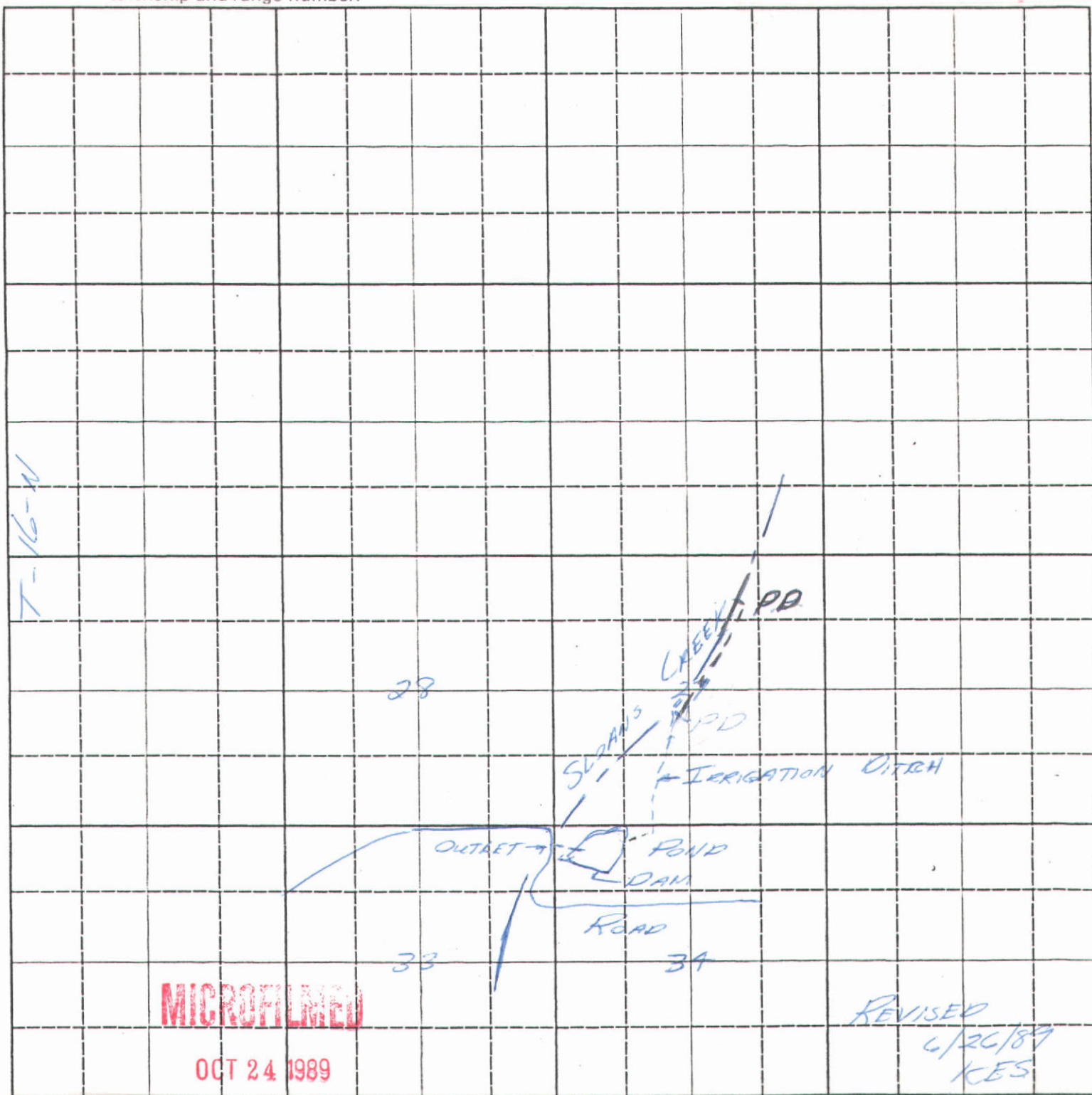
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27
33 34

TO SCALE

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



Scale: 2 inches equal 1 mile.

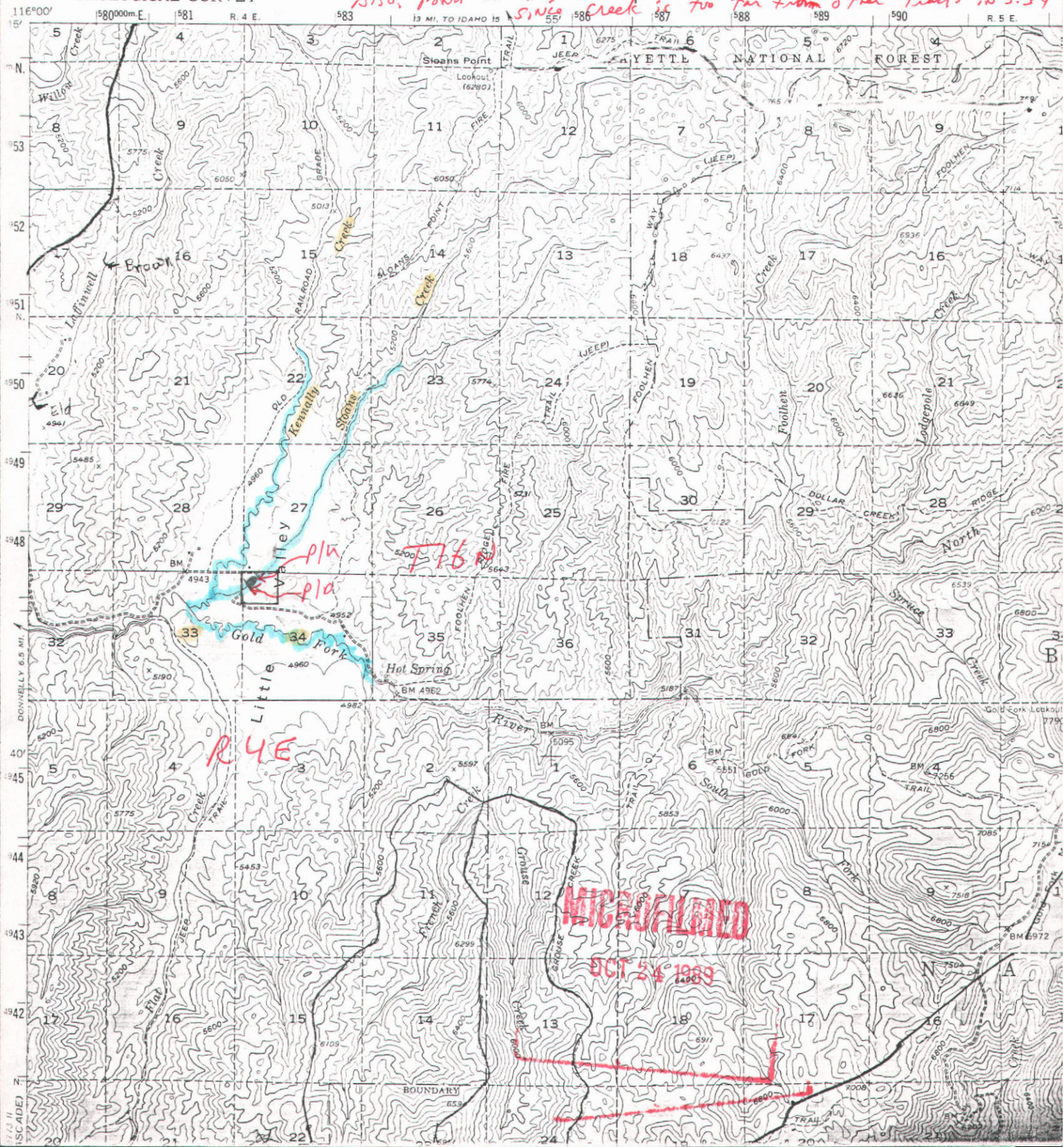
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

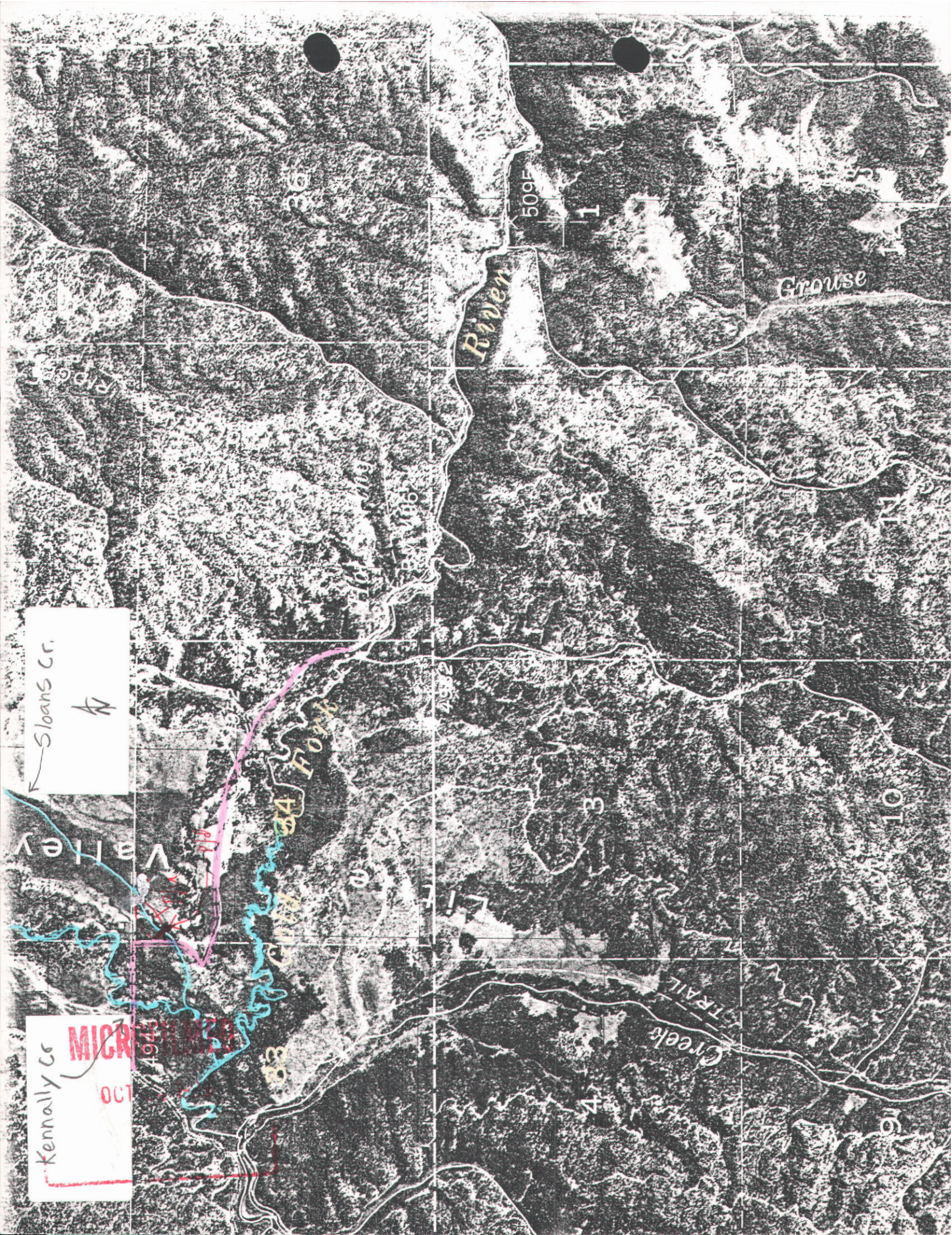
William D. Dorman TRUSTEE
(Applicant)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

82
3/3/89

NOTE THAT SCORN CREEK FLOWS ONLY WITHIN
NWNW S.34 AND NO OTHER TRACTS IN THAT SECTION.
ALSO, PORT OF DESCRIBED SIZE MUST FALL WITHIN NWNW ALSO
SINCE CREEK IS TOO FAR FROM OTHER TRACTS IN S.34





Sloans Cr.



Kennally Cr.

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OCT

34 Fork

River

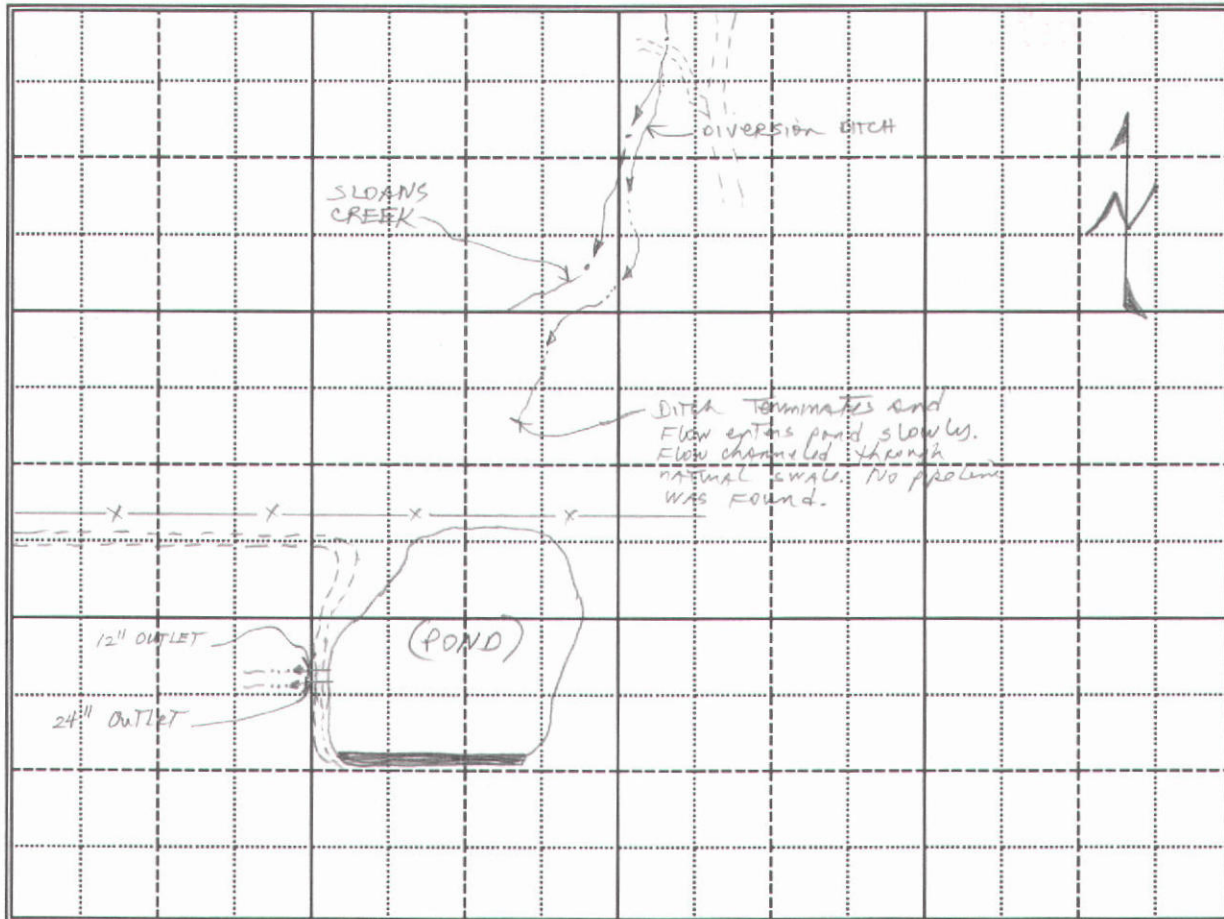
Grouse

Creek

TRAIL

500F

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



Scale: 1" = NTS.

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

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

☒ Photo of Diversion and System Attached

4. N/A - Gravity System

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
<u>NONE - USED 'ORANGE PEEL' method through pipe</u>						

2. Measurements: $Q = VA$ $V = 1.17 \text{ FT/sec}$
 $A = 1.16 \text{ FT}^2$
 $Q = 1.17 \times 1.16 = 1.4 \text{ CFS}$

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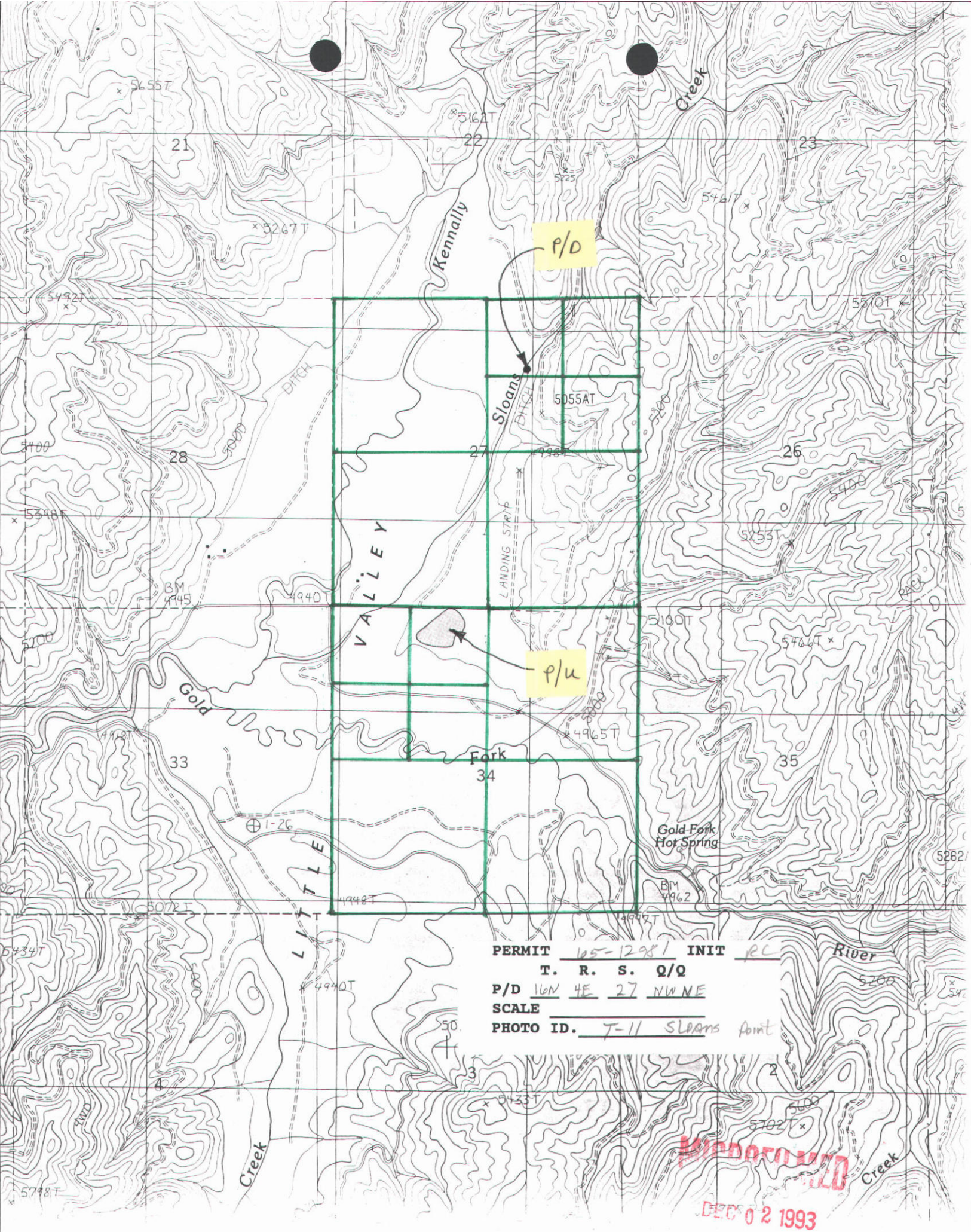




PHOTO ONE-

View southerly of diversion from Sloan Creek. The ditch which empties into pond is shown in background.



PHOTO TWO-

View southwest of supply, on diversion ditch for pond. Pond is in upper left corner of photo.

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PHOTO THREE-

Northern point of pond which is inlet from diversion ditch.



PHOTO FOUR- View easterly of south end of pond and dam.

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PHOTO FIVE- View southwest of pond. Dam at far end of pond.



PHOTO SIX-

Two overflow pipe located on west side of pond

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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 *Amended Appl. Yanke-Nicholson* a copy of which is attached hereto, was published in said newspaper once a week for _____ 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:

7-5, 19 89

and ended 7-12, 19 89

Fred K. O'Brien
Subscribed and sworn before me, this the

19th day of July, 19 89

On this 19th day of July, 19 89

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.

Rayola Jarvis
Rayola Jarvis, Notary Public residing at Cascade, Idaho

NOTICE OF AMENDED
APPLICATION FOR PERMIT
Notice is hereby given that application No. 65-12981 in the name of Yanke-Nicholson Trust was filed on 1/16/89 for the diversion of 0.15 cfs and 18 afa from Sloans Creek, tributary to Gold Fork River with a point of diversion within T16N, R4E, S34 NWNE, B.M. to be used for Recreation and Recreation Storage purposes from 1/1 to 12/31 within portions of T16N, R4E, S34, NWNW, B.M.

The applicant now proposes to amend the application by changing the Point of Diversion to T16N, R04E, S27 NWNE, B.M.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, 2735 Airport Way, Boise, ID 83705 on or before JULY 24, 1989.

R. Keith Higginson, Director
Published 7/5 & 7/12/1989

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OCT 24 1989

Conference Notes by D. Tuttle

Donnelly ID 10:00 am June 7, 1989 65-12981

Yanke - Nicholson Children Trust - Applicant

Represented by Keith Stokes

Protestant - Gold Fork Irrigation Co

Represented by Art Hall & Laurel Hansen

Applicant -

- Pond was purchased in 1978
- Stores & releases on a continuous basis
- Not sure if land where pond is located was irrigated prior to pond construction
- Wall's Swift might know about use of land prior to pond construction.





1960

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 Appl. for Water Right, 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:

3-15, 19 89

and ended 3-22, 19 89

Fred K. O'Brien
Subscribed and sworn before me, this the

24th day of March, 19 89

On this 24th day of March, 19 89
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.

Rayola J. Jarvis
Rayola Jarvis, Notary Public residing at Cascade, Idaho

NOTICE OF APPLICATION FOR
WATER RIGHT
The following application(s) have been
filed to appropriate the public waters of
the State of Idaho:
65-12981 ✓
YANKE NICHOLSON CHILDREN
TRUST
C/O WILLIAM E. MORRIS
P.O. BX. 5411
BOISE, IDA 83705
Source: SLOANS CREEK
Tributary: GOLD FORK RIVER
Diversion Pt: NWNW Sec 34 T 16N R
04E
Use: RECREATION (.150 CFS)
RECREATION STORAGE
(18.00AF)
Date Filed: 11/16/1988
In: T16N R04E S34 NWNW
The permit(s) will be subject to all
prior water rights. Protests must be filed
with the Director, Dept. of Water
Resources, Western Region, 2735 Airport
Way, Boise, Idaho, 83705 on or before
APRIL 3, 1989.
R. KEITH HIGGINSON, Director
Published 3/15/1989 & 3/22/1989
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MAR 27 1989

Department of Water Resources
Western Regional Office

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OCT 24 1989

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

MAY 21 1999

WATER RESOURCES
WESTERN REGION
RECEIVED

MAY 24 1999

1. **Water Right No(s):** 65-12981
Adjudication Claim No(s): _____
Department of Water Resources
2. **The following REQUIRED information must be submitted with this form:**
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. **Name and Address of Former Owner/Claimant** Yanke-Nicholson Children Trust, William E. Morris, Custodian
P.O. Box 5411, Boise, ID 83705
4. **New Owner/Claimant(s)** Jennifer J. Nicholson, Kelia A. Nicholson, Scott R. Nicholson
New Mailing Address 700 West Overland Rd.
City, State and ZIP Code Meridian, ID 83642
New Telephone Number (208) 888 1593
5. **Date you acquired the property** Sept. 13, 1994
6. **If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.**

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. **Signature of New Owner or Claimant(s)** Jennifer J. Nicholson, Kelia A. Nicholson
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. **For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..**

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JUN 25 1999

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

After Recording Return to:
Richard D. Heaton
P.O. Box 5405
4414 S. Gekeler Lane
Boise, ID 83705

206780
MOUNTAIN TITLE & ESCROW
REQUESTED BY
DATE
TYPE: *Deed* H10
VALLEY
BY: *W. Morris*
FEE: *12.00*

WARRANTY DEED

FOR VALUE RECEIVED, WILLIAM E. MORRIS, as custodian for Jennifer J. Nicholson, Kelia A. Nicholson, and Scott R. Nicholson, the Grantor, does hereby grant, bargain, sell and convey unto Jennifer J. Nicholson, Kelia A. Nicholson, and Scott R. Nicholson, each an undivided one-third (1/3) interest as tenants in common, the Grantees, whose address is 700 West Overland, Meridian, Idaho 83642, that portion of property lying on the east side of the center line of the North Fork of the Gold Fork River (or Kennally Creek) within that property described in Exhibit "B", attached hereto and incorporated herein by this reference, located in Valley County, Idaho.

TO HAVE AND TO HOLD the said Premises, with their appurtenances unto the said Grantees, and Grantees' successors and assigns forever. The Grantor does hereby covenant to and with the said Grantees that Grantor is the owner in fee simple of said Premises; and that said Premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantees; and subject to general taxes and assessments (including irrigation and utility assessments, if any) for the current year which are not yet due and payable; and, that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: September 13, 1994

GRANTOR:

William E. Morris

William E. Morris
Custodian for Jennifer J. Nicholson,
Kelias A. Nicholson and Scott R.
Nicholson

STATE OF IDAHO)
) ss
County of ADA)

On this 13th day of September, 1994, before me, the undersigned Notary Public for the state of Idaho, personally

MICROFILMED
JUN 25 1999

appeared William E. Morris, custodian for Jennifer J. Nicholson, Kelia A. Nicholson and Scott R. Nicholson, known to me to be the person whose name is subscribed to the foregoing, and acknowledged to me that he executed the same in such capacity.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

(Seal)

M. Margaret Johnson
Notary Public for the state of Idaho

Residing at: Boise Idaho

My commission expires: 11-3-94

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JUN 25 1999

EXHIBIT "B"

Those premises containing approximately 946 acres situated in Valley County, Idaho, described as follows:

The E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 28, and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, all in Township 16 North, Range 4 East of the Boise Meridian, containing 120 acres, more or less;

The SE $\frac{1}{4}$ of Section 28, Township 16 North, Range 4 East of the Boise Meridian, containing 160 acres, more or less;

The W $\frac{1}{2}$ of the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 22, and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27, in Township 16 North, Range 4 East of the Boise Meridian, containing 160 acres, more or less;

The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 27, in Township 16 North, Range 4 East of the Boise Meridian, containing 40 acres, more or less;

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditches and rights of ways for ditches used upon or appurtenant to the above described real property; including, but not limited to 3.2 cubic feet of water from Kenley Fork.

The W $\frac{1}{2}$ of the SW $\frac{1}{4}$, Section 27, the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34, all in Township 16 North, Range 4 East of Boise Meridian, containing 160 acres of land, more or less;

Together with all water and ditch rights and rights of way for water and ditches,

AND

The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$; the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$; the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$; the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ all in Section 27; the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 22, in Township 16 North, Range 4 East, B.M., Valley County, Idaho. EXCEPTING THEREFROM a piece or parcel of land lying and being in the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 27, T. 16N., R. 4E.; B.M., more particularly described as follows:

Starting at the NE corner of Section 27, T. 16 N., R. 4E., B.M.; thence N. 89°42' W., 1311 feet; thence S. 0°02' E., 440 feet, more or less, along the line between the E $\frac{1}{2}$ and the W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 27 to a steel pin, the real place of beginning; thence S. 59°42' W., 99.2 feet; thence S. 32°42' W., 93.0 feet; thence S. 25°12' W., 184.4 feet; thence S. 61°39' W., 108.1 feet; thence S. 30°40' W., 218.7 feet; thence S. 7°45' E., 150.2 feet; thence S. 8°45' W., 139.7 feet; thence S. 13°57' W., 229.8 feet; thence S. 10°46' E., 138.0 feet; thence S. 6°12' W., 103.8 feet; thence S. 1°25' W., 215.5 feet; thence S. 52°45' E., 256.3 feet; thence S. 81°03' E., 268.4 feet; thence N. 0°02' W., 1,697.6 feet along the 1/16 line to the point of beginning; all angle points in the above described line being marked by steel pins, and the above described exceptions containing 14.12 acres.

Yankee

$\frac{21}{28} \frac{22}{27}$

F-12

Yankee

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TO SCALE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12981

Priority: November 16, 1988

Maximum Diversion Rate:

0.15 CFS

Maximum Diversion Volume:

108.6 AF

This is to certify, that YANKE NICHOLSON CHILDREN TRUST
C/O WILLIAM E MORRIS
PO BOX 5411
BOISE ID 83705

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated November 16, 1988; and
has submitted Proof of Beneficial Use on September 24, 1990. An examination indicates
that the works have a diversion capacity of 1.400 cfs of water from:

SLOANS CREEK

tributary to GOLD FORK RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31	0.15 CFS	108.6 AF
RECREATION STORAGE	01/01 to 12/31		18.0 AF
	Totals	0.15 CFS	108.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 27, Township 16N, Range 04E
VALLEY County

PLACE OF USE: RECREATION

TWN RGE SEC

16N 04E 34

NENW

CONDITIONS/REMARKS:

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

DEC 02 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12981

CONDITIONS/REMARKS:

6. Diversion from Sloans Creek under this water right shall not occur during periods when senior downstream water rights are not fully satisfied.
7. A measuring device and lockable controlling works must be installed at the point of diversion if Sloans Creek or Gold Fork River are actually monitored by the watermaster of the Payette River or his deputy.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 16TH day of NOVEMBER, 1993.

Acting for  R. Keith Higginson, Director

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DEC 02 1993

APPROVED

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12981

RECEIVED

OCT 29 1993

Department of Water Resources

Date of Priority: November 16, 1988

Maximum Diversion Rate:

0.15 CFS

Maximum Diversion Volume:

108.6 AF

Comes now

YANKE NICHOLSON CHILDREN TRUST

C/O WILLIAM E MORRIS

PO BOX 5411

BOISE ID 83705

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. 65-12981, and requests that the permit be changed as follows:

Source: SLOANS CREEK

tributary to GOLD FORK RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31	0.15 CFS	108.6 AF
RECREATION STORAGE	01/01 to 12/31		18.0 AF
	Totals	0.15 CFS	108.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 27, Township 16N, Range 04E
VALLEY County

PLACE OF USE: RECREATION

TWN RGE SEC

16N 04E 34

NENW

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 Boise, Idaho, this 27th day of OCTOBER, 1993.

RECEIVED

DEC 02 1993

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12981

FOR DEPARTMENT USE ONLY

Preliminary check by BC Fee = 20.00 Received by JW # C028891 Date 10-29-93 ✓

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-12981 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
6. Diversion from Sloans Creek under this water right shall not occur during periods when senior downstream water rights are not fully satisfied.
7. A measuring device and lockable controlling works must be installed at the point of diversion if Sloans Creek or Gold Fork River are actually monitored by the watermaster of the Payette River or his deputy.

Witness my hand this 16TH day of NOVEMBER, 1993.

Acting for R. Keith Higginson Director

FILED
DEC 02 1993

For Office Use Only
Amt of Fee \$ 50.00
Date 9/24/90
Receipt No 60183408
Received by [Signature]

RECEIVED
SEP 24 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

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

Permit No. 65-12981 Telephone No. _____

Name(s) of Permit Holder(s): YANKE NICHOLSON CHILDREN TRUST

Post Office Address: 90 Wm E Morris P.O. Box 3411 Boise ID 83705

Source of Water: SWANS CREEK Trib of Snake Fork River

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

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock) Other 0.15 RECREATION

Total rate and/or volume for which proof is submitted 0.15 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: Nov 16, 1988

One of the following may be a condition of approval of your permit: Please review this requirement on
lockable and Measuring device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No this permit water is diverted only into storage pond for raising trout.
OR

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

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

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

KEITH STOKES PE (208) 375-1130
Name Telephone No
P.O. Box 7341 Boise ID
Address

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

MICROFILMED

MAR 19 1991

9/17/90 [Signature] PE Consultant
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-12981

Proposed Priority: November 16, 1988 Maximum Diversion Rate: 0.15 CFS

This is to certify, that **YANKE NICHOLSON CHILDREN TRUST**
C/O WILLIAM E. MORRIS
P.O. BOX 5411
BOISE, ID 83705

has applied for a permit to appropriate water from:

SLOANS CREEK tributary of **GOLD FORK RIVER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31	0.15 CFS	
RECREATION STORAGE	01/01 to 12/31		18.0 AF
	Totals	0.15 CFS	

LOCATION OF POINT(S) OF DIVERSION: NWNE Sec. 27, Township 16N, Range 04E
VALLEY County

PLACE OF USE: RECREATION

TWN RGE SEC

16N 04E 34 NWNW

PLACE OF USE: RECREATION STORAGE, same as RECREATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1990.
2. Subject to all prior water rights.
3. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this permit.
4. Use of water under this permit is subject to control by the watermaster of State Water District No. 65.
5. Diversion from Sloans Creek under this water right shall not occur during periods when senior downstream water rights are not fully satisfied.
6. A measuring device and lockable controlling works must be installed at the point of diversion if Sloans Creek or Gold Fork River are actually monitored by the watermaster of the Payette River or his deputy.

MICROFILMED

OCT 24 1989

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-12981

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

10th day of October, 1989.

R. Keith Higginson
for R. Keith Higginson, Director

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OCT 24 1989

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant Yanke-Nicholson Children Trust William E. Morris, Custodian
Post office address P.O. Box 5411 Boise, ID 83705
2. Source of water supply Sloans Creek which is a tributary of Gold Fork River
3. Location of point of diversion is NW 1/4 of NE 21N 7W 14E 16N 4E B.M. Valley County; additional points of diversion if any: None
4. Water will be used for the following purposes:
- Amount 0.15cfs for Recreation purposes from Jan. 1 to Dec. 31 (both dates inclusive) acres
Amount 18 af for Rec. storage purposes from Jan. 1 to Dec. 31 (both dates inclusive) acres
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) 0.15 cubic feet per second and/or (b) 18 acre feet per annum
6. Proposed diverting works:

4. Water will be used for the following purposes:

Amount 0.15 cts for Recreation purposes from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 18 ¢ for Rec. storage purposes from Jan. 1 to Dec. 31 (both dates inclusive)

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

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

Total quantity to be appropriated is (a) 0.15 cubic feet per second and/or (b) 18 acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Small dike and pond. 5 acres +-.

b. Height of storage dam 9' feet; active reservoir capacity 18 acre-feet; total reservoir capacity 18' 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? No

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

_____ I _____ years (minimum 1 year).

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OCT 24 1989

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

- a Hydropower; show total feet of head and proposed capacity in KW None
- b Stockwatering, list number and kind of livestock. _____
- c Municipal; show name of municipality. _____
- d Domestic; show number of households _____
- e Other, describe fully Recreation - Pond is periodically stocked with trout

9 Description of place of use

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

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	4E	34						R RS											

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. None

11. a. Who owns the property at the point of diversion? Y-N Children Trust

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

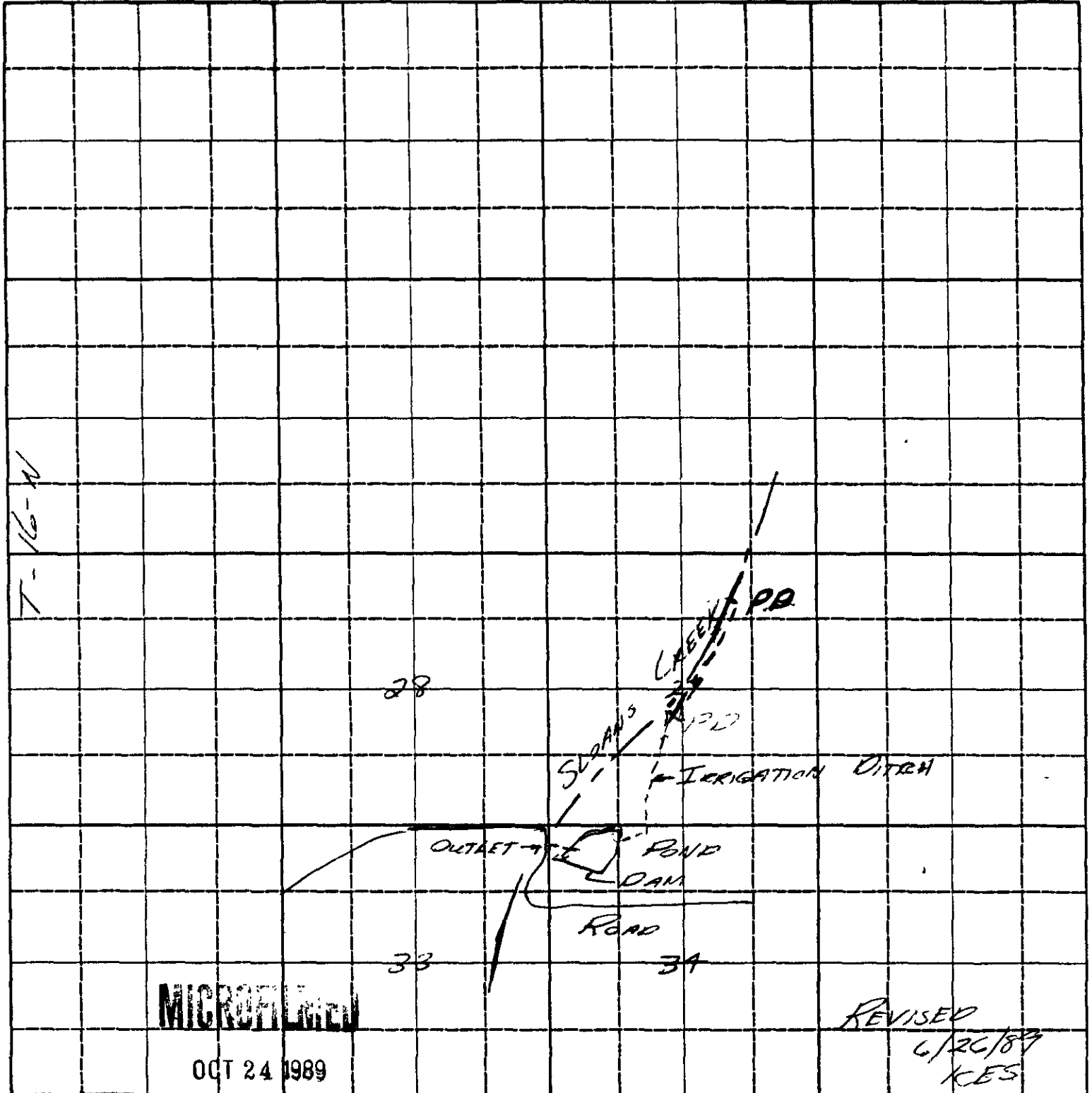
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. William E. Morris is the custodian of the Yanke - Nicholson Children Trust.

12. Remarks: Trust members - Danial R. Yanke, Susan Yanke Norby, Jill Marie Yanke, Jennifer J. Nicholson, Kelia A. Nicholson, Scott R. Nicholson

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OCT 24 1989

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



Scale: 2 inches equal 1 mile.

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

John D. Davis TRUSTEE
(Applicant)

RECEIVED
OCT 24 1903

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

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

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

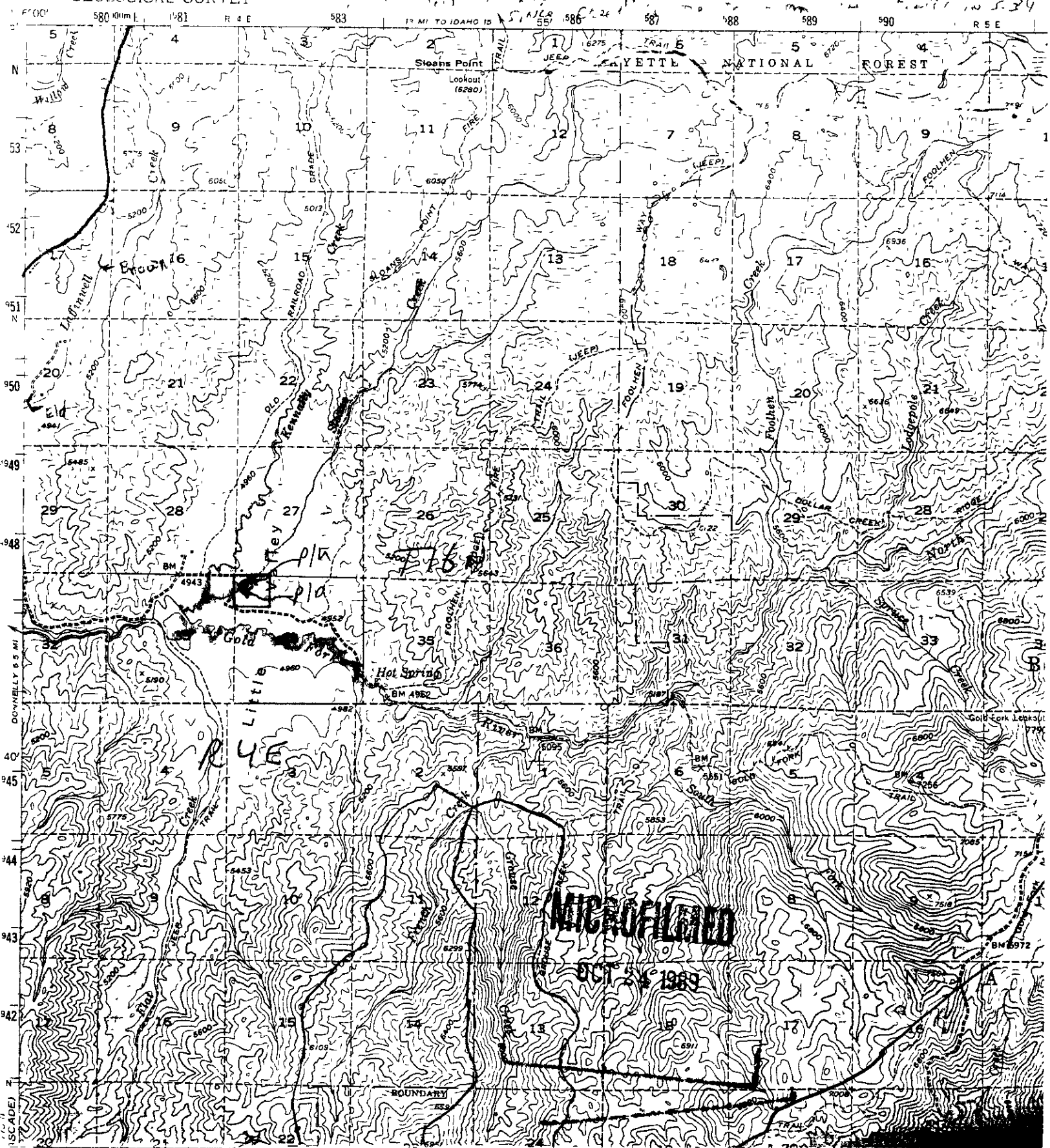
e. Other.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Received by	DEP (Amended) 6/26/89	Date	11-16-88	Time	2:15	Preliminary check by	RBW
Fee \$	30-	Received by	RBW	#	W001921	Date	1-16-89
	20% admin. fee C-26-89 (Receipt W003349)	GG	3/8/89	Published in	The Advocate	Date	3/15 & 3/22/89
Publication prepared by	GG	Date	3/8/89	Publication approved	RBW	Date	4-4-89

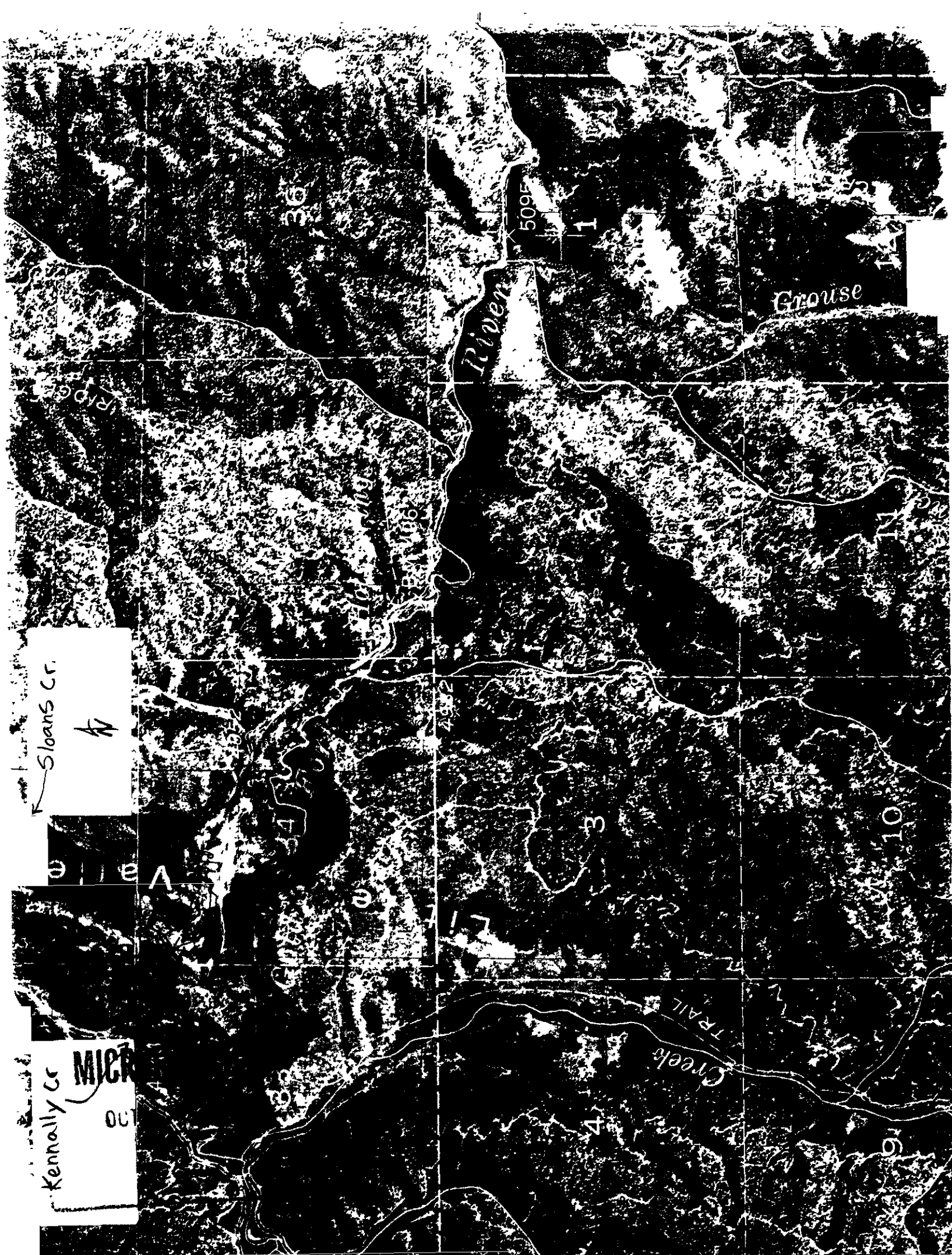
check rec'd with Appl. on 11/16/88. RBW

A
N



← Sloan's Cr.
W

Kennally Cr
MICR
007



36

500F

1

Grouse

River

Valley

432

3475

3

10

Creek
Trail

4

6



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

June 22, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JENNIFER J NICHOLSON
KELIA A NICHOLSON
SCOTT R NICHOLSON
700 W OVERLAND RD
MERIDIAN ID 83642

RE: Water Right 65-12981

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

L. Glen Saxton
for L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

cc: IDWR-Western Region

MICROFILMED
JUN 25 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

November 17, 1993

YANKE NICHOLSON CHILDREN TRUST
C/O WILLIAM E MORRIS
PO BOX 5411
BOISE ID 83705

RE: WATER RIGHT NO. 65-12981

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', followed by a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECORDED

DEC 02 1993



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

October 13, 1993

YANKE NICHOLSON CHILDREN TRUST
C/O WILLIAM E MORRIS
PO BOX 5411
BOISE ID 83705

RE: WATER RIGHT NO. 65-12981

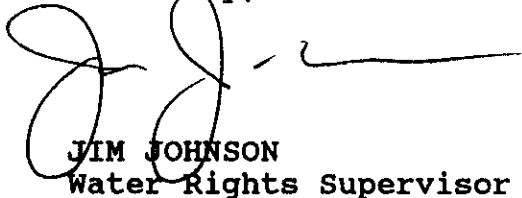
Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 14 days.

If you do not concur with this information, please contact me as soon as possible.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

DEC 02 1993

WR0749NP
No. L65-12981

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 10/08/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	YANKE NICHOLSON CHILDREN TRUST C/O WILLIAM E MORRIS PO BOX 5411 BOISE ID 83705 (208) 375-1130	11/16/1988	RECREATION RECREATION STORAGE	01-01 12-31 01-01 12-31	0.15 CFS	108.6 AFA 18.0 AFA
TOTAL DIVERSION:					0.15 CFS	108.6 AFA

Water Source: SLOANS CREEK

Tributary to: GOLD FORK RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 1.40 CFS

Point(s) of Diversion: T16N R04E S27 NW NE

Place of use Legal Description for: RECREATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
16N	04E	34	:																	:

Pou County: VALLEY

~~Non-Irrigation Uses: R/POND STOCKED WITH TROUT~~

Other Water Rights Listing Overlapping Place(s) of use:
65-05427

Conditions of Approval:

- 005 - Use of water under this right is subject to control by the watermaster of State Water District No. 65.

Remarks: Diversion from Sloans Creek under this water right shall not occur during periods when senior downstream water rights are not fully satisfied.

A measuring device and lockable controlling works must be installed at the point of diversion if Sloans Creek or Gold Fork River are actually monitored by the watermaster of the Payette River or his deputy.

Dates:	App. Received:	11/16/1988	Priority Date:	11/16/1988
	Proof Due Date:	11/01/1990	Proof Made Date:	09/24/1990
	Exam Made Date:	07/14/1993	Exam Sent to S.O.:	09/21/1993
	Licensed Date:			

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

Audit: 10/08/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 65-12981 Date 10-8-93 Brenda Chapman

NAME Yes No ☒ Or Address Change?

PRIORITY DATE ☒ Advance? ☒ Memo to Advance ☒ Order to Reinstate Needed? ☒ Incorrect Fee for rate recommended?

SOURCE ☒ Changes? Clarification of Originally Intended source ☒ Notice of Intent to Void - Source change.

P/D ☒ Amendment Needed? ☒ Overlap(s)

P/U ☒ Amendment Needed? CHANGE TO NEW OF SEC 34 ☒ Overlap(s)

TOTAL CFS ☒ Disagree/Measurement ORANGE PEEL METHOD / unified calculation ☒ System Capacity 1.4 CFS Allowable Amount: PERMIT LIMIT @ .15

TOTAL VOLUME ☒ Disagree/Measurement CAPACITY OF POND = 38.4 AF Permit limit is 18 AF ☒ Flow limit: .15 x 365 x 1.9835 = 108.6 Season 1-1 to 12-31

USES ☒ Change(s) in Nature of Use? ☒ Amendment Needed?

REMARKS ☒ Multiple P/Ds in 1/4 1/4? ☒ Special Overlap ☒ Other

CONDITIONS ~~REG~~ SPECIAL ☒ Measuring/Locking Devices 65 Water Dist 11-16-88 App Rec'd 7-14-93 Exam Made RO4 ☒ W/Master Control ☒ Irrigation Overlap ☒ Water Quality

COMMENTS: AMEND P/U

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>RECREATION</u>	<u>.15</u>	<u>108.6</u>	
<u>PER STORAGE</u>		<u>18.0</u>	<u>AMEND P41</u>
			<u>2ND AMEND P47</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

SEP 22 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-12981

1. Owner: Yanke Nicholson Children Trust Phone No. 375-1130

Current Address: C/O William E. Morris, P.O. Box 5411, Boise, ID 83725

2. Accompanied by: Fred Robertson EXAM DATE: 7/14/93

Address: _____ Phone No. _____

Relationship to Permit Holder: Ranch Foreman

3. Source: SLOANS Creek tributary to GOLD FORK RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-05427

2. Other water rights with the same point of diversion: 65-05427

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
			NW	NE	27	16N	4E	VALLEY	Quad. Map

2. Place(s) of Use:

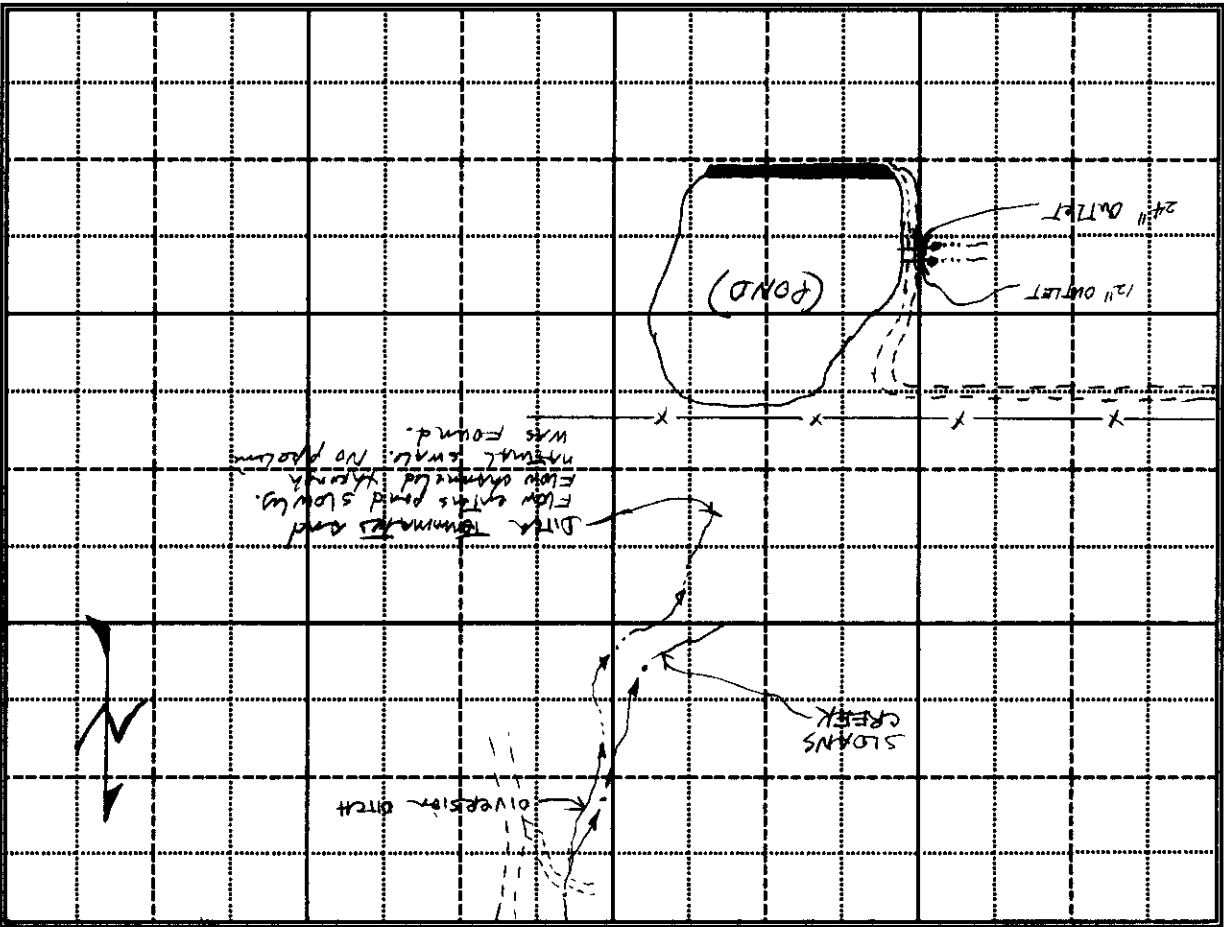
Indicate Method of Determination SAME AS P/O

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	4E	27	R/RS				R/RS												
		34					BC												
		BC																	

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DEC 02 1993

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



Scale: 1" = 100'

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required)
 Aerial Photo Attached (required for irrigation of 10+ acres)
 Photo of Diversion and System Attached

4. N/A - Gravity System

Well or Diversion 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

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PEEL Method Through Pipe						
NONE - USED ORANGE						

2. Measurements:

$$Q = VA$$

$$V = 1.17 \text{ FT/sec}$$

$$A = 1.0 \text{ FT}^2$$

$$Q = 1.17 \times 1.0 = 1.17 \text{ CFS}$$

DEC 02 1993

E. NARRATIVE/REMARKS/COMMENTS

OVERLAPS - P/D, Same QR and source, but different P/D
P/U, Same QR, but different area and
Type of use.

WATER IS diverted from SLOANS CREEK, approximately
 $\frac{3}{4}$ mile north of pond. The water is diverted through
a 30" CMP and discharges into a small ditch. The
ditch meanders for at least $\frac{1}{2}$ mile and ~~there~~ terminates
in NATURAL swale, which drains to pond. The measured flow
for an estimated 30" CMP being $\frac{1}{2}$ full was 1.4 CFS,
which is much greater than the requested allocation of
0.15 CFS. The volume in which the pond can hold
is much greater than the requested allocation. Therefore,
Recommend Licensing as requested for 0.15 CFS for
recreation, and 18.0 AF for recreation storage.

Note: Pond is used for fishing and swimming.

$$\text{Pond - Surface Area} = \frac{700' \times 700'}{43,560 \frac{\text{ft}^2}{\text{ac}}} = 11.2 \text{ ac}; \text{ Use } 12 \text{ ac.}$$

$$\text{Capacity} = 12 \text{ ac} \times \frac{8}{10} \text{ ft} \times 0.4 = \frac{38.4}{48} \text{ AF}$$

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

APPROVED

DEC 02 1993

DEC 02 1993

Proposed

SEAL

Date

Reviewer

Field Examiner's Name

Date

I. AUTHENTICATION

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

2. Recommended Amendments

Beneficial Use	From	To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Recreation	1/1	12/31	0.15	18.0
Recreation Storage	1/1	12/31	—	18.0
Totals:			0.15	18.0

1. Recommended Amounts

H. RECOMMENDATIONS

$$\text{Capacity} = 1200 \times 8' \times 0.4 = 38.4 \text{ AF}$$

$$\text{Surface Area} = \frac{700' \times 700'}{43,560 \text{ ft}^2/\text{ac}} = 11.2 \text{ ac}; \text{ Use } 12 \text{ ac}$$

2. Volume Calculations for Other Uses:

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

G. VOLUME CALCULATIONS

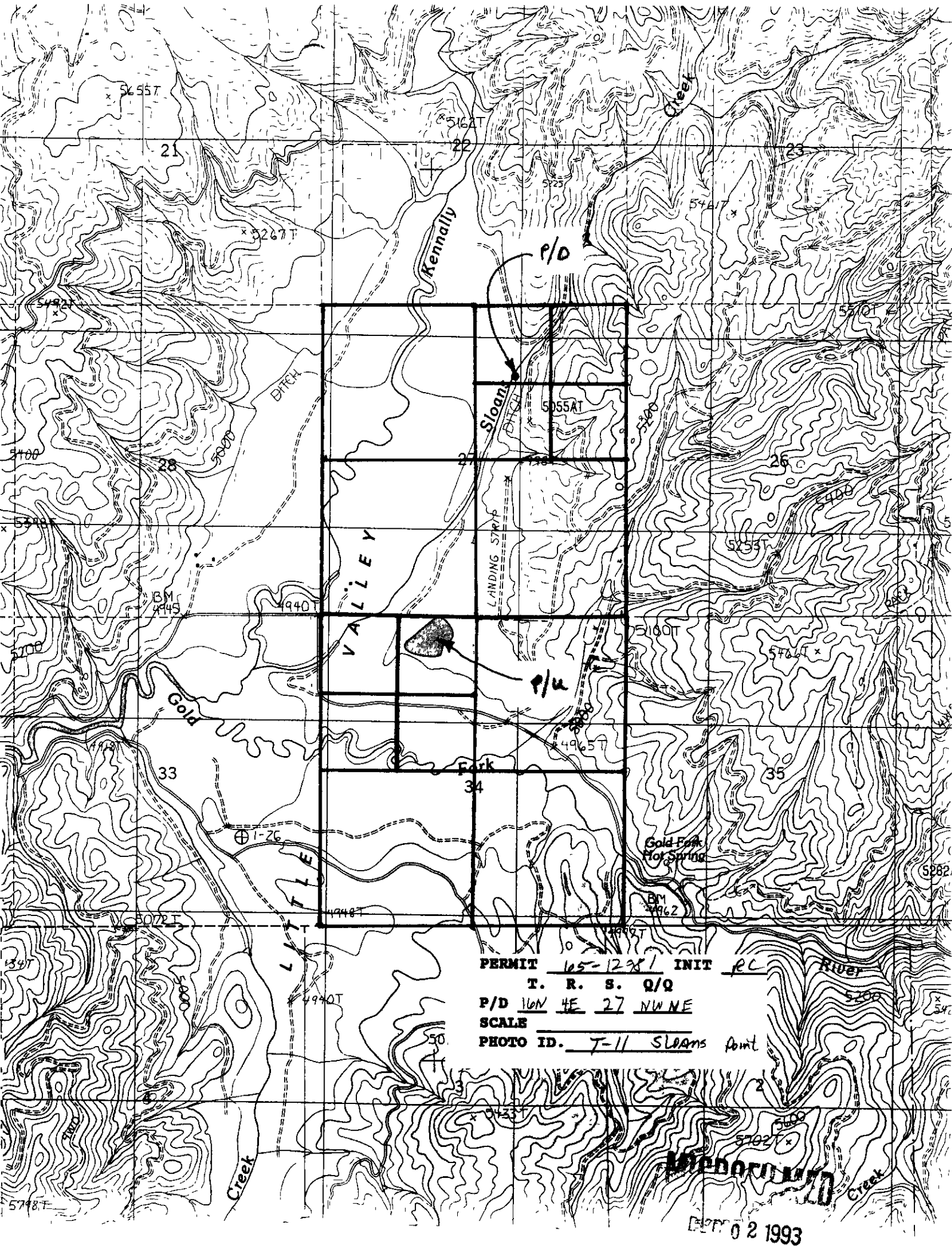
1. Volume Calculations for Irrigation:

N/A

F. FLOW CALCULATIONS

Measured Method: "Change for method"
Additional Computation Sheets Attached

$$Q = 1.17 \text{ FT}^3/\text{sec} \times 1.16 \text{ FT}^2 = 1.4 \text{ cfs (Accuracy suspect due to sediment and gravel in pipe)}$$



02 1993



PHOTO ONE-

View southerly of diversion from Sloan Creek. The ditch which empties into pond is shown in background.



PHOTO TWO-

View southwest of supply, a diversion ditch for pond. Pond is in upper left corner of photo.

DEC 02 1993



PHOTO THREE-

Northern point of pond which is inlet from diversion ditch.



PHOTO FOUR- View easterly of south end of pond and area.

DEC 02, 1992



PHOTO FIVE- View southwest of pond. Dam at far end of pond.

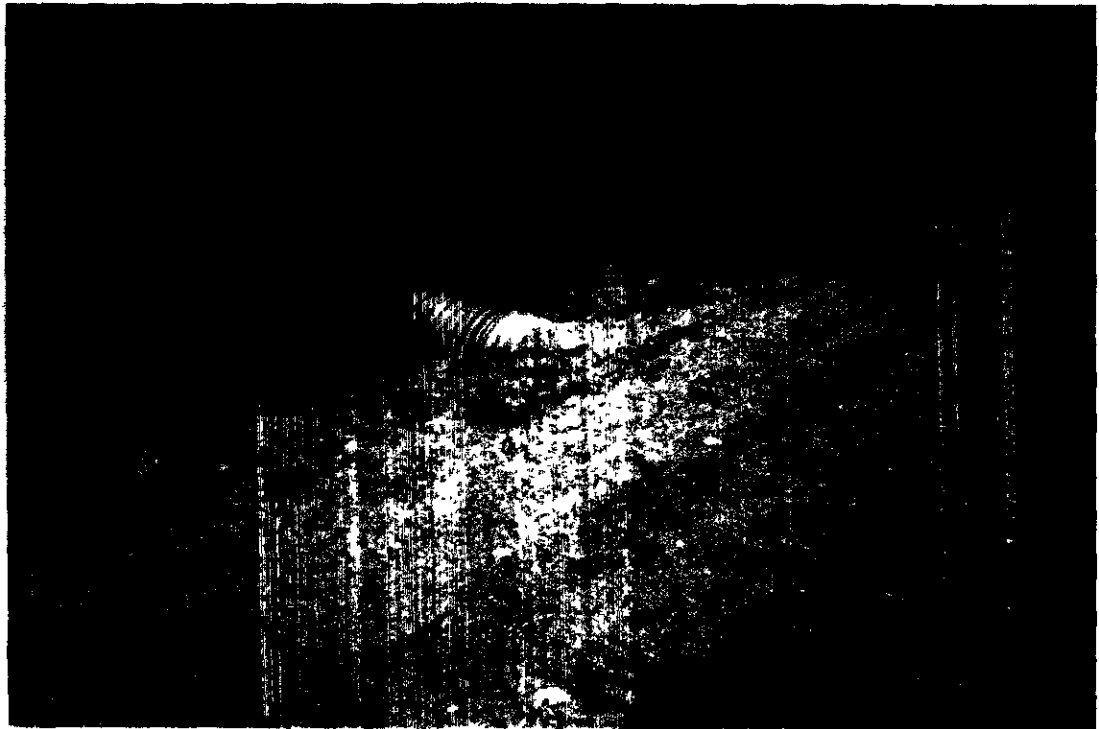


PHOTO SIX-

Two overflow pipe located on west side of pond
DEC 12 1993

January 29, 1991

YANKE NICHOLSON CHILDREN TRUST
C/O WILLIAM E MORRIS
P O BOX 5411
BOISE ID 83705

Dear Mr. Morris:

Re: Permit No. 65-12981

The department received the proof of beneficial use form and the fee. Enclosed is a copy of the order removing the condition of approval requiring the installation of a lockable device.

The next step is for the department to conduct the field inspection to confirm and determine the extent of beneficial use. I cannot tell just when the representative from our Western Regional office will conduct the exam, but he will try to contact you or your representative prior to being in the area.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

c: Western Region

MICROFILMED

MAR 19 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 65-12981

Date 12-21-90

GENERAL CONSIDERATIONS

y Name same as permit?
y Address same as permit? If no, prepare data entry form.
y Proof timely received? If no, complete priority
advancement below.

SOURCE OF WATER

y Surface water source
 Ground water source
 Drill permit req'd?
 Copy in file? Drill permit no.
 Well log in file?
 Amt paid for drilling permit? Correct?

LICENSE EXAMINATION FEE

y Required?
50 Amount submitted?
OK Correct amount?

MEASURING DEVICE

 Measuring device or access port required?
 Installed?
 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

PRIORITY CALCULATION

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

138429
August 31, 1990

YANKE NICHOLSON CHILDREN TRUST
C/O WILLIAM E. MORRIS
P.O. BOX 5411
BOISE, ID 83705

PROOF DUE NOTICE

RE: PERMIT NO. 65-12981

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 November 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

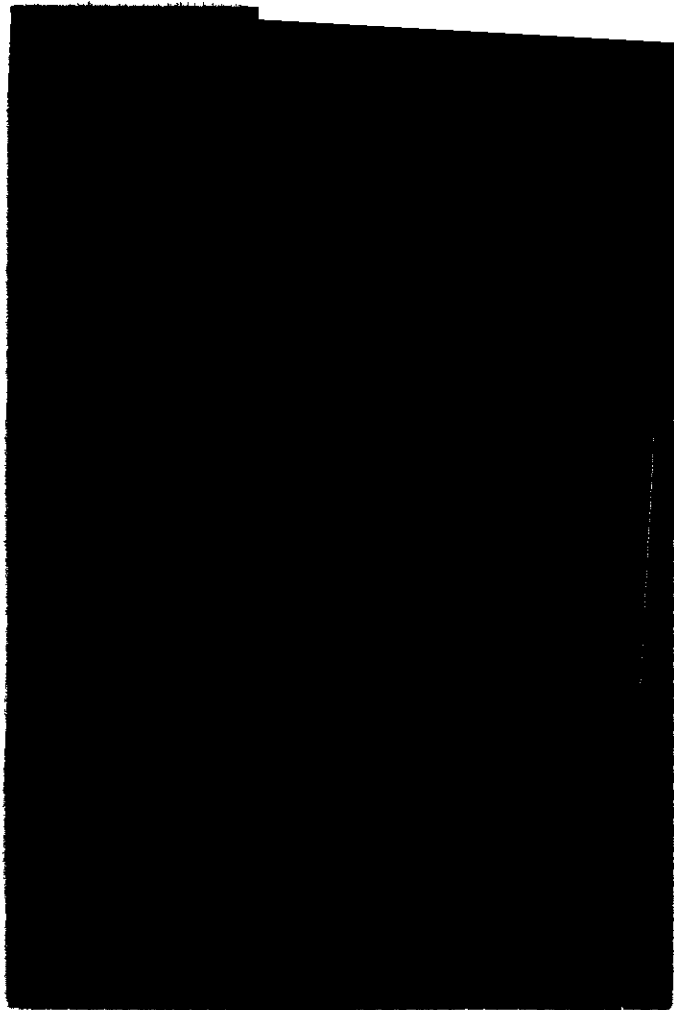
SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 19 1991

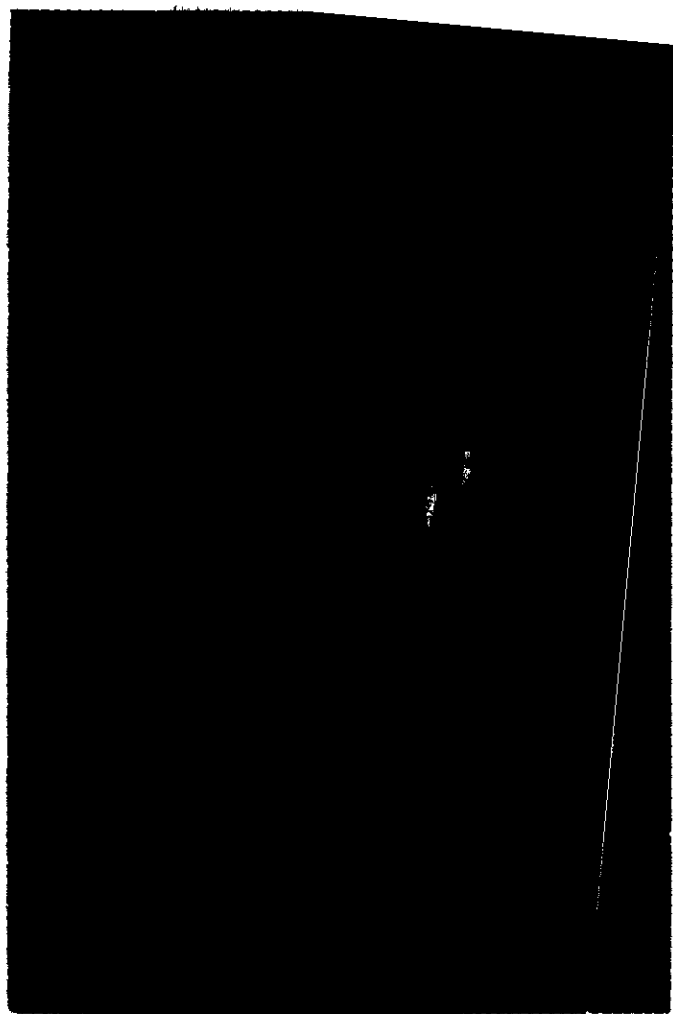


Looking East to West

Across

May-1989

[Faint, illegible handwritten notes]



Looking North Sun Dam
ACROSS POND

May 2009

00124-09



Cooking South at Dawn
May 1985

1985 - 5 19 85

1985

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

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 11, 1989

YANKE NICHOLSON CHILDREN TRUST
C/O WILLIAM E. MORRIS
P.O. BOX 5411
BOISE, ID 83705

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

RE: PERMIT NO. P65-12981

Dear Permit Holder:

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

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

Handwritten: RECEIVED

OCT 24 1989

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that application No. 65-12981 in the name of Yanke-Nicholson Trust was filed on 1/16/89 for the diversion of 0.15 cfs and 18 afa from Sloans Creek, tributary to Gold Fork River with a point of diversion within T16N, R4E S34 NWNE, B.M. to be used for Recreation and Recreation Storage purposes from 1/1 to 12/31 within portions of T16N, R4E, S34 NWNW, B.M.

The applicant now proposes to amend the application by changing the Point of Diversion to T16N, R04E, S27 NWNE, B.M.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, 2735 Airport Way, Boise, ID 83705 on before JULY 24, 1989.

R. Keith Higginson, Director

Published in the The Advocate 07/05 & 07/12/1989.

MICROFILMED
OCT 24 1989

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 Week-Mechanics copy of which is attached hereto, was published in said newspaper once a week for 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:

7-5, 19 89

and ended 7-12, 19 89

Subscribed and sworn before me, this the

19th day of July, 19 89

On this 19th day of July, 19 89
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.

Rayola Davis
Rayola Davis Notary Public residing at Cascade, Idaho

MICROFILMED

OCT 24 1989

(APPLICATION FOR AMENDMENT)
NOTICE OF (AMENDED APPLICATION FOR PERMIT)

Notice is hereby given that (application)
(permit) No. 65-12981
in the name of Ganke-Nicholson Children Trust
was filed on 1-16-89 for the diversion of .15 CFS &
18 AFA from Sloans Creek, trib. Holl Fork River
with a point of diversion within the NW NW 534 T16N 4E
to be used for Recreation &
Recreation Storage purposes from 1-1
to 12-31 within portions of T16N, R4E, S34
hwnw B.m.

The (applicant) now proposes to amend the (application)
(permit holder) (permit)

by changing the point of diversion to
T16N, R4E, S27, hwnw, B.m.

Any protest against the approval of the proposed amendment must be filled with
the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID
83720 on or before July 24, 1989

R. Keith Higginson
Director

Published Escade Advocate
7/5/89 and 7/12/89

adv. affidavit rec'd 7-21. ok of

MICROFILMED

OCT 24 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region

CECIL D. ANDRUS
Governor

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

R. KEITH HIGGINSON
Director

June 20, 1989

Keith Stokes
3709 Kootenai
Boise, ID 83705

Re: Application for Permit #65-12981 in the name of Yanke-Nicholson Children Trust

Dear Keith:

Based on the conference last week regarding the above-referenced application, we are now prepared to continue processing as the protest has been withdrawn. As the next step, we will need to review the locations of the point of diversion and place of use as identified on the application.

It was my understanding that you intended to take a look at this aspect of the application. Accordingly, we will hold the application in our hold file until we hear from you in this regard. Thank you for your efforts in this regard.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dave", is located below the "Sincerely," text.

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

DRT:st

MICROFILMED

OCT 24 1989



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

June 9, 1989

Yanke-Nicholson Children Trust
William E. Morris, Custodian
P.O. Box 5411
Boise, ID 83705

Re: Application for Permit No. 65-12981 in the name of Yanke-Nicholson
Children Trust

Dear Mr. Morris:

This office acknowledges receipt of the withdrawal of protest against the
above-referenced application.

The Department now will continue to process the application.

Sincerely,

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

DRT:st

c.c. Laurel Hansen
Art Hall

MICROFILMED

OCT 24 1989

Before the Idaho Department of Water Resources

In the matter of Protested)
Application for Permit No. 65-12981)
in the name of Yanke-Nicholson)
Children Trust)

Withdrawal of Protest

We, the undersigned, agree to withdraw our protests to the above-referenced application, with the understanding that the application will be modified to show that the pond is off-stream, and contingent on the following condition of approval being added to the permit:

Diversion from Sloans Creek under this water right shall not occur during periods when downstream senior water rights are not fully satisfied.

Dated this 7th day of June, 1989.

Protestants:

Art Hall
for Center Irr Dist

Laurel Hansen
for Gold Fork Irrigation Co.

MICROFILMED

OCT 24 1989

Applicant: For YANKE-Nicholson
Paul E. E. E.

Conference Notes by D. Tuttle

Donnelly Id 10:00 am - June 7, 1989 65-12981

Yanks - Nicholson Children Trust - Applicant
Represented by Keith Stokes

Protestant - Gold Fork Irrigation Co

Represented by Art Hall & Laurel Hansen

Applicant -

- Pond was purchased in 1978
- Stores & releases on a continuous basis
- Not sure if land where pond is located was irrigated prior to pond construction
- Wells Swigert might know about use of land prior to pond construction.

Conference Notes by D. Tuttle

Donnelly Id 10:00 am June 7, 1989 65-12981

Yanke - Nicholson Children Trust - Applicant
Represented by Keith Stokes

Protestant - Gold Fork Irrigation Co
Represented by Art Hall & Laurel Hansen

Applicant -

- Pond was purchased in 1978

- Stores & releases on a continuous basis

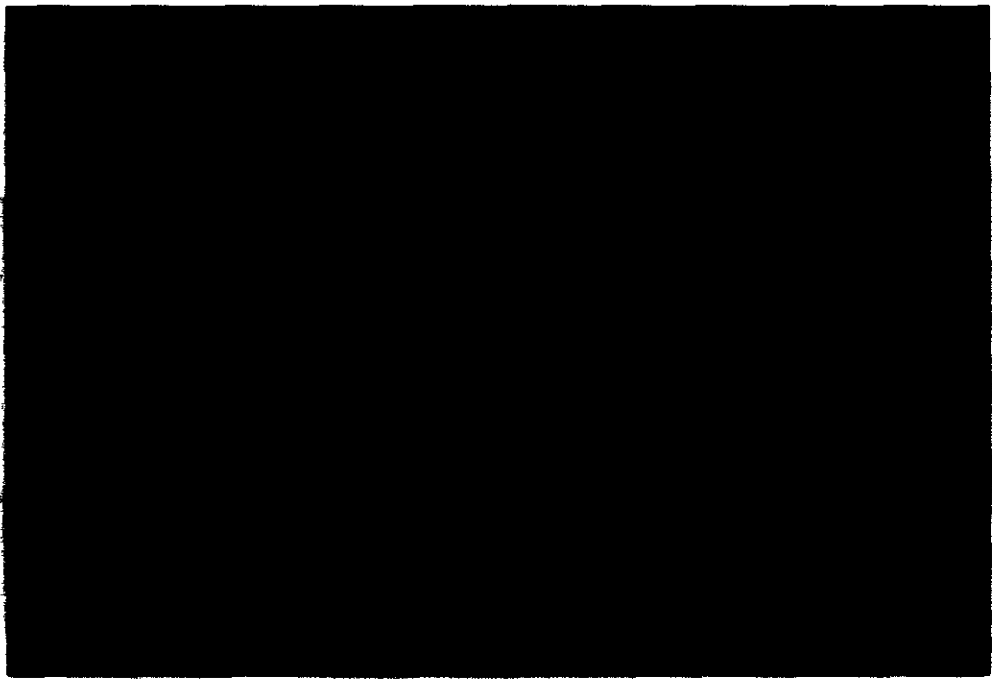
- Not sure if land where pond is located was irrigated prior to pond construction

- Wally Swigert might know about use of land prior to pond construction

Protestant Withdraw

Looking SE Across
Pond to DAN
Yanke Nicholson
May 1989
Built 1979

2130
OCT 2



1000

1000

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to address.

RETURN
TO

Print Sender's Name, Address, and ZIP Code in the space below

RECEIVED
OCT 24 1989

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY

BOISE, IDAHO 83705



PENALTY FOR PRIVATE
USE, \$300

65-12981

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to, and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2 ☐ Restricted Delivery

[†](Extra charge)[†] [†](Extra charge)[†]

3. Article Addressed to: Act Hall, Chairman Center Irrigation Co. Cascade, ID 83611 OCT 24 1987 RECEIVED	4. Article Number P 397 135 314 Registered Service ☐ Insured ☒ Certified ☐ COD ☐ Express Mail Addressee always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X <i>Act Hall</i>	
7. Date of Delivery <i>5/1/89</i>	

PS Form 3811, Mar 1987

* U.S.G.P.O. 1987-176-268

DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below

- Complete items 1, 2, 3, and 4 on the reverse
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

RETURN
TO

Print Sender's name, address, and ZIP Code in the space below.

Boise, Idaho

DEPARTMENT OF WATER RESOURCES

OCT 24 1989

2735 AIRPORT WAY
BOISE, IDAHO 83705

65-12981

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult our website for fees and Check Box (es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address.
↑(Extra charge)↑
2. ☐ Restricted Delivery
↑(Extra charge)↑

3. Article Addressed to.

Yanke-Nicholson Children Tr.
William E. Morris, Custodian
P.O. Box 5411
Boise, ID 83705

Multi-Choice ☐ **Express**
Always obtain

4. Article Number
P 397 135 312

Type of Service.

☐ Registered ☐ Insured

☐ COD

Express Mail

Always obtain signature of addressee
or agent and DATE DELIVERED

1983 Addressee's Address (ONLY if requested and fee paid)

OCT 2

5. Signature – Addressee
X

6 Signature _____ Agent _____

X

7. Date of Delivery
MAY 10 1989

PS Form 3811, Mar. 1987

★ U.S.G.P.O. 1987-178-268

DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP
Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



RECEIVED
OCT 24 1980
MAIL ROOM
C168



PENALTY FOR PRIVATE
USE, \$300

RETURN  TO
Print Sender's name, address, and ZIP Code in the space below.

MULTICOPY LIMITED

OCT 24 1980 DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

65-12981

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
†(Extra charge)† †(Extra charge)†

3. Article Addressed to: Laurel Hansen, Chairman Gold Fock Irrigation Co. Donnelly, ID 83615	4. Article Number P 397 135 313
5. Signature - Addressee <i>Laurel Hansen</i> 6. Signature - Agent X	Type of Service: ☐ Registered ☐ Insured ☐ Certified ☐ COD ☐ Express Mail
7. Date of Delivery 5-10-89	8. Addressee's Address (ONLY if requested and fee paid) Always obtain signature of addressee or agent and DATE DELIVERED

PS Form 3811, Mar. 1987

* US G.P.O. 1987-178-268

DOMESTIC RETURN RECEIPT

P 397 135 312

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Yanke-Nicholson Trust	
Street and No. William Morris, Cust	
P.O., State and Zip Code Box 54 Boise 83705	
Postage	\$.25
Certified Fee	.85
Special Delivery Fee	
Ristricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	.90
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$2.00
Postmark or Date	

PS Form 3800, Feb. 1982

STICK POSTAGE NOT NEEDED TO COVER FIRST CLASS POSTAGE.

CERTIFIED MAIL FEES AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front)

1 If you want a receipt for mail, a stick label and sub on the left portion of the address dec of the article leaving the receipt at a post office service window, or hand it to your mail carrier (see back).

2 If you do not want this receipt, a gummed stub on the left portion of the address side of the article will be returned with the receipt and mail the article.

3 If you want a return receipt, please use the return receipt card and address on a return receipt card Form 3811 and attach it to the article by means of the gummed ends if postage permits. (Use office or home address.) (See back of article.) RETURN RECEIPT REQUESTED. (See back of article.)

4 If you want a return receipt, a stick label and sub on the left portion of the address side of the article will be returned with the receipt and mail the article.

5 If you want a return receipt, a stick label and sub on the left portion of the address side of the article will be returned with the receipt and mail the article.

Save this receipt and present it to your mail carrier.

P 397 .135 313

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Laurel Hansen	
Street and No. Gold Fork Irrig. Co.	
P.O., State and ZIP Code Donnell, ID 83615	
Postage	\$.25
Certified Fee	.85
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	.90
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.00
Postmark or Date	

PS Form 3800, Feb. 1982

100-443886-100

- DATE RECEIVED BY THE TAXPAYER

P 397. 135 314

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Art Hall, Chairman	
Street and No Center Irrig. Co.	
P.O., State and ZIP Code Cascade, ID 83611	
Postage	\$.25
Certified Fee	.85
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	0
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.00
Postmark or Date	

06124 1982
MICROFILMED

PS Form 3800, Feb. 1982

STICK POSTAGE, OR TO COVER FIRST CLASS POSTAGE.
CERTIFIED MAIL FEE AND PAY FOR ANY SELECTED OPTIONAL SERVICES. (see form)

If you want this receipt postmarked, stamp the date and time on the left portion of the address side

of the article, leaving the receipt in the window of the office service window or hand it to you for further instructions.

2. If you do not want this receipt, you may return the article to the office service window or hand it to you for further instructions.

3. If you want a return receipt, you may return the article to the office service window or hand it to you for further instructions.

4. If you want a return receipt, you may return the article to the office service window or hand it to you for further instructions.

5. If you want a return receipt, you may return the article to the office service window or hand it to you for further instructions.

6. If you want a return receipt, you may return the article to the office service window or hand it to you for further instructions.

7. If you want a return receipt, you may return the article to the office service window or hand it to you for further instructions.

NOTE: This receipt and postmark are not valid unless the item is Form 3811.

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
)
FOR PERMIT NO. 65-12981 IN THE)
)
NAME OF YANKE NICHOLSON CHILDREN)
)
TRUST)

NOTICE OF CONFERENCE

On November 16, 1988, the Yanke-Nicholson Children Trust, William E. Morris, Custodian, filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by Laurel Hansen and Art Hall.

The Department has set the matter of protest for a conference on Wednesday, June 7, 1989, at 10:00 a.m., in the ASCS Office, Highway 55, Edwards Building #4, Donnelly, ID 83615. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 8th day of May, 1989.


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

MICROFILMED

OCT 24 1989

I hereby certify that on the 9th day of May, 1989, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:


Sue Taylor
Secretary

Certified Mail

Yanke-Nicholson Children Trust
William E. Morris, Custodian
P.O. Box 5411
Boise, ID 83705

Laurel Hansen, Chairman
Gold Fork Irrigation Co.
Donnelly, ID 83615

Art Hall, Chairman
Center Irrigation Co.
Cascade, ID 83611

Non-Certified Mail

Keith Stokes
3709 Kootenai
Boise, ID 83705

MICROFILMED
OCT 24 1989

CONFERENCE INFORMATION

IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

In accordance with Idaho Code, Section 42-203(A), the following issues are involved in the consideration of the application and protest(s):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

The intent of the conference is to resolve any conflicts regarding the proposed water appropriation in light of these five factors. The conference will not be recorded in an effort to promote full discussion of the issues. Possible resolutions are: (1) clarification of the issues resulting in a determination by all parties that the application is acceptable, (2) modification of the application to make it acceptable to the protestant(s), or (3) addition of acceptable restrictions or conditions of approval. If a resolution is not attainable, then a hearing will be set by the Department.

MICROFILMED

OCT 24 1989



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

March 28, 1989

Yanke-Nicholson Children Trust
William E. Morris, Custodian
P.O. Box 5411
Boise, ID 83705

Re: Application for Permit No. 342-8901

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

Please contact this office if you have questions regarding this procedure.

Sincerely,

A handwritten signature in dark ink, reading "David R. Tuthill, Jr.".

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

Enclosure: Copy of protest(s)

MICROFILMED

OCT 24 1989



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

March 28, 1989

Laurel Hansen, Chairman
Gold Fork Irrigation Co.
Donnelly, ID 83615

Re: Application for Permit No. 65-12981 in the Name of Yanke-Nicholson
Children Trust

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-1203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Sincerely,

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

MICROFILMED

OCT 24 1989



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

March 28, 1989

Mr. Art Hall
Chairman, Center Irrigation Dist.
Cascade, ID 83611

Re: Application for Permit No. 65-12981 in the Name of Yanke-Nicholson
Children Trust

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-1203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Sincerely,

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

MICROFILMED

001 4 1989

Donnelly, Idaho
March 24, 1989

Director
Dept. Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

RECEIVED

MAR 27 1989

Department of Water Resources
Western Regional Office

R Keith Huggins

Gold Fork Irrigation Company and
Center Irrigation District protest water application
number 65-12981

Ganke Nicholson Children Trust.
% William E. Morris
P.O. Box 5411
Boise, Idaho 83705

Art Hall
Chairman, Center Irrig. Dist

Lawrence Hansen, Chairman
Gold Fork Irrigation Co.

MICROFILMED

OCT 24 1989

SPECIAL NOTE: _____

PROTEST INFORMATION SHEET

Protestant - Name(s)

Art Hall
Laurel Hansen

Address Chairman, Center Irrigation Dist, Cascade, ID 83611
Chairman, Gold Fork Irrigation Co., Donnelly, ID 83615

Attorney - Name & Address _____

Date Filed March 27, 1989 Protest Date April 3, 1989

Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

MICROFILMED

OCT 24 1989

Protest Information submitted in Computer (following hearing): _____

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* has been published 2 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:

3-15, 19 88
and ended 3-22, 19 88

3810
Subscribed and sworn before me, this the
24 day of March, 19 88

On this 24 day of March, 19 88
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.

Rayola Harris
Rayola Harris, Notary Public residing at Cascade, Idaho

RECORDED
MAR 27 1988

Department of Water Resources
Western Regional Office

MICROFILMED

OCT 24 1989

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

Boise, Idaho 83705
(208) 334-2190

MARCH 8, 1989

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 APRIL 3, 1989.

Yours truly,

JUDY PENSE
Secretary

Encl.

MICROFILMED

OCT 24 1989



65-12981

YANKE NICHOLSON CHILDREN TRUST
C/O WILLIAM E. MORRIS
P.O. BOX 5411
BOISE, ID 83705

Source: SLOANS CREEK

Tributary: GOLD FORK RIVER

Diversion Pt: NWNW Sec 34 T 16N R 04E

Use: RECREATION (.150 CFS)
 RECREATION STORAGE (18.00 AF)

Date Filed: 11/16/1988

In: T16N R04E S34 NWNW

MICROFILMED

OCT 24 1989