

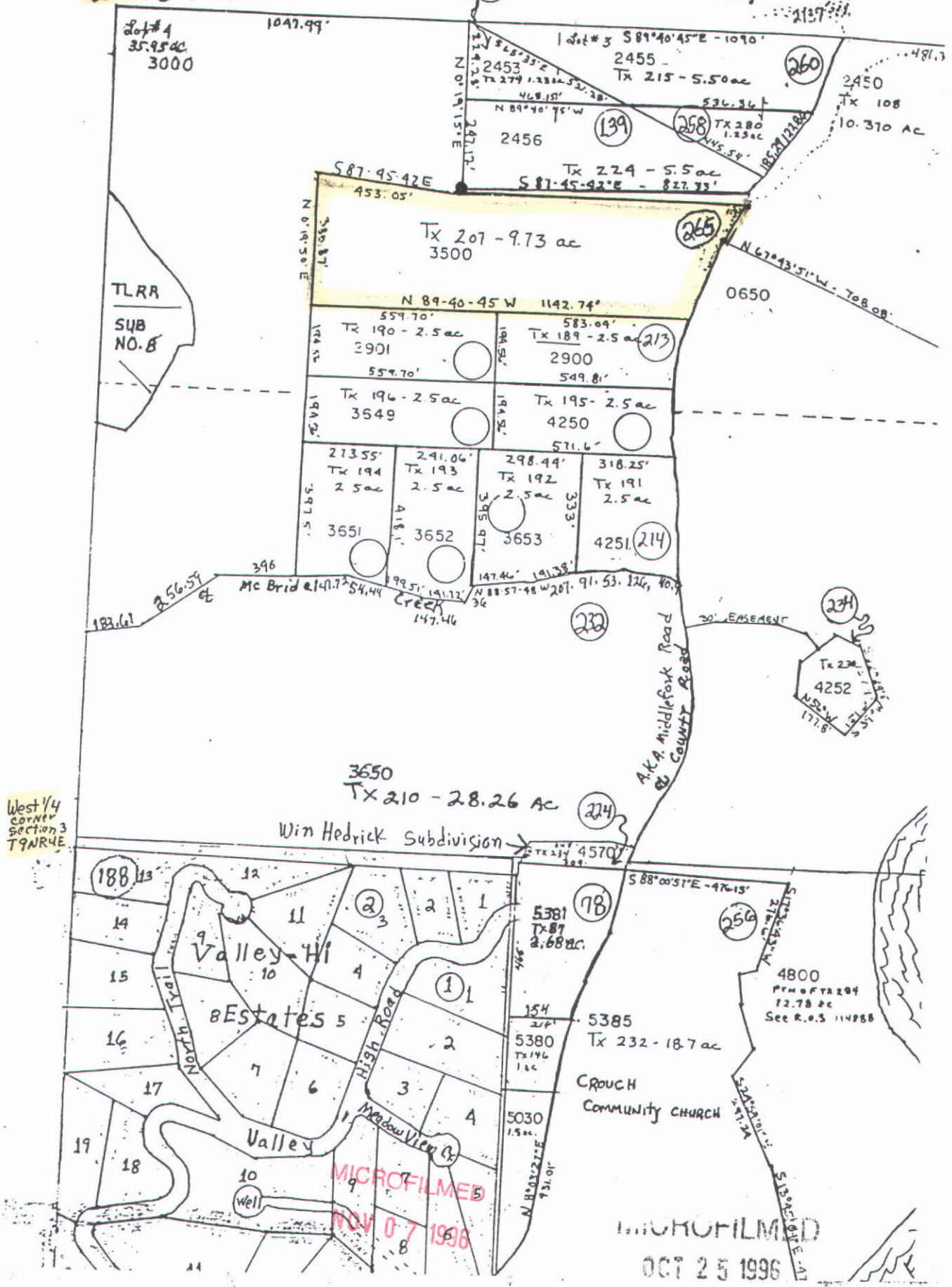
462-3033

# Twp. 2463

This sketch is for location purposes only. The Company assumes no liability for variations.

PIONEER TITLE COMPANY  
of Ada County

N.W. CORNER  
Section 3 T9N R4E





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

**RECEIVED**  
FEB 17 1993

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 65-12972

1. Owner: Hester Taxay Phone No. 462-3426

Current Address: HC 76 Box 2555 Garden Valley, ID 83622

2. Accompanied by: Hester Taxay EXAM. DATE: 7-12-91

Address: Same Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: Warm Springs Creek tributary to Poyak River, middle fork

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: None

☐ Copies Attached

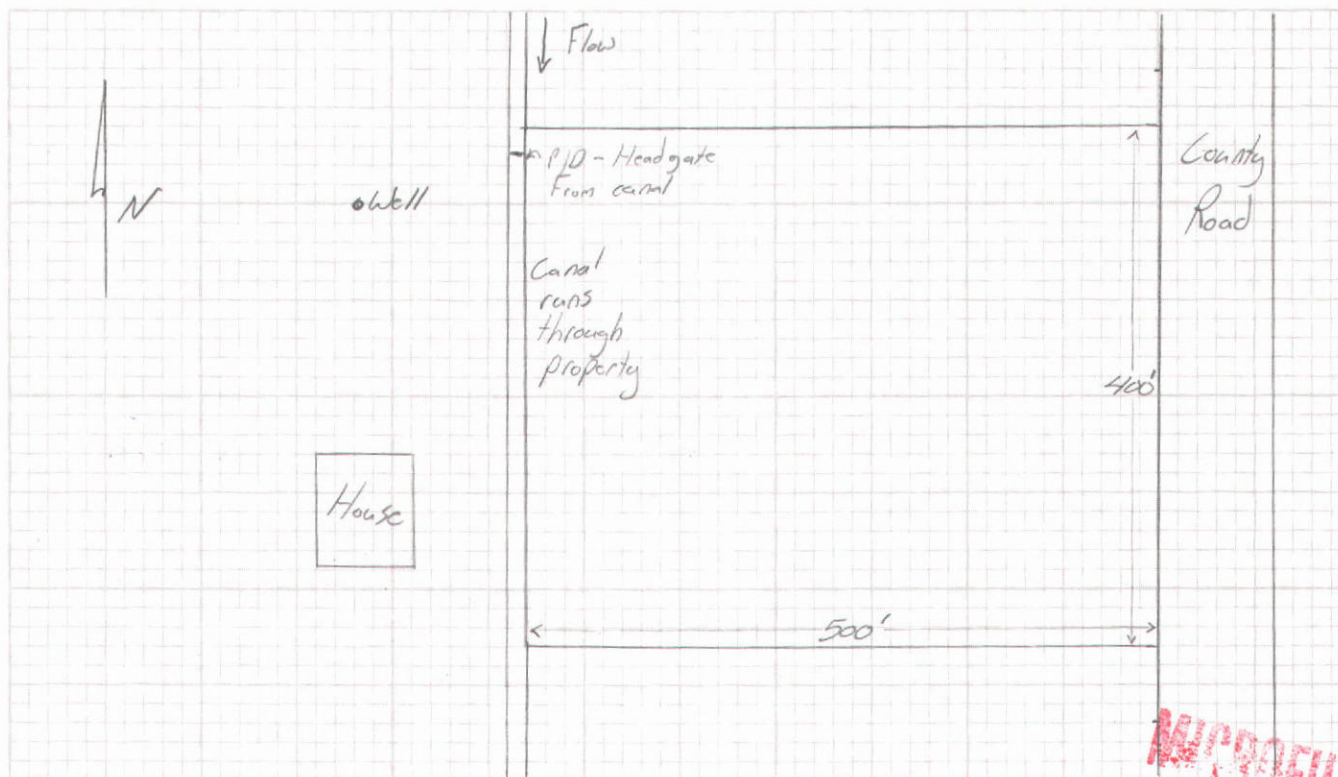
2. Other water rights with same point of diversion: None

☐ Copies Attached

☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 150'

2. ☒ Copy of U.S.G.S. Quadrangle Attached  
Showing location(s) of point(s) of diversion and  
place(s) of use (required).

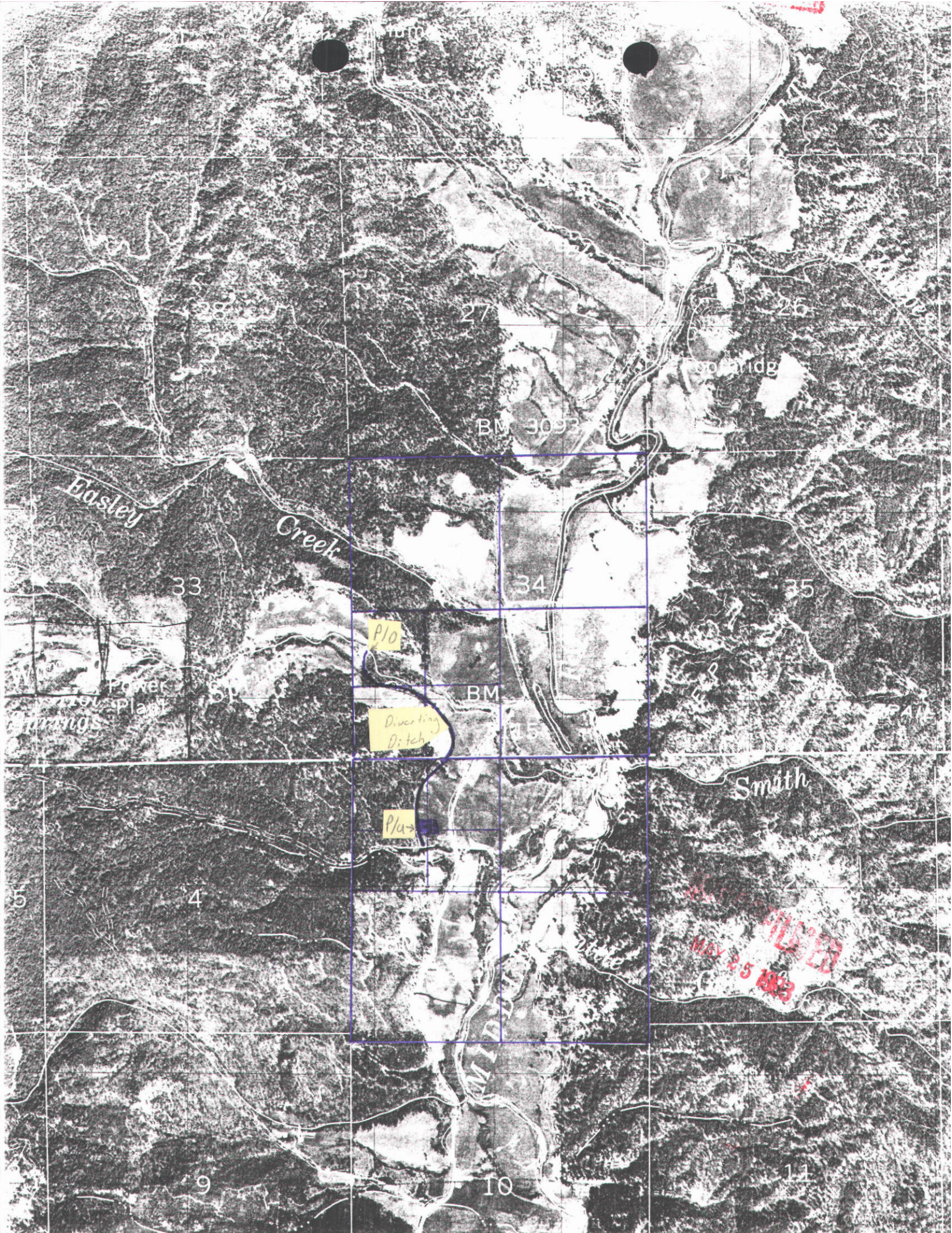
☒ Photo of Diversion and System Attached

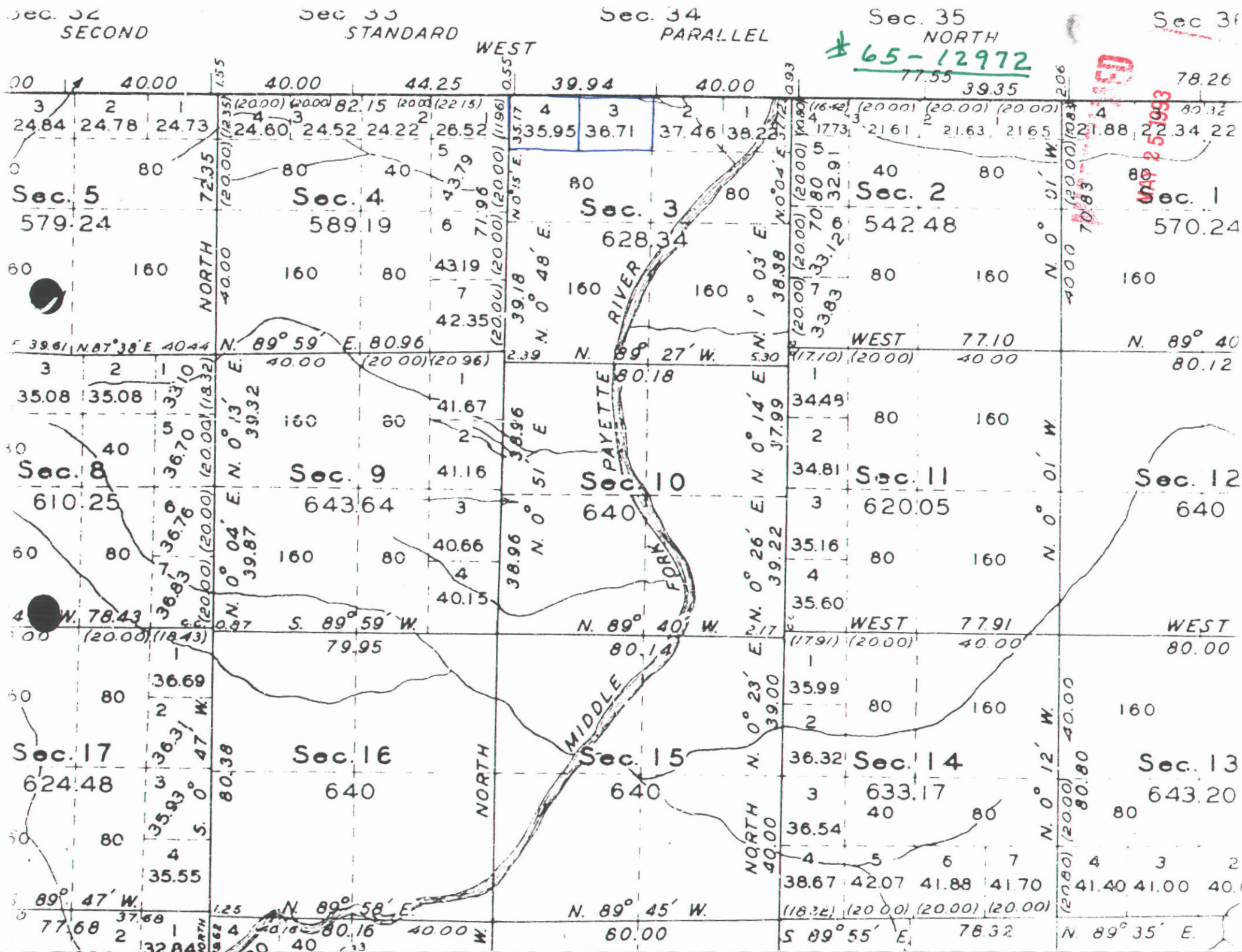
(required for all but single household domestic groundwater, and stockwater.)

☐ Aerial Photo Attached

(required for irrigation of 10 acres or more).

**MICROFILMED**  
MAY 25 1993





RECORDED  
MAY 25 1993

#2.  
Pasture being  
irrigated, facing  
east from headgate.



#1.  
Headgate located  
in canal allows  
time allotted  
irrigation of  
pasture land.  
No water in canal  
at this time due  
to upstream diversion.



65-12972

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MAY 25 1993

Canal on  
right, when  
Springs Creek  
on left.  
Canal leads  
to P/U



Actual P/O  
in when Springs  
Creek  
Canal on  
left, Creek  
continues on  
right.



#4



#3.

A. 1<sup>st</sup> Cipolletti  
Weir with 1.5"  
of head in a  
2' ditch.

RECEIVED  
MAY 25 1993



STATE OF 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  
OCT 04 1996  
WATER RESOURCES  
WESTERN REGION

1. Water Right Number(s) 65-12972  
Adjudication Claim Number(s) 65-12972
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 on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Hester Taxay  
HC 76 Box 2555 Garden Valley, ID 83622
4. New Owner/Claimant(s) Linda J. & Jeffrey E. Bass  
Name connector (Check one): ☒ AND, ☐ OR, ☒ AND/OR  
New Mailing Address HC 76 Box 2555 Garden Valley, ID 83622  
City, State and ZIP Code Garden Valley, ID 83622  
New Telephone Number (208) 462-3426
5. Date you acquired the property 3/1/96
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 actually irrigated \_\_\_\_\_ Number and type of stock h.a.  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
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/Claimant(s) Linda J. Bass MICROFILMED Date 10/2/96  
NOV 07 1996 Date \_\_\_\_\_
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MICROFILMED

OCT 25 1996



A Pioneer Company

**PIONEER TITLE COMPANY**  
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 336-6700

RECEIVED  
OCT 04 1996  
WATER RESOURCES  
WESTERN REGION

P-144722 LB

*lma*

**WARRANTY DEED**

(INDIVIDUAL)

FOR VALUE RECEIVED HESTER TAXAY, an unmarried person now and for all time since the date of acquiring title

Grantor , does hereby grant, bargain, sell and convey unto LINDA J. BASS and JEFFREY E. BASS  
wife and husband

the Grantee s , whose current address is: NNA Middlefork Road, Garden Valley, Idaho 83622  
the following described real property in Boise County, State of Idaho, more particularly described as follows, to-wit:

See attached Exhibit "A" which by this reference becomes a part hereto.

BOISE COUNTY CLERK  
RECEIVED

*mta View*

159437

DE FEB 23 PM 4:12

*Shirley George*  
\$6.00/cash

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s , and Grantee s heirs and assigns forever. And the said Grantor des hereby covenant to and with the said Grantees , the Grantor is the owner in fee simple of said premises; 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 Grantee s ; and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes 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: February 23, 1996

*Hester Taxay*  
Hester Taxay

MICROFILMED

NOV 07 1996

MICROFILMED

OCT 25 1996

Grantor , does hereby grant, bargain, sell and convey unto LINDA J. BASS and JEFFREY E. BASS  
wife and husband

the Grantee s , whose current address is: NNA Middlefork Road, Garden Valley, Idaho 83622  
the following described real property in Boise County, State of Idaho, more particularly described as  
follows, to-wit:  
See attached Exhibit "A" which by this reference becomes a part hereto.

BOISE COUNTY LAND SS  
REQUEST OF

*mtm View*  
DA

159437

95 FEB 25 PM 4:42

*Shirley George*  
\$6.00/cash

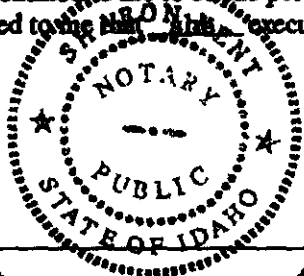
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s , and Grantee s heirs  
and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees , the Grantor is the  
owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this  
conveyance is expressly made subject and those made, suffered or done by the Grantee s ; and subject to reservations,  
restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments,  
(includes 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: February 23, 1996

*Hester Taxay*  
Hester Taxay

STATE OF Idaho , County of Ada , ss.

On this 23 day of February , in the year of 1996 , before me  
SHARON KENT , a notary public, per-  
sonally appeared Hester Taxay  
known or identified to me to be the person whose name is subscribed to the within instrument, and  
acknowledged to me that he executed the same.



Notary Public: *Sharon Kent*  
Residing at: BOISE, IDAHO  
My Commission Expires: 4-13-2000

MICROFILMED  
NOV 07 1996

MICROFILMED  
OCT 25 1996

EXHIBIT A

File Number: P144722/B

PART OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 4 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SECTION CORNER COMMON TO SECTIONS 33 AND 34, TOWNSHIP 10 NORTH, RANGE 4 EAST, BOISE MERIDIAN, AND SECTIONS 4 AND 3, TOWNSHIP 9 NORTH, RANGE 4 EAST, BOISE MERIDIAN; THENCE

SOUTH 89 DEGREES 40'45" EAST 1047.99 FEET TO A POINT; THENCE

SOUTH 00 DEGREES 19'15" WEST 476.40 FEET TO THE REAL POINT OF BEGINNING; THENCE

SOUTH 87 DEGREES 45'42" EAST 827.33 FEET TO A POINT; THENCE

SOUTH 23 DEGREES 46'40" WEST 231.10 FEET TO A POINT; THENCE CURVE LEFT ON A CURVE WHOSE RADIUS IS 1000 FEET; WHOSE CENTRAL ANGLE IS 07 DEGREES 40'18"; WHOSE LENGTH OF CURVE IS 133.90 FEET AND WHOSE LONG CHORD BEARS SOUTH 19 DEGREES 56'31" WEST 133.80 FEET TO A POINT ON A CURVE; THENCE

NORTH 89 DEGREES 40'45" WEST 1142.74 FEET TO A POINT; THENCE

NORTH 00 DEGREES 19'15" EAST 380.87 FEET TO A POINT; THENCE

SOUTH 87 DEGREES 45'42" EAST 453.05 FEET TO THE POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

MICROFILMED  
NOV 07 1996

MICROFILMED  
OCT 25 1996

462-3033

Twp. 2463

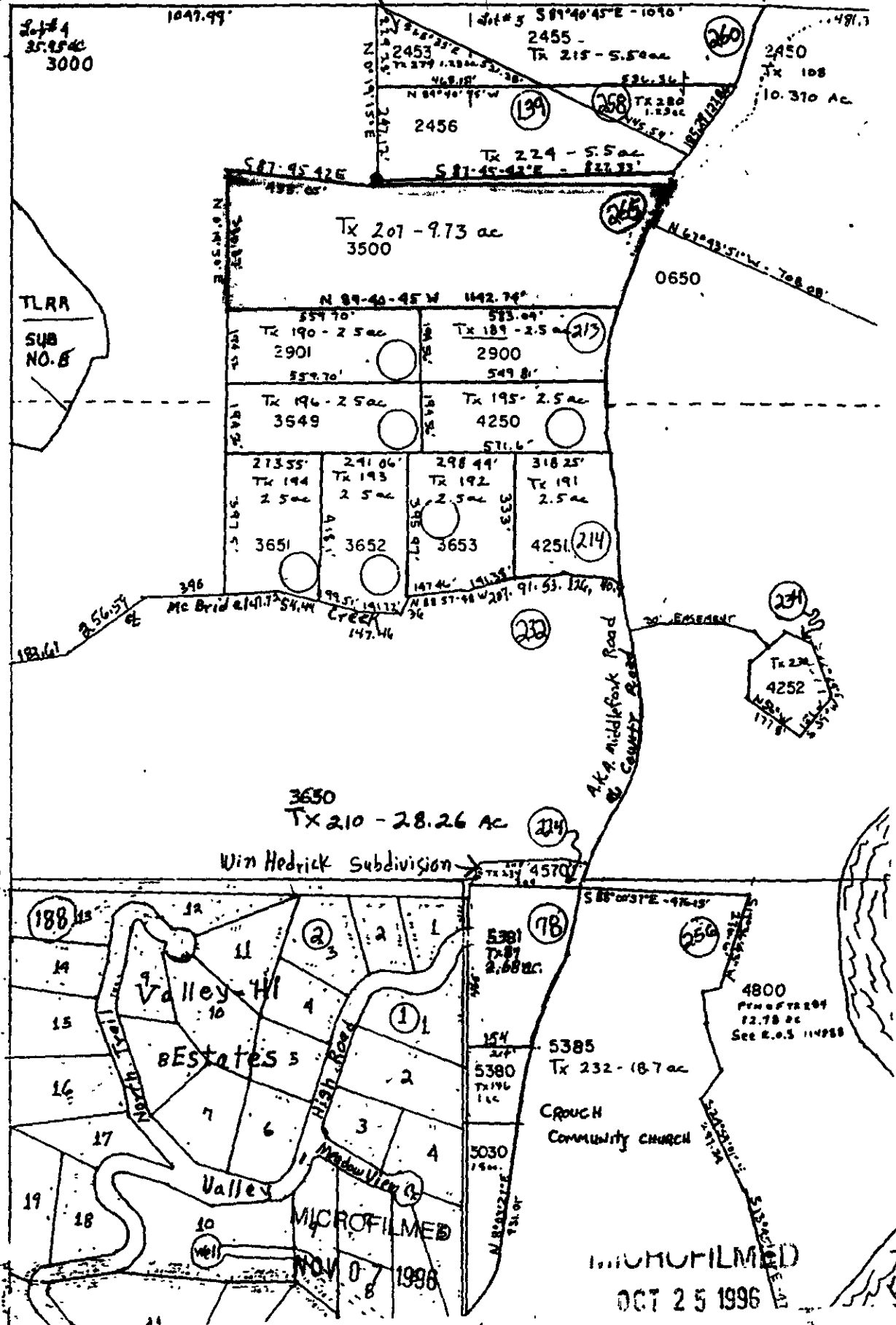
This sketch is for location purposes only. The Company assumes no liability for variations.

PIONEER TITLE COMPANY  
of Ada County

N.W. Corner  
Section 3 T4N R4E

Lot #4  
35.95 ac  
3000

TLRA  
SUB  
NO. 8



State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-12972

Priority: February 9, 1989

Maximum Diversion Rate: 0.12 CFS

Maximum Diversion Volume: 14.0 AF

This is to certify, that HESTER TAXAY  
HC 76 BOX 2555

GARDEN VALLEY ID 83622 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 9, 1989; and has submitted Proof of Beneficial Use on April 9, 1991. An examination indicates that the works have a diversion capacity of .150 cfs of water from:

WARM SPRINGS CREEK tributary to PAYETTE RIVER, MIDDLE 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            | 04/15 to 10/15       | 0.12 CFS                 | 14.0 AF              |

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 34, Township 10N, Range 04E  
BOISE County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u>            | <u>ACRES</u>  | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|-------------------------|---------------|--------------|--------------|
| 09N        | 04E        | 3          | Lot 3(NENW) 1<br>SE1W 1 | Lot 4(NWNW) 1 | SW1W 1       | 4            |

Total number of acres irrigated: 4

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 water right will be regulated by the watermaster of State Water District No. 65.

APPROVED

MAY 25 1993

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

WATER RIGHT NO. 65-12972

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.

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 22<sup>ND</sup> day of APRIL, 1993.

Acting for *R. Keith Higginson* *C. Young*  
R. Keith Higginson, Director

FILED

MAY 25 1993

RECEIVED

APR 20 1993

State of Idaho  
Department of Water Resources

Department of Water Resources

**APPROVED**

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 65-12972**

Date of Priority: February 9, 1989

Maximum Diversion Rate:

0.12 CFS

Maximum Diversion Volume:

14.0 AF

Comes now

HESTER TAXAY

HC 76 BOX 2555

GARDEN VALLEY ID 83622

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. 65-12972, and requests that the permit be changed as follows:

Source: **WARM SPRINGS CREEK**tributary to **PAYETTE RIVER, MIDDLE FORK**

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/15 to 10/15       | 0.12 CFS                 | 14.0 AF              |

LOCATION OF POINT(S) OF DIVERSION:NWSW, Sec. 34, Township 10N, Range 04E  
BOISE CountyPLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u>  | <u>ACRES</u>  | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|---------------|---------------|--------------|--------------|
| 09N        | 04E        | 3          | Lot 3(NENW) 1 | Lot 4(NWNW) 1 | SWNW 1       | 4            |
|            |            |            | SENW 1        |               |              |              |

Total number of acres irrigated: 4

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 20 day of April, 1993.

Hester Taxay  
(Signature)

MAY 25 1993

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 65-12972

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

Preliminary check by BC Fee = 20<sup>00</sup> Received by BC # 0027280 Date 4-20-93

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. 65-12972 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 water right will be regulated by the watermaster of State Water District No. 65.
6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.

Witness my hand this 22<sup>ND</sup> day of April, 1993.

Acting for R. Keith Higginson, Director

MAY 25 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident. No. 65-12972

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant HESTER TAXAY Phone 462-3426  
Post office address HC 76 Box 2555 Garden Valley, ID 83622  
Payette River, Middle Fork
2. Source of water supply UNNAMED STREAM which is a tributary of MIDDLE FORK PAYETTE
3. Location of point of diversion is 1/4 of NW 1/4 of NW 1/4, Govt. Lot 4  
Sec. 3 Township 9N Range 4E B.M. BOISE County; additional  
points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount .12 for IRRIGATION purposes from 4/1 to 11/1 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .12 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum
6. Proposed diverting works:  
a Description of ditches, flumes, pumps, headgates, etc. GATE IN CREEK, PIPED  
TO PLACE OF USE  
\_\_\_\_\_  
\_\_\_\_\_  
b Height of storage dam \_\_\_\_\_ feet; active reservoir capacity \_\_\_\_\_ acre-feet; total  
reservoir capacity \_\_\_\_\_ acre-feet; period of year when water will be diverted to storage:  
\_\_\_\_\_ to \_\_\_\_\_ inclusive.  
c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.  
d Is 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 3 years (minimum 1 year).

MICROFILMED

JUN 14 1989

**MICROFILMED**

**applicant to make this filing.**

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

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

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

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

Total number of acres to be irrigated.

[illegible]

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding

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

9. Description of place of use:

e Other, describe fully.

d Domestic; show number of households.

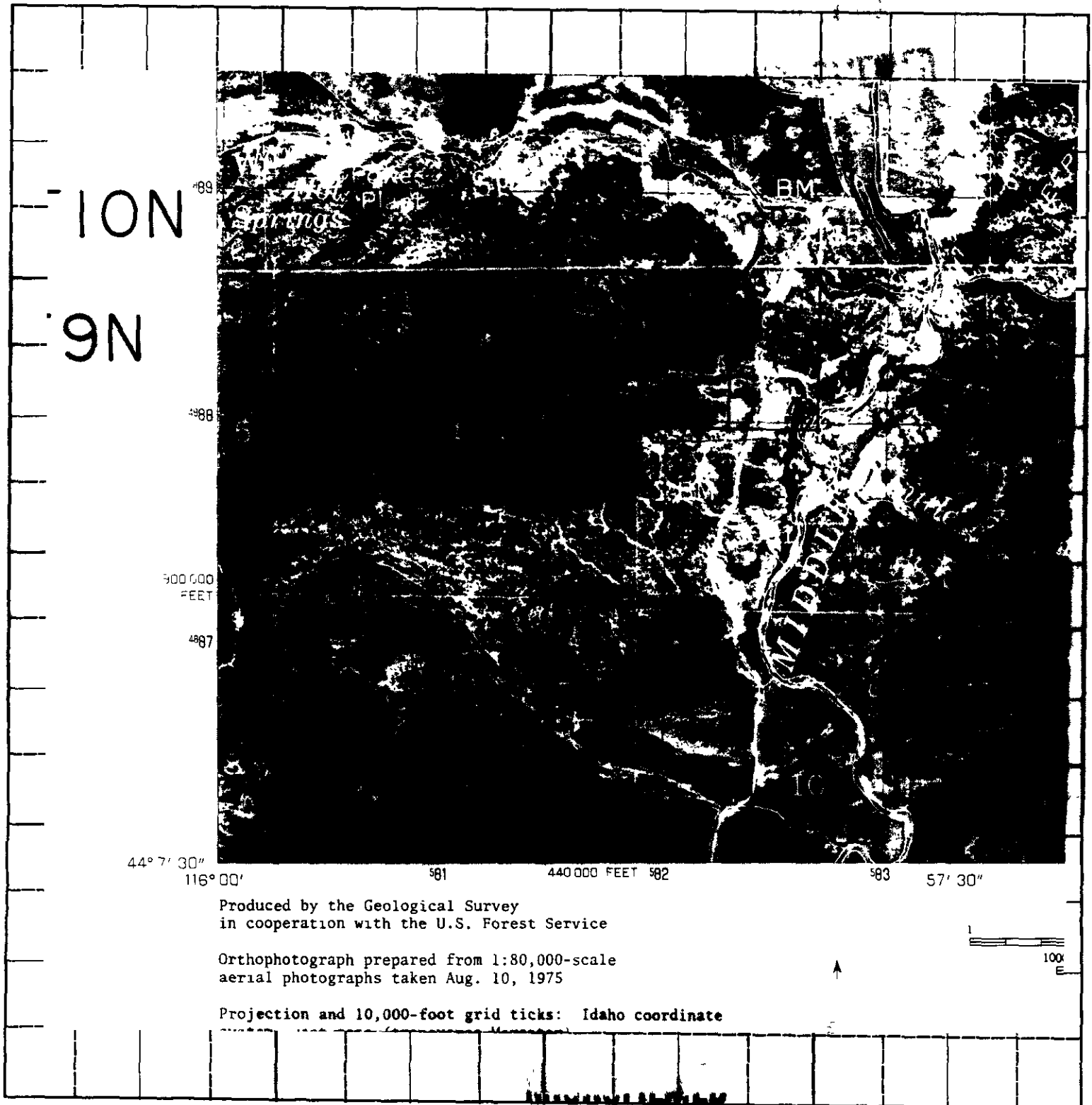
c. Municipal, show name of municipality.

**b. Stockwatering, list number and kind of livestock.**

a. Hydropower; show total feet of head and proposed capacity in kW.

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

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

JUN 14 1989

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.

Hester T. Tracy  
(Applicant)

|                         |        |             |         |                      |                          |
|-------------------------|--------|-------------|---------|----------------------|--------------------------|
| Received by             | 2-9-89 | Time        | 12:00   | Preliminary check by | 2/9/89                   |
| Fee \$                  | 30     | Received by | 2-22-89 | Published in         | Idaho World 3/1 & 3/8/89 |
| Publication prepared by | GC     | Date        | 2-22-89 | Publication approved | 2-27-89                  |

**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. 65-12972, 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

June 1, 19 91

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:

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.  
Use of water under this permit is subject to control by the watermaster of State Water District No. 65, Payette River.

Witness my hand this 30th day of May, 1989.

*J. M. Sawyer*

**MICROFILMED**

JUN 14 1989

STATE OF IDAHO

County of Boise

Peter A. Wierenga, being duly

sworn, deposes and says: that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning with the 211 of 1989 and ending with the issue of 318, 1989.

Peter A. Wierenga

STATE OF IDAHO

County of Boise

On this 10<sup>th</sup> day of March in the year of 1989, before me, a Notary Public, personally appeared

Peter A. Wierenga

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.

Peter A. Wierenga  
Notary Public for Idaho  
Boise, Idaho  
Residing at

My commission expires: 9/14/94

REGISTERED  
MAR 13 1989

Department of Water Resources  
Western Regional Office

## Legal Notices

65-12971

MORRIS, RUTH B.  
MORRIS, PAUL S.  
3765 KINGSLAND WAY  
BOISE, ID 83712

Source: PAYETTE RIVER, SOUTH FORK; Tributary: PAYETTE RIVER; Diversion Pt. LOT 3 (NENWNE) Sec. 34 T 09N R 07E; Use: IRRIGATION (.020 CFS); Date Filed: 2/07/1989; In: T09N R07E S34 Lot 3 (NENWNE), 0.5 ACRES TOTAL

65-12972

TAXAY, HESTER  
HC 76, BOX 2555  
GARDEN VALLEY, ID 83622

Source: UNNAMED STREAM; Tributary: PAYETTE RIVER, MIDDLE FORK; Diversion Pt. LOT 4 (NWNW) Sec. 3 T 09N R 04E; Use: IRRIGATION (.120 CFS); Date Filed: 2/09/1989; In: T09N R04E S03 Lot 3 (NENW), 0.5 ACRES TOTAL

65-12973

ENGLE, PAUL H.  
1303 E. ASH ST.  
CALDWELL, ID 83605

Source: SKID ROAD CREEK; Tributary: PAYETTE RIVER, MIDDLE FORK; Diversion Pt. NENW Sec. 13 T 10N R04E; Use: IRRIGATION (.030 CFS); Date Filed: 2/21/1989; In: T10N R04E S13 NENW, 0.2 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 MARCH 20, 1989.

R. KEITH HIGGINSON, Director  
Published in the Idaho World, Idaho City, Idaho, March 1 & 8, 1989.

## NOTICE OF APPLICATION FOR WATER RIGHT

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

63-10768

ALLEN, ROBERT PAUL  
BC 33, BOX 2100  
BOISE, ID 83706

Source: SPRING; Tributary: ROBIE CREEK; Diversion Pt. NESESW Sec. 30 T 04N R 04E; Use: STOCKWATER (.020 CFS); DOMESTIC (.020 CFS); Date Filed: 2/15/1989; In: T04N R04E S30, SESW, SWSE

65-12969

EARL, ROBERT H.  
1419 E. WRIGHT  
BOISE, ID 83706

Source: PAYETTE RIVER, SOUTH FORK; Tributary: PAYETTE RIVER; Diversion Pt. LOT 1 (NWNW) Sec. 28 T 09N R04E; Use: DOMESTIC (.040 CFS); Date Filed: 2/10/1989; In: T09N R04E S29 Lot 1 (NWNW)

RECORDED

JUN 14 1989

CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

[ ] Water Right Number (s): 65-12972

MAY 15 1998

WATER RESOURCES  
WESTERN REGION

[X] Old Mailing Address: HC 76 Box 2555  
Garden Valley, ID 83622

[X] New Mailing Address: 350 Middle Fork Rd.  
Garden Valley, ID 83622

New Telephone Number: (208) 462-3426

[X] Signature of Claimant: Linda J. Bass Linda J. Bass

Date: 5/15/98

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry to IDWR

Date: 5-18-98 By: Ket



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

October 31, 1996

JEFFREY E & LINDA J BASS  
HC 76 BOX 2555  
GARDEN VALLEY ID 83622

RE: Water Right License No. 65-12972

Dear Mr. and Mrs. Bass:

We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership. We have also enclosed a report regarding this water right.

Just a reminder, because of the new law that went into effect July 1, 1996, water right owners are required to report any change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,



JIM JOHNSON, Manager  
Water Right Permits Section

JJ:ph

Enclosure

MICROFILMED

NOV 17 1996

WR0749NP  
No. 65-12972

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 10/30/96  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS         | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C             | JEFFREY E BASS         | 02/09/1989       | IRRIGATION | 04/15 10/15           | 0.120 CFS         | 14.00 AFA           |
| C             | LINDA J BASS           |                  |            |                       |                   |                     |
|               | HC 76 BOX 2555         |                  |            | TOTAL DIVERSION:      | 0.120 CFS         | 14.00 AFA           |
|               | GARDEN VALLEY ID 83622 |                  |            |                       |                   |                     |
|               | (208) 462-3426         |                  |            |                       |                   |                     |

Water Source: WARM SPRINGS CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.150 CFS

Point(s) of Diversion: T10N R04E S34 NWSW BOISE County

Place of use Legal Description for: IRRIGATION

| NE   |      |      |      | NW   |      |       |       | SW   |      |      |      | SE   |      |      |      |             |     |
|------|------|------|------|------|------|-------|-------|------|------|------|------|------|------|------|------|-------------|-----|
| NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW  | SENW  | NESW | NWSW | SWSW | SESW | NESE | NWSE | SWSE | SESE | SUM         |     |
| T    | R    | S    | Lt   | Ac   | Lt   | Ac    | Lt    | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac          |     |
| 09N  | 04E  | 3    | :    |      | :    | 03-01 | 04-01 | 01   | 01   | :    |      | :    |      |      |      |             | 4.0 |
|      |      |      |      |      |      |       |       |      |      |      |      |      |      |      |      | TOTAL ACRES | 4.0 |

Pou County: BOISE

Other Rights: NONE

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- R50 - This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.5 afa per acre for the lands above.

|        |                 |            |                    |            |
|--------|-----------------|------------|--------------------|------------|
| Dates: | App. Received:  | 02/09/1989 | Priority Date:     | 02/09/1989 |
|        | Proof Due Date: | 06/01/1991 | Proof Made Date:   | 04/09/1991 |
|        | Exam Made Date: | 07/12/1991 | Exam Sent to S.O.: | 02/16/1993 |
|        | Licensed Date:  | 04/22/1993 |                    |            |

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



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

April 26, 1993

HESTER TAXAY  
HC 76 BOX 2555  
GARDEN VALLEY ID 83622

RE: WATER RIGHT NO. 65-12972

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 our office.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:cz

Enclosure

RECEIVED  
MAY 25 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

April 16, 1993

HESTER TAXAY  
HC 76 BOX 2555  
GARDEN VALLEY ID 83622

RE: WATER RIGHT NO. 65-12972

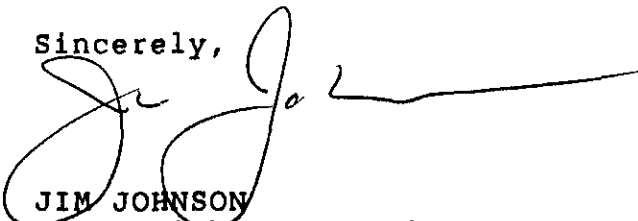
Dear Water Right Holder(s):

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. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,



JIM JOHNSON  
Water Rights Supervisor

JJ:cz

Enclosure

RECORDED  
INDEXED

MAY 25 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

April 16, 1993

HESTER TAXAY  
HC 76 BOX 2555  
GARDEN VALLEY ID 83622

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The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the 15-day period.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:cz

Enclosure

MAY 25 1993



# LICENSE REVIEW CHECKLIST

Permit # 65-12972

Date 4-6-93 BC

|               | Yes                                            | No                                  |                                                                                        |
|---------------|------------------------------------------------|-------------------------------------|----------------------------------------------------------------------------------------|
| NAME          | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Address Change?                                                                        |
| PRIORITY DATE | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Advance?                                                                               |
|               | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Memo to Advance                                                                        |
|               | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Order to Reinstate Needed?                                                             |
| TOTAL CFS     | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | (PD 50 <sup>00</sup> ) Incorrect Fee for rate recommended?                             |
|               | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Disagree/Measurement                                                                   |
|               | <input checked="" type="checkbox"/>            | <input type="checkbox"/>            | Pumping Theoretical $(8.8) \times (.70) \times ( )$                                    |
|               | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | System Capacity $.15 \text{ cfs (measured)}$                                           |
|               | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Allowable Amount: $4 \text{ acres} \times .03 = .12 \text{ cfs}$ <u>Also on Permit</u> |
| TOTAL VOLUME  |                                                |                                     | Rate/ac <u>3.5</u> AFA Irr. Season <u>B</u>                                            |
|               |                                                |                                     | <u>4-15 to 10-15</u> Standard Irr. Season                                              |
|               |                                                |                                     | <u>APP WRONG (4-1 to 11-1)</u> Season Recommended <u>Standard</u>                      |
|               | <input checked="" type="checkbox"/>            | <input type="checkbox"/>            | Disagree with Examiner's Calculations?                                                 |
|               | <input checked="" type="checkbox"/>            | <input type="checkbox"/>            | <u>4 acres X 3.5 = 14 AF</u>                                                           |
|               | <input checked="" type="checkbox"/>            | <input type="checkbox"/>            | Flow limit: $.12 \times \frac{184}{184} \times 1.9835 = 43.8 > 14 \text{ AF}$          |
| SOURCE        | <input checked="" type="checkbox"/>            | <input type="checkbox"/>            | Changes? * Clarification of Originally                                                 |
|               | <input checked="" type="checkbox"/>            | <input type="checkbox"/>            | Intended source <u>Warm Springs Creek</u>                                              |
|               | <input checked="" type="checkbox"/>            | <input type="checkbox"/>            | Notice of Intent to Void.                                                              |
| P/D           | <input checked="" type="checkbox"/>            | <input type="checkbox"/>            | Amendment Needed? <u>Change to: NWSW S34 10N 4E</u>                                    |
|               | <input type="checkbox"/>                       | <input type="checkbox"/>            | Is Overlap Analysis a Consideration?                                                   |
| P/U           | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Amendment Needed? <u>Change</u>                                                        |
|               | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Is Overlap Analysis a Consideration?                                                   |
| USES          | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Change(s) in Nature of Use?                                                            |
|               | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Amendment Needed?                                                                      |
| REMARKS       | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Multiple P/Ds in 1/4 1/4?                                                              |
|               | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Non-Irr. Uses                                                                          |
|               | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Special Overlap Condition                                                              |
|               | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Other                                                                                  |
| CONDITIONS    |                                                | <input checked="" type="checkbox"/> | Measuring Devices                                                                      |
|               | <u>R04</u> <input checked="" type="checkbox"/> | <input type="checkbox"/>            | W/Master Control <u>65</u>                                                             |
|               | <u>R50</u> <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Overlap                                                                                |
|               | <input type="checkbox"/>                       | <input checked="" type="checkbox"/> | Water Quality                                                                          |
|               |                                                |                                     | Dates/Misc                                                                             |
|               |                                                |                                     | <u>65</u> Water Dist                                                                   |
|               |                                                |                                     | App Rec'd                                                                              |
|               |                                                |                                     | Exam Made                                                                              |

COMMENTS: Amend P/D

LICENSE AMEND ☒ SPECIAL PARAGRAPH

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

**RECEIVED**  
FEB 17 1993

Department of Water Resources

**A. GENERAL INFORMATION**

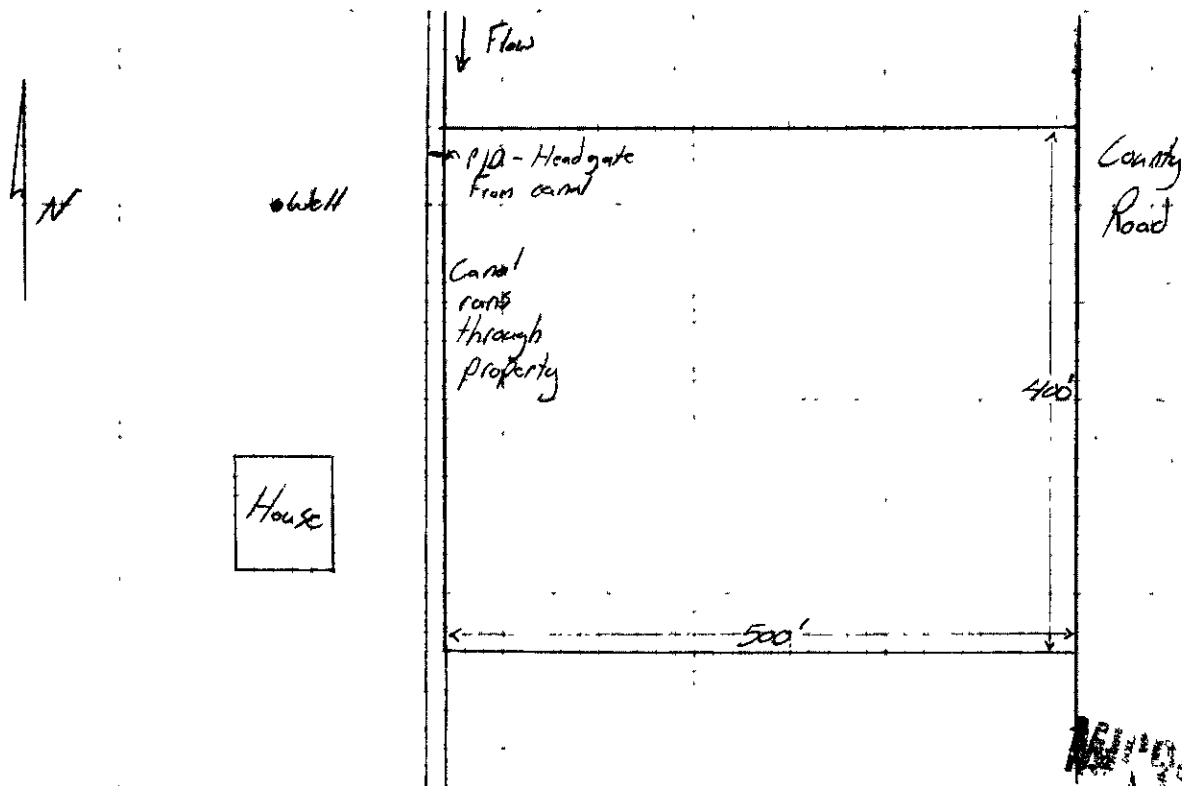
Permit No. 65-12972  
1. Owner: Hester Taxay Phone No. 462-3426  
Current Address: HC 76 Box 2555 Garden Valley, ID 83622  
2. Accompanied by: Hester Taxay EXAM. DATE: 7-13-91  
Address: Same Phone No. \_\_\_\_\_  
Relationship to Permit Holder: \_\_\_\_\_  
3. Source: Warm Springs Creek tributary to Poyette River, Middle Fork

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: None  
\_\_\_\_\_  
☐ Copies Attached  
2. Other water rights with same point of diversion: None  
\_\_\_\_\_  
☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 150'

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).  
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).  
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

**RECEIVED**  
MAY 25 1993

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

A canal passed through the west end of the Taxey property. The canal was diverted from an unnamed stream, but the source of diversion was not found at the time of exam. Per conversations with neighboring property owners, several other people irrigate pasture land from the same canal. No other owners have filed for water rights from this canal. Usage of the canal is through time allotment, so a prearrangement of the flow in the canal was made approx 1/4 mile upstream, just upstream of

☒ See Remarks on page 4 for continuation

|                                       |            |    |                  |           |                                   |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|                                       | None       |    |                  | None      |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

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

[illegible]

From Napp photo, USSG, 5 visual identification  
during 6-5-93 verification

26-9/-9  
55W

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

[illegible]

Do not use this space

**D. FLOW MEASUREMENTS**

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| 1' G. Zolatti Weir    |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

1.50" head

1 7/16" = .14 cfs -

1 9/16" = .158 cfs -

**E. FLOW CALCULATIONS**

☐ Additional Computation Sheets Attached

FEES PD = .2 cfs

1. Measured Method:

1 8/16" = (.14 + .158) / 2 = .15 cfs -

PERMIT = .12 cfs (Limiter)

2. Alternate Method for Checking Purposes:

**F. PUMP EFFICIENCY DATA (Optional)**

Discharge Pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)

Total Head: (1) + (2) = \_\_\_\_\_ (3)

; Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)

Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x .001732 = \_\_\_\_\_ (8)

Panel Input HP: (8) x 1.34 = \_\_\_\_\_ (7) Efficiency: (5)/(7) x 100 = \_\_\_\_\_ %

**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 40 \times 3.5 = 14 \text{ afa} -$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .12 \text{ cfs} \times 214 \text{ days} \times 1.9835 = 50.95 -$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 14 \text{ afa} -$

2. Volume Calculations for Other Uses:

MINOR  
ED  
MAY 25 1998

# H. REMARKS AND OVERLAP REVIEW ANALYSIS

the point where the water was being diverted from the canal. The 11' x 10' foot Cipolletti weir was used to obtain a flow rate. The head over the weir was 150 inches. The P/O was determined to be in the NW/NE Q/O of section 3, per land owners' representations. Because of a golf course to the North & West of the Q/O, the diversion ditch had to originate in the NW/NE. Total acreage -  $400' \times 500' / 43560 = 4.6$  acres. 40 acres asked for in permit. No other water rights affect this permit.

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use | Rate of Diversion | Annual Volume |
|----------------|---------------|-------------------|---------------|
| Irrigation     | 4/1 To 11/1   | 12 CFS            | 14 af         |

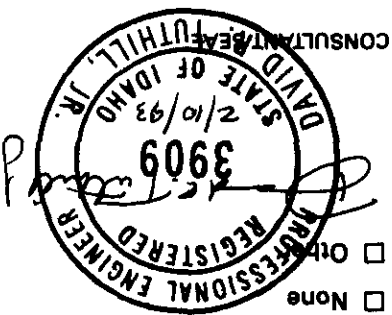
### 2. Recommended Amendments

- ☒ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above

## J. AUTHENTICATION

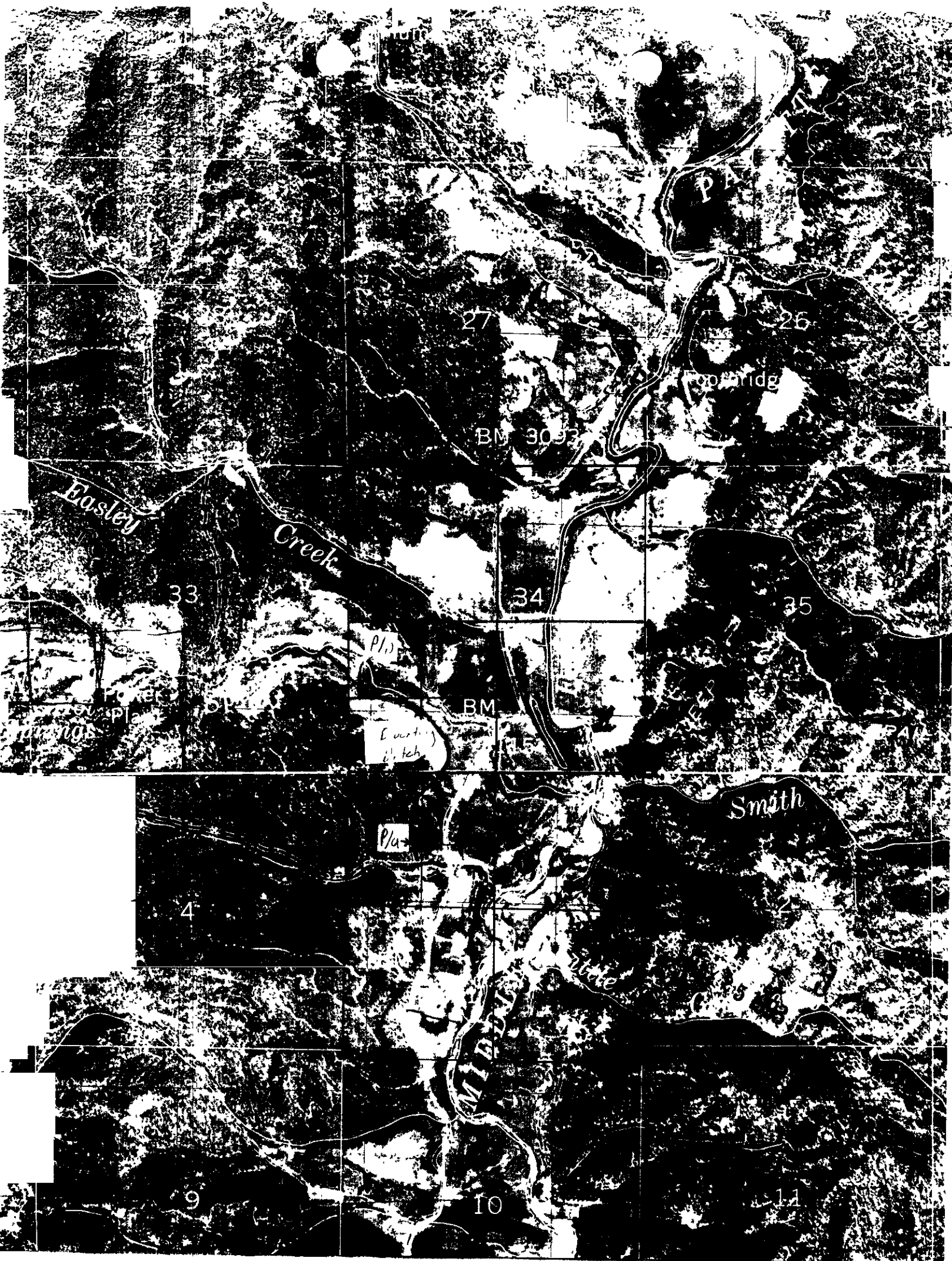
Field Examiner's Name Mark Lewis Signature Mark Lewis Certification Date 7-16-91 Field Report Preparation Date 7-16-91

12/23/92



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED  
MAY 25 1993



Sec. 32  
SECOND

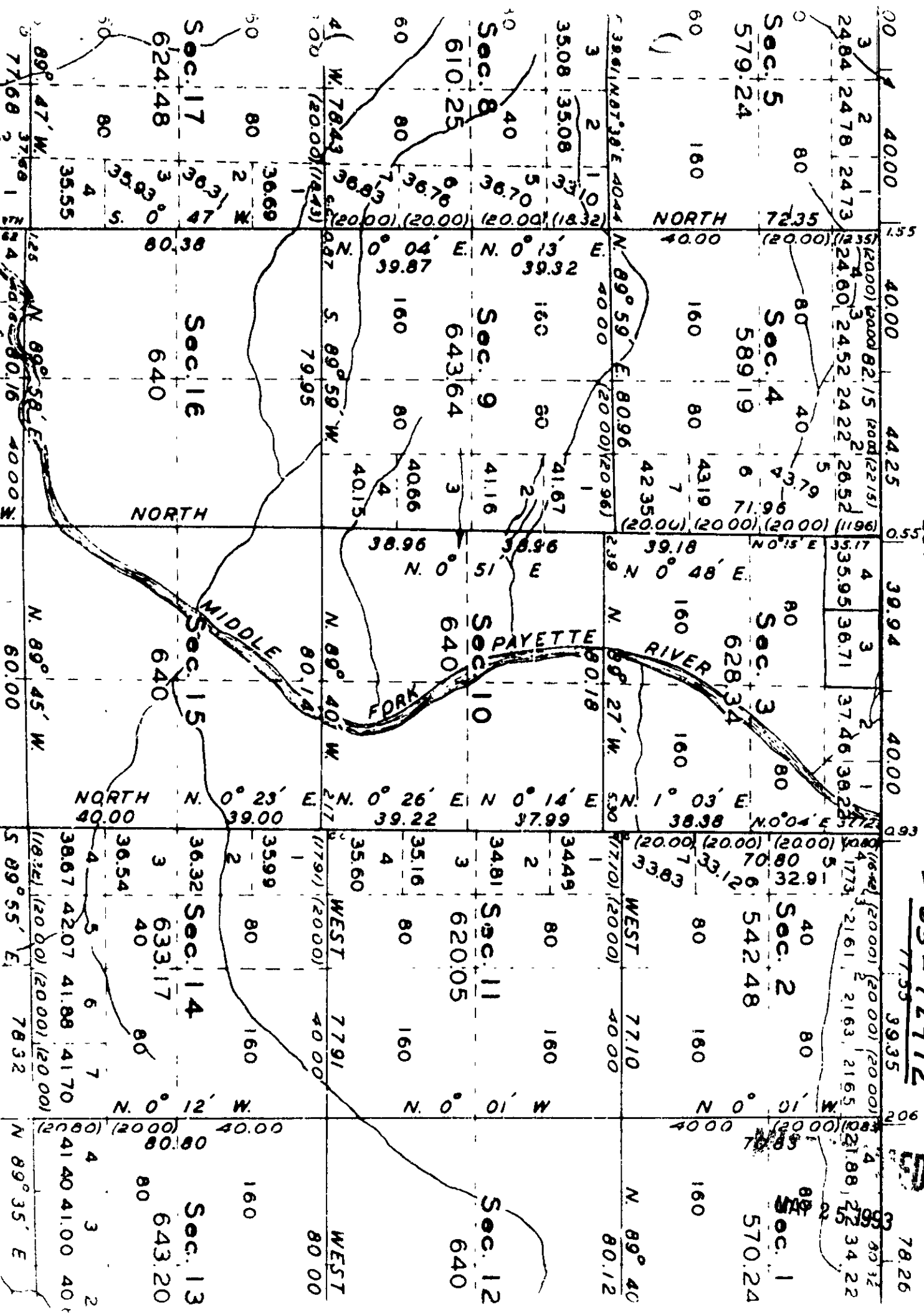
Sec. 33  
STANDARD

WEST

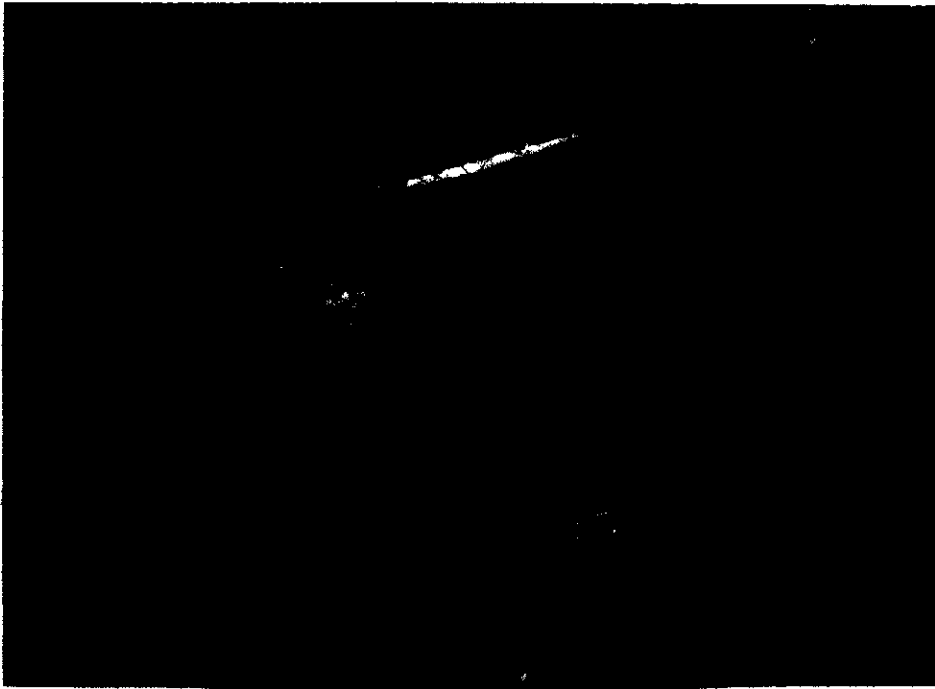
Sec. 34  
PARALLEL

Sec. 35  
NORTH  
# 65-12972

Sec. 36



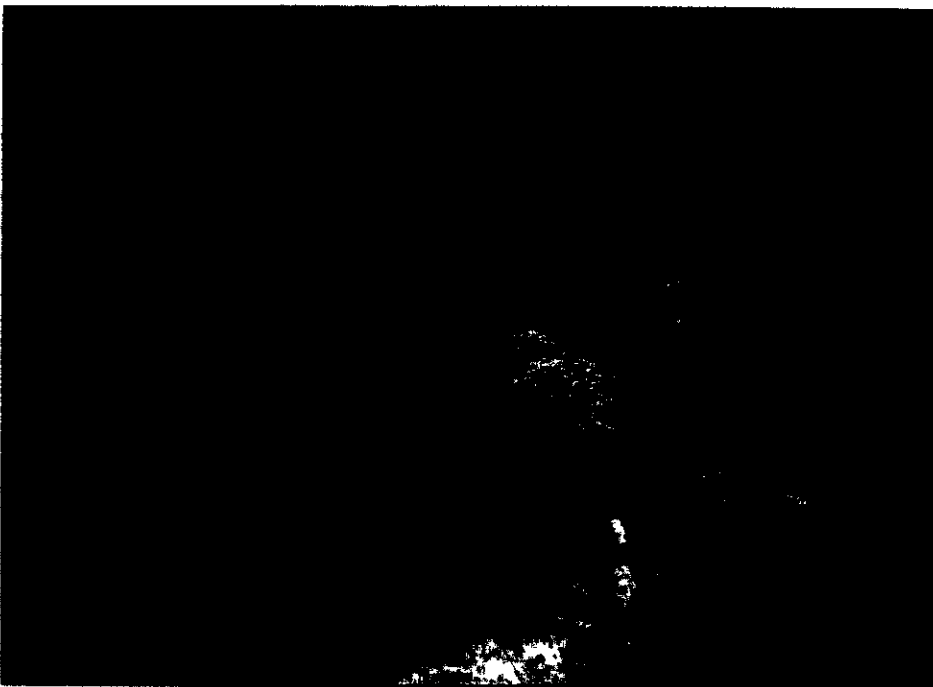
65-12972



#1.

Headgate located  
in canal allows  
time allotted  
irrigation of  
pasture land.

No water in canal  
at this time due  
to upstream diversion.



#2.

Pasture being  
irrigated. Facing  
east from headgate.

RECEIVED  
FILMED

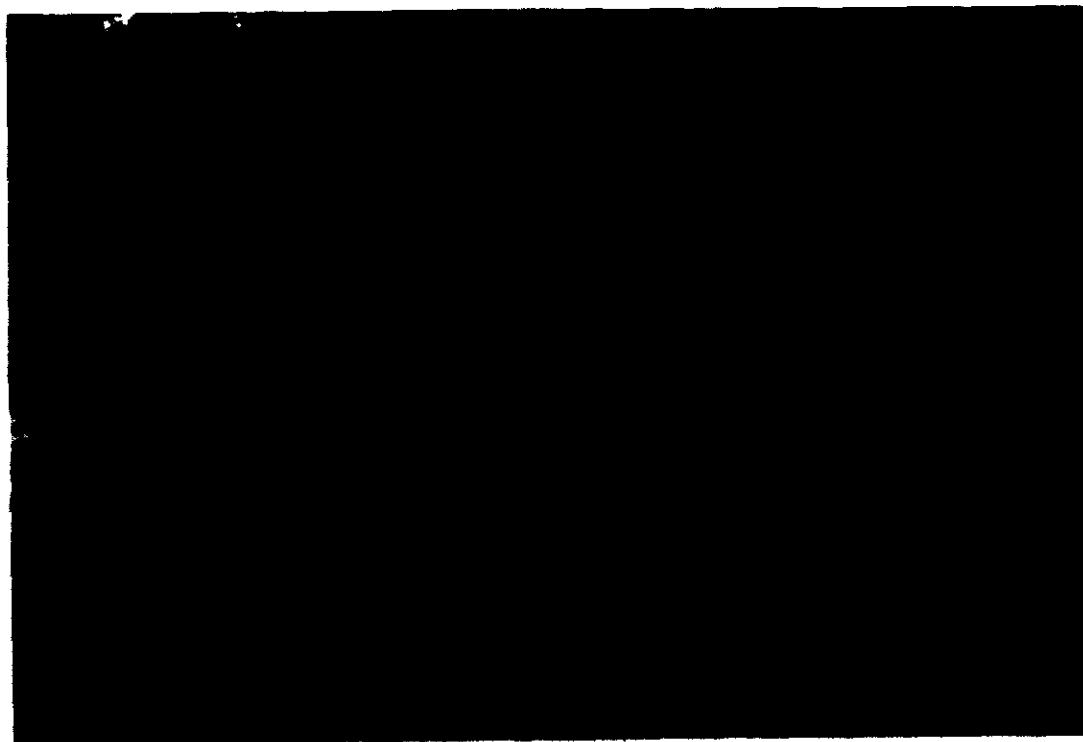
MAY 25 1993



#4

Actual P10  
in Warm Springs  
Creek

Canal on  
left, Creek  
continues on  
right



Canal on  
right, Warm  
Springs Creek  
on left  
Canal leads  
to P10

RECEIVED  
FILMED

MAY 25 1993



#3.

A 1<sup>st</sup> Cipolletti  
weir with 15"  
of head in a  
2' ditch.

ED  
MAY 25 1993

April 12, 1991

HESTER TAXAY  
HC 76 BOX 2555  
GARDEN VALLEY, ID 83622

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-12972

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

50  
APR 23 1991

ANALYSIS SHEET  
for  
PROOF OF BENEFICIAL USE

Permit No. 65-12972

Date 4-11-91

GENERAL CONSIDERATIONS

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

SOURCE OF WATER

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

LICENSE EXAMINATION FEE

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

MEASURING DEVICE

- ☒ Measuring device or access port required?  
☐ Installed?  
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

*Proof acceptable*

PRIORITY CALCULATION

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

*JB*

**RECEIVED**

APR 10 1991

## STATE OF IDAHO

For Office Use Only  
Amt. of Fee \$ 50.00  
Date 4-9-91  
Receipt No. C020172  
Received by TJL

## DEPARTMENT OF WATER RESOURCES

Department of Water Resources

## PROOF OF BENEFICIAL USE

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

1 Permit No. 65-12972 Telephone No. 462-34262 Name(s) of Permit Holder(s): Hester TAXAY3 Post Office Address: HC 76 Box 2555 CARMEN Valley, ID 836224 Source of Water: UNNAMED Streama If ground water, well driller's name: NA Date drilled: \_\_\_\_\_

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

## 5 Extent of Use:

Domestic \_\_\_\_\_ (No. of households)

Irrigation 4 (No. of acres)

Stockwater \_\_\_\_\_ (No. and type of stock)

Other \_\_\_\_\_

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

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

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

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No8 Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

SAME AS ABOVE  
Name

Telephone No. \_\_\_\_\_

Address \_\_\_\_\_

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

**RECEIVED**Date April 9, 1991Signature Hester Taxay (and title if on behalf of a company or organization)

APR 23 1991

138272  
March 31, 1991

HESTER TAXAY  
HC 76 BOX 2555  
GARDEN VALLEY, ID 83622

PROOF DUE NOTICE

RE: PERMIT NO. 65-12972

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 June 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck  
Secretary/Records Manager

Enclosures

**MICROFILMED**

APR 23 1991

PLACE  
STAMP  
HERE

MICK 760

APR 23 1991



JUN 12 1990

**RECEIVED**  
BOISE, IDAHO 83720  
DEPARTMENT OF WATER RESOURCES  
EX-100 HOUSE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
COMMENCEMENT OF WORKS

Permit No. 65-12472 HESTER TAXPAY  
Name(s) of Permit Holder(s): Middle Fork Road  
Post Office Address: Box 2555 Id. 83622 Id. 462-3426  
Garden Valley Id. 83622 Id. 462-3426  
☐ I hereby certify that construction of diversion works for the above referenced  
project began on 10/23/91 (date) I understand that I must  
continue to develop the water system with due diligence to maintain a valid  
permit.  
☐ I hereby certify that construction and diverting works on the above referenced  
project has not yet begun due to the following reason beyond my control:

\*Note A financing difficulty is  
not an acceptable reason

Date

Signature of Permit Holder

SEE Attached letter -

Box 255 Middle Fork Road  
Garden Valley, Idaho  
June 10, 1990

Dear Mr. Shaw,

I am responding to your letter of September, 1989. I am enclosing a copy of that letter for your reference. I must apologize for the delay but I was initially told that no further action on my part was necessary. However, in thinking about the issue I decided to reply, if only for courtesy's sake.

At the time I went to the Dept of Water Resources it was for information as I was a newcomer to the State.

The young gentleman who gave me the information was extremely helpful and suggested that as long as I was in the office, I may as well file for water rights on the stream that flows through my property. I do not understand this "commencement of works" card which was sent to me. I purchased my home and property in the summer of 1988; the irrigating "set-up" was already in place at that time as I explained to the employee in the office.

The young man who assisted me in filling out the papers asked me what I would use the water for and I told him that I wished to plant my front acreage with trees and I could water them from this stream. To date I have planted approximately thirty trees (mostly seedlings). He also told me that I would not have to do anything further concerning this matter and no additional paperwork would be required. (That is why I don't understand the card which was sent to me). He did say however, that probably someone would check in the future to verify that I was planting trees.

If any more information is needed, please let me know.  
Thank you.

Yours truly,

Hester Tappan

**RECEIVED**  
JUN 12 1990

Department of Water Resources

**REPROFILMED**

APR 23 1991

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

-----

Statehouse  
Boise, Idaho 83720  
(208) 334-7900  
May 30, 1989

HESTER TAXAY  
HC 76 BOX 2555  
GARDEN VALLEY, ID 83622

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

RE: PERMIT NO.        65-12972

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.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

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 into a license.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

**MICROFILMED**

JUN 14 1989

\_\_\_\_\_

Form No. 202a.  
4/87

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: GG DATE: 2-15-89 APPLICATION: 65-12972

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)  
☒ Address:  
☒ Source: (See USGS Quad for names of water sources)  
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)  
☒ County:  
☒ Quantity: (flow and/or volume)  
☒ Period of use: Gov't. Lots: 04 P/D  
☒ Nature of proposed use: (Include description of use) 03204 P/U  
☒ Description of diverting works:  
☒ Time required for beneficial use of water:  
☒ Place of use or acres irrigated:  
☒ Map:  
☒ Signature: (If applicant is corp., partnership, or municipality title of signator is required)  
☒ Fee:  
☒ yes ☐ No\* In form to receipt:

ADDITIONAL INFORMATION

- YES NO  
☒ Overlapping place of use: (Describe source & relationship to present application on the back.)  
☒ Overlapping point of diversion:  
☒ Field check required: Field check by: \_\_\_\_\_  
☒ Field report attached:  
☒ Critical groundwater area:  
☒ Groundwater management area:  
☒ Send dam safety information:  
☒ Send power requirement letter:  
☒ Send fish farm requirement letter:  
☒ Power residency affidavit:  
☒ Power efficiency form:  
☒ Within trust water boundry: (If yes, attach Trust Water Supplementary Analysis Sheet.)  
☒ Diversion greater than 5 cfs or 500 af: (If yes, attach Large Diversion supplementary analysis sheet.)  
☒ \*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED:

☒ Additional information on reverse side:

RECEIVED

APR 19 1989

Department of Water Resources

PROCESSING

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

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

March 20, 1985

Protests, dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master?

District # 65

Special conditions of approval or cover letter: (see additional info. below)

See Below For Additional Information

Recommended Date of Priority

2/9/1989

Recommended by:

STATE OFFICE REVIEW

P17

2/9/85 (65, Bayetta River)

See below for additional information. By

CU

Date

5/24/89

ADDITIONAL INFORMATION

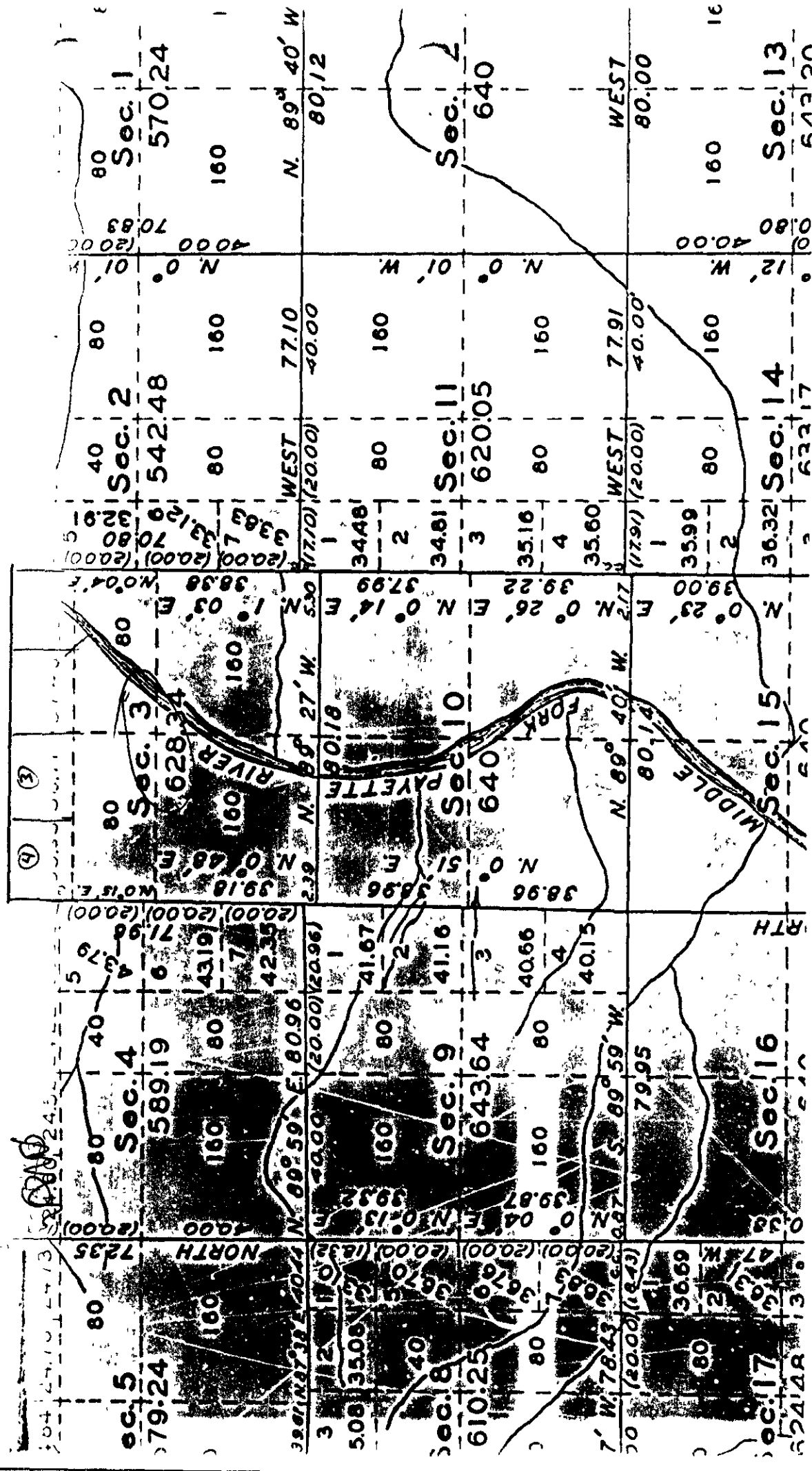
POD & POA: WR 65-18012, same as legal but from GW source, other claims but not apparent

To this application

Below 2 yrs. for development -

MICROFILMED

JUN 14 1989



65-12972

TAXAY, HESTER  
HC 76 BOX 2555  
GARDEN VALLEY, ID 83622

Source: UNNAMED STREAM

Tributary: PAYETTE RIVER, MIDDLE FORK

Diversion Pt: LOT 4 (NWNW) Sec 3 T 09N R 04E

Use: IRRIGATION ( .120 CFS)

Date Filed: 2/09/1989

In: T09N R04E S03 Lot 3 (NENW) Lot 4 (NWNW)

SWNW

SENW

4.0 ACRES TOTAL

**MICROFILMED**

JUN 14 1989