

54.13

S 89°31'29"E 1839.13

ROAD

R/W

EASEMENT

BLOCK 4
10.0032 ACRES

BLOCK 1
10.0367 ACRES

A: 22°48'57"
R: 1432.4
T: 289.03
L: 570.40
C: 563.35

S 87°30'44"E

854.47

C10

C9

1.40

S 87°52'06"E

812.23

P.S.
300+55.6

SEE 36 T 15N R03E
33 23 33
SW 23 SE

BLOCK 3
10.1580 ACRES

AC. AC 21/100
1.0 acres

BLOCK 2
10.1685 ACRES

N 54°21'14"W
1020.93

BLOCK 6
10.0300 ACRES

BLOCK 5
10.0220 ACRES

BLOCK 50
9.9568 ACRES

BLOCK 49

MICROFILMED
MAY 15 1989

N 78°22'20"W
PRIVATE ROAD

N 12°17'35"W

S 84°54'25"W

N 15°44'42"W

658.66

10°20'17"W 71

P.C.
300

S 12°00'01"E
301.28

P.S.
296+55.6

C7 183.75

C8 157.93

CR

CB

70' R/W

534.14
526°54'14"W
534.14

ROAD

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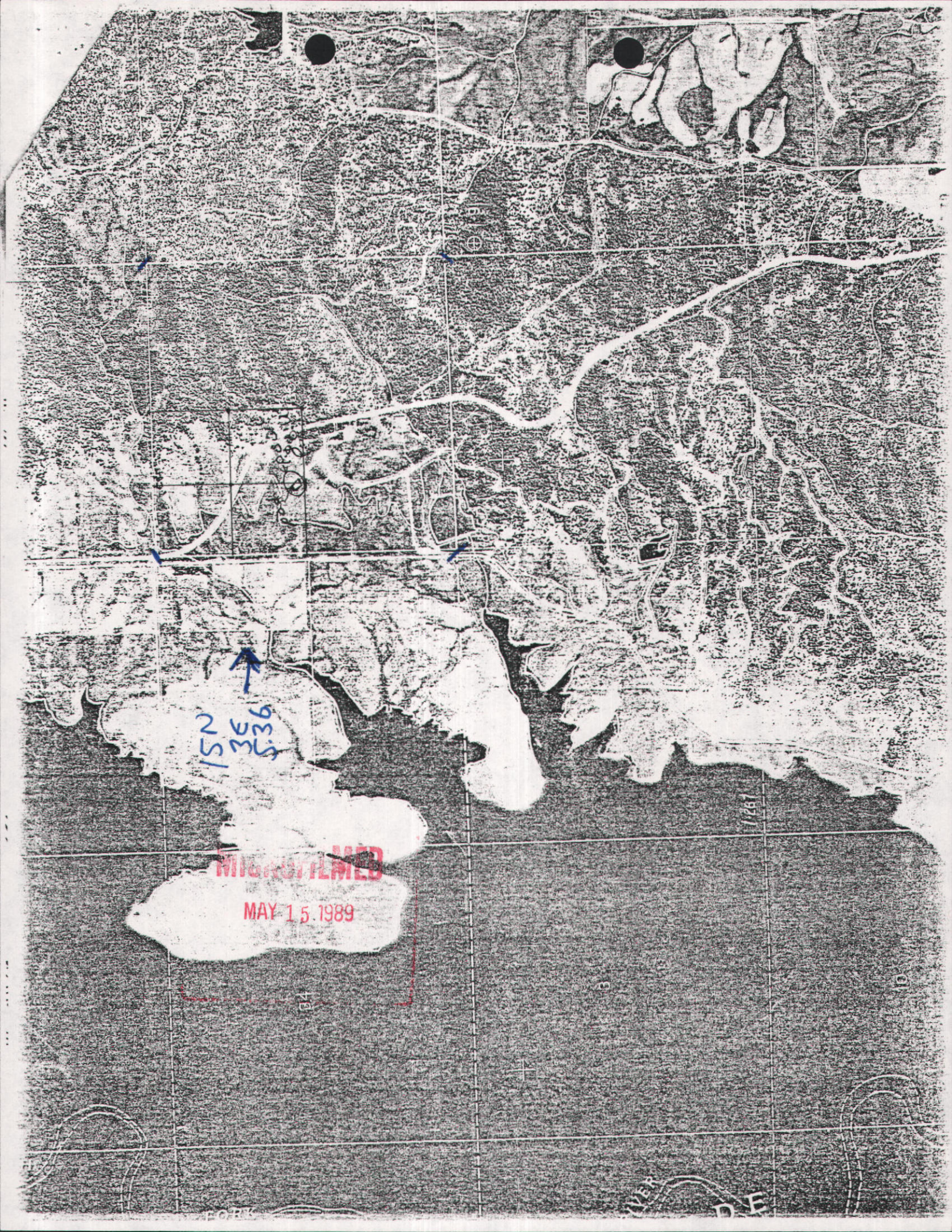
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152
356
357

MICROFILMED

MAY 15 1989

DE
VER

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 Application 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:

12-7, 1988

and ended 12-14, 1988

Fred K. O'Brien

Subscribed and sworn before me, this the

15th day of Dec, 1988

On this 15th day of Dec, 1988

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.

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

PUBLIC NOTICES

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-12905

HERRICK BROTHERS
HC 71 BOX 2161
CASCADE, ID 83611
Source: SPRING
Tributary: PAYETTE RIVER, NORTH FORK

Diversion Pt: NESENW Sec 8 T 12 N R 04E

Use: STOCKWATER (.070 CFS)

Date Filed: 11/03/1988

In: T12N R04E S08 SENW

65-12914

KEATING, JR., JAMES F.

P.O. BOX 743

CASCADE, ID 83611

Source: GROUNDWATER

Diversion Pt: SWNW Sec 36 T 15N R 03E

Use: IRRIGATION (.030 CFS)

DOMESTIC (.020 CFS)

Date Filed: 11/14/1988

In: T15N R03E S36 SWNW SENW

1.0 ACRES TOTAL

65-12925

KEITH, ROBERT B.

KEITH, TIMOTHY J.

KEITH, ALMA G.

707 EAGLESON RD.

BOISE, ID 83705

Source: DEER CREEK

Tributary: CASCADE RESERVOIR

Diversion Pt: SENESE SEC 12 T 14N R 02E

Use: DOMESTIC (.030 CFS)

Date Filed: 10/31/1988

In: T14N R03E S07 Lot 3 (NWSW)

65-12926

ALDRICH, DONNA

365 WALTMAN LN.

MERIDIAN, ID 83642

Source: DEER CREEK SPRING

Tributary: CASCADE RESERVOIR DEER CREEK

Diversion Pt: LOT 3 (SWNWSW) Sec 7 T 14N R 03E

Use: DOMESTIC (.040 CFS)

Date Filed: 10/31/1988

In: T14N R03E S07 Lot 3 (NWSW)

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 DECEMBER 27, 1988.
R. KEITH HIGGINSON, Director
Published 12/07/1988 & 12/14/1988

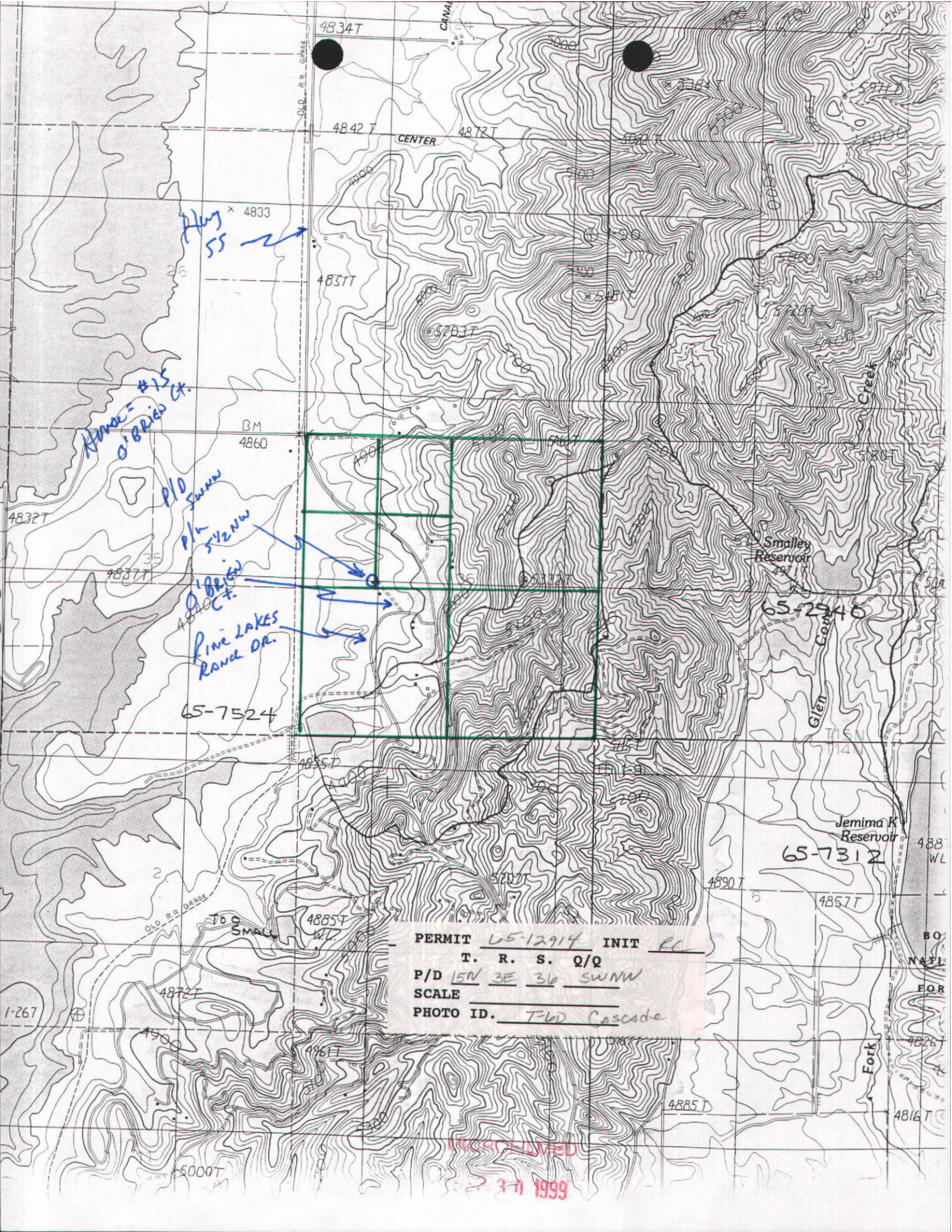
RECEIVED

MAY 15 1989

RECEIVED

DEC 19 1988

Department of Water Resources
Western Regional Office



PERMIT 65-12914 INIT RC
T. R. S. Q/Q
P/D 15N 3E 30 SWNW
SCALE _____
PHOTO ID. T-60 Cascade

UNRECORDED

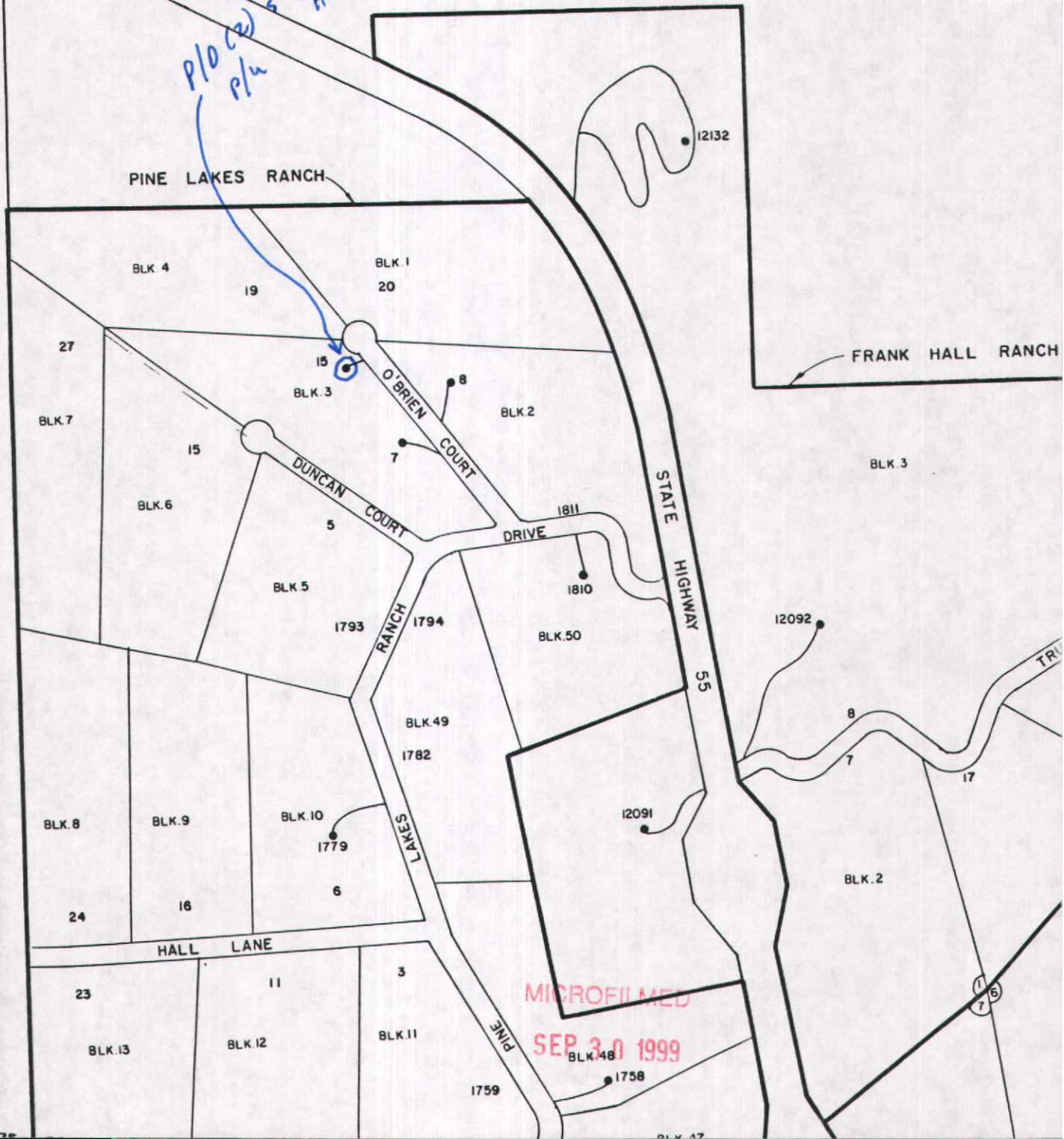
27 30 1999

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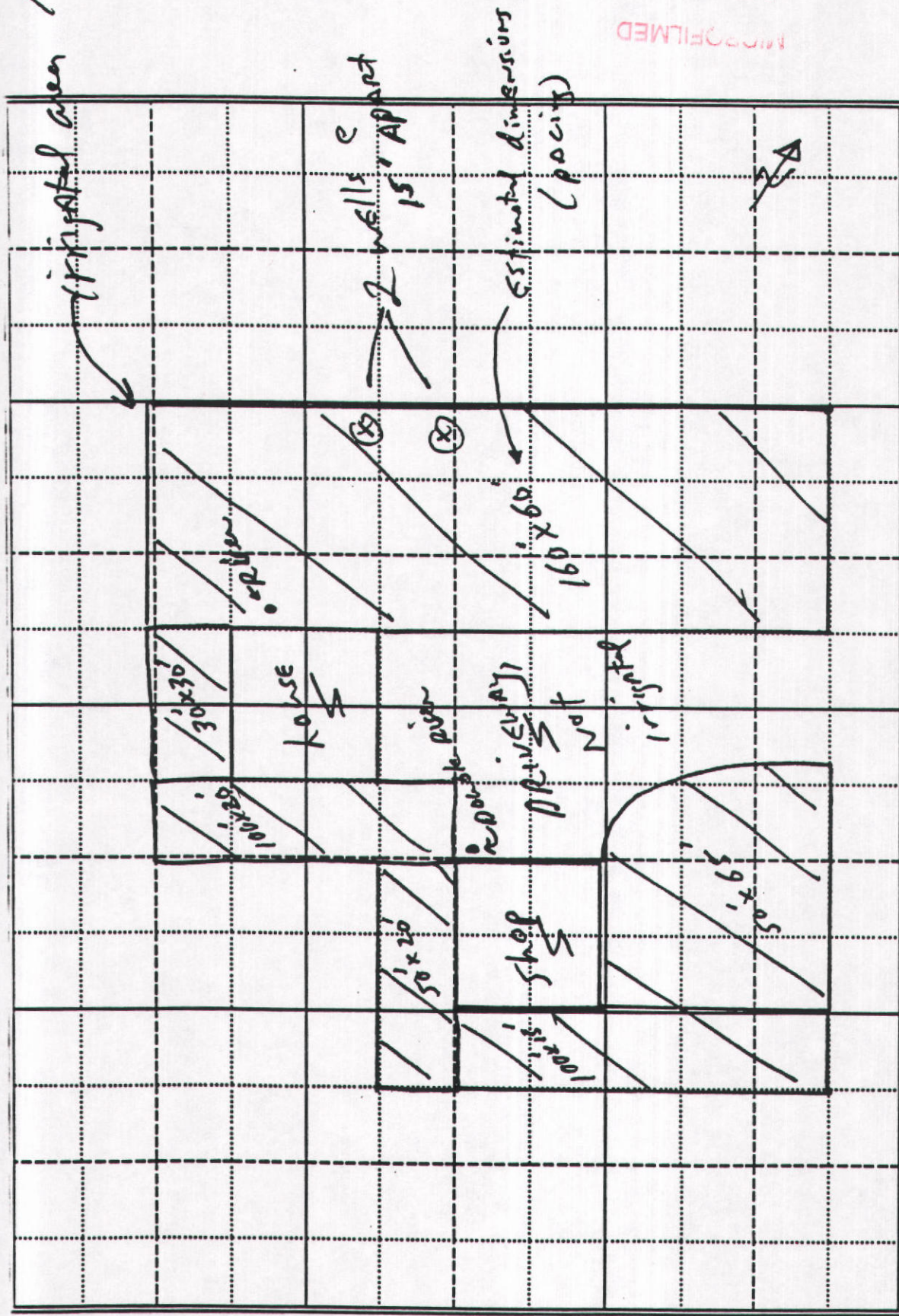
15N 3E S36

2 wells
2 story log house
1 story wood shop
with metal roof

Place #15 O'Brien Court
P/O (2)
P/L



111



SEP 30 1999
MICROFILMED

Estimated area $18250 \text{ ft}^2 / 43560 \text{ ft}^2/\text{Ac} = .4 \text{ acre} - \text{Round}$
to $1/2 \text{ Acre}$ to allow for error

* PHOTO COPIED FROM STEVE LESTER'S FIELD
NOTES, D.A. N. 6-29-99



PHOTOGRAPHER AND DATE OF PHOTOS Steve Lester 10-21-93

FILE NO. AND DESCRIPTION Beneficial use Exam Photos #65-12914



This is
a photo
of the
place of use
looking west



This is a
photo of
the 2 points
of diversion
looking
north west

RECEIVED
OCT 30 1993

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-12914

Priority: November 14, 1988

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that JAMES F KEATING JR

1402 GRANT AVE

BOISE ID 83706

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 14, 1988; and has submitted Proof of Beneficial Use on May 30, 1989. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
----------	----------------	----------	--------

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 36, Township 15N, Range 03E
VALLEY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

15N 03E 36

SWNW

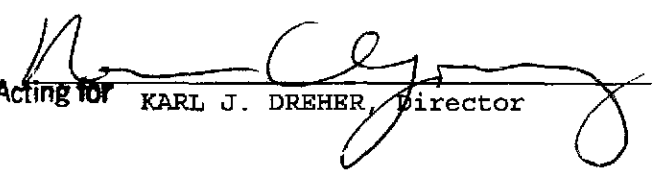
SENW

CONDITIONS OF APPROVAL AND REMARKS

1. Domestic use is for one home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 17th day of

September, 1999.


Acting for KARL J. DREHER, Director

RECORDED
11-18-99

RECEIVED
MAY 30 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received 50.00
Date 5/30/89
Receipt # C107095
Receipt by R. Young
Reviewed by T.M. 7/29/89
Sent to region

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 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. 65-12914

Name(s) of Permit Holder: James E Keating Jr

Post Office Address: P O Box 743 Cascade ID 83611

(Pine Lake Ranch Hwy 55) Telephone No. 382-4753

Source of Water: Well

Extent of Use:

Domestic 1 (number of households) Stockwater None (number and type of stock)
Irrigation 1 (acres) Other/Remark None

Total rate and/or volume for which proof is submitted 0.05 cfs acre-feet

* WELL DRILLED IN 1985 AS PER SKINE CONSTRUCTION 7/22/89
Show the date water was first diverted and beneficially used under this permit: Nov. 1988

Measuring Device: Required? Yes ☒ No
Installed? Yes ☐ No Fee enclosed \$ 50.00
(See License Examination Fee Schedule)

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

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

None or alone (Name) (Telephone Number)

11 (Address)

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.

MICROFILMED

OCT 24 1989

5/25/89
Date

James E Keating Jr
Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-12914

Proposed Priority: November 14, 1988 Amount: 0.05 CFS

This is to certify, that **JAMES F. KEATING, JR.**

P.O. BOX 743

CASCADE, ID 83611

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/15 to 10/15	0.03 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.05 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNW Sec. 36, Township 15N, Range 03E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15N 03E 36	SWNW 0.7	SENE 0.3		1
	Total number of acres irrigated:			1

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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 21st
day of April, 1989.

for R. Keith Higginson
R. Keith Higginson, Director

MICROFILMED

MAY 15 1989

Ident. No. 65-12914

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JAMES F. KEATING, JR. 208-382-4753
Address: P.O. BOX 743
CASCADE, ID 83611

2. Source: GROUNDWATER Trib. to:

3. Location of point of diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	03E	36	SW	NW			VALLEY

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AFA
IRRIGATION	04/15	10/15	0.030		
DOMESTIC	01/01	12/31	0.020		

5. Total quantity appropriated is:
0.050 CFS (and/or) AFA

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
WELL, SUBMERSIBLE PUMP, PIPELINE, PRESSURE TANKS, AND SPRINKLERS
- Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
- Proposed well diameter is inches; proposed depth of well is
feet.
- Is groundwater with a temperature greater than 90F being sought? NO

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

8. Description of proposed uses:
IRRIGATION

116-111-111

MAY 15 1989

9. Description of place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03E	36	SW	NW		IRR	0.7
			SE	NW		IRR	0.3

Total Section Acres 1.0

Total Acres 1.0

10. Describe any other water rights used for the same purposes.

NONE

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

APPLICANT

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

APPLICANT

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

12. Remarks:

THIS SYSTEM IS AN EXISTING SYSTEM THAT IS IN USE

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

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.

Jonat Keating Jr.
Applicant

Received by DK Date 11-14-88 Time 3:30 Preliminary check by REN

Fee \$ 30.00 Receipted by DK # W001414 Date 11-14-88

Publication prepared by GG Date 11-30-88 Published in The Advocate

Publication approved [Signature] Date 12/7 & 12/14/88
12-27-88

MAILED

MAY 15 1989

54.13

S 89° 31' 29" E 1839.13

ROAD

R/W

EASEMENT

N 89° 16' 00" E 666.849

45' RADIUS

Δ: 22° 48' 57"
D: 1432.4
T: 289.03
L: 570.40
C: 563.35

BLOCK 4
10.0032 ACRES

BLOCK 1
10.0367 ACRES

S 87° 30' 44" E

854.47

C10

C9

1.40

S 87° 52' 06" E

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P.S.C.
300+55.6

S 12° 00' 01" E
301.28

N 54° 21' 14" W

1020.93

BLOCK 3
10.1580 ACRES

AC. AC 2100
1.0 acres

10' R/W

BLOCK 2
10.1685 ACRES

P.S.
296+55.6

BLOCK 6
10.0300 ACRES

BLOCK 5
10.0220 ACRES

S 84° 52' 27" W

472.90

N 12° 17' 35" W

S 84° 54' 25" W

BLOCK 50
9.9568 ACRES

MAY 15 1989

BLOCK 49

658.66

S 12° 17' W 71

SEC 36 T 15 N R 03 E

N 16° 51' 00" W
1075.67

N 78° 22' 20" W
PRIVATE ROAD

10' R/W

534.14
526° 54' 14" W
534.11

N 15° 44' 42" W

164.34
167.90
51.68

10' R/W

259.53

242.68

C8
157.93

C7
183.75

C5

C6

T.93

C4

CR

C8

10' R/W

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MAY 15 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 *Article 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:

12-7, 1988

and ended 12-14, 1988

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

15th day of Dec, 1988

On this 15th day of Dec, 1988

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.

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

PUBLIC NOTICES

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-12905

HERRICK BROTHERS
HC 71 BOX 2161
CASCADE, ID 83611
Source: SPRING
Tributary: PAYETTE RIVER, NORTH FORK
Diversion Pt: NESENW Sec 8 T 12 N R 04E

Use: STOCKWATER (.070 CFS)

Date Filed: 11/03/1988

In: T12N R04E S08 SENW

65-12914

KEATING, JR., JAMES F.
P.O. BOX 743
CASCADE, ID 83611
Source: GROUNDWATER
Diversion Pt: SWNW Sec 36 T 15N R 03E

Use: IRRIGATION (.030 CFS)

DOMESTIC (.020 CFS)

Date Filed: 11/14/1988

In: T15N R03E S36 SWNW SENW

1.0 ACRES TOTAL

65-12925

KEITH, ROBERT B.
KEITH, TIMOTHY J.
KEITH, ALMA G.
707 EAGLESON RD.
BOISE, ID 83705
Source: DEER CREEK
Tributary: CASCADE RESERVOIR
Diversion Pt: SENESE SEC 12 T 14N R 02E

Use: DOMESTIC (.030 CFS)

Date Filed: 10/31/1988

In: T14N R03E S07 Lot 3 (NWSW)

65-12926

ALDRICH, DONNA
365 WALTMAN LN.
MERIDIAN, ID 83642
Source: DEER CREEK SPRING
Tributary: CASCADE RESERVOIR DEER CREEK

Diversion Pt: LOT 3 (SWNWSW) Sec 7 T 14N R 03E

Use: DOMESTIC (.040 CFS)

Date Filed: 10/31/1988

In: T14N R03E S07 Lot 3 (NWSW)

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
DECEMBER 27, 1988.
R. KEITH HIGGINSON, Director
Published 12/07/1988 & 12/14/1988

RECEIVED

DEC 19 1988

Department of Water Resources
Western Regional Office



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

September 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES F KEATING JR
1402 GRANT AVE
BOISE ID 83706

RE: WATER RIGHT NO. 65-12914

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

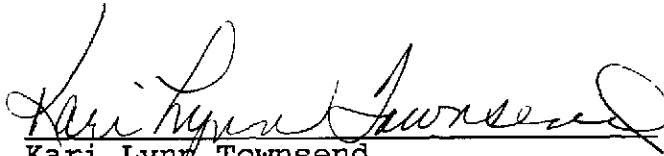
NOV 11 1999
SEP 21 1999

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of **September, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 65-12914

JAMES F KEATING JR
1402 GRANT AVE
BOISE ID 83706


Kari Lynn Townsend
Secretary

100-1-100
100-1-100

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

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

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

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MAILED
SEP 4 11 1997

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

RECEIVED
SEP 18 1997

MEMORANDUM

DATE: September 17, 1999

TO: Water Right File 65-12914

FROM: Shelley W. Keen *SWK*

RE: Amendment request

Yesterday James Keating left me a voice mail message explaining that his original well collapsed and is unusable. Therefore, he wants his license issued with only one point of diversion.



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

September 15, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES F KEATING JR
1402 GRANT AVE
BOISE ID 83706

RE: WATER RIGHT NO. 65-12914

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that you developed more points of diversion than were described on your permit. Therefore, before a license can be issued, your permit must be amended to include the additional point(s) of diversion.

The enclosed Application for Amendment form describes the additional point(s) of diversion and other information that will be included on the license when it is issued. In some cases, the reference to multiple points of diversion is contained in the list of conditions of approval and remarks on the last page of the amendment form. Please review the amendment carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

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

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

A handwritten signature in cursive script, reading 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

LICENSE REVIEW CHECKLIST

PERMIT NO. 65-12914 DATE 9/12/97 REVIEWER: SHARLA

NAME/Address Change/OK

SOURCE OK Does change clarify orig. intended source? If no, Void permit

POINT OF DIV OK Change (P39 /P47) Add (P45/P42) Feds - P40

W32 (multiple in JJ) W32
W36 (overlap)
W59 (subd. desc)

Overlaps: Right(s): _____
File reviewed _____ Profile reports printed _____

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43

W60 (subd. desc)
W27 (ppu acre limit)

Overlaps: Right(s): _____
File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .05 cfs

Fee limit 20 cfs 14500

Measured 1 cfs

Theoretical _____ cfs

Recommended Total Div Rate .04 cfs

WATER USES

WATER USES	Change (P46)		
<u>Dom</u>	<u>CA</u> cfs	<u>1.2</u> af	Irrig - overlap (R58-R61, R62-R65, R66-R69)
	cfs	af	supp. gw (WB7/065/079)
	cfs	af	overlap spec combined rts (W35)
	cfs	af	<1acre (W31)
	cfs	af	Domestic - (W01/WB5/070/071/075)
TOTALS	cfs	af	Power - (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)
			Payette - (W22/047/27A)

Flow rate 04 cfs X 365 days X 1.98 = 29.7 af

REMARKS

ADD'L CONDITIONS _____ Watermaster Control WD# _____

_____ GW Measurement/Measuring Device

_____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority _____ yes ✓ no

SRBA Claim N/A

Adjust Memo

Amend letters P45 P38
P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 14 1999
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-12914

1. Owner: KEATING, JAMES F. Phone No. (208) 342-5589

Current Address: 1402 GRANT AVE., BOISE, ID 83706

2. Accompanied by: NO ONE AVAILABLE EXAM DATE: 10/21/1999

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Method of Determination/Remarks
WELL 1 & 2			SW	NW	36	15N	03E	VALLEY	7.5 MINUTE TOPO MAP AND SUBDIVISION PLAT MAP. 2 POINTS OF DIVERSION 15 FEET APART IN SAME 1/4 1/4.

2. Place(s) of Use:

Indicate Method of Determination _____

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	03E	36							D	D									

PLEASE NOTE: "D" represents 1 home with a maximum of 1/2 acre of irrigation.

NOT RECORDED

10/21/1999

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

SEE ATTACHED SHEET.

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

NO Aerial Photo Attached (required for irrigation of 10+ acres).

YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
WELL # 1	NOT KNOWN	NOT KNOWN	NOT KNOWN	NOT KNOWN	NOT KNOWN
WELL # 2	NOT KNOWN	NOT KNOWN	NOT KNOWN	NOT KNOWN	NOT KNOWN

* 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
N/A						

2. Measurements: No one was available to access the well. No measurement was taken. This use is for standard domestic use a measurement should not be needed.

MICROFILMED
SEP 29 1977

E. NARRATIVE/REMARKS/COMMENTS

Steve Lester performed the field exam for this permit in 1993 and the report was completed by Daniel A. Nelson. Per Mr. Lester's notes there are 2 wells for this permit. The first well sanded up and did not function well for the owner, James Keating. Mr. Keating applied for and drilled a new well for this permit. The first well was then used as a backup well in case of emergencies. Therefore, there are 2 points of diversion for this permit. Both wells are located in the same $\frac{1}{4}$ $\frac{1}{4}$ and section described above and are 15 feet apart. The wells divert water to 1 home approximately 60 feet south of the wells and a shop approximately 110 feet south of the wells. The water is also used to irrigate approximately $\frac{1}{2}$ acre of ground around the home and shop. This ground is irrigated by a garden hose though a two risers located at the shop and one riser located at the house.

Steve Lester attempted numerous times since 1993 to contact Mr. Keating to determine the pump size and Mr. Keating has not responded. I called and left 5 messages from 6/14/1999 to 6/29/1999 with Mr. Keating to determine the pump sizes and Mr. Keating has not returned any of my messages. On 6/29/1999 I called the well driller who drilled Mr. Keating's second well, Gestrin Well Drilling, and spoke with the operator Robert Gestrin. Mr. Gestrin informed me that McCall Plumbing had installed the pump and that the company is no longer in business. Mr. Gestrin told me that he guessed that this pump probably was a 5 gpm pump and would be approximately a $\frac{1}{2}$ to $\frac{3}{4}$ hp pump.

RECOMMENDATIONS:

Since only a $\frac{1}{2}$ acre of ground is being irrigated I recommend that irrigation component for this permit be removed and only the Domestic component be recognized. The domestic component will cover the $\frac{1}{2}$ acre of ground being irrigated under this permit. I also recommend that this application be limited to the standard .04 cfs rate and 1.2 afa annual volume rate since no pump information was available and Mr. Keating did not respond to the numerous attempts of the department to attain this information.

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

SEP 30 1999

F. FLOW CALCULATIONSNO Additional Computation Sheets Attached

Measured Method:

Use IDWR standards for diversion rate of .04 cfs. No access or pump information available for a measurement.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

$$V_{DR} = (\text{Diversion Rate (cfs)}) \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{\hspace{2cm}}$$

B

2. Volume Calculations for Other Uses:

Use IDWR standards for annual volume of 1.2 afa per year.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>DOMESTIC</u>	<u>01/01</u>	<u>12/31</u>	<u>.04 CFS</u>	<u>1.2 AFA</u>

Totals: .04 CFS 1.2 AFA

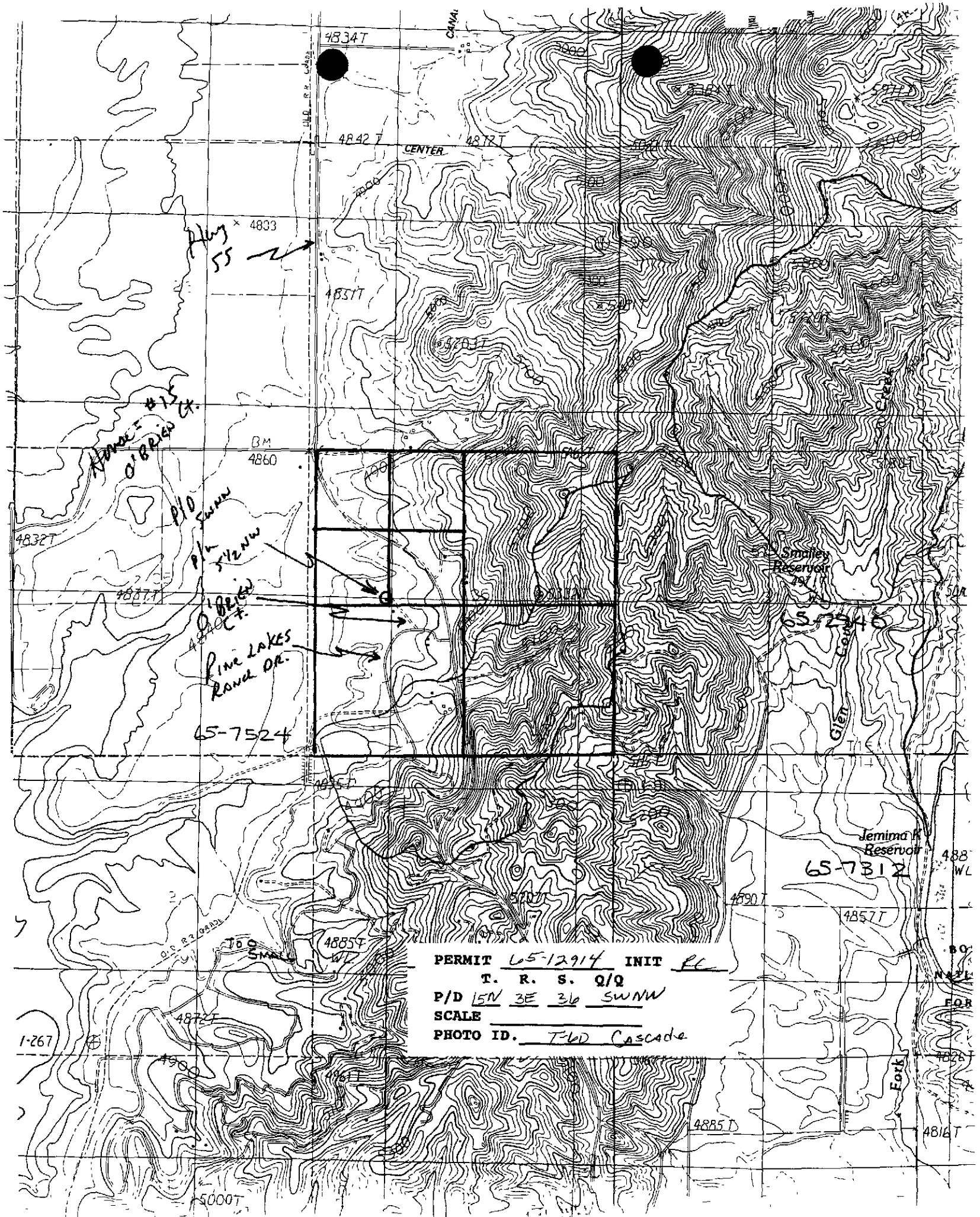
2. Recommended Amendments

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

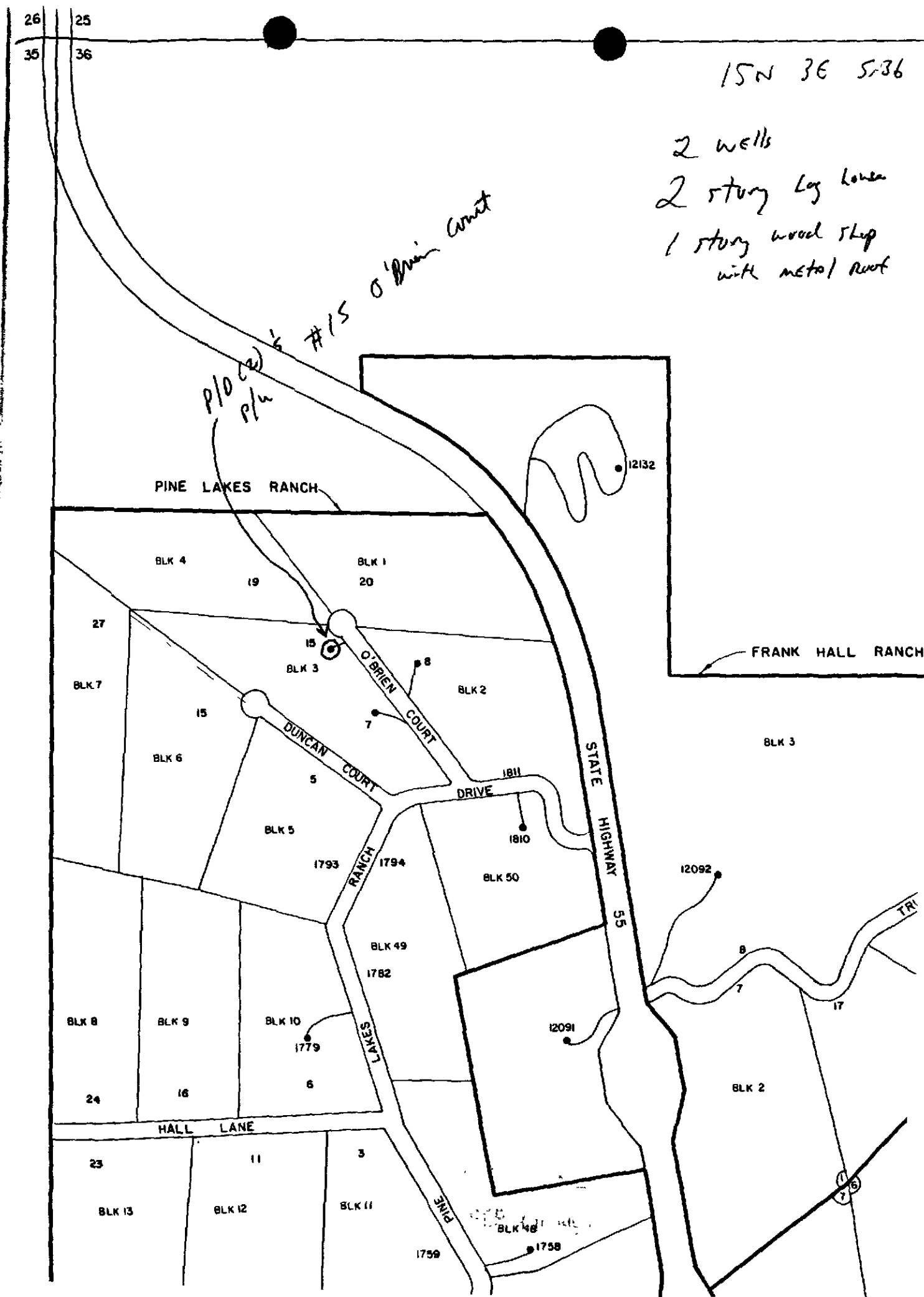
I. AUTHENTICATION

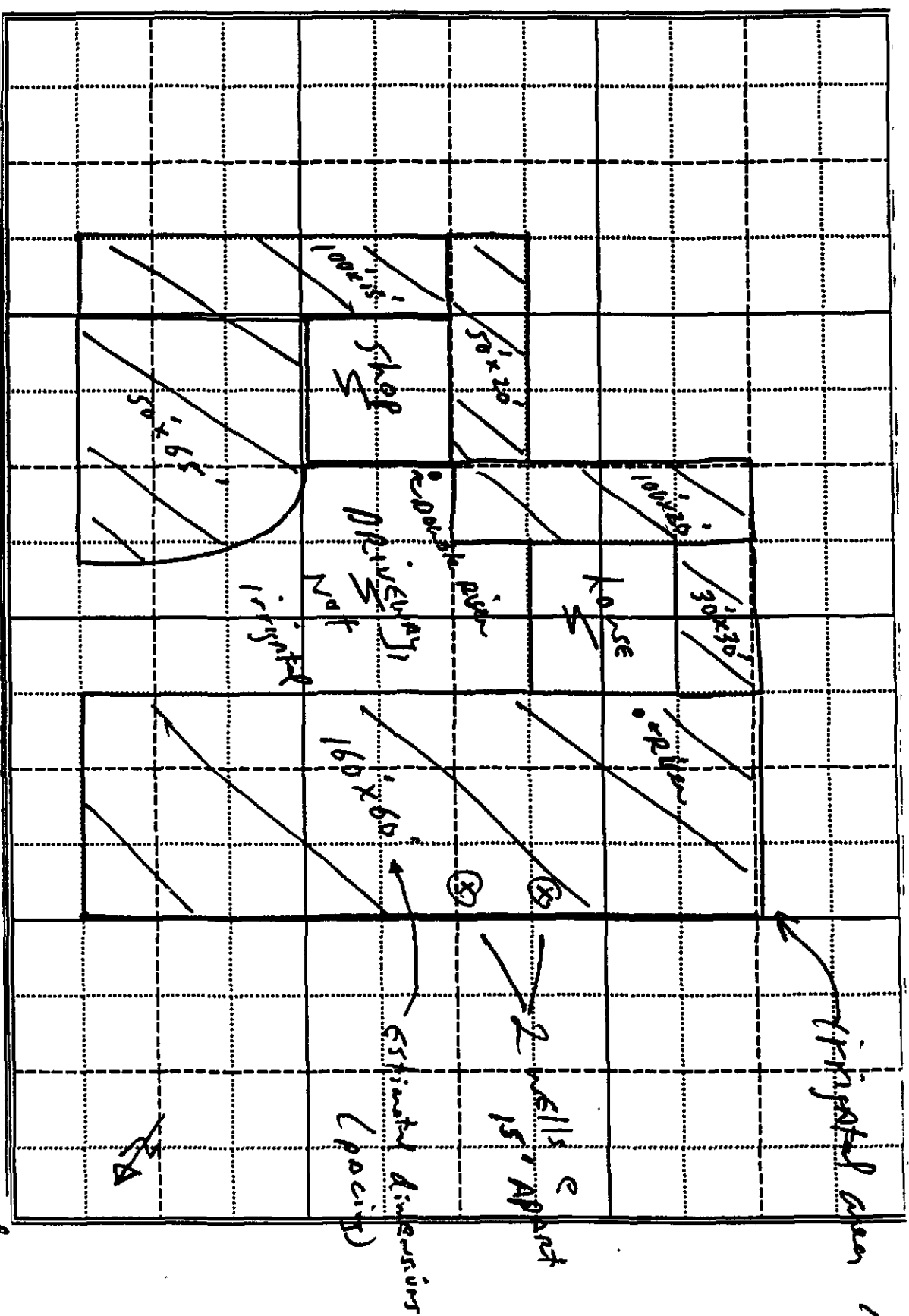
DANIEL A. NELSON FOR STEVE LESTER

Field Examiner's Name Daniel A. Nelson for Steve Lester Date 06/29/1999Reviewer _____ Date _____
SEAL



2 wells
2 story log house
1 story wood ship
with metal roof





Estimated area $18250 \text{ ft}^2 / 43560 \text{ ft}^2/\text{ac} = .4 \text{ ac} - \text{Round}$

to $1/2 \text{ ac}$ to allow for error

* PHOTO COPIED FROM STEVE LESTER'S FIELD NOTES, D.A. N. 6-29-99

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

2 wells

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 65-12914

2. OWNER: _____ Phone: _____
Address: _____

3. WELL LOCATION: Twp , Rge. , Sec. , 1/4 1/4
County (Provide sketch map and photo on reverse.)

4. DRILLER: _____ Lic. No. _____
When Drilled? _____

5. WELL CONSTRUCTION:
Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing _____ ft. Method Drilled _____
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving _____
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:
Depth to Static Water _____ ft. Water Temperature _____ °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____

7. WELL USE:
☒ Domestic ☒ Irrigation 1/2 acre ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

UNRECORDED
JUL 30 1993

Both wells look good; are c 15' apart

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

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

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

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS: _____

Steve Laster Water Right Engineer

Signature of Dept. Representative & Title

10/21/93

Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

See field exam

NOTED MED
10 10 1993

MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON

DATE: 6/14/1999

SUBJECT: OWNERSHIP OF WATER RIGHT 65-12914

On this date I went to revisit the site for permit 65-12914. No one was home during my visit and everything was locked up. I tried calling the telephone number on the application and it had been disconnected. Since Mr. Keating listed this place of use as the address for his application for permit I decided to go to the Valley County Assessor's office to determine if place of use had changed ownership. The Valley County Assessor told me that Mr. Keating still owned this place of use, but his address had changed to the Following:

JAMES KEATING JR.
1402 GRANT AVENUE
BOISE, IDAHO 83706

No telephone number was listed at the assessors office. When I returned to the office, I looked in the Boise Telephone Directory and found a telephone number for Keating, James at 1402 Grant Avenue, 83706. His telephone number is 342-5589.

I called this number and left a message for Mr. Keating to give me the needed pump information for his wells.

MEMORANDUM

TO: FILE

FROM: DANIEL A. NELSON

DATE: 6/29/1999

SUBJECT: WELL INFORMATION FOR PERMIT # 65-12914

On this date I called the owner of water right 65-12914, James Keating Jr., to attain the needed pump information for this permit. This is the 5th telephone call that I have made to Mr. Keating since 6/14/1999. I was connected to answering machine and was not called back.

After this call I contacted Robert Gestrin of Gestrin Well Drilling. Mr. Gestrin was the person who drilled the second well for Mr. Keating. I asked Mr. Gestrin if he knew who had installed the well pumps for Mr. Keating. Mr. Gestrin said he thought that McCall Plumping had installed the pumps and that they had gone out of business a few years ago. Mr. Gestrin said that it was very unlikely that any records were still around about the pumps. Mr. Gestrin also said that he would guess that the pumps that were installed were 5 gpm pumps. Mr. Gestrin said that the pumps were probably between a $\frac{1}{2}$ and a $\frac{3}{4}$ Hp pump.

MICROFILMED
JUL 1 1999



PHOTOGRAPHER AND DATE OF PHOTOS Steve Lester 10-21-93

FILE NO. AND DESCRIPTION Beneficial Use Exam Photos #65-12914



This is
a photo
of the
place of use
looking west



This is a
photo of
the 2 points
of diversion
looking
north west

W.A. only

Mail this postcard to businesses and people who send you mail.

Please send mail to new address beginning:

--	--	--	--	--	--

Month Day Year

OLD ADDRESS	Name (Last name, first name, middle initial)		Route and RR Box		Apt. Suite #	
	James F. Keating, Jr. P.O. Box 743 Cascade, ID 83611-0743		State		ZIP or ZIP+4 Code	
NEW ADDRESS	City or Post Office		State		ZIP or ZIP+4 Code	
	JAMES F. KEATING 1402 GRANT AVE BOISE ID 83706-3823		State		ZIP or ZIP+4 Code	
NEW Telephone Number (Optional)						
Account Number (If applicable)						
Signature			Today's Date Month Day Year			

RECEIVED
MAY 20 1999

PS FORM 3576, May 1998

See <http://www.usps.gov/moversnet> for more information

65-10882311

65-12914

MAILED
MAY 20 1999

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: MAY-20-1999
PAGE: A-26

PARAMETERS USED TO RUN THIS REPORT

INPUT SELECTION FILE NAME:	5-20NCAPS
MAILING DATE:	1999-05-20
DATE THIS REPORT WAS PROCESSED:	1999-05-20
STATE OR FEDERAL INDICATOR:	STATE
RUN BY USER:	SSHerman

DO NOT REUSE

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 65-12914

Date: 9/20/89

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
NA 1. well log in file NO WELL LOG FOUND - 1985
NA 2. drilling permit EXISTING
NA A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- NO Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

WELL DRILLED IN 1985 AFTER PHONE CONVERSATION 9/22/89

PROOF ACCEPTABLE

Priority Calculation:

Date proof received

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

<u>NA</u>	

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

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 5, 1989

JAMES F. KEATING, JR.
P.O. BOX 743
CASCADE, ID 83611

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

RE: PERMIT NO. ~~P~~65-12914

Dear Permit Holder:

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

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

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also

RECEIVED

MAY 15 1989

enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

41000113

10/1/77

15N 3E 36 SWNW
" SWNW
SENW

Form No. 202a.
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: LDW DATE: 11-21-88 APPLICATION: 65-12914

REQUIRED INFORMATION sc 11/23/88

- ☒ 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) Gov't. Lots: NO P/D
☒ Period of use: NO P/U
☒ Nature of proposed use: (Include description of use)
☒ Description of diverting works:
☒ Time required for beneficial use of water:
☒ Place of use or acres irrigated: * Need to show 40 ac where domestic is.
☒ 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
DEC 30 1988

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

YES NO

☐ ☒ U.S. BLM

☐ ☒ U.S. Forest Svc.

☐ ☒ Water District # _____

☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW

YES ☒ NO

☒ ☐ Affidavit of publication received:

☒ ☐ Application published correctly: If not, record action taken.

☒ ☐ Publication dates and paper recorded on application:

☒ ☐ Protests received, Final date for protest December 27, 1988

☒ ☐ Protests, dates, resolution of protest recorded on application:

☒ ☐ Recommendations attached: Approved, DAW

☒ ☐ Measuring device required:

☒ ☐ Measuring port required:

☒ ☐ Water delivered by water master? District # 65-P05

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

☒ ☐ See Below For Additional Information

Recommended Date of Priority 11/14/88

Recommended by: DAW Date 12/30/88

STATE OFFICE REVIEW

P05, P23

P116

46

D3A

See below for additional information. By

KW

Date

2/14/89

ADDITIONAL INFORMATION

65-12914

KEATING, JR., JAMES F.
P.O. BOX 743
CASCADE, ID 83611

Source: GROUNDWATER

Diversion Pt: SWNW Sec 36 T 15N R 03E

Use: IRRIGATION (.030 CFS)
 DOMESTIC (.020 CFS)

Date Filed: 11/14/1988

In: T15N R03E S36 SWNW SENW

1.0 ACRES TOTAL

RECEIVED

MAY 15 1989