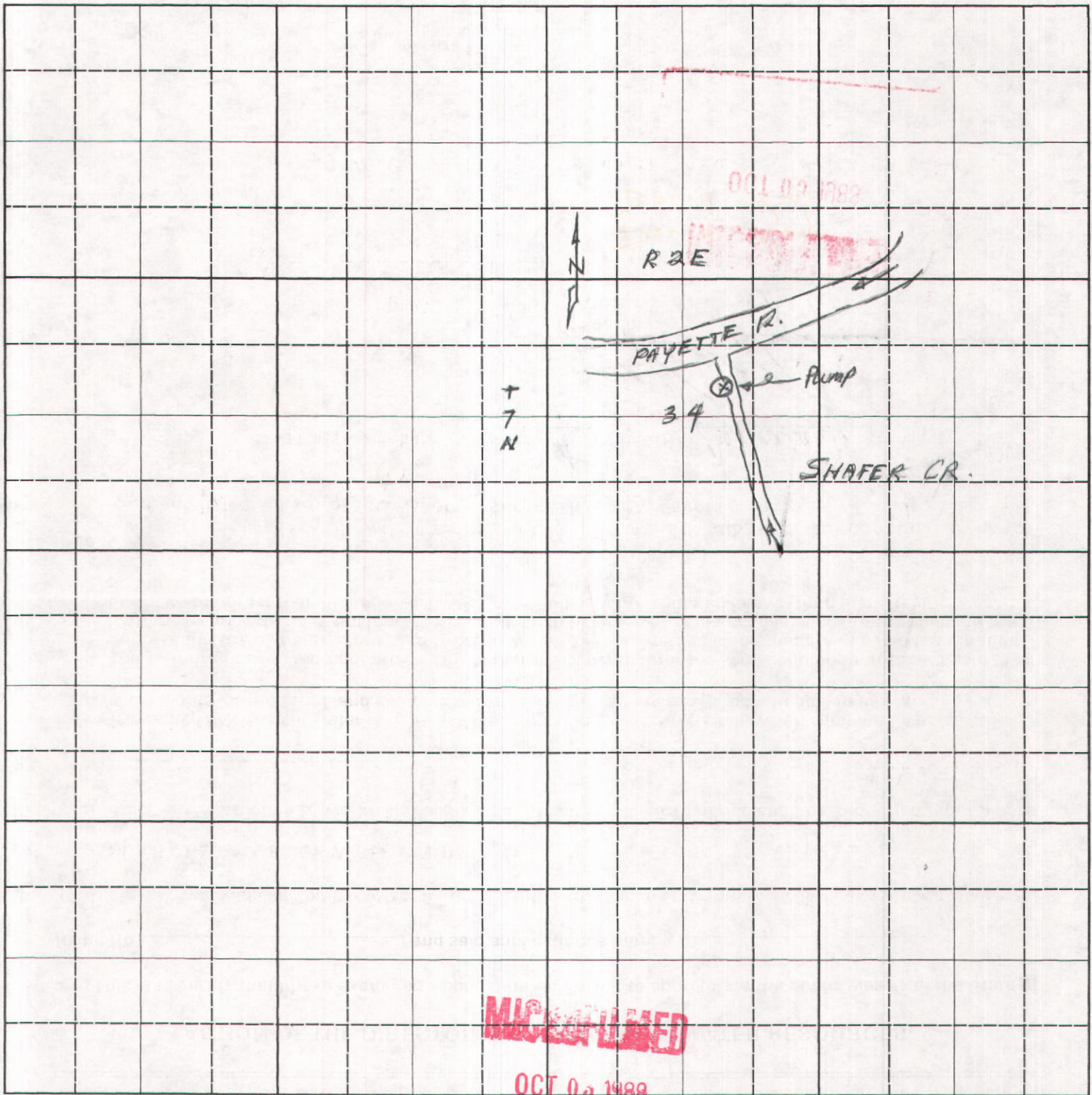


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

*David J. King*  
(Applicant)

# RECEIVED

IDAHO WORLD-Dec 23 & 30, 1987 Page 7  
DEC 31 1987

## LEGAL NOTICES

Department of Water Resources

Western Regional Office

### NOTICE OF APPLICATION FOR WATER RIGHTS

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

63-10556

BLOEM, LARRY  
HC33 BOX 2419, BOISE, ID 83706  
Source: SPRING trib. to SINKS  
Diversion Pt: NWSNW Sec 19 T 04N R 04E  
Use: DOMESTIC (0.040 CFS)  
Date Filed: 11-23-1987  
In: LOT 01 (NWNW) Sec 19 T 04N R 04E

63-10531

BEAUBIEN, O. J. & or CAMILLE  
508 CENTRAL MIDLAND BLVD., NAM-  
PA, ID 83651  
Source: CLEAR CREEK trib. to GRIMES  
CREEK  
Diversion Pt: SWSW Sec 21 T 05N R 04E  
Use: FIRE PROTECTION (0.120 CFS)  
Date Filed: 08-28-1987  
In: SWSW SESW Sec 21 T 05N R 04E

65-12814

FRY, RONALD & or TONIE  
HC 76 BOX 2940, GARDEN VALLEY, ID  
83622  
Source: GROUNDWATER  
Diversion Pt: LOT 10 (SESENE) Sec 10 T  
08N R 05E  
Use: IRRIGATION (0.150 CFS)  
COMMERCIAL (0.2 CFS)  
HEATING (0.2 CFS)  
DOMESTIC (0.040 CFS)  
Date Filed: 11-27-1987  
In: LOT 10 (SENE) Sec 10 T 08N R 05E  
FOR 5 ACRES

65-12816

KING, DAVID J. & or MARCELLE A.  
P.O. BOX 365, HORSESHOE BEND, ID  
83629  
Source: SHAFER CREEK trib. to PAY-  
ETTE RIVER  
Diversion Pt: LOT 02 (SWNE) Sec 34 T  
07N R 02E  
Use: IRRIGATION (0.054 CFS)  
Date Filed: 11-20-1987  
In: LOT 02 (SWNE) Sec 34 T 07N R 02E  
FOR 2 ACRES

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 January 4, 1988.

R. KEITH HIGGINSON, Dir.

Published in the IDAHO WORLD, Idaho City, Idaho, December 16 & 23, 1987.

STATE OF IDAHO, }

County of Boise }

*Maibly Shohat* 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*.....consecutive weeks in the entire and regular issue of every number of said paper during the period and time 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

....*Dec 16*...., 19*87*...and ending with the issue of *Dec 23* 19*87*...

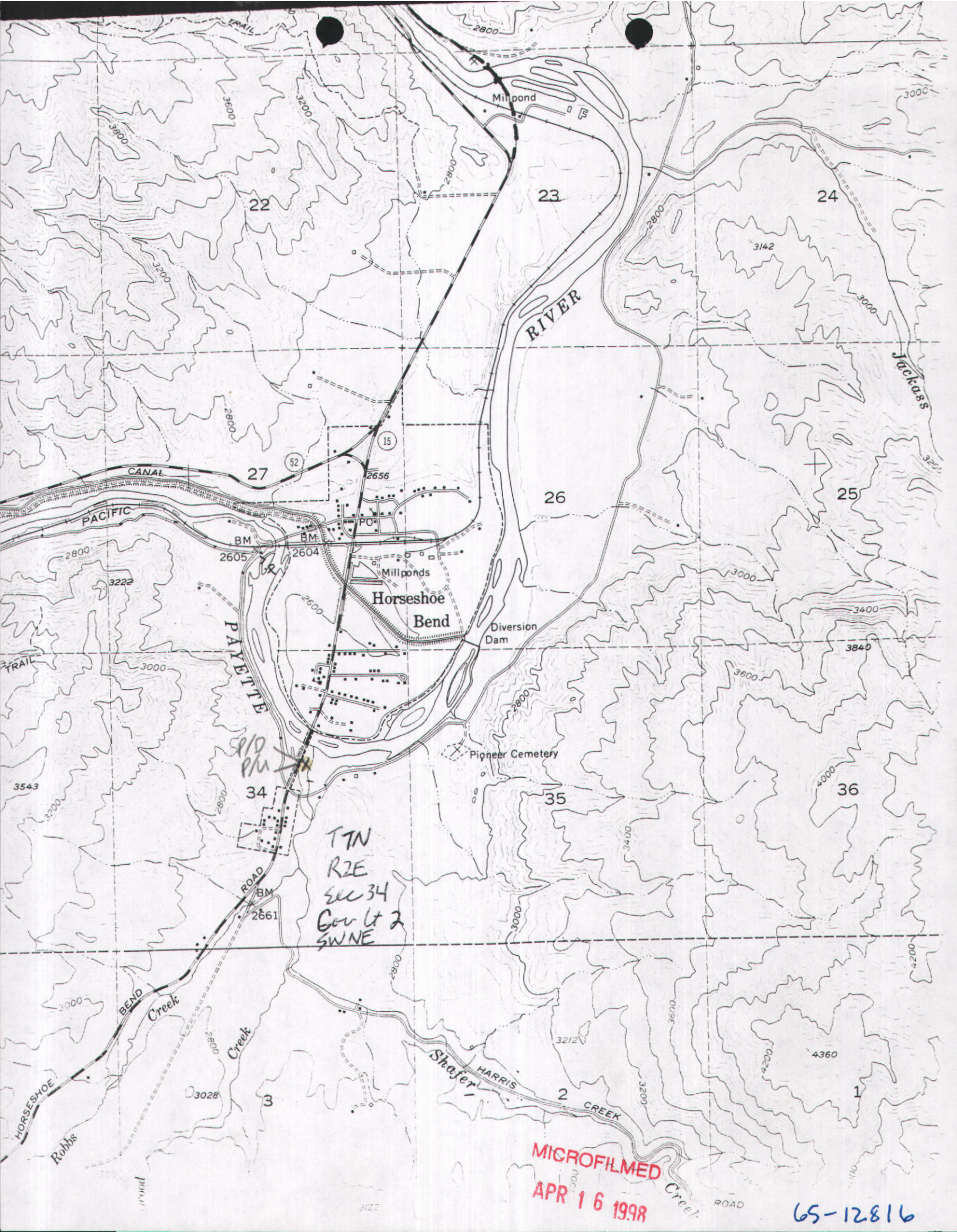
*Maibly Shohat*

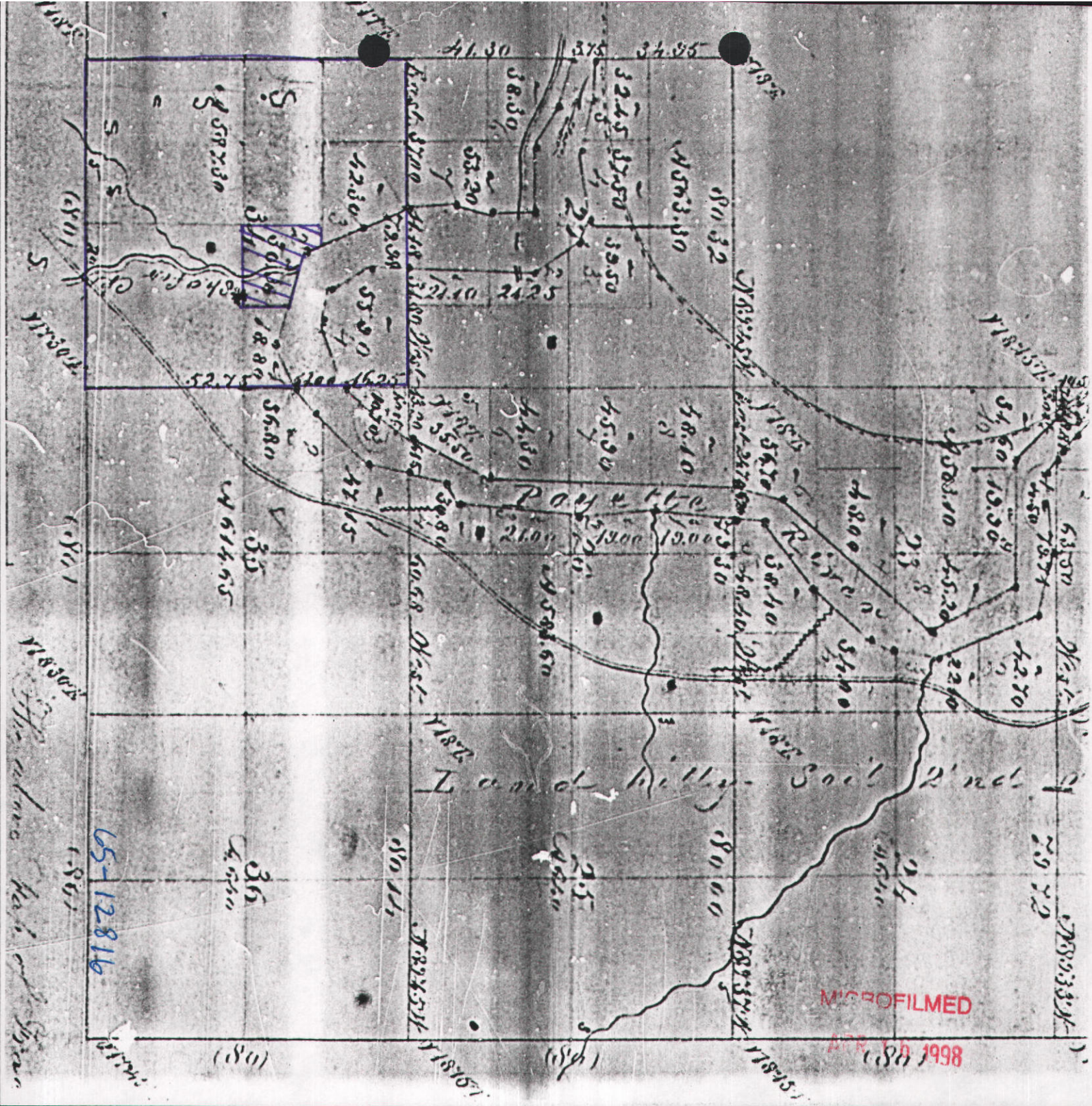
Subscribed and sworn to before me this *23* day of *Dec*, 19*87*...

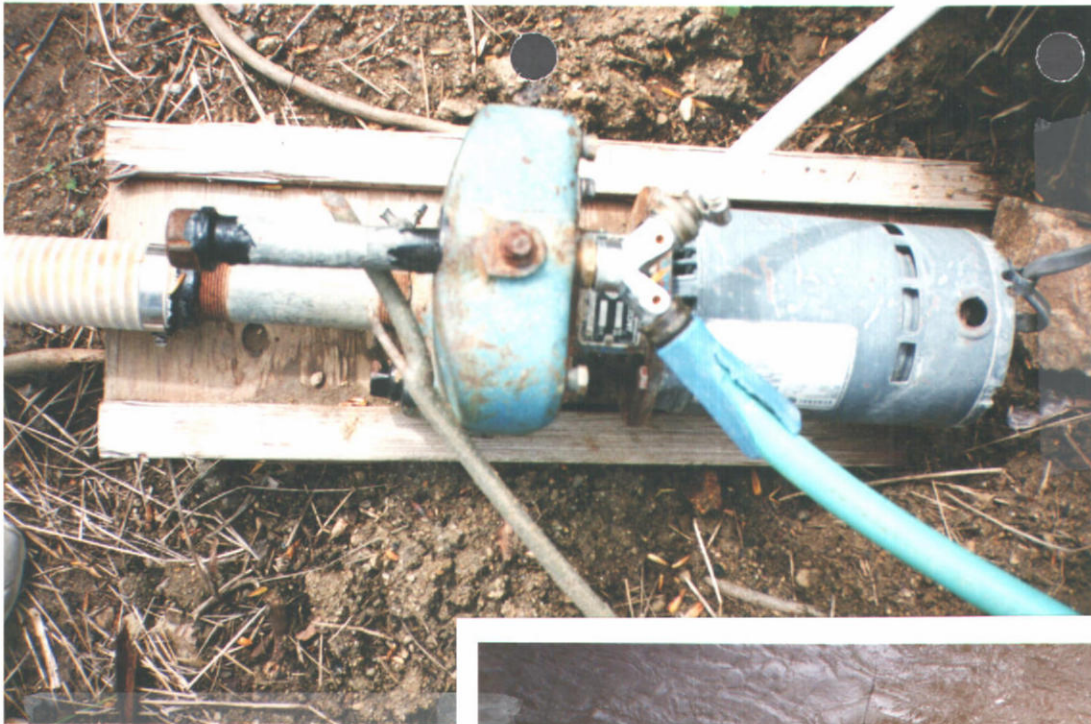
*[Signature]*  
Resides in *Idaho City*...

Commission Expires *7/18/88*...

OCT 03 1988

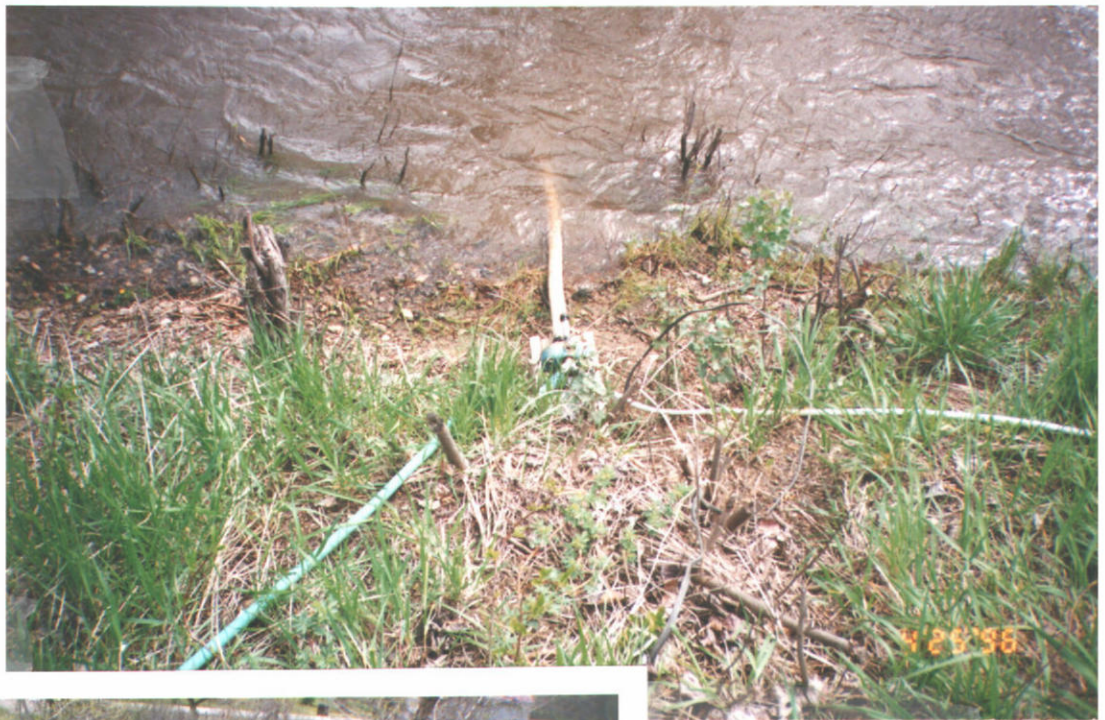






3/4 HP pump

P/D : 2" intake  
15' lift to  
lawn



P/w

MICROFILMED  
APR 16 1998  
65-12816



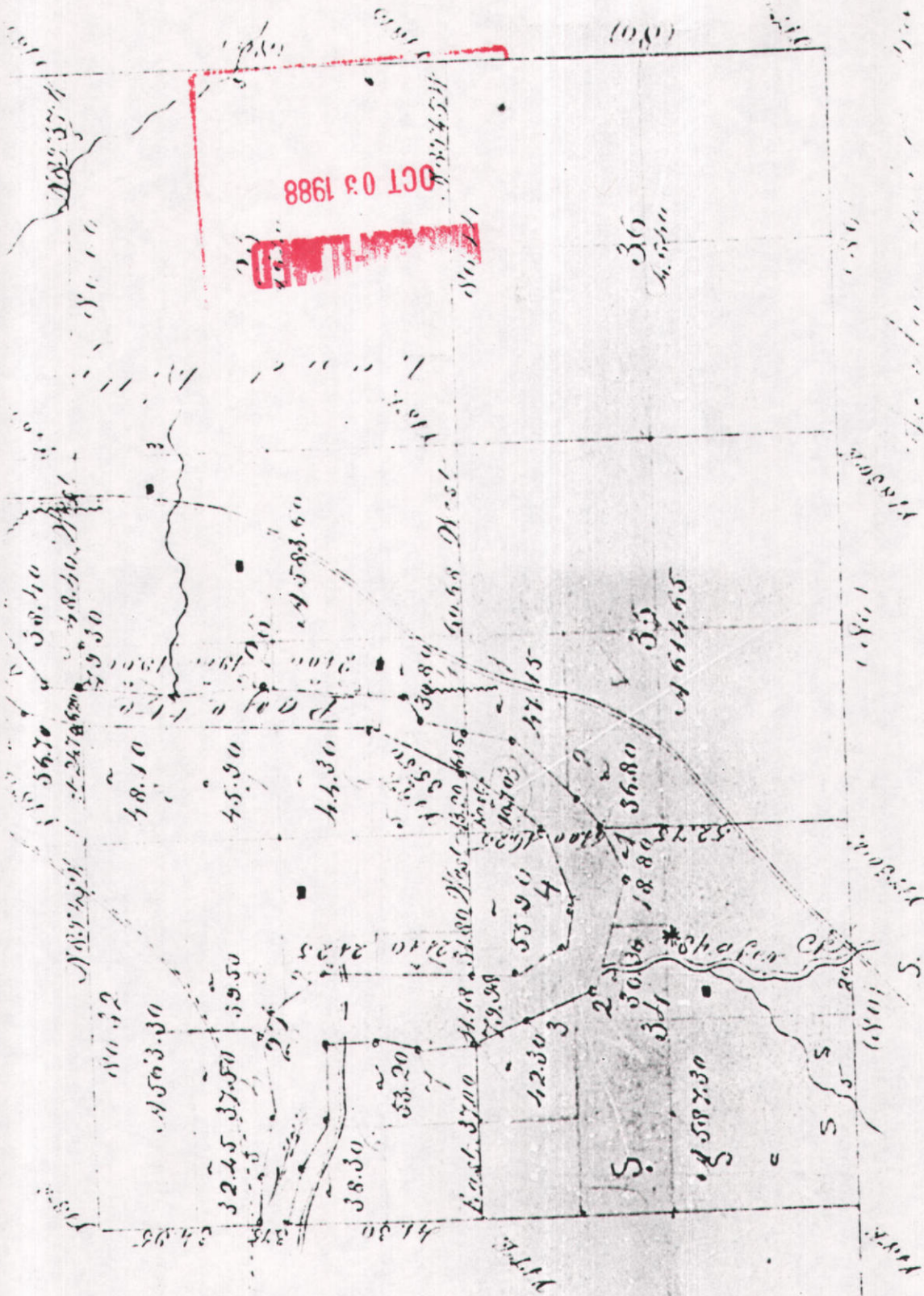
2 HP Back-up pump

intake spot for main-line  
to 2 acres not irrigated →



MICROFILMED  
APR 16 1998

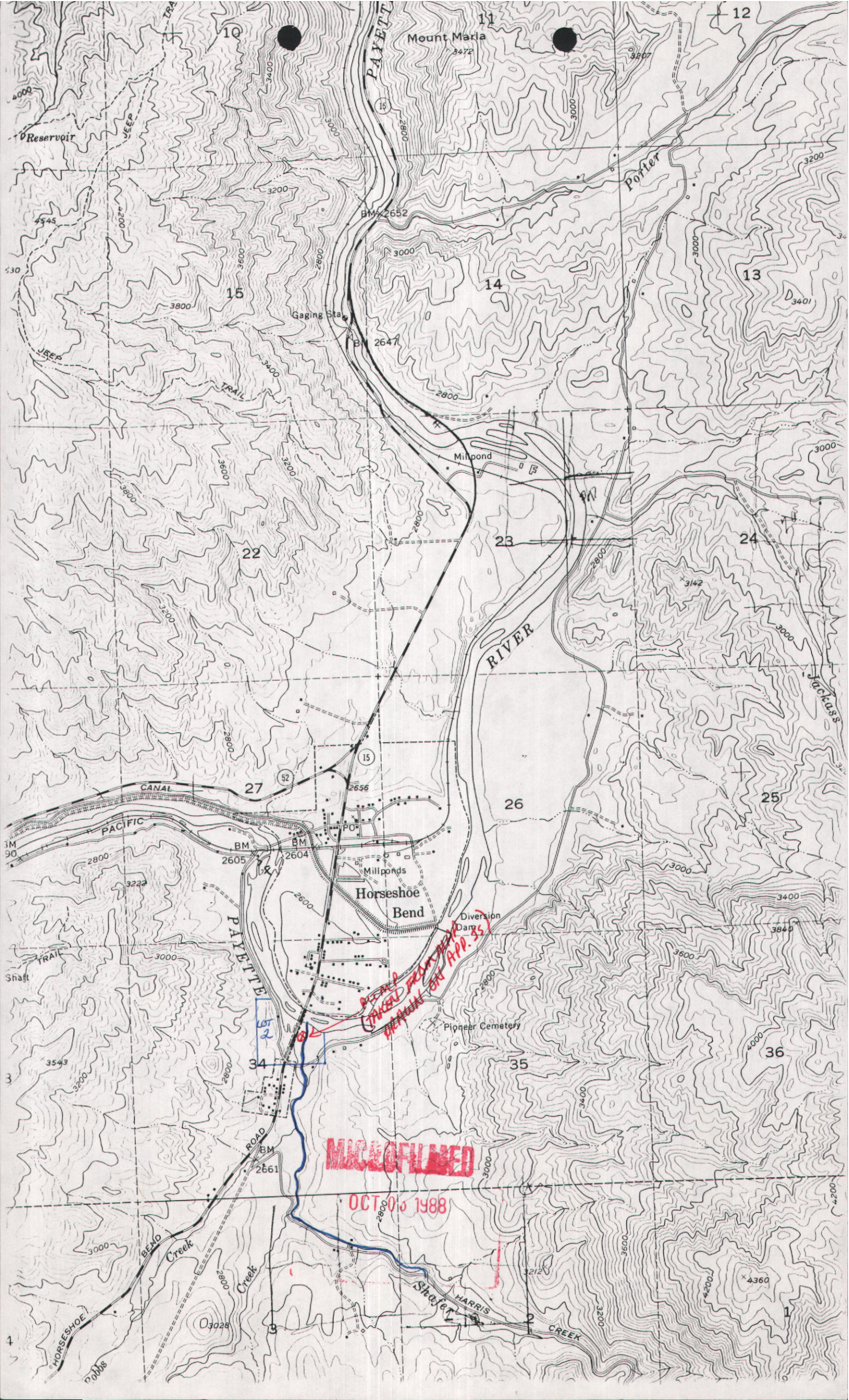
65-12816



When commenced upon completed  
 August 23, 1870 August 24, 1870  
 September 30, 1870 October 31, 1870  
 November 30, 1870 December 31, 1870

| Survey | When commenced     | When completed   | When commenced     | When completed    |
|--------|--------------------|------------------|--------------------|-------------------|
| 1870   | August 23, 1870    | August 24, 1870  | September 30, 1870 | October 31, 1870  |
| 1871   | September 30, 1870 | October 31, 1870 | November 30, 1870  | December 31, 1870 |
| 1872   | December 31, 1870  | January 1, 1871  | February 1, 1871   | March 1, 1871     |

POOR QUALITY



STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
**NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP RECEIVED**

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

**MAR 20 1998**  
Department of Water Resources

1. Water Right Number(s) 65-12816  
Adjudication Claim Number(s) \_\_\_\_\_
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) David J King & Mancell A King  
PO Box 365 Horseshoe Bend Ida 83629
4. New Owner/Claimant(s) Ricky L Bore and ~~Ricky~~ Joseph L Lewis  
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR  
New Mailing Address PO 158 HSB Idaho 83629  
City, State and ZIP Code HORSESHOE BEND ID 83629-0158  
New Telephone Number ( ) None
5. Date you acquired the property 4-sept-91
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 0.5 Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses Fire protection  
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) Ricky L Bore Date March 9, 98  
Joseph L Lewis Date March 9, 98
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.

MAY 18 1998

**INSTRUCTIONS**

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

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

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

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

**MICROFILMED**

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-4433

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

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

APR 18 1998

FA-91-08-1018

# WARRANTY DEED

For Value Received

David J. King and Marcella A. King  
husband and wife

the grantors, do hereby grant, bargain, sell and convey unto  
Joseph L. Lewis and Ricky L. Boze  
as joint tenants with full rights of survivorship.

the grantee, whose current address is P. O. Box 3401  
Boise, Idaho 83703

the following described premises, in Boise County Idaho, to-wit:

PARCEL 2 of David King Segregation Subdivision, according to the plat  
Recorded as Instrument No. 139064, Boise County, Records.  
A parcel of land located in Section 34, Township 7 North, Range 2 East,  
Boise Meridian, Boise County, Idaho more particularly described as  
follows:

Beginning at the NE corner of the Olsen Addition of Horseshoe Bend,  
Idaho; thence running along the North boundary of the Olsen Addition  
bearing North 77°31'03" West a distance of 127.62 feet more or less  
to a point which is 40.00 feet Easterly of the centerline of State  
Highway 55; thence running North 30°40'04" East a distance of 287.70  
feet to a point which is 40.00 feet Easterly of the centerline of State  
Highway 55; thence running North 14°04'04" East a distance of 176.67 feet  
to a point which is 40.00 feet Easterly of the centerline of State  
Highway 55; thence running South 65°26'56" East a distance of 138.65  
feet to a point on top of the West Bank of Shafer Creek; thence running  
along the top of the West Bank of Shafer Creek as follows: South 08°08'  
12" West a distance of 198.57 feet to a point; thence South 09°19'06" East  
a distance of 175.80 feet to a point; thence South 20°14'04" West a  
distance of 160.20 feet to a point; thence leaving the West Bank of  
Shafer Creek Running South 76°35'25" West a distance of 123.05 feet to  
a point; thence running North 80°54'03" West a distance of 53.00 feet,  
more or less to a point on the East boundary of the Olsen Addition;  
thence running along the East boundary of the Olsen Addition North 12°  
47'57" East a distance of 50.00 feet to the POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,  
their heirs and assigns forever. And the Grantors do hereby covenant to and  
with the said Grantee, that they are the owner in fee simple of said premises; that they are free from all  
encumbrances except current years taxes, public utility easements, and U. S. Patent  
Reservations.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 30, 1991

*David J. King*  
David J. King

*Marcella A. King*  
Marcella A. King

STATE OF IDAHO, COUNTY OF Gem  
On this 30th day of August, 1991  
before me, a notary public in and for said State, personally  
appeared David J. King and Marcella A.  
King

known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged to me  
that they executed the same

*Deborah J. Smith*  
Notary Public

Residing at Emmett, Idaho  
Comm. Expires 7/13/94

STATE OF IDAHO, COUNTY OF Boise  
I hereby certify that this instrument was filed for record at the request  
of Mt. View

at minutes past 13:20 o'clock on 4 day of September 1991, in my office, and duly recorded in Book  
of Deeds at page filmed

*Arlene C. Hill*  
Ex-Officio Recorder

by *Dale Upshaw*  
Deputy.

Fees \$3.00  
Mail to 1:10 PM

INSTRUMENT NO.

First American Title Company of Idaho

MICROFILMED

MAY 18 1998

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-12816

Priority: November 25, 1987      Maximum Diversion Rate: 0.03 CFS  
Maximum Diversion Volume: 2.3 AF

This is to certify, that DAVID J KING  
MARCELLA A KING

PO BOX 365

HORSESHOE BEND ID 83629-0365

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 20, 1987; and has submitted Proof of Beneficial Use on February 5, 1991. An examination indicates that the works have a diversion capacity of 0.050 cfs of water from:

SHAFFER CREEK      tributary to PAYETTE RIVER

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.03 CFS                 | 2.3 AF               |
| FIRE PROTECTION       | 01/01 to 12/31       | 0.03 CFS                 |                      |
|                       | Totals               | 0.03 CFS                 | 2.3 AF               |

LOCATION OF POINT(S) OF DIVERSION: Lot 2 ( SWNE), Sec. 34, Township 07N, Range 02E  
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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 07N        | 02E        | 34         | Lot 2 (SWNE) | 0.5          |              | 0.5          |

Total number of acres irrigated: 0.5

PLACE OF USE:

FIRE PROTECTION, same as IRRIGATION use

## CONDITIONS OF APPROVAL AND REMARKS

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

MICROFILMED

APR 16 1998

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 65-12816

## CONDITIONS OF APPROVAL AND REMARKS

5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
6. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
7. This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 2.3 afa at the field headgate for the land described 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 17<sup>TH</sup>  
day of FEBRUARY, 1992

  
Acting for KARL J. DREHER, Director

MICROFILMED  
APR 16 1998

State of Idaho  
Department of Water Resources

RECEIVED

FEB 11 1997

Department of Water Resources

**APPLICATION FOR AMENDMENT**

(For Licensing Purposes)

**WATER RIGHT NO. 65-12816**

**Date of Priority:** November 25, 1987      **Maximum Diversion Rate:** 0.03 CFS  
**Maximum Diversion Volume:** 2.3 AF

Comes now                      DAVID J KING  
                                    MARCELLA A KING

PO BOX 365

HORSESHOE BEND ID 83629-0365

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. 65-12816, and requests that the permit be changed as follows:

**Source: SHAFER CREEK**                      tributary to **PAYETTE RIVER**

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.03 CFS                 | 2.3 AF               |
| FIRE PROTECTION       | 01/01 to 12/31       | 0.03 CFS                 |                      |
|                       | Totals               | 0.03 CFS                 | 2.3 AF               |

**LOCATION OF POINT(S) OF DIVERSION:** Lot 2 (SWNE), Sec. 34, Township 07N, Range 02E  
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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 07N        | 02E        | 34         | Lot 2(SWNE)  | 0.5          |              | 0.5          |

Total number of acres irrigated: 0.5

**PLACE OF USE:**

FIRE PROTECTION, same as IRRIGATION use

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, this 11 day of Feb, 19 98

MICROFILMED

APR 16 1998

(Signature)

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 65-12816**

\*\*\*\*\*

**FOR DEPARTMENT USE ONLY**

Preliminary check by SWK Fee = 5000 Received by KS # 0011426 Date 2/11/98

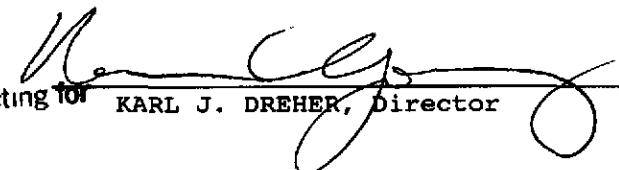
**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, Karl J. Dreher, of the Department of Water Resources hereby approve the  
above Application for Amendment for Permit No. 65-12816 with the following;

**CONDITIONS OF APPROVAL AND REMARKS**

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall 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. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
7. This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 2.3 afa at the field headgate for the land described above.

Witness my hand this 17<sup>th</sup> day of FEBRUARY, 1998

  
Acting for KARL J. DREHER, Director

MICROFILMED

APR 16 1998

**RECEIVED**

FEB 05 1991

Department of Water Resources

## STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

## PROOF OF BENEFICIAL USE

For Office Use Only  
 Amt. of Fee \$ 50.00  
 Date 2/5/91  
 Receipt No. 661597  
 Received by J. J. J. J.

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. 65-12516 Telephone No. 208-793-2582
- 2 Name(s) of Permit Holder(s) David J. King & Marcella A. King
- 3 Post Office Address P.O. Box 365 Horseshoe Bend, Idaho 83629
- 4 Source of Water: Shafer Creek
  - a If ground water, well driller's name: \_\_\_\_\_ Date drilled: \_\_\_\_\_
  - b Pump horsepower: 2 Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft.): \_\_\_\_\_
- 5 Extent of Use:
 

|                                          |                                    |
|------------------------------------------|------------------------------------|
| Domestic _____ (No. of households)       | Irrigation <u>2</u> (No. of acres) |
| Stockwater _____ (No. and type of stock) | Other _____                        |
- 6 Total rate and/or volume for which proof is submitted .054 cfs \_\_\_\_\_ acre/feet
- 7 Refer to the approval conditions on your permit and respond accordingly:
 

Measuring device: Required? Yes No Installed? Yes No

OR

Flow Measurement Port: Required? Yes No Installed? Yes No
- 8 Fee Enclosed \$ 50.00 (See License Examination Fee Schedule)
- 9 Person to contact to accompany the Department representative during the field examination:
 

|                                                |                     |
|------------------------------------------------|---------------------|
| <u>David &amp; Marcella King</u>               | <u>208-793-2582</u> |
| Name                                           | Telephone No.       |
| <u>P.O. Box 365 Horseshoe Bend Idaho 83629</u> |                     |
| 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.

Date

Signature (and title if on behalf of a company or organization)

2-5-91David King

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

For Office Use Only  
\$15 FEE Receipted by CP  
Date 3/7/89  
Receipt # 0005685

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof  
of beneficial use for a water right permit

MAR 06 1989

RECEIVED

MAR 14 1989

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Department of Water Resources  
no \$ are owed self

Permit No. 65-12816

Name(s) of Permit Holder: David J King & Marcella A. King

Post Office Address: P.O. Box 365 Horseshoe Bend, Idaho 83629

Telephone No. 793-2582

Date Proof is Due: March 1, 1989

Describe what work has been completed toward the development of this water right: The 3" main  
(This must be filled out! If no work has been completed, show "none".)

line and uprights have been installed. Also the electrical  
service is installed to the pump site.

Costing \$ \$400.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

The pump and sprinkler pipes have been located, just  
waiting for ~~add~~ more financial resources.

Permit holder(s) request an extension to March 1, 1992.  
(1 yr. minimum)

David King  
(Signature)\*

FEE: \$15.00

\*IF OTHER THAN PERMIT HOLDER,  
POWER OF ATTORNEY MUST BE SUPPLIED.

MAY 15 1989

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to March 1, 1991.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to November 25, 1987, pursuant to Sec. 42-218a, Idaho Code.

Signed this 16 day of March, 19 89.

Shirley Saylor  
Chief, Water Allocations Bureau

RECEIVED

NOV 20 1987

Form 202  
6/85

STATE OF IDAHO

Ident No 65-12816

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1 Name of applicant David J. King & Marcella A. King Phone 793-2582

Post office address P.O. Box 365 Horseshoe Bend, Id 83629

2 Source of water supply Shafer Creek which is a tributary of LAVERGNE R.

3. Location of point of diversion is SW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Govt. Lot 2

Sec. 34 Township 7N Range 2E B.M. Boise County; additional

points of diversion if any: \_\_\_\_\_

4 Water will be used for the following purposes:

Allow 0.05 kw 1/26/88

Amount 0.054 for irrigation purposes from April 1 to Oct 31 (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)

Allow 0.05 kw 1/26/88

5 Total quantity to be appropriated is (a) 0.054 and/or (b) \_\_\_\_\_  
cubic feet per second acre feet per annum

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc 5 hp pump & pipe line

b. Height of storage dam None 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 proposed beneficial use is

2 yrs years (minimum 1 year).

OCT 05 1988

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

- a Hydropower, show total feet of head and proposed capacity in KW. \_\_\_\_\_
- b Stockwatering, list number and kind of livestock \_\_\_\_\_
- c Municipal; show name of municipality \_\_\_\_\_
- d. Domestic; show number of households. \_\_\_\_\_
- e Other; describe fully \_\_\_\_\_

9 Description of place of use

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

| TWP | RANGE | SEC | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |     | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 7N  | 2E    | 34  |     |     | 2.7 |     |     |     |     |     |     |     |     |     |     |     |     |     | 2.7    |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 2.7 acres

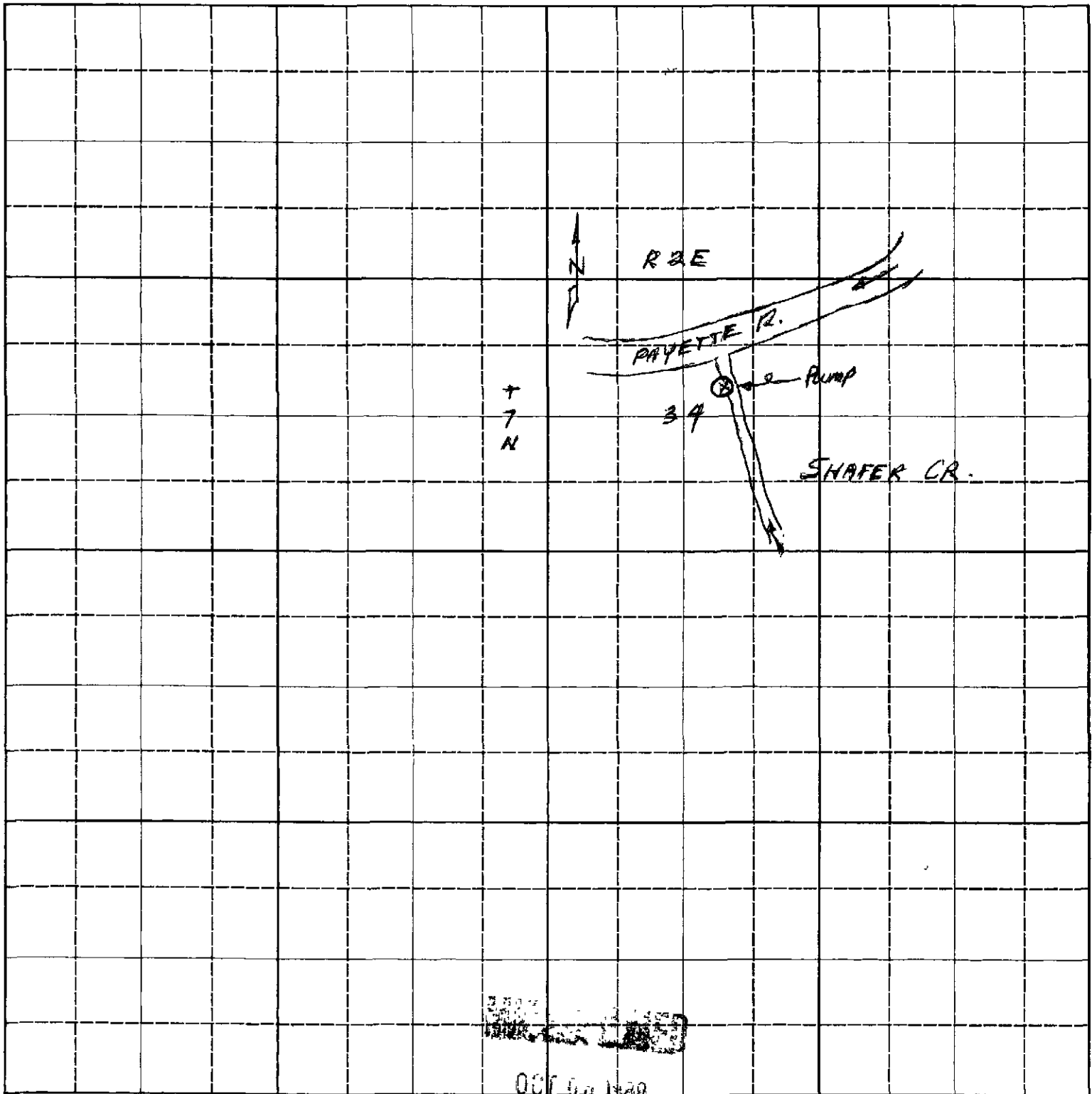
10 Describe any other water rights used for the same purposes as described above NONE

- 11 a. Who owns the property at the point of diversion? David King
- b Who owns the land to be irrigated or place of use? David King
- 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 \_\_\_\_\_

021 00 1986

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



Scale 2 inches equal 1 mile

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

*David J. King*  
(Applicant)

Received by nl Date 11-24-87 Time 3:00 pm Processed by 11/20/87  
Date 11-20-87 Time 8:44 am Preliminary check by [signature]  
Fee \$ 30.00 Receipted by [signature] # 45702 Date 11-26-87  
Publication prepared by jp Date 12/9/87 Published in The Idaho World  
12/16 & 12/24/87  
Publication approved [signature] Date 1/6/88

### 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. 65-12816, and said application is hereby APPROVED

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 89

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: 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 1st day of February, 1988.

[Signature]  
Director

**RECEIVED**

OCT 10 1988

RECEIVED

IDAHO WORLD- Dec 23 & 30, 1987 Page 7  
DEC 31 1987

LEGAL NOTICES

Department of Water Resources

Western Regional Office

NOTICE OF APPLICATION  
FOR WATER RIGHTS

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

63-10556

BLOEM, LARRY  
HC33 BOX 2419, BOISE, ID 83706  
Source: SPRING trib. to SINKS  
Diversion Pt: NWSNW Sec 19 T 04N R  
04E

Use: DOMESTIC (0.040 CFS)

Date Filed: 11-23-1987

In: LOT 01 (NWNW) Sec 19 T 04N R 04E

63-10531

BEAUBIEN, O. J. & or CAMILLE  
508 CENTRAL MIDLAND BLVD., NAM-  
PA, ID 83651

Source: CLEAR CREEK trib. to GRIMES  
CREEK

Diversion Pt: SWSW Sec 21 T 05N R 04E

Use: FIRE PROTECTION (0.120 CFS)

Date Filed: 08-28-1987

In: SWSW SESEW Sec 21 T 05N R 04E

65-12814

FRY, RONALD & or TONIE  
HC 76 BOX 2940, GARDEN VALLEY, ID  
83622

Source: GROUNDWATER

Diversion Pt: LOT 10 (SESENE) Sec 10 T  
08N R 05E

Use: IRRIGATION (0.150 CFS)

COMMERCIAL (0.2 CFS)

HEATING (0.2 CFS)

DOMESTIC (0.040 CFS)

Date Filed: 11-27-1987

In: LOT 10 (SENE) Sec 10 T 08N R 05E  
FOR 5 ACRES

65-12816

KING, DAVID J. & or MARCELLE A.  
P.O. BOX 345, HORSESHOE BEND, ID  
83629

Source: SHAFER CREEK trib. to PAY-  
ETTER RIVER

Diversion Pt: LOT 02 (SWNE) Sec 34 T  
07N R 02E

Use: IRRIGATION (0.054 CFS)

Date Filed: 11-20-1987

In: LOT 02 (SWNE) Sec 34 T 07N R 02E  
FOR 2 ACRES

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 January 4, 1988.

R. KEITH HIGGINSON, Dir.

Published in the IDAHO WORLD, Idaho  
City, Idaho, December 16 & 23, 1987.

STATE OF IDAHO, }

County of Boise }

*Maibly Shalbat* being  
duly sworn, deposes and says:  
that he is the manager and prin-  
cipal clerk of THE IDAHO  
WORLD, a weekly newspaper  
published at Idaho City, in the  
County of Boise and State of Ida-  
ho; the said paper has been and  
is in general circulation in the  
county aforesaid, and in the vi-  
cinity of Idaho City; that the  
advertisement, a copy of which is  
hereto attached, was published in  
said newspaper once a week for  
.....*two*.....consecutive weeks in  
the entire and regular issue of  
every number of said paper dur-  
ing the period and time of publi-  
cation and was published in the  
newspaper and not a supplement;  
that said paper has been estab-  
lished and regularly and continu-  
ously published for more than  
seventy-eight weeks past previ-  
ous to the first publication of  
this notice. Such notice was pub-  
lished in the issue beginning with

.....*Dec 16*..... 19*87*.....and end-  
ing with the issue of *Dec 23*  
19*87*.....

*Maibly Shalbat*

Subscribed and sworn to before  
me this *23* day of *Dec*, 19*87*.....

*[Signature]*  
Resides in *Idaho City*.....

Commission Expires *7/18/88*.....



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

April 14, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RICKY L BOZE  
JOSEPH L LEWIS  
PO BOX 158  
HORSESHOE BEND ID 83629-0158

RE: Ownership of Right 65-12816

Dear Mr. Boze & Mr. Lewis.

I have received correspondence changing ownership of the above referenced water right to you and I have modified our computer records to reflect this change

Enclosed is a report listing you as current owners of the right and other important information about your water right. **Please review carefully the Conditions of Approval and Remarks.**

Also, please note that as of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

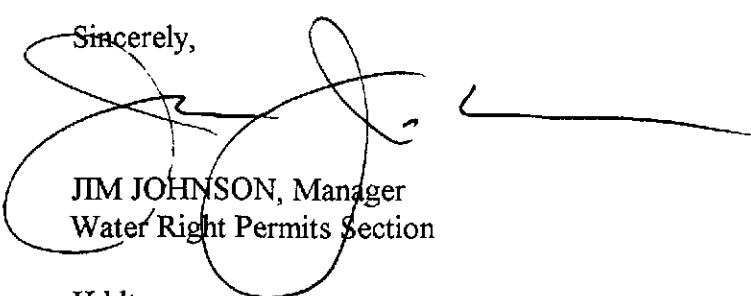
If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee

You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at 208-327-7947

Sincerely,

  
JIM JOHNSON, Manager  
Water Right Permits Section

JJ:klt  
Enclosure

MICROFILMED  
APR 15 1998

**M E M O R A N D U M**

**DATE:** March 5, 1998

**TO:** File 65-12816

**FROM:** Kari Lynn Townsend

**RE:** Returned Mail

=====

The license mailed to David J King in February 1998 was returned by the postoffice for address correction.

In looking thru the file I saw the letter to Rick Boze and also saw that Mr Boze had sent the amendment fee. I discussed with Shelley and he said to send the license and a Notice of Change of Water Right Ownership form to Mr Boze.

The license and change of ownership form were mailed today.

UNRECORDED  
15 MAR 1998

RECEIVED

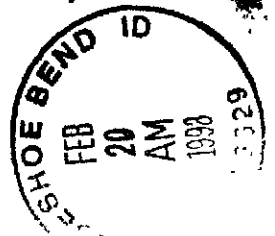
FEB 23 1998

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES  
1301 N. Orchard St.  
P.O. Box 83720  
Boise, ID 83720-0098  
(208) 327-7900

157-1781  
14-110 2 FINE  
100 EQ: 352  
10051SHOE, PENN

10 83720 0098



MICROFILMED



## 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

February 18, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

DAVID J KING  
MARCELLA A KING  
PO BOX 365  
HORSESHOE BEND ID 83629-0365

RE: WATER RIGHT NO. 65-12816

Dear Water Right Holder(s):

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

### PETITION FOR RECONSIDERATION

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

### EXCEPTIONS AND BRIEFS

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

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

MICROFILMED

### ORAL ARGUMENT

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

### CERTIFICATE OF SERVICE

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

### FINAL ORDER

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

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

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

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

### APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

MICROFILMED

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.

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

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

Sincerely,



Shelley W. Keen  
Water Rights Supervisor

SK:klt

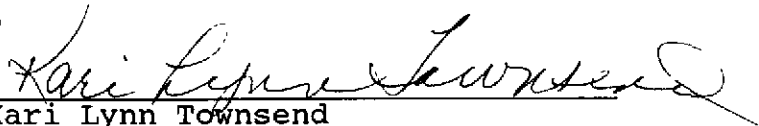
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 18th day of February, 1998, 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. 65-12816

DAVID J KING  
MARCELLA A KING  
PO BOX 365  
HORSESHOE BEND ID 83629-0365

  
Kari Lynn Townsend  
Secretary

MICROFILMED

SEP 17 1998



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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

February 9, 1998

RICK BOZE  
PO BOX 158  
HORSESHOE BEND ID 83629-0158

RE: WATER RIGHT 65-12816

Dear Mr. Boze:

I am writing to you about Water Right Permit 65-12816, which was originally issued to David J. King and/or Marcella A. King. The permit is being reviewed for licensing. Before a water right license can be issued, however, the permit must be amended to depict the water right as it has actually been developed. I have sent an Application for Amendment form to the permit holders of record, but I have received no reply. Because our field examiner indicated that you may now own the property on which the water development occurred, I am writing to give you the opportunity to complete the process necessary to obtain a water right license.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the nature of the water use. The last page of the Application for Amendment form contains a list of CONDITIONS and REMARKS proposed for the license when it is issued. These conditions and remarks may be modified upon further administrative review.

Please review the amendment form carefully. If you concur with the information presented, sign the form and return it with the \$50.00 filing fee as soon as possible.

In order for the department to issue the water right license in your name, the permit holders of record must assign the permit to you. I have enclosed an Assignment of Permit form to help you obtain the required information and signatures. If you do not obtain an assignment from Mr. or Mrs. King, the department may still issue a license if you submit the necessary Application for Amendment and fee. Once the license is issued, the water right becomes appurtenant to the land, regardless of the name listed on the document. After the license is issued you may complete a Notice of Change of Water Right Ownership without the King's involvement.

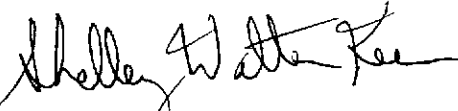
MICROFILMED

FEB 12 1998

Mr. Rick Boze  
Re: Water Right 65-12816  
February 6, 1998  
Page 2

If you have any questions about this information, please contact me at (208) 327-7946 in Boise.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley Walter Keen".

Shelley Walter Keen  
Water Rights Supervisor

SWK:klt

enc.

MICROFILMED  
APR 10 1998

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

North Orchard Street  
Boise, Idaho 83706-2237

ADDRESS SERVICE  
REQUESTED

licamen 3. w

MICROFILMED

APR 1 5 1998

RECEIVED

FEB 05 1998

Department of Water Resources

*W. W. W.*

APR 1 5 1998

APR 1 5 1998



## 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

February 2, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

DAVID J KING  
MARCELLA A KING  
PO BOX 365  
HORSESHOE BEND ID 83629-0365

RE: WATER RIGHT NO. 65-12816

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the nature of water use developed differs from what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure



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

February 2, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

DAVID J KING  
MARCELLA A KING  
PO BOX 365  
HORSESHOE BEND ID 83629-0365

RE: WATER RIGHT NO. 65-12816

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the nature of water use developed differs from what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

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

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

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

Sincerely,

Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

APR 16 1998

## B/U FIELD EXAM REVIEW

by Cindy Lou

Permit #: 65-12816 Name: King Date: 1/30/98 ✓ Lots ✓

NAME Chng Same ✓ Or Address Change?

SOURCE ✓ Clarify source \_\_\_\_\_  
✓ Prelim. Order to Void - Source change.

P/D ✓ Amendment Needed? Addn'l 1/4? Legal P39  
✓ Same 1/4? W32 P36  
 Overlap(s) none

P/U ✓ Amendment Needed? reduce to 0.5 acres. P41  
 Overlap(s) none  
 (Gov't use special ¶s) ✓ \*P/D & P/U Amend? P37

RATE ✓ Permit/proof fee limits 0.05 / 0.20  
✓ Measured Quantity = 0.03 cfs Theoretical Quantity = 0.05 cfs  

$$irr = 0.03 \text{ cfs (add Fire Prot. } = 0.03) = 0.03$$
  

$$(HP) \frac{8.8 \times 0.70 \times 0.75}{8 \times (2.31 \times 20)} = \text{cfs}$$
 Pipe flow equation = 0.05  
✓ Recommended capacity 0.05 cfs  
✓ Recommended rate 0.03 cfs

VOLUME ✓ Season: (D 1 4.5) 3/15-11/15 = 246 days  
 Calculations: irr = 1/2 x 4.5 = 2.3 + no AP (Fire Prot.) = 2.3 AF  
✓ Flow limit: 0.03 cfs x 246 days/yr x 1.9835 = 14.6 AF  
✓ Recommended volume 2.3 AF

USES ✓ ✓ Same Nature of Use? add Fire Protection P46  
✓ Amendment Needed? to add fire protection use

REMARKS ✓ Multiple p/d's in same 1/4? Use W32  
✓ W31/0.03/2.3

CONDITIONS ✓ Measuring Device (R43) or Lockable Controlling Works (R02)  
R04 Watermaster Control (R04) - WD # 65  
✓ Irrigation rate/annual volume overlap  
✓ GW irrigation replaces surface water (050)  
✓ GW irrigation supplements surface water (065)  
✓ Water Quality  
077 Other \_\_\_\_\_

PRIORITY App Rcd 11/20/87 Due 3/1/89 Rcd 2/5/91  
 Receipt# CC19541 Fee OK? Yes/No #50  
 Order to Reinstate Needed? Yes/No Done? 3/16/89 Advanced to: 11/25/87  
 Priority 11/25/87 Examined 4/25/96

COMMENTS: reduce irr to 1/2 ac., add Fire Prot.

| USE               | CFS         | VOLUME     |
|-------------------|-------------|------------|
| <u>One</u>        | <u>0.03</u> | <u>2.3</u> |
| <u>Fire Prot.</u> | <u>0.03</u> | <u>—</u>   |
| <u>✓</u>          | <u>✓</u>    | <u>✓</u>   |
| TOTAL             | <u>0.03</u> | <u>2.3</u> |

SRBA Overlap none  
 Adjustment Memo \_\_\_\_\_  
 LICENSE  
 #1 AMEND. p46 /P38  
 #2 AMEND: (R)P42/(C)P47

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

RECEIVED

JUL 22 1996

Department of Water Resources

**A. GENERAL INFORMATION**Permit No. 65-128161. Owner: David J. King (original owner) Phone No. \_\_\_\_\_Current Address: PO Box 365 Horseshoe Bend 836292. Accompanied by: Rick Boye EXAM DATE: 4/25/96Address: PO Box 158 Horseshoe Bend 83629 Phone No. no phoneRelationship to Permit Holder: current owner3. Source: Shaper Cr tributary to Payette R**B. OVERLAP REVIEW**1. Other water rights with the same place of use: 65-10832, 65-108332. Other water rights with the same point of diversion: 65-12052**C. DIVERSION AND DELIVERY SYSTEM**

## 1. Point(s) of Diversion:

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           | 2         |     | SW  | NE  | 34   | 7N   | 2E   | Boise  | USGS Quad                       |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

## 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 |        |
| 7N  | 2E  | 34  |    |    | 42<br>.5 |    |    |    |    |    |    |    |    |    |    |    |    |    | .5     |
|     |     |     |    |    | FP       |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |          |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |          |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |          |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |          |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |          |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |          |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |          |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

MICROFILMED

APR 16 1998

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

Scale: 1" =

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

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

☐ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp  | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-----|------------------|-----------|-----------------------------------|
|                                       | GE         | 3/4 | 5K039NNSOX       | Jacuzzi   |                                   |
| Back-up pump                          | GE         | 2   | 5K039QNI159X     | Jacuzzi   |                                   |
|                                       |            |     |                  |           |                                   |

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

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

MICROFILMED

APR 16 1998

E. NARRATIVE/REMARKS/COMMENTS

A  $\frac{3}{4}$  HP pump supplies water to  $\leq 1.5$  ac lawn area. The other 2 acres have not been developed. The mainline has been installed but irrigation use has not been practiced or maintained. When + if the new owner plans to fully develop the 2 acres with some sort of pasture or crop, he will file an application for permit. Until then, he would like to have fire protection recommended as a use on this permit for his Mobile home and 2 dry acres, even though it's an exempt use.

\* The lawn area is irrigated via portable hose and sprinklers. City water is used for internal domestic use. No other wts are used.

\* I listed .03 cfs for fire protection although applicant is not limited to this amount. Since less acres were developed than were applied for, adding fire protection should not be a problem.

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

MICROFILMED  
APR 16 1998

**F. FLOW CALCULATIONS**

       Additional Computation Sheets Attached

Measured Method:

Per Pumpback Computation: .05 cfs  
Capacity

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .5 \times 4.5 = 2.3$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .03 \times 246 \times 1.9835 = 14.6$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = 2.3$$

## 2. Volume Calculations for Other Uses:

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use  | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-----------------|---------------|-------|------------------------------|--------------------------|
|                 | From          | To    |                              |                          |
| Irrigation      | 4/15          | 10/15 | .03                          | 2.3                      |
| Fire Protection | 1/1           | 12/31 | .03                          |                          |
|                 |               |       |                              |                          |
|                 |               |       |                              |                          |
|                 |               |       |                              |                          |
| Totals:         |               |       | .03                          | 2.3                      |

## 2. Recommended Amendments

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

add use

**I. AUTHENTICATION**

Field Examiner's Name

Lori G. Bramer

Date

6/27/96

Reviewer

Date

SEAL

MICROFILMED

APR 16 1998

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Lori Graves  
6/28/1996

Project: Flow Computation for 65-12816  
Boze

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:  

$$f = 0.2083 * (100 / \text{roughness})^{1.85} * (\text{cfs} * 448.8)^{1.852} / \text{ID}^4.8655 * \text{Lengt}$$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 8.00 feet

Nozzle Pressure: 20.00 psi

Required Head: 54.20 feet

Pump Horsepower: 0.75 horsepower

Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe  
 aluminum - joint length 20' = 125, j  
 30' = 130, joint length 40' = 132, j  
 50' = 134, new riveted steel = 100  
 old riveted steel = 100, old cast ir  
 old pipes in poor condition = 60 to

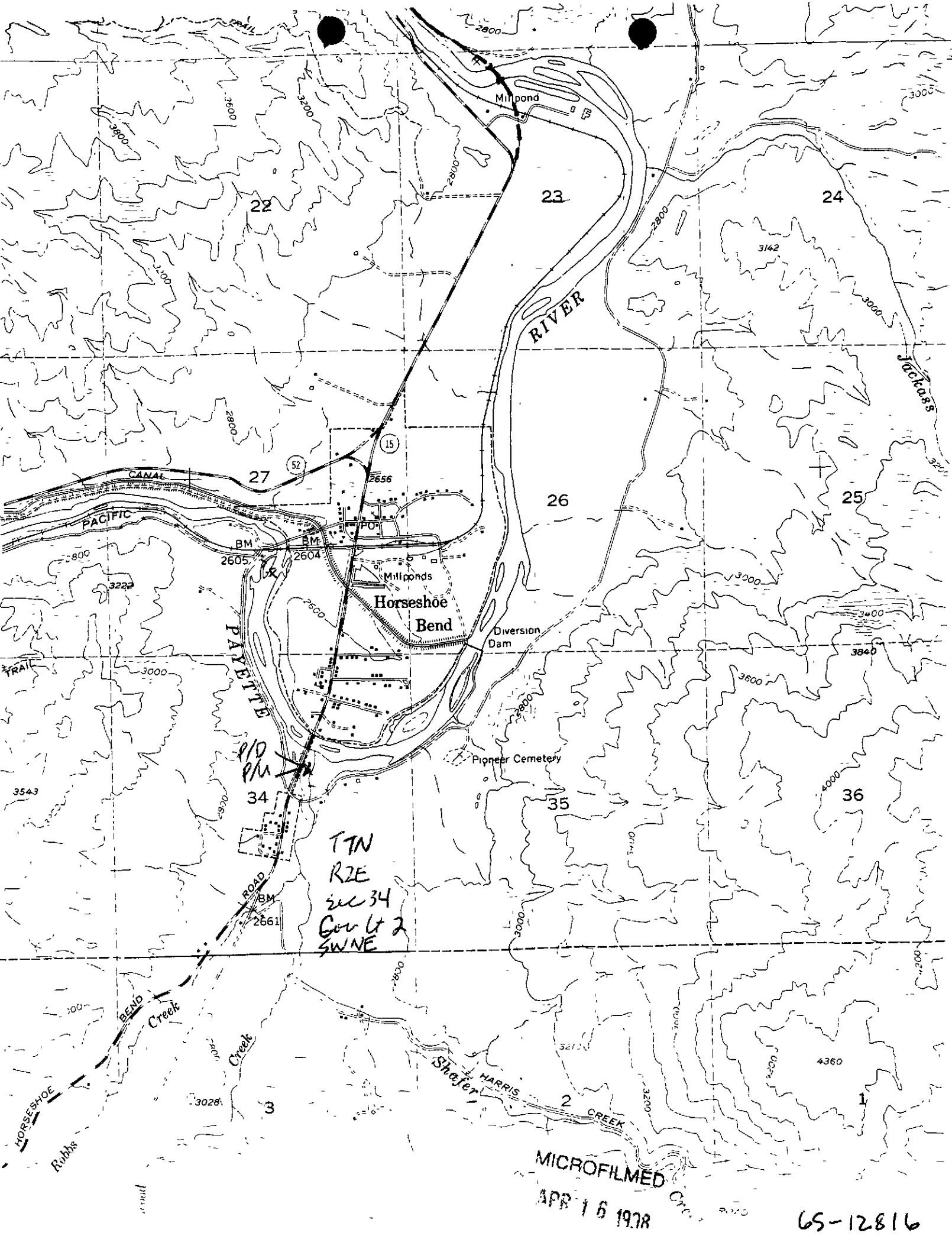
| Inside<br>Diameter<br>in Inches | Equivalent<br>Length<br>in Feet | Unit<br>Head<br>Loss | Total<br>Friction<br>Head Loss from Pipe Frict |
|---------------------------------|---------------------------------|----------------------|------------------------------------------------|
| 0.75                            | 25.00                           | 31.68                |                                                |
| 1.00                            | 0.00                            | 0.00                 |                                                |
| 1.00                            | 0.00                            | 0.00                 |                                                |
|                                 |                                 |                      | 31.68                                          |

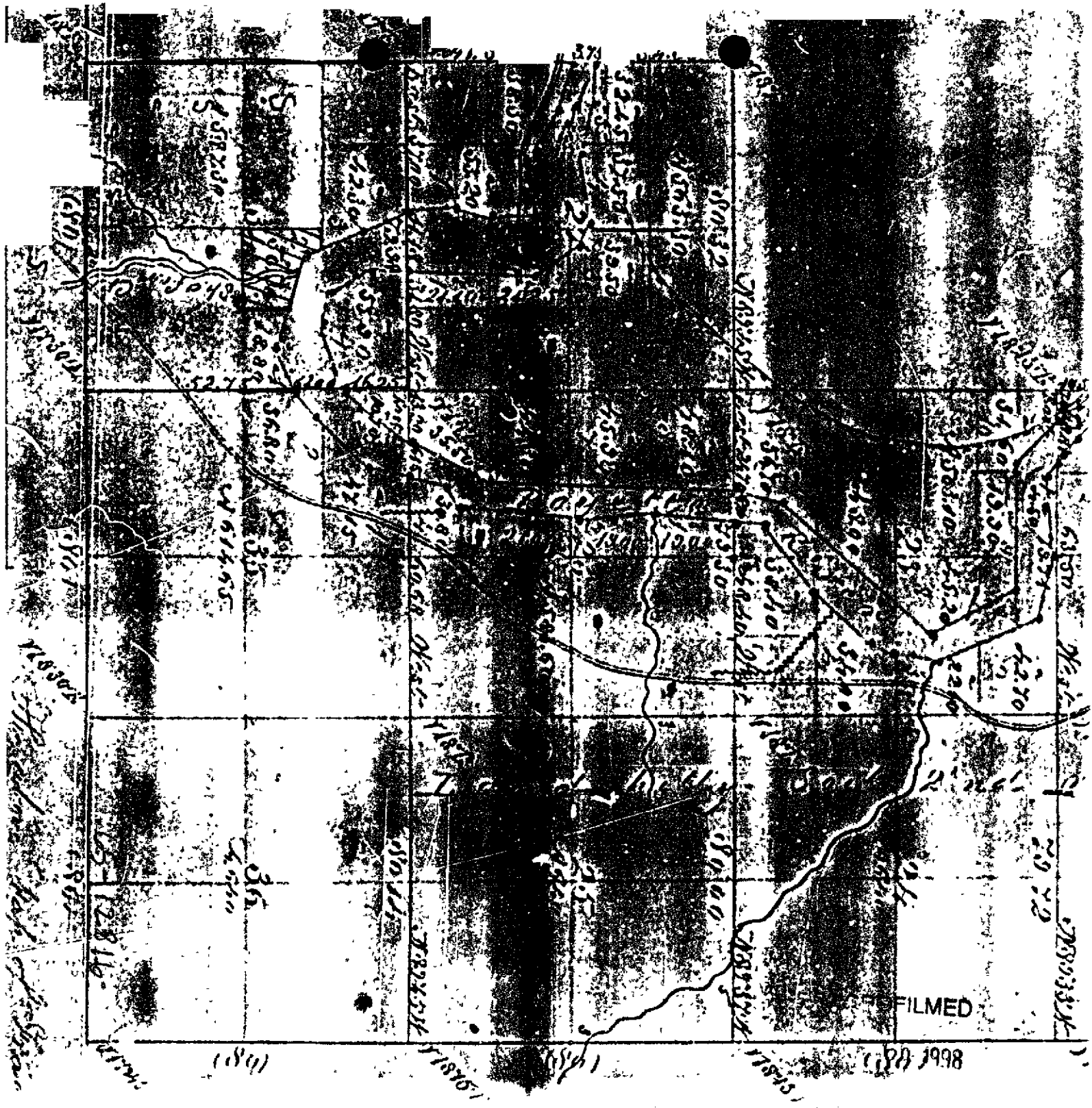
Initial Estimate of Rate of Flow: 0.050 CFS

Computation of Rate of Flow: 0.05 CFS

Solution is shown in the Computation of Rate of Flow.  
 Solution is obtained by entering an initial estimate of rate of flow,  
 and by changing this factor until it approximates as closely as possible  
 the Computation of Rate of Flow.

MICROFILMED  
APR 16 1998

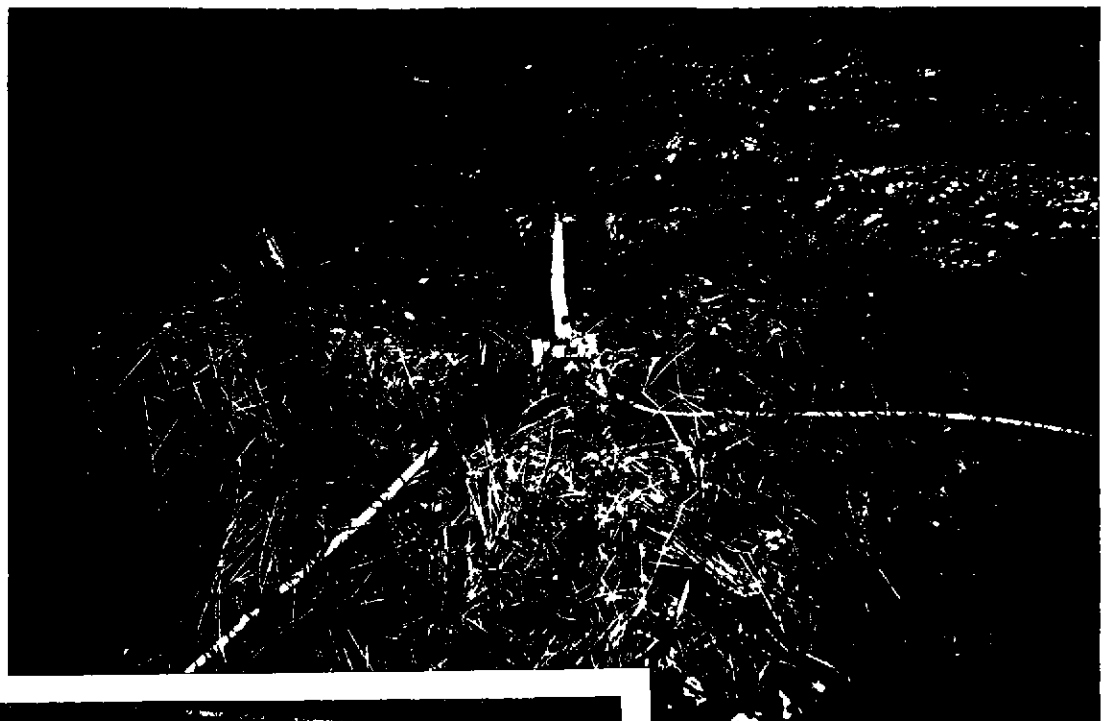






3/4 HP Pump

P/D: 2" intake  
15' lift to  
lawn



P/W

MICROFILMED  
APR 16 1998  
65-12816



2 HP Back-up pump

initial spot for man-hunt  
to a house not investigated →



MICROFILMED  
APR 16 1998

65-12816

May 19, 1992

DAVID J. KING  
MARCELLA A. KING  
P.O. BOX 365  
HORSESHOE BEND ID 83629-0000

RE: Water Right No. 65-12816

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement

APR 18 1992

purposes. This type of coordination could minimize the impact on existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at  
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the  
Student Union Building, Albertson College of Idaho,  
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON  
Chief, Water Allocation Bureau

LGS:klg

MICROFILMED  
APR 16 1978

February 26, 1991

DAVID J. KING  
MARCELLA A. KING  
P.O. BOX 365  
HORSESHOE BEND, ID 836290000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-12816

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck  
Secretary/Records Manager

c: IDWR - Region

RECEIVED

MAR 20 1991

138935  
December 31, 1990

DAVID J. KING  
MARCELLA A. KING  
P.O. BOX 365  
HORSESHOE BEND, ID 836290000

PROOF DUE NOTICE

RE: PERMIT NO. 65-12816

Dear Permit Holder:

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

March 17, 1989

David J. and Marcella A. King  
P.O. Box 365  
Horseshoe Bend, ID 83629

Dear Mr. and Mrs. King:

Re: Permit No. 65-12816

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to March 1, 1991. Note the permit has been reinstated with an advance in priority the number of days the extension request was late.

If you have any questions concerning these matters, please feel free to contact this office.

Sincerely,

RITA I. FLECK  
Secretary/Records Manager

Enclosure

**MICROFILMED**

MAY 15 1989

March 8, 1989

David J. and Marcella A. King  
P. O. Box 365  
Horseshoe Bend, ID 83629

Dear Mr. and Mrs. King:

Re: Permit No. 65-12816

Returned is the request for extension of time form submitted to this office on March 6, 1989.

Please sign and return the extension request. Upon receipt of the form, the department will process the extension request.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK  
Secretary/Records Manager

Enc.

Microfilm

MAY 15 1989

DAVID J. KING  
MARCELLA A. KING  
P.O. BOX 365  
HORSESHOE BEND, ID 836290000

December 31, 1988

138846

RE: PERMIT NO. 65-12816 PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1989. (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**

MAY 15 1989

S T A T E O F I D A H O  
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440  
FEBRUARY 04, 1988

KING, DAVID J. & MARCELLE A.  
P.O. BOX 365  
HORSESHOE BEND, ID 83629

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-12816

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

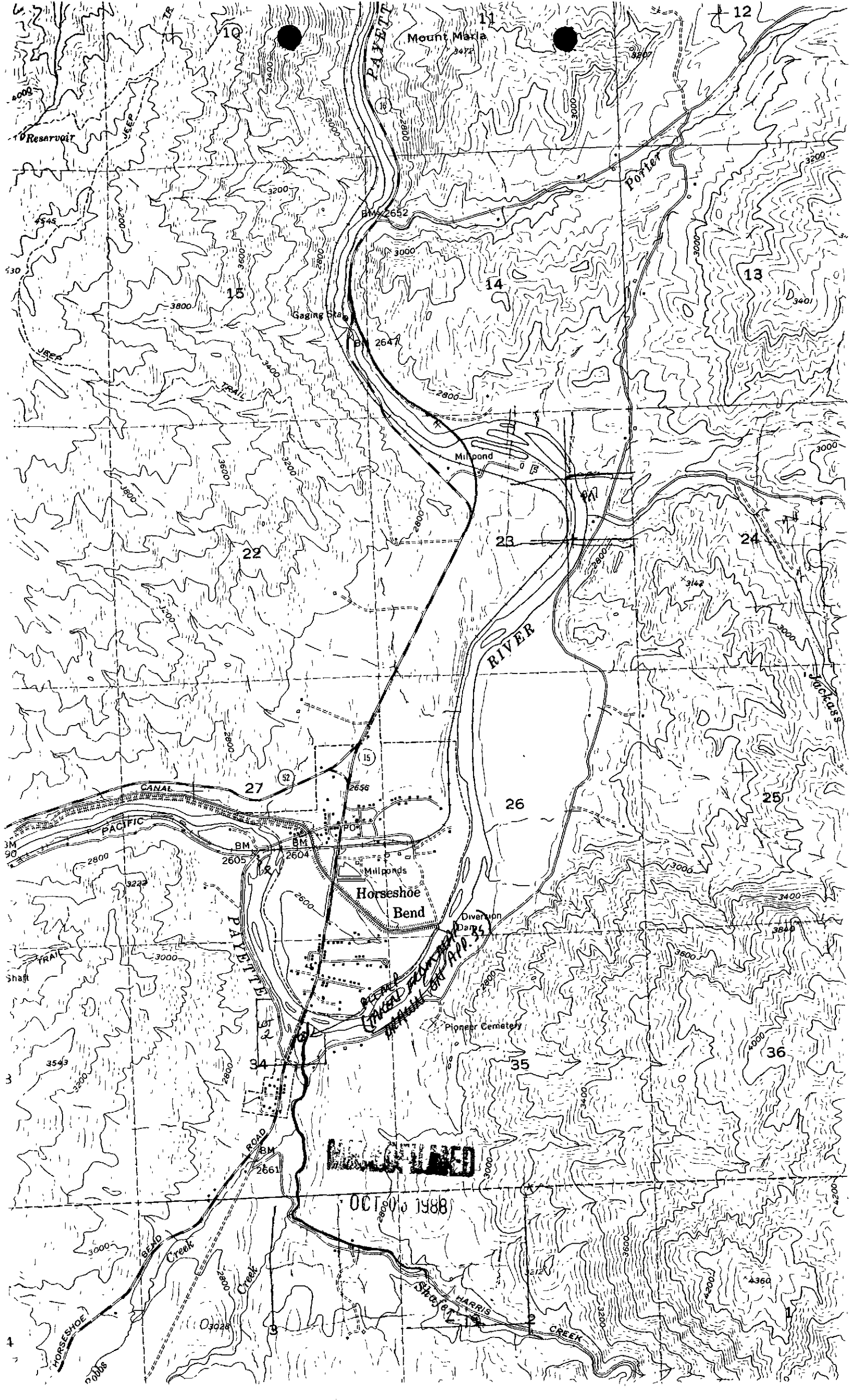
GARY SPACKMAN  
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC  
ENCLOSURES

**MICROFILMED**

OCT 06 1988





65-12816

KING, DAVID J. &/or MARCELLE A.

P.O. BOX 365, HORSESHOE BEND, ID 83629

Source: SHAFER CREEK trib. to PAYETTE RIVER

Diversion Pt: LOT 02 ( SWNE) Sec 34 T 07N R 02E

Use: IRRIGATION (0.054 CFS)

Date Filed: 11/20/1987

In: LOT 02 (SWNE) Sec 34 T 07N R 02E FOR 2 ACRES

MAINTAINED

OCT 03 1988