

[illegible]

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.

A. Eugene Jaffee
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 13 1991

A. GENERAL INFORMATION

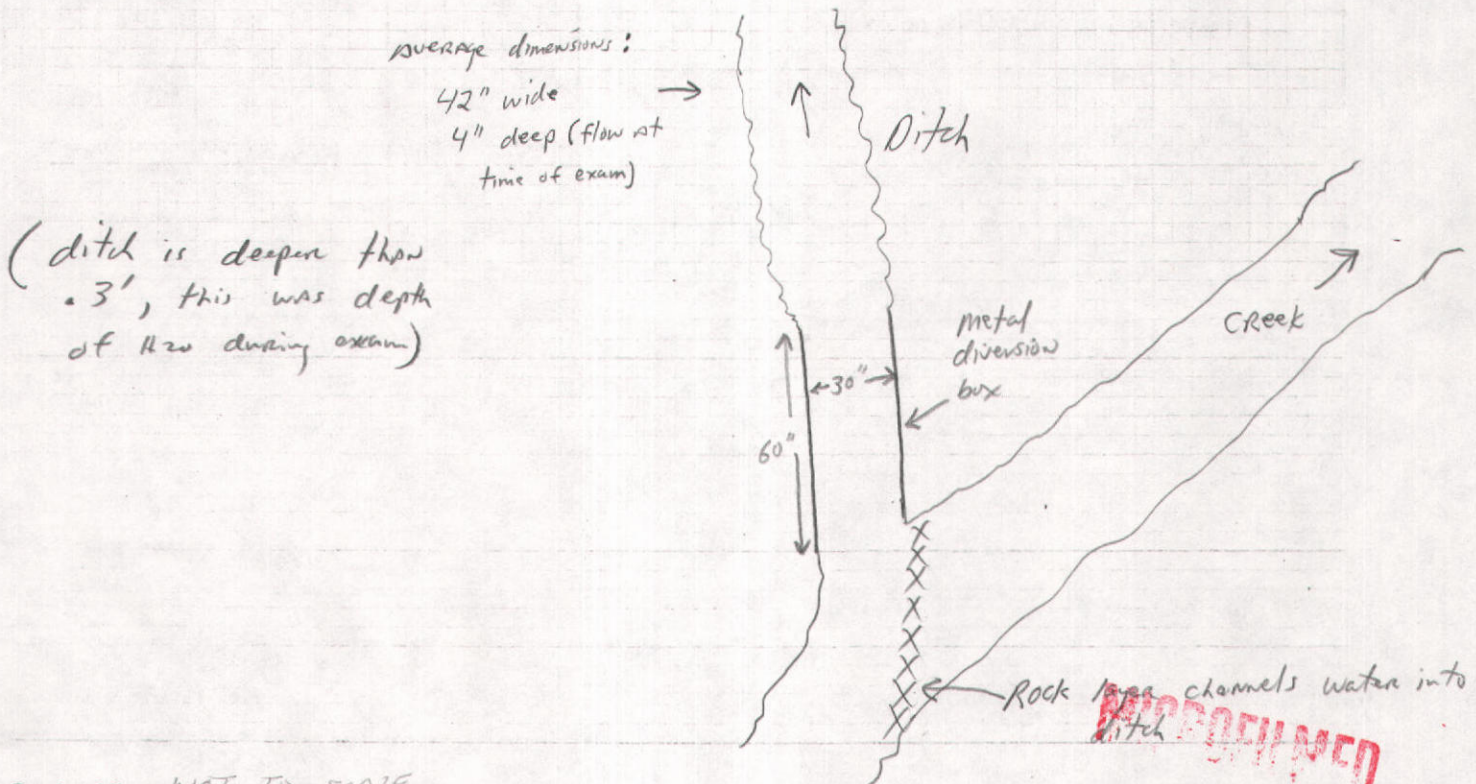
Permit No. Department of Water Resources
Phone No. 584-3440
1. Owner: Allen Eugene and/or Lola M. Gattfield
Current Address: 10615 E. Gattfield Road Emmett, ID 83617
2. Accompanied by: A.E. Gattfield EXAM. DATE: 6/1/88
Address: same Phone No. same
Relationship to Permit Holder: same
3. Source: Rock Creek tributary to Payette River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 65-3152
☒ Copies Attached *not needed*
2. Other water rights with same point of diversion: 65-10452, 2938, 3152, 5915, 5916
☒ Copies Attached ☐ Copies of Field Exam's Attached
N/A

C. SYSTEM DESCRIPTION

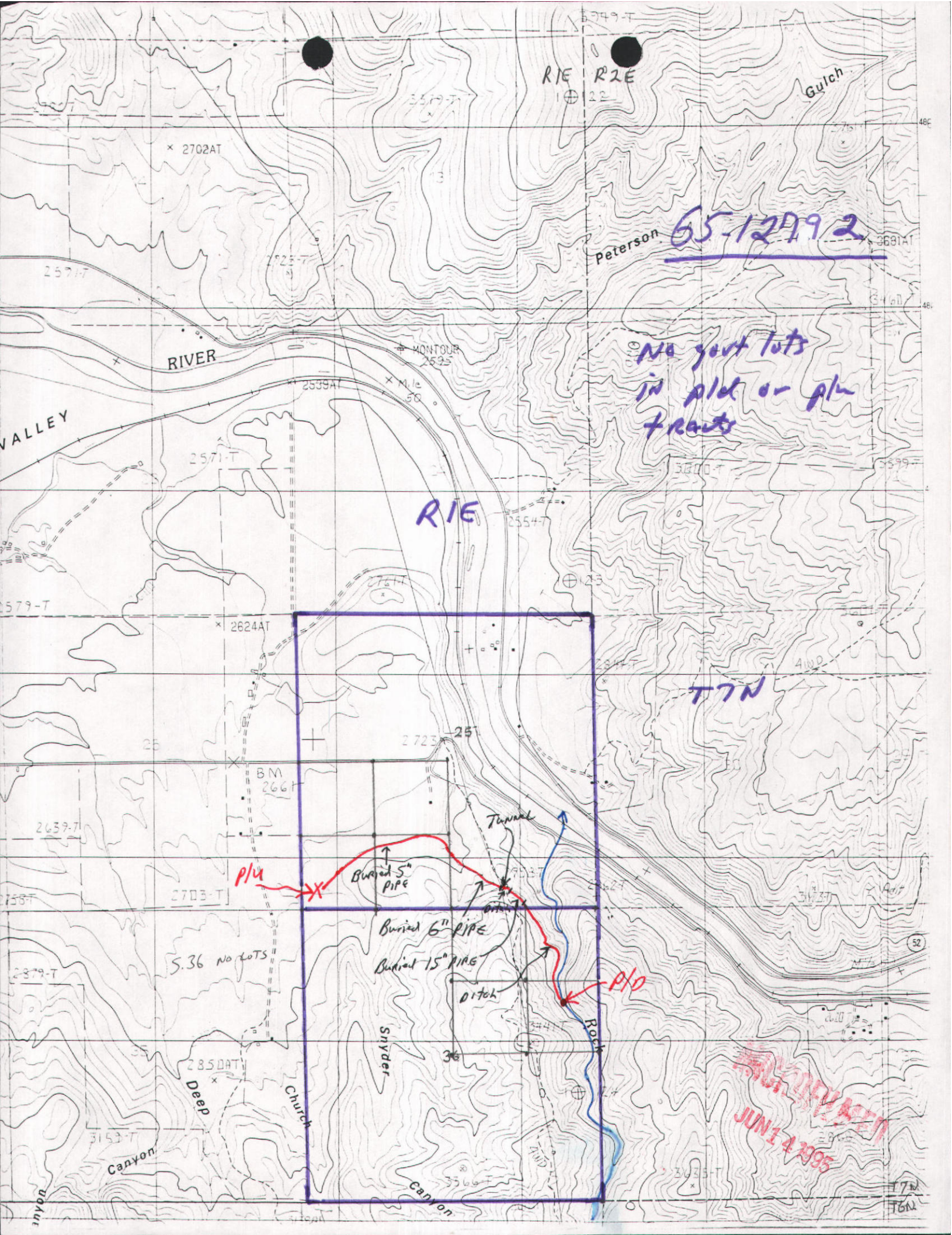
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NOT TO SCALE

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

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R1E R2E

Gulch

Peterson 65-12792

No govt lots
in pld or pln
+ roots

R1E

T7N

P14

Buried 5" PIPE

Buried 6" PIPE

Buried 15" PIPE

ditch

P/O

S.36 No lots

Deep

Church

Slider

Canyon

Canyon

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PHOTO ONE- P/O (common for permit plus 65-10452 - 02938 - 03152 - 05915 - 05916) looking down ditch from creek. Pictured is examiner R. Pfatt. Flow obviously exceeds .5 cfs.



PHOTO TWO- Plus, typical operation on site. Note small settling pond in background. Several are found on site.



PHOTO THREE-

View of one of the larger settling ponds
on pln site. Pictured are R. Hatt (l.) &
owner A.E. Gottfield (r.).

APPROVED
JUN 14 1995

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

65-12792

GATFIELD, ALLEN EUGENE &/or
LOLA M.

MONTOUR STAR RT. BOX 1165,
EMMETT, ID 83617

Source: ROCK CREEK trib. to
PAYETTE RIVER

Diversion Pt: SENE Sec 36 T 07N R
01E

Use: MINING (0.5 CFS)

Date Filed: 02/06/1987

In: SWSW Sec 25 T 07N R 01E

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Water
Resources, Western Region, State-
house, Boise, Idaho 83720 on or be-
fore MARCH 9, 1987.

KEN DUNN, Dir.

2:2-18,25-1987

RECEIVED

MAR 18 1987

Department of Water Resources
Western Regional Office

MICROFILMED

APR 14 1987

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Su Harms, being first
duly sworn, on his oath deposes and
says that he is the printer of Messenger-
Index, a legal weekly newspaper pub-
lished at Emmett, in Gem County, Idaho;
that said newspaper is in general circu-
lation in said county and has been pub-
lished uninterruptedly and continuously
for more than 78 weeks prior to the first
publication of the annexed document;
and that the document notice, process,
or advertisement hereunto annexed was
published in the regular edition of

Messenger-Index for two
consecutive weekly issues thereof, be-

ginning with the issue of Feb 18

1987, and ending with the issue of

Feb 25, 1987

Su Harms

Subscribed and sworn to before me this

16th day of

March, 1987

Ante. Lovisetti

Notary Public,

Residing at Emmett, Idaho.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12792

Priority: February 6, 1987

Maximum Diversion Rate:

0.50 CFS

Maximum Diversion Volume:

63.8 AF

This is to certify, that ALLEN EUGENE GATFIELD
LOLA M GATFIELD

10615 E GATFIELD RD
EMMETT ID 83617

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 6, 1987; and has submitted Proof of Beneficial Use on March 7, 1988. An examination indicates that the works have a diversion capacity of 4.060 cfs of water from:

ROCK 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>
MINING	01/01 to 12/31	0.50 CFS	63.8 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 36, Township 07N, Range 01E
GEM County

PLACE OF USE: MINING

TWN RGE SEC

07N 01E 25 SWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
6. When water used under this right is discharged into the natural channel, settling ponds must be maintained which are capable of reducing the silt load to such a level that the quality of water will not be impaired for other beneficial uses.

JUN 14 1985

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12792

CONDITIONS/REMARKS:

7. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards and applicable U.S. Environmental Protection Agency Standards.
8. The following rights are also diverted through the point of diversion described above: 65-10452, 65-02938, 65-03152, 65-5915, and 65-5916.
9. The total combined rate of diversion under this right and Right 65-10452 shall not exceed 4.06 cfs.

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 6TH day of JUNE, 1995.

Acting for

KARL J. DREHER, Director



RECEIVED
MAR - 7 1988

For Office Use Only
Fee Received \$100.00
Date 3-7-88
Receipt # C000102
Receipt by [Signature]
Reviewed by [Signature]
Sent to region

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 65-12792

Name(s) of Permit Holder: Allen Eugene &/or Lola M. Gatfield ✓

Post Office Address: Montour Star Rt. Box 1165, Emmett, ID 83617 ✓

Telephone No. 584-3440

Source of Water: Rock Creek ✓

Extent of Use:

Domestic (number of households) Stockwater (number and type of stock)

Irrigation (acres) Other/Remark Mining ✓

Total rate and/or volume for which proof is submitted 0.5 ✓ cfs acre-feet

Show the date water was first diverted and beneficially used under this permit: 1985 ✓

Measuring Device: Required? Yes X No
Installed? Yes X No
Fee enclosed \$ 100.00
(See License Examination Fee Schedule)

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

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

Allen Eugene or Jim Gatfield

(Name)

(Telephone Number)

same as above

(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.

RECORDED

APR 04 1988

March 7, 1988

Date

X Allen Eugene Gatfield
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Allen Eugene and/or Lola M. Gatfield Phone 584-3440
Post office address Montour Star Route, Box 1165 Emmett, ID 83617

2. Source of water supply Rock Creek which is a tributary of Payette River

3. Location of point of diversion is SE NE 1/4 of Govt. Lot
Sec. 36 Township 7N Range 1E B.M. Gem County; additional
points of diversion if any. _____

4. Water will be used for the following purposes.

Amount .5 cfs for Mining purposes from 1/1 to 12/31 (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)

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

6 Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc Existing ditch system.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage.
_____ to _____ inclusive.

c Proposed well diameter is _____ inches; proposed depth of well is _____ feet

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

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

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APR 14 1987

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	1E	25											X						

Total number of acres to be irrigated _____

10 Describe any other water rights used for the same purposes as described above none - see remarks

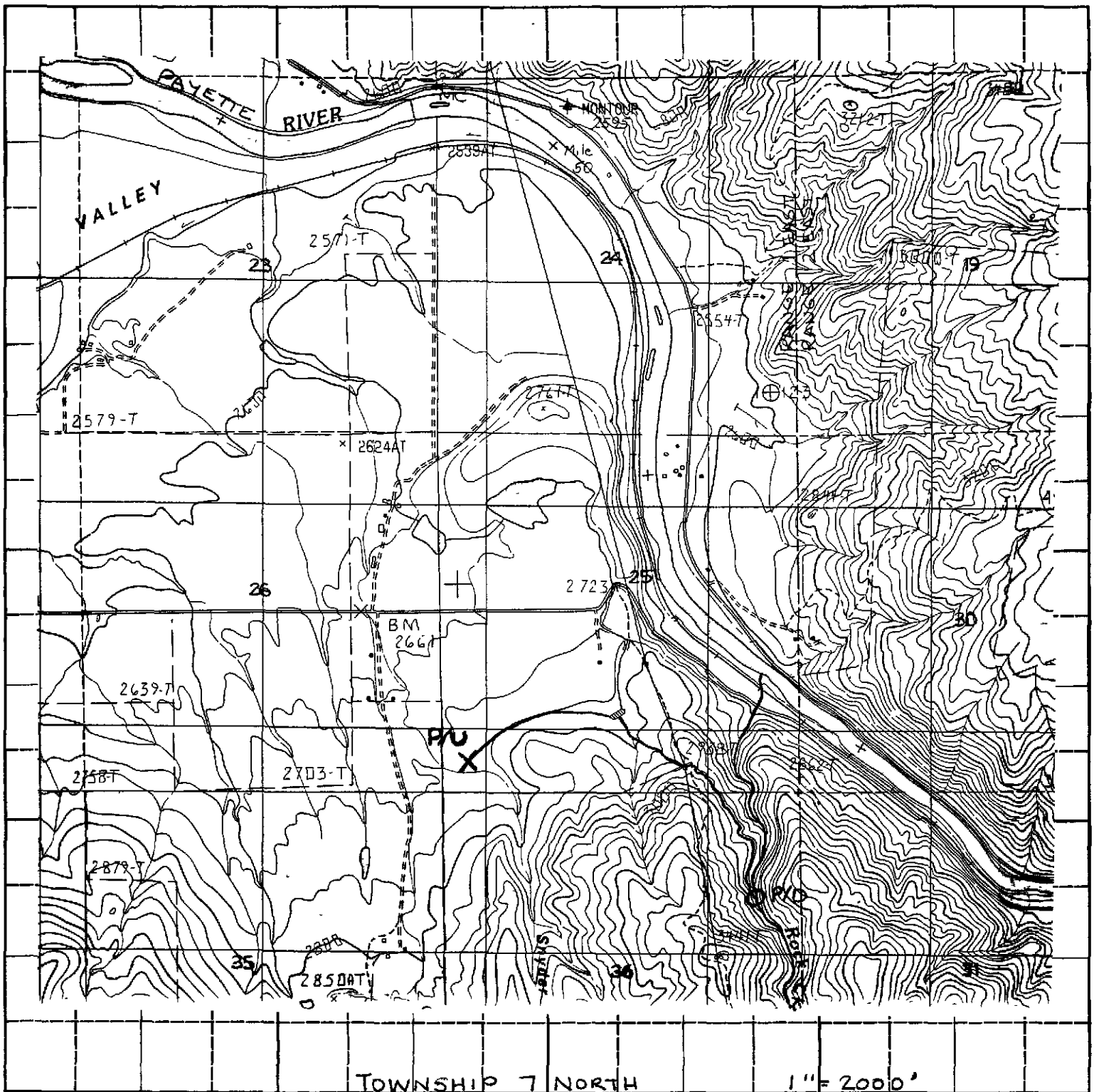
- 11 a Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks. Mr. Gatfield has all rights out of Rock Creek, all for irrigation.

RECORDED

APR 14 1981

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 hereinafter shown.

NOT RECORDED

APR 14 1981

A. Eugene Patterson
(Applicant)

Proposed Priority 2/6/87

Received by Am Date 2/6/87 Time 3:20 pm Preliminary check by [Signature]

Fee \$ 45.00 Receipted by [Signature] # 42274 Date 2-6-87

Publication prepared by jp Date 2/11/87 Published in Emmett Messenger-Index
2/19 & 2/26/87

Publication approved [Signature] Date 3/18/87 called 3/16 for Rd

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. 65-12792, 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 April 1, 19 88

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 The issuance of this permit in no way grants any right-of-way or easement across the land of another.

In the event that water used under this permit should be discharged into a natural channel, settling ponds will be required which are capable of reducing the silt load to such a level that the quality of the water would not be impaired for other beneficial uses.

Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards and applicable U.S. Environmental Protection Agency Standards.

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 31st day of March, 1987.

MICROFILMED

APR 14 1987

[Signature]
Chief, Operations Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 8, 1995

ALLEN EUGENE GATFIELD
LOLA M GATFIELD
10615 E GATFIELD RD
EMMETT ID 83617

RE: WATER RIGHT NO. 65-12792

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED

JUN 14 1995

M E M O R A N D U M

DATE: May 25, 1995

TO: Brenda & File 65-12792

FROM: Shelley W. Keen *swk*

RE: Combined Use Limitation

=====

The field examiner for 65-12792 indicates that the mining use authorized by this permit is alternated with the right holder's irrigation diversions into the same ditch. Therefore, I think License 65-12792 should be conditioned to limit the total combined diversion under right 65-12792 and irrigation right 65-10452 to 4.06 cfs, which is the decreed rate for 65-10452.

While there are other irrigation rights from the same ditch that were also decreed in the Payette adjudication, I do not think all of them should also be listed in the combined use limitation on 65-12792. The Payette decree did not limit those rights to a combined rate. Imposing one now could be construed as a taking of property.

MEMORANDUM
JUN 14 1995

WR0749NP
No. L65-12792

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/02/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALLEN EUGENE GATFIELD	02/06/1987	MINING	01-01 12-31	0.500 CFS	63.80 AFA
C	LOLA M GATFIELD					
	10615 E GATFIELD RD					
	EMMETT ID 83617			TOTAL DIVERSION:	0.500 CFS	63.80 AFA
	(208) 584-3440					

Water Source: ROCK CREEK

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 4.060 CFS

Point(s) of Diversion: T07N R01E S36 SENE GEM County

Place of use Legal Description for: MINING

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:			
07N	01E	25	:																	:			
												M											

Pou County: GEM

Other Water Rights Listing Overlapping Place(s) of use:
65-03152

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- R06 - When water used under this right is discharged into the natural channel, settling ponds must be maintained which are capable of reducing the silt load to such a level that the quality of water will not be impaired for other beneficial uses.

Remarks: Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards and applicable U.S. Environmental Protection Agency Standards.
The following rights are also diverted through the point of diversion described above: 65-10452, 65-02938, 65-03152, 65-5915, and 65-5916.
The total combined rate of diversion under this right and Right 65-10452 shall not exceed 4.06 cfs.

Dates:	App. Received:	02/06/1987	Priority Date:	02/06/1987
	Proof Due Date:	04/01/1988	Proof Made Date:	03/07/1988
	Exam Made Date:	06/01/1988	Exam Sent to S.O.:	03/12/1991
	Licensed Date:			

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

WR5809NP
No. 65-10452

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/04/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ALLEN EUGENE GATFIELD	11/26/1946	IRRIGATION	04-01 11-01	4.060 CFS	
C	LOLA M. GATFIELD		STOCKWATER	01-01 12-31	0.040 CFS	1.60 AFA
	MONTOUR STAR RT.		DOMESTIC	01-01 12-31	0.050 CFS	1.40 AFA
	EMMETT ID 836170000					
TOTAL DIVERSION:					4.150 CFS	1.40 AFA

Water Source: ROCK CREEK

Tributary to: PAYETTE RIVER

Stage: DECREED

Point(s) of Diversion:

T07N R01E S36

SENE

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
07N	01E	25	:					:						:					:						:	115.0
07N	01E	26	:				40	:						:	35	40			:						:	61.0
																					TOTAL ACRES				176.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: GEM

Other Water Rights with Same Point(s) of Diversion and Source:

65-02938 65-03152 65-05915 65-05916 65-12792 L65-12792

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

65-03152 65-07335

Remarks: THIS RIGHT WHEN COMBINED WITH RIGHTS 65-7335, 65-3152 & 65-5916
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 11/26/1946
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L6512792	T07N R01E S25	ROCK CREEK																
	:													X				:
6502590	PAYETTE RI : 02-40					01-20												:
A6502590	PAYETTE RI :																	:
6503152	ROCK CREEK :									15 13 10 27				22 40 05				:
A6503152	ROCK CREEK :									15 13 10 27				22 40 05				:
6505916	ROCK CREEK :													05				:
A6505916	ROCK CREEK :													05				:
6510452	ROCK CREEK :									40				35 40				:
A6510452	ROCK CREEK :					40								35 40				:
6511272	PAYETTE RI : 02-05					01-17												:
A6511272	PAYETTE RI : 02-05					01-17												:
6512116	PAYETTE RI :																	:
6513483	PAYETTE RI :																	:
														05-0				06-0
																		06-03

LICENSE REVIEW CHECKLIST



PERMIT NO. 65-12792 DATE 5-1-95

NAME ☒ Change OK ☐ Or Address Change? Check address

PRIORITY DATE ☐ ☒ Advance? ☐ Advanced to: ☐
 Order to reinstate needed? ☐
 Incorrect fee for rate recommended? NO

SOURCE ☐ ☒ Changes or just clarification of originally intended source? ☐
 Notice of Intent to Void necessary? ☐

POINT OF DIV ☒ ☒ Amendment needed? ☐
 Overlaps? 65-10452, 02938, 03152, 05915, 05916

PLACE OF USE ☐ ☒ Amendment needed? ☐
 Overlaps? 65-03152 (different use)

DIV RATE ☐ ☒ Permit/fee limits: .50 CFS
 Meas Q = 2.31 Theo Q = ☐ Recommend: .50
Rate of flow varies
 Combined rates exceed capacity ☐

ANNUAL VOLUME ☐ ☒ Volume Limit: ☐ Season: ☐
 Calculations: ☐
 Flow limit: .50 cfs x 64.3 x 1.9835 = 63.8 gF
 Combined volumes exceed capacity/allowable ☐

USES ☐ ☒ Change in Nature of Use or additional uses? ☐
 Amendment necessary? ☐

ADDITIONAL INFO Supplemental Groundwater ☐ PPU Scenario ☐
 Irr/Dom Combination ☐ Shared G/W System ☐

NEW REMARKS NO Multiple p/d(s) in 1/4 1/4?
W36 Other all 5 rights listed above + W36 (edit)

NEW CONDITIONS RD4 Watermaster control - District 65
☐ Measuring/Locking Devices
☐ Irrigation Overlap
☒ Other KEEP Water Quality SPECIAL Heat/Cool/Fish verified ☐
and RO6

COMMENTS: Other 5 rights vary in rate from 1 CFS to 4.06 CFS.
(Q measured 4.06 for 65-10452 - see attachments)

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Mining</u>	<u>.50</u>	<u>63.8</u>	Adjustment Memo Needed	<u>NO</u>
			LICENSE	☒
			1ST AMEND LETTER	
			2ND AMEND LETTER	

02'14.79 F.E.L.

 * MACALLISTER'S MODIFICATION OF MORITZ *
 * LOSS CALCULATION FOR *
 * THE GATFIELD POCK CR. DITCH *
 * WATER RIGHT NO. 65-10452 *

Q DIVERTED 4.06
 Q DELIVERED 3.52
 PERCENTAGE LOSS 15.3

TYPE OF SOIL: SANDY LOAM
 SOIL CONSTANT= 1.50 (FEET/DAY)
 LENGTH OF HEAD OF DITCH: .75
 LENGTH OF DELIVERY SECTION: .25

LOSS TABLE FOR HEAD OF DITCH

MILE	Q (CFS)	LOSS (CFS)
.75	3.65	.41

LOSS TABLE FOR DELIVERY

MILE	Q (CFS)	LOSS (CFS)	Q DELIVERED (CFS)
.25	.00	.13	3.52

AF & CFS. Calcs:

.09 CFS Dom $\times 1.153 = .05$ CFS
 .09 CFS Stk $\times 1.153 = .09$ CFS
 1.2 AFA Dom $\times 1.153 = 1.38$ AFA Dom.
 1.4 AFA Stk $\times 1.153 = 1.6$ " Stk.

7/14/95
 141935

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF GEM IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS
TO THE USE OF PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM TO A WATER RIGHT

IDENT. NO. 65-14452 MAP NO.

Notice is hereby given that 756 AFR 272 T.E. 774 758.6 AFR 1.4 HGA Dam 1.6 3.0 AFR

(Name of claimant)

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permitted right) November 1946

(2) Describe the source of water: (Name of stream, lake, spring, etc. or ground water) Payette River

(3) Describe the purpose for which the water has been used, and the time during the year when you have used the right claimed:

Quantity 1.35 3.52 4.06 Use irrigation Period of Use From Apr. 1 To Oct. 31
(CFS, GPD, AF, etc.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)
Quantity 0.04 Use domestic Period of Use From Jan. 1 To Dec. 31
(CFS, GPD, AF, etc.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)
Quantity 0.04 Use stockwater Period of Use From Jan. 1 To Dec. 31
(CFS, GPD, AF, etc.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Both Dates Inclusive)
TOTAL QUANTITY CLAIMED: 4.06

Point of Diversion: Give location of point where water is diverted from its source SE W NE W,
Twp. 7N, Rge. 1E, B.M.; additional points:

Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTAL
			NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	
								40		15	10			21	115
															261

Total No. of acres 176

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered.

(7) Effluent, sewage waste, or return water from this use is discharged into

(8) If you are claiming water as a member of an organization, list name of organization.

(9) Remarks THIS RIGHT WHEN COMBINED WITH RIGHTS 65-2235, 9152, 5796, SHALL PROVIDE NO MORE THAN 1.0 CFS AND 3.5 AFR.

(10) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Resources.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

777
(Date)

(Signature of claimant)

(Signature of Spouse)

State of _____ Organization _____

County of _____ Seal _____

On this _____ day of _____, 1995, before me,
a notary public, personally appeared _____,
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or _____) executed the same

Notary Public residing at _____

My commission expires

2/14/79 6-3-77 R.H.

JUN 14 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 13 1991

A. GENERAL INFORMATION

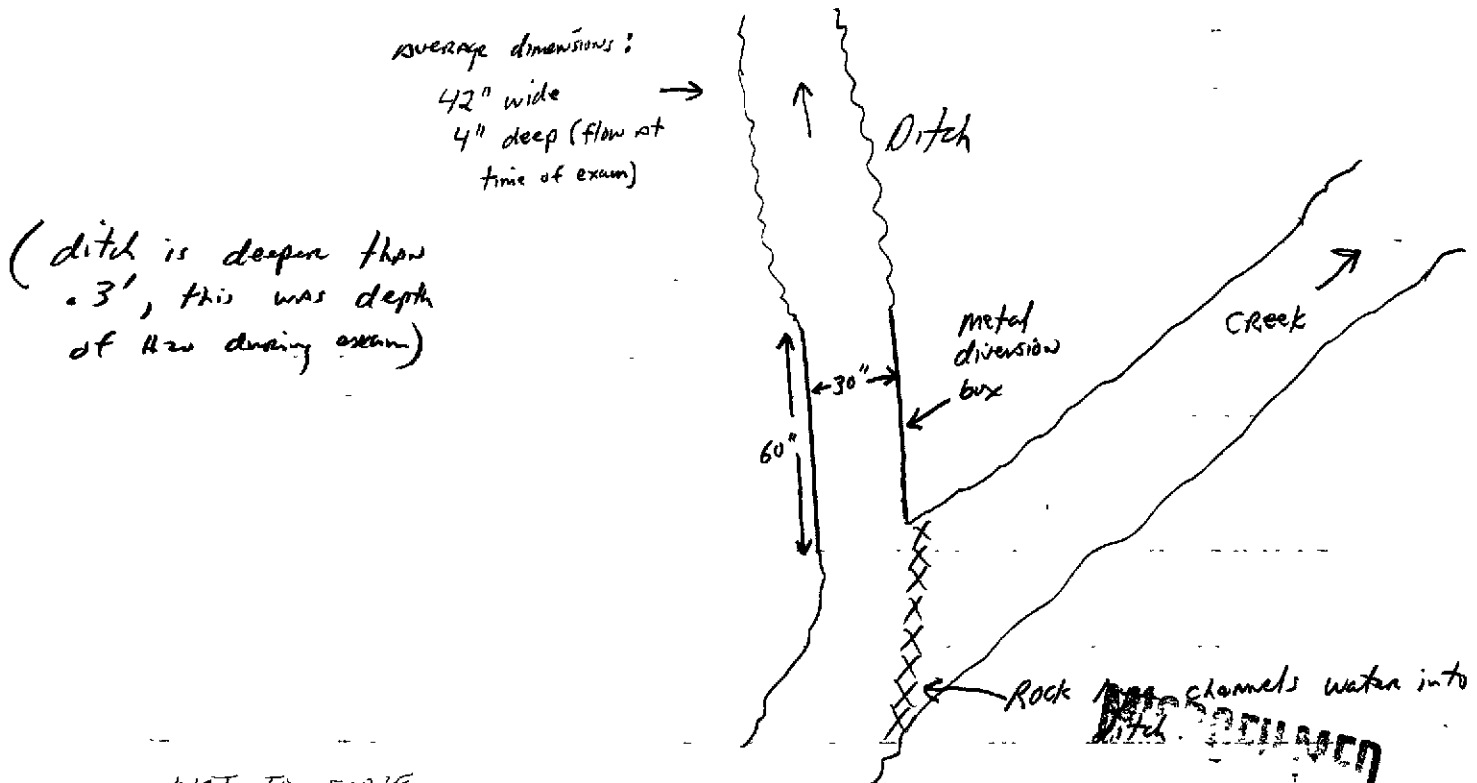
Permit No. Department of Water Resources
1. Owner: Allen Eugene and/or Lola M. Gattfield Phone No. 584-3440
Current Address: 10615 E. Gattfield Road Emmett, ID 83617
2. Accompanied by: A.E. Gattfield EXAM. DATE: 6/1/88
Address: same Phone No. same
Relationship to Permit Holder: same
3. Source: Rock Creek tributary to Payette River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 65-3152
☒ Copies Attached not needed
2. Other water rights with same point of diversion: 65-10452, 2938, 3152, 5915, 5916
☒ Copies Attached ☐ Copies of Field Exam's Attached
N/A

C. SYSTEM DESCRIPTION

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



Scale: 1" = NOT TO SCALE

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

JUN 14 1995

System Description (continued)

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

A small ditch with its metal diversion box diverts Rock Creek for mining uses. The ditch runs into a buried 15" pipe that runs ~~NE~~ NW toward Gattfield's irrigated land. This diversion is also used for irrigation (up to 16 hrs/day) when not used for mining (up to 8 hrs/day). The 15" line reduces to a 6" line that splits into two 5" lines, one for mining and one for irrigation (other rights). Placer mining occurs and settling ponds are present to insure water quality standards.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	N/A				

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	36	7-N	1E	GEM	USGS 7 1/2' quad

6. Place(s) of Use:

Indicate Method of Determination USGS 7 1/2' quad

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	1E	25											X						—

Do not use this space

JUN 14 1995

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Stopwatch & tape						

2. Measurements: Ditch:

estimated flow rate: 10' in 5 seconds } crude measurement to determine
Average width: 3.5' } that ditch carries at least
Average depth: .33' } as much as shown on permit.

Did not conduct pygmy meter measurement due to weather conditions & obvious ability of ditch to carry > .5 cfs.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: $Q = VA = \left(\frac{10}{5}\right)(3.5)(.33) = 2.31 \text{ cfs}$

2. Alternate Method for Checking Purposes: none

F. PUMP EFFICIENCY DATA (Optional) N/A

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

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses:

a) Mining.
3 months/yr } Consider as 64.3 days/year use at ~.50 cfs (permit)
5 days/wk }
8 hrs/day }
↓
90 days ÷ 7 days/wk = 12.86 wks
12.86 wks x 5 days/wk = 64.3 days

b) therefore
(.50)(64.3)(1.9835) = 63.8 AFA
(although mostly not consumed)

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

Overlap:

5 other rights, all decreed, use the same ditch/pipeline diversion but for different uses. No other mining rights are found. Only pln overlap is 65-03152 to irrigate 5 acres.

The crude estimate of ditch flow is in no way an estimate of the total ditch capacity.

Settling ponds are ≤ 1 a.f. $\frac{1}{5}$ as such are considered detail of recommended cfs ($.5 \times 1.9835 = 1$ a.f./24 hrs).

Exam fee paid (part of b.u. fee) is \$100 for up to .5 cfs in the permit).

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Mining	1/1	12/31	.50	63.8
Totals:				

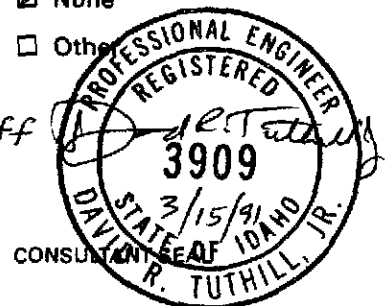
although non-consumptive:

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

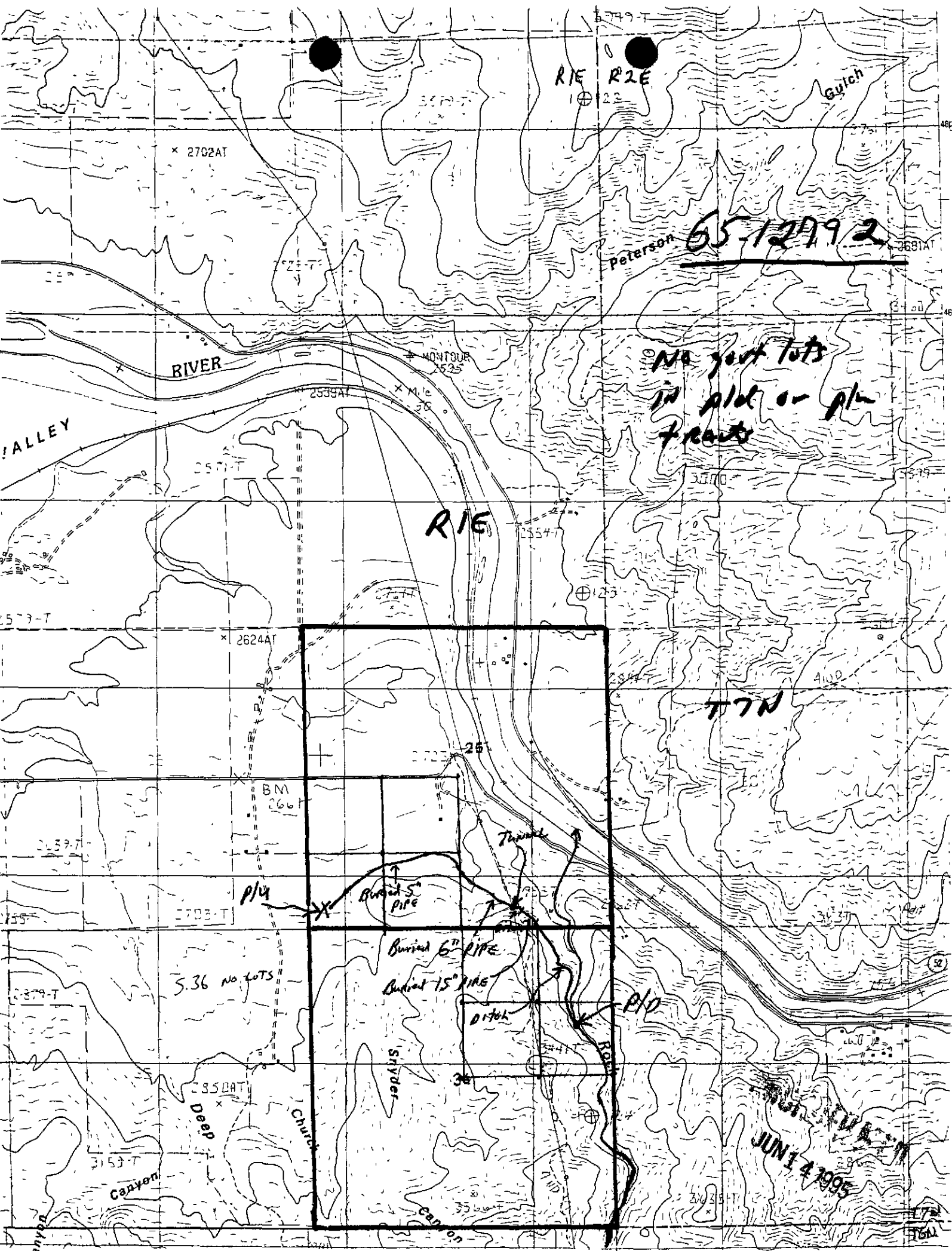
J. AUTHENTICATION

Field Examiner's Name Steve Lester & Randy Pfaff
 Signature Steve Lester
 Certification Date _____
 Field Report Preparation Date 6/1/88



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

JUN 14 1995



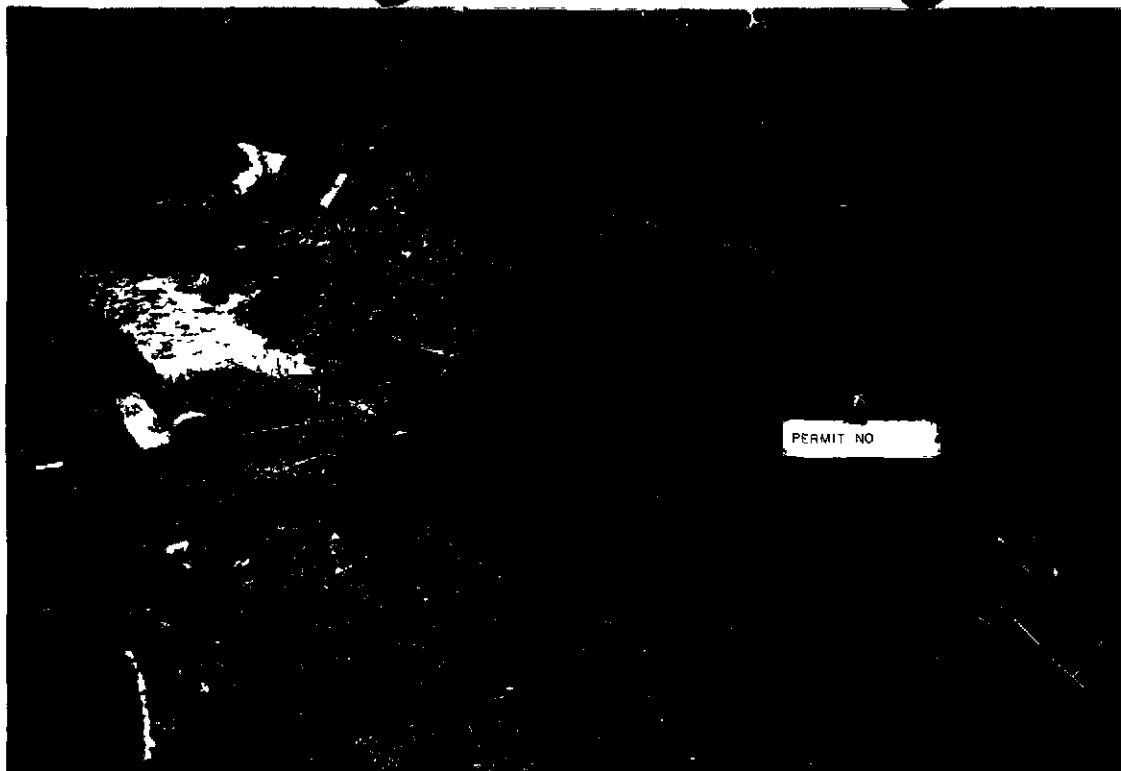


PHOTO ONE- P/O (common for permit plus 65-10452 - 02938 - 03152 - 05915 - 05916) looking down ditch from creek. Pictured is examiner R. Pfaff. Flow obviously exceeds .5 cfs.

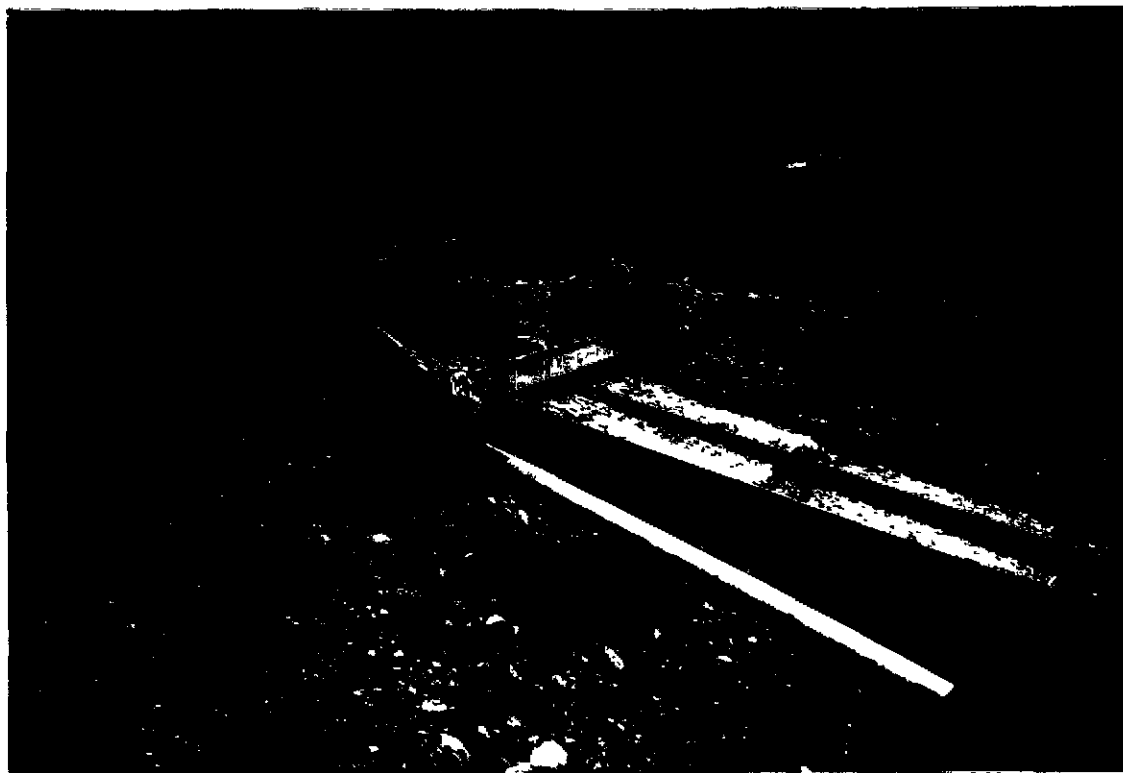


PHOTO TWO- Plus, typical operation on site. Note small settling pond in background. Several are found on site.

UN 14 1995



PHOTO THREE-

View of one of the larger settling ponds
on plm site. Pictured are R. Hoff (l.) &
owner A.E. Gattfield (r.).

JUN 14 1985



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

April 15, 1988

Allen Eugene
Lola M. Gatfield
Box 1165 Montour Star Rt.
Emmett, ID 83617
65-12792

Dear Applicants(s):

We acknowledge receipt of your statement submitted as proof as beneficial use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. A field examiner will contact you to arrange to examine your system.

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Judy Pense", is written over the typed name.

Judy Pense
Secretary

/jp

RECEIVED

JUN 14 1995

138270

CERTIFIED MAIL
January 31, 1988

GATFIELD, ALLEN EUGENE & LOLA M.
MONTOUR STAR RT. BOX 1165
EMMETT, ID 83617

PROOF DUE NOTICE

RE: Permit No. 65-12792

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 April 1, 1988. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

APR 04 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
APRIL 02, 1987

GATFIELD, ALLEN EUGENE & LOLA M.
MONTGOMERY STAR RT. BOX 1165
EMMETT, ID 83617

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-12792

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
APR 14 1987



STATE OF IDAHO

DEPARTMENT OF LANDS

Southwestern Idaho Area Office
8355 West State Street
Boise, Idaho 83703
Telephone: 208 — 334-3488

March 6, 1987

David Tuthill
Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

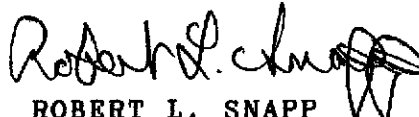
RE: Permit Applications 55-7366 and 65-12792

Dear Dave:

We have no need for water below the referenced application sites and therefore are not protesting their approval. However, since the applicants may be contemplating transportation of water across State lands, would you include a term in any approved permit regarding their need to acquire a permit for same from IDL?

Thanks.

Sincerely,


ROBERT L. SNAPP
Resource Supervisor

RLS/slp

cc CBNW

MICROFILMED

APR 14 1987

RECEIVED

MAR 9 1987

Department of Water Resources
Western Regional Office



STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

DIVISION OF ENVIRONMENT - 801 Reserve Street, Boise, Idaho 83712

February 27, 1987

Mr. David R. Tuthill, Jr., P.E.
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

RECEIVED

MAR 6 1987

Department of Water Resources
Western Regional Office

RE: Application for Permit No. 65-12795
Allen Eugene and/or Lola M. Gatfield

Dear Mr. Tuthill:

I reviewed the referenced application for a permit to appropriate public waters for mining purposes.

After I contacted you concerning this application, I spoke with Scot Nichols, Mined Land Reclamationist, Department of Lands. He was familiar with Mr. Gatfield's operation. Apparently Mr. Gatfield has been dredge mining gold for several years on his property, utilizing Rock Creek water.

There is a series of farm ponds located below the dredge operation which were built for water storage purposes. Mr. Nichols' description of these ponds indicates they are very substantial and do function as settling ponds. Any water used for mining purposes is considered process water and is subject to point source discharge requirements. Specifically, the volume of water requested by Mr. Gatfield for use in his dredge operation cannot be discharged to Rock Creek without a National Pollution Discharge Elimination (NPDES) permit. This includes any discharge from the farm ponds if they have been utilized to treat the mining process water.

The application for an NPDES permit is available from the U. S. Environmental Protection Agency, Idaho Operations Office, 422 W. Washington Street, Boise.

MICROFILMED

APR 14 1987

EQUAL OPPORTUNITY EMPLOYER

David R. Tuthill, Jr., P.E.

February 27, 1987

Page 2

Also, any discharge from this operation must comply with the Idaho Water Quality Standards and Wastewater Treatment Requirements.

Please contact this office at 334-3823 if you have any questions regarding these comments.

Sincerely,



Patricia Klahr
Senior Water Quality Specialist

PK:cs

cc: Craig Shepard, DOE-BFO
Larry Koenig, DOE-CO
Michelle Stevens, U.S. EPA, 100

NOTED

APR 14 1987



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2266

February 12, 1987

Idaho Department of Health & Welfare
Division of Environment
Attn: Patricia Klahr
Statehouse
Boise, ID 83720

Re: Application for Permit No. 65-12792 in the Names of Allen Eugene
and/or Lola M. Gatfield

Dear Ms. Klahr:

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

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by March 9, 1987.

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

Sincerely,

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

DRT:jp

Enclosure (s)

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APR 14 1987



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2266

February 12, 1987

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

Re: Applications for Permit No. 55-7366 in the Name of Trans Western Industries, Inc., and No. 65-12792 in the Names of Allen Eugene and/or Lola M. Gatfield

Dear Mr. Nielsen:

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

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by March 9, 1987.

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

Sincerely,

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

DRT:jp

Enclosure (s)

MICROFILMED

APR 14 1987

✓ SP
**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

65-12792
GATFIELD, ALLEN EUGENE &/or
LOLA M.
MONTGOMERY STAR RT. BOX 1165,
EMMETT, ID 83617
Source: ROCK CREEK trib. to
PAYETTE RIVER
Diversion Pt: SENE Sec 36 T 07N R
01E

Use: MINING (0.5 CFS)
Date Filed: 02/08/1987

In: SWSW Sec 25 T 07N R 01E

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before MARCH 9, 1987.

KEN DUNN, Dir.

2:2-18,25-1987

RECEIVED

MAR 18 1987

Department of Water Resources
Western Regional Office

MICROFILMED

APR 14 1987

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO.

ss.

COUNTY OF GEM.

Su Harms being first
duly sworn, on his oath deposes and
says that he is the printer of Messenger-
Index, a legal weekly newspaper pub-
lished at Emmett, in Gem County, Idaho;
that said newspaper is in general circu-
lation in said county and has been pub-
lished uninterruptedly and continuously
for more than 78 weeks prior to the first
publication of the annexed document;
and that the document notice, process,
or advertisement hereunto annexed was
published in the regular edition of

Messenger-Index for two
consecutive weekly issues thereof, be-

ginning with the issue of Feb 18

1987, and ending with the issue of

Feb 25, 1987

Su Harms

Subscribed and sworn to before me this

16th day of

March, 1987

Ante. B. Smith

Notary Public,

Residing at Emmett, Idaho.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

FEBRUARY 11, 1987

Emmett Messenger-Index
Box 577
Emmett, ID 83617

Gentlemen:

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

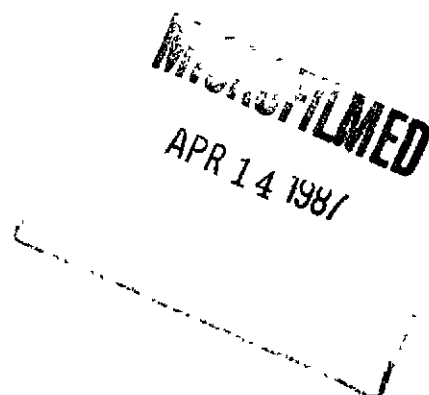
An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 9, 1987.

Yours truly,

JUDY PENSE
Secretary

Encl.



NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before MARCH 9, 1987.

KEN DUNN, Dir.

RECORDED

Published 02/19 & 02/26/87.

APR 14 1987

65-12792

GATFIELD, ALLEN EUGENE &/or LOLA M.

MONTOUR STAR RT. BOX 1165, EMMETT, ID 83617

Source: ROCK CREEK trib. to PAYETTE RIVER

Diversion Pt: SENE Sec 36 T 07N R 01E

Use: MINING (0.5 CFS)

Date Filed: 02/06/1987

In: SWSW Sec 25 T 07N R 01E

RECORDED

APR 14 1987