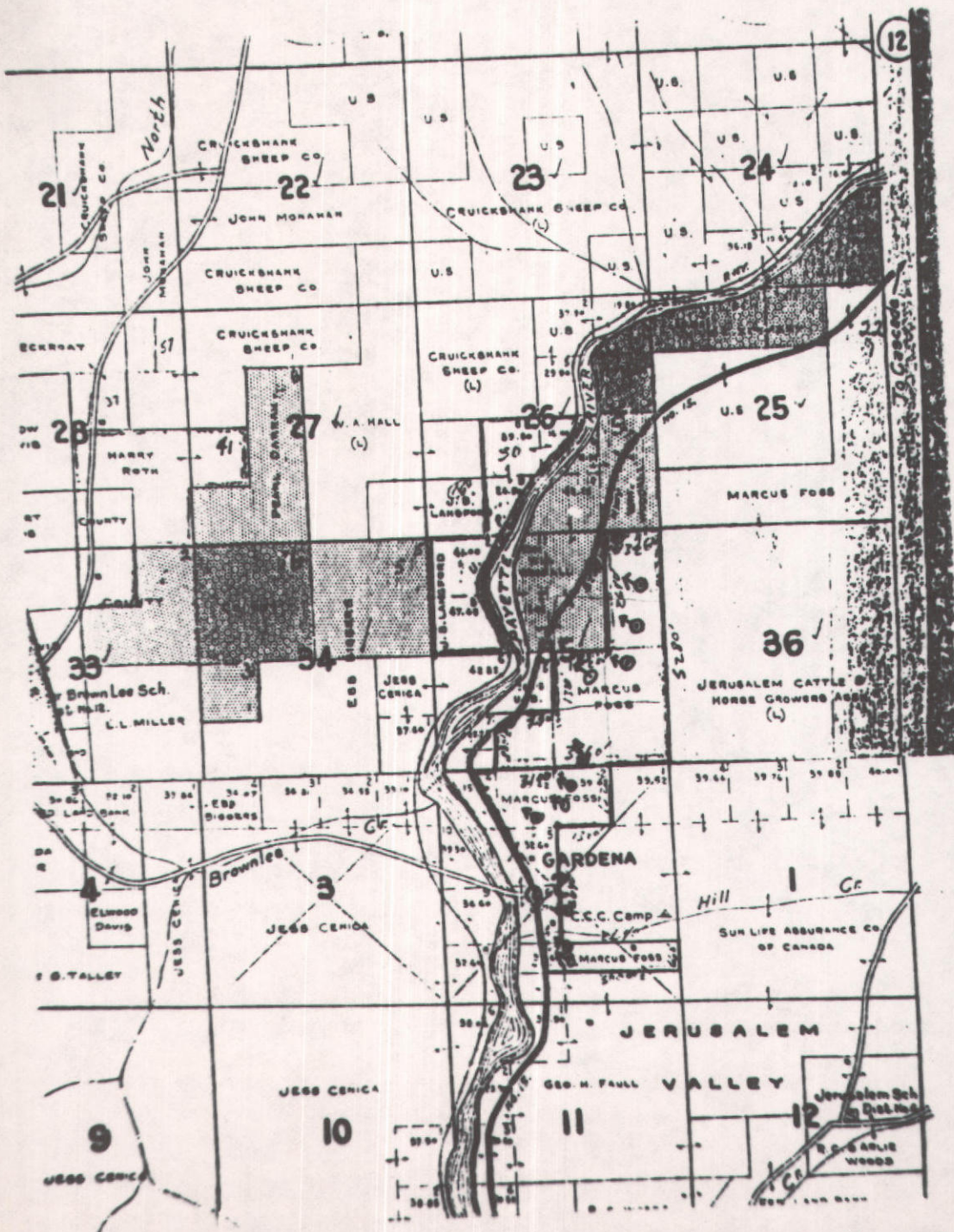
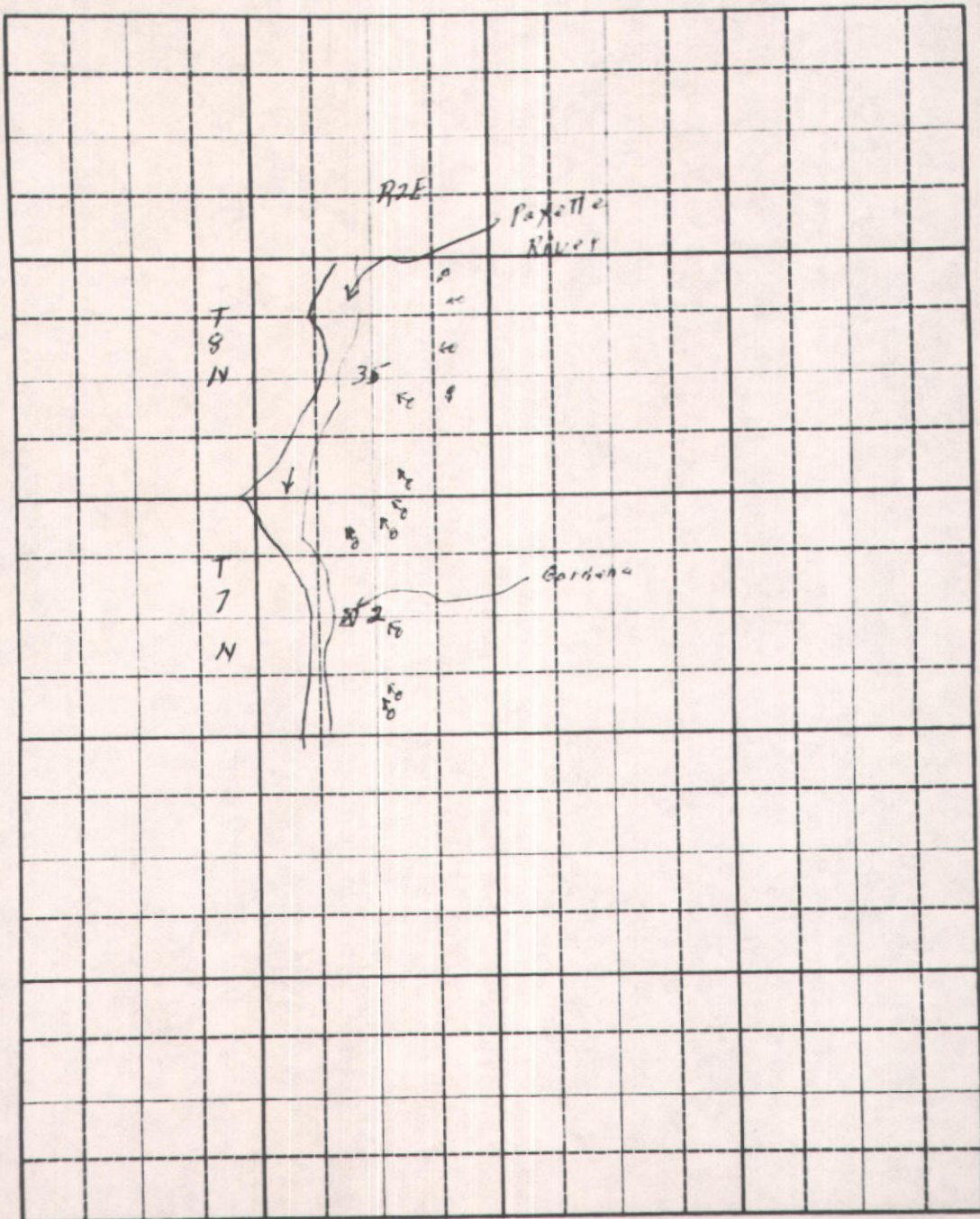




BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

J. E. Connel
(Applicant)

11. 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.

Applicant's Signature
(Applicant)



Spring #1
NENWSE S35



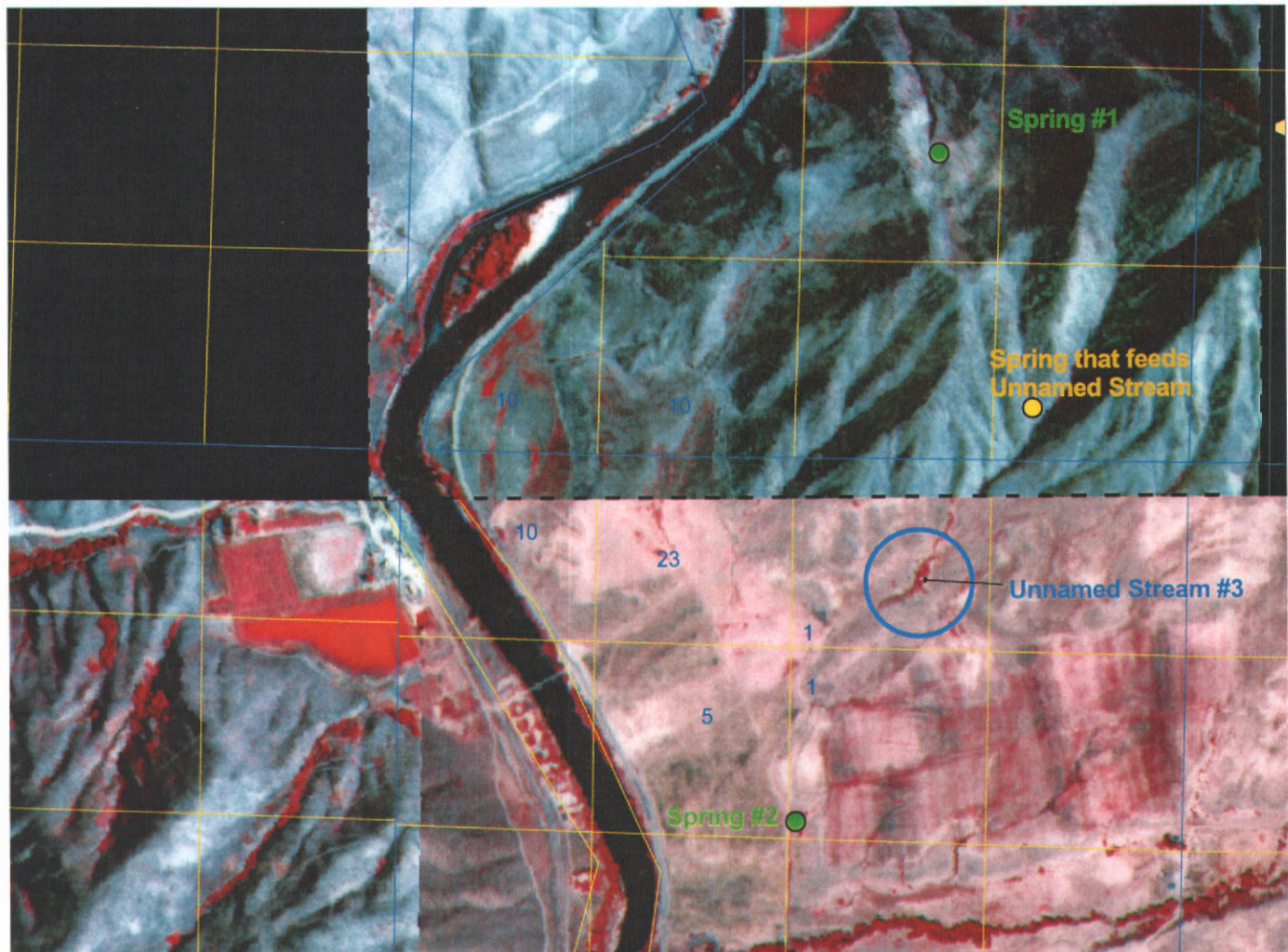
Spring #2
SWSWNE S2



unnamed stream #3
SEWNNE S2

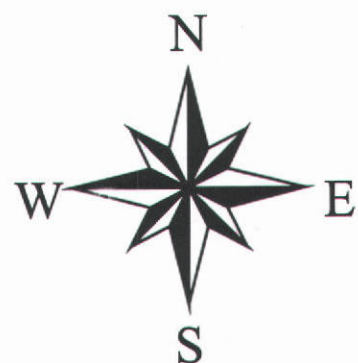
MICROFILMED
JUN 02 2003

65-12366



0.4 0 0.4 0.8 Miles

-  Unnamed stream
-  Springs
-  Section Lines
-  1/41/4



MICROFILMED
JUN 02 2003

SPRING #1
X 187

SPRING THAT
FEEDS STREAM
35 36

T7N R2E

P/O #3
UNNAMED
STREAM

SPRING
#2
X

D-9B

MICHO
JAN 22 2007

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-12366

Priority: July 02, 1993

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 0.7 AF

It is hereby certified that RANDY HEFFNER
14 HILL CREEK RD
HORSESHOE BEND ID 83629 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 07, 1980; and has
submitted Proof of Beneficial Use on July 02, 1993. An examination indicates that the works have a
diversion capacity of 0.02 cfs of water from:

SOURCE

SPRINGS

Tributary: SINKS

UNNAMED STREAM

HILL CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.7 AF

LOCATION OF POINTS OF DIVERSION:

SPRINGS	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 35, Twp 08N, Rge 02E, B.M., BOISE County
SPRINGS	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 2, Twp 07N, Rge 02E, B.M., BOISE County
UNNAMED STREAM	L2 (SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$)	Sec. 2, Twp 07N, Rge 02E, B.M., BOISE County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 02E 2		X	X														
		L2															
08N 02E 35													X				

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.

MICROFILMED

JUN 02 2003

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-12366

3. This right authorizes the watering of livestock directly from the stream without a diversion

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

Signed and sealed this 25th day of April, 2003.


for KARL J. DREHER
Director

MICROFILMED

JUN 02 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 65-12366

RECEIVED

APR 21 2003

Department of Water Resources

Date of Priority: July 02, 1993

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 0.7 AF

Comes now RANDY HEFFNER
14 HILL CREEK RD

HORSESHOE BEND ID 83629 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. 65-12366, and requests that the permit be changed as follows:

Source: SPRINGS

Tributary: SINKS

UNNAMED STREAM

HILL CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.7 AF

LOCATION OF POINTS OF DIVERSION:

SPRINGS NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, Twp 08N, Rge 02E, B.M., BOISE County

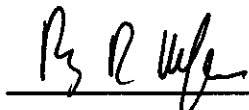
SPRINGS SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 2, Twp 07N, Rge 02E, B.M., BOISE County

UNNAMED STREAM L2 (SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$) Sec. 2, Twp 07N, Rge 02E, B.M., BOISE County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	02E	2		X	X														
				L2															
08N	02E	35													X				

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 this 21st day of April, 2003.


(Signature)

MICROFILMED

JUN 02 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12366

FOR DEPARTMENT USE ONLY
Preliminary check by KW Fee 50.00 Received by JM # 068694 Date 4 21 .03

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. 65-12366 with the following:

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65.
2. Upon specific notification by the Department, the right holder shall install a lockable device of a type acceptable to the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right authorizes the watering of livestock directly from the stream without a diversion.

Witness my hand this 25th day of April, 2003.

Karl J. Dreher
for KARL J. DREHER
Director

MICROFILMED
JUN 02 2003

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	CFS
Original App.	65-12366	Mel Coryell	0.09
Assignment	65-12366	Randy Heffner	0.09

~~RECEIVED~~

SEP 28 1993

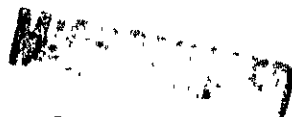
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 63-12366	)	
	)	ORDER OF
IN THE NAME OF RANDY R HEFFNER	)	REINSTATEMENT
	)	

This matter having come before the Idaho Department of Water Resources (Department), the Department finds as follows:

FINDINGS OF FACT

1. On November 20, 1980, the Director of the Department of Water Resources issued Permit No. 36-08339 with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1985.
2. On August 31, 1985, the Department sent a proof due notice to the permit holder.
3. On November 13, 1985, the Department sent a lapse notice to the permit holder.
4. Section 42-218a.2., Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.
5. The permit holder has submitted evidence to confirm that water has been put to beneficial use during the authorized development period. Evidence includes two affidavits from neighbors who attest to the fact that the land has been irrigated for at least the last ten (10) years.
6. The permit holder states, in correspondence to the Department, that when he purchased the property from the previous permit holder, he was under the assumption that the proof of beneficial use had been filed and that the water right permit was still valid. When the current permit holder realized he did not have a valid water right, he immediately began the steps necessary to reinstate the permit.


SEP 28 1993

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

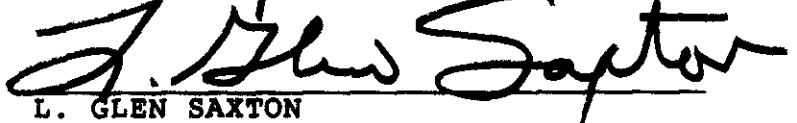
3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 63-12366 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to July 2, 1993.

Dated this 17th day of September, 1993.



L. GLEN SAXTON

Chief, Water Allocation Bureau

FILED

28 1993

RECEIVED

JUL 02 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 7-2-93

Receipt No. C 028042

Receipt by JW

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 65-12366 Telephone No. Work (408) 764 6465
Home (415) 968 3485
2. Name(s) of Permit Holder(s): Randy R Heffner
3. Mailing Address: 749 Rustic Lane, Mountain View, CA 94040
4. Source of Water: Springs trib. to Payette River

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater 360 head / Range (No. and type of stock)
Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .09 cfs OR _____ acre/feet

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

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

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

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Randy R Heffner work (408) 764-6465 Home (415) 968-3485
Name Telephone No.
749 Rustic Lane, Mountain View, CA 94040
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.

7/2/93

Date

Randy R Heffner Owner

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

SEP 28 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 02 1993
Department of Water Resources

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, Mel Coryell, hereby assign to Randy Heffner
of 749 Rustic Lane, Mountain View, CA 94040
(Full Address)

All my right, title, and interest in and to Permit No. 65-12366
to appropriate the public waters of the State of Idaho. and 65-12389

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of Idaho.

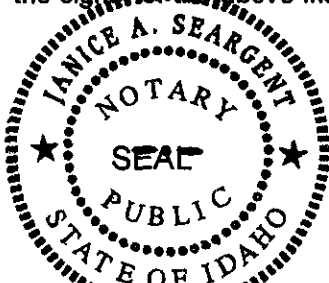
Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this JULY 2 day of _____, 19 93.

[Signature]
Permit Holder(s)

State of Idaho)
County of Adair)
SS

On this 2nd day of July, 199 3, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



My commission expires: 4-1-98

[Signature]
Notary Public
[Signature]
Signature

SEP 80

Form 882
378

Ident. No. LS-12345

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 Melvin E. Coryell Phone 376-4621
Post office address 2441 Mcn. View Drive, Boise, ID 83706

2. Source of water supply Springs which is a tributary of Payette River
3. Location of point of diversion is 2 points* NE % of 7E % of Section 35 Township 8N
Range 2E S.M. Boise County, additional points of diversion if any:
SENE, NENE, NWE, WSE, SEC. 35, T6N, R2E; (2 pts.) (2 pts.) RM 11-19-80
SENE, NENE, NWE, WSE, SEC. 35, T6N, R2E; (2 pts.) (2 pts.) RM 11-19-80

4. Water will be used for the following purposes:

Amount .09 cfs for Livestock purposes from 1/1 to 12/31 (both dates inclusive)
(take or store water for 2000-2001)
Amount for purposes from to (both dates inclusive)
(take or store water for 2000-2001)
Amount for purposes from to (both dates inclusive)
(take or store water for 2000-2001)
Amount for purposes from to (both dates inclusive)
(take or store water for 2000-2001)

5. Total quantity to be appropriated:

a. .09 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.
Pipelines to troughs and stockpond.

b. Height of storage dam feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam:

Period of year when water will be diverted to storage to inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: (Same as Point of Diversion)
(1) Give the place of use of water: % of % of Section Township

Range S.M.

(2) Amount of power to be generated: horsepower under feet of head.

(3) List number of each kind of livestock to be watered 300 head head stock

(4) Name of municipality to be served , or number of families to be supplied with domestic water .

(5) If water is to be used for other purposes describe

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

TWP	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N	2E	2		X			X									X	X		
4N	2E	35	X			X									X	X	X		

Total number of acres to be irrigated _____

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

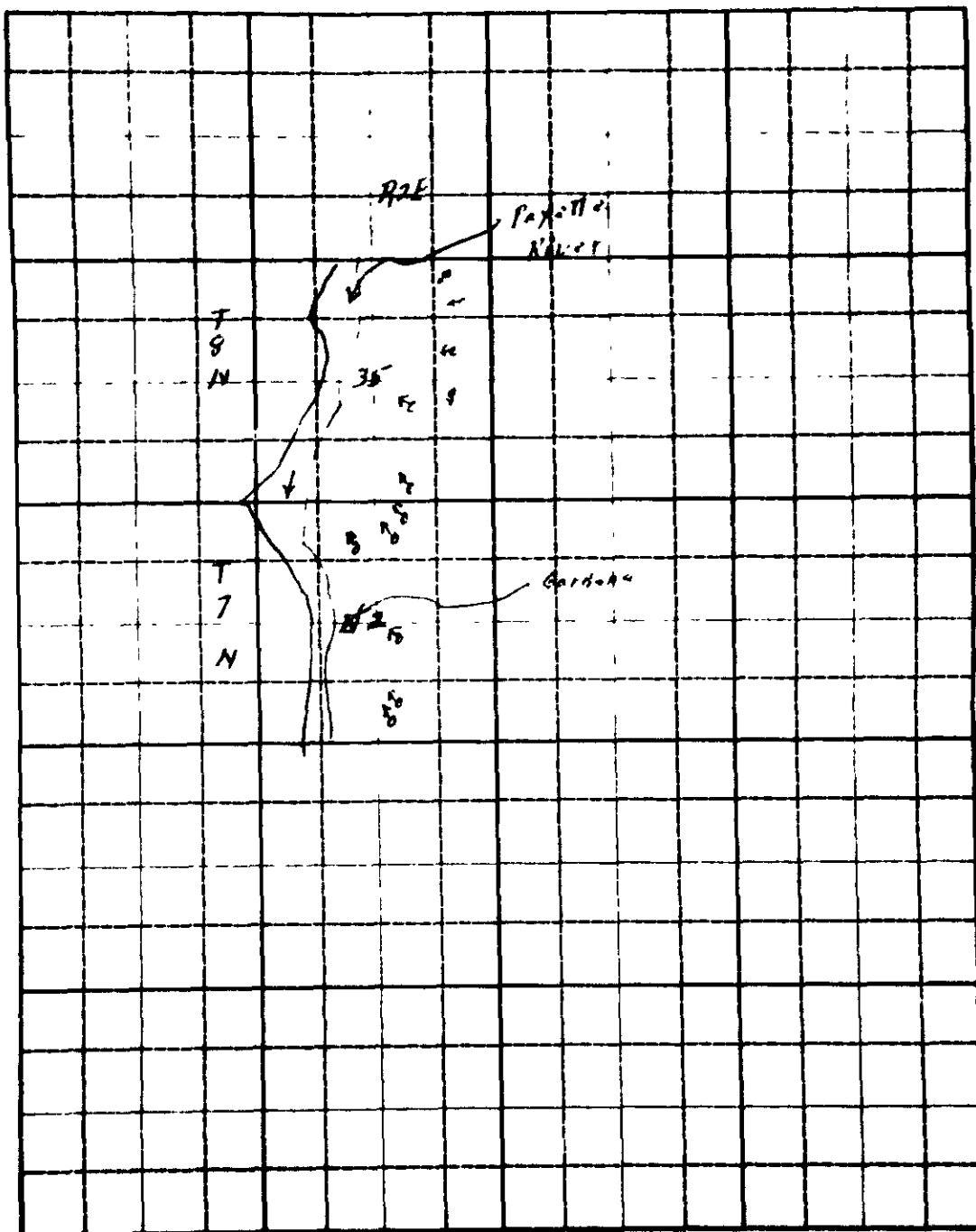
9. a. Who owns the property at the point of diversion Applicant

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 _____

10. Remarks See points of diversion in the following: page, 8. 35; WRR, 8. 2, WRR 8.2

11. 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.

Wm. E. Connel
(Applicant)

Priority 10/7/80
Received by NH Date 10-7-80 Time 12:12 approved
Preliminary check by MS Fee \$ 25.00 # 15 744
Received by JKN Date 9/29/80
Publication prepared by hjh Date 10/16/80
Published in Idaho World
Publication dates 10/23 - 10/30/80
Publication approved hjh Date 11/12/80
Protests filed by: none

Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by MS RA

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. 65-12366, 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 November 1, 19 85.
- 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. Other:

Use of water under this permit is subject to control by the watermaster of State Water District # 65, Payette River.

Witness my hand this 20th day of November, 1980.

H. Glen Snyton
Director, Department of Water Resources

RECEIVED
NOV 3 1980

Department of Water Resources
Western Regional Office

STATE OF IDAHO,
County of Boise }

William B. Gifford, 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, that 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 ... 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 twenty-eight weeks past previous to the first publication of this notice. Such notice was published in the same beginning with

Dec. 22, 1980, and ending with the issue of *Dec. 29, 1980*.

1980

William B. Gifford

Subscribed and sworn to before

me *notary* on *Oct. 29, 1980*

*Michelle J. [unclear]
Idaho City, Id.
Comm. Exp. 2/84*

*O.L.
[unclear]*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 28, 2003

RANDY HEFFNER
14 HILL CREEK RD
HORSESHOE BEND ID 83629

RE: License No. 65-12366 - Issuance of License

Dear Water Right Holder(s).

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

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

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

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

JUN 02 2003

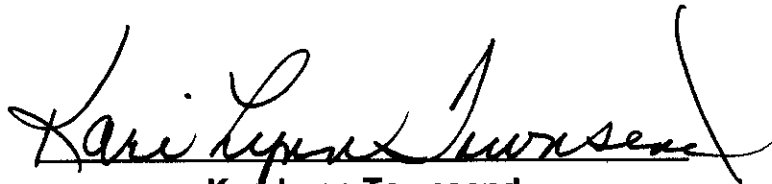
CERTIFICATE OF SERVICE

I hereby certify that on April 28, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below

RE: WATER RIGHT NO.

65-12366

**RANDY HEFFNER
14 HILL CREEK RD
HORSESHOE BEND ID 83629**


**Karl Lynn Townsend
Secretary**

MICROFILMED

JUN 02 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FILED
JUN 02 2003

FINAL ORDER

The Director 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 Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 11, 2003

RANDY HEFFNER
14 HILL CREEK RD
HORSESHOE BEND ID 83629

RE: Water Right Permit No. 65-12366

Dear Permit Holder:

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 the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permit have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before a license can be issued, your permit must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit:

✓ **Points of Diversion**

✓ **Place of Use**

The enclosed Application for Amendment form depicts the elements of the water right as they 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.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosure

MICROFILMED
JUN 02 2003

LICENSE REVIEW CHECKLIST

Permit No. 65-12366 Date: 4-9-03 Reviewer: Kay Walker

Change/OK

Name/Address

fix per exam

Source

clarify

Does change clarify original intended source? If no, void permit

Point of Diversion

change

Change (P39/P49) Add (P45/P44)

Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

change

Change (P41/P40) Add (P41/P44)

Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s)

File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion

Permitted rate 0.09 cfs
Fee Limit 0.20 cfs
Measured _____ cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 0.02

Water Uses

OK Change (P46)

Season of Use per new Standards

Irrigation _____ cfs _____ af
Stockwater 0.02 cfs 0.7 af
Domestic _____ cfs _____ af
_____ cfs _____ af
_____ cfs _____ af
Total 0.02 cfs 0.7 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23)
Fish (042)
Fire (077)
Water Quality (106/R07)
Payette - (W22/047/27A)
Stockwater for US (R37)

Volume Determination

_____ cfs x 1 9835 x _____ days = _____ af (vs) _____ acres x _____ (FHR) = _____ af

Remarks

Additional Conditions yes Watermaster Control
_____ GW Measurement/Measuring Device
_____ Other
Trust R55 - remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crt. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below
no

SRBA Claim?

NO - not req'd

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

P49

S06

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 11 4 2001
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Permit No. 65-12366

1. Owner: Bandy Haffner Phone No. 793-2898

Current Address: 14 Hill Creek Rd, Horseshoe Bend ID 83629

2. Accompanied by: Bandy EXAM DATE : 8/1/01

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Springs tributary to Sinks
Unnamed Stream Hill Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-12389

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1		NE	NW	SE	35	8N	2E	Boise	Aerial Photos
2		SW	SW	NE	2	7N	2E	"	" "
3	2	SE	NW	NE	2	7N	2E	"	" "

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			AD	AM	CM	OT	AD	AM	CM	OT	AD	AM	CM	OT	AD	AM	CM	OT	
8N	2E	35														S			
7N	2E	2		S	S														
				L12															

MICROFILMED

JUN 02 2003

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

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

 Y Aerial Photo Attached (required for irrigation of 10+ acres). (Arc View Photo)

 Y 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

*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:** Spring 1: collection area measured ~50'x80'x1'

Spring 2: flowed 2 gpm into bathtub

Unnamed Stream 3: fenced off for in-stream stock watering

E. NARRATIVE/REMARKS/COMMENTS

Spring 1 was not flowing at the time of the exam, however the collection area was obvious.
Spring 2 consistently flows year around and is diverted with a 4" pipe into a bathtub, which overflows into a ditch. P/D no. 3 is actually an unnamed stream, which originates as a spring in the SWSESE S35 T8N R2E. Applicant has not developed a diversion at the spring site, but has fenced off a portion of the unnamed stream, which originates from the spring, for instream stockwater use. Stockwater is for 50 range cattle. Payette River water is also used for the stock under right 65-12389. No other rights are used.
Applicant plans to file an application for storage water from Porter Creek, which will include stockwater use for the same stock.

Have conditions of permit approval been met? X yes no

MICROFILMED
JUN 02 2003

F. FLOW CALCULATIONS

___N___ Additional Computation Sheets Attached

Measured Method:

Allow .02 cfs for 50 head range cattle

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:

50 range cattle $\times .0134 = .7$ afa**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion	Annual Volume
	From	To	Q (cfs)	V (afa)
Stockwater	1/1	12/31	.02	.7
Totals:			.02	.7

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: Clarify p/d no. 3 as unnamed stream tributary to Hill Creek.

I. AUTHENTICATION

Lori Graves - Senior Agent

Field Examiner's Name Lori Graves Date 8/2/01

Reviewer _____ Date _____

SEAL

MICROFILMED
JUN 02 2003

Spring #1
NENWSE S35

Spring #2
SWSWNE S2

unnamed stream #3
SEWNNE S2

MICROFILMED

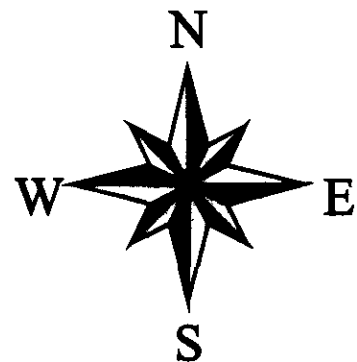
JUN 02 2003

65-12366



0.4 0 0.4 0.8 Miles

-  Unnamed stream
-  Springs
-  Section Lines
- 1/41/4



MICROFILMED
JUN 9 2 2003

SPRING #1
1/187
X

T.N. R.E.

SPRING TANK
FEEDS STREAM

2 1

P/O #3
UNNAMED
STREAM

SPRING
#2

12.0

10.0

10.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Staff Analysis Sheet
Beneficial Use Field Report

RECEIVED

SEP - 4 2001

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copy of Proof of Beneficial Use
- ☒ Copies of any Amendments/Orders with Conditions of Approval
- ☒ Well Inspection Form (If Needed)
- ☒ Aerial Photo Required? ☐ yes ☐ no If yes: ☐ copy attached
- ☒ SRBA Claim Required (required if proof filed by 11-19-1987)
☐ Yes ☒ No If yes: ☐ claim filed? (check AJ5, AJQ1, AJQ4)
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of government plat
- ☒ Check of P/D index _____ (initial & date)
Overlap ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?*
- Type of Overlap: ☐ Same source ☐ Other source
- ☒ Check of P/U index _____ (initial & date)
Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?*
- Type of Overlap: ☐ Same land, same source
☐ Same land, other source
☐ Other land &/or other uses

*copies attached only if needed for analysis

- ☒ Irrigation from groundwater (all basins):
Surface water currently or previously used ☐ Yes ☐ No
If yes: identify water source, water right, and explain current or previous use.
- ☒ Scheduling Letter Sent? _____ (initial & date)
- ☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use

C. Review and Processing:

Exam Completed 8/2/01 (signature of examiner & date)
Exam Sent to State Office 8/30/01 (initial & date)

September 24, 1993

RANDY HEFFNER
749 RUSTIC LN
MOUNTAIN VIEW CA 94040

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-12366

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED

SEP 28 1993

RECEIVED

SEP 07 1993

Dennis Drake ~~Department of Water Resources~~
Box 81
Horseshoe Bend, Idaho 83629
August 25, 1993

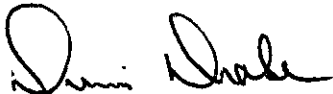
State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-2237

Ladies and/or Gentlemen:

I have known Randy Heffner since the mid 1980s. I know his ranch and that it has been farmed, irrigated and grazed every year over the past 10 years. In fact, I have leased the property during the past 4 years. In that time I have raised irrigated Alfalfa on the farm ground and pastured my beef cattle on the dry land grazing area.

As a local resident there has not been a period of 5 years without the property being farmed, irrigated and grazed since the early 1980s.

Sincerely,



Dennis Drake

RECEIVED

SEP 28 1993

Mike Fry
Route 1 Box 67B
Horseshoe Bend, Idaho 83629
August 20, 1993

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-9000

RECEIVED

SEP 15 1993

Department of Water Resources

Ladies and/or Gentlemen:

I have known Randy Heffner since the early 1980s. In the early 1980s he substantially increased the capacity of his sprinkler system while he was farming his Gardena ranch. The ranch has been farmed and grazed every year since then. In fact, my brother Bob Fry leased the property in 1985.

To my knowledge as a local resident there has not been a period of 5 years without the property being farmed, irrigated and grazed since Randy has owned it.

Sincerely,



Mike Fry

RECEIVED

SEP 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 31, 1993

Randy Heffner
749 Rustic Lane
Mountain View, CA 94040

Re: Possible reinstatement of lapsed Permit Nos. 65-12366 and 65-12389

Dear Randy:

The Department is in receipt of the information submitted in connection with the above referenced permits. The information you submitted fulfills part "b" of the requirements by supplying the Department with reasonable cause why the proof was filed late. Unfortunately, the Department is unable to accept your explanation as evidence that the beneficial use of the water commenced prior to November 1, 1985.

In order to reinstate the permit, the Department still requires two pieces of physical evidence. Examples of evidence include affidavits from neighbors (not the permit holder) who can attest to the fact that the water was in use for livestock and irrigation purposes prior to November 1, 1985, dated ortho-quad photos from the Soil Conservation Service that would show the land was irrigated during that time, or receipts for the equipment you purchased to increase and add mainline.

The Department wants to bring to your attention that permit no. 65-12389 authorizes the irrigation of 60 acres. You indicate in your correspondence that you began irrigating over 100 acres. However, neither of your permits allows irrigation of this much land.

Your interpretation of Section 42.218a, Idaho Code would have been correct had you filed the proof of beneficial use within 60 days of the notice of lapsing. The notice of lapsing was sent on November 13, 1985. Therefore, in order for paragraph 1 to apply to you, you would have had to file proof of beneficial use no later than January 13, 1986. Since you filed proof of beneficial use nearly eight (8) years late, paragraph 2 of this section applies to your situation. It states in part:

That upon receipt of proof of beneficial use after sixty (60) days after such notice of lapsing, . . . the

Handwritten signature

SEP 28 1993

director may reinstate the permit with the priority date advanced to the day that proof of beneficial use was received.

I have enclosed another copy of Section 42-218a, Idaho Code for your convenience.

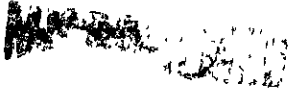
The Department will once again hold your file for sixty (60) days to allow you time to submit the two pieces of evidence to prove beneficial use.

In the mean time, if you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,


Karen L. Gustafson
Secretary/Records Manager

Enclosure


SEP 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 31, 1993

Randy Heffner
749 Rustic Lane
Mountain View, CA

Re: Permit No. 65-12366 and 65-12389

Dear Permit Holder:

The Department acknowledges receipt of the correspondence and assignment of permit form transferring ownership of the above referenced water right to you. The Department has modified our computer records to reflect this change in ownership.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

C: IDWR - Regional Office

SEP 28 1993

Randy Heffner
749 Rustic Lane
Mountain View, CA 94040
August 22, 1993

Karen L. Gustafson
Secretary/Records Manager
State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-9000

Dear Karen:

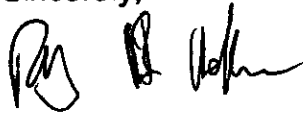
Enclosed with this letter you will find reasonable cause why the proof of beneficial use was filed late.

I do have a question. It is as follows: As I understand the "42.218a Lapse of application for failure to request extension of submit proof of application to beneficial use - Notice of lapsing." copy you enclosed with your letter, it would seem to me the date of my water rights would be roughly 5 years earlier than July 2, 1993.

Also I dropped off a notarized copy of "Assignment of Permit" moving the water right permit numbers 65-12366 and 65-1289 from Mel Coryell to Randy Heffner. Do you have it recorded with my file?

If you have any questions please do not hesitate to contact me at the above address or at home at (415) 968-3485. If it is more convenient, you may contact me during work hours at (408) 764-6465.

Sincerely,

A handwritten signature in black ink, appearing to read 'Randy Heffner', with a stylized flourish at the end.

Randy Heffner

SEP 28 1993

RECEIVED

AUG 30 1993

Department of Water Resources

Randy Heffner
749 Rustic Lane
Mountain View, CA 94040
August 22, 1993

State of Idaho
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83720-9000

Ladies and/or Gentlemen:

I purchased my ranch in Gardena in November, 1982. At that time I was told that water rights existed and had received copies of them from Mel Coryell. Unfortunately Mel have just filed on these water rights and had not shown proof of completion of works. I was left with the impression that the water rights were issued.

During the spring and summer of 1983 and 1984 I added a new feeder pump, a larger main pump (increased main pump size from 60 HP to 75 HP) increased the size to the primary mainline and added mainline to reach to the north end fields of my property. This enabled me to begin watering over 100 acres. At the same time I put in a stock water pond on the upper "dry grazing" portion and a "tub" in the lower eastern field for with a spring running in it for the lower grazing portion of my property. All this was completed by the end of 1984.

In February of 1985 I was working for Hewlett Packard and was transferred the work in Greeley Colorado. (However, the water rights were still being used as I leased the property that next year to Bob Fry, a local farmer. The property has been leased to be farmed and grazed every year since.) I never received notice that proof was due on my water rights. If I had I would have shown proof of beneficial use at that time.

When I found out that proof of beneficial use was required I came up personally into your office to find out what was happening and the show proof of beneficial use.

Sincerely,



Randy Heffner

SEP 28 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 6, 1993

Randy R Heffner
749 Rustick Lane
Mountain View, CA 94040

RE: Permit Nos. 65-12366 and 65-12389

Dear Permit Holder:

The Department received your proof of beneficial use statement for the above referenced permits on July 2, 1993. The permits lapsed on November 1, 1985, so the 60-day late period during which the permit can be readily reinstated has passed.

Because you failed to file the proof of beneficial use in a timely manner, and pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- a) Two pieces of evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

You should also be aware, that since the proof was filed late, your priority date has been penalized. Provided you supply the requested information, your priority date of October 7, 1980 will be advanced to July 2, 1993.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

SEP 28 1993



3Com Corporation
5400 Bayfront Plaza, P O Box 58145
Santa Clara, CA 95052-8145

Randy R. Heffner
*Vice President, Manufacturing
Network Adapter Division*
Tel (408) 764-6465
Fax (408) 764-5004

SEP 28 1991

I certify that file No. 65-12244 has been
reviewed and is ready to be ~~DISCONTINUED~~
and DESTROYED.

File should not be
destroyed before 3/27/86
Date

S. Curtis
Signature

3/27/86
Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
NOVEMBER 13, 1995

CONVELL, MELVIN E.
2441 MOUNTAIN VIEW DR.
BOISE, ID 83706

LAPSE NOTICE

RE: PERMIT NO. 65-12366

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-210A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SHOWING THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF OF NOTICE TO YOU DATED AUGUST 31, 1995.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT PROOF OF BENEFICIAL USE OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED PROOF OF BENEFICIAL USE FORM OR THE EXTENSION REQUEST FORM MUST BE RECEIVED BY THIS OFFICE WITHIN NINETY DAYS OF THE DATE OF MAILING OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE BEING ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF ONE HUNDRED DOLLARS MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED DUE TO LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR AN ELEVATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

L. GLEN SUTTON
CHIEF, OPERATIONS DIVISION

ENCLOSURES

CC: [illegible]

CERTIFICATION OF MAILING

I hereby certify that on 11-13-95 a copy of this document was deposited in the United States mail postage prepaid addressed to the individual named above.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEMENT
CODE, IDAHO ADT
(200) 300-6400
CERTIFIED MAIL

138312

CORTELL, MELVIN E.
2441 MOUNTAIN VIEW DR.
BOISE, ID 83706

PROOF DUE NOTICE

AUGUST 31, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12366 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 31, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE FORM OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF USE 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,

BOB FLOCK
SECRETARY/DEPUTY MANAGER

ENCLOSURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

CONYLL, MELVIN E.
2441 MOUNTAIN VIEW DR.
BOISE, ID 83706

DECEMBER 04, 1980

RE: PERMIT NO. 05-12346

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.

PLEASE BE ADVISED THAT THERE IS INSUFFICIENT NATURAL FLOW AVAILABLE IN THE SPRINGS AND TRIBUTARIES TO PROVIDE WATER FOR A NEW APPROPRIATION THROUGHOUT THE ENTIRE SEASON OF USE. DURING THE SPRING RUN-OFF EACH YEAR, THERE MAY BE A PERIOD OF TIME IN WHICH THE PRIOR RIGHTS TO THE USE OF THE NATURAL FLOW AND STORAGE ARE FILLED LEAVING WATER AVAILABLE FOR YOUR PERMIT. AS THE NATURAL FLOW DIMINISHES, HOWEVER, THERE MAY BE NO WATER AVAILABLE FOR YOUR RIGHT UNLESS YOU ARRANGE FOR AN ADDITIONAL SOURCE OF WATER AS A SUPPLEMENTAL SUPPLY.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTTILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

OCTOBER 16, 1988

The Idaho World
Box 220
Idaho City, ID 83631

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 billings to this office before NOVEMBER 10, 1988.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before NOVEMBER 15, 1988.

C. STEPHEN ALLRED
Director

Published 10/22 & 10/29.

63-12366

CORVILL, MELVIN E.

2441 MOUNTAIN VIEW DR., BOISE, ID 83706

Source: SPRINGS tributary to PAYETTE RIVER

Date Filed: 10/07/1980

Amount: 0.09 CFS

Diversion Point. NENE SENE NESE NASE Sec 35 T 00N R 02E
SHSE Sec 35 T 00N R 02E NENE NENN NASE Sec 02 T 07N R 02E
SHSE Sec 02 T 07N R 02E, BOISE Co.

Use STOCKWATER (0.09 CFS) from 01/01 to 12/31

Place of Use: NENE SENE NESE NASE SHSE Sec 35 T 00N R 02E NENE NENN NASE SHSE
Sec 02 T 07N R 02E

Diversion Means: PIPELINES, TROUGHS & PONDS.