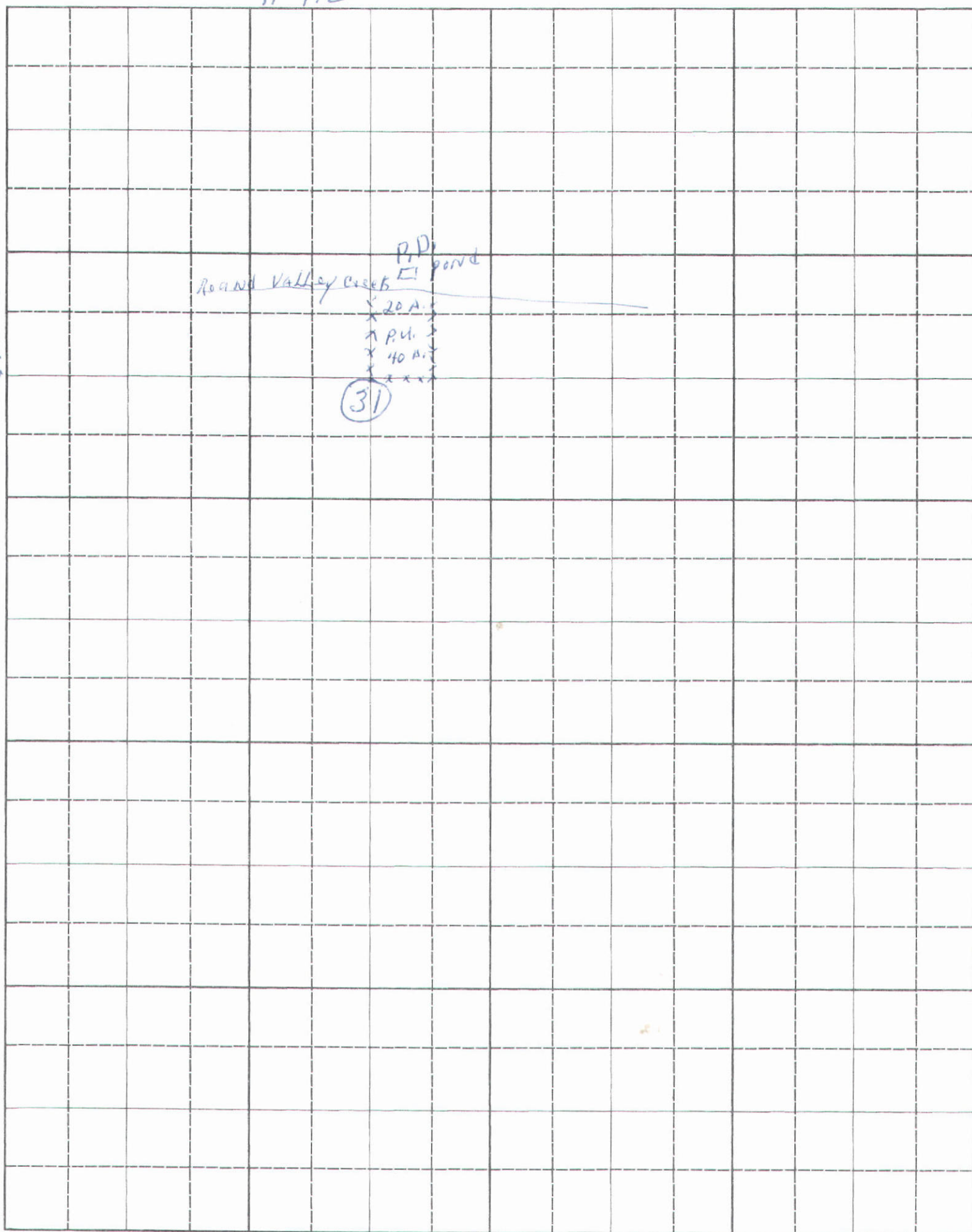


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R 4. E



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.

Ernest T. Newell
(Applicant)

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 25 1993

Department of Water Resources

A. GENERAL INFORMATION

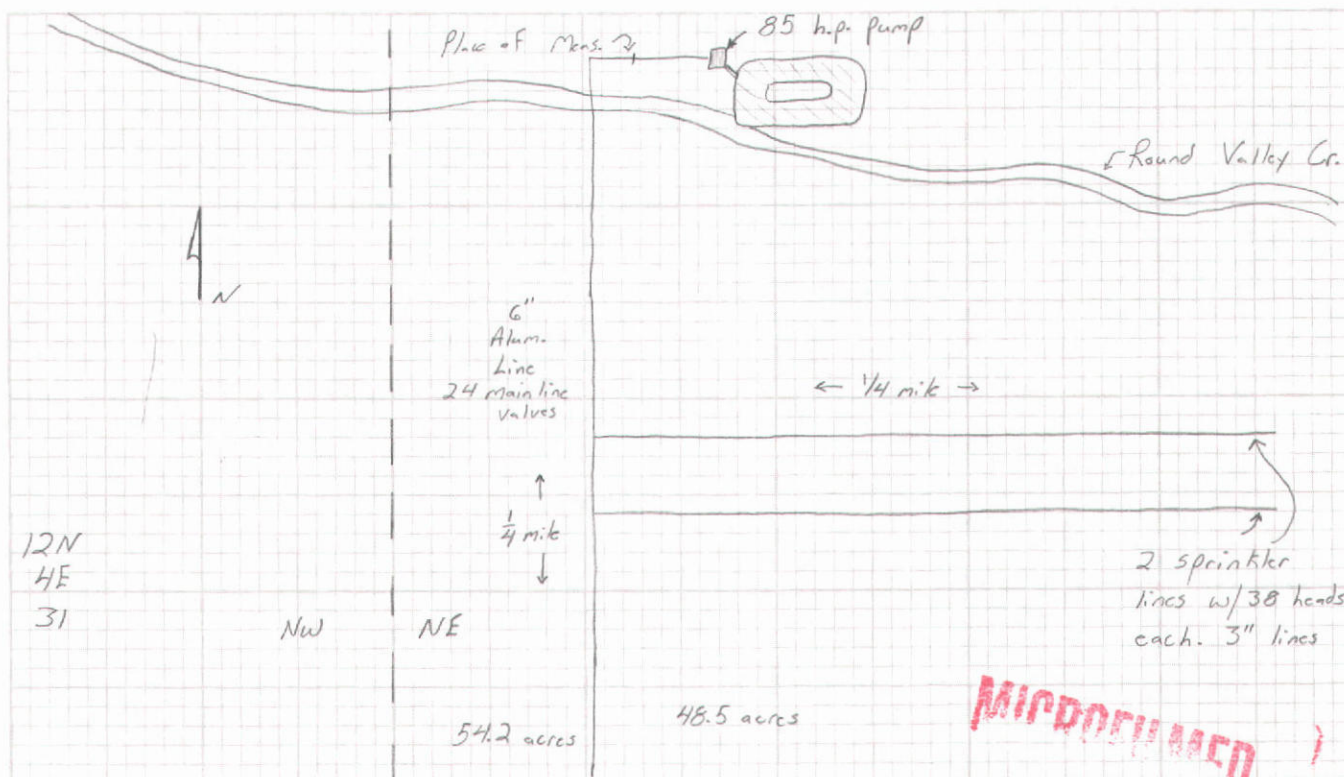
1. Owner: Stan & Cleota Patterson Permit No. 65-12360
Phone No. 584-3371
Current Address: HC 71 Box 2153 Cascade, ID 83611
2. Accompanied by: Stan Patterson EXAM. DATE: 5-28-92
Address: Same Phone No. _____
Relationship to Permit Holder: _____
3. Source: Round Valley Cr. & Groundwater tributary to Payette River

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: 65-12359 ☐ Copies Attached ☐ Copies of Field Exam's Attached
See other file

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" = _____

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

A503

A92
(530A)

A92
(531A)

T458
A114
(536A)

Lot
Norman Fuller

12N 4E 31
Nulley Gulch

Latigo
Sub.

lots

Norman Fuller

Fuller
Sitzer

Don
Amidon

Dan Emery

T460
A537

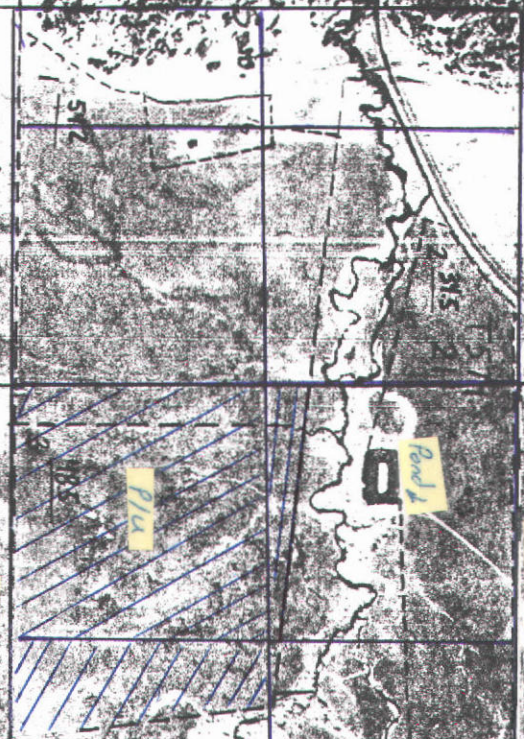
T461
A34

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NOV 8 1995

T464
A48

T463
A92 (532A)

N 6 SE/NE
Sub/NE

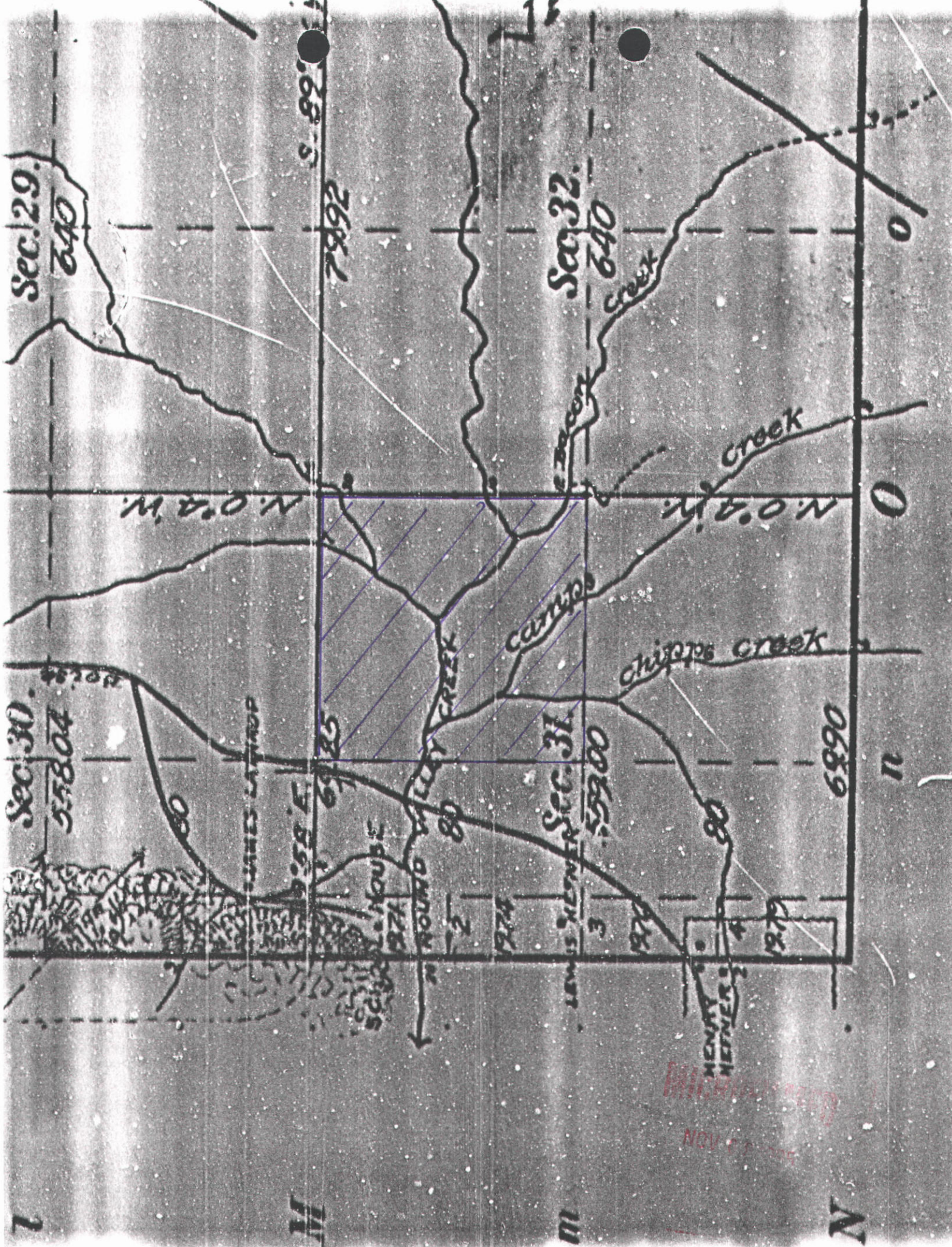


PERMIT 65-12360 INIT MS
T. R. S. Q/Q
P/D DN NE 31 NW/NE
SCALE _____
PHOTO ID. U-60

P/D

P/D

NOV 0 8 1995



65-12360



Pump and
85 h.p.
tractor

Place of
measurement
with
Polysonic



Pipeline
crossing
Round
Valley
Creek

MICROFILMED

NOV 08 1995

65-12360



Round Valley
Creek
entering
storage
pond.



P/u

Mainline,
both
handlines, &
sprinklers.

NOV 08 1995

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }

ss.

County of Valley }

Beryl Baker

, being duly sworn deposes and says, I am the bookkeeper of the Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the Notice of Correction, a copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began October 9, 19 80 and ended October 16, 19 80.

Beryl Baker

Subscribed and sworn to before me this the

20th day of November, 19 80.

Melody Juarez

Notary Public in and for the State of
Idaho, residing at McCall
therein.

the NWNE, SWNE, Sec. 31, T
12N R 4E.

If issued, the permit 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 83709 on or before October 27, 1980.

C. STEPHEN ALLRED
DIRECTOR

Published in the Star-News on 10-9 and 10-16-80.

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 63-12360 in the name of Emmett L. Newell was published in error on 9-11 and 9-19-80.

The place of use was advertised as being within the NWNE, SENE, Sec. 31, T 12N, R 4E. Whereas, the actual place of use is within

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NOV 21 1980

Department of Water Resources
Western Regional Office

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12360

Priority: August 19, 1980

Maximum Diversion Rate:

0.85 CFS

Maximum Diversion Volume:

180.0 AF

This is to certify, that CLEOTA PATTERSON
STAN PATTERSON

10144 ROUND VALLEY RD
CASCADE ID 83611

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 19, 1980; and has submitted Proof of Beneficial Use on January 23, 1991. An examination indicates that the works have a diversion capacity of 0.850 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.85 CFS	180.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE, Sec. 31, Township 12N, Range 04E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N 04E 31	NWNE 4.5	SWNE 40	SENE 13.4	
	NENW 8.7	(SWNW) 5.4	SENE 40	112

Total number of acres irrigated: 112

CONDITIONS OF SPECIAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that 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. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

NOV 08 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12360

CONDITIONS OF APPROVAL AND REMARKS

8. This right is limited to the irrigation of 60 acres in the place of use described above in a single irrigation season.
9. This right when combined with Right 65-12359 shall not exceed a rate of diversion of 0.85 cfs nor an annual volume of 311.9 acre feet.

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 19TH day of OCTOBER, 1995.

Acting for


KARL J. DREHER, Director

NOV 08 1995

State of Idaho
Department of Water Resources

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DEC 13 1993
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12360

Date of Priority: August 19, 1980

Maximum Diversion Rate: 0.85 CFS
Maximum Diversion Volume: ~~173.7~~ AF
180.0

Comes now CLEOTA PATTERSON
10144 Rd. Valley STAN PATTERSON
~~HC 71 BOX 2153~~ Road
CASCADE ID 83611

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. 65-12360, and requests that the permit be changed as follows:

Source: GROUNDWATER

Source: ~~ROUND VALLEY CREEK~~

tributary to ~~PAYETTE RIVER~~ SC 6/16/94

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.85 CFS	~~173.7~~ AF 180.0

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 31, Township 12N, Range 04E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N	04E	31	NWNE 4.5	SWNE 40	SENE 13.4	
			NENW 8.7	Lot 2 (SWNW) 5.4	SENW 40	112

Total number of acres irrigated: 112

MINOR AMENDMENT

NOV 08 1995

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at St. George, Utah, this 3 day of December, 1993.


(Signature)
Cleota Patterson

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12360

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 20⁰⁰ Received by JV # 0029212 Date 12/13/93

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-12359 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that 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. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
8. This right is limited to the irrigation of 60 acres in the place of use described above in a single irrigation season.
9. This right when combined with Right 65-12359 shall not exceed a rate of diversion of 0.85 cfs nor an annual volume of 311.9 acre feet.

Witness my hand this 19TH day of OCTOBER, 1995.


Acting for Karl J. Preher, Director

RECEIVED
OCT 10 8 1995

RECEIVED
JAN 23 1991

STATE OF IDAHO

\$100
1-23-91
2019478
For Office Use Only
Amt. of Fee: 25.00
Date: 1-10-91
Receipt # 2019359
received by J. J. J.

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

- 1 Permit No. 65-12359 Telephone No. (208) 382-4991
2 Name(s) of Permit Holder(s): Stan and Cleota Patterson
3 Post Office Address: H.C. 71, Box 2153 Cascade, Idaho 83611
4 Source of Water: Pond
a If ground water, well driller's name: _____ Date drilled: _____
b Pump horsepower: 45 h.p. Diesel Pressure (psi): 65 lbs Dynamic pumping level (ft.): _____
5 Extent of Use: 85 h.p. Diesel (Either pump is used depending on need)
Domestic _____ (No. of households) Irrigation 80 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

6 Total rate and/or volume for which proof is submitted 1.2 cfs _____ acre/feet

7 Refer to the approval conditions on your permit and respond accordingly: Pump output is 550-600 gals. per minute
Measuring device: Required? Yes No Installed? Yes No
OR
Flow Measurement Port: Required? Yes No Installed? Yes No

8 Fee Enclosed: \$ 125.00 (See License Examination Fee Schedule) 150.00 has been paid for permits 65-12359 and 65-12360

9 Person to contact to accompany the Department representative during the field examination:
Stan Patterson (208) 382-4991
Name Telephone No.
H.C. 71, Box 2153 Cascade, Idaho 83611
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.

12/24/90
1/18/91
Date

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

RECEIVED

MAR 19 1991

in response to
Ltrs. 11/30/90 and
1/17/91.

State of Idaho

Department of Water Resources

DEC 06 1988

Department of Water Resources

ASSIGNMENT OF PERMIT

I, Cheata Patterson (Purcell), hereby assign to Stan & Cheata Patterson
of H.C. # 71, Box 2153, Cascade, Idaho 83611
Address 65-12360
65-12359

All my right, title, and interest in and to Permit No. _____
to appropriate the public waters of the State of Idaho.

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 that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 27th day of September, 1988.

Cheata (Purcell) Patterson
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of _____) ss

On this 27th day of Sept, 1988, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (~~they~~) executed the same.

Jim John
Notary Public residing at
BOISE, IDAHO

s e a l

My commission expires:

LIFE

DEC 06 1988

OK
Jim
10-21-88

RECORDED
OCT 11 1988

OCT 03 1988

L. Gorrono
Attorney at Law
P.O. Box 637, 105 N. Hayes
Emmett, Idaho 83617
Telephone: (208) 365-2421

Department of Water Resources

Department of Water Resources

FILED

COCK

2-17-87

Thelma R. Kolodt, j, Clerk

John Blawie
Deputy

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM
MAGISTRATE'S DIVISION

In the Matter of the Estate of) Case # 2775
EMMETT L. NEWELL,) LETTERS TESTAMENTARY
Deceased.)

The will of EMMETT L. NEWELL having been admitted to
informal probate, Cleota M. Newell is hereby appointed
Personal Representative of the Estate.

WITNESS: Alfred O. Perry, Magistrate of the District
Court, County of Gem, State of Idaho, with the seal of the Court
affixed the 17th day of February, 1987.

ALFRED O. PERRY
Alfred O. Perry
Magistrate

STATE OF IDAHO,)
County of Gem. _) ss.

I, Cleota M. Newell hereby accept the duties of Personal
Representative of the Estate of EMMETT L. NEWELL, Deceased, and
do solemnly swear that I will perform, according to law, the duties
of Personal Representative of the Estate of EMMETT L. NEWELL,
Deceased.

Cleota M. Newell
Cleota M. Newell

SUBSCRIBED AND SWORN to **MADE PUBLIC** 13th day of February, 1987

DEC 06 1988

James J. Juro
Notary Public for Idaho
Residing at Emmett, Idaho.

LETTERS TESTAMENTARY

C

STATE OF IDAHO }
COUNTY OF GEM } ss.

I, Thelma R. Kolodziej, Clerk of the Magistrate Division of the District Court of the Third Judicial District of the State of Idaho, in and for the County of Gem, do hereby certify that the foregoing is a true and correct copy of the original on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 17th day of February, 1957.

Thelma R. Kolodziej, Clerk

By James B. Blum Deputy

REC'D
SEP 27 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by CP
Date 9/27/88
Receipt # 0002719

REQUEST FOR EXTENSION OF TIME

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

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

Permit No. 65-12360

Name(s) of Permit Holder: Cleota M. (Newell) Patterson

Post Office Address: H.C. 71 Box 2153

CASCADE, ID 83611 Telephone No. 382-4991

Date Proof is Due: _____

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

Excavation on Pond - filled washout, leased pump & sprinkler system, washed extensively with H.S.C.S. in an analysis of soil & engineering of permanent placement. Pond was excavated to capture ground water surface. Costing \$2,000.00

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

See reasons on attached sheet

Permit holder(s) request an extension to 10/1, 1993.
(1 yr. minimum)

Cleota Newell Patterson
(Signature)*

FEE: \$15.00

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to October 1, 1990.

NOT REFILED
DEC 06 1988

Signed this 24th day of October, 1988.

J. Mervyn Saxon
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received <u>Dr</u>
Date <u>9/10/85</u>
Receipt # <u>36146</u>

RECEIVED
SEP 13 1985

REQUEST FOR EXTENSION OF TIME

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

Department of Water Resources

Western Regional Office

EMMETT L. NEWELL
(Name)

8973 1/2 W. State St. Boise ID 83703

MONTGOMERY STAR RT, EMMETT
(Address)

State of ID, deposes and says.

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the
State of Idaho No 65-12360.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
~~SEP 1~~ APRIL 1, 1986

That he has heretofore performed the following work described under said permit.
(This must be filled out! If no work has been completed put none)

See below

Costing \$

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

I have been prevented from developing this project from the
date of the permit approval until Oct 83 by Idaho Power Co.
Thus I have completed no work toward development. I plan to begin
construction of the system next spring.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations

under said permit to Oct 1, 1988
(1 yr minimum,
5 yrs maximum)

Emmett L. Newell
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied

FEE: \$15.00

MICROFILMED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time
within which to submit proof of beneficial use is extended to October 1, 1988.

Signed this 26th day of September, 19 85.

A. Glen Saxton
Chief, Operations Bureau

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 Emmett L. Newell Phone 584-3371
Post office address Montour Star Post Emmett, Idaho 83617
2. Source of water supply Ground Water which is a tributary of None
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 31 Township 12N ~~12E~~ 4E B.M. Valley County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 1.2 for Irrigation purposes from April 15 to Oct 15 (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:

- a. 1.2 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Excavated Pond
Approx. 40' x 80' with 6' x 8' depth
with pump & pipeline to place of use
- 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:
- (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.
- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.
- (3) List number of each kind of livestock to be watered _____
- (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: _____

MICROFILMED

MICROFILMED

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

TWP	RANGE	SEC.	NE 1/4			NW 1/4			SE 1/4			SW 1/4			NE 1/4			NW 1/4			SE 1/4			SW 1/4			TOTALS
			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	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	
120	43	31	-	20	40																						60
																											60

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

SALE

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

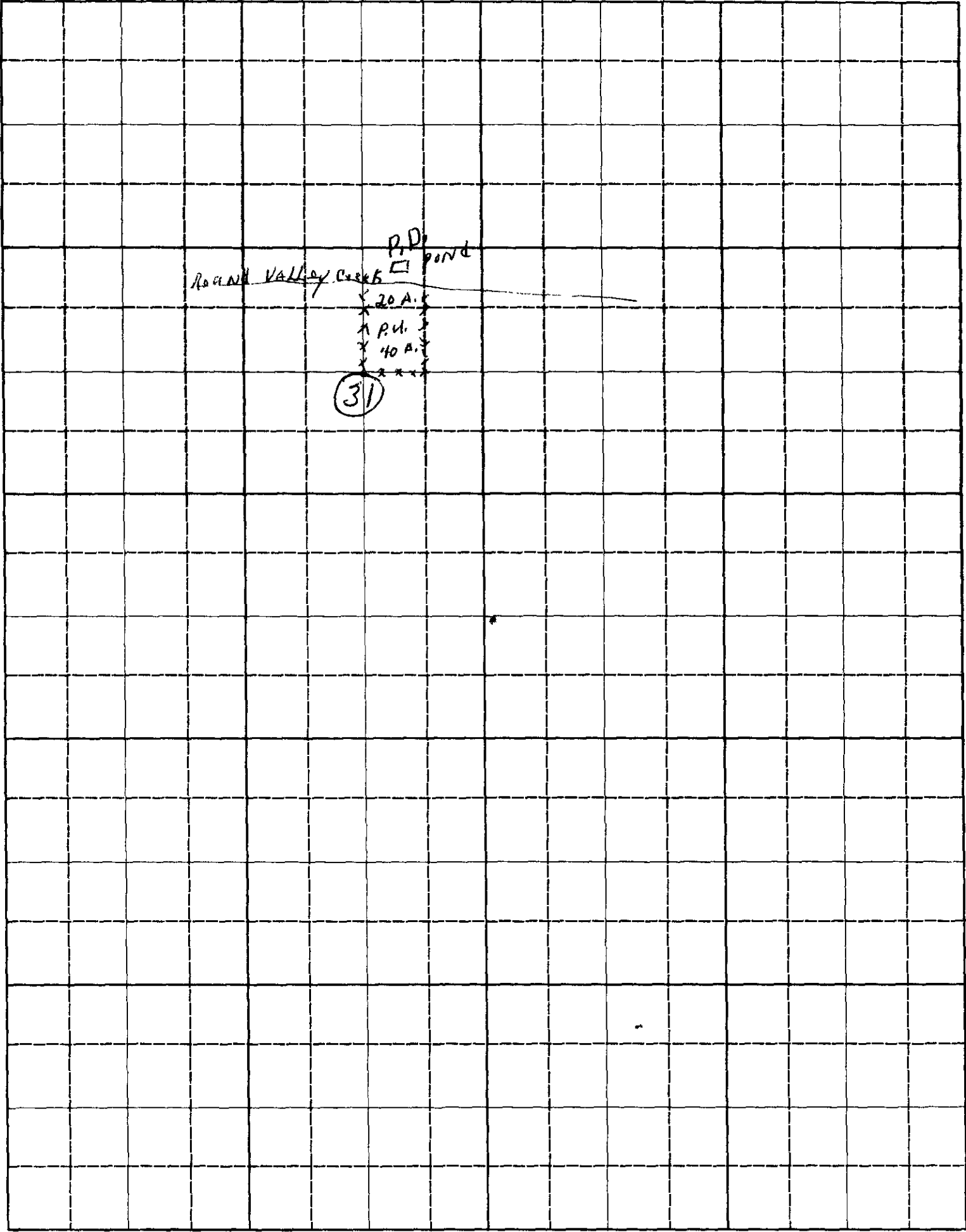
applicant to make this filing

10. Remarks

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

R 4. E

T
12
N



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.

Conrad T. Newell
(Applicant)

MICROFILMED

Proposed Priority 8/19/80

MICROFILMED

Received by OK Date 8/19/80 Time 11:20 AM
Preliminary check by 665 Fee \$ 45.00 # 22
Received by OK Date 8/19/80 # 15693 # 15716
Publication prepared by hjh Date 8-3-80
Published in Star News
Publication dates 9/11 & 9/18/80 corred
Date 12/1/80
Protests filed by: Wane
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by 185 OK

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. 65-12360, 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 86.
- 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:

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department. Use of water under this permit is subject to control by the watermaster of State Water District # 65, Payette River.

Witness my hand this 22nd day of April, 1981.

D. Alan Bayton
Chief, Operations Bureau

MEMORANDUM

DATE: October 24, 1995
TO: File 65-12360
FROM: Roberta Loveall
SUBJECT: Address

=====

Stan and Cleota Patterson were mailed their water right licenses on October 20, 1995. They were returned by mail October 23, 1995 because a forwarding order had expired with the post office. A look through the phone book for a new address was fruitless also.

RECEIVED
NOV 08 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 19, 1995

CLEOTA PATTERSON
STAN PATTERSON
10144 ROUND VALLEY RD
CASCADE ID 83611

RE: WATER RIGHT NO. 65-12360

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
NOV 08 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12360

Priority: August 19, 1980

Maximum Diversion Rate:

0.85 CFS

Maximum Diversion Volume:

180.0 AF

This is to certify, that CLEOTA PATTERSON
STAN PATTERSON

10144 ROUND VALLEY RD
CASCADE ID 83611

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 19, 1980; and has submitted Proof of Beneficial Use on January 23, 1991. An examination indicates that the works have a diversion capacity of 0.850 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	4/15 to 10/15	0.85 CFS	180.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 31, Township 12N, Range 04E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N 04E 31	NWNE 4.5	SWNE 40	SENE 13.4	
	NENE 8.7	2(SWNW) 5.4	SENE 40	112

Total number of acres irrigated: 112

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that 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. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12360

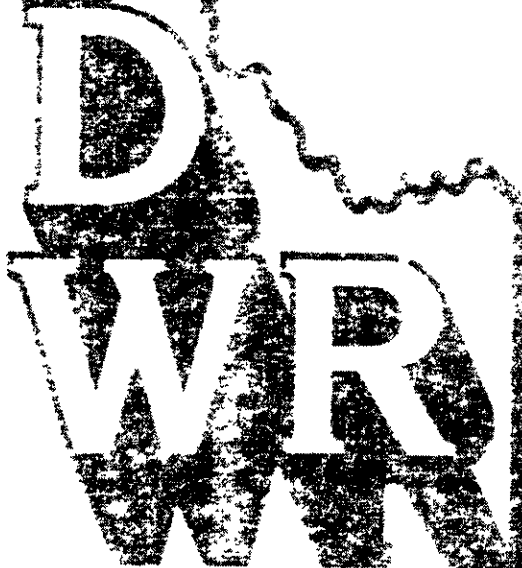
CONDITIONS OF APPROVAL AND REMARKS

8. This right is limited to the irrigation of 60 acres in the place of use described above in a single irrigation season.
9. This right when combined with Right 65-12359 shall not exceed a rate of diversion of 0.85 cfs nor an annual volume of 311.9 acre feet.

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 19th day of OCTOBER, 1995.

Acting for

KARL J. DREHER, Director



State of Idaho
Department of Water Resources

RECEIVED
DEC 13 1993
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12360

Date of Priority: August 19, 1980

Maximum Diversion Rate: 0.85 CFS
Maximum Diversion Volume: ~~173.7~~ AF
180.0

Comes now CLEOTA PATTERSON
10144 Rd. Valley STAN PATTERSON
~~HC 71 BOX 2153~~ Road
CASCADE ID 83611

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. 65-12360, and requests that the permit be changed as follows:

Source: GROUNDWATER

Source: ~~ROUND VALLEY CREEK~~

tributary to ~~PAIETTE RIVER~~ SE 6/16/94

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.85 CFS	~~173.7~~ AF 180.0

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 31, Township 12N, Range 04E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N	04E	31	NWNE 4.5	SWNE 40	SENE 13.4	
			NENW 8.7	Lot 2 (SWNW) 5.4	SENW 40	112

Total number of acres irrigated: 112

Permit holder asserts that no one will be injured by such change and that such change
will be made at permit holder's own risk.

Signed at St. George, Utah, this 3 day of December, 1993.


(Signature)
Cleota Patterson

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12360

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 20⁰⁰ Received by JV # 0029212 Date 12/13/93

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-12359 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that 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. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
8. This right is limited to the irrigation of 60 acres in the place of use described above in a single irrigation season.
9. This right when combined with Right 65-12359 shall not exceed a rate of diversion of 0.85 cfs nor an annual volume of 311.9 acre feet.

Witness my hand this 19TH day of OCTOBER, 1995.

Acting for

Karl J. Dreher
Karl J. Dreher, Director

Water Allocation Bureau
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

RECEIVED
OCT 23 1985
Department of Water Resources

NOV 8 1985
X MOV'D LEFT TO ADD.
X FORWARDED VS ORDER
X CLAIMED NOT KNOWN
X SUCH STREET REFUS
X SUFFICIENT

LO5-12360
CLEOTA PATTERSON
LO5-12359
STAN PATTERSON
10144 FOUNDT VALLEY RD
CASCADE

NOV 08 1985



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 19, 1995

CLEOTA PATTERSON
STAN PATTERSON
10144 ROUND VALLEY RD
CASCADE ID 83611

RE: WATER RIGHT NO. 65-12360

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED

NOV 08 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 25 1993

Department of Water Resources

A. GENERAL INFORMATION

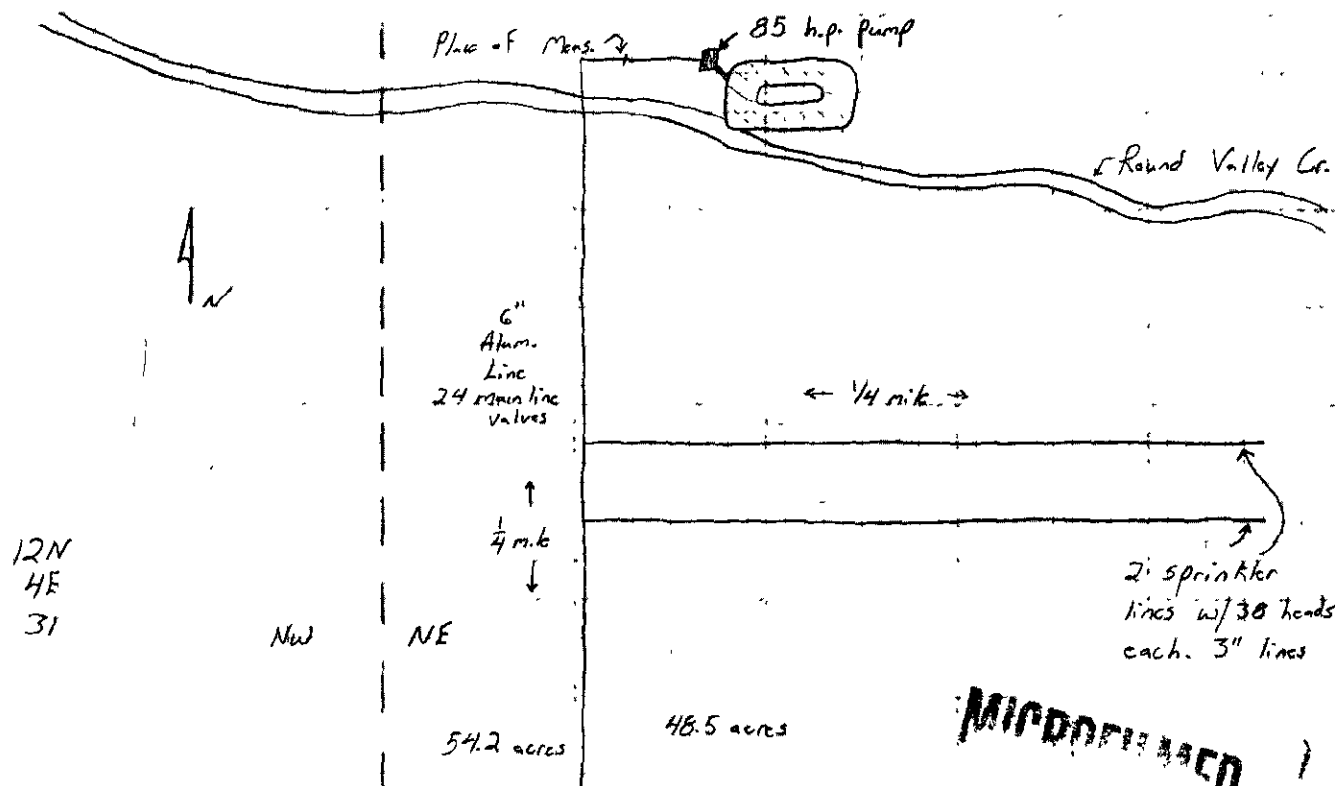
1. Owner: Stan & Cleota Patterson Permit No. 65-12360
Phone No. 584-3371
Current Address: HC 71 Box 2153 Cascade, ID 83611
2. Accompanied by: Stan Patterson EXAM. DATE: 5-28-92
Address: Same Phone No. _____
Relationship to Permit Holder: _____
3. Source: Round Valley Cr. & Groundwater tributary to Payette River

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: 65-12359
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached
See other file

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" = _____

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

RECORDED
NOV 08 1995

System Description (continued)

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

An excavated pond of approx. 40' x 80' and 6' to 8' in depth is the source of water for this system. As stated in permit # 65-12360, groundwater is one source for the pond. However, Round Valley Creek also flows through one corner of the pond, during the spring and early summer, and a small dam allows for the creek to supply water to the pond as stated in permit # 65-12359. Since both sources are integrated in a single diversion pond, each permit does not fully describe the

☐ 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
	Diesel	85			
	Turbine				

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

5. Points of Diversion:

Ident. Gov't.	%	%	%	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
				NW 1/4	31	12N	4E	Valley
								USGS Photo Grid/Owner
								Confirmation

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4	SE 1/4	NW 1/4	SW 1/4	NE 1/4	SE 1/4	NW 1/4	SW 1/4	NE 1/4	SE 1/4	NW 1/4	SW 1/4	NE 1/4	SE 1/4	Totals
12N	4E	31	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5	579
12N	4E	31															54.1
																	112

PPV
Other Areas

Do not use this space

NOV 08 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
Polysonic		Tyco-Flyke	TF-P	State Id. No.		
				150231		
Pressure Gauge						

2 Measurements:

76 sprinkler heads Polysonic: 381 GPM
 approx. 70% are 1/8" } 47
 100 - 110 psi. } 2m

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$$41.9 \text{ GPM} \times 76 \text{ heads} \times \frac{1}{448.8} = .83 \text{ cfs} \quad \text{From pressure gauge}$$

2. Alternate Method for Checking Purposes:

$$381 \text{ GPM} / 448.8 = .85 \text{ cfs} \quad \text{most accurate} \quad \text{From Polysonic} \\ \text{(Capacity)}$$

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 57.9 \times 3.0 = 173.7$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .85 \text{ cfs} \times 183 \times 1.9835 = 308.5$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 173.7 \text{ ac-ft}$$

2. Volume Calculations for Other Uses:

NOV 08 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

actual situation I recommend combining both sources on each permit.
 A 85 h.p. diesel tractor was attached to a pump on the west bank of the pond. A 6" aluminum line extended approx. 1/4 mile to the south. Twenty-four manhole valves were located on the 6" line and two 3" handlines were attached. Each handline had 38 heads of mostly 1/8" dia. The P.U. was changed slightly based on an aerial photo and planimeter.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
	From To	Q (cfs)	V (afa)
Irrigation	4-15	85 cfs	1737 cfs
	10-15		

2. Recommended Amendments

Remarks - PPU, WBS, R29, R01	Totals:
Conditions - R04/#05, R29, R01	85 cfs
	1737 cfs

J. AUTHENTICATION

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

Field Examiner's Name Mark Senior
 Signature [Signature]
 Certification Date 08-08-93
 Field Report Preparation Date 6-1-92



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

OUTER DIAMETER
6.8476 IN

PIPE MATERIAL
? AL, DI

WALL THICKNESS
.05400 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
3.997 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

00-00 00:1000 *R
+380-936E 00PM

MM-DD HH:MM
05-28 05:08

NOV 08 1995

A503

173.6

Lot 19
Sub.

12N 4E 31

12N 4E 31

Fuller
Sutten

460
A537

7461
A34

T464

A48

T463

5 SE NE
30/10E



PERMIT 63 1332 1000
U. S. N. S.
P/D 12/1/32
SCALE
PHOTO 11-60

P/A

VALLEY

Creek

Bacon

ROUND

Camp

Creek

Creek

Sec 29)

240

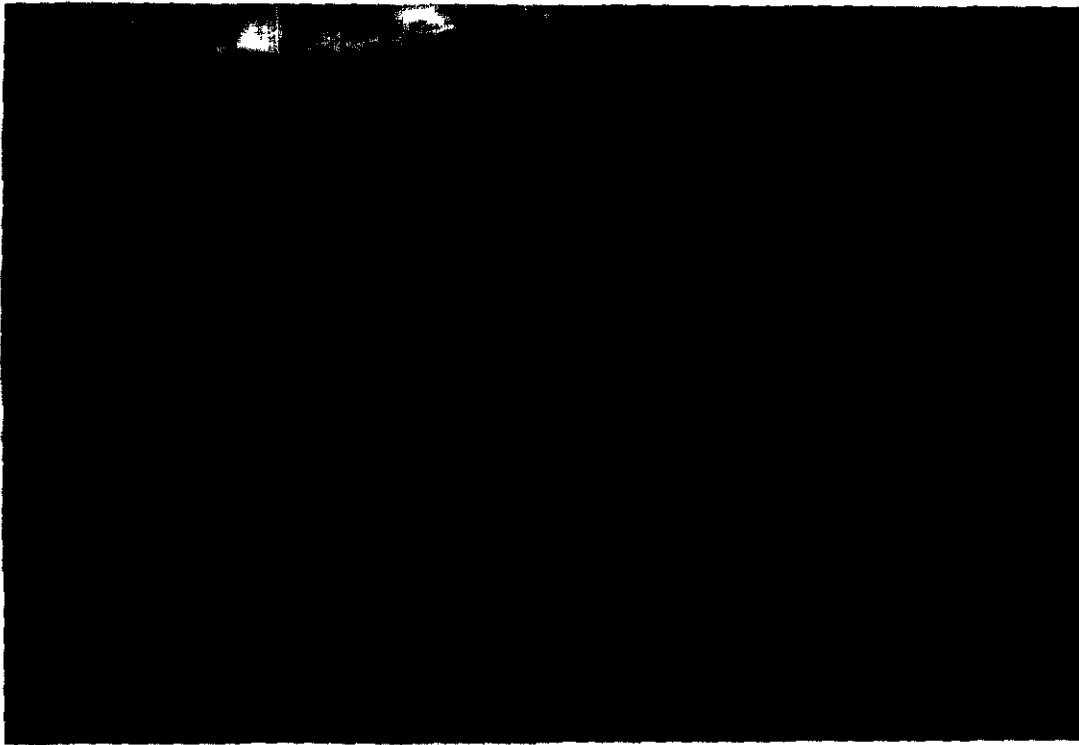
9.88

1892

Sec 29)

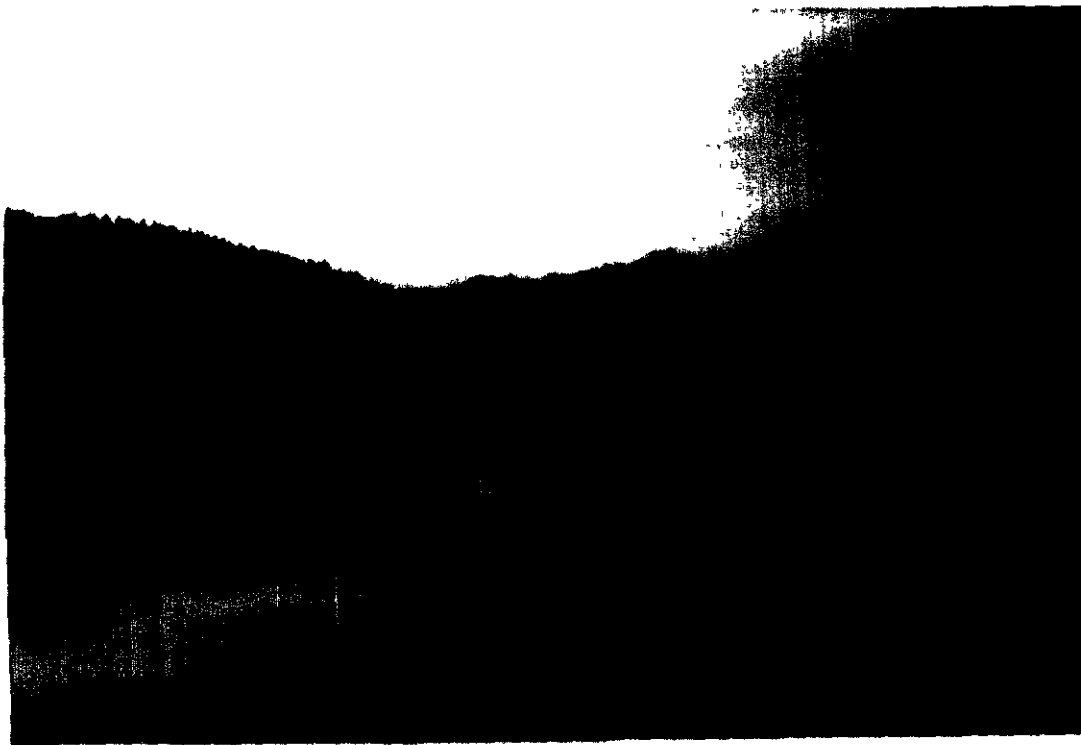
240

65-12360



Pump and
85 hp
tractor

Place of
Measurement
with
Polysonic

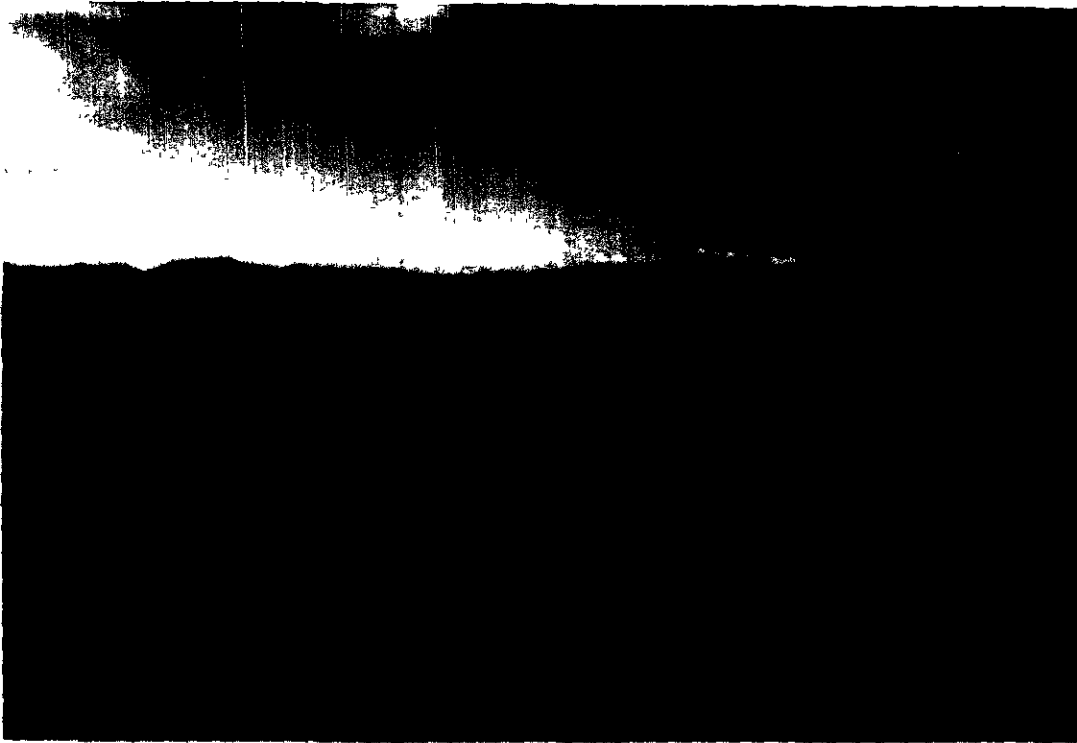


Pipeline
crossing
Round
Valley
Creek

MI

NOV 08 1995

65-12360



Round Valley
Creek
entering
Storage
pond.



P/U

Mainline,
both
handlines, &
sprinklers.

NOV 08 1995

February 12, 1991

STAN PATTERSON
CLEOTA PATTERSON
HC 71 BOX 2153
CASCADE, ID 83611

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-12360

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED
MAR 19 1

MEMORANDUM

February 6, 1991

TO: Files 65-12359 and 65-12360

FROM: RITA FLECK

RE: PROOF OF BENEFICIAL USE SUBMITTAL

On July 25, 1990, the permit holders submitted proof of beneficial use forms (1984 version) with no fee. Due to a backlog of work, the proofs were not reviewed until November 30, 1990, which was after the proof due date of October 1, 1990. On January 10, 1991, the department received one proof form for both permits with a fee of \$150. On January 17, 1991, I wrote a letter requesting two forms and an additional fee. The acceptable proofs and proper fee were received on January 23, 1991.

I question whether these permits lapsed, since no proof due notice was sent as outlined in Sec. 42-218a, Idaho Code (proper notice was not given). Also, it has been difficult for the permit holders to receive mail timely since they go south for the winter.

I recommend proofs as timely received and without advancing priority.

NOT RECORDED
FILMED

MAR 19 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 65-12360

Date 2-5-91

GENERAL CONSIDERATIONS

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

SOURCE OF WATER

Y Surface water source
Y Ground water source - *see page*
_____ Drill permit req'd?
_____ Copy in file? Drill permit no. _____
_____ Amt paid for drilling permit? _____ Correct?
_____ Well log in file?

LICENSE EXAMINATION FEE

Y Required?
125 Amount submitted?
Y Correct amount?

MEASURING DEVICE

Y Measuring device or access port required?
? Installed?
_____ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Entire fee not received until 1-23-91
Proof acceptable
See memo of 2-6-91

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

1/23/1991

VALLEY CREEK RANCH

BENEFICIAL USE (65-12360)

520122 1238 6490

100.00

CHECK

1352

\$100.00

Region: STATE

Signature: _____

MICROFILMED

MAR 19 1991

1/10/1991

VALLEY CREEK RANCH

BENEFICIAL USE (65-12359)
BENEFICIAL USE (65-12360)

520122 1238 6490
520122 1238 6490

125.00
25.00

CHECK 1782

\$150.00

Region: STATE

Signature: _____

MICROFILMED

MAR 19 1991

January 17, 1990

Stan and Cleata Patterson
5787 W. Rio Virgin Dr.
St. George, UT 84770

Dear Mr. and Mrs. Patterson:

Re: Permit Nos. 65-12359 and 65-12360

Returned is the proof of beneficial use form submitted for both of these permits. As submitted, that is both permits on one form, the form cannot be accepted.

Please complete a form for each permit. Determine the rate of diversion for each permit and sent the fee accordingly minus the \$150 already submitted.

I will hold the receipt for the \$150 with the file for ten days. If the documents have not been received by that time, I will lapse the permits and initiate the paper work to prepare a refund.

If you have any questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 19 1991

We have been traveling
& our mail just caught
up with us.

If you need to get in
touch our address is

Stan + Cheeta Patterson
577 W. Rio Virgen Dr.
St. George, Utah 84770

Phone: 801-634-9332

RECEIVED
JAN 17 1991

Department of Water Resources

MICROFILMED

MAR 19 1991

November 30, 1990

138874
CERTIFIED MAIL

Stan and Cleota Patterson
HC 71 Box 2153
Cascade, ID 83611

Dear Mr. and Mrs. Patterson:

Re: Permit Nos. 65-12359 and 65-12360

The department received the proof of beneficial use forms submitted for the above referenced permits on July 25, 1990. These are 1984 forms and do not reflect the present day information needed as a result of legislation.

Enclosed for completion and submittal are two new forms and an instruction sheet. Note that a license exam fee is now required as part of the proof submittal which is based on the diversion rate.

Please complete and return within thirty days. If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

NOT RECORDED
FILMED

MAR 19 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JUL 25 1990
No fee received
Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No 65-12360

Name(s) of Permit Holder Stan and Cleota Patterson (formerly under Emmett L. Newell (deceased))

Post Office Address: H. C. #71, Box 2153 Cascade, Idaho 83611

Telephone No. (208) 382-4991

Source of Water: Irrigation pond

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation Irrigation 60 Acres (acres)

Other/Remarks The irrigation system will be in operation until 8/10/90

Indicate the date water was first diverted and beneficially used under this permit: July 15, 1988.

Measuring Device. Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

Our only measuring device is the number of sprinkler heads using a 3" sprinkler pipe lateral with a 6" mainline. We are pumping with a ~~gas~~ diesel tractor.

Flow Measurement Port. Required? ☐ Yes ☐ No
Installed? ☐ Yes ☐ No

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

Stan and/or Cleota Patterson

(Name)

H. C. #71 Box 2153 Cascade, Idaho 83611

(Address)

(208) 382-4991

(Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

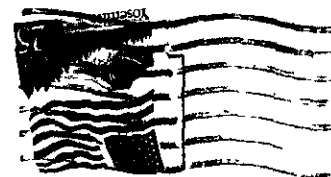
7/22/90

Date

Stan Patterson
Signature of Permit Holder (and Title, if appropriate)

Stan & Cleota Patterson

H. C. #71 Box 2153
Cascade, Idaho 83611



Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 24, 1988

Cleota M. and Stan Patterson
HC 71 Box 2153
Cascade, ID 83611

Dear Mr. and Mrs. Patterson:

Re: Permit NoS. 65-12359 and 65-12360

Enclosed is a copy of the approved request for extension of time for each of the above-referenced permits. The time within which to submit proof of beneficial use for each permit is extended to October 1, 1990.

The department has changed its records to reflect the change in ownership. The assignment has been made a part of both files.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

FILED

DEC 06 1988

MEMORANDUM

TO: File 65-12360

October 24, 1988

FROM: Rita Fleck

RE: Source of water - ground water

In light of the drilling permit requirements and well logs, I asked the Pattersons who the well driller is.

Apparently, this isn't groundwater per say; that is, it is not a well. It is seepage water or water as a result of a high water table in the area at certain times of the year.



DEC 06 1988

INTER-DEPARTMENT MEMO — 1

DATE 8/10/88

FROM Judi

TO file # 65-12360

SUBJECT Gilled Valley County Assessor.
Requested new address for:

Emmett L. Newell

P.O Box 55

Emmett, ID 83617

MICROFILMED

DEC 06 1988

Assessor said he is deceased. Address given in
his name under property owner.

JS
SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse -
P. Idaho 83720

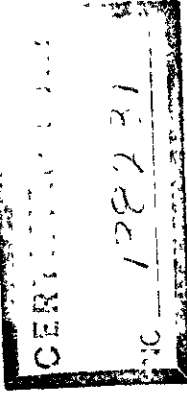
CH

W.R. 27

R. 2

RETURN TO SENDER:
() MOVED LEFT NO ORDER
() EXPIRED ORDER
() UNKNOWN/UNDELIVERABLE
() NO SUCH #/STREET/INSUFFICIENT

DEC 06 1988



Postmarked with a series of vertical bars

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

Statehouse
Boise, Idaho 83720
(208) 334-7900
Certified Mail
July 31, 1988

136231

EMMETT L. NEWELL
8973 1/2 STATE ST.
BOISE, ID 837030000

PROOF DUE NOTICE

RE: PERMIT NO. 65-12360

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 October 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 complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures



DEC 00 1988

PLACE
STAMP
HERE



DEC 06 1988

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No 65-12360

Name(s) of Permit Holder(s) Emmett L. Newell

Post Office Address 843 Eagle Hills Way
Eagle, Idaho 83616

Tel No 939-8088

☐ I hereby certify that construction of diversion works for the above referenced permit began on _____ (date) _____ I understand that I must continue to develop the water system with due diligence to maintain a valid permit

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*

Due to the unavailability of power hookup.
Idaho Power refused hookup.

*Note: A financing difficulty is
not an acceptable reason

5/17/83

Date

Signature of Permit Holder

October 7, 1985

Emmett L. Newell
8973 1/2 State St.
Boise, ID 83703

Dear Mr. Newell:

Re: Permit No. 65-12359 and 65-12360

Enclosed is a copy of each of the approved requests for extension of time. The time within which to submit proof of beneficial use is extended to October 1, 1988.

Note that in 1982 the Idaho Legislature added a requirement that as a permit holder you must commence excavation or construction of diverting works within one year of the date the permit was issued and you must proceed diligently until the project is completed. The delay by the Idaho Power moratorium was good cause for delay, however, that is no longer a valid reason for delay. I urge you to start excavation or construction of the diverting works as soon as possible. Enclosed is a blue postcard which must be completed and returned to this office as soon as you commence construction.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

RECEIVED

STAFF VIEW OF REQUESTS FOR EXTENSION TIME

Permit No. 65-12360

BASIC INFORMATION ABOUT EXTENSION REQUEST

Check for the following:

- ☒ Date received stamp
☒ Extension received within six months of due date (if greater than, return extension)
☒ Fee received and receipted
☒ Name and signature same as on permit
☒ Address change? If so, complete coding sheet
☒ Source of water the same?
☒ Extension previously approved?
☒ Do conditions of approval restrict the extension?

Indicate basis: _____

REASON FOR GRANTING EXTENSION

- _____ Due diligence
 _____ Work completed - Adequate to show due diligence?
 _____ Cost incurred - Adequate to show due diligence?

Yes Litigation Yes Swan Falls _____ Dismissed from Swan Falls
 _____ Have supporting documents been submitted?

Date litigation completed

Oct 1983Date ~~litigation~~ ^{Approved permit} began- Apr. 1981

Total period of delay

=

6 mo 2 yrs

Proof due date

Apr. 1986

NEW PRIORITY DATE

Oct 1, 1988

- _____ Delayed by a governmental agency
 _____ Permit holder provided supporting documents?

REASON FOR DENIAL _____

RECOMMENDATION FOR ACTION

*Recommend Approval - litigation /
 Swan Falls moratorium prevented permit
 holder from developing this project*

Additional conditions:

- N Reinstate: Date extension received _____ = _____
 Proof due date _____ = _____
 No. of days late _____
 Priority date _____ = _____

ADJUSTED PRIORITY DATE

- N Is there commencement of works?
 _____ Prepared coding sheet?
 _____ Change rolodex card

Reviewed by [Signature] Date 9-26-1985

MICROFILMED

August 29, 1985

Emmett L. Newell
Montour Star Rt.
Emmett, ID 83617

Dear Mr. Newell:

Re: Permit Nos. 65-12359 & 65-12360

Pursuant to your telephone conversation with Lee Sisco, enclosed is a copy of the proof due notice letter for Permit No. 65-12359 along with the forms.

Proof of beneficial use is not due on Permit No. 65-12360 until April 1, 1986. However, I've enclosed an additional proof form in case you should want to submit it early.

If this office can be of further assistance, please feel free to contact us.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V EVANS

Governor

A. KENNETH DUNN

~~XXXXXXXXXXXX~~

Director

Mailing address

Statehouse

Boise, Idaho 83720

(208) 334-4440

May 11, 1981

Emmett L. Newell
Montour Star Rt.
Emmett, Idaho 83617

Dear Mr. Newell,

RE: Permit No. 65-12360

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:mr

Enclosure

MICROFILMED

INTER-DEPARTMENT MEMO — 1**FROM** Ric Morris**DATE** 4/7/81**TO** File #65-12360**SUBJECT** Prepermit Exam

On April 7, 1981, I looked at the pond in question for this permit. It appears to be filled by water that collects in old or intermittent stream channels. This water would normally reach Round Valley Creek. The pond and stream channels are never more than about 100' apart. Some of the channels connect with the creek but are silted in as the water now runs into the pond. At one point, the pond is only about 50' from the creek. It is hard to judge whether the water in the pond is all from surface flow as it appears the water table is quite high in the area. The soil is large grained sand so there is probably seepage between the pond and the creek.

MICROFILM

SIGNATURE

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

SS

County of Valley

Beryl Baker

and says, I am the bookkeeper of the Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper, that the Notice of Correction, a copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement, and that publication of such notice began October 9 19 80 and ended October 16 19 80.

Subscribed and sworn to before me this the 20th day of November 19 80

Melody Evans
Notary Public in and for the State of
Idaho, residing at McCall
therein

NOTICE OF CORRECTION
The is hereby given that
of Application for
Right Permit No. 68
in the name of Emmet
well was published in
on 9-11 and 9-16-80.
The place of use was ad-
vised as being within the
LINE, SENE, Sec. 31, T
N, R 4E. Whereas, the
actual place of use is within

the
12N R 4E.
If issued, the permit 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 83709 on
or before October 27, 1980.
C. STEPHEN ALLRED
DIRECTOR
Published in the Star-News
on 10-9 and 10-16-80.

o. r. H.

MICROFILMED

NOV 21 1980
Department of Water Resources
Western Regional Office

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Valley

On this 1st day of the month of _____, 19____, being duly sworn, deposes and says that the _____ at the Star-News, a weekly newspaper published at McCool, in the County of Valley, State of Idaho, that said newspaper is of general circulation in the county of aforesaid and is a legal newspaper, that _____, a copy of which is attached hereto and a part hereof, was published in said newspaper _____ consecutive weeks in the regular and entire _____ during the period and time of publication, and was published in the _____ and not in a supplement, and that _____ 19____

Subscribed and sworn to before me this the _____ 19____

Paul Baker

Melody Jones

McCool

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:

65-12359
NEWELL, EMMETT L.
MONTGOMERY STAR RT,
EMMETT ID 83617
Source: RUTHERFORD VALLEY
CREEK tributary to
PAYETTE RIVER

Date Filed: 08-19-1960

Amount: 1.20 CFS

Diversion Point: NEWELL Sec 31 T 12N R 04E, VALLEY Co.

Use: IRRIGATION (1.20 CFS) from 04-15 to 10-15

Place of Use: NEWELL Sec 31 T 12N R 04E FOR 60 ACRES

Diversion Means: DAM, PUMP, PIPELINE AND SPRINKLER SYSTEM.

65-12360

NEWELL, EMMETT L.
MONTGOMERY STAR RT,
EMMETT, ID 83617

Source: GROUNDWATER

Date Filed: 08-19-1960

Amount: 1.20 CFS

Diversion Point: NWNE Sec 31 T 12N R 04E, VALLEY Co.

Use: IRRIGATION (1.20 CFS) from 04-15 to 10-15

Place of Use: NWNE Sec 31 T 12N R 04E FOR 60 ACRES

Diversion Means: POND, PUMP AND PIPELINE.

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 83709 on or before SEPTEMBER 29, 1960

C STEPHEN ALLRED

Director

Published 9-11 & 9-18-60

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V EVANS

Secretary

(Office at the corner of
Franklin and Cole Roads)

C STEPHEN ALLRED

Director

(208) 384-2190

October 1, 1980

The Star News
Box 985
McCall, Idaho 83638

RE: Application No. 65-12360

Gentlemen:

Enclosed is a copy of the original notice for the above referenced application and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We are requesting that you publish the enclosed correction notice at your expense.

Upon receipt of an affidavit of publication for the correction notice, we will forward the bill for the first publication to our accounting section.

Your cooperation in this matter is greatly appreciated.

Sincerely,

HELEN L. HARRINGTON
Secretary

Encl: Copy of Original Notice
Copy of Affidavit
Legal Notice (correction)

MICROFILMED

November 17, 1980

The Star-News
P.O. Box 285
Ocala, Florida 33673

Re: Affidavit of Publication

Gentlemen:

Please send me a copy of the Affidavit of Publication for the Notice of Correction for Application No. 65-12360 (in the name of Emmett L. Newell) which was to be published on 10/9 and 10/16/80.

Thank you for your time.

Sincerely,

JOHN L. HARRINGTON
Secretary

b1h

RECORDED

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 65-12360 in the name of Emmett L. Newell was published in error on 9/11 and 9/19/80.

The place of use was advertised as being within the NWNE, SENE, Sec. 31, T 12N, R 4E. Whereas, the actual place of use is within the NWNE, SWNE, Sec. 31, T 12N, R 4E.

If issued, the permit 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 83709 on or before October 27, 1980.

C. STEPHEN ALLRED

DIRECTOR

Published in the Star News on 10/9 and 10/16/80.

MICROFILMED

65-12360

NEWELL, EMMETT L.

MONTOUR STAR RT., EMMETT, ID 83617

Source GROUNDWATER

Date Filed 08/19/1980

Amount 1.20 CFS

Diversion Point NWNE Sec 31 T 12N R 04E, VALLEY Co.

Use IRRIGATION (1.20 CFS) from 04/15 to 10/15

Place of Use NWNE SWNE Sec 31 T 12N R 04E FOR 60 ACRES

Diversion Means POND, PUMP AND PIPELINE.

MICROFILMED