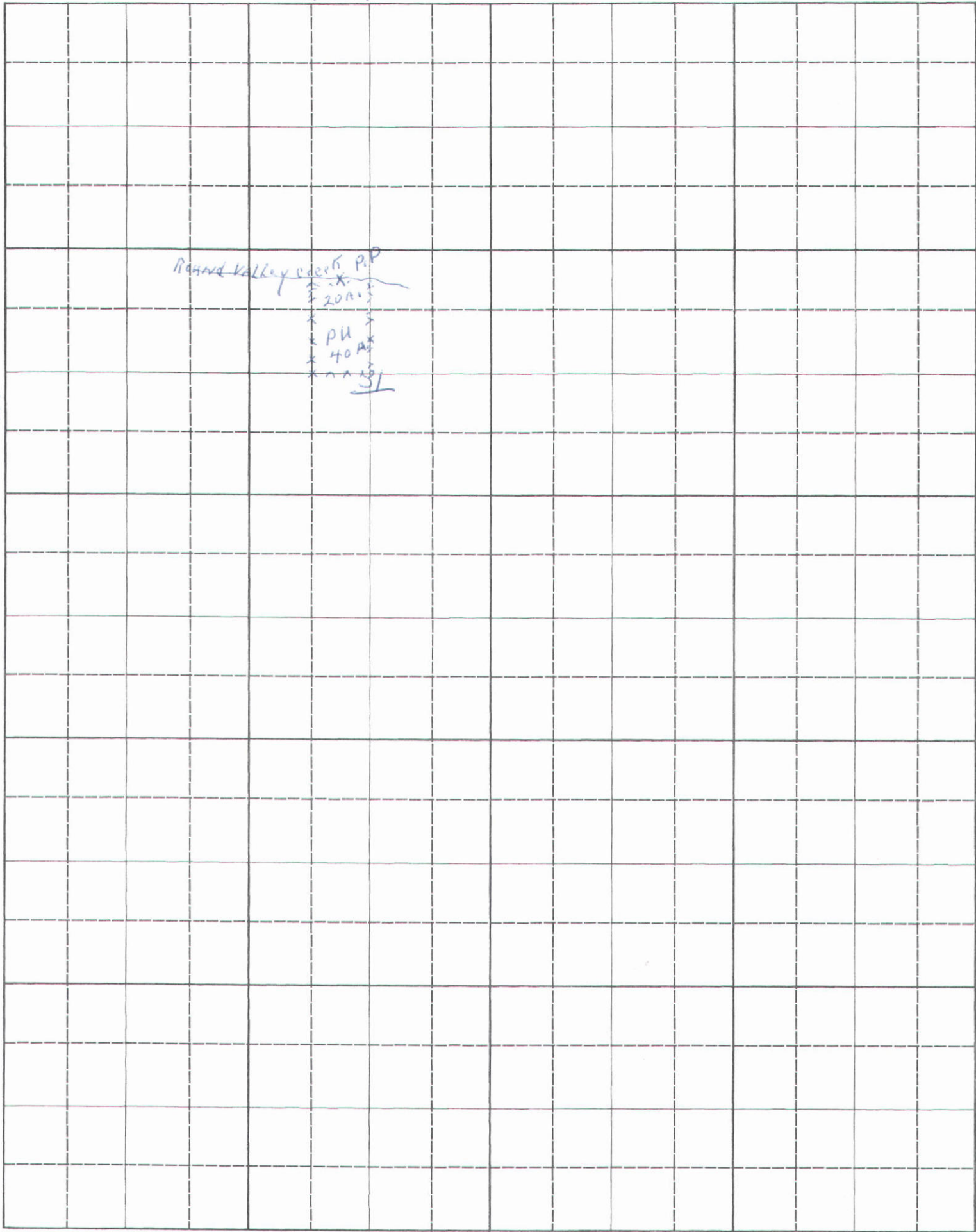


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

Samuel T. Newell
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 25 1993

Department of Water Resources

A. GENERAL INFORMATION

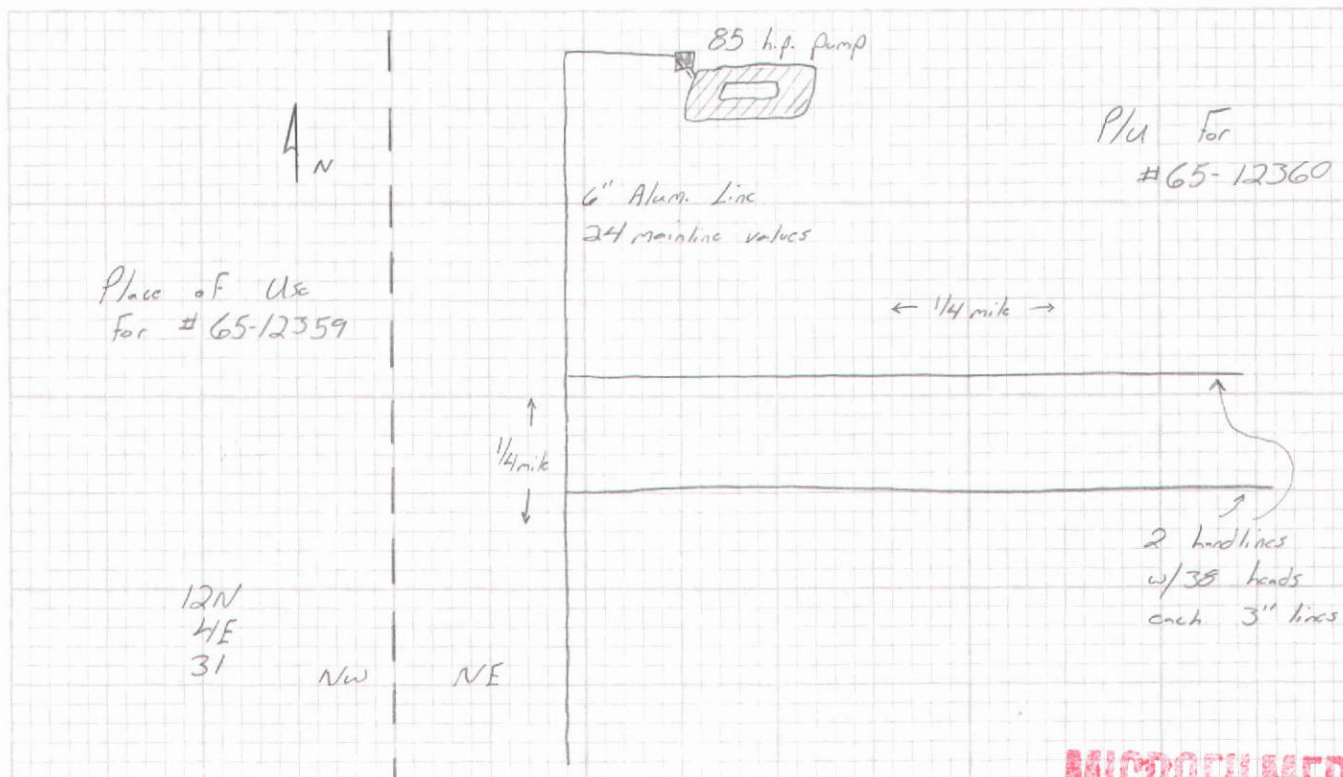
1. ✓ Owner: Stan & Chota Patterson Permit No. 65-12359
Phone No. 584-3371
Current Address: HC 71 Box 2153 Cascade, ID 83611
2. Accompanied by: Stan Patterson EXAM. DATE: 5-28-92
Address: _____ Phone No. _____
Relationship to Permit Holder: Same
3. ✓ Source: Round Valley Cr. & Groundwater tributary to 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: 65-12360
_____ ☐ 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).

NOV 08 1995

A303

A92
(530A)

T458
A111
(536A)

A92
(531A)

T461
A34

T460
A337

T463
A92 (532A)

173.6

Lots

Latigo Sub.

Norman Fuller

Norman Fuller
Sitten

land

T571

2 315

118.5

3

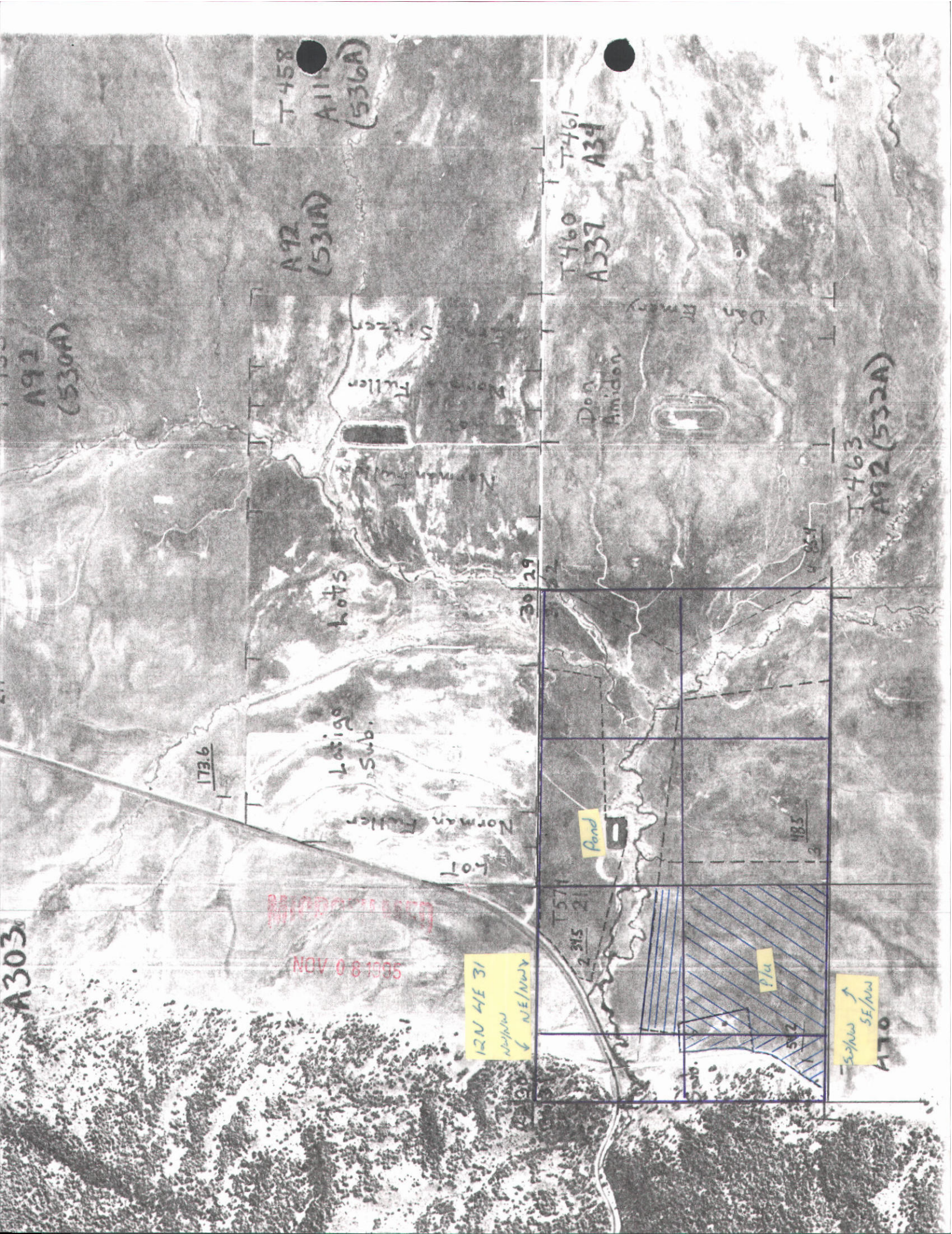
50/100
SE/100

170

12N 4E 31
NE/100
NE/100

NOV 0 8 1995

RECEIVED



OV 08 1995

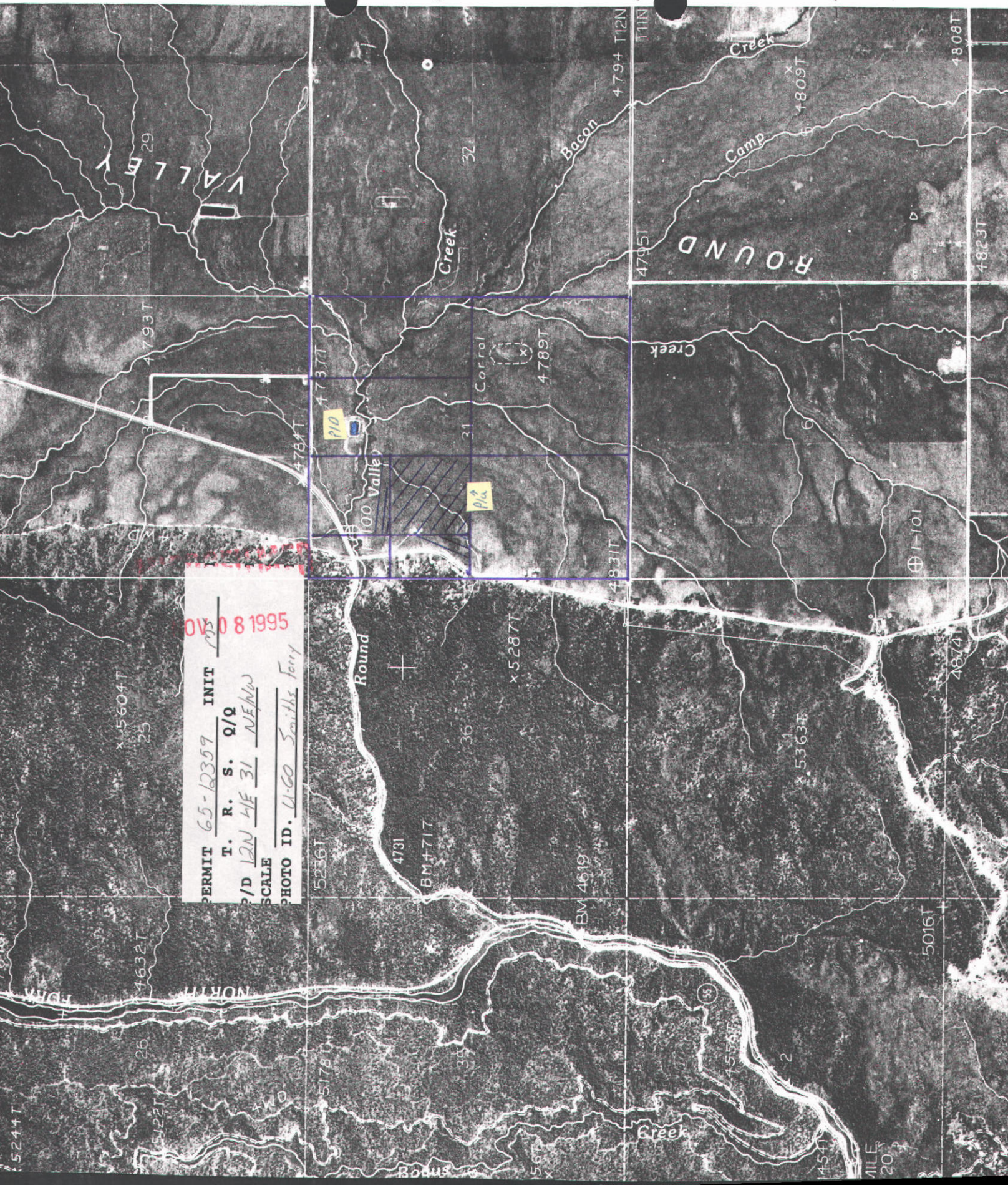
PERMIT	INIT
65-12359	

T.	R.	S.	Q/Q
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	32
33	34	35	36
37	38	39	40
41	42	43	44
45	46	47	48
49	50	51	52
53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
69	70	71	72
73	74	75	76
77	78	79	80
81	82	83	84
85	86	87	88
89	90	91	92
93	94	95	96
97	98	99	100

NE/W

SCALE

PHOTO ID. U-60 Smiths Ferry



Actual photos in file # 65-12360

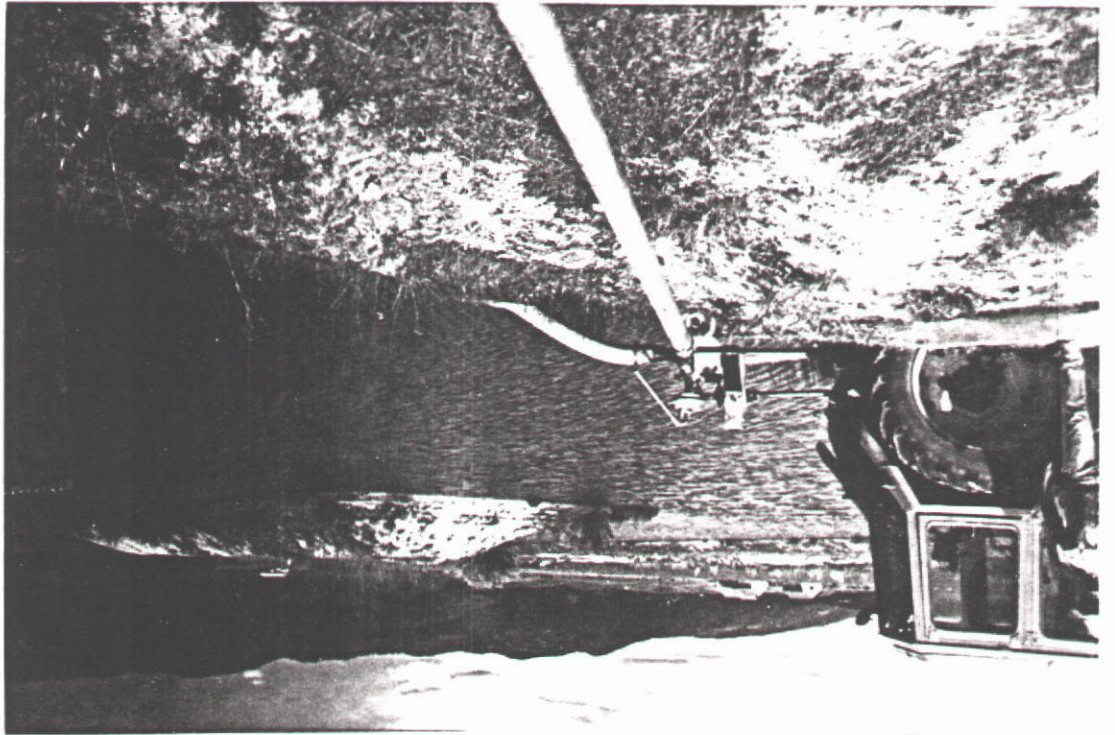
NOV 0 8 1995

MAINTAINED

Pipe line
crossing
Road
Valley
Creek



Pump and
85 h.p.
tractor
Place of
Measurement
with
polymer



65-12359

65-12359



Mainline
with P/u
on right
side.

Facing South.



P/u

Facing
Southwest

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

NOV 08 1995

65-12359



Pond with
Round Valley
Creek in
background



P/u
Facing
Northeast

UNRECORDED

NOV 08 1995

65-12359



P/u
Facing east
From
western
edge.

MICROFILMED

NOV 08 1995

PUBLISHER'S AFFIDAVIT OF PUBLICATION

O.K.
h/k

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 Not. of App. for Water, 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 September 11, 19 80 and ended September 18, 19 80.

Beryl Baker

Subscribed and sworn to before me this the

18th day of September, 19 80

Melody Juarez

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

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.
MONTOUR STAR RT.,
EMMETT, ID 83617

Source: ROUND VALLEY
CREEK tributary to
PAYETTE RIVER

Date Filed: 08-19-1980

Amount: 1.20 CFS

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

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

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

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

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
SENE 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, 1980.

C. STEPHEN ALLRED

Director

Published 9-11 & 9-19-80

MICROFILMED

SEP 24 1980

Department of Water Resources
West Regional Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12359

Priority: August 19, 1980

Maximum Diversion Rate:

0.85 CFS

Maximum Diversion Volume:

180.0 AF

This is to certify, that STAN PATTERSON
CLEOTA 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 10, 1991. An examination indicates that the works have a diversion capacity of 0.850 cfs of water from:

ROUND VALLEY CREEK

tributary to PAYETTE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	02/15 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</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N	04E	31	NWNE 40	SWNE 40	SENE 13.4	
			NENW 8.4	SENE 40	SENW 40	112

Total number of acres irrigated: 112

CONDITIONS OF LICENSE 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.

NOV 08 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12359

CONDITIONS OF APPROVAL AND REMARKS

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 65-12360 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

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12359

RECEIVED
DEC 13 1993
Department of Water Resources

Date of Priority: August 19, 1980

Maximum Diversion Rate: 0.85 CFS
Maximum Diversion Volume: ~~162.3~~ AF
180.0

Comes now
10144 Round Valley Rd
~~Box 2153~~
CASCADE ID 83611

STAN PATTERSON
CLEOTA PATTERSON

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. 65-12359, and requests that the permit be changed as follows:

Source: ROUND VALLEY CREEK tributary to PAYETTE RIVER

Source: ~~GROUNDWATER~~ 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	~~162.3~~ 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

AMENDED
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 3rd day of December, 1993.

Stan Patterson
(Signature)
Cleota Patterson

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12359

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 20⁰⁰ Received by JV # C029212 Date 12/13/93

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. 65-12359 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount 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 65-12360 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 
KARL J. DREHER, Director

NOV 08 1995

RECEIVED
JAN 23 1991

PROOF OF BENEFICIAL USE

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

For Office Use Only
Amt. of Fee
Date
Receipt No.
Received by

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 (801) 634-9332

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: Round Valley Creek

a. If ground water, well driller's name: _____

b. Pump horsepower: 45 h.p. Diesel

5. Extent of Use: 85 h.p. Diesel (Either pump is used depending on need)

Domestic _____ (No. of households)

Irrigation 80 _____ (No. of acres)

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:

Measuring device: Required? _____ Yes _____ No Installed? _____ Yes _____ No

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)

9. Person to contact to accompany the Department representative during the field examination: _____

Name Stan Patterson Telephone No. (208) 382-4991 and 65-12360

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

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.

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

Date 12/24/90 1/19/91 1/17/91 in response to Ltr's. 11/30/90 and

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESFor Office Use Only
\$15 FEE Received by CP
Date 9/27/88
Receipt # 0002719

SEP 27 1988

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. 65-12359Name(s) of Permit Holder: Cleota M. (Newell) PattersonPost Office Address: H.C. 71 Box 2153CASCADE, ID 83611 Telephone No. _____

Date Proof is Due: _____

Describe what work has been completed toward the development of this water right: 382-4991
(This must be filled out! If no work has been completed, show "none".)

Did excavation on Pond, Fill washouts,
Leased a pump & sprinkler system.
Worked with Soil Conservation with analysis
of Soil + engineering of Permanent Costing \$ 2,000
placement cross fencing supplies

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

My husband was killed in a car accident & left me with
a Repossessed Ranch - back payments Plus death of
Mother leaving me with two ^{Legal} ~~Legal~~ & Court hearings
to go through.

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.

DEC 06 1988

Signed this 24th day of October, 19 88.A. Glen Saxton
Chief, Operations Bureau

State of Idaho

Department of Water Resources

REC

OCT 2 1988

Department of Water Resources

ASSIGNMENT OF PERMIT

I, Cheata Patterson (Patterson), 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, 19 88.

Cheata (Patterson) Patterson
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of _____) SS

On this 27th day of Sept, 19 88, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

s e a l

Jim Ock
Notary Public residing at

BASE, IDAHO

NOTARIZED

My commission expires:

LIFE

DEC 06 1988

OK
JIM OCK
10/21/88

REC-11

OCT 03 1988

REC-11
OCT 21 1988

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

Department of Water Resources

FILED

O'CLOCK

2-17-87

Thelma R. Kolodziej, Clerk

[Signature]
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

[Signature]
Magistrate

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

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.

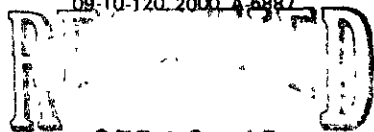
DEC 06 1988

[Signature]
Cleota M. Newell

SUBSCRIBED AND SWORN to before me this 13th day of February, 1987

[Signature]
Notary Public for Idaho
Residing at Emmett, Idaho.

LETTERS TESTAMENTARY



SEP 10 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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)

MONTFOUR STAR RE. 8973 1/2 State St.
EMMETT ID 83617 Boise Id 83703
(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. 65-12359

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
Oct 1, 1985

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)

I was prevented from developing from the date of permit
approval until Oct 83 by Idaho Power Co. Thus I have
completed no work toward developing this project. I plan to
begin construction of the system next spring. Costing \$ NONE

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

SEE ABOVE

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, 1985

J. Glen Saylor
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 Boat Emmett Idaho 83617
2. Source of water supply Round Valley Creek which is a tributary of Payette River
3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31 Township 12N
Range 4E B.M. VALLEY County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.2 CFS 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. Small dam with pipe line & pump & sprinkler system.

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

[illegible]

09

None

Ernst L. Newell

5/11/72

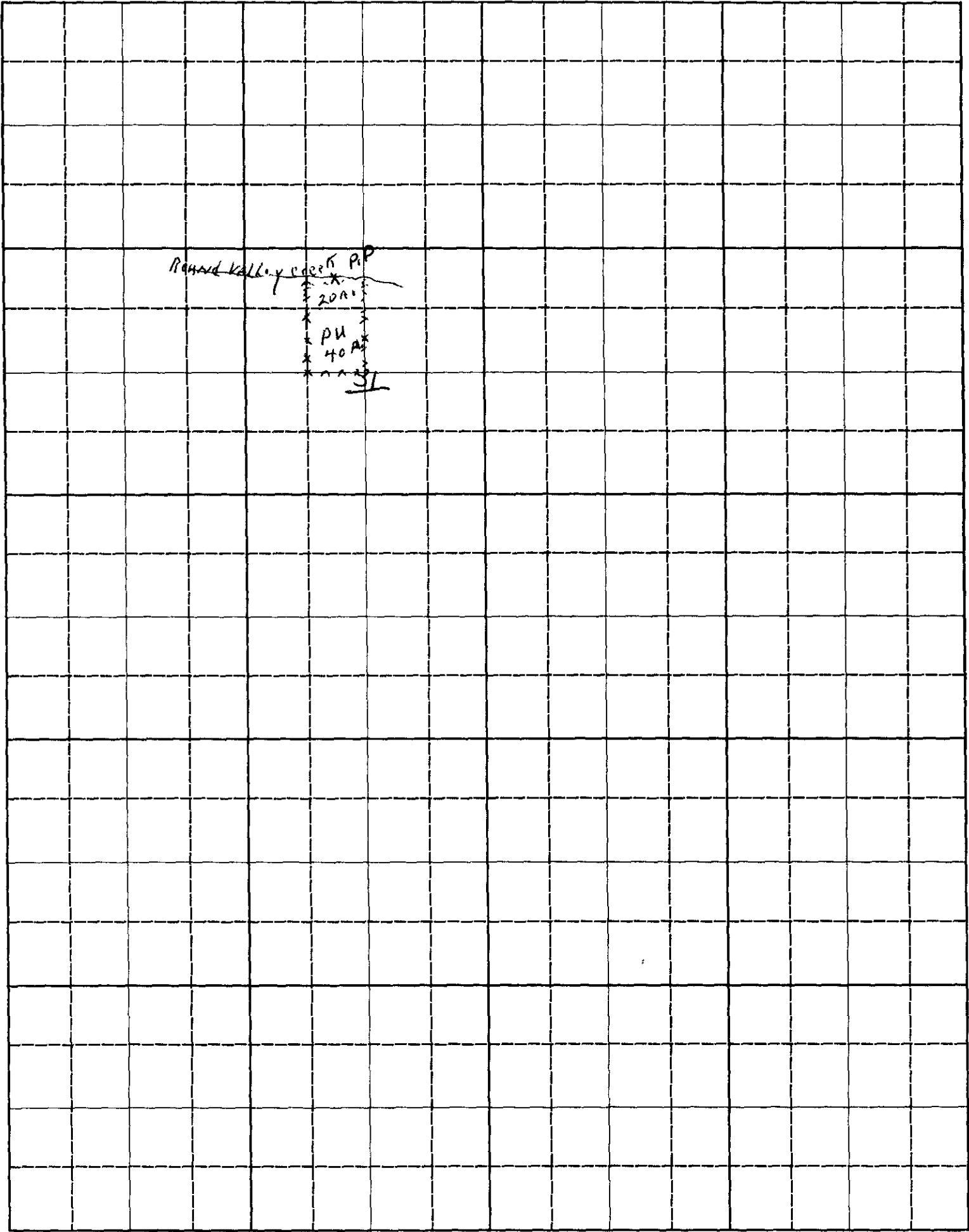
applicant to make this filing.

[illegible]

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.

Smith T. Russell
(Applicant)

MEMORANDUM

DATE: October 24, 1995
TO: File 65-12359
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.

RECORDED
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

STAN PATTERSON
CLEOTA PATTERSON
10144 ROUND VALLEY RD
CASCADE ID 83611

RE: WATER RIGHT NO. 65-12359

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

MINUTE
NOV 08 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12359

Priority: August 19, 1980

Maximum Diversion Rate:

0.85 CFS

Maximum Diversion Volume:

180.0 AF

This is to certify, that STAN PATTERSON
CLEOTA 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 10, 1991. An examination indicates that the works have a diversion capacity of 0.850 cfs of water from:

ROUND VALLEY CREEK

tributary to PAYETTE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	08/15 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</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N	04E	31	NWNE 40	SWNE 40	SENE 13.4	
			NENW 8.2	Lot 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.

NOV 08 1995

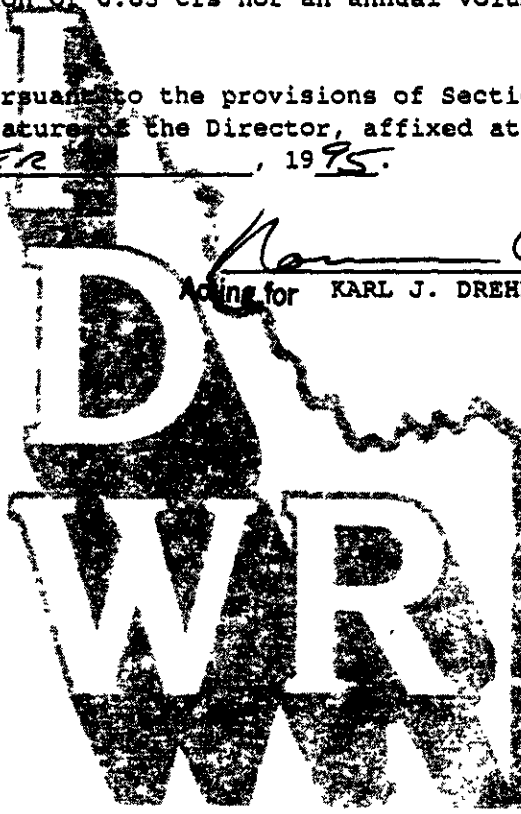
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 65-12359

CONDITIONS OF APPROVAL AND REMARKS

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 65-12360 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

NOT RECORDED

NOV 08 1995

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12359

RECEIVED
DEC 13 1993
Department of Water Resources

Date of Priority: August 19, 1980

Maximum Diversion Rate:

0.85 CFS

Maximum Diversion Volume:

~~162.3~~ AF

180.0

Comes now

10144 Round Valley Rd
~~HC 11 BOX 2153~~

STAN PATTERSON
CLEOTA PATTERSON

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. 65-12359, and requests that the permit be changed as follows:

Source: ROUND VALLEY CREEK

tributary to PAY TTF RIVER

Source: ~~GROUNDWATER~~ 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	~~162.3~~ 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

MICROFILMED

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. Ignace, Utah, this 3rd day of December, 1993.

Stan Patterson
(Signature)
Cleota Patterson

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12359

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 20⁰⁰ Received by JV # C029212 Date 12/13/93

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. 65-12359 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount 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 65-12360 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, 1993.


Acting for KARL J. DREHER, Director

NOV 08 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 19, 1995

STAN PATTERSON
CLEOTA PATTERSON
10144 ROUND VALLEY RD
CASCADE ID 83611

RE: WATER RIGHT NO. 65-12359

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

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

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

November 24, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

STAN PATTERSON
CLEOTA PATTERSON
HC 71 BOX 2153
CASCADE ID 83611

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

Dear Water Right Holder(s):

The above referenced water rights are in the process of being licensed. However, before licenses can be issued, your permits must be amended to correspond with the findings of the Department's field examiner.

The enclosed applications for amendment contain information that will be included on the licenses when they are issued. The amendment for Permit Number 65-12359 reflects a change in the location of the point(s) of diversion and the places(s) of use description. The amendment for Permit Number 65-12360 reflects a change in the location of the places(s) of use description.

Please review these amendments carefully and if you concur, sign the amendments and return each with its \$20.00 filing fee within 14 days.

If you do not concur with this information, please contact me as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

MIPOCII MCH

NOV 08 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 25 1993

Department of Water Resources

A. GENERAL INFORMATION

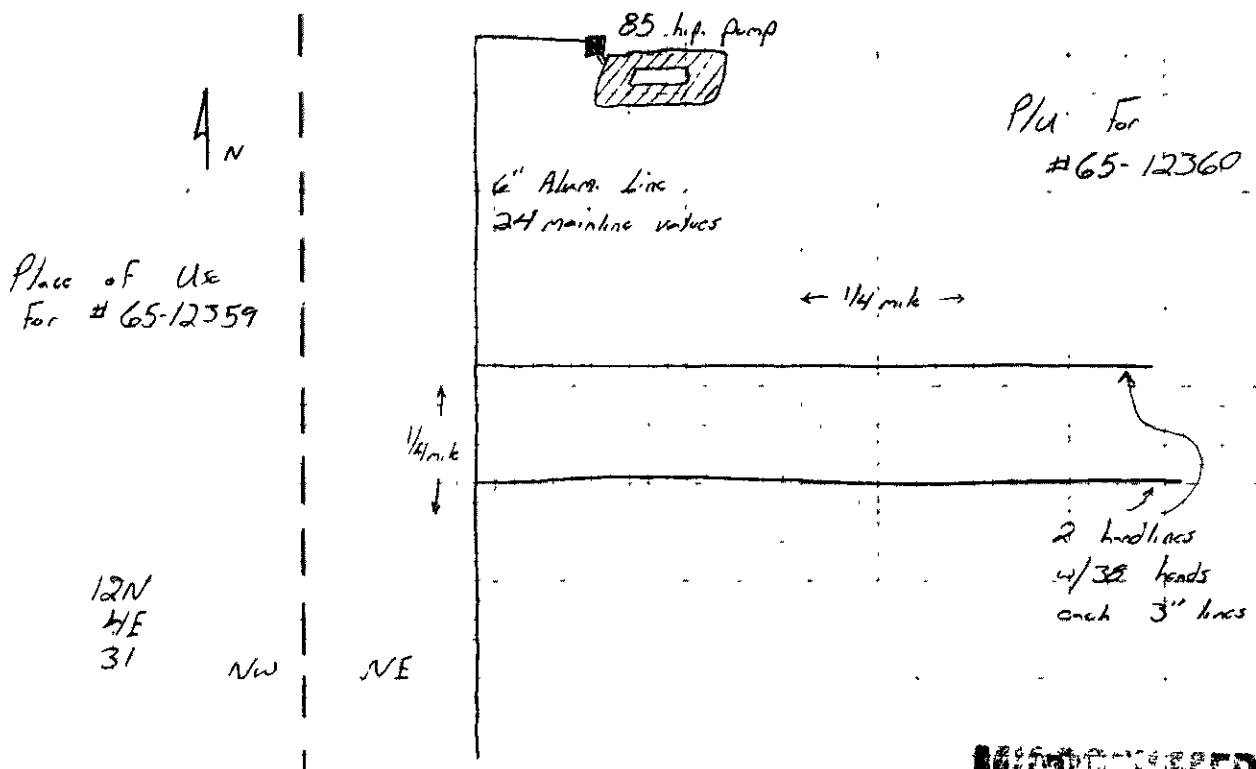
1. Owner: Stan & CKota Patterson Permit No. 65-12359
Phone No. 584-3371
Current Address: HC 71 Box 2153 Cascade, ID 83611
2. Accompanied by: Stan Patterson EXAM. DATE: 5-28-92
Address: _____ Phone No _____
Relationship to Permit Holder: Same
3. Source: Round Valley Cr. tributary to Payette River
& Groundwater

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: 65-12360
_____ ☐ 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).

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

Water from Round Valley Creek is diverted by a small dam, into a storage pond. The creek flows in spring and early summer, and overflows from the pond returns to the creek downstream. Groundwater is also a source for the pond, as stated in permit # 65-12360. Since both sources jointly supply water to the pond, from which irrigation water is directed, neither permit fully describes the actual diversion system. I recommend combining both sources on each permit.

☒ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	11551	85			
	Transfer				

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

5. ✓ Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination Heur./ Th. / Answer

[illegible]

PPU
Other Areas

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		Trans-Flite	TF-P	State id. no. 150231		

2. Measurements:

76 sprinkler heads
approx 90% are 1/8" $\rightarrow$ 4.9 gpm
100-110 psi
Polysonic = 381 GPM

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$381 \text{ gpm} / 448.8 = .85 \text{ cfs} \quad \text{From Polysonic}$$

2. Alternate Method for Checking Purposes:

$$76 \times 4.9 \text{ gpm} \times \frac{1}{448.8} = .83 \text{ cfs} \quad \text{From pressure gauge}$$

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) $\times$ (4) $\div 8.8 =$ _____ (5)

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

Meter Input HP: (6) $\times 1.34 =$ _____ (7)

Panel Input KW: _____ Ave PF $\times$ _____ Ave Volts $\times$ _____ Ave Amps $\times .001732 =$ _____ (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 541 \times 3.0 = 1623$$

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

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 1623$$

2. Volume Calculations for Other Uses:

NOV 08 1995

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The 85 hp diesel tractor is connected to a pump on the western end of the pond. From the pond, a 6" aluminum mainline extends 1/4 mile to the south. Twenty-four mainline valves are located on the mainline and the 3" lines were attached. Each handling had 38 heads of which approx. 90% are 1/8".

The P.U. was changed slightly based on aerial photo and planimeter. The P.O. has been changed to location of pond on photo quad. This average is strictly pastureland.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	From 4-15 To 10-15	.85 cfs	1732.5
			162.3

2. Recommended Amendments

Remarks - PPU, WBS, R01, R09	Totals:
Conditions - R04/05, R01, R09	.85 cfs
	1732.5
	162.3

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

☐ None
☐ Other

Field Examiner's Name

Signature

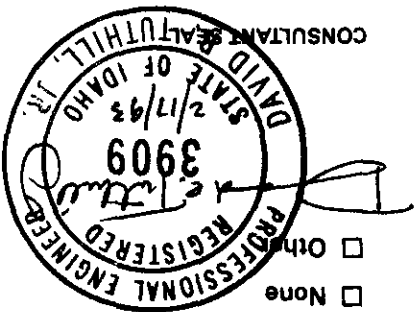
Certification Date

Field Report Preparation Date

08-02-06-93

6-1-92

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



NOV 08 1995

Continued

OUTER DIAMETER
6.0476 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

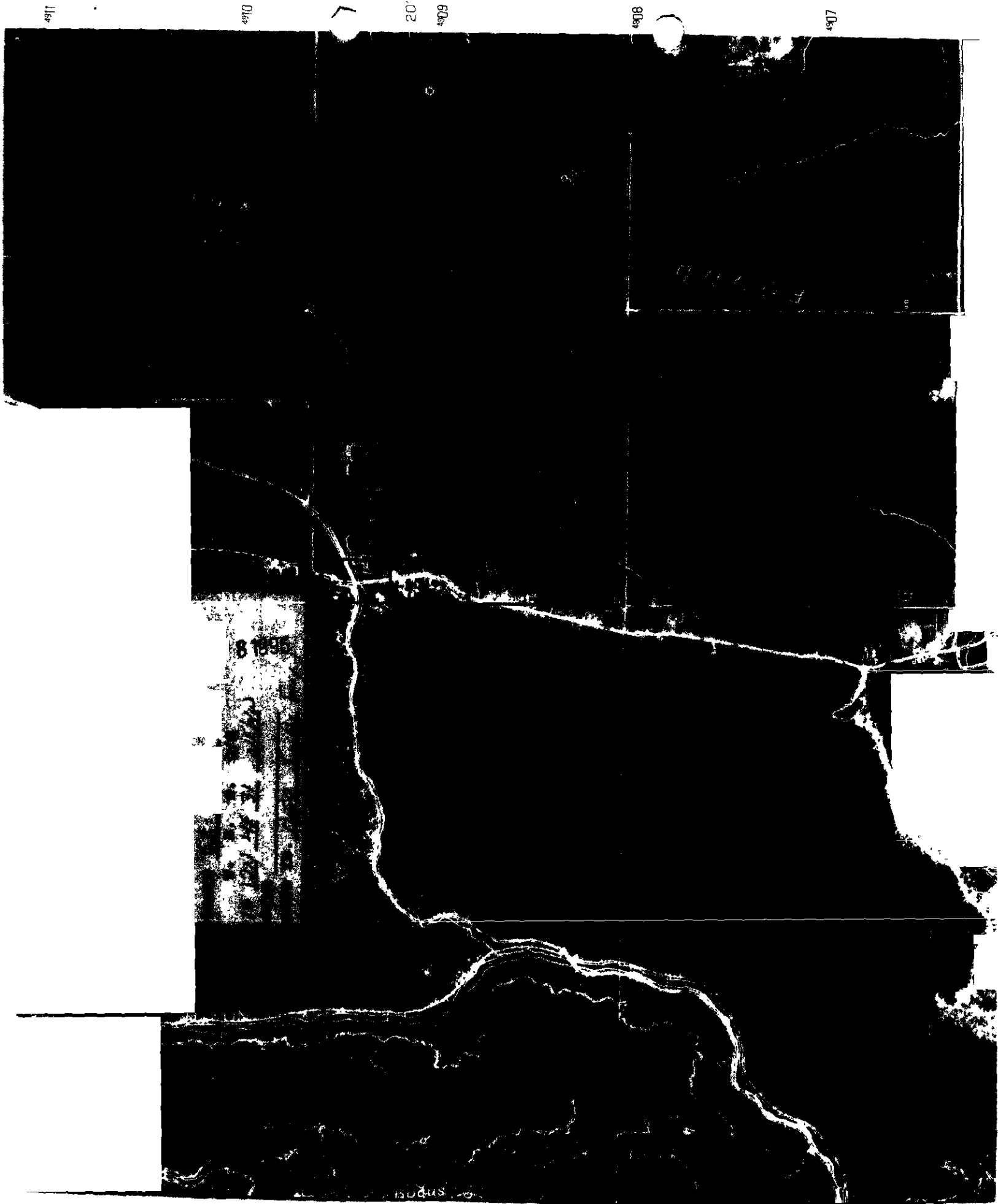
00-00 00:1800 *R
*300.9300 00000

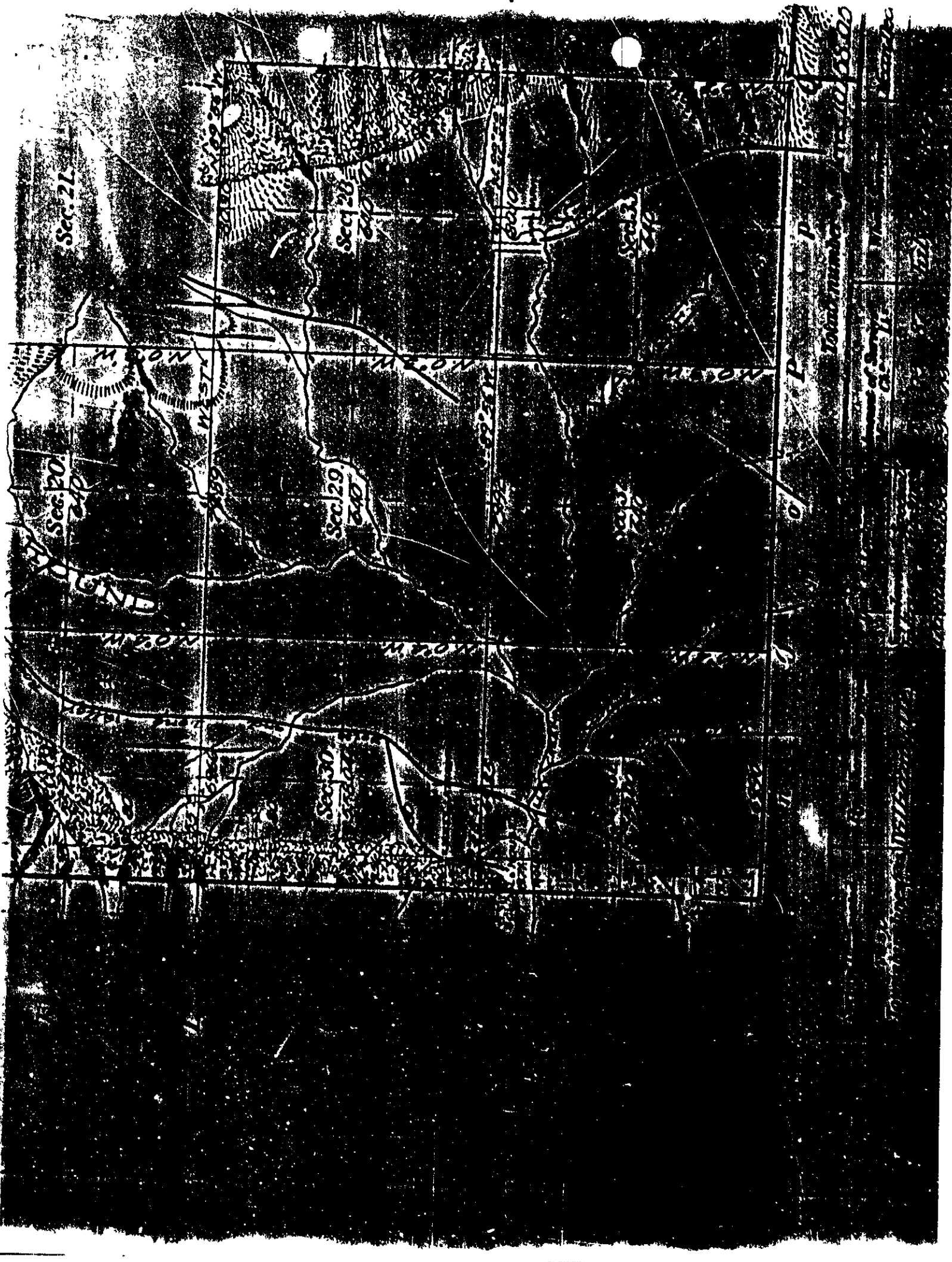
MM-DD HH:MM
05-28 05:08

*From
Polysonic
Print-out*

NOV 6 8 1985







65-12359 T



Pump and
85 hp
tractor

Place of
Measurement
with
polymer



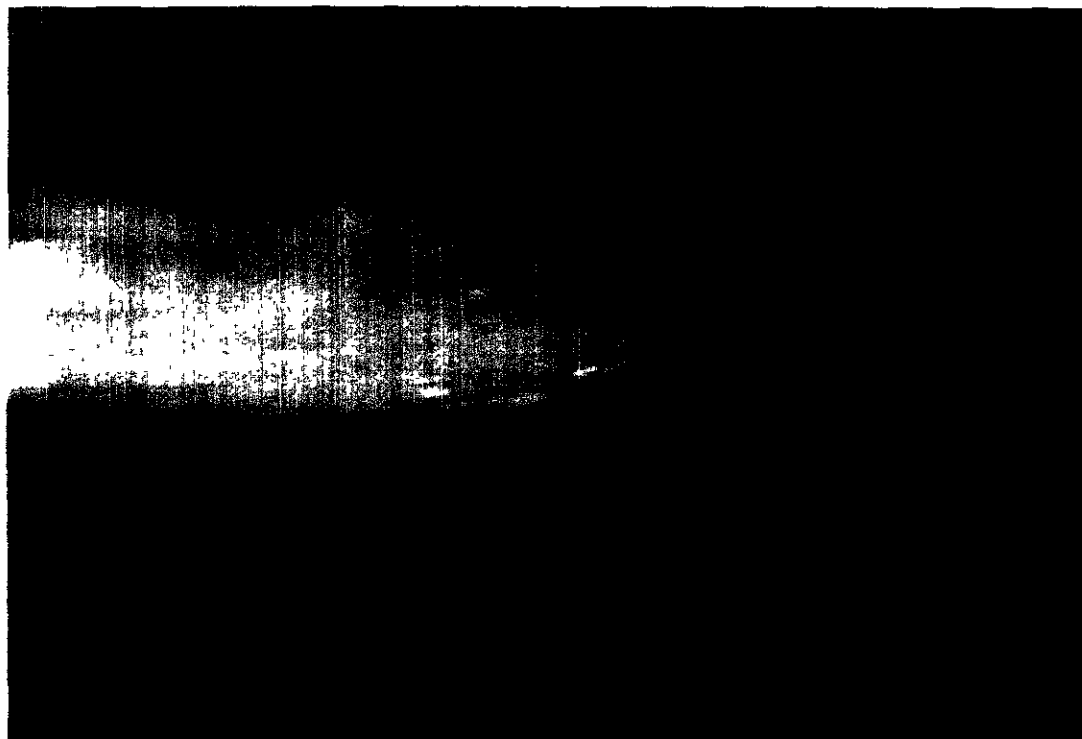
Pipeline
crossing
Round
Valley
Creek

RECEIVED

NOV 08 1995

Actual photos in File # 65-12360

65-12359



Mainline
with P/u
on right
side.

Facing South



P/u

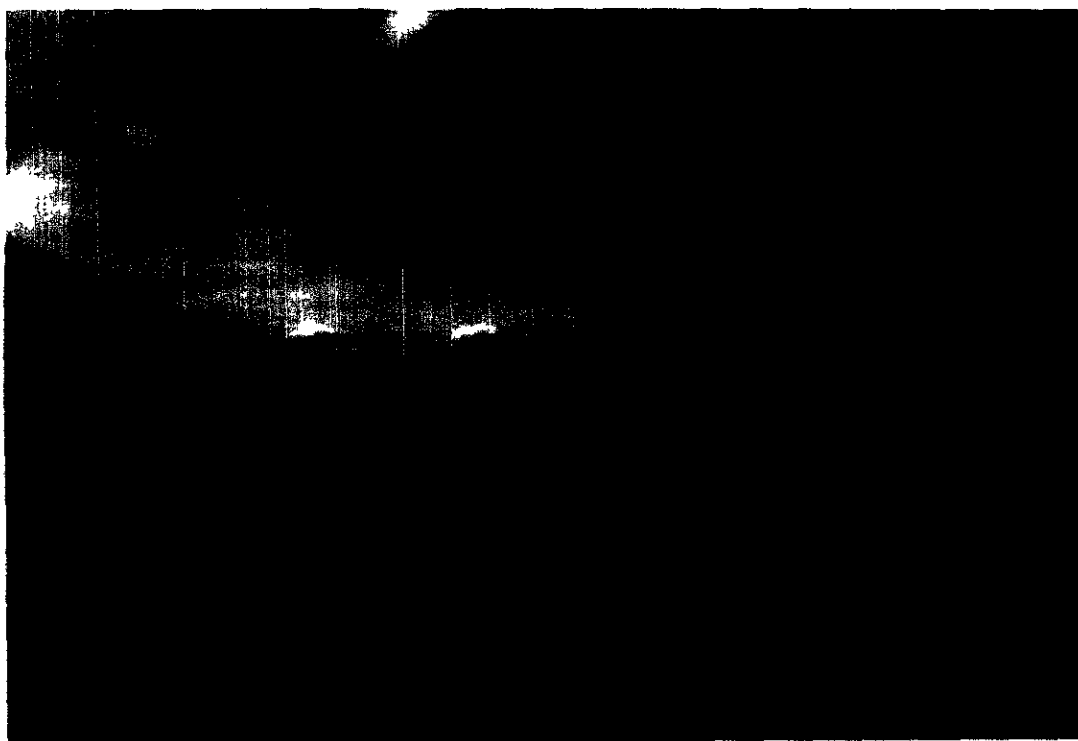
Facing
Southwest

NOV 08 1995

65-12359



Pond with
Round Valley
Creek in
background

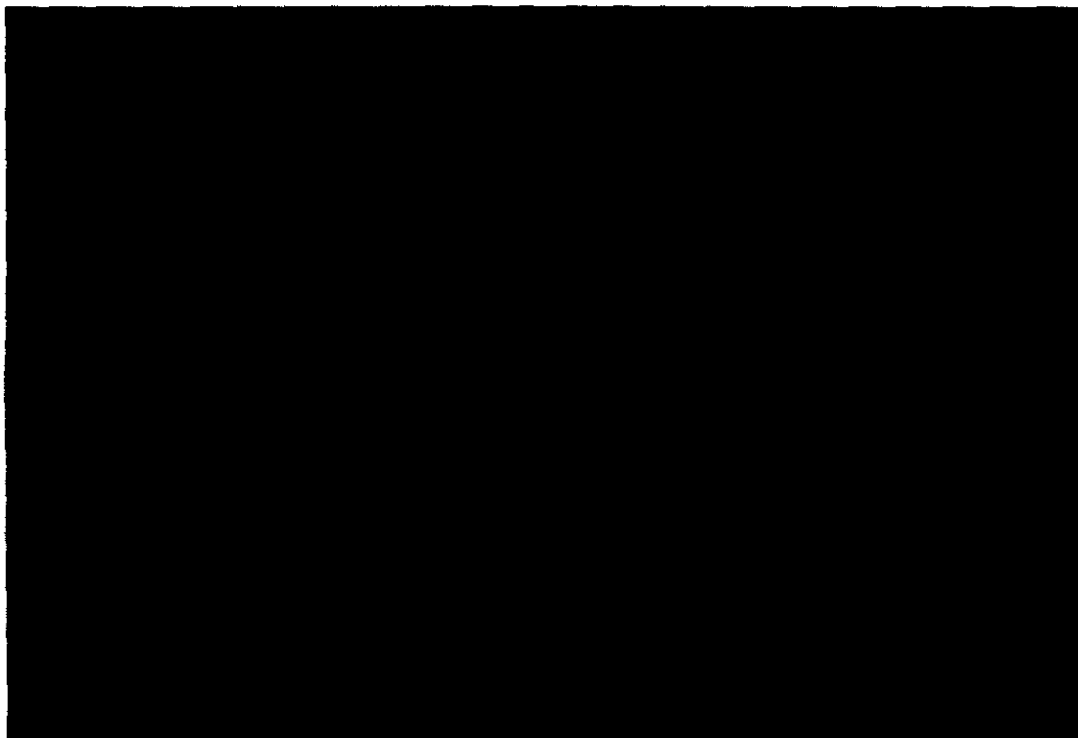


P/u

Facing
Northeast

RECORDED

NOV 08 1995



P/u

Facing east

From

western

edge.

RECORDED

NOV 08 1935

June 12, 1992

CLEOTA PATTERSON
STAN PATTERSON
HC 71 BOX 2153
CASCADE ID 83611

RE: Water Right No. 65-12359

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

RECEIVED
NOV 08 1995

June 8, 1992

CLEOTA PATTERSON
STAN PATTERSON
HC 71 BOX 2153
CASCADE ID 83611

RE: Water Right No. 65-12359

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

RECEIVED
JUN 10 1992

NOV 08 1995

May 19, 1992

CLEOTA PATTERSON
STAN PATTERSON
HC 71 BOX 2153
CASCADE ID 83611

RE: Water Right No. 65-12359

Dear Water Right Holder(s):

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

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

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

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

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

RECEIVED

NOV 08 1995

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

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

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

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

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

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

8 1995

February 26, 1991

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

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-12359

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

MICROFILMED

MAR 19 1991

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.

RECEIVED

MAR 19 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 65-12359

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
 Ground water source
 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?
yes Correct amount?

MEASURING DEVICE

y Measuring device or access port required?
No Installed?
 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

needs m d
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	_____	= _____

LB

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

Please note our

Winter address is

577 W. Rio Virgin Dr.
St. George, Utah
84770

Not 5787 W. Rio Virgin
Dr. as indicated
on your Letter of
Jan. 17, 1991

Thank

John

INDEXED
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

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

Phone: 801-634-9332

RECEIVED
JAN 17 1991

Department of Water Resources

RECEIVED

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

RECEIVED
NOV 30 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
JUL 25 1990

No fee received
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. 65-12359

Name(s) of Permit Holder: Stan & 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: Round Valley Creek which is a tributary of the Payette River

Extent of Use: irrigation

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 60 acres (acres)

Other/Remarks Irrigation system will be in operation until August 10, 1990.

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.

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. #71m Box 2153 Cascade, Idaho 83611 (208) 382-4991
(Address) (Telephone)

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

7/22/90

Date

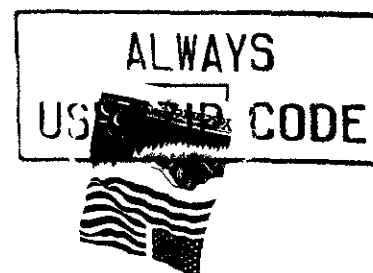
Stan Patterson
Signature of Permit Holder (and Title, if appropriate)

MICROFILMED

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 No's. 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

RECEIVED

DEC 06 1988

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 65-12359Reviewed by [Signature]Date 10-11-88

BASIC INFORMATION

Y Date stamp received
Y Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit - assigned
Y Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

Y Has adequate work been completed to demonstrate due diligence?
Y Has the cost incurred been adequate to demonstrate an intent to complete the project?
Y Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify IPC monitoring
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

_____ Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN 1. st extension PC monitoring,
recommend approval for 2 years

Special conditions or remarks:

_____ Reinstatement	Date extension received	_____	=	_____
	Proof due date	_____	=	_____
	No. of days late	_____	=	_____
	Priority date	_____	=	+
	ADJUSTED PRIORITY DATE	_____	=	_____

_____ Prepare coding sheet
 _____ Change rolodex card

INTER-DEPARTMENT MEMO — 1

FROM Jodi

TO File # 65-12359

SUBJECT

Billed Valley County Assessor.
Requested new address for:
Emmett L. Newell

Box 55
Emmett, ID 83617

DATE

8/10/88

State Clerk ~~John~~
HC 91 Box 2153
Crescent, ID 83611

RECEIVED

DEC 06 1988

Assessor said he is deceased. Address given (in his name)
is address property is under.

gs

SIGNATURE

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

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

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

PROOF DUE NOTICE

RE: PERMIT NO. 65-12359

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



U 100 1988

PLACE
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No 65-12359
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)
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.

Date 5/17/83

Signature of Permit Holder

*Note: A financing difficulty is
not an acceptable reason



NEWELL'S
REAL ESTATE - APPRAISAL SERVICE
Farms - Ranches - Commercial

Rita?



May 17, 1983

EMMETT L. NEWELL, ARA SR/WA, CRA
843 EAGLE HILLS WAY
EAGLE, IDAHO 83616
PHONE (208) 939-8088



State of Idaho
Department of Water Resources
Western Region
450 W. State Street
Boise, Idaho 83720

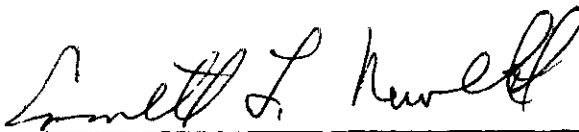
ATTENTION: JAN GROVER, Senior Water Resource Agent

Dear Ms. Grover:

In accordance with our telephone conversation of May 17, 1983, I am mailing in my blue cards on the water permits which I hold in Valley County.

I have been unable to begin work on an irrigation system due to the unavailability of a power hookup.

Sincerely,


Emmett L. Newell

ELN:cn

RECEIVED

DEC 06 1988

RECEIVED

MAY 19 1983

Department of Water Resources
Western Regional Office

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

MICROFILMED

STAFF REVIEW OF REQUESTS FOR EXTENSION TIME

Permit No. 65-12359

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

Date litigation completed

Oct. 1983Date permit approved
~~litigation began~~- Oct 1980

Total period of delay

=

3 yrs

Proof due date

Oct 1, 1988

NEW PRIORITY DATE

=====

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

REASON FOR DENIAL _____

RECOMMENDATION FOR ACTION

*Recommend approval - Swan Falls.
Permit holder was prevented from development
until the moratorium was lifted in Oct, 1983*

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

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

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138233

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

PROOF DUE NOTICE

JULY 31, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12359 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE OCTOBER 01, 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 DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address.
Statehouse
Boise, Idaho 83720
(208) 384-2215

October 29, 1980

Emmett L. Newell
Montour Star Route
Emmett, Idaho 83617

Dear Mr. Newell,

RE: Permit No. 65-12359

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

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power. While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

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

DRT:lr

Enclosure

MICROFILMED

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

SS

County of Valley

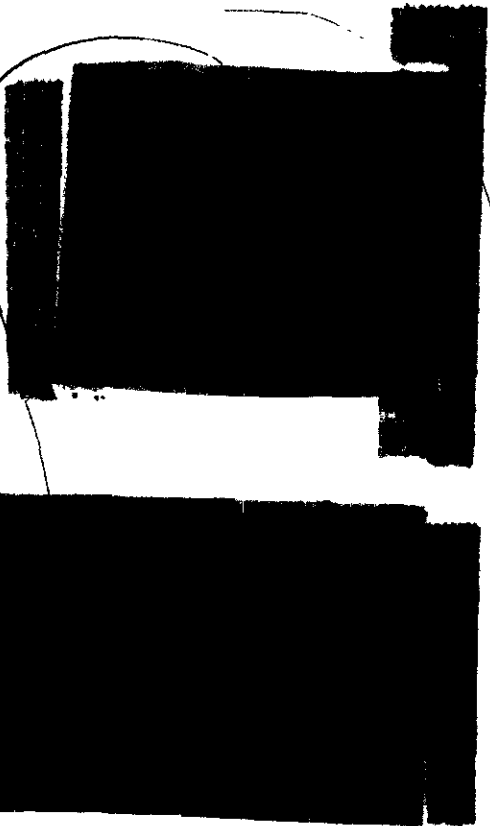
Beryl Baker

being duly sworn deposes
or 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 Not. of App. for Baker, 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 September 11
19 80 and ended September 18 19 80.

Beryl Baker

Subscribed and sworn to before me this the
18th day of September 19 80

Mable Jones
Notary Public in and for the State of
Idaho, residing at *McCall*
therein



O.K.
m/k

MICROFILMED

SEP 24 1980

Department of Water Resources
Bozeman Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

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

SEPTEMBER 4, 1980

The Star News
Box 985
McCall, ID 83638

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 SEPTEMBER 29, 1980.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

MICROFILMED

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 83709 on or before SEPTEMBER 29, 1980.

C. STEPHEN ALLRED

Director

Published 9/11 & 9/18/80.

MICROFILMED

65-12359

NEWELL, EMMETT L.

MONTOUR STAR RT., EMMETT, ID 83617

Source: ROUND VALLEY CREEK tributary to PAYETTE RIVER

Date Filed: 08/19/1980

Amount. 1.20 CFS

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

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

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

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

MICROFILMED