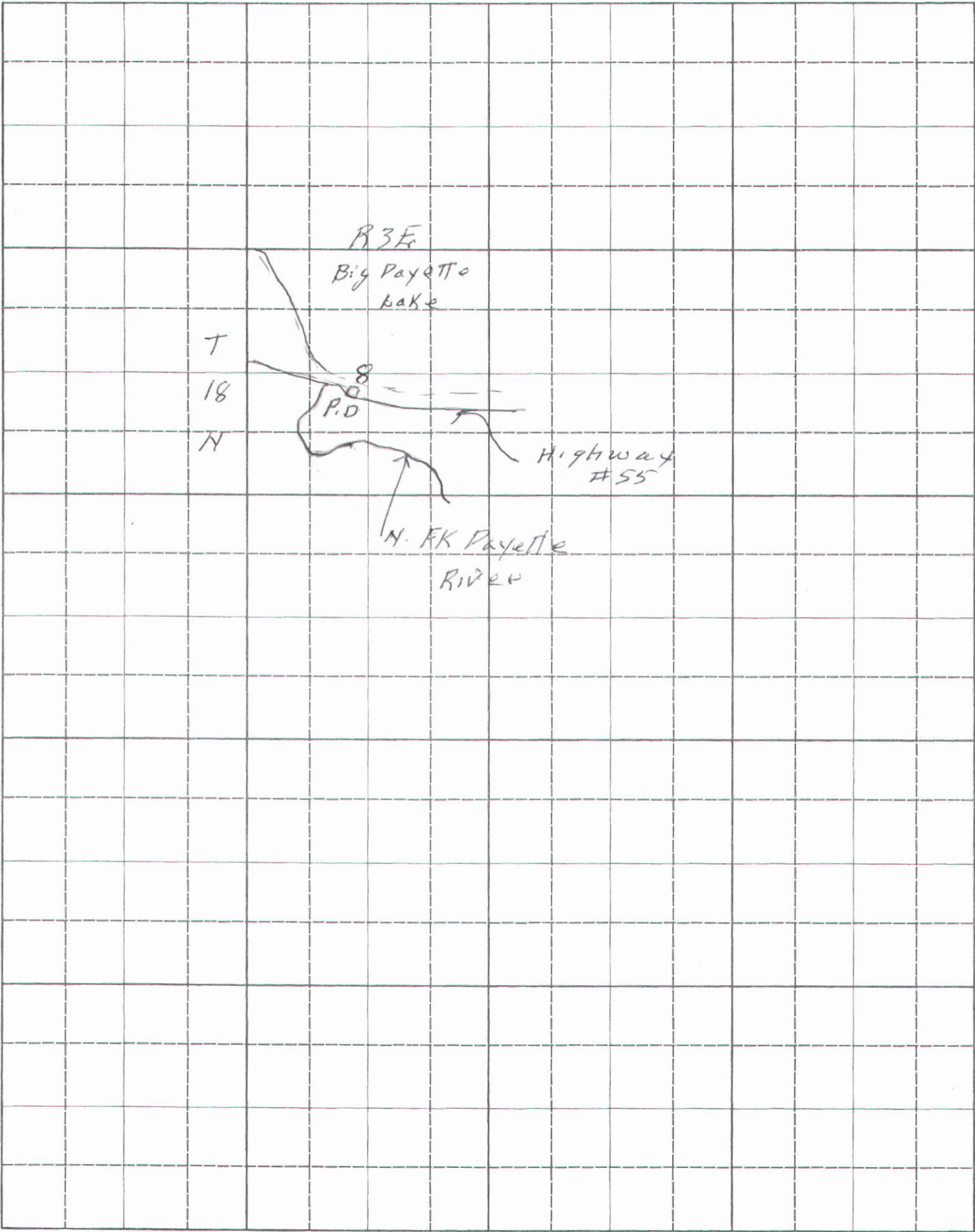


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Jack Spiegel
(Applicant)

MICROFILMED

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 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 25, 19 80 and ended October 2, 19 80.

Beryl Baker

Subscribed and sworn to before me this the

2nd

day of October, 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.

65-12354

SPIEGELMEN, JACK A.
&-or ANN A.

BOX 1313, MCCALL, ID
83638

Source: BIG PAYETTE
LAKE tributary to
PAYETTE RIVER, NORTH
FORK.

Date Filed: 08-18-1980

Amount: 0.02 CFS

Diversion Point: NESW
Sec 08 T 18N R 03E, VALLEY
Co.

Use: IRRIGATION (0.02
CFS) from 04-15 to 10-15

Place of Use: NESW Sec 08
T 18N R 03E FOR 1 ACRES

Diversion Means: SUMP
AND PUMPING PLANT.

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 22, 1980.

C. STEPHEN ALLRED
Director

Published 9-25 & 10-2

MICROFILMED

RECEIVED
OCT 8 1980

Department of Water Resources
Western Regional Office

PUBLISHER'S AFFIDAVIT OF PUBLICATION

65-12354

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 4, 19 80 and ended September 11, 19 80.

Beryl Baker

Subscribed and sworn to before me this the

11th 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:

SPIEGELMEN, JACK A. &-or ANN A.

BOX 1313, MCCALL, ID 83638

Source: BIG PAYETTE LAKE tributary to PAYETTE RIVER, NORTH FORK

Date Filed: 08-18-1980

Amount: 0.02 CFS

Diversion Point: NESW Sec 08 T 18N R 03E, VALLEY Co.

Use: IRRIGATION (0.02 CFS) from 04-15 to 10-15

Place of Use: NESW Sec 08 T 18N R 03E FOR 1 ACRES

Diversion Means: SUMP AND PUMPING PLANT.

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 22, 1980.

C. STEPHEN ALLRED

Director

Published 9-4 & 9-11-80

RECEIVED

SEP 11 1980

Department of Water Resources
Western Regional Office

MICROFILMED

FEB 09 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-12354

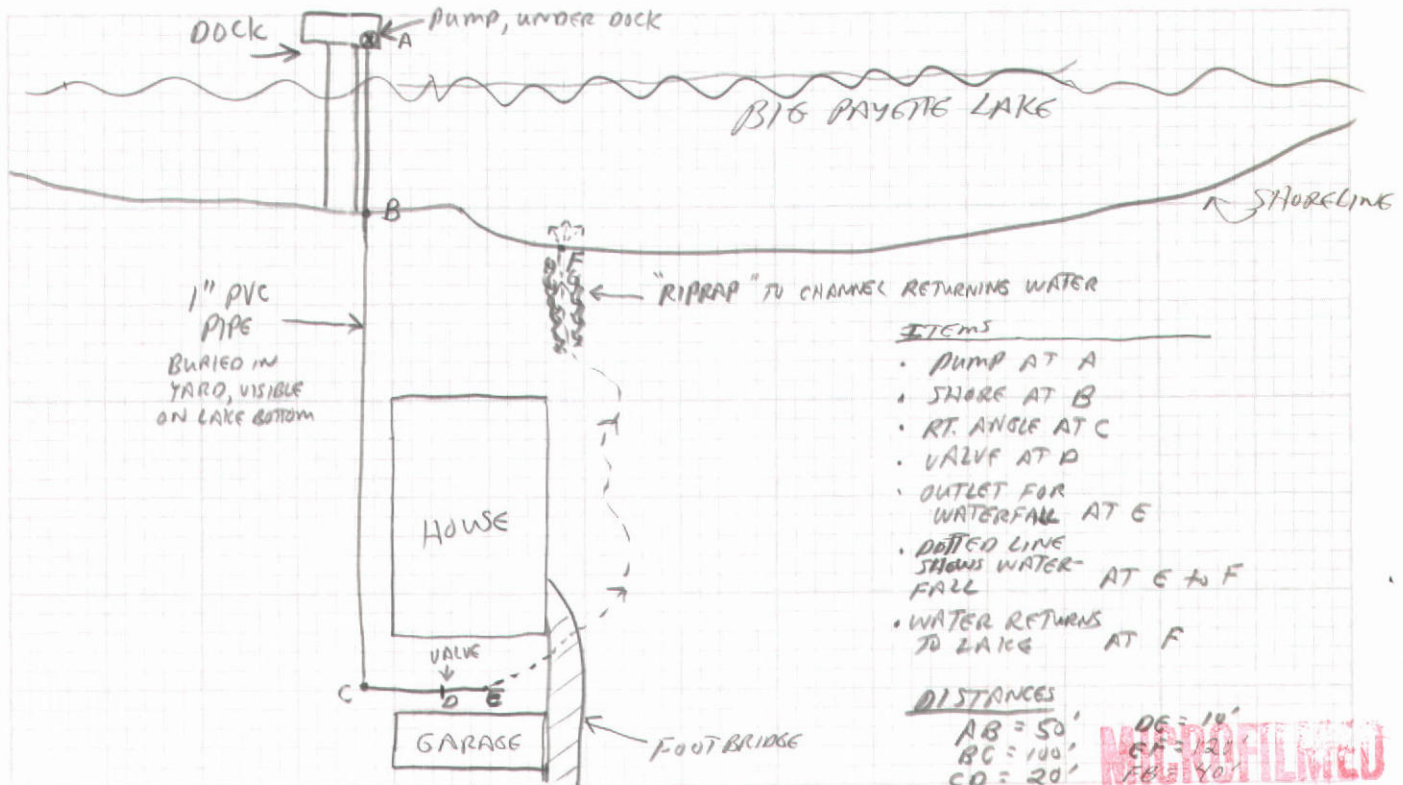
1. Owner: JACK A. AND/OR ANN A. SPIEGELMEN Phone No. 707-584-1936
Current Address: 4243 ORR RANCH, SANTA ROSA, CALIFORNIA 95404
2. Accompanied by: NO ONE HOME EXAM. DATE: 9/8/86
Address: N/A Phone No. N/A
Relationship to Permit Holder: N/A
3. Source: BIG PAYETTE LAKE tributary to N. FORK PAYETTE RIVER

B. OVERLAP REVIEW

1. Other water rights with same place of use: 65-9080 ☒ Copies Attached
2. Other water rights with same point of diversion: 65-2060, 65-9080 ☒ Copies Attached ☒ Copies of Field Exam's Attached
for 65-2060

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



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).

JAN 23 1989



MICROFILMED

JAN 23 1989

65-12354-08

65-12354
5.8
NE 1/4 SW 1/4
MICROFILMED
JAN 23 1989



pp N°18 North, Range N°3 Ea

65-12354



REPORT OF ENGINEER

65-2060

U. S. Department of the Interior,
Bureau of Reclamation,

1. State name of applicant and number of permit: Charles H. Nelson - Permit No. 2879.
2. State source of water supply: North Fork Payette River -- 50 sec. ft.
3. Location of point of diversion: Approx. 400 ft. below Payette Lake, in Lot 3, Sec. 8, T. 18 N., R. 3 E. B. M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes.
5. Describe works as they exist, giving dimensions and capacities of same: Dam - Rock, logs and lumber, approximately 100 ft. in length, two or three ft. in height. The above diverts water into a flume 10 ft. in width and approximately 10 ft. deep to site of power house. The water in flume is applied to undershot wooden breast wheel which is attached to a blackbox generator, the discharge being through a 3 in. pipe to reservoir located in block 3 of Larde townsite. Cut offs in the discharge pipe are conveniently placed enabling the beneficial use of water to be made by gravity from reservoir.
6. State whether or not water has been turned into works of diversion: Yes.
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):
For Power purposes: 50 cu. sec. ft. is being used.
For Irrigation and domestic purposes, water is being used on the following described lots of the Larde townsite.
Lots 1 and 2 of Block 1,
Lots 2 and 3 of Block 7,
Lots 1 and 2 of Block 3, being a total of 3 acres, all in the townsite of Larde in Lot 3, Sec. 8, T. 18 N., R. 3 E. B. M. in Boise County, now Valley County, Idaho.
8. Submit map on enclosed plat, showing location and details of above description.

MICROFILMED

JAN 23 1989

6. State whether or not water has been turned into works of diversion: Yes

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

For Power purposes: 50 cu. sec. ft. is being used.

For Irrigation and Domestic purposes, water is being used on the following described lots of the Lardo townsite.

Lots 1 and 2 of Block 1,

Lots 2 and 3 of Block 7,

Lots 1 and 2 of Block 7, being a total of 3 acres, all in the townsite of Lardo in Lot 3, Sec. 8, T. 18 N., R. 3 E., 1-M. in Boise County, now Valley County, Idaho.

8. Submit map on enclosed plat, showing location and details of above description.

Remarks: License for power should be for 50 cubic second feet.

License for irrigation and domestic purposes should be for 15 inches or .01 cubic second feet.

MICROFILMED

JAN 23 1989

65-9080

July 8, 1975

Delbert E. Colwell
4114 Hill Road
Boise, Idaho 83703

Dear Mr. Colwell:

In reviewing your Claim to a Water Right, it appears that you are using water from two sources. If you are, then you will need to file a claim for surface water and another claim for groundwater.

We have filled the information in on two new forms. If you will please sign these before a Notary Public and return them to us, we will then be able to make recommendations to the district court.

Your cooperation has been very much appreciated.

Sincerely,

GARY L. PAGE
Water Resource Supervisor

GLP:ms

MICROFILMED

JAN 23 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12354

Priority: August 27, 1980 Amount: 0.02 CFS 0.8 AFA

This is to certify, that JACK A. SPIEGELMAN
ANN A. SPIEGELMAN

P.O. BOX 1313
MC CALL, ID 83638

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated August 18, 1980, and has submitted proof to the Department of Water Resources on February 10, 1986, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .020 cfs of water from:

BIG PAYETTE LAKE tributary to PAYETTE RIVER, NORTH FORK

source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
AESTHETIC	04/15 to 10/15	0.02 CFS	0.8 AFA

LOCATION OF POINT OF DIVERSION(S): LOT 4(NESW), Sec. 8, Township 18N, Range 03E
VALLEY County

PLACE OF USE: AESTHETIC

TWN RGE SEC

18N 03E 8 LOT 4(NESW)

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right is subject to control by the watermaster of State Water District No. 65
5. The availability of water for this right is subject to all prior water rights of Lake Reservoir Co.

MICROFILMED

JAN 23 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12354

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 21st
day of DECEMBER, 1988.

Acting for the

Director



MICROFILMED

JAN 23 1989

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12354

Date of Priority: August 27, 1980

APPROVED

Comes now JACK A. SPIEGELMAN
ANN A. SPIEGELMAN
P.O. BOX 1313
MC CALL, ID 83638

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. 65-12354, and requests that the permit be changed as follows:

Source: BIG PAYETTE LAKE tributary to PAYETTE RIVER, NORTH FORK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
AESTHETIC	04/15 to 10/15	0.02 CFS	0.8 AFA

LOCATION OF POINT OF DIVERSION(S): LOT 4(NESW), Sec. 8, Township 18N, Range 03E
VALLEY County

PLACE OF USE: AESTHETIC

TWN RGE SEC

18N 03E 8 LOT 4(NESW)

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

Signed at Boise, Idaho, this 29 day of Nov., 1988.

MICROFILMED

JAN 23 1989

Ann A. Spiegelman
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12354

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00✓ Received by kw Date 11/29/88

ACTION OF THE DEPARTMENT OF WATER RESOURCES

#C003653

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 65-12354 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right is subject to control by the watermaster of State Water District No. 65.
5. The availability of water for this right is subject to all prior water rights of Lake Reservoir Co.

Witness my hand this 21st day of DECEMBER, 1988

R. Keith Higginson
(Director)

MICROFILMED

JAN 23 1989

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-12354 IN THE
NAME OF JACK A. AND/OR ANN A. SPIEGELMAN

ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before February 1, 1986; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

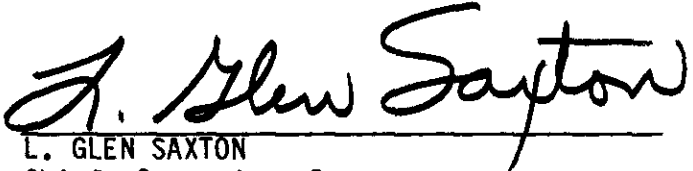
WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on February 10, 1986;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-12354 be REINSTATED and the priority advanced to August 27, 1980.

Dated this 27th day of February, 1986.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

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 JACK A. &/OR ANN A. SPIEGELM^AEN Phone 634-7378
Post office address Box 1313, McCall, ID 83638
2. Source of water supply Big Payette Lake which is a tributary of Payette River, North Fork
RH 2-20-81
3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8 Township 18N
Range 3E B.M. Valley County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .02 cfs for irrigation purposes from 4/15 to 10/15 (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. .02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Sump and pumping plant
- 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: _____

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Total number of acres to be irrigated .25

None

Applicant

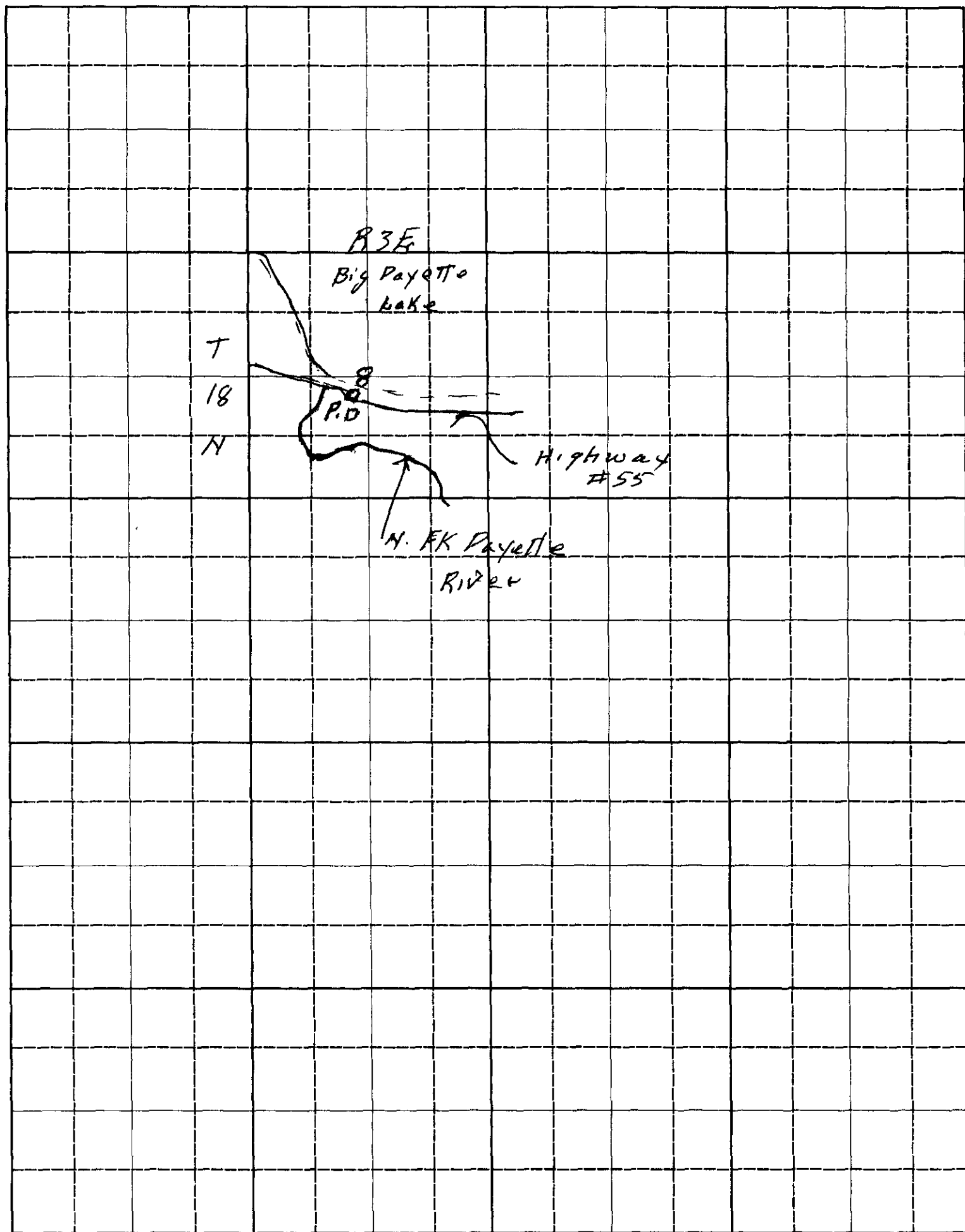
Applicant

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

applicant to make this filing

10. Remarks

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



Scale 2 inches equal 1 mile.

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

Jack Spiegel
(Applicant)

MICROFILMED

Proposed Priority 8/18/80

Received by JKN Date 8/18/80 Time 10:30 AM.

Preliminary check by LLS Fee \$ 30.00 #15695

Received by JKN Date 8/13/80

Publication prepared by h/n Date 8-28-80

Published in Star News.

Publication dates 9-4 & 9-11-80

Publication approved Date

Protests filed by: Lake Reservoir (9/12/80)

Copies of protests forwarded by Withdawn 2/9/81

Hearing held by Date

Recommended for approval denial by DBS

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. 65-12354, 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 be-

fore February 1, 1986.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other:

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

The availability of water for this permit is subject to all prior water rights of Lake Reservoir Company.

Witness my hand this 26th day of February, 1981.

D. Alan Saylor
Chief, Operations Bureau

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 334-2190

January 21, 1981

JAN 24 1981

Lou Gorrone
Attorney at Law
P.O. Box 637
Emmett, Idaho 83617

RE: Lake Reservoir Company

Dear Lou:

As we discussed by phone on January 20, I am sending you the most recent letters dealing with the Lake Reservoir protests of water right filings on Big Payette Lake.

The agreement which I believe everyone concurs with is outlined in my letter of November 4, 1980 to you and modified by my letter of November 13, 1980 to Bob Henggeler. If this procedure is acceptable to you, all that is necessary to implement is to withdraw your protests against the outstanding applications to divert water from Big Payette Lake on file with this department. If you do not concur with the agreement as outlined, please contact me so a suitable agreement can be prepared.

If the agreement is acceptable and you concur with withdrawing the protests against application for permit numbers 65-7973, 65-12088, 65-12089, 65-12091, 65-12294, 65-12338, 65-12339, 65-12342, 65-12348, 65-12354 and 65-12363, then please sign the lower portion of this letter and return to this office. There is an additional copy of the letter enclosed for your records.

If you have any questions, please contact me so we can get this matter resolved.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

LAKE RESERVOIR HEREBY WITHDRAWS THEIR PROTESTS AGAINST THE ABOVE NUMBERED APPLICATIONS FOR PERMIT SUBJECT TO THOSE APPLICATIONS BEING PROCESSED AS DESCRIBED IN THE LETTERS OF NOV. 4 AND 13, 1980 FROM THE DEPARTMENT OF WATER RESOURCES BY DAVID SHAW.

Lake Reservoir Company

by LOU GORRONE

6 Feb. 1981
Date

MICROFILMED

LAKE RESERVOIR CO.

Phone 642-2441
114 North 8th Street
PAYETTE, IDAHO

September 11, 1980

Director S. Stephen Allred
Idaho Department Of Water Resources
92 S. Cole Rd.
Boise, Idaho 83705

Re. Onweiler, William Application # 65-12353
Spiegelmen Jack A. &-or Ann A # No number-----Sending clipping.

Dear Sir:

I have been instructed to submit a protest against the granting of the permit to appropriate .04 Cu Ft. per sec. of water from Payette Lake, pursuant to the notice of application for water permit published in connection with said application.

It is realized the application is "subject to all prior water rights" but Lake Reservoir is concerned about the question of priority use and Complication that might possibly arise from numerous pumps and pipes in Payette Lake,

Very Truly Yours

Marie Swisher
Marie Swisher, Secretary
Lake Reservoir Company

Enclosure
ms

RECEIVED
SEP 12 1980

Department of Water Resources
Western Regional Office

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:
SPIEGELMEN, JACK A. &-or ANN A.
BOX 1313, MCCALL, ID 83638
Source: ~~Payette Lake~~
~~Payette Lake~~ Laboratory 16
~~PAYETTE RIVER, NORTH FORK~~
Date Filed: 08-18-1980
Amount: 0.02 CFS
Diversion Point: NESW Sec 08 T 18N R 03E, VALLEY Co.
Use: IRRIGATION (0.02 CFS) from 04-15 to 10-15
Place of Use: NESW Sec 08 T 18N R 03E FOR 1 ACRES
Diversion Means: SUMP AND PUMPING PLANT.
If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before SEPTEMBER 27, 1980
C. STEPHEN ALLRED
Director
Published 9-4 & 9-11-80

MICROFILMED

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

SS

County of Valley

Beryl Baker

being duly sworn deposes
of, 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 25
19 80 and ended October 2, 19 80.

Beryl Baker

Subscribed and sworn to before me this the 2nd day of October, 19 80

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

Department of Water Resources
Western Regional Office

OCT 8 1980

MICROFILMED

PUBLISHER'S AFFIDAVIT OF PUBLICATION

65-12354

STATE OF IDAHO

County of Valley

SS

Beryl Baker, being duly sworn deposes
of 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 4
19 80 and ended September 11, 19 80

Subscribed and sworn to before me this the
11th day of September, 19 80

Beryl Baker

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

RECEIVED
SEP 11 1980
FBI - BOISE

MICROFILMED

Depart. of Justice
Western Field Office

December 28, 1988

JACK A. SPIEGELMAN
ANN A. SPIEGELMAN
P.O. BOX 1313
MC CALL, ID 83638

RE: PERMIT NO. 65-12354

Dear Permit Holder(s):

Enclosed herewith 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 feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
JAN 23 1989

November 16, 1988

JACK A. SPIEGELMAN
ANN A. SPIEGELMAN
P.O. BOX 1313
MC CALL, ID 83638

RE: PERMIT NO. 65-12354

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

JAN 18 1989

MEMORANDUM

TO: FILE

FROM: JIM JOHNSON

RE: CHANGES TO FIELD REPORT

DATE: 27-OCT-1988

VOLUME

The field examiner did not include volume on his field exam because at the time the exam was completed non consumptive uses did not require volume.

Since the permit needed to be amended to reflect the change in nature of use the addition of volume was included.

MICROFILMED

JAN 23 1989

October 18, 1988

JACK A. SPIEGELMAN
ANN A. SPIEGELMAN
P.O. BOX 1313
MC CALL, ID 83638

RE: PERMIT NO. 65-12354

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

JAN 23 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

30
65-12354
Permit No

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

b) Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: _____

b) Other water rights with same point of diversion: _____

c) Analysis:

MICROFILMED
JAN 23 1989

RECOMMENDED AMOUNTS

Permit No.	65-12354	8/24/80	0.02	8/18/80	2-10/86	NA.02
Priority			Amount	App. Date	Date Proof Submitted	System Capacity

4. Permit Holder: JACK H and/or Ann A Spiegelman

Address: P.O. Box 1313 McCall, ID 83658

5. Source: Big Bayou Lake tributary to North Fork Bayou River

6. Beneficial Use

Period of Use
From To

Rate of Diversion
Q (cfs)

Annual Volume
V (a1a)

Feb 25/25

5/12/11

D. 0205

✓

(non-conservative)

7. Point(s) of Diversion:

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
	04	NE	NE	SW	8	18 N	3E	Walla

8. Place(s) of Use

[illegible]

9. Recommended Conditions/Remarks:

1) Conditions ~~not~~ Dist 65, Mayotte River.

~~Q~~ The Availability of water for this permit is subject to all prior water rights of Lake Arrowhead Co.

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10. Recommended Amendments

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

11. Examiner's Signature

Checked in Regional Office by

Approved in State Office by

Date _____

Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

65-12354
Permit No.

RECEIVED
FEB 19 1987

Department of Water Resources

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

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat LOT 4

Check of P/D index S.L. 7/22/86 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☒ Other: 65-2060 65-7020

Check of P/U index S.L. 7/22/86 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☒ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☒ Other: 65-9050

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? S.L. 7/10/86 8/2/86 (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Stan Latta 9/8/86 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent AD 11/4/86 (Initial and date)

Exam Reviewed by Manager of Regional Office DBT 1/14/87 (Initial and date)

Exam Date Entered in Computer 7/22/86 (Initial and date)

Exam sent to State Office CH 2/4/87 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original

Refiled in White File CH 2/6/87 (Initial and date)

FEB 09 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-12354

1. Owner: JACK A. AND/OR ANN A. SPIEGELMEN

Phone No. 707-584-1936

Current Address: 4243 ORR RANCH, SANTA ROSA, CALIFORNIA 95404

2. Accompanied by: NO ONE HOME

EXAM. DATE: 9/8/86

Address: N/A

Phone No. N/A

Relationship to Permit Holder: N/A

3. Source: BIG PAYETTE LAKE tributary to N. FORK PAYETTE RIVER

B. OVERLAP REVIEW

1. Other water rights with same place of use: 65-9080

☒ Copies Attached

2. Other water rights with same point of diversion: 65-2060, 65-9080

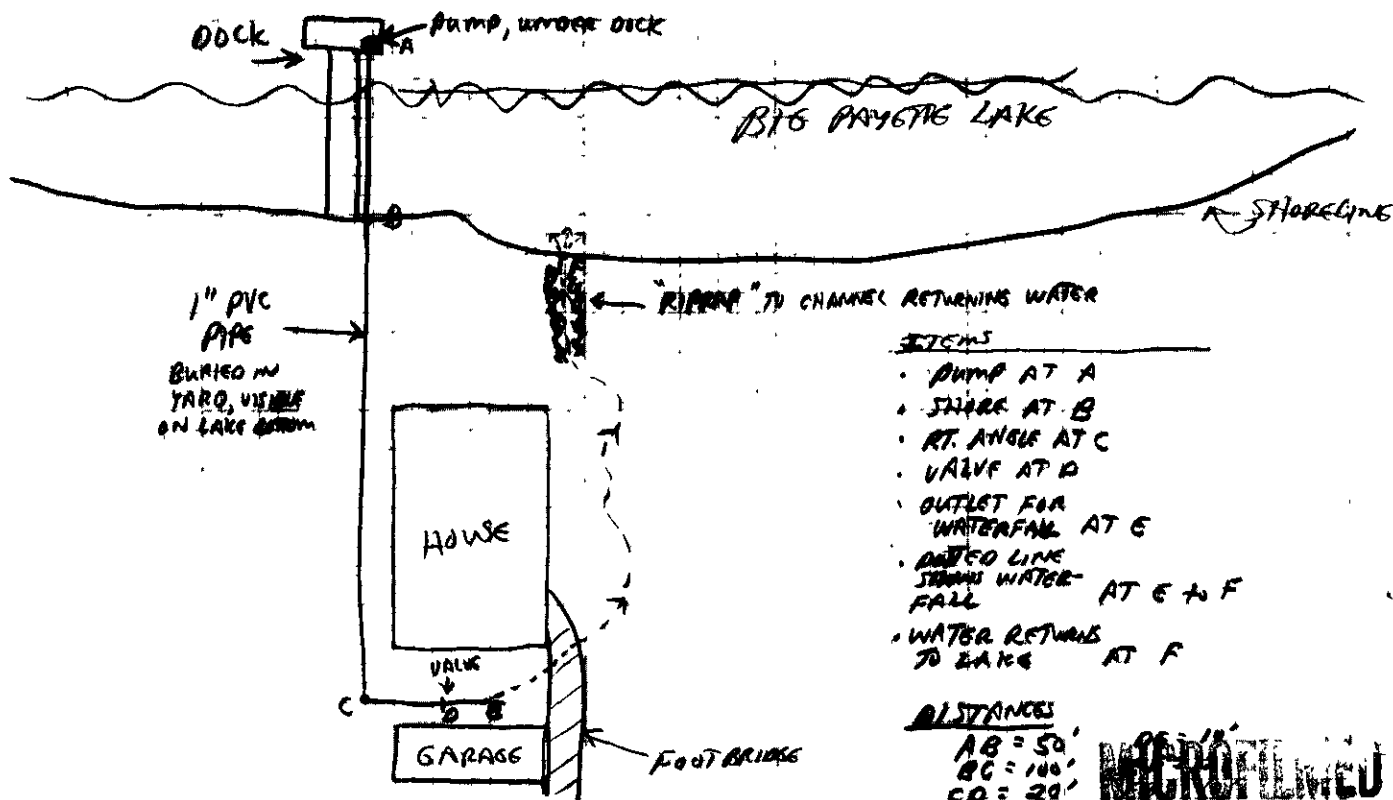
☒ Copies Attached

☒ Copies of Field Exam's Attached

for 65-2060

C. SYSTEM DESCRIPTION

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



Scale: 1" = NOT TO SCALE

JAN 25 1989

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).

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

UNDER THE END OF THE T-SHAPED DOCK.

RETURNS TO LAKE, TRAVELING APPROX. 120' FROM OUTLET TO LAKE. PUMP IS LOCATED

A WATERFALL DOWN A GENTLE GRADE (2-3%) THAT ~~IS LOCATED~~ WATER

THROUGH AN 1" PVC PIPE 150' S. AND 30' E. (FROM PUMP) TO OUTLET. WATER FORMS

UNDER MOTOR AND SUBMERGIBLE PUMP PROVIDE LAKE WATER THAT IS PUMPED

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No. *	Unknown				
Motor Make					
Hp					
Motor Serial No.					
Pump Make	Unknown				
Pump Serial No. or Discharge Size					

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	%	%	%	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	64		NE	SW	8	18N	3E	VALLEY	USGS 7 1/2' QUAD AND PACING.
									WATERFALL AND PUMP ARE 450' E. OF
									N. FK OF PAYETTE RIVER.

6. Place(s) of Use:

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements:

NONE POSSIBLE. ONE POSSIBLE SPOT IN WATERFALL ROUTE WOULD HAVE ALLOWED 5 GALLON BUCKET MEASUREMENT. HOWEVER, ADDITIONAL RUNOFF FROM DRIVEWAY AND STORM GUTTERS (HEAVY RAIN WHILE CONDUCTING SAM) WOULD HAVE MADE MEASUREMENT MEANINGLESS.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: N/A

2. Alternate Method for Checking Purposes: N/A

F. PUMP EFFICIENCY DATA (Optional) N/A

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS N/A

1. Volume Calculations for Irrigation.

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

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

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

2. Volume Calculations for Other Uses:

RECORDED

144 11 1966

H. REMARKS AND OVERLAP REVIEW ANALYSIS

CHANGE NATURE OF USE FROM IRRIGATION TO AESTHETIC (USE NEVER WAS ACTUAL IRRIGATION, HAS BEEN AESTHETIC ALL THIS TIME).

AFA NOT STAIN SINCE USE IS NONCONSUMPTIVE.

PO OVERLAP: 65-2060 ORIGINAL PO IN LOT ACROSS N. FK PAYETTE RIVER FROM PN OF 65-12354.

65-2060 PO WAS N. FK PAYETTE RIVER. SUBSEQUENT DEVELOPMENTS INDICATE PO'S ARE NOT AFFECTED FROM LEGALS. NO CONFLICT IN THIS OVERLAP.

65-9080 WATER FROM N. FK PAYETTE RIVER AND A WELLS (SEE LETTER ATTACHED TO 65-9080 COPY).
 PO OVERLAP: 65-9080 DOMESTIC USE, NO CONFLICT.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
AESTHETIC	4/15 To 10/15	0.02	N/A

2. Recommended Amendments

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

J. AUTHENTICATION

Field Examiner's Name

Steven Lester

Signature

[Signature]

Certification Date

9/8/86

Field Report Preparation Date

CONSULTANT SEAL

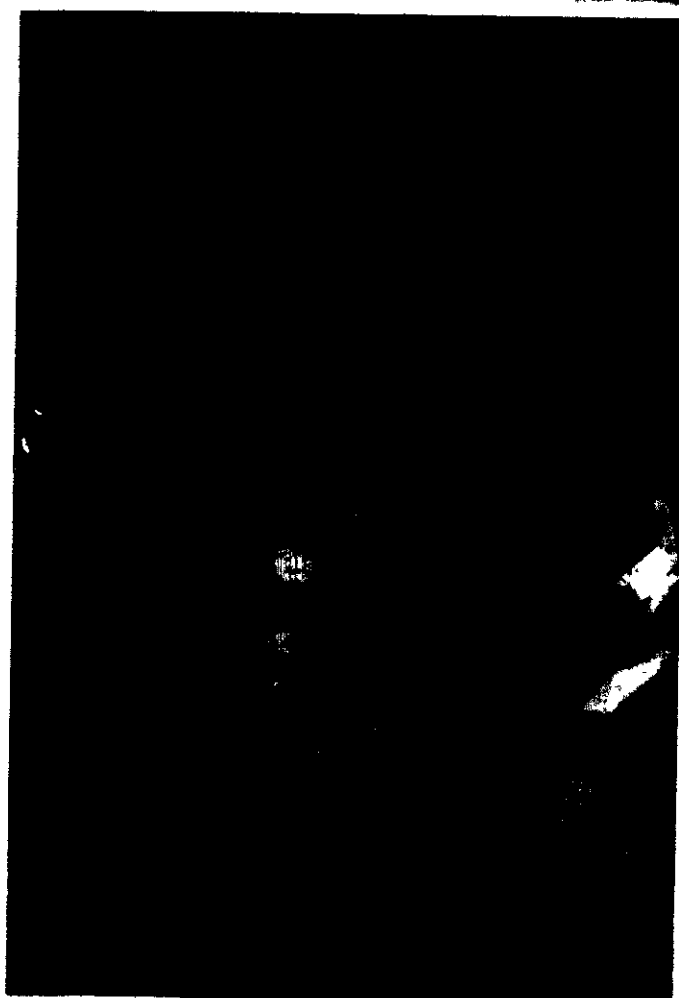
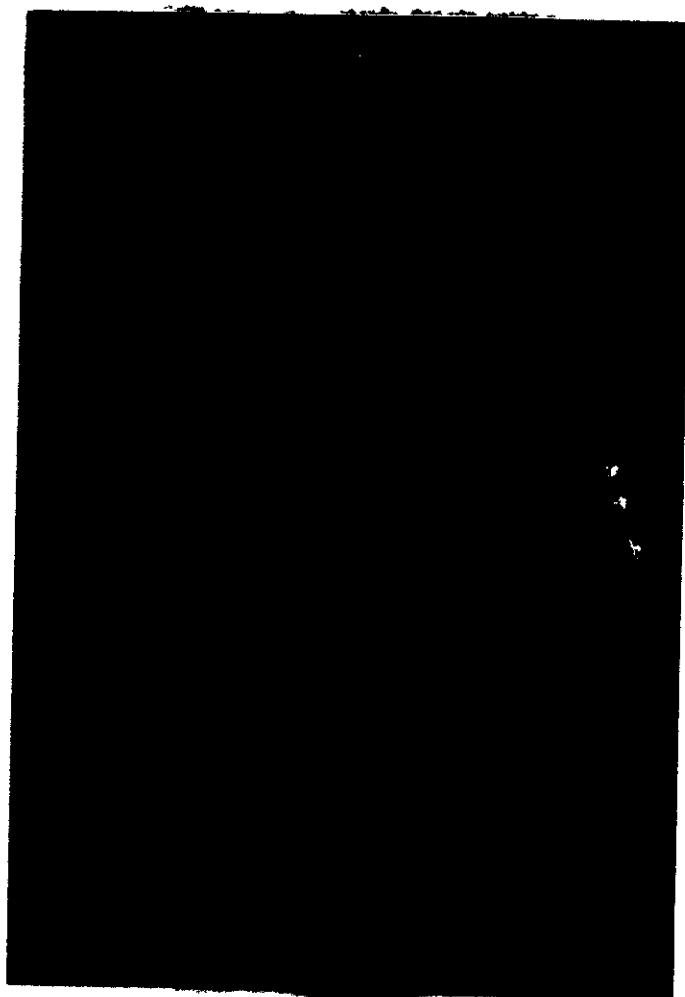
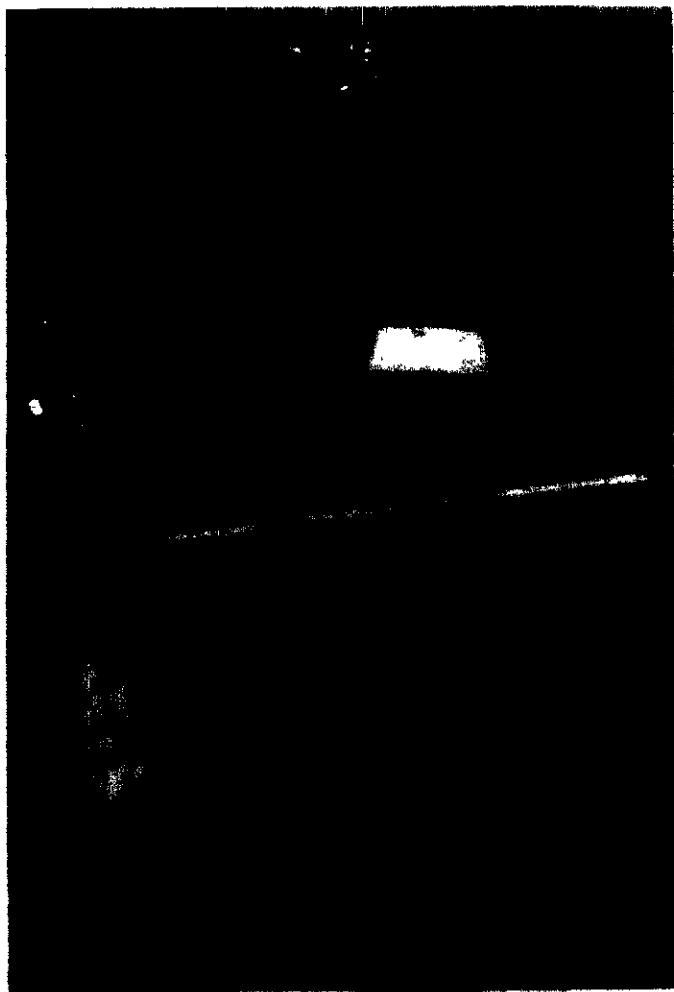
1/12/87

BD

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

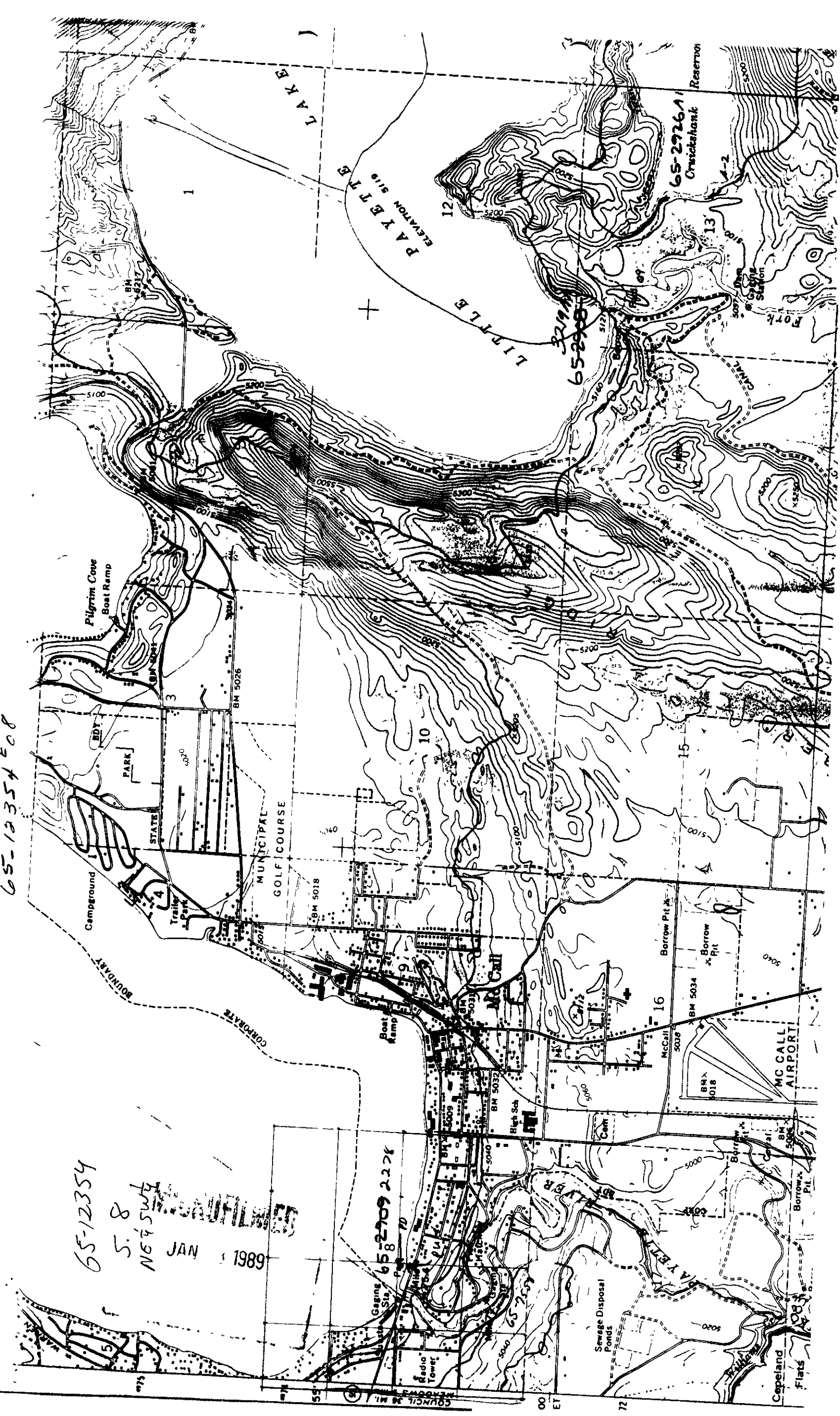
MICROFILM

JAN 23 1988

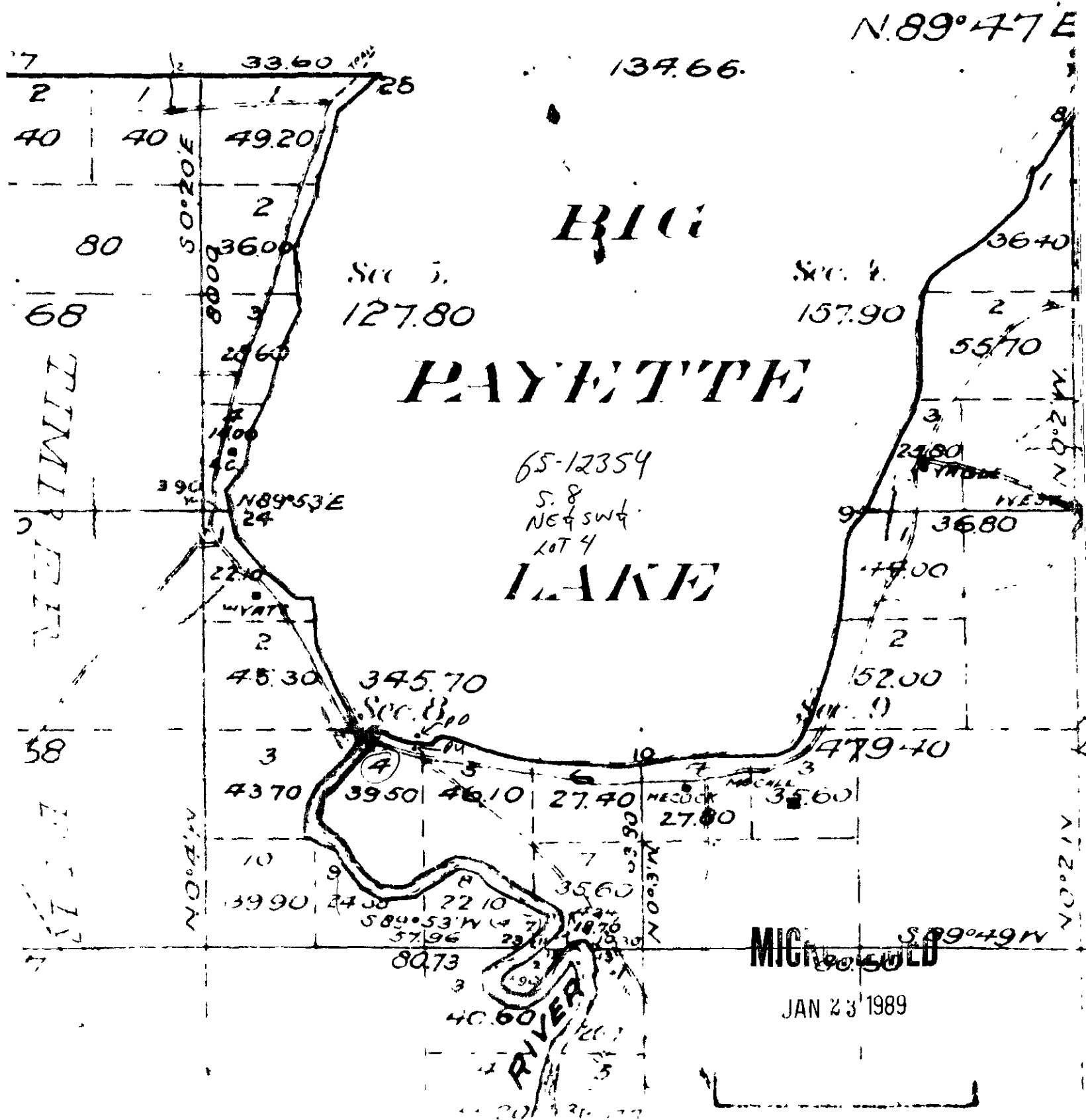


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JAN 23 1989



65-12354



C	03 43	65-8638	02-01-1947 GROUNDWATER	HAMELL
C	03 43	65-8750	06-01-1924 GROUNDWATER	FOUCH
C			06-01-1917 GROUNDWATER	BAKKE
C	03 43	65-8838		BAKKE
C	03 43	65-9081	06-01-1916 GROUNDWATER	DORRIS
C			07-01-1955 GROUNDWATER	COLWELL

65-12354

Pd

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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

OWNER CODE	TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME
	18N	03E	08		03 43		65-9818	D			
C					03 43		65-9819	D	06-01-1946 GROUNDWATER		DUNLAP
C					04 47		65-2333	D	06-01-1932 GROUNDWATER		DUNLAP
D					04 19		65-2466	D	03-05-1925 BIG PAYETTE LAKE		STATE OF IDAHO
D					04 43		65-6966	D	04-17-1946 BIG PAYETTE LAKE		STATE OF IDAHO
C								D	06-01-1941 GROUNDWATER		MARTIN
C					04 43		65-8704	D			MARTIN
C					04 43		65-9807	D	06-01-1953 PAYETTE RIVER, NORTH FORK		ROBERTS
C					05 43		65-8139	D	06-01-1961 GROUNDWATER		WILLIAMSON
C					05 43		65-8393	D	06-01-1961 GROUNDWATER		WILLIAMS
C					05 43		65-8723	D	09-12-1967 GROUNDWATER		MARCUSEN
C					05 43		65-9530	D	11-01-1961 BIG PAYETTE LAKE		HAMILTON
C					08 43		65-10442	D	04-01-1953 BIG PAYETTE LAKE		SPIELMAN
C								D	01-01-1936 BIG PAYETTE LAKE		SPIELMAN
C					N4NW 43		65-8061	D	07-01-1947 BIG PAYETTE LAKE		ODBERG JR.
C					S4NW 43		65-8364	D	07-01-1949 GROUNDWATER		ODBERG
C					SE4W 43		65-10401	D	06-01-1949 GROUNDWATER		BUDGE
C					SE4W 40		65-12607	D	07-01-1961 BIG PAYETTE LAKE		BUDGE
C					NESW 01		65-12354	P	03-29-1983 BIG PAYETTE LAKE		CUSHMAN
C					NESW 01		65-2060	D	08-18-1980 BIG PAYETTE LAKE		CUSHMAN
C					NESW 43		65-9080	D	05-01-1907 PAYETTE RIVER, NORTH FORK		KAUFMAN
C					SESW 04 19		65-12126	D	06-01-1924 PAYETTE RIVER, NORTH FORK		CITY OF MC CALL
C					NESE 43		65-10342	D	05-12-1978 BIG PAYETTE LAKE		SPIEGELMEN
C								D	06-01-1955 BIG PAYETTE LAKE		SPIEGELMEN

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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

OWNER CODE	TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME
	18N	03E	08		NESE 43		65-814	D			
					N4SE 05 01, 04		65-2349	D	06-01-1925 GROUNDWATER		KANGAS
					W4E		65-2333	D	06-01-1952 PAYETTE RIVER, NORTH FORK		WILLIAMSON
								D			WILLIAMSON

02	43	65-8707	THOMAS
03	43	65-10254	LARKIN
			CALLAHAN
03	43	65-10374	CALLAHAN
03	43	65-10375	ROWLAND
			ROWLAND
03	10	65-10376	ROWLAND BROTHERS
03	47	65-2333	STATE OF IDAHO
03	43	65-8218	HAMELL
03	43	65-8310	ESPY
			ESPY
03	43,27	65-8444	ROWLAND BROS
03	43	65-8445	ROWLAND
03	43	65-8447	ROWLAND
03	43	65-8465	HAMELL
03	43	65-8638	FOUCH
03	43	65-8750	BAKKE
			BAKKE
03	43	65-8838	DORRIS
03	43	65-9081	COLWELL

D	36-01-1961	BIG PAYETTE LAKE
D	07-01-1954	GROUNDWATER
D	06-01-1949	PAYETTE RIVER, NORTH FORK
D	06-01-1931	SPRING
D	06-01-1949	PAYETTE RIVER, NORTH FORK
D	03-05-1925	BIG PAYETTE LAKE
D	07-05-1965	GROUNDWATER
D	06-01-1946	GROUNDWATER
D	06-01-1949	PAYETTE RIVER, NORTH FORK
D	10-01-1955	GROUNDWATER
D	06-01-1933	SPRING
D	02-01-1947	GROUNDWATER
D	06-01-1924	GROUNDWATER
D	06-01-1917	GROUNDWATER
D	06-01-1916	GROUNDWATER
D	07-01-1935	GROUNDWATER

65-12354

6

PU

0156

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

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WNSHP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER CODE	STAGE	PRIORITY DATE	SOURCE OF WATER
18N	03E	08		03	43		65-9818	DUNLAP	C	D	06-01-1946	GROUNDWATER
				03	43		65-9819	DUNLAP	C	D	06-01-1932	GROUNDWATER
				04	47		65-2333	STATE OF IDAHO	C	D	03-05-1925	BIG PAYETTE LAKE
				04	19		65-2466	STATE OF IDAHO	C	D	04-17-1946	BIG PAYETTE LAKE
				04	43		65-6966	MARTIN	C	D	06-01-1941	GROUNDWATER
								MARTIN	C			
								ROBERTS	D			
				04	43		65-8704	WILLIAMSON	C	D	06-01-1953	PAYETTE RIVER, NORTH FORK
				04	43		65-9807	WALLACE	C	D	06-01-1961	GROUNDWATER
				05	43		65-8139	MARCUSEN	C	D	06-01-1961	GROUNDWATER
				05	43		65-8393	HAMILTON	C	D	09-12-1967	GROUNDWATER
				05	43		65-8733	SPIELMAN	C	D	11-01-1961	BIG PAYETTE LAKE
								SPIELMAN	C			
				05	43		65-9530	TIMM	C	D	04-01-1953	BIG PAYETTE LAKE
				08	43		65-10442	ODBERG JR.	C	D	01-01-1936	BIG PAYETTE LAKE
								ODBERG	D			
					43		65-8061	BUDGE	C	D	07-01-1947	BIG PAYETTE LAKE
								BUDGE	C			
								COMPTON	C			
				01	02	01.43	65-8088	KAUFMAN	C	D	06-01-1954	BIG PAYETTE LAKE
							65-10401	KAUFMAN	C	D	07-01-1961	BIG PAYETTE LAKE
							65-8364	CUSHMAN	C	D	06-01-1949	GROUNDWATER
								CUSHMAN	C			
								CITY OF MC CALL	C	P	03-29-1983	BIG PAYETTE LAKE
							65-12607	SPIEGELMEN	C	F	08-18-1980	BIG PAYETTE LAKE
							65-12354	SPIEGELMEN	C			
								COLWELL	C	D	06-01-1924	PAYETTE RIVER, NORTH FORK
				04	19		65-12126	STATE OF IDAHO	C	L	05-12-1978	BIG PAYETTE LAKE
				05	01	01	65-11265	STATE OF IDAHO	C	D	04-17-1946	BIG PAYETTE LAKE
							65-10342	SEETIN	C	D	06-01-1955	BIG PAYETTE LAKE
							65-8146	KANGAS	C	D	06-01-1925	GROUNDWATER
				05	03	01.04	65-10349	WILLIAMSON	C	D	06-01-1952	PAYETTE RIVER, NORTH FORK
								WILLIAMSON	C			
					01	01	65-12333	RODWELL	C	P	06-24-1980	PAYETTE RIVER, NORTH FORK
								RODWELL	C			
				04	01	01	65-11265	STATE OF IDAHO	C	D	04-17-1946	BIG PAYETTE LAKE
				02		43	65-6944	BEDEGI	C	D	06-11-1959	GROUNDWATER
								BEDEGI	C			
				03	43		65-9833	MAYNARD	C	D	06-01-1964	GROUNDWATER
				04	43		65-8653	SEETIN	C	D	08-01-1955	BIG PAYETTE LAKE
					43		65-10270	IDAHO LAND DEVELOP	C	D	07-01-1952	GROUNDWATER
					43		65-8047	ARDNEY SUITOR EQUI	C	D	01-01-1950	GROUNDWATER
					49		65-0589	BOISE CASCADE CORP	C	D	04-01-1967	BIG PAYETTE LAKE
					07		65-0590	BOISE CASCADE CORP	C	D	04-01-1941	BIG PAYETTE LAKE
					07		65-0591	BOISE CASCADE CORP	C	D	04-01-1941	BIG PAYETTE LAKE
					07		65-0592	BOISE CASCADE CORP	C	D	04-01-1941	BIG PAYETTE LAKE
					07		65-0596	BOISE CASCADE CORP	C	D	04-01-1941	BIG PAYETTE LAKE
					49		65-0589	BOISE CASCADE CORP	C	D	04-01-1967	BIG PAYETTE LAKE
					07		65-0590	BOISE CASCADE CORP	C	D	04-01-1941	BIG PAYETTE LAKE
					07		65-0591	BOISE CASCADE CORP	C	D	04-01-1941	BIG PAYETTE LAKE
					43		65-8370	PAYNE	C	D	07-09-1934	GROUNDWATER
					01	01.43	65-9773	DEHLIN	C	D	06-01-1949	GROUNDWATER

6

Valley

65-2060

(Name of Claimant)

claims a right to the diversion

The extent and nature of said claim is as follows:

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

Quantity Use Period of Use From To
(CFS, GPD, AF.) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

- (5) Point of Diversion: Give location of point where water is diverted from its source. Sec. 8, Twp. 18N, Rge. 8E, S.M.; additional points: 1977. (400' below Pavette Lake)

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, water wheel, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. diversion gates and canals for below described
entities

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

[illegible]

Total No. of acres	70,000
--------------------	--------

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

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

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

FOR ACRE FEET ASSUME 3 cfs $\Rightarrow$ 150 acres @ 3 AFA/acre $\Rightarrow$ 450 AFA

- (9) Remarks $\searrow$ Points of diversion and places of use are those of Emmett Irrigation Farmers Co-OP, Enterprise, Letka, Nobel Ditch, and Lower Payette Ditch.

- (15) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☒ C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Administration. License 65-3061

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

Individual

Individual

(Date)

JAN 23 1989

State of Illinois

55.

Seal

County of Clark

On this 15th 2072

day of

24.6

a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

Notary Public residing at

Commission expires

TO: 65-2060

This right was originally used for power and irrigation purposes at Lardo: for 50 cfs.

Due to the change and in type of use from power ^{& for} to all irrigation, we asked the Lake Reservoir Company to determine the amount consumptively used originally at Lardo. (The original users eventually sold their right to Lake Res. Co.)

The amount so determined was 3 cfs, which is the actual right that we have recommended. The points of diversion have been determined to be the headgates of the various companies involved.

DRT 6-16-77

Note: Diversion locations are mentioned by name rather than legal description for right clarification

NOTE 1

ACRE FEET CALCULATION ON THIS RT IS DIFFICULT. RESEARCH OF ENGINEER'S REPORT SHOWS THAT ONLY 3 ACRES WERE IRR AT TIME OF LICENSING. SINCE THE CONSUMPTIVE USE FOR THE POWER PLANT IS ESSENTIALLY ZERO, THE REMAINDER OF 3 cfs WOULD HAVE TO COME FROM LOSSES IN A STORAGE RESERVOIR WHICH HELD LARDO'S IRR & DOM SUPPLY. THIS SOUNDS POSSIBLE. FOR AN AFA CALC, USE 150 ACRES LOSS SINCE THAT IS THE AMT THAT 3 cfs COULD IRR, FOR LACK OF A BETTER METHOD. ⇒ 450 AFA

NOTE ALSO THAT ONLY EMMETT IRR DIST WILL BENEFIT FROM THIS RT SINCE THE OTHER MEMBERS OF LAKE RES CO HAVE LIVE WATER DATES OF PRIORITY PRE- 1907.

MICROFILMED

DRT 8-28-78

JAN 23 1989

THE RECORD

10-10-1944

798

MICROFILMED

JAN 23 1989

9. Subm. map on enclosed plat, showing location and details of above description.

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

For Power purposes: 50 cu. ft. is being used.

For Irrigation and domestic purposes, water is being used on the following described lots of the Lardo townsite.

Lots 3 and 4 of Block 2.

Lots 5 and 6 of Block 2.

Under the above description, the water is being used as above description.

15 inches or .04 cubic second feet.

MICROFILMED

JAN 23 1989

County: Valley.
Stream: N. Fork Payette River.
Amount: 50 sec. ft.
Use: Irrigation & Power.
Priority: 5-1-07.

STATE OF IDAHO

Water License No. 2879
Water District No. 20 K.

65-2060

JAN 23 1989

MICROFILMED

WHEREAS, On the 1st day of May, A. D. 1907, W. B. Boydston and Chas. H. Nelson,

of McCall, County of Valley, State of Idaho, duly made application (No. 3833) to me for a permit to use 50 cubic feet per second of the waters of North Fork of Payette River, in Water District No. 20 K.,

County of Valley (formerly Boise), State of Idaho, for irrigation, power and domestic purposes, and,

WHEREAS, On the 29th day of June, A. D. 1907, Permit No. 2879 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 29th day of June, A. D. 1912, and for the application to beneficial use of said water on or before the 29th day of June, A. D. 1915 and,

WHEREAS, On the 4th day of February, A. D. 1911, W. B. Boydston and Chas. H. Nelson,

the holders of said permit, duly made proof of the completion of adequate works for the diversion of 50 cubic feet per second of said waters, as evidenced by my Certificate No. 2879 dated November 4, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 50 cubic feet per second of said waters, with date of priority of May 1, 1907, and

Permit and License assigned September 23, 1920 to the Lake Reservoir Co.

WHEREAS, On the 10th day of June, A. D. 1915, W. B. Boydston and Chas. H. Nelson,

the holders of said permit, duly made proof of the application to beneficial use of 50 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to W. B. Boydston and Chas. H. Nelson,

of McCall, County of Valley, State of Idaho, the holders and owners of said Permit No. 2879, a perpetual right, dating from May 1, 1907 to the use of 50 cubic feet per second of the waters of North Fork of Payette River,

in the County of Valley and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point, approximately 400 ft. below Payette Lake, in Lot 3, Sec. 8, T. 18 N., R. 3 E. B. M.,

and conducted to and upon Lots 1 and 2 of Block 1, lots 2 and 3 of Block 7, in Lot 3 of Sec. 8, T. 18 N., R. 3 E. B. M., townsite of Lardo, Idaho; also, for generating power for pumping plant to supply water to reservoir of water system in town of Lardo,

for the purpose of power, irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 2d day of October, A. D., nineteen hundred and seventeen.

J. H. Smith,

State Engineer.

(Seal)

11/19/62

MAP NO.

65-90801 Valley

(Name of Claimant)

(Mailing Address)

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 6-1-1924

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

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

Use Domestic Irrigation, stock, etc. Period of Use From 7/1 To 10/31
(Mo., Day) (Mo., Day)

Use Domestic Period of Use From 4/1 To 10/31
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

Use _____ Period of Use From _____ To _____
(Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)

(4) Quantity of water claimed: 1.04 Cubic Feet Per Second, or _____ Acre Feet Per Annum,
and/or _____ Gals. Per Minute.

(5) A) Point of Diversion: Give location of point where water is diverted from its source. NE $\frac{1}{4}$ SW $\frac{1}{4}$.
Sec. 8 Twp. 18N Rge. 3E B.M.; additional points Lots 1, 2, 3, 4.

~~Lardo Subdivision~~

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc) Give sizes and capacities: be as specific as possible. 1 H.P. motor on electric pump.

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

[illegible]

Total No. of acres.

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

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

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

9) Remarks (This right when combined with right 63-9081 can provide no more than .04 cfs nor 1.2 gfa)

(10) Basis of claim (Check one) ☒ (A) Right based on diversion and beneficial use.
☐ (B) Right decreed by court, cite title of case _____
☐ (C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No. _____

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

7-22-76 (Date)

~~JAN 23~~ 1989

Robert E. Osmond
(Signature of Claimant)

Organization _____

State of Idaho

County of Adams (Signature of Authorized Agent)

On this 22 day of July, in the year 1975 before me

a notary public, personally appeared Robert Caldwell known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they) executed the same.

Notary Public residing at San Francisco, California

July 8, 1975

65-9080

Delbert E. Colwell
4114 Hill Road
Boise, Idaho 83703

Dear Mr. Colwell:

In reviewing your Claim to a Water Right, it appears that you are using water from two sources. If you are, then you will need to file a claim for surface water and another claim for groundwater.

We have filled the information in on two new forms. If you will please sign these before a Notary Public and return them to us, we will then be able to make recommendations to the district court.

Your cooperation has been very much appreciated.

Sincerely,

Gary L. Page
Water Resource Supervisor

RECEIVED
JUL 23 1975

ALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 65-12354

DATE: Feb 26, 1986

Date proof received

41

Feb 10, 1986

Proof due

- 32

Feb 1

Number of day proof late

9

Priority date

+ 230

Aug. 18, 1980

New priority date

239

Aug. 27, 1980

Remarks:

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
FEB 10 1986

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. 65-12354

Name(s) of Permit Holder Ann A. Spiegelman

Post Office Address P.O. Box 1313 McCall, Idaho 83638

Telephone No. 208-634-7378

Source of Water: Big Payette Lake

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 1/4 (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: summer 84

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

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

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

Ann Spiegelman

(Name)

208-634-7378

325 West Lake St. McCall, Id. in summer June - Sept.

(Address)

(Telephone Number)

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

2/6/86
Date

Ann Spiegelman
Signature of Permit Holder (and Title, if appropriate)

MICROFILMED

2-25-86

Place
Stamp
Here

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
FEBRUARY 13, 1986

SPIEGELMEN, JACK A. & ANN A.
BOX 1313
MC CALL, ID 83638

L A P S E N O T I C E

RE: PERMIT NO. 65-12354

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A, IDAHO CODE, THE ABOVE REFERENCED WATER PERMIT HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE PROOF OF BENEFICIAL USE SHOWING THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED NOVEMBER 30, 1985.

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

A PROOF OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION WHICH MIGHT BRING TITLE TO THE WATER IN QUESTION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

MICROFILMED

CERTIFICATION OF MAILING
I hereby certify that on 2-19-1986
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
NOVEMBER 30, 1985

SPIEGELMEN, JACK A. & ANN A.
BOX 1313
MC CALL, ID 83638

138553

PROOF DUE NOTICE

RE: PERMIT NO. 65-12354

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 FEBRUARY 1, 1986. (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 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 A COMPLETED PROOF OF 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, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

March 9, 1981

Jack & Ann Spiegelmen
Box 1313
McCall, Idaho 83638

Dear Mr. & Mrs. Spiegelmen,

RE: Permit No. 65-12354

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

Please be advised that there is insufficient natural flow available in the **Big Payette Lake** and tributaries to provide water for a new appropriation throughout the entire season of use. During the spring run-off each year, there may be a period of time in which the prior rights to the use of the natural flow and storage are filled leaving water available for your permit. As the natural flow diminishes, however, there may be no water available for your right unless you arrange for an additional source of water as a supplemental supply.

The exercise of this permit may also be affected by the Supreme Court's review of the case of Idaho Power Company vs. State of Idaho, et al., Ada County Civil No. 62237, currently being appealed to the Supreme Court of Idaho. Since the use of water under your permit may affect the flows in the Snake River between Milner Dam and Hells Canyon, the final decision in this case may determine to what extent the exercise of your permit is subject to water rights of Idaho Power. While the Supreme Court is reviewing this case, 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 subsequent license.

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: GLS

APPLICATION NUMBER: 65-12354

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____

Date: _____

Comments: This needs to

be held until Lake

Irrigation Co. decision

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. None on this lot
☒ Yes ☐ No* In form for advertising. have city water for domestic
☐ Yes ☐ No Final date for protests: 9-22-80
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: corrected 10/8/80
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 65
8/18/80 Date of priority recommended.
Special conditions of approval or cover letter. I.P. letter, Payette River
letter, Basin 65 w.m. Condition

The availability of water for this permit
is subject to all prior water rights of Lake
Reservoir Company.

By: DBS Date: 2/9/81

STATE OFFICE REVIEW:

SW/104(Payette R.) 105 05(65 Payette R.) Special
cond above

- ☐ See attached sheet for more information.

By: Folyn Date: 2/20/81

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

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

AUGUST 29, 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 22, 1980.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

MICROFILMED

February 9, 1981

Jack A. &/or Ann A. Spiegelmen
Box 1313
McCall, Idaho 83638

RE: Application for Permit No. 65-12354

Dear Mr. and Mrs. Spiegelmen:

Enclosed is a copy of a withdrawal of protest against the above referenced application.

This office can now take further action on the application.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

DBS:hlh

Encl.

WICHITIA MED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 334-2190

February 9, 1981

Lou Gorrone
Attorney at Law
P.O. Box 637
Emmett, Idaho 83617

RE: Withdrawal of Protests

Dear Mr. Gorrone:

This office acknowledges receipt of the withdrawal of protests against Applications for Permit Nos. 65-7973, 65-12088, 65-12089, 65-12091, 65-12294, 65-12338, 65-12339, 65-12342, 65-12348, 65-12354 and 65-12363.

This office will continue to process the applications as appropriate.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

DBS:hlh

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 22, 1980.

C. STEPHEN ALLRED

Director

Published 9/4 & 9/11/80.

MICROFILMED

SPIEGELMEN, JACK A. &/or ANN A.

BOX 1313, MC CALL, ID 83638

Source: BIG PAYETTE LAKE tributary to PAYETTE RIVER, NORTH FORK

Date Filed: 08/18/1980

Amount: 0.02 CFS

Diversion Point: NESW Sec 08 T 18N R 03E, VALLEY Co.

Use: IRRIGATION (0.02 CFS) from 04/15 to 10/15

Place of Use: NESW Sec 08 T 18N R 03E FOR 1 ACRES

Diversion Means: SUMP AND PUMPING PLANT.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

September 18, 1980

Lake Reservoir Co.
114 N. 8th St.
Payette, Idaho 83661

RE: Application No. 65-12353 & 65-12354

Gentlemen:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

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

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

September 18, 1980

Jack A. &/or Ann A. Spiegelman
Box 1313
McCall, Idaho 83638

Dear Mr. & Mrs. Spiegelman:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. ~~65-12884~~. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

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

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

Enc.

MICROFILMED

September 15, 1980

RE: Application No. 65-12354, in the name of Jack A. &/or Ann A. Spiegelman

Star News
P.O. Box 985
McCall, ID 83638

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 the application No. 65-12354 was omitted.

We are requesting that you republish the notice at your expense.

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

Your cooperation in this matter is greatly appreciated.

Sincerely,

Helan L. Harrington
Secretary

HLH:kc

Enc: Copy of original notice
Copy of affidavit

MICROFILMED