

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.

Edward F. Seibert, Jr.
(Applicant)

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }

SS.

County of Valley }

Mary S. Kiely, 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 App. No. 65-12294, 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 Dec. 20, 19 79 and ended Dec. 27, 19 79.

Mary S. Kiely
Subscribed and sworn to before me this the

27 day of December, 19 79.

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.

65-12294
SEIBERT, JR., EDWARD F.

SEIBERT, JANET C.
1408 SHOSHONE, BOISE,
ID 83705

Source: BIG PAYETTE
LAKE

Date Filed: 12-04-1979
Amount: 0.04 CFS
Diversion Point: LOT 03
(NESW) Sec 28 T 19N R 03E,
VALLEY CO.

Use: DOMESTIC (0.04
CFS) from 01-01 to 12-31
Place of Use: LOT 03
(NESW) Sec 28 T 19N R 03E
Diversion Means:
PIPELINE & PUMP

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 JANUARY 7, 1979.

C. STEPHEN ALLRED
Director
Published 12-20 & 12-27-79

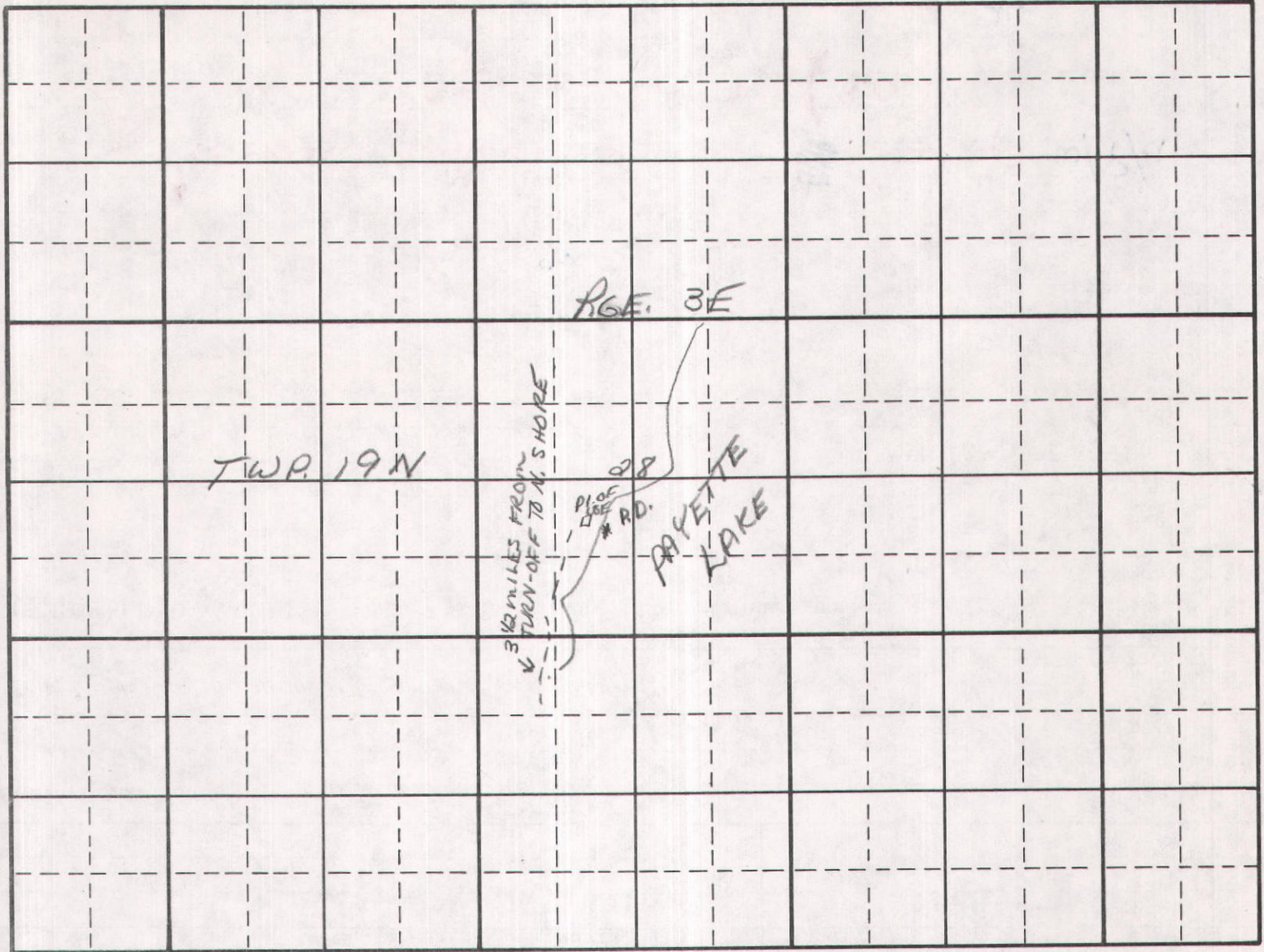
GR-KIC
11/8/80

MICROFILMED

DEC 31 1979

Department of Water Resources
Western Regional Office

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE 1/4 SW 1/4 (LOT 3), SEC. 28, TWP. 19N, RGE. 3E, B.M.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19N	3E	28									X								

Recommended Amendments:

- ☐ 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

Examiner's Signature

Checked by

Approved by

Date

Date

Date

Jan Groover
DBS
Reyn

12/21/82

1/19/83

1-20-83

STATE OF IDAHO
DEPARTMENT OF LANDS

'79 OCT 23 AM 8 48

APPLICATION FOR A PERMIT TO MAKE AN ENCROACHMENT
ON A NAVIGABLE LAKE OR RESERVOIR

Pursuant to Adopted Rules
And Applicable Statutes
(TYPE OR PRINT IN INK)

1. Name of applicant: Edward F. Seibert, Jr or Janet C. Seibert
Post office address: Box 510 McCall, Idaho 83328
Telephone Number: 208-834-5188
2. Name of lake or stream: Big Payette Lake
3. Name and address of contractor: Walden and Williamson, Box 700,
McCall, Idaho 83328
4. Proposed starting date of construction and installation: at once
5. Property description: Lot 20, Sylvan Beach Subdivision, in Lot
102 - 109 of Payette Lakes College Tract.
in 2 NE SW (1/16 or Lot No.) of Section 28, Township 19N, Range 3E, B.M.
6. Type of structure proposed: (Please check and attach a descriptive drawing.)
- | | | |
|-------------------------------------|--|-----------------------------------|
| ☐ Breakwater | ☐ Dock | ☐ Bulkhead |
| ☐ Piling | ☐ Boathouse | ☐ Fill |
| ☐ Excavation | ☒ Other (Please specify) <u>pipe in lake for</u>
<u>domestic water supply</u> | |
7. Length of encroachment waterward from the ordinary highwater mark: 200 ft.
8. Width of encroachment at ordinary highwater mark: _____, at maximum length: _____
9. Water depth at maximum length: 15' 15 to 18 ft
10. Signature of applicant: Edward F. Seibert, Jr. or Janet C. Seibert Date: 12 Oct 79
11. STATEMENTS OF ADJACENT PROPERTY OWNERS

I, _____ am the owner of riparian or littoral property adjacent to the property listed in this application. I am familiar with the scope and location of the proposed encroachment as evidenced by accompanying plans which I have initialed and I offer no objection to the encroachment.

Date

Name

Address

I, _____ am the owner of riparian or littoral property adjacent to the property listed in this application. I am familiar with the scope and location of the proposed encroachment as evidenced by accompanying plans which I have initialed and I offer no objection to the encroachment.

Date

Name

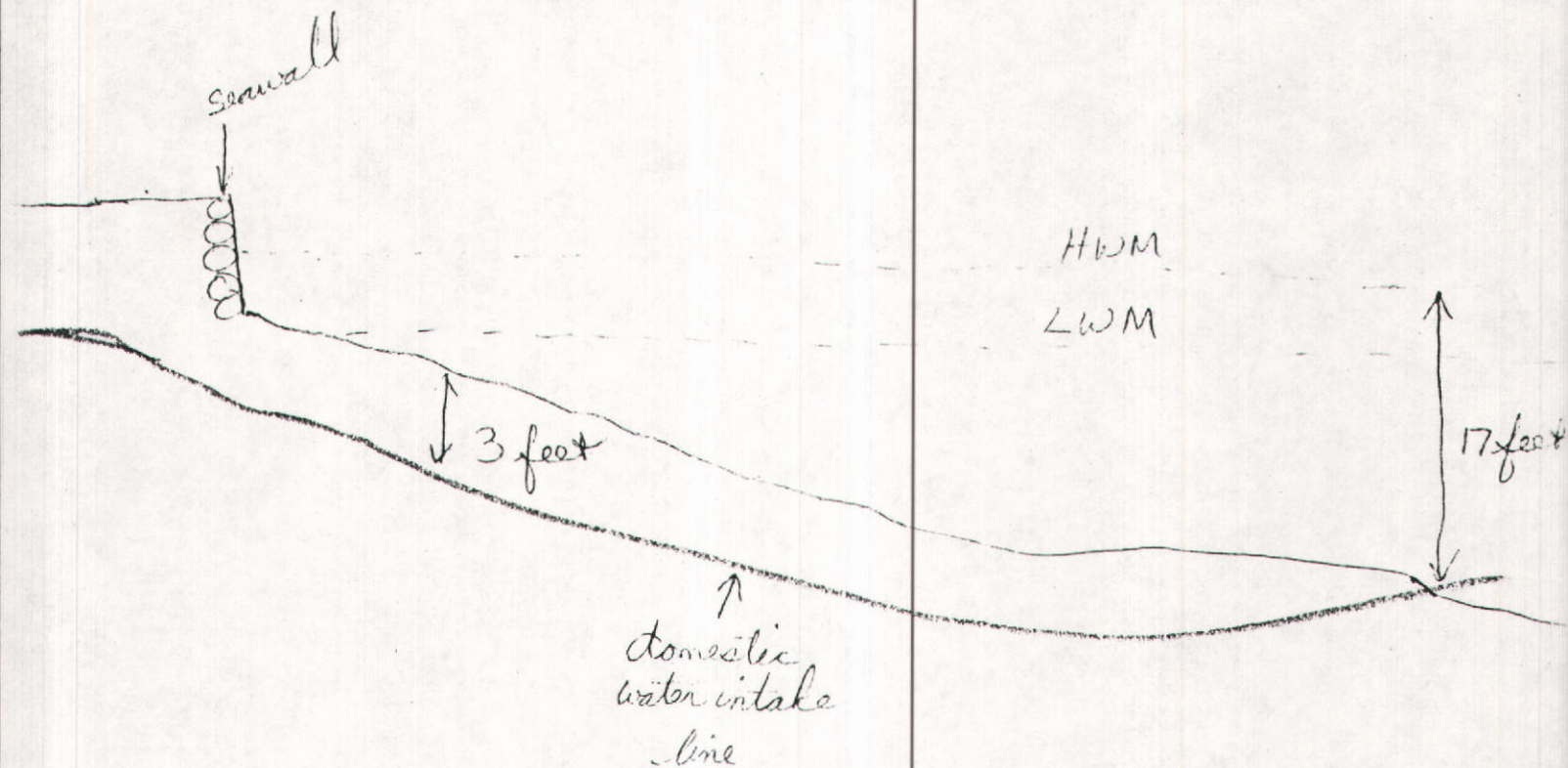
Address

Application approved by _____ Date _____

Permit issued by _____ Date _____

MICROFILMED

Howard Seibert
~~Seibert~~



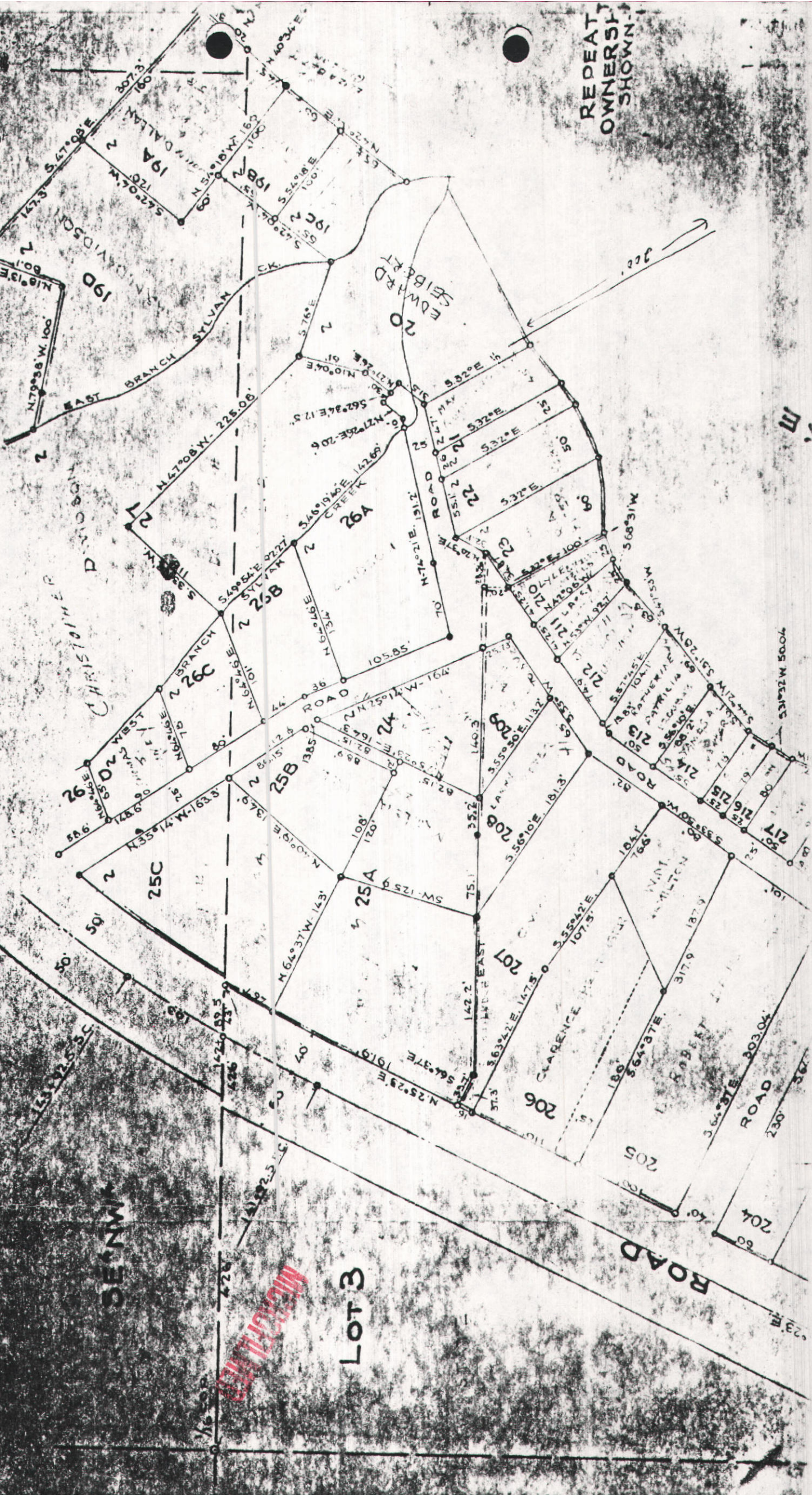
MICROFILMED

REPEAT
OWNER'S
SHOWN

SUBDIVISION

CITY OR VILLAGE

COUNTY



Lot 3

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-12294 Priority December 4, 1979 Amount 0.04 cfs

THIS IS TO CERTIFY, that Edward F. Seibert Jr. &/or Janet C. Seibert
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 65-12294 issued pursuant to Application for Permit dated December 4, 1979,
and has submitted proof to the Department of Water Resources on January 6, 1982,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from Payette Lake,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u> <u>(1 unit)</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the Government Lot 3 (NE 1/4 SW 1/4),
Section 28, Twp. 19N, Rge. 3E in the County of Valley

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19N	3E	28									GL 3 X								

Total number of acres irrigated _____

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 3.0 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
January, 19 83

Director

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 Edward F. Seibert Jr. &/or Janet C. Seibert Phone 342-0761
Post office address 1408 Shoshone, Boise, ID 83705 McCall phone #634-5186

2. Source of water supply Big Payette Lake which is a tributary of Gov. Lot 3

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28 Township 19N
Range 3E B.M. Valley County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .04 cubic feet per second and/or b. 1.2 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pipeline into lake bottom, with pump
in house.

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 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: Gov. Lot 3
(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28 Township 19N
Range 3E 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 1 Family.

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

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

[illegible]

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above.

Beneficial use right from Sylvan Creek #65-10399

9. a. Who owns the property at the point of diversion State of Idaho

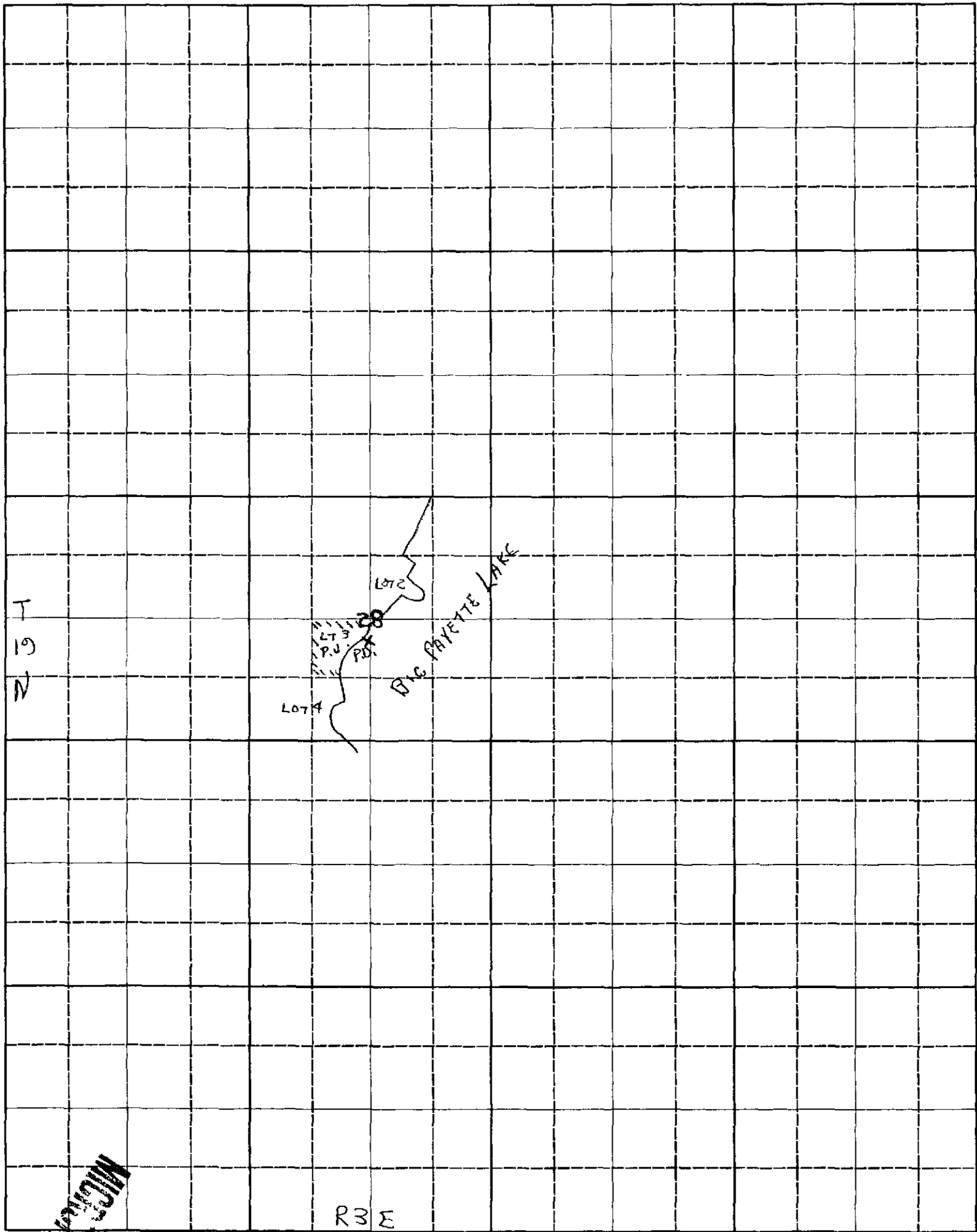
b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Encroachment permit No. L-65-S-266-A State Lands Dept.

10. Remarks

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.

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



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.

[Signature]
(Applicant)

Proposed Priority

12/4/79

Received by DBS Date 12/4/79 Time 2:00 PM

Preliminary check by CHS Fee \$ 20⁰⁰/₁₀₀

Receipted by DBS Date 12/4/79 # 15260

Publication prepared by KK Date 12/13/79

Published in Star News

Publication dates 12/20 & 12/27/79

Publication approved KK Date 1/8/80

Protests filed by: Marie Swisher of Lake Reservoir Co.

withdrawn 2/9/81

Copies of protests forwarded by KK

Hearing held by _____ Date _____

Recommended for (approval) denial by DBS RA

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-12294, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 82.
- 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: The issuance of this permit in no way grants any right-of-way or easement across the land of another. (2) Use of water under this permit is subject to control by the watermaster of State Water District # 65, Payette River. (3) 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, 19 81.

J. Glen Saxton

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 Gorrano
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 GORRANO

6-7-81
Date

LAKE RESERVOIR CO.

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

January 4, 1980

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

Re: Westwater Intervivos Trust, Application #65-12294

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 of use and complications that might possibly arise from the numerous pumps and pipes in Payette Lake.

Very Truly Yours of ,

Marie Swisher
Marie Swisher

Secretary of Reservoir Co.

MICROFILMED

RECEIVED
JAN 10 1980

Department of Water Resources
Western Region Office

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

SS

County of Valley

Mary S. Fiely, 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 App. No. 65-12294, 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 Dec. 20, 19 79 and ended Dec. 27, 19 79.

P. Jay L. Kelly
Subscribed and sworn to before me this the

27 day of December, 19 79

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.

SEIBERT, JANET C.
1408 SHOSHONE, BOISE,
ID 83705

Source: BIG PAYETTE
LAKE

Date Filed: 12-04-1979

Amount: 0.04 CFS

Diversion Point: LOT 03
(NESW) Sec 28 T 19N R 03E,
VALLEY CO.

Use: DOMESTIC (0.04
CFS) from 01-01 to 12-31

Place of Use: LOT 03
(NESW) Sec 28 T 19N R 03E

Diversion Means:
PIPELINE & PUMP

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 JANUARY 7, 1980.

C. STEPHEN ALLRED

MICROFILM

11/8/80
GR-KIR



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

March 1, 1983

RE: Water Right License No. 65-12294

Edward F. Seibert Jr. &/or Janet C. Seibert
1408 Shoshone
Boise, ID 83705

Dear Mr. and Mrs. Seibert:

Enclosed is a corrected copy of the above referenced water right license that we sent to you on February 10, 1983.

Please note that we have corrected the place of use to show Government Lot 3(NE $\frac{1}{4}$ SW $\frac{1}{4}$), Section 28, Twp. 19N, Rge. 3E rather than the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Twp. 19N, Rge. 3E.

We hope this error has not cause you any inconvenience.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

cc: Western Region

February 10, 1983

RE: Permit No. 65-12294

Edward F. Seibert Jr. &/or Janet C. Seibert
1408 Shoshone
Boise, ID 83705

Dear Mr. and Mrs. Seibert:

Enclosed herewith is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure





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)

A. Kenneth Dunn

Director

March 31, 1984

(208) 334-2190

Edward P. & Janet Seibert
1408 Shoshone
Boise, Idaho 83705

RE: 65-11224

Dear Customers:

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

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

_____.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

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

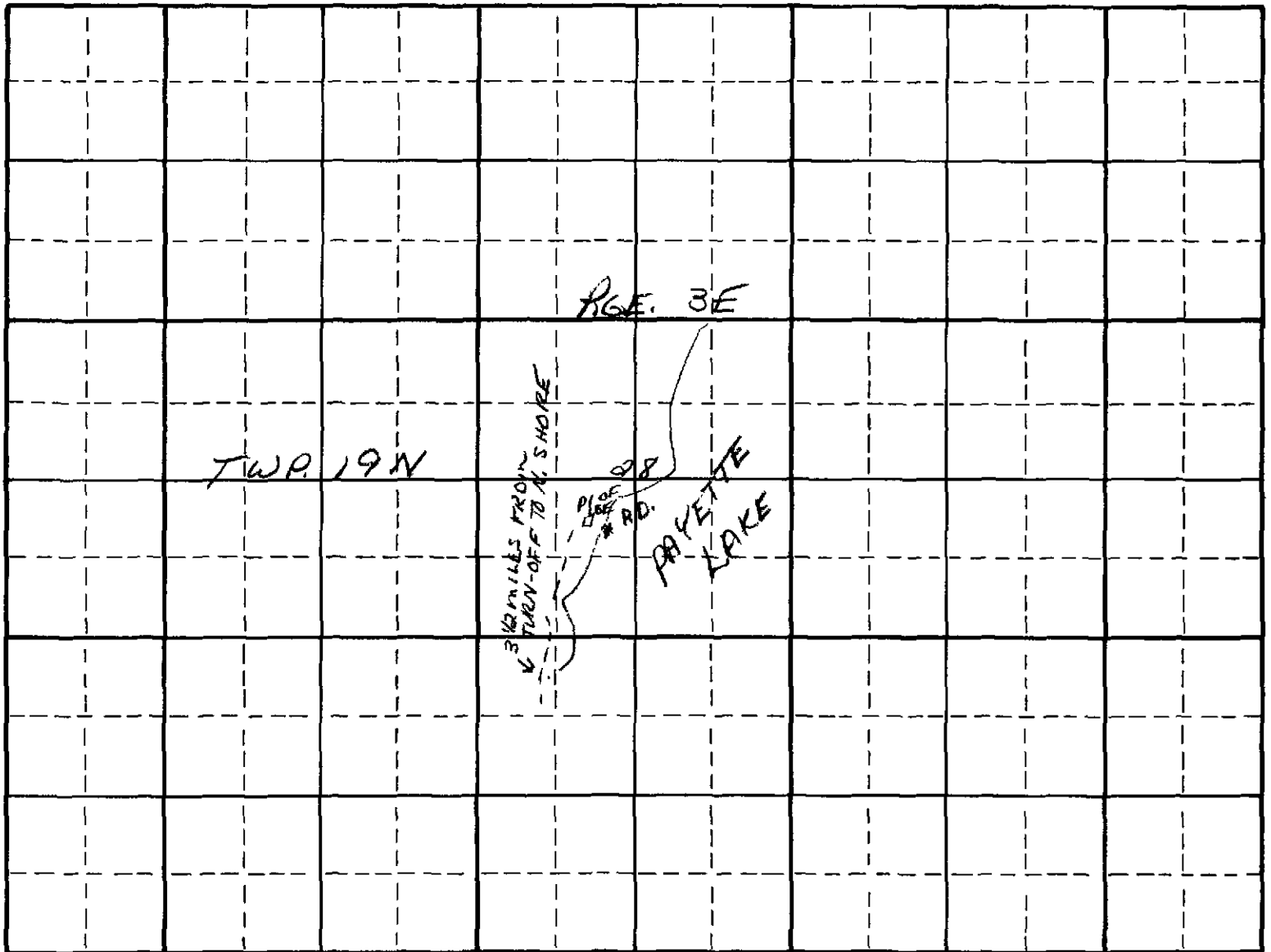
Sincerely,

Judy Pense

Judy Pense
Secretary

MICROFILMED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE 1/4 SW 1/4 (LOT 3), SEC. 28, TWP. 19N, RGE. 3E, L.M.

Place(s) of Use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19N	3E	28									X								

Recommended Amendments.

- ☐ 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

Examiner's Signature

Checked by

Approved by

Date

Date

Date

12/21/82

1/19/83

1-20-83

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No 65-12294.

Name(s) of Permit Holder: Edward F. Jr. and Janet SEIBERT

Post Office Address: 1408 SHOSHONE

BAISE - IDAHO Tel. No. 342-0761

Source of Water: PAYETTE LAKE

Extent of Use: ☐ Domestic 04 (number of households)

☐ Stockwater (number and type of stock)

☐ Irrigation (acres)

☐ Other PROJECT COMPLETED AND

IN USE

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

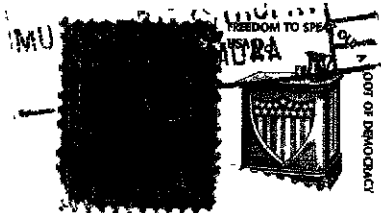
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

4 JAN 82
Date

Seibert Jr.
Signature of Permit Holder

Dr. Edward Seibert, Jr.
Box 510
McCall, ID 83638



RECEIVED



MICROFILMED

JAN 6 1982

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

BOISE, IDAHO 83720
Department of Water Resources

MICROFILMED

ENC 1

RITA FLECK
SR. SECRETARY

SINCERELY,

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12294 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

DEAR PERMIT HOLDER:

DECEMBER 31, 1981

SEIBERT, JR., EDWARD F.
1408 SHOSHONE
BOISE, ID 83705

158057

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

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

March 6, 1981

Edward & Janes Seibert
1408 Shoshone
Boise, Idaho 83705

Dear Mr. & Mrs. Seibert,

RE: Permit No. 65-12294

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.

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: 6hs

APPLICATION NUMBER: 65-12294

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ 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: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT:

This may be protested by the
Lake Res. Company.

Dare may want to hold this one.

SEND COPIES TO:

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

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☒ No Other rights on same place of use. 65-10399 different source
☒ Yes ☐ No* In form for advertising. _____
Final date for protests: 1/7/80 ✓
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12/31/79 ✓
☒ 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
12/4/79 Date of priority recommended.
Special conditions of approval or cover letter. I. P. letter, Payette
River letter, Basin 65 w.m. conditions.
The availability of water for this permit is
subject to all prior water rights of Lake Reservoir
Company.
Right-of-way clause

By: DBS Date: 2/9/81

OFFICE REVIEW:

SW/Lot (Payette R.), 105 04, 05 (65 Payette R.) special cond above

- ☐ See attached sheet for more information.

By: [Signature] Date: 2/23/81

RECEIVED

February 9, 1981

Edward F. &/or Janet C. Seibert
1408 Shoshone
Boise, Idaho 83705

RE: Application for Permit No. 65-12296

Dear Mr. and Mrs. Seibert:

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.

RECEIVED
FEB 11 1981
FBI - BOISE



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

MIC
FEB 11 1981
BOISE



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) 384-2190

May 27, 1980

Bob Henggeler
Lake Reservoir Company
114 N. 8th Street
Payette, Idaho 83661

RE: Protested Application
on Big Payette Lake

Dear Bob:

This letter is in response to our phone conversation of May 20, 1980, in which you asked for a letter containing amounts of water for the applications from Big Payette Lake which have been protested by Lake Reservoir.

The first is in the name of Westwater Intervivos Trust for 0.04 cfs of water for domestic purposes filed on Sept. 9, 1977. The State of Idaho Department of Lands has two filings, numbered 65-12088 and 65-12099, each for 500 gallons per day or approximately 0.01 cfs of water. Both of these filings are made for leasees and were received by the Department on Feb. 2, 1978. William Robert Davis has a filing received on Feb. 9, 1978 for 0.08 cfs of water for domestic purposes and 1 cfs of water for fire protection. The last filing protested by you is in the name of Edward F. and/or Janet C. Seibert for 0.04 cfs of water for domestic purposes and was filed on Dec. 4, 1979.

The total diversion rate for domestic purposes under these 5 applications is 0.18 cfs of water. This is equivalent to approximately 81 gallons per minute or 9 inches of water.

In addition to the 5 applications which have been protested by you, the Department has received and is holding an additional application in the name of Beth T. Fitzwater. This application is also for 0.04 cfs of water for domestic purposes and was filed on Dec. 6, 1978. Even though this application was not protested by you, the method of resolving the protests on the other applications should probably be applied to this application also. This brings the total amount of water applied for since September of 1977 to 0.22 cfs.

If you have any additional questions or would like additional information, please call me. I will forward a copy of this letter to Lou Gorrone and try to arrange a meeting with him to discuss the possibilities for resolving the protests in the near future.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

cc: Lou Gorrone

Bob Henninger -

Seibert - will not use additional water - changing PD to Lake from Sylvan Creek - will not use additional water.

Use - early spring - prior to May 15 & late fall, after October.

Meet in 3rd week of May.

meet in 4-10 July period.
maybe set hearing after July meeting.

Called Dr. Seibert 4/30 - told him of May meeting by Reservoir Board.
will contact him after the meeting.

MICROFILMED

CONVERSATION MEMORANDUM

DATE 1/11/80

FILE 65-12294-Seibert

NAME OF PARTY Marce Swisher

EMPLOYEE David Shaw

RE: Protest letter of January 4, 1980.

I confirmed by phone the name on the
protested application should have been Seibert
and not Westwater Intervivos Trust.

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

January 14, 1980

Edward F. Seibert, Jr.
1408 Shoshone
Boise, ID 83705

RE: Application for Permit No. 65-12294

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. ~~65-12294~~. 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.

****Please note the name on the protest (Westwater Intervivos Trust) is incorrect and the name should have been Seibert.**

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

January 14, 1980

Marie Swisher
Lake Reservoir Co.
114 North 8th Street
Payette, ID 83661

RE: Application for Permit 65-12294

In the Name of Edward F. Seibert, Jr. &/or Janet C. Seibert

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,

D. B. SHAW
Western Regional Supervisor

RECEIVED
JAN 16 1980

MICROFILMED

Encl.

Karla Knecht
Secretary

Yours truly,

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 JANUARY 7, 1980.

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 reply 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.

Gentlemen:

The Star News
Box 985
McCall, ID 83638

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190
DECEMBER 13, 1979

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

MICROFILMED

ublished 12/20 & 12/27/79.

Director

C. STEPHEN ALLRED

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, 925 Cole Road, Boise, Idaho 83709 on or before JANUARY 7, 1980.

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:

65-12294

SEIBERT, JR., EDWARD F.
SEIBERT, JANET C.

1408 SHOSHONE, BOISE, ID 83705

Source: BIG PAYETTE LAKE

Date Filed: 12/04/1979

Amount: 0.04 CFS

Diversion Point: LOT 03 (NESW) Sec 28 T 19N R 03E, VALLEY Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: LOT 03 (NESW) Sec 28 T 19N R 03E

Diversion Means: PIPELINE & PUMP

RECEIVED
DEC 11 1979



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) 384-2190

November 26, 1979

Edward F. Seibert, Jr.
Box 510
McCall, ID 83638

Dear Mr. Seibert:

It has come to the attention of our Department that you are installing a water system in Big Payette Lake for a domestic water supply. In researching our records, I find that you have a water right from Sylvan Creek, but we are unable to find a water right in your name from Big Payette Lake.

If you do not have a valid water right from Big Payette Lake, it will be necessary for you to obtain one prior to using your water intake system on the Lake. If you need to file an application for water right or if you have other questions concerning this situation, please feel free to contact this office and we will help you in any way we can.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

DBS:kk

cc: Bill Scribner

MICROFILMED
1980

Identification No. L-645-5-266-A
Area SYDVAN BEACH

STATE OF IDAHO
DEPARTMENT OF LANDS

'79 00 23 AM 8 48

APPLICATION FOR A PERMIT TO MAKE AN ENCROACHMENT
ON A NAVIGABLE LAKE OR RESERVOIR

Pursuant to Adopted Rules
And Applicable Statutes
(TYPE OR PRINT IN INK)

1. Name of applicant: Edward L. McCall, Jr. or Janet E. McCall
Post office address: Box 519 McCall, Idaho 83440
Telephone Number: 208-835-3100
2. Name of lake or stream: Shoshone Lake
3. Name and address of contractor: McCall, Idaho
4. Proposed starting date of construction and installation: 1979
5. Property description: Lot 22, Block 1, Subdivision 1, McCall, Idaho
100' x 100' of Section 28, Township 19N, Range 3E, B.M.
in 2 NE 34 (1/16 or Lot No.) of Section 28, Township 19N, Range 3E, B.M.
6. Type of structure proposed: (Please check and attach a descriptive drawing.)
- | | | |
|-------------------------------------|--|-----------------------------------|
| ☐ Breakwater | ☐ Dock | ☐ Bulkhead |
| ☐ Piling | ☐ Boathouse | ☐ Fill |
| ☐ Excavation | ☐ Other (Please specify) <u>15' x 10' x 10'</u> | |
7. Length of encroachment waterward from the ordinary highwater mark: 15'
8. Width of encroachment at ordinary highwater mark: 10', at maximum length: 10'
9. Water depth at maximum length: 15'
10. Signature of applicant: Edward L. McCall, Jr. or Janet E. McCall Date: 1979
11. STATEMENTS OF ADJACENT PROPERTY OWNERS

I, _____ am the owner of riparian or littoral property adjacent to the property listed in this application. I am familiar with the scope and location of the proposed encroachment as evidenced by accompanying plans which I have initialed and I offer no objection to the encroachment.

Date _____

Name _____

Address _____

I, _____ am the owner of riparian or littoral property adjacent to the property listed in this application. I am familiar with the scope and location of the proposed encroachment as evidenced by accompanying plans which I have initialed and I offer no objection to the encroachment.

Date _____

Name _____

Address _____

Application approved by _____ Date _____

Permit issued by _____ Date _____

Howard Seibert
~~Seibert~~

Seawall

HWM
LWM

3 feet

17 feet

↑
domestic
water intake
line

Microfilm

