

$\frac{T}{N}$ or 11

Mrs. John Swander
(Applicant)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Anita Dole, being first duly sworn, on his oath deposes and says that he is the printer of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly and continuously for more than 78 weeks prior to the first publication of the annexed document; and that the document notice, process, or advertisement hereunto annexed was published in the regular edition of

Messenger-Index for 2 consecutive weekly issues thereof, be-

ginning with the issue of June 28,

1979 and ending with the issue of

July 6, 1979
Anita Dole

Subscribed and sworn to before me this

13th day of

July, 1979

Anita Louise Harte

Notary Public,

Residing at Emmett, Idaho.

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:

65-12242

Swander, A. W. and-or John,
6210 Spring Creek Road, Emmett, Idaho 83617.

Source: Springs.

Dated Filed: June 11, 1979.

Amount: 0.06 cfs.

Diversion Point: NWNE Sec 08
T 07N R 01E, Gem County.

Use: Stockwater (0.06 cfs)
from Jan. 1 to Dec. 31.

Place of Use: NWNE Sec 08 T
07N R 01E.

Diversion Means: Spring box,
pipe and water trough.

65-12248

Swander, A. W. and-or John,
6210 Spring Creek Road, Emmett, Idaho 83617.

Source: Spring.

Date Filed: June 11, 1979.

Amount: 0.06 cfs.

Diversion Point: SWNW Sec
11 T 07N R 01W, Gem County.

Use: Stockwater (0.06 cfs)
from Jan. 1 to Dec. 31.

Place of Use: SWNW Sec 11 T
07N R 01W.

Diversion Means: Pipe and
water tank.

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 South Cole Road, Boise, Idaho 83705 on or before June 18, 1979.

C. Stephen Allred,
Director

2-6-28;7-5

OK
KIK
7/19/79

RECEIVED

JUL 16 1979

Department of Water Resources
Western Regional Office

MICROFILMED

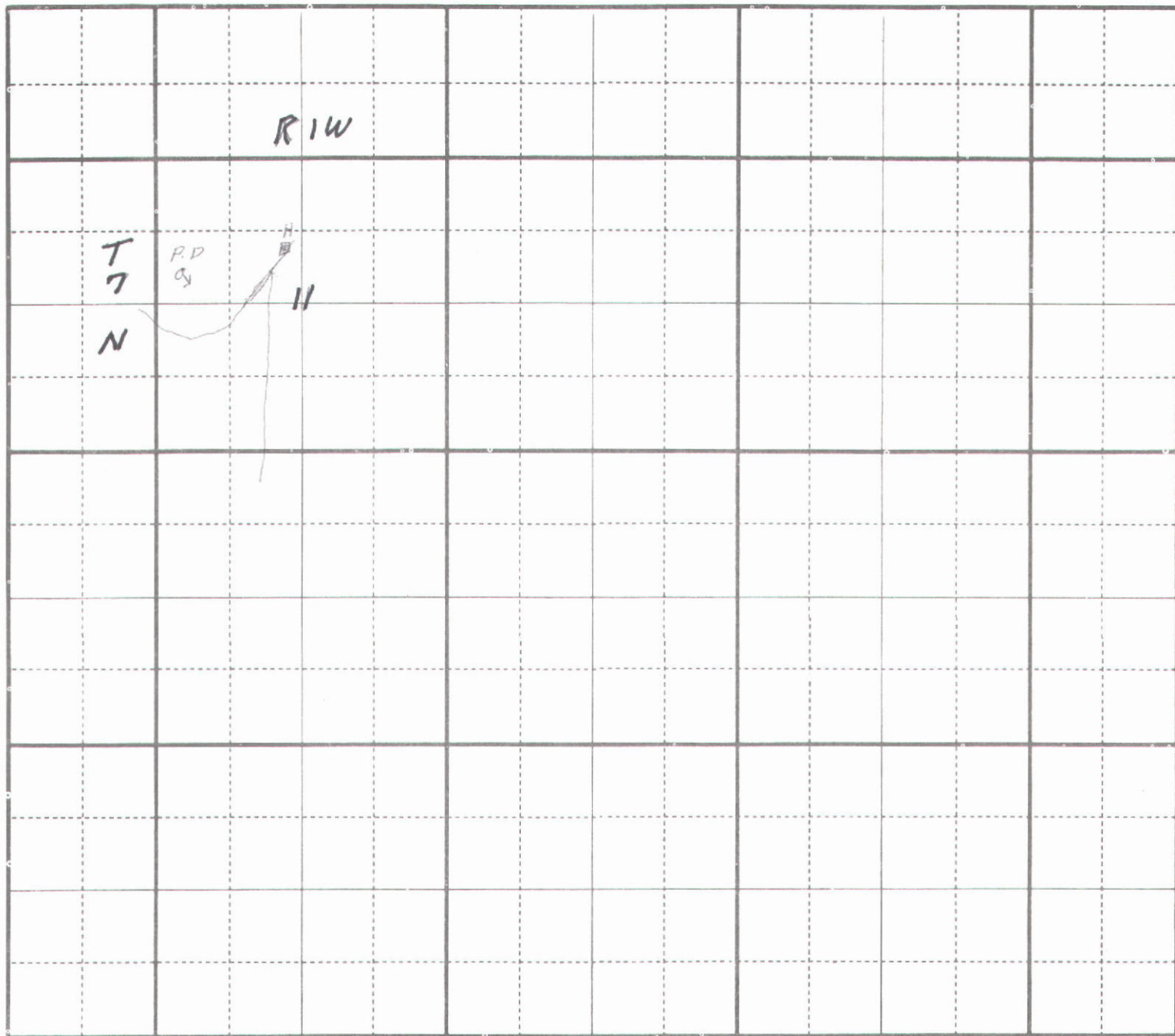


Diagram of System

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-12248 Priority June 11, 1979 Amount .06 cfs

THIS IS TO CERTIFY, that A. W. &/or John Swander
of Emmett, ID, has complied with the terms and conditions of Permit
No 65-12248 issued pursuant to Application for Permit dated June 11, 1979,
and has submitted proof to the Department of Water Resources on June 11, 1979,
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 .06 cfs of water from a spring,
tributary to sinks, 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
Stockwater	from Jan 1 to Dec 31	at .06 cfs	and 4.1 acre feet
	from	cfs and	
	from	cfs and	

Subject, however, to the condition that no more than .06 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
4.1 acre feet per year, said waters to be diverted within the SWNW Section 11, Twp 7N,
Rge 1W in the County of Gem

Description and location of place of use:

Twp	Range	Sec	NE 1/4				NW 1/4				SW 1/4				Totals
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
7N	1W	11							X						

Total number of acres irrigated _____

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 hereby described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
September, 19 81.

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 A. W. &/or John Swander Phone _____

Post office address 6210 Spring Creek Rd., Emmett, ID 83617

2. Source of water supply spring which is a tributary of _____

3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 11 Township 7N

Range 1W B.M. Gem County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.06 for stockwater 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. 0.06 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pipe, water tank

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:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 11 Township 7N

Range 1W 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 300 head of stock

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

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

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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.

Lapsed permit no. 65-7066.

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

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

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.

$$\begin{array}{c} T \\ 7 \\ N \end{array} \rightarrow //$$

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.

Mrs. John Swander
(Applicant)

Proposed Priority 6-11-19
Received by S Date 6/11/79 Time 1 pm
Preliminary check by _____ Fee \$ 20 # 13129
Receipted by S Date 6/11/79
Publication prepared by kk Date 6/21/79
Published in Emmett Messenger
Publication dates 6/28 & 7/5/79
Publication approved KK Date 7/19/79
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by LS J.S.
6/26/79

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. 65-12248 , 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 September 1 , 19 80 .
- 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: _____

Witness my hand this 6th day of August , 19 79 .

A. Glen Sayton
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Anita Dole

being first

duly sworn, on his oath deposes and says that he is the printer of Messenger-Index, a legal weekly newspaper published at Emmett, in Gem County, Idaho; that said newspaper is in general circulation in said county and has been published uninterruptedly and continuously for more than 78 weeks prior to the first publication of the annexed document; and that the document notice, process, or advertisement hereunto annexed was published in the regular edition of

Messenger-Index for 21 consecutive weekly issues thereof, be-

ginning with the issue of June 28,

1929 and ending with the issue of

July 6, 1929
Anita Dole

Subscribed and sworn to before me this

13th day of

July, 1929

Anita Dole

Notary Public,

Residing at Emmett, Idaho.

It is hereby given that the following applications have been submitted for permit to appropriate the public waters of the State of Idaho:

Applicant: A. M. and or John, 2212 Spring Creek Road, Emmett, Idaho 83617.
Source: Springs.
Date Filed: June 11, 1979.
Amount: 0.06 cfs.
Diversion Point: NWNE Sec 08 T 12N R 01E, Gem County.
Use: Stockwater (0.06 cfs) from Jan. 1 to Dec. 31.
Place of Use: NWNE Sec 08 T 12N R 01E.
Diversion Means: Spring box, pipe and water trough.
SS-12248.
Applicant: A. M. and or John, 2212 Spring Creek Road, Emmett, Idaho 83617.
Source: Springs.
Date Filed: June 11, 1979.
Amount: 0.06 cfs.
Diversion Point: SWNW Sec 11 T 12N R 01W, Gem County.
Use: Stockwater (0.06 cfs) from Jan. 1 to Dec. 31.
Place of Use: SWNW Sec 11 T 12N R 01W.
Diversion Means: Pipe and water trough.
If granted, the permit(s) will be subject to the terms and conditions of the Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before June 18, 1979.
L. Stephen Allen,
Recorder
2-4-23:7-5

OK
KIK
7/19/79

RECEIVED
JUL 16 1979

Department of Water Resources
Western Regional Office MICROFILMED



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

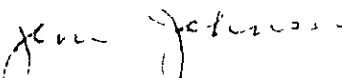
September 22, 1981

A.W. &/or John Swander
6210 Spring Creek Rd.
Emmett, ID 83617

RE: License 65-12248

Dear Sirs,
Enclosed is a copy of the Water Right License issued on the above
referenced Permit.

Sincerely,


JIM JOHNSON
Water Distribution Supervisor

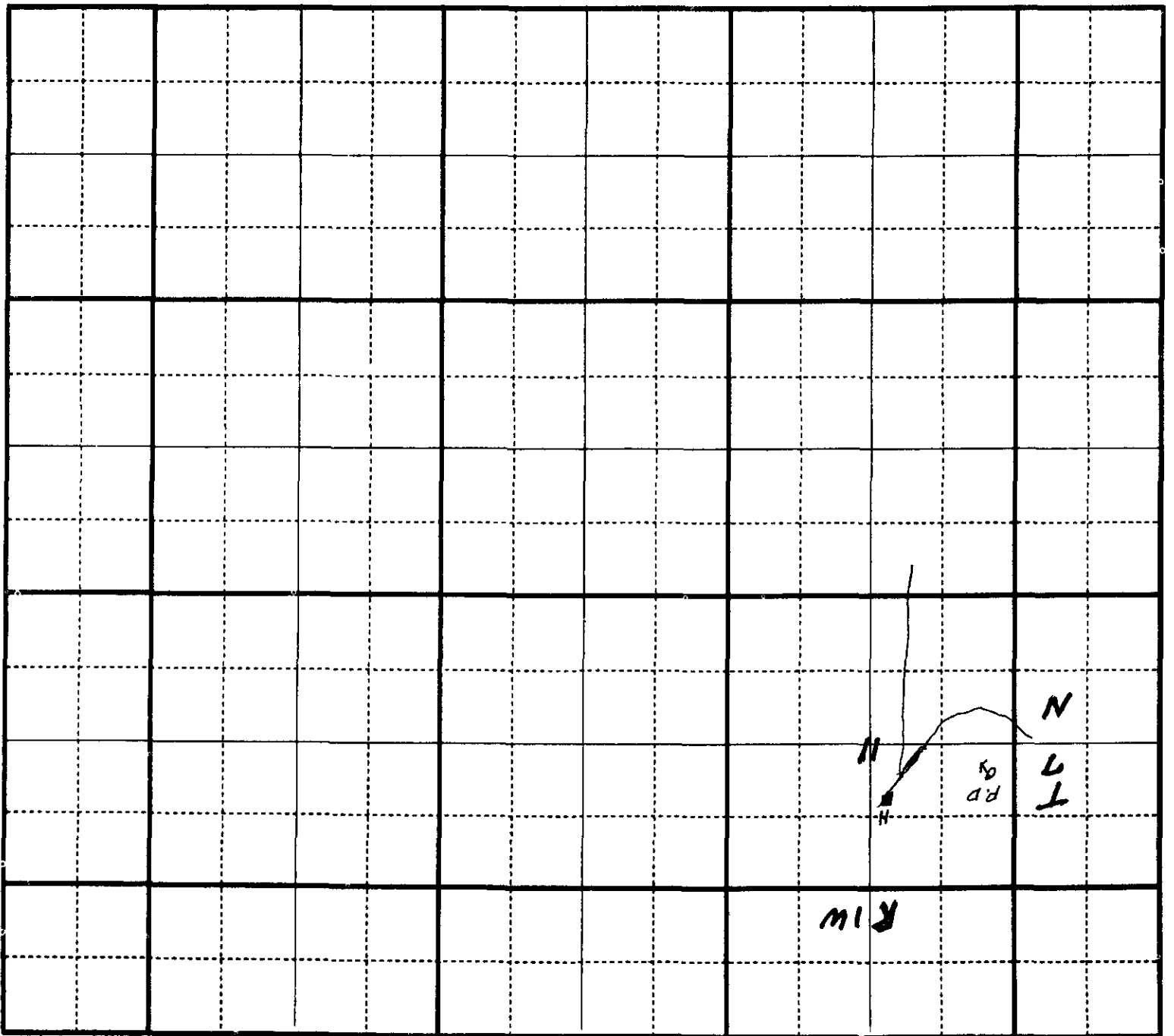
Enclosure

RECEIVED
SEP 23 1981

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Diagram of System



DATE OF EXAM 3/27/80

ACREAGE

Found _____

Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Livestock Q= .06 c.f.s. V= 4.1 AF/Ann. from 1/1 to 12/31

Is water co-mingled? yes _____ no ☒

Name source: _____

twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County

Exchange? yes _____ no ☒

Name source exchanged with: _____

twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County

Point of injection:

twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County

Point of exchange:

twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County

Total Q measured .06 Method of measurement calc est.

Total Q recommended .06 Meter No. _____ Type _____ Condition _____

Total V recommended 4.1

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

None ☒

MEASUREMENT CALCULATION:

calculated estimate of spring

Allow .06 AS per permit

SYSTEM DESCRIPTION:

Perforated buried pipe in spring. approximately
1200 feet of 1 1/4 inch plastic pipe to place of use

REMARKS:

200-300 gal of discharge - Springs & varies
considerably during the year. High in spring-
low in late summer.

Examiner's Signature Jahar K. Noyes Date 4/2/80

Checked by DBS Date 5/12/80

Approved by [Signature] Date 8/26/81



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

September 10, 1979

H. W. or John W. Swander
6210 Spring Creek Road
Emmett, ID 83617

RE: Permit No. 65-12248

Dear Sirs:

We acknowledge receipt of your statement submitted as proof of 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,

Kay Walker
Secretary

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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. 65-12248

Name(s) of Permit Holder: ALVIN LEE JOHN W. SWANDER

Post Office Address: 6010 Spring Creek Rd
Emmett, IDA. 83607 Tel. No. 365-4695

Source of Water: STOCK WATER

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 300 HEAD (number and type of stock) BEEF
☐ Irrigation (acres)
☐ Other

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 permit holder has been developed.

6-10-79
 Date

MICROFILMED
Mrs John Swander
 Signature of Permit Holder



PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

August 7, 1979

A.W. and John Swander
6210 Spring Creek Rd.
Emmett, Idaho 83617

Dear Sirs,

RE: Permit No. 65-12248

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

Sincerely,

David R. Tuthill, Jr.

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

DRT:lr

Enclosure

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State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Chalbyang

APPLICATION NUMBER: 65-12248
SWANIER

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: _____

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. lapsed permit 65-7066
☒ Yes ☐ No* In form for advertising.
Final date for protests: 7/16/79
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 7/16/79
☒ 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? _____
☒ 11 June 79 Date of priority recommended.
☒ Special conditions of approval or cover letter. _____

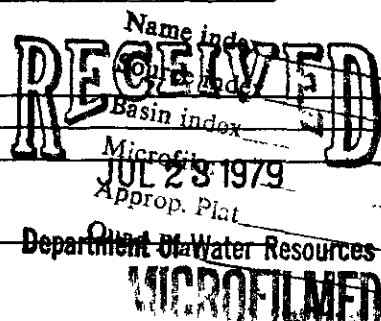
By: [Signature] Date: 20 Feb 79

STATE OFFICE REVIEW:

SHORT LETTER w/o conditions

- ☐ See attached sheet for more information.

By: [Signature] Date: 8/3/79



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 384-2190

JUNE 21, 1979

Emmett Messenger-Index
Box 577
Emmett, ID 83617

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 billing to this office before JULY 16, 1979.

Yours truly,

Karla Knecht
Secretary

Encl.

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65-12248

SWANDER, A.W. &/or JOHN

6210 SPRING CREEK ROAD, EMMETT, ID 83617

Source: SPRING

Date Filed: 06/11/1979

Amount: 0.06 CFS

Diversion Point: SWNW Sec 11 T 07N R 01W, GEM Co.

Use: STOCKWATER (0.06 CFS) from 01/01 to 12/31

Place of Use: SWNW Sec 11 T 07N R 01W

Diversion Means: PIPE & WATER TANK

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