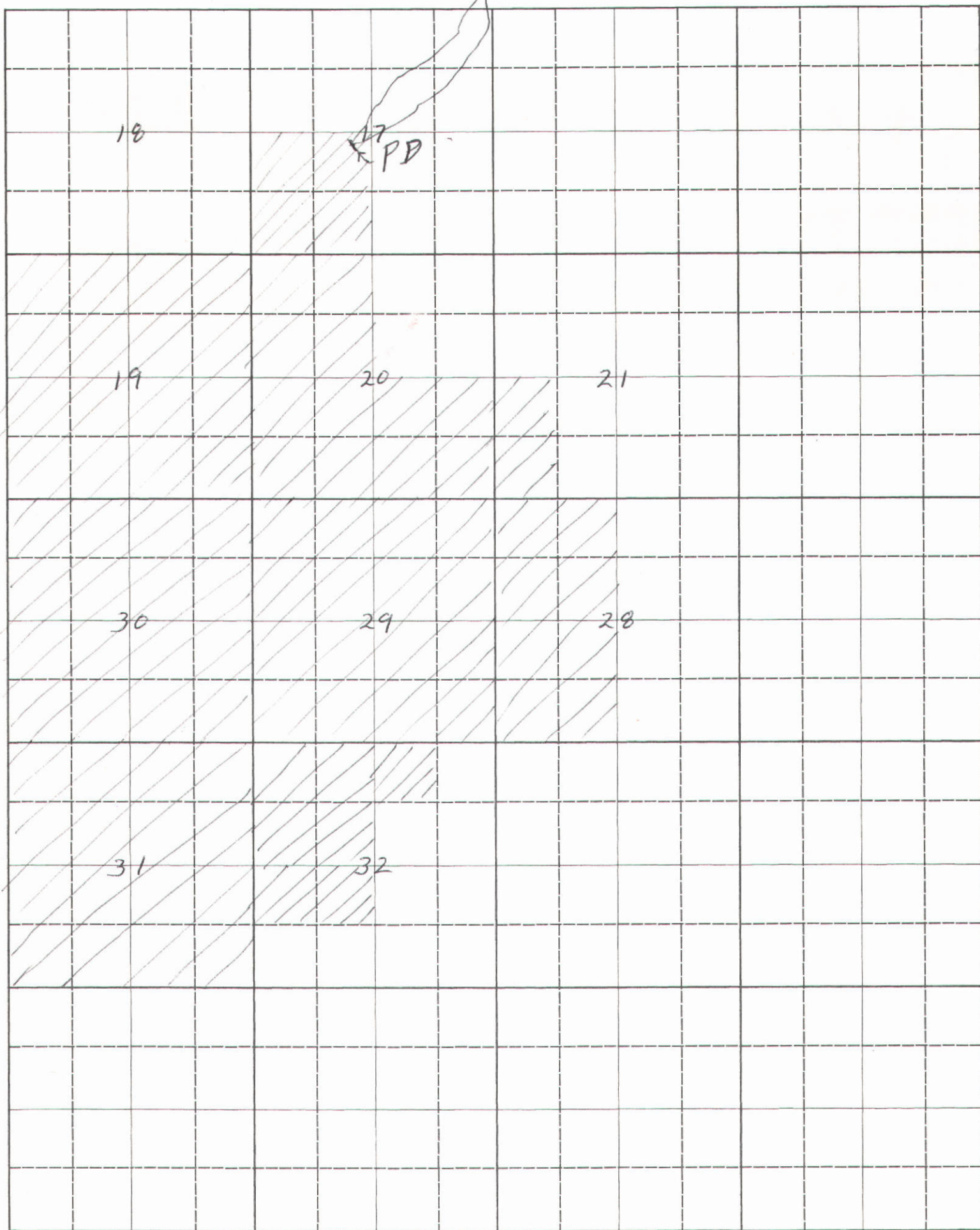


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T 14N - R 4E



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.

Tom Davis
(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. 65-12202, 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 February 22, 19 79 and ended March 1, 19 79.

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

First day of March, 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:

65-12202

DAVIS, TOM J.

CASCADE, ID 83611

Source: BEAVER CREEK
tributary to PAYETTE RIVER

Date Filed: 02-07-1979

Amount: 3600.0 AC-FT

Diversion Point: NESW Sec 17
T 14N R 04E, VALLEY Co.

Use: IRRIGATION
STORAGE (3600.0 AC-FT) from
09-30 to 05-01

IRRIGATION FROM
STORAGE (3600.0 AC-FT) from
05-01 to 09-30

Place of Use:

NESW NWSW SWSW SESW
Sec 17 T 14N R 04E NENE

NWNE SWNE SENE NENW

NWNW SWNW SENW NESW

NWSW SWSW SESW NESE

NWSE SWSE SESE

Sec 19 T 14N R 04E NENW

NWNW SWNW SENW NESW

NWSW SWSW SESW NESE

NWSE SWSE SESE Sec 20 T

14N R 04E NWSW SWSW Sec 21

T 14N R 04E

NENW NWNW SWNW SENW

NESW NWSW SWSW SESW Sec

28 T 14N R 04E NENE

NWNE SWNE SENE NENW

NWNW SWNW SENW NESW

NWSW SWSW SESW NESE

NWSE

SWSE SESE Sec 29 T 14N R

04E NENE NWNE SWNE SENE

NENW NWNW SWNW

SESW NESW NWSW SWSW

SESE Sec 30 T 14N R 04E

NWNE NENW NWNW SWNW

SESW NESW NWSW Sec 32 T

14N R 04E NENE NWNE

SWNE SENE NENW NWNW

SESW NESW NWSW

SWSW SESW NESE NWSE

SWSE

SESE Sec 31 T 14N R 04E FOR

3880 ACRES

Diversion Means: EAR+

THFILL DAM & OPEN DITCH

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

MARCH 12, 1979.

C. STEPHEN ALLRED

Director

Published 2-22 & 3-1-1979

RECEIVED
MAR 12 1979

Department of Water Resources
Western Regional Office

OKKK
3/12/79

MICROFILME

(corner)

5

23100
23107

..... 4855.6 FT

$$F_B = 2.3 \text{ FT}$$

H₂O. HT. = 47.1 ft.

21' CONC. PIPE

TBM J DAM (065-12202)
DOWNSTREAM VIEW OF DAM

SURVEYED BY AMS & JW - 10/14/95
DRAWN BY AMS - 10/10/95

SURVEY NOTES:

WATER LEVEL = 4842.91 FT

BM AT CALLENDER DAM = 4857.00

24 IN CONCRETE PIPE 4.00 (INV)

SCALE: VERT - 1" = 10 FT
HORIZ - 1" = 100

$$\frac{1001}{1001} = 1$$

McDonald's® National Brand

42 302	101 524 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000	101 524 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 2
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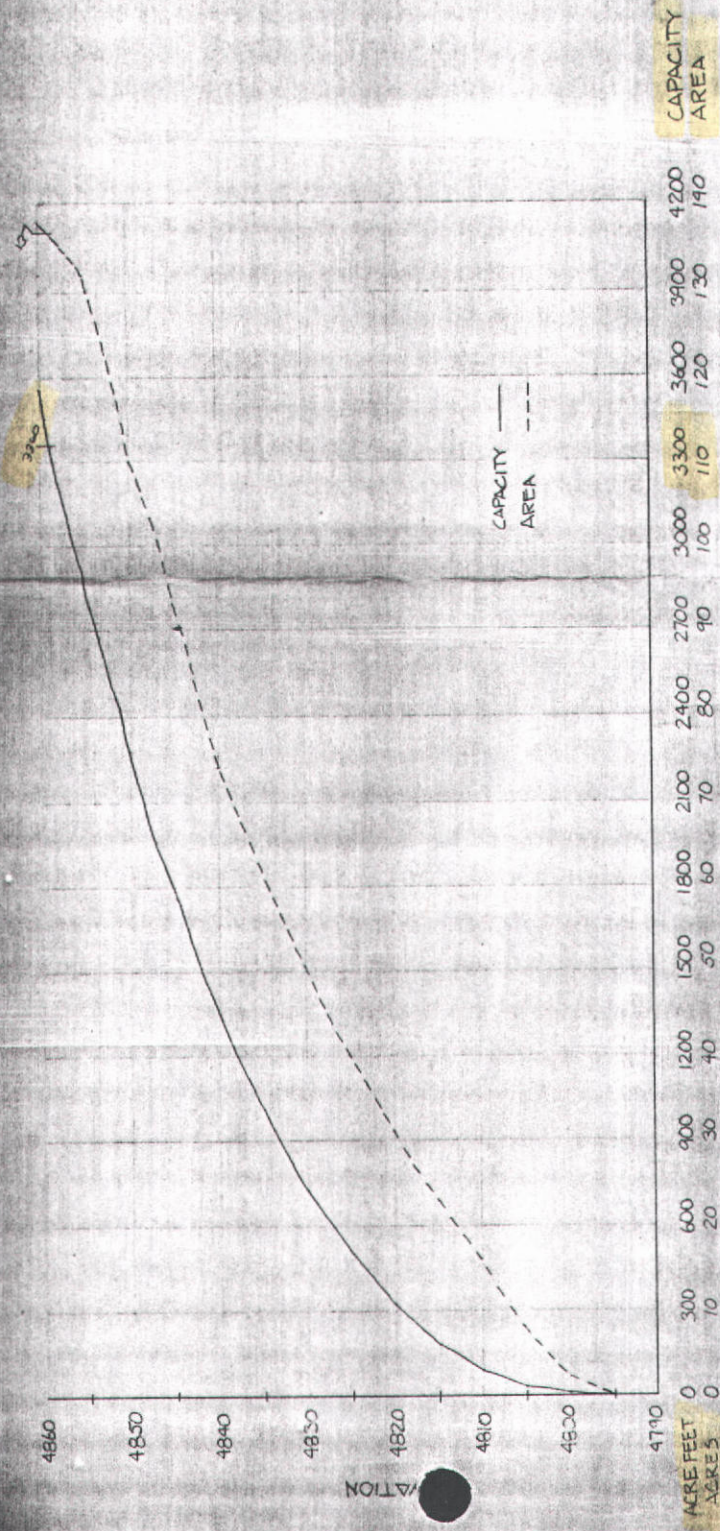
RECEIVED
OCT 20 1999

Department of Water Resources

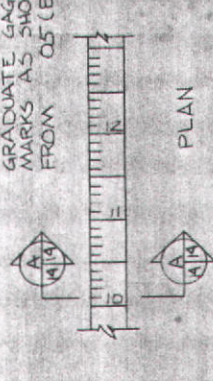
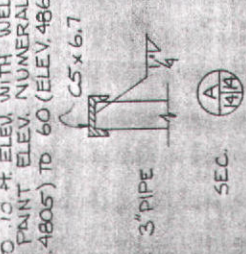
RECEIVED
OCT 20 1999
Department of Water Resources

TOM J. DAM	
DETAILS	DRAWN BY RC
SCALE	DATE 12/18/98
A & B ENGINEERING BOISE, IDAHO	
14	

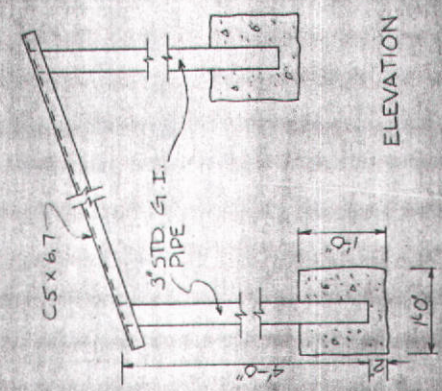
REVISED-10-4-79
APPROVED 12/13/74



GRADUATE GAGE TO 10 # ELEV. WITH WELD MARKS AS SHOWN, PRINT ELEV. NUMERALS FROM 05 (ELEV. 4805) TO 60 (ELEV. 4860).



GAGE TO BE LOCATED ON UPPER FACE OF DAM AT MAXIMUM CROSS SECTION, WITH FACE OF GAGE FLUSH WITH FILL SURFACE.

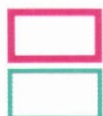


RESERVOIR WATER LEVEL GAGE
SCALE: 1"=10'

Tom J permissible place of use

T14N, R04E

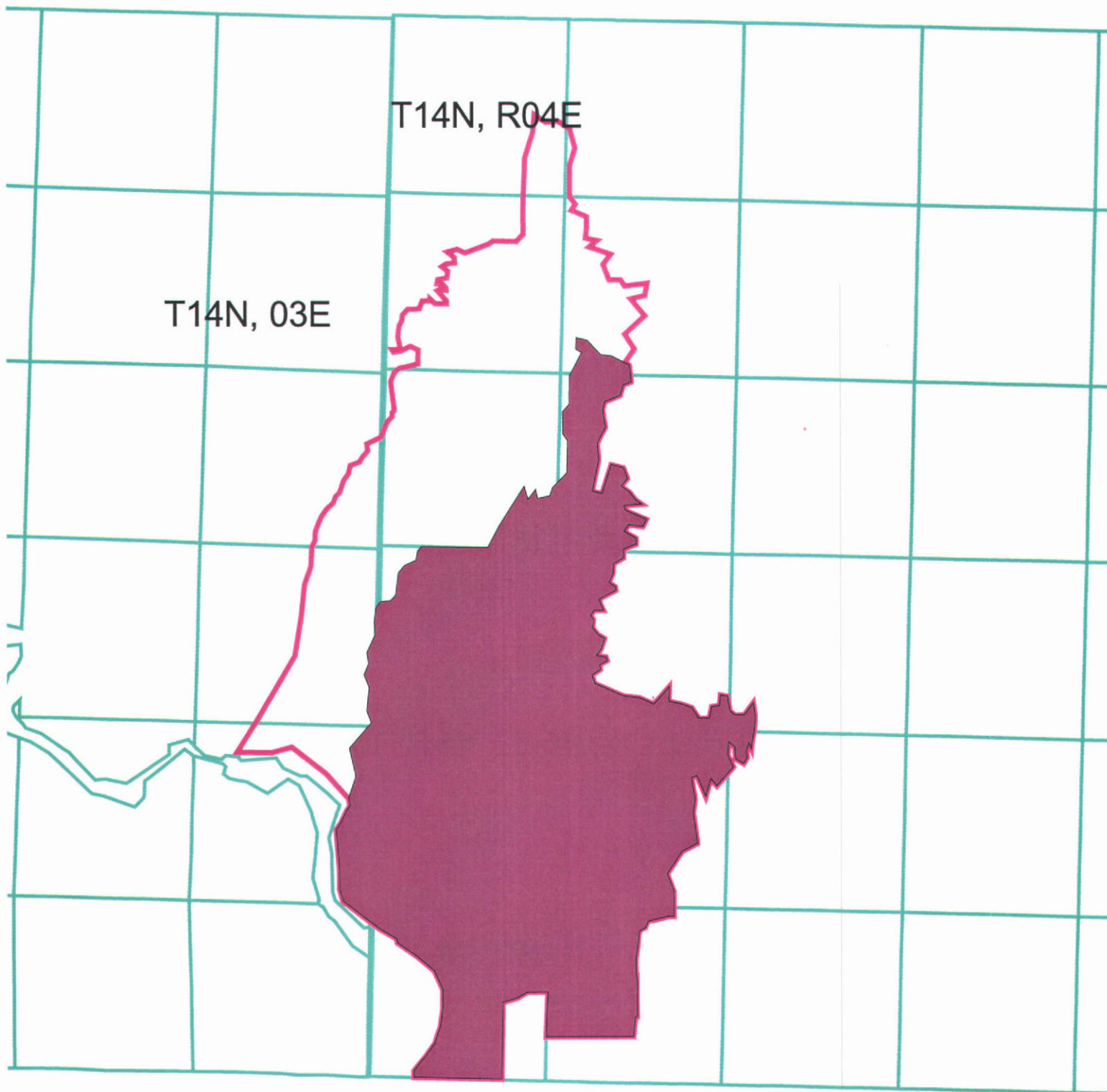
T14N, 03E



Tom J permissible place of use
Section Lines

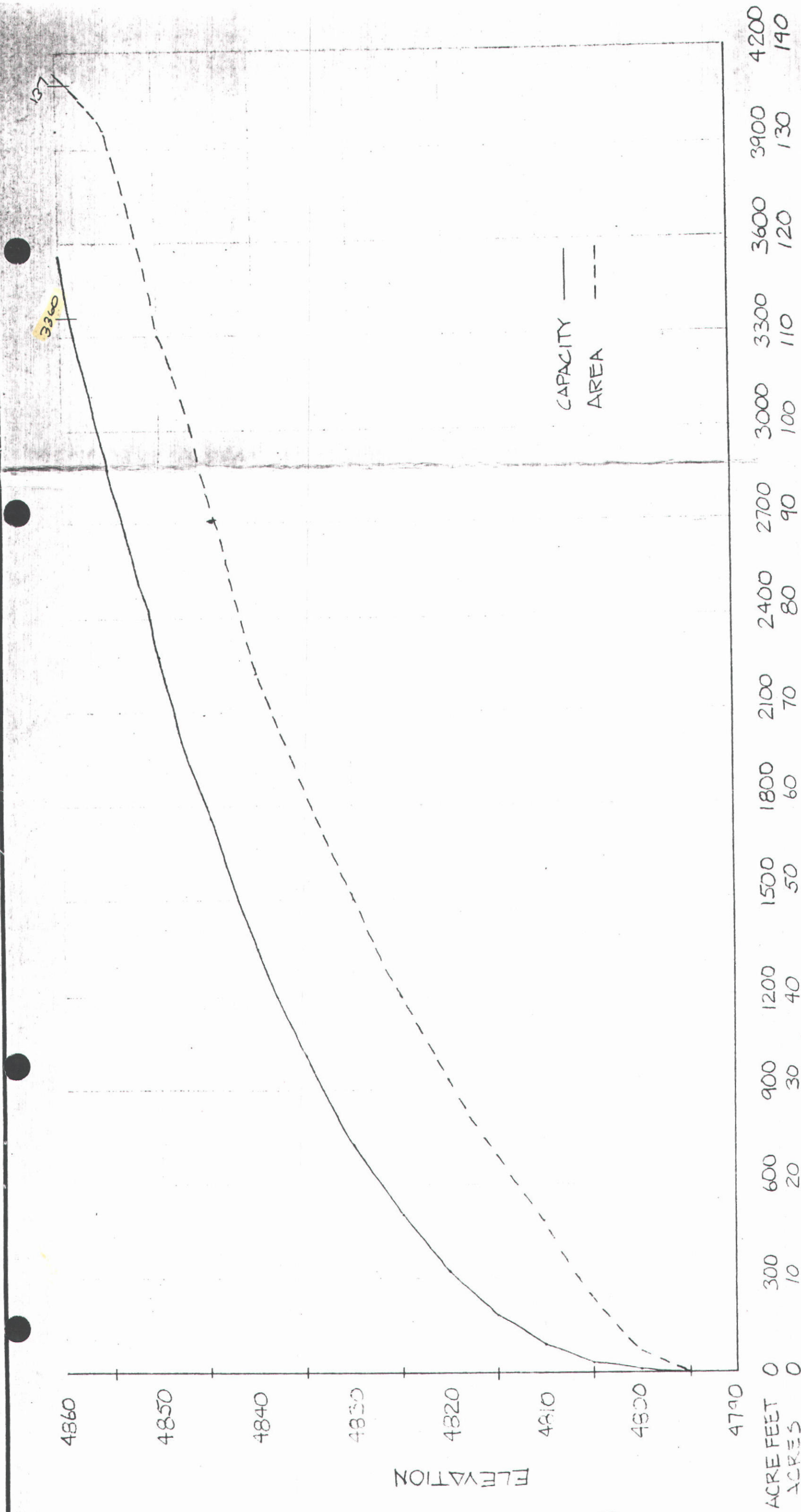
MICROFILMED
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Tom J permissible place of use

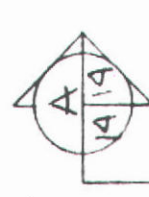


- Tom J permissible place of use
- All 4 permissible places of use
- Section Lines

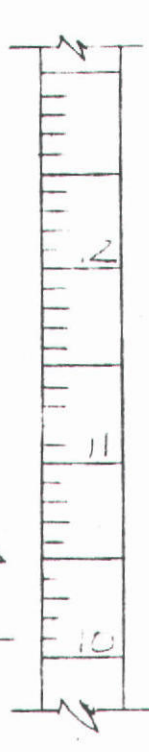
REPRODUCED
DEC 29 1999



GRADUATE GAGE TO 10 FT. ELEV. WITH WELD MARKS AS SHOWN, PAINT ELEV. NUMERALS FROM 05 (ELEV. 4805) TO 60 (ELEV. 4860).



C5 x 6.7



3" PIPE

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 65-12202

Priority: April 2, 1979

Maximum Storage Volume:

1300.0 AF

This is to certify, that TOM J DAVIS
DAVIS CATTLE CO

19 WARM LAKE HWY
CASCADE ID 83611

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 7, 1979; and has submitted Proof of Beneficial Use on March 20, 1989. An examination indicates that the works have a storage capacity of 3360.000 af of water from:

BEAVER CREEK tributary to PAYETTE RIVER, NORTH FORK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	09/30 to 05/01		1300.0 AF
IRRIGATION FROM STORAGE	04/15 to 10/31		1300.0 AF
Totals			1300.0 AF

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 17, Township 14N, Range 04E
VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14N	03E	24	SENE 1	NESE 6.9	SESE 5.5		13.4
		25	NENE 16	Lot 8 (SENE) 20	Lot 9 (NESE) 29		
			Lot 12 (SESE) 32.1				97.1
04E	8		SWSW 17	SESW 7.9			24.9
	17		NENW 10	NWNW 33	SWNW 32		
			SENE 0.4	NESE 20	NWSW 33		
			SWSW 40	SESW 29.1			197.5
	18		NESE 10	SWSE 13	SESE 40		63
	19		NENE 40	NWNE 40	SWNE 40		
			SENE 40	NENW 40	Lot 1 (NWNW) 17		
		Lot 2 (SWNW) 36	SENE 40	SENE 40	NESW 40		
		Lot 3 (NWSW) 40	Lot 4 (SWSW) 40	SESE 40	SESW 40		
			NESE 40	NWSE 40	SWSE 40		
			SESE 40				613
	20		NENW 14	NWNW 40	SWNW 37		
			SENE 1	NESE 2.3	NWSW 39		
			SWSW 40	SESW 32	SWSE 27		
			SESE 20				252.3
	21		SWSW 10				10
	28		NWNW 11				11
	29		NENE 40	NWNE 40	SWNE 40		
			SENE 15	NENW 40	NWNW 40		
			SWNW 40	SENE 40	NESW 40		

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DEC 29 1999

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-12202

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
		NWSW	40	SWSW	40		
		NESE	8	NWSE	39	533	
30		NENE	40	NWNE	40		
		SENE	40	NENW	40		
	Lot 2 (SWNW)	39	SENE	40	Lot 1 (NWNW)	40	
	Lot 3 (NWSW)	39	SENE	40	NESW	40	
		NESE	40	Lot 4 (SWSW)	39	SESW	40
		SESE	40	NWSE	40	SWSE	40
						637	
31		NENE	40	NWNE	40		
		SENE	40	NENW	40		
	Lot 2 (SWNW)	1.7	Lot 2 (SENE)	28	Lot 1 (NWNW)	33	
	Lot 6 (SESW)	29.2	NESE	3	Lot 5 (NESW)	15.3	
		SWSE	40		NWSE	40	
						390.2	
32		NWNE	12	SWNE	1		
		NWNW	40	SWNW	40		
		NESW	38	NWSW	39		
					NENW	40	
					SENE	40	
					NWSE	1.1	
						251.1	

Total number of acres irrigated: 3093.5

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
4. 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 at the field headgate for irrigation of the lands above.
5. Right 65-13019 is also diverted through the point of diversion described above.
6. Rights 65-02536, 65-02832, 65-02920, 65-02931, 65-03579, 65-03580, 65-03582, 65-03583, 65-04031A, 65-04031B, 65-04031X, 65-07312, 65-07649, 65-07777, 65-12202, 65-13019 and 65-13619 when combined shall not exceed a total annual maximum diversion volume of 14,500. af at the field headgate, and the irrigation of 4831 acres.
7. Storage facility also known as Tom J reservoir.

MICROFILMED

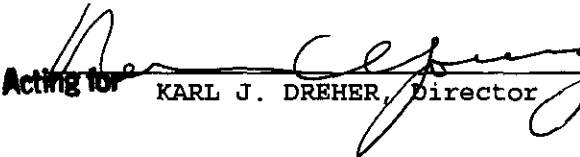
DEC 29 1999

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 65-12202

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 13TH day of DECEMBER, 1999.

Acting for 
KARL J. DREHER, Director

MICROFILMED
DEC 29 1999

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12202

Date of Priority: April 2, 1979

Maximum Storage Volume: 1300.0 AF

Comes now

TOM J DAVIS
DAVIS CATTLE CO

19 WARM LAKE HWY
CASCADE ID 83611

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 65-12202, and requests that the permit be changed as follows:

Source: BEAVER CREEK

tributary to PAYETTE RIVER, NORTH FORK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	09/30 to 05/01		1300.0 AF
IRRIGATION FROM STORAGE	05/01 to 09/30		1300.0 AF
Totals			1300.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 17, Township 14N, Range 04E
VALLEY County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
14N	03E	24	SENE 1		NESE 6.9		SESE 5.5	13.4
		25	NENE 16	Lot 8 (SENE)	20	Lot 9 (NESE)	29	
			Lot 12 (SESE)					97.1
04E	8		SWSW 17		SESW 7.9			24.9
	17		NENW 10		NWNW 33		SWNW 32	
			SENE 0.4		NESW 20		NWSW 33	
			SWSW 40		SESW 29.1			197.5
	18		NESE 10		SWSE 13		SESE 40	63
	19		NENE 40		NWNE 40		SWNE 40	
			SENE 40		NENW 40	Lot 1 (NWNW)	17	
		Lot 2 (SWNW)	36		SENE 40		NESW 40	
		Lot 3 (NWSW)	40	Lot 4 (SWSW)	40		SESW 40	
			NESE 40		NWSE 40		SWSE 40	
			SESE 40					613
	20		NENW 14		NWNW 40		SWNW 37	
			SENE 1		NESW 2.3		NWSW 39	
			SWSW 40		SESW 32		SWSE 27	
			SESE 20					252.3
	21		SWSW 10					10
	28		NWNW 11					11
	29		NENE 40		NWNE 40		SWNE 40	
			SENE 15		NENW 40		NWNW 40	
			SWNW 40		SENE 40		NESW 40	

MICROFILMED
DEC 29 1999

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12202

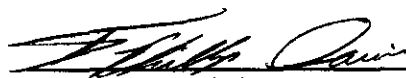
PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>	
		NWSW	40	SWSW	40	SESW	40
		NESE	8	NWSE	39	SWSE	31
30		NENE	40	NWNE	40	SWNE	40
		SENE	40	NENW	40	Lot 1 (NWNW)	40
	Lot 2 (SWNW)	39	SENE	40	NESW	40	
	Lot 3 (NWSW)	39	Lot 4 (SWSW)	39	SESW	40	
		NESE	40	NWSE	40	SWSE	40
		SESE	40				637
31		NENE	40	NWNE	40	SWNE	40
		SENE	40	NENW	40	Lot 1 (NWNW)	33
	Lot 2 (SWNW)	1.7	Lot 2 (SENE)	28	Lot 5 (NESW)	15.3	
	Lot 6 (SESW)	29.2	NESE	3	NWSE	40	
		SWSE	40				390.2
32		NWNE	12	SWNE	1	NENW	40
		NWNW	40	SWNW	40	SENE	40
		NESW	38	NWSW	39	NWSE	1.1
							251.1

Total number of acres irrigated: 3093.5

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 Cascade Idaho, this 23 day of November, 1999.


(Signature)

DEC 29 1999

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 65-12202

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee 50⁰⁰ Received by JM #047258 Date 11.26.99

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 65-12202 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
4. 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 at the field headgate for irrigation of the lands above.
5. Right 65-13019 is also diverted through the point of diversion described above.
6. Rights 65-02536, 65-02832, 65-02920, 65-02931, 65-03579, 65-03580, 65-03582, 65-03583, 65-04031A, 65-04031B, 65-04031X, 65-07312, 65-07649, 65-07777, 65-12202, 65-13019 and 65-13619 when combined shall not exceed a total annual maximum diversion volume of 14,500. af at the field headgate, and the irrigation of 4831 acres.
7. Storage facility also known as Tom J reservoir.

Witness my hand this 13TH day of DECEMBER, 1999.

Acting for Karl J. Dreher
KARL J. DREHER Director

MICROFILMED

DEC 29 1999

#25.00

For Office Use Only
 \$25 Filing Fee
 Receipt 2047006
 Date 11-1-99

RECEIVED

NOV 01 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 ASSIGNMENT OF PERMIT

Tom J. Davis and/or

I, Tom J. Davis, hereby assign to Davis Cattle Co
 of, 19 Warm Lake Hwy., Cascade, ID 83611
 (Full Address) (Phone)

All my right, title, and interest in and to Permit No. 65-12202 to
 appropriate the public waters of the State of Idaho. 65-07777

QJ (for partial assignments)

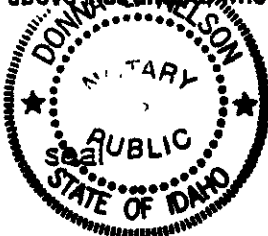
The following described portion of my right, title, and interest in and to
 Permit No. _____ to appropriate the public waters of the State of
 Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre
 subdivision, point of diversion location, and the amount of water in cubic feet per second.)

Made this 27th day of October, 1999.

Tom J. Davis
 Permit Holder

State of Idaho)
 County of Valley) ss

On this 27th day of October, 1999, personally appeared before me the signer(s) of the
 above instrument who duly acknowledged to me that he (she) (they) executed the same.



Donna L. Nelson
 Notary Public residing at
Cascade, ID 83611

My commission expires: 02-19-03

MICROFILMED

DEC 29 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-12202 IN THE
NAME OF TOM J. DAVIS

ORDER OF REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before March 1, 1989; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the 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 holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on March 20, 1989;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-12202 be REINSTATED and the priority advanced to April 2, 1979.

Dated this 23rd day of March, 1989.

MICROFILMED

MAY 15 1989

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED

MAR 20 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
 Fee Received \$300
 Date 3-20-89
 Receipt # 0005919
 Receipt by RW
 Reviewed by JS
 Sent to region

Department of Water Resources

PROOF OF BENEFICIAL USE

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

Permit No. 65-12202

Name(s) of Permit Holder: Tom J. Davis

Post Office Address: HC 71, Box 2005, Cascade, ID 83611

Telephone No. 382-4892

Source of Water: Beaver Creek

Extent of Use:

Domestic (number of households)

Stockwater (number and type of stock)

Irrigation 3880 (acres)

Other/Remark

storage for irrigation

Total rate and/or volume for which proof is submitted cfs 900 acre-feet

Show the date water was first diverted and beneficially used under this permit: November 1979

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

Fee enclosed \$ 300
 (See License Examination Fee Schedule)

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

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

Phil Davis

(Name)

382-4892

(Telephone Number)

same as above

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

FILED

MAY 15 1989

3/20/89
 Date

[Signature]
 Signature of Permit Holder (and title, if appropriate)

For Office Use Only	
Fee Received	15.00
Date	5-2-84
Receipt #	33970

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 4 1984

REQUEST FOR EXTENSION OF TIME

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

TOM J DAVIS

(Name)

of CASCADE

(Address)

State of IDAHO, deposes and says.

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No 65-12202

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

MARCH 1, 19 84

That he has heretofore performed the following work described under said permit: DAM CONSTRUCTION

(This must be filled out! If no work has been completed put none)

ABOUT ONE HALF COMPLETED TO A HEIGHT OF 30 FEET. WATER DISTRIBUTION SYSTEM IS MOSTLY IN.

Costing \$ 150,000

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

LACK OF FUNDS TO COMPLETE PROJECT AT PRESENT. ENOUGH WATER IS NOW BEING STORED FOR PRESENT NEEDS.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to MARCH 1, 19 89
(1 yr minimum, 5 yrs maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

[Signature]
(Signature)*

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to March 1, 1989.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to March 14, 1979, pursuant to Sec. 42-218a, Idaho Code.

Signed this 8th day of May, 19 84

[Signature]
Chief, Operations Bureau

RECEIVED

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 Tom J. Davis Phone 302-4162

Post office address Cascade, Id. 83611

2. Source of water supply Beaver Cr. which is a tributary of Payette R.

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17 Township 14N

Range 4E, B.M. Valley County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3600 for irrigation ^{from storage} purposes from May 1 to Sept 30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 3600 for storage ^{for irrigation} purposes from Sept 30 to May 1 (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. _____ cubic feet per second and/or b. 3600 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Earthfill dam and open ditch (Long & Short)

b. Height of storage dam 65' ~~60'~~ feet, active reservoir capacity _____ acre-feet; total reservoir capacity 3600 ~~3000~~ acre-feet, materials used in storage dam: Earth fill

Period of year when water will be diverted to storage Sept 30 to May 1 inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

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

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

MICROFILMED

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

TWP	RANGE	SEC.	NE			NW			SW			SE			TOTALS
			NE	NW	SW	NE	NW	SW	NE	NW	SW	NE	NW	SW	
19N	4E	17							X	X	X	X			160
		19	X	X	X	X	X	X	X	X	X	X	X		640
		20				X	X	X	X	X	X	X	X	X	480
		21							X	X					80
		28				X	X	X	X	X	X				320
		29	X	X	X	X	X	X	X	X	X	X	X	X	640
		30	X	X	X	X	X	X	X	X	X	X	X	X	~~640~~ 520
		32		X		X	X	X	X	X					280
		31	X	X	X	X	X	X	X	X	X	X	X	X	640
			Total number of acres to be irrigated												3880

c. Describe any other water rights used for the same purposes as described above. 65-7312

65-7649 + 65-7777

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

Applicant

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

Applicant

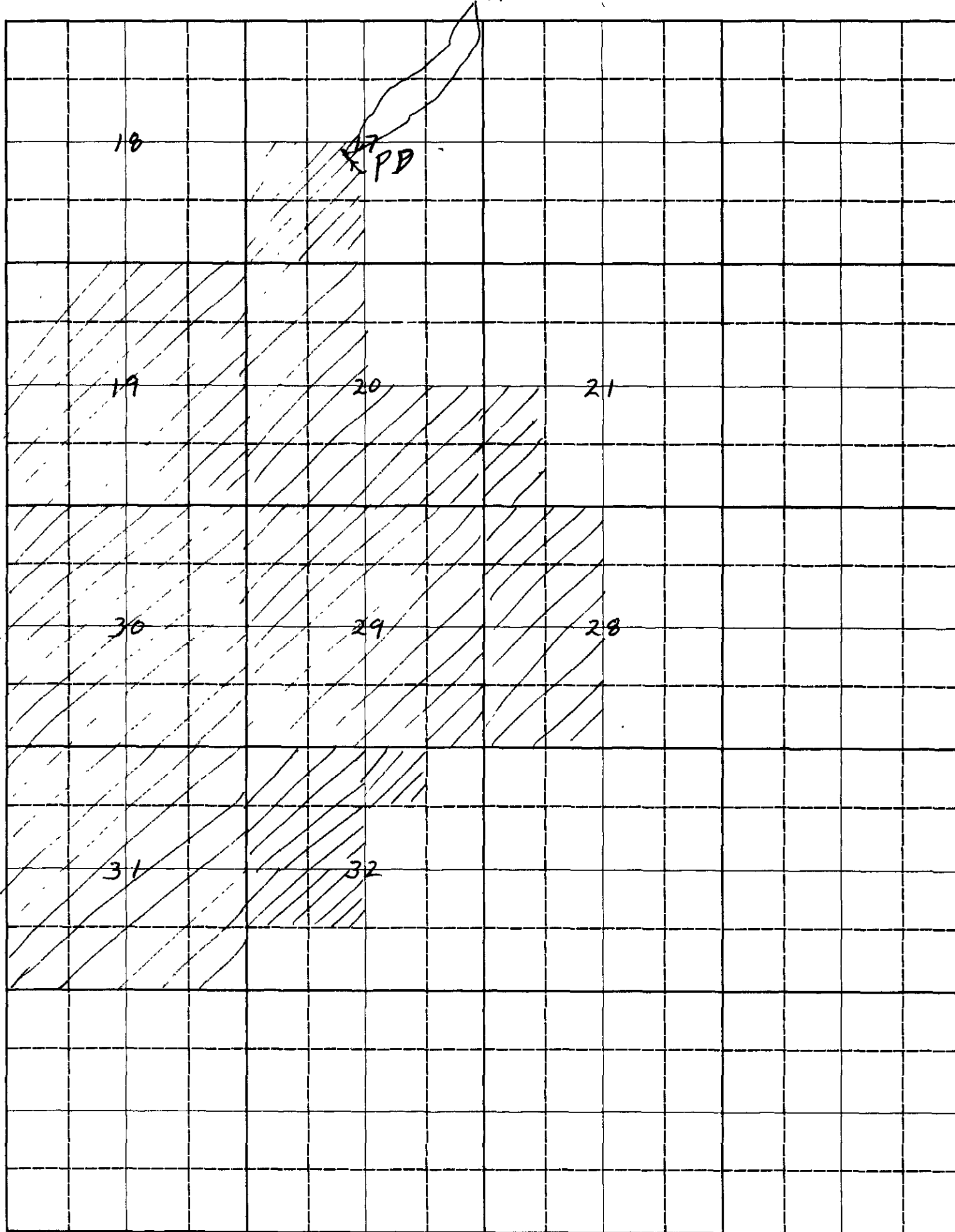
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing

10. Remarks

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

T 14N - R 4E



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.

Tom L. Davis
(Applicant)

Proposed Priority 2-7-79

Received by BK Date 2-7-79 Time 1:20pm

Preliminary check by R.W.H. Fee \$305.00 #12573

Received by K/L Date 2/8/79

Publication prepared by K/L Date 2/15/79

Published in Star News

Publication dates 2/22 & 3/1

Publication approved K/L Date 2/12/79

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by DBS J.J.

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. 65-12202, 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 March 1, 1984.

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: (1) Use of water under this permit is subject to control by the water-

master of State Water District No. 65, Payette River. (2) The storage of

water is contingent upon certification by the Department of Water Resources,

of the applicant's dam under the dam safety provisions of the Idaho State Code,

authorizing storage. (3) A measuring device of a type approved by this

Department shall be permanently installed and maintained as part of the

diverting works.

Witness my hand this 27 day of March, 1979.

Chief, Operations Bureau

J. Allen Saylor

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Valley } ss

Mary S. Kieley, 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. 65-12202, 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 February 22, 19 79 and ended March 1, 19 79.

Mary Kieley
Subscribed and sworn to before me this the
First day of March, 19 79

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

RECEIVED
MAR 12 1979

Department of Water Resources
Western Regional Office

0 4/21/79

McCall



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 28, 2002

DONALD J WATTS
A & B ENGINEERING
836 LA CASSIA
BOISE ID 83705

RE. Staff gauge at the Tom J. Dam

Dear Mr. Watts

I am responding to your inquiry about the need for a staff gauge at the Tom J. Dam. I have spoken with Mike Stubblefield, and he indicated that a staff gauge is not necessary for dam safety purposes. Under Water Right Licenses 65-12202 and 65-13019, however, measuring devices are required for water right regulation purposes. Both of the licenses carry the following condition:

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

For an on-stream reservoir within a water district, IDWR requires measuring devices and lockable controlling works so that the watermaster can ensure that the reservoir is not being filled out of priority. IDWR usually prefers to see flow-measuring devices, such as weirs, upstream from the slack water of the reservoir and downstream from the dam.

I understand that the watermaster for Water District 65 does not usually regulate diversions above Black Canyon on a regular basis. However, the need for regulation is periodically re-evaluated. IDWR can waive measuring device requirements when regulation is not likely to be required. If you want to petition for a waiver of the measuring device requirement, please obtain the written recommendation of Water District 65 and submit it with your petition. Otherwise, IDWR expects to see the installation of measuring devices that will enable monitoring of water stored and released from Tom J. Reservoir. If you have questions about the feasibility of a particular measuring device or method, please submit a written proposal for IDWR to review.

If you have any questions, please call me at 208-327-7946, or email me at skeen@idwr.state.id.us.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

c: Mike Stubblefield

MICROFILMED
MAR 27 2002

A&B ENGINEERING

836 LA CASSIA
BOISE, ID 83705
PHONE (208) 342-7751
FAX (208) 383-1183

RECEIVED

JAN 17 2002

Department of Water Resources

1/15/2002

Mr. Shelley Keen
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

Dear Mr. Keen:

At the recommendation of Mike Stubblefield of the Dam Safety division I am writing on behalf of Phil Davis of Cascade. A staff gauge was required as a condition of approval for the Tom J. Dam and the water right for the reservoir storage. Mr. Davis would like to have the staff gauge condition waived and Mike felt that although he has no objection to the removal of the condition the request should be routed through you since the requirement originated with the Water Rights division.

The water source for the reservoir is Beaver Creek and the Davis family are the only water rights holders on the stream so no distribution problems would result from the lack of a staff gauge. As a practical matter it is extremely difficult and costly to install a staff gauge that will stand up to the ice pressures in the prevailing climatic conditions. In the situation described the owners feel, and I tend to agree, that the staff gauge would be an unwarranted expense that would serve no useful purpose. DWR would still have the authority to order a suitable gauge installed if future conditions warrant such an installation.

We would appreciate your earnest consideration of this request. If you have any questions or clarification, please feel free to call me at 342-7751 or Phil Davis at (208)382-4892. Thank you for your consideration in this matter.

Sincerely,



Donald J. Watts, P.E., P.L.S.

MICROFILMED

MAR 27 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

December 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TOM J DAVIS
DAVIS CATTLE CO
19 WARM LAKE HWY
CASCADE ID 83611

RE: WATER RIGHT NO. 65-12202

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

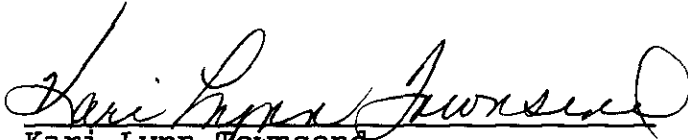
DEC 29 1999

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of December, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 65-12202

TOM J DAVIS
DAVIS CATTLE CO
19 WARM LAKE HWY
CASCADE ID 83611


Kari Lynn Townsend
Secretary

MICROFILMED

DEC 29 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

DEC 22 1997

Memorandum

To: File 65-12202 & 65-13019

From: Kay Walker *KW*

Date: 12/06/99

Re: Season of Use Recommendations
.....

In review of the season of use for these proposed licenses, I found the recommended season of use for this area to be April 15 through October 31. The permits for these rights had an irrigation from storage season of use of May 1 to September 30. To make the proposed licenses consistent I have changed the season of use to the recommended season per our new irrigation season of use map.

I tried to contact Phil Davis to let him know of our new proposed season of use but only got his answering machine. I left a message for Mr. Davis telling him what we planned to do and told him to contact me if he had a problem with the expanded irrigation season of use.

MICROFILMED
DEC 29 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

November 19, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TOM J DAVIS
DAVIS CATTLE CO
19 WARM LAKE HWY
CASCADE ID 83611

RE: WATER RIGHT NO. 65-12202

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point(s) of diversion and place(s) of use developed are in locations other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the point(s) of diversion and place(s) of use and other information as they will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosure

MICROFILMED

DEC 29 1999

Memorandum

To: Files 65-07777, 65-12202, 65-13019 & 65-13619

From: Kay Walker

Date: 11/18/99

Re: Licensing Recommendations
.....

I met with Phil Davis, Sheryl Chapman and Sue Bock at Western Region on October 26, 1999, to go over the licensing recommendations for the above rights and they also went over their SRBA recommendations. We discussed the licensing amendments and found changes need to be made.

Permit 65-12202 – Mr. Davis would like to have 1300 acre feet under this right which is the amount Steve recommended with additional exam fee submittal. Mr. Davis will be submitting an additional \$100.00 to increase the exam fee paid so that we can allow more water under this earlier priority right – per Steve's memo of 2/28/91 this is an acceptable way to allow the increased amount of storage water and the amount that was developed at time of the exam. Late exam fee submitted 11/2/99 under Receipt No. C047006.

Mr. Davis took an assignment of permit form for Permit Nos. 65-07777 & 65-12202 which were in his father's name. He said these permits should be in the name of Davis Cattle Company like the rest of these permits. He will have his father sign the assignment form and return it when he submits the additional exam fee. Mr. Davis returned the assignment form changing the names to Tom J. Davis &/or Davis Cattle Company.

Permit 65-13019 – Reduce the amount of water to 1360 acre feet after receiving the additional exam fee for 65-12202.

Permit 65-13619 – They were happy with the recommendations for this permit. I held onto the application for licensing amendment so we could send them all out for signature together.

MICROFILMED

DEC 29 1999

Memorandum

To: Files 65-12202 & 65-13019

From: Kay Walker *KW*

Date: 11/03/99

Re: Licensing Recommendations
.....

In reviewing the SRBA recommendations along with these proposed licenses I found a couple of other rights which were not addressed in the overlap review of this storage reservoir also known as the "Tom J". Sue Bock had contacted Mr. Davis to find out if these rights should be recognized as being stored in Tom J. He stated that Callender Reservoir had been inundated by Tom J and those rights should now be shown under the Tom J.

License 65-02920 400. Acre feet
License 65-02931 250. Acre feet
License 65-03579 50. Acre feet
Permit 65-12202 1300. Acre feet
Permit 65-13019 1360. Acre feet

Total = 3360. Acre feet

The recommended storage capacity for Permit 65-13019 will be as shown above.

MICROC L L L

DEC 29 1999

Memorandum

To: Files ~~65-12202~~, 65-13019 & 65-13619

From: Kay Walker

Date: 10/15/99

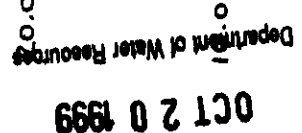
Re: Licensing Recommendations
.....

See File 65-07777 for map of entire place of use that is being used in SRBA as well as in licensing the four permits. File 65-07777 also contains the overlapping right profile reports for all of the rights used on the permissible place of use.

MICROFILMED

10/17/99

၆၁



42 301 SO SHEETS PTFE BACK & SOLAR
42 304 SOLAR FILM TAPES & SOLAR
42 307 200 SHEETS OF THE CASE & SOLAR
42 308 RECYCLED WHITE & SOLAR

See ref 15 A

SURVEYED BY AMS # JW - 10/4/95
DRAWN BY AMS - 10/4/95

SURVEY NOTES:

WATER LEVEL = 4842.91 FT

BM AT CAUGHNER DAM = 4857.001

SCALE: VERT - 1" = 10 FT

H0212-1" = 100 FT

24" CONCRETE PIPE → 4.00 (IN)

4.00 (1Hv)

FIGURE 1

CAPACITY
AREA

INTERIOR WALLS
MINIMUM 2" THICK
WITH PLASTER OR
FINISH WITH 1/2" SURF

LEVEL

3' 0" x 6' 0" x 8' 0"



LICENSE REVIEW CHECKLIST

Permit No. 65-12202 Date 10/4/99 Reviewer Kay Walker

Change/OK

Name/Address OK

Source OK

Point of Diversion change

Does change clarify original intended source? If no, void permit

Change (P39/P47) Add (P45/P42) Feds (P43)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use change

Change (P41/P47) Add (P41/P42) Feds (P43)

W60 (subdivision description)

~~W27~~ (ppu acre limit)

Overlaps: Right(s): see list on field exam

File reviewed see file 65-07777 Profile reports printed ✓

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 3600 AF

Fee Limit 900

Measured 3360

Theoretical limit to 900 AF per

Recommended Total Diversion Rate

Change (P46)

exam fee -

Water Uses OK

Irrigation cfs af

Stockwater cfs af

Domestic cfs af

 cfs af

 cfs af

Total cfs af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/079)

overlap spec combined rts (W35)

>1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Volume Determination

 cfs x 1 9835 x days = af (vs) acres x 3.0 (FHR) = af

Remarks:

Additional Conditions YES Watermaster Control

 GW Measurement/Measuring Device

 Other

Trust (052/R55 - remove 051)

Non-trust (048/049)

Government Lots? ✓

Advance Priority? yes

no

If yes, explain why below

SRBA Claim? NO - N/A proof

Adjust memo YES

Amend Letters YES, P37

Conditions

R04-65

R43

R40

R62

Remarks

W36 - (65-13019)

~~W22~~

W35

WR-NUMBER	SOURCE*****	PRIORITY**	STG	TWP	RGE	SN	QQQ**	LOT CFS*****	AFY*****	ACRES**	USE1	USE2	USE3	PRF
R65-03582	PEARSOL CREEK	04/01/1931	D	14N	04E	28	NWNE	11.92	1200.0	1254.2	01	02	03	→ Davis
R65-03582	UNNAMED STREAM	04/01/1931	D	14N	04E	28	NWNE	11.92	1200.0	1254.2	01	02	03	
R65-03580	PAYETTE RIVER, NORTH FORK	04/01/1917	D	14N	03E	26	NENE	0.84		1764.7	01			C
R65-04031A	PAYETTE RIVER, NORTH FORK	04/01/1957	D	14N	03E	26	NENE	3.00		1764.7	01			C
R65-04031B	PAYETTE RIVER, NORTH FORK	04/01/1964	D	14N	03E	26	NENE	7.18		1764.7	01			C
R65-04031X	PAYETTE RIVER, NORTH FORK	04/01/1917	D	14N	03E	26	NENE	2.50		1764.7	01			
R65-02931	BEAVER CREEK, WEST FORK	08/14/1941	D	14N	04E	5	SWNE		250.0	2282.1	02	03		→ Ca Glender
R65-07312	BEAVER CREEK, WEST FORK	10/16/1972	L	15N	04E	28	SWNW		2000.0	2282.1	02	03		
R65-07312	FLAT CREEK	10/16/1972	L	15N	04E	28	SWNW		2000.0	2282.1	02	03		→ Temima K
R65-07649	BEAVER CREEK, WEST FORK	09/04/1976	L	15N	04E	28	SWNW		1000.0	2282.1	02	03		
R65-07649	FLAT CREEK	09/04/1976	L	15N	04E	28	SWNW		1000.0	2282.1	02	03		
R65-07777	FLAT CREEK	12/03/1976	P	15N	04E	20	SWSE	15.00		2885.0	01			
R65-02536	BEAVER CREEK	09/21/1950	D	14N	04E	17	NESW	5.60		3093.5	01			
R65-02832	BEAVER CREEK	06/14/1966	D	14N	04E	17	NESW	8.60		3093.5	01			
R65-02920	UNNAMED STREAM	09/07/1928	D	14N	04E	29	SENE	4.60		3093.5	01	02	03	
R65-03579	BEAVER CREEK	10/31/1935	D	14N	04E	17	SENW		400.0	3093.5	02	03		
R65-03583	BEAVER CREEK	04/01/1900	D	14N	04E	17	SENW	8.24	50.0	3093.5	01			→ Tom J

WR-NUMBER	SOURCE*****	PRIORITY**	STG	TWP	RGE	SN	QQQ**	LOT	FLG	CFS*****	AFY*****	ACRES**	USE1	USE2	PRF
65-02536	BEAVER CREEK	09/21/1950	D	14N	04E	17	NESW			5.60		256.0	01		
65-02832	BEAVER CREEK	06/14/1966	D	14N	04E	17	NESW			8.60		443.0	01		
65-02920	UNNAMED STREAM	09/07/1928	D	14N	04E	29	SENE			4.60	400.0	248.0	01	03	
65-02931	BEAVER CREEK	08/14/1941	D	14N	04E	17	NWNW				250.0	403.0	03		
65-03579	BEAVER CREEK	10/31/1935	D	14N	04E	17	NWNE				50.0	606.0	03		
65-03580	PAYETTE RIVER, NORTH FORK	04/01/1917	D	14N	03E	26	NENE	5		0.84		44.0	01		
65-03582	PEARSOL CREEK	04/01/1931	D	14N	04E	28	NWNE			11.92	1200.0	595.0	01	03	
65-03582	UNNAMED STREAM	04/01/1931	D	14N	04E	28	NWNE			11.92	1200.0	595.0	01	03	
65-03583	BEAVER CREEK	04/01/1900	D	14N	04E	17	SENW			8.24		412.0	01		
65-04031A	PAYETTE RIVER, NORTH FORK	04/01/1957	D	14N	03E	26	NENE	5		3.00		634.0	01		
65-04031B	PAYETTE RIVER, NORTH FORK	04/01/1964	D	14N	03E	26	NENE	5		7.18		634.0	01		
65-04031X	PAYETTE RIVER, NORTH FORK	04/01/1917	D	14N	03E	26	NENE	5		2.50		634.0	01		
65-07312	BEAVER CREEK, WEST FORK	10/16/1972	L	15N	04E	20	SESE				2000.0	2304.0	02	03	
65-07312	FLAT CREEK	10/16/1972	L	15N	04E	20	SESE				2000.0	2304.0	02	03	
65-07649	BEAVER CREEK, WEST FORK	09/04/1976	L	15N	04E	28	SWNW				1000.0	2304.0	02	03	
65-07649	FLAT CREEK	09/04/1976	L	15N	04E	28	SWNW				1000.0	2304.0	02	03	
L65-07777	FLAT CREEK	12/03/1976	L	15N	04E	21	SWSE			6.26	2480.0	2282.1	01		
L65-07777	UNNAMED STREAMS	12/03/1976	L	15N	04E	21	SWSE			6.26	2480.0	2282.1	01		
L65-12202	BEAVER CREEK	04/02/1979	L	14N	04E	17	SENW				1300.0	3093.5	02	03	
L65-13019	BEAVER CREEK	05/27/1989	L	14N	04E	17	SENW				1360.0	3093.5	02	03	
L65-13619	PAYETTE RIVER, NORTH FORK	05/15/1995	L	14N	03E	26	NENE	5		3.96	594.0	198.0	01		

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[illegible][illegible]

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A6504031B	PAYETTE RI :	23				22												45
R6504031B	PAYETTE RI :	40	31	0		30		21							29		28	179
6504031X	PAYETTE RI :	23				22												45
A6504031X	PAYETTE RI :	23				22												45
R6504031X	PAYETTE RI :	40	31	0		30		21							29		28	179
R6507312	BEAVER CRE :	17				20									29		28	94
R6507649	BEAVER CRE :	17				20									29		28	94
L6507777	FLAT CREEK :	17				08-20									09-29		12-28	94
6512826	GROUNDWATE :							04-0				0						
L6513019	BEAVER CRE :	16				20									09-29		12-32	97
6513502	GROUNDWATE :										0					10-02		2

L6512202	T14N R04E S 8 BEAVER CREEK																	
	:											17	07					24
R6502536	BEAVER CRE :											17	07					24
R6502832	BEAVER CRE :											17	07					24
R6502920	UNNAMED ST :											17	07					24
R6502931	BEAVER CRE :							16	36	03		30	40	40	22			187
6503579	BEAVER CRE :											16						16
A6503579	BEAVER CRE :											16						16
R6503579	BEAVER CRE :											17	07					24
6503583	BEAVER CRE :											16						16
A6503583	BEAVER CRE :											16						16
R6503583	BEAVER CRE :											17	07					24
6503585	GLEN COVE :							05			03	04						12
A6503585	GLEN COVE :							05			03	04						12
R6503585	GLEN COVE :							05			03	04						12
6507312	BEAVER CRE :							17	34			27	39	32	20			169
A6507312	BEAVER CRE :							40	40			30	40	40	20			210
R6507312	BEAVER CRE :							16	36	03		30	40	40	22			187
6507649	BEAVER CRE :							17	34			27	39	32	20			169
A6507649	BEAVER CRE :							40	40			30	40	40	20			210
R6507649	BEAVER CRE :							16	36	03		30	40	40	22			187
6507777	FLAT CREEK :							40	40			30	40	40	20			210
A6507777	FLAT CREEK :							40	40			30	40	40	20			210
L6507777	FLAT CREEK :							16	36	03		30	40	40	22			187
R6507777	FLAT CREEK :							40	40			30	40	40	20			210
A6507861	FRENCH CRE :							40	40			30	40	40	20			210
L6513019	BEAVER CRE :											17	07					24

L6512202	T14N R04E S17 BEAVER CREEK																	
	:							10	33	32	0		20	33	40	29		197
6502536	BEAVER CRE :													28				28
A6502536	BEAVER CRE :													28				28
R6502536	BEAVER CRE :							10	33	32	0		20	33	40	29		197

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '2' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
R6502832	BEAVER CRE :					10	33	32	0	20	33	40	29					197
R6502920	UNNAMED ST :					10	33	32	0	20	33	40	29					197
6502931	BEAVER CRE :											28	15					43
A6502931	BEAVER CRE :											28	15					43
R6502931	BEAVER CRE :					10	40	37	0	11	36	05						139
6503579	BEAVER CRE :					01	33	23			12	28	15					112
A6503579	BEAVER CRE :					01	33	23			12	28	15					112
R6503579	BEAVER CRE :					10	33	32	0	20	33	40	29					197
6503583	BEAVER CRE :					01	33	23			12		15					84
A6503583	BEAVER CRE :					01	33	23			12		15					84
R6503583	BEAVER CRE :					10	33	32	0	20	33	40	29					197
6507312	BEAVER CRE :						37	36			36	37						146
A6507312	BEAVER CRE :						40	40			40	40						160
R6507312	BEAVER CRE :					10	40	37	0	11	36	05						139
6507649	BEAVER CRE :						37	36			36	37						146
A6507649	BEAVER CRE :						40	40			40	40						160
R6507649	BEAVER CRE :					10	40	37	0	11	36	05						139
6507777	FLAT CREEK :						40	40			40	40						160
A6507777	FLAT CREEK :						40	40			40	40						160
L6507777	FLAT CREEK :					10	40	37	0	11	36	05						139
R6507777	FLAT CREEK :						40	40			40	40						160
A6507861	FRENCH CRE :						40	40			40	40						160
6512202	BEAVER CRE :									40	40	40	40					160
6513019	BEAVER CRE :									40	40	40	40					160
L6513019	BEAVER CRE :					10	33	32	0	20	33	40	29					197
L6512202	T14N R04E S18 BEAVER CREEK																	
	:													10		13	40	63
6502536	BEAVER CRE :															16	35	51
A6502536	BEAVER CRE :															16	35	51
R6502536	BEAVER CRE :													10		13	40	63
R6502832	BEAVER CRE :													10		13	40	63
R6502920	UNNAMED ST :													10		13	40	63
6502931	BEAVER CRE :																35	35
A6502931	BEAVER CRE :																35	35
R6502931	BEAVER CRE :	40	40	40	40	40	32	29	40	40	03	01	40	40	40	40	29	534
6503579	BEAVER CRE :												14		07	03	16	75
A6503579	BEAVER CRE :												14		07	03	16	75
R6503579	BEAVER CRE :													10		13	40	63
R6503580	PAYETTE RI :				01			36	35	37	40	40	34			01		224
6503583	BEAVER CRE :												04		07	03	16	65
A6503583	BEAVER CRE :												04		07	03	16	65
R6503583	BEAVER CRE :													10		13	40	63
R6504031A	PAYETTE RI :				01			36	35	37	40	40	34			01		224
R6504031B	PAYETTE RI :				01			36	35	37	40	40	34			01		224
R6504031X	PAYETTE RI :				01			36	35	37	40	40	34			01		224
6507312	BEAVER CRE :	26	28	30	38	32			34	36			33	37	40	25	24	383

[illegible]

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM		
		NE		NW		SW		SE		NE		NW		SW		SE				
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
A6507312	BEAVER CRE :	40	40	40	40 :	40				40 :	40				40 :				:	320
R6507312	BEAVER CRE :	40	40	40	40 :	40	32	29		40 :	40	03	01	40 :	40	40	40	29 :		534
6507649	BEAVER CRE :	26	28	30	38 :	32				34 :	36			33 :	37	40	25	24 :		383
A6507649	BEAVER CRE :	40	40	40	40 :	40				40 :	40			40 :					:	320
R6507649	BEAVER CRE :	40	40	40	40 :	40	32	29		40 :	40	03	01	40 :	40	40	40	29 :		534
6507777	FLAT CREEK :	40	40	40	40 :	40				40 :	40			40 :	40	40	40	40 :		480
A6507777	FLAT CREEK :	40	40	40	40 :	40				40 :	40			40 :					:	320
L6507777	FLAT CREEK :	40	40	40	40 :	40	01-32	02-29		40 :	40	03-03	04-01	40 :	40	40	40	29 :		534
R6507777	FLAT CREEK :	40	40	40	40 :	40				40 :	40			40 :	40	40	40	40 :		480
A6507861	FRENCH CRE :	40	40	40	40 :	40				40 :	40			40 :					:	320
6508559	DEEP CREEK :				:					:				:					:	
L6513019	BEAVER CRE :				:					:				:	10		13	40 :		63
L6512202	T14N R04E S19	BEAVER CREEK																		
	:	40	40	40	40 :	40	01-17	02-36		40 :	40	03-40	04-40	40 :	40	40	40	40 :		613
6502002	BEAVER CRE :			40	:					40 :	40			:					:	120
6502536	BEAVER CRE :	39	37		:					:				:					:	76
A6502536	BEAVER CRE :	39	37		:					:				:					:	76
R6502536	BEAVER CRE :	40	40	40	40 :	40	17	36		40 :	40	40	40	40 :	40	40	40	40 :		613
R6502832	BEAVER CRE :	40	40	40	40 :	40	17	36		40 :	40	40	40	40 :	40	40	40	40 :		613
R6502920	UNNAMED ST :	40	40	40	40 :	40	17	36		40 :	40	40	40	40 :	40	40	40	40 :		613
6502931	BEAVER CRE :				:	38	01-37	40		40 :				:	17	23		:		195
A6502931	BEAVER CRE :				:	38	01-37	40		40 :				:	17	23		:		195
R6502931	BEAVER CRE :	18	40	34	02 :	40	18	37		40 :	40	40	40	39 :		12	03	:		403
6503579	BEAVER CRE :	39	37	40	39 :	38				40 :				:	17	23		:		273
A6503579	BEAVER CRE :	39	37	40	39 :	38				40 :				:	17	23		:		273
R6503579	BEAVER CRE :	40	40	40	40 :	40	17	36		40 :	40	40	40	40 :	40	40	40	40 :		613
R6503580	PAYETTE RI :				:	28	40	40		20 :	28	40	40	40 :			05	:		281
6503583	BEAVER CRE :				39 :	38				:				:	17	23		:		117
A6503583	BEAVER CRE :				39 :	38				:				:	17	23		:		117
R6503583	BEAVER CRE :	40	40	40	40 :	40	17	36		40 :	40	40	40	40 :	40	40	40	40 :		613
6504031A	PAYETTE RI :				:			38		40 :	40	39	04-38	29 :				:		224
A6504031A	PAYETTE RI :				:			38		40 :	40	39	04-38	29 :				:		224
R6504031A	PAYETTE RI :				:	28	40	40		20 :	28	40	40	40 :			05	:		281
6504031B	PAYETTE RI :				:			38		40 :	40	39	04-38	29 :				:		224
A6504031B	PAYETTE RI :				:			38		40 :	40	39	04-38	29 :				:		224
R6504031B	PAYETTE RI :				:	28	40	40		20 :	28	40	40	40 :			05	:		281
6504031X	PAYETTE RI :				:			38		40 :	40	39	04-38	29 :				:		224
A6504031X	PAYETTE RI :				:			38		40 :	40	39	04-38	29 :				:		224
R6504031X	PAYETTE RI :				:	28	40	40		20 :	28	40	40	40 :			05	:		281
6507312	BEAVER CRE :	23	39	26	13 :	36		02-37		36 :	37	03-40	04-39	34 :	23	15	28	40 :		466
A6507312	BEAVER CRE :	40	40	40	40 :	40		40		40 :	40			:				:		320
R6507312	BEAVER CRE :	18	40	34	02 :	40	18	37		40 :	40	40	40	39 :		12	03	:		403
6507649	BEAVER CRE :	23	39	26	13 :	36		02-37		36 :	37	03-40	04-39	34 :	23	15	28	40 :		466
A6507649	BEAVER CRE :	40	40	40	40 :	40		40		40 :	40			:				:		320
R6507649	BEAVER CRE :	18	40	34	02 :	40	18	37		40 :	40	40	40	39 :		12	03	:		403
6507777	FLAT CREEK :	40	40	40	40 :	40		40		40 :	40	40	40	40 :	40	40	40	40 :		600

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A 'Q' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE								NW								SW								SE								SUM
		NE				NW				SW				SE				NE				NW				SW				SE				
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
A6507777	FLAT CREEK :	40		40		40		40		40				40		40												40		40		400		
L6507777	FLAT CREEK :	18		40		34		02		40	01-18	02-37		40		40	03-40	04-40		39							12		03			403		
R6507777	FLAT CREEK :	40		40		40		40		40			40		40		40		40		40		40		40		40		40		40	600		
A6507861	FRENCH CRE :	40		40		40		40		40			40		40																	320		
6512202	BEAVER CRE :	40		40		40		40		40		40		40		40		40		40		40		40		40		40		40		640		
6513019	BEAVER CRE :	40		40		40		40		40	01-39	02-39		40		40	03-39	04-39		40		40		40		40		40		40		636		
L6513019	BEAVER CRE :	40		40		40		40		40	01-17	02-36		40		40	03-40	04-40		40		40		40		40		40		40		613		

L6512202	T14N R04E S20 BEAVER CREEK					14	40	37	01	02	39	40	32		27	20	252
R6502536	BEAVER CRE :					14	40	37	01	02	39	40	32		27	20	252
R6502832	BEAVER CRE :					14	40	37	01	02	39	40	32		27	20	252
R6502920	UNNAMED ST :					14	40	37	01	02	39	40	32		27	20	252
6502931	BEAVER CRE :					02	36	27			26						91
A6502931	BEAVER CRE :					02	36	27			26						91
6503579	BEAVER CRE :					02	36	27			26	21	18				130
A6503579	BEAVER CRE :					02	36	27			26	21	18				130
R6503579	BEAVER CRE :					14	40	37	01	02	39	40	32		27	20	252
6503583	BEAVER CRE :					02	36	27			26	21	18				130
A6503583	BEAVER CRE :					02	36	27			26	21	18				130
R6503583	BEAVER CRE :					14	40	37	01	02	39	40	32		27	20	252
6507312	BEAVER CRE :						31				18						49
A6507312	BEAVER CRE :										40						40
6507649	BEAVER CRE :						31				18						49
A6507649	BEAVER CRE :										40						40
6507777	FLAT CREEK :										40						40
A6507777	FLAT CREEK :										40						40
R6507777	FLAT CREEK :										40						40
A6507861	FRENCH CRE :										40						40
6509041	SPRING :															04	4
A6509041	SPRING :															04	4
R6509041	SPRING :															04	4
6512202	BEAVER CRE :					40	40	40	40	40	40	40	40	40	40	40	480
6513019	BEAVER CRE :					40	40	40	40	40	40	40	40	40	40	40	480
L6513019	BEAVER CRE :					14	40	37	01	02	39	40	32		27	20	252

L6512202	T14N R04E S21 BEAVER CREEK										10						10
R6502536	BEAVER CRE :										10						10
R6502832	BEAVER CRE :										10						10
R6502920	UNNAMED ST :										10						10
6502947B	CORRAL CRE :	10	15			15											40
A6502947B	CORRAL CRE :	10	15			15											40
A6502947E	CORRAL CRE :	10	15			15											40
R6503579	BEAVER CRE :										10						10

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		NE		NW		SW		SE		NE		NW		SW		SE			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
R6503583	BEAVER CRE :													10				10	
6512202	BEAVER CRE :												40	40				80	
A6512202A	BEAVER CRE :												40	40				80	
6513019	BEAVER CRE :												40	40				80	
L6513019	BEAVER CRE :													10				10	
L6512202	T14N R04E S28 BEAVER CREEK																		
	:							11										11	
6502236	PEARSOL CR :																09	9	
A6502236	PEARSOL CR :																09	9	
R6502236	PEARSOL CR :															02	12	14	
R6502536	BEAVER CRE :							11										11	
R6502832	BEAVER CRE :							11										11	
R6502920	UNNAMED ST :							11										11	
R6503579	BEAVER CRE :							11										11	
R6503583	BEAVER CRE :							11										11	
6512202	BEAVER CRE :						40	40	40	40	40	40	40	40	40			320	
6513019	BEAVER CRE :						40	40	40	40	40	40	40	40	40			320	
L6513019	BEAVER CRE :							11										11	
L6512202	T14N R04E S29 BEAVER CREEK																		
	:	40	40	40	15	40	40	40	40	40	40	40	40	40	40	08	39	31	533
R6502536	BEAVER CRE :	40	40	40	15	40	40	40	40	40	40	40	40	40	40	08	39	31	533
6502832	BEAVER CRE :					21	36	39	34		40	40						210	
A6502832	BEAVER CRE :					21	36	39	34		40	40						210	
R6502832	BEAVER CRE :	40	40	40	15	40	40	40	40	40	40	40	40	40	40	08	39	31	533
6502920	UNNAMED ST :					21	36	39	34									130	
A6502920	UNNAMED ST :					21	36	39	34									130	
R6502920	UNNAMED ST :	40	40	40	15	40	40	40	40	40	40	40	40	40	40	08	39	31	533
R6503579	BEAVER CRE :	40	40	40	15	40	40	40	40	40	40	40	40	40	40	08	39	31	533
6503582	PEARSOL CR :			09		21	36	39	34	40	40	40	36		05	37	17	354	
A6503582	PEARSOL CR :			09		21	36	39	34	40	40	40			05	37	17	318	
R6503582	PEARSOL CR :		05	16	01	35	40	40	40	40	40	40	40	40	08	39	31	415	
R6503583	BEAVER CRE :	40	40	40	15	40	40	40	40	40	40	40	40	40	40	08	39	31	533
6507312	BEAVER CRE :						32	37			26	16						111	
A6507312	BEAVER CRE :									40	40	40	40					160	
6507649	BEAVER CRE :						32	37			26	16						111	
A6507649	BEAVER CRE :									40	40	40	40					160	
6507777	FLAT CREEK :									40	40	40	40					160	
A6507777	FLAT CREEK :									40	40	40	40					160	
R6507777	FLAT CREEK :									40	40	40	40					160	
A6507861	FRENCH CRE :									40	40	40	40					160	
6512202	BEAVER CRE :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
6513019	BEAVER CRE :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
L6513019	BEAVER CRE :	40	40	40	15	40	40	40	40	40	40	40	40	40	40	08	39	31	533

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WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE		NW		SW		SE		NE		NW		SW		SE		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
L6512202	T14N R04E S30 BEAVER CREEK																	
		40	40	40	40	40	01-40	02-39	40	40	03-39	04-39	40	40	40	40	40	637
6502536	BEAVER CRE					39											39	
A6502536	BEAVER CRE					39											39	
R6502536	BEAVER CRE	40	40	40	40	40	40	39	40	40	39	39	40	40	40	40	637	
6502832	BEAVER CRE	36	27	18	37								40		36	39	233	
A6502832	BEAVER CRE	36	27	18	37								40		36	39	233	
R6502832	BEAVER CRE	40	40	40	40	40	40	39	40	40	39	39	40	40	40	40	637	
6502920	UNNAMED ST	36	27	18	37												118	
A6502920	UNNAMED ST	36	27	18	37												118	
R6502920	UNNAMED ST	40	40	40	40	40	40	39	40	40	39	39	40	40	40	40	637	
R6502931	BEAVER CRE		05	16		40	40	39	40	40	39	39	33		28	01	360	
R6503579	BEAVER CRE	40	40	40	40	40	40	39	40	40	39	39	40	40	40	40	637	
R6503580	PAYETTE RI		06	19		40	40	39	40	40	39	39	33		26	01	362	
6503582	PEARSOL CR	36	27	18	37									40	08	36	241	
A6503582	PEARSOL CR	36	27	18	37									40	08	36	241	
R6503582	PEARSOL CR	39	34	24	40								07	40	12	38	274	
R6503583	BEAVER CRE	40	40	40	40	40	40	39	40	40	39	39	40	40	40	40	637	
6504031A	PAYETTE RI					39				39	03-40		28				146	
A6504031A	PAYETTE RI					39				39	03-40		28				146	
R6504031A	PAYETTE RI		06	19		40	40	39	40	40	39	39	33		26	01	362	
6504031B	PAYETTE RI					39			39	40			28				146	
A6504031B	PAYETTE RI					39			39	40			28				146	
R6504031B	PAYETTE RI		06	19		40	40	39	40	40	39	39	33		26	01	362	
6504031X	PAYETTE RI					39			39	40			28				146	
A6504031X	PAYETTE RI					39			39	40			28				146	
R6504031X	PAYETTE RI		06	19		40	40	39	40	40	39	39	33		26	01	362	
6507312	BEAVER CRE	40	30	37	36	38	01-31	02-39	39	38	03-38	04-28	22	40	34	38	568	
A6507312	BEAVER CRE					40	01740	02740	40	40	40	04740	40				440	
R6507312	BEAVER CRE		05	16		40	40	39	40	40	39	39	33		28	01	360	
6507649	BEAVER CRE	40	30	37	36	38	01-31	02-39	39	38	03-38	04-28	22	40	34	38	568	
A6507649	BEAVER CRE					40	40	40	40	40	40	40	40				320	
R6507649	BEAVER CRE		05	16		40	40	39	40	40	39	39	33		28	01	360	
6507777	FLAT CREEK					40	40	40	40	40	40	40	40		40	40	400	
A6507777	FLAT CREEK					40	40	40	40	40	40	40	40				320	
L6507777	FLAT CREEK		05	16		40	01-40	02-39	40	40	03-39	04-39	33		28	01	360	
R6507777	FLAT CREEK					40	40	40	40	40	40	40	40		40	40	400	
A6507861	FRENCH CRE					40			40	40	03-40	04-40	40		40	40	320	
6512202	BEAVER CRE	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
6513019	BEAVER CRE	40	40	40	40	40	01-39	02-39	40	40	03-39	04-39	40	40	40	40	636	
L6513019	BEAVER CRE	40	40	40	40	40	01-40	02-39	40	40	03-39	04-39	40	40	40	40	637	

L6512202	T14N R04E S31 BEAVER CREEK																	
		40	40	40	40	40	01-33	02-01	28	15			29	03	40	40		389

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM				
		NE		NW		SW		SE		NE		NW		SW		SE						
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac					
6502255	BIG CREEK :					:				:					:	06???		:	20			
R6502536	BEAVER CRE :	40	40	40	40	:	40	33	01	28	:	15			29	:	03	40	40	:	389	
R6502832	BEAVER CRE :	40	40	40	40	:	40	33	01	28	:	15			29	:	03	40	40	:	389	
R6502920	UNNAMED ST :	40	40	40	40	:	40	33	01	28	:	15			29	:	03	40	40	:	389	
R6502931	BEAVER CRE :					:	30	33	01	13	:				:					:	77	
R6503579	BEAVER CRE :	40	40	40	40	:	40	33	01	28	:	15			29	:	03	40	40	:	389	
6503580	PAYETTE RI :					:		01-37			:				:					:	37	
A6503580	PAYETTE RI :					:		01-37			:				:					:	37	
R6503580	PAYETTE RI :	04	19	40	29	:	36	33	01	28	:	15			29	:	03	40	40	:	317	
R6503582	PEARSOL CR :	40	40	40	40	:	10			15	:	15			29	:	03	40	40	:	312	
R6503583	BEAVER CRE :	40	40	40	40	:	40	33	01	28	:	15			29	:	03	40	40	:	389	
R6504031A	PAYETTE RI :	04	19	40	29	:	36	33	01	28	:	15			29	:	03	40	40	:	317	
R6504031B	PAYETTE RI :	04	19	40	29	:	36	33	01	28	:	15			29	:	03	40	40	:	317	
R6504031X	PAYETTE RI :	04	19	40	29	:	36	33	01	28	:	15			29	:	03	40	40	:	317	
6507312	BEAVER CRE :	19	37	38	20	:	32	01-15		02-20	:				:					:	181	
A6507312	BEAVER CRE :	40	40	40	40	:	15			20	:	05?20			06?30	:				:	295	
R6507312	BEAVER CRE :					:	30	33	01	13	:				:					:	77	
6507340	GROUNDWATE :					:					:				:				01	:	1	
A6507340	GROUNDWATE :					:					:				:				01	:	1	
R6507340	GROUNDWATE :					:					:				:				01	:	1	
6507649	BEAVER CRE :	19	37	38	20	:	32	01-15		02-20	:				:					:	181	
A6507649	BEAVER CRE :	40	40	40	40	:	15			20	:	20			06?30	:				:	275	
R6507649	BEAVER CRE :					:	30	33	01	13	:				:					:	77	
6507777	FLAT CREEK :	40	40	40	40	:	15			20	:	20			:			40	40	:	295	
A6507777	FLAT CREEK :	40	40	40	40	:	15			20	:	20			:			40		:	255	
L6507777	FLAT CREEK :					:	30	01-33	02-01	02-13	:				:					:	77	
R6507777	FLAT CREEK :	40	40	40	40	:	15			20	:	20			:			40	40	:	295	
A6507861	FRENCH CRE :	40	40	40	40	:	15			20	:	05?20			60?30	:				:	295	
6510328	GROUNDWATE :			09		:					:				:					:	9	
6512095	PEARSOL CR :					:					:				:				04	:	4	
A6512095	PEARSOL CR :					:					:				:				04	:	4	
R6512095	PEARSOL CR :					:					:				:				04	:	4	
6512202	BEAVER CRE :	40	40	40	40	:	40	40	40	40	:	40	40	40	40	:				:	480	
6512608	PEARSOL CR :					:					:				:				I	:		
6513019	BEAVER CRE :	40	40	40	40	:	40	01-33	02-03	02-30	:	05-16		06-02	06-28	:	40	40	40	40	:	472
L6513019	BEAVER CRE :	40	40	40	40	:	40	01-33	02-01	28	:	15			29	:	03	40	40		:	389

L6512202	T14N R04E S32 BEAVER CREEK																	
	:		12	01		40	40	40	40	38	39				01			251
R6502536	BEAVER CRE :		12	01		40	40	40	40	38	39				01			251
6502805	BIG CREEK :											08	29			29	19	85
A6502805	BIG CREEK :											08	29			29	19	85
R6502805	BIG CREEK :											08	29			29	19	85
R6502832	BEAVER CRE :		12	01		40	40	40	40	38	39				01			251
R6502920	UNNAMED ST :		12	01		40	40	40	40	38	39				01			251
R6503579	BEAVER CRE :		12	01		40	40	40	40	38	39				01			251
R6503582	PEARSOL CR :		12	01		40	40	40	40	38	39				01			251

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

		NE								NW								SW								SE								
WR-NUMBER	SOURCE	NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
R6503583	BEAVER CRE :			12		01				:	40	40	40	40	:	38	39			:							01					:	251	
A6507312	BEAVER CRE :			40						:	40	40	40	40	:	40	40			:													:	280
6507340	GROUNDWATE :									:													01										:	1
A6507340	GROUNDWATE :									:													01										:	1
R6507340	GROUNDWATE :									:													01										:	1
A6507649	BEAVER CRE :			40						:	40	40	40	40	:	40	40			:													:	280
6507777	FLAT CREEK :			40						:	40	40	40	40	:	40	40			:													:	280
A6507777	FLAT CREEK :			40						:	40	40	40	40	:	40	40			:													:	280
R6507777	FLAT CREEK :			40						:	40	40	40	40	:	40	40			:													:	280
A6507861	FRENCH CRE :			40						:	40	40	40	40	:	40	40			:													:	280
6512202	BEAVER CRE :			40						:	40	40	40	40	:	40	40			:													:	280
6513019	BEAVER CRE :			40						:	40	40	40	40	:	40	40			:													:	280
L6513019	BEAVER CRE :			12		01				:	40	40	40	40	:	38	39			:							01						:	251

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 65-12202

1. Owner: Davis Cattle Co. Phone No. 382-4892

Current Address: _____

2. Accompanied by: Applicant EXAM DATE: 10/3/1991

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Beaver Creek tributary to Payette River, N. Fk.

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Department of Water Resources

B. OVERLAP REVIEW

1. Other water rights with the same place of use: See remarks

2. Other water rights with the same point of diversion: 65-13019

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NW	17	14N	4E	Valley	USGS Quad, CFSA Photo

2. Place(s) of Use:

Indicate Method of Determination same as above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	3E	24				1									6.9			5.5	13.4
		25	16			20									29			32.1	97.1
															Lt 9			Lt 12	
	4E	8											17	7.9					24.9
		17					10	33	32	4	20	33	40	29.1					197.5
		18													10		13	40	63
		19	40	40	40	40	40	17	36	40	40	40	40	40	40	40	40	40	613
								Lt 1	Lt 2			Lt 3	Lt 4						
		20					14	40	37	1	2.3	39	40	32			27	20	252.3
		21											10						10
		28						11											11
		29	40	40	40	15	40	40	40	40	40	40	40	40	8	39	31		533
		30	40	40	40	40	40	40	39	40	40	39	39	40	40	40	40	40	637
								Lt 1	Lt 2			Lt 3	Lt 4						
		31	40	40	40	40	40	33	17	28	15.3			29.2	3	40	40		390.2
								Lt 1	Lt 2										
		32		12	1		40	40	40	40	38	39				1.1			251.1

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3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED NOTES DATED 5/22/99 IN FIELD EXAM FILE 65-07777.

Y Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Y Aerial Photo Attached (required for irrigation of 10+ acres).

Y Photo of Diversion and System Attached

See File 65-07777

4.

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

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Dam safety data & measurements used for Tom J. dam (D65-12202)

E. NARRATIVE/REMARKS/COMMENTS

John Noyes conducted a partial exam on this right in 1984-'87. Steve Lester completed the exam in 1991. The p/u consists of several overlapping water rights and sources. In an effort to coincide with SRBA recommendations, the p/u determination was delayed with the thought of allowing a ppu for all the rights.

On 8/16/1999, Sue Bock and myself met with Phil Davis and Sherl Chapman. Based on CFSA photos and GIS maps, we determined which acres could be irrigated with which water considering the reservoir locations and the existing ditch system. As a result, more than one ppu was recommended for the Davis property because of system limitations.

The Tom J. reservoir capacity is 3360 afa. Although permit 65-12202 lists 3600 afa, proof was filed for only 900 afa. Permit 65-13019 was then filed for the additional volume.

The ppu for water diverted from the Tom J. reservoir is 3093.5 acres. A portion of those acres overlap with the ppu recommended for water diverted from the Jamima K. reservoir. Therefore,

REPROFILING
DEC 29 1999

this right and 65-13019 are limited to the irrigation of 3093.5 acres within the irrigation of the combined total of 4,831 acres in a single irrigation season. Combined right nos.: 65-02536, 65-02832, 65-02920, 65-03579, 65-03583, 65-02931, 65-07312, 65-07649, 65-07777, 65-04031A, 65-04031B, 65-04031X, 65-03580, 65-03582. This recommendation coincides with the SRBA recommendations submitted to the court for decree.

The property is irrigated via ditch and gravity irrigation. No other rights are used other than those listed above.

Note: Period of use was recommended as listed on permit. Sherl Chapman submitted a beneficial use field report for permit 65-13019 in 1996. Because 65-13019 has yet to be licensed, a revised field exam report has been submitted for 65-13019, which is based on better and more accurate information not available in 1996 and coordinates with recommendations for permit 65-12202.

Please see File 65-07777 for field exam notes and photos.

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

N/A

G. VOLUME CALCULATIONS**1. Volume Calculations for Irrigation:** $V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D,R} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{IR} \text{ and } V_{D,R} =$ _____**2. Volume Calculations for Other Uses:**

Per D65-12202 File: 3360 afa reservoir capacity

H. RECOMMENDATIONS**1. Recommended Amounts**

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation Storage	9/30	5/1	_____	900
Irrigation Fr. Stor.	5/1	9/30	_____	900
Totals:			_____	900

2. 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 ___ Other

I. AUTHENTICATIONLori Graves -Senior Agent *for*Field Examiner's Name Steve Lester Date 9/27/99

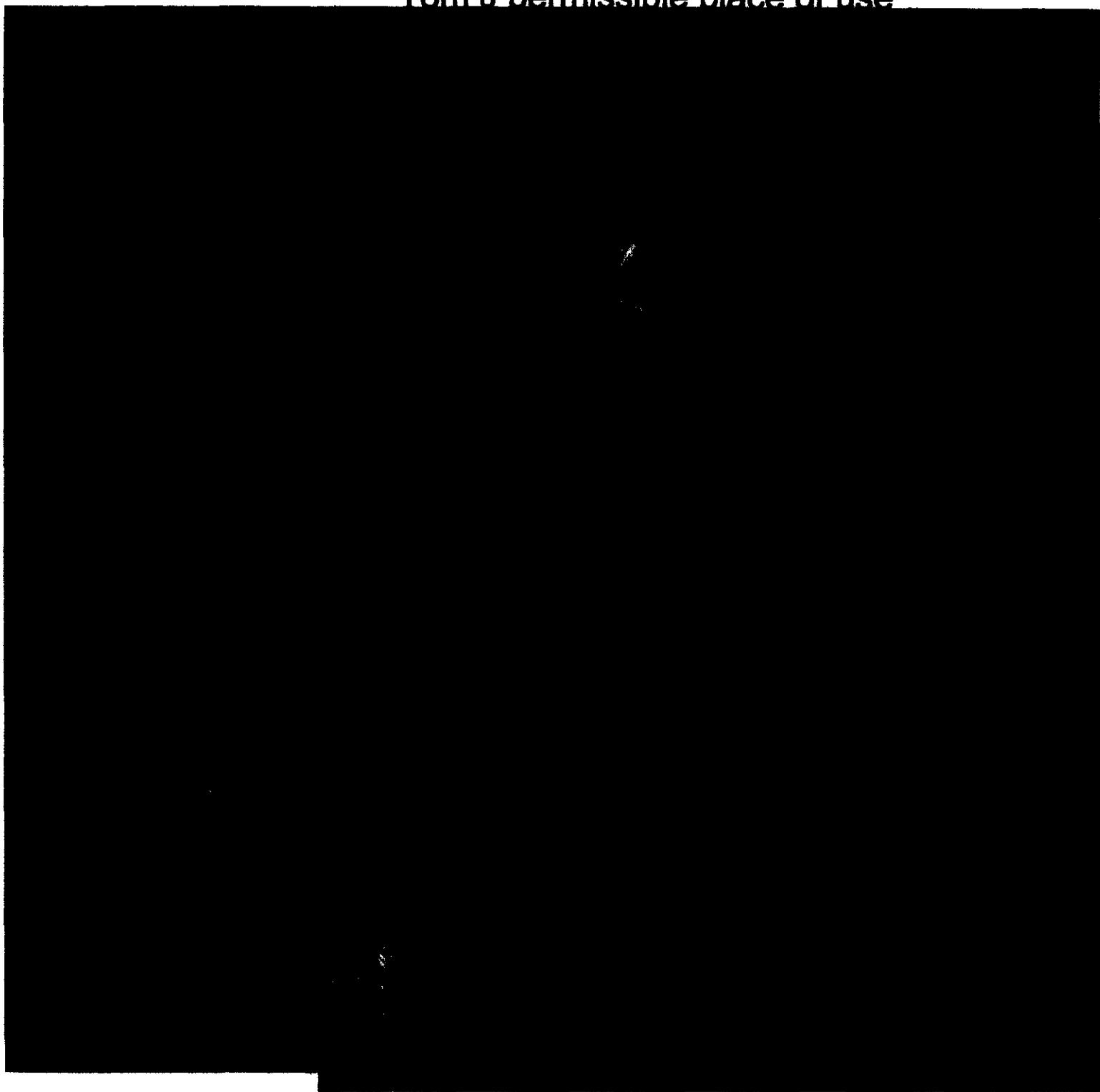
Reviewer _____ Date _____

SEAL

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Tom J permissible place of use



Tom J permissible place of use

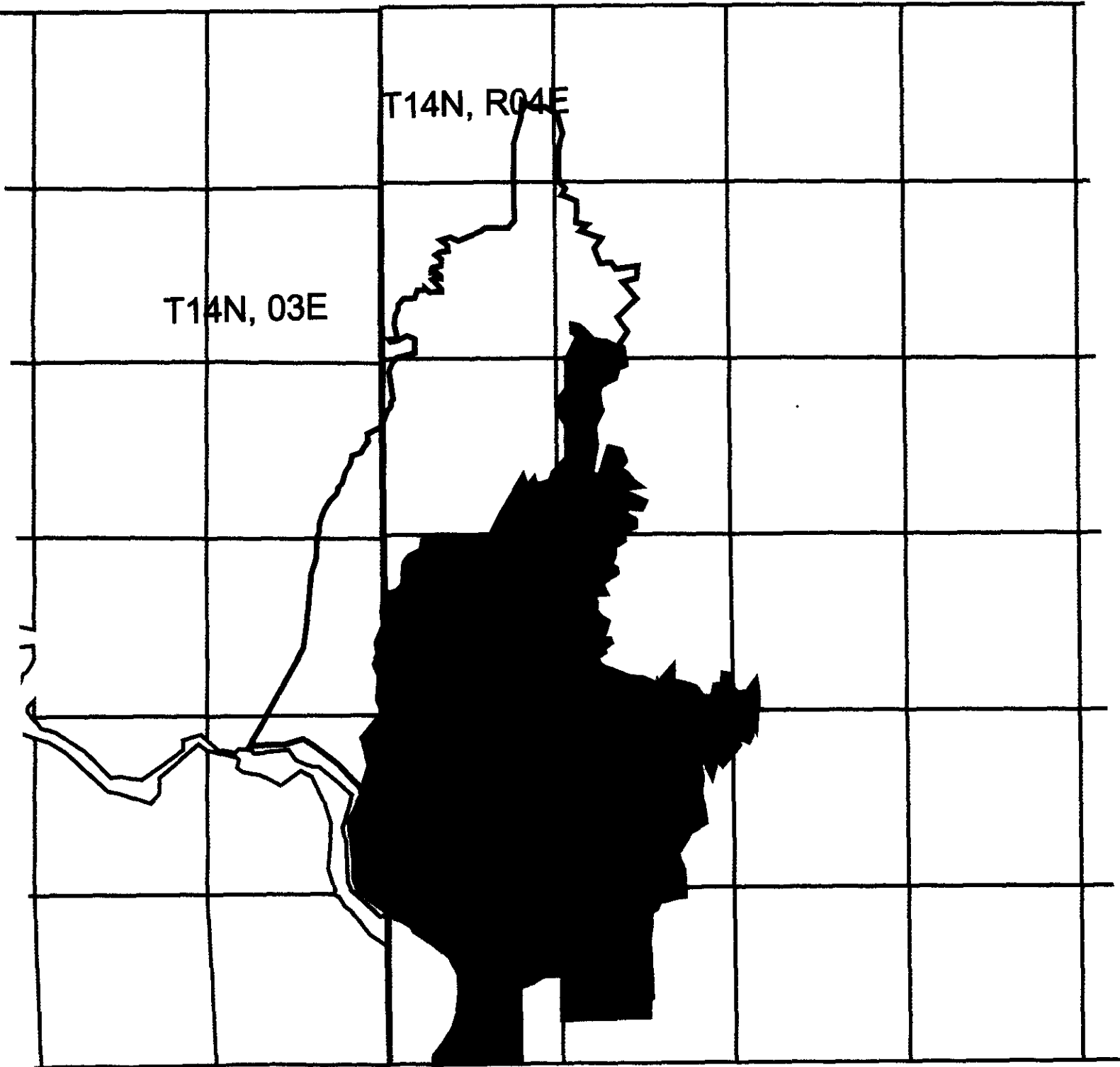


Section Lines

MICROFILMED

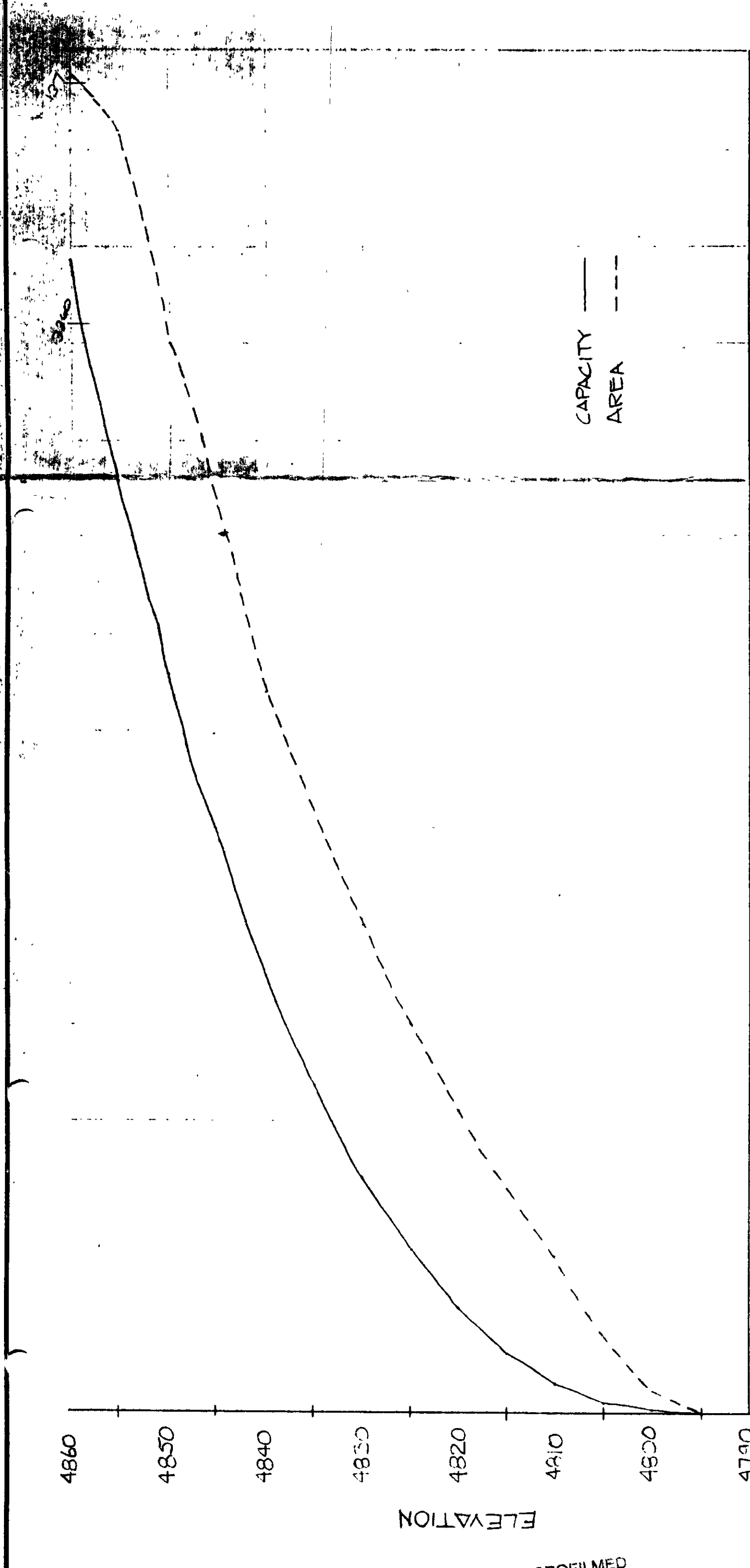
DEC 29 1999

Tom J permissible place of use

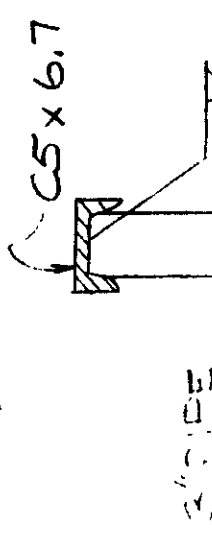
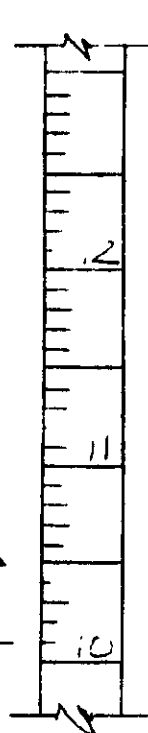
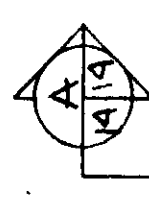


-  Tom J permissible place of use
-  All 4 permissible places of use
-  Section Lines

MAP FILMED
DEC 29 1999



GRADUATE GAGE TO 10 FT. ELEV. WITH WELD MARKS AS SHOWN, PAINT ELEV. NUMERALS FROM 05 (ELEV. 4805) TO 60 (ELEV. 4860).



TOM J. RESERVOIR CAPACITY
GRAPH PER DAM SAFETY FILE
(ACCURATE AS OF 9/99)

UNCLASSIFIED

DATE 2 9 1999

MEMORANDUM

February 28, 1991

TO: STEVE LESTER

FROM: RITA FLECK

RE: ADDITIONAL FEE FOR STORAGE - 65-12202 - TOM J DAVIS

On December 20, 1990, you advised me by memo that Mr. Davis may wish to submit an additional \$100 fee to cover up to 1300 acre-feet of storage. Gary advises that we can notify the permit holder after the license exam has been conducted to submit the additional fee if he wants the additional storage capacity. The procedure for soliciting the fee will be part of the licensing process.

MICROFILMED
DEC 29 1999

INTER-DEPARTMENT MEMO — 1

FROM Steve Lester

DATE 12/20/90

TO Rita Fleck

SUBJECT Permit 65-12202

Proof filed \$300 for up to 900 ac-ft. on 3/89.

Dam Safety info (File 065-12202) shows 1988 info
of 33' dam : approx. 1300 ac-ft stored.

Owner may want to submit additional \$100⁰⁰ to
cover up to 1300 ac-ft with some loss in priority
for late payment. This may provide max storage in
65-12202. Additional storage developed in reservoir will be
covered in 65-13019 (pending application).
MICROFILMED
DEC 29 1990 82

RECEIVED
DEC 21 1990

MEMORANDUM

TO: APPLICATION FOR PERMIT FILE 65-13019
FROM: STEVE LESTER
DATE: DECEMBER 20, 1990
SUBJ: STORAGE FROM BEAVER CREEK

Department of Water Resources

The Tom J. Reservoir is common to the application and to Permit 65-12202. Dam Safety file D65-12202 indicates that the ongoing project, when completed, will include a 65' to 70' dam and approximately 3360 ac-ft. Permit 65-12202 was issued for 3600 ac-ft and 3880 acres (more on this below). The new application originally included 3880 acres (same land list found in Permit 65-12202) but was reduced per telecon with applicant and per gov't. lot plat to 3710.6 acres. Some of these acres already have storage water from Beaver Creek via earlier rights 65-02391, 65-03579, and 65-12202. How much additional storage can be permitted for common acres found in the earlier rights and the application? See the attached information for details of the rights.

<u>Right No.</u>	<u>Stage</u>	<u>Ac-Ft</u>	<u>Acres</u>	<u>Ac-Ft-Acre (nearest .1)</u>
65-02931	decree	250	402	.6
65-03579	decree	1818	606	3.0
65-12202	permit	3600	3880	.9

Total 4.5

This indicates that common acres may receive an additional .5 ac-ft from Beaver Creek. However, the limits of 65-12202 are questionable. The permit was issued for 3600 ac-ft for 3880 acres. 1983 and 1988 Dam Safety records (conversation with J. Westra) indicate a 33' dam and estimated 1300 ac-ft capacity (ongoing project and figures are not conclusive).

Proof of beneficial use for 65-12202 was submitted 3/89 (date implies no significant change from 1988 dam safety estimates) and included \$300 for up to 900 ac-ft. Because 65-12202 and the application share the same P/U, a reasonable conclusion is that ≤ 3710.6 acres have been irrigated under 65-12202 and 900 to 1300 ac-ft were stored by 3/89. If so, the limit of 65-12202 = $1300/3710.6 = .4$ ac-ft-acre (assumes user will pay additional \$100 to allow proof of b.u. to reach 1300 ac-ft; if not, 65-12202 = $900/3710.6 = .2$ ac-ft-acre). Under the above scenario, common acres receive $.6 + 3.0 + .2$ or $.4 = 3.8$ to 4.0 ac-ft-acre. Additional storage of 1.0 to 1.2 ac-ft-acre may be approved in the application.

MICROFILMED
DEC 29 1999

Application 65-13019
Memo 12/20/90, Page 2

Assuming a reservoir, when completed, of approximately 3400 ac-ft and 900 to 1300 ac-ft in 65-12202, the application should include about 2500 ac-ft to provide full storage rights in 65-12202 and 65-13019. Then, .7 ac-ft-acre ($2500/3710.6 = .7$) derives from the application and may be approved. Any discrepancies in the above assumptions can be addressed in license conditions for 65-12202 and 65-13019, e.g. "this right, when combined with ... shall not exceed the reservoir capacity of ... acre-feet".

CC: State and Western file 65-12202
Mita Fleck (re: additional fee, proof of b.u. 65-12202)

MICROFILMED
DEC 29 1999

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 65-12202

Date: 3.21.89

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
N Proof received timely
Y Reinstated

Source of Water:

Y Surface water
_____ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

Y Is a measuring device or access port required?
? Has one been installed?
N Waiver or modification of measuring device requested

Remarks:

*Proof acceptable
Reinstate*

Y Priority Calculation:
Date proof received Mar. 20, '89 79
Date proof due Mar. 1, '89 - 60
No. of days late = 19
Priority date Mar. 14, '79 + 73
NEW PRIORITY DATE April 2, '79 = 92

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

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.

MICROFILMED

March 9, 1989

TOM J. DAVIS
CASCADE, ID 83611

LAPSE NOTICE

RE: PERMIT NO. 65-12202

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 submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated December 31, 1988.

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 submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department 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 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, Water Allocation Bureau

Enclosures

LGS:RF

MICROFILMED

MAY 15 1989

CERTIFICATION OF MAILING

Letter _____ on 3-9-89
at _____
by _____
certified as _____
posted _____
individual _____

Jodi L. Schultz

January 16, 1989

Don Watts
2212 N. 20th
Boise, ID 83702

Dear Mr. Watts:

Pursuant to your telephone call on January 13, 1989, enclosed are two applications for permit with instructions and two proof of beneficial use forms with corresponding instructions.

If you have further questions or requests, feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED
MAY 15 1989

TOM J. DAVIS
CASCADE, ID 83611

December 31, 1988

138844

PROOF DUE NOTICE

RE: PERMIT NO. 65-12202

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 March 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

MAY 15 1989

May 15, 1984

Tom J. Davis
Cascade, ID 83611

Dear Mr. Davis:

Re: Permit No. 65-12202

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to March 1, 1989. Please note that the permit has been reinstated with an advance in priority.

As indicated in our November 9, 1983 letter to you, the Department is quite concerned about the present storage in Tom J. Dam, since the embankment has not been completed as originally designed. Our concern is, in part, due to the adverse affect caused by backing water onto the toe of Callender Dam, but mainly because of structural uncertainties of the incomplete Tom J. embankment to safely impound water. The toe drain (sand blanket) needs to be installed and compacted fill placed over it, to complete the base of the embankment section, so it can be raised successively the full extent of the dam. The partial embankment section constructed is susceptible to seepage, with provision for internal drainage; water should not be impounded behind the incomplete embankment. As previously requested, your engineer should submit the 1983 construction report and evaluate the structural stability of the existing embankment (as constructed), conduct a seepage analysis, evaluate the temporary spillway installed and determine the impact on Callender Dam.

If you have any questions concerning these matters, please feel free to contact Mike Stubblefield at 334-2190 or Dave Hollingshead at 334-4009.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

GS:rf

Enclosure

cc: Dam Safety Section

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

EXTENSION OF TIME

May 2, 1984

Davis Cattle Co.
Tom J. Davis
Cascade, ID 83611

PERMIT NO. 65-12202, Tom J. Davis

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 33970.

Roberta Garrett
Records Supervisor

Enclosure

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

April 25, 1984

Tom J. Davis
Cscade, ID 83611

RECEIVED
MAY 1 1984

Dear Mr. Davis:

Department of Water Resources

Re: Permit No. 65-12202

This office received your Request for Extension of Time on April 4, 1984. However, before the Department can take official action on the extension request, I must request the \$15.00 filing fee.

Please submit the fee as soon as possible so that the Department may take action on the request.

If you have any questions, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

RECEIVED

April 25, 1984

Tom J. Davis
Cscade, ID 83611

Dear Mr. Davis:

Re: Permit No. 65-12202

This office received your Request for Extension of Time on April 4, 1984. However, before the Department can take official action on the extension request, I must request the \$15.00 filing fee.

Please submit the fee as soon as possible so that the Department may take action on the request.

If you have any questions, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 65-12202

- Y Date received stamp
N Fee received and receipted
Y Name on request same as on permit
Y Address same as on permit
Y Proof due date within six months of due date
Y Signature same as permit
Y Source of water the same
N Permit holder named in Swan Falls lawsuit
Y Proceed diligently
N Is delay caused by litigation:

Date lit. completed _____

Date lit. began _____

Period of delay _____

New proof due date _____

ACTION: ~~of~~ Request filing fee.

- Y Does the permit need reinstated:
 Extension received Apr. 4 94
 Proof due date Mar 1 -(60+1)= 61 (leap year)
 Days late _____ 38
 Priority date Feb 7, 1979 38
 Adjusted priority date Mar. 14, 1979 73
Y Is there commencement of works?
 _____ Cover letter
 _____ Coding sheet
 _____ Rolodex card updated and refiled

Reviewed by [Signature] Date: 5-15-1984
4-20-1984

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

DAVIS, TOM J.
CASCADE, ID 83611

LAPSE NOTICE

MARCH 05, 1984

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 65-12202 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) 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 DECEMBER 31, 1983.

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

A STATEMENT OF BENEFICIAL USE POSTCARD 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.

CERTIFICATION OF MAILING

I hereby certify that on 3-21-1984
a copy/an original of this document was
deposited in the United States
postage prepaid addressed to
individual(s) named above.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

CLOSURES

LS:RF

RECEIVED

CONVERSATION MEMORANDUM

DATE 2-7-1984FILE 65 12202NAME OF PARTY PHIL Kevin DavisEMPLOYEE Pete FleckRE: PHIL

~~Kevin~~ Davis, son of Tom Davis, come in last week to Western Region to file an extension of time. Mike Stubblefield assisted him. Kevin will forward the extension to his father, presently in Palm Springs for signature and return it to this office.

RECEIVED

*To Response
necessary. See
memo of 2-7-84*

Pela Fleck,
Beach Manager

RECEIVED

JAN 16 1984

From Dept of

Dear Pela,

Department of Water Resources

Rec'd your letter of Dec 31,
regarding permit No 65-12202.
I don't know which project of ours
it pertains to but suspect it refers
to the Town of Wain. I'll be home in March

Don Watts in Boise is our engineer.
If it is necessary I'll complete what
ever you need right away or I'll do it
in March

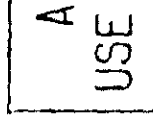
Best regards

Tom Davis

RECEIVED

Yon Davis
77120 Glendale St
Palm Desert, Cal.
92260-7740

LEWIS & CLARK



Rita Fleck
Dept of Water Resources
Statehouse

Boise, Idaho
83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138323

DAVIS, TOM J.
CASCADE, ID 83611

PROOF DUE NOTICE

DECEMBER 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12202 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

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

EITHER THE BENEFICIAL USE POSTCARD 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



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

March 27, 1979

Re: Permit No. 65-12202

Tom J. Davis
Cascade,
Idaho 83611

Dear Mr. Davis:

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

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

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

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

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

If you have any questions, please let us know.

Sincerely,

David R. Tuthill, Jr.

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

DRT:lr

Enclosure

MICROFILMED

65-12202

STAFF REVIEW - STATE OFFICE

1. ☒ Name vs. Signature
2. S.W. Source
3. ☒ Point of Diversion
4. 3600 Amnt. & Period of Use
5. ☒ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. N/A Place of Use for other than irrig.
8. 3880 Place of Use for irrigation (add acres)
9. A Property Owner at Pt. of Div. & Pl. of Use
10. ☒ Map
11. 305 Fee & Rec't. No.

$$\begin{array}{r} 3600 \text{ A.F.} \\ - 2000 \\ \hline 1600 \\ 100 \overline{) 1600} = 16 \times 5 = 80 \\ + 225 \\ \hline \$ 305 \end{array}$$

Copies Sent To:

NO Idaho Health Department
7 Idaho Fish & Game Dept.
7 Bureau of Land Management

NO U.S.F.S.
7 Dept. of Lands
7 Other

Dam Safety Information Yes (Goes to Permit Section)

Check:

Critical G.W. Area yes X no

Other rights on same land See regional staff analysis,
total storage is less than S.A.F./A

Withdrawals of all protests received yes no

Conditions:

ID Power Co. Letter - Snake R. No

ID Power Co. Letter - G.W. & Tribs. Yes

Snake River Condition No

Payette River Letter No

Priority Date 2/7/79

Water Quality #16 NO

Water Quality #10 NO

Intrastate interstate

Meas. Dev. or Sc. Meas. No

Totalizing meter No

Supplemental No

Right-of-Way Cond. No

Watermaster Cond. Yes
Wtr. Dist No. 65

Meas. Dev. Cond. for apps within a Water Dist. Yes

Condition # 22

Joan
Reviewer

3/20/79
Date

STATE OF IDAHO

Department of Water Resources

No 12573

Boise, Idaho, Feb 8, 1979

RECEIVED
FROM

Davis Cattle Co., & Tom Davis 305⁰⁰
Three hundred and five dollars and 00/100 DOLLARS

FOR

<u>App</u>	\$ <u>305</u>	<u>00</u>
	\$	
	\$	
	\$	
	\$	
TOTAL . . .	\$ <u>305</u>	<u>00</u>

Karla Knecht

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-12202

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) R.W.H. 2-9-79

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) R.W.H. 2-9-79

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use 65-2002, 2536, 2832,
3583, 7777 - live flow 65-3579, 7312, 7649, 7861 storage.

(10) _____

Comments: Total storage is less than 5 AF/line

(11) KK OK

Affidavit of Publication received (date) 3/12/79

(12) _____

Final date for protests 3/12/79

Protests received: yes _____ no X

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve

2-7-79 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District W

By [Signature] Date 3/15/79

I.P. 1/2 Her clause d. fion
Right of
Basin
RECEIVED
MAR 19 1979
Department of Water Resources

MICROFILMED

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Boise National Forest
1075 Park Boulevard
Boise, Idaho 83706

065
RECEIVED

Department of Water Resources
Western Regional Office

2540
March 7, 1979



Mr. C. Stephen Allred, Director
Idaho Department of Water Resources
92 S. Cole Road
Boise, Idaho 83705

Dear Mr. Allred:

In the matter of Water Right Application 65-12202, we do not intend to protest the granting of this water right. Approximately 25 acres of the area proposed for inundation by this storage project is National Forest land.

Our lack of protest of the Water Right Application does not automatically imply that the Special Use Permit for inundating this land will be granted. The Special Use Permit application will be evaluated to determine its probable impacts to value, administrative productivity, and environmental values of the National Forest. The decision as to the granting of the Special Use Permit will be based on this evaluation.

I hope this information will be helpful to you.

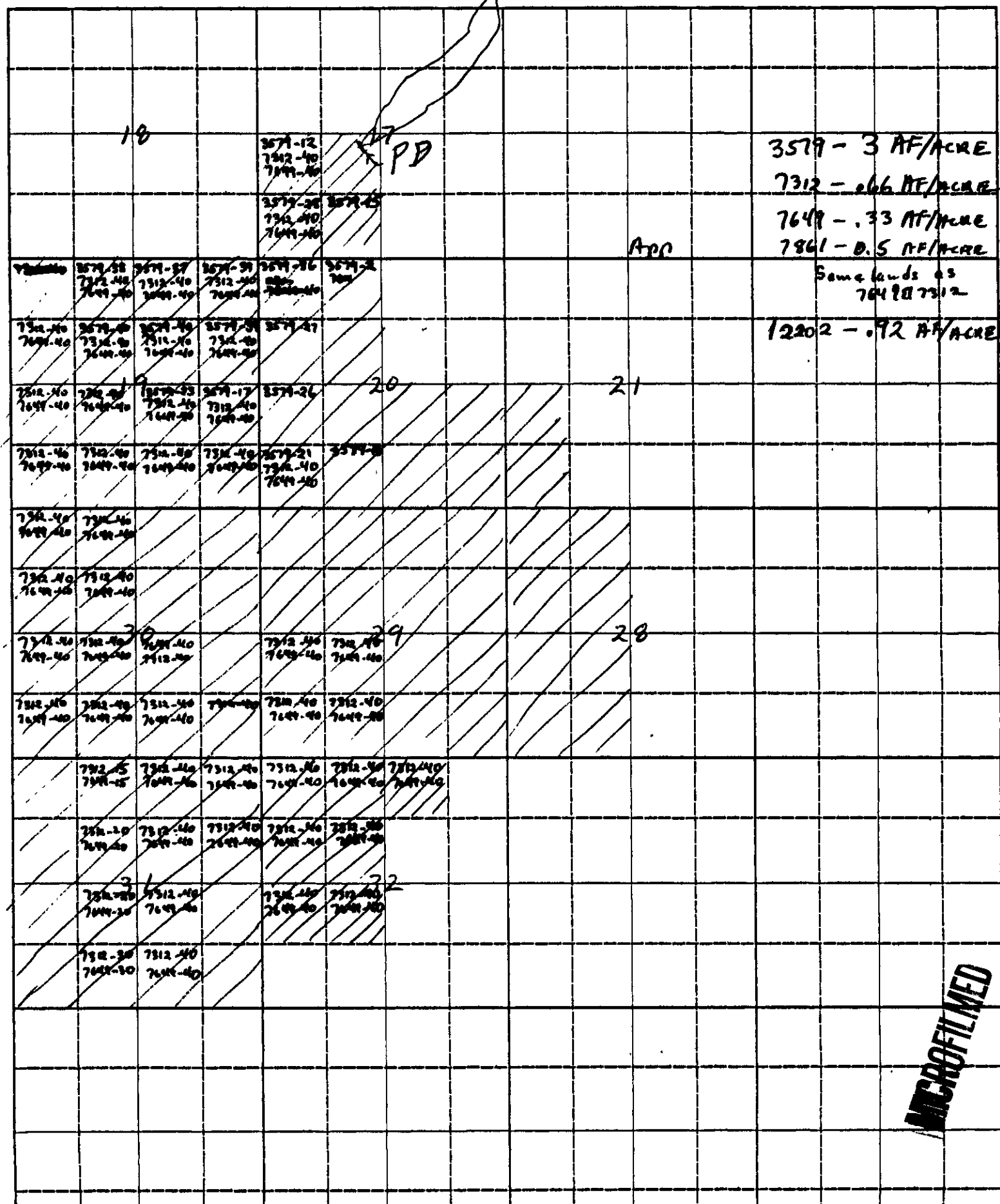
Sincerely,

for Edward C. Maw
EDWARD C. MAW
Forest Supervisor

MICROFILMED

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. T 14N - R 1E

TIAN-RAE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

FEBRUARY 15, 1979

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 sales 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 MARCH 12, 1979.

Yours truly,

Karla Knecht
Secretary

Encl.

RECEIVED
FEB 16 1979

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 83705 on or before MARCH 12, 1979.

C. STEPHEN ALLRED

Director

Published 2/22 & 3/1/79.

MICROFILMED

65-12202

DAVIS, TOM J.

CASCADE, ID 83611

Source: BEAVER CREEK tributary to PAYETTE RIVER

Date Filed: 02/07/1979

Amount: 3600.0 AC-FT

Diversion Point: NESW Sec 17 T 14N R 04E, VALLEY Co.

Use: IRRIGATION STORAGE (3600.0 AC-FT) from 09/30 to 05/01
IRRIGATION FROM STORAGE (3600.0 AC-FT) from 05/01 to 09/30

Place of Use: NESW NWSW SWSW SESH Sec 17 T 14N R 04E NENE NWNE SWNE SENE NENW
NNNW SWNW SENW NESW NWSW SWSW SESH NESE NWSE SWSE SESE
Sec 19 T 14N R 04E NENW NNNW SWNW SENW NESW NWSW SWSW SESH NESE
NWSE SWSE SESE Sec 20 T 14N R 04E NWSW SWSW Sec 21 T 14N R 04E
NENW NNNW SWNW SENW NESW NWSW SWSW SESH Sec 28 T 14N R 04E NENE
NWNE SWNE SENE NENW NNNW SWNW SENW NESW NWSW SWSW SESH NESE NWSE
SWSE SESE Sec 29 T 14N R 04E NENE NWNE SWNE SENE NENW NNNW SWNW
SENW NESW NWSW SWSW SESH NESE NWSE SWSE SESE Sec 30 T 14N R 04E
NWNE NENW NNNW SWNW SENW NESW NWSW Sec 32 T 14N R 04E NENE NWNE
SWNE SENE NENW NNNW SWNW SENW NESW NWSW SWSW SESH NESE NWSE SWSE
SESE Sec 31 T 14N R 04E FOR 3880 ACRES

Diversion Means: EARTHFILL DAM & OPEN DITCH

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