

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

SS.

COUNTY OF GEM,

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

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

ginning with the issue of Dec 28,
1978, and ending with the issue of

Jan 4, 1979
Archie Bala

Subscribed and sworn to before me this
9th day of

JANUARY, 1979
Archie Bala

Notary Public,
Residing at Emmett, Idaho.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the
following application(s) have
been submitted for permit to
appropriate the public waters of
the State of Idaho:

65-12193

Ronnie R. Legg, 6800 Spring
Creek Road, Emmett, Idaho
83617.

Source: Spring. Date Filed:
Dec. 8, 1978. Amount: 0.30
CFS. Diversion Point: SESE Sec
02 T 07N R 01W, Gem County.
Use: Irrigation, (0.30 CFS) from
4-1 to 11-1; Stockwater, (0.02
CFS) from 1-1 to 12-31. Place of
Use: SESE Sec 02 T 07N R 01W
for 15 acres. Diversion Means:
Collection pond and sprinkler.

65-12194

Emmett Irrigation District, 222
East Park Street, Emmett, Idaho
83617.

Source: Payette River. Date
Filed: 12-08-78. Amount: 1.33
CFS. Diversion Point: Lot 01
(SENE) Sec 22 T 07N R 01W,
Gem County. Use: Irrigation
(1.33 CFS) from 3-15 to 11-15.
Diversion Means: Pump and
canal. Place of Use: Within the
Emmett Irrigation District
boundaries.

NOTICE OF CORRECTION

Notice is hereby given that
notice of Application for Permit
No. 63-9179 in the name of John
N. Clark, Route 1, Box 137A,
Caldwell, Idaho was advertised in
error on October 12 and 19,
1978.

The amount of water proposed
for use was advertised as being
6.25 cfs, WHEREAS, the actual
amount is 6.52.

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 Depart-
ment of Water Resources, 92 S.
Cole Road, Boise, Idaho 83705
on or before January 8, 1979.

C. Stephen Allred, Director
Published Dec. 28, 1978 and
Jan. 4, 1979.

should have been Jan. 15
OK - 1-11-79

RECEIVED

JAN 11 1979

Department of Water Resources
Western Regional Office

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: SE 1/4 NE 1/4, SEC. 22, TWP. 7N, RGE. 1W, B.M.

Place(s) of Use Lands covered under the Emmett Irrigation District.

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N																			

Recommended Amendments:

- ☐ Change P.D. as reflected above
 ☐ Add P.D. as reflected above
 ☒ None
 ☐ Other
- ☐ Change P.U. as reflected above
 ☐ Add P.U. as reflected above

Examiner's Signature Jan Jensen

Date 9/26/80

Checked by DBS

Date 11/11/80

Approved by [Signature]

Date 5/25/82

on attached land list

(GL1)

NOTIFIED

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

License of Water Right No. 65-12194 Priority December 8, 1978 Amount 1.2 cfs

THIS IS TO CERTIFY, that Emmett Irrigation District
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-12194 issued pursuant to Application for Permit dated December 8, 1978,
and has submitted proof to the Department of Water Resources on January 7, 1980,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 7.2 cfs of water from Payette River,
tributary to SNAKE RIVER, and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from March 15 to November 15</u>	<u>at 1.2 cfs</u>	<u>and 583.1 acre feet</u>
	<u>from</u>	<u>to</u>	<u>cfs and</u>
	<u>from</u>	<u>to</u>	<u>cfs and</u>

(both dates inclusive)

Subject, however, to the condition that no more than 1.2 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
583.1 acre feet per year, said waters to be diverted within the Gov. Lot 1 (SE 1/4 NE 1/4), Section
22, Twp. 7N, Rge. 1W in the County of Gem

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres irrigated _____

This right when combined with all other rights shall provide no more than 0.02
cfs per acre nor more than 4.5 afa per acre for the lands above.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 17th day of
August, 19 82.

Director

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Emmett Irrigation District
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-12194 issued pursuant to Application for Permit dated December 8, 1978,
and has submitted proof to the Department of Water Resources on January 7, 1980,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 7.2 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Subject, however, to the condition that no more than 1.2 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 583.1 acre feet per year, said waters to be diverted within the Gov. Lot 1 (SE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 22, Twp. 7N, Rge. 1W in the County of Gem

[illegible]

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre for the lands above.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of June, 19 82.

32
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

DEC 8
APPROVED
Department of Water Resources
Western Regional Office
365-4582

To appropriate the public waters of the State of Idaho

1. Name of applicant Emmett Irrigation Dist. Phone

Post office address 222 East Park St Emmett, Idaho 83617

2. Source of water supply Payette River which is a tributary of

3. Location of point of diversion is Government Lot 1
SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 22 Township 7N

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

4. Water will be used for the following purposes:

Amount 1.33 cfs for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 1.33 cfs cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

Pump into Black Canyon Dam

b. Height of storage dam feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam:

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

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: $\frac{1}{4}$ of $\frac{1}{4}$ of Section Township
Range B.M.

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

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

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

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

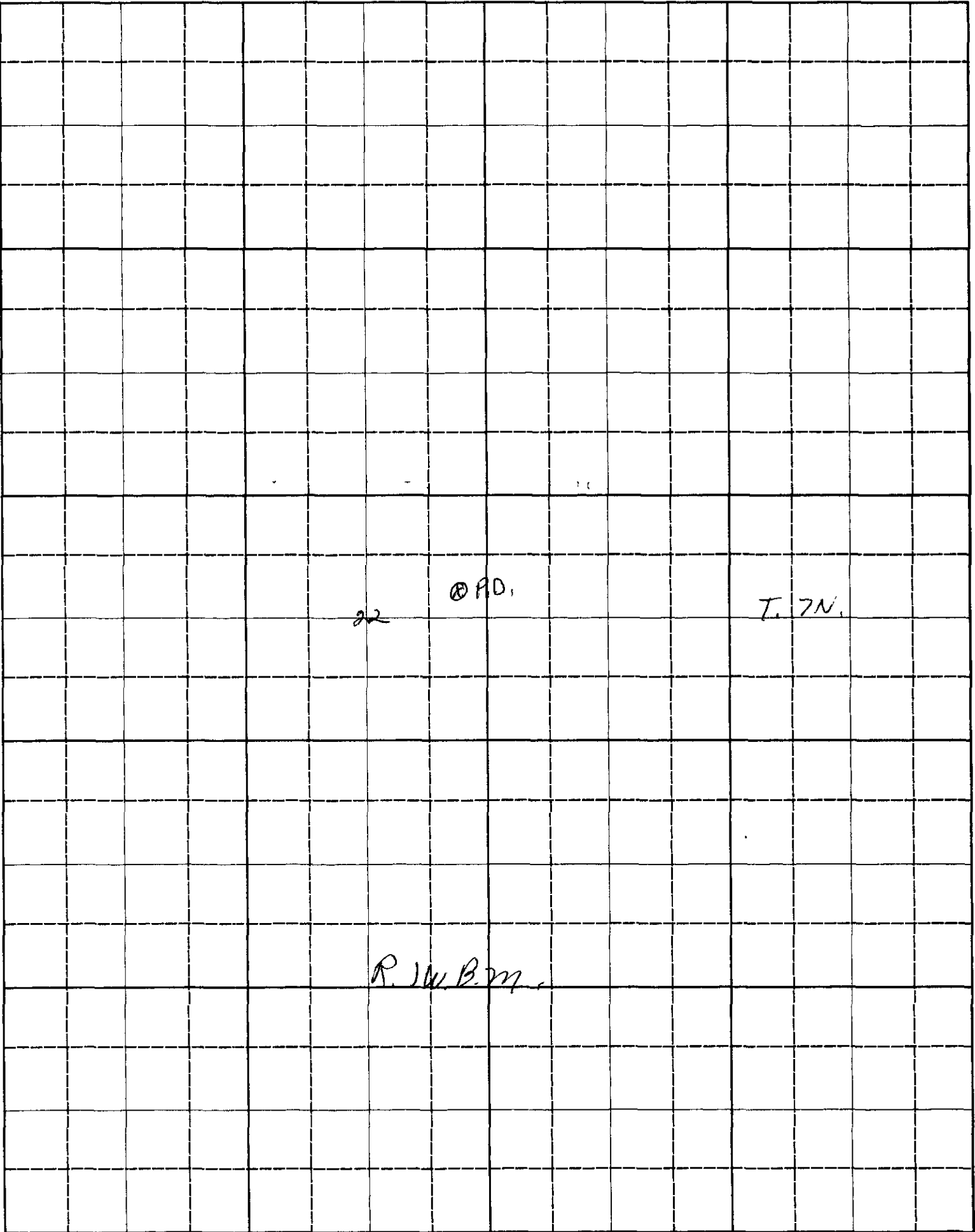
MICROFILMED

[illegible]

9. a. Who owns the property at the point of diversion _____
b. Who owns the land to be irrigated or place of use _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks	This is to amend previous filling under # 65-7832
	to up pump to capacity
	This application completes the 7.33 cfs water use from the
	installed pump (6.0 cfs filled as 65-7832.)

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



Scale 2 inches equal 1 mile.

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

Emmett Irrigation Dist
(Applicant)
Inez I. Seibert
Sec. Treas

Received by R.W. Date 12/08/78 Time 12:05 p.m.
Preliminary check by R.W.H. Fee \$ 45.00
Received by LW Date 12/08/78 # 12510
Publication prepared by _____ Date _____
Published in Idaho News Service
Publication dates Nov 28 + Jan 4
Publication approved DK Date 12/12/79
Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by 065 JS.

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. 65-12194, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 80.

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

d. Other: (1) The issuance of this permit in no way grants any right-of-way or easement across the land of another. (2) Use of water under this permit is subject to control by the watermaster of State Water District No. 65, Payette River.

(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 20 day of February, 19 79.

D. Allen Boyton
Chief, Operations Bureau

LEGAL NOTICE

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:

65-12193

Legg, Ronnie R., 6800 Spring Creek Road, Emmett, Idaho 83617. Source: Spring. Date Filed: Dec. 8, 1978. Amount: 0.03 cfs. Diversion Point: SESE Sec. 02 T 07N R 01W, Gem County. Use: Irrigation (0.30 cfs) from April 1 to Nov. 1; stock-water (0.02 cfs) from Jan. 1 to Dec. 31. Place of Use: SESE Sec 02 T 07N R 01W for 15 acres. Diversion Means: Collection pond and sprinkler.

65-12194

Emmett Irrigation District, 222 East Park Street, Emmett, Idaho 83617. Source: Payette River. Date Filed: Dec 8, 1978. Amount: 1.33 cfs. Diversion Point: Lot 01 (SENE) Sec. 22 T 07N R 01W, Gem County. Use: Irrigation (1.33 cfs) from May 15 to Nov. 15. Diversion Means: Pump and canal. Place of Use: Within the Emmett Irrigation District boundaries.

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit No. 63-9179 in the name of John W. Clark, Route 1, Box 137A, Caldwell, Idaho was advertised in error on Oct 12 and 19, 1978.

The amount of water proposed for use was advertised as being 6.25 cfs, WHEREAS, the actual amount is 6.57 cfs.

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 Feb. 12, 1979.

C. Stephen Allred, Director
2-1-26;2-1

OK-KIC
2-12-79

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

COUNTY OF GEM,

ss.

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

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

ginning with the issue of Jan 25

1979, and ending with the issue of

Feb 1, 1979

Amela Dolan

Subscribed and sworn to before me this

2 day of

Feb, 1978

Amela Lawrence R. Horton

Notary Public,

Residing at Emmett, Idaho.

RECEIVED

FEB 6 1979

Department of Water Resources
MICROFILMED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

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

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

ginning with the issue of Dec 28

75 and ending with the issue of Jan 4 1979

Subscribed and sworn to before me this 9th day of

JANUARY 1979

Chitaurist Hata

Notary Public,
Residing at Emmett, Idaho.

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

66-12193

Ronnie R. Legg, 6800 Spring Creek Road, Emmett, Idaho 83617.

Source: Spring. Date Filed: Dec. 8, 1978. Amount: 0.30 CFS. Diversion Point: SESE Sec 02 T 07N R 01W, Gem County. Use: Irrigation, (0.30 CFS) from 4-1 to 11-1; Stockwater, (0.02 CFS) from 1-1 to 12-31. Place of Use: SESE Sec 02 T 07N R 01W for 15 acres. Diversion Means: ~~Surface of Pond and down~~

Emmett Irrigation District, 222 East Park Street, Emmett, Idaho 83617.

Source: Payette River. Date Filed: 12-08-78. Amount: 1.33 CFS. Diversion Point: Lot 01 (SENE) Sec 22 T 07N R 01W, Gem County. Use: Irrigation (1.33 CFS) from 3-15 to 11-15. Diversion Means: Pump and canal. Place of Use: Within the Emmett Irrigation District boundaries.

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit No. 63-9176 in the name of John N. Clark, Route 1, Box 137A, Caldwell, Idaho was advertised in error on October 12 and 13, 1978.

The amount of water proposed for use was advertised as being 6.25 cfs. WHEREAS, the actual amount is 6.52.

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, 52 S. Cole Road, Boise, Idaho 83706 on or before January 8, 1979.

C. Stephen Reed, Director
Published Dec. 28, 1978 and Jan. 4, 1979.

should have been Jan 15
KK OK - 1-12-79

RECEIVED

JAN 11 1979

Depa MICROFILMED

June 12, 1992

EMMETT IRRIGATION DISTRICT
222 E. PARK ST.
EMMETT ID 83617

RE: Water Right No. 65-12194

Dear Water Right Holder(s):

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

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

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

Sincerely,

R. KEITH HIGGINSON
Director

June 8, 1992

EMMETT IRRIGATION DISTRICT
222 E. PARK ST.
EMMETT ID 83617

RE: Water Right No. 65-12194

Dear Water Right Holder(s):

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

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

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

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

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

Sincerely,

R. KEITH HIGGINSON
Director

May 19, 1992

EMMETT IRRIGATION DISTRICT
222 E. PARK ST.
EMMETT ID 83617

RE: Water Right No. 65-12194

Dear Water Right Holder(s):

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

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

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

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

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

existing water users and reduce the need to curtail diversions.

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

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

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

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

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

WATER RIGHT NUMBER 65-12194

OWNER LAST NAME - EMMETT IRRIGATION DISTRICT FIRST NAME - CRIG OWNER -
ADDRESS LINE 1 - 222 EAST PARK STREET ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - EMMETT STATE - ID ZIP CODE - 83617
SOURCE - PAYETTE RIVER TRIBUTARY OF - SNAKE RIVER
STAGE - LICENSE STATUS - PRIORITY - 12-08-1978 COUNTY - GEM TCTAL DIV. RATE - 1.2000 -CFS
TOTAL DIV. VOLUME - 583.10 AFA TRFR/AMEND - WATER DIST. - 65 DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SENE 22 07N 01W LOT 01 REDIV - 272.0 296.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 38.7
FROM - 03-15 TO - 11-15 USE - IRRIGATION USE DIV. RATE - 1.2000 CFS USE DIV. VCLUME - 583.10 AFA
USE - PLACE OF USE - TWN .RNG SEC DATE - TOTAL ACRES 0
DECREE NAME -
REMARKS - P/U WITHIN THE EMMETT IRRIGATION DISTRICT BOUNDARIES.
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 03-01-1980 PERMIT/DENIED - 02-20-1979 PROTESTED - HEARING - OLD NO. -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL - R32
DIVERSION MEANS - PUMP AND CANAL

August 5, 1982

Emmett Irrigation District
Emmett, Idaho 83617

RE: License No. 65-12194

Gentlemen:

We acknowledge the correction of the source for the above referenced license from groundwater to the Payette River. We did receive your notice of correction in a timely manner, but due to a Departmental error, your notice was not properly processed.

Please find enclosed an Amended License that incorporates the changes. We apologize for the inconvenience.

Sincerely,

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

DRT:jg

Enclosure

ENCLOSURE

EMMETT IRRIGATION DISTRICT

Emmett, Idaho 83617

June 15, 1982

RECEIVED

JUN 16 1982

Department of Water Resources

State of Idaho
Department of Water Resources
State Office
450 W State Street
Boise, Idaho

Dear Mr. Jim Johnson:

As per your letter dated June 7, 1982. RE: Our permit
No. 65-12194, our source of water is the Payette River
and not groundwater as you so stated. Everything else
stated is correct.

Sincerely,
Irving D. Libert
Emmett Irrigation District

RECEIVED

July 6, 1982

RE: Permit No. 65-12194

Emmett Irrigation District
222 East Park St.
Emmett, ID 83617

Gentlemen:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

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

June 7, 1982

RE: Permit No. 65-12194

Emmett Irrigation District
222 East Park St.
Emmett, ID 83617

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 65-12194, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.2 cfs Source: groundwater

The maximum quantity diverted shall not exceed 583.1 acre feet
per year.

Point(s) of diversion: Gov. Lot 1 (SE $\frac{1}{4}$ NE $\frac{1}{4}$), Sec. 22, Twp. 7N, Rge. 1W,
Gem County

Beneficial use: Irrigation within the Emmett Irrigation District Boundaries

Priority date established: December 8, 1978

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

MICROFILMED

1-79

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Emmett Irrigation Dist.
(Gout Lot 1)
P/D SENE S. 22
T. 7N R. 1W

65-12194
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)	8/25/80 305-2617	jo	
☐ Appointment scheduled for: (Date, time, location)	8/26/80 10:30 By Black Canyon Reservoir		

EXAMINATION

Date 8/26/80 Accompanied by Bill Hawk of Emmett Irrig. Dist. Total Q measured 7.2 cfs
If source is surface water, estimate total flow of source
Methods of measurement Orifice Plate 10" Meets Permit requirements? yes

Measurement calculations:

10" Orifice in 12" pipe w/ head of 4.5" = 3230 gpm or 7.2 cfs
* 305.1 acres x 4.5 = 1373 acre feet
(see sheet from # 65-7832 as this is same p.d. & covers same lands)
CAPACITY

$$V = 306 \times 4.5 = 1377.0 \text{ or } 1.2 \times 1.9835 \times 245 = 583.1$$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	50	G.E.	07010254			Orifice 10"	Good	

System Description Pump house w/ pump & motor from Black Canyon Reservoir w/ 12" mainline under road & open discharges into their canal for delivery.
*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

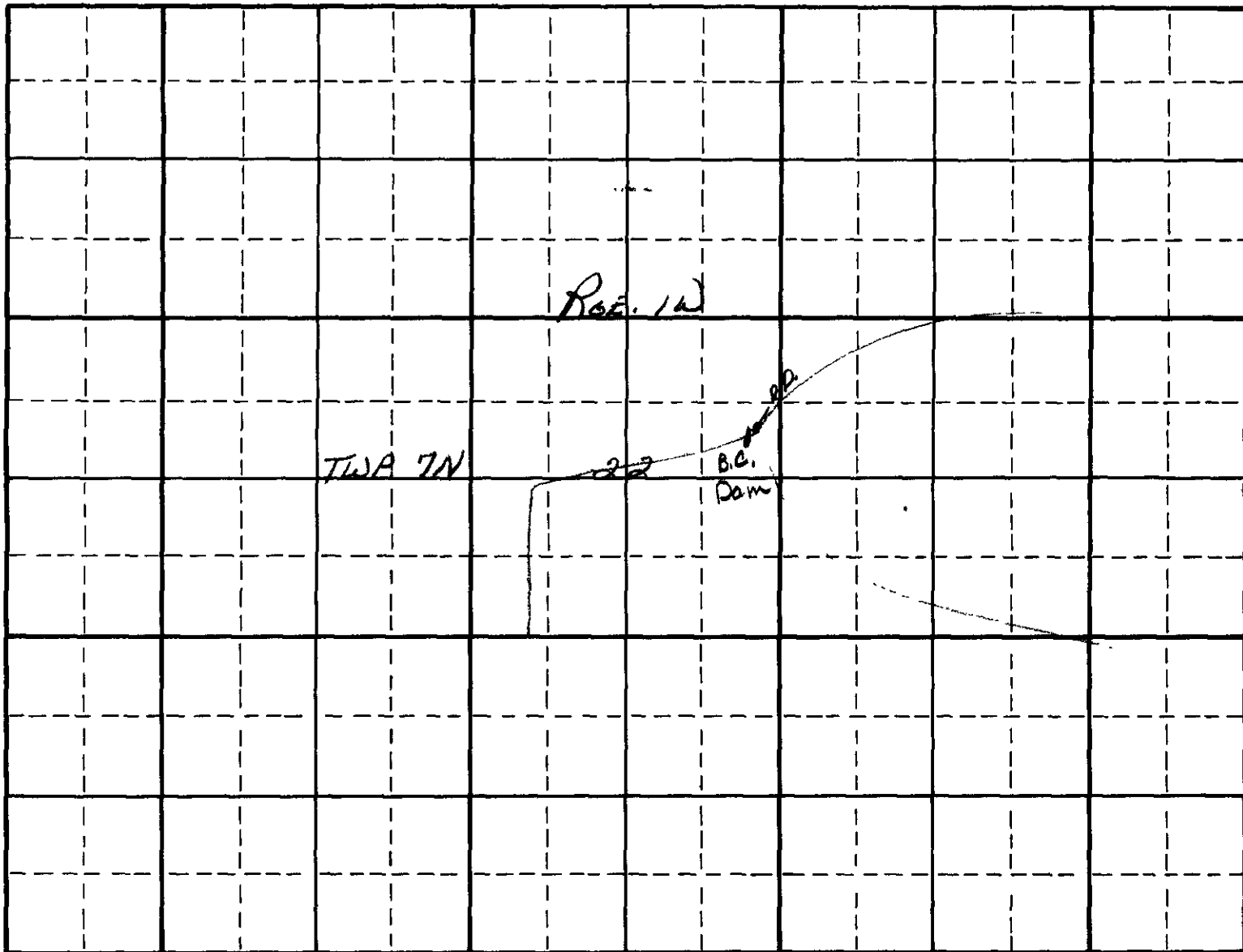
USE	Irrigation requirement =	AFA/Acre
Q (cfs)	V (afa)	FROM TO
1.2 ✓	1323	Mar 15 Nov 15
	1377.0	
	583.1	
Total	1.2 ✓	

Remarks This permit was filed only to bring the amount of diversion applied for up to that actually being used under this p.d. The lands serviced are the same as # 7832 lists. However, they also list lands covered by the Emmett Irrig. Dist. If this phrase is used then 50 acre fact amount is necessary.

ADD CONDITION R16 (4.5)

June 6-22-82

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: (9L1) SE 1/4 NE 1/4, Sec. 22, Twp. 7N, Roe. 1W, B.M.

Place(s) of Use lands covered under the Emmett Augation District.

TWP.	RGE.	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	

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

Examiner's Signature

Date 9/26/80

Checked by

Date 11/11/80

Approved by

Date 5/25/82

MICROFILMED

Date in	Present Owner	Description	Section	Acres
11-3-64	Lynn Waters	W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	4-6-1	10.00
11-4-75	Jay Sisler	Tr. NE cor. NW $\frac{1}{2}$ SE $\frac{1}{4}$	4-6-2	12.65
9-7-71	Wilbur E. Currier	Pt. NW $\frac{1}{4}$ NW $\frac{1}{4}$	27-7-1	9.00
10-1-64	Bob Ames	E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Lot 2 North Canal & SE $\frac{1}{4}$ NW $\frac{1}{4}$ W. Canal	30-7-1	26.00
9-2-69	David Frisbee	Tr. in SW $\frac{1}{4}$	35-7-1	18.50
7-1-75	Rolling Hills	E. Pt. NE $\frac{1}{4}$ SW $\frac{1}{4}$	22-7-2	43.60
7-1-75	Rolling Hills	E. Pt. SE $\frac{1}{4}$ SW $\frac{1}{4}$	23-7-2	24.80
4-4-60	C. A. Glass Co. Inc.	S310.9' SW $\frac{1}{4}$ SW $\frac{1}{4}$ Pt. NW $\frac{1}{4}$ NW $\frac{1}{4}$	23-7-2 26-7-2	9.39
3-1-66	Albert Naher	Tr. SW $\frac{1}{4}$ NE $\frac{1}{4}$	25-7-2	12.00
3-1-60	Lewis Cooper	Pt. S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ S.	9-7-3	2.00
3-1-71	Hazel & M. J. Cooper	W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ S $\frac{1}{2}$ NE $\frac{1}{4}$	9-7-3	100.00
4-6-72	Howard Bengel	Tr. W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ & E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Below canal	12-7-3	37.16

Total 306

rounded

FILED

Overlap Review for 65-12194

License 65-7832 gw 7/D SENE Sec 22 T7N R1W
(same well)

7/U see attached
copy

Well capacity 7.2 cfs
License 65-7832 - 6.0

1.2 amount for
licensing 65-12194

RC 5/25
82

MICROFILMED

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that _____ EMMETT IRRIGATION DISTRICT

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

WITHIN THE EMMETT IRRIGATION DISTRICT BOUNDARIES

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use as described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of July 19 81

Director

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 65-12194.

Name(s) of Permit Holder: Emmett Craig Diet

Post Office Address: 222 E Park St

Emmett, Idaho 83617 Tel. No. 365-4582

Source of Water: Payette River

Extent of Use:

☐ Domestic	(number of households)
☐ Stockwater	(number and type of stock)
☒ Irrigation <u>100</u>	(acres)
☐ Other	

Measuring Device: Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No M
Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

1-3-80
Date

Inez Diet-Sec-Treas
Signature of Permit Holder

MICROFILMED

RECEIVED

JAN 2 1980

U.S. Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Emmett Irrig Dist
222 East Park St.
Emmett, Idaho 83617



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

EMMETT IRRIGATION DISTRICT
222 EAST PARK STREET
EMMETT, ID 83617

1016.1

DECEMBER 31, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12194 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

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

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED

February 20, 1979

Re: Permit No. 65-12194

Emmett Irrigation District
222 East Park Street
Emmett, Idaho 83617

Gentlemen:

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.

MICROFILMED

Emmett Irrigation District
Re: Permit No. 65-12194
February 20, 1979
Page 2

Please be advised that there is insufficient natural flow available in the Payette River and tributaries to provide water for a new appropriation throughout the entire season of use.

During the spring run-off each year, there may be a period of time in which the prior rights to the use of the natural flow and storage are filled leaving water available for your later-in-time permit. As the natural flow diminishes, however, there would be no water available for your right unless you had arranged for an additional source of water as a supplemental supply.

This information is provided so that you will not be misled into thinking that this permit will provide sufficient water through the entire season of use. If you have any questions regarding this matter, please feel free to contact this office.

Sincerely

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

--
DRT:lr

Enclosure

65-12194

STAFF REVIEW - STATE OFFICE

1. EID ^{Sec.} Name vs. Signature
2. Pay. Source
3. SSSE Point of Diversion
4. 1.33 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 1 Time req. for Proof of B/U
7. P/R Place of Use for other than irrig.
8. See Item #10 Place of Use for irrigation (add acres)
9. P/R Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map
11. 45 Fee & Rec't. No.

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>7</u> Idaho Fish & Game Dept.	<u>7</u> Dept. of Lands
<u>7</u> Bureau of Land Management	<u>7</u> Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area ✓ yes no
Other rights on same land See Item #10 Remarks

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. <u>No</u>	Meas. Dev. or Sc. Meas. <u>No</u>
ID Power Co. Letter - G.W. & Tribs. <u>Yes</u>	Totalizing meter <u>No</u>
Snake River Condition <u>No</u>	Supplemental <u>No</u>
Payette River Letter <u>Yes</u>	Right-of-Way Cond. <u>Yes</u>
Priority Date <u>12/8/78</u>	Watermaster Cond. <u>Yes</u>
	Wtr. Dist No. <u>65</u>
Water Quality #16 <u>No</u>	Meas. Dev. Cond. for apps within a Water Dist. <u>Yes</u>
Water Quality #10 <u>7</u>	
intrastate <u>interstate</u>	

Juni Rev. 2/20/79 Date
FILED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ 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. 12-8-78

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. 12 8 78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. 65

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use Emmett Irr.
Dist. Filings.

(10) _____

Comments: _____

(11) _____

Affidavit of Publication received(date) 1-12-79 ^{Cor.}

(12) _____

Final date for protests 2-12-79
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

2-8-78 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 2-15-79

MICROFILMED

I.P. Letter
Payette River Letter
Basin G.W.M. condition
RECEIVED
FEB 16 1979

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

January 18, 1979

RE: Application for Permit #65-12194
Application for Permit #65-12193
Notice of Correction of Application for Permit #63-9179

Emmett Messenger-Index
Box 577
Emmett, ID 83617

Gentlemen:

Enclosed is a copy of the original notices for the above referenced applications and notice of correction and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We are requesting that you publish the enclosed corrected legal notices at your expense.

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

Your cooperation in this matter is greatly appreciated.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

kk

Enclosures

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

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

JANUARY 18, 1979

Emmett Messenger-Index
Box 377
Emmett, ID 83617

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 12, 1979.

Yours truly,

Baria Kneoni
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before FEBRUARY 12, 1979.

C. STEPHEN ALLRED

Director

Published 1/25 & 2/1/1979.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

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

DECEMBER 14, 1978

Emmett Messenger-Index
Box 377
Emmett, ID 83617

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a 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 JANUARY 8, 1979.

Yours truly,

Sally Trinkaus
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before JANUARY 8, 1979.

C. STEPHEN ALLRED

Director

Published 12/21 & 12/28/78.

MICROFILMED

65-12194

EMMETT IRRIGATION DISTRICT

222 EAST PARK STREET, EMMETT, ID 83617

Source: PAYETTE RIVER

Date Filed: 12/08/1978

Amount: 1.33 CFS

Diversion Point: LOT 01 (SENE) Sec 22 T 07N R 01W, GEM Co.

Use: IRRIGATION (1.33 CFS) from 03/15 to 11/15

Diversion Means: PUMP AND CANAL

PLACE OF USE: WITHIN THE EMMETT IRRIGATION DISTRICT BOUNDARIES

MICROFILMED

Sherl L. Chapman

CONSULTANT

4706 FAIRVIEW AVENUE / BOISE, IDAHO 83704 / PHONE 375-6131

TO: Mr. William Harsch, Manager, Emmett Irrigation District

FROM: Sherl L. Chapman, Consultant

DATE: October 5, 1978

SUBJECT: Discharge Measurement, Pump #4

The flow from the pumping installation owned by Emmett Irrigation District on the right abutment of Black Canyon Dam was measured on Wednesday, September 27th. The pump is a 50 horsepower, short coupled turbine designated as Emmett Irrigation pump #4. The discharge pipe from the pump installation travels uphill and discharges into the Emmett Irrigation District canal approximately 75 feet uphill from Idaho State Highway 52. The discharge pipe is 12" I.D. and is level and unobstructed. The measurement was made by installing a 10" I.D. standard orifice plate in the 12" discharge pipe measuring the head differential in the standard accepted manner. The head developed at the time of measurement was 45" above the center of the orifice plate which translates to 3,298 gallons per minute and equals 366.44 miners inches or 7.33 cubic feet per second. The measurement meets all accepted standards for accuracy and is so hereby certified.

RECEIVED
DEC 8 1978

Department of Water Resources
Western Regional Office

