

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

Handwritten notes on graph paper:

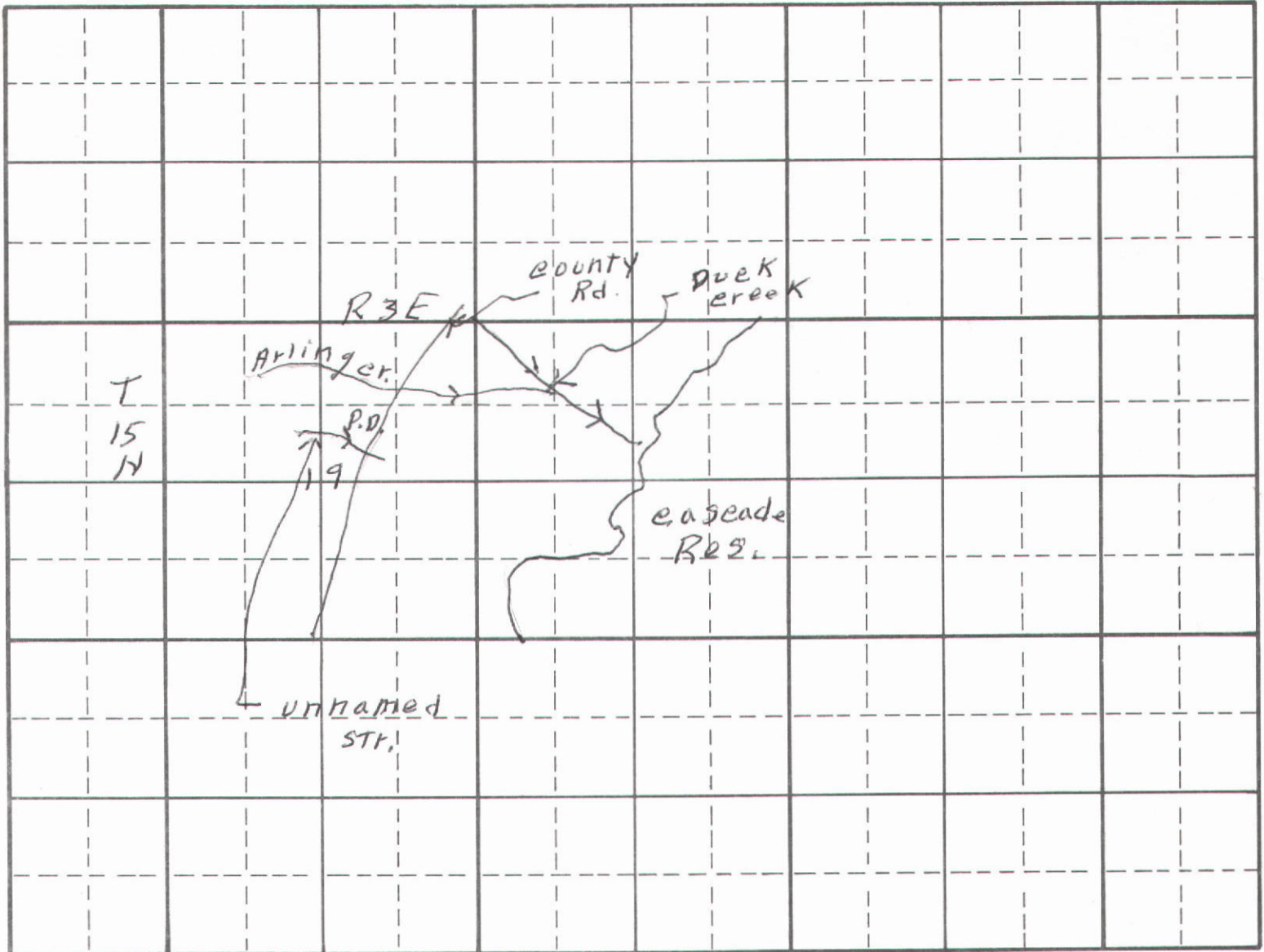
- Top right: $Q = 10^{-10} \text{ m}^2 \text{ s}^{-1}$
- Left margin: T
15
N
- Center: A rectangular area with diagonal hatching, containing the text "RD. P.O." and the number "15" below it.
- Bottom center: R3E

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.

Phil J. Hernandez
(Applicant)

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: SW NE Sec 19 T15N R3E

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15N	3E	19			X														

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 John X. Noyes

Date 8/28/80

Checked by DBS

Date 8/28/80

Approved by Robyn

Date 9/19/80

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-12191 Priority December 4, 1978 Amount .04 cfs

THIS IS TO CERTIFY, that PHIL J. & MARIE J. UBERUAGA
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 65-12191 issued pursuant to Application for Permit dated December 4, 1978,
and has submitted proof to the Department of Water Resources on December 5, 1979,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of .04 cfs of water from an unnamed stream,
tributary to Cascade Reservoir, 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
Domestic (1 unit)	from <u>January 1</u> to <u>December 31</u> at <u>.04</u> cfs and <u>1.2</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than .04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 15N,
Rge. 3E, B.M. in the County of Valley

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				Totals
			NW¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15N	3E	19			X										

Total number of acres irrigated _____

REMARK: Lot 4A-25, CR-4 Subdivision

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 30 day of
September, 19 80.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Phil J. Uberuaga &/or Marie J. Uberuaga Phone 342-5145
Post office address 2501 Madison, Boise, ID 83702

2. Source of water supply Unnamed Stream which is a tributary of Cascade Reservoir

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 15N
Range 3E B.M. Valley County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

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

5. Total quantity to be appropriated:

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

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Diversion Dam With Pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 15N
Range 3E B.M.

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

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

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

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

NO FILMED

TWP	RANGE	SEC.	NE						NW						SW						SE					
			NEX	NWX	SMX	SEX	NEX	NWX	SMX	SEX	NEX	NWX	SMX	SEX	NEX	NWX	SMX	SEX	NEX	NWX	SMX	SEX	NEX	NWX	SMX	SEX
TOTALS			NE						NW						SW						SE					

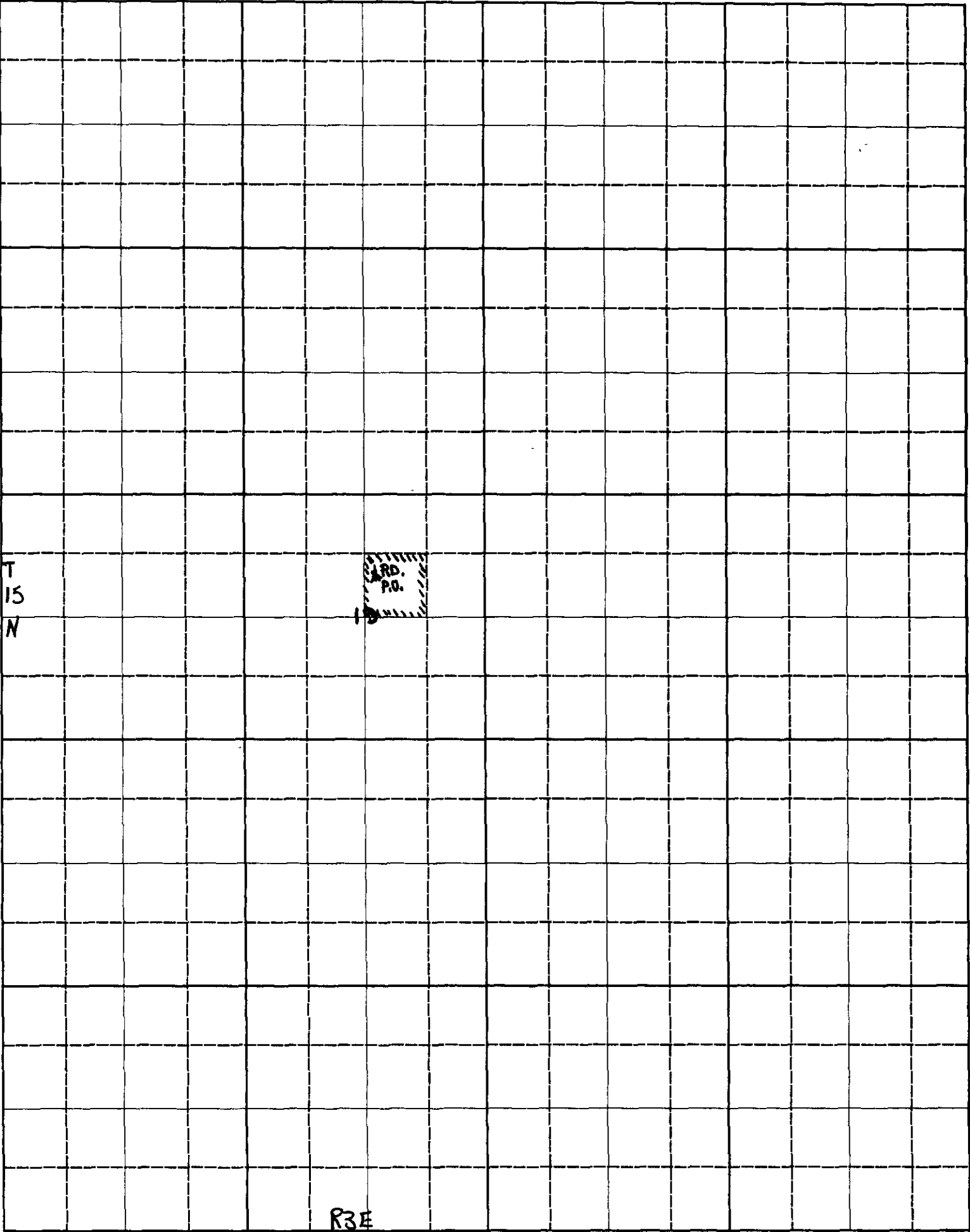
Applicant _____

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

~~line across property and will negotiate a formal easement.~~

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

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



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.

Phil J. Shumage
(Applicant)

Proposed Priority 12-4-78

Received by SK Date 12/4/78 Time 3:45 P.M.

Preliminary check by DBS Fee \$ 20.00

Receipted by SK Date 12/4/78 # 12501

Publication prepared by SK Date 12-7-78

Published in The Star News

Publication dates Dec 14 & 21, 1978

Publication approved KW Date 1/04/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS SS.

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. 65-12191, 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 February 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: Use of water under this permit is subject to control by the watermaster of State Water District No. 65, Payette River.

Witness my hand this 15th day of January, 19 79.

A. Glen Saxton

Chief, Operations Bureau

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO]
]ss.
County of Valley]

Michael Parfit, being first duly sworn, deposes and says: That he is the publisher 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 advertisement, a copy of which is hereto attached, was published in said newspaper once a week for 7 consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began Dec. 11, 1977, and ended Dec. 18, 1977.

[Signature]

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 21st day of December, 1977.

[Signature] Notary Public.

My commission expires Aug. 1, 1981.

RECEIVED

JAN 4 1978

Department of Water Resources
Western Regional Office

NOTICE OF APPLICATION
FOR WATER RIGHT

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

65-12191
UBERUAGA, PHIL. J. & or
MARIE J.
2501 MADISON, BOISE, ID
83702.

Source: UNNAMED
STREAM tributary to
CASCADE RESERVOIR
Date Filed: 12-04-1978

Amount: 0.04 CFS
Diversion Point: SWNE Sec 19
T 15N R 03E, VALLEY Co.

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

Place of Use: SWNE Sec 19 T
15N R 03E

Diversion Means: DIVER-
SION DAM WITH PIPELINE.

65-12189
FITZWATER, BETH T.

6407 ROBERTSON DRIVE,
BOISE, ID 83705

Source: BIG PAYETTE LAKE
tributary to PAYETTE RIVER
Date Filed: 12-06-1978

Amount: 0.04 CFS
Diversion Point: LOT 04 Sec
35 T 19N R 03E, VALLEY Co.

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

Place of Use: LOT 04 Sec 35 T
19N R 03E

Diversion Means: PUMP
AND PIPELINE.

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 2, 1979.

C. STEPHEN ALLRED
Director

Published 12-14 & 12-21-78.

MICROFILMED

[Handwritten initials]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

UBERUAGA, PHIL J. & MARIE J.
2501 MADISON
BOISE, ID 83702

SEPTEMBER 24, 1979

RE: 65-12191

DEAR WATER USER:

ENCLOSED IS A COPY OF THE WATER RIGHT LICENSE ISSUED ON THE
ABOVE REFERENCED PERMIT.

SINCERELY,

JIM JOHNSON
WATER DISTRIBUTION SUPERVISOR

ENCLOSURE

MICROFILMED

65-12191
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed: <i>no</i>			
☐ Telephone call made: (List Telephone No. used)	<i>8/28/80</i>	<i>JKM</i>	<i>For additional information</i>
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date *7/21/80* Accompanied by _____ Total Q measured *.04*
If source is surface water, estimate total flow of source _____
Methods of measurement *calc. est.* Meets Permit requirements? *yes*

Measurement calculations:

$\checkmark Q = .04 cfs$

$\checkmark V = 1.2 AF$

} Standard amount for single domestic $\checkmark$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS

System Description *Diversion dam & surface 1" PVC line to a cabin.*

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
<i>Domestic</i>	<i>.04</i>	<i>1.2</i>	<i>111</i>	<i>12/31</i>
Total	<i>.04</i> $\checkmark$	<i>1.2</i> $\checkmark$		

Remarks *Since this system was installed a well has been installed with a pitcher pump. They still use water from the unnamed stream.*

C.R. #4 Lot 4A-25

MICROFILMED

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. 65-12191.

Name(s) of Permit Holder: Uheruaga, Phil & Marie

Post Office Address: 2501 Madison Ave
Boise Ida - 83702 Tel. No. 342-5145

Source of Water: unnamed stream - tributary Cascade Res.

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

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

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

12/3/79
Date

Marie Uheruaga
Signature of Permit Holder

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

UBERUAGA, PHIL J. & MARIE J.
2501 MADISON
BOISE, ID 83702

161583

NOVEMBER 30, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12191 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE FEBRUARY 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.

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

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

MICROFILMED



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

January 16, 1979

Re: Permit No. 65-12191

Phil J. &/or Marie J. Uberuaga
2501 Madison
Boise, Idaho 83702

Dear Mr. or Mrs. Uberuaga:

Your approved copy of your Application for Permit is enclosed and we direct your attention to the conditions of approval on the fourth page.

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,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

65-12191

AFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. S.W. Source
3. ✓ Point of Diversion
4. ✓ Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 1 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. N/A Place of Use for irrigation (add acres)
9. Property Owner at Pt. of Div. & Pl. of Use ^{Owens} A
10. ✓ Map
11. 20 Fee & Rec't. No.

Copies Sent To:

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

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

Check:

Critical G.W. Area yes ✓ no

Other rights on same land N/A

Withdrawals of all protests received 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>12/4/78</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>NO</u>
Water Quality #10 <u> </u>	
intrastate <u> </u> interstate <u> </u>	

Jim
Reviewer
1/10/79
Date

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-12191

☒ 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) CSB 2 ready

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) CSB > 1000' 8

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

(10) _____

Comments: _____

(11) tw ok

Affidavit of Publication received(date) 1/04/79

(12) _____

Final date for protests Jan. 2, 1979

Protests received: yes _____ no _____

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

12-4-78 Proposed Priority

_____ Reason for Reduction _____

NO Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W

By llh Date 1/10/79

Department of Water Resources

JAN 10 1979

RECEIVED

RECEIVED

65-12191

UBERUAGA, PHIL J. &/or MARIE J.

2501 MADISON, BOISE, ID 83702

Source: UNNAMED STREAM tributary to CASCADE RESERVOIR

Date Filed: 12/04/1978

Amount: 0.04 CFS

Diversion Point: SWNE Sec 19 T 15N R 03E, VALLEY Co.

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

Place of Use: SWNE Sec 19 T 15N R 03E

Diversion Means: DIVERSION DAM WITH PIPELINE.

*Bill Submitted
1/04/79 kw*

MICROFILMED