

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice

(First Copy)

Application for Water Permit

TITLE OF PUBLICATION

Frank Frank 65-12156

SPONSOR OR PLAINTIFF

Idaho Dept. Water Resources

PLAINTIFF OR LEGAL AGENT

D. Sharon L. Swanson, being

duly sworn, deposes and says:

That *he* is the *principle clerk* of THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at Payette, in the County of Payette and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for *two (2)* consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Aug 10, 19 *78*, and ending with the issue of *Aug 17*, 19 *78*.

Subscribed and sworn to before me this

24 day of *August*, 19 *78*.

Mary Jane Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires *April 28*, 19 *80*.

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:

65-12156

Name: FRANK FRANEK
Address: Rt. 2 Fruitland, Idaho
Source: GROUNDWATER
Date Filed: August 1, 1978
County: Payette
Amount: 0.04 cfs
Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14 T 8N-R 5W, B.M.
Use: domestic purposes from Jan 1 to Dec. 31
Place of Use: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 14 T 8N-R 5W, B.M.
Means: well and pump

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before August 28, 1978

C. STEPHEN ALLRED
Director

Published in the Independent Enterprise, Payette, Idaho on August 10, 1978 and August 17, 1978
No. 818

8-10 2tc

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines *25*

Number of Insertions *2*

25 Lines @ *42 1/2* . . . \$ *10.63*

25 Lines @ *30 1/2* . . . \$ *7.63*

TOTAL COST
WILL BE \$ *18.26*

RECEIVED

AUG 25 1978

Department of Water Resources
Western Regional Office

Nº 818

MICROFILM

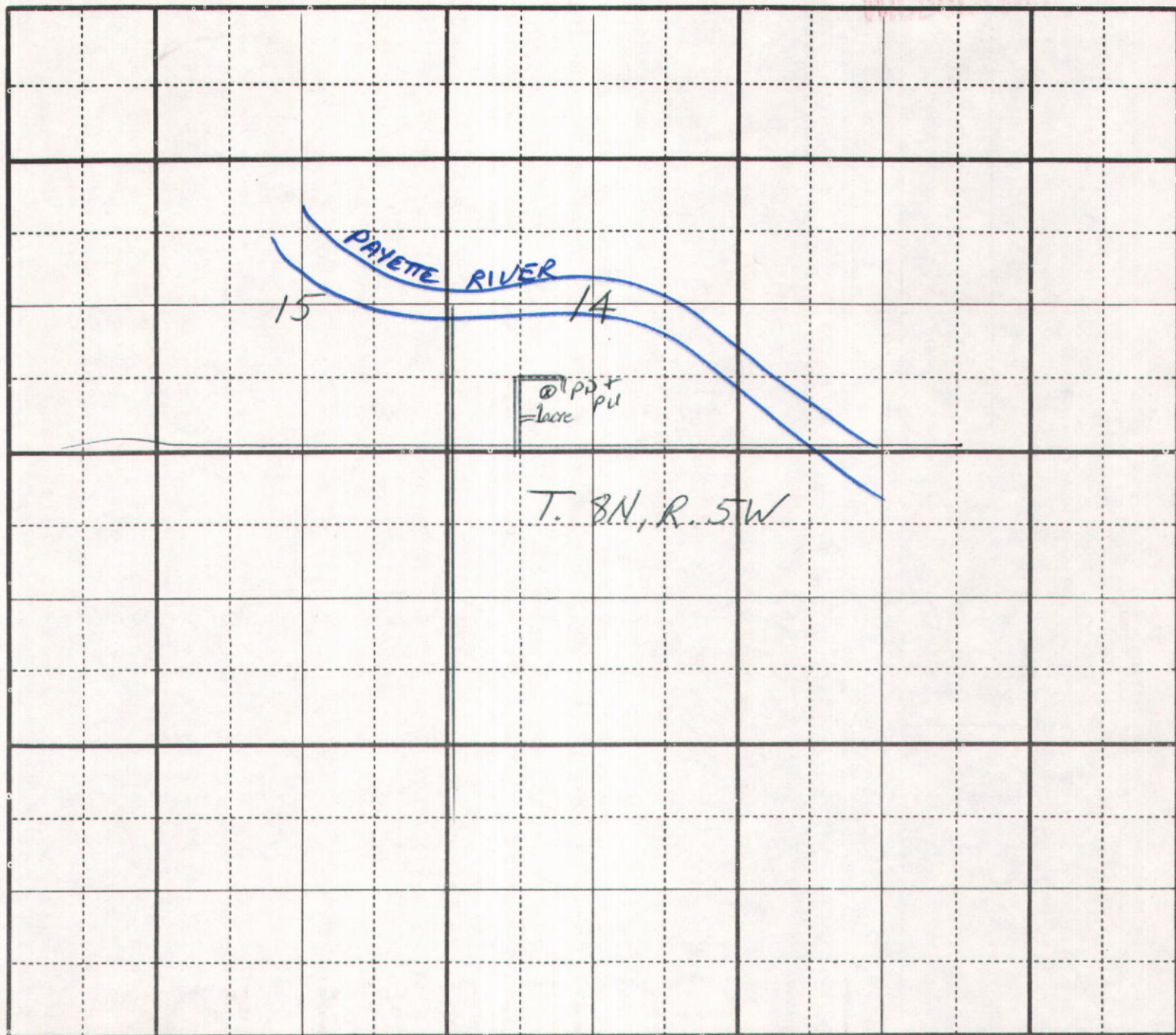


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-12156 Priority November 28, 1978 Amount 0.04 cfs

THIS IS TO CERTIFY, that FRANK FRANEK
of Fruitland, Idaho, has complied with the terms and conditions of Permit
No. 65-12156 issued pursuant to Application for Permit dated August 1, 1978,
and has submitted proof to the Department of Water Resources on November 28, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.12 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

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 1</u> to <u>October 31</u>	at <u>0.04</u> cfs and	<u>4.5</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
4.5 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, Twp. 8N,
Rge. 5W, B.M., in the County of Payette

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8N	5W	14																	1

Total number of acres irrigated 1

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 14 day of
August, 19 79.

Deputy Director

MICROFILMET

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use

RECEIVED
1978
Department of Water Resources

Comes now Frank Franek

of (address) Rt. #2 Fruitland, Idaho 83619, 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. 65-12156, and requests that the permit and permit map be changed as follows:

1. Point of diversion: 1/4 1/4, Section , Township , Range , B.M.,
County of . Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.04 for Irrigation purposes from 3/1 to 10/31 (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)

3. Place of use or land to be irrigated: (Lots 8 & 10) Block #2 Country Whiting Estates)

TWP	RGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
8N	5W	14											1.0						1.0

Total number of acres to be irrigated = 1.0

4. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or the 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:

MICROFILMED

Show 40-acre subdivisions, townships, ranges and ditches.

14

TBN

Point of transit

© Place of Use

R. 5 W.B.M.

Scale. 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at San Francisco this 17 day of Nov., 1978
Rebecca Soloko
Frank [Signature]
 (Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by JG Fee \$20.00 (see memo) Received by _____ Date N/A
Publication prepared by _____ Date N/A Published in N/A
Publication dates N/A

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Chief, Operations Bureau of the Department of Water Resources hereby
APPROVE this application for amendment submitted on Permit No. 65-12156.

Witness my hand this 30th day of November, 19 78

19 78
A. Glen Saxton
Chief, Operations Bureau

DBS

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 Frank Franek Phone 452-4931

Post office address Rt. 2 Fruitland, ID 83619

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

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14 Township 8N

Range 5W B.M. Payette County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 0.04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well & pump

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 8 inches; proposed depth of well is 50 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: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14 Township 8N
Range 5W B.M.

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

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

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.

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

APPROVED

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

[illegible]

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. none

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 _____

RSW

TBN

14

@ pd + place of use

Frank Frank.
(Applicant)

Proposed Priority 8/01/78
Received by ST Date 8/1/78 Time 11:00 AM
Preliminary check by ST Fee \$ \$20.00
Receipted by ST Date 8-2-78 # 11185
Publication prepared by ST Date 8-3-78
Published in Independent Enterprise, Payette
Publication dates 8/10 & 8/17
Publication approved AW Date 8-25-78
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by DBS jg

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. 65-12156, 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 October 1, 1979.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this 5th day of September, 1978.

L. Glen Sayton
Chief, Operations Bureau

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice

(First Copy)

Application for Water Permit
TITLE OF PUBLICATION

Frank Franek 65-12156
SPONSOR OR PLAINTIFF

Idaho Dept. Water Resources
PLAINTIFF OR LEGAL AGENT

D. Sharon L. Swanson, being
duly sworn, deposes and says:

That *he* is the *principal Clerk* of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
two (2) consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement, that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with
Aug 10, 19 *78*, and ending with the issue
of *Aug 17*, 19 *78*.

Subscribed and sworn to before me this *20* day
of *August*, 19 *78*.

Mary Anne Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires *April 28*, 19 *80*.

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:

65-12156

Name: FRANK FRANEK
Address: Rt. 2 Fruitland, Idaho
Source: GROUNDWATER
Date Filed: August 1, 1978
County: Payette
Amount: 0.04 cfs
Point of Diversion: SE 1/4 SW 1/4 Sec. 14 T 8N R 5W, B.M.
Use: domestic purposes from Jan 1 to Dec. 31
Place of Use: SE 1/4 SW 1/4 Sec. 14 T 8N R 5W, B.M.
Means: well and pump
If issued, the permit(s) will be subject to all prior water
rights. Protests against the granting of any permit must be
filed with the Director of the Idaho Department of Water
Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before
August 28, 1978

C. STEPHEN ALLRED
Director

Published in the Independent-Enterprise, Payette, Idaho on
August 10, 1978 and August 17, 1978
No. 818

8-10 2tc

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines *25*

Number of Insertions *2*

25 Lines @ *42 1/2*... \$ *10.63*

25 Lines @ *30 1/2*... \$ *7.63*

TOTAL COST
WILL BE \$ *18.26*

Nº 818



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

Storehouse

Boise, Idaho 83720

(208) 384-2215

August 14, 1979

RE: Permit No. 65-12156

Frank Franek

Rt #2

Fruitland, Idaho 83619

Dear Mr. Franek,

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

Sincerely,

JAN GROVER
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

RECEIVED
AUG 15 1979

Glen

→ JAN

Should not the
date of priority,
or a type of use
amendment be advanced
to the day the
amendment is signed?

8/12

DKH

Jan' Advance the
Priority
to 11/30/78. Note that
the sig. date will change
Dave

MICROFILMED

Dave T,

- If more
water will
be diverted under
an amendment
than was originally
approved, the
priority should
be advanced.

- In this case, a
change from Low (0.4 ft
1.2 AF) to i **MICROFILMED** 5.0 ft
Priority should be advanced
+26

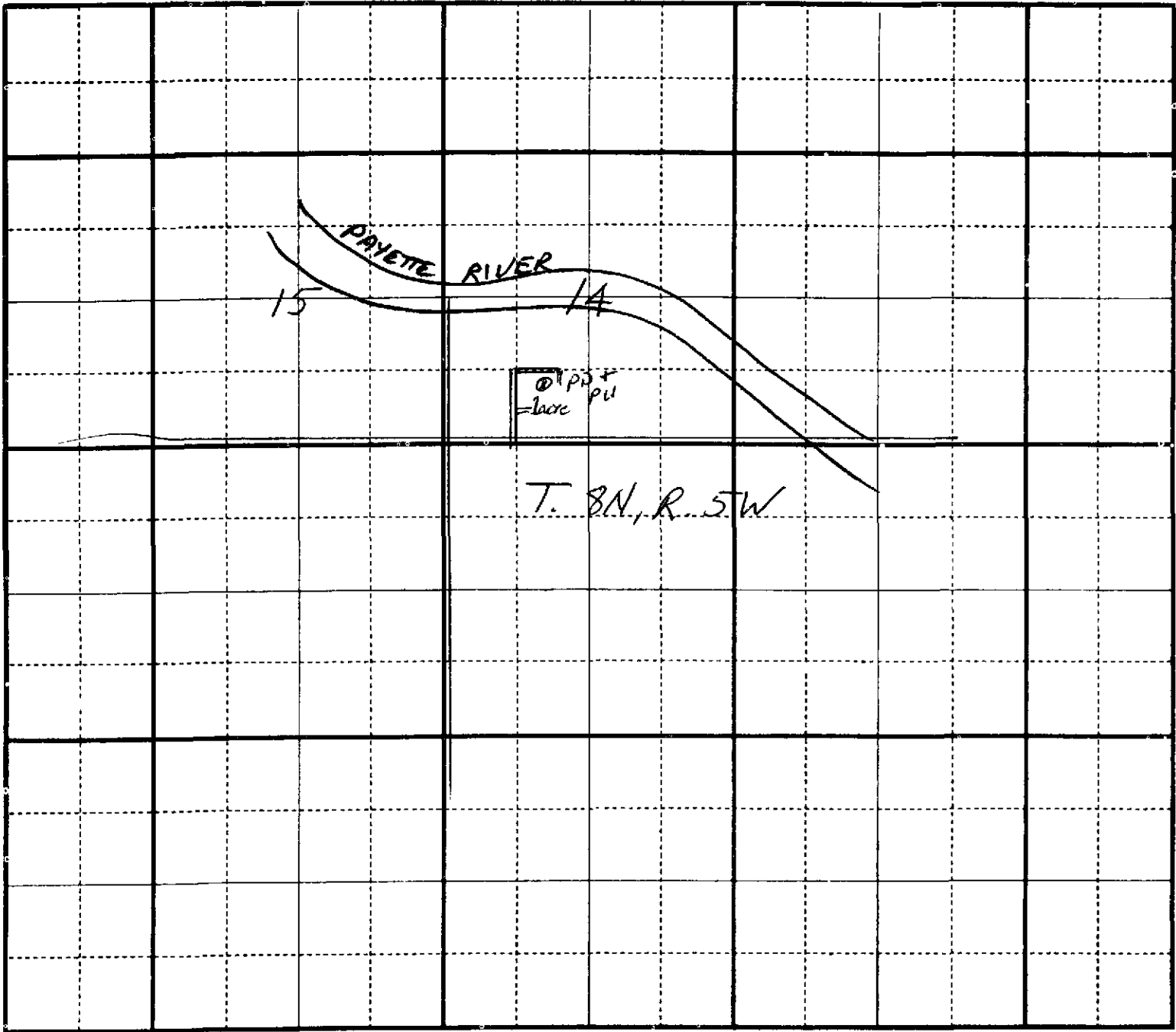


Diagram of System

DATE OF EXAM 6/25/79

ACREAGE

Found 1
Recommended 1

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = .04 c.f.s. V = 4.5 AF/Ann. from 3/1 to 10/31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 0.42 sec 13 cfs ^{figure} Method of measurement DIRECT MEASUREMENT

Total Q recommended .04 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 4.5 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

$Q = 2 \text{ hp } (80\% \text{ EFF}) (8.8) / 30 \text{ ft } (1/4") + 40' \text{ CIFT} = 13 \text{ cfs?}$

$5.38 \text{ gpm} / 3/16" \text{ NOZZLE @ } 20 \text{ PSI}$

$Q = 10 \text{ SPRINKLES } (5.38 \text{ gpm}) (.002225) = .12 \text{ cfs?}$ ^{DIRECT MEASUREMENT}

$V = .12 \text{ cfs } (1.55) (213 \text{ days/yr}) = 50.6 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

8" X 65' WELL, 2 hp
2.0" LINE TO 29 - 1/2" TO 3/4" LINES TO SPRINKLERS, 3/16" NOZZLE RR
4 - 3/4" HOSE OUTLETS ALSO, 30 TO 60 PSI. 7 - 3/16" @ 30 PSI
NORMALLY 10 3/16" NOZZLES AREA X 30 PSI
1/4 AC LOT, HOV. + CRV. TAKE UP 1/2 AC.

REMARKS:

Examiner's Signature Charles W. Bryan Jr. Date 6/27/79

Checked by William J. [unclear] Date 3/25/1979

Approved by _____ Date _____



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

December 1, 1978

Frank Franek
Route 2
Fruitland, ID 83619

Dear Mr. Franek:

Re: Permit No. 65-12156

Enclosed is a copy of the approved application for amendment submitted on the above referenced permit.

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Boise (384-2190).

Sincerely,

RITA FLECK
Water Rights

MICROFILMED

RECEIVED
NOV 15 1978
Identification No. 65-12156
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

1. a) Name of permit holder Frank Franek

b) Post office address Rt. #2 Fruitland, Idaho 83619

2. Permit number 65-12156

3. Date of priority that you are prepared to establish 8-1-78

4. a) Source from which water was appropriated Groundwater

b) Location of the point of diversion: SE 1/4 SW 1/4, Section 14

Township 8N, Range 5W Boise Meridian. Other points of diversion:

5. a) The amount of water and use to which the water has been applied:

Amount 0.04 for Irrigation purposes from 3/1 to 10/31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)

b) Total amount appropriated 0.04 cfs and/or acre-feet per annum.

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:

Test pumped at 50 g.p.m.

6. If the means of diversion and conveyance are owned by someone other than the permit holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement of understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):

Submersable pump & sprinkler system

b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

none

12/1/78

Total number of acres irrigated

Frank T. Lamm
(Signature)

Dally Trinkaus
Notary Public
Residing at Tampa

DATE 11/17/78

FROM R. Hamilton

TO File No. 65-12156

SUBJECT Amended application.

Mr. Frank Franek, Route #2, Fruitland, Idaho was in to make proof of beneficial use on the above numbered permit. When he was informed the permit was for domestic use he advised me that he had another filing for domestic use. He has been contacted by our Department advising him that his new application should show domestic since a half acre of land could be irrigated under a domestic right. I talked with Bob Fleenor and we have now amended the application to show irrigation as the use. Since we were the ones who advised them to change from irrigation in the first place there was no fee charged. We can see no reason why this needs to be readvertised. I then took the proof of beneficial use on the permit. I am enclosing the original application which shows they intended to have the permit show irrigation as the use. If you have any questions, call me.

cc: Frank Franek

R. Hamilton
SIGNATURE

Talked to Lee Lisco
7/31/78 -

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR PERMIT

JUL 10 1978

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

Department of Water Resources

1. Name of applicant FRANK FRANEK Phone: 452 4931

post office address R. 2, FRUITLAND, IDAHO - ZIP 83619

2 Source of water supply 8" well which is a tributary of underground

3 a Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14 Township 8
Range 5 W.B.M. County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into stayin well at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 1/2 ac hand for irrigation purpose from Jan 31 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount hand for irrigation purpose from Jan 31 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose 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. _____ acre feet per annum

6. Proposed diverting works:

a Description of ditches, flumes, pumps, headgates, etc. 2 inch Submurgable
Pump - 50 FEET DEEP.

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

Period of year during which storage will occur _____ to _____ inclusive
(Mo Day) (Mo Day)

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

7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 2 days years

b Estimated construction cost is \$ _____.

8 Description of proposed uses

a If water is **not** for irrigation

(1) Give the place of use of water SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14 Township 8
Range 5 W.B.M.

(2) Amount of power to be generated. _____ hp 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 Over home only

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

RECEIVED

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

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated *no acreage*

c. Describe any other water rights used for the same purposes as described above. *This well just for yard & garden irrigation*

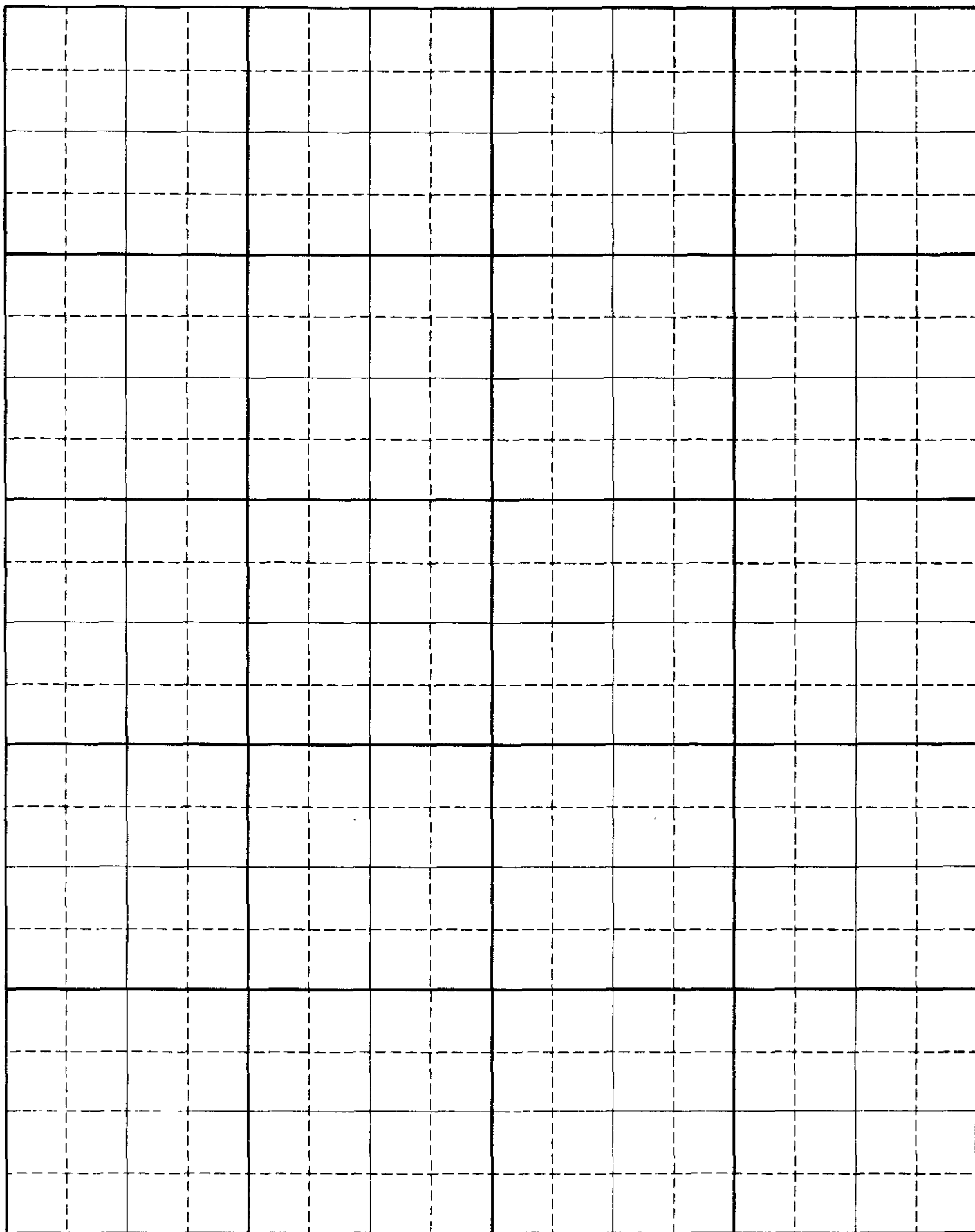
9. a. Who owns the property at the point of diversion _____

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 _____

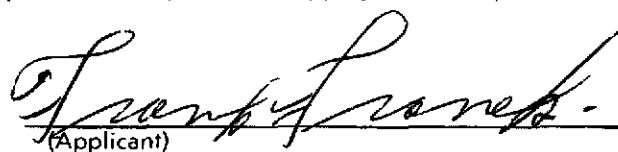
10. Remarks *Well pumped 50 gal per min. we went trying to make a big irrigation well. Max Hallaway*

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


(Applicant)

Received by BK Date 7-10-78 Time 9:10 AM
Preliminary check by web 7-25-78 10:30 AM Fee \$ none enclosed \$20.00

Receipted by _____ Date _____

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

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 _____, and said application is hereby _____.

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 _____, 19____.

c. Other: _____

2. Denial of said application is for the following reasons. _____

Witness my hand this _____ day of _____ 19____.

Director



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

September 13, 1978

Re: Permit No. 65-12156

Frank Franek
Route #2
Fruitland, ID 83619

Dear Mr. Franek:

Your approved copy of Application for Permit No. **65-12156** 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.

MICROFILMED

MICROFILMED

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

65-12156

STAFF REVIEW - STATE OFFICE

1. OK Name vs. Signature
2. G.W. Source
3. OK 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. App Property Owner at ✓ Pt. of Div. & ✓ Pt. of Use
10. OK Map
11. OK 20.00 Fee & Rec't. No. 8/1/78

Copies Sent To:

<u>N</u> ✓ Idaho Health Department	<u>N</u> / U.S.F.S.
<u>N</u> Idaho Fish & Game Dept.	<u>N</u> / Dept. of Lands
<u>/</u> <u>A</u> Bureau of Land Management	<u>/</u> <u>A</u> Other

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

Check:

Critical G.W. Area yes ✓ no

Other rights on same land none listed

N/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 /

Payette River Letter /

Priority Date 8/1/78

Water Quality #16 /

Water Quality #10 /
intrastate interstate

Meas. Dev. or Sc. Meas. /

Totalizing meter /

Supplemental /

Right-of-Way Cond. /

Watermaster Cond. /
Wtr. Dist No. /

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

Jim Reviewer
9/1/78 Date

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-12156

☒ 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) 65 8/1/78

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) 65 8/1/78

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 _____

(10) _____

Comments: _____

(11) 65 8-25-78

Affidavit of Publication received(date) 8-25-78

(12) _____

Final date for protests 8-28-78
Protests received: yes _____ no _____

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

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 [Signature] Date 8-25-78

I.P. Gw letter.
RECEIVED
AUG 30 1978
Department of Water Resources
MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

August 3, 1978

RE: Application Nos. 65-12156 - Frank Franek

Independent Enterprise
Box 520
Payette, ID 83661

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. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before August 28, 1978.

Sincerely,

RITA FLECK
Secretary

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 ~~August 28, 1978~~.

C. STEPHEN ALLRED

Director

Published in the ~~Independent Enterprise, Payette, Idaho~~
on ~~August 10, 1978~~ and ~~August 17, 1978~~.

MICROFILMED

~~65-12156~~

Name: FRANK FRANEK

Address: Rt. 2 Fruitland, Idaho

Source: GROUNDWATER

Date Filed: August 1, 1978

County: Payette

Amount: 0.04 cfs

Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 14 T 8N-R 5W, B.M.

Use: domestic purposes from Jan 1 to Dec 31

Place of Use: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 14 T 8N-R 5W, B.M.

Means: well and pump

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

August 3, 1978

RE: Application No. 65-12156

Mr. Frank Franek
Route 2
Fruitland, ID 83619

Dear Mr. Franek:

Enclosed is your Receipt No. 11185 in the amount of \$ 20.00
for Application No. 65-12156 which was received in
this office on August 1, 1978.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

August 3, 1978

RE: Application No. 65-12156 - Frank Franek

Independent Enterprise
Box 520
Payette, ID 83661

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. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

Independent Enterprise
Frank Franek
(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before August 28, 1978.

Sincerely,

Rita Fleck

RITA FLECK
Secretary

MICROFILMED