



**MICROFILMED**

APR 04 1988

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 four 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 August 10, 1978, and ended August 7, 1978.

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 17 day of August, 1978.

Carl D. Parfit Notary Public.  
 My commission expires Aug. 1, 1981.

RECEIVED  
 SEP 18 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:

65-12155

Name: HOWARD O.  
 KOELLING, SR.

Address: 307 EAST 43rd  
 Boise, ID 83702

Source: unnamed springs

Date Filled: 7-25-78

County: Valley

Amount: 0.04 cfs

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$   
 Sec 34 T 12N R 4E B.M.

Use: domestic purposes from  
 Jan 1 to Dec 31

Place of Use: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec  
 34 T 12N R 4E B.M.

Means: collection pipe and  
 reservoir

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 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.

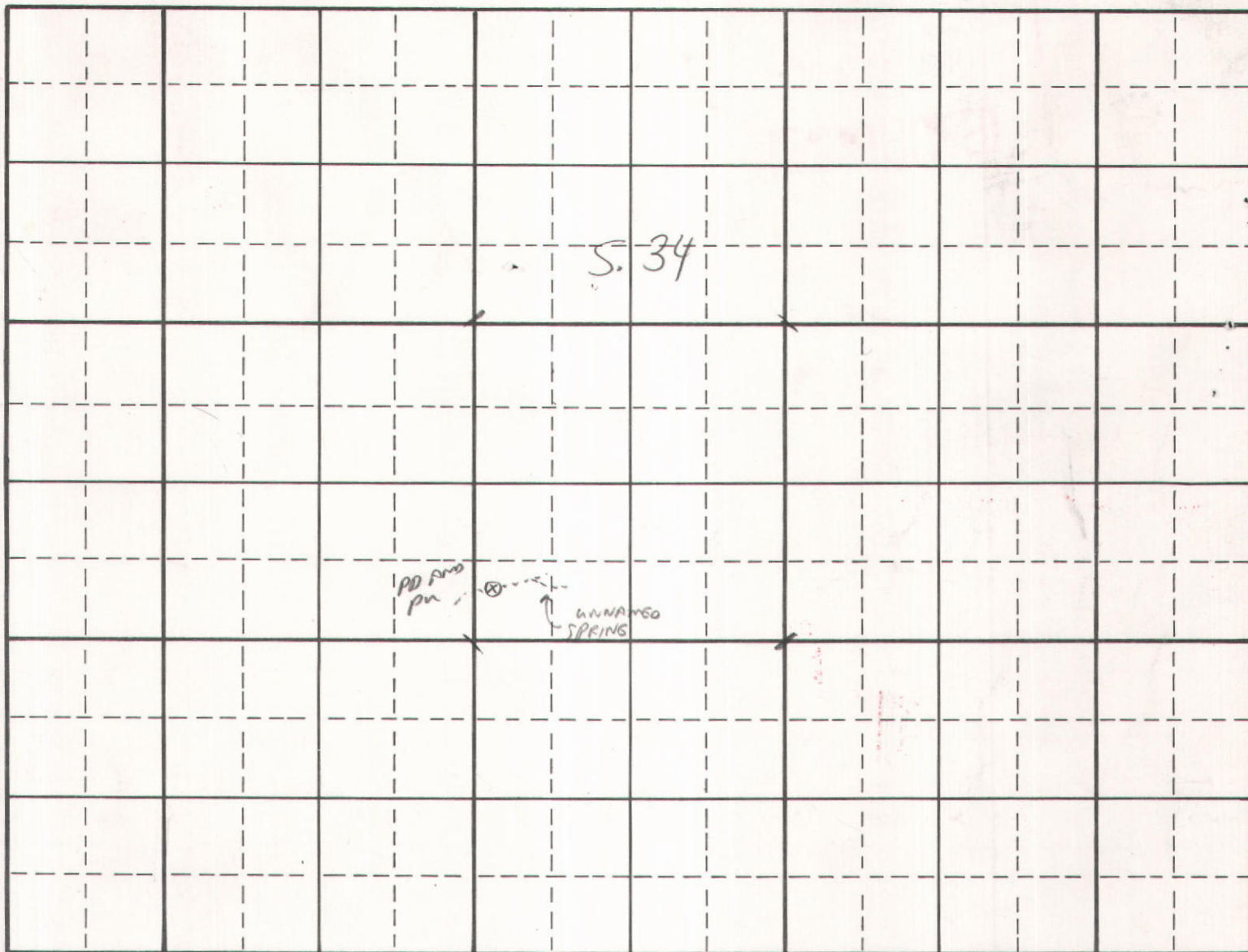
C. STEPHEN ALLRED  
 Director

Published in the Star News on  
 August 11, 1978 and August 18,  
 1978.

*Handwritten:* 0.04 cfs

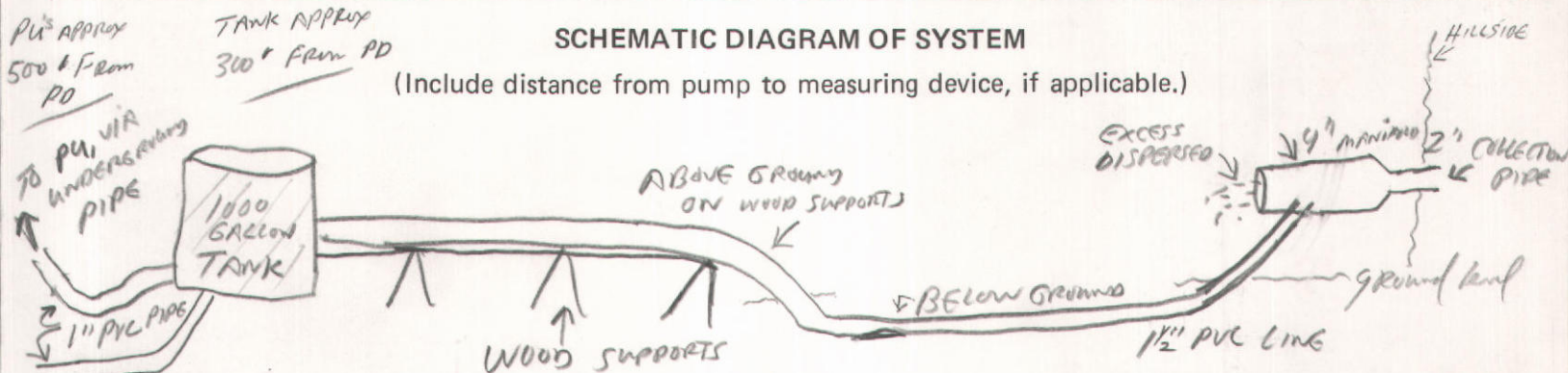
*Handwritten:* 45.5

MICROFILMED



**SCHEMATIC DIAGRAM OF SYSTEM**

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



Point(s) of diversion:

GOVT. LOT 4, SW SW, S. 34, 12 N., 4 E.

Place(s) of Use

| TWP. | RGE. | SEC. | NE% |     |     |     | NW% |     |     |     | SW% |     |       |     | SE% |     |     |     | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|-----|-----|-----|-----|-----|--------|
|      |      |      | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW%   | SE% | NE% | NW% | SW% | SE% |        |
| 12 N | 4 E  | 34   |     |     |     |     |     |     |     |     |     |     | LOT 4 |     |     |     |     |     | ✓      |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |

Recommended Amendments:

- ☐ Change P.D. as reflected above  
☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above  
☐ Add P.U. as reflected above

- ☒ None  
☐ Other

Examiner's Signature

*John Lester*

Checked by

Approved by

Date

7/17/86

Date

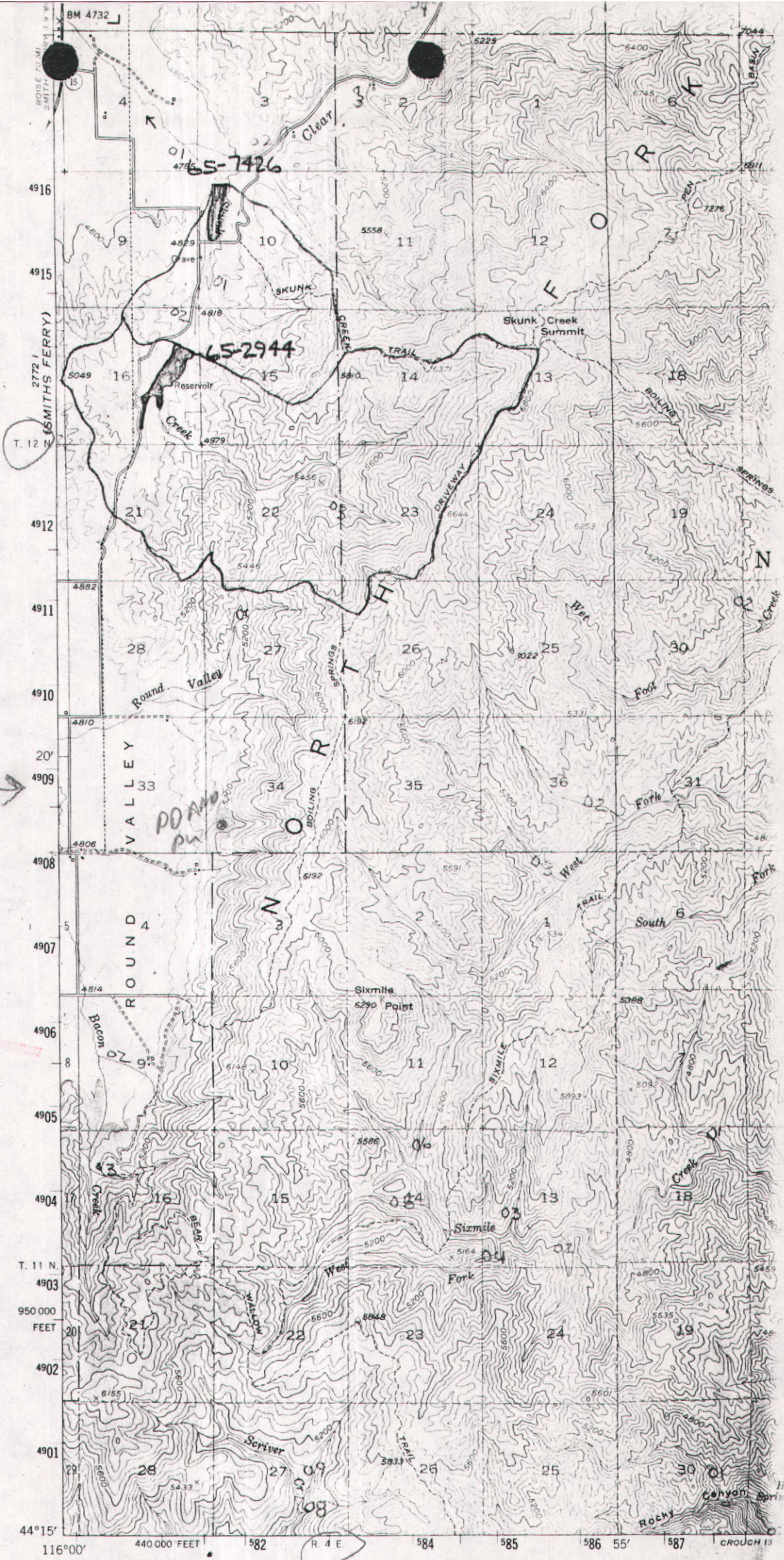
Date

**MICROFILMED**

APR 04 1988

65-12155

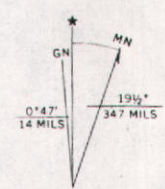
S. 34 →



**MICROFILMED**  
APR 04 1988

(BANKS)  
2772 II

Mapped, edited, and published by the Geological Survey  
Control by USGS and USC&GS  
Topography from aerial photographs by multiplex methods  
Aerial photographs taken 1948. Field check 1953  
Polyconic projection. 1927 North American datum  
10,000-foot grid based on Idaho coordinate system, west zone  
1000-metre Universal Transverse Mercator grid ticks,  
zone 11, shown in blue  
Dashed land lines indicate approximate locations  
Unchecked elevations are shown in brown



UTM GRID AND 1953 MAGNETIC NORTH  
DECLINATION AT CENTER OF SHEET

THIS MAP  
FOR SALE BY U.S. GEOLOGIC  
A FOLDER DESCRIBES

# WATER RIGHT SPLIT

## SUMMARY

| ACTION          | RIGHT NO. | NAME                      | AMOUNT C.F.S. |
|-----------------|-----------|---------------------------|---------------|
| Orginial Permit | 65-12155  | Howard O. Koelling, Sr.   | .04 cfs       |
| Full Assignment | 65-12155  | Nampa Paint and Glass Co. | .04 cfs       |

State of Idaho  
Department of Water Resources

## WATER RIGHT LICENSE

WATER RIGHT NO. 65-12155

Priority: July 25, 1978 Amount: .04 CFS 2.4 AFA

This is to certify, that NAMPA PAINT AND GLASS CO.

816 3RD ST. S.

NAMPA, ID 83651

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated July 25, 1978, and has submitted proof to the Department of Water Resources on August 23, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .04 cfs of water from;

### SPRINGS

and that a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>VOLUME</u> |
|-----------------------|----------------------|--------------------------|---------------|
| Domestic              | 01/01 to 12/31       | .04 cfs                  | 2.4 afa       |

LOCATION OF POINT OF DIVERSION(S): LOT 4( SWSW), Sec. 34, Township 12N, Range 4E  
Valley County

PLACE OF USE: Domestic

TWN RGE SEC

12N 4E 34 LOT 4(SWSW)

### CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this license is subject to control by the watermaster of State Water District No. 65 .
5. Domestic use is for 2 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 15th day of March, 1988.

**MICROFILMED**

*R. Keith Higgins*  
Director

APR 04 1988



RECEIVED

APR 14 1968

RECEIVED

State of Idaho

Department of Water Resources

AUG 18 1982

ASSIGNMENT OF PERMIT

Department of Water Resources

I, HOWARD O. KOELLING, SR., hereby assign to Nampa Paint & Glass Co.

of 383 Winther Blvd., Nampa, Idaho 83651

Address

CHECK ONE



All my right, title, and interest in and to Permit No. 65-12155 to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit No. \_\_\_\_\_ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

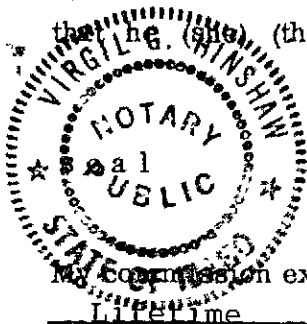
Made this 20th day of July, 19 82.

x Howard O. Koelling Sr.  
Permit Holder

x Amanda Koelling  
Spouse of Permit Holder

State of Idaho )  
County of VALLEY ) ss.

On this 20th day of July, 19 82, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me the he (she) (they) executed the same.



Virgil E. Minshaw  
Notary Public residing at  
Cascade, Idaho

RECEIVED

AUG 18 1982

Department of Water Resources  
Western Regional Office

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 two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began August 12, 1978 and ended August 17, 1978.

Michael Parfit  
Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 17 day of August, 1978.

Richard J. Hoff Notary Public.  
My commission expires August 1, 1981.

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

65-12155

Name: HOWARD O. KOELLING, SR.

Address: 307 EAST 43rd Boise, ID 83702

Source: unnamed springs

Date Filled: 7-25-78

County: Valley

Amount: 0.04 cfs

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 34 T 12N R 4E B.M.

Use: domestic purposes from Jan 1 to Dec 31

Place of Use: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 34 T 12N R 4E B.M.

Means: collection pipe and reservoir

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 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 Star News on

65-12155-10

AS 55.

March 15, 1988

NAMPA PAINT AND GLASS CO.  
816 3RD ST. S.  
NAMPA, ID 83651

RE: Permit No. 65-12155

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

**RECORDED**

APR 04 1988

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT

816 3rd St S.  
Nampa, Id 83651

65-12155

Permit No.

CONTACT WITH PERMIT HOLDER

|                                                                                          | DATE    | INITIALS | REMARKS                                |
|------------------------------------------------------------------------------------------|---------|----------|----------------------------------------|
| <input type="checkbox"/> Appointment letter mailed:                                      | 11/2/82 | jp       | no appt. made                          |
| <input checked="" type="checkbox"/> Telephone call made:<br>(List Telephone No. used)    | 7/11/86 | SL       | 376-2896                               |
| <input checked="" type="checkbox"/> Appointment scheduled for:<br>(Date, time, location) | 7/17/86 | SL       | ANYTIME - DROP BY, NO ONE WILL BE HOME |

EXAMINATION

Date 7/17/86 Accompanied by NO ONE HOME Total Q measured NA  
If source is surface water, estimate total flow of source NA  
Methods of measurement NONE Meets Permit requirements? YES

Measurement calculations:

- NO MEASUREMENT POSSIBLE FOR FLOW .04 cfs, 2 homes  
- ~~.04 x 1.98 x 365 = 28.91 AFA~~ 2 x 1.2 = 2.4 AFA

| WELL/DIVERSION* NO. | HP | MOTOR MAKE | MOTOR SERIAL NO. | PUMP MAKE | PUMP SERIAL NO. | MEASURING DEVICE TYPE | CONDITION OF MEAS. DEV. | REMARKS |
|---------------------|----|------------|------------------|-----------|-----------------|-----------------------|-------------------------|---------|
|                     |    | NONE       |                  |           |                 |                       |                         |         |

System Description SPRINGS. 2" COLLECTION PIPE INTO 4" MANIFOLD, 1 1/2" PVC PIPE RUNS BOTH UNDER AND ABOVE GROUND DOWNHILL APPROX 300' TO 1000 GALLON WOODEN TANK. 2 1" PVC PIPES RUN FROM TANK TO PUL (2 DOMESTIC).

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

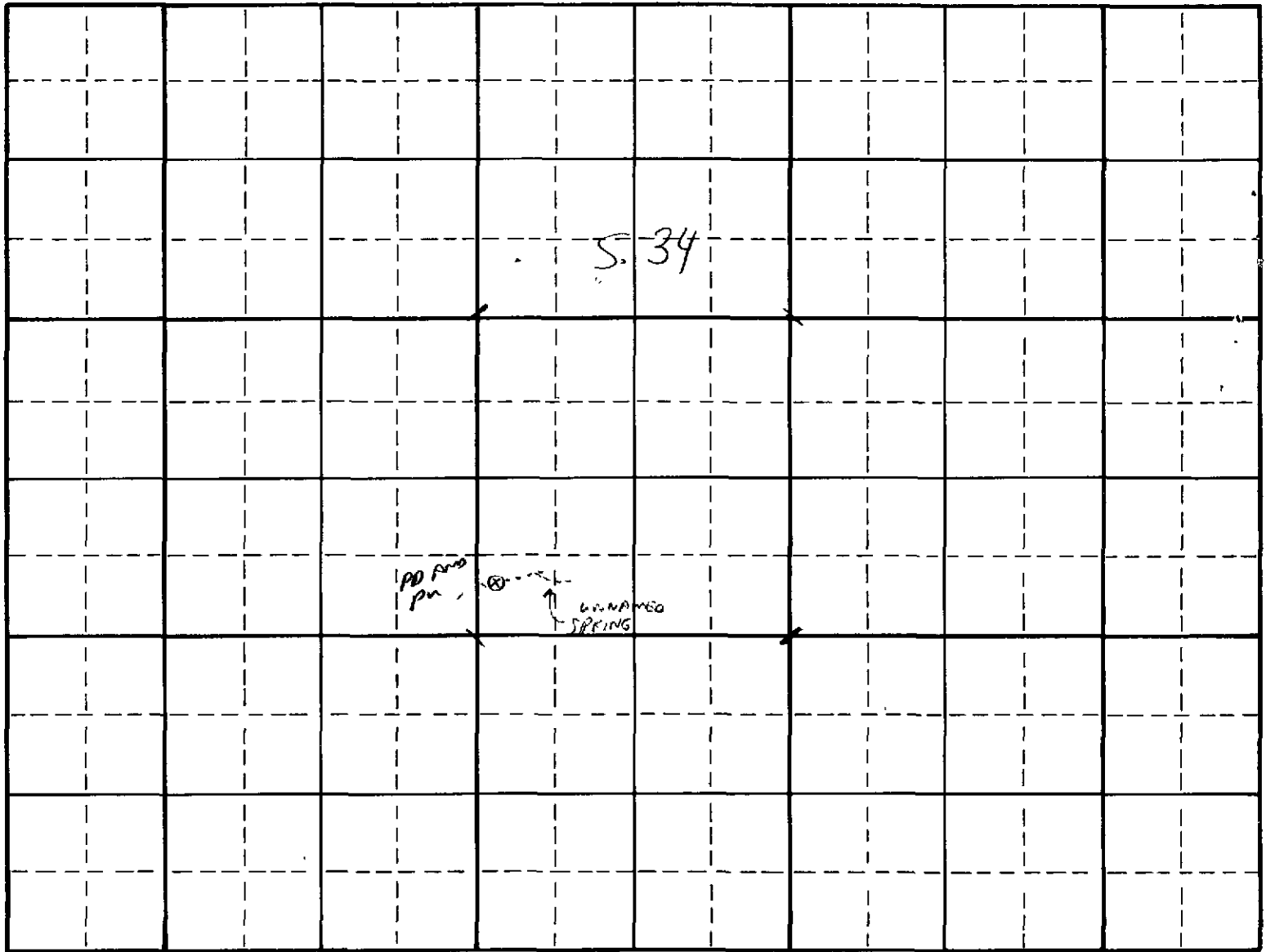
RECOMMENDED AMOUNTS

| USE                           | Q (cfs) | V (afa)                 | FROM | TO    |
|-------------------------------|---------|-------------------------|------|-------|
| <del>DOMESTIC</del> (2 UNITS) | .04     | <del>28.91</del><br>2.4 | 1/1  | 12/31 |
|                               |         |                         |      |       |
|                               |         |                         |      |       |
|                               |         |                         |      |       |
|                               |         |                         |      |       |
|                               |         |                         |      |       |
|                               |         |                         |      |       |
|                               |         |                         |      |       |
|                               |         |                         |      |       |
| Total                         | .04     | <del>28.91</del><br>2.4 | 1/1  | 12/31 |

Remarks PO OVERLAP WITH 65-12612: PERMIT, UNNAMED STREAM, IS A MORE SOPHISTICATED SYSTEM CLOSE TO 65-12155 BUT ON A DIFFERENT STREAM IN SE 1/4 SEC 4, S. 33, T. 12N, R. 4E.

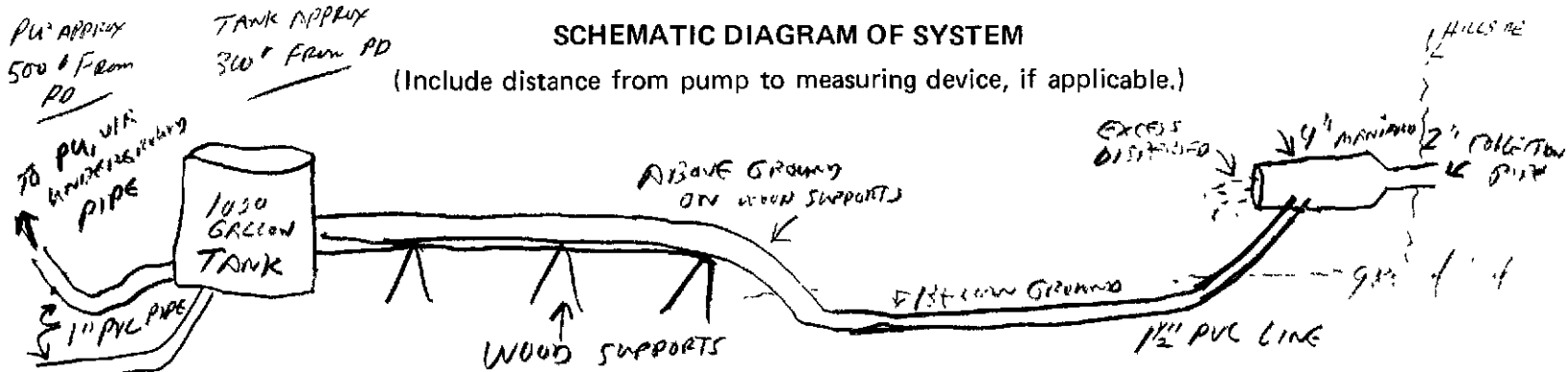
MICROFILMED

APR 04 1988



SCHEMATIC DIAGRAM OF SYSTEM

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



Point(s) of diversion: \_\_\_\_\_  
P42 GOVT. LOT 4, SW SW, S. 34, 12 N., 4 E.

Place(s) of Use

| TWP. | RGE. | SEC. | NE% |     |     |     | NW% |     |     |     | SW% |     |       |     | SE% |     |     |     | TOTALS |
|------|------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|-----|-----|-----|-----|-----|--------|
|      |      |      | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW%   | SE% | NE% | NW% | SW% | SE% |        |
| 12 N | 4 E  | 34   |     |     |     |     |     |     |     |     |     |     | LOT 4 |     |     |     |     |     | ✓      |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |
|      |      |      |     |     |     |     |     |     |     |     |     |     |       |     |     |     |     |     |        |

Recommended Amendments:

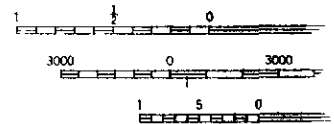
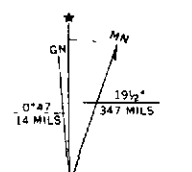
- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☒ None
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☐ Other \_\_\_\_\_

Examiner's Signature Steven Lester Date 7/17/86  
Checked by \_\_\_\_\_ Date \_\_\_\_\_  
Approved by \_\_\_\_\_ Date \_\_\_\_\_

MICROFILMED  
APR 04 1988

Topographic map of the Skunk Creek area in Missouri. The map shows contour lines, roads, and various landmarks. Key features include Skunk Creek, Skunk Creek Summit, Round Valley, and various roads and trails. Handwritten annotations include '65-7426', '65-2944', 'PO Box 100', 'R 4 E', and 'CROUCH'. The map also shows a 'SMITHS FERRY' and a 'ROAD'.

Unchecked elevations are shown in brown



UTM GRID AND 1953 MAGNETIC NORTH  
DECLINATION AT CENTER OF SHEET

THIS MAP  
FOR SALE BY U S GEOLOGIC  
A FOLDER DESCR-

**MICROFILMED**  
APR 11 1968

APR 04 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet  
for  
Beneficial Use Field Report

12 N 4E 5.34 SWSW  
65-12155  
Permit No.  
RECEIVED  
DEC 18 1986

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index 52 7/15/86 (Initial and date)  
Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?  
Type of Overlap? ☐ Add acres or uses to existing system  
☐ Increase rate of flow or volume  
☒ Other: 65-12612 PERMIT, SPRING IS UNNAMED SPRING

Check of P/U index 52 7/15/86 (Initial and date)  
Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?  
Type of Overlap? ☐ Increase rate of flow or volume  
☐ Add P/D's  
☐ Increase number of acres within tracts  
☐ Other: \_\_\_\_\_

Aerial Photo  
Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? 52 7/10/86 (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Steve Lester 7/17/86 (Signature of examiner and date)  
Exam Reviewed by Senior Water Resource Agent BD 8-7-86 (Initial and date)  
Exam Reviewed by Manager of Regional Office DET 12/8/86 (Initial and date)  
Exam Date Entered in Computer 7/17 12-10-86 (Initial and date)  
Exam sent to State Office \_\_\_\_\_ (Initial and date)  
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File 7/12 12-10-86 (Initial and date)

**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 Howard O. Koelling, Sr. Phone 376-2896

Post office address 307 East 43rd Boise, Idaho

2. Source of water supply unnamed springs which is a tributary of \_\_\_\_\_

3. Location of point of diversion is SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 34 Township 12N

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

Southwest SW Section 34 T 12N R 4E BM

4. Water will be used for the following purposes:

Amount .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. .04 cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2" collection pipe into 4" manifold  
then 1,000 gal. reservoir

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 .5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 34 Township 12N

Range 4 E 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 2.

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

MICROFILMED

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

| TWP | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated \_\_\_\_\_

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

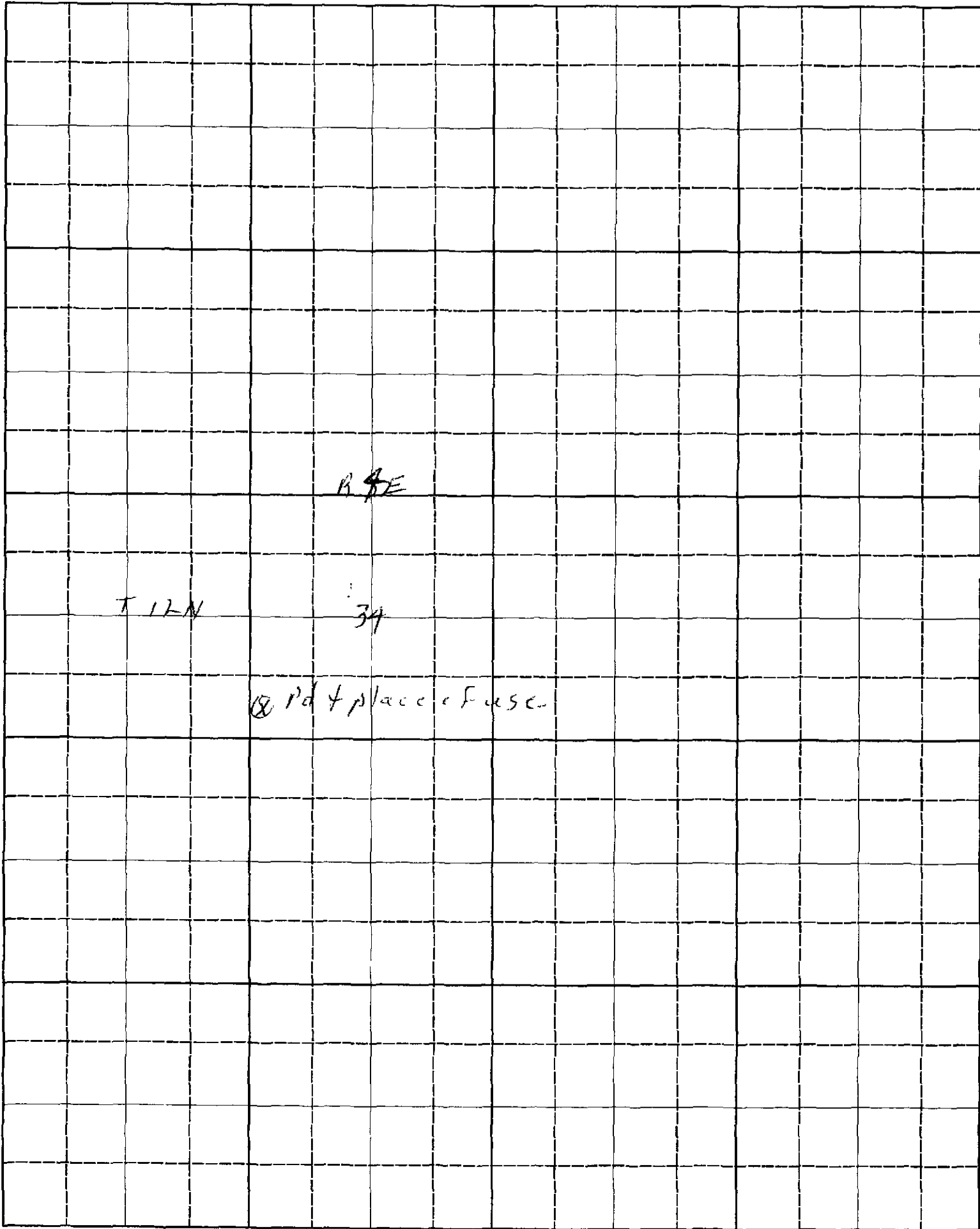
9. a. Who owns the property at the point of diversion Howard O. Koelling Sr.

b. Who owns the land to be irrigated or place of use Howard O. Koelling Sr.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

10. Remarks \_\_\_\_\_

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



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.

*Harold A. Trullinger, Sr.*  
(Applicant)

Proposed Priority 7/25/78

Received by GLS Date 7/25/78 Time 3:30

Preliminary check by \_\_\_\_\_ Fee \$ \$20.00 # 11176

Received by GLS Date 7/25/78

Publication prepared by ST Date 7/27/78

Published in The Star News

Publication dates 8/11/78 & 8/18/78

Publication approved DBS Date 9-25-78

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by DBS JP

#### 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. 65-12155, 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, \_\_\_\_\_, 19 83.
- 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 4<sup>th</sup> day of October, 19 78

L. Glen Sayton

Chief, Operations Bureau



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

Mailing address:  
Storehouse  
Boise, Idaho 83720  
(208) 334-2190

November 2, 1982

Nampa Paint & Glass Co., Inc.  
816 3rd St. So.  
Nampa, ID 83651

Re: Permit No. 65-12155

Dear Gentlemen:

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

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for \_\_\_\_\_.

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

*Judy Pense*

Judy Pense  
Secretary

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. 65-12155

Name(s) of Permit Holder: Nampa Pumps & Glass Co., Inc.

Post Office Address: 816 3rd St., So.

Nampa, Id. 83651 Tel. No. 466-5582

Source of Water: \_\_\_\_\_

Extent of Use: ☒ Domestic 1 (number of households)  
☐ Stockwater \_\_\_\_\_ (number and type of stock)  
☒ Irrigation less than 1 (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.

Aug 20, 1982  
Date

[Signature]  
Signature of Permit Holder

A.B. 200

816 3rd St. So.

Nampa, Id. - 83651

PLACE  
TEN CENT  
STAMP  
HERE

REGISTERED



AUG 23 1982

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

SEP 1 1982

Department of Water Resources



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

RECEIVED SEP 16 1982

September 15, 1982

Nampa Paint and Glass Co., Inc.  
816 3rd St. South  
Nampa, ID 83651

Gentlemen:

Re: Permit No. (unknown)

We have researched our records and have been unable to locate a water right permit for you. Thus we are returning the Statement of Beneficial Use postcard to you. Please indicate the water right permit number and return to us for further processing.

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

Sincerely,

RITA I. FLECK  
Sr. Secretary

Enclosure

*Rita - Please check  
with Kay Walker. attached  
is a letter from her showing  
Permit No. 6572155!*

*AKB*



DEPARTMENT OF WATER RESOURCES  
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

Mailing address  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

September 16, 1982

RE: Permit No. 65-12155

Nampa Paint & Glass Co.  
383 Winther Blvd.  
Nampa, ID 83651

Gentlemen:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

The 1982 Idaho Legislature added a requirement to your permit. Because of the change, you must commence the excavation and construction of the diverting works for your permit no later than July 1, 1983. The statute further requires that you then proceed with due diligence in completing the diverting works and applying the water to beneficial use.

To maintain the validity of your permit, you must return the Commencement of Works postcard for your permit subject to the requirement. Note that on the card you can indicate that either (1) you have commenced construction or (2) you have been prevented from initiating development due to a factor beyond your control, such as the Idaho Power Moratorium, a required approval of the Federal Government, or litigation which prevents development of the project. Please note the recent purchase of the land is not considered a reason for prevention from initiating development under this permit. Enclosed you will find the Commencement of Works postcard. Please return this card to our office no later than July 1, 1983.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

*for*   
ROBYN CARLSON  
Chief Clerk

RC:kw  
Enclosures

September 16, 1982

RE: Permit No. 65-12155

Nampa Paint & Glass Co.  
383 Winther Blvd.  
Nampa, ID 83651

Gentlemen:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

The 1982 Idaho Legislature added a requirement to your permit. Because of the change, you must commence the excavation and construction of the diverting works for your permit no later than July 1, 1983. The statute further requires that you then proceed with due diligence in completing the diverting works and applying the water to beneficial use.

To maintain the validity of your permit, you must return the Commencement of Works postcard for your permit subject to the requirement. Note that on the card you can indicate that either (1) you have commenced construction or (2) you have been prevented from initiating development due to a factor beyond your control, such as the Idaho Power Moratorium, a required approval of the Federal Government, or litigation which prevents development of the project. Please note the recent purchase of the land is not considered a reason for prevention from initiating development under this permit. Enclosed you will find the Commencement of Works postcard. Please return this card to our office no later than July 1, 1983.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

ROBYN CARLSON  
Chief Clerk

RC:kw  
Enclosures



State of Idaho

## DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-2190

September 13, 1982

A. B. Ellis  
Mountain States Manufacturing Co.  
Box 5465, 4631 Aeronca  
Boise, ID 83705

Dear Mr. Ellis:

I have forwarded the assignment you submitted to the section where they are processed. A letter acknowledging receipt of this assignment along with a copy of the permit will be sent to you once the processing is completed.

In the realtor's letter you enclosed, he mentions that the proof of beneficial use is due by October 1, 1982. However, after pulling the permit file and checking that date it appears the proof is not due until October 1, 1983. This is under the conditions of approval as listed on the fourth page of the permit. I am enclosing a proof of beneficial use card in case you are still prepared at this time to submit proof. If you are not finished with the project covered under this permit you can wait and submit the card about one year from now.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

Jan Grover  
Senior Water Resource Agent

JG:jg

Enc:



**MOUNTAIN STATES PAINT MANUFACTURING CO.**

P. O. BOX 5465 [ 4631 AERONCA ] BOISE, IDAHO 83705 \* PHONE (208) 344-8683

August 16, 1982

Jan Grover  
Dept. of Water Resources  
450 W. State  
Boise, Idaho 83702

Dear Ms. Grover:

Thank you for your help when I called regarding filing the enclosed permit and proof of construction submission.

I'm also enclosing a copy of the realtor's letter of instructions to me.

Very truly yours,

A. B. Ellis  
Chairman and C.E.O.

sr

Enclosure

Department of Water Resources  
Boise, Idaho 83702

VIRGIL G. HINSHAW  
Broker

**VIRGIL G. HINSHAW REALTY**

108 W Pine • P.O. Box 701 • Cascade, Idaho 83611  
Telephone (208) 382-4921

August 4, 1982

Nampa Paint & Glass  
P. O. Box 5465  
Boise, Idaho 83705

Deposited in the Post Office  
at Boise, Idaho

Attention: Mr. Phil Evans

Dear Phil:

In accordance with our telephone conversation of this morning, we are enclosing herewith the following documents:

1. A Certificate of Title for the 1977 Blazer;
2. A Certificate of Title for the 1978 Great Lakes Mobil Home;
3. The original Department of Water Resources Permit for Water Use;
4. The original and one copy of the Assignment of the Water Permit;
5. A Bill of Sale for the various personal property items which Mr. Ellis acquired, including the 1977 Chevrolet Blazer.

The original of the Assignment of the Permit should be filed with the Water Resources Board in Boise. You will note on the last page of the Water Permit that "Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1982". This proof has not been accomplished, and it is necessary that you furnish beneficial proof on or before the expiring date. The Water Resource Board can give you the information as to what is necessary to accomplish this proof of use.

We are still waiting for one Deed to complete the change of title, at which time the Title Insurance Policy will be issued and we will forward the same to you, together with the original of the recorded Deed.

Sincerely,

VIRGIL G. HINSHAW REALTY

*Virgil*  
Virgil G. Hinshaw

VGH:lh

Encls.



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

October 9, 1978

Re: Permit No. 65-12155

Howard O. Koelling, Sr.  
307 East 43rd  
Boise, Idaho

Dear Mr. Koelling;

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

65-12155

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. Spr Source
3. ✓ Point of Diversion
4. ✓ Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 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. & Pl. of Use
10. ✓ Map
11. 20 Fee & Rec't. No.

Copies Sent To:

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

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

Check:

Critical G.W. Area     yes ✓ no

Other rights on same land N/A spring on tract  
related to anything within

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>No</u> | Totalizing meter <u>No</u>                               |
| Snake River Condition <u>No</u>               | Supplemental <u>No</u>                                   |
| Payette River Letter <u>10</u>                | Right-of-Way Cond. <u>No</u>                             |
| Priority Date <u>7/25/78</u>                  | Watermaster Cond. <u>Yes</u>                             |
|                                               | Wtr. Dist No. <u>65</u> <u>Payette</u>                   |
| Water Quality #16 <u>N/A</u>                  | Meas. Dev. Cond. for apps within a Water Dist. <u>No</u> |
| Water Quality #10 <u>A</u>                    |                                                          |
| intrastate <u>   </u> interstate <u>   </u>   |                                                          |

Juni  
 Reviewer  
9/29/78  
 Date

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-12155

☒ 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. 7-27-78

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. 7-27-78

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

(10) \_\_\_\_\_

Comments: \_\_\_\_\_

(11) st 9-25-78

Affidavit of Publication received(date) 9-18-78

(12) \_\_\_\_\_

Final date for protests 8/28/78  
Protests received: yes \_\_\_\_\_ no ☒

(13) \_\_\_\_\_

All requested information received from agencies or applicant: yes \_\_\_\_\_ no \_\_\_\_\_

(14) I.P. Letter

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 9/25/78

RECEIVED

Department of Water Resources

65-12155

Name: HOWARD O.KOELLING, SR.

Address: 307 EAST 43rd Boise, ID 83702

Source: unnamed springs

Date Filed: 7-25-78

County: Valley

Amount: 0.04 cfs

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 34 T 12N R 4E B.M.

Use: domestic purposes from Jan 1 to Dec 31

Place of Use: SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 34 T 12N R 4E B.M.

Means: collection pipe and reservoir

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 ~~The Star News~~  
on ~~August 11, 1978~~ and ~~August 18, 1978~~.



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGION

John V. Evans  
Governor

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

July 27, 1978

RE: Application No. 65-12155  
Howard O. Koelling, Sr.

The Star News  
Box 985  
McCall, ID 83638

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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