

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice

(First Copy)

App't for water water permit 65-12101
TITLE OF PUBLICATION
Dept of water Resources
SPONSOR OR PLAINTIFF
Riley
PLAINTIFF OR LEGAL AGENT

I, Ann P Curtis, being
duly sworn, deposes and says:
That ~~he~~ she 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 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
March 23, 1978, and ending with the issue
of March 30, 1978.

Subscribed and sworn to before me this 30 day
of March, 1978.

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

My Commission Expires April 28, 1980.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that VIOLA D. RILEY, 236 S. 6th Street, Payette, ID has on March 13, 1978 submitted Application No. 65-12101 for a permit to appropriate 0.04 cubic feet per second of water from the Payette River trib. Snake River by means of pump within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ S Sec 33 T9N-R5W B.M., Payette County to be used from Jan 1 to Dec 31 for domestic and from Mar 15 to Nov 15 for irrigation of 1.5 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 33 T9N-R5W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before April 10, 1978.

C. STEPHEN ALLRED
Director

Published in the Independent Enterprise, Payette, Idaho on
March 23, 1978 and March 30, 1978.
No. 667 3-23 2tc

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 19 dan li

Number of Insertions two

19 Lines @ 42 $\frac{1}{2}$... \$ 8.08

19 Lines @ 30 $\frac{1}{2}$... \$ 5.80

TOTAL COST
WILL BE \$ 13.88

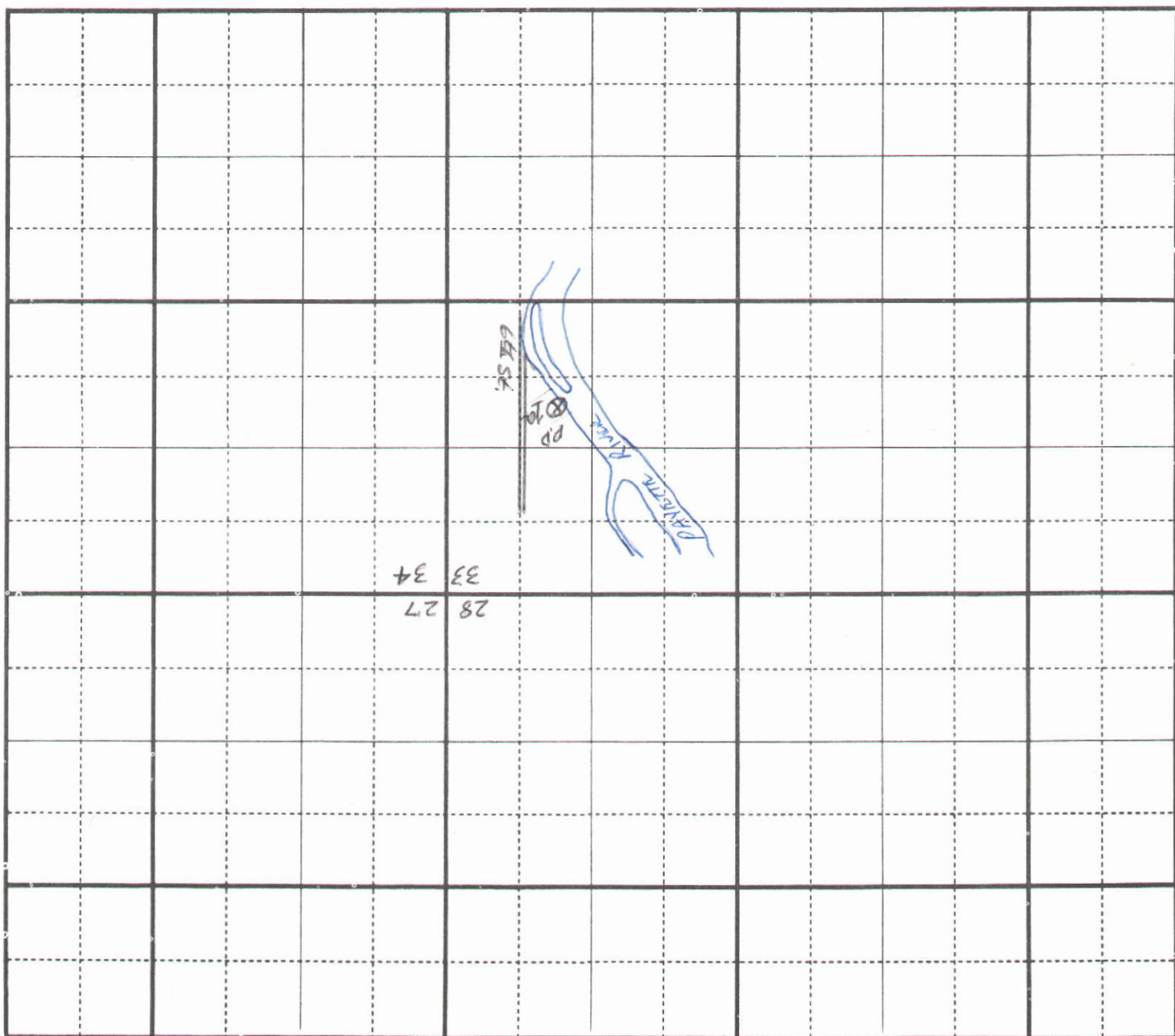
De Water Resources
Western Regional Office

Nº 667

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DEPT. OF AGRICULTURE

Diagram of System



INTER-DEPARTMENT MEMO — 1

DATE SEPT. 29, 1983

FROM FORREST

TO FILE 65-12101

SUBJECT PRESENT OWNER OF LAND FOR ABOVE LICENSE

ALL COMMUNICATION PERTAINING TO ABOVE LICENSE SHOULD
GO TO BERNARD D. ^{AND} INEZ W. HURLEY, P.O. Box 111
FRUITLAND, ID. 83619. PER PHONCON THIS DATE.

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SIGNATURE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-12101 Priority March 13, 1978 Amount .04 cfs

THIS IS TO CERTIFY, that Viola D. Riley
of Payette, ID, has complied with the terms and conditions of Permit
No. 65-12101 issued pursuant to Application for Permit dated March 13, 1978,
and has submitted proof to the Department of Water Resources on April 11, 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 the Payette River,
tributary to The Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>Nov 15</u>	at <u>.03</u> cfs and	<u>4.5</u> acre feet
Domestic (1 unit)	from <u>Jan 1</u> to <u>Dec 31</u>	at <u>.04</u> cfs and	<u>1.2</u> acre feet
	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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
5.7 acre feet per year, said waters to be diverted within the NWSE Section 33, Twp 9N,
Rge 5W in the County of Payette

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9N	5W	33																	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 31 day of
August, 19 81.

Director

Identification No. _____

Application No. 65-12101

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT APPROVED

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

1. Name of applicant Viola D. Riley Phone: 642-3644
post office address 236 S. 6th St. Payette Idaho 83661

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

3 a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33 Township 9N
Range 5W B.M. Payette County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ 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 .04 for Irrigation purpose from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .04 for Domestic purpose from 1/1 to 12/31 (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 .04 cubic feet per second and/or

b _____ acre feet per annum.

6. Proposed diverting works:

a Description of ditches, flumes, pumps, headgates, etc. Pump in river with hoses

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 1 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: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 33 Township 9N
Range 5W 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 1

b If water is to be used for other purposes describe _____

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

[illegible]

Total number of acres to be irrigated 1.5

c. Describe any other water rights used for the same purposes as described above. _____

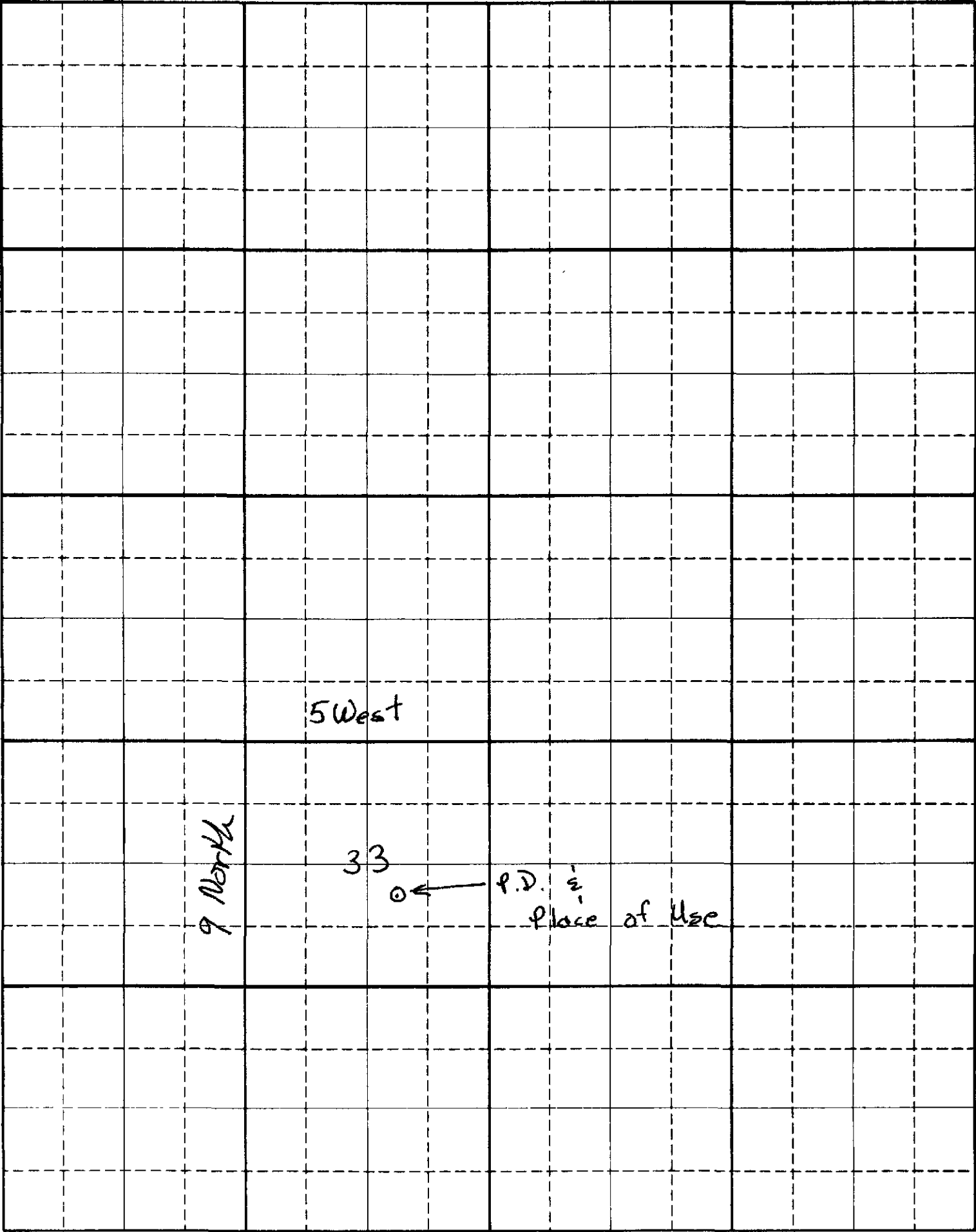
9. a. Who owns the property at the point of diversion Applicant

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

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

10. Remarks _____

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



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

RECEIVED

Viola D Riley
(Applicant)

Proposed Priority 03/13/78

Received by W Date 3-13-78 Time 11:23am

Preliminary check by WHM Fee \$ 10.00

Receipted by W Date 3-13-78 # 11002

Publication prepared by W Date 3-16-78

Published in Independent Enterprise

Publication dates March 23+30

Publication approved W Date 4-3-78

Priority reduced to W Reason W

Protests filed by W

Copies of protests forwarded by W

Hearing held by W Date W

Recommended for approval denial by DBS YG

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. 65-12101, 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 June 1, 1979.
- c. Other Use of water under this permit is subject to control by the watermaster of State Water District No. 65, Payette River.

2. Denial of said application is for the following reasons: W

Witness my hand this 22nd day of May 19 78.

Norman C Young
Administrator

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Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice
(First Copy)

Appt for water water permit 65-12101
TITLE OF PUBLICATION

Dept of water Resources
SPONSOR OR PLAINTIFF

Riley
PLAINTIFF OR LEGAL AGENT

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duly sworn, deposes and says:

That ~~he~~ she 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 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.

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of March 30, 1978.

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of March, 1978.

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

My Commission Expires April 28, 1980.

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Independent-Enterprise
PAYETTE, IDAHO

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TOTAL COST
WILL BE \$ 13.88

Nº 667

MICROFILMED

May 19, 1992

VIOLA D. RILEY
236 S. 6TH ST.
PAYETTE ID 83661

RE: Water Right No. 65-12101

Dear Water Right Holder(s):

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

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

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

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

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

existing water users and reduce the need to curtail diversions.

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

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

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

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

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

WATER RIGHT NUMBER 65-12101

OWNER LAST NAME - RILEY FIRST NAME - VIOLA D. ORIG OWNER -
ADDRESS LINE 1 - 236 S. 6TH ST. ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - PAYETTE STATE - ID ZIP CODE - 83661
SOURCE - PAYETTE RIVER TRIBUTARY OF - SNAKE RIVER
STAGE - LICENSE STATUS - PRIORITY - 03-13-1978 COUNTY - PAYETTE TOTAL DIV. RATE - .0400 -CFS
TOTAL DIV. VOLUME - 5.70 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NWSE 33 09N 05W LOT REDIV - 272.0 296.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 1.7
FROM - 03-15 TO - 11-15 USE - IRRIGATION USE DIV. RATE - .0300 CFS USE DIV. VOLUME - 4.50 AFA
FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0400 CFS USE DIV. VOLUME - 1.20 AFA
USE - IRRIGATION PLACE OF USE - TWN 09N RNG 05W SEC 33 TRACT NWSE LOT AC 01
DECREE NAME - DATE - TOTAL ACRES 1
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 06-01-1979 PERMIT/DENIED - 05-22-1978 PROTESTED - HEARING - OLD NO. -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - PUMP & PIPELINE.



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

September 4, 1981

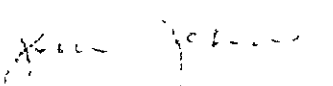
RE: Permit No. 65-12101

Viola D. Riley
236 S. 6th
Payette, ID 83661

Dear Ms. Riley:

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

Sincerely,


JIM JOHNSON
Water Distribution Supervisor

Enclosure

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

August 11, 1981

Viola D. Riley
236 S. 6th
Payette, ID 83661

Dear Ms. Riley,
A representative of this Department has made an examination of the works covered by your Permit No. 65-12101, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .04 cfs Source: Payette River

The maximum quantity diverted shall not exceed 5.7 acre feet per year.

Point(s) of diversion: NWSE Section 33, Twp 9N, Rge 5W

Beneficial use: Domestic use of 1 unit and irrigation of 1 acres in the
NWSE Section 33, Twp 9N, Rge 5W

Priority date established: March 13, 1978

Conditions (if any):

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

FIELD REPORT

3. Water will be used for the following purposes.

Other uses: _____

- ### Other Points of Diversions

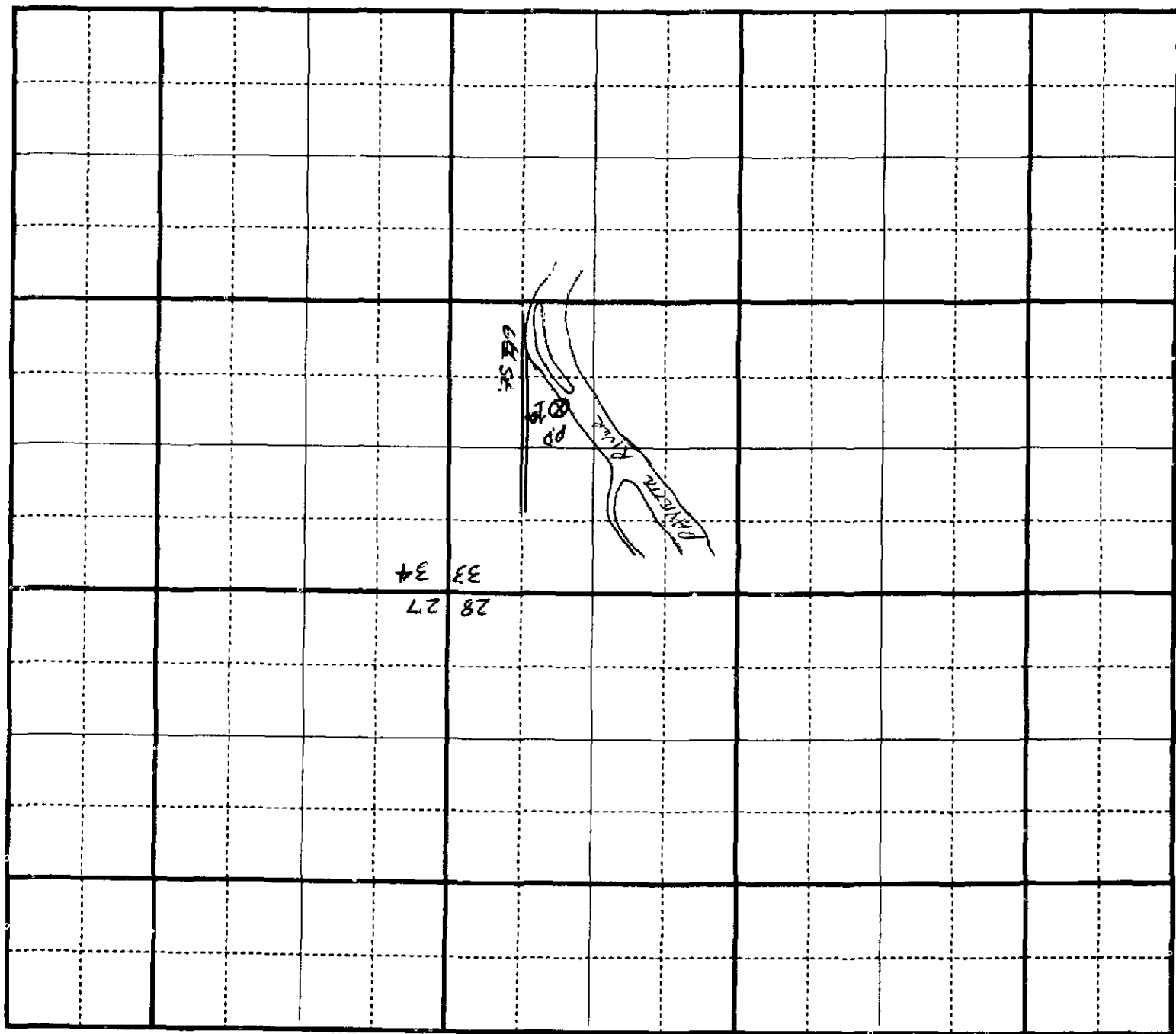
Description of diverting works: 1/2 Hp pump, sprinklers

Measuring device required yes ☐ no ☒

6. Lands to be irrigated or place of use. Block 10, Recorder's 1st Sub.
Lots 8-9-10, Block 1

TOTAL ACREAGE 1.5

Diagram of System



DATE OF EXAM 8/22/79

ACREAGE
Found 1 Acre ✓
Recommended 1 Acre ✓

Irrigation Requirement 4.5 ✓ Ac Ft/Ac

USE
Irrigation Q = .03 c.f.s. V = 4.5 ✓ AF/Ann. from 3/15 to 11/15
Domestic Q = .04 c.f.s. V = 1.2 ✓ AF/Ann. from 1/1 to 12/31
Livestock Q = 0.04 c.f.s. V = 5.7 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 .09 cfs Method of measurement ESTIMATION

Total Q recommended 0.09 cfs Meter No. Type Condition

Total V recommended 5.7 AF/Ann

Recommended Amendments:

P.D.
Place of Use
Other
None ✓

MEASUREMENT CALCULATION:

$Q = \frac{1}{2} \text{ hp } (80\% \text{ EFF}) (9.8) / 40 \text{ psi } (1/4 \text{ IN}) + 5' \text{ LIFT} = .09 \text{ cfs}$ capacity

$V = 1 \text{ acre } (4.5 \text{ AF/Acre}) = 4.5 \text{ AF/Ann } + 1.2 \text{ AF/Ann} = 5.7 \text{ AF/Ann}$

$V = .04 \text{ cfs } (1.98) (365 \text{ days/yr}) = 28.91 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

DAYTON 1/2 HP CENTRIFUGAL PUMP, TWO LINES FROM RIVER TO PUMP (1" + 1 1/2")
1" LINE TO GARDEN TO FLOOD IRRIGATION, SPRINKLER FOR LAWN, 5' LIFT.

REMARKS:

Examiner's Signature Charles W. Bryan Jr. Date 1/7/80

Checked by DJS Date 1/30/80

Approved by [Signature] Date 7/16/81

RECEIVED

IDENT. NO. 65-12101

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

August 8, 1979

Viola D. Riley
236 S. 6th St.
Payette, ID 83661

RE: Permit No. 65-12101

Dear Ms. Riley:

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

Tuesday, August 21 at 11:00 am.

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,

Kay Walker
Secretary

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N.W. $\frac{1}{4}$ - S.E. $\frac{1}{4}$ Sec. 33

Twp. 9N. R-5W-

Block 10- Recorders 1st

Add. Lots 8-9-10

Block 1-

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 11 1979

Department of Water Resources

PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE

1. a) Name of permit holder Viola D. Riley
b) Post office address 236, South 6th St. Payette, Idaho
2. Permit number 65-12101 83661
3. Date of priority that you are prepared to establish 03/13/78
4. a) Source from which water was appropriated Payette River
b) Location of the point of diversion: 71.41 1/4 S. 6. 1/4, Section 33
Township 9N. Range 5W Boise Meridian. Other points of diversion: NONE

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

Amount .04 for Irrigation purposes from 3/15 to 11/15 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount .04 for Domestic purposes from 1/1 to 12/31 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)

- b) Total amount appropriated .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:

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:

Payette River - Tributary of Snake River

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

I use River because I have no other source of irrigation on property.

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):

Electric Pump 1/2 Hp. 5/8 Horse attached to 3/4" Pipe outlet - Sprinklers on Area.

- 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 - only 3/4" outlet on pump.

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Exam JFD 1/24/79 y

c) Give well driller's name and address and the date the well was completed: _____

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9	50	33														1.5			1.5

10. Remarks: I only raise garden vegetables, and
irrigate lawn around the house.

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

4-10-79
(Date)

Viola D. Riley
(Signature)

State of _____)
County of Payette) ss.

On this 10 day of April, 1979, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires Nov 9, 1980

Marguerite E. Bryan
Notary Public
Residing at Payette Idaho

Mrs. Viola Riley
236 S 6th Street
Payette, Ida
83661

BOISE ID 837
APR 11 1979
P 1



MICROFILMED

State of Idaho
Dept. of Water Resources,
Statehouse

Boise
Idaho, 83725



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

CERTIFIED MAIL

March 30, 1979

10C782

Re: Permit No. 65-12101

Viola D. Riley
236 S. 6th Street
Payette, ID 83661

Dear M's. Riley:

One of the conditions of approval of your water Permit No. 65-12101 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1979. Enclosed is an affidavit form which must 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 affidavit 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.

RITA FLECK
Water Rights

Encl: Proof affidavit

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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

May 24, 1978

Re: Permit No. 65-12101

Viola D. Riley
236 S. 6th St.
Payette, ID 83661

Dear Ms. Riley:

Enclosed is a copy of your approved Application for Permit No. 65-12101. We direct your attention to the conditions of approval as listed on the fourth page.

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

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

This information is provided so that you will not be mislead into thinking that this permit will provide sufficient water thru the entire irrigation season.

If you have any questions regarding this matter, please feel free to contact this office.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

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

May 24, 1978

Re: Permit No. 65-12101

Viola D. Riley
236 S. 6th St.
Payette, ID 83661

Dear Ms. Riley:

Your approved copy of Application for Permit No. 65-12101 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.

NOTIFIED

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

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 105-12101

☒ 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) W/m 3-13-78

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) W/m 3-13-78

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) _____

OK rights on the same place of use

(10) _____

Comments: _____

(11) rf OK

Affidavit of Publication received (date) Apr-3, 1978

(12) _____

Final date for protests April 10, 1978

Protests received: yes _____ no _____

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

3-13-78 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 W/m Date 4/10/78

I.P. letter
Payette River letter
RECEIVED
APR 12 1978
MTC: MFD



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

March 17, 1978

Mrs. Viola D. Riley
236 S. 6th St.
Payette, ID 83661

Dear Mrs. Riley:

Enclosed is your Receipt No. 11002 in the amount of \$ 10.00
for Application for Permit No. 65-12101 which was received in
this office on March 13, 1978.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

March 16, 1978

Re: Notice of Application for Water Permit No. 65-12100 -- Daulton & Donna Sumeler
65-12101 -- Viola Riley

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 April 10, 1978.

Sincerely,

RITA FLECK
Secretary

Bill submitted
4-5-78
[Signature]

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that VIOLA D. RILEY
235 S. 6th Street, Payette, ID
has on March 13, 1978 submitted Application No. 65-12101
for a permit to appropriate 0.04 cubic feet per second ~~XXXXXX~~
~~XXXXXX~~ of water from the Payette River trib. Snake River
by means of pump
within the NW 1/4 Sec 33 T9N-R5W B.M., Payette County

to be used from Jan 1 to Dec 31 for domestic and from Mar 15 to Nov 15
for irrigation of 1.5 acres

within the NW 1/4 Sec 33 T9N-R5W B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Director of
the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho
83705 on or before April 10, 1978.

C. STEPHEN ALLRED

Director

Published in the Independent Enterprise, Payette, Idaho
on March 23, 1978 and March 30, 1978.

March 7, 1978

Re: Application for Permit

65-1201

Ms. Viola D. Riley
236 S. 6th Street
Payette, ID 83661

Dear Ms. Riley:

Please find enclosed your original application for permit and a new typed one.

I have made a change on the typed application, the change being the amount of water applied for. I have put the proper amount of water for the amount of land to be irrigated.

Please review the application, sign and return it with a \$10.00 filing fee.

If you have any questions, please contact this office.

Sincerely,

A. L. SISCO
Senior Water Resource Agent

GLS:rf

Enc.