

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

6 N

PD.

PD.

13

2 W

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.

Ester Lerner
(Applicant)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

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

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

ginning with the issue of Jan 19,
1978, and ending with the issue of

Jan 26, 1978

Carute Bole

Subscribed and sworn to before me this

CH day of

February, 1978

Michael B. Allen

Notary Public,

Residing at Emmett, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Herbert and/or Esther Turner,
Route 1, Box 281-B, Emmett, Idaho
83617 has on January 10, 1978
submitted Application No. 65-
12074 for a permit to appropriate
.08 cubic feet per second of water
from a groundwater source by
means of well and pump within the
NW 1/4 NW 1/4, Sec 13, T 6N, R 2W.,
B.M., Gem County to be used from
Jan. 1 to Dec. 31 for domestic
purposes within the W 1/2 NW 1/4,
Sec 13, T 6N, R 2W, 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 February 6, 1978.

C. Stephen Allred, Director
Published in the Emmett
Messenger-Index on January 19
and 26, 1978.

OK
2-8-78
y

RECEIVED
FEB 8 1978

Department of Water Resources
Western Regional Office

RECEIVED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-12074 Priority January 10, 1978 Amount 0.08 cfs

THIS IS TO CERTIFY, that HERBERT AND /OR ESTHER TURNER
of Emmett, Idaho, has complied with the terms and conditions of Permit
No. 65-12074 issued pursuant to Application for Permit dated January 10, 1978,
and has submitted proof to the Department of Water Resources on April 13, 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 0.08 cfs of water from 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
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.08</u> cfs and	<u>2.4</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 0.08 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
2.4 acre feet per year, said waters to be diverted within the NW¹/₄ NW¹/₄, Sec. 13, Twp. 6N,
Rge. 2W, B.M. in the County of Gem

Description and location of place of use:

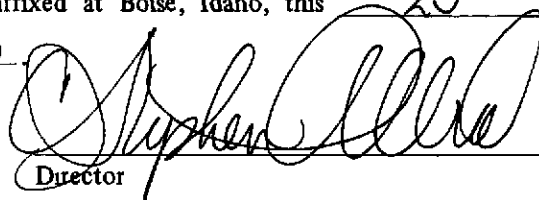
Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
6N	2W	13						X											

Total number of acres irrigated _____

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 23 day of
July, 19 79


Director

Identification No. _____

Application No. 65-12074

**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 Herbert and/or Esther Turner Phone: 365-2686
post office address Route 1, Box 281-B, Emmett, ID 83617
- 2 Source of water supply groundwater which is a tributary of _____
3. a Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13 Township 6N
Range 2W B.M. Gem 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 .08 for domestic purpose from Jan. 1 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)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated.
a .08 cubic feet per second and/or
b _____ acre feet per annum.
6. Proposed diverting works.
a Description of ditches, flumes, pumps, headgates, etc. well and 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 during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c Proposed well diameter is 6 inches; proposed depth of well is 28 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 W₂ $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13 Township 6N
Range 2W 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 2
(5) If water is to be used for other purposes describe _____

RECORDED
MICROFILMED

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

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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

c Describe any other water rights used for the same purposes as described above. domestic right
claim No. 65-1526 Amended

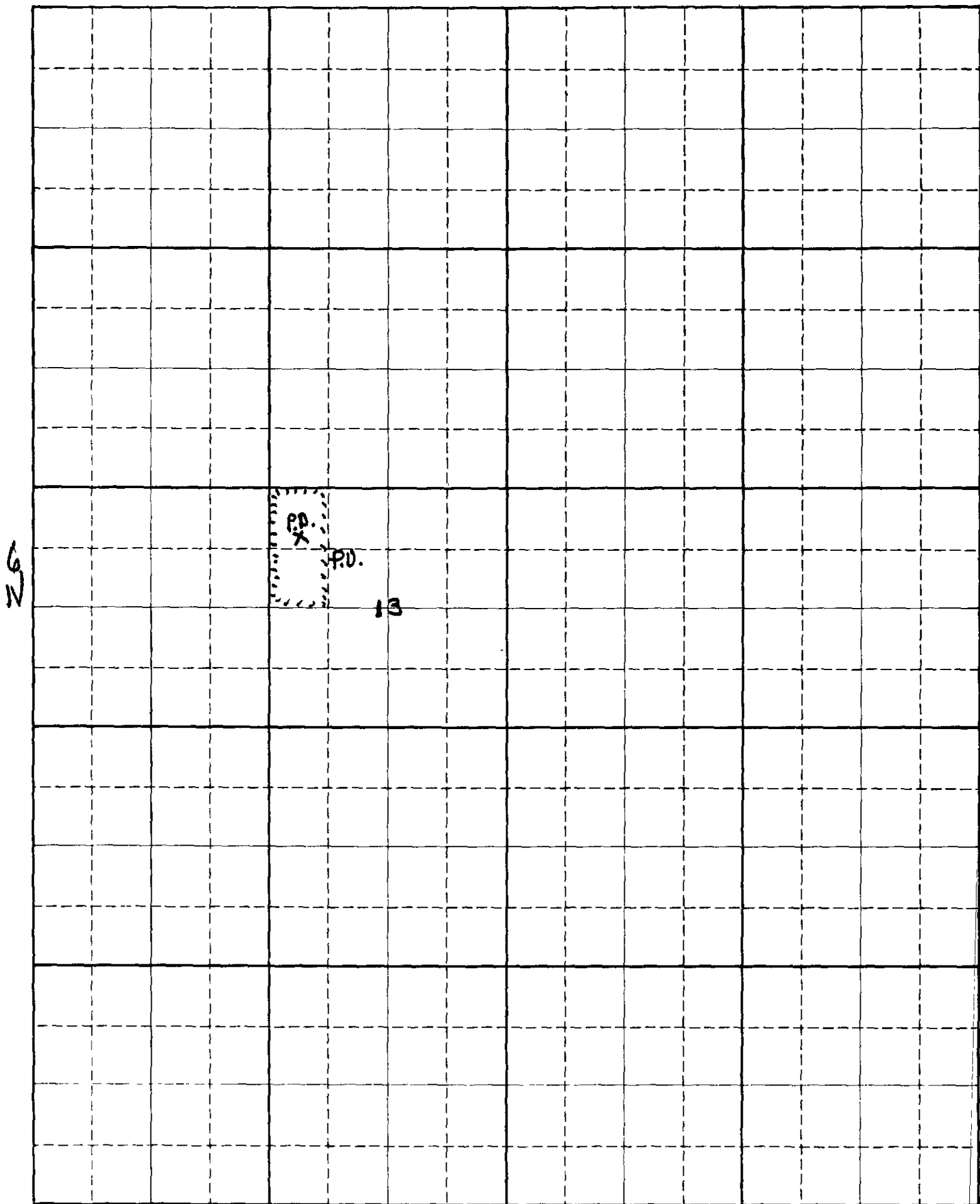
9. a. Who owns the property at the point of diversion Applicant

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

2 W

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

Ester Larnas
(Applicant)

Proposed Priority 1/10/78

Received by SS Date 1/10/78 Time 11:45 AM

Preliminary check by GLS Fee \$ 10.00

Receipted by SS Date 1/10/78 # 9725

Publication prepared by LS Date 1-12-78

Published in Messenger

Publication dates Jan 17 + 26

Publication approved LS Date 2-8-78

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LS

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 65-12074, 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 April 1, 19 79.

c. Other: _____

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

Witness my hand this 30TH day of March 19 78.

Norma C Young
Administrator

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

ss.

COUNTY OF GEM,

Archie Bole

being first

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

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

ginning with the issue of Jan 9

1978, and ending with the issue of

Jan 26, 1978
Archie Bole

Subscribed and sworn to before me this

6th day of

February, 1978

Michael D. Allen

Notary Public,

Residing at Emmett, Idaho.



Notice is hereby given that Herbert and/or Esther Turner, Route 1, Box 281-B, Emmett, Idaho 83617 has on January 10, 1978 submitted Application No. 65-12074 for a permit to appropriate .08 cubic feet per second of water from a groundwater source by means of well and pump within the NW 1/4 NW 1/4, Sec 13, T 6N, R 2W., B.M., Gem County to be used from Jan. 1 to Dec. 31 for domestic purposes within the W 1/2 NW 1/4, Sec 13, T 6N, R 2W, 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, 82 South Cole Road, Boise, Idaho 83705 on or before February 8, 1978.

C. Stephen Alfred, Director
Published in the Emmett Messenger-Index on January 19 and 26, 1978.

OK
2-8-78
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RECORDED



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

July 23, 1979

Herbert &/or Esther Turner
Rt. 1, Box 281-B
Emmett, ID 83617

Dear Mr. & Mrs. Turner:

RE: Water Right No. 65-12074

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

Sincerely,

Jean Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

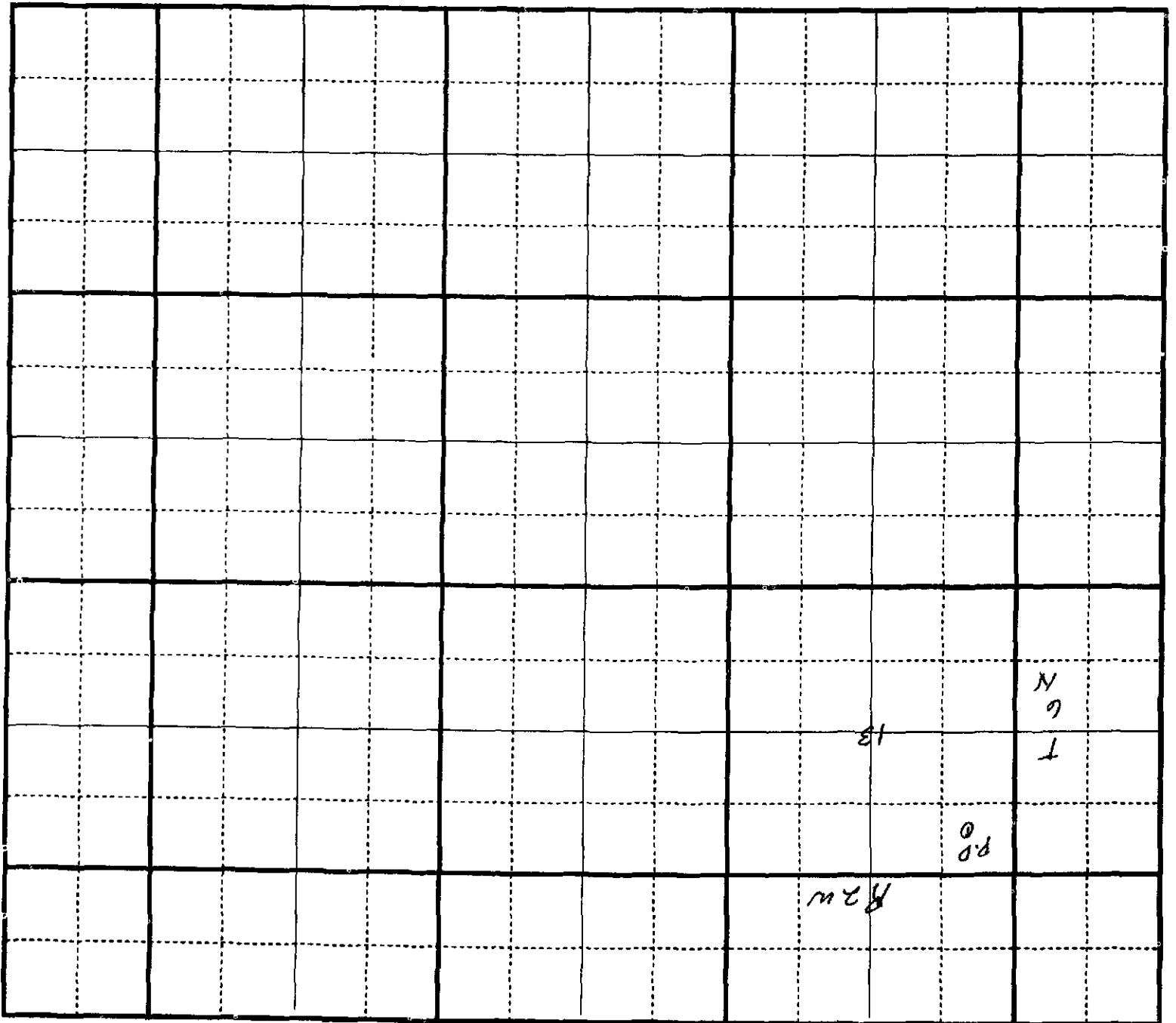
MICROFILMED

FIELD REPORT

- TOTAL ACREAGE**

Permit No. 65-18074
Examination for b14

Diagram of System



DATE OF EXAM 4/9/79

ACREAGE
Found 0
Recommended 0

Irrigation Requirement 0 Ac Ft/Ac

USE

Irrigation Q = c.f.s. V = AF/Ann. from to
Domestic Q = .04 c.f.s. V = 2.4 AF/Ann. from 1/1 to 12/31
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 .04 Method of measurement estimate

Total Q recommended .04 Meter No. Type Condition

Total V recommended 2.4

Recommended Amendments:

P.D.
Place of Use
Other addura change & CSS.
None

MEASUREMENT CALCULATION:

There is a second well at one of the houses used for
irrigating the lawn & etc. Recommend .04 cfs
Data taken from Goulds reversible water chart.
1080 GPH = 18 GPM = .04 9 FT water pressure

SYSTEM DESCRIPTION:

Pipeline from source to two houses. 6" casing -
well depth 28 ft 3/4 HP motor.

REMARKS:

Examiner's Signature John K. Meyer Date 4/9/79

Checked by DBS Date 4/12/79

Approved by Date

May 17, 1978

Re: Permit No. 65-12074

Herbert &/or Esther Turner
Route 1, Box 281-B
Emmett, Idaho 83617

Dear Mr. & Mrs. Turner:

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.

Sincerely,

JANICE RENK
Water Rights

11

Identification No. _____

Permit No. 65-12074

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
APR 15 1978
Department of Water Resources
Western Regional Office

1. a) Name of Permit Holder Herbert &/or Esther Turner
b) Post Office Address Route 1, Box 281-B, Emmett, ID 83617
2. Permit Number 65-12074
3. Date of Priority that you are prepared to establish 1-10-78
4. a) Source from which water was appropriated groundwater
b) Location of the point of diversion: NW 1/4 NW 1/4, Section 13
Township 6N, Range 2W, Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 0.08 for domestic purposes from 1-1 to 12-31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.08 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: estimated
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 or 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) 6 inch cased well 28 feet deep. submersible pump with 1 1/4 inch discharge - pump size unknown
b) Describe the type and size of measuring device which you have installed at your point of diversion: N/A
c) Give well driller's name and address and the date the well was completed: unknown
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic water for two families located in NW 1/4 Sec. 13 Twp. 6N, Rge. 2W B.M.

Exam typed 5/16/78

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	

Total number of acres irrigated _____

10. Remarks: This system had been in for about 8 years prior to the time the application
was filed

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

4-13-78
(Date)


(Signature)

State of Idaho)
) ss.
County of Ada)

On this 13th day of April, 19 78, personally appeared before me
the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.


Notary Public residing at _____
Boise, ID _____

My commission expires March 8, 1980



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

April 10, 1978

Re: Permit No. 65-12074

Herbert &/or Esther Turner
Route 1, Box 281-B
Emmett, ID 83617

Dear Mr. and Mrs. Turner:

Your approved copy of Application for Permit No. 65-12074 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.

RECEIVED
APR 11 1978
BOISE, IDAHO

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

RECEIVED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) 1/10/78 GLS

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) GLS 1/10/78

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) af ok

Affidavit of Publication received(date) 2-8-78

(12) _____

Final date for protests Feb 6, 1978

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

1-10-78 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 JH Date 2-8-78

SRL
get



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

January 13, 1978

RE: Application for Permit No. 65-12075 - Vernon O. Gossett
65-12074 - Herbert and/or Esther Turner
Notice of Correction No. 65-12049 - Clarence D. &/or Lorna Link

Emmett Messenger-Index
120 North Washington Avenue
Emmett, ID 83617

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 February 6, 1978.

Sincerely,

RITA FLECK
Secretary

alw
Enc.

Bill submitted
2-8-78
JF

FILED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Herbert and/or Esther Turner,

Route 1, Box 281-B, Emmett, ID 83617

has on January 10, 1978 submitted Application No. 65-12074

for a permit to appropriate .08 cubic feet per second ~~XXXXXX THAT~~

~~XXXX XXXXXX~~ of water from a groundwater source

by means of well and pump

within the NW¹/₄, Sec 13, T 6N, R 2W, B.M., Gem County

to be used from Jan. 1 to Dec. 31

for domestic purposes

within the W¹/₂NW¹/₄, Sec 13, T 6N, R 2W, 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 February 6, 1978.

C. STEPHEN ALLRED

Director

Published in the Emmett Messenger-Index

on January 19 and January 26, 1978.