

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

The map is a grid with a solid line forming a 4x4 square in the center. Inside this square, at the intersection of the second vertical line from the left and the second horizontal line from the bottom, is an 'X'. To the left of the 'X' are the letters 'P.D.' and 'P.U.' stacked vertically. A line points from the top-right corner of the square to the text 'Long Ck' written above it. To the left of the grid, the text 'T 9 N' is written vertically. Below the grid, the text 'R 7 E' is written.

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.

Henry B. Davis
(Applicant)

STATE OF IDAHO,
County of Boise

Dennis Neeth being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD, a weekly newspaper
published at Idaho City, in the
County of Boise and State of Ida-
ho; that said paper has been and
is in general circulation in the
county aforesaid, and in the vi-
cinity of Idaho City; that the
advertisement, a copy of which is
hereto attached, was published in
said newspaper once a week for

2 consecutive weeks in
the entire and regular issue of
every number of said paper dur-
ing the period and time of publi-
cation and was published in the
newspaper and not a supplement;
that said paper has been estab-
lished and regularly and continu-
ously published for more than
seventy-eight weeks past previ-
ous to the first publication of
this notice. Such notice was pub-
lished in the issue beginning with

Oct. 14, 1977 and end-
ing with the issue of Oct. 21

1977.

Dennis Neeth

Subscribed and sworn to before

me this 21 day of Oct., 1977.

Robert J. Tuffield
Clerk of Dist Court

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Gerry
B. &/or Margaret C. Beier &/or
William J. &/or Violet L. Virts,
920 Lander Street, Boise, Idaho
has on October 4, 1977 submitted
Application No. 65-12009 for a permit
to appropriate 0.04 cubic feet per
second of water from Long Creek
tributary South Fork Payette River
by means of pump and pipelines
within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 12 T9N-
R7E B.M., Boise County to be used
from January 1 to December 31
for domestic purposes within the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 12 T9N-R7E 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
October 31, 1977.

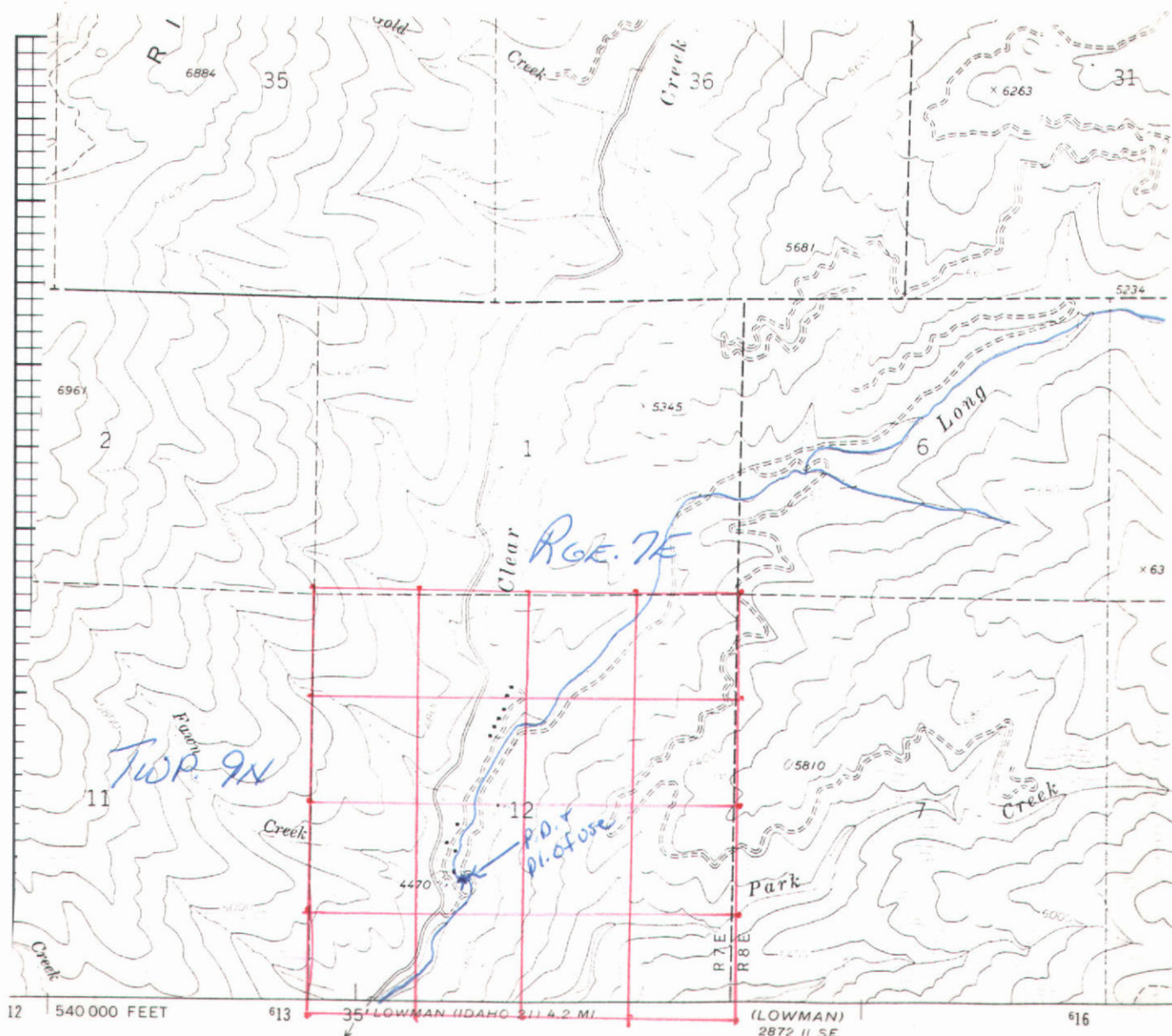
C. STEPHEN ALLRED
Director

Published in THE IDAHO WORLD,
Idaho City, Idaho 83631 on October
14 and 21, 1977.

OK
10-31-77
M

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10. Other water rights on these lands NONE
11. Other water right diverted from same p.d. NONE
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks _____

15. 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 |

16. Examiner's/Consultant's Signature Jan Grover Date 1/31/85

Consultant's License Number _____

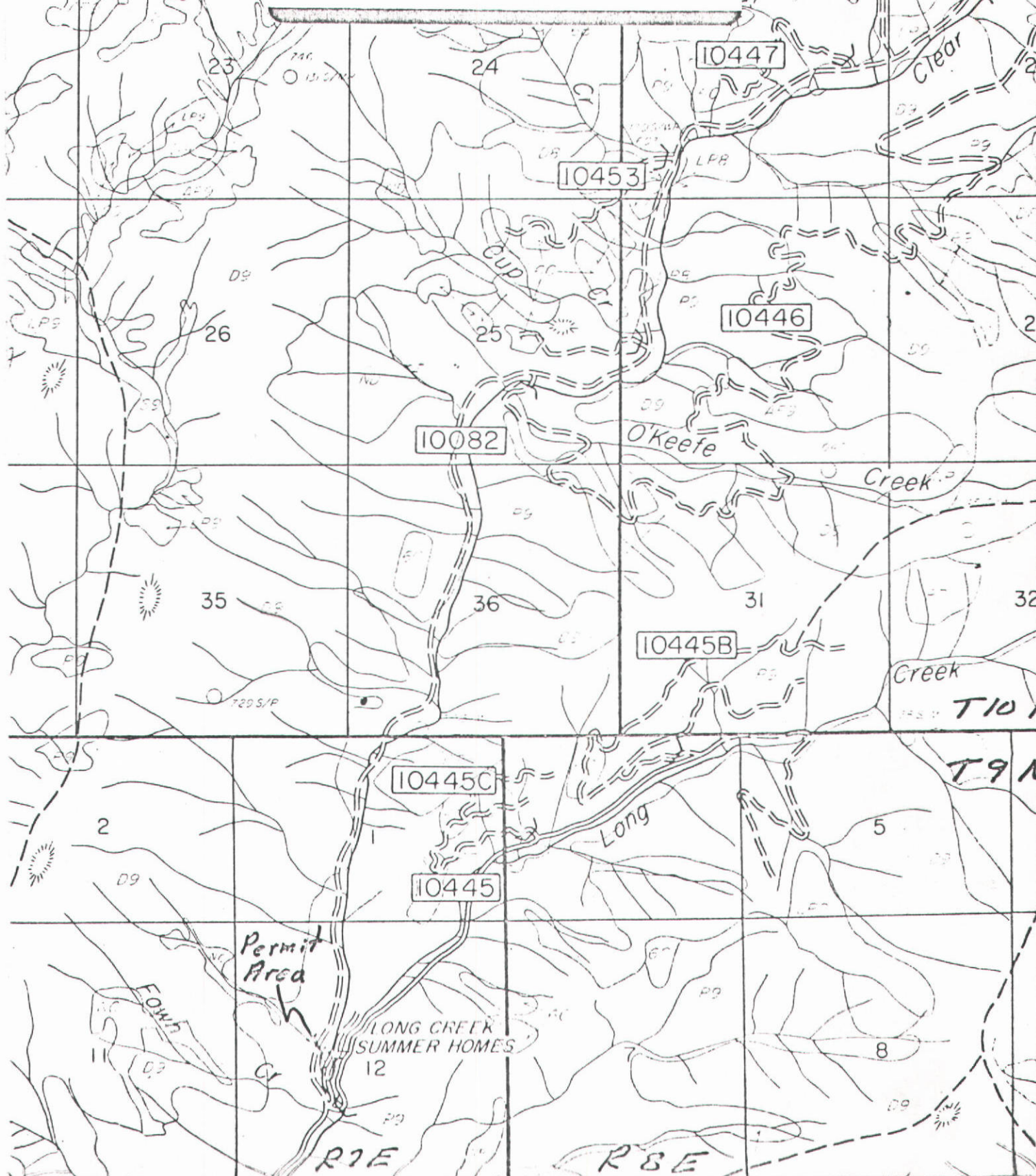
IDWR Director's Authorization to Conduct Beneficial Use Examination 6/27/84 Date _____

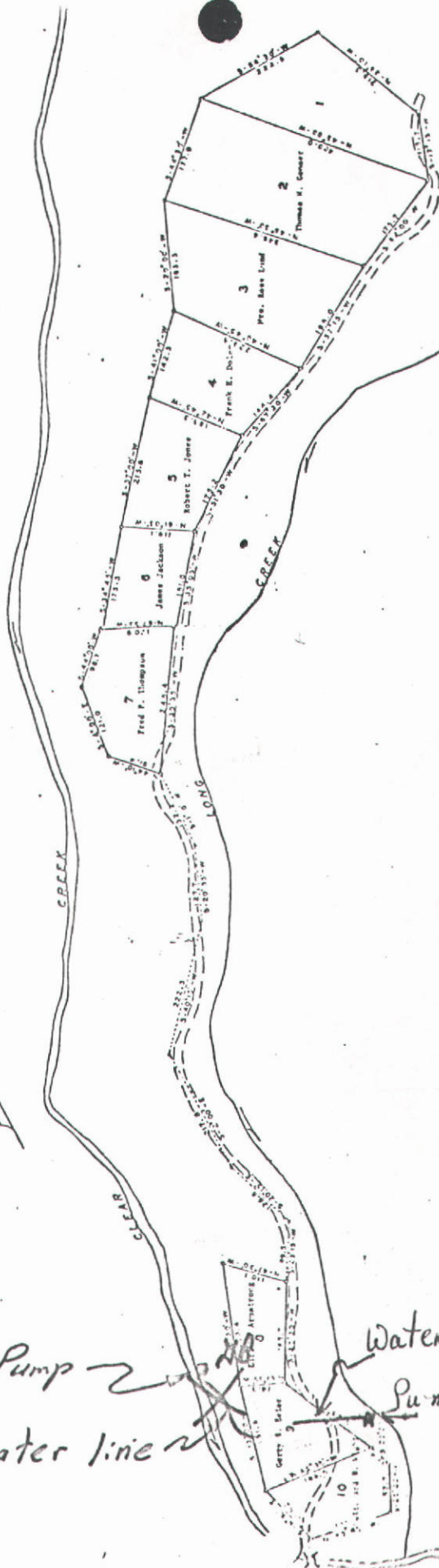
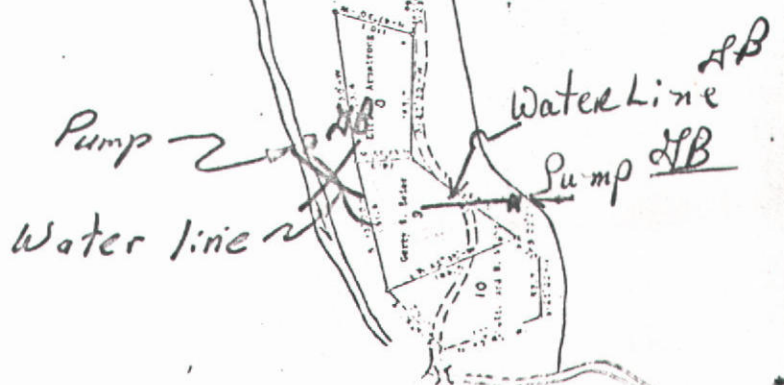
CONSULTANT SEAL

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JUL 19 1988

Beier - Water Transmission





Beier-Water-System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12009

Priority: October 4, 1977 Amount: .04 CFS .6 AFA

This is to certify, that GERRY B. BEIER
MARGARET C. BEIER
WILLIAM J. VIRT
VIOLET L. VIRT

920 LANDER ST.
BOISE, ID 83703

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated October 4, 1977, and has submitted proof to the Department of Water Resources on November 18, 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;

LONG CREEK tributary to PAYETTE RIVER, SOUTH FORK

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	.6 afa

LOCATION OF POINT OF DIVERSION(S): NESW , Sec. 12, Township 9N, Range 7E
Boise County

PLACE OF USE: Domestic

TWN RGE SEC

9N 7E 12 NESW

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.

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 12th day of May, 1988.

RECEIVED

Director

JUL 19 1988

Identification No. _____

Application No 65-12009

**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)

Gerry B. &/or Margaret C. Beier &/or

1 Name of applicant William J. &/or Violet L. Virts Phone 345-9201

post office address 920 Lander St., Boise, ID 83703

2 Source of water supply Long Creek which is a tributary of South Fork PAYETTE R.

3 a Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 12 Township 9N
Range 7E B M Boise 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 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 .04 cubic feet per second and/or

b _____ acre feet per annum.

6 Proposed diverting works.

a Description of ditches, flumes, pumps, headgates, etc 3 H.P. pump with 1" line to place
of use

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 5 years

b Estimated construction cost is \$ 350.00

8 Description of proposed uses

a If water is **not** for irrigation

(1) Give the place of use of water NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 12 Township 9N
Range 7E 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

(5) 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 _____

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

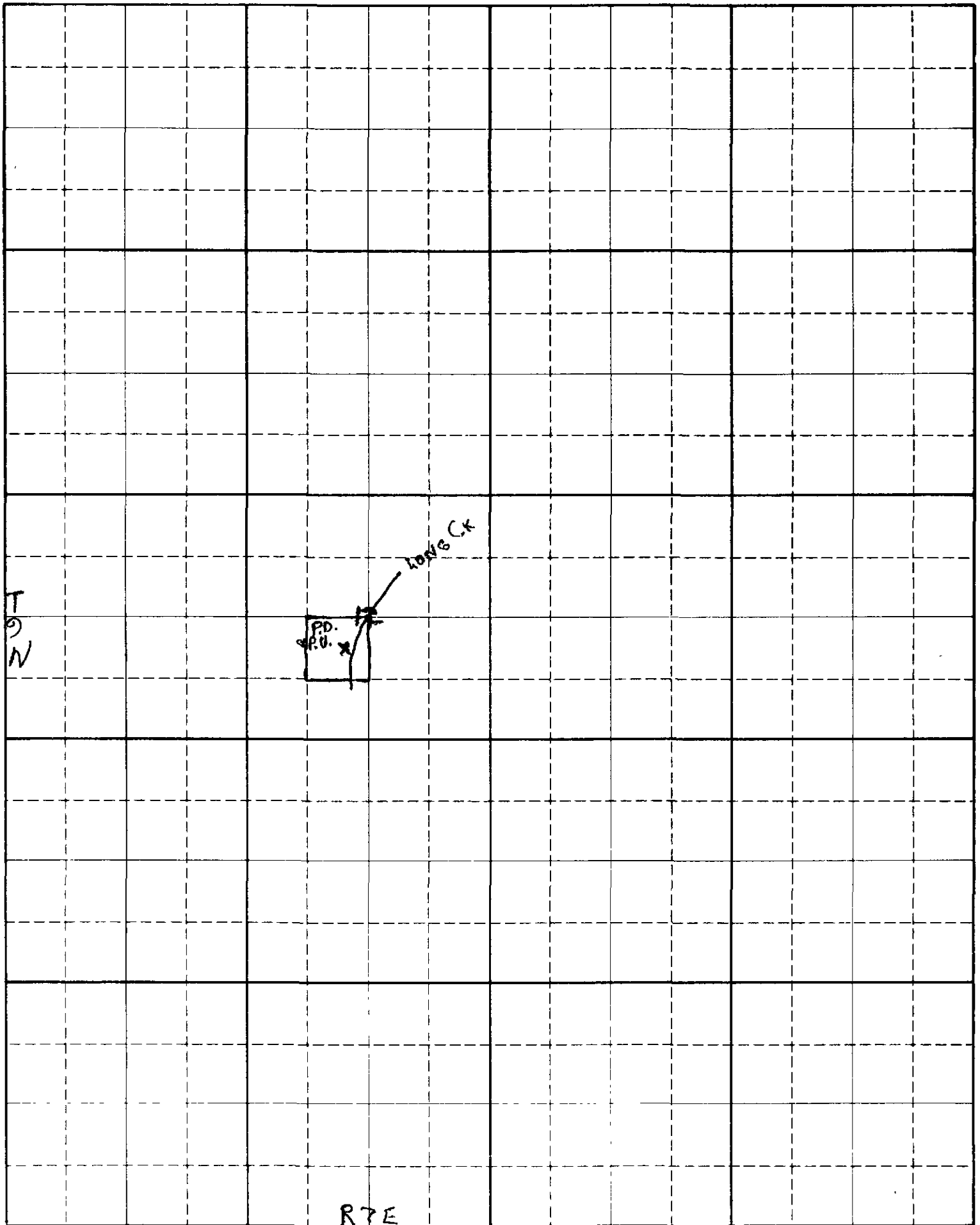
9. a. Who owns the property at the point of diversion U.S. Forest Service

b Who owns the land to be irrigated or place of use U.S. Forest Service

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

Henry B. Davis
(Applicant)

Proposed Priority 10/04/77
Received by SS Date 10-4-77 Time 5:00 PM
Preliminary check by WS Fee \$ 10.00
Received by SS Date 10-4-77 # 8960
Publication prepared by Y Date 10-7-77
Published in Star Tribune
Publication dates Oct 14 & 21, 1977
Publication approved Y Date 10-31-77
Priority reduced to 1 Reason

Protests filed by

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by DRT *WTH*

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 65-12009, 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 January 1, 19 83.
- c Other The issuance of this permit in no way grants any right-of-way or easement across the land of another.

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

Witness my hand this 29 day of January 19 78.


DEPUTY Director

Norris Webb being duly sworn, deposes and says: that he is the manager and principal clerk of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and State of Idaho, that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for

Oct. 14, 1977 and end-
ing with the issue of Oct. 2,

1972
Dennis Keith

Subscribed and sworn to before

me this 21 day of Oct, 1977

Robert J. Tuffield
Clerk of Dist Court

M. S. JONAS - 1967
JANUARY
NEW YORK

Notice is hereby given that Gerry B. &/or Margaret C. Reier &/or William J. &/or Violet L. Virts, 926 Lanier Street, Boise, Idaho has on October 1, 1977 submitted Application No. 85-1249 for a permit to appropriate 0.54 cubic feet per second of water from Long Creek tributary South Fork Payette River by means of pump and pipelines within the NE¼SW¼ Sec 12 T9N-R7E E.M., Boise County to be used from January 1 to December 31 for domestic purposes within the NE¼SW¼ Sec 12 T9N-R7E E.M.

If issued, this permit will be subject to all prior water rights. Protest 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 October 31, 1977.

C. STEPHEN ALLRED
Director

Published in THE IDAHO WORLD,
Idaho City, Idaho 83631 on October
14 and 21, 1977.

1-336

OK

10 31-77

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DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Send to:
William J. Virts, et. al
5487 Glenbrier Ln.
Boise, Id. 83703
per telephone book
7/5/88 - kw

L65-12009
BEIER, GERRY B.
BEIER, MARGARET C.
920 LANDER ST.
BOISE, ID 83703

BEI 20 581772N1 05/17/88
EXP 00 209441 05/20/88
NOTIFY SENDER OF NEW ADDRESS
RETURN TO SENDER
FORWARDING ORDER EXPIRED
USPS USPS *

RECEIVED

MAY 23 1988

Department of Water Resources

RECEIVED

JUL 19 1988

May 12, 1988

GERRY B. & MARGARET C. BEIER
920 LANDER ST.
BOISE, ID 83703

RE: Permit No. 65-12009

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

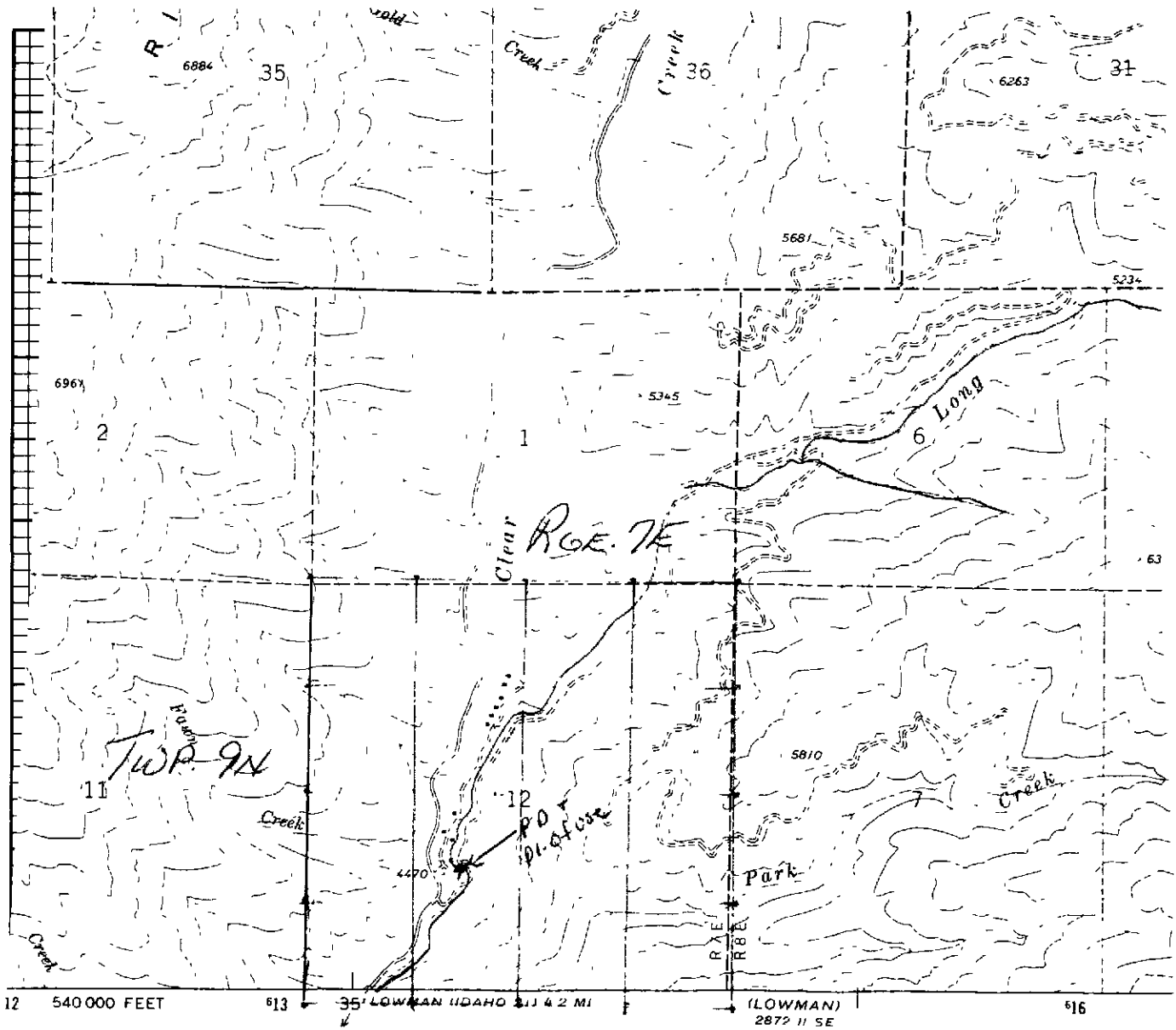
Enclosure

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JUL 19 1988

- | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination _____ | | | | | | | | | | | | | | | | | | | |
|---|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------------|--------|
| Place(s) of Use: | | | | | | | | | | | | | | | | | | | |
| Twp. | Rge. | 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 | |
| 9N | 7E | 12 | | | | | | | | | X | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | Total Acres | _____ |

10. Other water rights on these lands ONE
11. Other water right diverted from same p.d. NONE
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached
- ☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks

15. 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

16. Examiner's/Consultant's Signature [Signature] Date 1/31/85

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination 6/27/84

Date

CONSULTANT SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

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MAR 18 1986

65-12009
Permit No

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

N/A

- b) Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{N/A}$
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{\hspace{2cm}}$

- c) Volume Calculations for Other Uses:

DOMESTIC - IN-HOUSE ONLY - 0.60 gpm.

2. Overlap Review

- a) Other water rights with same place of use: NONE

- b) Other water rights with same point of diversion: NONE

- c) Analysis.

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JUL 19 1988

RECOMMENDED AMOUNTS

- | Permit No. | Priority | Amount | App. Date | Date Proof Submitted | System Capacity |
|------------|----------|--------|-----------|----------------------|-----------------|
| | | | | | |

4. Permit Holder. _____
Address: _____

5. Source: LONG CREEK tributary to S.F.R. PAYETTE RIVER

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>DOMESTIC</u>	<u>1-1</u>	<u>12-31</u>	<u>0.04 cfs</u>	<u>0.6 afa</u>

Allowable Maximums: 0.04 cfs 0.6 afa

7. Point(s) of Diversion:

No.	Govt. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County

8. Place(s) of Use

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
Total Acres _____																			

9. Recommended Conditions/Remarks: _____

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JUL 19 1988

10. 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 _____

11. Examiner's Signature [Signature] Date 1/31/85
Checked in Regional Office by LKS Date 3/12/86
Approved in State Office by _____ Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MARCH 1, 1983

GERRY B. BEIER
920 LANDER ST.
BOISE

ID 83703

RE: Permit No. 65-12009

Dear Permit Holder:

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 examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

RECORDED

JUL 19 1988

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. 65-12009.

Name(s) of Permit Holder: Gerry B. + Margaret C.

Post Office Address: 920 Landers St.
Boise, Id. 83703 Tel. No. 345-9201

Source of Water: _____

Extent of Use: ☒ Domestic 1 (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

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

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

11-16-82
 Date

Henry B. Beebe
 Signature of Permit Holder

Beier
920 Landen
Boise, Id. 83703



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138888

BEIER, GERRY B. & MARGARET C.
920 LANDER STREET
BOISE, ID 83703

OCTOBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12009 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

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

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

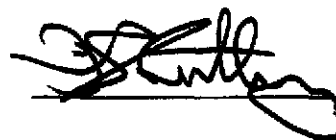
FROM F.E.L. WESTERN

DATE 7/20/78

TO File 65-12009 ✓

SUBJECT SPECIAL Use Pmt. FOR WATER TRANSMISSION LINE
FOR APP. # 65-12009 FILE.

MICROFILMED


SIGNATURE

SPECIAL USE PERMIT
Act of October 21, 1976 (P.L. 94-579)
~~Act of June 4, 1897~~
This permit is revocable and nontransferable
(Ref. FSM 2710)

a. Record no. (1-2) 70	b. Re (3-4) 04	c. Forest (5-6) Boise 02
d. District (7-8) Lowman 05	e. User number (9-12) 2720	f. Kind of use (13-15) Water Trans. 911
g. State (16-17) Idaho 16	h. County (18-20) Boise 015	k. Card no. (21) 1

Permission is hereby granted to Gerry and Margaret Beier
of 920 Lander Street, Boise, Idaho 83703
hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements:

Section 12, T. 9 N., R. 7 E., B.M., as shown on the attached map.

This permit covers .03 acres and/or 150' x 10' miles and is issued for the purpose of:

Maintaining a pump and water transmission line from ~~Gloss~~ ^{Long} Creek to Lot #9 of the Long Creek Summer Home area for irrigation.

1. Construction or occupancy and use under this permit shall begin within N/A months, and construction, if any, shall be completed within N/A months, from the date of the permit. This use shall be actually exercised at least 365 days each year, unless otherwise authorized in writing.

2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of ten and no/100 - - - - - Dollars (\$ 10.00) for the period from May 1 1978, to December 31, 1978, and thereafter annually on January 1

fifteen and no/100 - - - - - Dollars (\$ 15.00) :
provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

3. This permit is accepted subject to the conditions set forth herein, and to conditions 18 to 26 attached hereto and made a part of this permit.

PERMITTEE	NAME OF PERMITTEE GERRY BEIER	SIGNATURE OF AUTHORIZED OFFICER <i>Henry B. Beier</i>	DATE 7-7-78
ISSUING OFFICER	NAME AND SIGNATURE <i>[Signature]</i>	TITLE Tom C. Griswold Forest Supervisor	DATE JUL 11 1978

4. Develop plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; *provided* that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

5. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

6. This permit is subject to all valid claims.

7. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

8. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

9. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the National Forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

10. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

11. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

12. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

13. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

14. In case of change of address, the permittee shall immediately notify the forest supervisor.

15. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

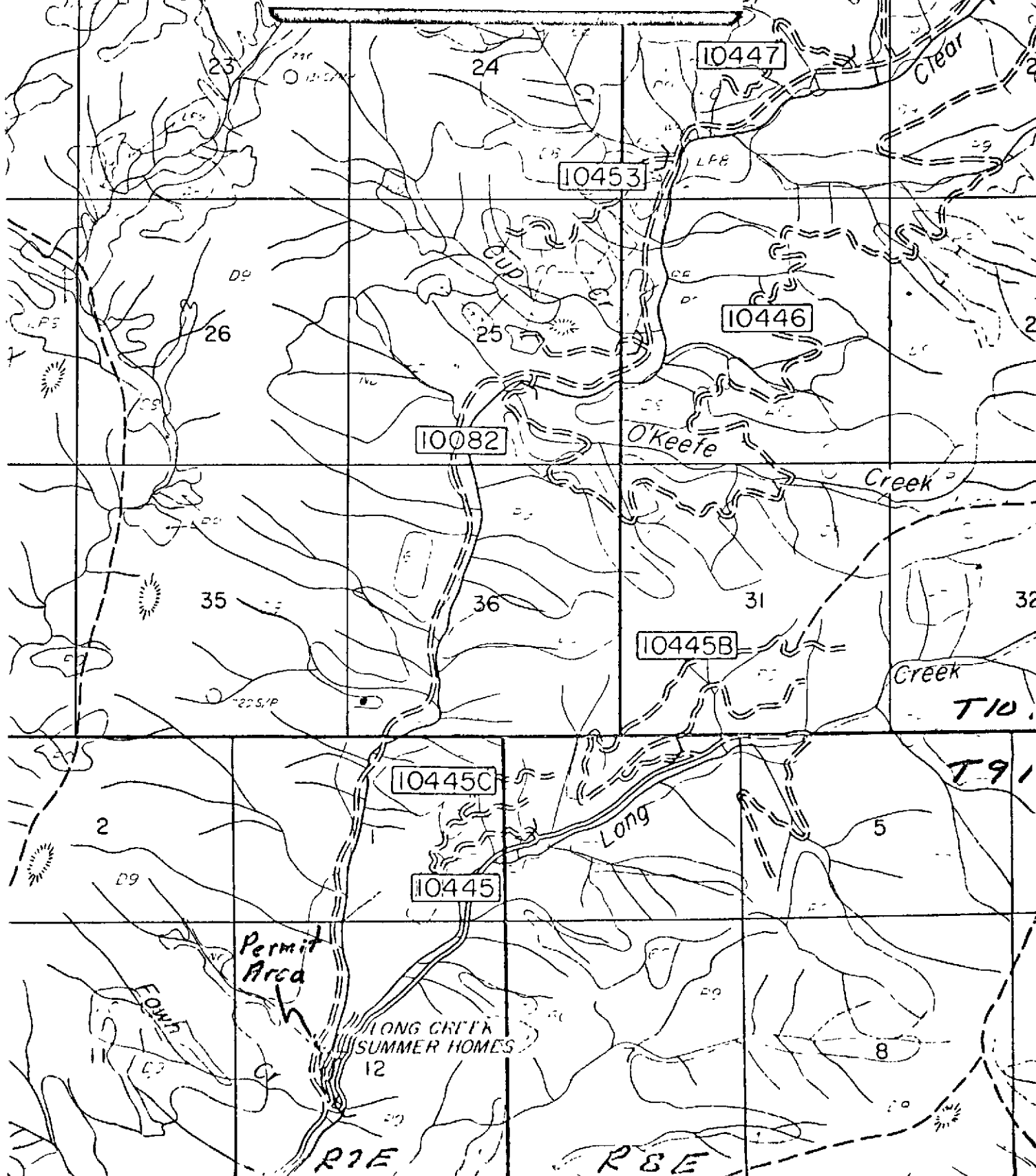
16. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

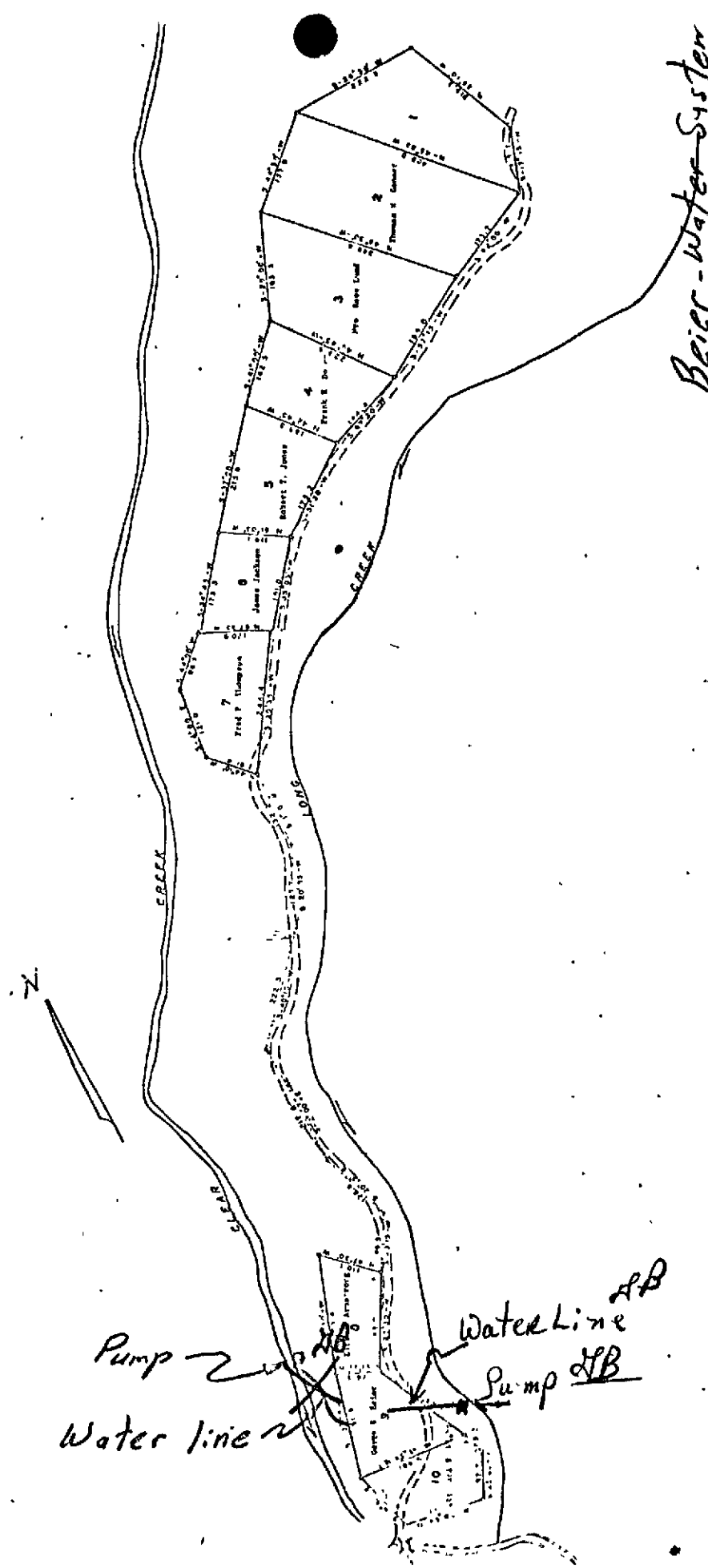
17. In the event of any conflict between any of the preceding printed clauses or any provisions thereof and any of the following clauses or any provisions thereof, the following clauses will control

18. (A-13) A service charge in addition to the regular fees shall be made for failure to meet the fee payment due date or any of the dates specified for submission of statements required for fee calculation. The service charge shall be one (1.0) percent per month of the fee from the date statement and fees were due or \$15, whichever is greater. If a due date falls on a non-workday, the service charge will not apply until the end of the next workday.
19. (B-8) The permittee shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest lands under this permit.
20. (B-31) Natural phenomena in the Forest, such as avalanches, rising waters, high winds, falling limbs or trees, and other hazards present risks to the permittee's property which the permittee assumes. The permittee has the responsibility of inspecting his site, right-of-way, and immediate adjoining area for dangerous trees, hanging limbs, and other evidence of hazardous conditions and, after securing permission from the Forest Service, of removing such hazards, in order to protect his improvements.
21. (P. L. 94-579) Unless sooner terminated or revoked in accordance with the provisions of the permit, this permit shall expire and become void upon issuance of a new authorization or one year after publication of regulations by the Secretary of Agriculture under the provisions of Title V, P. L. 94-579, whichever comes first, but a new authorization to occupy and use the same National Forest land will be issued provided the permittee will comply with the then-existing rules and regulations governing the occupancy and use of National Forest lands.
22. (X-33) This permit is granted with the express understanding that should future location of Government improvements or road rights-of-way require the relocation of the permittee's improvements, such relocation will be done by the permittee at his expense within sixty (60) days following request to relocate.
23. (X-81) This permit confers no right to the use of water by the permittee.
24. (D-7) The permittee shall be responsible for the prevention and control of soil erosion and gullyng on the area covered by this permit and lands adjacent thereto, and shall provide preventive measures as required.
25. (X-49) This permit shall not be exclusive. The Forest Service reserves the right to use or permit others to use any part of the permitted area for any purposes, provided such use does not interfere with the rights and privileges hereby authorized.

26. (E-8) Any lands described in this permit which have been withdrawn for waterpower purposes under the act of March 3, 1879, or act of June 25, 1910 (or are embraced in an application or license under the Federal Power Act of June 10, 1920), or have been withdrawn under the Reclamation Act of June 17, 1902, are subject at any time to use in connection with the development of waterpower or for reclamation purposes. This permit, therefore, is issued with the specific understanding that (1) its use shall not interfere with such waterpower or reclamation development and that (2) the permit may be, if necessary, terminated upon ninety (90) days notice when in the judgment of the Federal Power Commission, or of the Bureau of Reclamation in the event of reclamation withdrawals, the lands occupied are needed for use in connection with the generation of hydroelectric power, reclamation developments, or other purposes contemplated by the act or acts under which the lands have been withdrawn. No claim shall be made against the United States or power licensees for or on account of prospective profits or for any injury or damage to properties, improvements, or operations due to such development. The permittee will be allowed ninety (90) days in which to remove his improvements.

Beier - Water Transmission







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

February 10, 1978

Re: Permit No. 65-12009

Gerry B. &/or Margaret C. Beier
&/or William J. &/or Violet L. Virts
920 Lander St.
Boise, ID 83703

Dear Ladies and Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 65-12009. 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 misled 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,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/kw
Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-12009

☒ 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) LS 10/5/77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) rf 10-11-77

☒ Forest Service

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) LS 10/5/77

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) rf OK

Affidavit of Publication received(date) 10-31-77

(12) _____

Final date for protests _____

Protests received: yes _____ no _____

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

10-4-77 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 DIST By DRT Date 10-31-77

MICROFILM

November 28, 1977

Mr. & Mrs. Gerry B. Beier
929 Lander St.
Boise, ID 83703

Dear Mr. & Mrs. Beier:

Your Application for Permit which you filed recently is proceeding. However, Part C, Item 9, was inadvertently omitted. This Item reads, "If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing".

A check on your file with the Lowman Ranger Station Headquarters does not show a modification of your lease for a water transmission line. To make all the information complete, if you have not already done so, contact the Lowman Headquarters at 7203 Warm Springs Ave., Boise, ID, Phone 384-1475. A Mr. Jack Smith, Resources Assistant, should be able to help you there. According to Maxine Swa at Boise Forest Headquarters the modification should be only a formality.

When you have completed the arrangements, please inform us so that the information can be placed with your application.

If there are any questions please feel free to contact us.

Sincerely,

Forrest E. Luthy
Water Resource Agent

FEL:alw

MICROFILMED

October 12, 1977

Re: Application for Permit No. 65-12009
(Gerry B. &/or Margaret C. Beier &/or
William J. &/or Violet L. Virts)

Bob Glenn
Supervisor's Office
Boise National Forest
1075 Park Blvd.
Boise, ID 83706

Dear Sir:

Enclosed is a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six week period and is required to take final action shortly thereafter.

If you have questions regarding the application, please contact this office.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.



DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

October 7, 1977

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

Re: Notice of Application for Water Right No. 65-12001 - George &/or Dora M. Hurray
65-12004 - Richard &/or Linda Borders
65-12005 - Dudley &/or Enid Smith
65-12006 - Dudley &/or Enid Smith
65-12009 - Gerry &/or Margaret Seier&/or
Wm. &/or Violet Virts
65-12008 @ Eight Mile Subd. Water Assn.
65-12010 - Mary C. Ihrig

Idaho World
Box 220
Idaho City, ID 83631

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 October 31, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
10-31-77
-J

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that GERRY B. &/or MARGARET G. BEIER &/or
WILLIAM J. &/or VIOLET L. VIRTIS 920 Lander Street Boise, ID
has on October 4, 1977 submitted Application No. 65-12009
for a permit to appropriate 0.04 cubic feet per second acres feet
XXXXXXXXXX per annum of water from Long Creek trib. South Fork Payette River
by means of pump and pipelines
within the NE1/4SW1/4 Sec 12 T9N-R7E B.M., Boise County
XXXXXXXXXX
to be used from Jan 1 to Dec 31
for domestic purposes
within the NE1/4SW1/4 Sec 12 T9N-R7E 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 October 31, 1977.

C. STEPHEN ALLRED

Director

Published in the Idaho World, Idaho City, ID
on October 14, 1977 and October 21, 1977.

MICROFILMED