

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

The map is drawn on a grid with solid lines every 2 units and dashed lines every 1 unit. The following labels are present:

- R 3E**: Located in the upper-middle section of the grid.
- 18N**: Located on the left side of the grid.
- BIG PAYETTE LAKE**: A curved line representing a lake, located in the middle-left section.
- LOT 3**: A small circle with the number 3 inside, located near the lake.
- P.D. & PLACE OF USE**: A small circle with the number 2 inside, located near the lake.
- 2**: A large number 2, located near the lake.

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.

John J. Reubels
(Applicant)

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO]
]ss.
County of Valley]

Michael Parfit, being first duly sworn, deposes and says: That he is the publisher of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began September 29, 1977, and ended October 6, 1977.

Michael Parfit
Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 6 day of October, 1977.

John N. Parfit Notary Public.

My commission expires Aug 1, 1981.

OK
11-1-77
[Signature]

Notices Public Not

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that R.C. Campbell &/or Helen L. Curtis &/or John Peebles 1502 S. Owyhee St., Boise, ID 83705 has on 9-8-77 submitted Application No. 65-7961 for a permit to appropriate 0.12 cubic feet per second of water from Big Payette Lake by means of pump within lot 3 Sec 2 T18N R3E B.M.

County of Valley to be used from Jan 1 to Dec 31 for domestic purposes within Lot 3 Sec2 T18N R3E.

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 17, 1977.

C. STEPHEN ALLRED
Director
Published in the Star News on
September 29, 1977 and October
6, 1977.

RECEIVED
NOV 1 1977
Department of Water Resources
Boise Regional Office
MICROFILMED

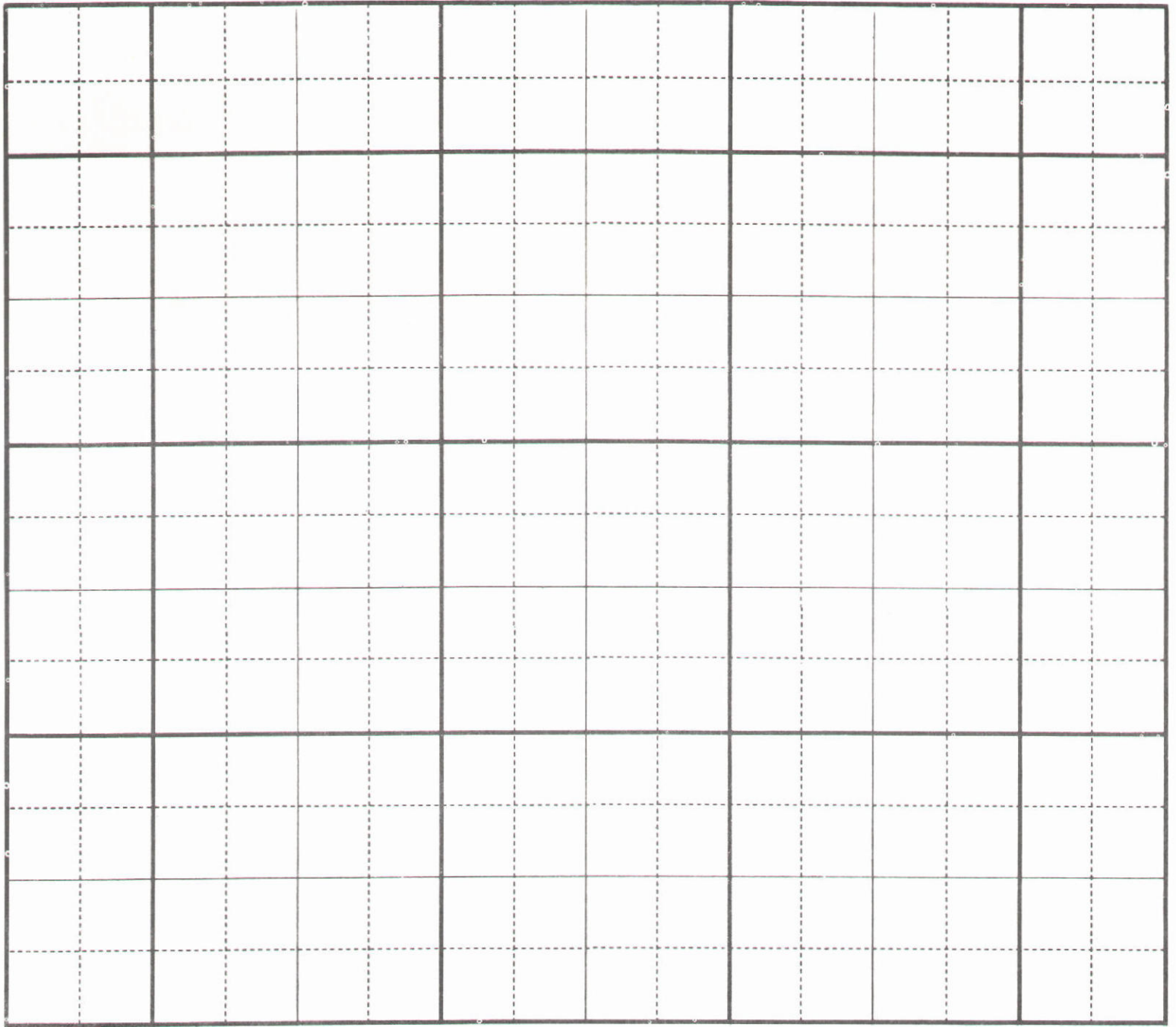
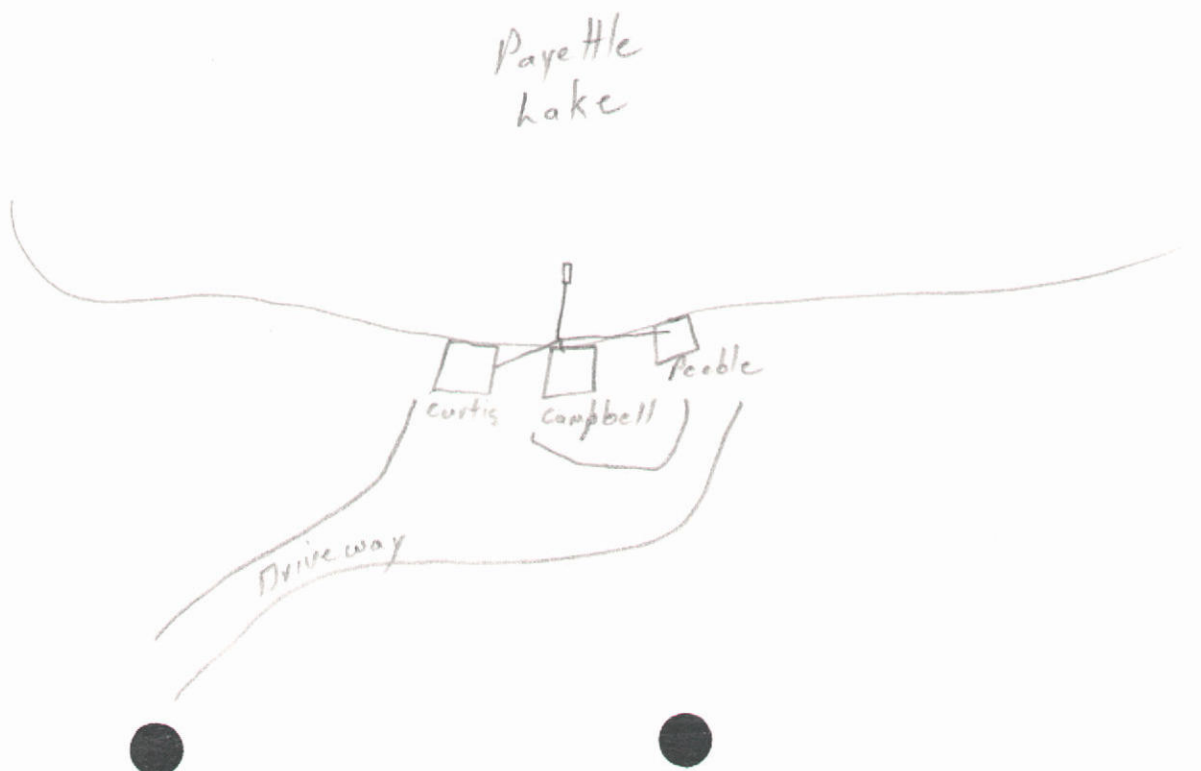


Diagram of System



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7961 Priority September 8, 1977 Amount 0.08 cfs

THIS IS TO CERTIFY, that R.C. CAMPBELL &/or HELEN L. CURTIS &/or JOHN J. PEEBLES
of Boise, Idaho, has complied with the terms and conditions of Permit
No 65-7961 issued pursuant to Application for Permit dated September 8, 1977,
and has submitted proof to the Department of Water Resources on April 28, 1978,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 0.08 cfs of water from Big Payette Lake,
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
Domestic (3 homes)	from <u>January 1</u> to <u>December 31</u>	at <u>0.08</u> cfs and	<u>3.6</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
3.6 acre feet per year, said waters to be diverted within the Lot 3, Sec. 2, Twp. 18N,
Rge. 3E, B.M. in the County of Valley

Description and location of place of use:

Twp	Range	Sec.	NE 1/4				NW 1/4				SW 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	
18N	3E	2								L. 3 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 27 day of
March, 19 80.

Director

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 65-7961 IN THE NAME OF R. C. CAMPBELL &/or HELEN L. CURTIS &/OR JOHN J. PEEBLES	} } } } }	MEMORANDUM DECISION AND ORDER
---	-----------------------	----------------------------------

On September 8, 1977, R. C. Campbell and/or Helen L. Curtis and/or John J. Peebles applied to the Department of Water Resources for an application for permit to appropriate 0.12 cubic feet per second of water from Big Payette Lake within Government Lot 3, Sec. 2, Twp. 18N, Rge. 3E, B.M., Valley County, to be used for domestic purposes for three residences.

Notice of the application was published in the Star News, McCall, Idaho, on September 29, 1977 and October 6, 1977. A protest against the approval of the application was received from Louie Gorrone on behalf of the Lake Reservoir Company.

On December 14, 1977, a conference was held in Boise, Idaho. The applicants were present and represented themselves and the protestant was present and was represented by Louie Gorrone, attorney at law. The arguments of all parties were heard at the conference and it was agreed that the Department should reach a decision in the matter.

Based on the information presented at the conference, the official files and records of the Department and the Director's understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. The Lake Reservoir Company is entitled to store with a priority of February 18, 1920, approximately 27,750 acre feet per year in Big Payette Lake between elevation 4,989.29 feet above mean sea level and elevation 4,983.75 feet above mean sea level as reflected in the decree entitled Payette Lakes Protective Association, a corporation v.s. Lake Reservoir Company, a corporation; said decision rendered on the 7th day of January, 1946.

2. License no. 16244/65-2333 in the amount of 25,495 acre feet per year with a priority of March 15, 1925, was issued to Governor C. C. Moore, to preserve water in the lake for "scenic beauty, health and recreation purposes necessary and desirable for all the inhabitants of the State".

MICROFILMED

3. The legislation by which the Governor preserved water in Big Payette Lake (Section 67-4301, Idaho Code) states in part that "The governor is hereby authorized and directed to appropriate in trust for the people of the State of Idaho all the unappropriated water of Big Payette Lake, or so much thereof as may be necessary to preserve said lake in its present condition."

4. The lake level in most years is maintained above elevation 4,983.75.

5. The protestant stated that he was not concerned with the effect of this application as such, since it likely would not interfere with his existing right, but was concerned with the uncertainties of future appropriations that, if they are substantial in number and/or magnitude they might interfere with the applicant's right and use of water.

CONCLUSIONS OF LAW

1. The protestant did not show that the proposed appropriation would interfere with his existing right.

2. It is unlikely that the proposed appropriation due to its insignificance in magnitude would change the present condition of the lake or lake level and thus interfere with the intent of the legislation reflected in Section 67-4301, Idaho Code.

3. The applicants are entitled to a permit from the Department of Water Resources.

ORDER

IT IS, THEREFORE, HEREBY ORDERED and Application for Permit No. 65-7961 is APPROVED subject to the following conditions:

1. The permit be and is subject to all prior existing water rights, and particularly those held by Lake Reservoir Company and also that right reflected by License No. 16244/65-2333 held in trust for the people of Idaho.

2. Proof of construction of works and application of water to beneficial use shall be submitted to the Department on or before February 1, 1979.

Dated this 29 day of January, 1978.


A. KENNETH DUNN
Deputy Director

MICROFILMED

Identification No. _____
Application No. 65-7961

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)

R. C. Campbell and/or
Helen L. Curtis and/or

1. Name of applicant John J. Peebles Phone: 345-3523
post office address 1502 South Owyhee St., Boise, ID 83705

2 Source of water supply Big Payette Lake which is a tributary of _____

3 a Location of point of diversion is Lot 3 $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 2 Township 18N
Range 3E B.M. Valley 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 .12 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 .12 cubic feet per second and/or

b _____ acre feet per annum

6 Proposed diverting works.

a Description of ditches, flumes, pumps, headgates, etc. PIPE IN LAKE & 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 _____ 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 Lot 3 $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 2 Township 18N
Range 3E B.M.

(2) Amount of power to be generated NA hp under _____ feet of head

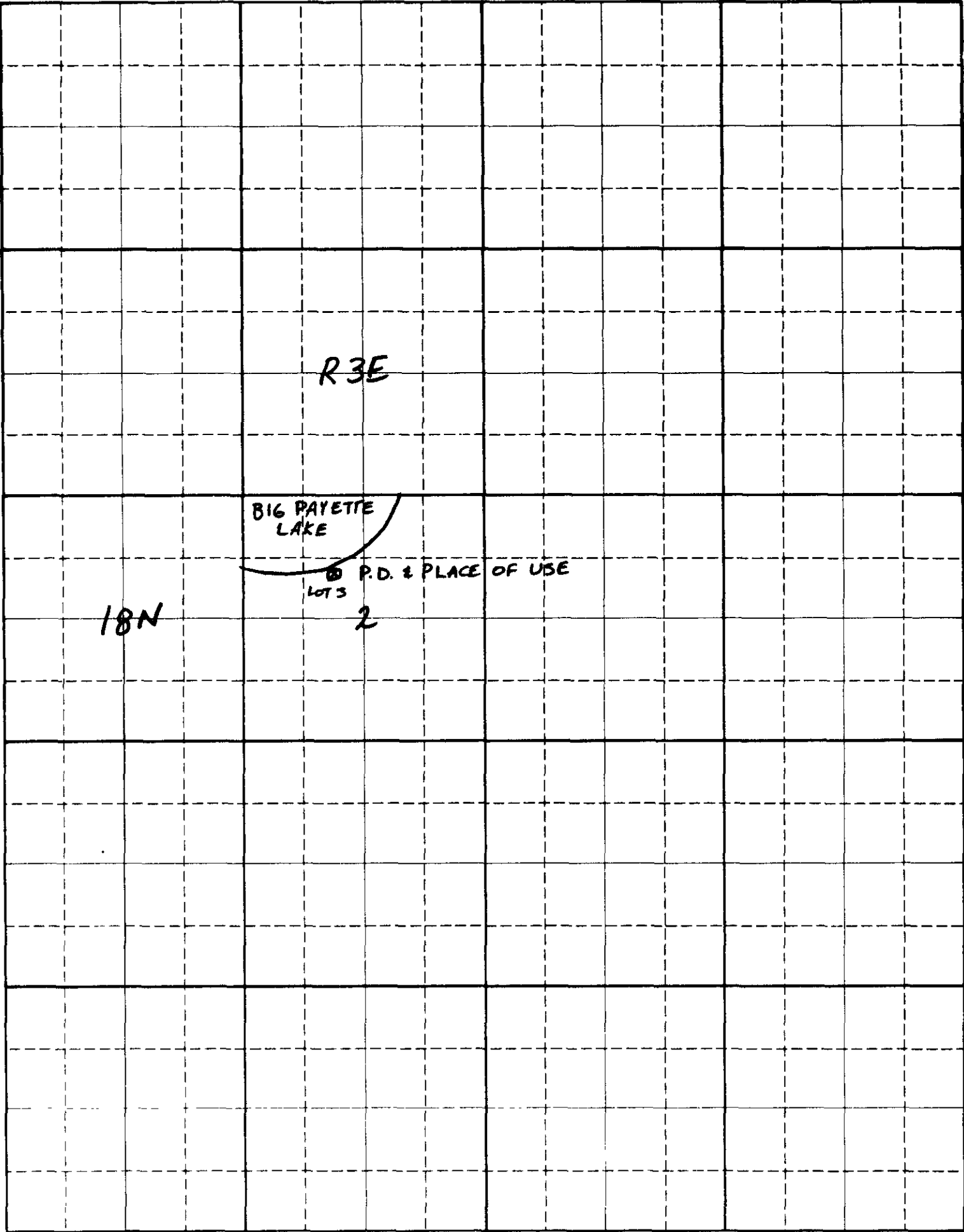
(3) List number of each kind of livestock to be watered NA

(4) Name of municipality to be served NA, or number of families to be
supplied with domestic water 3

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

MICROFILMED

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

John J. Reibler
(Applicant)

9-08-1977

Proposed Priority

Received by DRT Date 9-8-1977 Time 8:30 AM

Preliminary check by WMM Fee \$ 10.00 # 8888

Received by RF Date 9-8-1977

Publication prepared by WMM Date 9-22-77

Published in ST. News

Publication dates 9-29 & 10-6-77

Publication approved RF Date 11-1-77

Priority reduced to _____ Reason _____

Protests filed by Lake Reservoir Co. by

L. Gorrano

Copies of protests forwarded by _____ rf _____

Hearing held by 8DF+LCS Date 12-14-77

Recommended for approval denial by ST. News

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. 65-7961, 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 February 1, 19 79.

c. Other: SEE MEMORANDUM DECISION AND ORDER DATED THIS DATE.

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

Witness my hand this 29 day of January, 19 78.

DEPUTY
Director

L. GORRONO

ATTORNEY AT LAW
105 NORTH HAYES
P.O. Box 637
EMMETT, IDAHO 83617
(208) 365-2421

October 17, 1977

RECEIVED
OCT 18 1977

Department of Water Resources
Western Regional Office

Director C. Stephen Allred
Idaho Department of Water Resources
92 S. Cole Rd.
Boise, Idaho 83705

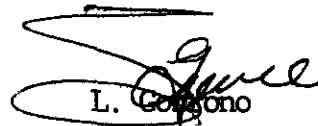
Re: Application for Water Permit # 65-7961
R.C. Campbell &/or Helen L. Curtis &/or John Peebles

Dear Sir:

I have been instructed to submit a Protest against the granting of the permit to appropriate .12 cu. ft. per sec. of water from Payette Lake, pursuant to the "Notice of Application for Water Permit" published in connection with said application.

It is realized the application is "subject to all prior water rights," but Lake Reservoir is concerned about the questions of priority of use and complications that might possibly arise from the numerous pumps and pipes in Payette Lake.

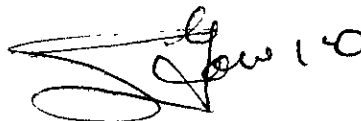
Very truly yours,


L. Gorrono

LG/dar

CC: Lake Reservoir Co.
United States Department of
Interior, Bureau of Reclamation
Boise Office

P.S. The protest in writing above is submitted in confirmation of the verbal protest made this date, in my telephone conversation with Don Schaff, of your department. Thank you for your attention to this matter.



COPILED

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO]
ss.
County of Valley]

Michael Parfitt, being first duly sworn, deposes and says: That he is the publisher of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for ... 7628 ... consecutive weeks in the regular and entire issue of every number thereof during the period and terms of publication, and was published in the newspaper in proper and not in a supplement; and that publication of such notice began ... September 28, 1977 ... and ended ... October 4, 1978 ...

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this ... 6 ... day of ... October ... 1978 ...

.....
.....
My commission expires ... Aug. 1, 1981 ...
..... Notary Public.

OK
11-1-78



WILSON

Address Change !!

To: Dept Water Resources
Administration Bureau
PO 83720

Bureau ID 83720-098.

RECEIVED

DEC 23 1999

Department of Water Resources

This is our advice of address change as we have moved from PO Box 2008, Oak Harbor, WA. 98277 to the new address here listed:

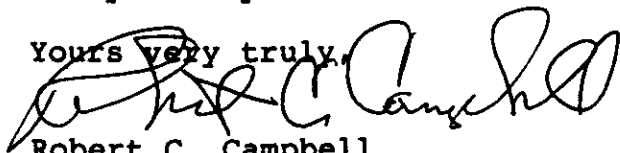
PO Box 60486
Boulder City, Nevada 89006

this refers to all correspondence we receive from you from this date forward.

Our telephone number is now: 702 code 293-2836.

This applies to accounts under my name, Robert C. Campbell, and the accounts of Robert C. Campbell and (or) Joanne M. Campbell and those accounts that I administer for my children as either conservator or trustee, these in the name of Susan M Campbell, Molly A Campbell (Bolin), Robert Andrew Campbell.

Yours very truly,


Robert C. Campbell
Date 12 19 99

NCA prepared.

REF. # → 65-07961

modified records
12-29-99
+ → 65-07961B (I status)
+ → 65-07961C
+ → 65-08247
2 (P.D. 10-23-98)

Department's notice 12-29-99

cc: WA



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

March 27, 1980

R.C. Campbell &/or Helen L. Curtis &/or
John J. Peebles
1502 S. Owyhee St.
Boise, Idaho 83705

Dear Mr. Campbell, Ms. Curtis & Mr. Peebles,

RE: License No. 65-7961

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

August 15, 1979

R.C. Campbell and/or
Helen L. Curtis and/or
John J. Peebles
1502 South Owyhee St.
Boise, Idaho 83705

Dear Mr. Campbell, Ms. Curtis & Mr. Peebles,

RE: Permit No. 65-7961

A representative of this Department made an examination of the works covered by your Permit No. 65-7961 on August 26, 1978, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.08 cfs Source: Big Payette Lake

The maximum quantity diverted shall not exceed 3.6 acre feet per year.

Point of diversion: Lot 3, Sec. 2, Twp. 18N, Rge. 3E, B.M.

Beneficial use: Domestic use for 3 summer homes within Lot 3, Sec. 2, Twp. 18N, Rge. 3E, B.M.

Priority date established: September 8, 1977

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,

JAN GROVER
Water Rights Supervisor

JG/kw

RECORDED 1079

DEPARTMENT OF WATER RESOURCES

FIELD REPORT

FIELD REPORT

1. Name of permit holder R. C. Campbell for Helen L. Curtis for John J. Peebles
Post office address 1502 So. Owyhee, Boise, ID Phone 345-3523
Person to contact John J. Peebles Phone _____
2. Source of water supply: Groundwater ☐ Surface water ☒ Big Payette Lake
(name spring, stream, etc.)
Tributary to _____

- 3 Water will be used for the following purposes:

Amount 0.12 c.f.s. for Dom(3)
 AF/Annum (nature of use)

Period of Use: from 1/01 to 12/31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.12 cubic feet per second and annual volume _____ AF/Annum.

- 5 Location of Point(s) of Diversion

Township 18N N/S, Range 3E E/W, B.M., Section 2, Subdivision L-3 1/4 _____ 1/4 Valley County

Township_____N/S, Range_____E/W, B.M., Section_____, Subdivision_____1/4_____1/4_____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Other Points of Diversions _____

Description of diverting works. pipe in lake & pump

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

MICROFILMED

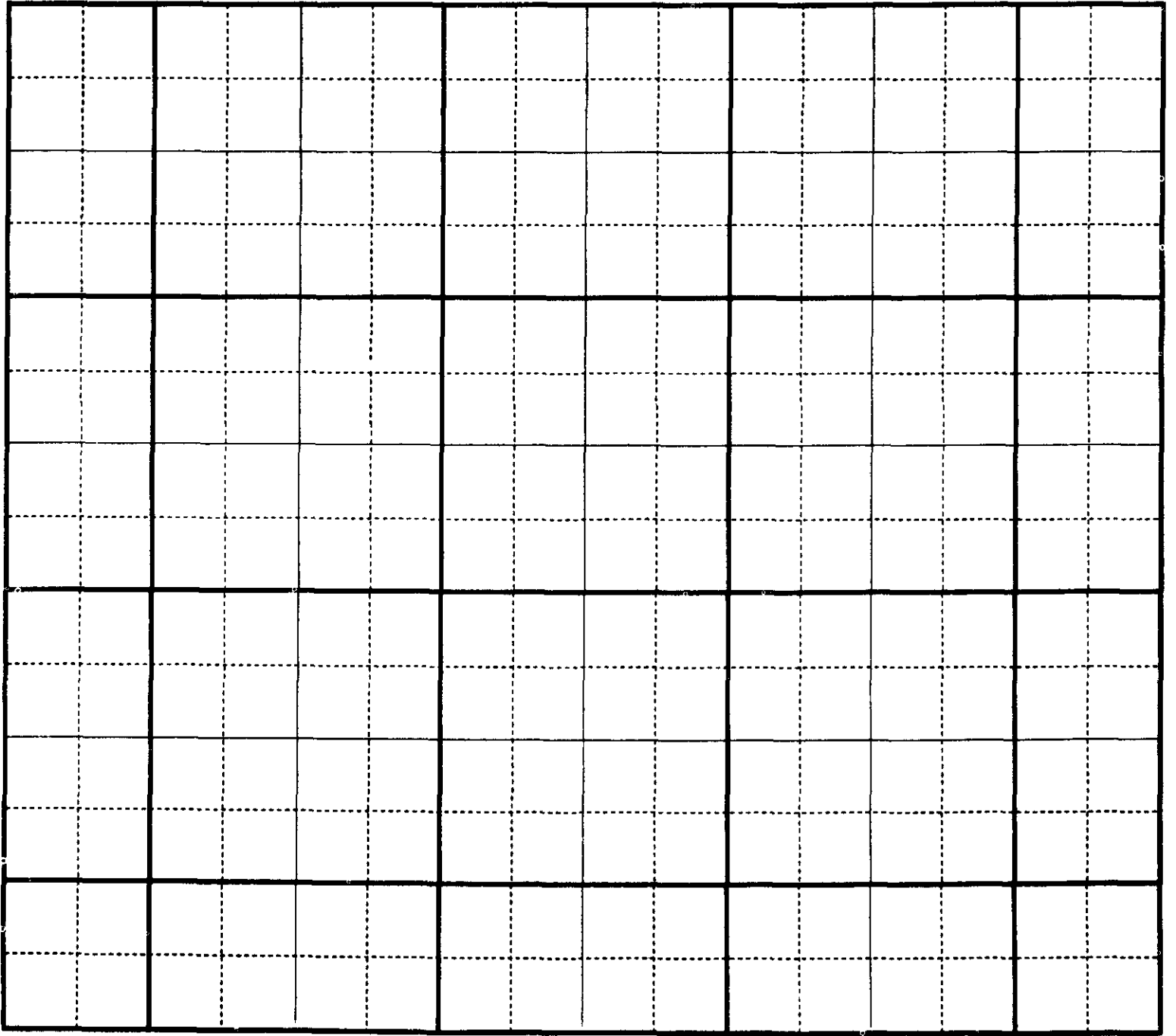
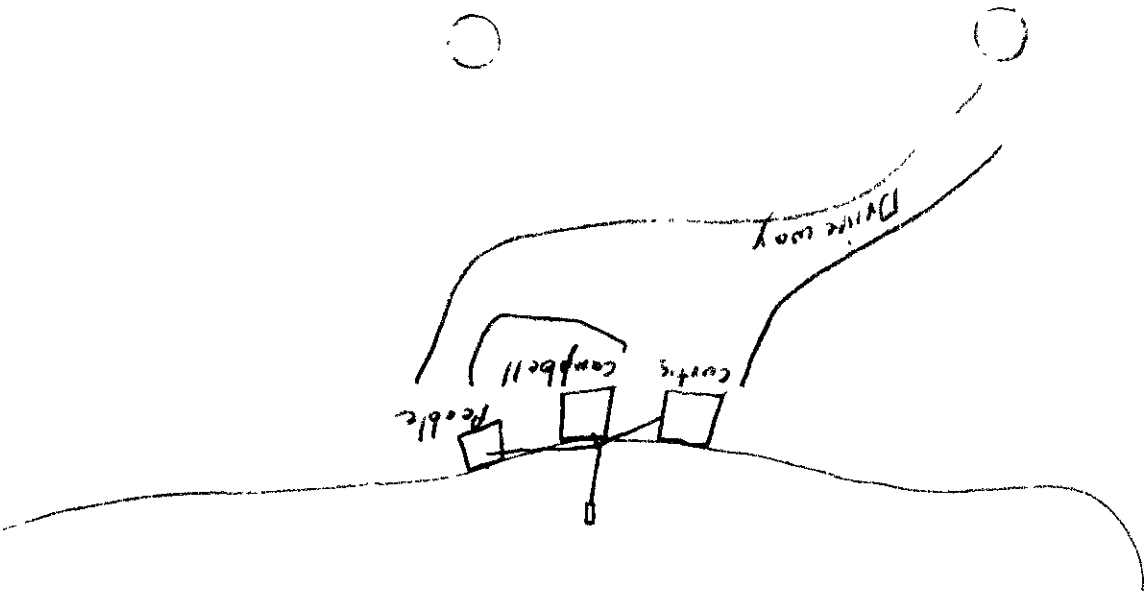


Diagram of System

Paye H/c
Lake



DATE OF EXAM 8/26/78

ACREAGE
Found 0
Recommended 0

Irrigation Requirement 0 Ac Ft/Ac

USE

Irrigation Q = _____ c.f.s.	V = _____ AF/Ann. from _____ to _____
Domestic Q = <u>.08</u> c.f.s.	V = <u>3.6</u> AF/Ann. from <u>1/1</u> to <u>12/31</u>
Livestock Q = _____ c.f.s.	V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes_____ no X

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. _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____
 _____ County

Total Q measured .08 Method of measurement Est from pump

Total Q recommended 108 Meter No. _____ Type _____ Condition _____

Total V recommended 3.6

Recommended Amendments:

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

MEASUREMENT CALCULATION:

MEASUREMENT CALCULATION:
.08 from pump manual on INP in or rate

SYSTEM DESCRIPTION:

SYSTEM DESCRIPTION:
1HP Sub pump in lake pumping to 3 summer home.

REMARKS:

Examiner's Signature G. L. Sisco Date 12/7/78

Checked by _____ Date _____

Approved by _____ Date _____

May 3, 1978

R.C. Campbell &/or Helen L. Curtis
&/or John J. Peebles
1502 So. Owyhee
Boise, Idaho

RE: 65-7961

Dear Ms. Curtis & Gentlemen:

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, Idaho.

Sincerely,

JANICE RENK
Water Rights

MICROFILMED

Identification No. _____

Permit No. 65-7961

RECEIVED

APR 28 1978

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder R.C. Campbell &/or Helen L. Curtis &/or John J. Peebles
b) Post Office Address 1502 South Owyhee Street, Boise, Idaho 83705

2. Permit Number 65-7961

3. Date of Priority that you are prepared to establish 9 - 08 - 1977

4. a) Source from which water was appropriated Big Payette Lake

b) Location of the point of diversion: Lot 3 $\frac{1}{4}$ Section 2

Township 18N, Range 3E Boise Meridian, Other points of diversion: _____

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

Amount 0.12 for domestic purposes from Jan. 1 to Dec. 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 0.12 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: Not applicable (domestic use)

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) Pipe in lake and pump

b) Describe the type and size of measuring device which you have installed at your point of diversion: Not applicable (domestic use)

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:

Domestic. Lot 3, Section 2, Township 18N., Range 3E., B.M.

MICROFILMED

Exam typed 5/3/78 By [signature]

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: _____

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

27 Apr 1978

(Date)

John J. Reiche
(Signature)

State of Idaho)

) ss.

County of Ada)

On this 27th 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.

Mary H. Johnson
Notary Public residing at Boise, Idaho

My commission expires April 20, 1981

February 2, 1978

Re: Permit No. 65-7961

R. C. Campbell &/or Helen L. Curtis
&/or John J. Peebles
1502 South Owyhee St.
Boise, ID 83705

Dear Ms. Curtis and Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 65-7961. Also enclosed is a copy of the Memorandum Decision and Order issued for this Permit. We direct your attention to the conditions of approval as listed on the last page of the Order.

Sincerely,

DAVID B. SHAW
Water Allocation Supervisor

DBS/kw
Enclosure

cc: Louie Gorrone
Copy of Memorandum Decision and Order

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Glen Saxton

DATE 12-21-77

TO Bob Fleenor

SUBJECT ^{Enclosed} Memo Decision draft on 65-7961

Please review the draft memo decision & note that I have not stated that water is or is not available for appropriation. Some of our past memo decisions have likewise ~~as~~ not spoken to that point. Also advise me when the decision is required since I have another similar app pending.

JLS

SIGNATURE

CHAPTER 13

PRESERVATION OF CERTAIN LAKES AS HEALTH RESORTS AND
RECREATION PLACES

SECTION.		SECTION.	
67-4301.	Big Payette Lake — Appropriation of waters in trust for people.	67-4308.	Niagra Springs — Appropriation of waters in trust for people.
67-4302.	Big Payette Lake—Lands devoted to health and recreational uses.	67-4309.	Big Springs — Appropriation of waters in trust for people.
67-4303.	Big Payette Lake —Separability of act.	67-4310.	Box Canyon — Appropriation of waters in trust for people—Lands devoted to recreational use.
67-4304.	Priest, Pend d'Oreille, and Coeur d'Alene Lakes — Appropriation of waters in trust for people.	67-4311.	Thousand Springs — Appropriation of waters in trust for people — Lands devoted to recreational use upon cessation of electrical generation.
67-4305.	Priest, Pend d'Oreille, and Coeur d'Alene Lakes—Lands devoted to health and recreational use.	67-4312.	Permits for appropriation under sections 67-4307—67-4311.
67-4306.	Priest, Pend d'Oreille, and Coeur d'Alene Lakes — Separability of act.		
67-4307.	Malad Canyon — Appropriation of waters in trust for people — Lands devoted to recreational use.		

67-4301. Big Payette Lake—Appropriation of waters in trust for people.—The governor is hereby authorized and directed to appropriate in trust for the people of the state of Idaho all the unappropriated water of Big Payette Lake, or so much thereof as may be necessary to preserve said lake in its present condition. The preservation of said water in said lake for scenic beauty, health and recreation purposes necessary and desirable for all the inhabitants of the state is hereby declared to be a beneficial use of such water.

No fee shall be required in connection with said appropriation by the governor or the permit issued in connection therewith, and no proof of completion of any works of diversion shall be required, but license shall issue at any time upon proof of beneficial use to which said waters are now devoted.

Each succeeding governor in office shall be deemed to be a holder of such permit, in trust for the people of the state. [1925, ch. 83, § 1, p. 117; I. C. A., § 65-4001.]

67-4302. Big Payette Lake—Lands devoted to health and recreational uses.—The lands belonging to the state of Idaho between high and low water mark at said Big Payette Lake, as well as all other lands of the state adjacent to said lake, until the same are disposed of by the state board of land commissioners, are hereby declared to be devoted to a public use in connection with the preservation of said lake in its present condition as a health resort and recreation place for the inhabitants of the state and said public use is hereby declared to be a more necessary use than the use of said lands as a storage reservoir for irrigation or power purposes. [1925, ch. 83, § 2, p. 117; I. C. A., § 65-4002.]

67-4303. Big Payette Lake—Separability of act.—If any part of this act shall be adjudged to be invalid, such judgment shall not affect,

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16244
65-2383

S T A T E O F I D A H O

LICENSE AND CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY That C. C. Moore, Governor of Idaho and trustee for the people of the State of Idaho, of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 5, 1925;

THAT Permit No. 16244 was issued under said application;

THAT requirement of proof of completion of works, as provided by Chapter 218, Section 5574, Idaho Compiled Statutes, is hereby waived by authority granted in Chapter 83, Section 1, Laws of 1925;

THAT On the 10th day of October, 1925, under the terms and provisions of said Permit No. 16244, C. C. MOORE, Governor of Idaho and trustee for the people of the State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the water of Big Payette Lake, situate in Valley County, Idaho, for the preservation of said water in said lake for scenic beauty, health and recreation purposes necessary and desirable for all the inhabitants of the State; and

THAT said right to the use of said waters has been perfected in accordance with Chapter 73, Laws of 1925 and other laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6, of Licenses, at page 3315, on the 16th day of October, 1925;

The right hereby confirmed dates from March 5, 1925;

THAT the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is 25,495 acre feet annually, the amount necessary to maintain the level of Big Payette Lake not higher than normal high water stage and not lower than the natural low water stage at any season of the year.

The right to the use of the water aforesaid, hereby confirmed is restricted to the place of use herein described, as provided by the laws of Idaho.

WITNESS, The seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 16th day of October, 1925.

W. C. SWENDSEN
Commissioner of Reclamation

(SEAL)

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INTER-DEPARTMENT MEMO — 1

FROM BOB FLEENOR

DATE Dec. 14, 1977

TO FILE NO. 65-7961

SUBJECT

At hearing held Dec. 14, 1977, an agreement was signed to agree to let the Department to reach a decision in the matter of the protest, at the protest hearing

SIGNATURE

MICROFILMED

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 65-7961

AGREEMENT

We hereby agree to allow the Department of Water Resources to reach a decision in this matter based upon the information obtained at the conference held on December 14, 1977, at Boise, Idaho, the information contained in the records of the Department and the Department's understanding of the law.

Signed at Boise this 14th day of December, 1977.

John J. Rubles
Ed Campbell
Ed Parson
Helen L. Curtis

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Application 65-7961

Applicant R.C. Campbell
Helen Curtis
John Peebles

Protestant: Lake Reservoir Co. (Attorney Louie Gorrano)
(Lake Re Mr. Parsons President)

Issues:

1.

Mr. Peebles

One system will be installed

— Well has been used for about 30 years — Well — is 120 to 180 feet deep —

Summer use —

System established in 1974

Louie Gorrano

Concerned about

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Dec 14, 1977
S.J. Conf. Rm.
10:00 a.m.

Applicant

Campbell
Curtis
Peebles

Protestant

Ed Parsons
Lake Res. Co.

- Send corresp. etc to
Ed Parsons - Pres. of Lake Res. Co.
(same address as
Lower Payette Ditch Co.)
- 3 parcels of property on Payette Lake
 - well used since 1944
- Summer homes - no use in winter
- Water has been used from lake
since 1974.
- Well is 180' & has deteriorated to some
extent

Gorrons statement

- theoretical problem of late in time
domestic etc slowly taking over
therapeutic uses.
- ? if cabin use is domestic use.
- unappropriated water in the
lake.
- 15 cfs - release from Payette Lake for fish?

Code Section 67-4301

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65-7961 - Campbell &/or Curtis &/or Peebles

Wednesday, December 14, 1977 - 10:00 a.m.

State Office, Department of Water Resources, Boise, Idaho

ROSTER OF ATTENDANCE

Name	Address	Representing
Helen Curtis	5108 Bethel Boise	
Ed Pearson	Payette Idaho	
John J. Peebles	1502 So. Owyhee St. Boise	
Bob Campbell	431 Westbird Nampa.	

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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

Pre-permit exam
Adjudication Claim
Dam Construction
Papers Sent

(1) W/HM 9/12/77

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/HM 9/12/77

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) if OK

Affidavit of Publication received(date) 11-1-77

(12) if _____

Final date for protests 10-17-77

Protests received: yes ☒ no _____

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

Condition: This right when
combined with rights 65-8760, 9-8-77
65-8247, 65-8872 shall
produce a maximum rate
diversion of 0.12 cfs

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 12-21-77

NAME AND ADDRESS OF SENDER

Dept. of Water Resources
Western RegionIndicate type of mail
☐ REGISTERED ☐ COD
☐ INSURED ☒ CERTIFIEDAffix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMASTER AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge (if Registered)	Actual Value (if Registered)	DUE SENDER IF C.O.D.	R.R. FEE	S.D. FEE	S.H. FEE	POST. DEL. FEE	REMARKS
1	139420 J.C. Campbell, 4314 Bird Avenue										
2	139420 Nampan, Rd 83451										
3	139420 Helen J. Austin, 5108 Bethel										
4	139420 Brian, Rd 83704										
5	139420 John J. Coulter, 1503 S. Overbrook										
6	139420 Brian, Rd 83705										
7	139420 Lawrence J.O. Bot 637										
8	139420 Emmett, Rd 83417										
9	139420 Jackson American Co. 914c Thurgood										
10	139420 710 SW Blvd. New Plymouth, N.C.										
11											
12											
13											
14											
15											
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		Declaration of value is required on international registered mail. Special-handling charges apply only to third- and fourth-class parcels. Special-delivery service also includes special-handling service.					
5											

65-796

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST APPROVAL OF
THE APPLICATION FOR PERMIT NO. 65-7961 IN THE
NAMES OF R.C. CAMPBELL &/or HELEN L. CURTIS
&/or JOHN J. PEEBLES

NOTICE OF CONFERENCE
AND/OR HEARING

On September 8, 1977, R. C. Campbell, Helen L. Curtis and John J. Peebles filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On October 18, 1977, the Department received a protest against approval of said application from L. Gorrono on behalf of Lake Reservoir Co.

The Department has set the matter of protest for conference and/or hearing for Wednesday, December 14, 1977 at 10:00 a.m. in the conference room of the state office of the Department of Water Resources, 373 W. Franklin Street, Boise, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 28th day of November, 1977.

L. Glen Saxton
L. GLEN SAXTON, P.E.

Western Regional Supervisor

RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

October 24, 1977

R. C. Campbell &
Helen L. Curtis &
John J. Peebles
1502 S. Owyhee Street
Boise, ID 83705

Dear Mr. Campbell & Peebles & Mrs. Curtis:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. ~~65-7861~~. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

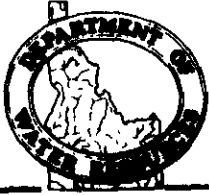
Sincerely,

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

LGS:rf

Enc.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

October 24, 1977

Re: Application for Permit No. 65-7961
(R. C. Campbell &/or Helen L. Curtis &/or John J. Peebles)

L. Gorrano
P. O. Box 637
Emmett, ID 83617

Dear Mr. Gorrano:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

If this office can be of further assistance, please contact us.

Sincerely,

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

LGS:rf

MICROFILMED

File
L. GORRONO

ATTORNEY AT LAW
105 NORTH HAYES
P.O. Box 637
EMMETT, IDAHO 83617
(208) 365-2421

October 17, 1977

BDF
RECEIVED
OCT 18 1977

Department of Water Resources
Western Regional Office

Director C. Stephen Allred
Idaho Department of Water Resources
92 S. Cole Rd.
Boise, Idaho 83705

Re: Application for Water Permit # 65-7961
R.C. Campbell &/or Helen L. Curtis &/or John Peebles

Dear Sir:

I have been instructed to submit a Protest against the granting of the permit to appropriate .12 cu. ft. per sec. of water from Payette Lake, pursuant to the "Notice of Application for Water Permit" published in connection with said application.

It is realized the application is "subject to all prior water rights," but Lake Reservoir is concerned about the questions of priority of use and complications that might possibly arise from the numerous pumps and pipes in Payette Lake.

Very truly yours,


L. Gorrono

LG/dar

CC: Lake Reservoir Co.
United States Department of
Interior, Bureau of Reclamation
Boise Office

P.S. The protest in writing above is submitted in confirmation of the verbal protest made this date, in my telephone conversation with Don Schaff, of your department. Thank you for your attention to this matter.


L. Gorrono

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

September 23, 1977

re: Notice of Application for Water Permit No. 65-7961 -- Campbell &/or Curtis &/or
Peebles

The Star News
Box 985
McCall, ID 83638

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

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

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before October 17, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
11-1-77
[Signature]

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~R.C. Campbell &/or Helen L. Curtis &/or John Peebles~~

~~1502 S. Owyhee St., Boise, ID 83705~~
has on ~~9-13-77~~ submitted Application No. ~~65-7961~~
for a permit to appropriate ~~0.12~~ cubic feet per second ~~acre feet~~
per annum of water from ~~Big Payette Lake~~
by means of ~~pump~~
within the ~~xxx Lot 3 Sec 2 T18N R3E B.M. County of Valley~~

to be used from ~~Jan 1 to Dec 31~~
for ~~domestic purposes~~
within the ~~xxx Lot 3 Sec2 T18N R3E~~

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 17, 1977.

C. STEPHEN ALLRED

Director

Published in the Star News
on September 29, 1977 and October 6, 1977.

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