

PUBLISHER'S AFFIDAVIT

65

STATE OF IDAHO)
) ss.
 County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and 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 October 21, 1976, and ended October 28, 1976.

DE McMahan

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 28 day of October, 1976.
Janet J. McMahan, Notary Public.
 My commission expires July, 1980.

RECEIVED
 NOV 4 1976

Department of Water Resources
 Western Regional Office

OK
 11-5-76
 cs.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that EARL L. &/or EVA M. COLE Nampa, ID has on October 7, 1976 submitted Application No. 65-7676 for a permit to appropriate 0.08 cubic feet per second of water from a groundwater source by means of well and pump within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 23 T14N-R3E B.M., Valley County to be used from Jan 1 to Dec 31 for domestic purposes within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 23 T14N-R3E 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 Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before November 8, 1976.

R. KEITH HIGGINSON
 Director

Published in the Star News, McCall, ID on October 21, 1976 and October 28, 1976.

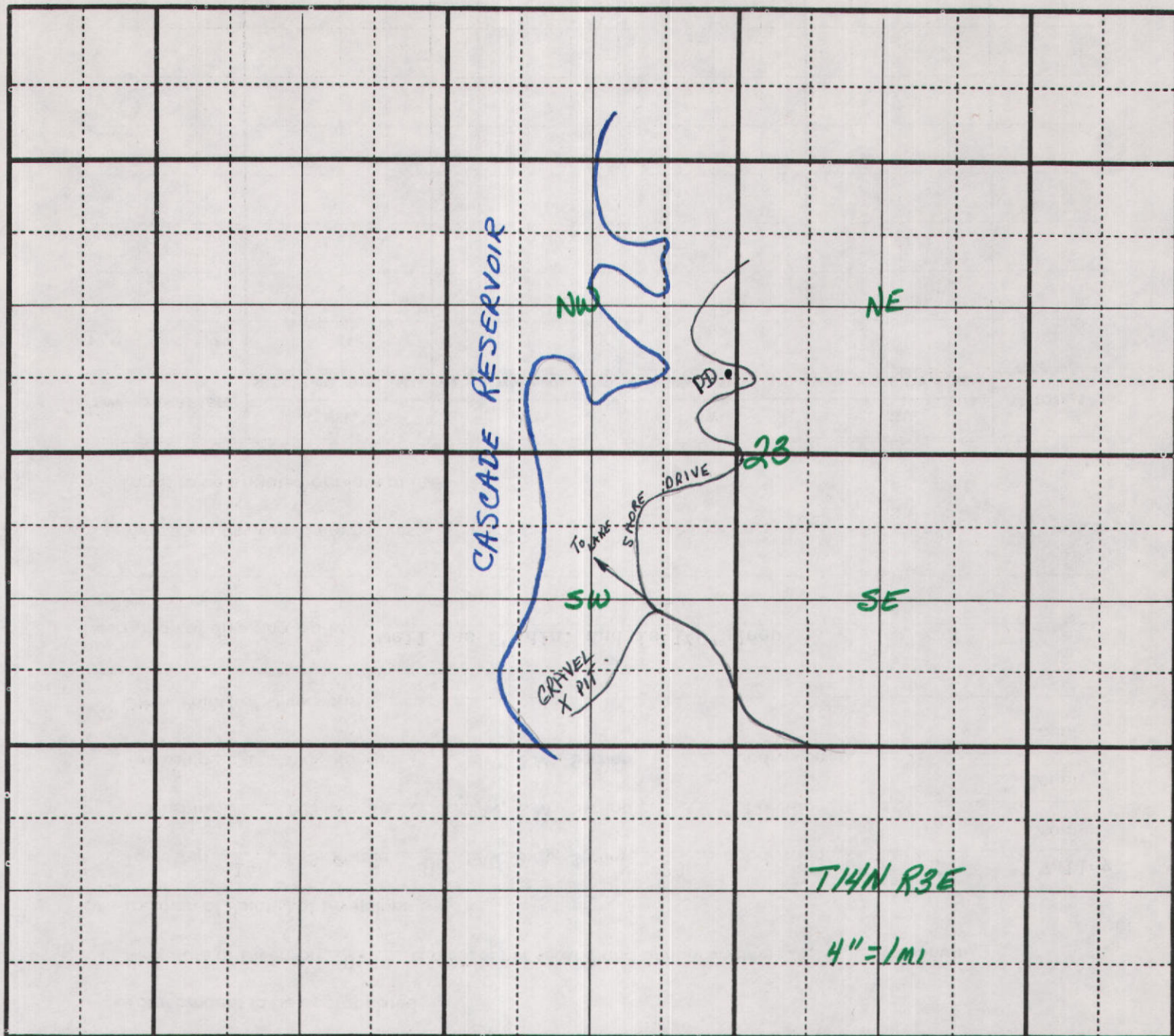


Diagram of System

State of Idaho
Department of Water Resources



WATER RIGHT LICENSE

License No. 65-7676 Priority 10/7/1976 Amount .07 CFS 2.4 AF

THIS IS TO CERTIFY, that EARL L. &/or EVA M. COLE

of Nampa, Idaho, has complied with the terms and conditions of

Permit No. 65-7676 issued pursuant to Application for Permit dated 10/7/1976, and has

submitted proof to the Department of Water Resources on 11/2/1977, that he has applied water to a

beneficial use; and examination by the Department indicates that the works have a capacity for the

diversion of .07 CFS of water from a groundwater source

tributary to, and that the permit holder has

applied to a beneficial use and established a right to use water as follows:

RATE OF DIVERSION	VOLUME	BENEFICIAL USE	PERIOD OF USE
.07 CFS	2.4 AF	Domestic (4 units)	1/1 to 12/31

Location of point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 14N, Rge. 3E, B.M., Valley County

Location of place of use:

TWP.	RGE.	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 $\frac{1}{4}$	
14N	3E	23								X									

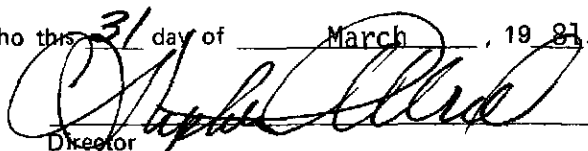
Total number of acres irrigated _____

Place of use known as Lots 9, 22, 25 & 26, Crown Point Subdivision # 4.

NOTE: Modifications to or variance from the use of water as shown on this license must be made in accordance with Section 42-222, Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho this 31 day of March, 19 81.


Director

Identification No. _____

Application No. 65-7676

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 Earl L. &/or Eva M. Cole Phone: 466-3646
post office address 623 9th Avenue South Nampa, ID 83651
- 2 Source of water supply groundwater which is a tributary of _____
- 3 a Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 14N
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 0.08 for domestic purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
- 5 Total quantity to be appropriated
a 0.08 cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works:
a Description of ditches, flumes, pumps, headgates, etc. _____
well 140' deep and 1 $\frac{1}{4}$ " pipe from pump 1 hp 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 SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 Township 14N
Range 3E 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 4
(5) If water is to be used for other purposes describe _____

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

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	

Total number of acres to be irrigated _____

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

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

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

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

10 Remarks _____

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

Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

x Earl L. Cole
(Applicant)

Proposed Priority 10-07-76

Received by ry Date 10-7-76 Time 1:00 p

Preliminary check by ry Fee \$ 10.00

Receipted by ry Date 10-7-76 # 5178

Publication prepared by ry Date 10-14-76

Published in Star News

Publication dates Oct 21-25

Publication approved CS Date 11-5-76

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ry

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 65-7676, 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 December 1, 1977.

c Other _____

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

Witness my hand this 14 day of November, 1976.

R. Karl Hjort
Director

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says. That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and 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 October 21, 19⁷⁶, and ended October 23, 19⁷⁶.

Donald E. McMahan

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 21 day of October, 19⁷⁶.
Notary Public, Notary Public.
My commission expires. 19 July, 19⁷⁶.

RECEIVED
NOV 11 1976

OK
11-5-76
CS

Notice is hereby given that EARL L. &/or EVA M. COLE Nampa, ID has on October 7, 1976 submitted Application No. 65-7676 for a permit to appropriate 0.08 cubic feet per second of water from a groundwater source by means of well and pump within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 23 T14N-R3E B.M., Valley County to be used from Jan 1 to Dec 31 for domestic purposes within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 23 T14N-R3E 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 Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before November 8, 1976.

R. KEITH HIGGINSON
Director

Published in the Star News,
McCall, ID on October 21, 1976



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

April 6, 1981

Earl & Eva Cole
623 9th Ave. So.
Nampa, Idaho 83651

Dear Mr. & Mrs. Cole,

RE: License No. 65-7676

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

Sincerely,

JIM JOHNSON

Water Distribution Supervisor

JJ:mr

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

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

March 11, 1981

Earl & Eva Cole
623 9th Ave. So.
Nampa, Idaho 83651

Dear Mr. & Mrs. Cole,

A representative of this Department has made an examination of the works covered by your Permit No. 65-7676, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .07 cfs Source: groundwater

The maximum quantity diverted shall not exceed 2.4 acre feet per year.

Point(s) of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 14N, Rge. 3E, B.M.

Beneficial use: Domestic use for 2 units within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 14N,
Rge. 3E.

Priority date established: October 7, 1976

Conditions (if any): Place of use known as Lots 23, 24 & 25, Crown Point Subdivision
4. *Altered per telcon JJ (see exam)*

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

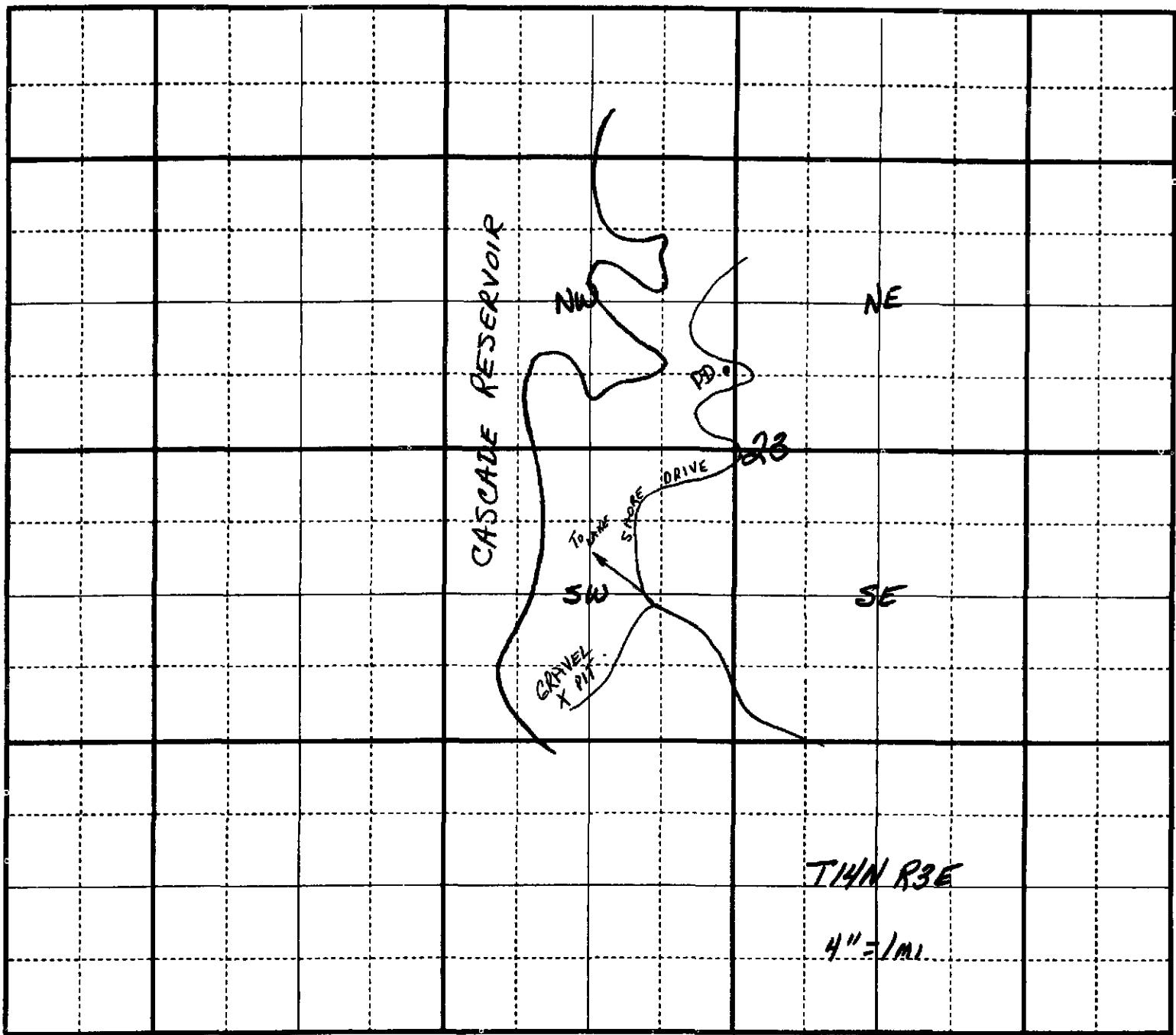


Diagram of System

DATE OF EXAM 7/12/79

ACREAGE

Found _____

Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Domestic Q= .07 c.f.s. V= _____ 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 .07 cfs Method of measurement CALCULATED

Total Q recommended .07 cfs Meter No. _____ Type _____ Condition _____

Total V recommended _____

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

None ☒

MEASUREMENT CALCULATION:

$Q = \frac{HP \times 2.31}{L + 2.31} = .07 \text{ cfs}$ CAPACITY $N = 2 \text{ units} \times 1.2 = 2.4 \text{ AF}$ ^{OK}

HP = 1 L = 5

90 = 8 PSI = 98.27' head = 40 psi

C = 8.8

SYSTEM DESCRIPTION:

6" x 140' well with Goulds 1HP submersible pump

MOD # 280-1080-301

REMARKS:

4
9, 22, 25, 26, 27, 28, 29, 30, 31 of Crown Pt. Sub # 4. Rogers occupied one of
this site ^{Roberts}

in house use only per telecon w/ Mr. Cole

Examiner's Signature Janda Lou Johnson Date 7/12/79 ^{3/13/81}

Checked by William H. [unclear] Date 3/12/79

Approved by _____ Date _____

December 2, 1977

Re: Permit No. 65-7676

Earl L. &/or Eva M. Cole
623 9th Ave. So.
Nampa, Idaho 83651

Dear Mr. & Mrs. Cole:

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

1

Identification No.

Permit No. 65-7676

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

2 1977

Department of Water Resources
Western Regional Office

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Earl L. and/or Eva M. Cole
- b) Post Office Address 623 9th Ave. So. Nampa, Id. 8
2. Permit Number 65-7676
3. Date of Priority that you are prepared to establish 10-07-76
4. a) Source from which water was appropriated Groundwater
- b) Location of the point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23
Township 14N, Range 3E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 0.08 for Domestic purposes from 1-1 to 12-31 incl.
(cfs and/or acre-foot per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-foot per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-foot per annum) (Month-Day) (Month-Day)
- b) Total amount appropriated 0.08 cfs and/or acre-foot 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: N/A

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: N/A
 - b) Describe the agreement or understanding by which you take water from the works: N/A

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) Well has 6" diam and is 140' deep

- 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: Ray Thorne - Cascade, Idaho.

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Domestic - 4 homes

Exam typed 12/2/76

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.

8-5-77

(Date)

Earl L. Cole

(Signature)

State of Idaho)

County of Ada) ss.

On this 5th day of August, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he ~~(she)~~ ~~(they)~~ executed the same.

Lyle Glen Sartor

Notary Public residing at

Boise, Idaho

My commission expires

11-25-78

September 30, 1977

CERTIFIED MAIL

138001

Re: Permit No. 65-7676

Earl L. &/or Eva M. Cole
623 9th Ave. South
Nampa, Idaho 83651

Dear Mr. & Mrs. Cole:

One of the conditions of approval of your water Permit No. 65-7676 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

RECEIVED
MAY 1978

November 17, 1976

Re: Permit No. 65-7676

Earl L. &/or Eva M. Cole
623 9th Avenue South
Nampa, ID 83651

Dear Mr. and Mrs. Cole:

Enclosed is a copy of your approved Application for Permit No. 65-7676 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-7676

☒ 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) JH 10-7-76

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

(4) JH 10-7-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels: no close obs wells

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) CS 11-5-76

Affidavit of Publication received(date) 11-4-76

(12) _____

Final date for protests November 8, 1976

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

NO Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W

By JH

Date 11-9-76

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

October 15, 1976

RE: Advertisements (See attached sheet)

The Star News
Box 985
McCall, ID 83638

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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 in 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)

Sincerely,

Bill Submitted

11-8-76
es

RECEIVED

Published in The Star News on October 21 & 28, 1976

65-7673 Marion L. &/or Edith Coleman
65-7674 J. L. &/or Della Young
65-7675 Laura Lee Transue
65-7676 Earl L. &/or Eva M. Cole
65-7681 Round Robin Association
65-7682 Leland M. Christopherson &/or
Blake O. Burris
65-7683 Floyd L. Loomis
65-7684 Ray D. Linton
65-7685 Ray D. Linton
65-7686 Bill A. & Maxine O. Bowne
77-7057 E. A. &/or Eva M. Kissinger

RECEIVED

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Nampa, ID
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~~per second~~ of water from a groundwater source
by means of well and pump
within the SE1/4 Sec 23 T14N-R3E B.M., Valley County

to be used from Jan 1 to Dec 31
for domestic purposes

within the SE1/4 Sec 23 T14N-R3E B.M.

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R. KEITH HIGGINSON

Director

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on October 21, 1976 and October 28, 1976.

MICROFILMED