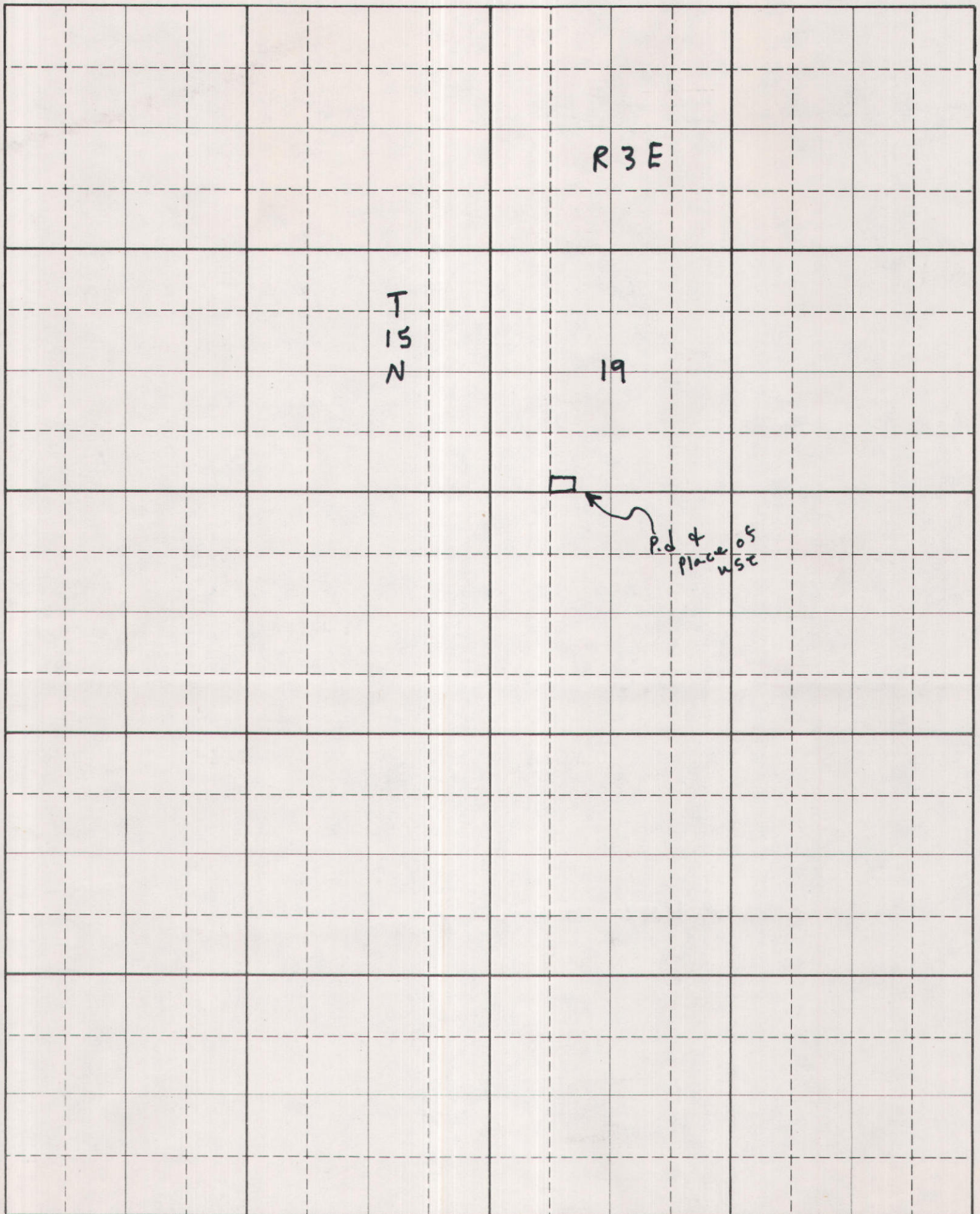


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Walter E. Hild  
(Applicant)

# PUBLISHER'S AFFIDAVIT

STATE OF IDAHO )  
 ) ss.  
County of Valley )

MICROFILMED

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 <sup>Two</sup> 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 14, 19 76, and ended October 21, 19 76.

*D.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, 19 76.  
*Janet J. McMahan*, Notary Public.  
My commission expires July, 19 80.



RECEIVED  
NOV 1 1976

Department of Water Resources  
Western Regional Office

OK.  
11-1-76  
CS.

## NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MAURICE E. &/or LOUISE B. FITCH, Carmichael, CA has on October 4, 1976 submitted Application No. 65-7665 for a permit to appropriate 0.02 cubic feet per second of water from an unnamed stream trib. Cascade Lake by means of gravity flow and pipeline within SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 19 T15N-R3E B.M., Valley County to be used from Jan 1 to Dec 31 for domestic use within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 19 T15N-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 1, 1976.

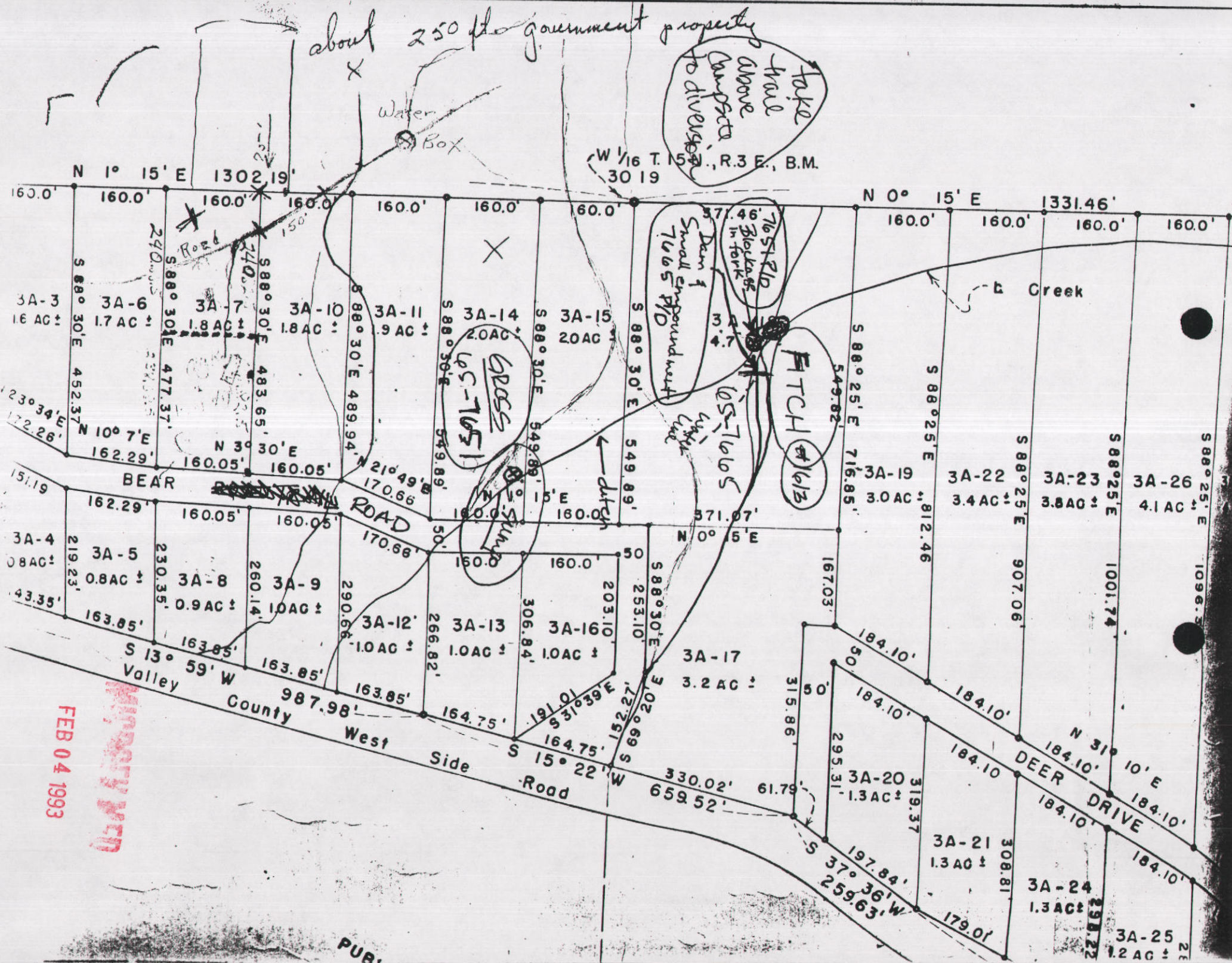
R. KEITH HIGGINSON  
Director

Published in the Star News, McCall, ID on October 14, 1976 and October 21, 1976.

FEB 04 1993

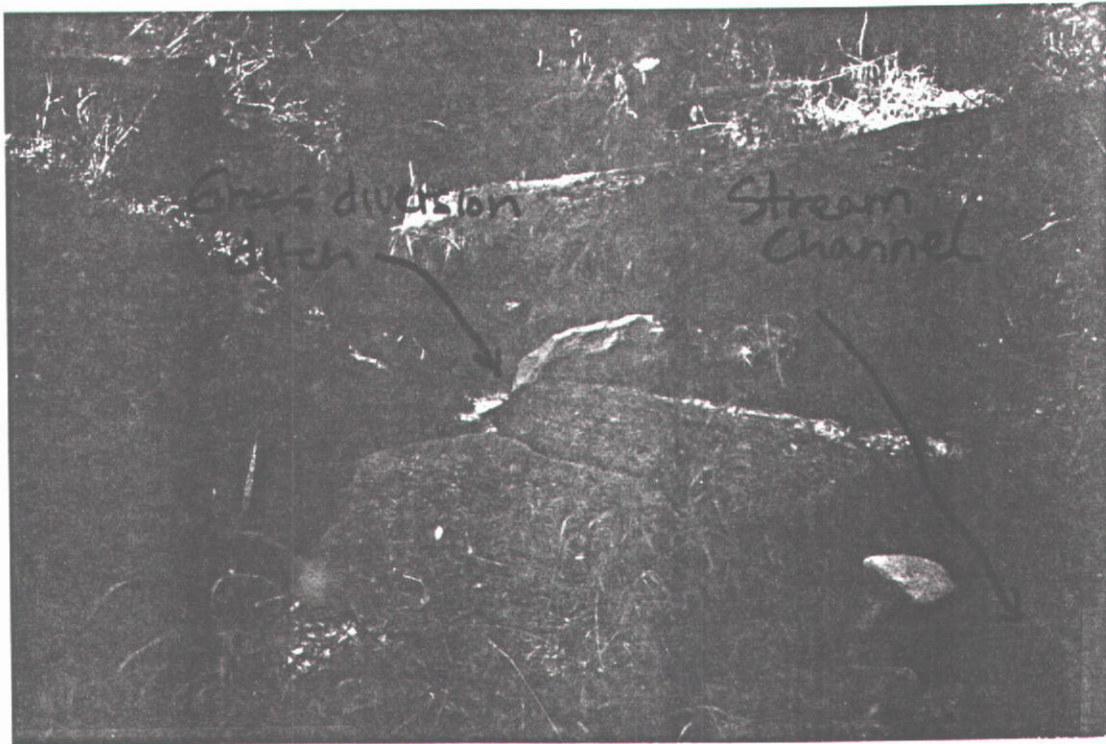
about 250 ft to government property

take trail above campsite to diversify

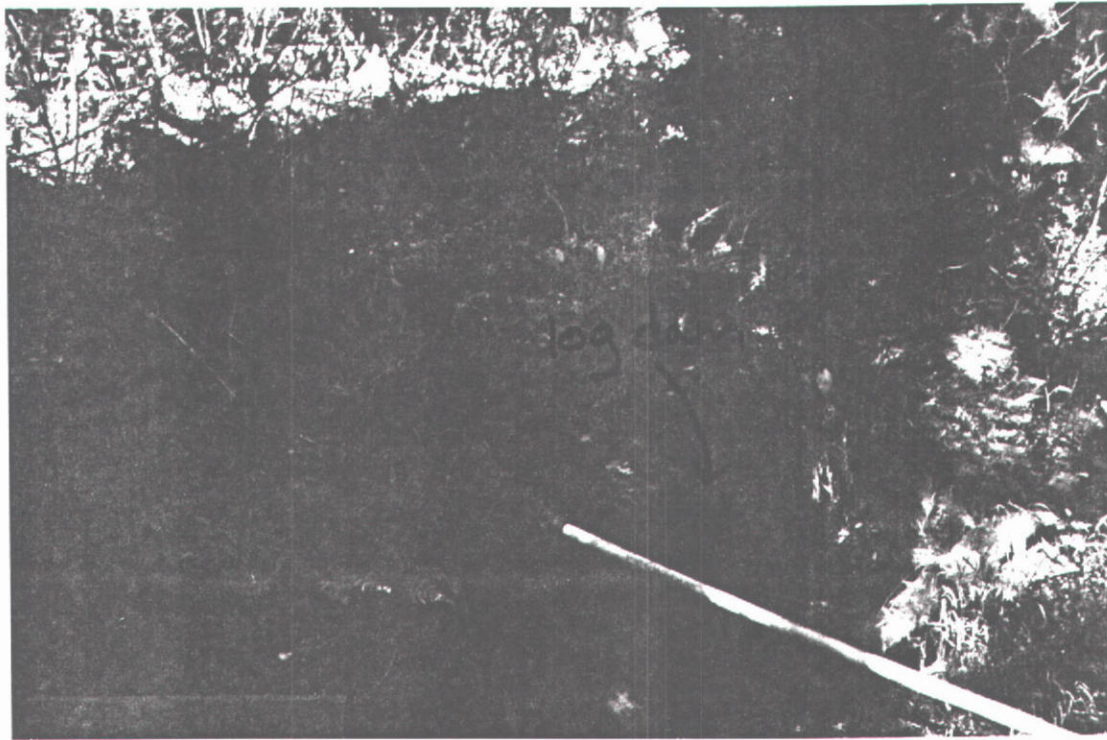


FEB 04 1993

PUR.



Gross diversion  
point; area  
where ditch is  
allegedly blocked  
Ditch open day  
of photo.



Fitch diversion  
(downstream)  
water left in  
Stream adequate  
to fill pipeline  
if necessary.

RECEIVED

FEB 04 1993

State of Idaho  
Department of Water Resources

## WATER RIGHT LICENSE

WATER RIGHT NO. 65-7665

Priority: October 4, 1976 Amount: .02 CFS .6 AFA

This is to certify, that MAURICE E. FITCH  
LOUISE B. FITCH

5235 KENNETH AVE.  
CARMICHAEL, CA 95608

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated October 4, 1976, and has submitted proof to the Department of Water Resources on October 2, 1981, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .02 cfs of water from;

UNNAMED STREAM tributary to CASCADE RESERVOIR

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              | 01/02 to 12/31       | .02 cfs                  | .6 afa        |

LOCATION OF POINT OF DIVERSION(S): SESW , Sec. 19, Township 15N, Range 3E  
Valley County

PLACE OF USE: Domestic

TWN RGE SEC

15N 3E 19 SESW

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.
4. Place of use also known as Lot 3A-18, Cr-3 Subdivision.

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 18th day of April, 1988.

**MICROFILMED**

Director

JUL 07 1988

Identification No. \_\_\_\_\_

Application No. 65-7665

**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 Maurice E. &/or Louise B. Fitch Phone 916-483-9348  
post office address 5235 Kenneth Avenue, Carmichael, CA 95608
- 2 Source of water supply unnamed stream which is a tributary of Cascade Lake
- 3 a Location of point of diversion is SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 19 Township 15N  
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 0.02 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 0.02 cubic feet per second and/or  
b \_\_\_\_\_ acre feet per annum
- 6 Proposed diverting works  
a Description of ditches, flumes, pumps, headgates, etc. \_\_\_\_\_  
Gravity flow from source thru a 2" pipeline  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 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 \$ 300.00
- 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 SW  $\frac{1}{4}$  of Section 19 Township 15N  
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 1  
(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 | NE¼ |     |     |             | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|-----|-----|-----|-----|-------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |     | NE¼ | NW¼ | SW¼ | SE¼         | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |     |     |     |     |             |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |             |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     | SEE ITEM 10 |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |             |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |             |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |             |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |             |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |             |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |     |     |     |     |             |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated\_\_\_\_\_

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

none known

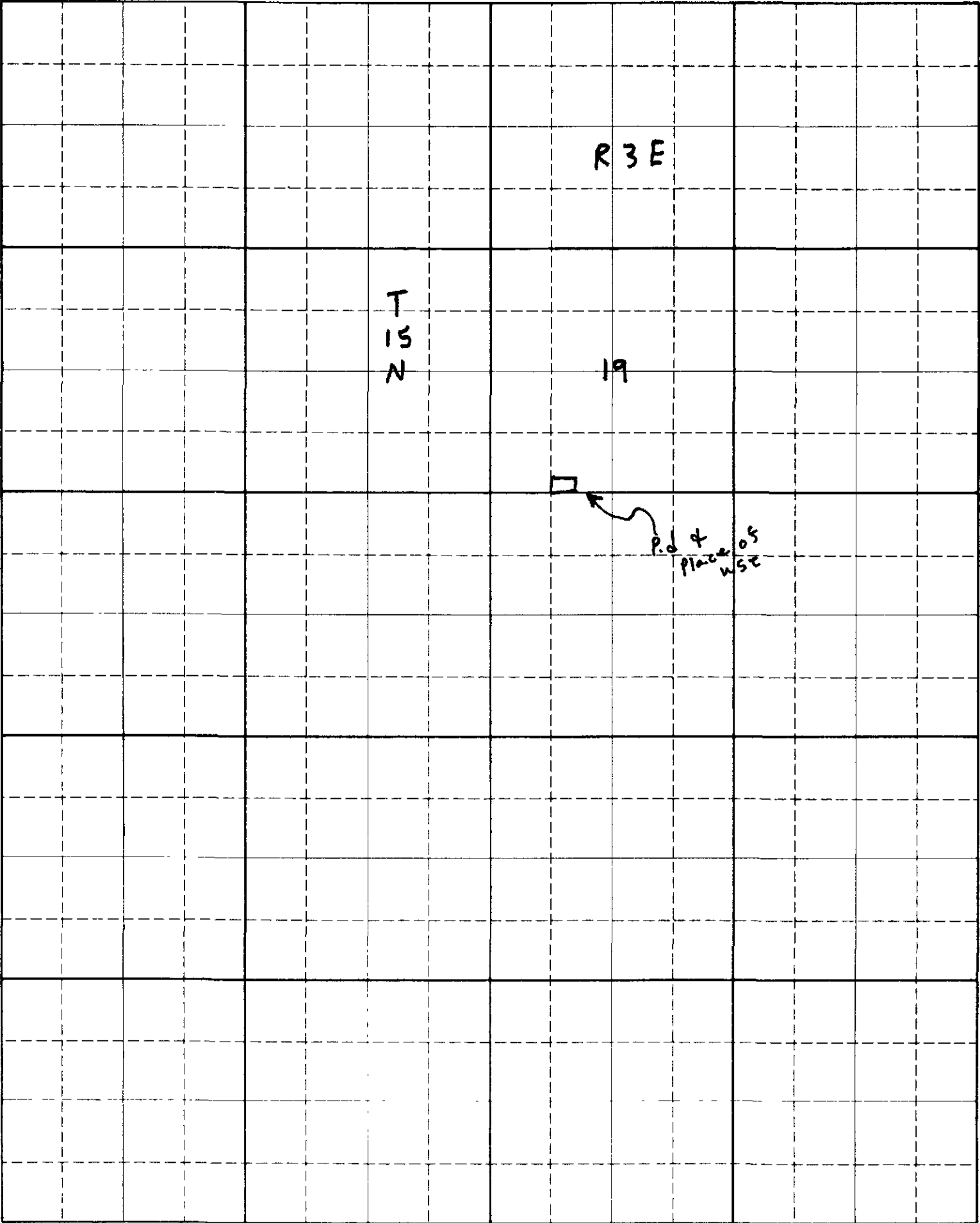
9 a. Who owns the property at the point of diversion Applicant

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 Property is described as Lot 3A-18, Cr-3 Subdivision

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

Wm. E. H. H.  
(Applicant)

Proposed Priority 10-04-76  
Received by JYS Date 10-4-76 Time 1:55 P.  
Preliminary check by RWH Fee \$ 10.00  
Receipted by JYS Date 10-4-76 # 5160  
Publication prepared by JYS Date 10-8-76  
Published in The Star News  
Publication dates Oct 14 + 21  
Publication approved CS Date November 1, 1976  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Protests filed by \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by JYS

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 65-7665, 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 November 1, 19 81.

c. Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Denial of said application is for the following reasons \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness my hand this 4 day of November 19 76.

R. Karl Higin  
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 <sup>two</sup> 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 14, 1976, and ended ..... October 21, 1976.

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.  
.....  
My commission expires ..... July, 1980.

OK.  
11-1-76  
CS.  
DEPARTMENT OF WATER RESOURCES  
Western Regional Office

**FOR WATER PERMIT**  
Notice is hereby given that MAURICE E. &/or LOUISE B. FITCH, Carmichael, CA has on October 4, 1976 submitted Application No. 65-7665 for a permit to appropriate 0.02 cubic feet per second of water from an unnamed stream trib. Cascade Lake by means of gravity flow and pipeline within SE 1/4 SW 1/4 Sec 19 T15N-R3E B.M., Valley County to be used from Jan 1 to Dec 31 for domestic use within the SE 1/4 SW 1/4 Sec 19 T15N-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 1, 1976.

R. KEITH HIGGINSON  
Director

Published in the Star News,  
McCall, ID

CONVERSATION MEMORANDUM

DATE 12/4/92

FILE 65-7665

NAME OF PARTY Mrs. Fitch

EMPLOYEE Cindy Hodges

RE: Letter sent 11/5/92

Mrs. Fitch called to discuss my letter. She said she doesn't spend much time at the property anymore, but that her daughters camp there in summers. She felt that there was plenty of water available and was curious as to why the complaint was filed. I explained that the complainants had alleged their ditch had been blocked on previous occasions. Mrs. Fitch responded that perhaps debris from upstream had been blocking the ditch; she then asked what I was referring to as "blocking the ditch". I said that an intentional blockage such as a boulder or log was what I was referring to. I told Mrs. Fitch that I agreed there was plenty of water. Other items discussed were:

The need for a written easement w/ Gross

Actual use vs. available flows

Prior uses of the stream (According to Mrs. Fitch, possibly stockwater closer to Cascade Res.)

Priority dates

Mrs. Fitch concluded by saying they were considering digging a well (which would eliminate the problem).

RECEIVED

FEB 04 1993



State of Idaho  
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 5, 1992

LOUISE B FITCH  
5539 WILLOW OAK WAY  
FAIR OAKS CA 95628

RE: Water Right No. 65-07665, Valley County, Idaho

Dear Mrs. Fitch:

On October 6 of this year, I visited your Valley County property to inspect the domestic diversion works from the unnamed stream which passes through that property. I would like to assure you that I did not tamper with the diversion; the purpose of my investigation was only to observe the location of your diversion in relation to the location of another diversion which provides water to a neighboring property under a separate water right. I have been presented with a concern over the relationship of water deliveries under the two rights, and wish to provide you with some information.

Under Idaho law, all waters are considered the property of the state. It is the function of the Idaho Department of Water Resources (IDWR) to administer the appropriation, or taking, of those waters. Idaho law also subscribes to the doctrine of "first in time is first in right". That means that earlier water rights have senior priority over later rights, and that senior rights must be satisfied first. In times of water shortage, a junior water right may be required to cease diverting in order for the senior right to be fulfilled. A senior water right may have a priority date of only a few days, weeks, or months earlier than the next junior right, but this does not diminish the seniority of the right.

Your water right, No. 65-07665, has a priority date of 10/4/76. Water right No. 65-07651, which is diverted just upstream from your diversion, has a priority date of 8/26/76. Water right No. 65-07651 is considered the senior water right. Both water rights have been licensed and there is no evidence that either have been forfeited or otherwise invalidated. In terms of priority delivery, this means that right No. 65-07651 must be delivered when demanded, up to the amount which may be beneficially used, before water under your right No. 65-07665 may be taken.

Realistically, such literal interpretations of priority delivery are rarely necessary, especially for domestic uses. Although I did not measure the stream on my visit, I did observe a flow which appeared to be capable of satisfying both water rights in sufficient quantities, considering the type of beneficial use which is present on both properties. Both of the referenced licenses were issued with a rate of flow typical of that needed for small domestic systems. This is not to say that the entire licensed flow may be demanded at all times. The amount actually deliverable under either right will be influenced by the amount of water which is being beneficially used, and the available flow in the stream.

FEB 04 1993

In a normal water year, it should be neither necessary or equitable in this case to divert the entire flow of this stream into a single diversion. If the available flow is properly allocated by the parties, both rights should receive adequate water to satisfy the rights to the extent of actual beneficial use.

However, in a water short year, or when there are conflicts between parties, the matter of priority delivery must be interpreted more strictly. If the drought continues and flows decline, there may be periods where there is simply not enough water to satisfy the junior right, if the senior right holder is desiring water. As the junior right holder, if you block the diversion point used by the senior water right, you may be interfering with priority delivery. IDWR has limited jurisdiction in your area in terms of physically regulating diversions, but if the issue of priority delivery was addressed under civil law, the senior water right would likely be upheld and delivery mandated.

It is my understanding that you and other members of your family use this property during the summer months. Accordingly, there will be times when both the senior and junior right holders will be in residence at the same time. It is at these times that conflicts are most likely to arise over water deliveries. This letter is intended to advise you of the rights and limitations provided to you under your water right No. 65-07665, in order that future confrontations might be avoided.

If you or your family have any questions about priority delivery or other aspects of Idaho water law, please don't hesitate to contact me at 208-334-2190. There are many ways short of civil action to resolve these types of issues. I would be willing to offer suggestions toward that end.

Sincerely,



Cindy Hodges  
Sr. Water Resource Agent

FEB 04 1993

STATE OF IDAHO  
Department of Water Resources

(Fitch)

(Gross)

## FIELD INSPECTION REPORT

1. Date: 10/6/92 Time: 1100 Photos: X Yes      No
2. Inspection Involves:      Water Rights      Dam Safety      Well Construction or Driller  
     Waste Well      Stream Channel Alteration X Water Distribution  
     Other
3. Reason for Inspection: Determine <sup>& validate</sup> P/D's for both water rights; Substan-  
tiate complaint of Gross that Fitch diversion is obstructing Gross  
water right.
4. Stream name: unnamed, trib to Cascade Res.
5. Stream characteristics: Meandering through wooded area
6. Stream width: 2' Depth: < 1' Gradient: 3-4% Q: 1-2 cfs est. X  
meas.
7. Location: SE 1/4 SW 1/4, Sec. 19, Twp. 15N, Rge. 3E, County Valley  
Landmark: Deer Trail Rd off West Valley (west Mtn) Rd.
8. Person(s) contacted: Bob & Ella Gross
9. Dam name:      Spilling:      No      Yes Q       
Outlet open:      No      Yes Q      Spillway open:      Yes      Fibrd      Gate open  
Freeboard: Spillway      Crest      Res. stage:      Rising      Falling      Rate
10. Area characteristics:
11. Weather conditions:
12. Describe activity/conditions inspected: Observed: Fitch diversion, Gross diversion,  
area of alleged blockage
13. Are all requirements being met?      Yes       
If not, check type violated:      Statutory      Rules & Regs      Permit
14. Describe impact on others: Gross diversion is being shut off <sup>(with rocks)</sup> to allow  
all water to flow over Fitch diversion dam, even in Fitch's  
absence s/or off-season (Fitch not on-site)  
None others impacted
15. Describe alternatives: Deliveries need to be made to Gross s/or available  
flow shared. There is plenty of flow available

FEB 04 1993

T-59

15N 3E  
Sec 19 E 30

COLD SPRING RIDGE QUADRANGLE  
IDAHO  
7.5-MINUTE SERIES (ORTHOPHOTOQUAD)

10' 567 568 400000 FEET 569 116° 7' 30" 44° 37' 30"

Fitch Property →  
Gross Property →

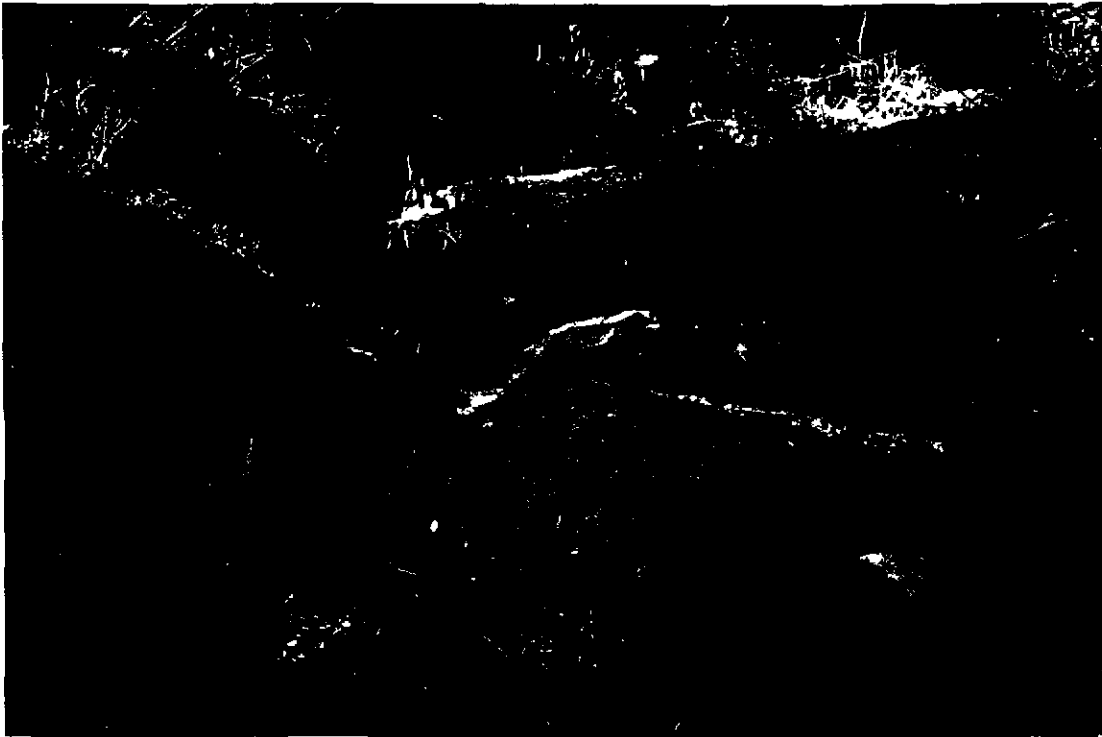
then (65-7651)  
d creek  
ridge  
(65-7665)  
from ditch

CASCADE

FEB 04 1933

T 4





Gross diversion  
point; area  
where ditch is  
allegedly blocked  
Ditch open day  
of photo.



Fitch diversion  
(downstream)  
water left in  
Stream adequate  
to fill pipeline  
if necessary.

FEB 04 1993

September 9, 1992

RECEIVED  
SEP - 9 1992

Dave Tuthill, Manager  
Idaho Department of Water Resources  
2735 Airport Way  
Boise ID 83705

Department of Water Resources  
Western Regional Office

RE: Interference with water right

Dear Mr. Tuthill:

I am concerned about the interference with my water right at our property near Cascade Reservoir.

We own property in NENW S30, T15N, R03E, Valley County, specifically, Lot 3A-14, CR-3 Subdivision. We obtain our domestic water from an unnamed stream tributary to Cascade Reservoir. A party upstream from our property, also obtaining domestic water from this unnamed stream, has recently and in the past dammed the entire stream so that no flow comes into our system.

Our water right, 65-07651, with priority of 8/26/1976, is senior to the Fitch water right, 65-07665. The Fitch family has been uncooperative in the release of flows for our water right.

Would the Department please investigate this interference?

Sincerely,

*Robert E. Gross*

Robert E. Gross  
Ella Gross  
723 10th Ave S Ext  
Nampa ID 83686-6630  
466-0979

1 pm on Tuesday  
10/6

RECEIVED

FEB 04 1993

W/in  
WM  
Area?

Lee Sisco  
Investigated  
Similar Prob  
w/ same folks  
in 1980.

It has been  
Duke Schneider  
road N of boat  
dock.  
Bear Road

2 1/2 - 3 miles  
N. of God's Acres  
5 miles S of Poison  
Ck

DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

**RECEIVED**  
APR 02 1988

Department of Water Resources

FTI 35 06295711 FWD TIME EXPID  
FITCH, LOUISE  
4539 WILLOW OAK WY  
FAIR OAKS CA 95628-3121  
RETURN TO SENDER

1 95-7565  
FITCH, MAURICE E.  
5233 K-NEETH AVE.  
CARMICHAEL, CA 95608

*try this address  
try Fitch 5/6/88*

JUL 07 1988

April 19, 1988

MAURICE E. & LOUISE B. FITCH  
5235 KENNETH AVE.  
CARMICHAEL, CA 95608

RE: Permit No. 65-7665

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

RECEIVED

JUL 07 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**LICENSING REPORT**

Permit No \_\_\_\_\_

1. **Measurement Calculations**

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

b) Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_  
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_  
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$  \_\_\_\_\_

c) Volume Calculations for Other Uses:

2. **Overlap Review**

a) Other water rights with same place of use. \_\_\_\_\_  
\_\_\_\_\_

b) Other water rights with same point of diversion: \_\_\_\_\_  
\_\_\_\_\_

c) Analysis.

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JUL 07 1988

License

Date 3-30-88

Date 3-30-88

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

Department of Water Resources

**A GENERAL INFORMATION**

- 1 Owner Maurice B. &/or Louise B. Fitch Permit No 65-7665  
Current Address 5235 Kenneth Ave., Carmichael, CA 95608 Phone No 916-483-9348  
2 Accompanied by: unaccompanied EXAM DATE 9-10-86  
Address \_\_\_\_\_ Phone No 761-14  
Relationship to Permit Holder \_\_\_\_\_  
3 Source unnamed stream tributary to Cascade Res.

**B. OVERLAP REVIEW**

- 1 Other water rights with same place of use none  
\_\_\_\_\_  
☐ Copies Attached  
2 Other water rights with same point of diversion none  
\_\_\_\_\_  
☐ Copies Attached ☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

- 1 **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached see attached, subdivision map

Scale: 1" = \_\_\_\_\_

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached  
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).  
place(s) of use (required)  
☒ Photo of Diversion and System Attached  
(required for all but single household domestic groundwater, and stockwater.)

JUL 07 1988

**System Description (continued)**

3 **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc )

System consists of a natural log dam across a creek on the property with 2" PVC pipe line to the place of use. Owners of property transport a trailer to the property during the summer; the trailer was not present during exam. Water was not moving through system at time of exam. Water is not used for irrigation.

☐ See Remarks on page 4 for continuation

4

| Well or Diversion Identification No.* | Motor Make     | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|----------------|----|------------------|-----------|-----------------------------------|
|                                       | Not Applicable |    |                  |           |                                   |
|                                       |                |    |                  |           |                                   |
|                                       |                |    |                  |           |                                   |
|                                       |                |    |                  |           |                                   |

\*Code to correspond with No. on map and aerial photo

5 **Point(s) of Diversion:**

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|------|------|------|--------|---------------------------------|
|            |            |     | SE  | SW  | 19   | 15N  | 3E   | Valley | topog. map                      |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |

6. **Place(s) of Use:**

Indicate Method of Determination

topog. map.

| 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 |        |
| 15N  | 3E   | 19   |        |        |        |        |        |        |        |        |        |        |        | D      |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Do not use this space

**D. FLOW MEASUREMENTS**

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2 Measurements:

none possible : allow .02 cfs domestic use.

**E. FLOW CALCULATIONS**

☐ Additional Computation Sheets Attached

1 Measured Method.

2 Alternate Method for Checking Purposes:

N/A

**F. PUMP EFFICIENCY DATA (Optional)**

Discharge Pressure \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ ft (1); Dynamic pumping level \_\_\_\_\_ ft (2)

Total Head (1) + (2) = \_\_\_\_\_ (3) ; Flow rate \_\_\_\_\_ cfs (4)

Water HP (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)

Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x 0.01732 = \_\_\_\_\_ (6)

Panel Input HP: (6) x 1.34 = \_\_\_\_\_ (7) Efficiency: (5)/(7) x 100 = \_\_\_\_\_ %

**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$  \_\_\_\_\_

2 Volume Calculations for Other Uses

Allow .02 cfs domestic use & 6 afa.

[illegible]

## 1. Recommended Amounts

| Beneficial Use  | Period of Use |              | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-----------------|---------------|--------------|------------------------------|--------------------------|
|                 | From          | To           |                              |                          |
| <i>domestic</i> | <i>1/1</i>    | <i>12/31</i> | <i>.02</i>                   | <i>.6</i>                |
|                 |               |              |                              |                          |
|                 |               |              |                              |                          |
|                 |               |              |                              |                          |
|                 |               |              |                              |                          |
|                 |               | Totals:      | <i>.02</i>                   | <i>.6</i>                |

☐ 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

Field Examiner's Name BRAD E. DINGEE

Signature E. A. C. Kungu

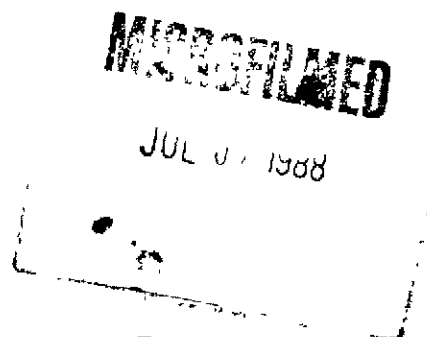
Certification Date \_\_\_\_\_

Field Report Preparation Date 1/10/86

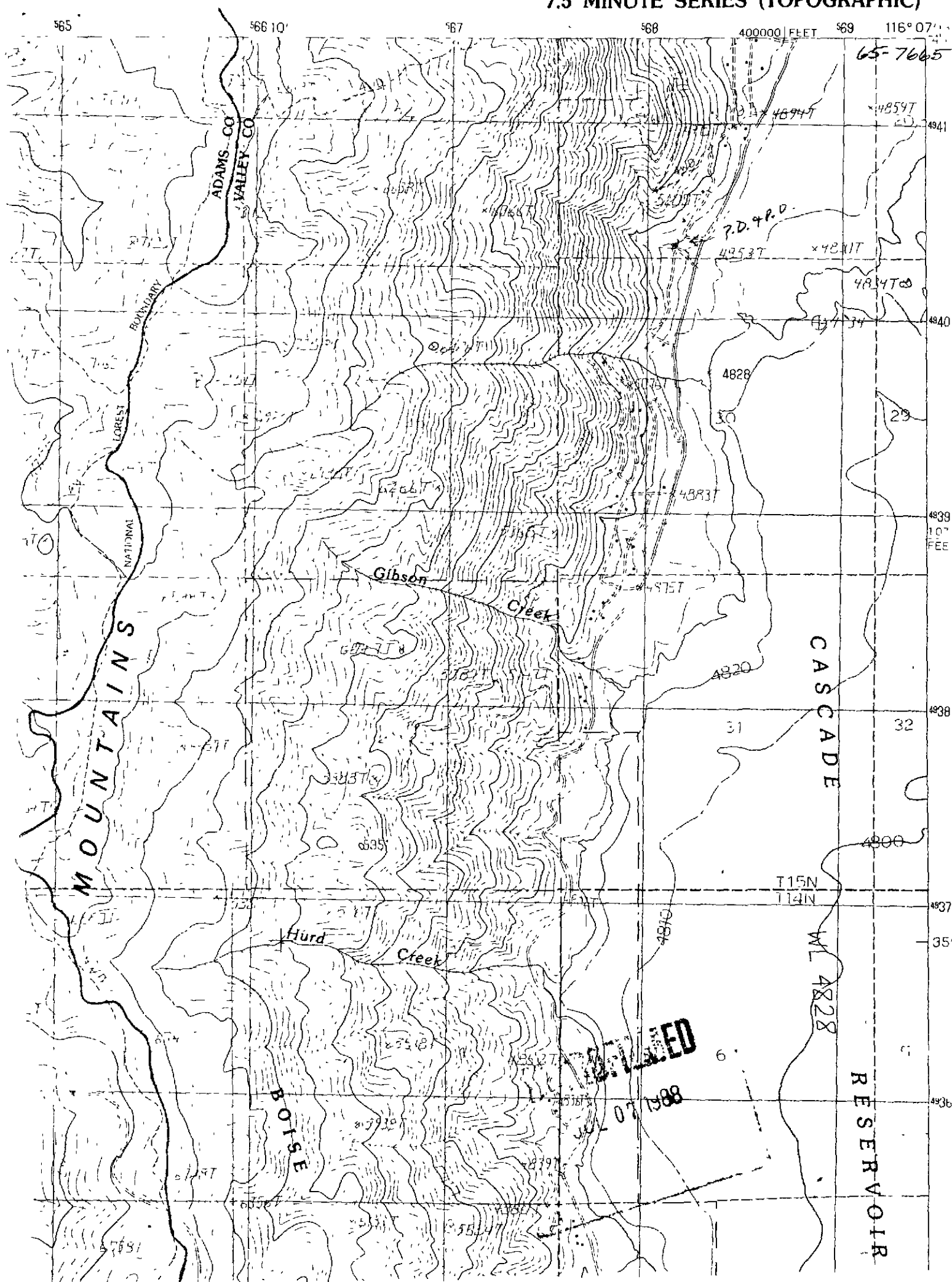
Dec 12/1/86

CONSULTANT SEAL

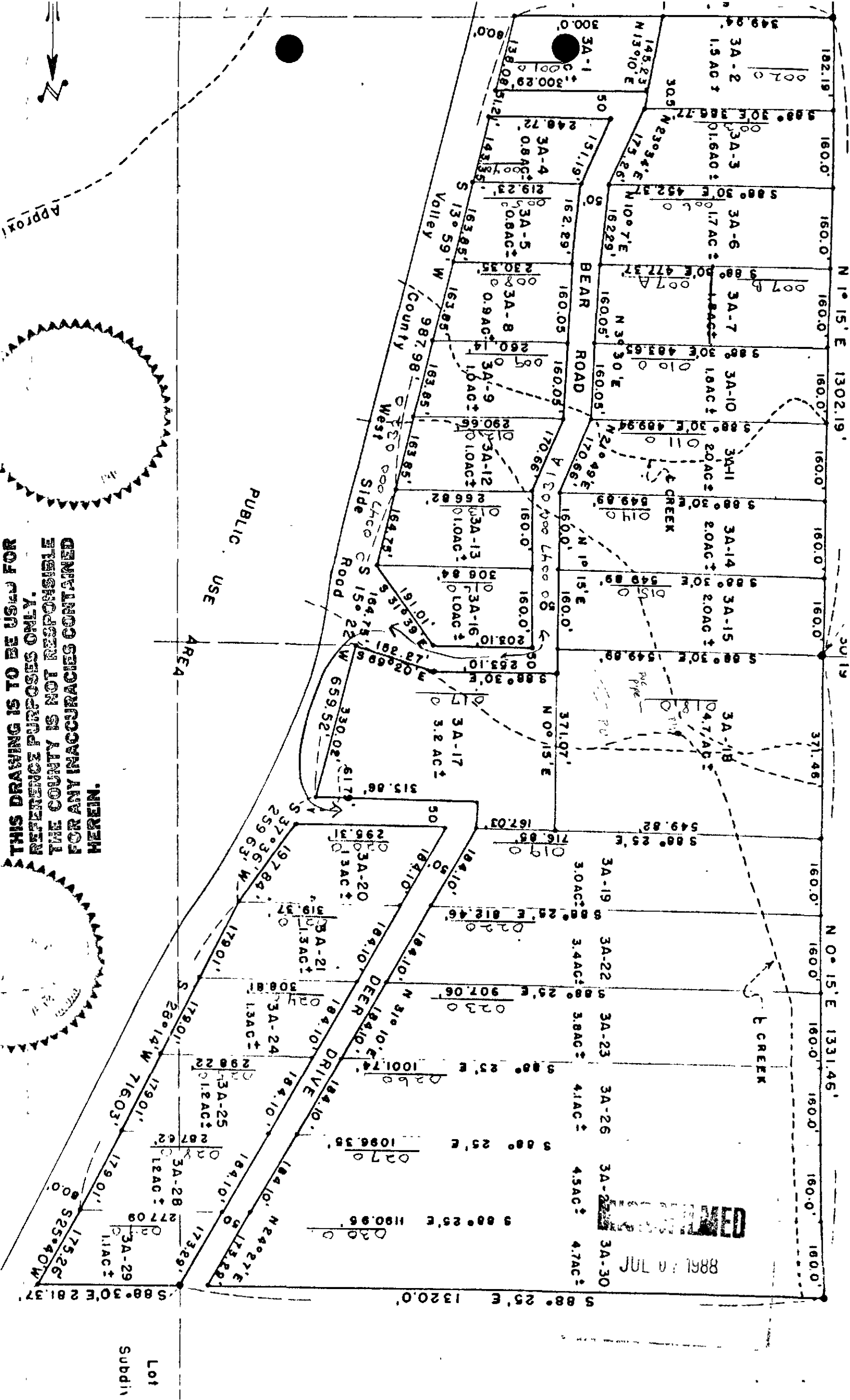
**K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.**



COLD SPRING RIDGE QUADRANGLE  
IDAHO  
7.5 MINUTE SERIES (TOPOGRAPHIC)



THIS DRAWING IS TO BE USED FOR  
REFERENCE PURPOSES ONLY.  
THE COUNTY IS NOT RESPONSIBLE  
FOR ANY INACCURACIES CONTAINED  
HEREIN.



JUL 07 1988  
8861 20 700



P/U



← Trailer Hectup

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

65-7665  
Permit No.

Staff Analysis Sheet  
for  
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form  
☒ Copy of Permit  
☒ Copies of any Amendments/Orders with conditions of approval  
☒ Computer Data Proof Report

→ ☒ Copy of U.S.G.S. Quad N/A For Single Household Domestic

→ ☒ Check for Government Lots. If so, make a copy of Government Plat  
Check of P/D index N/A For Single Household Domestic (Initial and date) Not Required for Single Household Domestic

Overlap? ☐ yes ☐ no If yes: ☐ copy of exam(s) attached?  
Type of Overlap? ☐ Add acres or uses to existing system  
☐ Increase rate of flow or volume  
☐ Other: \_\_\_\_\_

Check of P/U index N/A For Single Household Domestic (Initial and date)

Overlap? ☐ yes ☐ no If yes: ☐ copy of water right(s) attached?  
Type of Overlap? ☐ Increase rate of flow or volume  
☐ Add P/D's  
☐ Increase number of acres within tracts  
☐ Other: \_\_\_\_\_

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? N/A for Single Household Domestic (Initial and date)

→ ☐ Appointment made and telephone conversation memo attached N/A for single household domestic

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form  
→ ☒ Photographs of Point of Diversion and Place of Use N/A for Single Household Domestic  
☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Brad E. Linnice 9/10/86 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent \_\_\_\_\_ (Initial and date)

Exam Reviewed by Manager of Regional Office DW 12/1/86 (Initial and date)

Exam Date Entered in Computer 1-1-86 (Initial and date)

Exam sent to State Office \_\_\_\_\_ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original  
Refiled in White File 12-12-86 (Initial and date)



State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

(Office at the corner of  
Franklin and Cole Roads)

A. Kenneth Dunn

Director

(208) 334-2190

RE:

Dear

We acknowledge receipt of your statement submitted as proof as beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

\_\_\_\_\_  
If this time and date is not convenient for you, please contact this office as soon as possible.

☐ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

*Judy Pense*

Judy Pense  
Secretary

RECEIVED  
JUN 10 1984  
BOISE, IDAHO

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

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

FITCH, MAURICE E. & LOUISE B.  
5235 KENNETH AVENUE  
CARMICHAEL, CA 95608

# 138537

AUGUST 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-7665 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1981. (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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

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,

PA FLECK  
SECRETARY

CLOSURES

RECEIVED  
AUG 31 1981  
DEPT. OF WATER RESOURCES  
BOISE, IDAHO

RECEIVED

JUN 16 1981

Department of Water Resources

Dear Sirs:

Due to the short number of days which we have been able to spend at our place I am afraid that I will be unable to complete the application of water to beneficial use in the time allowed and therefore apply for a one years extension of time.

Would you please send me the forms to apply this extension of time.

Thank You.

Sincerely,

*Maurice E. Fitch*

RE: Permit No. 65-7665

MAURICE E. FITCH  
5235 KENNETH AVENUE  
CARMICHAEL, CALIFORNIA 95608

MAILED

JUL 07 1988

Send <sup>form</sup> p w/ Proof due letter

# DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 65-7065.

Name(s) of Permit Holder: MAURICE E. & LOUISE B. FITCH

Post Office Address 5235 KENNETH AVE.

CARMICHAEL, CA 95608 Tel. No. 433-9348

Source of Water: UNNAMED STREAM

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

|                  |           |                                                                     |            |                                                          |
|------------------|-----------|---------------------------------------------------------------------|------------|----------------------------------------------------------|
| Measuring Device | Required? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Installed? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Access Port:     | Required? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | Installed? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

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

SEPT. 30/51  
Date

Maurice E. Fitch  
Louise B. Fitch  
Signature of Permit Holder

PLACE  
TEN CENT  
STAMP  
HERE



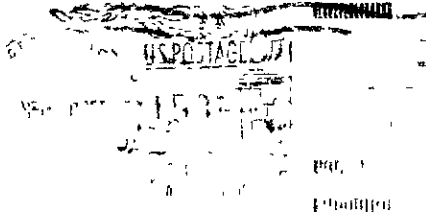
IDAHO DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720

RECEIVED

OCT 2 1981

Department of Water Resources

M E Hite  
5231 PENNILETTA AVE  
CARMICHAEL, CA.  
95609



RECEIVED  
OCT 2 1981

**CERTIFIED**  
**MAIL**  
P 337 120 050

Director Dept. of Water Resources  
State House  
Boise, Idaho  
83726

**RECEIVED**  
OCT 2 1981  
Department of Water Resources

November 9, 1976

Re: Permit No. 65-7665

Maurice E. &/or Louise B. Fitch  
5235 Kenneth Avenue  
Carmichael, CA 95608

Dear Mr. and Mrs. Fitch:

Enclosed is a copy of your approved Application for Permit No. 65-7665 . 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

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

| Item | Initial           | Date           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------|-------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|      |                   |                | Application No. <u>65-7665</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|      |                   |                | <input checked="" type="checkbox"/> Source<br><input checked="" type="checkbox"/> Point of Diversion<br><input checked="" type="checkbox"/> County<br><input checked="" type="checkbox"/> Quantity of Water and Period of Use<br><input checked="" type="checkbox"/> Description of Diverting Works<br><input checked="" type="checkbox"/> Time required for B/U of water<br><input checked="" type="checkbox"/> Place of Use or Acres Irrigated<br><input checked="" type="checkbox"/> Map<br><input checked="" type="checkbox"/> Signature<br><input checked="" type="checkbox"/> Fee |
| (1)  | <u>RWH</u>        | <u>10-4-76</u> | <div style="display: flex; justify-content: space-between;"> <div>In form to receipt</div> <div> <input type="checkbox"/> Pre-permit exam<br/> <input type="checkbox"/> Adjudication Claim<br/> <input type="checkbox"/> Dam Construction<br/> <input type="checkbox"/> Papers Sent </div> </div>                                                                                                                                                                                                                                                                                       |
| (2)  |                   |                | Send Copies to:<br><input type="checkbox"/> Idaho State Health Department<br><input type="checkbox"/> Idaho Fish and Game Department<br><input type="checkbox"/> Bureau of Land Management                                                                                                                                                                                                                                                                                                                                                                                              |
| (3)  |                   |                | <input type="checkbox"/> Request Special Use Permit from U.S.F.S.<br><input type="checkbox"/> Request Easement from B.L.M.<br><input type="checkbox"/> Request Information from Applicant                                                                                                                                                                                                                                                                                                                                                                                               |
| (4)  | <u>RWH</u>        | <u>10-4-76</u> | In form for advertising                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| (5)  |                   |                | Platted on Map No. _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| (6)  |                   |                | Located within Water District No. _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| (7)  |                   |                | Critical groundwater area: yes _____ no _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| (8)  |                   |                | Groundwater levels: <u>N/A</u><br>_____ Declining, _____ Stable, _____ Increasing<br>(comment) _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| (9)  |                   |                | Other rights on the same place of use                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| (10) |                   |                | Comments: <u>The source is not shown on a quad sheet, so it must be quite small.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| (11) | <u>CS</u>         | <u>11-1-76</u> | Affidavit of Publication received (date) <u>11-1-76</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| (12) |                   |                | Final date for protests <u>November 1, 1976</u><br>Protests received: yes _____ no <u>y</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| (13) |                   |                | All requested information received from agencies or applicant: yes _____ no _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| (14) |                   |                | Action recommended:<br><div style="display: flex; justify-content: space-between;"> <input checked="" type="checkbox"/> Approve <div style="flex-grow: 1; border-bottom: 1px solid black; margin: 2px 0;"></div> <input type="checkbox"/> Deny </div> <input type="checkbox"/> Proposed Priority<br><input type="checkbox"/> Reason for Reduction _____<br><u>NO</u> Measuring device required<br><input type="checkbox"/> See attached sheet for other conditions of approval<br><input type="checkbox"/> No special conditions for approval                                           |
| (15) | District <u>W</u> | By <u>JHJ</u>  | Date <u>11-2-76</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



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 8, 1976

65-7665

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."

Sincerely,

--- (Signature of Claimant) ---

Bill Submitted

11-1-76

PS.

Published in the Star News October 14 & 21, 1976

65-7661 E. H. Vieselmeyer  
65-7662 Joseph &/or Aileen Kelley  
65-7663 Warren &/or Calyne Hicks  
65-7664 Paul Parks  
65-7665 Maurice E. &/or Louise B. Fitch  
65-7666 Richard Pew &/or Earl Walters  
65-7667 Eugene E. McMahan  
65-7668 Harold &.or Virginia Shelley  
65-7669 Trueman &/or Carol Clark  
65-7670 Frank &/or Dorothy Raney  
65-7671 Ralph L. &/or Elva Bowman &/or Constance &/or Norris Allen  
&/or Delmer &/or Edna Neher  
65-7672 Ernest Rumpeltes

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MAURICE E. &/or LOUISE B. FITCH,  
Carmichael, CA  
has on October 4, 1976 submitted Application No. 65-7665  
for a permit to appropriate 0.02 cubic feet per second acre feet  
XXXXXXXXXX  
per annum of water from an unnamed stream trib. Cascade Lake  
by means of gravity flow and pipeline  
within the SE1/4 Sec 19 T15N-R3E B.M., Valley County

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

within the SE1/4 Sec 19 T15N-R3E 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 Idaho Depart-  
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before  
November 1, 1976.

R. KEITH HIGGINSON

Director

Published in the The Star News, McCall, ID  
on October 14, 1976 and October 21, 1976