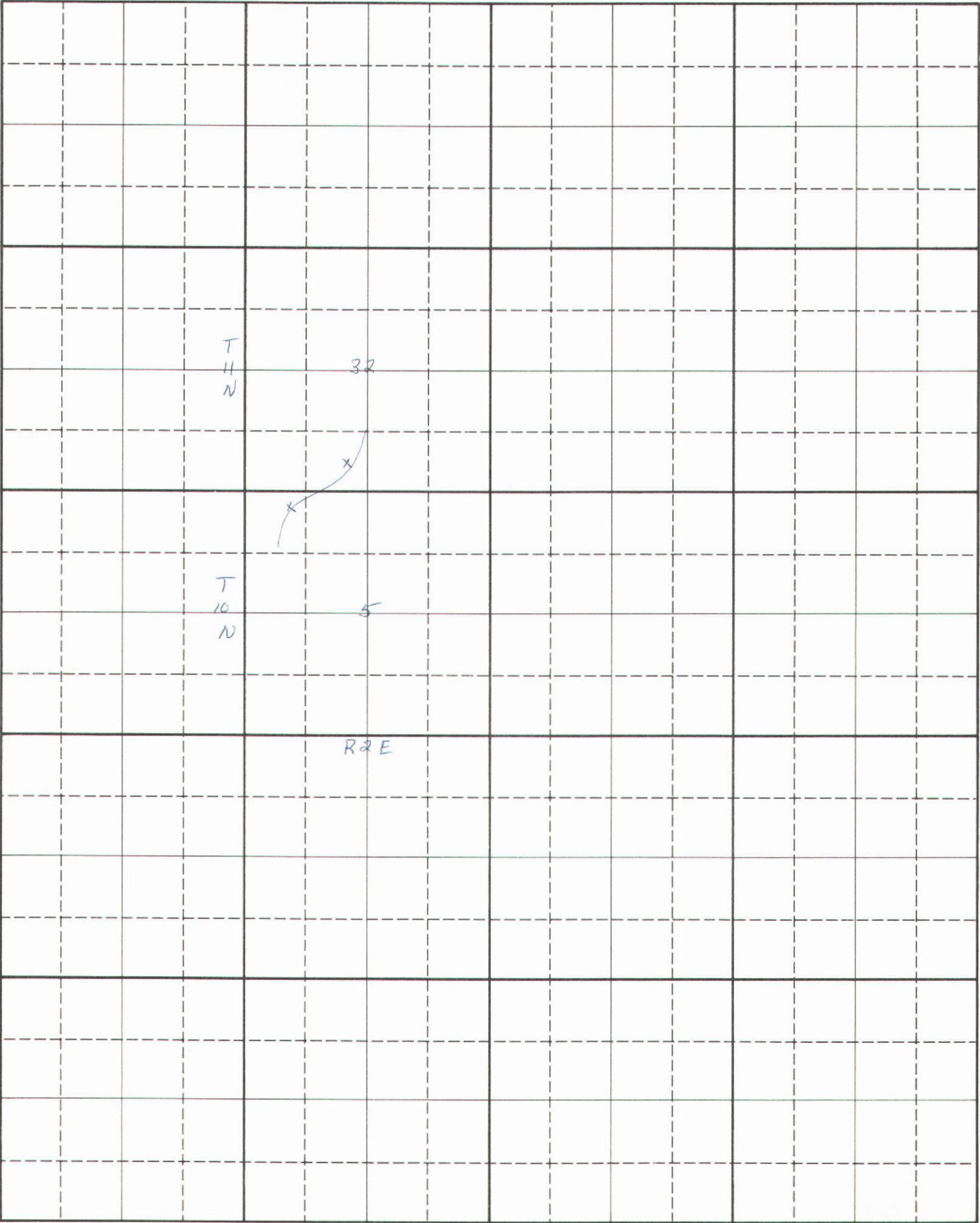


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

L. W. Biggs
(Applicant)

65 7337

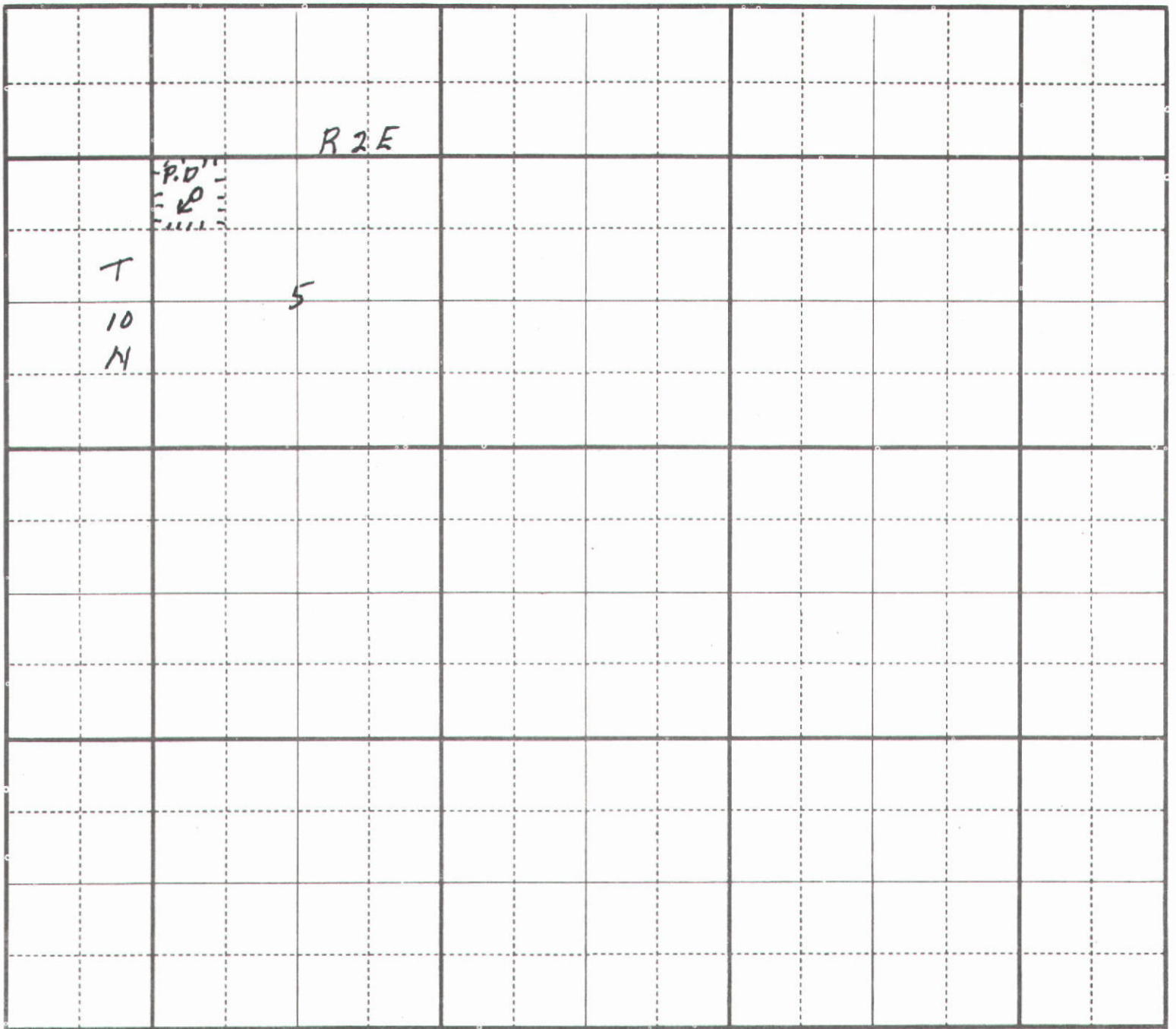


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7337 Priority (late proof)
March 29, 1973 Amount .02 cfs

THIS IS TO CERTIFY, that L. W. BIGGERS
of Sweet, Idaho, has complied with the terms and conditions of Permit
No. 65-7337 issued pursuant to Application for Permit dated February 8, 1973,
and has submitted proof to the Department of Water Resources on April 19, 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 .02 cfs of water from Kennedy Creek,
tributary to Squaw Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Stockwater</u>	<u>from January 1 to December 31</u>	<u>at .02 cfs</u>	<u>and 1.4 acre feet</u>
	<u>from</u>	<u>at</u>	<u>cfs and</u>
	<u>from</u>	<u>at</u>	<u>cfs and</u>

(both dates inclusive)

Subject, however, to the condition that no more than .02 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
1.4 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Twp. 10N,
Rge. 2E, B.M. in the County of Gem

Description and location of place of use.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$	
10N	2E	5					X								

Total number of acres irrigated _____

Use of water under this license is subject to control by the watermaster of State
Water District No. 65-A, Squaw Creek.

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 25th day of
June, 19 81.


Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING }
DEVICE REQUIREMENT FOR PERMIT NO. ~~65-7337~~ }
~~65-7338~~ }
~~65-7339~~

ORDER

WHEREAS, it has been determined by the Department of Water Resources that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from said permit.

Dated this 28th day of August, 1978.


L. GLEN SAXTON

Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO'S. 65-7336, 65-7337,)
65-7338 and 65-7339 IN THE NAME OF L. W. BIGGERS) ORDER OF REINSTATEMENT
_____)

WHEREAS, on February 8, 1973, Mr. L. W. Biggers filed with the Department of Water Resources four (4) applications for permit to appropriate surface water from the State of Idaho; and,

WHEREAS, on March 28, 1973, the Department approved said applications and issued Permit No's. 65-7336, 65-7337, 65-7338, and 65-7339 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before March 1, 1978; and,

WHEREAS, on December 30, 1977, the Department notified the permit holder that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proofs on the permits; and,

WHEREAS, on March 14, 1978, the Department notified the permit holder that Permit No's. 65-7336, 65-7337, 65-7338, 65-7339 had lapsed for failure to submit proofs of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, on April 19, 1978, the permit holder submitted the proofs of beneficial use and has therefore provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No's. 65-7336, 65-7337, 65-7338 and 65-7339 be REINSTATED and the priorities advanced to March 29, 1973.

Dated this 21st day of April, 1978.

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

163

Identification No. _____

Application No. 65-7337

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- 1 Name of applicant L. W. BIGGERS
post office address Sweet, Idaho
- 2 Source of water supply Kennedy Creek which is a tributary of Squaw Creek
- 3 a Location of point of diversion is P.D.#1 SE¼ of SW ¼ of Section 32 Township 11 N.
Range 2 E. B.M. Gem County; additional points of diversion if any: _____
P.D.#2 NW¼NW¼, Sec. 5, T. 10 N. R. 2 E.
- b If water is not consumed, it will be discharged into _____ at a point in _____ ¼
of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes
Amount .04 for Stock water purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a .04 cubic feet per second and/or
b _____ acre feet per annum
- 6 Proposed diverting works.
a Description of ditches, flumes, pumps, headgates, etc Stock tanks & ponds

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 \$ 500.00
- 8 Description of proposed uses
a If water is **not** for irrigation See Item # 8 b
(1) Give the place of use of water _____ ¼ of _____ ¼ of Section _____ Township _____
Range _____ 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 200 Head Cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe. _____

65 7337

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

[illegible]

Total number of acres to be irrigated_____

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

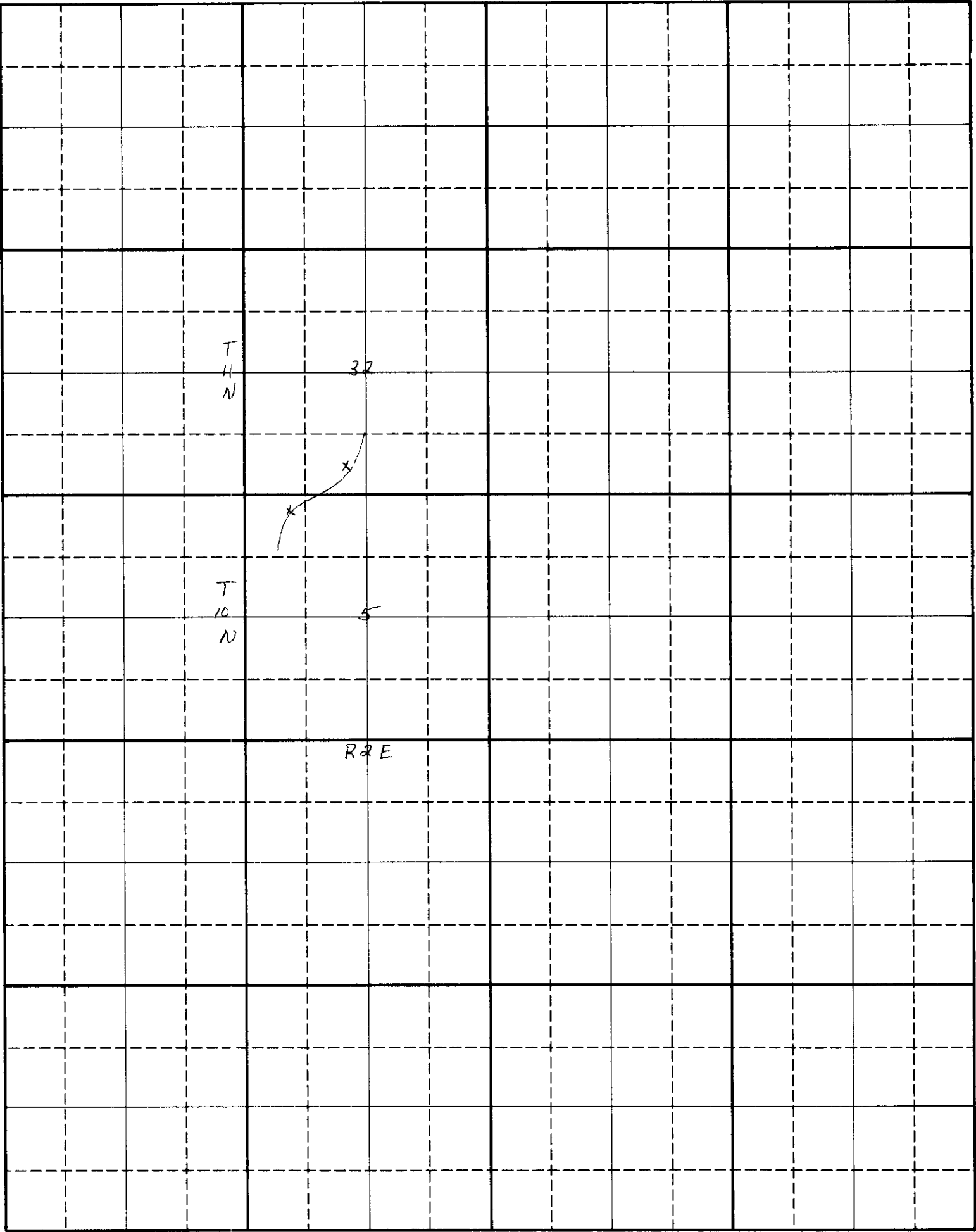
9 a. Who owns the property at the point of diversion Applicant

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.

P. A. B. B. B.
(Applicant)

Received by SLP Date 2/8/73 Time 3:10
 Preliminary check by SLP Fee \$ 10⁰⁰
 Receipted by if Date 2-8-73 Rec'd # 9907
 Publication prepared by df Date 2-4-73
 Published in Bozeman Messenger-Index
 Publication dates 2-15 & 2-22-73
 Publication approved df Date 3-12-73
 Priority ~~reduced~~ to 2-8-73 Reason _____

65-7337

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by D

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7337, 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 March 1, 19 78.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
Use of water under this permit is subject to control by the watermaster of State Water District NO. 65-A, Squaw Creek.

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

Witness my hand this 28th day of March, 19 73.

R. Kirk Higgins
 Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>J</u>	<u>9 Feb 73</u>	Application No. <u>65-7337</u> Name <u>Biggers</u>
(2)	<u>Jim</u>	<u>9 Feb 73</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/L ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>J</u>	<u>9 Feb 73</u>	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>JEB</u>	<u>9 Feb 73</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>JEB</u>	<u>9 Feb</u>	In form for advertising <u>YES</u>
(6)	<u>df</u>	<u>3-2-73</u>	Affidavit of Publication received <u>yes</u>
(7)	<u>CB</u>	<u>3/22/73</u>	Final date for protests <u>March 5, 1973</u> Protests received: yes <u>no</u>
(8)		<u>N/A</u>	Date and Place of hearing _____ Decision reached at hearing _____
(9)	<u>CB</u>	<u>3/22/73</u>	Located within Water District No. <u>65-A</u>
(10)		<u>N/A</u>	Critical groundwater area: yes _____ no _____
(11)		<u>N/A</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)		<u>N/A</u>	Comments: _____
(13)	<u>KUP</u>	<u>3/23</u>	Action recommended: ☒ Approve Priority <u>2/4/1973</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval
(14)	<u>KUP</u>	<u>3/23</u>	No conditions for approval District <u>West</u> By <u>K. P. Ford</u> Date <u>3/23/73</u> Title <u>RECEIVED</u>

Department of
Water Administration

For Information

RECOMMENDED

CONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☒ Use of water under this permit is subject to control by the watermaster of State Water District No. 65-A, SQUAW CREEK ~~River.~~

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____
65 7382

NOTICE OF APPLICATION
FOR WATE. PERMIT

Notice is hereby given that L. W. Biggers, Sweet, Idaho has on Feb. 8, 1973, submitted Application No. 65-7337 for a permit to appropriate .04 cubic feet per second of water from Kennedy Creek, trib. to Squaw Creek by means of stock tanks and ponds within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 11 N., R. 2 E., B.M. and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 10 N., R. 2 E., B.M., Gem County to be used from Jan. 1 to Dec. 31 for stock purposes within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 11 N., R. 2 E. B.M., and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 10 N., R. 2 E., 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 Administration, Statehouse, Boise, Idaho 83707, on or before March 5, 1973.

R. Keith Higginson, Director
Published in the Emmett
Messenger Index, Emmett, Idaho on
Feb. 15, 1973 and Feb. 22, 1973.

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that L. W. Biggers, Sweet, Idaho has on Feb. 8, 1973 submitted Application No. 65-7336 for a permit to appropriate 40 cubic feet per second of water from Fir Tree Gulch Creek, trib. to Squaw Creek by means of gravity ditch within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 10 N., R. 1 E., B.M. Gem County to be used from Jan. 1 to Dec. 31 for stock use and March 15 to Nov. 15 for the irrigation of 30 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, T. 10 N., R. 1 E., B.M., stock use within NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, T. 11 N., R. 1 E., 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 Administration, Statehouse, Boise, Idaho 83707, on or before March 5, 1973.

R. Keith Higginson, Director
Published in the Emmett
Messenger Index, Emmett, Idaho on
Feb. 15, 1973 and Feb. 22, 1973.

OK. df
3-7-73

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
COUNTY OF GEM, ss.

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

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

ginning with the issue of Feb 15,

1973 and, ending with the issue of

Feb 22, 1973

Subscribed and sworn to before me this

7th day of

March, 1973

Arute Sch

Notary Public,
Residing at Emmett, Idaho.

65 7337

RECEIVED

12-1973
Department of Water Administration



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

~~STEPHEN L. DUNN~~

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

June 26, 1981

L. W. Biggers

Box 95

Sweet, Idaho 83670

Dear Mr. Biggers,

RE: Permit No. 65-7337

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

June 2, 1981

L. W. Biggers
Box 95
Sweet, Idaho 83670

Dear Mr. Biggers,

A representative of this Department has made an examination of the works covered by your Permit No. 65-7337, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .02 cfs Source: Kennedy Creek

The maximum quantity diverted shall not exceed 1.4 acre feet per year.

Point(s) of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Twp. 10N, Rge. 2E, B.M.

Beneficial use: Stockwater use within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Twp. 10N, Rge. 2E.

Priority date established: March 29, 1973 (late proof)

Conditions (if any): Use of water under this license is subject to control by the
watermaster of State Water District No. 65-A, Squaw Creek.

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

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1 Name of permit holder L. W. Biggers
Post office address Bx. 95, Sweet, ID Phone _____
Person to contact _____ Phone _____

2 Source of water supply Groundwater ☐ Surface water ☐ Kennedy Cr.
(name spring, stream, etc.)
Tributary to _____

3 Water will be used for the following purposes

Amount .04 c.f.s. for Stock (200 catts)
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 .04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion

Township 11N N/S, Range 2E E/W, B.M., Section 32, Subdivision Se 1/4 Sw 1/4 Gem
County
Township 10N N/S, Range 2E E/W, B.M., Section 5, Subdivision Nw 1/4 Nw 1/4 _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____
County

Other Points of Diversions: _____

Description of diverting works Stock tanks & ponds

Measuring device required. yes ☒ no ☐

6 Lands to be irrigated or place of use.

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	2E	32											X						
10N	2E	5					X												

TOTAL ACREAGE _____

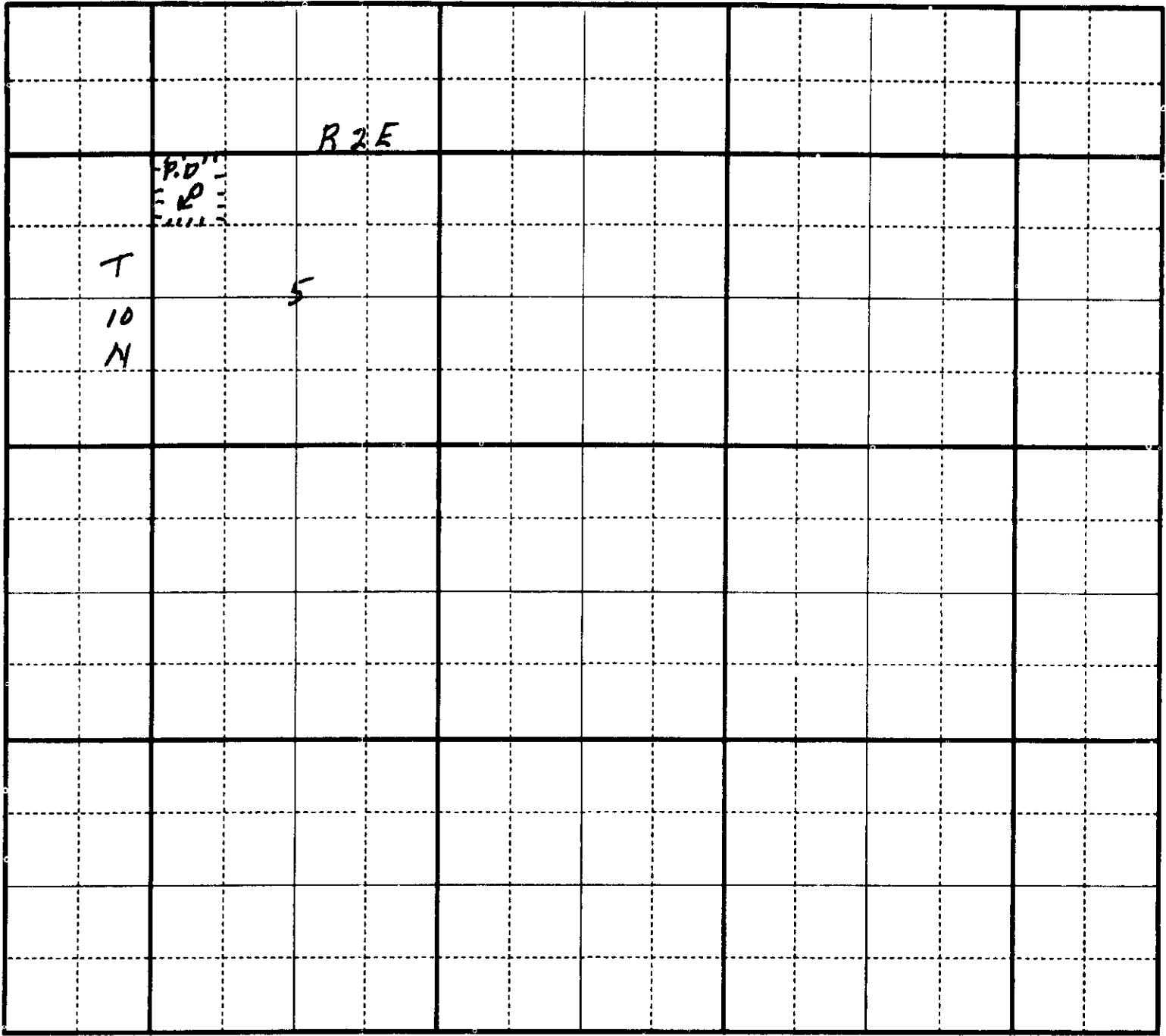


Diagram of System

DATE OF EXAM 8/8/80

ACREAGE

Found _____

Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s.

V=

AF/Ann. from

to

Domestic Q= .02 c.f.s.

V=

AF/Ann. from

to

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 .02 Method of measurement _____

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

Total V recommended 1.4 RC

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

None ✓

MEASUREMENT CALCULATION:

5 GPM - recommend .02 cfs Volume: 100 hds x 12 =

1200 x .00118 = 1.41 AF 90 days x 1.98 x .02 = 3.6

use 5

* V= allow 1.4 as per stockwater table for 100 head

SYSTEM DESCRIPTION:

500 gallon concrete trough - 100 ft 1 1/2" steel pipe

REMARKS

100 hds stock

Examiner's Signature John K. Noyes

Date 8/8/80

Checked by D.B.S.

Date 10/3/80

Approved by Robyn

Date 5/26/81

5/13/80 JKN 5/7/80

concrete Trough - 500 gal tank - 5 GPM

100 ft ^{1 1/2} steel _{pipe} - 100 hd.

NW NW Sec 5 T10N R2E - (Kennedy creek) ^{near}



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

September 22, 1980

Dear Wateruser:

The enclosed Order removes the measuring device requirement as a condition of approval from your permit.

If you have installed the measuring device, the field examination can be more expediently conducted by the Department's field examiner. In addition you will derive benefit from water management information which may be obtained from the installed meter.

If you have questions regarding this matter, please contact this office or one of our Regional Offices.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:jg

Enclosure

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

NORDEN HERD HEALTH SEMINARS

Sept. 15, 1980
Box 95
Sweet, Idaho
83610

Dear Sir:

I am requesting a waiver
on the use of a measuring device on the
following permit numbers: 65-7338, 65-7337,
and 65-7339. because they are being used
for stockwater only.

Yours truly
L. W. Bygones

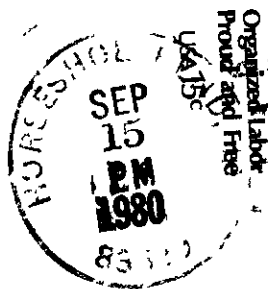
RECEIVED

SEP 16 1980



Department of Water Resources
Western Regional Office

J. W. Biggers
Box 95
Sweet, Idaho
83670



C. Stephen Allred
State of Idaho
Department of Water Resources
Western Region
92 South Cole Road
Boise, Idaho 83709

April 25, 1978

Re: Permit No's. 65-7336, 65-7337, 65-7338, 65-7339

L. W. Biggers
Box 95
Sweet, Idaho 83670

Dear Mr. Biggers:

We acknowledge receipt of the affidavits submitted as proof of beneficial use for the above referenced permits. Enclosed is a copy of an Order which reinstates these permits and advances their priority to March 29, 1973.

Before licenses can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this exam will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the systems.

We note that in reviewing these proof affidavits, you do not indicate that you have installed measuring devices as required by the conditions of approval of your permits. These measuring devices must be installed by the time our examiner makes the exam or your water rights cannot be confirmed by the issuance of a license. We are enclosing a list of the types of measuring devices approved by this office.

If you have any questions regarding the field exams, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights

Encl.

no md.

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

191. *Casey*
Western Regional Office

1. a) Name of Permit Holder L. W. Biggers
b) Post Office Address Box 95 Sweet, Idaho 83670
2. Permit Number 65-7337
3. Date of Priority that you are prepared to establish 2/8/1973
4. a) Source from which water was appropriated Kennedy Creek
b) Location of the point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32
Township 11N, Range 2E Boise Meridian, Other points of diversion: NW NW Sec 5 T10N R2E
5. a) The amount of water and use to which the water has been applied:
Amount .04 for stockwater purposes from 1/1 to 12/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .04 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: _____
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) stock tanks and ponds
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
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: Stock water for 200 head of cattle
SE SW Sec 32, T11N R2E, NW NW Sec 5
T10N R2E 4/26/73



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 14, 1978

Re: Permit No's. 65-7336, 65-7337, 65-7338, 65-7339

L. W. Biggers
Sweet,
Idaho 83670

Dear Mr. Biggers:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No's. 65-7336, 65-7337, 65-7338, and 65-7339 have lapsed since you have not notified us that you have completed the projects by the date required on your permits. You were provided forms for that purpose in our notice to you dated December 30, 1977.

Your permits cannot be reinstated unless you submit the proof of beneficial use affidavits, enclosed, or show other reasonable cause why the permits should be reinstated within 60 days from the date of this lapse notice.


C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

December 30, 1977

CERTIFIED MAIL

138207

Re: Permit No. 65-7336, 65-7337, 65-7338 & 65-7339

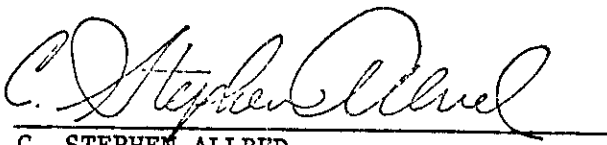
L. W. Biggers
Sweet, Idaho
83670

Dear Mr. Biggers:

One of the conditions of approval of your water Permit No. ^{65-7336, 65-7337} ~~65-7338, 65-7339~~ (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 March 1, 1978. 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

Encl: Proof affidavit

RECEIVED
JAN 3 1978
IDAHO DEPT. OF WATER RESOURCES

March 29, 1973

Re. Permit Nos.: 65-7336, ~~65-7337~~
65-7338 & ~~65-7339~~

L. L. Biggers
Poet,
Idaho

Dear Mr. Biggers:

Enclosed is a copy of your approved Application for Permit Nos. 65-7336, 65-7337, 65-7338 and 65-7339. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

65 2337

March 6, 1973

Re: Application for Permit Nos. 65-7335 Allen Eugene Gatfield &/or Lola M. Gatfield
65-7336 L. W. Biggers
65-7337 L. W. Biggers
65-7338 L. W. Biggers
65-7339 L. W. Biggers

Emmett Messenger-Index
120 N. Washington Ave.
Emmett, Idaho 83617

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced item. The legal notice was to have been published in your paper on February 15 and February 22, 1973.

Your cooperation in this matter is greatly appreciated.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

65 7337

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that L. W. BIGGERS, Sweet, Idaho

has on Feb. 8, 1973 submitted Application No. 65-7337

for a permit to appropriate .04 cubic feet per second ~~XXXXXX~~

~~XXXXXX~~ of water from Kennedy Creek, trib to Squaw Creek

by means of stock tanks & ponds

within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 11 N., R. 2 E., B.M. & NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5,

T. 10 N., R. 2 E., B.M., Gem County

to be used from Jan. 1 to Dec. 31

for stock purposes

within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 11 N., R. 2 E., B.M., & NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 10 N.,
R. 2 E., 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 Administration, Statehouse, Boise, Idaho, 83707, on or before XXXX March 5, 1973.

R. KEITH HIGGINSON

65 7337

Director

Published in the Emmett Messenger-Index, Emmett, Idaho

on Feb. 15, 1973 and Feb. 22, 1973

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Development
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

February 9, 1973

Re: Application for Permit Nos. 65-7336 L. W. Biggers
65-7337 L. W. Biggers
65-7338 L. W. Biggers
65-7339 L. W. Biggers

Emmett Messenger-Index
120 N. Washington Avenue
Emmett, Idaho 83617

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 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)

Sincerely,

65 7337