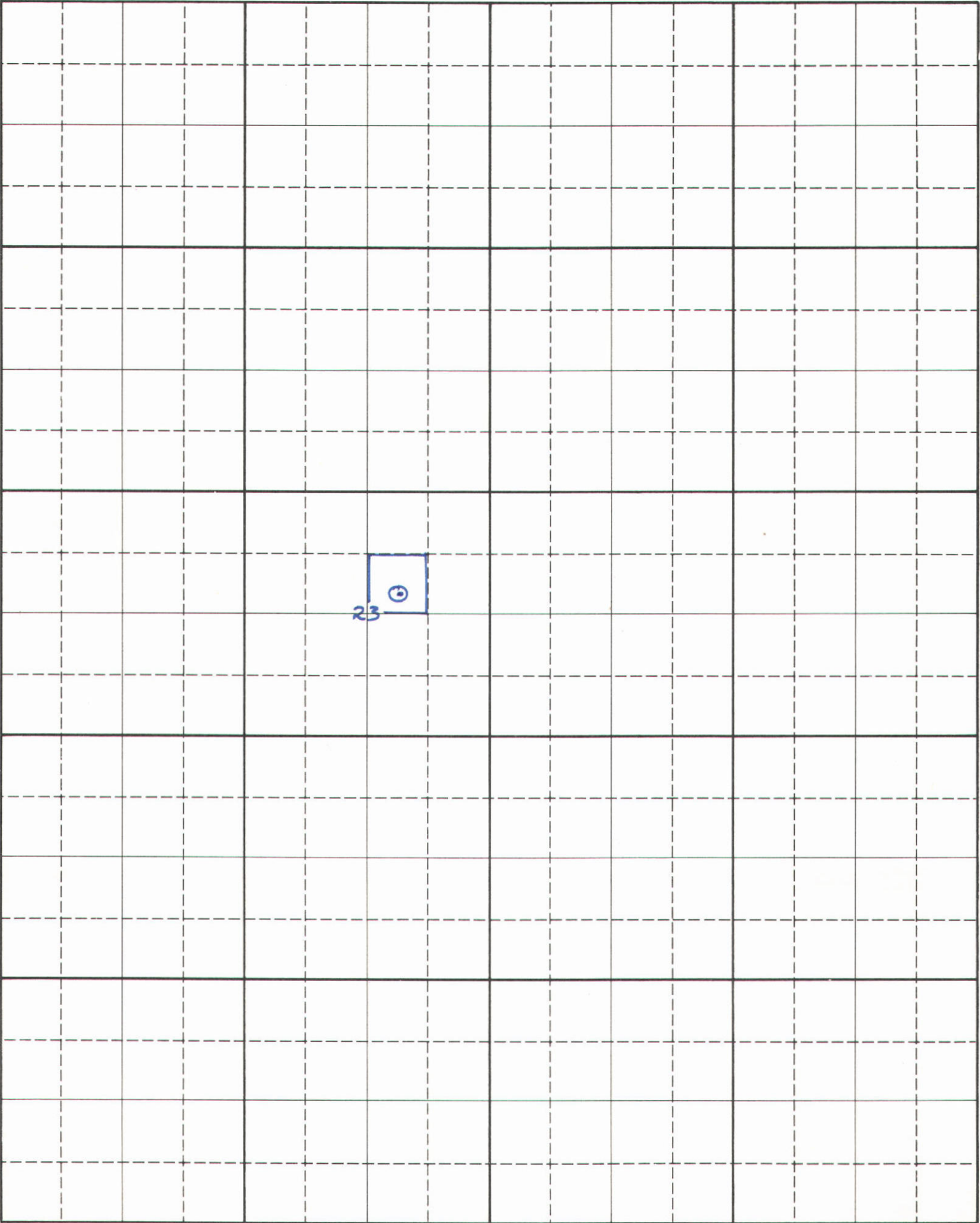


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R5W

T8N



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.

Rogers Livingston
(Applicant)

65 7326

Nº 4164

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Payette } ss.

E. Ann Fitch, being duly sworn,
deposes and says:

That she is the principle clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper
published at Payette, in the County of Payette and State
of Idaho that said paper has been and is in general cir-
culation in the county aforesaid, and in the vicinity of Pay-
ette; that the advertisement, a copy of which is attached
hereto, was published in said newspaper once a week for
two (2) consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
a supplement; that said paper has been established and
regularly published for more than seventy-eight consecu-
tive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with
November 23, 1972, and ending
with the issue of November 30, 1972

Fee \$12.24

Subscribed and sworn to before me this 12th day
of December, 1972

Glenn L Robinson
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-20, 1973

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
ROGERS &-or MARION
LIVINGSTON &-or T.H. &-or
ETHEL CASTELLAW, Route
No. 1, Box 327, Fruitland, Idaho
has on Nov. 3, 1972 submitted
Application No. 65-7326 for a
permit to appropriate 0.04 cubic
feet per second of water from a
groundwater source by means
of drilled well, electric pump
with pressure tank within the
SW¹/₄NE¹/₄, Sec. 23, T. 8N., R. 5
W., B.M., Payette County to be
used from Jan. 1 to Dec. 31 for
domestic purposes within the
SW¹/₄NE¹/₄, Sec. 23, T. 8 N., R. 5
W., 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
Dec. 4, 1972.

R. KEITH HIGGINSON
Director

Published in the Independent
Enterprise, Payette, Idaho on
Nov. 23, 1972 and Nov. 30, 1972.

No. 4164

11-23-2tc

65 7326

Nº 4185

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Payette } ss.

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published at Payette, in the County of Payette and State
of Idaho that said paper has been and is in general cir-
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two (2) consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
a supplement; that said paper has been established and
regularly published for more than seventy-eight consecu-
tive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with
December 21, 1972, and ending
with the issue of December 28, 1972

Fee \$ 12.24

Subscribed and sworn to before me this 16th day
of January, 1973

Lawrence L. Robinson
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-20, 1973

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FOR WATER PERMIT

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If issued, this permit will be
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Protests against the granting of
the permit must be filed with
the Idaho Department of Water
Administration, Statehouse,
Boise, Idaho, 83707, on or before
January 28, 1973.

R. KEITH HIGGINSON
Director

Published in the Independent
Enterprise, Payette, Idaho on
Dec. 21 and Dec. 28, 1972.

4185

12-21-2tc

RECEIVED

65-7326 of Water Administration
13 1973

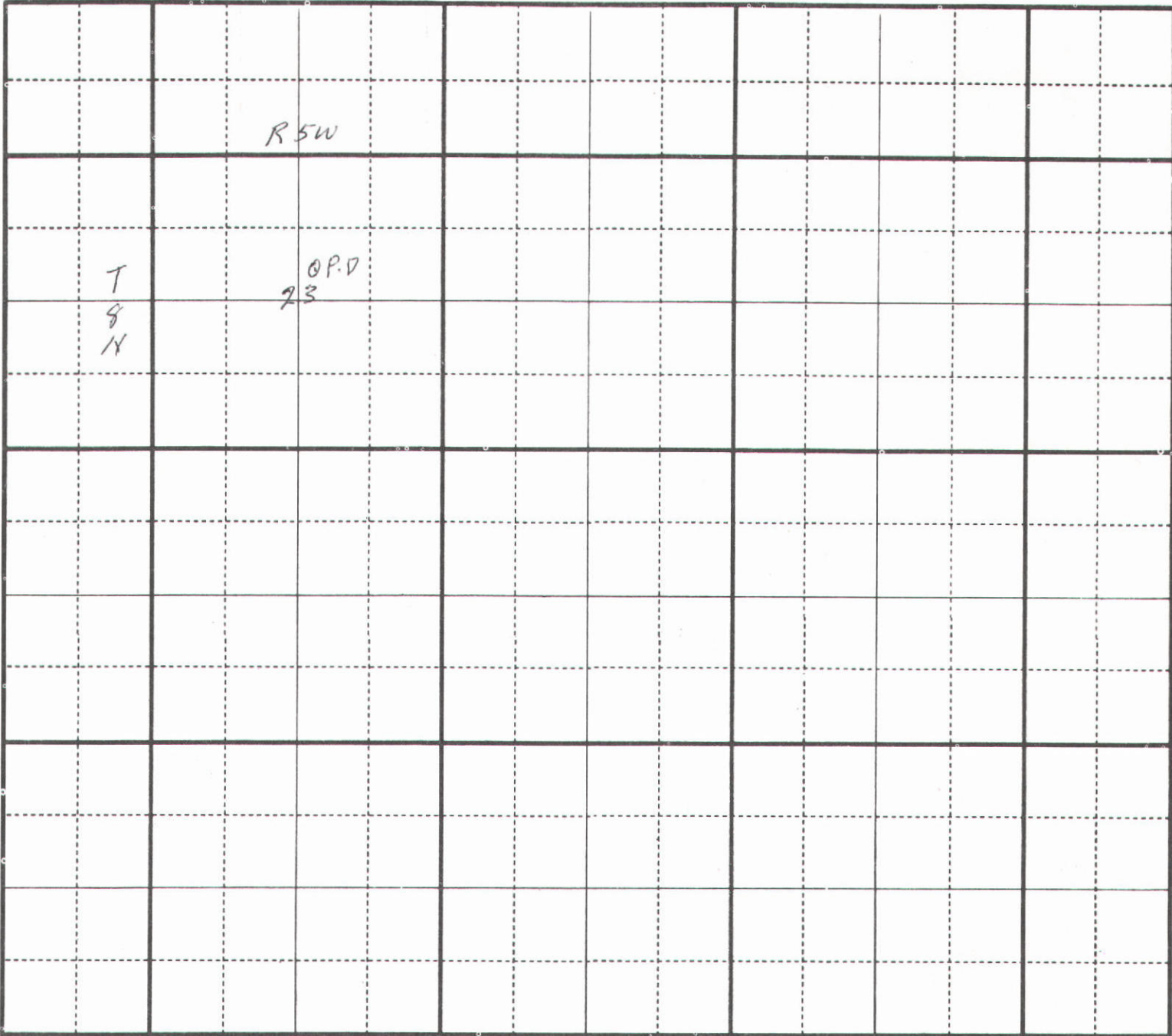


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7326 Priority November 3, 1972 Amount 0.04 cfs

THIS IS TO CERTIFY, that ROGERS &/or MARION LIVINGSTON
of Pocatello, Idaho, has complied with the terms and conditions of Permit
No. 65-7326 issued pursuant to Application for Permit dated November 3, 1972,
and has submitted proof to the Department of Water Resources on November 9, 1977,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 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

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 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
1.2 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23, Twp. 8N,
Rge. 5W, B.M. in the County of Payette

Description and location of place of use

Twp	Range	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 $\frac{1}{4}$	
8N	5W	23			X														

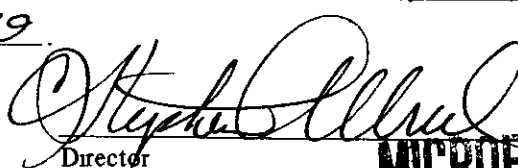
Total number of acres irrigated _____

NOTE Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of

May, 1979


Director

MICROFILMED

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

Department of Water Resources

I, T.H. &/or Ethel Castellaw, hereby assign to Rogers &/or Marion Livingston
of Route 1, Syphon Road, Pocatello, Idaho 83201
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 65-7326
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 16th day of August, 19 76.

T H Castellaw
Permit Holder

Ethel E Castellaw
Spouse of Permit Holder

State of Idaho)
County of Payette) ss.

On this 16th day of August, 19 76, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Mary M. S. Taylor
Notary Public residing at
Trinidad

My commission expires:
7-9-78

Identification No. _____

Application No. 65-7326

APPROVED

8-17-1976

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

83201

1 Name of applicant ROGERS and/or MARION LIVINGSTON and/or T. H. and/or ETHEL CASTELLAW
post office address Rt. 1, Box 327, Fruitland, Idaho

2 Source of water supply groundwater which is a tributary of _____

3. a Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 8 N.
Range 5 W. B.M. Payette County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4 Water will be used for the following purposes:

Amount .04 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated.

a .04 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a Description of ditches, flumes, pumps, headgates, etc. Drilled well, electric pump with
pressure tank

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 8 inches; proposed depth of well is 50 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 \$ 800.00.

8 Description of proposed uses

a If water is **not** for irrigation.

(1) Give the place of use of water SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 23 Township 8 N.
Range 5 W. 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 one

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

65 7326

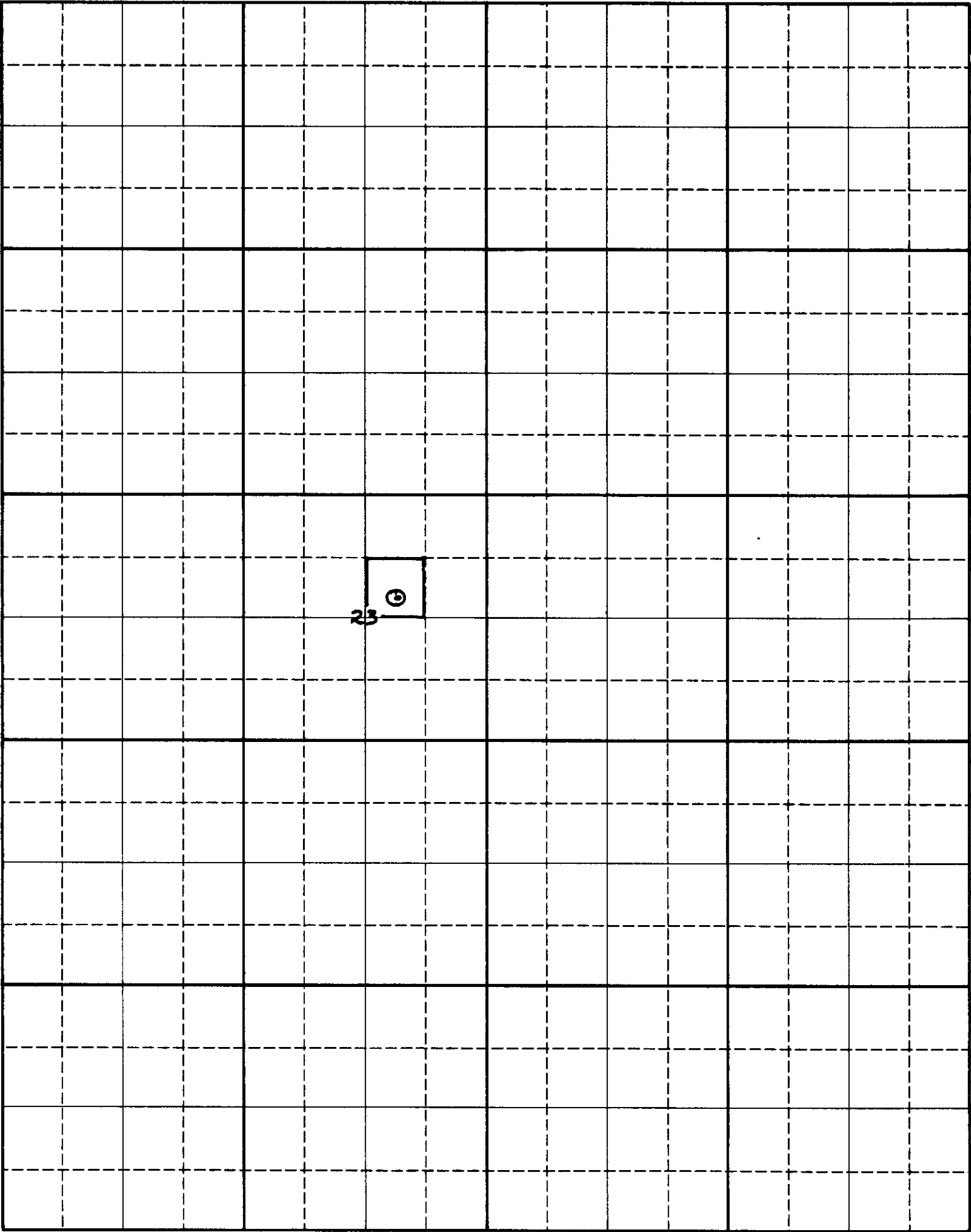
65

Category	Number of cases	Percentage of cases
1. <i>Staphylococcus aureus</i>	10	10.0
2. <i>Staphylococcus epidermidis</i>	15	15.0
3. <i>Staphylococcus saprophyticus</i>	5	5.0
4. <i>Staphylococcus sciuri</i>	3	3.0
5. <i>Staphylococcus carnosus</i>	2	2.0
6. <i>Staphylococcus albus</i>	1	1.0
7. <i>Staphylococcus epidermidis</i>	1	1.0
8. <i>Staphylococcus aureus</i>	1	1.0
9. <i>Staphylococcus aureus</i>	1	1.0
10. <i>Staphylococcus aureus</i>	1	1.0
11. <i>Staphylococcus aureus</i>	1	1.0
12. <i>Staphylococcus aureus</i>	1	1.0
13. <i>Staphylococcus aureus</i>	1	1.0
14. <i>Staphylococcus aureus</i>	1	1.0
15. <i>Staphylococcus aureus</i>	1	1.0
16. <i>Staphylococcus aureus</i>	1	1.0
17. <i>Staphylococcus aureus</i>	1	1.0
18. <i>Staphylococcus aureus</i>	1	1.0
19. <i>Staphylococcus aureus</i>	1	1.0
20. <i>Staphylococcus aureus</i>	1	1.0
21. <i>Staphylococcus aureus</i>	1	1.0
22. <i>Staphylococcus aureus</i>	1	1.0
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41. <i>Staphylococcus aureus</i>	1	1.0
42. <i>Staphylococcus aureus</i>	1	1.0
43. <i>Staphylococcus aureus</i>	1	1.0
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83. <i>Staphylococcus aureus</i>	1	1.0
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85. <i>Staphylococcus aureus</i>	1	1.0
86. <i>Staphylococcus aureus</i>	1	1.0
87. <i>Staphylococcus aureus</i>	1	1.0
88. <i>Staphylococcus aureus</i>	1	1.0
89. <i>Staphylococcus aureus</i>	1	1.0
90. <i>Staphylococcus aureus</i>	1	1.0
91. <i>Staphylococcus aureus</i>	1	1.0
92. <i>Staphylococcus aureus</i>	1	1.0

the

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

R5W



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.

Rogers Livingston
(Applicant)

65 732C

Proposed Priority 11-3-1972

Received by CS Date 3 Nov 72 Time 11:00
Preliminary check by KB Fee \$ 10.00
Received by MP Date 11-3-72
Publication prepared by MP Date 11-9-72
Published in Independent Enterprise
Publication dates 11-16, 23, 1972
Publication approved MP Date 1-18-73
Priority reduced to _____ Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by WHE 10/27

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. 65-7326, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 78.
- c. Other: _____

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

Witness my hand this 31st day of January, 19 78.

[Signature]
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	LEB	6 Nov	Application No. <u>65-7326</u> Name <u>Livingston and Eastellaw</u>
(2)	LEB	6 Nov	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/U ☒ Place of Use ☒ Map ☒ Fee
(3)	LEB	6 Nov	Send copies to: <u>None</u> ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	LEB	6 Nov	☐ Request Special Use Permit from U.S.F.S. <u>None</u> ☐ Request Easement from B.L.M.
(5)	LEB	6 Nov	In form for advertising <u>Yes</u>
(6)	dy	1-18-73	Affidavit of Publication received <u>Yes</u>
(7)	SLP	1/29/73	Final date for protests <u>1/28/73</u> Protests received: yes <u>no</u>
(8)		NA	Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. <u>basin 67</u>
(10)	SLP	1/29/73	Critical groundwater area: yes _____ no <u>✓</u>
(11)	SLP	1/29/73	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____ 65 7326
(13)	SLP	1/29/73	Action recommended: ☒ Approve Priority <u>11/3/72</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval
(14)	KAR	1/29	No conditions for approval District <u>Western</u> By <u>Ken Fort</u> Date <u>1/29/73</u> Title <u>WDBCEP</u>

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. _____, _____ 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 7326

Nº 4164

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Payette } ss.

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deposes and says:

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culation in the county aforesaid, and in the vicinity of Pay-
ette; that the advertisement, a copy of which is attached
hereto, was published in said newspaper once a week for
two (2) consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
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tive weeks prior to the date of first publication of said
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with the issue of November 30, 1972

E. Ann Fitch

Fee \$12.24

Subscribed and sworn to before me this 12th day
of December, 1972

Glenn L. Robinson
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-20, 1973

65 7326

No 4185

W. H. diff
1-18-73

AFFIDAVIT OF PUBLICATION

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County of Payette } ss.

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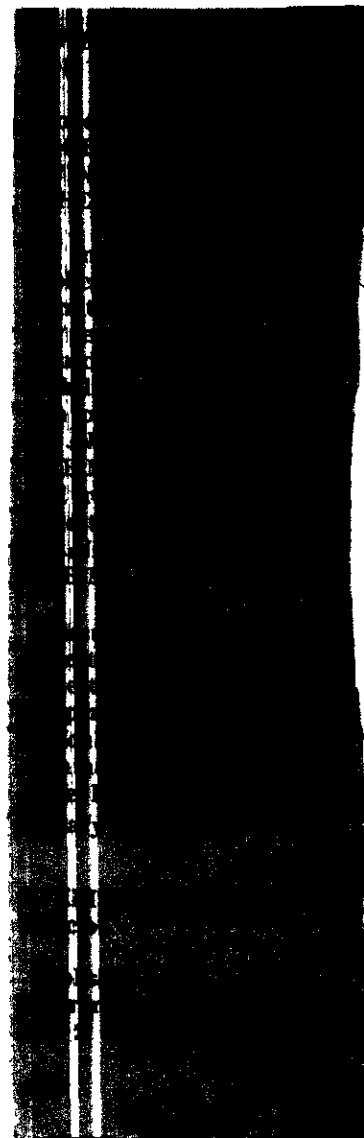
L. Ann Fitch

Fee \$12.24

Subscribed and sworn to before me this 16th day
of January, 1973

Lawrence L. Robinson
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-20, 1973



65-74321

May 30, 1979

Re: Permit No. 65-7326

Rogers &/or Marion Limington
Route #1, Box 326A
Fruitland, ID 83619

Dear Mr. & Mrs. Limington:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Rogers &/or Marion Livingston
Post office address Rt. 1, Box 326A, Fruitland, ID83619 Phone _____
Person to contact _____ Phone _____

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

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for Domestic (1)
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

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

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

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

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

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 8N N/S, Range 5W E/W, B.M., Section 23, Subdivision SW $\frac{1}{4}$ NE $\frac{1}{4}$, Payette
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision $\frac{1}{4}$ $\frac{1}{4}$, _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision $\frac{1}{4}$ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works: $\frac{1}{2}$ hp motor, 30 gpm, 6" casing, 39' deep

Measuring device required: yes ☐ no ☒

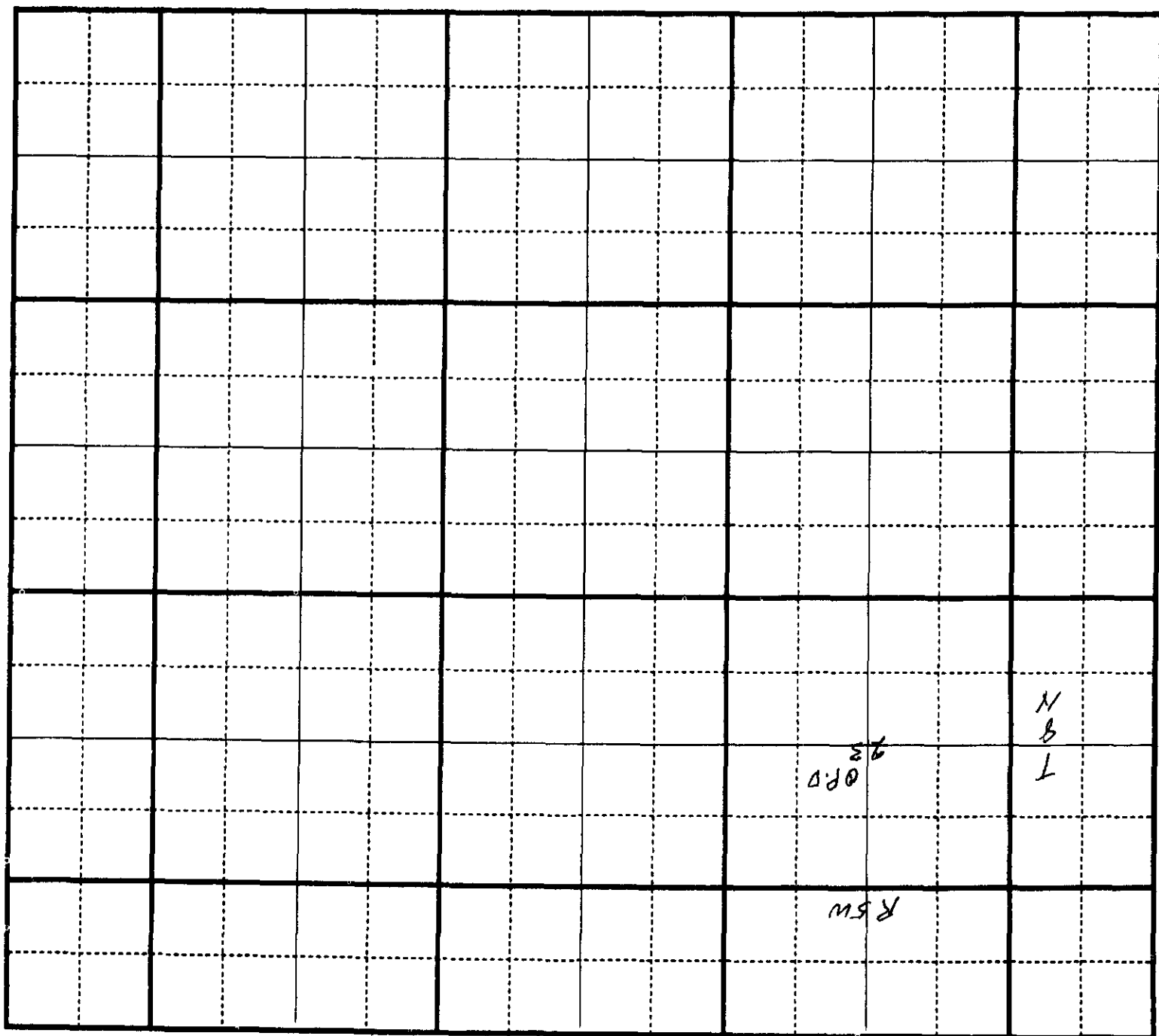
6. Lands to be irrigated or place of use.

TWP	RANGE	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 $\frac{1}{4}$	
8N	5W	23			X														

MICROFILMED

TOTAL ACREAGE _____

Diagram of System



DATE OF EXAM 4/9/79

ACREAGE
Found 0
Recommended 0

Irrigation Requirement 0 Ac Ft/Ac

USE

Irrigation Q=_____ c.f.s.	V=_____ AF/Ann. from _____ to _____
Domestic Q= <u>0.57</u> c.f.s.	V= <u>1.2</u> AF/Ann. from <u>1/1</u> to <u>12/31</u>
Livestock Q=_____ c.f.s.	V=_____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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 _____

Point of exchange: twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 03.04 Method of measurement calculated

Total Q recommended 29.04 Meter No. _____ Type _____ Condition _____

Total V recommended 1.2

Recommended Amendments:

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

MEASUREMENT CALCULATION:

MEASUREMENT CALCULATION:

$.5 \times 80 \text{ PSI} \times 8.8 = 3.52$	92	.04
$20 \text{ PSI} + 40 \text{ PSI} = 113.02$	$113.02 \sqrt{3.52} = 03.04$	

SYSTEM DESCRIPTION:

SYSTEM DESCRIPTION:
Pipeline from source to place of use
1/2 HP motor - 6" casing - 39 ft deep. One domestic
household.

REMARKS:

Examiner's Signature John K Boyer Date 4/9/79

Checked by DJS Date 4/12/79

Approved by _____ Date _____

December 2, 1977

Re: Permit No. 65-7326

Rogers &/or Marion Livingston
Rt. 1, Box 326A
Fruitland, Idaho 83619

Dear Mr. & Mrs. Livingston:

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

Identification No. _____

Permit No. 65-7326

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 9 1977

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Rogers and son Marion Livingston
b) Post Office Address RD 1 Box 326A - Fruitland Idaho - 83619
Change of address
2. Permit Number 65-7326
3. Date of Priority that you are prepared to establish 11-3-72
4. a) Source from which water was appropriated Ground water
b) Location of the point of diversion: SW 1/4 NE 1/4, Section 23
Township 8N, Range 5W, Boise Meridian, Other points of diversion:
Payette County
5. a) The amount of water and use to which the water has been applied:
Amount .04 for domestic purposes from Jan 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .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: use pump and the measurement was made by Rogers Livingston - former Gov. inspector for B.S.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:

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) 1/2 horse motor size
30 gal. per min.
6 in. casing
39 ft. depth of well
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:
H. C. Nicholson - drilling company - Payette, Idaho
Completed 4/10/74
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
domestic use - garden & yard

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.

11-7-77
(Date)

Rogers Livingston
(Signature)
Marion Livingston

State of Idaho)
County of Payette) ss.

On this seventh day of November, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he ~~(she)~~ (they) executed the same.

James R. R. R.
Notary Public residing at Payette

My commission expires May 10, 1981

October 31, 1977

CERTIFIED MAIL

138110

Re: Permit No. 65-7326

Rogers &/or Marion Livingston
Route 1, Syphon Rd.
Pocatello, Idaho 83201

Dear Mr. & Mrs. Livingston:

One of the conditions of approval of your water Permit No. 65-7326 (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 January 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

Enc: Proof affidavit

RECEIVED

August 24, 1976

Re: Permit No. 65-7326

Rogers &/or Marion Livingston
Route 1, Syphon Road
Pocatello, ID 83201

Dear Mr. & Mrs. Livingston:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records have been changed.

Sincerely,

JANICE RENK
Secretary, Water Rights

ifr

August 11, 1976

Re: Permit No. 65-7326

Rogers & Marion Livingston
Route 1, Syphon Road
Pocatello, Idaho 83201

Dear Mr. & Mrs. Livingston:

We recently received your letter requesting that the names of T.H. and/or Ethel Castellaw be removed from Permit No. 65-7326.

Since this is a joint permit between you and T.H. and/or Ethel Castellaw, they should request that their names be removed by assigning their portion of the permit to you. We have enclosed a partially completed assignment form for your use.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

1968

Department of Water Resources

Pull for Bot

Pocatello, Idaho

Aug. 4 - 76

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83707

Dear Sirs:

Ident. no. 65-7326

We wish to have the following
names removed from our
water right claim.

T. H. and/or Exhel Castellaw

Rt 1 Box 327 - Fruitland, Idaho

Thanks

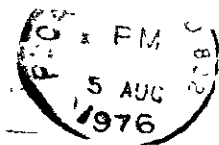
Rogers & Marion Livingston

Rt 1 Syphon Road

Pocatello, Idaho 83201

Phone - 237-0902

Rogers + Marion Livingston
Rt 1 Sycamore Road
Pocatello, Idaho
83201



State of Idaho
Department of Water Resources
Statehouse
 Boise, Idaho
83707

February 1, 1933

Re: Permit No. 65-7326

Rogers and/or Marion Livingston and/or
T. H. and/or Ethel Castellaw
Route 1, Box 327
Fruitland, Idaho 83619

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 65-7326. We direct
your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kss

Enclosures

65 7326

January 18, 1973

Re: Application for Permit No. 65-7326

Independent Enterprise
P. O. Box 348
Payette, Idaho 83661

Gentlemen:

Enclosed is the bill for the second publication of Permit No. 65-7326 which we received in our office on January 18, 1973.

The original legal notice was to have been published November 16, 1972 and November 23, 1972, but instead was published November 23 and November 30, 1972 with no change in the date of protest. As you did not contact us when you changed the dates of publication as requested, we cannot pay the bill for the second publication.

We have forwarded the bill for the first publication of this legal notice to our accounting department and you should receive payment very shortly.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

65 7326

January 9, 1973

Re: Application for Permit No. 65-7326 Rogers &/or Marion Livingston &/or T. H. &/or
Ethel Castellaw

Independent Enterprise
P. O. Box 348
Payette, Idaho 83661

Gentlemen:

Would you please submit an affidavit of publication in connection with the correction on the above referenced item. The original was to have been published November 16, 1972 and November 23, 1972, but instead was published November 23, 1972 and November 30, 1972 with no change made in the last date of protest. Therefore, it was necessary to republish this notice with the proper period in which to protest.

When we receive the affidavit of publication for the corrected notice, we will submit your certified bill to our accounting department.

Your cooperation in this matter is greatly appreciated.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

65-7326

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 Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 9, 1972

RE: APPLICATION FOR PERMIT NO. 65-7326 Rogers &/or Marion Livingston &/or
T. H. &/or Ethel Castellaw

Independent Enterprise
Box 348
Payette, Idaho 83661

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 7326

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ROGERS &/or MARION LIVINGSTON &/or T. H.
&/or ETHEL CASTELLAW, Route #1, Box 327, Fruitland, Idaho
has on Nov. 3, 1972 submitted Application No. 65-7326
for a permit to appropriate 0.04 cubic feet per second ~~acre feet~~
~~per annum~~ of water from a groundwater source
by means of drilled well, electric pump with pressure tank
within the SW 1/4, Sec. 23, T. 8 N., R. 5 W., B.M., Payette County

to be used from Jan. 1 to Dec. 31
for domestic purposes
within the SW 1/4, Sec. 23, T. 8 N., R. 5 W., 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 Administration, Statehouse, Boise, Idaho, 83707, on or before
Dec. 4, 1972.

R. KEITH HIGGINSON

Director

Published in the Independent Enterprise, Payette, Idaho
on Nov. 16, 1972 and Nov. 23, 1972

65 2326