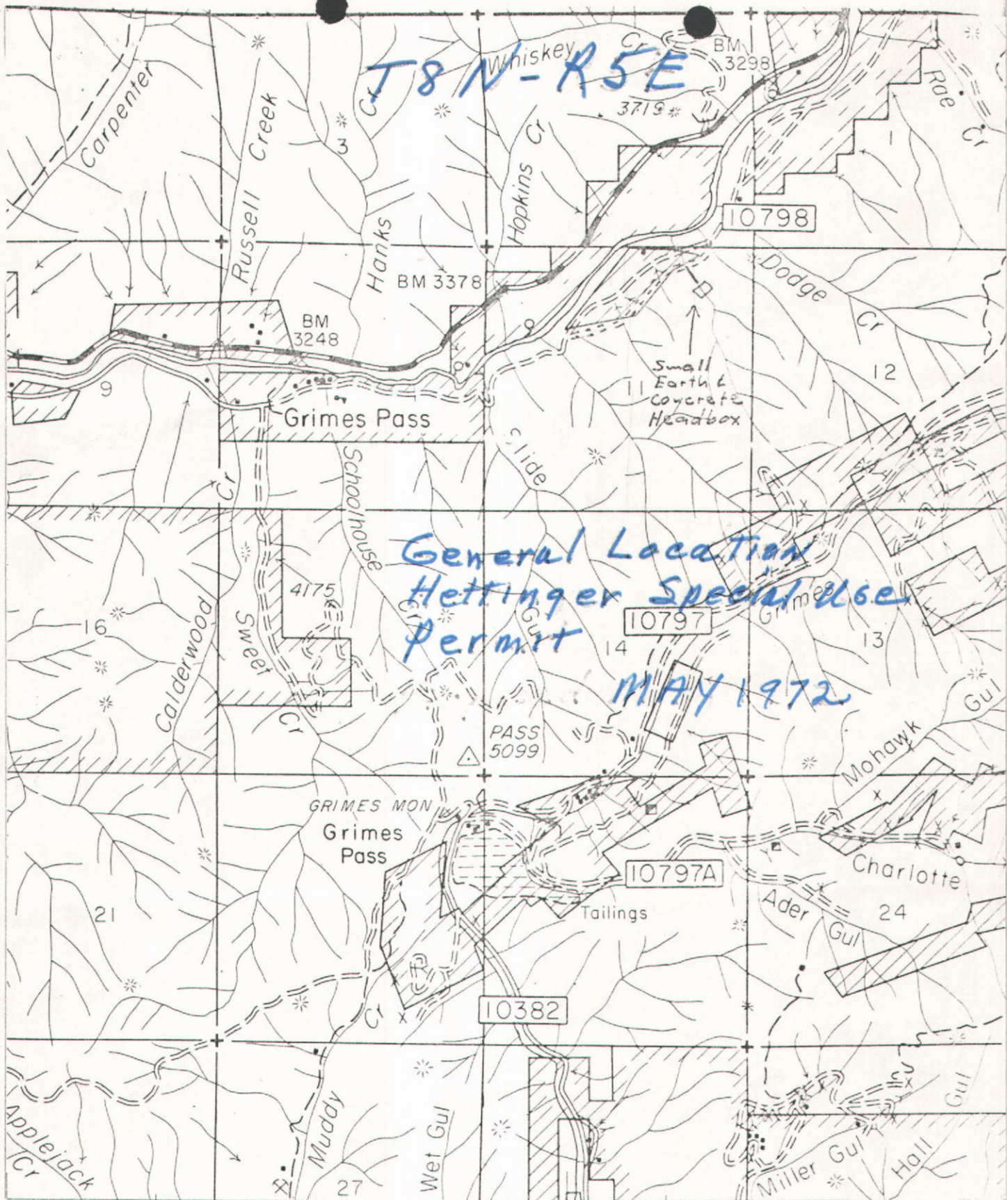




AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO. } S.S.
COUNTY OF BOISE

T. R. Adams, being
duly sworn, deposes and says:
That he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City, in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

once a week for Two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning

with April 6, 1972
and ending with the issue of

April 13, 1972

Fees \$.....T. R. Adams

Subscribed and sworn to before
me this 5th day of May

1972
Robert J. Tuffield
Clerk District Court

Deputy

RECEIVED

MAY 8 1972

Department of Water Administration

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that
Lawrence Hettinger 3509 Cres-
cent Rim Drive, Boise, Idaho,
has on March 24, 1972 submit-
ted Application No. 65-7624 for
a permit to appropriate 0.4 cu-
bic feet per second of water
from an unnamed stream, tribu-
tary of the South Fork of the
Payette River by means of a
pump and pipe within the NW-
¼NE¼, Sec. 11, T. 8N., R. 5E.,
B. M., Boise, County to be used
from April 15 to October 15,
for the irrigation of 20 acres
within the NW¼NE¼, NE¼-
NW¼, Sec. 11, T. 8N., R. 5E.,
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 Ad-
ministration, Statehouse, Boise,
Idaho, on or before April 24, 19-
72..

R. KEITH HIGGINSON
Director

Published in the Idaho World
Idaho City, Idaho, on April 6
and April 13, 1972.

65 7264

R 5 E

T
8
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7.0 9.0 ④

11

Diagram of System

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 65-7264 Priority March 24, 1972 Amount 0.32 cfs

THIS IS TO CERTIFY, that LAWRENCE HETTINGER
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 65-7264 issued pursuant to Application for Permit dated March 24, 1972,
and has submitted proof to the Department of Water Administration on September 20, 1973,
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 0.32 cfs of water from an unnamed stream,
tributary to South Fork of Payette River, and that the permit holder has applied to a beneficial use &
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>April 15</u> to <u>May 15</u> at <u>0.32</u> cfs and			<u>56 acre feet or</u>
			<u>3.5 af per acre</u>

(both dates inclusive)

Subject, however, to the condition that no more than 0.32 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
56 acrefeet per year and waters to be diverted within the NW 1/4 NE 1/4 of Sec. 11,
Twp. 8 N, Rng. 5 E, B.M. in the County of Boise

Description and location of 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	
8 N	5 E	11				7												16	

Total number of acres irrigated 16

65 7264

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 20 day of
February, 19 74.

Director

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 65-7264)
IN THE NAME OF LAWRENCE HETTINGER)

ORDER

WHEREAS, on March 24, 1972, Lawrence Hettinger applied to the Department of Water Administration for a permit to appropriate 0.4 cubic feet per second from an unnamed stream, tributary to the South Fork Payette River, to be diverted within the NW¹/₄NE¹/₄, Section 11, Twp. 8N, Rge. 5E, B.M., Boise County, to be used for irrigation purposes; and,

WHEREAS, on October 25, 1972, the Department approved said application and issued Permit No. 65-7264 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before November 1, 1973, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on September 20, 1973, the Department received the required proof of application of water to beneficial use along with a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department 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 Permit No. 65-7264.

Dated this 27 day of September, 1973.

65 7264


R. KEITH HIGGINSON
Director

Identification No. 65-7264

Application No. _____

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

LICENSE ISSUED FOR 32 SEC. FT.
 LICENSE PAGE NO. _____

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

- 1 Name of applicant Lawrence Hettinger
 post office address 3509 Crescent Rim Drive, Boise, Idaho 83704
- 2 Source of water supply unnamed stream which is a tributary of South Fork Payette
- 3 a Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 11 Township 8N
 Range 5E B.M. Boise 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 0.4 for irrigation purpose from April 15 to Oct. 15 (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 0.4 cubic feet per second and/or
 b _____ acre feet per annum.
6. Proposed diverting works.
 a Description of ditches, flumes, pumps, headgates, etc. Penstock 4" installed into stream,
250' down to place of use, 60' drop.

- b Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
 capacity _____ acre feet, materials used in storage dam: _____
 Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
 is 1 years
 b. Estimated construction cost is \$ 400.00
- 8 Description of proposed uses
 a If water is **not** for irrigation.
 (1) Give the place of use of water. _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ 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 _____

 (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 7264

Total number of acres to be irrigated 20

c Describe any other water rights used for the same purposes as described above Permit No. 65-7206

~~For irrigation of 10 acres.~~

9. a. Who owns the property at the point of diversion U. S. Forest Service

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

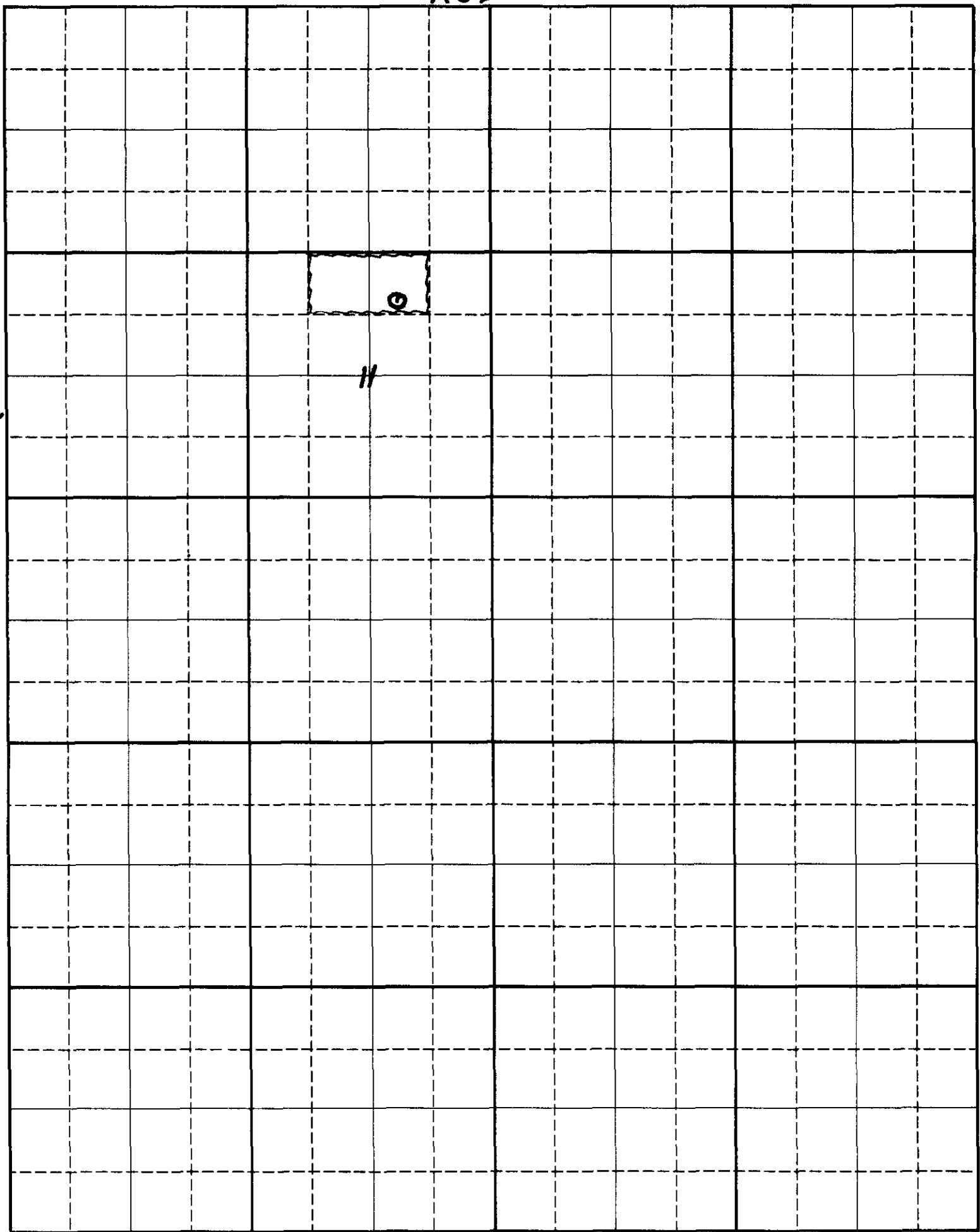
~~Applicant will forward a copy of "special use" permit~~

as soon as it is OK'd.

10. Remarks — This is Homestead Entry J, Rae 404

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

R5E



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.

Lawrence Lettingus
(Applicant)

Director

[Signature]

Witness my hand this 25th day of October 19 72.

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

Measuring device requirement has been removed pursuant to Order of 9/27/73.

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

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 73.

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions.
Idaho No. 65-7264, and said application is hereby APPROVED
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

Recommended for approval denial by D

Hearing held by _____ Date _____

Copies of protests forwarded by _____

Protests filed by _____

Priority reduced to 3-24-72 Reason _____

Publication approved OK Date 5-11-72

Publication dates 4-6 & 4-13-72

Published in The Idaho World, Idaho City

Publication prepared by b1 Date 3-30-72

Received by AK Date 3-24-72 #8218

Preliminary check by AK Fee \$ 25.00

Received by AK Date 3-24-72 Time 3:45

65-7264

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>SLP</u>	<u>9/28/72</u>	Application No. <u>65-7264</u> Name <u>Hettinger</u>
(2)	<u>SLP</u>	<u>9/28/72</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/U ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>SLP</u>	<u>9/28/72</u>	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>KAR</u>	<u>9/29</u>	☐ Request Special Use Permit from U.S.F.S. <u>ok</u> ☐ Request Easement from B.L.M.
(5)			In form for advertising <u>3/30/72</u>
(6)	<u>SLP</u>	<u>9/28/72</u>	Affidavit of Publication received <u>May 8, 1972</u>
(7)	<u>SLP</u>	<u>9/28/72</u>	Final date for protests <u>April 20, 1972</u> Protests received: yes <u>no</u>
(8)		<u>NA</u>	Date and Place of hearing _____ Decision reached at hearing _____
(9)		<u>NA</u>	Located within Water District No. _____
(10)		<u>NA</u>	Critical groundwater area: yes _____ no _____
(11)		<u>NA</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: <u>65-7264</u>
(13)	<u>SLP</u>	<u>9/28/72</u>	Action recommended: ☒ Approve Priority <u>3/29/72</u> ☐ Deny Reason for Reduction _____
	<u>KAR</u>	<u>9/29</u>	See attached sheet for conditions of approval No conditions for approval
(14)			District <u>Western</u> By <u>Ken Jait</u> Date <u>9/29/72</u> Title <u>WDE</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.

65 7264

☐ Other: _____

United States Department of Agriculture
Forest Service

SPECIAL USE PERMIT

Act of June 4, 1897

This permit is revocable and nontransferable
(Ref. FSM 2710)

a. Record no. (1-2)	b. Region	c. Forest (5-6)
70	04	Boise 02
d. District (7-8)	e. User number (9-12)	f. Kind of use (13-15)
Garden Valley 07	2720	911
g. State (16-17)	h. County (18-20)	k. Card no. (21)
Idaho	Boise 015	1

Permission is hereby granted to Laurence E. Hettingerof 3509 Crescent Rim, Boise, Idaho 83704,
hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements:NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T. 8 N., R. 5 E., B. M., as
shown on the attached plat dated May 1972.This permit covers ~~xxxxxxxxxxxxxxxxxxxx~~ .058 miles and is issued for the purpose of:Constructing and maintaining a small two-foot-high rock
and earth dam and water box connected with 4 $\frac{1}{2}$ " pipe to irrigate
private property of permittee.

1. Construction or occupancy and use under this permit shall begin within 65 7261 immediately months, and construction, if any, shall be completed within one months, from the date of the permit. This use shall be actually exercised at least 365 days each year, unless otherwise authorized in writing.

2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of seven and 50/100 - - - Dollars (\$ 7.50) for the period from July 1 19 72, to December 31, 19 72, and thereafter annually on January 1, fifteen and no/100 - - - - - Dollars (\$ 15.00) :
Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

3. This permit is accepted subject to the conditions set forth herein, and to conditions 18 to 25 attached hereto and made a part of this permit.

PERMITTEE	NAME OF PERMITTEE <u>Laurence E. Hettinger</u>	SIGNATURE OF AUTHORIZED OFFICER <u>[Signature]</u>	DATE <u>6/10/72</u>
ISSUING OFFICER	NAME AND SIGNATURE <u>[Signature]</u>	TITLE <u>Acting Forest Supervisor</u>	DATE <u>JUN 13 1972</u>

4. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; *provided* that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

5. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

6. This permit is subject to all valid claims.

7. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

8. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

9. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the National Forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

10. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

11. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

12. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

13. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

14. In case of change of address, the permittee shall immediately notify the forest supervisor.

15. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

16. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

17. In the event of any conflict between any of the preceding printed clauses or any provisions thereof and any of the following clauses or any provisions thereof, the following clauses will control

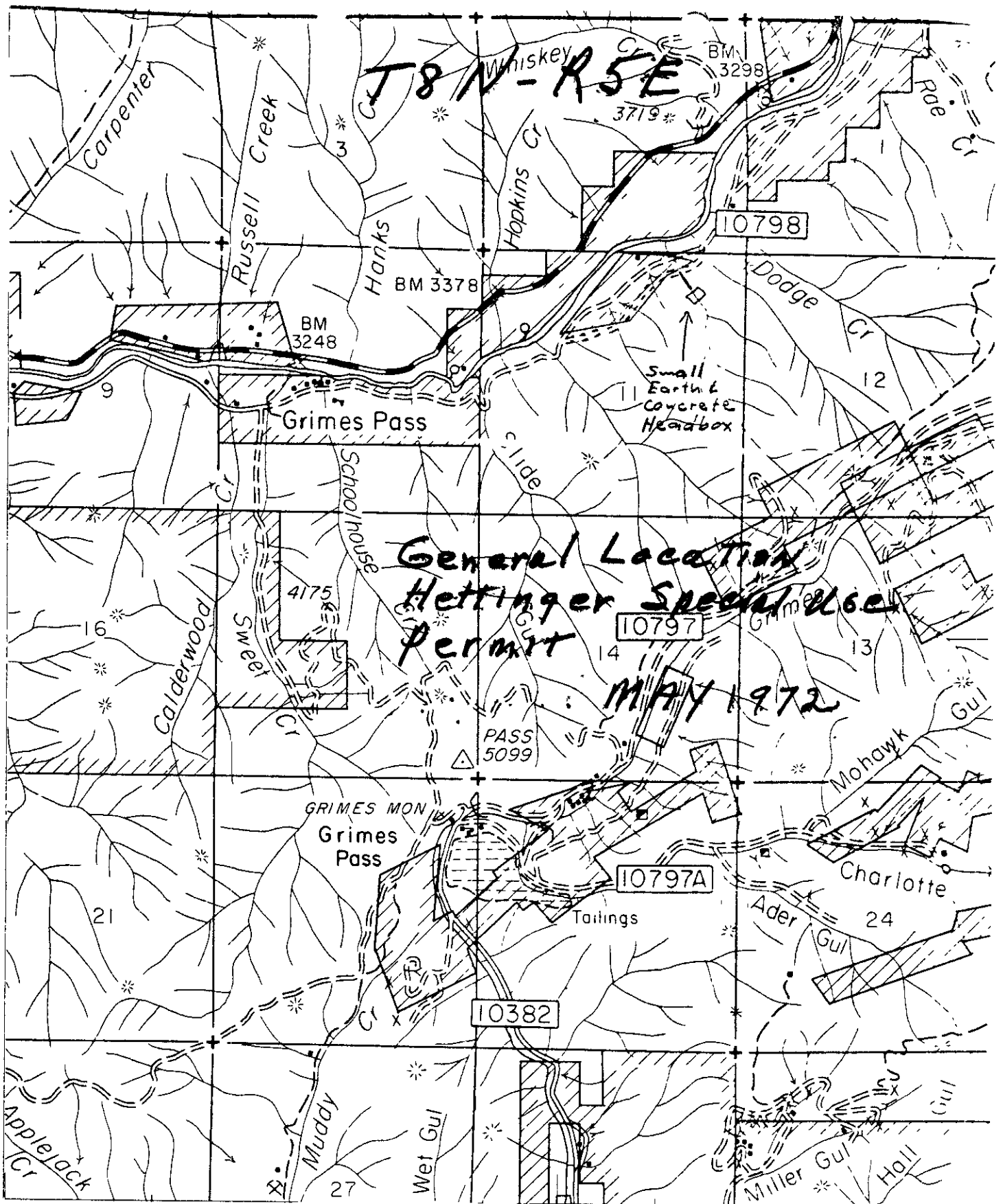
Clause #

18. (E-4) Unless sooner terminated or revoked by the Regional Forester, in accordance with the provisions of the permit, this permit shall expire and become void on July 1, 1982, but a new permit to occupy and use the same National Forest land may be granted provided the permittee will comply with the then-existing laws and regulations governing the occupancy and use of National Forest lands and shall have notified the Regional Forester not less than 3 months prior to said date that such new permit is desired.
19. (A-13) A service charge in addition to the regular fees shall be made for failure to meet the fee payment due date or any of the dates specified for submission of statements required for fee calculation. The service charge shall be one (1.0) percent per month of the fee from the date statement and fees were due or \$15, whichever is greater. If a due date falls on a nonworkday, the service charge will not apply until the end of the next workday.
20. (B-8) The permittee shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest lands under this permit.
21. (B-31) Avalanches, rising waters, high winds, falling limbs or trees, and other hazards are natural phenomena in the forest that present risks which the permittee assumes. The permittee has the responsibility of inspecting his site, lot, right-of-way, and immediate adjoining area for dangerous trees, hanging limbs, and other evidence of hazardous conditions and, after securing permission from the Forest Service, of removing such hazards.
22. (E-8) Any lands described in this permit which have been withdrawn for waterpower purposes under the act of March 3, 1879, or act of June 25, 1910 (or are embraced in an application or license under the Federal Power Act of June 10, 1920), or have been withdrawn under the Reclamation Act of June 17, 1902, are subject at any time to use in connection with the development of waterpower or for reclamation purposes. This permit, therefore, is issued with the specific understanding that (1) its use shall not interfere with such waterpower or reclamation development and that (2) the permit may be, if necessary, terminated upon ninety (90) days notice when in the judgment of the Federal Power Commission, or of the Bureau of Reclamation in the event of reclamation withdrawals, the lands occupied are needed for use in

connection with the generation of hydroelectric power, reclamation developments, or other purposes contemplated by the act or acts under which the lands have been withdrawn. No claim shall be made against the United States or power licensees for or on account of prospective profits or for any injury or damage to properties, improvements, or operations due to such development. The permittee will be allowed ninety (90) days in which to remove his improvements.

23. (X-33) This permit is granted with the express understanding that should future location of Government improvements or road rights-of-way require the relocation of the permittee's improvements, such relocation will be done by the permittee at his expense within sixty (60) days following request to relocate.
24. (X-49) This permit shall not be exclusive. The Forest Service reserves the right to use or permit others to use any part of the permitted area for any purpose, provided such use does not interfere with the rights and privileges hereby authorized.
25. (X-81) This permit confers no right to the use of water by the permittee.

65 7264



AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO, } S.S.
COUNTY OF BOISE

T. R. Adams, being
duly sworn, deposes and says:
That he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City, in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

once a week for Two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning
with April 6, 1972
and ending with the issue of

April 13, 1972
Fees \$.....T. R. Adams

Subscribed and sworn to before
me this 5th day of May

1972
Robert J. Tuffield
Clerk District Court

Deputy

RECEIVED

1972

Department of Water Administration



65 7201

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2215

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

February 21, 1974

Re: Permit No. 65-7264

Lawrence Hettinger
3509 Crescent Rim Drive
Boise, Idaho 83705

Dear Mr. Hettinger:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

65 7264

January 30, 1974

Re: Permit No. 65-7264

Lawrence Hettinger
3509 Crescent Rim Drive
Boise, Idaho 83705

Dear Mr. Hettinger:

A representative of this Department has made an examination of the works covered by your Permit No. 65-7264 and has found the following:

Quantity of water diverted: 0.32 cfs Source: unnamed stream

Amount of water that can be recognized as beneficially used under Idaho law: 0.32 cfs

The maximum quantity diverted shall not exceed 56 acre feet per year.

Beneficial use: For irrigation of 16 acres within the NW 1/4, NE 1/4, Sec. 11, Twp. 8 N, Rge. 5 E

Point of diversion: NW 1/4, Sec. 11, Twp. 8 N, Rge. 5 E, B.M.

Priority date established: March 24, 1972

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

65 7264

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1 Name of permit holder LAWRENCE HETTINGER
Postoffice address 3509 Crescent Rim Drive, Boise, Idaho 83704 Phone _____
Person to contact _____ Phone _____

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

3. Water will be used for the following purposes:

Amount 0.4 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from April 15 to October 15
(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: _____

Permit No 65-7264
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 8N N/S, Range 5E E/W, B.M., Section 11, Subdivision NW $\frac{1}{4}$ NE $\frac{1}{4}$, Boise
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. 4" penstock installed into stream, 250' down to place of use.

Description of diverting works: _____

Measuring device required. yes ☐ no ☒

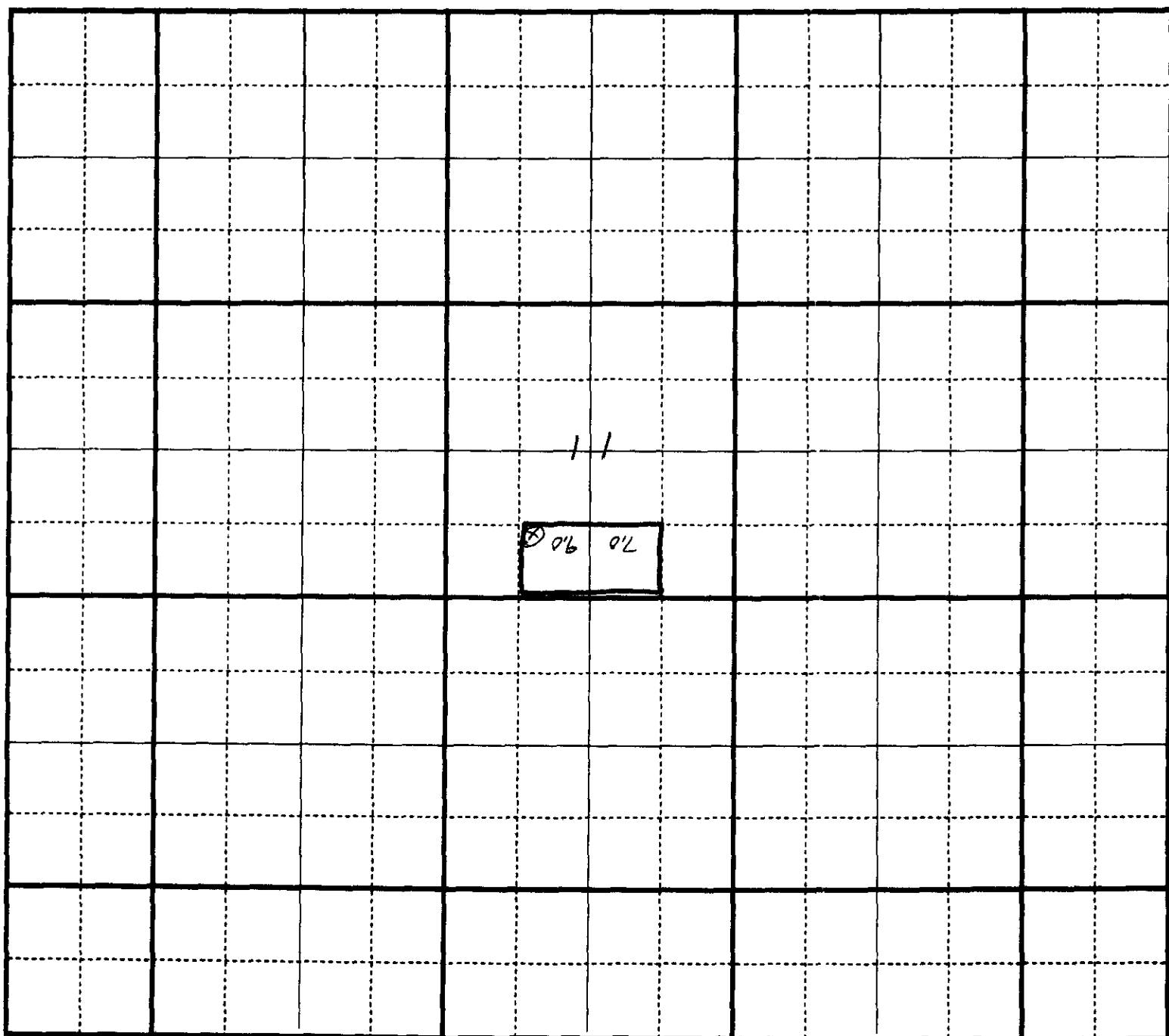
65 7264

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	5E	11		10			10												20

TOTAL ACREAGE 20

Diagram of System



N
8
T

R 5 E

65 2204

DATE OF EXAM 10/15/1973

ACREAGE
Found 16.0
Recommended 16.0

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 0.32 c.f.s. V = 56.0 AF/Ann. from Apr 15 to Oct 15
Domestic Q = _____ 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 0.32 cfs Method of measurement gauge ^{Measurement} (made 7-17-1973)

Total Q recommended 0.32 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 56.0 A.F./Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:
 $Q = 145 \text{ GPM} = 0.32 \text{ cfs}$ R/B 20 heads @ 30 psi
 $V = (16)(3.5) = 56 \text{ A.F.}$

SYSTEM DESCRIPTION:
Small diversion dam in unnamed creek w/ 4" pipeline (mainline)
w/ sprinkler system & storage tank.

REMARKS.

Examiner's Signature W. Clayre Brown Date 10/15/1973

Checked by _____ Date 65 12.1

Approved by _____ Date _____

October 2, 1973

Re: Permit No. 65-7264

Lawrence Hettinger
3509 Crescent Rim Dr.
Boise, Idaho 83704

Dear Mr. Hettinger:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed please find an Order which removes the measuring device requirement from this 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.

Sincerely,

D. Darlene Redd
Water Rights Supervisor

DDR:JC
Enclosure

65 7264

Identification No. _____

Permit No. 65-7264

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Department of Water Administration

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

SEP 20 1973

RECEIVED

1. a) Name of Permit Holder Lawrence Hettinger
b) Post Office Address 3509 Crescent Rim Drive, Boise, Idaho 83704
2. Permit Number 65-7264
3. Date of Priority that you are prepared to establish March 24, 1972
4. a) Source from which water was appropriated Unnamed stream
b) Location of the point of diversion NW 1/4 NE 1/4, Section 11
Township 8 N, Range 5 E Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
amount 0.32 for Irrigation purposes from April 15 to Oct. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.32 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: Pressure guage

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) 4" penstock installed into stream, 250' down to place of use.

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
See attached request for measuring device waiver.

c) Give well drillers name and address and date the well was completed _____

65 7264

Exam typed 10/1/73 by JCL

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

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

NOIS

of use.

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

NOIS

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8 N	5 E	11			10					10									20

Total number of acres irrigated 20

10. Remarks:

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

(Date)

(Signature)

State of _____ ss. _____
County of _____

State of _____
County of _____ ss.

On this 20 day of September, 1913, personally appeared before me the

signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing

My commission expires

June 15, 1977

SEP 20
Department of Water Administration

Request for Removal of Measuring Device Requirement

I hereby request that the Department of Water Administration remove the measuring device requirement on Permit No. 65-7264. The system is a small one, (only 5 to 7 sprinkler heads) and the unnamed stream produces very limited amounts of water.

9/20/1973
Date

Laurence E. Hattings
Signed

65 7264

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

65 7264

POSTMARK OF DELIVERING OFFICE

Print your name and address below. If you want to
restrict delivery, or to have the address of delivery
shown on this receipt, check block(s) on other side.
Moisten gummed ends and attach this card to back of
article.

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300



RETURN
TO

DEPARTMENT OF WATER ADMINISTRATION
STATEMENT ANNEX #2
BOISE, IDAHO 83702

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S).
REQUIRED FEE(S) PAID.

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

REGISTERED NO.

Received the numbered article described below.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

SEP 1 1975

65 7264

August 31, 1973

CERTIFIED MAIL

#24812

Re: Permit No. 65-7264

Lawrence Hattinger
3509 Crescent Rim Drive
Boise, Idaho 83708

Dear Mr. Hattinger:

One of the conditions of approval of your water Permit No. 65-7264 (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 November 1, 1973. 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.

R. Keith Higginson

R. KEITH HIGGINSON
Director

65 7264

Enc: Proof affidavit

October 26, 1972

Lawrence Hettinger
3809 Crescent Rim Drive
Boise, Idaho 83704

Dear Mr. Hettinger:

Enclosed is a copy of your approved Application for Permit No. 65-7264. 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 7264

U. S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

BILL FOR COLLECTION

PAYER'S COPY

PLACE OF ISSUE

Boise, Idaho

DATE OF ISSUE

June 2, 1972

1075 Park Blvd., Boise, Idaho 83706

RECEIVED
JUN 5 1972
Department of Water Administration

**Mr. Laurence E. Hettinger
3509 Crescent Rim Drive
Boise, Idaho 83704**

RETAIN IN YOUR
RECORDS. RECEIPT
WILL NOT BE FUR-
NISHED UNLESS RE-
QUESTED.

PAID
615

DATE OR PERIOD

DESCRIPTION

AMOUNT

**7/1/72-
12/31/72**

**Special Use Permit
Land Use (Water Transmission), D-7**

\$7.50

65 72264

BILL NO.

UNIT NO.

CONTRACT NO.

DATE PAYMENT DUE

AMOUNT DUE →

\$7.50

CONVERSATION MEMORANDUM

DATE 5-22-72FILE 65-7264NAME OF PARTY Lawrence E. HettingerEMPLOYEE Ken Foit

RE: Mr. Hettinger was concerned about his Water Right filing being held in obedience in anticipation of his being issued a Special Use Permit by the Forest Service.

He expected receipt of the Special Use Permit later this week and he will notify us when the okay is given. I told him we would work with him on this problem.

The sprinkler system is already in operation. This is probably what set off the Forest Service.

65-7264

May 19, 1972

C Re: Application for Permit No. 65-7264

Mr. Lawrence Hettinger
3509 Crescent Rim Drive
Boise, Idaho 83704

O Dear Mr. Hettinger:

We wish to advise you that before we can take any further action on this application for permit, we will need a copy of the special use permit issued to you by the United States Forest Service.

P Please submit this document as soon as possible, so that we may complete the processing of this application.

Very truly yours,

Y Dorian Clay
Water Resource Examiner
Western District

DC:cs

65 7264

May 1, 1972

Re: Application for Permit No. 65-7264 - Lawrence Hettinger

The Idaho World
Post Office Box #144
Idaho City, Idaho 83631

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 May 4, 1972 and May 11, 1972.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Kenneth H. Foit
District Engineer
Western Division

KHF:CS

65 7264

March 30, 1972

Re: Application for Permit No. 65-7264 - Lawrence Hattinger

The Idaho World
Box 144
Idaho City, Idaho 83631

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)

65 7264

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE/BL
Enc: legal notice

Bill submitted 5-11-72 CR

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Lawrence Hettinger
3509 Crescent Rim Drive, Boise, Idaho
has on March 24, 1972 submitted Application No. 65-7264
for a permit to appropriate 0.4 cubic feet per second ~~some feet per second~~
of water from an unnamed stream, tributary of South Fork Payette River
by means of pump and pipe
within the NW¹NE¹, Sec. 11, T. 8N, R. 5E, B.M., Boise County

to be used from April 15 to Oct. 15
for the irrigation of 20 acres

within the NW¹NE¹, NE¹NW¹, Sec. 11, T. 8N, R. 5E, 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, 33707, on or before April 24, 1972.

R. KEITH HIGGINSON

Director

Published in the Idaho World, Idaho City, Idaho
on April 6, and April 13, 1972 65-7264.