

57°57'E
215.15

56°37'W
626.17

S 1° 27' W
188.77



~LEGEND~

INITIAL POINT

5/8" x 30" Steel Pins at Angle Points on Boundary

LEGEND

Druckart

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Valley)

Donald E. McMahan

) ss.

, being first duly sworn, deposes and

says: That he is the Publisher of the Star-News, a Weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said news-

paper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began September 9, 1971, and ended September 16, 1971

Donald E. McMahan
Subscribed and sworn to before me, a Notary Public in and for the County of Valley, and the State of Idaho, this 22nd day of September, 1971

Donald F. Fuller, Notary Public.
My commission expires 6-2, 1974

RECEIVED

SEP 24 1971

Department of Water Administration

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that William E. or Otha M. Breshears, 1012 15 Avenue So., Nampa, Idaho have on August 13, 1971 submitted Application No. 65-7229 for a permit to appropriate 0.02 cubic feet per second of water from three springs, tributary of Unnamed Stream by means of pipe and gravel within the SE¹₄SE¹₄, (3 points) Sec. 3, T. 13N, R. 3E, B.M., Valley County to be used from May 1 to Nov. 1 for domestic purposes within the SE¹₄SE¹₄, Sec. 3, T. 13N, R. 3E, 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 September 27, 1971.

R. KEITH HIGGINSON
Director

Published in the Star News, on
Sept. 9 and Sept. 16, 1971

65 7229

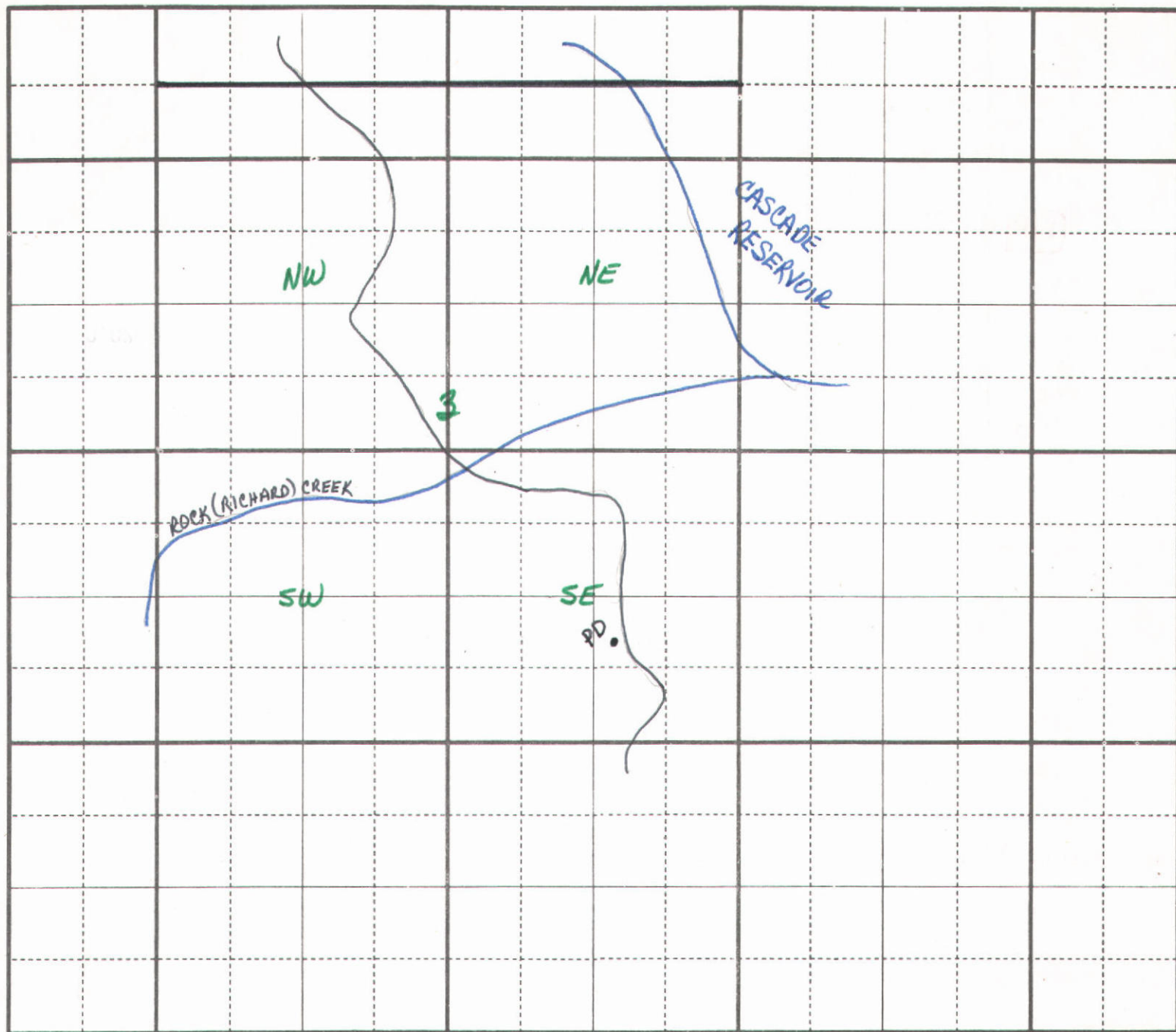


Diagram of System

WATER RIGHT LICENSE

MICROFILMED

Identification No. 65-7229

Application No. _____

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)

Phone 466-0945

1. Name of applicant William E. or Orha M. Freshwater
post office address 1012 15 Ave SW Tampa Idaho 83651
2. Source of water supply Spring which is a tributary of Unnamed stream
3. a. Location of point of diversion is East half SE 1/4 of SE 1/4 of Section 3 Township 13 N
Range 3 E B.M. E.B.M. Valley County; additional points of diversion if any: none
It is a portion of SE 1/4 East half of SE 1/4
(Three points within SESE Sec 3 T13N R3E)
- b. If water is not consumed, it will be discharged into down the hill at a point in SE 1/4
of 1/4 of Section 3 Township 13 N Range 3 B.M. E.B.M. Valley Co.
West Mountain Cascade
4. Water will be used for the following purposes.
Amount 0.02 for domestic purpose from May 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. perforated pipe
and gravel
at present runs into 18" 4 ft tile.
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity 25 gal acre feet, materials used in storage dam. _____
Period of year during which storage will occur May 1 to Nov 1 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 \$ 100.00
8. Description of proposed uses
a. If water is not for irrigation
(1) Give the place of use of water SE 1/4 of SE 1/4 of Section Sec 3 Township 13 N
Range 3 E B.M.
(2) Amount of power to be generated None hp under _____ feet of head
(3) List number of each kind of livestock to be watered none
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water One most of the time (Vacation home)
(5) If water is to be used for other purposes describe may use pail to
water plants and flowers.

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

4 3 2 1

② Points of Diversion
See Attached Map

Scale: 2 inches equal 1 mile

65 7229

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.

application for, permit to appropriate the public

William E. Bushars
W. E. Bushars
(Applicant)

Otha M. Truhear

8-13-71 3:15
Received by JA Date 7-27-71 Time 10:30 A
Preliminary check by BDF Fee \$ 10⁰⁰
Received by JA Date 8-13-71 rec't # 7489
Publication prepared by cr Date 8-30-71
Published in Star News
Publication dates 9-9 & 9-16-71
Publication approved ck Date 9-29-71
Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JA BDF NA

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. 65-7229, 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 October 1, , 19 76.
- c. Other: _____

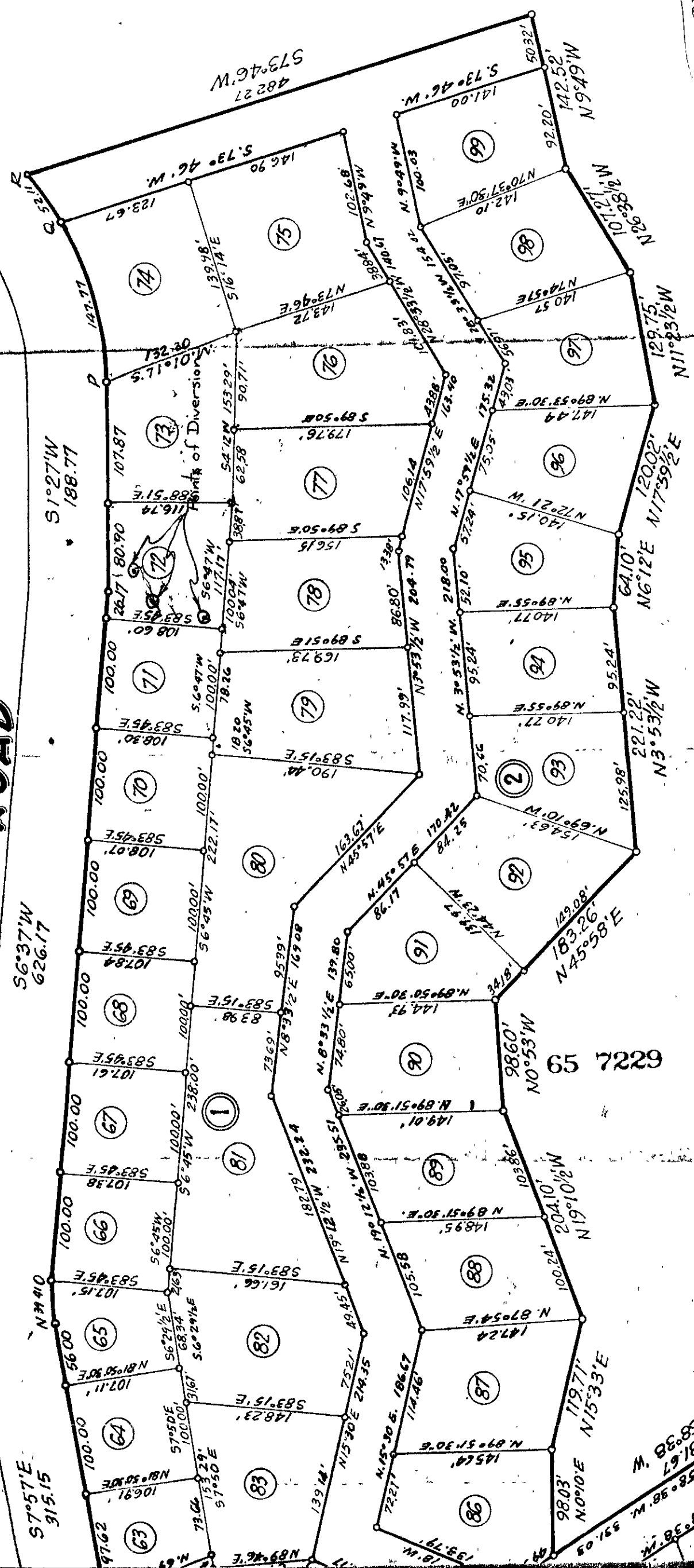
2. Denial of said application is for the following reasons: _____

Witness my hand this 5TH day of October, 19 71.

R. Kirk 65-7229
Director

E	196.08
W	146.23
E	52.04

ROAD



LEGEND

INITIAL POINT

5/8" x 30" Steel Pins at Angle Points on Boundary

LEGEND

Druck

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
County of Valley) ss.
Donald E. McMahan, being first duly sworn, deposes and

says: That he is the Publisher of the Star-News, a Weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began September 9, 1971, and ended September 16, 1971

Subscribed and sworn to before me, a Notary Public in and for the County of Valley, and the State of Idaho, this 22 day of September, 1971, Donald E. McMahan, Notary Public.
My commission expires 6-2, 1974



65 72229

REF



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

March 20, 1981

William & Otha Breshears
1012 15th Ave. South
Nampa, Idaho 83651

Dear Mr. & Mrs. Breshears,

RE: License No. 65-7229

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

Sincerely,

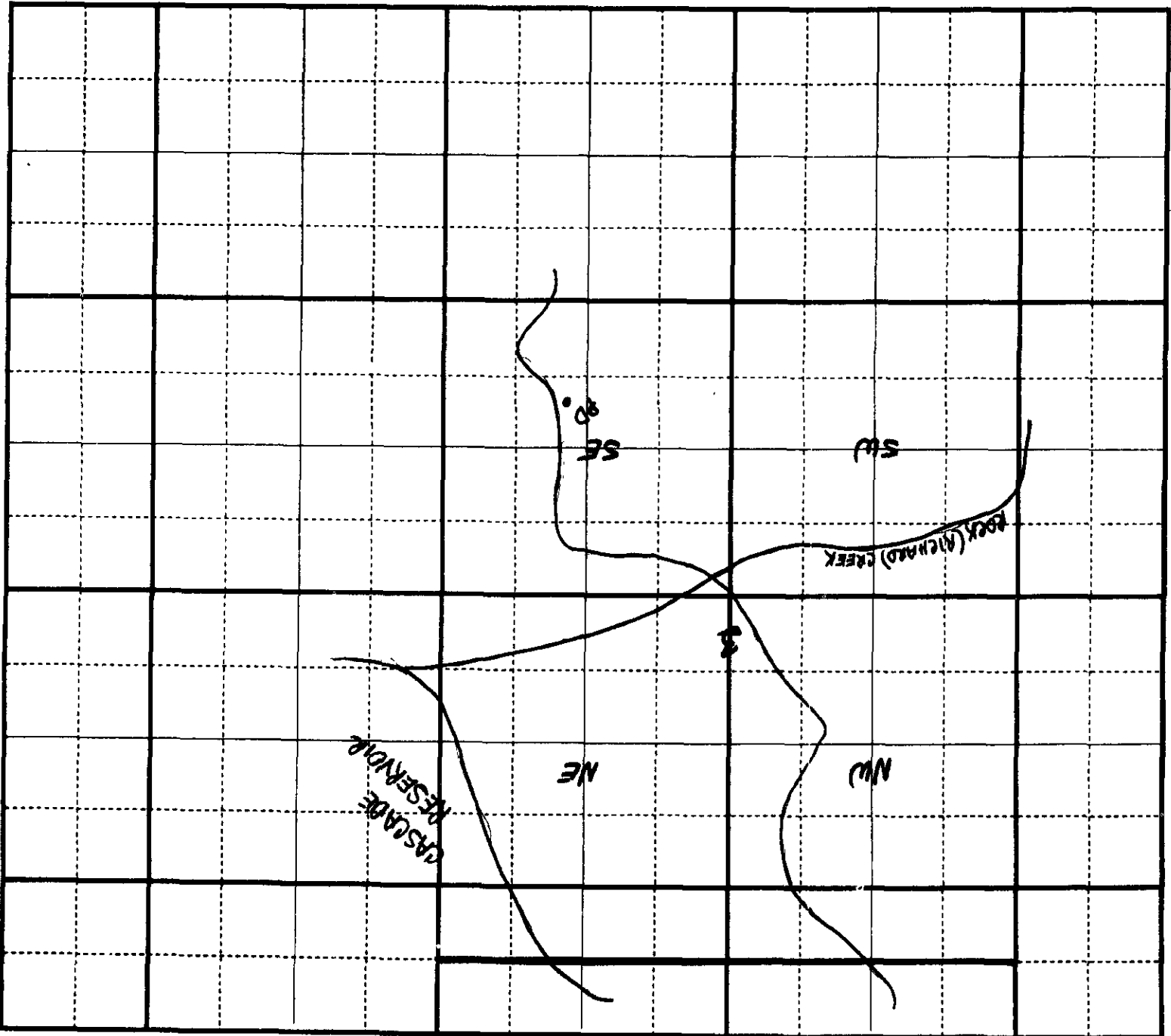
JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED

Diagram of System



DATE OF EXAM 10/24/78 7/12/79

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from 1/1 to 12/31
Domestic Q= .01 c.f.s. V= _____ AF/Ann. from 5-1 to 11-1
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 .01 cfs Method of measurement ESTIMATE

Total Q recommended .01 cfs Meter No. _____ Type _____ Condition _____

Total V recommended _____

Recommended Amendments:
P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:
ESTIMATE that spring well produce ~ 5 gpm - Springs main flow
course has changed from this location

$$Q = \frac{5 \text{ gpm}}{448.8} = .01 \text{ capacity}$$
$$V = 1 \text{ unit} \times .6 = .6 \text{ AF}$$

all at .02 gpm

SYSTEM DESCRIPTION:
Shallow well - 18" dia concrete culvert section intersecting small spring

REMARKS:
10/24/78 VALLEY COUNTY Assessor's OFFICE SHOWS NO IMPROVEMENTS AT
ALL CAMP TRAILER? CWB

Camp trailer placed on site when in use - Removed during winter month

Examiner's Signature Linda Lou Johnson Date 7/14/79
Checked by William Hunt Date 30 July 79
Approved by Rolyn Date 3/4/81

4/7/77

called h-tu not flowing.

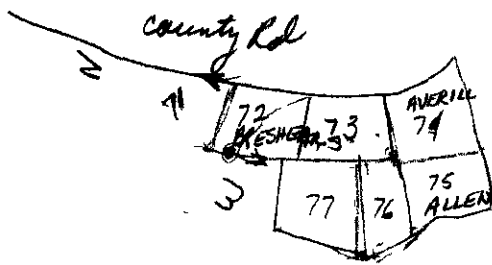
Does not know if flowing now

Exam set 6/18/77 9:00 am

West mtn sub. Block 1 Lot 72 & 73

4/18/77

Developed spring not flowing



September 30, 1976

Re: Permit No. 65-7229

William E. or Otha M. Breshears
1012 15th Ave. South
Nampa, Idaho 83651

Dear Mr. & Mrs. Breshears:

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 District Office in **Boise**.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

Identification No. _____

Permit No. 65-7229

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

SEP 29 1971
OK
Department of Water Resources

1. a) Name of Permit Holder William E. Breshears
b) Post Office Address 1012 - 15th Ave. South, Nampa, ID 83651

2. Permit Number 65-7229

3. Date of Priority that you are prepared to establish 8/13/71

4. a) Source from which water was appropriated unnamed springs

b) Location of the point of diversion: SE ¼ SE ¼, Section 3

Township 13 N, Range 3 E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 0.02 cfs for domestic purposes from May 1 to Nov. 1 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 0.02 cfs 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: estimate

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) perforated pipe to tile

b) Describe the type and size of measuring device which you have installed at your point of diversion: N/A

c) Give well driller's name and address and the date the well was completed: _____

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

water used only for irrigation of ~~plants~~ plants and flowers on lot

Typed 9/2/71

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.

September 29, 1976
 (Date)

William E. Dreshner
 (Signature)

State of Idaho)
) ss.
 County of Ada)

On this 29th day of September, 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.

Norman C. Young
 Notary Public residing at 4415 Ocean
Boise, Idaho

My commission expires 7/25/79

July 30, 1976

CERTIFIED MAIL

138848

Re: Permit No. 65-7229

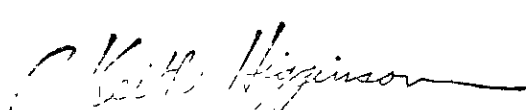
William E. or Otha M. Breshears
1012 15th Ave. So.
Nampa, Idaho 83651

Dear Mr. & Mrs. Breshears:

One of the conditions of approval of your water Permit No. 65-7229 (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 October 1, 1976. 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
Director

RKH:jg
Enc: Proof affidavit

October 5, 1971

Re: Permit No. 65-7229 - William E. or Otha M. Breshears

William E. Breshears
1012 15th Avenue South
Nampa, Idaho 83851

Dear Mr. Breshears:

Enclosed is a copy of your approved Application for Permit No. 65-7229. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosure

65 7229

August 30, 1971

Re: Application No. 65-7229 - William E. or Otha M. Breshears

The Star News
Box 985
McCall, Idaho 83638

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our 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 date. 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 7229

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

Bill submitted 9-29-71 By cl

DWM:cr

Enc: Legal Notice

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that William E. or Otha M. Breshears,
1012 15 Avenue So., Nampa, Idaho
have ~~had~~ on August 13, 1971 submitted Application No. 65-7229
for a permit to appropriate 0.02 cubic feet per second ~~and domestic purposes~~
of water from three springs, tributary of Unnamed Stream
by means of pipe and gravel
within the SE1/4, (3 points) Sec. 3, T. 13N, R. 3E, B.M., Valley County

to be used from May 1 to Nov. 1
for domestic purposes

within the SE1/4, Sec. 3, T. 13N, R. 3E, 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 September 27, 1971.

R. KEITH HIGGINSON

Director

65 7229

Published in the Star News, McCall, Idaho
on Sept. 9 and Sept. 16, 1971.