

Sec. 36



57-7316

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



Scale: 2 inches equal 1 mile.

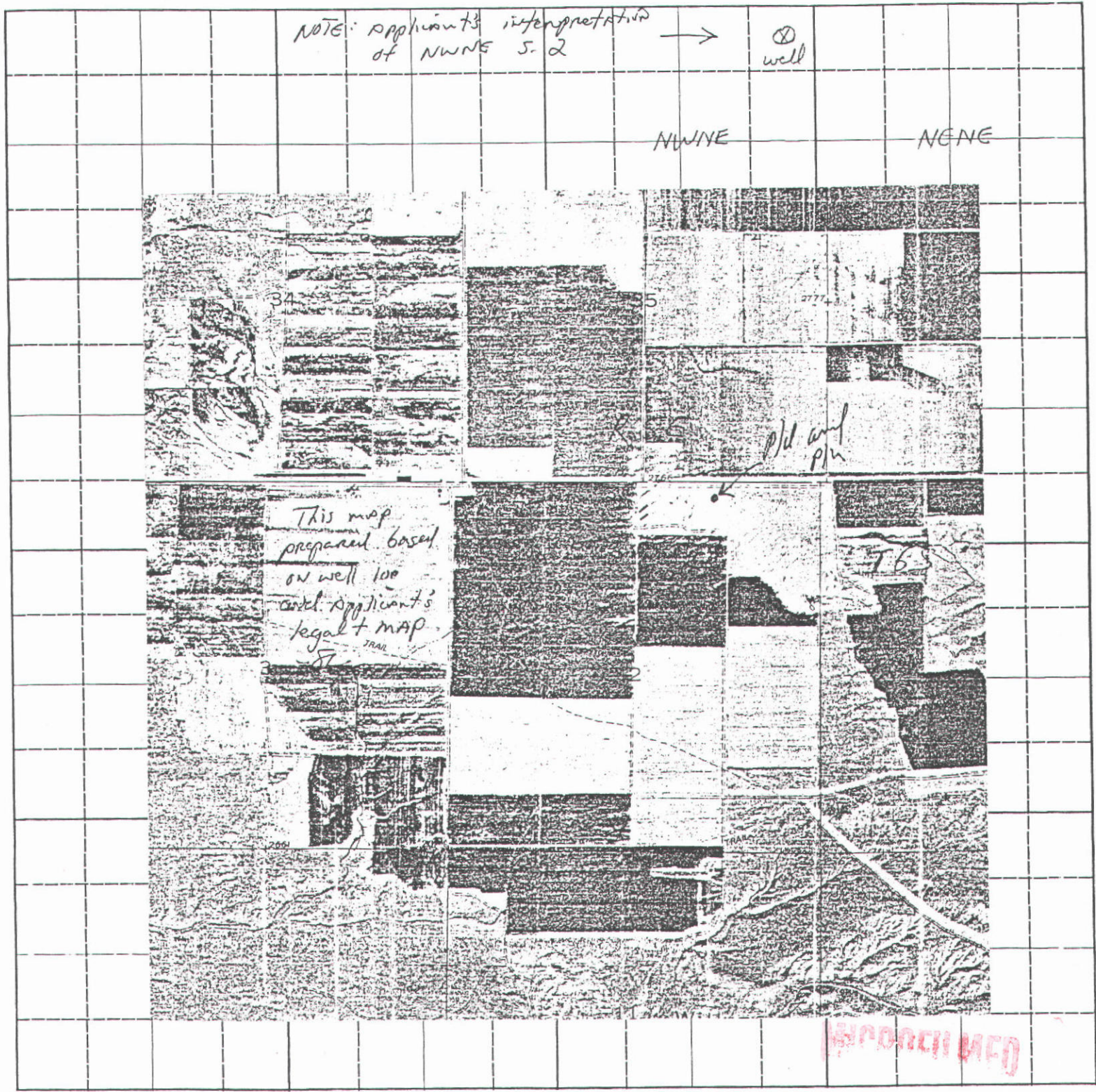
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

D. Clay Adams
(Applicant)

MICROFILMED

OCT 26 1992

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

D. Clay Adams
(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 51-07316

Priority: December 13, 1988

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

9.0 AF

This is to certify, that A CLAY ATKINS

PO BOX 276

BRUNEAU ID 83604

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 13, 1988; and has submitted Proof of Beneficial Use on November 3, 1992. An examination indicates that the works have a diversion capacity of .020 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	7.8 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF
	Totals	0.02 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 2, Township 06S, Range 05E
OWYHEE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

06S 05E 2 Lot 2(NWNE)

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day in accordance with the provisions of Section 42-111, Idaho Code.
6. This right authorizes up to 1/2 acre of irrigation in conjunction with the domestic use.
7. Domestic use is for 1 home.
8. Stockwater use is for 200 dairy cattle.

APPROVED

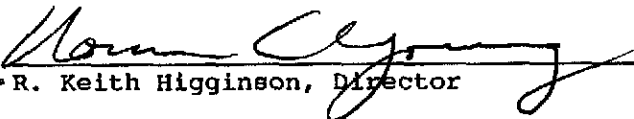
FEB 24 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 51-07316

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22ND
day of FEBRUARY, 1974.


Acting for R. Keith Higginson, Director

RECORDED
FEB 24 1994

Amt. of Fee \$ _____
Date _____
Receipt No. _____
Receipt by _____

RECEIVED

NOV 03 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. # 51-07316 Telephone No. 845-2931
2. Name(s) of Permit Holder(s): A. Clay Atkins
3. Mailing Address: PO Box 276 BrunEAU, Idaho 83604
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Hiddleston Date Drilled: 1969

OPTIONAL:

Pump horsepower: 1 hp Pressure (psi): _____ Dynamic pumping level (ft.): 330

5. Extent of Use (as authorized by the permit):

Domestic 1 (No. of households) Stockwater 200 dairy cows (No. and type of stock)
Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .02 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ☒ No Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes _____ No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ N/Reg (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name Clay Atkins Telephone No. 845-2931
Address CRANE FALLS LAKE RD BrunEAU, Idaho 83604

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

RECORDED

30 Oct 92
Date

A. Clay Atkins
Signature (and title, if on behalf of a company or organization)

DEC 09 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 51-07316

Proposed Priority: December 13, 1988 Maximum Diversion Rate: 0.02 CFS

This is to certify, that **A CLAY ATKINS**

PO BOX 276

BRUNEAU ID 83604

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 2, Township 06S, Range 05E
OWYHEE County

PLACE OF USE: STOCKWATER
TWN RGE SEC

06S 05E 2 Lot 2(NWNE)

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1993**.
2. Subject to all prior water rights.
3. The domestic use authorized under this permit shall not exceed 13,000 gallons per day in accordance with the provisions of Section 42-111, Idaho Code.
4. This permit authorizes up to 1/2 acre of irrigation in conjunction with the domestic use.
5. Domestic use is for 1 home.
6. Stockwater use is for 200 dairy cattle.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

5th day of October, 1992

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

OCT 26 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant A. Clay Atkins Phone 845-2931
Post office address Box 276 Bruneau, Id. 83604
2. Source of water supply ground water which is a tributary of N/A
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of $\frac{1}{4}$, Govt Lot 2
Sec 2 Township 6S Range 5E B.M. Owyhee County; additional
points of diversion if any:

4. Water will be used for the following purposes:

- Amount 10 gals/min for D+S purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
- * Amount .02 for Domestic purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
- Amount .02 for Stockwater purposes from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)
- Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 10 gals/min and/or (b) .02
cubic feet per second acre feet per annum

6. Proposed diverting works.

- a. Description of ditches, flumes, pumps, headgates, etc well 1 1/2" pipe 900' deep 1/2 H.P. motor
well drilled in 1986
- b. Height of storage dam feet; active reservoir capacity acre-feet, total
reservoir capacity acre-feet; period of year when water will be diverted to storage:
 to inclusive
- c. Proposed well diameter is 8 inches; proposed depth of well is 900 feet.
- d. Is ground water with a temperature of greater than 90°F being sought? N/A

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

- * N/A 1 years (minimum 1 year).

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OCT 26 1992

* Revised per IDWR format based on Applicant's information (10 gpm = 1.42 cfs)
existing well
10/23/89

8 Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 200 cows
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 household
- e. Other, describe fully. 1 dairy barn

9 Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
~~2~~	~~6S~~	~~SE~~		D S															
6S	SE	2		4.2															

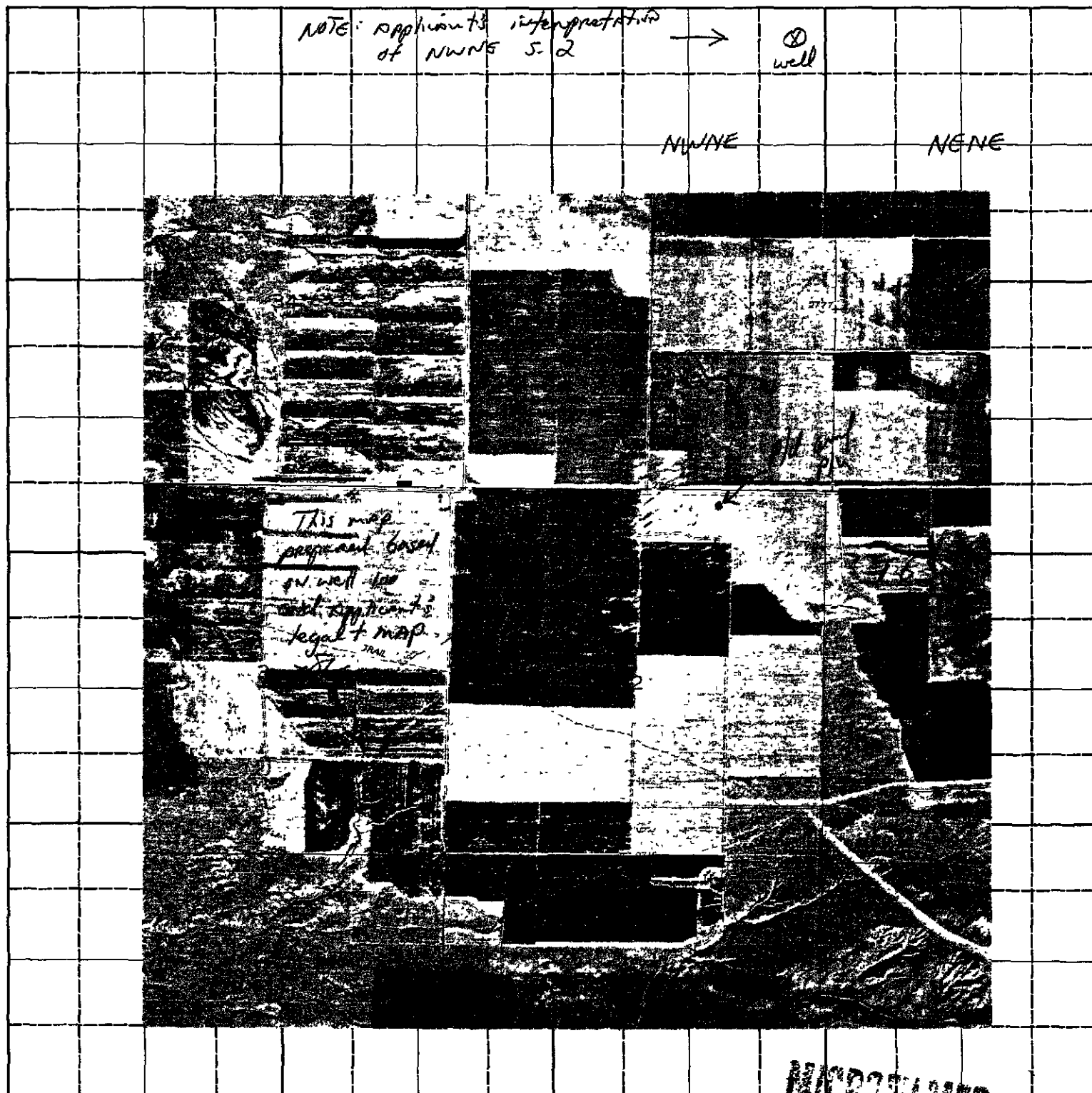
Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. N/A
11. a. Who owns the property at the point of diversion? self
- b. Who owns the land to be irrigated or place of use? self
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

OCT 26 1992

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



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.

D. Clay Adams
(Applicant)

Check received with application on
12/13/88, SL

Received by SL Date 12-13-88 Time 11:00 a.m. Preliminary check by SL
Fee \$ 30 Receipted by SL # W002282 Date 2/23/89
Publication prepared by GG Date 3-8-89 Published in Owyhee Avalanche
3/15 & 3/22/89
Publication approved SL Date 4-4-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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 _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e Other:

RECORDED

OCT 26 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 22, 1994

A CLAY ATKINS
PO BOX 276
BRUNEAU ID 83604

RE: WATER RIGHT NO. 51-07316

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECORDED
FEB 24 1994

WR0749NP
No. L51-07316

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/15/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	A CLAY ATKINS PO BOX 276 BRUNEAU ID 83604 (208) 845-2931	12/13/1988	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.02 CFS 0.02 CFS	7.80 AFA 1.20 AFA
TOTAL DIVERSION:					0.02 CFS	9.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.02 CFS

Point(s) of Diversion: T06S R05E S02 Lot 02(NWNE)

OWYHEE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE																	
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:
06S	05E	2	:			02-S						:							:							:							:

Place of use location for DOMESTIC is the same location as described for: STOCKWATER

Pou County: OWYHEE

Remarks: The domestic use authorized under this right shall not exceed 13,000 gallons per day in accordance with the provisions of Section 42-111, Idaho Code.
This right authorizes up to 1/2 acre of irrigation in conjunction with the domestic use.
Domestic use is for 1 home.
Stockwater use is for 200 dairy cattle.

Dates:	App. Received:	12/13/1988	Priority Date:	12/13/1988
	Proof Due Date:	11/01/1993	Proof Made Date:	11/03/1992
	Exam Made Date:	10/15/1993	Exam Sent to S.O.:	01/26/1994
	Licensed Date:			

Misc: Water District Number: Field Exam Fee: N (Not Required)

Comments: Date: 10/01/1992 User-ID: MILLER Subject: GWMA EXEMPTION
This permit authorizes use within the Bruneau-Grandview GWMA.
It falls within the acceptable parameters of the GWMA and also the Snake River Basin Moratorium per Norm Young's 9/117/92 memo.

Date: 11/04/1992 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 02/15/94 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 51-7316

Date 2-15-94

Brenda Chapman

NAME Yes No ✓ Or Address Change?

PRIORITY DATE ✓ Advance? ✓ Advanced to: _____
✓ Order to Reinstate Needed? _____
NA Incorrect Fee for rate recommended?

SOURCE ✓ Changes? Clarification of **Originally Intended** source
✓ Notice of Intent to Void - Source change.

P/D ✓ Amendment Needed? _____
✓ Overlap(s) _____

P/U ✓ Amendment Needed? _____
✓ Overlap(s) _____

TOTAL CFS NA Measurement _____ Theoretical only ✓
Theoretical Q = .02

Allowable Amount: Permit limit of .02 CFS

Capacity of System: .02

TOTAL VOLUME Season of Use: _____

✓ Calculations: _____
DOMESTIC = 1.2
200 DAIRY COWS = 7.8
Flow limit: .02 x 365 x 1.9835 = 14.4

USES ✓ Change(s) in Nature of Use? _____
✓ Amendment Needed? _____

REMARKS ✓ Multiple P/Ds in 1/4 1/4? _____
✓ Special Overlap _____

CONDITIONS ✓ Measuring/Locking Devices _____
✓ W/Master Control - District _____
✓ Irrigation Overlap _____
✓ Water Quality _____
✓ Other _____

COMMENTS: _____

RECOMMENDED	CFS	DIV VOL
<u>STOCK</u>	<u>.02</u>	<u>7.8</u>
<u>DOM</u>	<u>.02</u>	<u>1.2</u>
<u>TOTALS</u>	<u>.02</u>	<u>9.0</u>

LICENSE ✓
1ST AMEND LETTER _____
2ND AMEND LETTER _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 31 1994
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 51-07316

1. Owner: A Clay Atkins Phone No. 845-2931

Current Address: PO Box 276

2. Accompanied by: _____ EXAM DATE: 10/13/93

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Ground water tributary to _____

B. OVERLAP REVIEW N/A

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	<u>2</u>		<u>NW</u>	<u>NE</u>	<u>2</u>	<u>6S</u>	<u>5E</u>	<u>Owyhee</u>	<u>USGS Quad, CT, Harrison</u>

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>6S</u>	<u>5E</u>	<u>2</u>		<u>D</u>															
				<u>S</u>															

APPROXIMATED

FEB 24 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. *N/A*

Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4. *N/A*

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
*		1			

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

* per proof of beneficial use

FEB 24 1994

E. NARRATIVE/REMARKS/COMMENTS

Field exam not required. Dom/stock
was verified with Dians & Owyhee
County Assessor Office.

Have conditions of permit approval been met? ☒ yes ☐ no

APPROVED

FEB 24 1994

F. FLOW CALCULATIONS

Measured Method:

10 GPM per application

Additional Computation Sheets Attached

Theoretical based on proof of beneficial use info:

$$\frac{1 \times 8.8 \times .7}{330 \text{ days}} = .02 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

REQUIRED: internal/external domestic use for 1 home = 1.2 afa
 200 dairy cows 35 gal/dy/head x 365 days / 325850 = 7.84 afa
 POTENTIAL: .02 cfs x 365 x 1.9835 = 14.5 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stockwater	1/1	12/31	.02	7.8
Domestic	1/1	12/31	.02	1.2
Totals:			.02	8.9 9.0

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

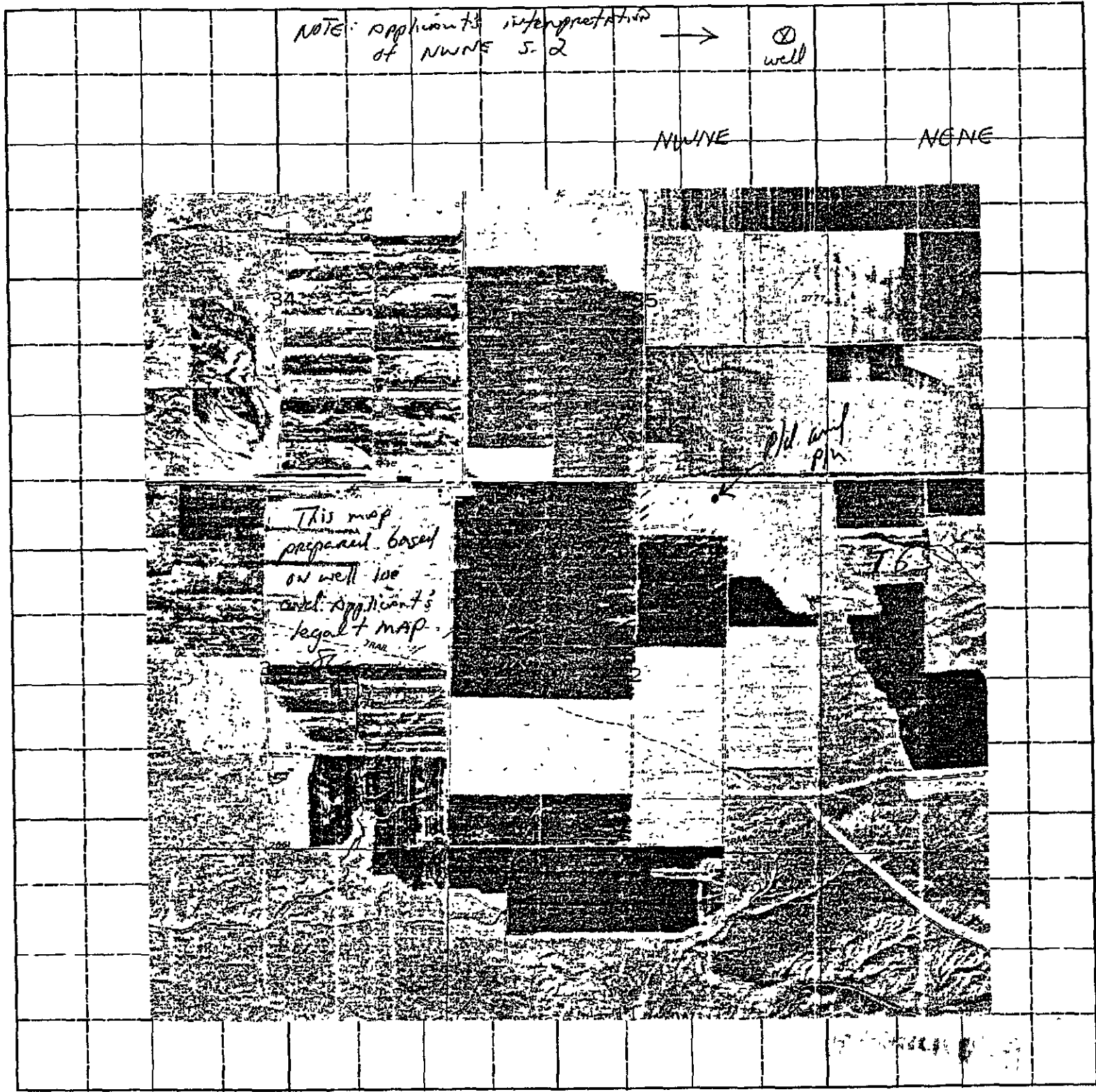
Field Examiner's Name Loi Gnaner Date 12/7/93

Reviewer _____ Date _____

SEAL

FEB 24

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



Scale 2 inches equal 1 mile

24 197

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.

D. Clay Adams
(Applicant)

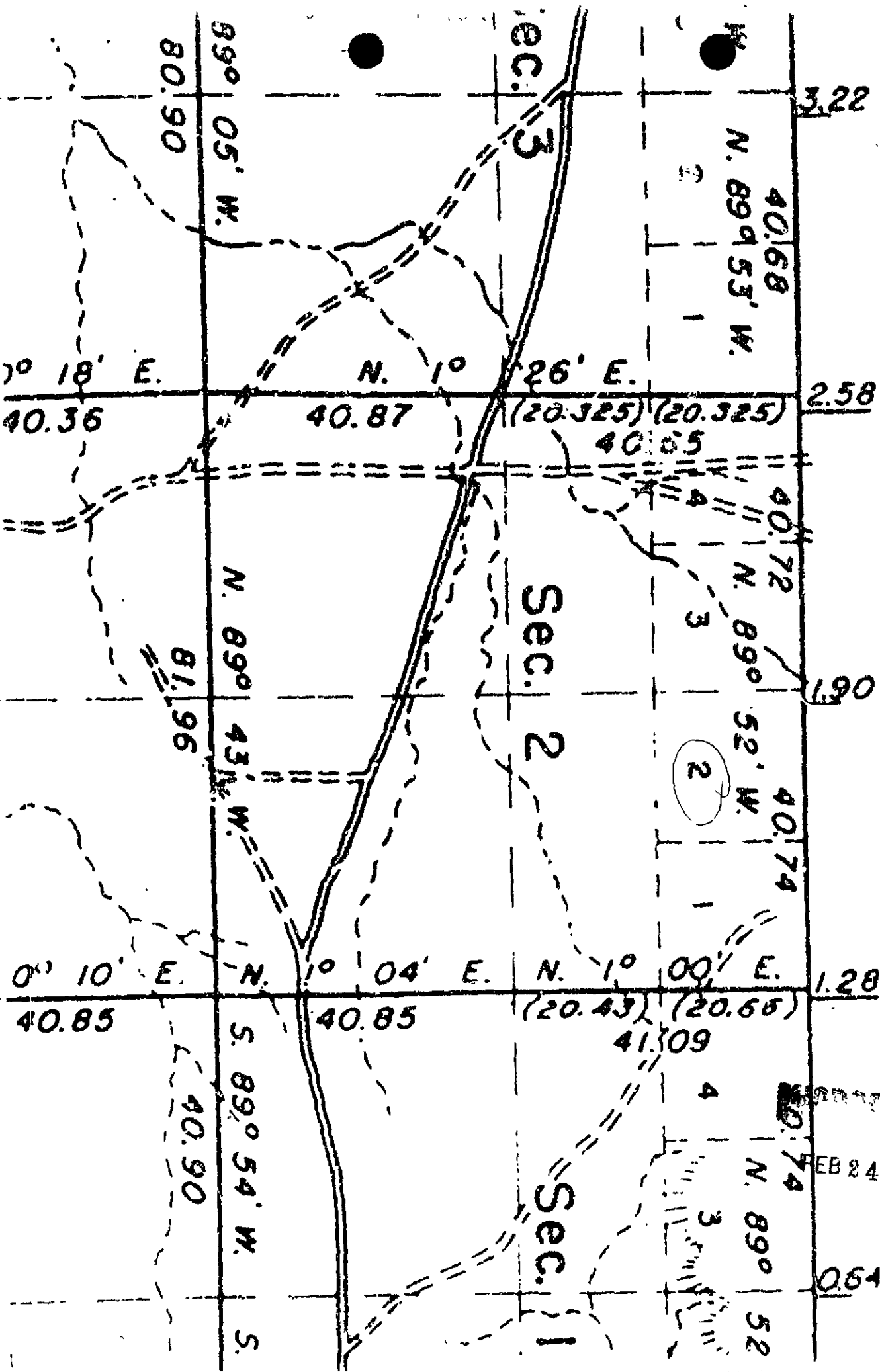
RESURVEY

Sec. 34

Sec. 35

65 SE 52
NW NE

Sec. 36



November 6, 1992

A CLAY ATKINS
PO BOX 276
BRUNEAU ID 83604

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 51-07316

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

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DEC 09 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 51-07316

Reviewed by Klg

Date 11/4/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

domestic - 1
Stock - 200
Correct Uses? yes

SOURCE OF WATER

 Surface water source

✓ Ground water source

NA Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

NA Required?
 Amount Submitted
 Correct?

MEASURING DEVICE

NA Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due -
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address

Proof Made 11/3/92
11/6/92 Klg



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 9, 1992

A CLAY ATKINS
PO BOX 276
BRUNEAU ID 83604

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 51-07316

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the printed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosures

RECORDED

OCT 26 1992

MEMORANDUM

To: Regional Offices
Water Allocation Bureau

From: Norman C. Young *NCY*

RE: APPROVAL POLICY - SUPPLEMENT TO APPLICATION PROCESSING
MEMO NO. 47, AMENDED MAY 20, 1992

Date: September 17, 1992

Clarification of Application Processing Memo. No. 47 (Amended) issued on May 20, 1992 as contrasted with the Application Processing Memo No. 47 issued on February 1, 1990 has been requested by regional office staff.

The 1990 memo provided that the department would issue permits for domestic, stockwater and non-consumptive uses within the boundaries of Ground Water Management Areas (GWMAs) and Critical Ground Water Areas (CGWAs) provided that domestic uses were limited to inhouse use.

The 1992 memo was intended to supercede the prior memo and provided that the department would issue a permit in GWMAs if the use was within the limits of "domestic purposes" as described in Section 42-111, Idaho Code. Note that this was a "loosening" of the prior memo since the approvable domestic use no longer was limited to inhouse use. The 1992 memo also provided that the department would not issue water right permits in a CGWA.

Neither memo addressed treatment of a "community" well where a community well means a well which provides domestic water to more than one domestic unit.

Department policy with respect to the filing of applications for permit and subsequent department action on the applications in GWMAs and CGWAs is as follows:

GROUND WATER MANAGEMENT AREAS

- Department staff should follow provisions of any existing management plan which has been prepared for a specific GWMA. If a plan does not exist, the provisions of this memo apply.
- The department will issue a water right permit for non-consumptive uses and for other uses which do not exceed the rate and volume limitations of the "domestic" definition described in Section 42-111, Idaho Code. Note that

UNOPENED

OCT 26 1992

these approvable uses are not limited to inhouse use.

- The department will issue a water right permit for "community" domestic wells provided that each domestic unit served by the community well does not exceed the rate and volume limitations of the "domestic purposes" definition described in Section 42-111, Idaho Code and individually would be exempt from the filing of an application for permit as provided in Section 42-227, Idaho Code. Note that these approvable uses also are not limited to inhouse use.

CRITICAL GROUND WATER AREAS

- Staff should follow provisions of any existing management plan which has been prepared for a specific CGWA. If a plan does not exist, the provisions of this memo apply.

- The department will issue a water right permit for non-consumptive uses.

- The department will issue a water right permit for uses which do not exceed the rate and volume limitations of the "domestic purposes" definition described in Section 42-111, Idaho Code. Note, however, that these approvals will not provide for the irrigation of any land. IN HOUSE USE ONLY

- The department will not issue a water right permit for community domestic wells in CGWAs.

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OCT 26 1992

Dept. of water
The Owyhee Avalanche.

P.O. BOX 97

HOMEDALE, ID 83628

(208) 337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

RECEIVED
APR 9 1989

Department of Water Resources
Western Regional Office

I, Joe E Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, Wednesday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in Two(2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

March 15 1989
March 22 1989

(Signed).....

Joe E Aman

Subscribed and sworn to before me this 22nd day of March 1989

Olivia Aman Petrucci

Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires 10/1/91

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

51-07312

TINDALL, CHESTER J.
550 N. 8th E.
MOUNTAIN HOME, ID 83647
Source: SPRING
Tributary: SINKS
Diversion Pt: SESWSW Sec 32 T 05S R 05E
Use: DOMESTIC (.020 CFS)
STOCKWATER (.200 CFS)
Date Filed: 1/03/1989
In: T06S R05E S05 Lot 1 (NENE) SENE NESE

51-07316

ATKINS, A. CLAY
P.O. BOX 276
BRUNEAU, ID 83604
Source: GROUNDWATER
Diversion Pt: LOT 2 (NWNE)
Sec 2 T 06S R 05E
Use:

STOCKWATER (.020 CFS)
DOMESTIC (.020 CFS)

Date Filed: 12/13/1988
In: T06S R05E S02 Lot 2 (NWNE)

57-07489

LINDER, DEBRA
HC 79 BOX 32B
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: SENE Sec 29 T 01S R 02W
Use:

COMMERCIAL (.040 CFS)
DOMESTIC (.110 CFS)

Date Filed: 11/30/1988

In: T01S R02W S29 SENE

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705, on or before APRIL 3, 1989.

R. KEITH HIGGINSON
Director

Publsh Mar. 15 & 22, 1989

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OCT 26 1992

51-07316

ATKINS, A. CLAY
P.O. BOX 276
BRUNEAU, ID 83604

Source: GROUNDWATER

Diversion Pt: LOT 2 (NWNE) Sec 2 T 06S R 05E

Use: STOCKWATER	(.020 CFS)
DOMESTIC	(.020 CFS)

Date Filed: 12/13/1988

In: T06S R05E S02 Lot 2 (NWNE)

UNRECORDED

OCT 26 1992