

NAME OF APPLICANT

Merle K. Bachman

Form No. 0

R.S.E

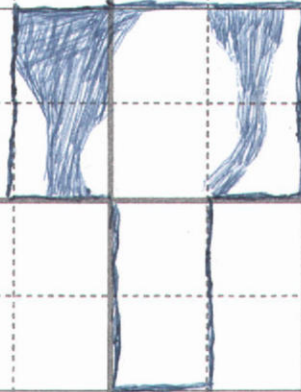
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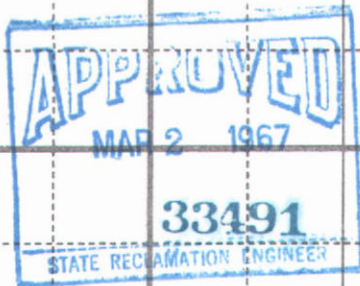
T.75.

T.75



7

8 9



• POINT OF DIVERSION

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 3 day of Dec., 1970, and the last publication being on the 10 day of Dec., 1970;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 10 day of Dec., 1970.

Leona L. Hawes
NOTARY PUBLIC

My commission expires 4-10-72

(SEAL)

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Merle K. Bachman, Bruneau, Idaho, has received an approved Permit No. 33491/51 - 2225 issued by the Idaho Department of Water Administration authorizing the diversion of 2.4 cubic feet per second of water from Jacks Creek and tributaries (also called Little Valley Creek), tributary to the Bruneau River.

The priority to be established under this permit is February 23, 1967, and the permit was approved March 2, 1967.

Water is to be diverted by dam, ditch, flume and pipe from a point within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 7 S., R. 5 E., B. M., Owyhee County, to be used for irrigation in the SW $\frac{1}{4}$, Sec. 5; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 8; T. 7 S., R. 5 E., B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before March 2, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director

Idaho Department of
Water Administration
STATEHOUSE
Boise, Idaho

Published in the Owyhee Nugget, Marsing, Idaho, on December 3, and December 10, 1970.

51 2225

PERMIT 57-02225 INIT MTS
T. R. S. Q/Q
P/D 7S 5E 7 NWSESE
SCALE _____
PHOTO ID. AA61

T6S

T7S

Christiansen

T7S
R5E

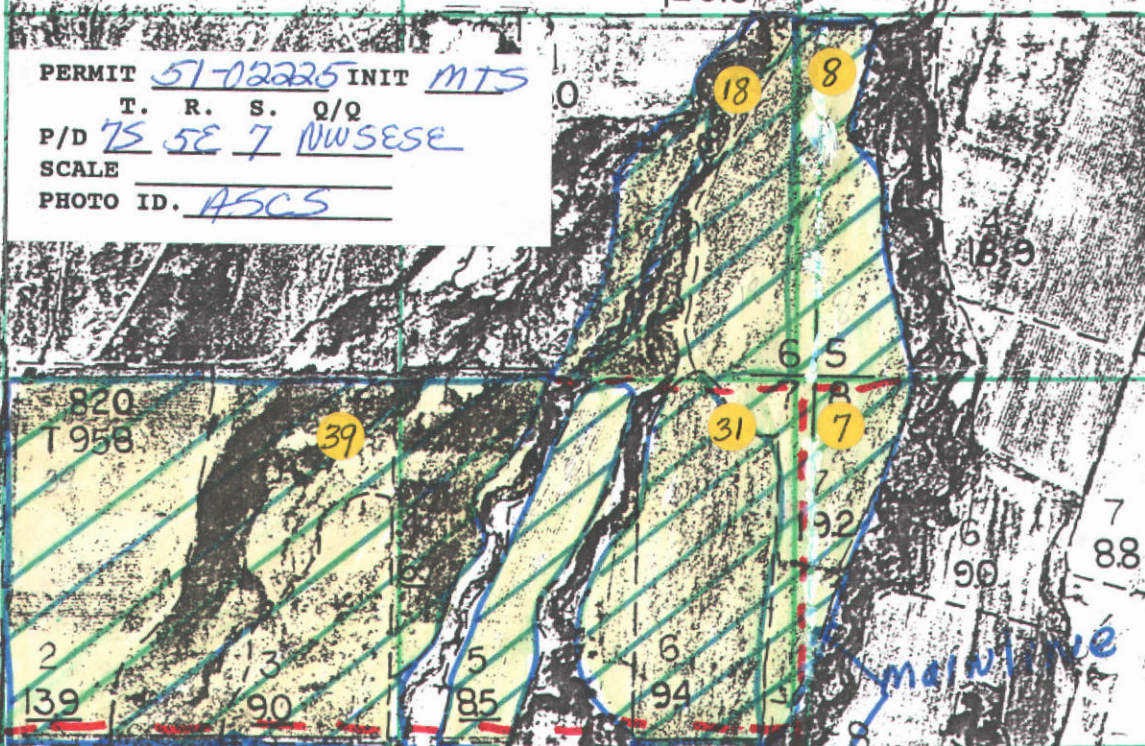
20hp pump
4-11-85
0-35034-41
0-35034-41

MICROFILMED

AUG 20 1998

AA61 NE

PERMIT 51-02225 INIT MTS
T. R. S. Q/Q
P/D 75 SE 7 NWSESE
SCALE _____
PHOTO ID. ASCS



mainline

Pond

Ponds

MICROFILMED
AUG 20 1998

POB

51-02225



8-24-93

Dirt dam in Jacks creek.



8-24-93

P.O.U. in Section 6, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

MICROFILMED

AUG 20 1998

51-02225



8-24-93

P.O.U. in section 7, NW 1/4 NE 1/4.



8-24-93

20 hp pump + pipeline ~~conveys~~ ^{MIRRO} water from pond to property.

AUG 20 1998

51-02225



8-29-93

P.O.U. in section 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

MICROFILMED
AUG 20 1998

Application For Permit

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 41729
PERMIT No. 33491
DISTRICT No.

1. Name of Applicant: Merle K. Bachman

Postoffice address: Bruneau

County: Owyhee

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: 2.4 cubic feet per second.

3. Source of water supply: Jacks Creek & Tributary's which is a tributary of Bruneau River.

(Also called Little Valley Creek)

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

of section 7 , T. 7 S , R. 5 E , B. M., County of Owyhee

5. Water is to be used for irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section of , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$

8. Kind of works: Dam, ditch, flume and pipe

9. Height of dam 5 feet; length of dam at top 15 feet; length of dam at bottom 12

feet; material used in dam: rocks, poles and gravel.

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 1 miles.

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is -0- additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? no If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

/s/ MERLE K. BACHMAN

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: February 23, 1967 8:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33491

Recorded in Book 117 Page 33491 Approved March 2, 1967

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before May 2, 1967 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before September 2, 1969

The whole of said work to be completed on or before March 2, 1972

Beneficial use of water appropriated in accordance herewith, to be made on or before March 2, 1972

WITNESS My hand this 2nd day of March, 1967.

/s/ R. KEITH HIGGINSON

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, DON SAMUELSON, Governor of the State of Idaho,
and EDSON H. DEAL, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this..... 2nd.....

day of March, 1967

STATE OF IDAHO

Countersigned:

(SEAL)

By /s/ EDSON H. DEAL

By /s/ DON SAMUELSON

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
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AMENDMENT TO POINT OF DIVERSION ✓

Comes now Merle K. Bachman and represents to the State Reclamation Engineer of the State of Idaho, That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 33491. That the point of diversion is described in said Permit as being located: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, T 7 S., R 5 E., B.M. That he now requests that the points of diversion be changed to a points located: SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, T 7 S., R 5 E., B.M. That the reason for desiring to make such change is as follows: To add a point of diversion. One point of diversion is on Jack's Creek, the other is on a drain that is a tributary to Jack's Creek. That no one will be injured by such change and such change will be made at Permit Holder's own risk.

Signed at Boise, this 9th day of May, 1967.

/s/ MERLE K. BACHMAN

Date of receipt at Department of Reclamation: May 9, 1967.

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 33491. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer

Recorded in book 117 of permits, at page 33491, May 15, 1967.

Merle K. Bachman

P.O. BrunEAU, Idaho 83414

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41722

Permit No. 33491

District No.

1. Name of Applicant: Merle K. Bachman
Post Office address BrunEAU County Cwybee State Idaho

If applicant is a corporation, give:

- (a) Date and place of incorporation
(b) Amount of Capital stock, \$ (c) Amount paid in. \$
(d) Names and addresses of directors.

The financial resources of the applicant are. (a) Cash on hand \$

(b) Treasury stock: (c) Bonds to be issued

(d) Other resources:

2 Quantity of water claimed: 2.4 cubic feet per second

3 Source of water supply: Jacks Creek & Tributary's (also called Little Jacks Creek)
which is tributary of BrunEAU RIVER

4 Location of point of diversion: feet distant from the S.E. corner
of Section 7, Twp. 7S, Rge. 5E, B.M., and is in the S.E. 1/4 of
of Section 7, Twp. 7S, Rge. 5E B.M., County of Cwybee

5. Water is to be used for. Irrigation

6. If for any non-irrigation purpose, give:

(a) Point of use of water: feet distant from corner of Section
Twp, Rge, B. M., in the of Section, Twp, Rge, B. M.

(b) Amount of power generated: H. P., under feet head

(c) Water is to be returned to at a point feet
distant from the corner of Section, Twp, Rge, B. M., in the
of Section, Twp, Rge, B. M.

7. Estimated cost of works: \$

8. Kind of works: Dam, Ditch, Flume & Pipe
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam 5 feet; length of dam at top 15 feet; length of dam at bottom 12

feet; material used in dam shales, silt & gravel
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width feet; Height feet

11. Ditch: Width at bottom feet; Width at water line feet; Depth of water feet,

Dimensions of flume, Diameter of pipe inches,

Length of conduit 1 miles. Average grade per mile feet

12. The time required for the completion of such work is years.

13. The time required for the complete application of the water to the proposed use is . 75 . additional years.

14 The land to be irrigated is described in the following tabulation:

(Give irrigable acreage in each 40-acre subdivision)

[illegible]

Total Number of Acres to be Irrigated... 120

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: _____

Approval of State Reclamation Engineer

The number of this permit is **33491**

MAR 2 1967

Recorded in Book 117 Page **33491** Approved

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed before

Work to begin on or before May 2, 1967....., and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 2, 1969

The whole of said work to be completed on or before March 2, 1972

Beneficial use of water appropriated in accordance herewith, to be made on or before March 2, 1972

Witness my hand this 2nd day of March 19 67

R. Keith Higgins
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ... DON SAMUELSON Governor of the State of Idaho,

and EDSON H. DEAL Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to

be hereunto affixed, this 2nd day of March 19 67

Countersigned.

By *Edson H. Deal*
Secretary of State.

STATE OF IDAHO

By *Don Samuelson*
Governor.

33491

No

PERMIT

Date of first receipt at office of State
Reclamation Engineer

February 23, 1967 3:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.50

FILING FEES FOR USE PERMIT:

For the first Sec Ft. \$5.00

For each additional Sec. Ft or Fraction

Thereof 25

NAME OF APPLICANT

Merrill K. Bachman

Form No. 0

R.S.E

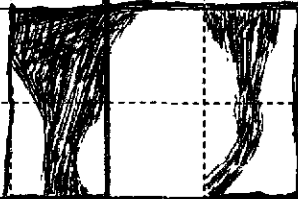
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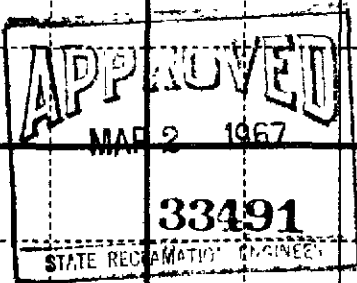
T.75.

T.75



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• POINT OF DIVERSION

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

33491

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 51-02225

Priority: February 24, 1967

Maximum Diversion Rate:

2.06 CFS

Maximum Diversion Volume:

412.0 AF

This is to certify, that HARLEY RANCHES
STAR RT BOX 49
HAMMETT ID 83627

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated February 24, 1967; and
has submitted Proof of Beneficial Use on March 3, 1972. An examination indicates
that the works have a diversion capacity of 105.100 cfs of water from:

JACKS CREEK

tributary to BRUNEAU RIVER

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>
IRRIGATION	04/01 to 10/31	2.06 CFS	412.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 7, Township 07S, Range 05E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	05E	5	SWSW 8			8
		6	SESE 18			18
		7	NENE 31	NWNE 39		70
		8	NWNW 7			7

Total number of acres irrigated: 103

CONDITIONS OF APPROVAL AND 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 that 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

RECORDED
FEB 20 1958

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 51-02225

CONDITIONS OF APPROVAL AND REMARKS

6. Source is locally known as Little Valley Creek.
7. Rights 51-02225, 51-07064B, and 51-07102B when combined shall not exceed a total diversion rate of 2.06 cfs, a total annual maximum diversion volume of 412.0 af at the field headgate, and the irrigation of 103 acres.
8. The Director retains jurisdiction to require a bypass flow for maintenance of aquatic habitat.

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 24TH day of AUGUST, 1998.


KARL J. DREHER, Director

MICRON 121

AUG 26 1998

State of Idaho
Department of Water Resources

RECEIVED
AUG 04 1938
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 51-02225

Date of Priority: February 24, 1967 Maximum Diversion Rate: 2.06 CFS
Maximum Diversion Volume: 412.0 AF

Comes now HARLEY RANCHES
STAR RT BOX 49
HAMMETT ID 83627

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 51-02225, and requests that the permit be changed as follows:

Source: JACKS CREEK tributary to BRUNEAU RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.06 CFS	412.0 AF

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 7, Township 07S, Range 05E
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	05E	5	SWSW 8			8
		6	SESE 18			18
		7	NENE 31	NWNE 39		70
		8	NWNW 7			7

Total number of acres irrigated: 103

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Bruneau, this 1 day of Aug, 1998.

MICROFILMED

496 20 1938

Joe E Black
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 51-02225

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50⁰⁰ Received by KS # 1043020 Date 8/4/98

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 51-02225 with the following;

CONDITIONS OF APPROVAL AND 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 that 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Source is locally known as Little Valley Creek.
7. Rights 51-02225, 51-07064B, and 51-07102B when combined shall not exceed a total diversion rate of 2.06 cfs, a total annual maximum diversion volume of 412.0 af at the field headgate, and the irrigation of 103 acres.
8. The Director retains jurisdiction to require a bypass flow for maintenance of aquatic habitat.

Witness my hand this 14TH day of August, 1998.


KARL J. DREHER, Director

MICROFILMED

806 20 1998

WATER RIGHT SUMMARY

<u>ACTION</u>	<u>RIGHT NO.</u>	<u>NAME</u>	<u>AMOUNT CFS</u>
Original Permit	51-2225	Bachman, Merle K.	2.4
Full Assignment	51-2225	Harley Ranches	2.4

INDEXED

MAR 10 1988

RECEIVED

SEP 10 1987

State of Idaho
Department of Water Resources

RECEIVED

SEP 08 1987

Department of Water Resources

ASSIGNMENT OF PERMIT

Department of Water Resources

Western Regional Office

MERLE K. BACHMAN and

I, MARGARET L. BACHMAN, hereby assign to HARLEY RANCHES, a Partnership,
of Star Route, Box 49, Hammett, Idaho 83627
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 33491/51-2225
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 1st day of July, 19 87.

Merle K. Bachman
Permit Holder

Margaret L. Bachman
Spouse of Permit Holder

State of Idaho)
County of Elmore) ss.

On this 1st day of July, 19 87, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

[Signature]
Notary Public residing at Mountain Home, ID

My commission expires:

SEP 11 1987

RECEIVED

MAR 10 1988

Department of Water Resources

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33491/)
51-2225 in the name of Merle K. Bachman)
_____)

ORDER OF REINSTATEMENT

WHEREAS, on February 23, 1967, Merle K. Bachman applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 2.4 cubic feet per second of water from Jacks Creek & Tributary's, tributary to the Bruneau River, from a point within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 7 S, Rge. 5 E, B.M., Owyhee County, to be used for irrigation purposes; and,

WHEREAS, on March 2, 1967, the Department approved said application and issued Permit No. 33491/51-2225 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before March 2, 1972; and,

WHEREAS, on December 29, 1971, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the required proof of beneficial use was not received on or before March 2, 1972, and Permit No. 33491/51-2225 automatically lapsed; and,

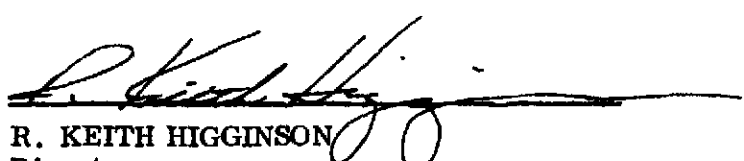
WHEREAS, on March 3, 1972, the Department received the required proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 33491/51-2225 be REINSTATED and the priority advanced to February 24, 1967.

Dated this 13 day of March, 1972.


R. KEITH HIGGINSON
Director

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

MAY 9 1967

1. a) Name of Permit Holder Merle K. Bachman Dept. of Water Control
 b) Post Office Address Box 172, Bruneau, Idaho 83604
2. Permit Number 33491/51-2225
3. Date of Priority that you are prepared to establish February 23, 1967
4. a) Source from which water was appropriated Jacks Creek
 b) Location of the point of diversion: SE 1/4 SE 1/4, Section 7
 Township 7 S, Range 5 E Boise Meridian, Other points of diversion: and NE 1/4 NE 1/4, Section 7, Twp. 7 S, R 5 E, B.M.
5. a) The amount of water and use to which the water has been applied:
 amount 2.4 for irrigation purposes from April 1 to Oct. 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 2.4 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 from use
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: permit holder
 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) dam, ditch, flume and pipe
 b) Describe the type and size of measuring device which you have installed at your point of diversion: no measuring device
 c) Give well drillers name and address and 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 _____

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

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	
7 S	5 E	5									40	40	40	40					160
		6													40			40	80
		8					40	40											80

Total number of acres irrigated 320

10. Remarks: _____

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

March 1, 1972
(Date)

Frederick K. Bachman
(Signature)

State of Idaho)
ss.
County of Ada)

On this 1st day of March, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Anna J. Spangler
Notary Public residing at Boise, Idaho

My commission expires 8/12/74

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 33491/51-2225)
in the name of MERLE K. BACHMAN)
ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

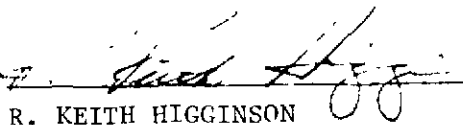
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 33491 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Water Administration of the application of the water to beneficial use on or before March 2, 1972. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for completion of works may be grounds for cancellation at the instance of the Department.

Dated this 3 day of November, 1970.


R. KEITH HIGGINSON
Director

PROOF OF PUBLICATION

STATE OF IDAHO
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 3 day of Dec, 1970, and the last publication being on the 10 day of Dec, 1970;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 10 day of Dec, 1970.

Laura L. Shaw
NOTARY PUBLIC

My commission expires 4-10-72

(SEAL)

NOTICE WATER PERMIT

Notice is hereby given that Merle K. Bachman, Bruneau, Idaho, has received an approved Permit No. 33491/51 - 2225 issued by the Idaho Department of Water Administration authorizing the diversion of 2.4 cubic feet per second of water from Jacks Creek and tributaries (also called Little Valley Creek), tributary to the Bruneau River.

The priority to be established under this permit is February 23, 1967, and the permit was approved March 2, 1967.

Water is to be diverted by dam, ditch, flume and pipe from a point within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 7 S., R. 5 E., B. M., Owyhee County, to be used for irrigation in the SW $\frac{1}{4}$, Sec. 5; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 8; T. 7 S., R. 5 E., B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before March 2, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director

Idaho Department of
Water Administration
STATEHOUSE
Boise, Idaho

Published in the Owyhee Nugget, Marsing, Idaho, on December 3, and December 10, 1970.

Application for Amendment

POINT OF DIVERSION

Permit No. 33491

RECEIVED
MAY 9 1967

DEPARTMENT OF RECLAMATION

Comes now Merle K. Bachman
and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 33491.

That the point of diversion is described in said Permit as being located:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, T. 7 S, R. 5 E, B.M.

That he now requests that the point S of diversion be changed to a point S located: SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 7 S, R. 5 E, B.M.

That the reason for desiring to make such change is as follows:

To add a point of diversion. One point of diversion is on Jack's Creek, the other is on a drain that is a tributary to Jack's Creek.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise this 9th day of May, 1965
Merle K. Bachman 1967.

Date of Receipt at Department of Reclamation: May 9, 1967

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 33491. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 117 of
Permits, at Page 33491
May 15, 1967

R. Keith Higgins
State Reclamation Engineer

33491



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

August 14, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HARLEY RANCHES
STAR RT BOX 49
HAMMETT ID 83627

RE: WATER RIGHT NO. 51-02225

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

AUG 20 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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AUG 20 1998

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

RECORDED-FILED

AUG 20 1998

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of August, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 51-02225

HARLEY RANCHES
STAR RT BOX 49
HAMMETT ID 83627


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 20 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

July 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HARLEY RANCHES
STAR RT BOX 49
HAMMETT ID 83627

RE: WATER RIGHT NO. 51-02225

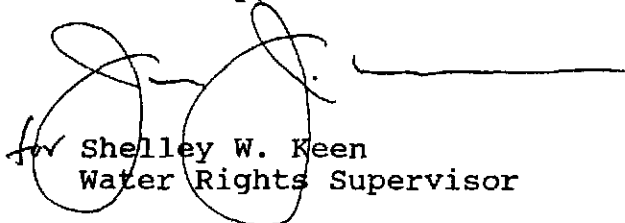
Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

If you have any questions, please call me at (208) 327-7946.

Sincerely,


for Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
AUG 20 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

June 30, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HARLEY RANCHES
STAR RT BOX 49
HAMMETT ID 83627

RE: WATER RIGHT NO. 51-02225

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that your place(s) of use is in a location other than what was described on your permit. Therefore, before a license can be issued, the permit must be amended to depict your water right as it was actually developed.

The enclosed Application for Amendment form depicts the place(s) of use and other information as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
AUG 20 1998

B/U FIELD EXAM REVIEW

by *Cindy Lou*Permit #: 51-02225 Name: Harley Ranches Date: 6/19/98 ^{6/30/98} ✓ Lots ✓

NAME Chng Same ✓ Or Address Change?

SOURCE ✓ Clarify source _____
✓ Prelim. Order to Void - Source change.

P/D ✓ Amendment Needed? Addn'l 1/4? _____ Legal _____ P39
 Same 1/4? W32 _____ P36
 Overlap(s) _____

P/U ✓ Amendment Needed? add S.7; reduce overlap acres. ^{To 103} P41
 Overlap(s) _____
 (Gov't use special ¶s) _____ *P/D & P/U Amend? P37

RATE ✓ Permit/proof fee limits 24 1 3.00
✓ Measured Quantity = 1.91 cfs Theoretical Quantity = _____ cfs
~~(204 head x 1.2 gpm/head) = 448.83 = 1.968 = 1.91 cfs~~
~~sprinklers after storage ≈ NA.~~
~~Q = 103 ac x 0.02 cfs/ac = 2.06 cfs.~~
✓ Recommended capacity 1.91 cfs * 105.1 cfs * ditch capacity
✓ Recommended rate 1.91 cfs 2.06 cfs

VOLUME ✓ Season (C / 4.0) 4/1-10/31 = 214 days
 Calculations _____
103 x 4.0 = 412 AF
✓ Flow limit: 1.91 cfs x 214 days/yr. x 1.9835 = 810.7 AF
✓ Recommended volume 412 AF

USES ✓ Same Nature of Use? _____ P46
✓ Amendment Needed? _____

REMARKS ✓ Multiple p/d's in same 1/4? Use W32
✓ ~~① W32/4017~~ ① W35/7064B, 71102B/206/412/103

CONDITIONS _____ Measuring Device (R43) or Lockable Controlling Works (R02)
 _____ Watermaster Control (R04) - WD # _____
R64 _____ Irrigation rate/annual volume overlap
 _____ GW irrigation replaces surface water (050)
 _____ GW irrigation supplements surface water (065)
 _____ Water Quality
 _____ Other _____

PRIORITY App Rcd 2/23/67 Due 3/2/72 Rcd 3/3/72
 Receipt# W001955 Fee OK? Yes No \$150
 Order to Reinstate Needed? Yes No 3/13/72 Advanced to. 2/24/67
 Priority 2/24/67 Examined 8/24/93

COMMENTS: Current Owner: Christianson's; No assn!
amend to add S.7.

USE	CFS	VOLUME
<u>irr.</u>	<u>1.91</u>	<u>2.06</u>
<u>TOTAL</u>	<u>1.91</u>	<u>2.06</u>

SRBA Overlap multiple P/D & P/U
 Adjustment Memo ✓
 LICENSE
 #1 AMEND: P41 /P38
 #2 AMEND: (R)P42 /P43

MEMORANDUM

DATE June 30, 1998
TO: File No. 51-02225
FROM: Cindy Lou Zimmerman³.
SUBJECT: Review of Beneficial Use Field Report

The examiner limited the rate of diversion to the amount of water diverted through the sprinklers. However, there is a storage facility (pond) between the point of diversion and the sprinklers. Therefore, the maximum rate of diversion should be the amount of water diverted through the conveyance system (ditch) prior to the pond with the limitation of no more than 0.02 cfs per acre.

The following adjustments¹ were made on the field report to reflect department standards and licensing practises for uses developed under this permit.

F Flow Calculations
a Irrigation.
 $F_{IR} = \text{acres} \times \text{cfs/acre} = 103 \times 0.02 = \underline{\mathbf{2.06}} \text{ cfs}$

H. Recommendations.
1. Recommended amounts

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Irrigation	4/1-10/31	<u>2.06</u> cfs	412.0 AF
	Totals:	<u>2.06</u> cfs	412.0 AF

Examiner: Linda Werner
Examined: August 24, 1993

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AUG 20 1998

¹ Adjustments are **bolded and underlined**

SYSTEM DESCRIPTION
PERMIT 51-02225 (A51-02225)
N/O CRAIG L. & SHERRY L. CHRISTIANSEN

A dirt dam in Jacks Creek diverts water to a dirt ditch that flows Northeast for about one-half mile where the ditch flows into a pond. The pond commingles Jacks Creek water, well water and waste water from some fish propagation ponds located to the North. The well water can be diverted directly to this pond, through the fish ponds or delivered directly to sprinkler systems used for irrigation.

Two 20 hp pumps in the pond discharge water to a mainline system that services six wheel and hand lines that total 204 heads. According to the owner, there are both 5/32 and 1/8 inch nozzles in the sprinklers and they average 4.2 gpm per sprinkler. He also indicated the 20 hp pumps develop about 60 psi at the pond.

A Mannings measurement of the ditch from Jacks Creek to the pond estimated the ditch capacity to be 105.10 cfs. This ditch and its POD serve 51-04017 in addition to this permit.

REMARKS AND OVERLAPS

51-04017 is also diverted from the same POD for this permit.
51-04017 irrigates land North and East of the POU for this permit.

51-02225 overlaps the combined places of use for rights 51-07064B and 51-07102B which are groundwater rights. When sufficient water is not available in Jacks Creek, the groundwater rights are used as a supplement. 51-02225 should be conditioned so that the combination of all rights does not exceed .02 cfs and 4 af per acre.

The initial field exam for this permit was conducted on 8/24/1993 in conjunction with the SRBA claim. A follow up telephone call to the owner, Craig Christiansen, was made on 10/10/1996 to confirm and clarify file information concerning the delivery system.

The diversion rate recommended of 1.91 cfs is based on the estimated capacity of the sprinkler system which is more realistic than the theoretically estimated rate of 1.74 cfs for the pumping system. The two estimates are within 10% of each other so the estimated capacity is justifiable.

MTS

MICROFILMED

AUG 20 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 13 1996

Department of Water Resources

A. GENERAL INFORMATIONPermit No. 51-022251. Owner: Harley Ranches Phone No. _____Current Address: Star Rt. Box 49; Hammit, ID 836272. Accompanied by: _____ EXAM DATE: 8-24-93

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Jacks Creek tributary to Brunau River**B. OVERLAP REVIEW**1. Other water rights with the same place of use: 51-07102B & 51-07064B2. Other water rights with the same point of diversion: 51-04017**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
		NW	SE	SE	7	7S	5E	Owyhee	Aerial photo, NAPP, ASCS

2. Place(s) of Use:

Indicate Method of Determination

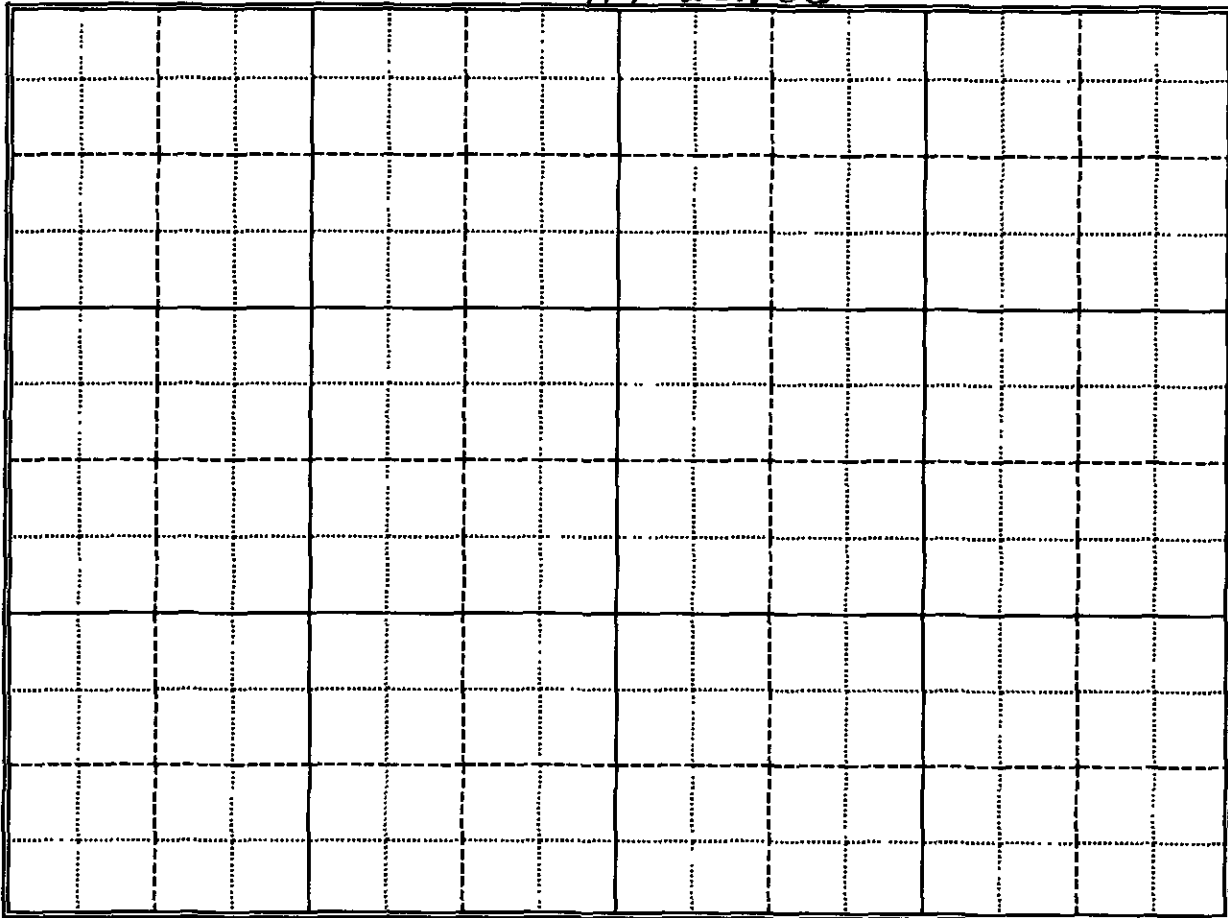
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	5E	5											8						8
		6															18		18
		7	31	39															70
		8					7												7
																			103 total

MICROFILMED

AUG 20 1998

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

See Attached



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.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	<i>Century</i>	<i>20</i>	<i>6-3576394-41</i>		
	<i>Century</i>	<i>20</i>	<i>Unknown</i>		

*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
<i>Mannings measurement</i>						

2. Measurements:

See attached mannings dated 8-24-93 for ditch

$$\begin{aligned}
 &6 \text{ lines} \times 34 \text{ heads} = 204 \times 4.2 \text{ gpm av.} = 856.8 \text{ gpm} = 1.91 \text{ cfs} \\
 &20 \text{ hp} \times 7 \times 8.8 = 1232 \text{ gpm} = 2.81 \text{ cfs} \\
 &\frac{(60 \times 2.31) + 3}{2.31} = 1.87 \text{ cfs} \times 2 \text{ pumps} = 3.74 \text{ cfs} \\
 &\text{Total Flow} = 1.91 + 2.81 + 3.74 = 8.46 \text{ cfs}
 \end{aligned}$$

PERMIT 51-02225 INIT MTS

T. R. S. Q/Q

P/D 75 5E 7 NWSESE

SCALE

PHOTO ID. AA61

T6S

T7S

Christiansen

T7S
R5E

20 hp pump
41 P.S.V.
0-350394-41 P.S.V.
0-350394-41 P.S.V.

MICROFILMED
AUG 10 1958
AA61 NE

24.3

10

23.3

22.3

31.5

PERMIT 51-02225 INIT MTS

T. R. S. Q/Q

P/D 75 SE 7 NWSESE

SCALE

PHOTO ID. ASCS

520
1958

2
139

3
90

5
85

6
94

7
90

8
88

837
63

38

93

4
206

20

POB

Ponds

MICROFILMED

20 1958

MANNING EQUATION CHANNEL CAPACITY RESULTS

08-25-1993

File Number: A51-04017 & A51-02225
Claimant: HARLEY RANCHES & C. CHRISTANSON
Channel measured: DITCH FROM JACK CREEK DIVERSION
Date of measurement: 8/24/93
Measurement location:

Calculation prepared by: LINDA WERNER
Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 188 feet.
The upstream and downstream rod readings are 9.74 and 11.46 feet.
The channel cross section is 34.84 ft-sq.
The wetted perimeter is 19.32 feet.
The hydraulic radius is 1.80 feet.
The slope is 0.0091
The roughness coefficient is 0.0700
The flow velocity is 3.017 ft/sec.
The rate of flow is 105.10 cfs.

MAILED
10 10 1993

CROSS SECTION NUMBER 1

For File Number A51-04017 & A51-02225 for the
DITCH FROM JACK CREEK DIVERSION

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.97	0.97	1.00
3	1.76	1.76	3.00
4	2.20	2.20	5.00
5	2.56	2.56	7.00
6	2.74	2.74	10.00
7	2.30	2.30	13.00
8	1.97	1.97	15.00
9	1.26	1.26	16.00
10	0.88	0.88	17.00
11	0.00	0.00	18.00

The area for this cross section is 34.84 square feet
and the wetted perimeter is 19.32 feet.

MICROFILMED
SEP 22 1965

Claim Number(s): A51-04017 & A51-2225
Name of Claimant(s): Harley Ranches & C. Christensen
Name of Ditch, Canal, or Stream: Ditch from Jacks cr. P.O.D
Date of Measurement: 8-24 Data Collected By: J.R.W.
Measurement Location: SE 1/4 SE 1/4 Section 7 T 7S R 5E

Cross Section Data

Basis: high water mark (☒) maximum capacity ()

Note: minimum of five depth or rod readings; first and last must be equal or zero

	depth or rod reading	distance from initial point		depth or rod reading	distance from initial point
RED 1.	<u>0</u>	<u>0</u>	7.	<u>2.3</u>	<u>13.0</u>
2.	<u>.97</u>	<u>1.0</u>	8.	<u>1.97</u>	<u>15.0</u>
3.	<u>1.76</u>	<u>3.0</u>	9.	<u>1.26</u>	<u>16.0</u>
4.	<u>2.2</u>	<u>5.0</u>	10.	<u>3.88</u>	<u>17.0</u>
5.	<u>2.56</u>	<u>7.0</u>	11.	<u>0</u>	<u>18.0</u>
6.	<u>2.74</u>	<u>10.0</u>	12.		

Slope Data

Basis: high water mark (☒) channel bottom () land surface ()

Level Readings: upstream downstream

upper stadia 10.18 19.78 10.20 11.96

center 9.74 19.35 9.78 11.46

lower stadia 9.30 18.94 9.33 10.96

channel
length

stadia difference .88 .87 + 1.00 x 100 = 188

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes ()

MICROFILM

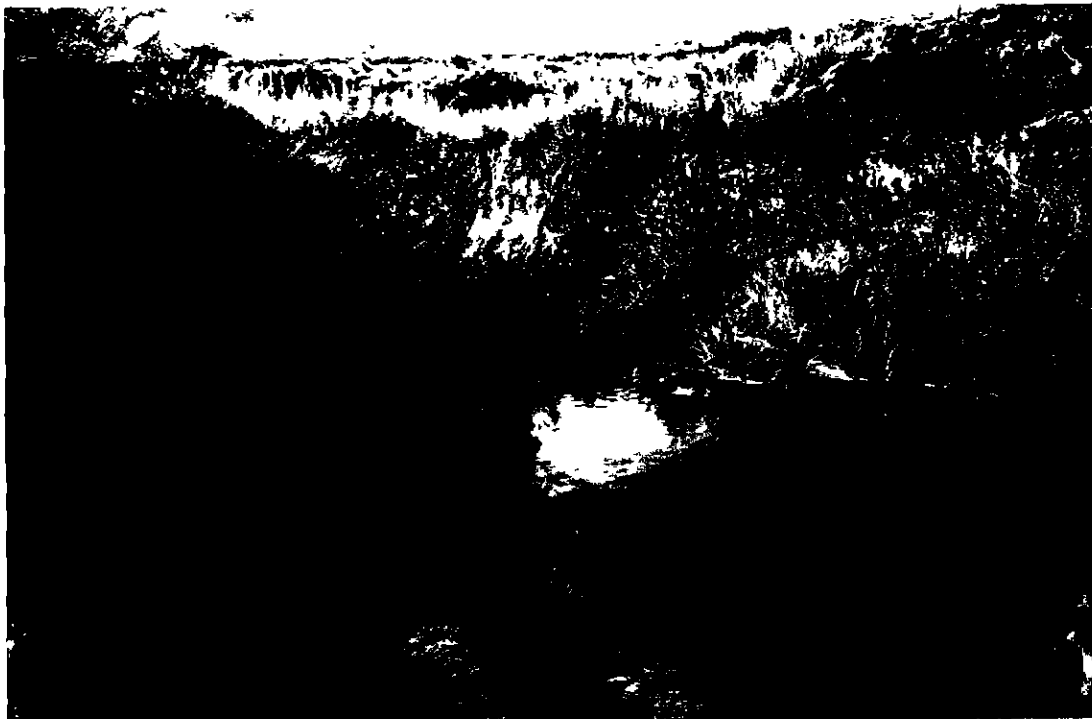
AUG 20 1998

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	/	(1)	negligible	.000		(1)
rock	.025		(2)	minor	.010	/	(2)
fine gravel	.024		(3)		.015	/	(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005		(1)
minor	.005		(2)		.010		(2)
moderate	.010	/	(3)	medium	.015		(3)
severe	.020		(4)		.020	/	(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000		(1)	minor	1.00	/	(1)
occasional	.005	/	(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

WICED. LVL

1962 11 1928

51-02225



8-24-93

Dirt dam in Jacks creek.



8-24-93

P.O.V. in Section 6, SE 1/4 SE 1/4

MICRO 100

AUG 20 1996

51-02225



8-24-93

P.O.U. in section 7, NW $\frac{1}{4}$ NE $\frac{1}{4}$

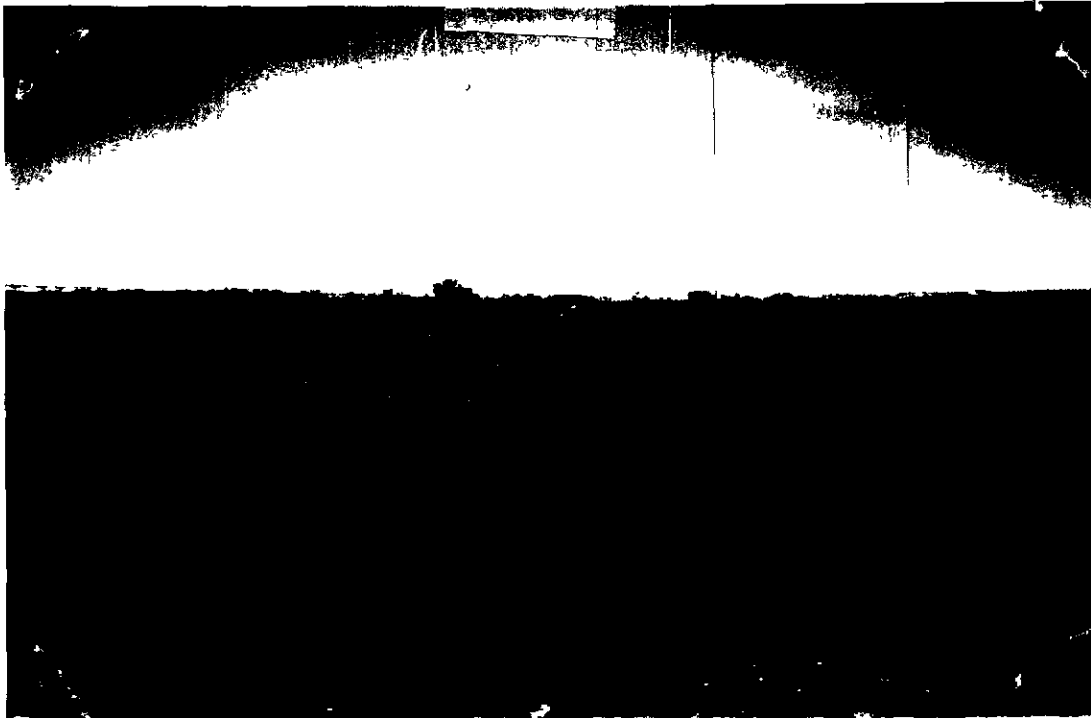


8-24-93

20 hp pump + pipeline conveys water from pond to property.

8/24/93

51-02225



8-54-93

P.O.U. in Section 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$

3'000 000

200 20 000

E. NARRATIVE/REMARKS/COMMENTS

See Attached

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

MICROFILMED
JUN 20 1986

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$6 \text{ lines} \times 34 \text{ hrs} = 204 \times 4.2 \text{ gpm av.} = 856.8 \text{ gpm} = 1.91 \text{ cfs.} *$$

G. VOLUME CALCULATIONS

1 Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 10.3 \times 4 = 41.2 \text{ afa.}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.91 \times 1.9835 \times 214 = 810.7$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{D.R.} = 41.2 \text{ afa.}$$

2. Volume Calculations for Other Uses:

NA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	1.91 *	41.2
Totals:			1.91 *	41.2

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 Linda Warner by Date 12-6-96

Reviewer Mike Schmitt Date _____

* Adjustments made during review of this right for license approval.
See Memo for additional information 6/30/98 CS.

SEAL

MICROFILMED

2000 12 18



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

October 11, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CRAIG L CHRISTIANSEN
HC 85 BOX 171
BRUNEAU ID 83604

Dear Craig:

Our records indicate Harley Ranches is the owner of permit 51-02225 which covers irrigation from Jacks Creek. It appears this permit should have been assigned to you at the same time as groundwater permits 51-07064B and 51-07102B. 51-02225 irrigates the same acres as these two rights so it appears it was an oversight to not have also assigned 51-02225.

Enclosed is an Assignment of Permit form to use for 51-02225. Please note that the signature of the person signing on behalf of Harley Ranches needs to execute the form in front of a notary public. On completion of the form please return it to my attention with your check payable to Department of Water Resources in the amount of \$25 for the filing fee. Call me at the number below if you have any questions.

Sincerely,

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Enc.

NO response rec'd, exam forwarded to F.O.
11/10/96
AB 20 1998
-JZ 12/10/96

MEMORANDUM

TO: WESTERN REGION

FROM: KAY WALKER

RE: EXAMINATION FEES RECEIVED

DATE: 16-MAR-1989

THESE PERMITS ARE NOW READY FOR EXAMS. I HAVE ENTERED THE "R"
FLAGS INTO THE DATA BASE. ATTACHED ARE COPIES OF EXAM FEE
INFORMATION SHEETS FOR PERMITS ~~91~~-2225, 63-9633, 63-9978.

I HAVE ALSO ENTERED AN "N" FLAG FOR PERMIT 78-7134. ATTACHED
IS A COPY OF THE INFORMATION SHEET FOR IT. THANKS. KAY

MICROFILMED

1986 20 1998

4/86

RECEIVED
JAN 13 1989

Department of Water Resources
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received \$150
Date 1/13/89
Receipt # 0001955
Receipt by [Signature]
Sent to S.O. 1/20/89

original sent to S.O. due
to questions about
lapping R

1. Permit No. 51-02225

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: CRAIG L. CHRISTIANSEN

3. Post Office Address: HC 85, BOX 171, BRUNEAU, ID
83604 Telephone No. 845-2055

4. Source of Water: JACK'S CREEK

5. Extent of Use:

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 129 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 2.4 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

2-24-67

8. Person to contact to accompany the department representative during the field examination:

SAME AS ABOVE
(Name)

(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

MICROFILMED

1/13/89
Date

Craig L. Christian
Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 6, 1988

51-2225
Harley Ranches
Star Route, Box 49
Hammett, ID 83627

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on December 20, 1988, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on October 20, 1987.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department, on or before February 17, 1989, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure

MICROFILMED
AUG 20 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

October 20, 1987

51-2225
Harley Ranches
Star Rt. Box 49
Hammett, ID 83627

138017

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

RECEIVED

MAR 10 1988

page 2

Examination Fee Notice

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is available from the department upon request. A listing of certified water right examiners is also available.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

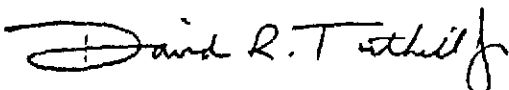
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FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be returned to this office. If you have questions or concerns please feel free to call at (208) 334-2190, or to visit the office at our new location near the airport, at 2735 Airport Way.

Sincerely,



DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure

RECEIVED
MAR 10 1988

MAR 10 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

October 14, 1987

RE: Permit No. 51-2225

Harley Ranches
Star Rt., Box 49
Hammett, ID 83627

Dear Permit Holder(s):

This office acknowledges receipt of the Assignment of the above referenced permit to you. Enclosed for your records is a copy of the permit.

In reviewing the permit, we find that the next step towards licensing of the permit will be for our regional office to examine your water right system.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON

Water Rights Supervisor

JJ:sc

Enclosures

RECEIVED

MAR 10 1988

HALL, FRIEDLY & ROBERTS

ATTORNEYS AT LAW
340 EAST 2ND NORTH
MOUNTAIN HOME IDAHO 83647

PERCE HALL
JAY R. FRIEDLY
DON L. ROBERTS

September 3, 1987

TELEPHONE
(208) 587-4412

RECEIVED
SEP 08 1987

Department of Water Resources

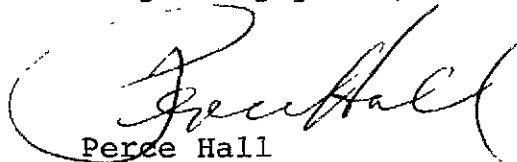
Department of Water Resources
Western Region
450 West State
Boise, Idaho 83702

Gentlemen:

Re: Permit No. 33491/51-2225

Pursuant to my telephone conversation with "Jan", I am enclosing Assignment of Permit No. 33491 from Merle K. Bachman and wife to Harley Ranches, a partnership, to be filed in your office.

Very truly yours,


Perce Hall

PH:jd
Enclosure

RECEIVED

MAR 10 1988

RECEIVED

SEP 11 1987

Department of Water Resources

RECEIVED
SEP 10 1987

Department of Water Resources
Western Regional Office

RECEIVED

SEP 03 1987

INTER-DEPARTMENT MEMO — 1

FROM

Jan Thurtell

TO

Kay Walder

Department of Water Resources

DATE

9/2/87

SUBJECT

Assignment of 51-2225

Rice Hall, attorney for Merle Bachman
called & is going to submit an assign-
ment on this one. When the assignment
comes in & is acknowledged would you
tell him ^{new owner} about the exam fee that's
still due. Thanks

Jan

SIGNATURE



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

51-2225
BACHMAN, MERIE K.
BOX 172
BRUNEAU, ID 83604

138026

April 3, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information set showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

NOT RECORDED

MAR 10 1988

page 2
Examination Fee Notice

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FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be returned to this office. If you have questions or concerns please feel free to call at (208) 334-2190, or to visit the office at our new location near the airport, at 2735 Airport Way.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure

RECEIVED

MAR 10 1988

Moved Forward Expired
Idaho Department of Water Resources
Western Region

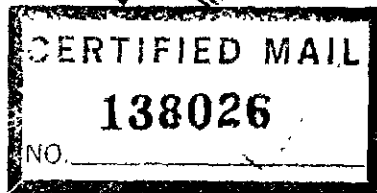
73

RECEIVED

APR 7 1987

Department of Water Resources
Western Regional Office

RECEIVED
MAR 10 1988



CLAIM CHECK
NO

210842

☐ HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

Detached from
PS Form 3849-A
Oct. 1980



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

June 25, 1987

51-2225
Merle K. Bachman
Oreana St. Rt.
Murphy, ID 83650

138627

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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RECEIVED

MAR 10 1988

page 2
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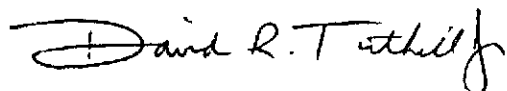
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Sincerely,



DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure

MICROFILMED

MAR 10 1988

INTER-DEPARTMENT MEMO — 1

DATE June 25, 1987

FROM State Office

TO File 51-2225

SUBJECT Returned Mail from 1986 mailing of the "Certified Examination Fee Notice" letter.

New addresses were located and another Certified Examination Fee Notice letter and Exam information sheet were mailed dated June 25, 1987. These letters were sent out by the State Office using each regions letterhead.

These addresses were obtained by contacting the county assessors office.

Gail Garrett
SIGNATURE

INDEXED

MAR 10 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

51-2225
BACHMAN, MERIF K.
BOX 172
BRUNEAU, ID 83604

138026

April 3, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information set showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

NOT FILMED

MAR 10 1988

Idaho Land & Appraisal Service

BOISE IDAHO 83701

Real Estate Appraisers & Counselors
Grazing Management

March 2, 1972

MERVIN J. CHRISTENSEN
JOSEPH J. THACKABERRY
ROBERT W. SMITH

633 N 4TH
P O BOX 1603
208-344-2547

Mr. R. Keith Higginson, Director
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

RE: Proof of Beneficial Use - Bachman

Dear Mr. Higginson:

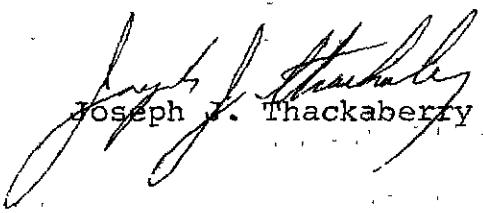
Enclosed please find Mr. Bachman's affidavit of proof of application of water to beneficial use for water permit 33491/51-2225.

When the examiner from your Department is ready to make his examination, please have him contact Mr. Bachman to make this examination with him.

If you require anything further, do not hesitate to let us know.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE


Joseph J. Thackaberry

ls

encl

51 2225

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

Print your name and address below. If you want to
resist 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.

RETURN
TO

POSTMARK OF DELIVERING OFFICE



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

DEPARTMENT OF COMMERCE
STATISTICS
BUREAU OF ECONOMIC ANALYSIS
WASHINGTON, D.C. 20540

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

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

73273

1

Wm L. Bachman

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

3

51 2225

December 29, 1971 CERTIFIED MAIL

#23273

Re: Permit No. 33491/51-2225

Merle K. Bachman
Box 172
Bruneau, Idaho 83604

Dear Mr. Bachman:

One of the conditions of approval of your water Permit No. 33491/51-2225 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before March 2, 1972. 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

Enc: Proof affidavit
dr 51 2225

November 20, 1970

Re: Permit No. 33491/51-2225

Mr. Merle K. Bachman
Bruneau, Idaho
83604

Dear Mr. Bachman:

The legal notice for the above-referenced permit is being published in the
Owyhee Nugget, Marsing, Idaho on December 3,
and December 10, 1970.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

November 20, 1970

Re: Permit No. 33491/51-2225

The Owyhee Nugget
Marsing, Idaho
83639

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to 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 the Department of Water Administration immediately.

The expense of the publication is to be paid by ~~Merle K. Bachman, Bruneau,~~
Idaho, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enc: Legal Notice

51 2225

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Merle K. Bachman, Bruneau, Idaho,

_____ has received an approved Permit No. 33491/51-2225 issued by the Idaho Department of Water Administration auth-

orizing the diversion ~~storage~~ of 2.4 cubic feet per second ~~Acres/Feet~~

~~per annum~~ of water from Jacks Creek and tributaries (also called Little Valley Creek), tributary to the Bruneau River.

The priority to be established under this permit is February 23, 1967

and the permit was approved March 2, 1967

Water is to be diverted by dam, ditch, flume and pipe

from a point within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 7S, R. 5E, B.M.,

Owyhee County,

to be used for irrigation

in the SW $\frac{1}{4}$, Sec. 5; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 8; T. 7S, R. 5E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before March 2, 1972. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Owyhee Nugget, Marsing, Idaho,

On ~~December 3, and December 10, 1970~~

Permit No. 51-2225

Director:

You are hereby authorized to have the above notice published at my expense in the Owyhee Nugget of Marsing, Idaho; published in the county in which the works are situated.

Mark K. Bashman
(Signature)

Box 172
(Address)

(Date)

Bureau, Idaho

51 2225

March 6, 1967

Re: Permit No. 33491

Merle K. Bachman
Bruneau, Idaho 83604

Dear Mr. Bachman:

We enclose Permit No. 33491 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~XXXXXXXXXXXX~~ Departmental Receipt No. 33661 which was issued covering payment in the amount of \$ 5.50 for the filing fee of the above mentioned permit, was given to you at the time you were in our office.

Very truly yours,

Enc. permit

M. RUSSELL BOSCH
Office Manager

MRB:ejw

33491

May 15, 1967

RE: Permit 33491

Merle K. Bachman
Bruneau, Idaho

Dear Mr. Bachman:

Enclosed herewith is amendment to point of diversion which has been recorded in this office under the above referenced permit. Departmental receipt No. 33773 in the amount of \$1.00 was given to you at the time you were in our office. This amount covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Amendment

33491

November 10, 1970

Re: Permits No. G-33492 - New No. 51-2226
33491 - New No. 51-2225

Mr. Merle K. Bachman
Bruneau
Idaho 83604

Dear Mr. Bachman:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed orders modify the above referenced permits to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a newspaper as prescribed by the Department.

If you will complete the enclosed forms and return them to the Department, we will cause the notices to be published. If you have any questions regarding this matter, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Orders (2)
Advertising packages (2)

51 2225

January 6, 1971

Re: Permit Nos. 33491/51-2225
G-33492/51-2226

C
Mr. Merle K. Bachman
Bruneau,
Idaho 83604

Dear Mr. Bachman:

O
We acknowledge receipt of the affidavits of publication submitted in connection with the above referenced permits.

P
Since proof of beneficial use of the water for these permits is not required until March 2, 1972, the Department will notify you sixty (60) days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under these permits you may submit proof any time prior to the above date.

Very truly yours,

Y
Dorian Clay,
Appropriation Examiner

DC/DG

51 2225

March 13, 1972

Re: Permit No. 33491/51-2225

Mr. Merle K. Bachman
Box 172
Bruneau, Idaho 83604

Dear Mr. Bachman:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order of Reinstatement; please note that the priority has been advanced.

Before a license can be issued, a field examination must be made by a representative from 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.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

cc: Idaho Land & Appraisal Service

51 2225