AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Mar 16 1989 and ending with the issue dated Mar 23 1989

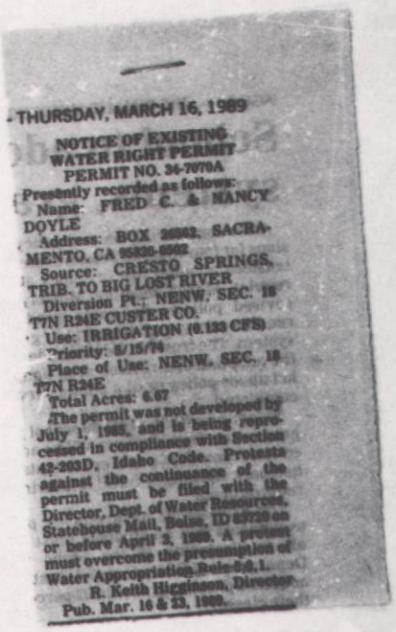
Margaret Parks

STATE OF IDAHO :

COUNTY OF CUSTER

On this 31st day of Mar. in the year of 1989, before me, a Notary Public, personally appeared Margaret Parks, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Ethel M. Peck
Notary Public for Idaho
Residing at Challis
My commission expires: 3-21-92



THURSDAY, MARCH 16, 1989

NOTICE OF EXISTING WATER RIGHT PERMIT
PERMIT NO. 34-7070A

Presently recorded as follows:
Name: FRED C. & NANCY DOYLE
Address: BOX 26562, SACRAMENTO, CA 95826-0562
Source: CRESTO SPRINGS, TRIB. TO BIG LOST RIVER
Diversion Pt.: NENW, SEC. 18 T7N R34E CUSTER CO.
Use: IRRIGATION (0.133 CFS)
Priority: 5/15/74
Place of Use: NENW, SEC. 18 T7N R34E
Total Acres: 6.67

The permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before April 3, 1989. A protest must overcome the presumption of Water Appropriation Rule 5.0, I.

R. Keith Higginson, Director

Pub. Mar. 16 & 23, 1989.

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Mar 2 1989 and ending with the issue dated Mar 9 1989

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 10th day of March in the year of 1989, before me, a Notary Public, personally appeared Margaret Parks known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Ethel M Peck

Notary Public for Idaho
Residing at Challis
My commission expires: 3-21-92

NOTICE OF EXISTING WATER RIGHT PERMIT
PERMIT No. 24-7070B
Originally issued as follows:
Name: GARY L. & LINDA C. DYER
Address: 750 SIGNAL WAY, COOS BAY, OR 97420
Source: CRESTO SPRINGS, Tributary to Big Lost River
Diversion Pt: NENW Sec. 18 T7N R24E
Use: IRRIGATION (0.133 CFS)
Priority: 4/10/74
Place of Use: NENW Sec. 18 T7N R24E, CUSTER COUNTY
Total Acres: 6.66
The permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, State-house Mail, Boise, ID 83720 on or before March 20, 1989. A protest must overcome the presumption of Water Appropriation Rule 5.2.1.
R. Keith Higginson, Director
Pub: March 2 & 9, 1989.

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Mar 2 1989 and ending with the issue dated Mar 9 1989

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 10th day of March in the year of 1989, before me, a Notary Public, personally appeared Margaret Parks, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Ethel M. Pecks.
Notary Public for Idaho
Residing at Challis
My commission expires: 3-21-92

NOTICE OF EXISTING WATER RIGHT PERMIT
PERMIT No. 34-7070C
Originally issued as follows:
Name: KENNETH D. & DELORES G. BLOODWORTH
Address: P.O. BOX 621, BRENTWOOD, CA 94513
Source: CRESTO SPRINGS, Tributary to Big Lost River
Diversion Pt.: NENW Sec. 18 T7N R24E
Use: IRRIGATION (0.133 CFS)
Priority: 4/10/74
Place of Use: NENW Sec. 18 T7N R24E, CUSTER COUNTY
Total Acres: 6.67
The permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before March 20, 1989. A protest must overcome the presumption of Water Appropriation Rule 5.2.1.
R. Keith Higginson, Director
Pub: March 2 & 9, 1989.

RECEIVED

MAY 29 1980

Department of Water Resources

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

I, Kenneth O. Bloodworth and Delores C. Bloodworth, hereby assign to John B. Dyer and Irma Dyer

of P. O. Box 861, Port Orford, Oregon 97465
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 34-7070 (PARTIAL) 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 13th day of MAY, 19 80.

Kenneth O Bloodworth
Permit Holder

Delores C Bloodworth
Spouse of Permit Holder

State of ~~Idaho~~ CALIFORNIA)
County of CONTRA COSTA) ss.

On this 13th day of MAY, 19 80, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that ~~he~~ (she) (they) executed the same.

seal

OFFICIAL SEAL
ENRICO E. CINQUINI
NOTARY PUBLIC — CALIFORNIA
CONTRA COSTA COUNTY
My Commission Expires Nov. 6, 1983

Enrico E. Cinquini
Notary Public residing at Rt 1 Box 281
OAKLEY, CALIF. 94561

My commission expires:
NOV. 6, 1983

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF Application for Permit No. 34-7070 in the name of FRED W. DOYLE

MEMORANDUM DECISION AND ORDER

On April 10, 1974, Fred W. Doyle filed with the Department of Water Resources an application for permit to appropriate 0.40 cfs of water from unnamed springs located in the NE¼NW¼ of Sec. 18, Twp. 7 N, Rge. 24 E, B.M., Custer County, to be used for the irrigation of 20 acres of land. Notice of the proposed appropriation was published in the Mackay Miner at Mackay, Idaho, on April 18 and 25, 1974.

On April 29, 1974, the Department received a protest against approval of said application from Hugh H. Dorst, Jim Pritchitt, Charles O'Maley and Scott McAffee. On May 6, 1974, an additional protest was received from George C. Kimball. A hearing was held concerning this matter at Mackay, Idaho, on May 30, 1974.

Based upon the testimony presented at the hearing, the information available in the Department's official records, and the Director's understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law, and Order:

Findings of Fact

(1) The springs are known locally as Cresto Springs.

(2) The water from the springs is tributary to the Big Lost River.

(3) There is sufficient water in the springs to supply 0.40 cfs of water during a significant portion of the irrigation season.

Conclusions of Law

(1) The application should be changed to show the source of water as being unnamed springs (Cresto Springs), tributary to the Big Lost River.

(2) No injury to existing water rights will be caused if the water is properly administered.

(3) The applicant has complied with the provisions of the Idaho Code and is entitled to a permit to appropriate the public waters of the State of Idaho.

Order

IT IS, THEREFORE, ORDERED and Application for Permit No. 34-7070 is hereby APPROVED subject to the following conditions:

(1) That the permit be and is subject to all prior existing water rights and is subject to control of the Watermaster of the Big Lost River.

(2) That proof of construction of works and application of water to beneficial use be submitted to the Department of Water Resources on or before August 1, 1979.

(3) That a measuring device of a type approved by the Department of Water Resources be permanently installed and maintained as part of the diverting works.

Dated this 30th day of August, 1974.

A. Kenneth Dunn

For the DIRECTOR
A. KENNETH DUNN, Administrator - Operations

MICROFILMED

Identification No. 34 7070

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Fred W. Doyle (P.O. Box 515, Brentwood, California 94513)
   post office address P. O. Box 91, Mackay, Idaho PH: 588-2625
2. Source of water supply unnamed springs (Cresto Springs) which is a tributary of ~~sinke~~ Big Lost River
3. a. Location of point of diversion is NE ¼ of NW ¼ of Section 18 Township 7N
   Range 24E B.M. Custer County; additional points of diversion if any: _____
   b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼
   of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
   Amount 0.40 (cfs or ~~acre-feet per annum~~) for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
   Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
   a. 0.40 cubic feet per second and/or
   b. _____ acre feet per annum.
6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc. Headgate and private ditch system.
   b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
   Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
   b. Estimated construction cost is $ 6,000.00 .
8. Description of proposed uses:
   a. If water is not for irrigation: N.A.
   (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____
   Range _____ B.M.
   (2) Amount of power to be generated: _____ hp under _____ feet of head.
   (3) List number of each kind of livestock to be watered _____
   (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
   (5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	24E	18					20												20

Total number of acres to be irrigated 20

c. Describe any other water rights used for the same purposes as described above. None

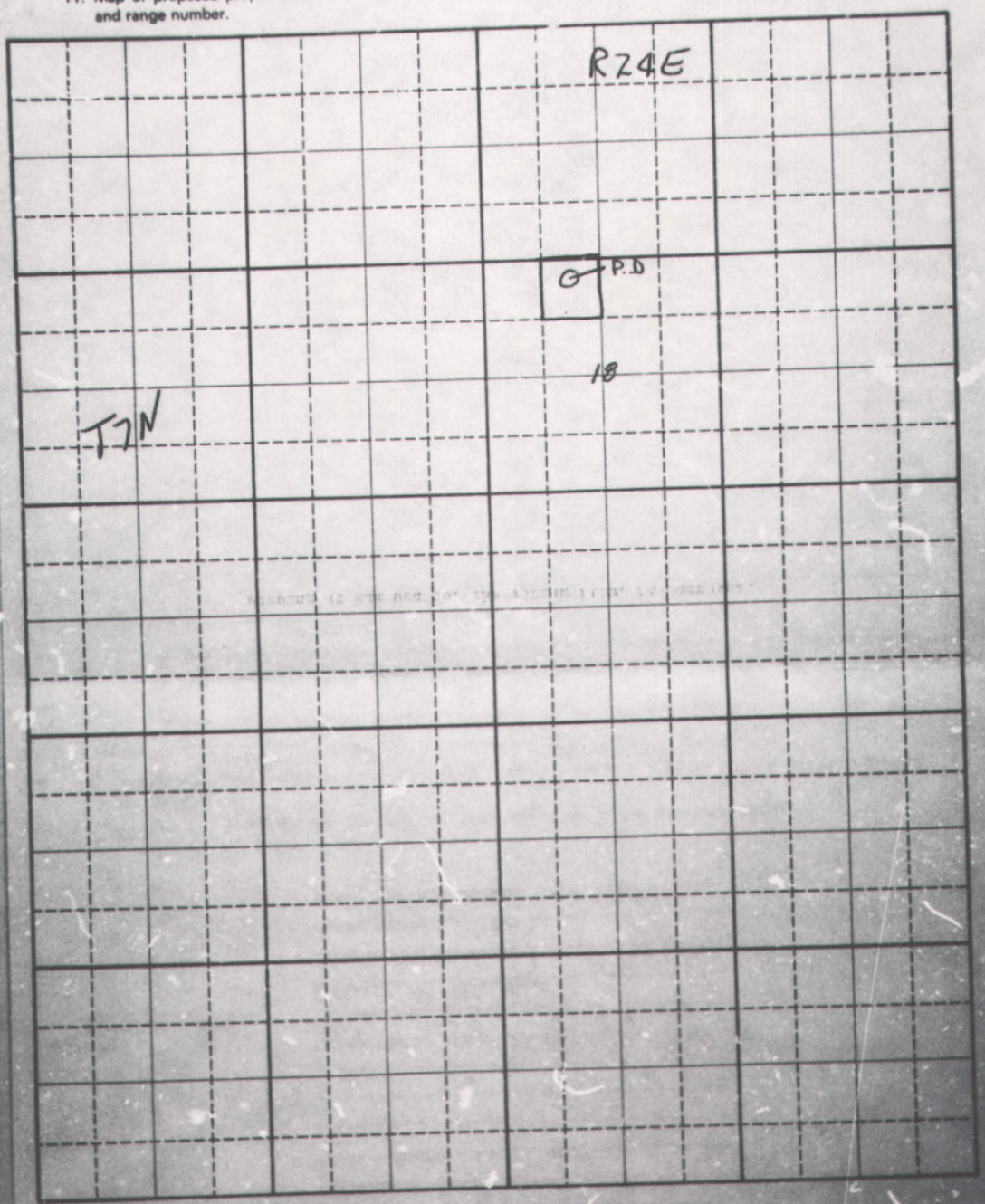
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks By developing stream bed for the spring flow, an increase of irrigation water will be developed.

11. 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.

Fred W. Hoffer
(Applicant)

MICROFILMED

Increased Penalty 4-10-74

Received by MB Date 4/10/74 Time 2:00pm
Preliminary check by LR Fee $ 25.00
Receipted by MB Date 4-10-74 # 12828
Publication prepared by MB Date 4-12-74
Published in Mackay Miner
Publication dates April 11 + 25, 1974
Publication approved CB Date 5/01/74
Priority reduced to _____ Reason _____

Protests filed by: Hugh H. Doak, Jim Pritchett, Charles O'Malley, Scott McAffee, George C. Kimball.
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RDC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 34-7070, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 79.

   c. Other: Pursuant to Memorandum Decision and Order of this date.

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

Witness my hand this 30th day of August, 19 74.

By: A. Kenneth Dunn, Director
A. KENNETH DUNN,
Administrator, Operations

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	JF	4/11/74	Application No. 34-7070 Doyle
(2)			✓ Source ✓ Point of Diversion ✓ County ✓ Quantity of Water and Period of Use ✓ Description of Diverting Works ✓ Time required for B/U of water ✓ Place of Use or Acres Irrigated ✓ Map ✓ Signature ✓ Fee
(3)	JF	4/11/74	In form to receipt Yes
	JF	4/11/74	Send Copies to: ___ Idaho State Health Department ___ Idaho Fish and Game Department ___ Bureau of Land Management
(4)	JF	"	___ Request Special Use Permit from U.S.F.S. ___ Request Easement from B.L.M. ___ Request Information from Applicant
(5)	JF	"	In form for advertising Yes, advertise as being within the Big Lost River drainage
(6)	___	___	Located within Water District No. 34 Gene Gabert Big Lost River
(7)	N/A		Critical groundwater area: yes ___ no ___
(8)	N/A		Groundwater levels: ___ Decline (comment) ___ ___ Stable (comment) ___ ___ Increasing (comment) ___
(9)	JF	"	Comments: ___
(10)	CF	5/6/74	Affidavit of Publication received (date) May 1, 1974
(11)	___	___	Final date for protests May 6, 1974 Protests received: yes X1 no ___
(12)	RDC	6/5/74	Date and Place of hearing 5/30/74 REA BUILDING MACKAY Decision reached at hearing AGREED TO LET DEPT MAKE DECISION
(13)	"	"	All requested information received from agencies or applicant yes ___ no ___
(14)	"	"	Action recommended: ✓ Approve Priority 4/10/74 ___ Deny Reason for Reduction ___ ✓ Measuring device required ✓ See attached sheet for additional conditions of approval MEMORANDUM DECISION ___ No additional conditions for approval
(15)	District E	By RDC	Date 6/5/74

RECEIVED
AUG 2
Department of Water Resources
MICROFILMED

RECEIVED
MAY 1 1974
WATER ADMINISTRATION
Area Office

Affidavit of Publication

STATE OF IDAHO } ss.
County of Custer }

I, MARGARET PARKS the

PUBLISHER

of The MACKAY MINER, a weekly newspaper of General Circulation published weekly and entered in the Post Office Mackay, Idaho, continuously since February 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for 2 consecutive weeks commencing with the issue dated APR 18, 1974 and ending with the issue dated APR 25, 1974

Margaret Parks

Subscribed and sworn to before me this 30 day of April, 1974

Notary Public

MICROFILMED

WR

PUBLIC NOTICE

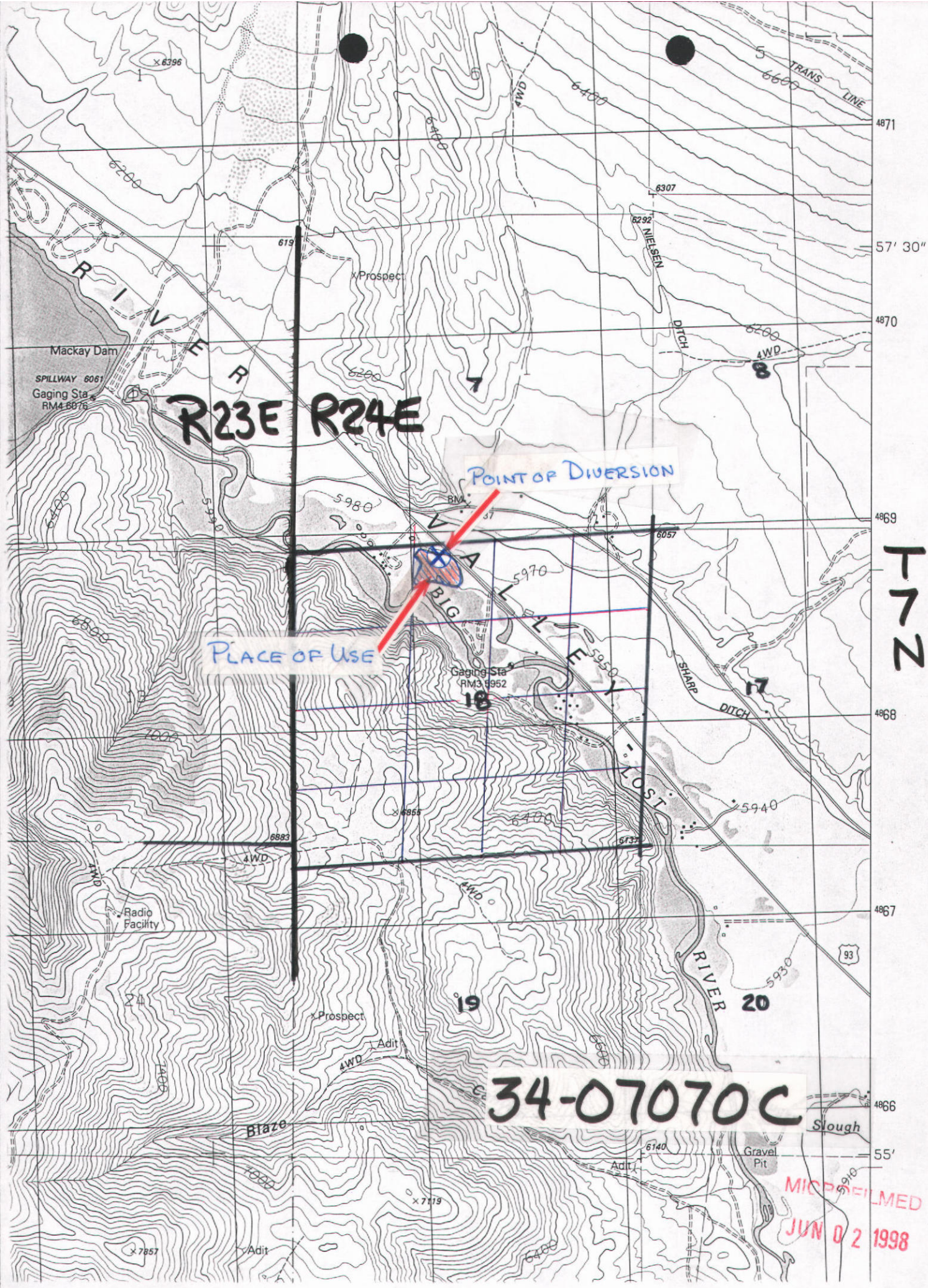
NOTICE OF APPLICATION FOR WATER PERMIT

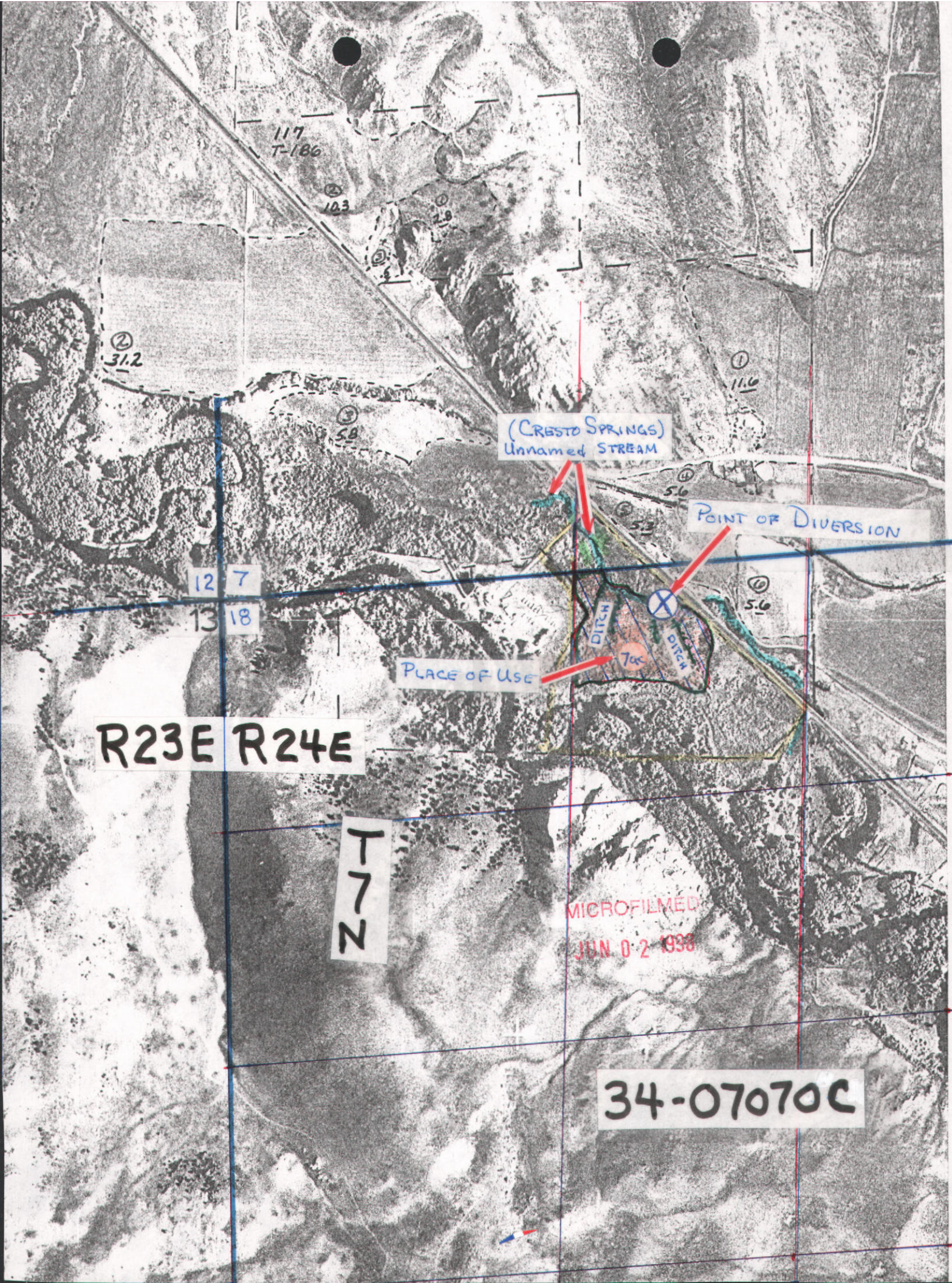
Notice is hereby given that Fred W. Doyle, Box 91, Mackay, Idaho has on 4/10/74 submitted Application No. 34-7070 for a permit to appropriate 0.40 cubic feet per second of water from unnamed springs tributary of sinks by means of headgate and ditch within the NE¼NW¼, Sec. 18, T. 7N, R. 24E, B.M., Custer County; to be used from Apr. 1 to Nov. 1 for the irrigation of 20 acres within the NE¼-NW¼, Sec. 18, T. 7N, R. 24E, B.M.

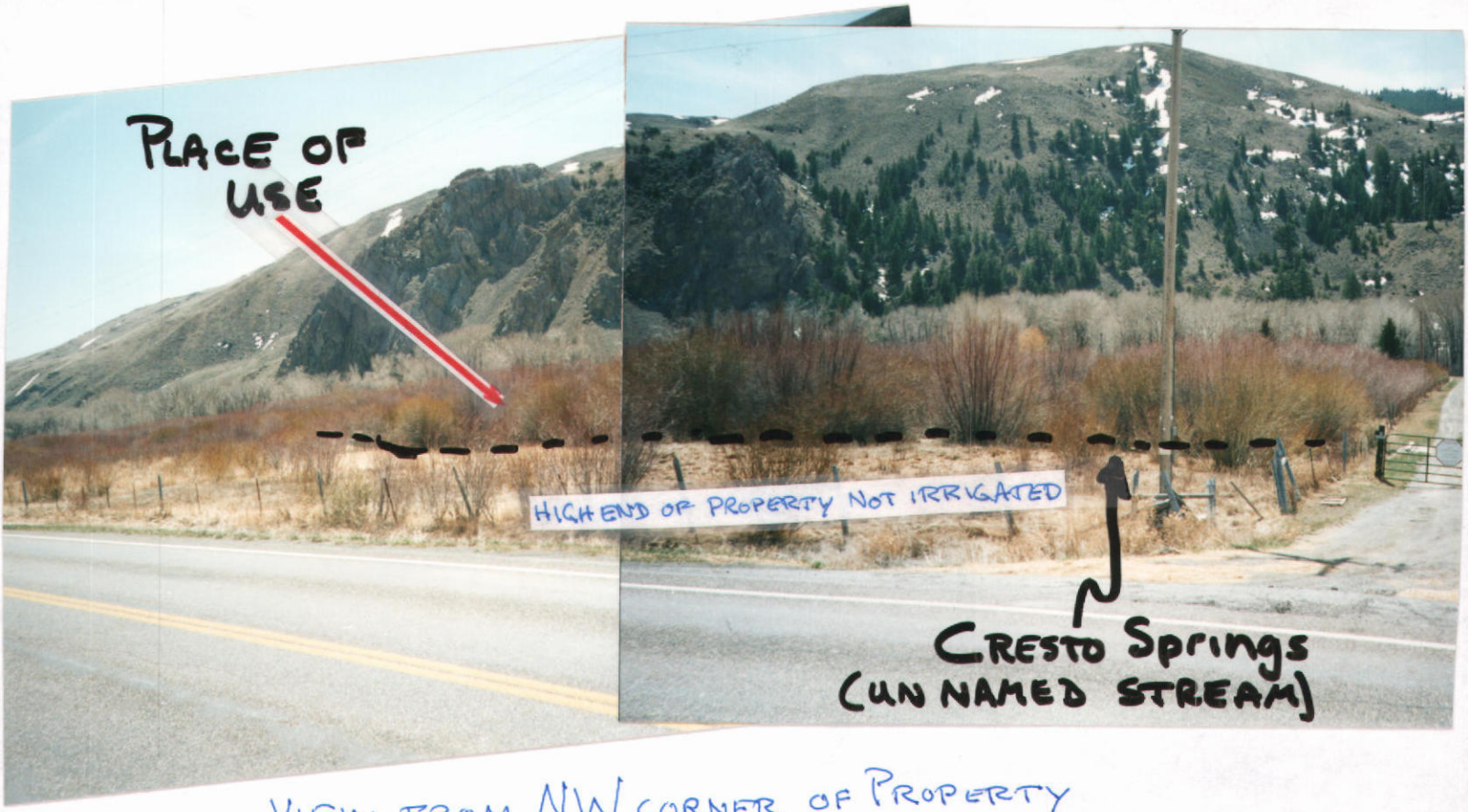
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before May 6, 1974.

R. KEITH HIGGINSON
Director

Published in the Mackay Miner, Mackay, Idaho on April 18 and April 25, 1974.


R I V E R
Mackay Dam
SPILLWAY 6061
Gaging Sta
RM4.6076
R23E R24E
T7N
POINT OF DIVERSION
PLACE OF USE
BIG LOST VALLEY
LOST
RIVER
Gaging Sta
RM3.9952
Prospect
Adit
Radio Facility
Blaze
Slough
Gravel Pit
NIELSEN DITCH
SHARP DITCH
TRANS LINE
4WD
93
34-07070C
MICROFILMED
JUN 02 1998


117
T-18S
103
2.8
31.2
11.6
5.8
(CRESTO SPRINGS)
Unnamed STREAM
5.6
5.3
POINT OF DIVERSION
12
7
13
18
5.6
DITCH
DITCH
7.0c
PLACE OF USE
R23E
R24E
T7N
MICROFILMED
JUN 0 2 1998
34-07070C



VIEW FROM NW CORNER OF PROPERTY

MICROFILMED
JUN 0 2 1998

34-07070C



VIEW OF DIVERSION DAM LOOKING UPSTREAM

FLOW



VIEW FROM TOP OF DIVERSION DAM

MICROFILMED
JUN 0 2 1998

34-07070 C





MICROFILMED
JUN 0 2 1998

34-07070C


FLOOD IRRIGATION WATER
COURSES FROM POND WHEN FULL
UPPER DIVERSION POND
AND CULVERT. PERMIT # 34-7070A

PROPERTY MAP

A PORTION OF THE NORTH-EAST QUARTER OF THE NORTH-WEST QUARTER OF SECTION 18, TOWNSHIP 7 NORTH, RANGE 24 EAST, B.M., CUSTER COUNTY, IDAHO.

SCALE 1"=200'

OCTOBER 3, 1977

FOR: GARY L. DYER

LEGEND

- o FOUND MONUMENTS
- • MONUMENTS TO SET
- Δ MONUMENTS NOT TO SET

TROUTHAVEN

S 44°40'46" W
322.83'
(321.82')

451.81'

QUARTER - SECTION LINE

S 51°33'47" E
134.85'
(135.60')

S 5°12'43" W
91.10'

S 35°16'17" E
207.60'

S 28°14'43" W
418.30'

PARCEL "A"
11.42 ACRES±

CULVERT

UPPER DIVERSION POND (FLOOD IRRIGATION)
#34-7070A

N 46°27'54" W
743.50'

CULVERT

LOWER DIVERSION POND (FLOOD IRRIGATION)

APPROXIMATE BRIDGE LOCATION

1741.31'

U.S. 93 ALT.

MACAFEE POND PUMP

560.00'

N 14°47'19" E
1410.12'

PARCEL "B"
11.42 ACRES±

S 43°31'04" W
1154.65'

PARCEL "C"
11.41 ACRES±

N 1°18'47" E
291.83'

20'

S 1°21'43" W
747.50'

1205.00'

1194.38'

184.38'

105.00'

N 82°22'41" E

BLM - I.D. FEG CAMPGROUND

BIG LOST RIVER

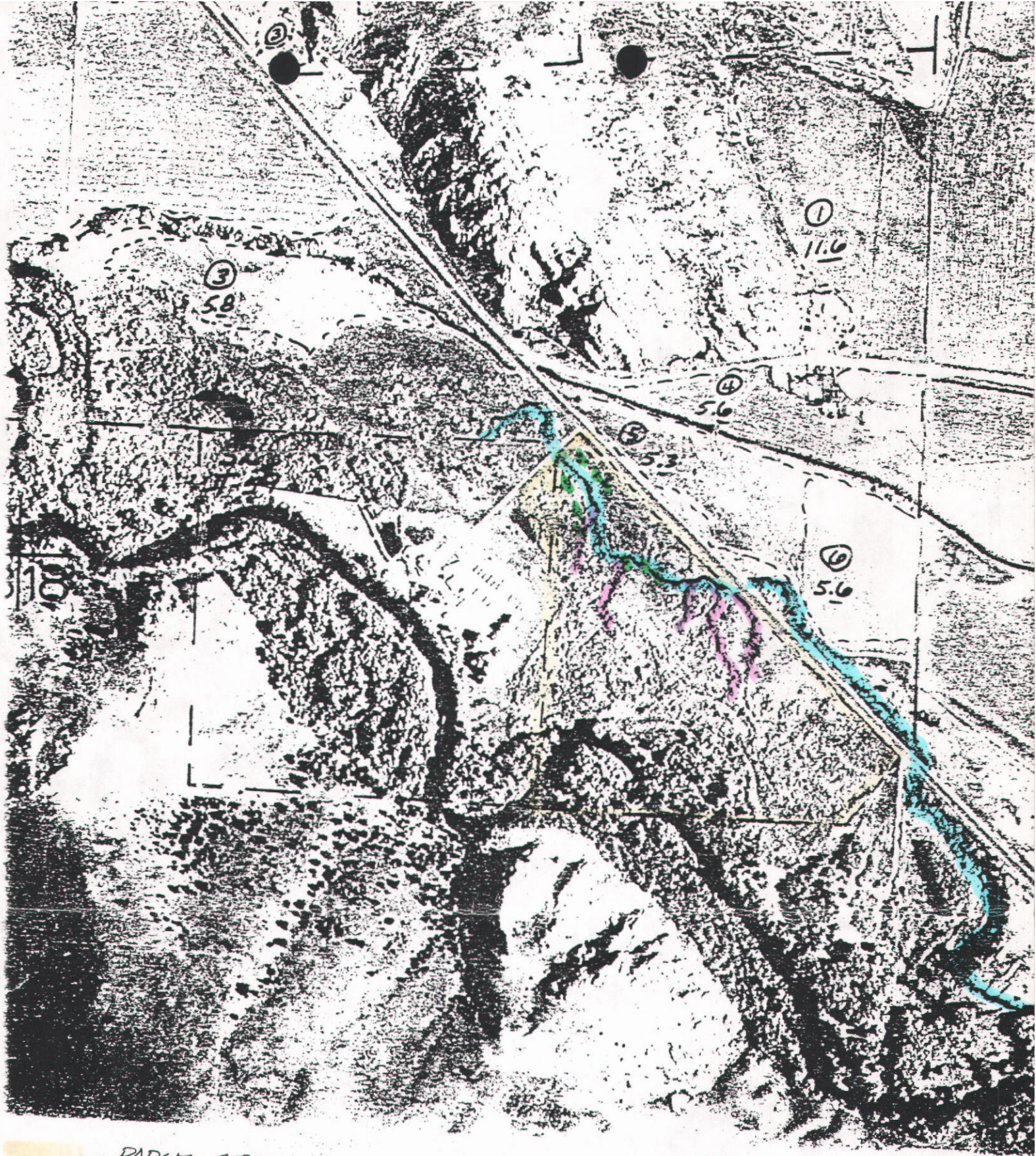
N

PERMIT # 34-7070A
BIG LOST RIVER BASIN

c/o RICHARD O. DAHLGREN
BOX 4402
KETCHUM, IDAHO 83340

NOTE: BEARINGS AND DISTANCES ARE BASED ON SURVEY BY WILLIAM P. BARNES, 6-25-75.

IGE INC
ENGINEERS & PLANNERS
405 N. FIFTH/COOS BAY, OR 97420
19 N.W. 5th/PORTLAND, OR 97209



- PARCEL SERVED
- CRISTO CREEK
- SPRINGS THAT FLOW INTO CREEK
- FLOOD IRRIGATION WATER COURSES

MICROFILMED
MAR 0 4 1992

CRISTO CK.

DYER PROPERTY
BIG LOST RIVER
MACKAY, ID
34-7070A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

RECEIVED
MAY 08 1989
Department of Water Resources

Needs / please send this to John B. @ Idaho Dept P.O. Box 863 Port Orford Oregon 97465

BOISE IDAHO MAY - 1'89

U.S. POSTAGE 0.25

kenneth & Delores Bloodworth
Box 621
Brentwood, CA 94513

BL00621 945132039 1489 05/05/89

BLOODWORTH
BOX CLOSED
UNABLE TO FORWARD
RETURN TO SENDER

RECEIVED

FEB 13 1989

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

GENERAL INSTRUCTIONS: Please answer all questions thoroughly. A separate questionnaire must be completed for each permit.

1. Permit number 34-7070C.

2. Was the development or a portion of the development complete and water from the source identified under this permit used before July 1, 1985? Yes _____ No X

   If yes, the Department requests that you submit evidence showing the extent of your development existing on July 1, 1985. Evidence should at least include aerial photos (for developments of five acres or more) which are signed and dated by a local ASCS representative. Other evidence may include power records, irrigation equipment records or receipts, and affidavits from persons who are knowledgeable of your operation and dates of past water use.

3. Are you still interested in developing or completing the development under your water right filing?
   Yes X No _____
   If no, please complete and return the attached relinquishment form.
   If yes, please submit the required $20.00 readvertisement fee.

4. If you answered yes to question #3, please indicate the number of acres you intend to develop. _____
   6.66 acres

5. Remarks: _____

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application or cancellation of the permit by the department.

John D Dyer and Irma Dyer / John D Dyer — February 8, 1989
Permit holder Date

Address: P.O. Box 863 Tolt Orford Or. 97465

Phone (503) 332-5872

Form 204
5/78

Identification No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

Department of Water Resources

FRED C. DOYLE (Name) of 1414 Minnie Snowville Ut 95688 (Address)

State of _____, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 34-7070.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Aug 1, 1979.

That he has heretofore performed the following work described under said permit: _____

DITCHES IN - BRUSH CLEARED AND ETC.

Costing $ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: THE PROPERTY JUST FINALIZED IN THE SUB DIVISION OF LAND PROCESS. AND I HAVEN'T HAD THE TIME TO ACESS WHAT THE REQUIREMENTS ARE ON THE PERMIT.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Aug 1, 1984.

Fred C. Doyle
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use of water is extended to August 1, 1984.

IT IS FURTHER ORDERED that the Permit be reinstated and the priority advanced to April 19, 1974.

Signed this 11th day of September, 19 79.

L. Glen Saxton
Chief, Operations Bureau

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEVEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

10[illegible]362

May 31, 1979

Fred C. and Nancy Doyle
144 Alamo,
Vacaville, CA 95688

Dear Mr. and Mrs. Doyle:

One of the conditions of approval of your water Permit No. 34-7070 was that evidence of the extent of development must be submitted to this office on or before August 1, 1979. (See last page of your approved permit). Enclosed is a post card which may 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 post card 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 within 60 days.

Sincerely,

Rita Fleck
RITA FLECK
Sr. Secretary

Enc: 1

April 19, 1978

Re: Permit No. 34-7070

Gary L. Dyer
750 Signal Way
Coos Bay, Oregon 97420

Dear Mr. Dyer:

We have received your letter of April 14, 1978, requesting an extension of time for the above referenced permit.

We are returning this extension request, however, as we feel it was filed prematurely. The Department will notify you sixty (60) days prior to the date that proof of beneficial use of water is due on this permit. At that time if you still need an extension of time, please do not hesitate to request it.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:JFR

Encl.

HGE INC./ENGINEERS & PLANNERS
405 NORTH FIFTH / COOS BAY, OREGON 97420 / (503) 269-1166

RECEIVED
APR 17 1978
Department of Water Resources

April 14, 1978

State of Idaho
Department of Water Resources
State Office
373 W. Franklin Street
Boise, Idaho 83720

Attn: Mr. Jim Johnson

Re: Permit No. 34-7070

Dear Mr. Johnson:

In July, 1977 the property to which the above referenced permit applies was conveyed, 1/3 each, to 3 new owners. Shortly thereafter, in September, 1977, the water permit #34-7070 was assigned to the new owners in a similar manner.

My wife and I presently have title to 0.133 cfs under this permit, and we are presently arranging for a survey of the property and division of separate title to three parcels.

Since the division of ownership to the three parcels has not yet been determined, it appears prohibitive to develop this permit and to install the measuring device specified by August 1, 1979.

Therefore, please consider this a request for a 5 year extension on permit #34-7070, such that proof of construction, and application to beneficial use, including measuring device installation, will not be mandatory until August 1, 1984.

Very truly yours,

H. G. E., INC.

Gary L. Dyer, P.E.
Vice President

GLD/ks

October 20, 1977

Re: Permit No. 34-7070 (Part)

Gary Lee Dyer & Linda C. Dyer
750 Signal Way
Coos Bay, Oregon 97420

Dear Mr. & Mrs. Dyer:

We acknowledge receipt of the assignment conveying part of the above referenced permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:JFR

October 20, 1977

Re: Permit No. 34-7070 (part)

Fred C. Doyle & Nancy McGuire Doyle
144 Alamo,
Vacaville, California 95688

Dear Mr. & Mrs. Doyle:

We acknowledge receipt of the assignment conveying the above referenced partial permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:JFR

Encl.

141/230

Courtesy of SAWTOOTH TITLE Co. I

WARRANTY DEED

For Value Received

Fred M. Doyle and Ollie M. Doyle, Husband and Wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto Fred C. Doyle and Nancy McGuire Doyle, his wife, as to an undivided 1/3 interest; Kenneth O. Bloodworth and Delores G. Bloodworth, his wife, as to an undivided 1/3 interest; Gary Lee Dyer and Linda C. Dyer, his wife, as to an undivided 1/3 interest.
whose address is:

Box 515, Brentwood, California 94513

Hereinafter called the grantee, the following described premises, in Custer County, Idaho, to-wit:

TOWNSHIP 7 NORTH, RANGE 24 EAST, BOISE MERIDIAN,
CUSTER COUNTY, IDAHO.

Section 18: That part of the NE 1/4 NW 1/4 lying South and West of Highway No. 93 and South and East of Trout Haven Road.

Section 7: That part of the SE 1/4 SW 1/4 Lying South and West of Highway No. 93 and South and East of Trout Haven Road.

TOGETHER With water, water rights, ditch and canal rights thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 15, 1977

Fred M. Doyle

Ollie M. Doyle

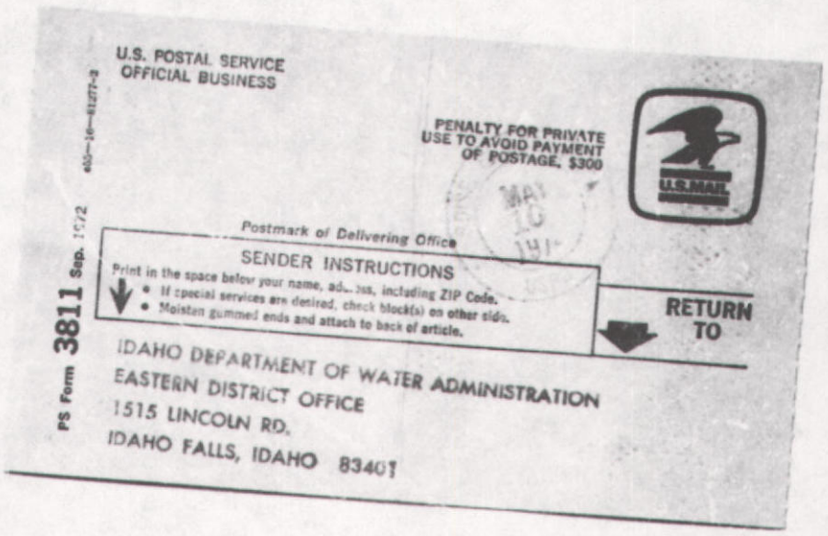
OFFICIAL SEAL
EFTA I SANCHEZ
NOTARY PUBLIC - CALIFORNIA
CONTRA COSTA COUNTY
My Commission Expires Jan. 29, 1978

STATE OF California, COUNTY OF Contra Costa
On this 18th day of July, 1977,
before me a notary public in and for said State, personally appeared: Fred M. Doyle

known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

Notary Public
Residing at Brentwood, Calif.
Comm. Expires January 29, 1978

STATE OF IDAHO, COUNTY OF Custer
I hereby certify that this instrument was filed for record at the request of Fred M. Doyle
at 15 minutes past 1 o'clock P M.
this 21st day of July,
1977 in my office and duly recorded in Book
of Deeds at page
Ollie M. Sullivan
Ex-Officio Recorder
By Barbara Abbott
Deputy
Fees $ 1.00
Mail to: Fred M. Doyle
P.O. Box 515
Brentwood, Ca 94513



U.S. POSTAL SERVICE
OFFICIAL BUSINESS

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

U.S. MAIL

Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.

RETURN TO

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

PS Form 3811 Sep. 1972

450-10-81277-3

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

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☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO.
335

INSURED NO.

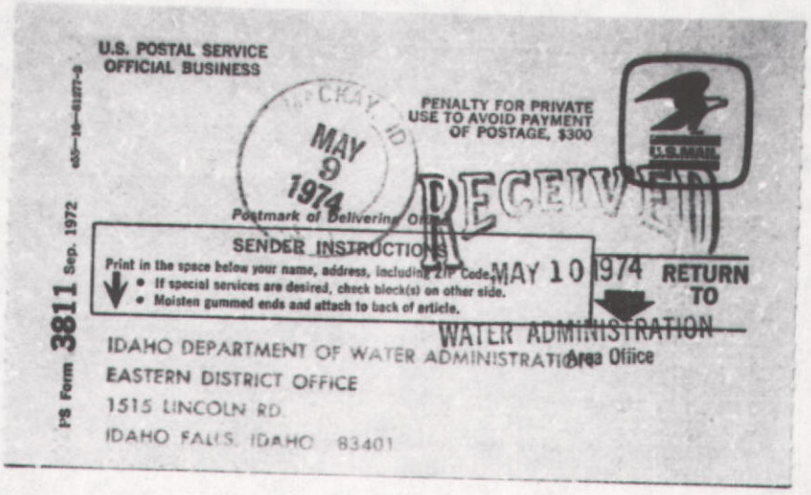
DATE DELIVERED
5-10-74

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

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
M J Robinson

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

RECEIVED
MAY 16 1974
Eastern District Office



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OFFICIAL BUSINESS

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

MAY 9 1974
Postmark of Delivering Office

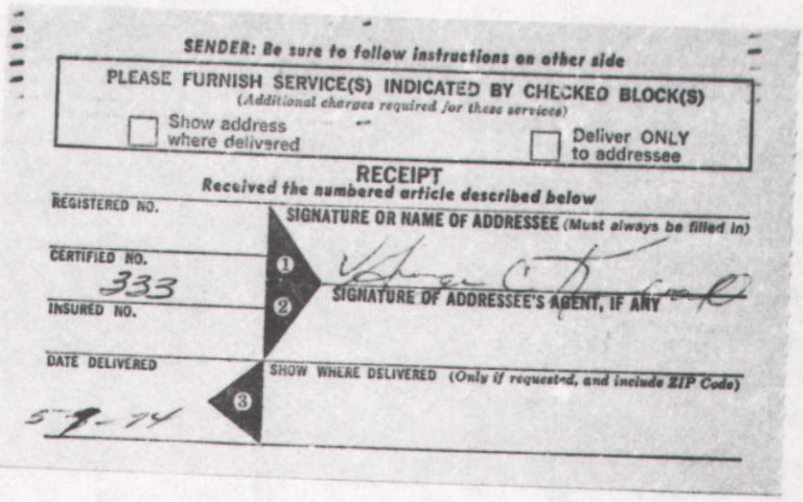
RECEIVED
MAY 10 1974

SENDER INSTRUCTIONS
Print in the space below your name, address, including ZIP Code.
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• Moisten gummed ends and attach to back of article.

RETURN TO
WATER ADMINISTRATION
Area Office

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

PS Form 3811 Sep. 1972 455-16-61277-8



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CERTIFIED NO.
333

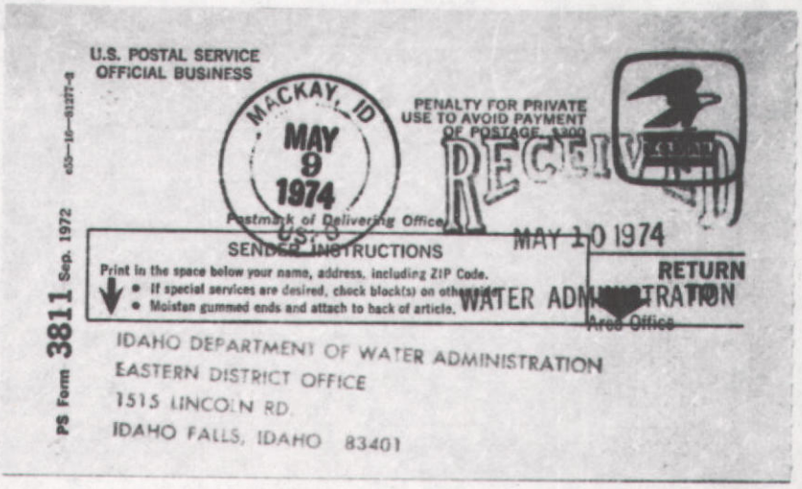
INSURED NO.

DATE DELIVERED
5-7-74

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

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



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MACKAY, ID
MAY 9 1974
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PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

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WATER ADMINISTRATION
Area Office

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- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

RETURN TO

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

PS Form 3811 Sep. 1972 e53—10—81277-8

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Received the numbered article described below

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CERTIFIED NO.
332

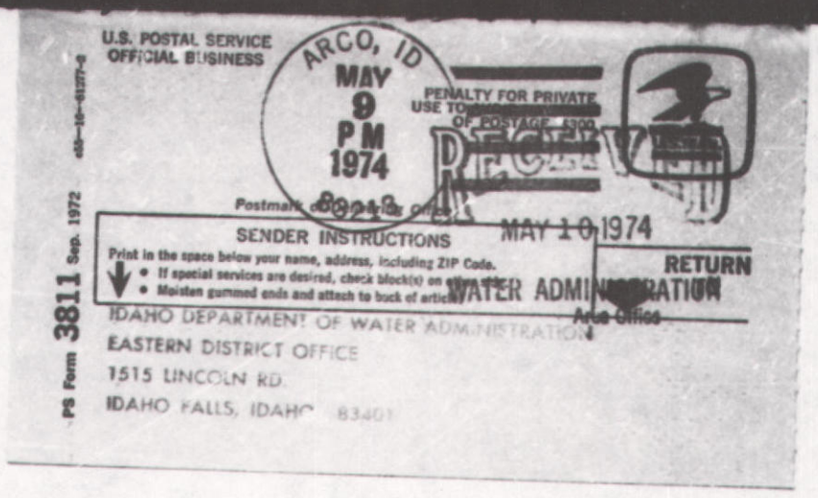
INSURED NO.

DATE DELIVERED
5-9-74

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
Hugh A. Horst

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



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OFFICIAL BUSINESS

ARCO, ID
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OF POSTAGE, $300

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WATER ADMINISTRATION
Area Office

Postmaster, Delivering office

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EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

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CERTIFIED NO.
330

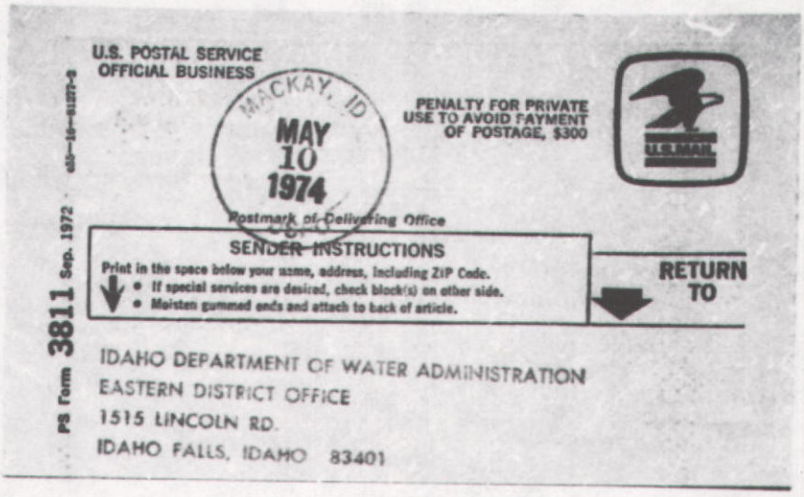
INSURED NO.

DATE DELIVERED
MAY 9 1974
WLS

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
× Charles O. Maley

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



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OFFICIAL BUSINESS

MACKAY, ID
MAY
10
1974
Postmark of Delivering Office

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

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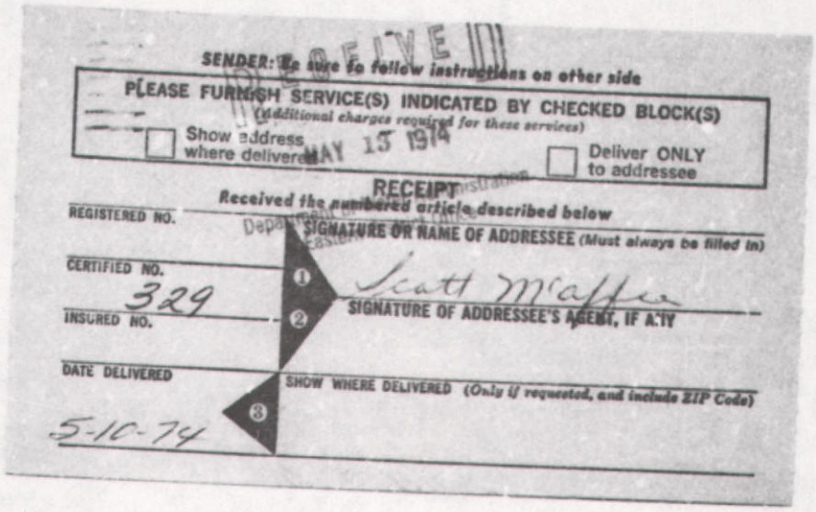
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IDAHO DEPARTMENT OF WATER ADMINISTRATION
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IDAHO FALLS, IDAHO 83401

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CERTIFIED NO. 329

INSURED NO.

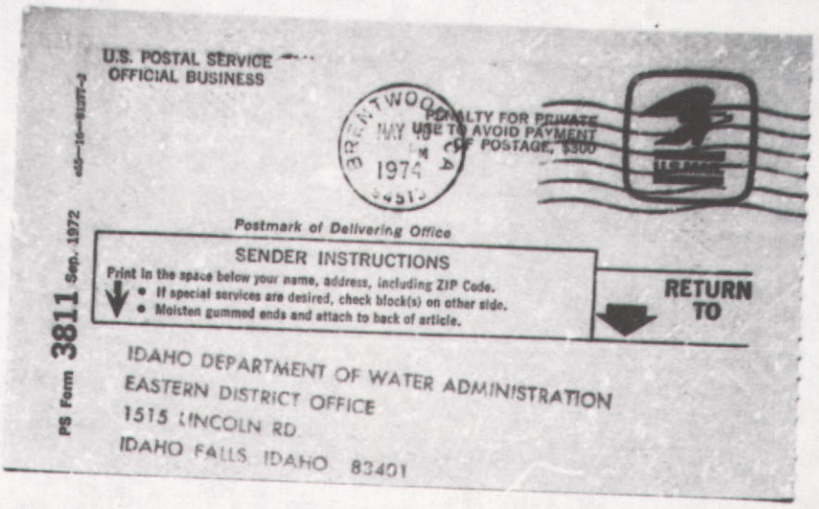
DATE DELIVERED 5-10-74

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

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

RECEIVED
MAY 13 1974



U.S. POSTAL SERVICE
OFFICIAL BUSINESS

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BRENTWOOD CA
MAY 1974

Postmark of Delivering Office

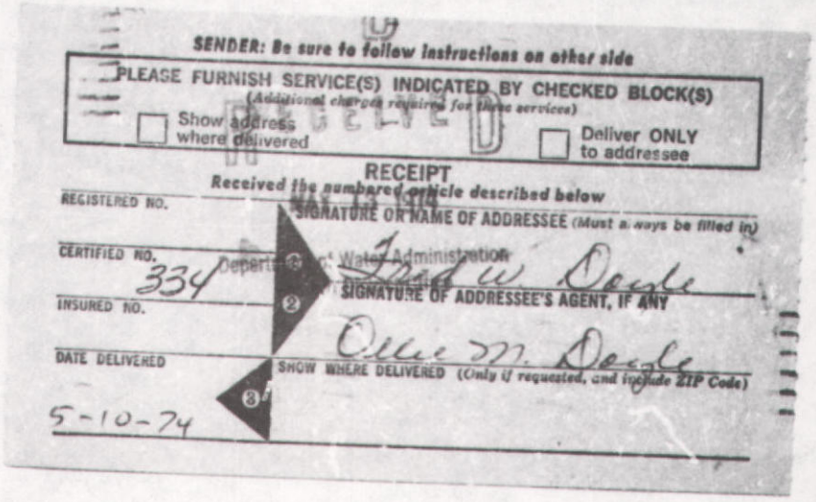
SENDER INSTRUCTIONS

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EASTERN DISTRICT OFFICE
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IDAHO FALLS IDAHO 83401

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Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 334

INSURED NO.

DATE DELIVERED 5-10-74

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

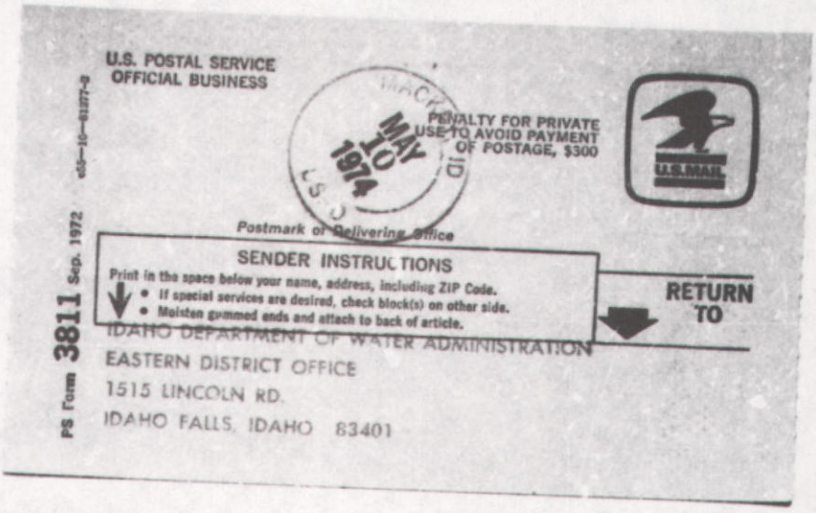
Department of Water Administration

Shadow Doyle

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Ollie M. Doyle

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



U.S. POSTAL SERVICE
OFFICIAL BUSINESS

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

U.S. MAIL

MAY 1974 IDAHO

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EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

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(Additional charges required for these services)

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RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 331

INSURED NO.

DATE DELIVERED 5-10-74

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

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

RECEIVED
MAY 9 1974
Department of Water Resources
Eastern District Office

INTER-DEPARTMENT MEMO — 1

DATE 5/6/74

FROM Darlene

TO Norm

SUBJECT Protested app 34-7070 - Fred W. Doyle

Mr. Gale Merrick with firm of Marcus & Marcus was in today concerning above subj app; he apparently will be representing Mr. Doyle.

Please send Mr. Merrick a notice when the hearing is set. He indicated he would be writing to you, but thought I should pass this information along anyway.

CLAUDE MARCUS
CRAIG MARCUS
BARRY MARCUS
GALE MERRICK
JOHN MCKINNEY

MARCUS & MARCUS
ATTORNEYS AT LAW

625 FIRST NATL. BANK BLDG.
BOISE, IDAHO
DIAL 342-3563

SIGNATURE

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OFFICIAL BUSINESS

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

CKAY, ID MAY 20 1974 USPS

Postmaster, Delivering Office

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- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

MAY 21 1974 RETURN TO

Department of Water Administration
Eastern District Office

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

PS Form 3811 Sep. 1972 *U.S. GPO: 1972—461-277-3*

34-1073

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RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 342

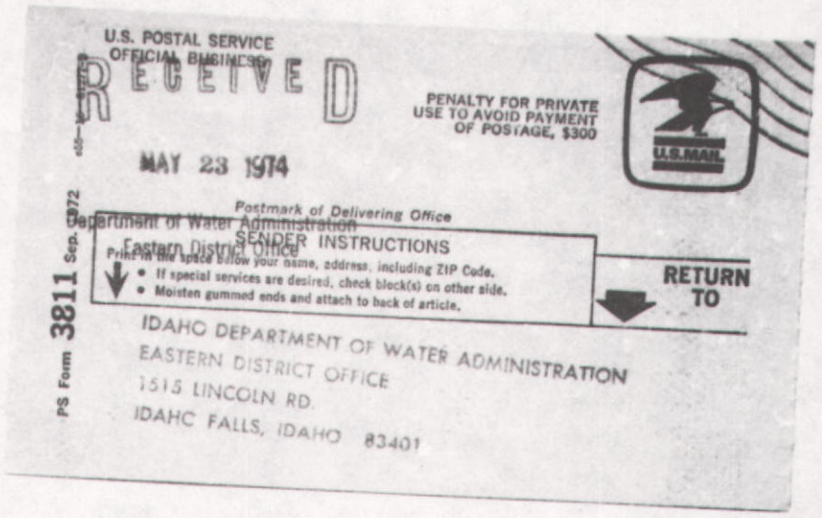
INSURED NO.

DATE DELIVERED 5-10-74

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

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*


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OFFICIAL BUSINESS
RECEIVED
MAY 23 1974
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
U.S. MAIL
Postmark of Delivering Office
Department of Water Administration
Eastern District Office
SENDER INSTRUCTIONS
Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.
RETURN TO
IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401
PS Form 3811 Sep. 1972

34-7070

SENDER: Be sure to follow instructions on other side

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RECEIPT
Received the numbered article described below

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CERTIFIED NO. 348

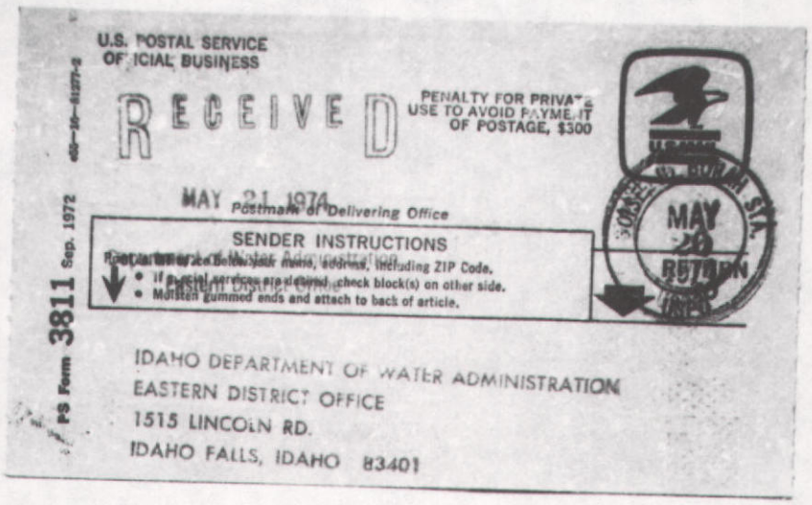
INSURED NO.

DATE DELIVERED 5-20-74

① SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*
Fred W. Doyle

② SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
Ollie Mae Doyle

③ SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*



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OFFICIAL BUSINESS

RECEIVED

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

MAY 21 1974
Postmark of Delivering Office

SENDER INSTRUCTIONS

- Print your name, title, address, including ZIP Code.
- If special services are desired, check block(s) on other side.
- Mutilate gummed ends and attach to back of article.

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

MAY 20 R5PM

PS Form 3811 Sep. 1972

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CERTIFIED NO. 347

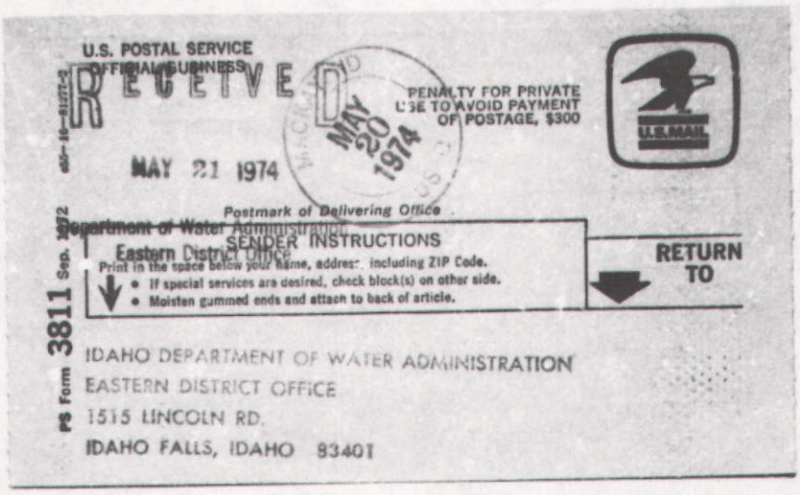
INSURED NO.

DATE DELIVERED [redacted] 3-20-74

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

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

8 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



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MAY 21 1974

MAY 20 1974

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

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Department of Water Administration
Eastern District Office

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Print in the space below your name, address, including ZIP Code.
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RETURN TO

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

PS Form 3811 Sep. 1972

SENDER: Be sure to follow instructions on other side

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☐ Show address where delivered

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CERTIFIED NO. 346

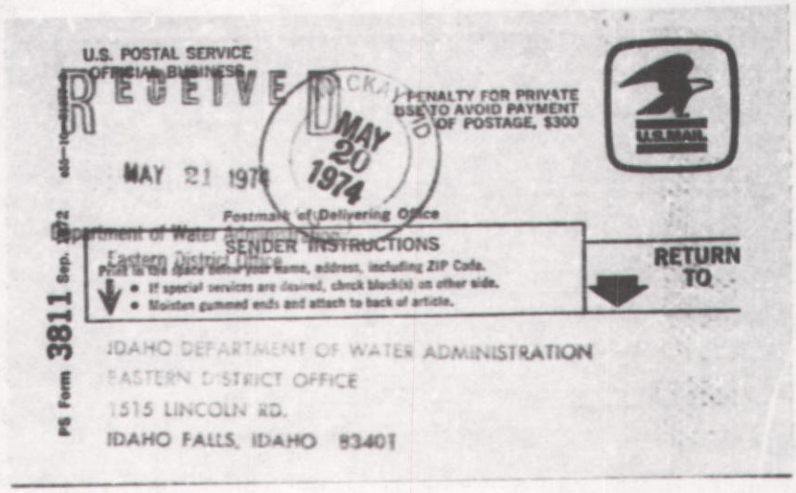
INSURED NO.

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

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED 5-20-74

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



U.S. POSTAL SERVICE
OFFICIAL BUSINESS

RECEIVED
MAY 20 1974

MAY 21 1974

Postmaster: If Delivering Office

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

U.S. MAIL

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Department of Water Administration
Eastern District Office

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IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

SENDER: Be sure to follow instructions on other side

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☐ Show address where delivered

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RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 345

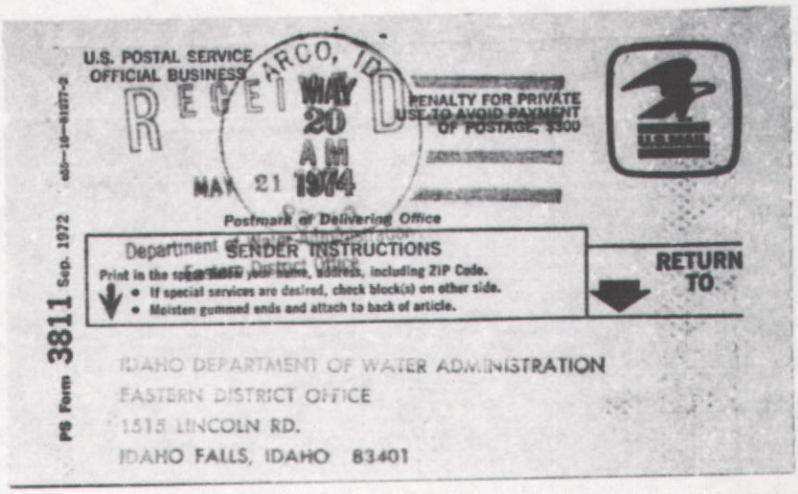
INSURED NO.

DATE DELIVERED 5-20-74

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Hugh H Dorst

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



U.S. POSTAL SERVICE
OFFICIAL BUSINESS

ARCO, IDA
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MAY 20 AM
MAY 21 1974

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

Postmark or Delivering Office

Department of Water Resources
Eastern District Office

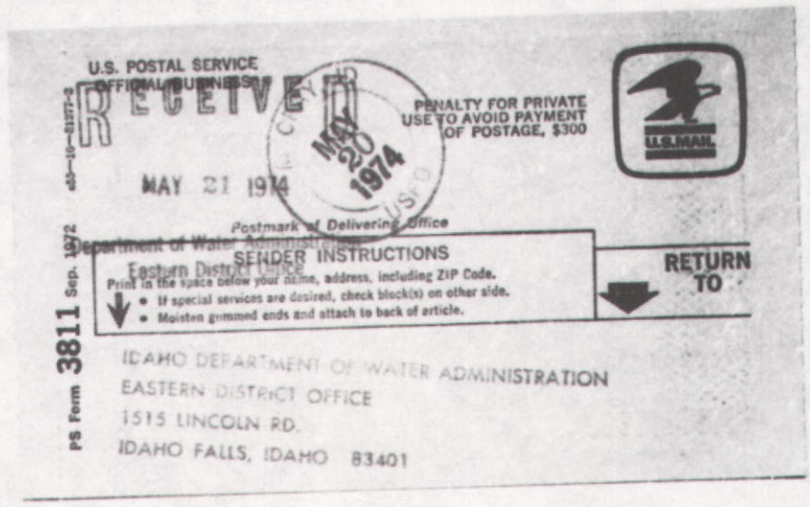
SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

RETURN TO

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

PS Form 3811 Sep. 1972



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RECEIVED

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MAY 20 1974

Postmark of Delivering Office

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

U.S.MAIL

PS Form 3811 Sep. 1972

Department of Water Administration
Eastern District Office

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IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

SENDER: Be sure to follow instructions on other side

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☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 343

INSURED NO.

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
Charles O'Maley

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED
MAY 20 1974

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 344

INSURED NO.

DATE DELIVERED 5-20-74

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

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

5/5
750

RECEIVED
OCT 19 1977
Department of Water Resources

Received
9-14-77

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, FRED W. Doyle, hereby assign to Gary Lee Dyer & Linda C. Dyer
of 750 Signal Way, Coos Bay, OR 97420
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ 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. 34-7070 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)

X 19.42 ~~Acres~~ 6.66 Acres
NE¼, NW¼, Sec. 18, T 7N, R24E, B.M.
0.133 cfs

Made this 6th day of September, 19 77.

X Fred W. Doyle
Permit Holder

X Linda Mae Doyle
Spouse of Permit Holder

State of ~~Idaho~~ California)
County of Contra Costa) ss.

On this 6th day of September, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

OFFICIAL SEAL
ETTA J. SANCHEZ
NOTARY PUBLIC - CALIFORNIA
CONTRA COSTA COUNTY
MY COMMISSION EXPIRES JAN. 29, 1978

Notary Public residing at
Rt. 2, Box 121, Brentwood, Ca. 94513

My commission expires:
~~January 29, 1978~~

5/5
750

RECEIVED
OCT 19 1977
Department of Water Resources

State of Idaho
Department of Water Resources

Received
9/14/77

ASSIGNMENT OF PERMIT

I, Fred W. Doyle, hereby assign to Kenneth O. Bloodworth & Delores G. Bloodworth
of P.O. Box 621, Brentwood, CA 94513
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ 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. 34-7070 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)

X ~~17.82 Acres~~ 6.67 Acres
NE 1/4 NW 1/4, Sec. 18, T 7N, R. 24 E, B. M.
0.133 cfs

Made this 6th day of September, 19 77.

X Fred W. Doyle
Permit Holder

X Colleen Mae Doyle
Spouse of Permit Holder

State of ~~Idaho~~ California)
County of Contra Costa) ss.

On this 6th day of September, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

OFFICIAL SEAL
ETTA J. SANCHEZ
NOTARY PUBLIC - CALIFORNIA
CONTRA COSTA COUNTY
MY COMMISSION EXPIRES JAN 5 1979

Etta J. Sanchez
Notary Public residing at
~~Rt. 2, Box 121, Brentwood, Ca. 94513~~

My commission expires:
January 20 1979

RECEIVED
OCT 19 1977
Department of Water Resources

5/5
750

Received
9/14/77

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Fred W. Doyle, hereby assign to Fred C. Doyle & Nancy McGuire Doyle,
of 144 Alamo, Vacaville, CA. 95688
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ 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. 34-7070 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)

X ~~11.42 Acres~~ 6.67 Acres P.D. also
NE¼ NW¼, Sec. 18, T 7N, R 2E, B.M.
0.133 cfs

Made this 6th day of September, 19 77.

X Fred W. Doyle
Permit Holder

X Nancy McGuire Doyle
Spouse of Permit Holder

State of ~~Idaho~~ California)
County of Contra Costa) ss.

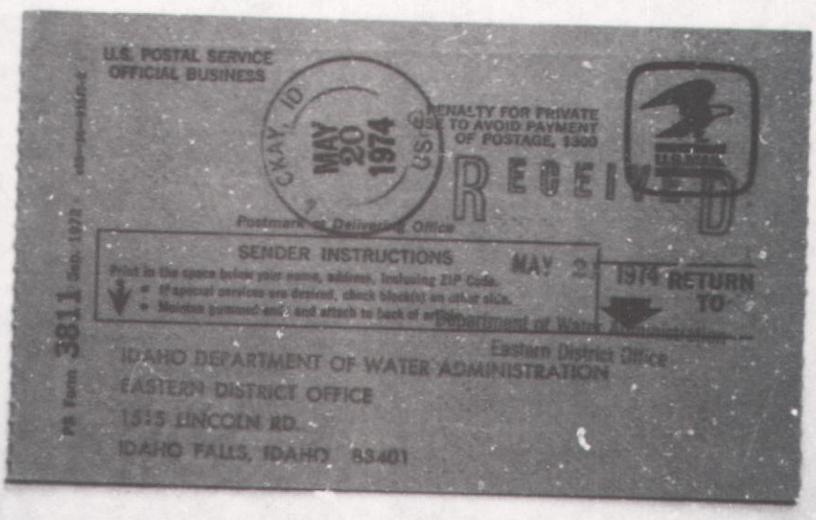
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seal

OFFICIAL SEAL
ETTA J. SANCHEZ
NOTARY PUBLIC - CALIFORNIA
CONTRA COSTA COUNTY
MY COMMISSION EXPIRES JAN. 29, 1978

Etta J. Sanchez
Notary Public residing at
Rt. 2, Box 121, Brentwood, Ca. 94513

My commission expires:
January 29, 1978



U.S. POSTAL SERVICE
OFFICIAL BUSINESS

CRAY, ID
MAY 20 1974
USA

Postmark or Delivering Office

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

RECEIVED

MAY 21 1974

SENDER INSTRUCTIONS

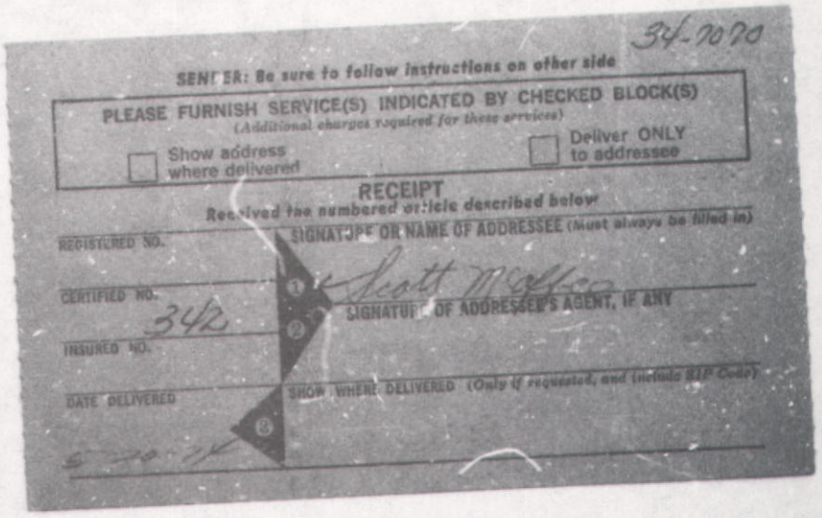
Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Mailing permit only, and attach to back of article.

RETURN TO

Department of Water Administration
Eastern District Office

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401

PS Form 3811 July 1972



34-1070

SENDER: Be sure to follow instructions on other side

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☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 342

INSURED NO.

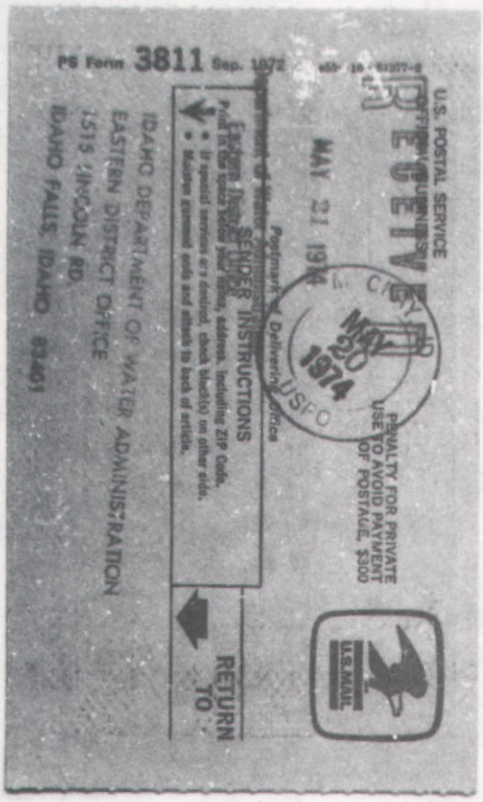
DATE DELIVERED 5-20-74

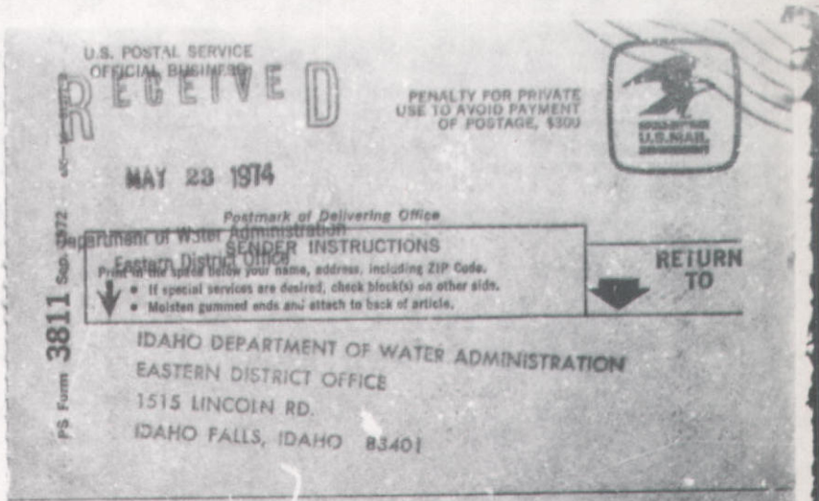
1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

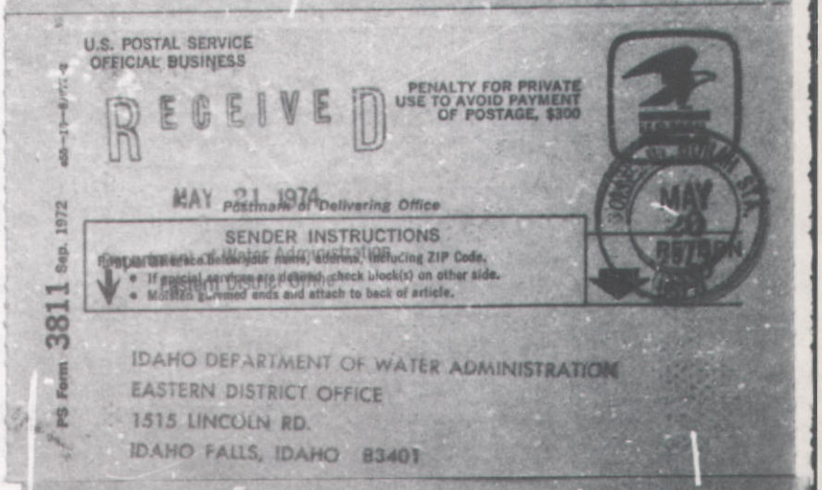
Scott Miller

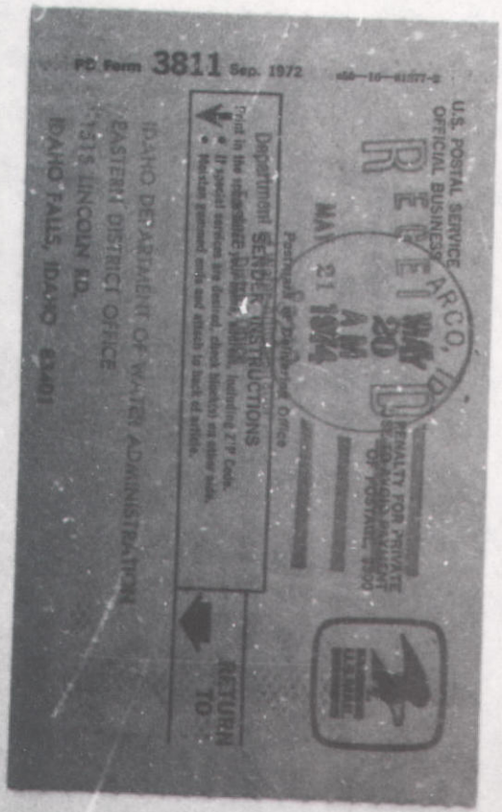
2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

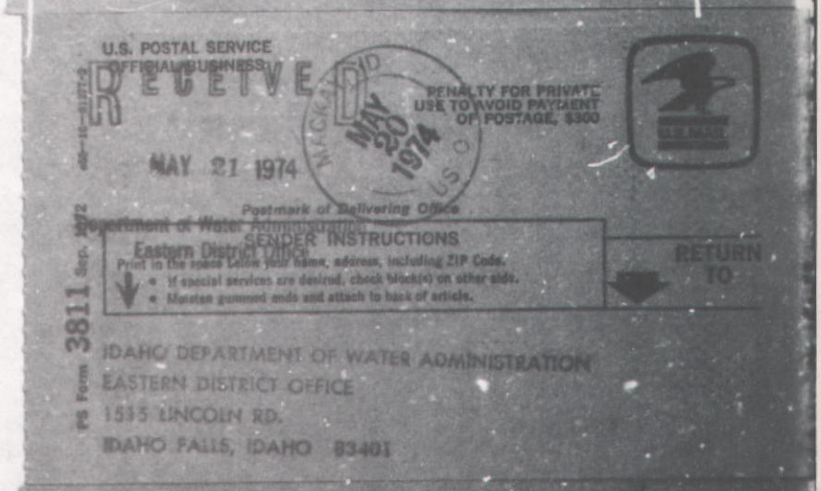
3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

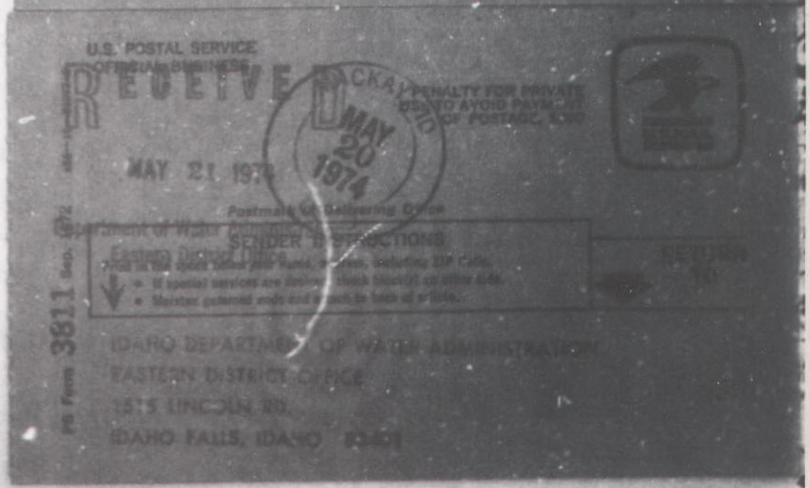

PS Form 3811 Sep. 1972
U.S. POSTAL SERVICE
OFFICIAL BUSINESS
RECEIVED
MAY 21 1974
Postmaster of Delivering Office
SENDER INSTRUCTIONS
Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.
RETURN TO
IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
MAY 20 1974
U.S.MAIL


U.S. POSTAL SERVICE
OFFICIAL BUSINESS
RECEIVED
MAY 23 1974
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
Postmark of Delivering Office
SENDER INSTRUCTIONS
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• Moisten gummed ends and attach to back of article.
RETURN TO
IDAHO DEPARTMENT OF WATER ADMINISTRATION
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1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401


U.S. POSTAL SERVICE
OFFICIAL BUSINESS
RECEIVED
MAY 21 1974
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
Postmark of Delivering Office
SENDER INSTRUCTIONS
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• Moisten gummed ends and attach to back of article.
RETURN TO
IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401
MAY 20 1974


PS Form 3811 Sep. 1972
U.S. POSTAL SERVICE
OFFICIAL BUSINESS
RECEIVED
MAY 21 1974
Postmaster of Delivering Office
SENDER INSTRUCTIONS
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EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
MAY 20 1974


U.S. POSTAL SERVICE
OFFICIAL BUSINESS
RECEIVED
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IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401
MAY 20 1974


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RECEIVED
MAY 21 1974
MAY 20 1974

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☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.
CERTIFIED NO. 348
INSURED NO.
DATE DELIVERED 5-20-74

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Fred W. Doyle
2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY Ollie Mae Doyle
3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
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REGISTERED NO.
CERTIFIED NO. 347
INSURED NO.
DATE DELIVERED MAY 20 1974

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Ina M. Burnside
2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY M. Burnside
3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

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RECEIPT
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CERTIFIED NO. 346
INSURED NO.
DATE DELIVERED 5-20-74

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Inez Deal
2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Be sure to follow instructions on other side

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(Additional charges required for these services)

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Received the numbered article described below

REGISTERED NO.
CERTIFIED NO. 345
INSURED NO.
DATE DELIVERED 5-20-74

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Hugh H. Hunt
2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.
CERTIFIED NO. 344
INSURED NO.
DATE DELIVERED 5-20-74

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Lucille Hunt
2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

SENDER: Be sure to follow instructions on other side

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(Additional charges required for these services)

☐ Show address where delivered ☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.
CERTIFIED NO. 343
INSURED NO.
DATE DELIVERED MAY 20 1974

1 SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in) Charles O'Malley
2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

September 3, 1974

Re: Permit No. 34-7070

Fred W. Doyle
P. O. Box 515
Brentwood, California 94513

Dear Mr. Doyle:

Enclosed is a copy of your approved Application for Permit No. 34-7070. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

cc: Protestants & Attorneys

RECEIVED

MACKAY PUBLIC SCHOOLS
Joint School District No. 182
Mackay, Idaho 83251

RECEIVED
MAY 6 1974
WATER ADMINISTRATION
Area Office

Dear Sir

Please consider this letter as a protest To application No 34-7070 by Mr Fred Doyle

1. by reducing the quantity of water.
2. Water supply is al ready in short supply
3. Location of Spring is in Question

Thank you

George C. Tuleal
Box 464
Mackay Ida
83251

MICROFILMED

RECEIVED
APR 29 1974
WATER ADMINISTRATION
Area Office

April 24, 1974

We the undersigned would like to register a protest to the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho in regard to Application for Water Permit submitted by Fred W. Doyle, Box 91, Mackay, Idaho on April 10, 1974. This application was numbered 34-7070, and was for a permit to appropriate 0.40 cubic feet per second of water from unnamed springs tributary of sinks by means of headgate and ditch within the NE¼ NW¼, Sec.18 T. 7N, R. 24EBM

Our reasons for protest are:

1. We believe the springs in this area are named, that they are not a tributary of sinks and that they are a tributary of the Big Lost River. It is our belief that all of this water is fully appropriated.

Hugh H. Dorst Box 413 Mackay, Idaho
Jim Pritchett
Charles O'Maley Arco Idaho Mackay Idaho.
Scott McAffee Mackay, Ida.

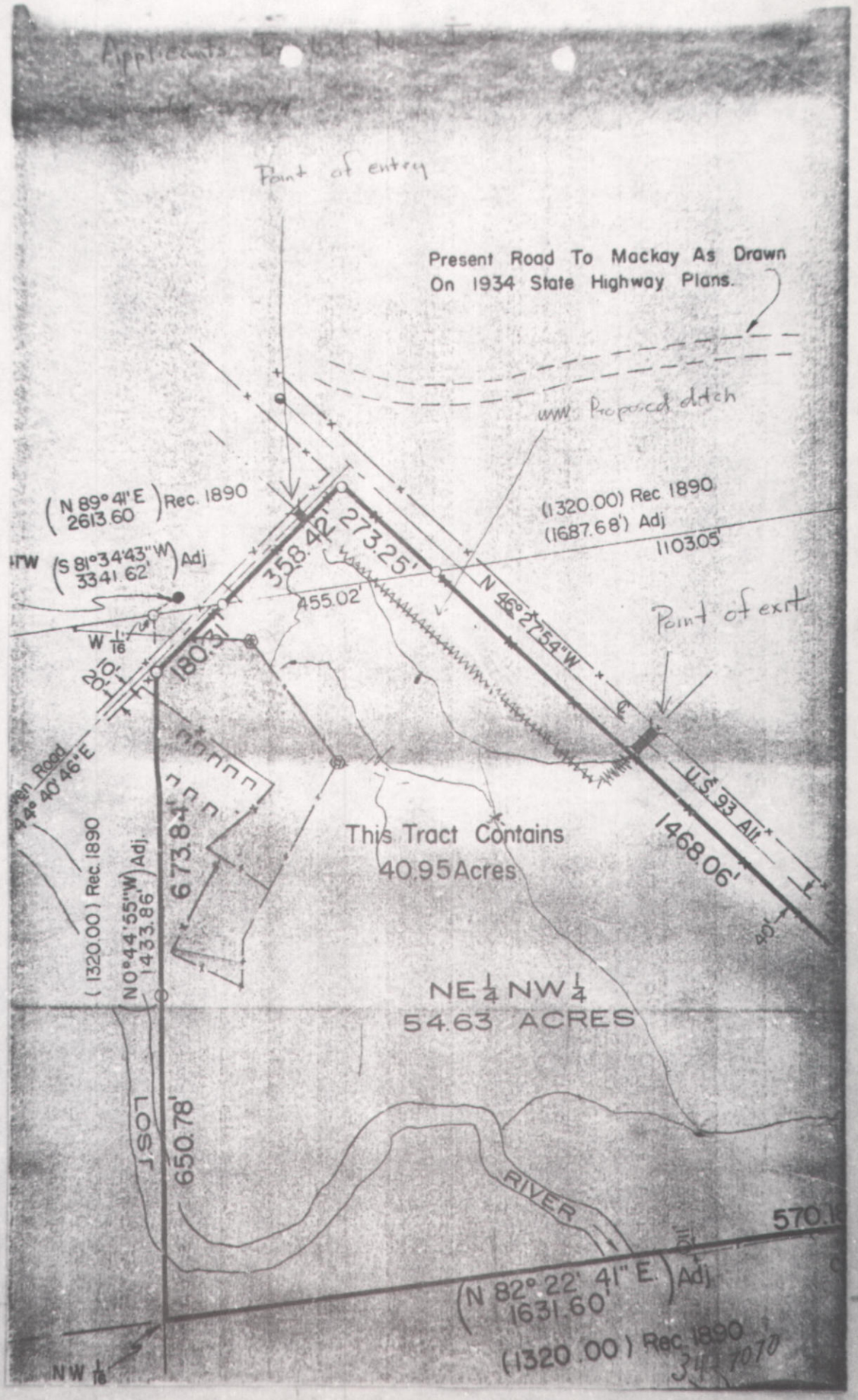
STATE OF IDAHO,
County of Custer

On this 24th day of April in the year 1974, before me, Ronald R. Conrad a Notary Public in and for said State, personally appeared Hugh H. Dorst Jim Pritchett, Charles O'Maley, Scott McAffee, known to me to be the persons whose names subscribed to the within instrument, and acknowledget to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Ronald R. Conrad
Notary Public residing at Mackay Idaho

MICROFILMED


Applicants
Point of entry
Present Road To Mackay As Drawn
On 1934 State Highway Plans.
Proposed ditch
(N 89° 41' E 2613.60) Rec. 1890
(S 81°34'43" W 3341.62) Adj
(1320.00) Rec 1890
(1687.68') Adj
1103.05'
358.42'
273.25'
455.02'
N 46° 27' 54" W
Point of exit
180.3'
W 1/16
20'
673.84'
This Tract Contains
40.95 Acres
1468.06'
U.S. 93 Alt.
40'
(1320.00) Rec. 1890
(N 0°44'55" W 1433.86') Adj
NE 1/4 NW 1/4
54.63 ACRES
LOST
650.78'
RIVER
570.1'
(N 82° 22' 41" E 1631.60') Adj
(1320.00) Rec. 1890
NW 1/16

34-7070 - Fred W. Doyle

REA Building, Mackay, Idaho

May 30, 1974 - 1:00 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
George J Warner		
Charles C Maley	Arco	
Scott McAffee	Mackay	
Hugh H. Obert	Mackay	
Jim Whitehead	Mackay	
Della R Kimball	Mackay	
Sadie Kimball		
Beverly Kimball	Mackay	
Leo Mantelli	Byron Calif.	
John B Dyer	Mackay.	
Fred W Doyle -	Brentwood, Calif.	
DALE M. MERRICK	1st Nat Bank Bldg Boise, Idaho	Fred Doyle

MICROFILMED

RECEIVED
MAY
Department of Water Administration

Marcus & Marcus
Attorneys at Law
625 First National Bank Building
Boise, Idaho 83702
Telephone: 342-3563

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

of the

STATE OF IDAHO

In the Matter of Protests Against Approval of Application for Permit No. 34-7070 in the name of FRED W. DOYLE.	REQUEST

TO: RONALD D. CARLSON, Assistant to District Engineer, Idaho Department of Water Administration; and NATHAN HIGER, Deputy Attorney General assigned to Department of Water Administration, State of Idaho:

Applicant, through his attorney undersigned, pursuant to Section 67-5209(f), Idaho Code, hereby requests that the oral proceeding of the Hearing to be held in this matter on May 30, 1974, be taken in the form of stenographic notes.

MARCUS & MARCUS

By Gale M. Merrick
Attorneys for Applicant

RECEIVED
MAY 1974
Department of Water Administration
Eastern District Office

I hereby certify that I have on this ____ day of May, 1974, mailed a true and correct copy of the above Request to Ronald D. Carlson, Assistant to District Engineer, Idaho Department of Water Administration, 614 W. State, Boise, Idaho; Nathan Higer, Deputy Attorney General, 614 W. State, Boise, Idaho; and to Norman Young, District Engineer, Eastern Division, Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, by depositing same in the United States mail, postage prepaid.

Gale M. Merrick

MICROFILMED

May 20, 1974

Gale M. Merrick
Attorney at Law
Marcus & Marcus
625 First National Bank Building
Boise, Idaho 83702

Gentlemen:

We are in receipt of your letter requesting stenographic notes be taken during the protest hearing against approval of Application No. 34-7070 in the name of Fred W. Doyle. It is my understanding from correspondence with our Boise Office that you have since decided that our normal procedure of taping these hearings will suffice in lieu of stenographic notes.

If this is not correct, please let me know.

Very truly yours,

RONALD D. CARLSON
Assistant to the
District Engineer

RDC:CB

MICROFILMED

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

In the Matter of Protest Against Approval of Application for Permit No. 34-7070 in the name of FRED W. DOYLE	NOTICE OF CONFERENCE AND/OR HEARING LOCATION CHANGE

Notice is hereby given that the Department of Water Administration has changed the location at which the conference and/or hearing is to be held concerning the above permit.

The Department has rescheduled the conference and/or hearing for May 30, 1974, at 1:00 p.m., in the REA Building, Mackay, Idaho. Any hearing will be held in accordance with the Rules and regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration as previously indicated in the conference and/or hearing notice dated May 8, 1974.

Dated this 17th day of May, 1974.

Norman C. Young

NORMAN C. YOUNG

District Engineer

...STMENT OF WATER ADMINISTRATION

...STRICT OFFICE

...N RD.

...A, IDAHO 83401

NAME AND ADDRESS OF SENDER

Indicate type of mail:
☐ REGISTERED ☐ REGISTERED C.O.D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

	NUMBER OF ARTICLES	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	SPEC. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
1	342	Scott McAffee, Mackay Id.	10	30	15				34-7020
2	343	(Mrs. Ed) O'Malley, Arco, Id.	10	30	15				"
3	344	Jim Pritchett Mackay	10	30	15				"
4	345	Hugh A. Dorst, Box 413, Mackay Id	10	30	15				"
5	346	George C. Kimball	10	30	15				"
6	347	Dale M. Merrill, Atty, 625 First Nat'l Bank Bldg. Boise, Id. 83702	10	30	15				"
7									
8	348	Fred A. Dwyer, P.O. Box 55 Bridgeport, Ca. 93517	10	30	15				"
9					$3.85				
10									
11									
12		Sent by Certified By NB							
13									
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IDAHO FALLS, IDA. MAY 17 1974

TOTAL NO. OF PIECES LISTED BY SENDER: 7

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POD Form 3877

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

749—:6—8792-15 U.S. GOVERNMENT PRINTING OFFICE

May 16, 1974

Lost River Electric Co-Op Inc.
Mackay
Idaho 83251

Gentlemen:

This is to confirm the use of the REA Building for conference and/or hearing to be held by this office on Thursday, May 30, 1974, at 1:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

MICROFILMED

RECEIVED
MAY 16 1974
Department of Water Administration
Eastern District Office

Marcus & Marcus
Attorneys at Law
625 First National Bank Building
Boise, Idaho 83702
Telephone: 342-3563

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

of the

STATE OF IDAHO

In the Matter of Protests Against)
Approval of Application for)
Permit No. 34-7070 in the name of) REQUEST
FRED W. DOYLE.)

TO: RONALD D. CARLSON, Assistant to District Engineer, Idaho Department of Water Administration; and NATHAN HIGER, Deputy Attorney General assigned to Department of Water Administration, State of Idaho:

Applicant, through his attorney undersigned, pursuant to Section 67-5209(f), Idaho Code, hereby requests that the oral proceeding of the Hearing to be held in this matter on May 30, 1974, be taken in the form of stenographic notes.

MARCUS & MARCUS

By Gale M. Merrick
Attorneys for Applicant

I hereby certify that I have on this ____ day of May, 1974, mailed a true and correct copy of the above Request to Ronald D. Carlson, Assistant to District Engineer, Idaho Department of Water Administration, 614 W. State, Boise, Idaho; Nathan Higer, Deputy Attorney General, 614 W. State, Boise, Idaho; and to Norman Young, District Engineer, Eastern Division, Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, by depositing same in the United States mail, postage prepaid.

Gale M. Merrick

MICROFILMED

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

In the Matter of Protests Against Approval)
of Application for Permit No. 34-7070)
in the name of FRED W. DOYLE)

NOTICE OF CONFERENCE
AND/OR HEARING

On April 10, 1974, Fred W. Doyle filed with the Department of Water Administration an application to appropriate the public waters of the State of Idaho. On April 29, 1974, the Department received a protest against approval of said application from Hugh H. Dorst, Jim Pritchitt, Charles O'Maley, and Scott McAffee. On May 6, 1974, the Department received an additional protest from George C. Kimball.

The Department has set the matter of protests for conference and/or hearing for Thursday, May 30, 1974, at 1:00 p.m., in the Courtroom of the Custer County Courthouse, Challis, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestants may allow the Department without prejudice to dismiss the protests or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 8th day of May, 1974.

Ronald D. Carlson

RONALD D. CARLSON
Asst. to District Engineer

MICROFILMED

34-7070 - Fred W. Doyle

Courtroom, Custer County Courthouse, Challis, Idaho

May 30, 1974 - 1:00 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing

MICROFILMED

May 8, 1974

Custer County Courthouse
Clerk of the District Court
Challis, ID 83226

Dear Sir:

This is to confirm the use of the courtroom for conference and/or hearing to be held by this office on Thursday, May 30, 1974, at 1:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D. Andrus
Governor
R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

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

May 7, 1974

Re: Application No. 34-7070

Mr. George C. Kimball
Box 464
Mackay, ID 83251

Dear Mr. Kimball:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

Ronald D. Carlson

RONALD D. CARLSON
Asst. to District Engineer

RDC:MB

MICROFILMED

May 7, 1974

Re: Application for Permit No. 34-7070

Mr. Fred W. Doyle
P.O. Box 515
Brentwood, CA 94513

Dear Mr. Doyle:

Enclosed please find an additional protest filed against the issuance of a permit pursuant to the above referenced application.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

RONALD D. CARLSON
Asst. to District Engineer

RDC:MB

Enclosure

MICROFILMED

CONVERSATION MEMORANDUM

DATE May 2, 1974

FILE 34-7070

NAME OF PARTY Fred W. Doyle

EMPLOYEE Bill Rhoads

RE: Mr. Fred Doyle called this day to request that the hearing on the protest of Application No. 34-7070 be held on or about May 30 or 31. It will present a hardship for him to attend any other date as he must travel from California.

He requested that he be notified at P.O. Box 515, Brentwood, California, of our decision concerning the time of the hearing as soon as possible.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D. Andrus
Governor

R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

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

April 30, 1974

Mr. Fred Doyle
P.O. Box 91
Mackay, Idaho 83251

Re: Application for Permit No. 34-7070

Dear Mr. Doyle:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 34-7070. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY: CB

Enc: Copy of Protest(s)

cc: IDWA - State Office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D. Andrus
Governor

R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

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

April 30, 1974

Re: Application No. 34-7070

Mr. Hugh H. Dorst
Box 413
Mackay, Idaho 83251

Dear Mr. Dorst:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY: CB

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D. Andrus
Governor

R. Keith Higginson
Director

~~2312 South Yellowstone Highway~~ 1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

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

April 30, 1974

Re: Application No. 34-7070

Mr. Jim Pritchett
Mackay, Idaho 83251

Dear Mr. Pritchett:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:CB

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D. Andrus
Governor
R. Keith Higginson
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

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

April 30, 1974

Re: Application No. 34-7070

Mr. Charles O'Maley
Arco,
Idaho 83213

Dear Mr. O'Maley:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY: CB

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D. Andrus
Governor
R. Keith Higginson
Director

~~240 South Holmes Avenue~~ 1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

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

April 30, 1974

Re: Application No. 34-7070

Mr. Scott McAffee
Mackay, Idaho 83251

Dear Mr. McAffee:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY: CB

MICROFILMED

April 12, 1974

Re: Application for Permit No. 34-7070 DOYLE

The Custer Publishing Co.
P.O. Box 405
Challis, ID 83226

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted 5/01/74 by CB

NCY:MB

Enc: Legal Notice (1)

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Fred W. Doyle, Box 91, Mackay, Idaho has on 4/10/74 submitted Application No. 34-7070 for a permit to appropriate 0.40 cubic feet per second of water from unnamed springs tributary of sinks by means of headgate and ditch within the NE¼NW¼, Sec. 18, T. 7N, R. 24E, B.M., Custer County; to be used from Apr. 1 to Nov. 1 for the irrigation of 20 acres within the NE¼-NW¼, Sec. 18, T. 7N, R. 24E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho 83401 on or before May 6, 1974.

R. KEITH HIGGINSON
Director

Published in the Mackay Miner, Mackay, Idaho on April 18 and April 25, 1974.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~Fred L. Doyle, Box 91, Mackay, Idaho~~ has on ~~4/10/74~~ submitted Application No. ~~34-7070~~ for a permit to appropriate ~~0.40~~ cubic feet per second acre feet per annum xxxxxxxxxxxxxxxxxxx of water from ~~unnamed springs tributary of sinks~~ by means of ~~headgate and ditch~~ within the ~~NE¼NW¼, Sec. 18, T. 7N, R. 24E, B.M., Custer County;~~

to be used from ~~Apr. 1 to Nov. 1~~ for ~~the irrigation of 20 acres~~

within the ~~NE¼NW¼, Sec. 18, T. 7N, R. 24E, B.M.~~

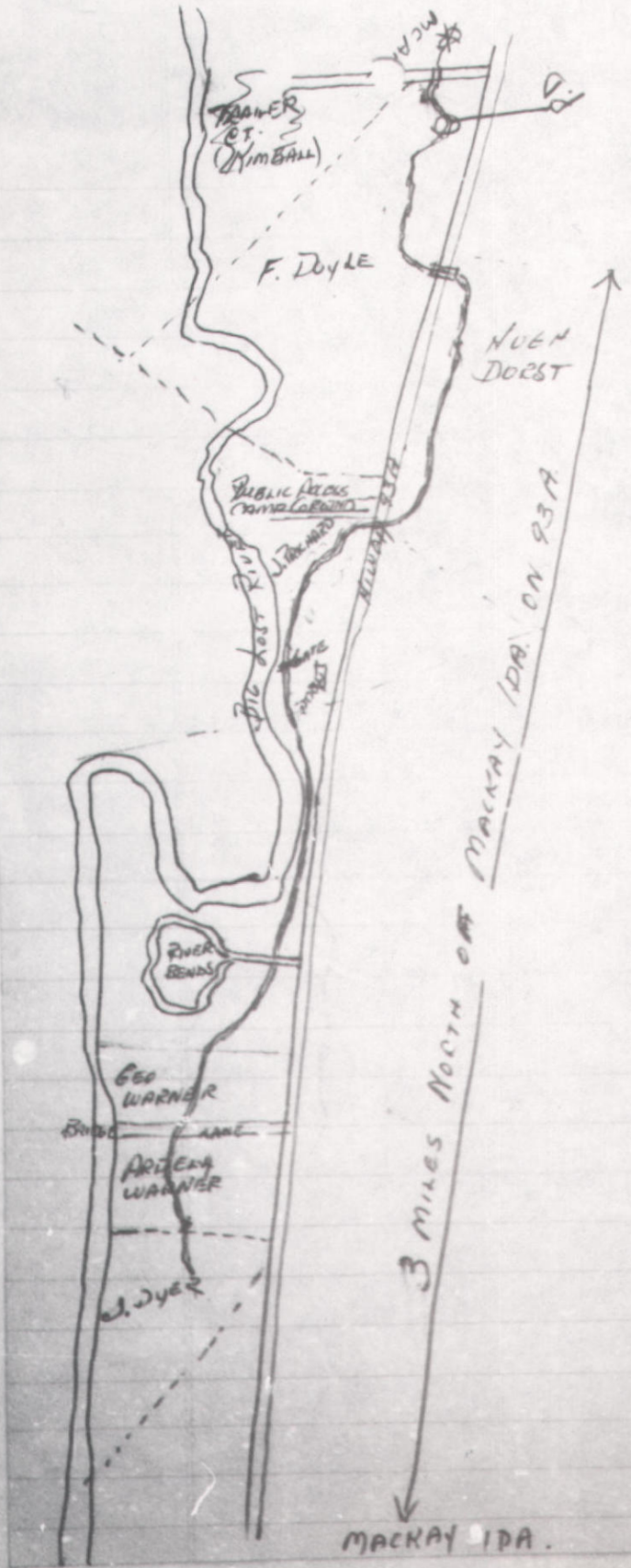
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before ~~May 6, 1974.~~

R. KEITH HIGGINSON
Director

Published in the ~~Mackay Miner, Mackay, Idaho~~ on ~~April 18~~ and ~~April 25, 1974.~~

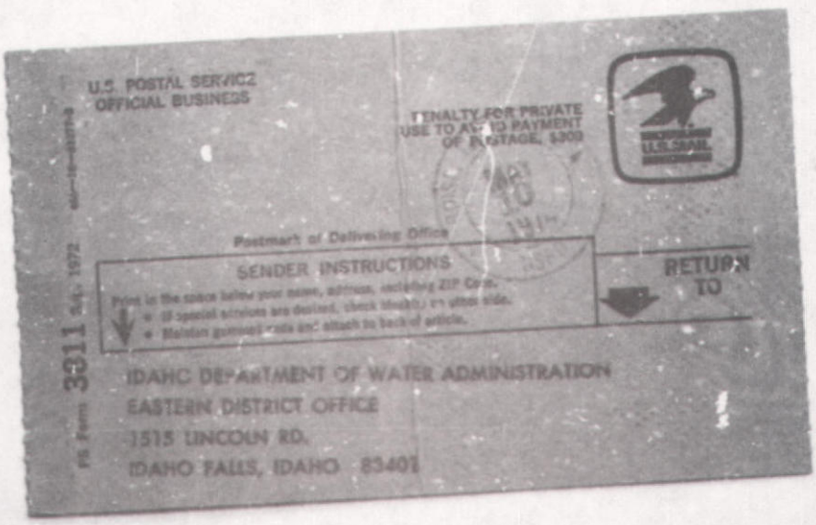
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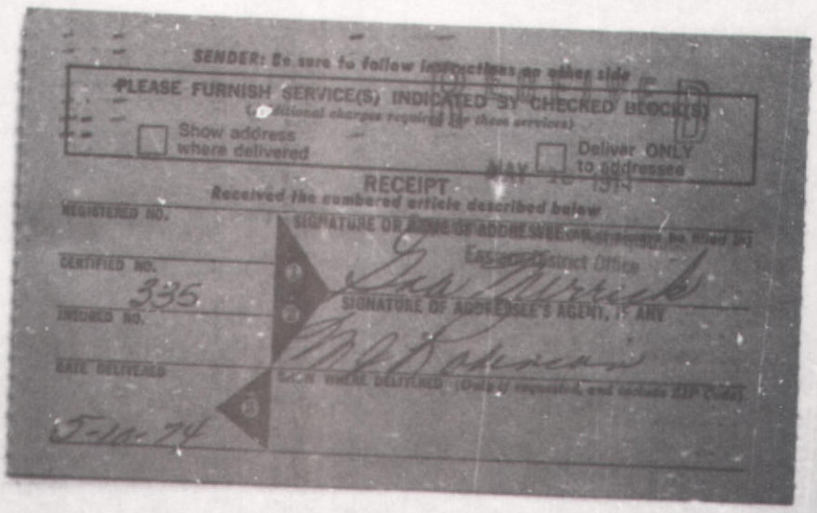
06-A 06-A 06-A



MICROFILMED
34-7070


Range
1
6
12
7
Lloyd Smith
A 323
Earl McAffee
A-83


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EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401
PS Form 3811 July, 1972



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MAY 20 1974

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DATE DELIVERED

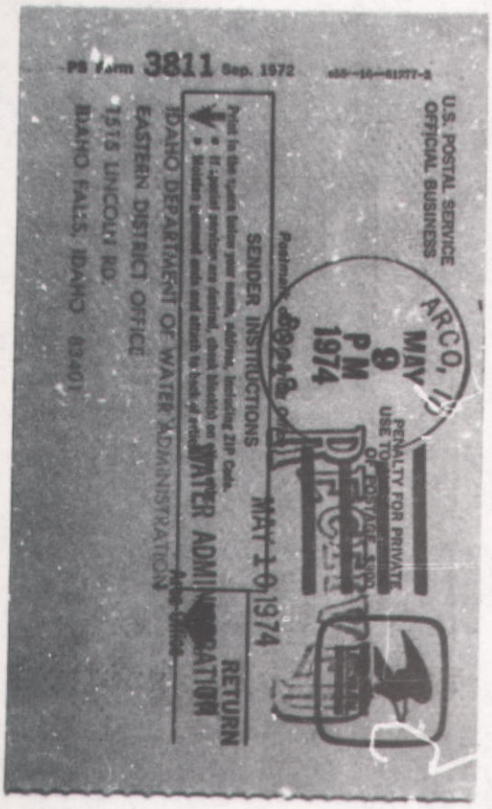
5-10-74

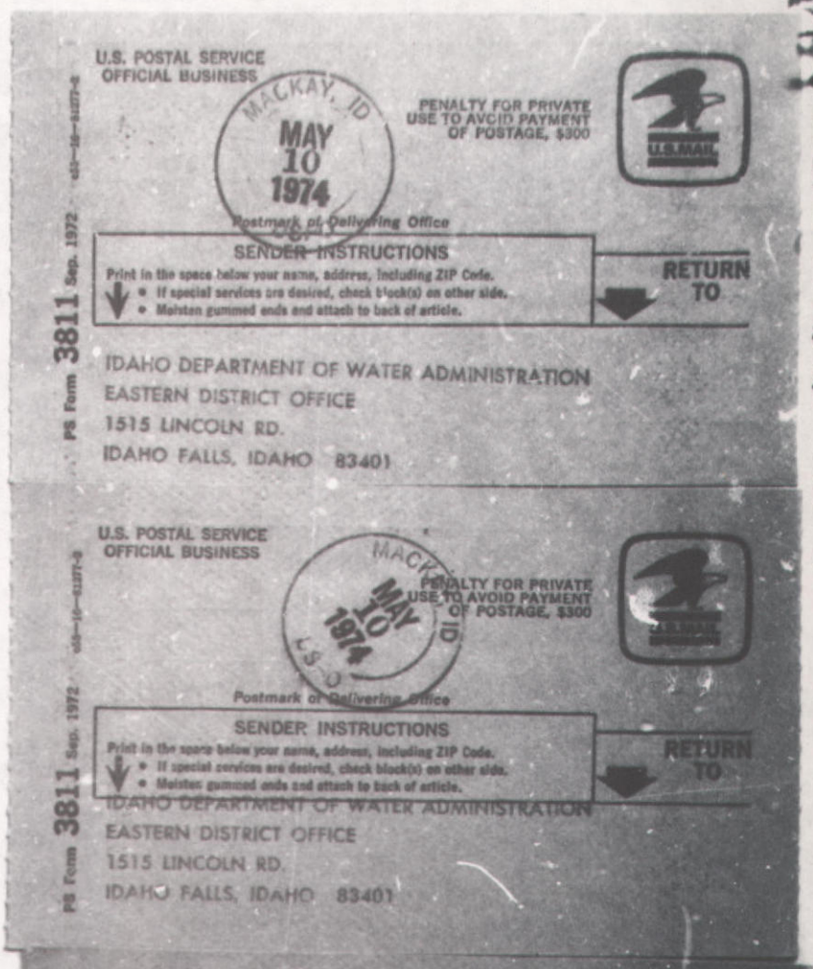
SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

Eastern District Office

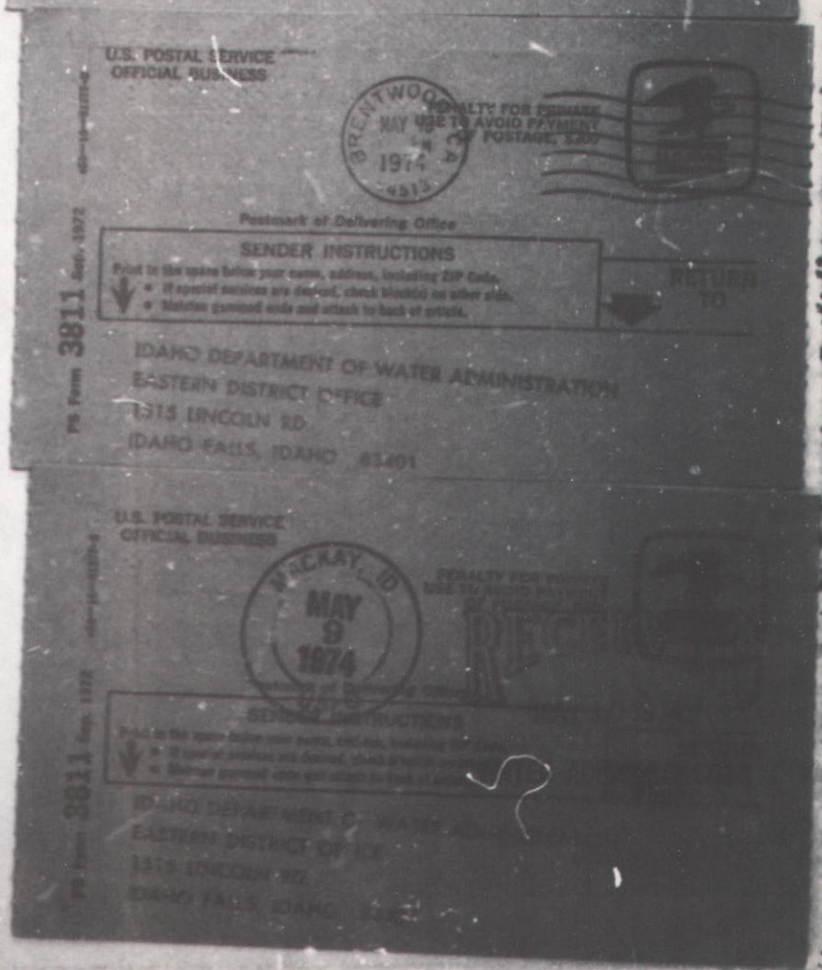
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

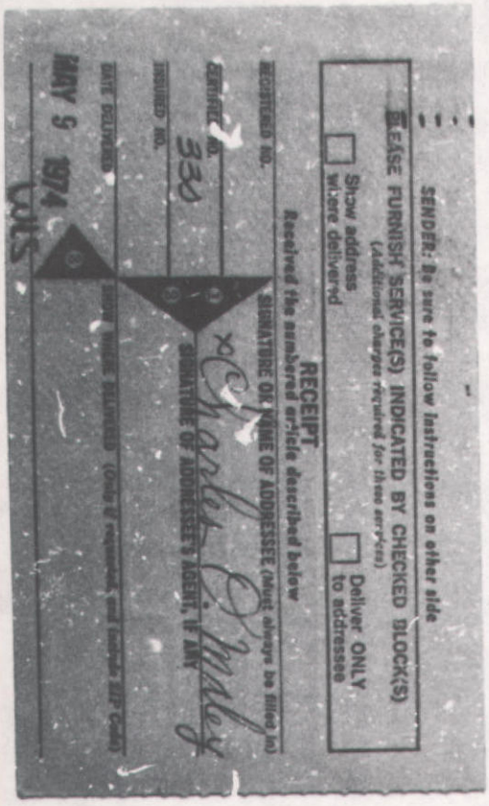
ADDRESS WHERE DELIVERED (Only if requested, and include ZIP Code)


PS Form 3811 Sep. 1972
U.S. POSTAL SERVICE
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SENDER INSTRUCTIONS
IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401
RETURN
ARCO, ID
MAY 9 PM 1974
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
MAY 10 1974


U.S. POSTAL SERVICE
OFFICIAL BUSINESS
MACKAY, ID
MAY 10 1974
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
Postmark of Delivering Office
SENDER INSTRUCTIONS
Print in the space below your name, address, including ZIP Code.
• If special services are desired, check block(s) on other side.
• Moisten gummed ends and attach to back of article.
RETURN TO
IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401
PS Form 3811 Sep. 1972


PS Form 3811 Sep. 1972
U.S. POSTAL SERVICE
OFFICIAL BUSINESS


U.S. POSTAL SERVICE
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BRENTWOOD, CA
MAY 1974
Postmark of Delivering Office
SENDER INSTRUCTIONS
IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO 83401
PS Form 3811 Sep. 1972



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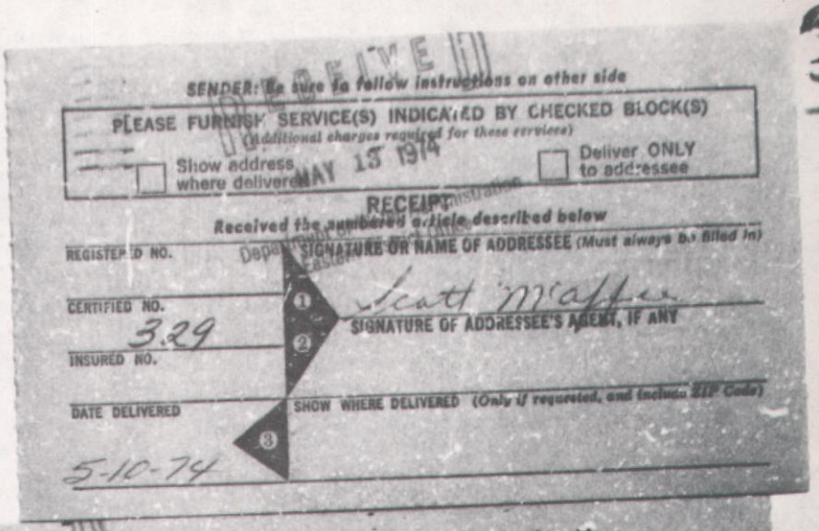
DATE DELIVERED MAY 9 1974

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

Charles O'Malley

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



SENDER: Be sure to follow instructions on other side

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☐ Deliver ONLY to addressee

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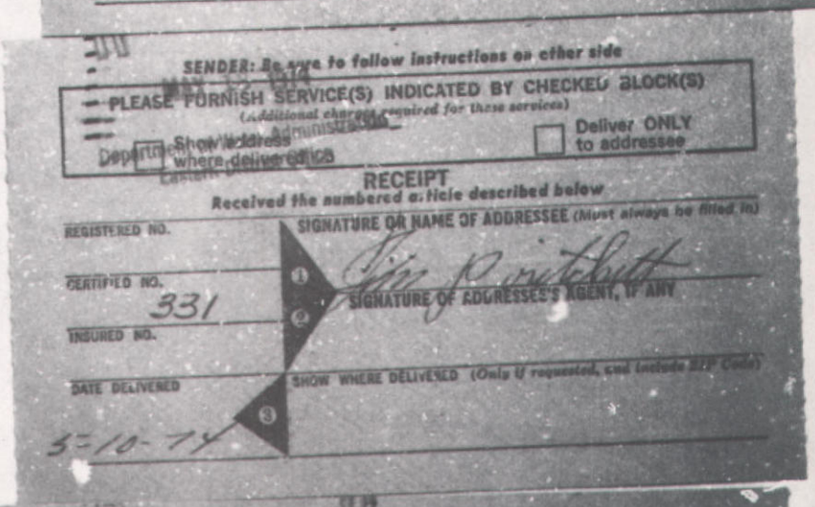
DATE DELIVERED 5-10-74

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

Scott McAfee

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



SENDER: Be sure to follow instructions on other side

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INSURED NO.

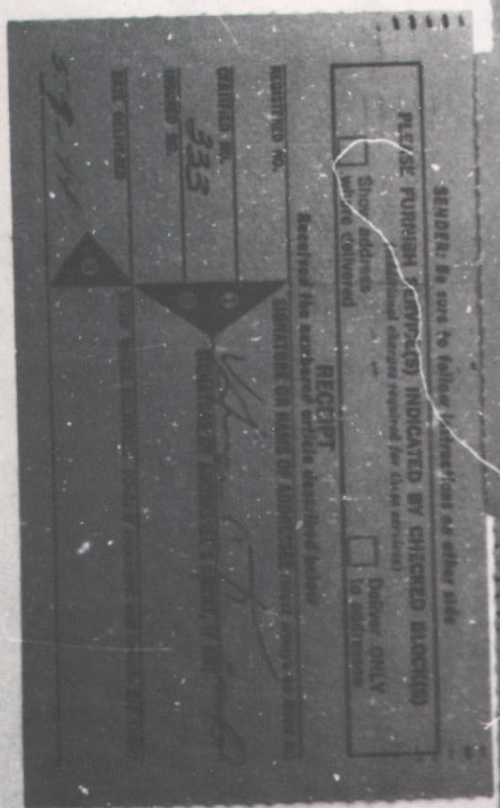
DATE DELIVERED 5-10-74

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

Jim Pritchett

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT

REGISTERED NO.

CERTIFIED NO. 333

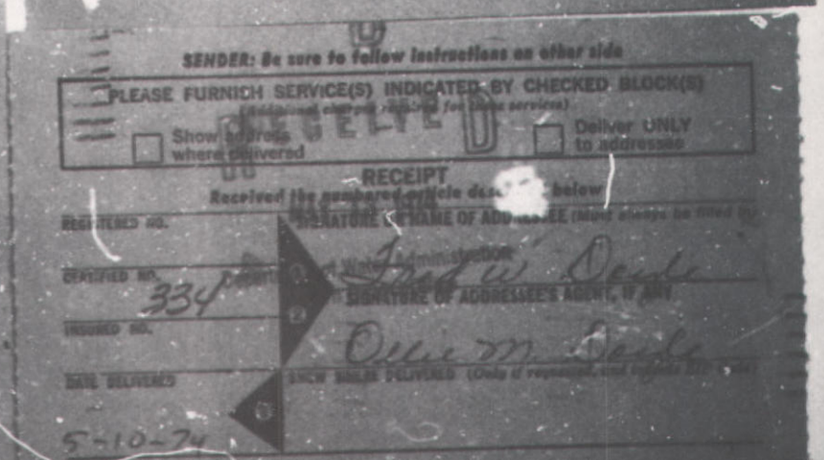
INSURED NO.

DATE DELIVERED

1 SIGNATURE OR NAME OF ADDRESSEE

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED



SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 334

INSURED NO.

DATE DELIVERED 5-10-74

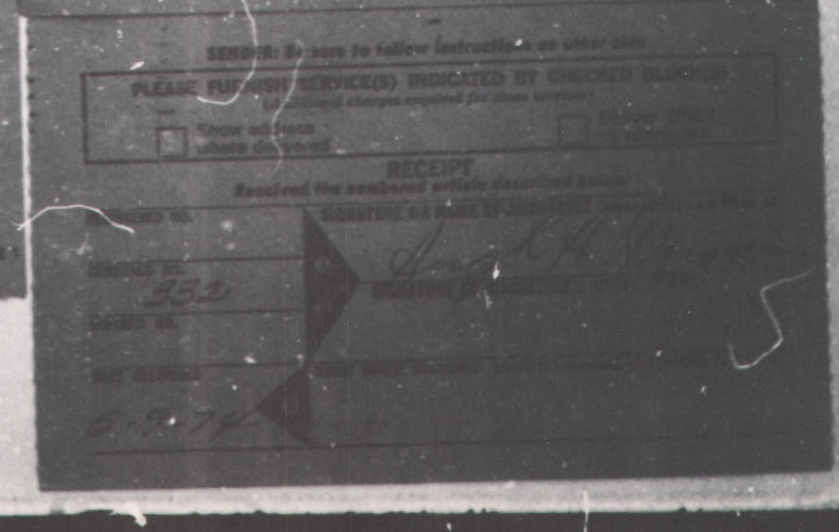
1 SIGNATURE OR NAME OF ADDRESSEE

Luther Doyle

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Ollie M. Doyle

3 SHOW WHERE DELIVERED



SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

☐ Show address where delivered

RECEIPT

Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 332

INSURED NO.

DATE DELIVERED 5-9-74

1 SIGNATURE OR NAME OF ADDRESSEE

2 SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3 SHOW WHERE DELIVERED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Eastern District Office
315 Lincoln Road • Idaho Falls, Idaho
83401

RETURNED RECEIPTS REQUESTED

RECEIVED

MAY 9 1974

Department of Water Administration
Eastern District Office

INTER-DEPARTMENT MEMO

FROM Darlene

DATE 5/8/74

TO Norm

SUBJECT Protested app 34-7070 - Fred W. Doyle

Mr. Gale Merrick with firm of Marcus & Marcus was in today concerning above subj app, he apparently will be representing Mr. Doyle.

Please send Mr. Merrick a notice when the hearing is set. He indicated he would be writing to you, but thought I should pass this information along anyway.

SIGNATURE

CLAUDE MARCUS
CRAIG MARCUS
BARRY MARCUS
GALE MERRICK
JOHN McKINNEY

MARCUS & MARCUS
ATTORNEYS AT LAW

625 FIRST NATL. BANK BLDG.
BOISE, IDAHO
DIAL 342-3563

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 34-07070C

Priority: August 15, 1991 Maximum Diversion Rate: 0.13 CFS
Maximum Diversion Volume: 24.2 AF

This is to certify, that THOMAS D LITTLE
ELLEN S LITTLE
4366 18TH AVE
MERIDIAN MS 39305 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 10, 1974; and has submitted Proof of Beneficial Use on August 15, 1991. An examination indicates that the works have a diversion capacity of 4.460 cfs of water from:

UNNAMED STREAM tributary to **BIG LOST RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 11/01	0.13 CFS	24.2 AF

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 18, Township 07N, Range 24E
CUSTER County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
07N	24E	18	NENW	7			7

Total number of acres irrigated: 7

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. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

MICROFILMED
JUN 0 2 1998

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 34-07070C

CONDITIONS OF APPROVAL AND REMARKS

6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
9. The right holder shall maintain a measuring device of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
10. Source is unnamed stream which flows from springs known locally as Cresto Springs.

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 30TH day of MAY, 1996.

Acting for KARL J. DREHER, Director

MICROFILMED
JUN 0 2 1998

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~34-07070~~	~~Doyle, Fred W~~	~~.40~~
~~Partial Assignment (lapsed)~~	~~34-07070A~~	~~Doyle, Fred C Nancy~~	~~.133~~
~~Partial Assignment (lapsed)~~	~~34-07070B~~	~~Dyer, Gary L Linda C~~	~~.133~~
~~Partial Assignment (lapsed)~~	~~34-07070C~~	~~Bloodworth, Kenneth D Dolores G~~	~~.133~~
~~Full Assignment of Partial (reinstated)~~	~~34-07070C~~	~~Dyer, John B Irma~~	~~.133~~
~~Full Assignment of Partial~~	~~34-07070C~~	~~Dahlgren, Richard O Jr~~	~~.133~~
Full Assignment of Partial	34-07070C	Little, Dr Thomas D Ellen S	.133

DEC 20 1995

7/94

For Office Use Only
$25 Filing Fee
Receipt# C033625
Date 9-27-95

RECEIVED
SEP 27 1995
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

I, RICHARD O. DAHLGREN JR., hereby assign to THOMAS D. AND ELLEN S. LITTLE

of, 4366 - 18th AVENUE MERIDIAN, MS 39305 601-693-6663 (O)
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 34-07070C to appropriate the public waters of the State of Idaho.

Or (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. X to appropriate the public waters of the State of Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.)

Made this 25th day of September, 1995

Richard O. Dahlgren
Permit Holder

MARLA G. MINK NOTARY PUBLIC STATE OF IDAHO

State of Idaho)
) ss
County of Ada)

On this 25th day of September, 1995, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Marla G. Mink
Notary Public residing at
seal Bellevue ID

My commission expires: 12/01/2000

DEC 20 1995

RECEIVED
SEP 27 1995

CONTINUATION SHEET

SCHEDULE A

Order Number: 7-690-C

Commitment Number:

PARCEL A:

A TRACT OF LAND LOCATED IN THE NE1/4NW1/4 OF SECTION 18, AND SE1/4SW1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID SECTION 18, SOUTH 81 DEGREES 34' 43" WEST, 1103.05 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 93 SAID POINT ALSO BEING THE REAL POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID U.S. HIGHWAY 93, SOUTH 46 DEGREES 27' 54" EAST, 164.66 FEET; THENCE SOUTH 14 DEGREES 47' 49" WEST, 1410.12 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID NE1/4NW1/4; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID NE1/4NW1/4, SOUTH 82 DEGREES 22' 41" WEST, 184.38 FEET; THENCE NORTH 1 DEGREES 21' 43" EAST, 747.50 FEET; THENCE NORTH 28 DEGREES 14' 43" EAST, 418.30 FEET; THENCE NORTH 35 DEGREES 16' 17" WEST, 207.60 FEET; THENCE NORTH 5 DEGREES 12' 43" EAST, 91.10 FEET; THENCE NORTH 51 DEGREES 33' 47" WEST, 134.85 FEET; THENCE NORTH 44 DEGREES 40' 46" EAST, 322.83 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF SAID U.S. HIGHWAY 93; THENCE SOUTH 46 DEGREES 27' 54" EAST, 273.25 FEET TO THE REAL POINT OF BEGINNING.

RECORDED
DEC 20 1995

CONTINUATION SHEET

SCHEDULE A

Order Number: 7-690-C

Commitment Number:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18, THENCE ALONG THE NORTHERLY BOUNDARY OF SAID NE1/4NW1/4, SOUTH 81 DEGREES 34' 43" WEST, 1103.05 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 93; THENCE ALONG THE SAID SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 93, SOUTH 46 DEGREES 27' 54" EAST, 164.56 FEET TO THE REAL POINT OF BEGINNING; THENCE SOUTH 46 DEGREES 27' 54" EAST, 743.50 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID U.S. HIGHWAY 93; THENCE SOUTH 43 DEGREES 31' 04" WEST, 1154.65 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID NE1/4NW1/4; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID NE1/4NW1/4, SOUTH 82 DEGREES 22' 41" WEST, 105.00 FEET; THENCE NORTH 14 DEGREES 47' 49" EAST, 1410.12 FEET TO THE REAL POINT OF BEGINNING.

RECEIVED
SEP 27 1995
Department of ...

0055

STEWART TITLE
GUARANTY COMPANY

RECEIVED
DEC 20 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-7070C IN THE NAME OF RICHARD DAHLGREN	ORDER OF REINSTATEMENT

This matter having come before the Idaho Department of Water Resources (Department) the Department finds as follows:

FINDINGS OF FACT

1. On August 3, 1974 the Director of the Department of Water Resources issued Permit No. 34-7070 to Fred Doyle with a condition of approval that proof of construction of works and application of water to beneficial use be submitted on or before August 1, 1979. Portions of this permit were later assigned to other parties, including the present permit holder of record, Richard Dahlgren. As a result of assignments, the original permit has been splilt into parts A, B and C. The time in which to submit proof for all the permits had been extended several times. The final proof due date for permit no. 34-7070 C was extended to August 1, 1990.

2. On May 31, 1990 the Department sent a proof due notice to the current permit holder at that time, John Dyer.

3. On August 13, 1990 the Department sent a lapse notice to the permit holder since neither proof of beneficial use nor a request for extension of time had been received from the

MAR 04 1992

permit holder.

4. On August 15, 1991 Proof of Beneficial Use was received by the Department from the permit holder.

5. Section 42-218a, Idaho Code, authorizes the Department to reinstate a lapsed permit, with the priority date advanced to the date that proof of beneficial use was received, upon submittal of evidence clearly establishing the extent of beneficial use prior to the proof due date and a showing of reasonable cause why the proof was submitted late.

6. The permit holder has submitted evidence to confirm that water has been put to beneficial use prior to the proof due date. Evidence includes a statement from the former permit holder of record describing the past beneficial use of water; photographs from the present permit holder showing the diversion system along with engineering diagrams of the diversion system which match the photos. The evidence submitted shows that beneficial use has been limited to stockwatering and flood irrigation.

7. The present permit holder of record has stated that proof of beneficial use was submitted late because the previous permit holders of record had failed to submit proof in a timely manner.

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

OCT 24 1992

3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 34-7070C is reinstated.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to August 15, 1991.

Dated this 13th day of February, 1992.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Form 217
07/90

RECEIVED
AUG 15 1991
Department of Water Resources

For Office Use Only 00
Amt of Fee $ 50
Date 1-23-92
Receipt No C023035
Received by T.L.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department

1 Permit No A 34-07070 A,B,&C Telephone No. 726-2505

2 Name(s) of Permit Holder(s): RICHARD O. DAHLGREN

3 Post Office Address BOX 4402 KETCHUM, ID 83340

4 Source of Water: CRISTO SPRINGS

a If ground water, well driller's name: _____ Date drilled: _____

b Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5 Extent of Use:

Domestic _____ (No of households) Irrigation 11.0 (No of acres)

Stockwater 50-100 HEAD BEEF CATTLE/HORSES (No and type of stock) Other _____

6 Total rate and/or volume for which proof is submitted .0.220 cfs 27.5 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. $ _____ (See License Examination Fee Schedule)

9 Person to contact to accompany the Department representative during the field examination:

RICHARD O. DAHLGREN 726-2305
Name Telephone No

BOX 4402, KETCHUM ID 83340
Address

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.

MAR 04 1992

8-12-91 Richard O Dahlgren
Date Signature (and title if on behalf of a company or organization)

Form 204
4/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
$10 FEE Received by
Date
Receipt #

JUN 12 1989

Department of Water Resources

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 34-7070C

Name(s) of Permit Holder: John B. and Irma Dyer

Post Office Address: P.O. Box 863

Port Orford, OR 97465 Telephone No. (503) 332-5822

Date Proof is Due: August 1, 1989

Describe what work has been completed toward the development of this water right: None
(This must be filled out! If no work has been completed, show "none".)

Costing $

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Due to water right litigation, I have been unable to develop this permit. I intend to diligently proceed with the construction of facilities to irrigate this property. It is imperative that I have 3 years to accomplish this work.

Permit holder(s) request an extension to August 1, 19 92,
(3 yr. minimum)

John B. Dyer
(Signature)
*IF OTHER THAN PERMIT HOLDER, POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: $15.00

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to August 1, 1992.

Signed this 17th day of August, 19 89.

L. Glenn Saxton
CHIEF, WATER ALLOCATION BUREAU

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-7070C IN THE NAME OF JOHN B. & IRMA DYER	)	CONTINUATION ORDER

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Permit No. 34-7070C (permit) issued to John B. and Irma Dyer (permit holder) authorized the diversion of 0.133 cfs of water from Cresto Springs tributary to Big Lost River for the irrigation of 6.67 acres of land.

2. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, which propose to divert water held in trust by the state of Idaho pursuant to subsection (5) of section 42-203D, Idaho Code, to determine whether they comply with the provisions of Section 42-203C, Idaho Code. The review is not required for permits to the extent beneficial use was complete prior to July 1, 1985.

3. Information submitted by the permit holder shows that 6.67 acres authorized to be irrigated by Permit No. 34-7070C were not irrigated as proposed prior to July 1, 1985.

4. Water diverted and used on or after July 1, 1985 for the irrigation of land under the terms of this permit is trust water.

5. The permit was readvertised in accordance with Water Appropriation Rule 4,2,3,1. and was not protested.

6. Proposed development of water under the permit satisfies the presumption of Water Appropriation Rule 5,2,1. that it will not cause either an individual or cumulative significant reduction.

CONCLUSIONS OF LAW

1. The permit will appropriate trust water.

2. IDWR has reviewed the permit under Section 42-203D, Idaho Code and has determined that the permit complies with Section 42-203C, Idaho Code since the diversion and use of water under the permit will not individually or cumulatively cause a significant reduction.

3. The Director should enter an order reauthorizing development in compliance with the provisions of Section 42-203D, Idaho Code.

ORDER

IT IS, THEREFORE, hereby ORDERED that development under Permit No. 34-7070C is reauthorized and CONTINUED as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before August 1, 1989.

2. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review 20 years after the date of this continuation order to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

3. Diversion and use of water under this permit is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

4. The Director retains jurisdiction of the permit and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.

Dated this 28th day of April, 1989.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Mar 16 1989 and ending with the issue dated Mar 23 1989

Margaret Parks

STATE OF IDAHO :

COUNTY OF CUSTER

On this 31st day of March, in the year of 1989, before me, a Notary Public, personally appeared Margaret Parks known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Ethel M. Peak
Notary Public for Idaho
Residing at Challis
My commission expires: 3-27-92



AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Mar 2 19 89 and ending with the issue dated Mar 9 1989

Margaret Parks

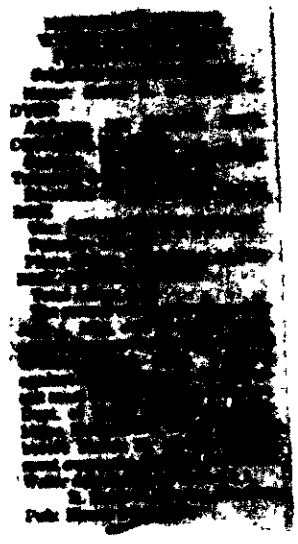
STATE OF IDAHO

COUNTY OF CUSTER

On this 10th day of Mar in the year of 1989 before me, a Notary Public,

personally appeared Margaret Parks known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same

Ethel M Peck
Notary Public for Idaho
Residing at Challis
My commission expires: 3-21-92



AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Mar 2 1983 and ending with the issue dated Mar 9 1983

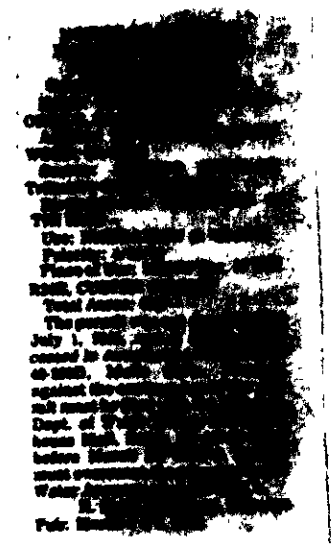
Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 10th day of March in the year of 1983 before me, a Notary Public, personally appeared Margaret Parks known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Ethel M Parks.
Notary Public for Idaho
Residing at Challis
My commission expires: 3-21-92



Form 3/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

For Office Use Only
Confirmed
Date 6/13/84
Receipt # 34-7070C

RECEIVED
JUN 11 1984
Department of Water Resources

JOHN B AND IRMA DYER of P.O. Box 863, PORT ORFORD
(Name) (Address)

State of OREGON, 97465, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 34-7070C

That under the terms and conditions of said permit, work thereunder was required to be completed on or before August 1, 1984

That he has heretofore performed the following work described under said permit: _____
(This must be filled out if no work has been completed put none.)

_____

_____

_____

_____ Cassing 6 _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

DUE TO PENDING LITIGATION WHEREAS I AM A DEFENDANT IN A LAWSUIT FILED BY THE IDAHO POWER COMPANY

_____

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to AUGUST 1, 1989
(1 yr minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1 1980
THERE IS A $15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

John B Dyer Irma Dyer
"Signature"
*"IF OTHER THAN HOLDER, Power of Attorney must be supplied

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to August 1, 1989. The Department reserves jurisdiction of this permit for the purpose of adding any applicable conditions to protect public interest.

Signed this 15th day of June, 19 84

L. Glen Saxton
DIVER, OPERATIONS BUREAU

RECEIVED

MAY 29 1980

Department of Water Resources

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

I, [illegible], hereby assign to [illegible]

of [illegible] Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 34-7070 (PARTIAL) 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 40acre 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 13th day of MAY, 19 80.

[signature]
Permit Holder

[signature]
Spouse of Permit Holder

State of Idaho CALIFORNIA)
County of CONTRA COSTA) ss.

On this 13th day of MAY, 19 80, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he/she/they (they) executed the same.

Seal

[signature]
Notary Public residing at P.O. Box 281
OAKLEY CALIF. 94561

My commission expires:
Nov. 6, 1983

BE ORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF Application for Permit No. 34-7070 in the name of FRED W. DOYLE

MEMORANDUM DECISION AND ORDER

On April 10, 1974, Fred W. Doyle filed with the Department of Water Resources an application for permit to appropriate 0.40 cfs of water from unnamed springs located in the NE¼NW¼ of Sec. 15, Twp. 7 N, Rge. 24 E, B.M., Custer County, to be used for the irrigation of 20 acres of land. Notice of the proposed appropriation was published in the Mackay Miner at Mackay, Idaho, on April 18 and 25, 1974.

On April 29, 1974 the Department received a protest against approval of said application from Hugh H. Dorst, Jim Pritchitt, Charles O'Maley and Scott McAffee. On May 6, 1974, an additional protest was received from George C. Kimball. A hearing was held concerning this matter at Mackay, Idaho, on May 30, 1974.

Based upon the testimony presented at the hearing, the information available in the Department's official records, and the Director's understanding of the law, the Director of the Department of Water Resources makes the following Findings of Fact, Conclusions of Law, and Order

Findings of Fact

(1) The springs are known locally as Cresto Springs.

(2) The water from the springs is tributary to the Big Lost River.

(3) There is sufficient water in the springs to supply 0.40 cfs of water during a significant portion of the irrigation season.

Conclusions of Law

(1) The application should be changed to show the source of water as being unnamed springs (Cresto Springs), tributary to the Big Lost River.

(2) No injury to existing water rights will be caused if the water is properly administered.

(3) The applicant has complied with the provisions of the Idaho Code and is entitled to a permit to appropriate the public waters of the State of Idaho.

Order

IT IS, THEREFORE, ORDERED and Application for Permit No. 34-7070 is hereby APPROVED subject to the following conditions:

(1) That the permit be and is subject to all prior existing water rights and is subject to control of the Watermaster of the Big Lost River.

(2) That proof of construction of works and application of water to beneficial use be submitted to the Department of Water Resources on or before August 1, 1979.

(3) That a measuring device of a type approved by the Department of Water Resources be permanently installed and maintained as part of the diverting works.

Dated this 30th day of August, 1974.

[illegible]
A. KENNETH DUNN, Administrator

Identification No. 34 7070

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Fred W. Boyle (P.O. Box 816, Brentwood, California 94513)
post office address P. O. Box 91, Mackay, Idaho PH: 588-2525

2. Source of water supply unnamed springs (Creeks Springs) which is a tributary of Wildhorse Creek thence Big Lost River

3. a. Location of point of diversion is NE ¼ of NW ¼ of Section 18 Township 7N Range 24E B.M. Custer County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼ of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:
Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)

_____ cubic feet per second and/or
_____ gallons per minute.

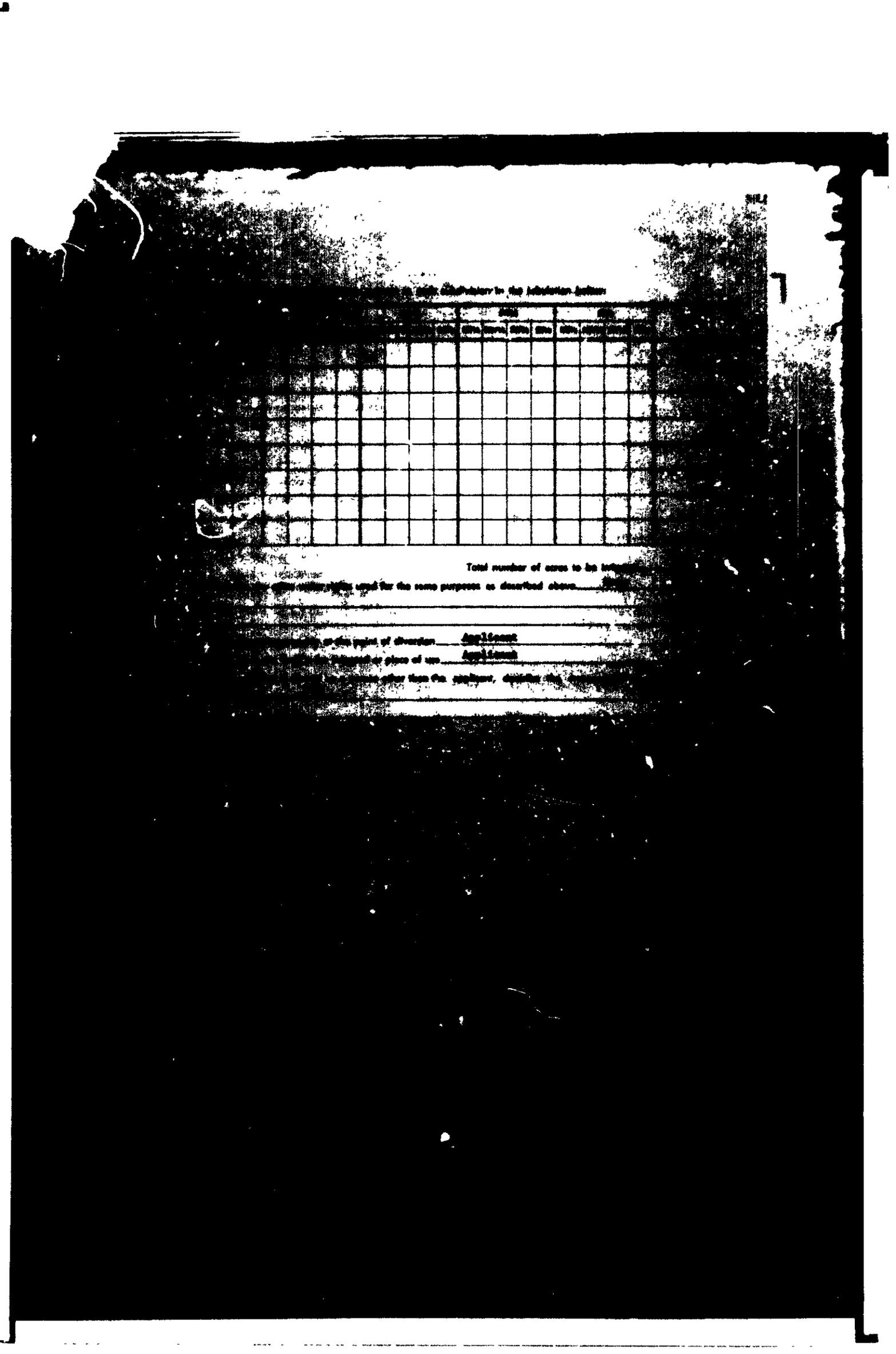
5. Name, purpose, headgate, etc. Headgate and measuring device

_____

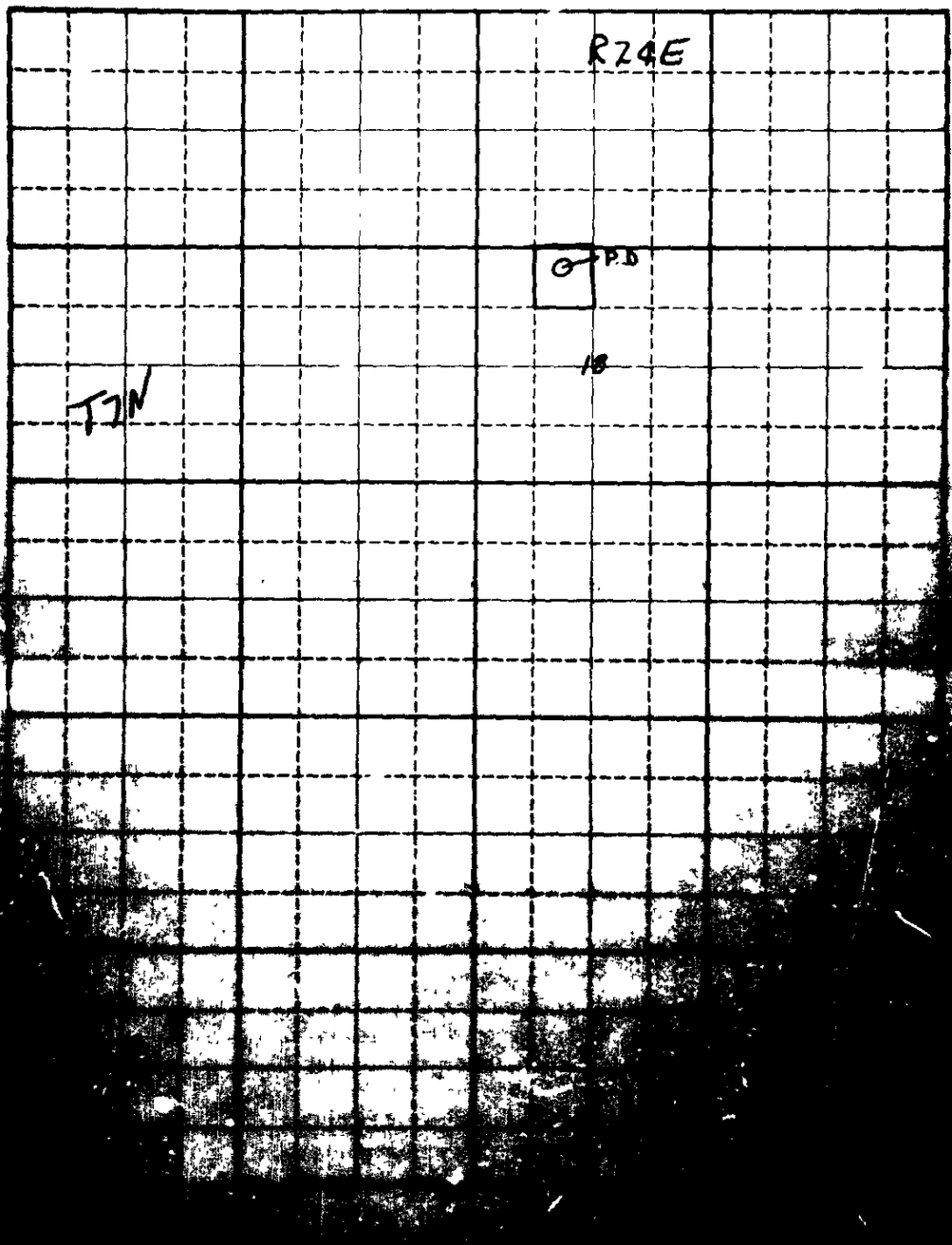
_____

_____

_____



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



Assigned Priority 4-10-74

Received by MB Date 4/10/74 Time 2:00 pm
Preliminary check by MB Fee $ 25.00
Receipted by MB Date 4-10-74 # 12421
Publication prepared by MB Date 4-12-74
Published in Mackay Miner
Publication dates April 25, 1974
Publication approved CB Date 5/6/74
Priority reduced to _____ Reason _____

Protests filed by Hugh H. Reed, Jim Dunphy, Gaylen D'Allen, Byrd McAffee, George C. Kimball

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RDC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the [illegible] State filed 34-7270, and said application is hereby APPROVED.

Approval of said application is subject to the following limitations and conditions:

SUBJECT TO ALL PRIOR WATER RIGHTS.

[illegible] said application of water [illegible]

[illegible], 19[illegible]

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	JE	4/11/74	Application No. 34 7070 Doyle
(2)			✓ Source ✓ Point of Diversion ✓ County ✓ Quantity of Water and Period of Use ✓ Description of Diverting Works ✓ Time required for B/U of water ✓ Place of Use or Acres Irrigated ✓ Map ✓ Signature ✓ Fee
(3)	JE	4/11/74	In form to receipt Yes
	JE	4/11/74	Send Copies to: ___ Idaho State Health Department ___ Idaho Fish and Game Department ___ Bureau of Land Management
(4)	JE	"	___ Request Special Use Permit from U.S.F.S. ___ Request Easement from B.L.M. ___ Request Information from Applicant
(5)	JE	"	In form for advertising Yes, advertise as being within the Big Lost River drainage
(6)	___	___	Located within Water District No. 34 Upper Valley Big Lost River
(7)	N/A		Critical groundwater area: yes___ no___
(8)	N/A		Groundwater levels:
			___ Decline (comment)_____
			___ Stable (comment)_____
			___ Increasing (comment)_____
(9)	JE	"	Comments:_____
(10)	JE	4/16/74	Affidavit of Publication received (date) April 16 1974
(11)	___	___	Final date for protests May 6 1974 Protests received: yes XX no___
(12)		4/25/74	Date and Place of hearing 5/20/74 [illegible] MacKAY Decision rendered at hearing [illegible] DEPT STAFF [illegible]
(13)	"	"	All requested information received [illegible] yes___ no___
(14)			Action recommended:
			Approve
			Deny

RECEIVED
MAY 1 1974
on
Area Office

Affidavit of Publication

STATE OF IDAHO }
County of CUSTER ADMINISTRATION }

I, MARGARET PARKS the

PUBLISHER

of The MACKAY MINER, a weekly newspaper of General Circulation published weekly and entered in the Post Office Mackay, Idaho, continuously since February 6, 1906, do solemnly swear that a copy of the notice, as per clipping attached, was published weekly in the regular and entire issue of said newspaper and not in any supplement thereof, for 2 consecutive weeks commencing with the issue dated APR 18, 19[illegible], and ending with the issue dated APR 25, 19[illegible].

Margaret Parks

Subscribed and sworn to before me this [illegible]

[illegible]

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 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

THOMAS D LITTLE
ELLEN S LITTLE
4366 18TH AVE
MERIDIAN MS 39305

RE: WATER RIGHT NO. 34-07070C

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.

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JUN 0 2 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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JUN 0 2 1998

The appeal must be . ıed within twenty-eight (2 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.

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

Sincerely,

Shelley Walter Keen

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICRO-FILM-

JUN 0 2 1998

CERTIFICATE OF MAILING

I hereby certify that on the **1st** day of **June, 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. 34-07070C

THOMAS D LITTLE
ELLEN S LITTLE
4366 18TH AVE
MERIDIAN MS 39305

Kari Lynn Townsend
Secretary

MICROFILMED

JUN 02 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 34-07070C DATE 5/20/98 REVIEWER: SHARLA

	Change/OK
NAME	OK
Address	OK
SOURCE	OK

Does change clarify unn. stream orig. intended source? If no, Void permit

POINT OF DIV OK _ Change (P39 /P47) _ Add (P45/P42) Feds - P40

W32 (multiple in ¼¼)
W36 (overlap)
W59 (subd. desc)

Overlaps: Right(s): _____
File reviewed ___ Profile reports printed ___

PLACE OF USE OK _ Change (P41/P47) _ Add (P41/P42) Feds - P43

W60 (subd. desc)
W27 (ppu acre limit)

Overlaps: Right(s): _____
File reviewed ___ Profile reports printed ___

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .133 cfs
Fee limit .20 cfs $50.00
Measured 4.16 cfs — extreme in relation to use 34-07506 app. may be from same system?
Theoretical flood cfs

Recommended Total Div Rate ____ cfs

WATER USES OK Change (P46)

Irr.	.13 cfs	7x3.5=af	Irrig -	overlap (R58-R61, R62-R65, R66-R69) (R63)
	____ cfs	____af		supp gw (WB7/065/079)
	____ cfs	____af		overlap spec combined rts (W35)
	____ cfs	____af		<1acre (W31)
	____ cfs	____af	Domestic	(W01/WB5/070/071/075)
TOTALS	.13 cfs	24.2 af	Power	(W42 or W43/025/027/R22 or R23)
			Fish (042)	Fire (077) Wtr Quality (081/R07)

Flow rate .13 cfs X 184 days X 1.98 = 47.4 af

REMARKS _____

ADD'L CONDITIONS R04 Watermaster Control WD# 34
spec 015 GW Measurement/Measuring Device —
____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority ___ yes ✓ no SRBA Claim ✓ Adjust Memo trib.
Amend letters ____

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 34-07070C

1 Owner Thomas D & ELLEN S Little Phone No. (601) 693-6663

Current Address: 4366 18th Ave, Meridian, MS. 39305

2 Accompanied by: — EXAM. DATE: 4-22-1998

Address. — Phone No. —

Relationship to Permit Holder: —

3. Source: Unnamed Stream tributary to —
AKA Cresto Springs

B. OVERLAP REVIEW

1. Other water rights with same place of use: —

— ☐ Copies Attached

2. Other water rights with same point of diversion: —

— ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1 **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

SEE ATTACHED PHOTOS

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JUN 0 ? 1998

Scale: 1" = _____.

2 ☑ Copy of U.S G.S 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 or more)

☑ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

PLACE OF USE IS FLOOD IRRIGATED BY BACKING STREAM UP WITH A DIVERSION DAM. PLACE OF USE IS VERY WILLOWY BUT DOES PRODUCE FEED (GRASS) FOR CATTLE TO GRAZE. ACTUAL PLACE OF USE COVERS MORE THAN PERMITTED ACRES (7). ESTIMATE ACRES IRRIGATED IN EXCESS OF 15 ACRES

☐ See Remarks on page 4 for continuation

4. N/A

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

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

5 **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NE	NW	18	7N	24E	CUSTER	ON SITE / FSA AERIAL

6. **Place(s) of Use:** Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	24E	18					(6)												(6) 7
							7												

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JUN 0 2 1998

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1

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

2 **Measurements:** SEE ATTACHED MEASUREMENT NOTES

Q = 4.46 cfs

E. FLOW CALCULATIONS

☑ Additional Computation Sheets Attached

1 Measured Method

2 Alternate Method for Checking Purposes

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2 31 = _____ ft (1); Dynamic pumping level. _____ ft (2)

Total Head: (1) + (2) = _____ (3) , Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx 001732 = _____ (6)

Panel Input HP. (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1 Volume Calculations for Irrigation

V_{IR} = (Acres Irrigated) x (Irrigation Requirement) = 7 ~~Flac~~(3.5) = ~~28~~ 24.5

V_{DR} = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = (0.133)(183)(1.9835) = 48.3

V = Smaller of V_{IR} and V_{DR} = ~~28afa~~ 24.5afa

2. Volume Calculations for Other Uses.

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JUN 0 2 1998

H. REMARKS AND OVERLAP REVIEW ANALYSIS

IRRIGATION ESTIMATED TO BE IN EXCESS OF 15 ACRES. ALL EXCESS WATER WOULD FLOW INTO THE BIG LOST RIVER.

34-7070C IS FILED UNDER A34-07070 FOR ADJUDICATION

I. RECOMMENDATIONS

1. **Recommended Amounts**

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	4/15	10/15	0.133	~~28.0~~ 24.5
				24.5 afa
		Totals:	0.133 cfs	~~28.0~~ afa

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

J. AUTHENTICATION

Field Examiner's Name: KEITH C WILSON

Signature: Keith C Wilson

Certification Date:

Field Report Preparation Date: 4/28/1998

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

MICROFILMED

JUN 0 2 1998

Form 21B-N
7/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

34-07070C
Water Right No
(If applicable)

Open Channel Discharge Measurement Notes

A. GENERAL INFORMATION

1 Name of stream or ditch STREAM (UNNAMED) aka Cresto Springs
2. Location.
3 Person conducting measurement: KEITH C WILSON
4 Date and time of measurement. 4-22-1998 @ 1320hrs
5. Accompanied by.
6. Measuring device size and ID no.: Pigmy Meter #090187
7 Spin test before measurement OK? YES after measurement OK? YES
8. Purpose of measurement: FIELD EXAM

B. MEASUREMENT DATA

Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY: At point	VELOCITY: Mean in vertical	Adjusted for hor. angle or	Area	Discharge
	REW										
	2.0		0								
	2.5	0.5	0.8		15	58	.281			.4	0.112
	3.0	0.5	0.8		15	57	.285			.4	0.114
	3.5	0.5	0.75		20	50	.419			.375	0.157
	4.0	0.5	1.1		50	43	1.16			.55	0.638
	4.5	0.5	1.35		50	46	1.09			.675	0.736
	5.0	0.5	1.5		40	40	1.00			.75	0.75
	5.5	0.5	1.3		50	46	1.09			.65	0.71
	6.0	0.5	1.45		40	49	.826			.725	0.599
	6.5	0.5	1.1		40	47	.859			0.55	0.472
	7.0	0.4	0.9		20	43	.482			0.36	0.174
	7.3		0								
			4.9							5.44	4.46
	LEW										

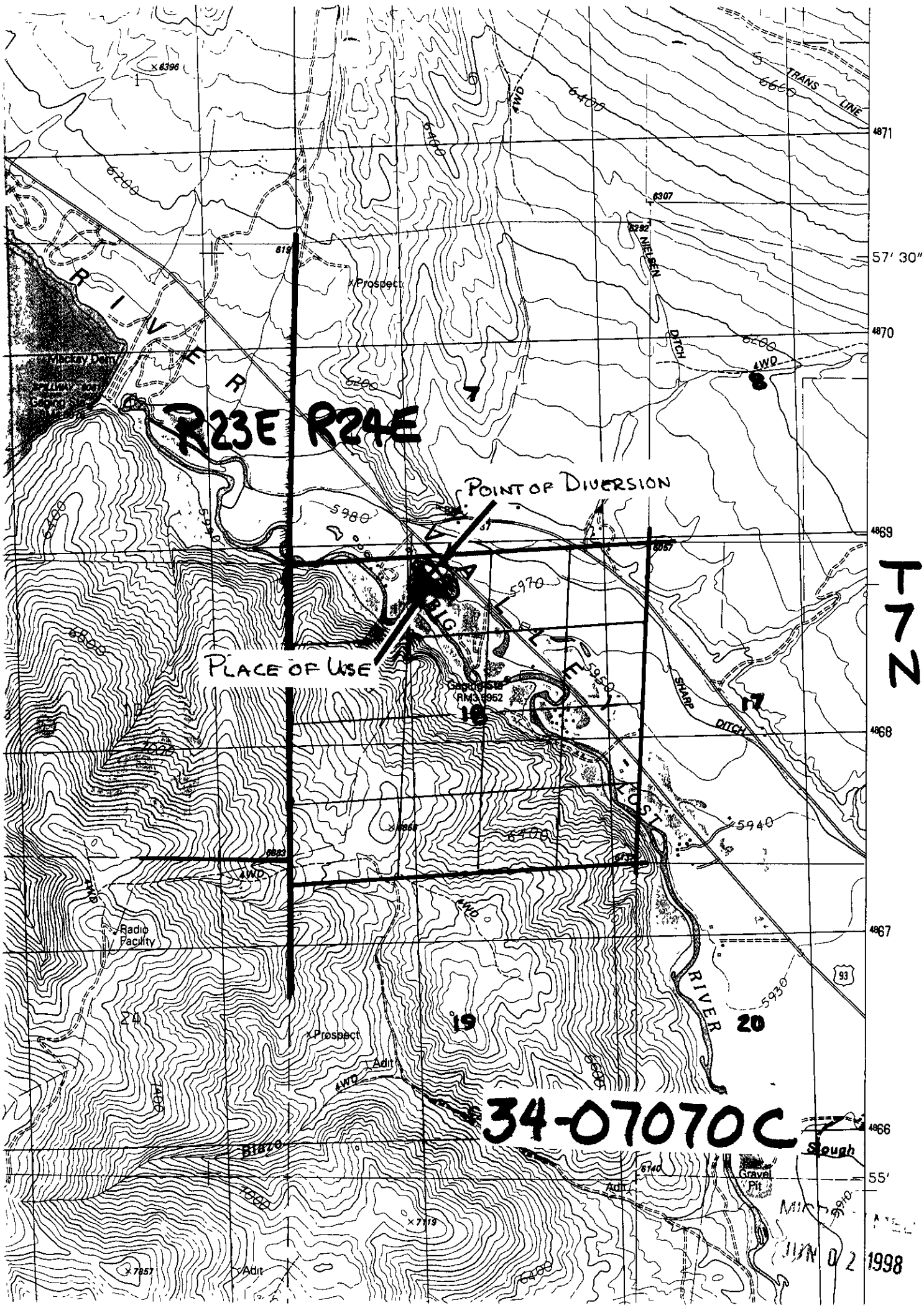
D. SUMMARY INFORMATION

1. Measurement rated ____ excellent ____ good ____ fair ____ poor
2. Remarks:
3. Width ____ Area ____ Discharge in cubic feet per second. 4.46

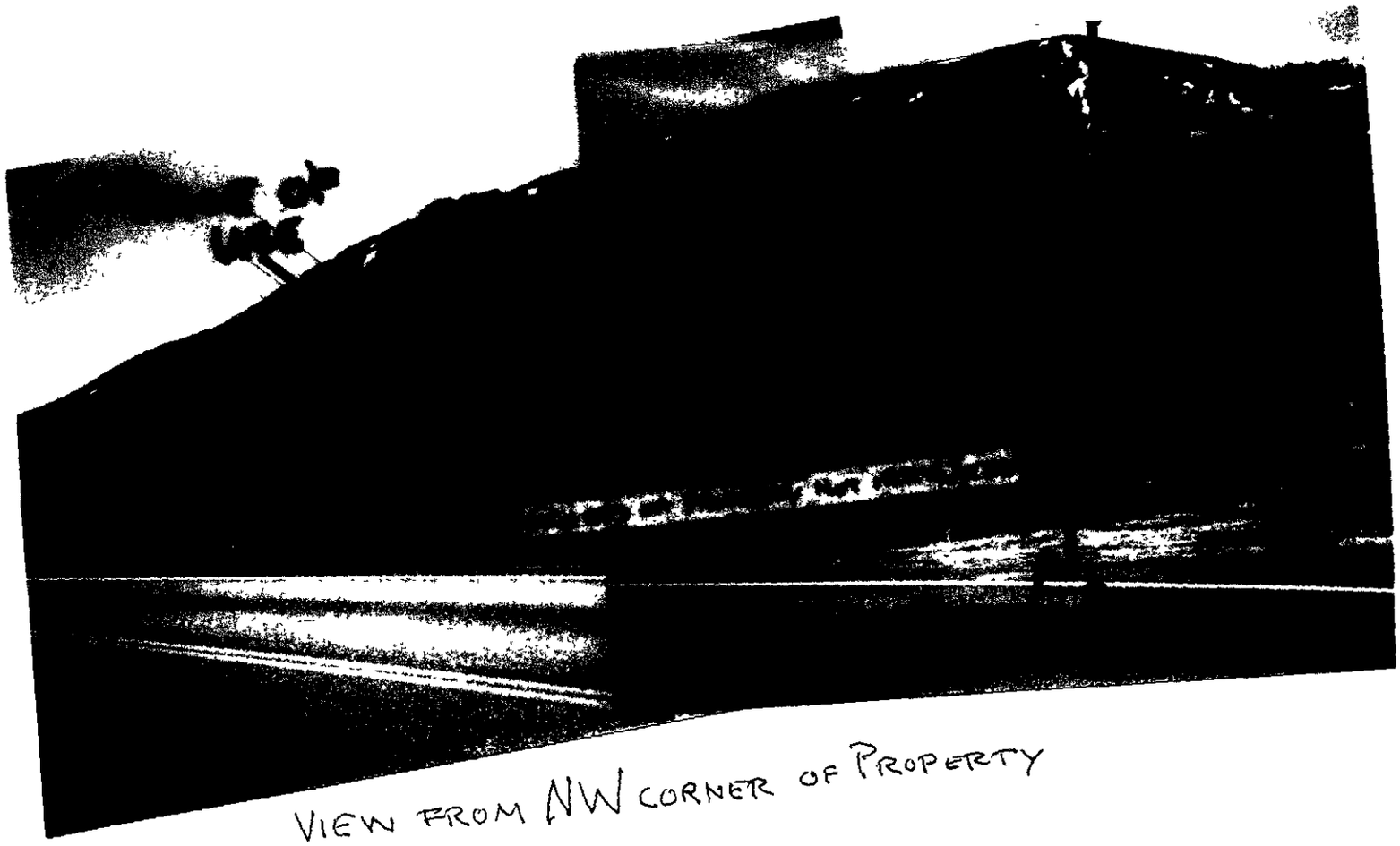
4/22/1998
DATE

Keith C Wilson
SIGNATURE OF PERSON CONDUCTING MEASUREMENT

MICROFILMED
JUN 0 2 1998


R23E R24E
T7N
POINT OF DIVERSION
PLACE OF USE
34-07070C
RIVER
BIG LOST
LOST
RIVER
TRANS LINE
NIELSEN DITCH
SHARP DITCH
Mackay Dam
SPILLWAY ELEV 6400
Radio Facility
Prospect
Adit
Gravel Pit
Slough
Blaze
4WD
Gaging Sta
RM3 5952
6307
6292
6057
6140
6396
7857
7119
6400
6200
6000
5980
5970
5950
5940
5930
5910
4871
4870
4869
4868
4867
4866
57' 30"
55'
93
JUN 02 1998


117
T-1.86
103
31.2
11.6
5.8
(CRESTO SPRING
Unnamed STREA
POINT OF DIVERSION
5.6
12
7
18
DITCH
DITCH
PLACE OF USE
R23E
R24E
T7N
34-07070C



VIEW FROM NW CORNER OF PROPERTY

MICROFILMED
JUN 0 2 1993

34-07070 C



VIEW OF DIVERSION DAM LOOKING UPSTREAM

FLOW



VIEW FROM TOP OF DIVERSION DAM

JUN 0 2 1998

34-07070 C





MICRO
JUN 0 2 1998

34-07070C

RECEIVED
SEP 27 1995
[illegible]

CONTINUATION SHEET

SCHEDULE A

Order Number: 7-690-C

Commitment Number:

PARCEL A:

A TRACT OF LAND LOCATED IN THE NE1/4NW1/4 OF SECTION 18, AND SE1/4SW1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 24 EAST OF THE BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID SECTION 18, SOUTH 81 DEGREES 34' 43" WEST, 1103.05 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 93 SAID POINT ALSO BEING THE REAL POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID U.S. HIGHWAY 93, SOUTH 46 DEGREES 27' 54" EAST, 164.56 FEET; THENCE SOUTH 14 DEGREES 47' 49" WEST, 1410.12 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID NE1/4NW1/4; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID NE1/4NW1/4, SOUTH 82 DEGREES 22' 41" WEST, 184.38 FEET; THENCE NORTH 1 DEGREES 21' 43" EAST, 747.50 FEET; THENCE NORTH 28 DEGREES 14' 43" EAST, 418.30 FEET; THENCE NORTH 35 DEGREES 16' 17" WEST, 207.60 FEET; THENCE NORTH 5 DEGREES 12' 43" EAST, 91.10 FEET; THENCE NORTH 51 DEGREES 33' 47" WEST, 134.85 FEET; THENCE NORTH 44 DEGREES 40' 46" EAST, 322.83 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF SAID U.S. HIGHWAY 93; THENCE SOUTH 46 DEGREES 27' 54" EAST, 273.25 FEET TO THE REAL POINT OF BEGINNING.

34-07070C

[illegible]
JUN 02 1998

MICROFILMED
NOV 18 1996

CONTINUATION SHEET

SCHEDULE A

Order Number: 7-690-C

Commitment Number:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18, THENCE ALONG THE NORTHERLY BOUNDARY OF SAID NE1/4NW1/4, SOUTH 81 DEGREES 34' 43" WEST, 1103.05 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 93; THENCE ALONG THE SAID SOUTHERLY RIGHT OF WAY OF U.S. HIGHWAY 93, SOUTH 46 DEGREES 27' 54" EAST, 164.56 FEET TO THE REAL POINT OF BEGINNING; THENCE SOUTH 46 DEGREES 27' 54" EAST, 743.50 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID U.S. HIGHWAY 93; THENCE SOUTH 43 DEGREES 31' 04" WEST, 1154.65 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID NE1/4NW1/4; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID NE1/4NW1/4, SOUTH 82 DEGREES 22' 41" WEST, 105.00 FEET; THENCE NORTH 14 DEGREES 47' 49" EAST, 1410.12 FEET TO THE REAL POINT OF BEGINNING.

RECEIVED
SEP 27 1995
Department of Revenue

3407070C

STEWART TITLE
GUARANTY COMPANY

0055

JUN 02 1998

MICROFILMED
NOV 13 1996

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DECEMBER 13, 1995

DR. THOMAS D LITTLE
ELLEN S LITTLE
4366 18TH AVENUE
MERIDIAN MS 39305

RE: RE: PERMIT NO. 34-07070C

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

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

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

MICROFILMED
DEC 20 1995

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 20, 1995

RECEIVED
SEP 27 1995
Department of Water Resources

GARY BUSCH
SUN VALLEY REALTY
PO BOX 43
SUN VALLEY ID 83353

RE: Permit No. 34-07070C

Dear Gary,

Enclosed is the Assignment of Permit form that we spoke of today on the phone. It must be filled out and signed by Mr. Dahlgren, assigning the above referenced permit over to Dr. Thomas.

I have also enclosed a Notice of Change of Water Right Ownership form that must be filed with our Adjudication Department for the Claim A34-07070C in the Snake River Basin Adjudication. The filing instructions are on the reverse side of the form.

Both forms are to be returned to this office, our address on the letterhead, and they will be processed accordingly. Please call us if your have any further questions.

Sincerely,

Roberta Loveall

Roberta Loveall
Clerical Specialist

RECORDED
DEC 20 1995

February 18, 1992

RE: Permit No. 34-07070C

Richard Dahlgren
PO Box 4402
Ketchum, ID 83340

Dear Permit Holder(s):

We acknowledge receipt of the statement of beneficial use and the supporting documentation for reinstating the above referenced permit.

Before a license can be issued, a field examination will be made by a representative of this Department. Enclosed is an Order of Reinstatement. Please note that the priority date has been advanced to August 15, 1991.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:clh

Enclosure

RECEIVED
MAR 1992

Mr. Tim Luke
State of Idaho
Department of Water Res.
1301 No. Orchard st.
Boise, Idaho 83706

2-10-92

RE: Permit # 34-7070.
Big Post River Drainage

Dear Mr. Luke,

I've finally received the notorized assignment from the previous owner, Mr. John Dyer, for permit # c34-7070. I've given up on Mr. Doyle's response.

As I mentioned in earlier correspondence, I have been working with your department for reinstatement of at least one of the three water permits that served the property since I purchased them in July of 1991. It's been next to impossible to gather the information you have requested. I've had little or no cooperation from the previous owners, three related families in Oregon and California. Months would pass before I received responses. One family never responded.

I realize I am beyond the filing dates. Hopefully I now have presented you with all that is needed and that you will accept my late filing and reach a favorable decision.

Thank you.

Sincerely,

Dick Dahlgren
Box 4402
Ketchum, Id 83340
208-726-2505

MAR 04 1992

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

I, JOHN B. DYER, IRMA DYER, hereby assign to RICHARD O. DAHLGREEN

of BOX 4402, KETCHUM, ID 83340
Address

All my right, title, and interest in and to Permit No. #C34-07070 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. 34-07070 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)

07N-24E-18 1/4, 1/4 NE NW 1/4 0.220 CFS, 27.5 A.F.A.

Made this 3 day of December, 1992

John B. Dyer
Permit Holder

Irma Dyer
Spouse of Permit Holder

State of ~~Idaho~~ Oregon)
ss
County of Curry)

On this 31 day of January, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

OFFICIAL SEAL
NORMA ANDERSON
NOTARY PUBLIC - OREGON
COMMISSION NO 002070
MY COMMISSION EXPIRES OCT 7, 1994

Norma Anderson
Notary Public residing at
1000 Oregon St.
Port Orford, OR 97465

My commission expires:
10-7-94

MAR 1992

January 31, 1992

Mr. Tim Luke
State of Idaho
Department of Water Resources
1301 No. Orchard St.
Boise, ID 83706-2237

RE: Permit No. 34-7070A, 34-7070B & 34-7070C

Dear Mr. Luke:

I had the opportunity to discuss the above referenced permits with Norm Young before the holidays. At one time they served a thirty four acre parcel I purchased in 1991. All three have lapsed.

I worked with Don Shaff during the late summer of 1991 in hopes of having them reinstated. Mr. Shaff was satisfied with what I was able to provide in the way of documentation and passed the process on to you. The copies of Mr. Shaffs' letter and one from you should refresh your memory.

My conversation with Mr. Young had been on another matter. The discussion about the permits followed. I told him that both Don Shaff and you had been most helpful and cooperative in bringing the issue to conclusion. He suggested that I go ahead and submit what I have to you for further consideration.

I would like to go on record at this time to abandon all efforts to have permits 34-7070A and 34-7070B reinstated.

I wish to continue with process of reinstating permit 34-7070C.

I've enclosed recent pictures of the upper culvert and point of diversion for 34-7070C that served the flood irrigation system since 1974 to the present.

Improvements have been made on the ditch, culvert, and pond since 1964 to the present. They have consisted of deeping the channel, removing debris, and work on the culvert to maintain a constant flow to downstream users. Diversion took place by simply blocking the upstream side of the culvert.

The affadavit you should have from Mr. John Dyer, the person I bought the property from, stated that the adjacent rancher, Mr. Scott MacAfee, has rented the property annually for grazing and winter pasture for his cattle.

It is my intent to continue that use. I also intend to fence the riparian zone on the river and the ditch to provide

RECEIVED
FEB 04 1992

better fish and wildlife habitat. I need at least the one permit, 34-7070C, to make the plan work.

Please let me know if you need more than the enclosed $50 for the late filing fee.

Thank you for your help and consideration.

Sincerely,

Dick Dahlgren

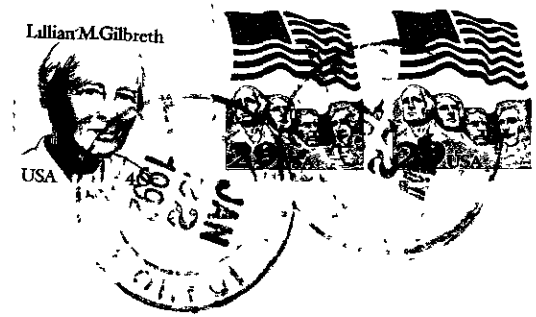
Dick Dahlgren
Box 4402
Ketchum, ID 83340
Ph. 726-2505

MAR 04 1992

RICHARD O. DAHLGREN



[redacted] BOX 4402
KETCHUM,
IDAHO 83340



MR. TIM LUKE
SR. WATER RES. SPEC.
STATE OF IDAHO
DEPT. OF WATER RES.
1301 N. ORCHARD ST., STATEHOUSE MAIL
BOISE, IDAHO
83720-9000

MAR 04 1992



UPPER DIVERSION POND
AND CULVERT. PERMIT # 34-7070A

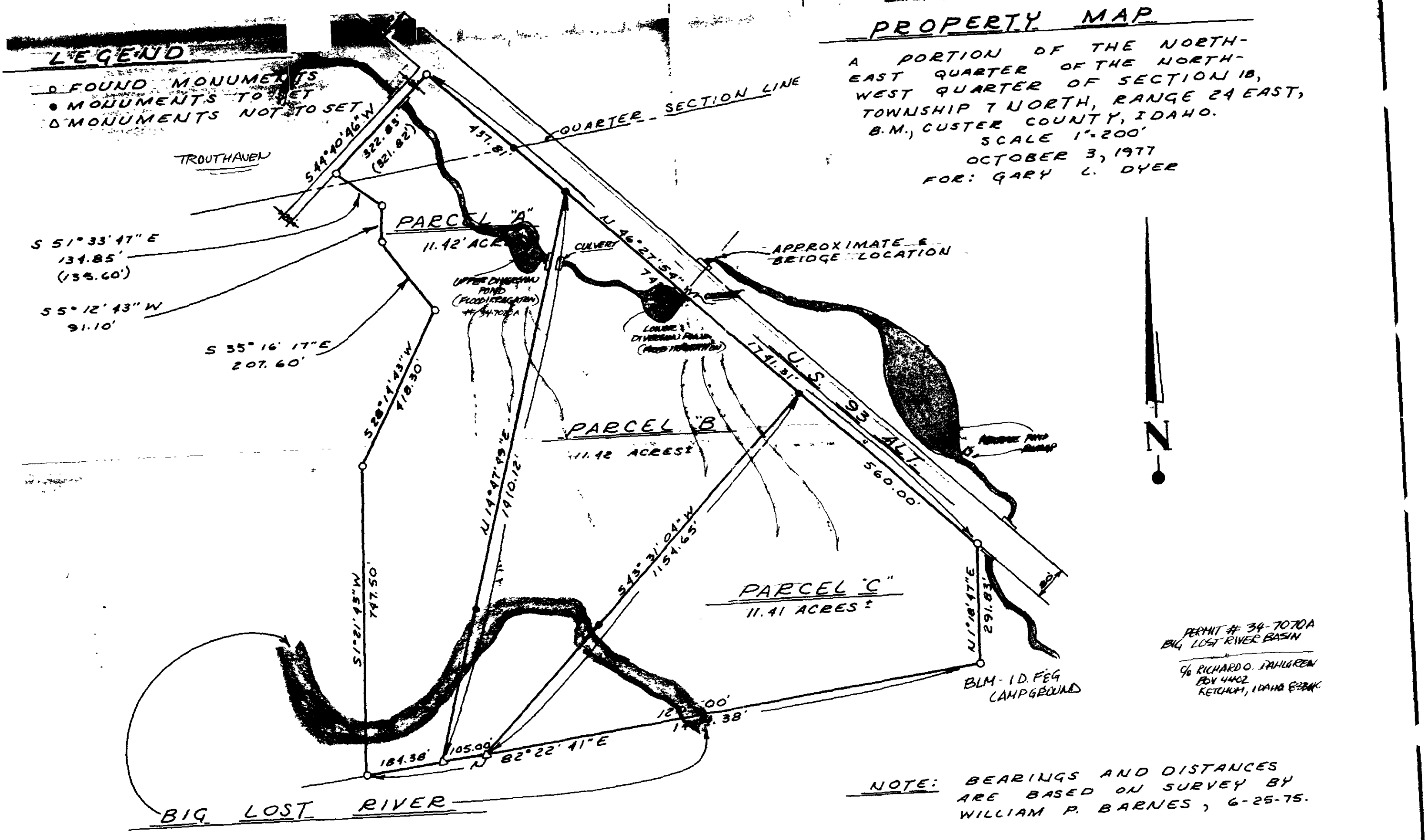
PROPERTY MAP

A PORTION OF THE NORTH-EAST QUARTER OF THE NORTH-WEST QUARTER OF SECTION 18, TOWNSHIP 7 NORTH, RANGE 24 EAST, B.M., CUSTER COUNTY, IDAHO.

SCALE 1"=200'

OCTOBER 3, 1977

FOR: GARY L. DYER



PERMIT # 34-7070A
BIG LOST RIVER BASIN

C/O RICHARD O. DAHLGREN
BOX 4402
KETCHUM, IDAHO 83340

NOTE: BEARINGS AND DISTANCES ARE BASED ON SURVEY BY WILLIAM P. BARNES, 6-25-75.

ENGINEERS & PLANNERS
405 N. FIFTH/COOS BAY, OR 97420
19 N.W. 5th/PORTLAND, OR 97209

RECEIVED
JAN 23 1992
Department of Water Resources

January 21, 1992

Mr. Tim Luke
State of Idaho
Department of Water Resources
1301 No. Orchard St.
Boise, ID 83706-2237

RE: Permit No. 34-7070A, 34-7070B & 34-7070C

Dear Mr. Luke:

I had the opportunity to discuss the above referenced permits with Norm Young before the holidays. At one time they served a thirty four acre parcel I purchased in 1991. All three have lapsed.

I worked with Don Shaff during the late summer of 1991 in hopes of having them reinstated. Mr. Shaff was satisfied with what I was able to provide in the way of documentation and passed the process on to you. The copies of Mr. Shaffs' letter and one from you should refresh your memory.

My conversation with Mr. Young had been on another matter. The discussion about the permits followed. I told him that both Don Shaff and you had been most helpful and cooperative in bringing the issue to conclusion. He suggested that I go ahead and submit what I have to you for further consideration.

I would like to go on record at this time to abandon all efforts to have permits 34-7070B, and 34-7070C reinstated.

I wish to continue with process of reinstating permit 34-7070A.

I've enclosed recent pictures of the upper culvert and point of diversion for 34-7070A that served the flood irrigation system since 1974 to the present.

Improvements have been made on the ditch, culvert, and pond since 1964 to the present. They have consisted of deeping the channel, removing debris, and work on the culvert to maintain a constant flow to downstream users. Diversion took place by simply blocking the upstream side of the culvert.

The affadavit you should have from Mr. John Dyer, the person I bought the property from, stated that the adjacent rancher, Mr. Scott MacAfee, has rented the property annually for grazing and winter pasture for his cattle.

It is my intent to continue that use. I also intend to fence the riparian zone on the river and the ditch to provide

better fish and wildlife habitat. I need at least the one permit, 34-7070A, to make the plan work.

Please let me know if you need more than the enclosed $50 for the late filing fee.

Thank you for your help and consideration.

Sincerely,

Dick Dahlgren

Dick Dahlgren
Box 4402
Ketchum, ID 83340
Ph. 726-2505

1092

State of aho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 21, 1991

Richard O. Dahlgren
P.O. Box 4402
Ketchum, ID 83340

RE: Snake River Basin Adjudication (SRBA)
Custer County - #A34-07070, Receipt #C020968

Dear Mr. Dahlgren:

Enclosed is a copy of your water right referenced above. The refund process has been initiated and you should receive your check in the near future.

At some point in the future, you'll hear from Water Allocations Section on the proof of beneficial use and a decision on reinstatement of the permit. In somewhat the same time frame you are likely to receive communications from this Section on your claim. I hope you can understand the single water use you have is proceeding simultaneously (1) through an administrative process that may mature the previously permitted water use into a confirmed, licensed use, and (2) through a court proceeding assisted by IDWR to adjudge the claim you submitted. Thank you for your assistance and patience.

I strongly suggest contacting us if you have <u>any</u> questions.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:east
Enclosure:
#A34-07070

MA-04232

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

August 8, 1991

Richard O. Dahlgren
P.O. Box 4402
Ketchum, ID 83340

RE: Snake River Basin Adjudication (SRBA)
Custer County - #A34-07070

Dear Mr. Dahlgren:

The package of claim related materials including the unchanged two claims earlier submitted by Fred C. and Nancy M. Doyle and John B. and Irma Dyer was received August 7, 1991.

You will find enclosed a prepared claim to accomplish in another manner the objective we discussed in our July, 1991 conversation. Please review, and if acceptable, sign and have your signature notarized and return to my attention by August 19, 1991. I am also returning your receipt #C020967 for your records.

The Proof of Beneficial Use form and instructions is also enclosed. Unless Mr. Dyer has submitted the proof with the assignment, you will want to do so to reinstate the permit.

If you have any questions, please contact me.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:state:tf
Enclosures:
Notice of Claim #A34-07070
Proof of Beneficial Use Form w/Instructions
Receipt #C020967

04 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

September 10, 1991

Richard Dahlgren
Box 4402
Ketchum, ID 83340

RE: Permit No. 34-7070A, 34-7070B & 34-7070C

Dear Mr Dahlgren:

The Department received your proof of beneficial use statement for the above referenced permits on August 15, 1991. The permits lapsed August 1, 1991 so the 60-day late period during which the permits can be readily reinstated has passed.

The permit holders of permit no. 34-7070B submitted a request for extension of time to the department on June 18, 1990. The request for extension was denied by the department since the permit holders had already been granted the maximum extension of time provided by state law (see Section 42-204, Idaho Code). Proof of beneficial use for permit 34-7070B therefore can not be accepted by the department. This permit will remain permanently lapsed. The permit holders were given notice of this action by a letter dated August 20, 1990.

Since requests for extension of time were not submitted for permit no.s 34-7070A and 34-7070C, the department can still consider reinstating these permits only if the development allowed by the permits was completed prior to the proof due date, or August 1, 1991. Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permits can now be reinstated only if you submit the following:

a) Evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date.

b) Reasonable cause why the proof of beneficial use was filed late.

If you can provide evidence that development authorized by permit no.s 34-7070A and 34-7070C was completed prior to August 1, 1990, then you will also need to have the former permit holders assign the permits to you using the enclosed assignment forms prescribed by the department. The notarized statement submitted by John Dyer for al three permits is not acceptable. Furthermore, if you can provide evidence of development for the latter two permits, you will also need to submit a license examination fee for both permits. The fee for each permit is $50.00. The fee is based on the diversion rate (see attached fee schedule).

MAR 04 1992

Your proof of beneficial use statement along with any information which may have been submitted with it will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

Please feel free to contact this office if you have additional questions.

Sincerely,

Tim Luke

TIM LUKE
Sr. Water Resource Spec.



- PARCEL SERVED
- CRISTO CREEK

● - SPRINGS THAT FLOW INTO CREEK

- FLOOD IRRIGATION WATER COURSES

DYER PROPERTY
CRISTO CRK - BIG LOST RIVER
MACKAY, ID

34-7070A

Sharla -

8-20-91

Here's a Proof & reinstatement "request" & assignment for that matter. This all resulted From Adj. claims initially. For any questions about what's transpired, call/see me. With it as Basin 34, I would like to know decision(s) ASAP.

Thank,

Don

MEMO TO FILES: A34-00328A, A34-00328B, A34-10002, A34-07070 AND PERMIT #34-07070

FROM: Anna Baumhoff

RE: Point of diversion, Source/Tributary, standardization of recommendations.

DATE: August 20, 1991

There currently are four(4) claims filed which appear to claim water from a SPRING that is commonly called "CRESTO SPRING". It has been determined after an evaluation of all claims, Decree #34-00328 and permit #34-07070 that all are describing water from a spring that is diverted into a ditch in the SWSESW section 7, T7N, R24E, and then individual diversion means are utilized by the individual water users. (There are a variety of names given in the different records and a source/PD comparison is inconsistent with the actual use found during field investigation for the ADJ claims)

The Decreed right #34-00328 cites the source as "Spring" Tributary to the "Big Lost River". Although the "Spring" is commonly referred to as "Cresto Spring" or "Cristo Spring" There is no identified spring on the U.S.G.S. maps. Therefore the Source for all rights will be recommended as:

SPRING tributary to: BIG LOST RIVER

THE POINT OF DIVERSION for all rights will be recommended as: (confirmed by field exam)

SWSESW Sec. 7, T7N, R24E (point where the ditch begins)

REMARK F06 will be included in each recommended right:

"THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE: 34-00328A, 34-00328B, 34-10002..."

**NOTE: PERMIT #34-07070 currently has a status of "LAPSED" and is currently being recommended for DISALLOWAL" due to this status. see comments in R34-07070.

MAR 04 1992

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS-NESS LAW PUB. CO., PORTLAND, OREGON

STATE OF OREGON,
County of Curry } ss.

BE IT REMEMBERED, That on this 6 day of August, 1991, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named John B Dyer

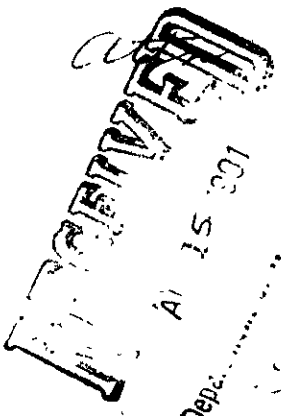
known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written

Norma Anderson
Notary Public for Oregon.
My Commission expires 10-7-94

Aug. 6, 1991

Clerk Donald F. Skaff
Snake River Adjudication Section
State of Idaho Dept. of Water Resources



This affidavit serves as proof that the above parcel of property in Custer County, a portion of the North East Quarter of the North West Quarter of Section 12, Township 7 North, Range 21 East, BM in Custer County, Idaho containing water rights # 34-07078, 34-07077 and # 34-07076 have been sold to Richard Ashlyrie of Hailey, Idaho along with the above mentioned water rights.

I swear that the above statements are true & correct

Sincerely,
John B. Myer

OFFICIAL SEAL
NORMA ANDERSON
NOTARY PUBLIC - OREGON
COMMISSION NO. 002070
MY COMMISSION EXPIRES OCT 7, 1994

FORM NO. 23 — ACKNOWLEDGMENT
STEVENS NESS LAW PUB CO PORTLAND ORE

STATE OF OREGON,
County of Curry } ss.

BE IT REMEMBERED, That on this 30th day of July, 1991, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named John B. Dyer

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Pam Evans
Notary Public for Oregon
My Commission expires 3/19/94

July 30, 1991

Attn: Donald V. Shaff
Mgr adjudication Section
State of Idaho Dept. of Water Resources

The following information is an affidavit to the facts concerning properties owned by John B Dyer, Gary L. Dyer and Fred Doyle, Jr. to wit: Claim A 34-07070, B 34-07070 and C 34-07070 pertaining to water usage on the three parcels of land located about three miles north of Mackey, Ida. in Custer County.

Benefical use of water was prevalent on the three properties listed above by both horses and cattle from as far back as the year of 1975 when Ardell Warner grazed his horses on the property at my permission and used water from the stream coming out of Cresto Springs through the property. Later on, about 1985, the land was rented for both horses and cattle to Leatl McAfee on a yearly basis for pasture and water up to the present year of 1991 when the three parcels were sold to Richard Dahlgren of Ketchum, Idaho

MAR 04 1992

The above information is an curate history of benefical water

usage during the past years as I have mentioned and even before the year of 1975 by both Earl and Scott McAfee for random grazing for both horses and cattle while I lived at another location nearby and noticed stock using water.

I swear that all statements made above are true and accurate to the best of my knowledge.

RECEIVED
AUG 07 1991
Department of Water Resources

Sincerely

John B. Dyer

MAR 04 1992

August 13, 1990

JOHN B. DYER
IRMA DYER
P.O. BOX 863
PORT ORFORD, OR 97465

LAPSE NOTICE

RE: PERMIT NO. 34-07070C

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar ($15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

CERTIFICATION OF MAILING

I hereby certify that on 8-15-90 a copy/an original of this document was deposited in the United States mail, postage prepaid addressed to the individual(s) named above.

[redacted]

/30768

May 31, 1990

JOHN B. DYER
IRMA DYER
P.O. BOX 863
PORT ORFORD, OR 97465

PROOF DUE NOTICE

RE: PERMIT NO. 34-07070C

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

August 17, 1989

John B. and Irma Dyer
P. O. Box 863
Port Orford, OR 97465

Dear Mr. Dyer:

Re: Permit No. 34-7070C

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to August 1, 1990.

The department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions, please feel free to contact this office.

Sincerely,

[redacted] I. FLECK
[redacted]ancy/Records Manager

Enclosure

GARY L. DYER, P.E.
CONSULTING ENGINEER
P. O. BOX 1198
COOS BAY, OREGON 97420
TELEPHONE: (503) 269-0732

RECEIVED
JUN 08 1989
Department of Water Resources

June 5, 1989

Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Attn: Rita Fleck

Re: Permit Nos. 34-7070 A,B,C

Dear Ms. Fleck:

Enclosed is a request for extension of time on Permit No. 34-7070B, along with my check in the amount of $ 15.00. You will be receiving identical requests from John Dyer and Fred Doyle for Permit Nos. 34-7070C and 34-7070A.

The three families owning these adjoining properties and the corresponding water permits intend to work together in developing the water for irrigation use. I have been authorized to write to you in their behalf in order that we may secure an extension of time to organize and accomplish this work. My father, John B. Dyer, plans to go to Idaho next Summer and start the work in coordination with a resident farmer.

Due to recent litigation, we have been unable to develop the water right previously. None of the affected owners reside in Idaho. It is imperative that we be granted a 3-year extension in order that we may have ample time to complete the permit development.

Very truly yours,

Gary L. Dyer

May 31, 1989

Cert Mail #
138542

John B. and Irma Dyer
P. O. Box 863
Port Orford, OR 97465

Dear Mr. and Mrs. Dyer:

Re: Permit No. 34-7070C

PROOF DUE NOTICE

I reviewed your letter in which you advise your development authorized by the above-referenced permit will not be complete by August 1, 1989.

Enclosed is a request for extension of time form. If more time is needed to complete the project, complete and return the form along with the filing fee. The extension request must be received by August 1, 1989 to keep the permit in good standing.

A review of the water right file shows that the permit was approved on August 1, 1979. The department has subsequently approved two extensions of the in which to submit the proof. Based on this history, the department can consider approving a third extension of time for only one year, if you submit an extension request. If development is not completed under the third extension, the permit will lapse and become of no force nor effect since the department is not authorized to grant additional extensions of time.

Please feel free to contact the department if you have questions.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

34-7070C

Pi+A

Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
MAY 18 1989
Department of Water Resources

Attn: Tim Luke

Re: John B. & Irma Dyer

Dear Mr. Luke:

This is to acknowledge receipt of the Continuation Order approved by the Department on April 28, 1989, relative to the permit referenced above.

Due to time constraints, my current business obligations, and the uncertainty associated with recent water rights litigation, I have been unable to develop the water system to beneficial use. I am unable to develop the system prior to August 1, 1989. However, it is my intent to develop the water right in the future. Therefore, I request an extension of time in the duration of 5 years to August 1, 1994.

Your early response will be appreciated.

Very truly yours,

John B Dyer
PO Box 863
Post Orchard Co 97465

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

Parts B/C

January 30, 1989

RE: PERMIT NO. _____

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a $20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4.2.3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy enclosed).

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 334-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

Please note that a copy of your permit is enclosed. The permit number is shown on the enclosed questionnaire.

Sincerely,

Timothy J. Luke

TIM LUKE
Sr. Water Resource Agent

Enclosures

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Parts A/B/C

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NOT COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

> 42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. Glen Saxton

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

RECEIVED
MAY 08 1989
Department of Water Resources

BOISE IDAHO
MAY 5 PM
US POSTAGE
0.25

Kenneth & Delores Bloodworth
Box 621
Brentwood, CA 94513

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

April 28, 1989

RE: Permit No. 34-7070C

Kenneth D. & Delores G. Bloodworth
P.O. Box 621
Brentwood, CA 94513

Dear Mr. and Mrs. Bloodworth:

Enclosed is an order that authorizes you to continue development under permit to appropriate water no. 34-7070C. Please note in condition #1., page two of the order that you must develop your system and beneficially use the water prior to August 1, 1989. Failure to beneficially use the water before August 1, 1989 could result in a loss of your water right permit.

Please note the conditions of approval contained in your permit and the continuation order. You must comply with the conditions to fully complete beneficial use.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:hm

Enclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-[illegible]

February 22, 1989

Challis Messenger
c/o Custer Publishing Co.
Box 405
Challis, ID 83226

Dear Legal Department: Parts B/C

Enclosed you will find legal notices which we wish to have published on March 2 and March 9, 1989 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notices must appear in the issue that is distributed during the weeks of February 27 and March 6. If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and billing to the office below before March 20, 1989.

Idaho Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720

Sincerely,

Heidi M. Mikel

HEIDI M. MIKEL
Secretary

February 8, 1989

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

Attn. Jim Lake
Water Allocation / Trust Water

RE: Permit No. 34-7070C

Dear Mr Lake!

This is to notify the Department that I plan to develop under the above referenced water permit.

Enclosed is the requested Trust Water Information Questionnaire and my check in the amount of $20.00 fee re-advertisement.

Very Truly yours
Jana C Dyer
Box 863
East Oxford, Oa 97865

RECEIVED

FEB 13 1989

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

GENERAL INSTRUCTIONS: Please answer all questions thoroughly. A separate questionnaire must be completed for each permit.

1. Permit number [illegible].

2. Was the development or a portion of the development complete and water from the source identified under this permit used before July 1, 1985? Yes _____ No X

   If yes, the Department requests that you submit evidence showing the extent of your development existing on July 1, 1985. Evidence should at least include aerial photos (for developments of five acres or more) which are signed and dated by a local ASCS representative. Other evidence may include power records, irrigation equipment records or receipts, and affidavits from persons who are knowledgeable of your operation and dates of past water use.

3. Are you still interested in developing or completing the development under your water right filing?
   Yes X No _____
   If no, please complete and return the attached relinquishment form.
   If yes, please submit the required $20.00 readvertisement fee.

4. If you answered yes to question #3, please indicate the number of acres you intend to develop. _____
   6.66 acres

5. Remarks: _____

I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in voiding of the application or cancellation of the permit by the department.

[illegible] Permit holder. _____ Date

Address: [illegible] Phone ( ) [illegible]

NOTICE OF EXISTING
WATER RIGHT PERMIT

PERMIT No. 34-7070C
Originally issued as follows:

Name: KENNETH D. & DELORES G. BLOODWORTH
Address: P.O. BOX 621, BRENTWOOD, CA 94513
Source: CRESTO SPRINGS, Tributary to Big Lost River
Diversion Pt.: NENW Sec. 18 T7N R24E
Use: IRRIGATION (0.133 CFS)
Priority: 4/10/74
Place of Use NENW Sec. 18 T7N R24E, CUSTER COUNTY
Total Acres 6.67

The permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before March 20, 1989. A protest must overcome the presumption of Water Appropriation Rule 5.2.1.

R. Keith Higginson, Director

December 17, 1980

John E Dyer
P.O. Box 863
Port Orford, Oregon 97465

Dear Mr. Dyer,

RE. Permit No. 34-7070

This office acknowledges receipt of the assignment conveying the above referenced permit to you.

This assignment has been entered into the Departments records. Enclosed is a copy of the permit of which you now own a portion of.

In regards to your letter of December 10, 1980, we found that although our records were changed to reflect your ownership of said permit, we had neglected to send you the acknowledgement. Your second assignment is not necessary and is enclosed.

I apologize for any inconvenience this may have caused you.

If you have any further questions on this matter please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ mr

Enclosure

Gentlemen

DEC 15 1980
Department of Water Resources

In May of this year, I sent you an Assignment of Permit for transfer of water rights. I have heard nothing in reply as I assume the permit has been misplaced or lost.

I am sending another notorized copy of a Permit of Transfer. Will you please process and let me know by return mail if the transfer has been made or what has to be done to expedite such a transfer.

Yours truly
John B Dyer
PO Box 863
Port Orford,
Ore 97465

June 15, 1984

John B. and Irma Dyer
P. O. Box 863
Post Orford, OR 97465

Dear Mr. and Mrs. Dyer

Re: Extension of Time for Permit No. 34-70700

Enclosed is the approved extension of time in connection with the above referenced permit. The time within which to submit the statement of beneficial use is extended to August 1, 1989. The request has been approved with the following condition:

> "The Department reserves jurisdiction of this permit for the purpose of adding any appli able conditions to protect the public interest."

Such conditions may be necessary due to statutory or regulatory changes occurring after the date of the extension and before the date that beneficial use is made. However, if conditions are added to your permit, you will be given an opportunity to object to them.

The department has been holding the extension of time request without action because of the ongoing Swan Falls litigation. Even though this dispute has not been settled, it has been determined that a decision is now necessary on your request for extension to clarify for you and all other parties to the Idaho Power lawsuit the status of the permit you hold. If the permit is valid, the extension request can be approved under existing law, but development and continued use of water under terms of the permit may be adversely affected when the Swan Falls litigation is ultimately resolved.

Approval of this extension of time should not be considered as encouraging you to commence construction. The Swan Falls litigation is still pending and there are inherent risks in making expenditures on a project

that is subject to litigation. Pending litigation will be considered as a cause for applying for and receiving additional extensions of time for potential project construction and proof submittal if the Swan Falls matter is not resolved in the near future.

If you have questions on this extension approval, please feel free to contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

Enclosure

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 34-7070 C

Y Date received stamp

Y Fee received and receipted

Y Name on request same as on permit

Y Address same permit as on latest correspondence

Y Proof due date within six months of due date

Y Signature same as permit

— Source of water the same

— Review conditions of approval

Y Extensions previously approved

N Proceed diligently

Y Is delay caused by litigation: Y Swan Falls

Date lit. completed _____ _____

Date lit. began _____ _____

Period of delay _____

New proof due date _____

ACTION: Recommend approval based on pending Swan Falls litigation

✓ Is the extension timely received?

✓ Reinstate: Extension received _____ _____

Proof due date _____ _____ _____

Days late _____

Priority date _____ _____

Adjusted priority date _____ _____

✓ Is there commencement of works?

___ Cover letter

___ Coding sheet

___ Rolodex card updated and refiled

Reviewed by _____ Date: 6-13-1984

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

EXTENSION OF TIME

June 11, 1984

John B and Irma Dyar
P. O. Box 863
Port Orford, OR 97465

PERMIT NO. 34-7070C

We are in receipt of the $15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 34728.

Roberta Garrett
Records Supervisor

Enclosure

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
138759

John B. and Irma Dyer
P. O. Box 863
Port Orford, OR 97465

PROOF DUE NOTICE

MAY 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 34-7070C WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE AUGUST 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

INTER-DEPARTMENT MEMO — 1

DATE 6/2/80

FROM Jim

TO File

SUBJECT Summary of Assignments filed with this permit

Fred W Doyle to Larry Lee & Linda C Dyer (Partial) 34-7070 — ~~34-7070A Doyle~~ 34-7070B Dyer
6.66 Ac - NE¼ NW¼ sec 18 T7N R6E

Fred W Doyle to Kenneth O & Delores G Bloodworth (Partial) ~~34-7070A~~ — ~~34-7070C~~ Doyle
6.67 Ac NE¼ NW¼ sec 18 T7N R7E ~~34-7070B~~ Bloodworth

No split → Fred W Doyle to Fred C & Nancy Doyle (Partial) 34-7070C ~~34-7070B Doyle~~ 34-7070C Doyle, Fred C.

No split → Kenneth O. Bloodworth to John B & Irma Dyer 34-7070D

SEE BACK SIDE FOR SUMMARY OF NUMBER SPLIT

SIGNATURE

September 12, 1979

Kenneth J. Bloodworth
P. O. Box 621
Brentwood, CA 94513

Dear Mr. Bloodworth:

Re: Permit No. 34-7088

Enclosed is a copy of the approved request for an extension of time. The time within which to submit proof of beneficial use of water is extended to August 1, 1984.

Please note that due to allate request for an extension of time, the priority date has been advanced to April 26, 1974.

Sincerely,

[redacted]
Water Rights Supervisor

JH:rf

Enclosure

Form 304
8/78

Identification No PERMIT # 34-7070

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

KENNETH O. BLOODWORTH (Name) of P.O. BOX 621 BRENTWOOD CALIF. 94513 (Address)

State of CALIFORNIA, deposes and says.

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 34-7070

That under the terms and conditions of said permit, work thereunder was required to be completed on or before AUGUST, 1979.

That he has heretofore performed the following work described under said permit THE DITCH WAS DUG FOR THE CANEL, AND THE BRUSH HAS BEEN CLEARED AWAY. THE PROPERTY WAS ALSO SURVEYED.

Costing $ 1,500.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: I PURCHASED IT RECENTLY, AND HAVE NOT HAD TIME TO FINISH THE WORK. I'AM VERY INTERESTED IN THE PROPERTY AND WILL COMPLETE THE WORK AS SOON AS POSSIBLE. THE WEIR IS ALL THAT REMAINS

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to AUGUST, 1984.

Kenneth O Bloodworth
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use of water is extended to August 1, 1984.

IT IS FURTHER ORDERED that the permit be reinstated and the priority advanced to April 26, 1974.

Signed this 11th day of September, 19 79.

L. Glen Saxton
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

September 12, 1979

Fred C. Doyle
144 Alamo
Oroville, CA 95688

Dear Mr. Doyle:

Re: Permit No. 34-7070 (Partial)

Enclosed is a copy of the request for extension of time. The time within which to submit proof of beneficial use of water is extended to August 1, 1984.

Please note that due to a late request for an extension of time, the priority date has been advanced to April 19, 1974.

Sincerely,

JOE BROWER
Water Rights Supervisor

JB:rf

Enclosure

Form 204
5/78

Identification No _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

[illegible] [illegible] of [illegible] [illegible] 83688
(Name) (Address)

State of _____, deposes and says

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 34-7670

That under the terms and conditions of said permit, work thereunder was required to be completed on or before July 1, 1979

That he has heretofore performed the following work described under said permit. _____

Ditches in - Brush cleared and etc

Costing $ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Title search in the Subdivision of unknown heirs [illegible] that the requirements are on the [illegible]

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to July 1, 1984

[illegible]
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use of water is extended to August 1, 1984.

IT IS FURTHER ORDERED that the Permit be reinstated and the priority advanced to April 19, 1974.

Signed this 11th day of September, 1979

R. Glen Saxton
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

August 1, 1979

Kenneth O. Bloodworth
P.O. Box 621
Brentwood, CA 94513

Dear Mr. Bloodworth:

RE: Permit No. 34-7070

We have received your request for an extension of time in which to submit proof of beneficial use for the above referenced permit.

However, in order to process this request we need more information concerning the amount of work completed to date on your project. The enclosed Request for Extension of Time form, when completed will give us this information. If no work has been done, this must be indicated on the request form.

Please complete this form and return it to this office within twenty (20) days if your proof due date has passed in order to prevent your permit from lapsing. If your proof due date has not passed, then the extension request form must be submitted on or before that date.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rr

Enclosure

RECEIVED

JUL 9 1979

Department of Water Resources

Kenneth O. Bloodworth
P.O. Box 621
Brentwood, Ca. 94513

July 4, 1979

State of Idaho
Department of Water Resources
State Office
373 S. Franklin Street
Boise, Idaho 83720

Attn; Ms. Rita Fleck
Sr. Secretary

Re: Permit #34-7070 (Partial- Kenneth O. Bloodworth)

Dear Ms. Fleck,

I would appreciate your consideration on permit #34-7070 for a 5 year extension. I have not applied for a extension before, since I just recently acquired the property. I plan to develop the water right and install the required equipment.

If granted an extension, I will proceed as soon as possible on this project.

Your response will be appreciated.

Very truly yours,

Kenneth O Bloodworth

Kenneth O. Bloodworth

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE. 373 W. Franklin Street, Boise, Idaho

[redacted]

[redacted]

[redacted]

10?361

May 31, 1979

Kenneth O. and Dolores G. Bloodworth
P. O. Box 621
Brentwood, CA 94513

Dear Mr. and Mrs. Bloodworth:

One of the conditions of approval of your water Permit No. [redacted] was that evidence of the extent of development must be submitted to this office on or before August 1, 1979. (See last page of your approved permit). Enclosed is a post card which may 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 post card 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 within 60 days.

Sincerely,

Rita Fleck

RITA FLECK
Sr. Secretary

Enc: 1

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 20 1979

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit proof of beneficial use on a water right permit

Department of Water Resources

Gary L. Dyer of 750 Signal Way, Coos Bay,
(Name) (Address)

State of Oregon, depose and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 34-7010 (Partial)

That under the terms and conditions of said permit, work thereunder was required to be completed on or before August 1, 1979.

That he has heretofore performed the following work described under said permit: _____

No work completed, except minor drainage and brush treatment on site.

Costing $_____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Time delays in surveying, division of property and conveyance to each to 3 parties, and associated legal work.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to August 1, 1984.

Gary L. Dyer
(Signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use of water is extended to August 1, 1984.

Signed this 18th day of July, 1979.

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

State of Idaho
Department of Water Resources
Statehouse
Boise, ID 83720

Dyer

INC. ENGINEERS & PLANNERS

July 11, 1979

Gary L. Dyer
750 Signal Way
Coos Bay, Oregon 97420

RE: Permit No. 34-7070

Dear Mr. Dyer,

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to August 1, 1984

Sincerely,

Jan Grover
Water Rights Supervisor

June 20, 1979

Re: Permit No. 34-7070 (Partial)

Mr. Gary L. Eyer, P.E.
[redacted] Inc./Engineers & Planners
[redacted] North Fifth
Coos Bay, Oregon 97420

Dear Mr. Eyer:

We have received your request for an extension of time in which to submit proof of beneficial use for the above referenced permit.

However, in order to process this request we need some information concerning the amount of work completed to date on your project. The enclosed Request for Extension of Time form, when completed will give us this information. If no work has been done, this must be indicated on the request form.

Please complete this form and return it to this office within twenty (20) days if your proof due date has passed in order to prevent your permit from lapsing. If your proof due date has not passed, then the extension request form must be submitted to us before that date.

Sincerely,

[redacted]
Water Rights Supervisor

JOh:lr

Enclosure



HGE INC., ENGINEERS & PLANNERS

RECEIVED
JUN 14 1979
Department of Water Resources

June 12, 1979

More info letter

State of Idaho
Department of Water Resources
State Office
373 S. Franklin Street
Boise, Idaho 83720

Attn: Ms. Rita Fleck
Sr. Secretary

Re: Permit #34-7070 (Partial - Gary L. Dyer)

Dear Ms. Fleck:

Please consider this a request for a 5 year extension on permit #34-7070 such that proof of construction and application to beneficial use, including measuring device installation, will not be mandatory until August 1, 1984.

I am planning to develop the associated property, but I have only recently acquired ownership of the property, and I will need sufficient time to develop the water right. I have a trip to the property scheduled with my family this coming August.

The division of the property and its conveyance to myself and 2 other parties took considerable time for survey and legal matters, thereby further justifying this request.

Your consideration and response will be appreciated.

Very truly yours,

Gary L. Dyer

Gary L. Dyer, P.E.

GLD/cb

ENGINEERS & PLANNERS
405 NORTH FIFTH / COOS BAY OREGON 97420

Dyer

State of Idaho
Department of Water Resources
State Office
373 S. Franklin St.
Boise, ID 83720

Attn: Ms. Rita Flack
Sr. Secretary

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

102960

May 31, 1979

Gary Lee and Linda C. Dyer
750 Signal Way
Coos Bay, OR 97420

Dear Mr. and Mrs. Dyer:

One of the conditions of approval of your water Permit No. 34-7070 (partial) was that evidence of the extent of development must be submitted to this office on or before August 1, 1979. (See last page of your approved permit). Enclosed is a post card which may 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 post card 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 within 60 days.

Sincerely,

Rita Fleck

RITA FLECK
Sr. Secretary

Enc: 1

August 1, 1979

Fred C. & Nancy Doyle
164 Alamo
Vacaville, CA 95688

Dear Mr. & Mrs. Doyle:

RE: Permit No. 34-7070

We have received your request for an extension of time in which to submit proof of beneficial use for the above referenced permit.

However, in order to process this request we need more information concerning the amount of work completed to date on your project. The enclosed Request for Extension of Time form, when completed will give us this information. If no work has been done, this must be indicated on the request form.

Please complete this form and return it to this office within twenty (20) days if your proof due date has passed in order to prevent your permit from lapsing. If your proof due date has not passed, then the extension request form must be submitted on or before that date.

Sincerely,

[redacted]
Water Rights Supervisor

JOhnr

Enclosure


ARTEX
State of Idaho
Department of Water Resources
State Office
373 S. Franklin Street
Boise, Idaho 83720
Attention: Ms. Rita Flack
Sr. Secretary

July 2, 1979

Make 30 day letter

RECEIVED

JUL 5 1979

Department of Water Resources

State of Idaho
Department of Water Resources
Boise Office
341 S. Franklin Street
Boise, Idaho 83720
Attention: Mr. Rita Flock
Sr. Secretary

Re: Permit #36-7070
(Partial- Fred C. Boyle)

Dear Ms. Flock,

Please consider this a request for a 5 year extension on [illegible] such that proof of construction and application of water will be, including measuring device installation, will not be mandatory until August 1, 1984.

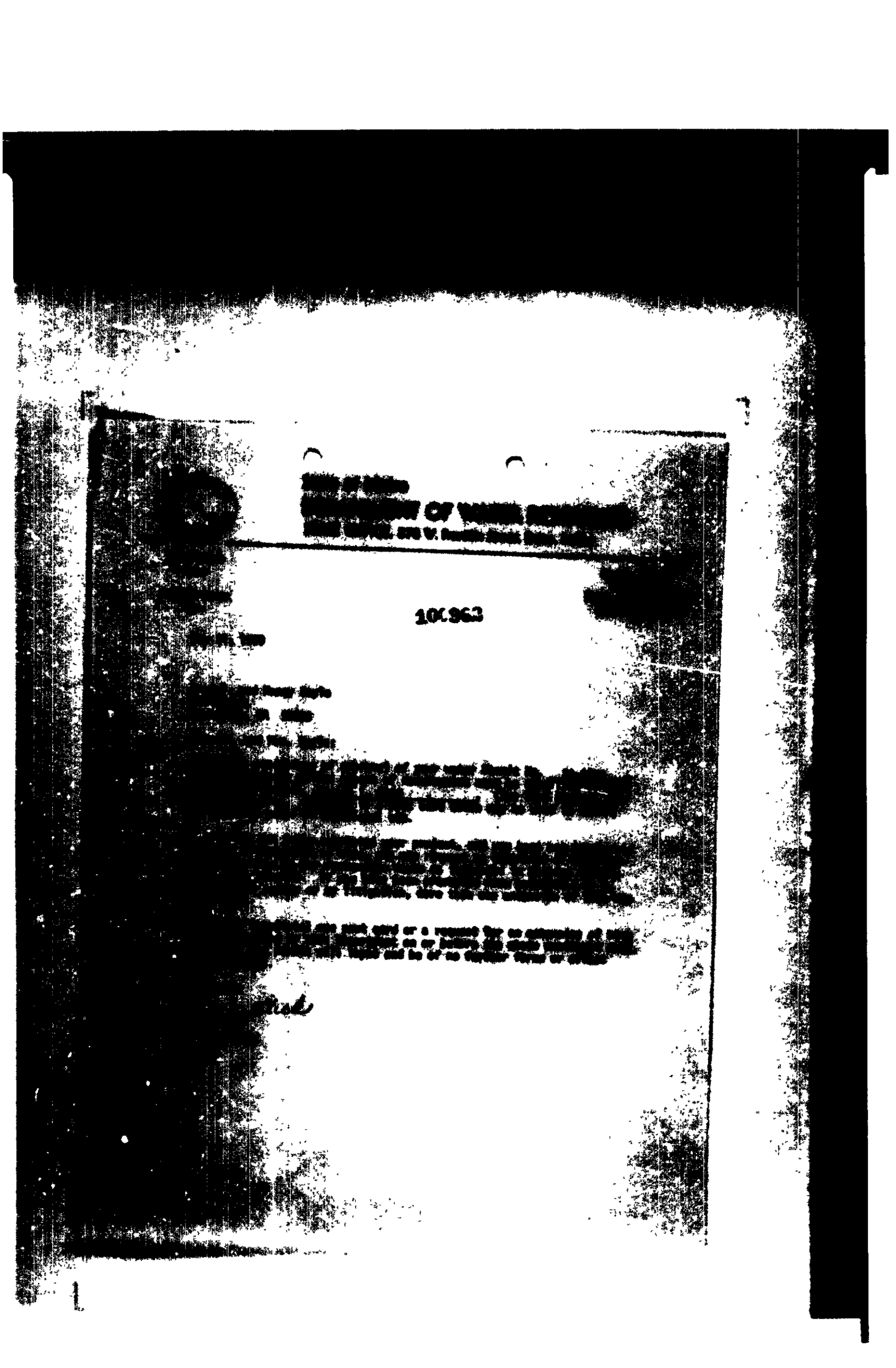
I have only recently acquired ownership of the property, and I will need sufficient time to develop the water rights.

The division of the property and its conveyance to myself and the other parties took considerable time for survey and legal matters, thereby further justifying this request.

Your consideration and response will be appreciated.

Very truly yours,

Fred C. Boyle



Permit No. 34-7070
PARTIAL ASSIGNMENT

PLEASE [illegible] FILE ALL CORRESPONDENCE FOR KENNETH O. BLOODWORTH AND BELORES G. [illegible]
P. O. Box 621, Brentwood, CA [illegible]
[illegible] THIS GREEN TAG.

THEIR PORTION OF THE PERMIT COVERS THE

NE¼NW¼, Sec.18, Twp. 7N, Rge. 24E, 0.133 cfs, 6.67 acres

Permit No. 34-7070

PARTIAL ASSIGNMENT

PLEASE FILE ALL CORRESPONDENCE FOR GARY LEE DYER AND LINDA C. DYER BEARING YOUR
750 Signal+Way, Coos Bay, OR 97420
GREEN TAG.

Their portion of the permit covers the

NE¼NW¼, Sec. 18, Twp. 7N, Rge. 24E, B.M.,

0.133 cfs, 6.66 acres

April 19, 1978

Re: Permit No. 34-7070

Gary L. Dyer
790 Signal Way
Coos Bay, Oregon 97420

Dear Mr. Dyer:

We have received your letter of April 14, 1978, requesting an extension of time for the above referenced permit.

We are returning this extension request, however, as we feel it was filed prematurely. The Department will notify you sixty (60) days prior to the date that proof of beneficial use of water is due on this permit. At that time if you still need an extension of time, please do not hesitate to request it.

Sincerely,

HGE INC/ENGINEERS & PLANNERS
406 NORTH FIFTH / COOS BAY, OREGON 97420 / (503) 269-1165

April 14, 1978

RECEIVED
APR 17 19[illegible]
Department of Water Resources

State of Idaho
Department of Water Resources
State Office
373 W. Franklin Street
Boise, Idaho. 83720

Attn: Mr. Jim Johnson

Re: Permit No. 34-7070

Dear Mr. Johnson:

In July, 1977 the property to which the above referenced permit applies was conveyed, 1/3 each, to 3 new owners. Shortly thereafter, in September, 1977, the water permit #34-7070 was assigned to the new owners in a similar manner.

My wife and I presently have title to 0.133 cfs under this permit, and we are presently arranging for a survey of the property and division of separate title to three parcels.

Since the division of ownership to the three parcels has not yet been determined, it appears prohibitive to develop this permit and to install the measuring device specified by August 1, 1979.

Therefore, please consider this a request for a 5 year extension on permit #34-7070, such that proof of construction, and application to beneficial use, including measuring device installation, will not be necessary until August 1, 1984.

Very truly yours,

H. G. E., INC.

Gary L. Hyer, P.E.
Vice President

34-7070(Pard)

PARTIAL ASSIGNMENT

PLEASE FILE ALL CORRESPONDENCE FOR FRED DOYLE AND NANCY MCGUIRE DOYLE
144 Alamo, Vacaville, CA 95688
BEHIND THIS GREEN TAG.

THEIR PORTION COVERS THE NE¼NW¼, Sec. 18, Twp. 7N,
Rge. 24E, B.M., 0.133 cfs and 6.67 acres

Permit No. 34-7070
PARTIAL ASSIGNMENT

PLEASE SIGN FILE ALL CORRESPONDENCE FOR KENNETH O. BLOODWORTH AND DELORES G. BLOODWORTH
P. O. Box 621, Brentwood, CA 94513

BEHIND THIS GREEN TAG.

THEIR PORTION OF THE PERMIT COVERS THE

NE¼NW¼, Sec.18, Twp. 7N, Rge. 24E, 0.133 cfs, 6.67 acres

[redacted]

October 20, 1977

Re: Permit No. 34-7070 (Part)

Kenneth O. Bloodworth and Delores G. Bloodworth
P. O. Box 621
Brentwood, California 94513

Dear Mr. & Mrs. Bloodworth:

We acknowledge receipt of the assignment conveying the above referenced partial permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:JFR

Encl.

Permit No. 34-7070

PARTIAL ASSIGNMENT

PLEASE FILE ALL CORRESPONDENCE FOR GARY LEE DYER AND LINDA C. DYER BEHIND THIS GREEN TAG.

750 Signal Hwy, Coos Bay, OR 97420

Their portion of the permit covers the

NE¼NW¼, Sec. 18, Twp. 7N, Rge. 24E, B.M.,

0.133 cfs, 6.66 acres

October 20, 1977

Re: Permit No. 34-7071 (Part)

Gary Lee Dyer & Linda C. Dyer
750 Signal Way
Coos Bay, Oregon 97420

Dear Mr. & Mrs. Dyer:

We acknowledge receipt of the assignment conveying part of the above referenced permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN BROWER
Supervisor,
Water Rights

JB:JFR

PARTIAL ASSIGNMENT

PLEASE FILE ALL CORRESPONDENCE FOR FRED DOYLE AND NANCY MCGUIRE DOYLE
144 Alamo, Vacaville, CA 95688
BEHIND THIS GREEN TAG.

THEIR PORTION COVERS THE NE¼NW¼, Sec. 18, Twp. 7N, Rge. 24E, B.M., 0.133 cfs and 6.67 acres

October 20, 1977

Re: Permit No. 20-7276 (part)

Fred C. Doyle & Nancy McGuire Doyle
144 Alamo,
Vacaville, California 95688

Dear Mr. & Mrs. Doyle:

We acknowledge receipt of the assignment conveying the above referenced partial permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:JFP

Encl.

RECEIVED
OCT 19 1977
Department of Water Resources

ENGINEERS & PLANNERS

October 17, 1977

State of Idaho
Department of Water Resources
State Office
373 W. Franklin Street
Boise, Idaho 83720

Attn: Jan Grover
Water Rights Supervisor

Re: Permit No. 34-7070

Dear Jan:

Enclosed are the assignments of the above permit. The acreage figures have been revised in accordance with your letter of October 3, 1977, and our telephone conversation of October 17.

If you need any additional information, please advise me, as Fred Doyle has asked me to handle this matter.

Very truly yours,

Gary L. Dyer, P.E.

GLD/cb

Encl.

141230

WARRANTY DEED

[illegible] and

[illegible] Doyle and Nancy M. Doyle, husband and wife

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto Fred C. Doyle and Nancy Melaine Doyle, his wife, as to an undivided 1/3 interest; Kenneth O. Bloodworth and Delores J. Bloodworth, husband and wife as to an undivided 1/3 interest; Gary Lee Dyer and Linda S. Dyer, husband and wife as to an undivided 1/3 interest.

[illegible], grantee, of [illegible] County of [illegible]

Hereinafter called the grantee, the following described premises in Custer County Idaho, to wit:

[illegible] EAST, BOISE MERIDIAN,
CUSTER COUNTY, IDAHO.

[illegible]

[illegible]

[illegible]

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee [illegible] heirs and assigns forever. And the said Grantor does [illegible] Grantee is the owner in fee simple of [illegible] and that [illegible] Grantor will warrant and defend the same from all claims whatsoever.

Dated [illegible]

[illegible]

OFFICIAL SEAL
[illegible] SANCHEZ
[illegible]

STATE OF [illegible] COUNTY OF [illegible]

On this [illegible] day of [illegible], before me, the undersigned, a Notary Public in and for said State, personally appeared [illegible]

known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

[illegible]

Notary Public for Idaho
Residing at Brentwood, California
My Commission Expires: January 4, 1978

STATE OF IDAHO, COUNTY Custer

I hereby certify that the within instrument was filed at the request of Fred C Doyle

at 15 minutes past 1 o'clock P. M. this 21st day of July, 1977 in my office and duly recorded in Book [illegible] of Deeds at page [illegible]

Norma Jackman
Ex-Officio Recorder

Deputy

Fee $ 5.00

Mail to: Fred C Doyle
P O Box 515
Brentwood, Ca 94513

October 3, 1977

Re: Permit No. 34-/070

Fred W. Doyle
P.O. Box 515
Brentwood, California 94513

Dear Mr. Doyle:

We have received the assignments submitted by Gary L. Dyer, P.E., in connection with the above referenced permit.

However, in each of these assignments you are assigning 11.42 acres. This brings the total acreage assigned to 34.26 acres. Your permit is for 20 acres only, and, therefore, that is the total amount you could assign. Otherwise you would be expanding your water right. The amount of water for each assignment is correct.

We cannot process these assignments and are returning them to you for your review. Please make the proper corrections and return them to this office.

If you have any questions, do not hesitate to contact us.

Sincerely,

Jan Grover
Water Rights Supervisor

JG:j
Enclosures

No address available for Gary Dyer, P.E.

September 12, 1977

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Attn: Mr. Jim Johnson

Re: Permit No. 34-7070

Dear Mr. Johnson:

Enclosed please find the forms necessary to assign the above water permit over to the three new owners of the referenced property. If you need additional information, please advise me.

Very truly yours,

Gary L. Dyer, P.E.

GLD/cb

Encl.

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

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

Postmaster, Delivering Office

SENDER INSTRUCTIONS

- Print your name, business, and return address, including ZIP Code.
- Complete items 1 and/or 2 as appropriate.
- Sign and attach to back of article.

RETURN TO

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
575 LINCOLN RD
IDAHO FALLS IDAHO 83401

PS Form 3811 Sep.

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BOX(ES)
(Additional charges required for these services)

☐ Show address where deliver d

☐ Deliver ONLY to addressee

MAX

RECEIPT

Received the numbered article described below

REGISTERED NO

CERTIFIED NO

3-35

INSURED NO

DATE DELIVERED

5-10-74

SIGNATURE OR [redacted] ADDRESSEE (Always required. Must be filled in)

Supervisor District Office

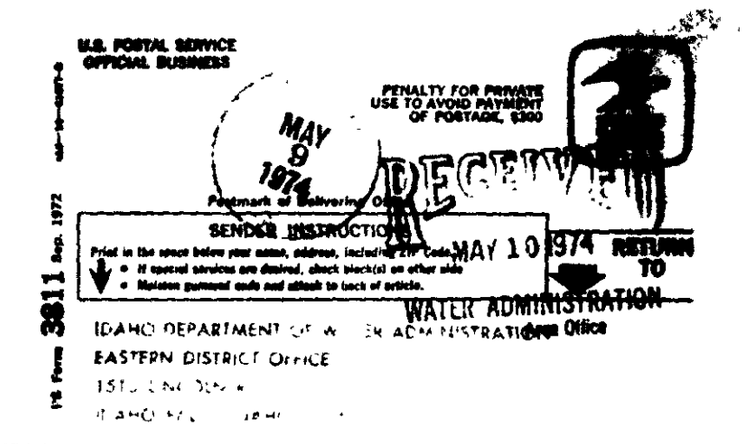
1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

2

3

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)


U.S. POSTAL SERVICE
OFFICIAL BUSINESS
PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, $300
MAY
9
1974
RECEIVED
MAY 10 1974
SENDER INSTRUCTIONS
RETURN
TO
WATER ADMINISTRATION
IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT Office

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO.
333

INSURED NO.

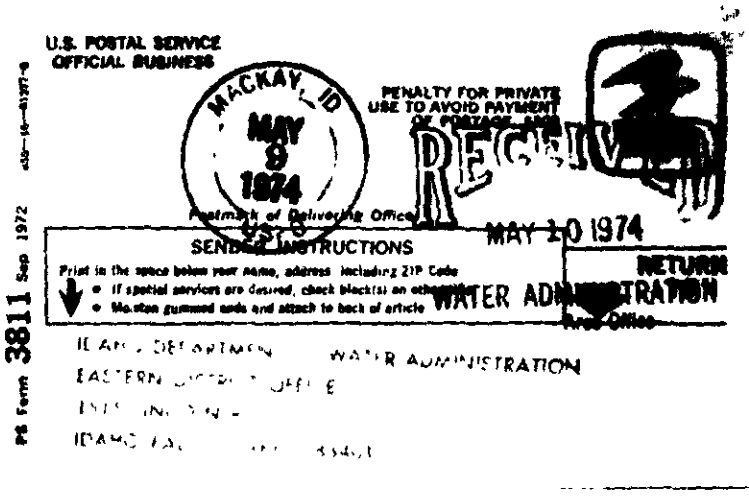
DATE DELIVERED

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

2 **SIGNATURE OF ADDRESSEE'S AGENT, IF ANY**

3 **SHOW WHERE DELIVERED** *(Only if requested, and include ZIP Code)*

[redacted]


U.S. POSTAL SERVICE
OFFICIAL BUSINESS
MACKAY, ID
MAY 9 1974
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE AND
RECEIVED
MAY 10 1974
SENDER INSTRUCTIONS
Print in the space below your name, address including ZIP Code
RETURN
WATER ADMINISTRATION
Branch Office
WATER ADMINISTRATION
EASTERN
IDAHO
PS Form 3811 Sep 1972

[redacted]

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 332

INSURED NO.

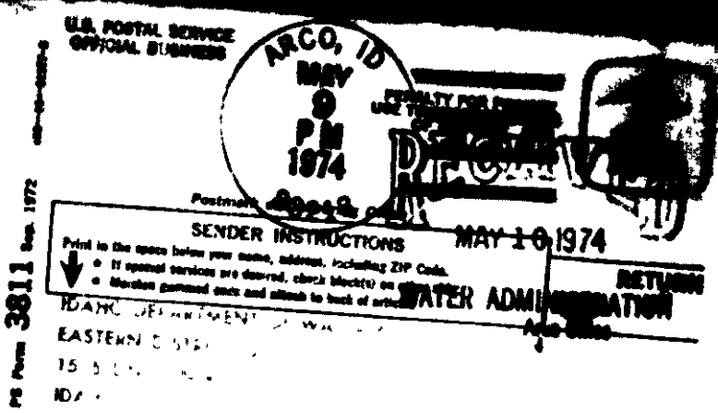
DATE DELIVERED

1. SIGNATURE OR NAME OF addressee (must always be filled in)

2. SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3. SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

[redacted]


U.S. POSTAL SERVICE
OFFICIAL BUSINESS
ARCO, ID
MAY
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PM
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SENDER INSTRUCTIONS
MAY 10 1974
WATER ADMINISTRATION
EASTERN
IDA
PS Form 3811 Rev. 1972

[redacted]

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 330

INSURED NO.

DATE DELIVERED
MAY 9 1974

(1) SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)
X Charles E. Miley

(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

(3) SHOW WHERE DELIVERED (Only if requested, and includes ZIP Code)

WLS

[redacted]

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

MAY 10 1974

Department or Delivering Office

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

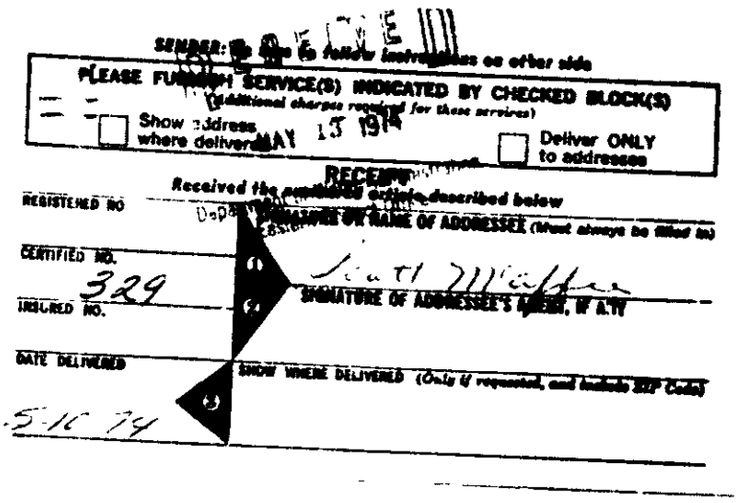
SENDER-INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.
- If special services are desired, check block(s) on other side.
- Maintain gummed ends and attach to back of article.

RETURN TO

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD
IDAHO FALLS, IDAHO 83401

PS Form 3811 Sep. 1972



SENDER: Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b. Print your name and address in the space provided below. Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date delivered.

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

MAY 13 1974

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 329

INSURED NO.

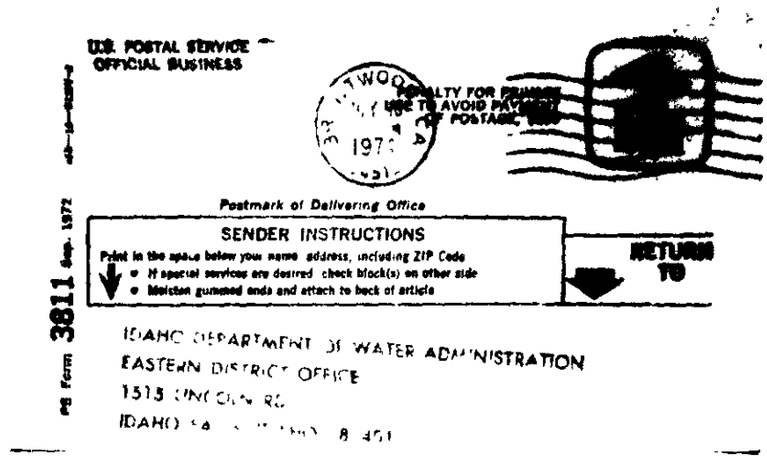
DATE DELIVERED 5-16-74

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

Scott Walker

2. SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3. SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



U.S. POSTAL SERVICE
OFFICIAL BUSINESS

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

Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code
- If special services are desired, check block(s) on other side
- Moisten gummed ends and attach to back of article

RETURN TO

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1513 LINCOLN RD.
IDAHO [illegible] 83401

PS Form 3811 Aug. 1972

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charge(s) required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 334

INSURED NO.

DATE DELIVERED

5-10-74

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

Water Administrator

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

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

Postmark or Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired check block(s) on other side.
- Obliterate postmark cards and attach to back of article.

RETURN TO

IDAHO DEPARTMENT OF WATER ADMINISTRATION

EASTERN DISTRICT

PS Form 3811 Sep. 1972

[redacted]

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charge required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 331

INSURED NO.

DATE DELIVERED

① SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

② SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

③ SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

[redacted]

INTER-DEPARTMENT MEMO — 1

FROM Darlene

DATE 5/6/74

TO Norm

SUBJECT Protested app 34-7070 ~ Fred W. Doyle

Mr. Gale Merrick with firm of Marcus & Marcus was in today concerning above subj app; he apparently will be representing Mr. Doyle.

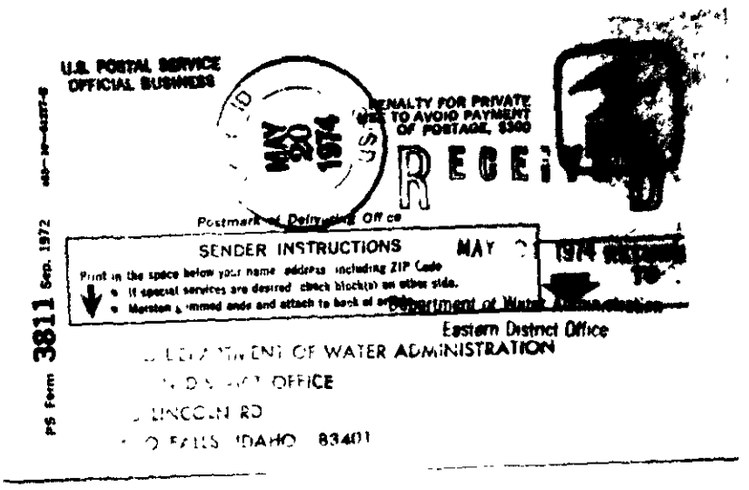
Please send Mr. Merrick a notice when the hearing is set. He indicated he would be writing to you, but thought I should pass this information along anyway.

CLAUDE MARCUS
CRAIG MARCUS
BARRY MARCUS
GALE MERRICK
JOHN MCKINNEY

MARCUS & MARCUS
ATTORNEYS AT LAW

625 FIRST NATL BANK B[illegible]
[illegible]
DIAL 342 3563

SIGNATURE


U.S. POSTAL SERVICE
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
MAY 20 1974
Postmark of Delivering Office
SENDER INSTRUCTIONS
Print in the space below your name address including ZIP Code
If special services are desired check block(s) on other side.
Eastern District Office
DEPARTMENT OF WATER ADMINISTRATION
OFFICE
LINCOLN RD
IDAHO 83401
PS Form 3811 Sep. 1972

34-7073

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO

CERTIFIED NO. 342

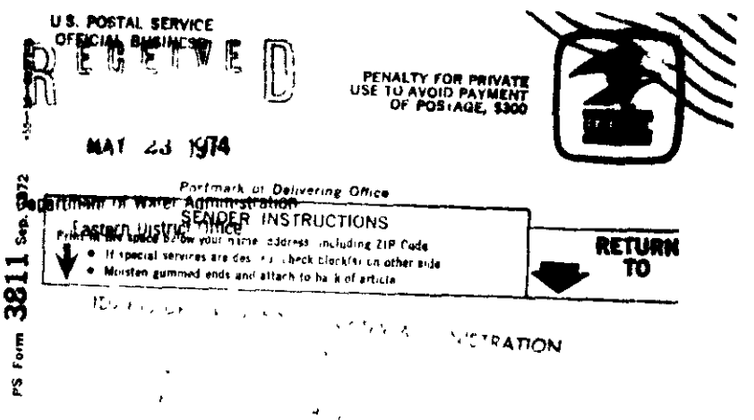
INSURED NO

DATE DELIVERED

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

(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

(3) SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)


U.S. POSTAL SERVICE
OFFICIAL BUSINESS
RECEIVED
MAY 23 1974
PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, $300
Postmark of Delivering Office
Department of Water Administration
Eastern District Office
SENDER INSTRUCTIONS
• If special services are desired, check block(es) on other side
• Moisten gummed ends and attach to back of article
RETURN
TO
ADMINISTRATION
PS Form 3811 Sep. 1972

3J 7070

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 368

INSURED NO.

DATE DELIVERED 5-20-74

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

(1) Fredwi Doyle

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

(2) Edna Mae Doyle

(3) SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

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

RECEIVED

MAY [illegible] 1974

Postmaster or Delivering Office

SENDER INSTRUCTIONS

[illegible] Address, Including ZIP Code.

- If [illegible], check block(s) on other side
- [illegible] and attach to back of article

PS Form 3811 Sep. 1972

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
1515 LINCOLN RD
IDAHO FALLS IDAHO 83401

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 347

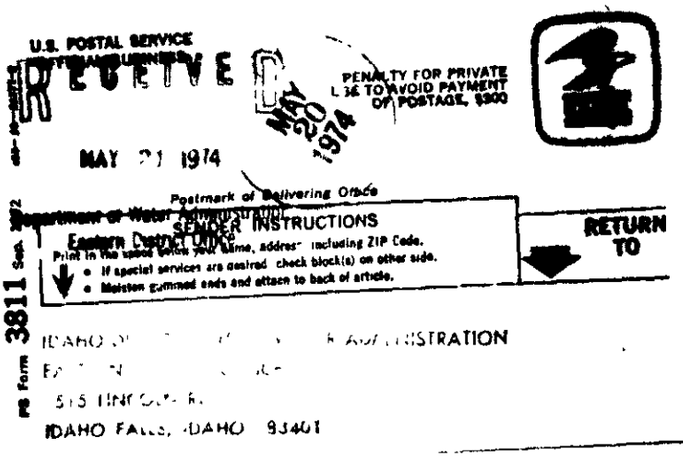
INSURED NO.

DATE DELIVERED

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

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)


U.S. POSTAL SERVICE
RECEIVE
MAY 21 1974
MAY 20 1974
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
Postmark of Delivering Office
SENDER INSTRUCTIONS
Print in the space below your name, address including ZIP Code.
• If special services are desired check block(s) on other side.
• Moisten gummed ends and attach to back of article.
RETURN TO
PS Form 3811 Sep. 1972
IDAHO
ADMINISTRATION
IDAHO FALLS, IDAHO 83401

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show 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)

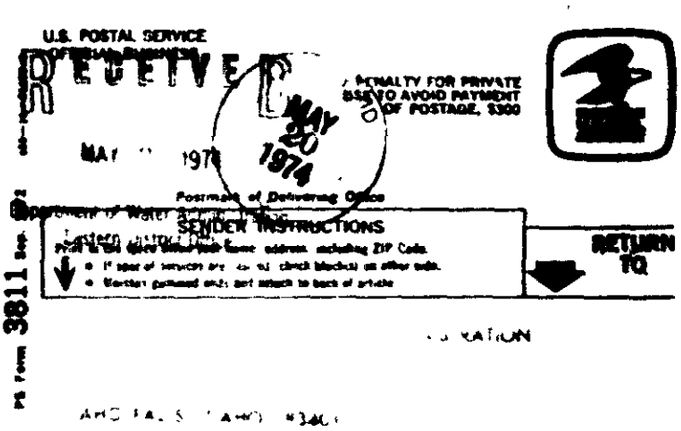
CERTIFIED NO. 346

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

ADDRESS (Only if requested, and include ZIP Code)


U.S. POSTAL SERVICE
RECEIVED
MAY 20 1974
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
Postmark of Delivering Office
SENDER INSTRUCTIONS
RETURN TO
PS Form 3811

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO

CERTIFIED NO 345

INSURED NO

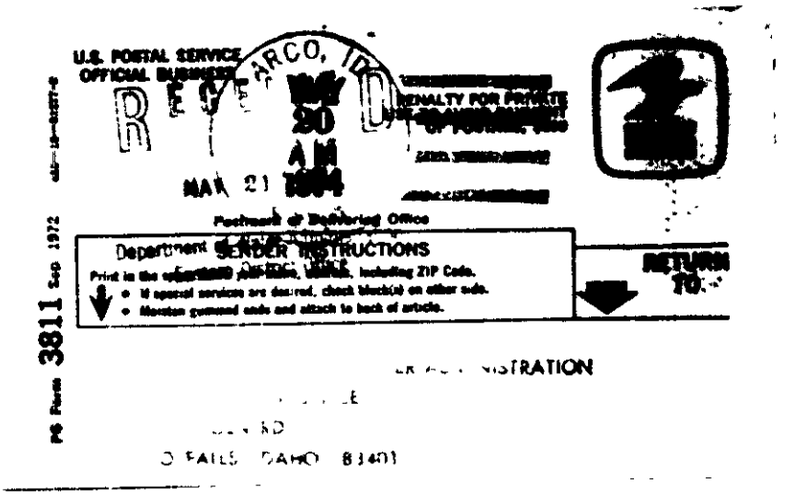
DATE DELIVERED

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

Hugh H. Gray

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*


U.S. POSTAL SERVICE
OFFICIAL BUSINESS
ARCO, ID
MAR 21
PENALTY FOR PRIVATE
Postmark or Delivering Office
SENDER INSTRUCTIONS
RETURN
TO:
PS Form 3811 Sep. 1972
ADMINISTRATION
FALLS IDAHO 83401

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
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☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

CERTIFIED NO. 343

INSURED NO.

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

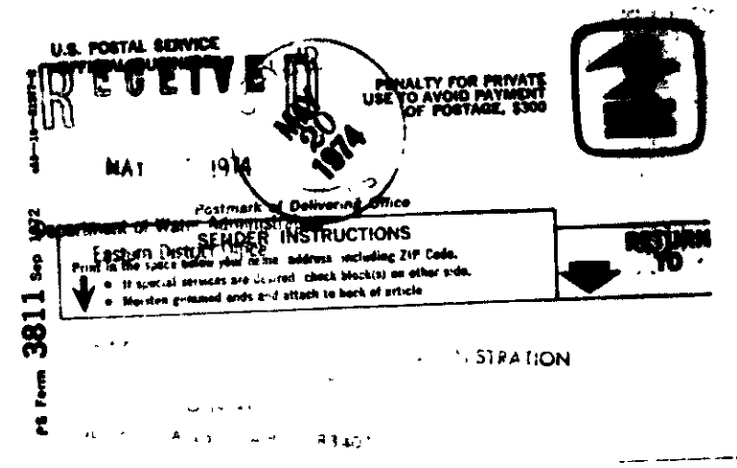
Charles O'Maley

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

MAY 20 1974

SHOW WHERE DELIVERED (Only if requested, and include ZIP CODE)


U.S. POSTAL SERVICE
RECEIVED
NOV 30 1974
MAY 1974
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
Postmark of Delivering Office
SENDER INSTRUCTIONS
Print in the space below your name address including ZIP Code.
• If special services are desired check block(s) on other side.
• Mention guaranteed ends and attach to back of article
RETURN TO
PS Form 3811 Sep 1972
STRATION

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO

CERTIFIED NO

344

INSURED NO

DATE DELIVERED

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

(2) SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

(3) SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

RECEIVED
OCT 10 1977
Department of Water Resources

75-750

Received 9-14-77

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Fred W. Doyle, assign to Gary Lee Dyer
Linda C Dyer
of 750 Signal Way, Coos Bay, OR 97420
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ 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. 34-7070 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 this [illegible] acre feet for storage)

X 13.42 ~~Acres~~ 6.6½ Acres
NE¼, NW¼, Sec 12 T 7N, R 24E, B.M.
0.133 cfs

Made this 6th day of September, 19 77.

X _____
Permit Holder

X _____
Spouse of Permit Holder

State of ~~Idaho~~ California
County of Contra Costa

On this 6th September, 19 77, personally appeared before me [illegible] instrument, who duly acknowledged to me that he (she) (they) [illegible]

seal

OFFICIAL SEAL
ETTA J SANCHEZ
NOTARY PUBLIC - CALIFORNIA
CONTRA COSTA COUNTY
My Commission Expires Jan. 20, 1978

_____
Notary Public residing at
Rt. 2, Box 121, Brentwood, Ca. 94513

My commission expires:
January 20, 1978

RECEIVED
OCT 19 1977
Department of Water Resources

State of Idaho
Department of Water Resources

Received 9/14/77

ASSIGNMENT OF PERMIT

I, Red W. Doyle, hereby assign to Kenneth O. Bloodworth & Delores G. Bloodworth

of P.O Box 621 Brentwood, CA 94513
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ 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. 34-7070 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 or acre feet for storage)

X [redacted] = 6.67 Acres

NE 1/4 NW 1/4, Sec. 18, T 7N, R 24E, B.M.

0.133 cfs

Made this 6th day of September, 19 77.

X _____
Permit Holder

X _____
Spouse of Permit Holder

State of ~~Idaho~~ California
County of Contra Costa

On this 6th September, 19 77, personally appeared before me the [illegible], who duly acknowledged to me that he (she) (they) ex[illegible]

seal

_____
Notary Public residing at
Rt. 2, Box 121, Brentwood, Ca. 94513

My commission expires:
January 20, 1979

RECEIVED
OCT 19 1977
Department of Water Resources

Recieved 9/14/77

715 750

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Leo W. Doyle, hereby assign to Fred C. Doyle & Nancy McGuire Doyle,
of 144 Alamo, Vacaville, CA. 95688
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ 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. 34-7070 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 or acre feet for storage)

X ~~All Acres~~ 6.71 Acres - _____
NE¼NW¼, Sec 18, T 7N, R 24E, B.M.
0.133 cfs

Made this 6th day of September, 19 77.

X _____
Permit Holder

X _____
Spouse of Permit Holder

State of Idaho California)
County of Contra Costa)

On this 6th September, 19 77, personally appeared before me th[illegible] who duly acknowledged to me that he (she) (they) ex[illegible]

seal

_____
[illegible] residing at
Rt. 2, Box 121, Brentwood, Ca. 94513

My commission expires:
January 29, 1978



34-3020

SEND TO Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show address where delivered

☐ Deliver ONLY to addressee

RECEIPT
Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must be filled in)

CERTIFIED NO. 342

INSURED NO.

SIGNATURE OF AUTHORIZED AGENT

DATE DELIVERED

POSTMARK OF DELIVERING POST OFFICE

PS Form 3811

U.S. POSTAL SERVICE

RETURN TO

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

SENDER INSTRUCTIONS

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

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

SENDER INSTRUCTIONS

WATER ADMINISTRATION
OFFICE
1515 LINCOLN RD
IDAHO FALLS, IDAHO 83401

U.S. POSTAL SERVICE

MAY 21 1974

IDAHO DEPARTMENT OF
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

Show address where delivered

Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

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

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (Only if requested, and include ZIP Code)

REGISTERED NO.

CERTIFIED NO. 344

INSURED NO.

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

Show address where delivered

Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

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

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

ADDRESS WHERE DELIVERED (Only if requested, and include ZIP Code)

REGISTERED NO.

CERTIFIED NO. 343

INSURED NO.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Eastern District Office
15 Lincoln Road • Idaho Falls Idaho
83401

Return Receipt Requested

[redacted] September 3, 1974

[redacted] Plat Permit No. 34-7070

[redacted] Nevada 94513

[redacted] Gentlemen: Approval Application for Permit to [redacted] Drill, Deepen or Plug Back dated August 29, 1974

MACKAY PUBLIC SCHOOLS
Joint School District No. 182
Mackay, Idaho 83251

RECEIVED
MAY 6 1974
WATER ADMINISTRATION
Area Office

Dear Sir

Please consider this letter as a protest
To application NO 34-7070 by
Fred Doyle

① by reducing the quantity of water
② water supply is al ready in
supply
③ Location of spring is in

Thank

[redacted]

RECEIVED
APR 29 1974
WATER ADMINISTRATION
Area Office

April 24, 1974

We the undersigned would like to register a protest to the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho in regard to Application for Water Permit submitted by Fred W. Doyle, Box 91, Mackay, Idaho on April 10, 1974. This application was numbered 34-7070, and was for a permit to appropriate 0.40 cubic feet per second of water from unnamed springs tributary of sinks by means of headgate and ditch within the NE¼ NW¼, Sec.18 T. 7N, R. 24EBM

Our reasons for protest are:

1. We believe the springs in this area are named, that they are not a tributary of sinks and that they are a tributary of the Big Lost River. It is our belief that all of this water is fully appropriated.

Hugh H. Doust Box 413 Mackay, Idaho
[illegible] Mackay Idaho
Charles O'Maley Arco Idaho
Scott McAffee Mackay, [illegible]

STATE OF IDAHO,
County of Custer

On this 24th day of April in the year 1974, before me, [redacted]
a Notary Public in and for said State, personally appeared [redacted]
[illegible], Charles O'Maley, Scott McAffee,
known to be the persons whose names subscribed [illegible]
to me that they executed the same.

34-7070 - FRED W DOYLE
BOB FLEENOR

ATTY FOR ~~AP~~ AP - GALE MERICK

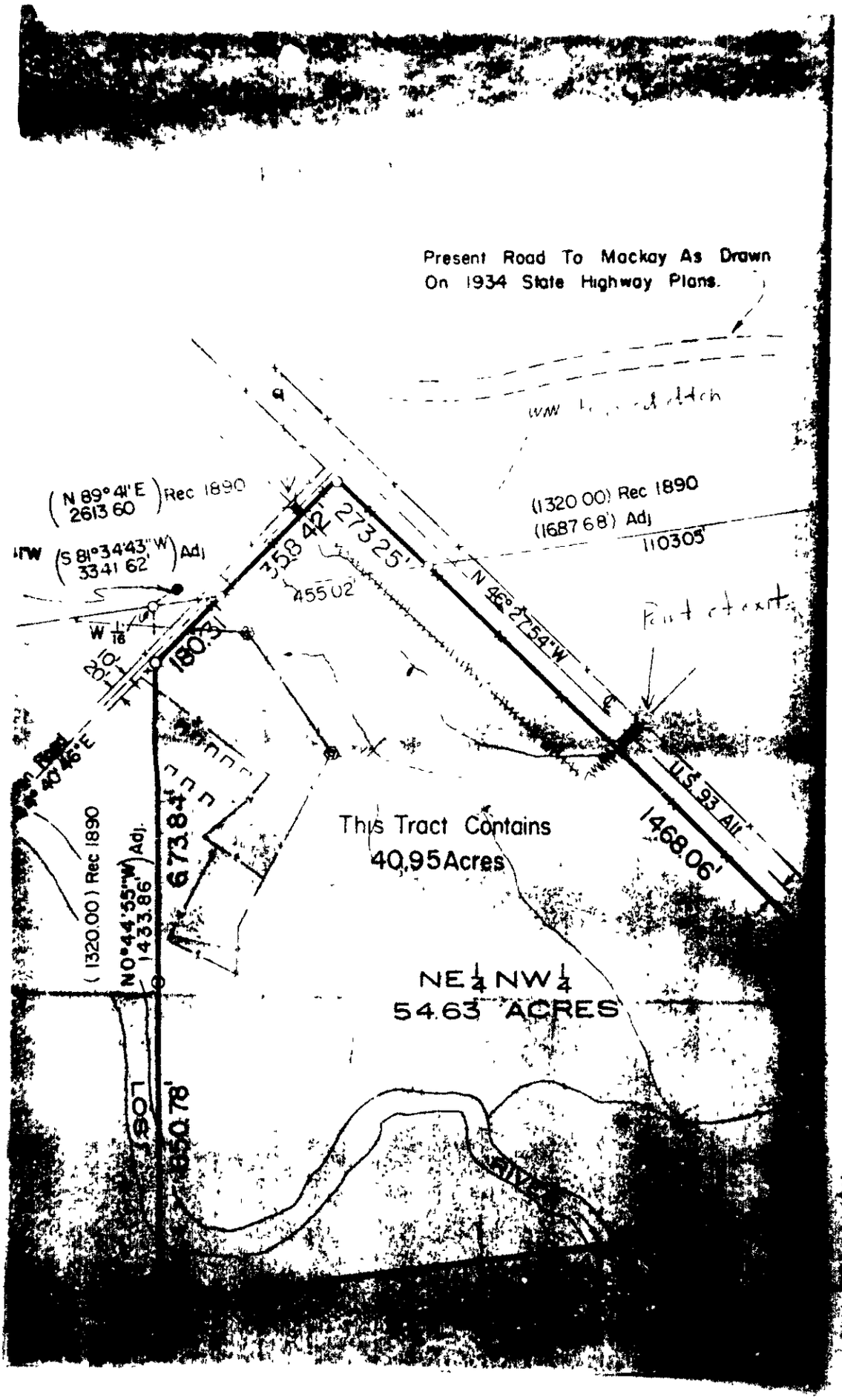
1. IS WATER AVAILABLE
EXHIBIT #1

2. MR DORST - UNNAMED
SPRING - IS TRIBUTARY TO THE
BIG LOST.

3. SHOULD BE CHANGED TO READ
NAMED STREAM — TRIBUTARY TO
B.G LOST.

1. NO OBJECTION TO A 1974
PRIORITY IF APPLICATION IS A

AMENDMENT NEEDED ?
SHOULD IT BE ADVERTISED ?


Present Road To Mackay As Drawn
On 1934 State Highway Plans.
(N 89° 41' E 2613 60) Rec 1890
(S 81°34'43" W 3341 62) Adj
358 42
273 25'
455 02'
(1320 00) Rec 1890
(1687 68') Adj
110305'
N 46° 27'54" W
W 1/16
30'0
180.3'
673.84'
40°46'E
(1320.00) Rec 1890
N0°44'55"W Adj.
1433.86'
This Tract Contains
40.95 Acres
U.S. 93 Alt.
1468.06'
NE 1/4 NW 1/4
54.63 ACRES
LOST
850.78'
RIVER

Mar [illegible] ted W [illegible]

FFA Building, McKay, Idaho

May 30, 19[illegible] - 1:00 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
[illegible]		
[illegible]		
[illegible]		
[illegible]		
[illegible]		
[illegible]		
[illegible]		
[illegible]		
Leo Mantell	Byron Calif.	
[illegible]		
[illegible]		
CALE M METRICK	[illegible]	Leo Doyle

Marcus & Marcus
Attorneys at Law
625 First National Bank Building
Boise, Idaho 83701
Telephone 342-[illegible]

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

of the

State of Idaho

In the Matter of Protest No. [illegible]
Approval of Application for
Permit No. 74-7070 in the Name
of FRED W. DOYLE.

TO: RONALD D. CARLSON, Assistant to District Engineer, Idaho Department of Water Administration, and NATHAN HIGER, Deputy Attorney General assigned to Department of Water Administration, State of Idaho

Applicant, through his attorney undersigned, pursuant to Section 67-5209(f), Idaho Code, hereby requests that the oral proceeding of the Hearing to be held in this matter on May 30, 1974, be taken in the form of stenographic notes.

MARCUS & MARCUS

By Gale M. Merrick
Attorneys for Applicant

Filed
By
Department of Water Administration
Eastern Division Office

I hereby certify that I have on this ____ day of May, 1974, mailed a true and correct copy of the above Request to Ronald D. Carlson, Assistant to District Engineer, Idaho Department of Water Administration, 614 W. State, Boise, Idaho; Nathan Higer, Deputy Attorney General, 614 W. State, Boise, Idaho; and to Norman Young, District Engineer, Eastern Division, Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, by depositing same in the United States mail, postage prepaid.

Gale M. Merrick

May 20, 1974

Gale M. Merrick
Attorney at Law
Marcus & Marcus
625 First National Bank Building
Boise, Idaho 83702

Gentlemen:

We are in receipt of your letter requesting stenographic notes be taken during the protest hearing against approval of application No. 54-7070 in the name of Fred A. Doyle. It is my understanding from correspondence with our Boise Office that you have since decided that our normal procedure of taping these hearings will suffice in lieu of stenographic notes.

If this is not correct, please let me know.

Very truly yours,

RONALD D. CARLSON
Assistant to the
District Engineer

RDC:CB

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

In the Matter of Protest Against Approval
of Application for Permit No.
in the name of FRED W. DOYLE

NOTICE OF CONFERENCE AND/OR
HEARING LOCATION CHANGE

Notice is hereby given that the Department of Water Administration has changed the location at which the conference and/or hearing is to be held concerning the above permit.

The Department has rescheduled the conference and/or hearing for May 30, 1974, at 1:00 p.m., in the REA Building, Mackay, Idaho. Any hearing will be held in accordance with the Rules and regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration as previously indicated in the conference and/or hearing notice dated May 8, 1974.

Dated this 17th day of May, 1974.

Norman C. Young

NORMAN C. YOUNG

District Engineer

...RTMENT OF WATER ADMINISTRATION
...RICT OFFICE
... RD.
...A IDAHO 83401

Indicate type of mail
☐ Registered ( ) Insured ( ) COD
☑ Certified

Affix stamp here if issued as certificate of mailing or for additional copies of this bill
POSTMARK AND DATE OF RECEIPT

NAME AND ADDRESS OF SENDER	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	SPEC. DEL. FEE	ACTUAL VALUE	INSURANCE	REMARKS*
	1 34.	Scott McAffee, Mackay Ld	10	30	15				30-2020
	2 34?	Charles O'Malley Asst. Ld	10	30	15				"
	3 344	Mrs. Patricia M. Mackay	10	30	15				"
	4 345	Hugh A. Rose, Box 2, Mackay Id	10	30	15				"
	5 346	Roger C. Kimball	10	30	15				"
	6 347	Mr. H. Merrick Jay, Asst. Sec'y							
	7	Earl Eby, Box 332	10	30	15				"
	8 348	Mr. A. Dwight Ld Box 50	10	30	15				"
	9	Brunswick, Ga. 31523			$1	85			
	10								
	11								
	12	Sent by Certified Mail							
	13								
	14								
	15								
	16								
	17								
	18								
	19								
	20								

TOTAL NO OF PCS LISTED BY SENDER: 7
TOTAL NO OF PIECES RECEIVED AT P O: 7
POSTMASTER (Signature of receiving employee)

"Show under "Remarks" date postage paid if other than first or if international"

POD Form 3877

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

...49 ★ 0780-16 ★ U.S. GOVERNMENT PRINTING OFFICE

May 16, 1974

Lost River Electric Co-Op Inc.
[redacted]
Idaho 83231

Gentlemen:

This is to confirm the use of the REA Building for conference and/or hearing to be held by this office on Thursday, May 30, 1974, at 1:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

[redacted]

DATE May 16, 1984

FILE 34-7070

NAME OF PARTY Gale Merrick, Attorney at Law

EMPLOYER Norm Young

RE: PROTESTED APPLICATION FOR PERMIT NO. 34-7070

I spoke with Mr. Merrick this date at which time he requested that we change the place of the hearing to Mackay, Idaho. I said we would notify him by return mail if we managed to do it. He also mentioned a letter which he is sending to request that stenographic notes be taken at the hearing, but has decided against this and said to disregard his letter.

Marcus & Marcus
Attorneys at Law
625 First National Bank Building
Boise, Idaho 83702
Telephone 342-3563

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

In the Matter of Protests to the
Approval of Application for
Permit No. 34-[illegible] to the [illegible]
[illegible]

TO: RONALD D. CARLSON, Assistant to District Engineer, Idaho Department of Water Administration and NATHAN HIGER, Deputy Attorney General assigned to represent the State of Idaho

Applicant, through its undersigned counsel, pursuant to Section [illegible] requests that the proceeding of the hearing, [illegible] 1974 be taken in the form of stenographic notes.

[illegible]

By Gale M. Merrick
Attorneys for Applicant

I hereby certify that I have on this ____ day of May, 1974, mailed a true and correct copy of the above Request to Ronald D. Carlson, Assistant to District Engineer, Idaho Department of Water Administration, 614 W. State, Boise, Idaho, Nathan Higer, Deputy Attorney General, 614 W. State, Boise, Idaho; and to Norman Young, District Engineer, Eastern Division, Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, by depositing same in the United States mail, postage prepaid.

Gale M. Merrick

...rthouse,

...spond and present

...caring that the oral

...Any party may have such

...trans ribed at his own

expense ... for the appeal period.

Failure ... hearing by the applicant or protestants may allow ... ismiss the protests or the application. Any ... -appearance may be assessed against such non-appearing parties.

Dated this ... day ...

RONALD D. CARLSON

Asst. to District Engineer

34-7070 - Fred W. Doyle

Courtroom, Custer County Courthouse, Challis, Idaho

May 30, 1974 - 1 00 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing

PARTMENT OF WATER ADMINISTRATION
ISTRICT OFFICE
OLN RD.
ALLS, IDAHO 83401

Indicate type of mail:
☐ Registered ☐ Insured ☐ C.O.D.
☒ Certified

Affix stamps here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NAME AND ADDRESS OF ADDRESSEE	NUMBER OF ARTICLE	POSTAGE	FEE	R.D. or Spl. Del.	RESTRICTED DELIVERY	SHOW TO WHOM AND DATE DELIVERED	RETURN RECEIPT
ette McAffee, Mackay, Idaho	329	16	30	15			
uel O'Tuley, Arco, Idaho	330	16	30	15			
on Crabtree, Mackay, Idaho	331	16	30	15			
ugh H Dant, Box 463 Mackay Id	332	16	30	15			
ing C Kimball, Box 464 Mackay Id	333	16	30	15			
d L Doyle, Box 515, Bruneau Id	334	945 13/16	30	15			
			$3.30				

To Certified sent to Dean Dant

Sent certified on 5-08-74
by MB

IDAHO FALLS, IDAHO MAY 8 1974 USPO

TOTAL NO OF PIECES REC'D AT P O	POSTMASTER (Signature of receiving employee)
6	

APPLICATION FOR REGISTRATION OR CERTIFICATION

(Surcharges are not required on international registered mail)

TOTAL NO OF ARTICLES LISTED BY SE...

POD Form 3...

'ARTMENT OF WATER ADMINISTRATION
STRICT OFFICE
)LN RD
S IDAHO 83401

Indicate type of mail
☐ Registered ☐ Registered C.O.D.
☒ Certified

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NAME AND ADDRESS OF SENDER

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. D. FEE	SPEC. DEL. FEE	ACTUAL VALUE	INSURED NO.
1	33[illegible] Nicholas Kerrick, Atty at Law 625 First Coeur d'Alene Bldg, Coeur d'Alene, Id.	10	30	15	.30		
2							
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First by certified mail
5-4-74 MB

TOTAL NO OF PIECES LISTED BY SENDER

1

TOTAL NO OF PIECES REC'D AT P O

POSTMASTER, Per (Name of receiving employee)

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(Surcharges are not required on International

FCSD Form 3877

APPLICATION FOR REGISTRATION OR CERTIFICATION

May 8, 1974

Custer County Courthouse
Clerk of the District Court
Challis, ID 83226

Dear Sir:

This is to confirm the use of the courtroom for conference and/or hearing to be held by this office on Thursday, May 30, 1974, at 1:00 p.m.

Thank you for your cooperation in this matter.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D Andrus
Governor
R Keith Higginson
Director

1515 Lincoln Road
Idaho Falls Idaho 83401
(208) 523-7186

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

May 7, 1974

Re: Application No 34-7070

Mr. George C. Kimball
Box 464
Mackay, ID 83251

Dear Mr. Kimball:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code)

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference or hearing to discuss the matters of protest. If we may be of further assistance please contact us.

Very truly yours,

May 7, 1974

Re: Application for Permit No. 34-7070

Mr. Fred W. Doyle
P.O. Box 515
Brentwood, CA 94513

Dear Mr. Doyle:

Enclosed please find an additional protest filed against the issuance of a permit pursuant to the above referenced application.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

[redacted]
Engineer

CONVERSATION MEMORANDUM

DATE May 2, 1974

FILE 34-7070

NAME OF PARTY Fred W. Doyle

EMPLOYEE Bill Rhoads

RE: Mr. Fred Doyle called this day to request that the hearing on the protest of pplication No. 34-7070 be held on or about May 30 or 31. It will present a hardship for him to attend any other date as he must travel from California.

He requested that he be notified at P.O. Box 515, Brentwood, California, of our decision concerning the time of the hearing as soon as possible.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D. Andrus
Governor

R. Keith Higginson
Director

[redacted] 1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

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

April 30, 1974

Mr. Fred Doyle
P.O. Box 91
Mackay, Idaho 83251

Re: Application for Permit No. 34-7070

Dear Mr. Doyle:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No 34-7070. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code)

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of any assistance, please contact us.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY: CB

Enc: Copy of Protest(s)

cc: [redacted] - State Office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D Andrus
Governor

R Keith Higginson
Director

1515 Lincoln Road
Idaho Falls Idaho 83401
(208) 523-7186

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

April 30, 1974

Re: Application No 34-7070

Mr. Hugh H. Dorst
Box 413
Mackay, Idaho 83251

Dear Mr. Dorst.

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and or hearing in either approving or denying an application for permit. Section 42-203, Idaho Code:

1. Will the proposed use reduce the quantity of water under existing water rights
2. Is the proposed water supply insufficient for the purposes intended
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

[redacted] C. YOUNG
[redacted] Engineer

[redacted]

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D Andrus
Governor

R. Keith Higginson
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Geothermal Resources

April 30, 1974

Re: Application No. 34-7070

Mr. Jim Pritchett
Mackay, Idaho 83251

Dear Mr. Pritchett:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

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You will be notified at a later date as to the time and place set for conference and hearing to discuss the matters of protest. If we may be of further assistance please contact us.

Very truly yours,

[redacted]
Supervisor

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D Andrus
Governor
R Keith Higginson
Director

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Geothermal Resources

April 30, 1974

Re: Application No. 34-7070

Mr. Charles O'Maley
Arco,
Idaho 83213

Dear Mr. O'Maley:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code)

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

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You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE

Cecil D. Andrus
Governor

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Director

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Idaho Falls, Idaho 83401
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Geothermal Resources

April 30, 1974

Re: Application No. 34-7070

Mr. Scott McAffee
Mackay, Idaho 83251

Dear Mr. McAffee:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?

2. Is the proposed water supply insufficient for the purposes intended?

3. Is the application made in good faith or for delay or speculative purposes?

4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partial approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not convey or establish a right-of-way over private or governmental land. A right-of-way or easement must be obtained by the individual concerned prior to the use of the water right proceedings.

[illegible] notified at a later date as to the time and place set for hearing on the matters of protest. If we may be [illegible]

[illegible] 22, 1974

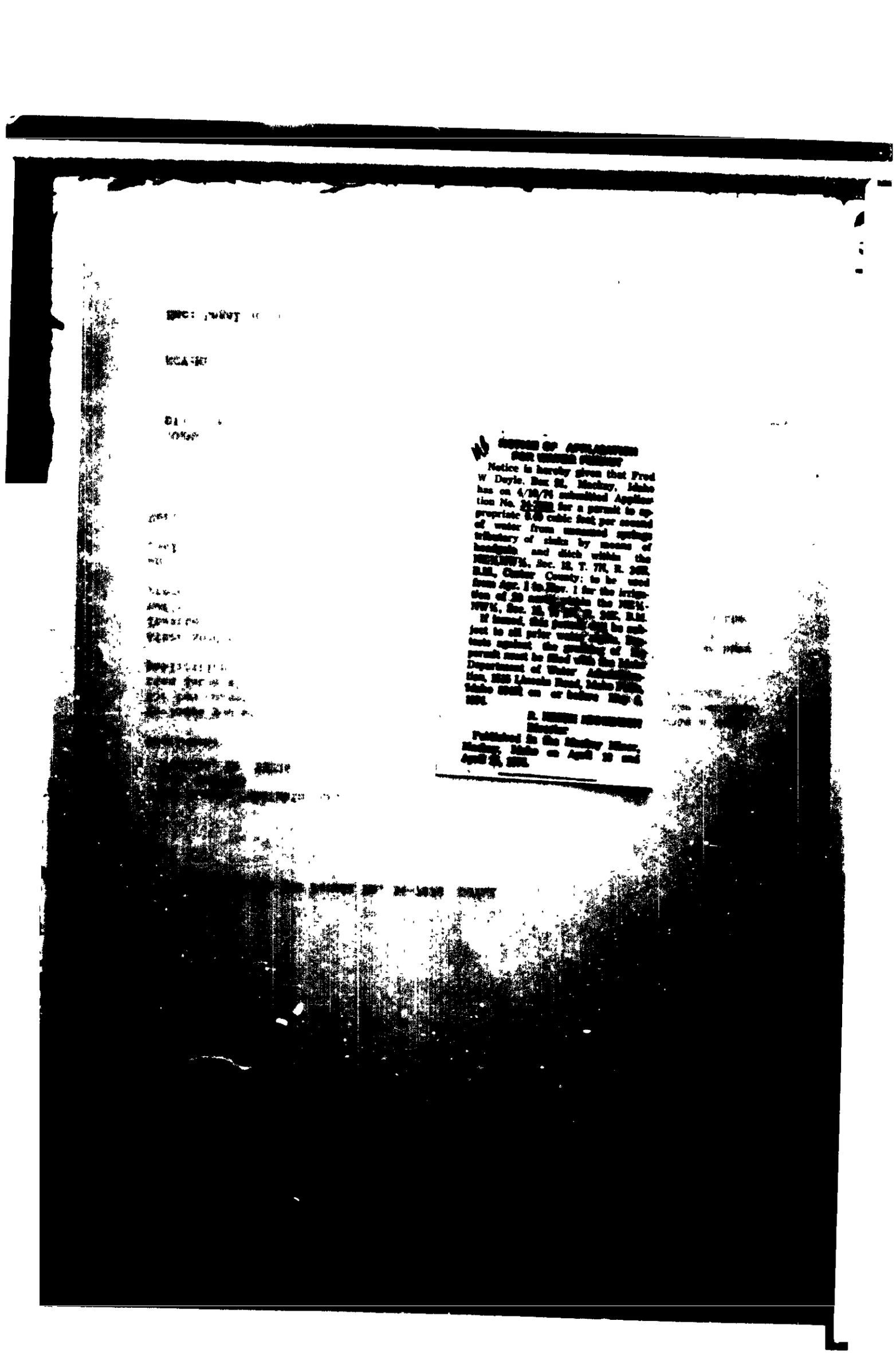
Re: Application for Permit No. 34-7070 DOYLE

[illegible] Publishing Co.
[illegible]
[illegible], MD 02226
[illegible]

[illegible] you will find a legal notice which we wish to have published [illegible]
[illegible] consecutive weekly issues of your newspaper. We have [illegible]
[illegible] allowing time for you to submit us a galley proof for [illegible]

[illegible] galley proof, proceed with the publication [illegible]
[illegible] notice is correct. If we [illegible]
[illegible] before publication. If you [illegible]
[illegible] any changes.

[illegible] be charged [illegible]



NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~Fred L. Boyle,~~

~~Box 91, Mackay, Idaho~~

has on ~~4/10/74~~ submitted Application No. ~~34-7070~~

for a permit to appropriate ~~0.40~~ cubic feet per second ~~acre feet per annum~~

of water from ~~an unnamed springs tributary of Alkie~~

by means of ~~headgate and ditch~~

within the ~~NE¼NW¼, Sec. 18, T. 7N, R. 24E, B.M., Custer County;~~

to be used from ~~Apr. 1 to Nov. 1~~

for ~~the irrigation of 10 acres~~

within the ~~NE¼NW¼, Sec. 18, T. 7N, R. 24E, B.M.~~

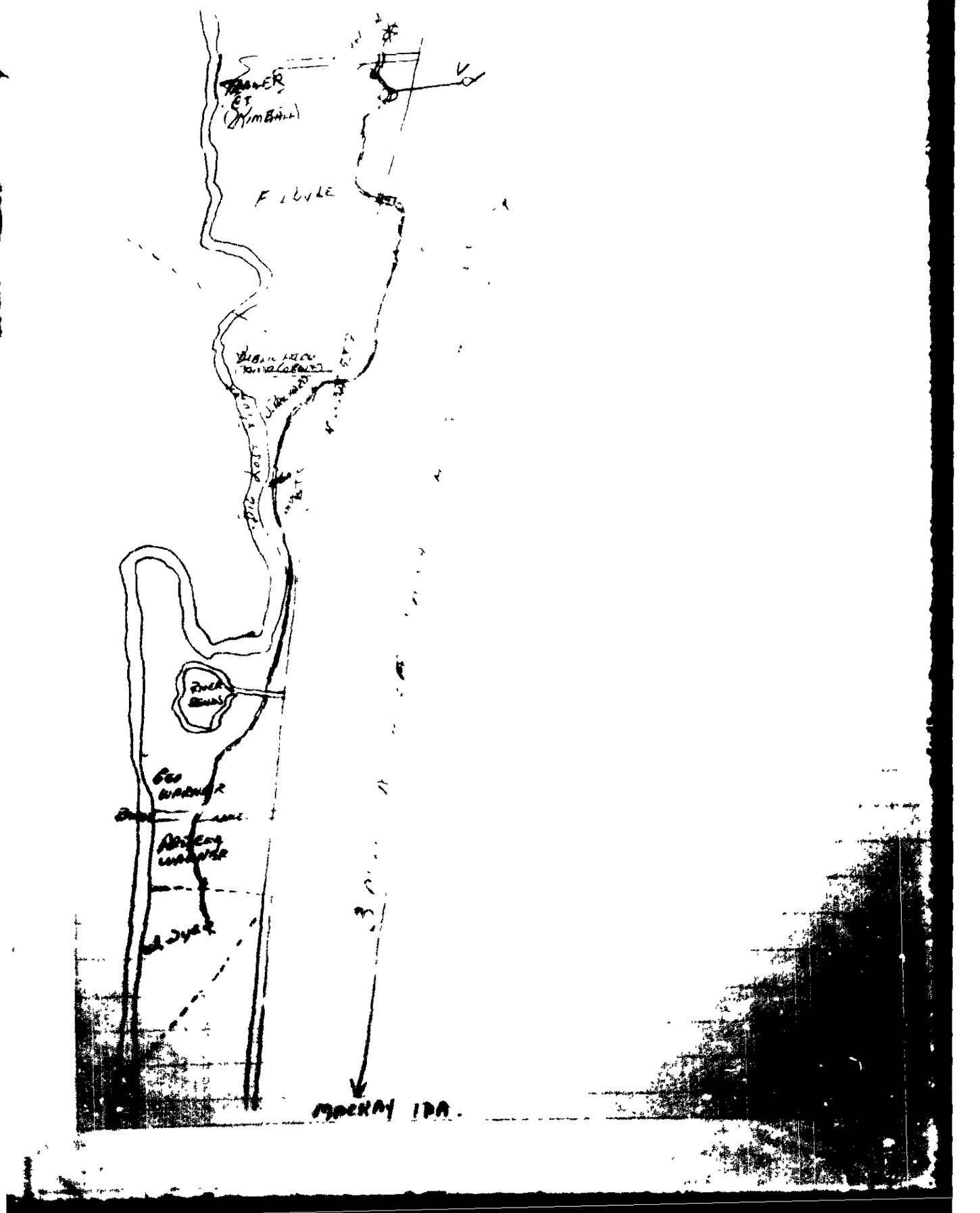
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before ~~May 6, 1974.~~

R. KEITH [redacted]

Director

Published in the ~~Mackay Miner, Mackay, Idaho~~

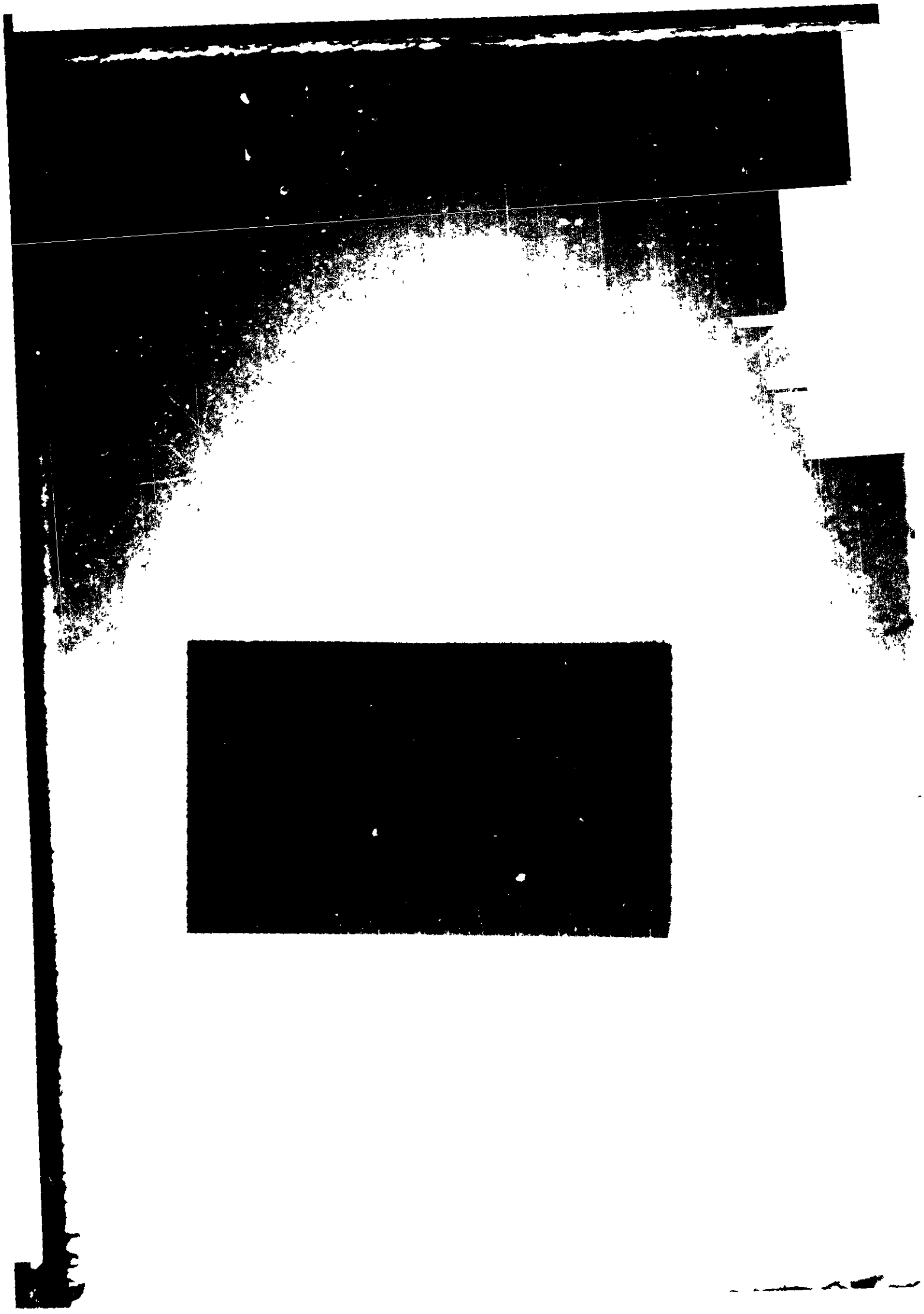
~~on~~ _____ and _____

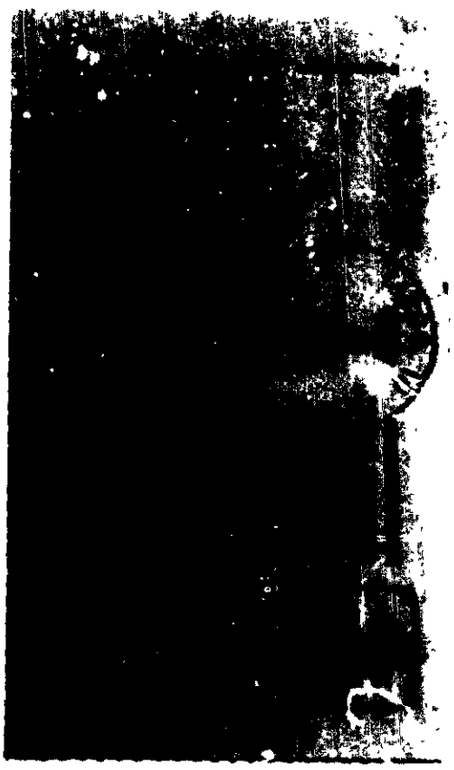

MACKAY IDA.







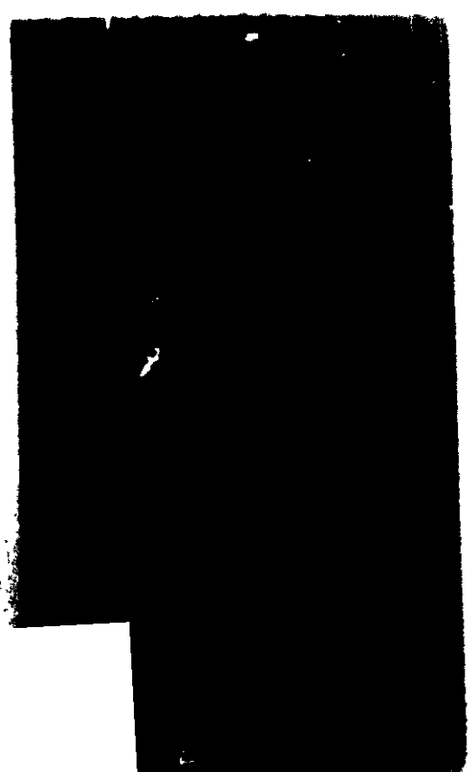


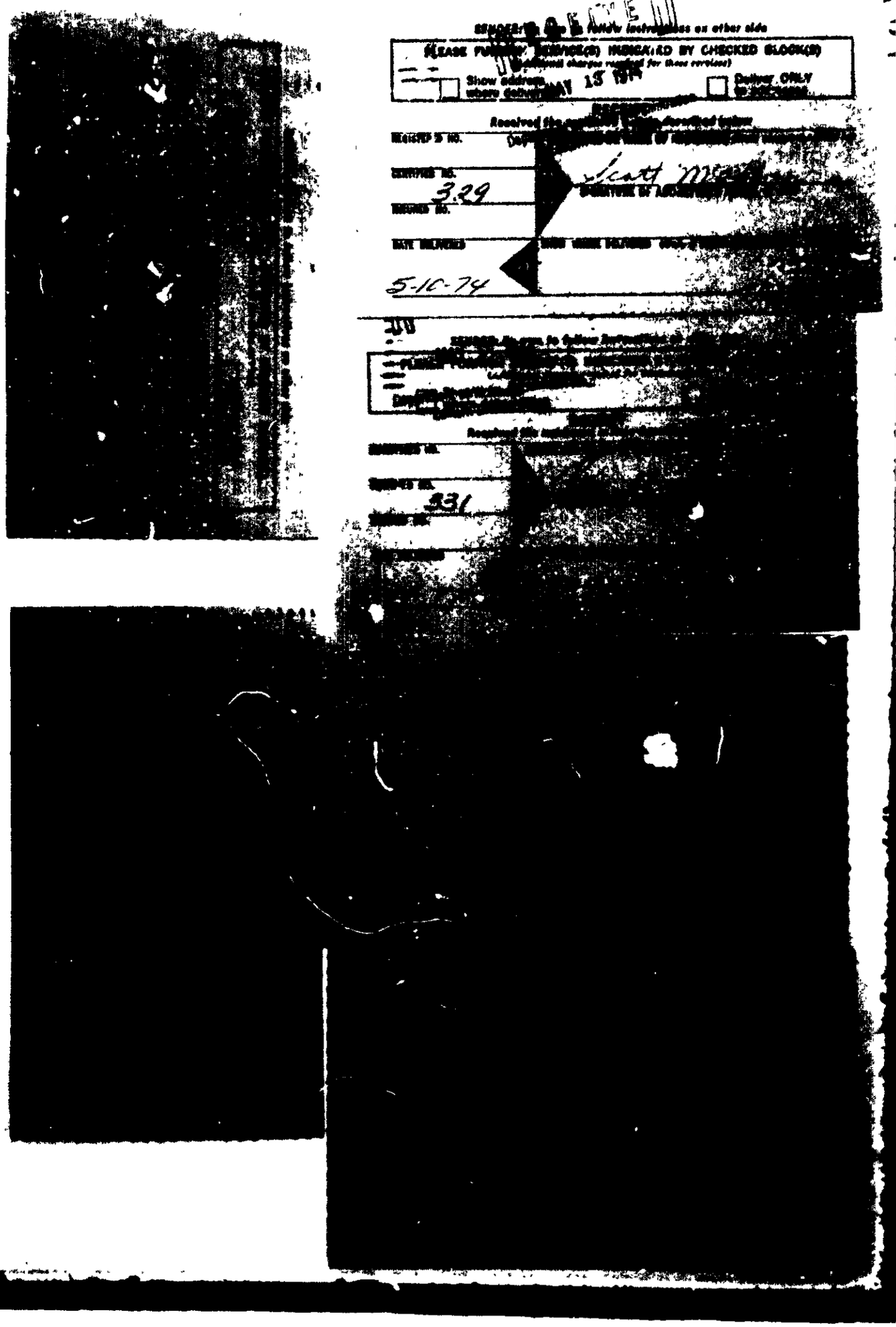


U.S. POSTAL SERVICE
OFFICIAL BUSINESS

MACKAY, ID
MAY
10
1994

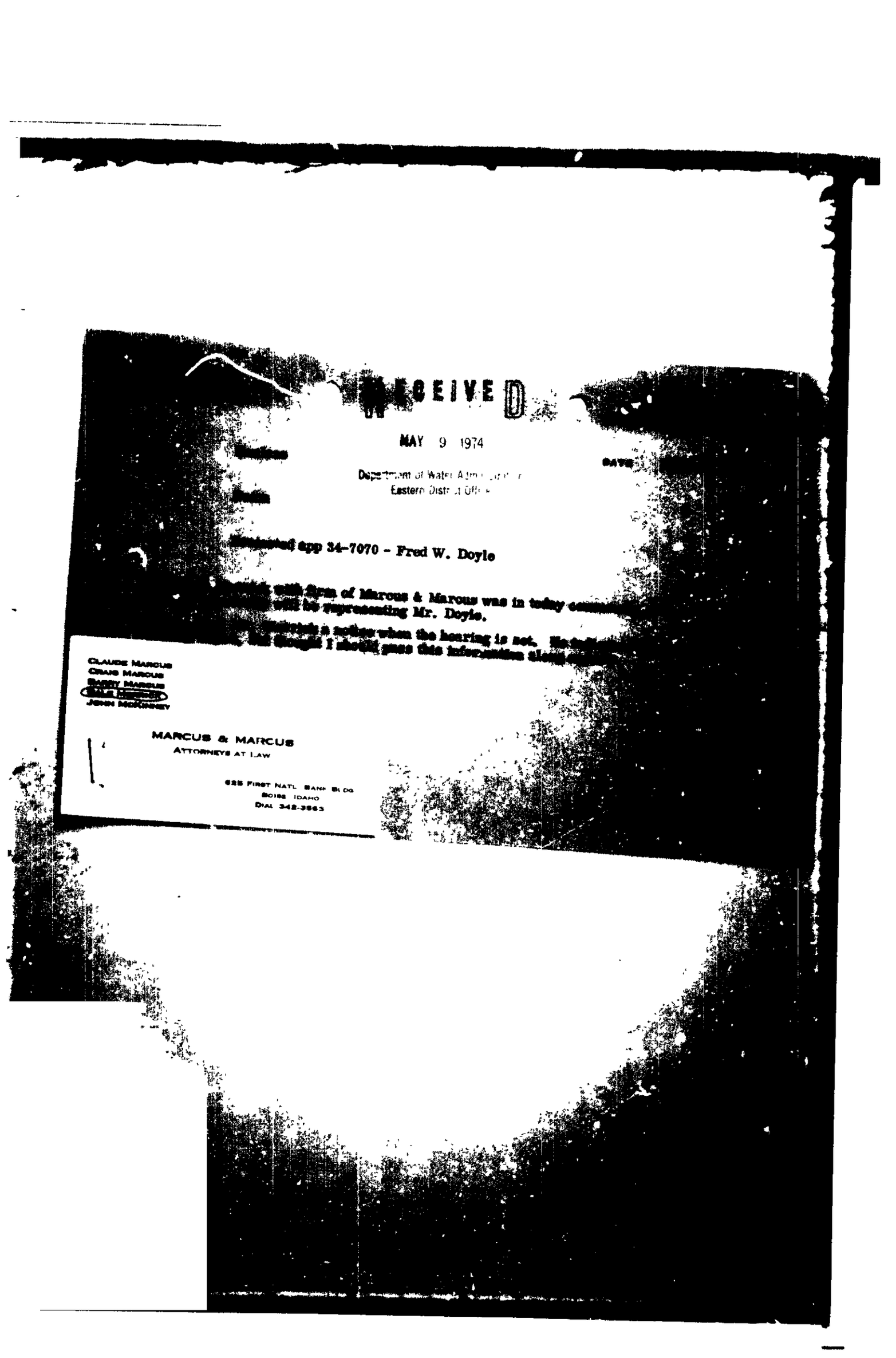
IDAHO DEPARTMENT OF WATER
EASTERN DISTRICT OFFICE
1515 LINCOLN RD.
IDAHO FALLS, IDAHO





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
15 Lincoln Road • Idaho Falls, Idaho
83401

RETURNED RECEIPTS REQUESTED



RECEIVED

MAY 9 1974

Department of Water Administration
Eastern District Office

app 34-7070 - Fred W. Doyle

with firm of Marcus & Marcus was in today
will be representing Mr. Doyle.

a notice when the hearing is set.
thought I should pass this information along

CLAUDE MARCUS
CRAIG MARCUS
BARRY MARCUS
JOHN McKINNEY

MARCUS & MARCUS
ATTORNEYS AT LAW

625 FIRST NATL BANK BLDG
BOISE IDAHO
DIAL 342-3563