

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

NOV 03 2003

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
05-13155					
05-13156					
~~05-30257~~ DELETE FROM OWNERSHIP CHANGE REQUEST					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. 11/25/03 (\$75.00)
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Circle Arrow Grazing Association
 % Allen Sutton, PO Box 26, Ida ID 83657

4. New Owner/Claimant(s)

Michael and Sarah Redman

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

2309 N. 18th Street

City, State and ZIP Code

Boise ID 83702

New Telephone Number

208 345-4200

5. Date you acquired the property

October 22, 2003

WATER RESOURCES
WESTERN REGION

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Michael Redman , *Sarah Redman*

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by *[Signature]* Date *11/7/03*
 Received by *[Signature]* Date _____
 Processed by _____ AJ Date _____

Fee *\$75.00* (*=\$75.00*)
 *Receipt No. *10031077*
 WR _____ Date _____

*11-17-03 C 071643 - \$50.00

[Signature]

I, Allen Sutton, request to remove my name and property description, 10N, 1E, Section 23, The SE ¼ of the NW ¼, from Water Right Number 65-13156, all rights and claims to the water usage having been transferred upon the sale of the following property description:

10N, 1E, Section 22 The E1/2 of the NE ¼
10N, 1E, Section 23, The N ½ of the NW ¼, The NW ¼ of the NE ¼ lying North of the County Road.

To:

Michael and/or Sarah Redman
2309 North 18th Street
Boise, ID 83702
(208) 367-1041

Signature Allen Sutton Date 11-25-2006

Notarized _____

STATE OF IDAHO
COUNTY OF Ben

} ss.

On this 25th day of November in the
year 2006, before me, a Notary Public, personally appeared

Allen Sutton
known or identified to me to be the person whose name
subscribed to the within instrument, and acknowledged to me that
he executed the same.

Palla R. Garringer
Notary Public

Residing at Boise, Idaho

Commission Expires 1-31-18



Copy - returned
original to Sarah
Redman for
recording -
KW
12/2/03

#00.
22: IONIE E2NE
23: IONIE NW
NWNE

WARRANTY DEED

Order No.: AT-405034651

FOR VALUE RECEIVED

Circle Arrow Grazing Association, Inc.,

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Michael Redman and Sarah Redman, Husband and Wife,

whose current address is

2309 N. 18th St., Boise, ID, 83702,

the grantee(s), the following described premises, in Gem County, Idaho, TO WIT:

TOWNSHIP 10 North, Range 1 East, B.M., Gem County, Idaho

Section 22: The E ½ of the NE ¼

**Section 23: The N ½ of the NW ¼
The NW ¼ of the NE ¼ North of County Road**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 22, 2003

Circle Arrow Grazing Association, Inc.

Larry C. Sutton
By: Larry C. Sutton, President

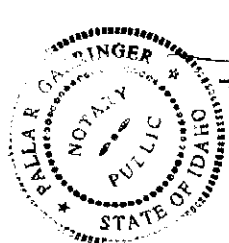
Allen Sutton
By: Allen Sutton, Secretary

State of Idaho

County of Gem

On 22nd day of October 2003, before me, a Notary Public in and for said state, personally appeared Larry C Sutton and Allen Sutton known to me to be the President and Secretary of the Corporation, and acknowledged to me that pursuant to a Resolution of the Board of Directors, he/she/they executed the foregoing in said Corporation name.

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



Debra R. Darringer
Notary Public for the State of Idaho
Residing at: Emmett
Commission Expires: 11/25/2008

Instrument # 232614

EMMETT, GEN, IDAHO
2003-10-24 04:03:00 No. of Pages: 1
Recorded for: ALLIANCE TITLE & ESCROW
SUSAN K. HOWARD Fee: 3.00
Ex-Office Recorder Deputy Judy Edwards
Index to: WARRANTY DEED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13155

Priority: February 24, 1990 Maximum Diversion Rate: 0.20 CFS
Maximum Diversion Volume: 164.8 AF

This is to certify, that CIRCLE ARROW GRAZING ASSN

PO BOX 26

OLA ID 83657

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 5, 1990; and has submitted Proof of Beneficial Use on January 20, 1993. An examination indicates that the works have a diversion capacity of 0.450 cfs of water from:

UNNAMED STREAM tributary to SQUAW CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.19 CFS	11.0 AF
STOCKWATER STORAGE	01/01 to 12/31		9.0 AF
RECREATION	01/01 to 12/31	0.20 CFS	144.8 AF
RECREATION STORAGE	01/01 to 12/31		9.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
	Totals	0.20 CFS	164.8 AF

LOCATION OF POINT(S) OF DIVERSION:

Injection

SENE , Sec. 22, Township 10N, Range 01E
NWNW , Sec. 23, Township 10N, Range 01E
GEM County

PLACE OF USE: STOCKWATER

TWN RGE SEC

10N 01E 22	SENE
23	NWNW

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

10N 01E 23	NWNW
------------	------

PLACE OF USE:

RECREATION, same as STOCKWATER STORAGE use

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 which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13155

CONDITIONS OF APPROVAL AND REMARKS

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. Use of water under this water right will be regulated by the watermaster of State Water District No. 65A.
6. This right authorizes an annual volume of water to fill the storage facility and the amount required to replace losses through evaporation and seepage.
7. Rights 65-13155 and 65-13156 are for the same pond; the storage volume for both rights combined is 9.0 af.
8. Recreation use is for a fish pond.
9. Water discharged from the pond is injected into Fir Tree Gulch in the NWNW, S23, T10N, R1E.
10. Instream stockwatering also occurs under this right.

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 7th
day of NOVEMBER, 1997.


Acting for KARL J. DREHER, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
NOS. 65-13155 AND 65-13156 IN THE)
NAME OF CIRCLE ARROW)
GRAZING ASSN.)
_____)

ORDER REMOVING
CONDITION OF APPROVAL

WHEREAS, on February 5, 1990, Circle Arrow Grazing Assn. applied to the Department of Water Resources (Department) for permits to appropriate water from unnamed streams tributary to Squaw Creek for stockwater, recreation, stockwater storage and recreation storage uses; and,

WHEREAS, the Department approved Permit Nos. 65-13155 and 65-13156 with the following condition:

Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

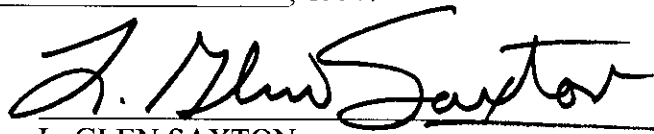
and,

WHEREAS, the watermaster of Water District No. 65A has informed the department that measuring devices are not necessary for regulation of these water rights; and,

WHEREAS, there appears to be reasonable cause to remove the condition,

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval requiring the installation of permanent measuring devices for Permit Nos. 65-13155 and 65-13156 is REMOVED provided that the Director retains jurisdiction to reinstate the condition in the future if determined by the Director to be necessary.

Dated this 15th day of October, 1997.



L. GLEN SAXTON

Chief, Water Allocation Bureau

IN THE MATTER OF PERMIT NO. 65-13155)
IN THE NAME OF CIRCLE ARROW GRAZING ASSN) ORDER OF
) REINSTATEMENT
)

L. Glen Saxton
Chief, Water Allocation Bureau

RECEIVED

JAN 20 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 10.00
Date 1-18-93
Receipt No. 0026012
Receipt by J.H.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 65-13155 Telephone No. 584-3572
2. Name(s) of Permit Holder(s): Circle Arrow Grazing Assn.
3. Mailing Address: Box 26 OLA, ID 83657
4. Source of Water: unnamed stream

If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

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

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

Domestic _____ (No. of households) Stockwater 800 Cattle (No. and type of stock)
Irrigation _____ (No. of acres) Other Recreation

6. Total rate and/or volume for which proof is submitted 20 cfs OR _____ acre/feet

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

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

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

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

Allen Sutton 584-3572
Name Telephone No.

Box 26 OLA, ID
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.

1-18-93
Date

Allen Sutton - Secretary
Signature (and title, if on behalf of a company or organization)

1-18-1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13155

Proposed Priority: February 5, 1990 Maximum Diversion Rate: 0.20 CFS

This is to certify, that **CIRCLE ARROW GRAZING ASSN**
PO BOX 26
OLA ID 83657

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of **SQUAW CREEK**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.19 CFS	
STOCKWATER STORAGE	01/01 to 12/31		20.0 AF
RECREATION	01/01 to 12/31	0.20 CFS	
RECREATION STORAGE	01/01 to 12/31		20.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
	Totals	0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:
Injection

SWSENE , Sec. 22, Township 10N, Range 01E
SWNENW , Sec. 23, Township 10N, Range 01E
GEM County

PLACE OF USE: STOCKWATER
TWN RGE SEC

10N 01E 22	NENE	SENE	
23	NENW	NWNW	SWNW
	SENW		

PLACE OF USE: STOCKWATER STORAGE
TWN RGE SEC

10N 01E 23	NWNW
------------	------

PLACE OF USE: RECREATION
TWN RGE SEC

10N 01E 23	NWNW
------------	------

PLACE OF USE: RECREATION STORAGE
TWN RGE SEC

10N 01E 23	NWNW
------------	------

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1993.**

Permit To Appropriate Water

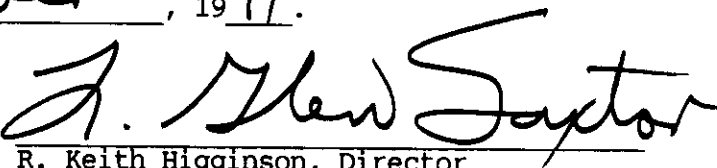
NO. 65-13155

CONDITIONS/REMARKS:

2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 65A.
4. Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
5. Stockwater is for 800 range cattle.
6. Water is injected into Fir Tree Gulch in SWNE1/4, S.23, T10N, R01E.

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

19th day of December, 1991.

for 
R. Keith Higginson, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)	
PERMIT NO. 65-13155 IN THE NAME)	
OF CIRCLE ARROW GRAZING ASSN.)	ORDER DISMISSING
_____)	PROTEST

This matter having come before the Idaho Department of Water Resources (Department) pursuant to an Order to Show Cause, the Department Finds, Concludes, and Orders as follows:

FINDINGS OF FACT

1. On February, 5, 1990, Circle Arrow Grazing Association filed with the Department an application to appropriate .20 cubic feet per second and 20.00 acre-feet of water from an unnamed stream in Gem County. The water is requested for stockwater, recreation storage, diversion to storage, stockwater storage and recreation purposes.

2. Charles Mackenzie protested the application. The Department held a conference on April 11, 1991. The Department sent a certified notice to the protestant who failed to pick it up at the Post Office and failed to appear at the conference. The Department held a second conference on June 20, 1991. The Department sent notice of this conference by both regular mail and certified mail. Again the protestant failed to appear.

CONCLUSIONS OF LAW

1. Pursuant to the provisions of the Idaho Code, the

JAN 24 1992

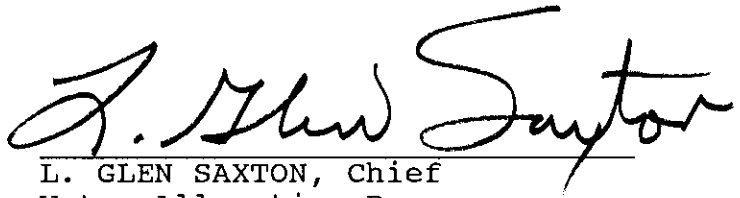
Director of the Department of Water Resources is empowered to dismiss a protest wherein the protestant fails to appear.

2. The applicant, Charles Mackenzie has failed or refused, on both occasions listed previously in the Findings of Fact, to appear at the conference.

ORDER

IT IS HEREBY ORDERED that the protest of Charles Mackenzie against Application No. 65-13155 in the name of Circle Arrow Grazing Association is DISMISSED.

Dated this 13th day of August, 1991.


L. GLEN SAXTON, Chief
Water Allocation Bureau

CERTIFICATE OF MAILING

I hereby certify that on the 13th day of August, 1991, I mailed a true and correct copy, postage prepaid, of this document to the following:

Circle Arrow Grazing Association
P.O. Box 26
Ola, ID 83657

Charles Mackenzie
P.O. Box 34
Ola, ID 83657


JENNIFER SEIFERT
Secretary

RECEIVED
JAN 03 1991

Ident. No. 65-13155

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REVISED

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: CIRCLE ARROW GRAZING ASSN. 208-584-3572
Address: P.O. BOX 26
OLA, ID 83657
2. Source: UNNAMED STREAM Trib. to: SQUAW CREEK
3. Location of Point of Diversion: SWSENE Sec. 22, Township 10N, Range 01E
GEM County
4. Water will be used for the following purposes:

Purpose	From	To	CFS .19 (or)	AF
STOCKWATER	01/01	12/31	~~0.200~~	
RECREATION STORAGE	01/01	12/31		20.00
DIVERSION TO STORAGE	01/01	12/31	0.200	
STOCKWATER STORAGE	01/01	12/31		20.00
RECREATION	01/01	12/31	0.200	
5. Total quantity to be appropriated is:
0.200 CFS (and/or) 20 AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
DAM, OPEN DITCH
 - b. Height of storage dam 9 feet; active reservoir capacity 20.00
acre-feet; total reservoir capacity 20.00 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 years.
8. Description of proposed uses:

9. Place of Use: STOCKWATER

TWN RGE SEC
10N 01E 22
23

NENE
NENW

SENE
NWNW

SWNW

SENE

MAX. allowable cfs $5/800 = .19$ per IOWA Table No. 6

* Database updated 1/16/91 per telecon with Jim Johnson
following applicant's office visit with Jim on 1/8/91.

SL

Ident. No. 65-13155

Page 2

Place of Use: RECREATION STORAGE & STOCKWATER STORAGE & RECREATION

TWN RGE SEC

10N 01E 23

NWNW

10. Describe any other water rights used for the same purposes.

11. 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.

12. Remarks:

Stockwater is for 800 range cattle.

Water is injected into Fire Tree gulch in T10N R16 S. 23 SWNENW.

13. Map of proposed point of diversion and place of use attached? [Y]

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.

Allen L. Sutton
Applicant

Received by Jim Date 2-5-90 Time 4:14 Preliminary check by FL

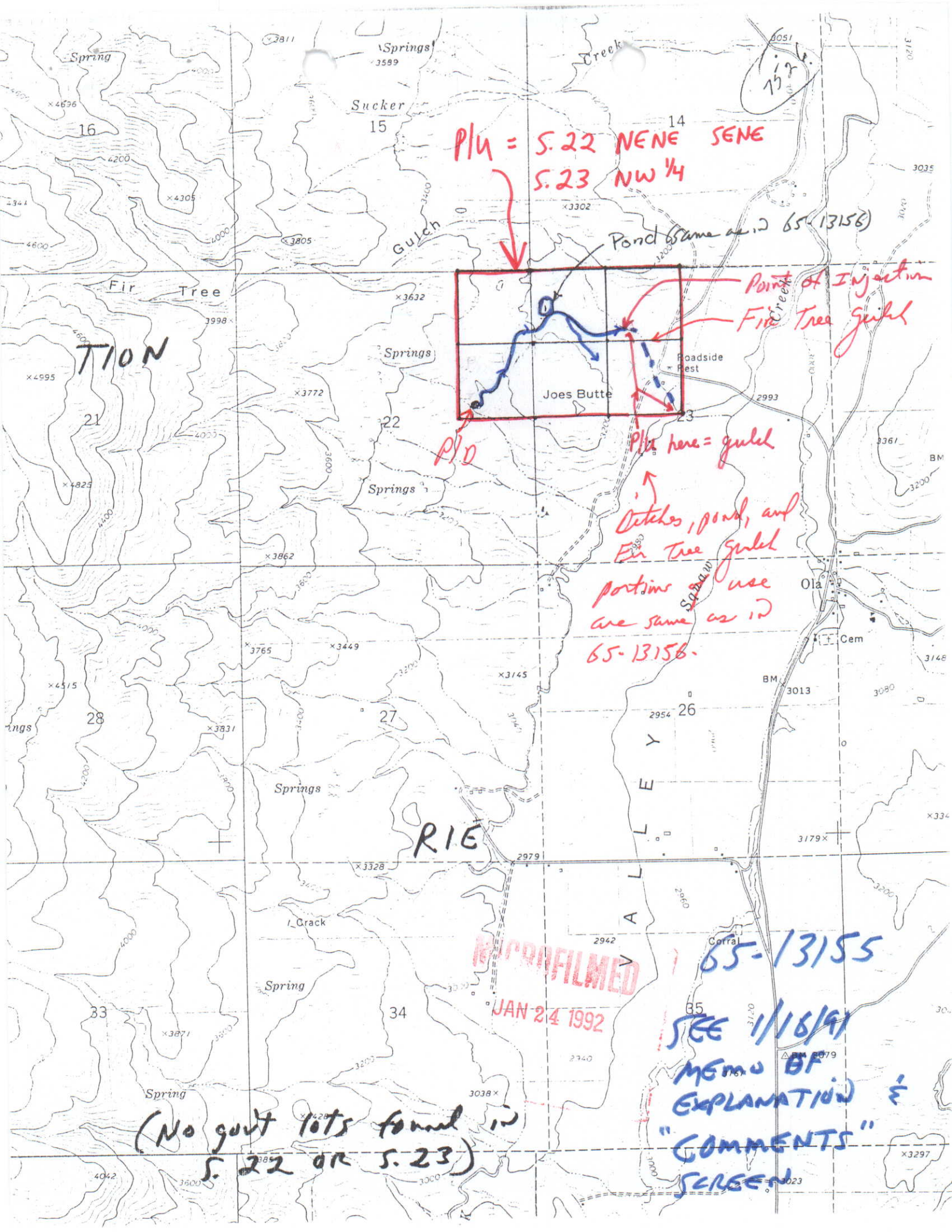
Fee \$ 30.00 Receipted by CL # 6014430 Date 2-5-90

Publication prepared by GG Date 1-30-91 Published in Messenger-Index

Publication approved AT Date 3-18-91 2/7 & 2/14/91

* database updated 1/29/91 based on 1/16/91 memo &
discussion with ORT. FL

ALSO SEE "COMMENTS" SCREEN



PLU = S. 22 NENE SENE
S. 23 NW 1/4

Pond (Same as in 65-13156)

Point of Injection
Fir Tree gulch

PLU here = gulch
Ditches, pond, and
Fir Tree gulch
portions of use
are same as in
65-13156.

65-13155

SEE 1/16/91
MEMO BY
EXPLANATION &
"COMMENTS"
SERGEN

(No govt lots found in
S. 22 or S. 23)

RECORDED
JAN 24 1992

65-13155

65-13156

From "COMMENT Maintenance Screen"
in WR2

Circle Arrow grazing Assn.

Board of Directors:

Larry Strickland	3605 VAN Dussen Emmett, ID.
Larry Sutton	Ola, ID.
* Allen Sutton	"
Perry Sutton	"

* also sec'y per original application

RECEIVED
FEB 03 1980

Ident. No. 65-13155

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: CIRCLE ARROW GRAZING ASSN. 208-584-3572
Address: P.O. BOX 26
OLA, ID 83657
2. Source: UNNAMED STREAM Trib. to: SQUAW CREEK
3. Location of Point of Diversion: SWSENE Sec. 22, Township 10N, Range 01E
GEM County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.200		
RECREATION STORAGE	01/01	12/31			20.00
DIVERSION TO STORAGE	01/01	12/31	0.200		
STOCKWATER STORAGE	01/01	12/31			20.00
5. Total quantity to be appropriated is:
0.200 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
DAM, OPEN DITCH
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 years.
8. Description of proposed uses:
Recreation use is for fish in pond; Stock. *200*
9. Place of Use: STOCKWATER

TWN RGE SEC
10N 01E 22
23

NENE
NENW

SENE
NWNW

SENE

JAN 24 1982

* Stock but not # hd. clearly in database.

5/3/90

COPY OF ORIGINAL APPLICATION

Place of Use: RECREATION STORAGE

TWN RGE SEC

10N 01E 23

NWNW

Place of Use: DIVERSION TO STORAGE, same as STOCKWATER use

Place of Use: STOCKWATER STORAGE, same as STOCKWATER use

10. Describe any other water rights used for the same purposes.

11. 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.

12. Remarks:

13. Map of proposed point of diversion and place of use attached? [1]

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.

Allen L. Sutton - Secretary
Applicant

Received by Jim J Date 2-5-90 Time 4:19 Preliminary check by SL

Fee \$ 30.00 Received by CF # CD14430 Date 2-5-90

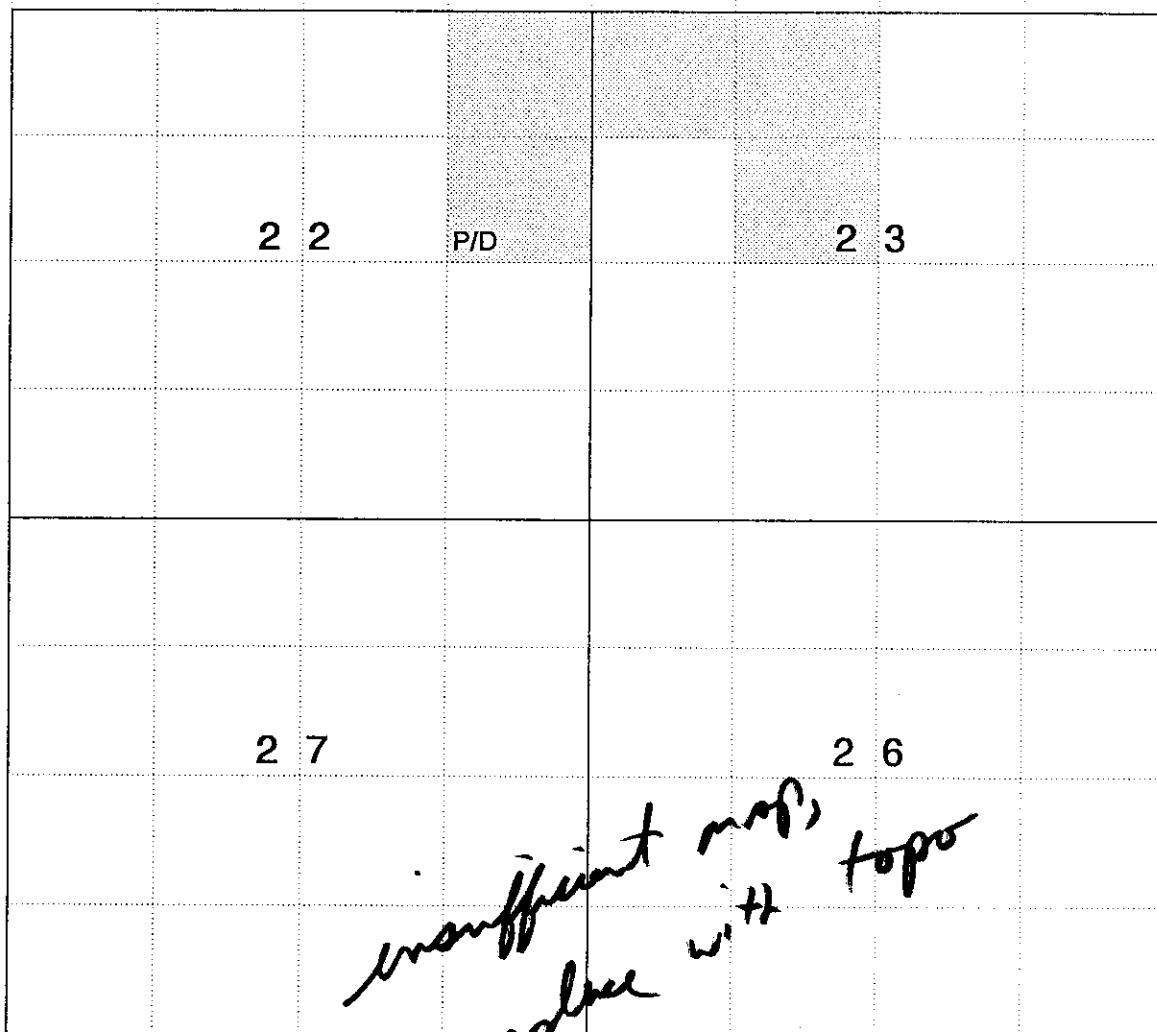
Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED
FEB 24 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PLACE OF USE MAP

T10N R01E



02/05/90

Ident. No. 65-13155

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: CIRCLE ARROW GRAZING ASSN. 208-584-3572
Address: P.O. BOX 26
OLA, ID 83657
2. Source: UNNAMED STREAM Trib. to: SQUAW CREEK
3. Location of Point of Diversion: SWSENE Sec. 22, Township 10N, Range 01E
GEM County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.200		
RECREATION STORAGE	01/01	12/31			20.00
DIVERSION TO STORAGE	01/01	12/31	0.200		
STOCKWATER STORAGE	01/01	12/31			20.00
5. Total quantity to be appropriated is:
0.200 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
DAM, OPEN DITCH
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 years.
8. Description of proposed uses:
Recreation use is for fish in pond.; Stock *
9. Place of Use: STOCKWATER

TWN RGE SEC			
10N 01E 22	NENE	SENE	
23	NENW	NWNW	SENE

* Stock (but not # ha) already in database.

92 5/3/90

ORIGINAL APPLICATION

Place of Use: RECREATION STORAGE

TWN RGE SEC
10N 01E 23 NWNW

Place of Use: DIVERSION TO STORAGE, same as STOCKWATER use
Place of Use: STOCKWATER STORAGE, same as STOCKWATER use

10. Describe any other water rights used for the same purposes.
11. 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.
12. Remarks:
13. Map of proposed point of diversion and place of use attached? ☒

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.

Allen L. Sutton - Secretary
Applicant

Received by Jim J Date 2-5-90 Time 4:19 Preliminary check by SL
Fee \$ 30.00 Received by CA # 0014430 Date 2-5-90
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PLACE OF USE MAP**

T10N R01E

2 2		2 3	
2 7		2 6	

02/05/90

RECEIVED
FEB 14 1991

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
 ss.
COUNTY OF GEM,

Joy Fridley, being first
duly sworn, on her oath deposes and
says that she is the clerk of the Mes-
senger Index, a legal weekly news-
paper published at Emmett, in Gem
County, Idaho; that said newspaper
is in general circulation in said
county and has been published unin-
terruptedly and continuously for
more than 78 weeks prior to the
first publication of the annexed
document; and that the document
notice, process, or advertisement
hereunto annexed was published in
the regular edition of Messenger
Index for two

consecutive weekly issues thereof,
beginning with the issue of
Feb. 6, 1991,
and ending with the issue of
Feb. 13, 1991

Joy Fridley
Subscribed and sworn to me this

11th day of
February, 1991

Mary Ann Horner

Notary Public

Residing at Emmett, Idaho

My Commission Expires 3-21-95

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13129

GEOHERMAL INVESTMENT CORP.
C/O KEN JOHNS, PRES.
1114 S. COMMERCIAL
EMMETT, ID 83617

Source: ROYSTONE HOT SPRINGS
Tributary: SQUAW CREEK
Diversion Pt: NESESE Sec 8 T 07N R
01E

Use: IRRIGATION (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 1/25/ 1990 In: T07N ROIE
S08

SESE 2.0 ACRES TOTAL

65-13155

CIRCLE ARROW GRAZING ASSN.

P.O. BOX 26
OLA, ID 83657
Source: UNNAMED STREAM
Tributary: SQUAW CREEK
Diversion Pt: SWSENE Sec 22 T 10N R
01E

Use: STOCKWATER (.190 CFS)
RECREATION STORAGE (20.00 AF)
DIVERSION TO STORAGE (.200 CFS)
STOCKWATER STORAGE (20.00 AF)
RECREATION (.200 CFS)
Total Diversion: (.200 CFS) (20.00 AF)
Date Filed: 2/ 5/ 1990
In: T10N ROIE S22 NENE SENE S23
NENW NWNW SWNW SENW

65-13156

CIRCLE ARROW GRAZING ASSN.

P.O. BOX 26
OLA, ID 83657
Source: UNNAMED STREAM
Tributary: SQUAW CREEK
Diversion Pt: NWNW Sec 23 T 10N R
01E

Use: STOCKWATER (.190 CFS)
STOCKWATER STORAGE (20.00 AF)
RECREATION STORAGE (20.00 AF)
DIVERSION TO STORAGE (.200 CFS)
RECREATION (.200 CFS)
Total Diversion: (.200 CFS) (20.00 AF)
Date Filed: 2/ 5/ 1990
In: T10N ROIE S23 NENW NWNW
SWNW SENW

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Western Region, 2735 Airport Way, Boi-
se, Idaho 83705 on or before FEBRU-
ARY 25, 1991.

Pub.: 2-6,13-91

Legal Notice No. 1006
Published in the Messenger Index



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 19, 2003

MICHAEL REDMAN
SARAH REDMAN
2309 N 18TH ST
BOISE ID 83702

RE: Change of Ownership for Water Rights 65-13155 and 65-13156

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records. Also enclosed are receipts for filing fees and an original document signed by Allen Sutton.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

Receipt Details for LD W031077

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
11/5/2003 12:35:47 PM	11/5/2003 2:42:29 PM	WESTERN	\$75.00	Check
Payer		RELIABLE LEADS INC		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
6256			
Card Expiration Date	Credit Card Transaction #		

Comment	CHANGE OF OWNERSHIP: 65-3025X, 65-13155, 65-13156 (\$25 EA)
---------	---

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$75.00	OWNERSHIP CHANGES/SECURITY INTERESTS	62140	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

DEBBIE ALLEN . . .

PLEASE REFUND THE \$75.00 SHOWN ON THIS RECEIPT TO:

MICHAEL &/OR SARAH REDMAN
2309 N 18TH ST
BOISE ID 83702

IT WAS ORIGINALLY THOUGHT THERE WOULD BE A SPLIT ON THE OWNERSHIP CHANGE THAT DIDN'T OCCUR.

THANKS,


KARI LYNN T.
12-19-03

MICROSOFT

Comment Report

65-13155

1. VAULT 1/5/1993 Lapse Notice Sent

Comment: Lapse Notice Sent

2. ANDREGG 1/22/1993 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

4. VAULT 1/5/1993 Lapse Notice Sent

Comment: Lapse Notice Sent

5. ANDREGG 1/22/1993 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

3. kwalker 12/11/2003 Ownership Change

Comment: A notice of change in water right ownership was received for this right on November 5, 2003. Water right has been updated to reflect this change.

MILWAUKEE

NOV 10 2003
WATER RESOURCES
WESTERN REGION

RECEIVED
NOV 10 2003
WATER RESOURCES
WESTERN REGION

October 31, 2003

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

To Whom It May Concern,

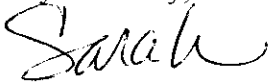
We have acquired a property in Ola, ID (official legal description enclosed with Deed). Please find the enclosed documents and check to cover the transfer of ownership of the water rights correspondent to the property.

- 1) The completed IDWR Notice of Change in Water Right Ownership
- 2) Check in the amount of \$75.00
- 3) Warranty Deed showing legal description and proving full ownership of property.

If there are any additional rights that go with the property, unidentified on this form, please let me know and I will immediately issue payment and request for those rights to be transferred as well.

Your office, and the office on Orchard has been so helpful to us in the researching that took place prior to purchasing the property... thank you all for being so nice!

Very Sincerely,



Sarah Redman
345-4200
Cell: 867-5076

Michael and Sarah Redman
2309 North 18th Street
Boise, ID 83702

NOV 10 2003
WATER RESOURCES
WESTERN REGION



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 10, 1997

CIRCLE ARROW GRAZING ASSN
PO BOX 26
OLA ID 83657-0026

RE: WATER RIGHTS 65-13155/65-13156

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are preliminary orders issued by the Department pursuant to section 67-5243, Idaho Code. They can and will become final orders 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.

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.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the **10th** day of **NOVEMBER, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Rights 65-13155/65-13156

CIRCLE ARROW GRAZING ASSN
PO BOX 26
OLA ID 83657-0026



Kari Lynn Townsend
Secretary



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

October 16, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CIRCLE ARROW GRAZING ASSN
PO BOX 26
OLA ID 83657-0026

RE: Permit 65-13155 AND 65-13156

Dear Permit Holder(s):

Enclosed please find an Order Removing Condition of Approval which was issued on October 15, 1997 concerning the above mentioned permit.

If you have any questions regarding this matter please call our office.

Sincerely,

A handwritten signature in cursive script, reading "Kari Lynn Townsend".

Kari Lynn Townsend
Secretary

/k

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 10/9/97

TO: Sharon Curtis

FROM: Steve L.

DOCUMENT DESCRIPTION: 65-13155 & 65-13156:

Per your 10/8 fax - looks OK to Remove M.d. Reg't.
As you have shown. However, I assume that will retain
condition that Rights remain subject to W.M.'s ~~control~~ control.
that will provide the "hook" should it be needed if
dispute heats up again.

TOTAL PAGES SENT: 2 + COVER SHEET

CONTACT: _____

Thanks,

[Signature]

MEMORANDUM

TO: Files 65-13155 and 65-13156

FROM: Sharla

DATE: August 18/September 19, 1997

RE: Telecon & Recommendation Adjustments

On this date, Eric Herr (watermaster of Water District No. 65A) called in response to my letter of 7/31. He left a message for me stating that measuring devices are not necessary for regulation of these water rights and in his opinion the conditions could be removed.

The total volume under each right is additive; the total volume is 164.8 af.

H. RECOMMENDATIONS

Stockwater	1/1- 12/31	0.19 cfs	11.0 afa
Stockwater Storage	1/1 - 12/31		9.0 afa
Recreation	1/1 - 12/31	0.20 cfs	144.8 afa
Recreation Storage	1/1 - 12/31		9.0 afa
Diversion to Storage	1/1 - 12/31	0.20 cfs	
TOTALS		0.20 cfs	164.8 afa

The source listed on application 65-13156 was an unnamed stream tributary to Squaw Creek, proposing to inject water into Fir Tree Gulch. The source of water developed under this right is actually Fir Tree Gulch itself. There is one SRBA claim (federal) on Fir Tree Gulch diverted upstream of this right and one permit (65-13598 with proof due in 2000) also diverted upstream from this right, therefore, there appears to be no threat of injury to existing rights. This change is treated as a clarification of source name.



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 31, 1997

Eric Herr
Sweet, ID 83670

RE: Water Rights 65-13155 & 65-13156

Dear Eric,

We are in the process of reviewing permit numbers 65-13155 & 65-13156 for licensing. Enclosed are profile reports describing these permits. During the field examination in April of 1995, our examiner found no measuring devices installed. One of the conditions of the permits required that a permanent measuring device be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir could be measured. Is a measuring device necessary for regulation of these rights? If so, we will hold licensing the rights until the condition is complied with and will retain the condition when the licenses are issued. If it is not necessary, we will simply remove the condition.

I appreciate your help in this matter. If you have any additional questions, please feel free to contact me at (208) 327-5452.

Sincerely;

Sharla Curtis
Water Resource Agent

SC:cb
Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 04 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13155

1. Owner: Circle Arrow Grazing Assoc.

Phone No. 584 3572

Current Address: PO Box 26 Oia ID 83657

2. Accompanied by: Allen, Perry & Larry Sutton

EXAM DATE: 4/10/95

Address: above (c/o Allen)

Phone No. _____

Relationship to Permit Holder: owners

3. Source: unnamed stream tributary to Squaw Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-13156, 03041A, 13184

2. Other water rights with the same point of diversion: NONE (65-3041A - see remarks)
3025X uses same source = P/D

Not shown in
WR overlap

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	NE	22	10N	1E	Gem	Map, Site Visit

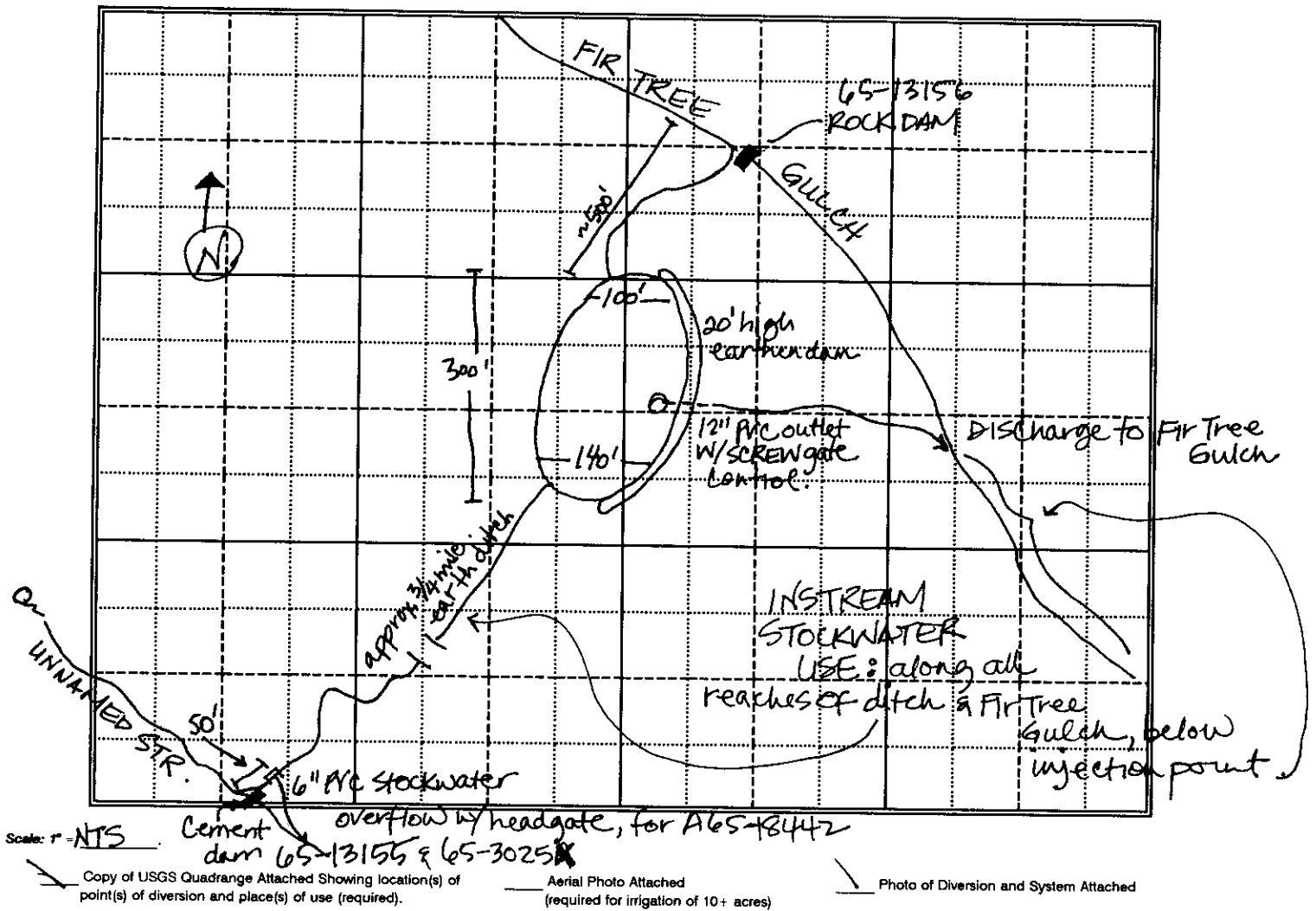
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	1E	23					~~NE~~	S/R	~~SW~~	~~SE~~									
		22	~~NE~~			S													

These only

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



4.

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

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Portable Weir	Cippolletti				1' CREST	

2. Measurements: 26' over weir. Weir set in straight section of ditch approx 1/3 mile downstream from diversion.

E. NARRATIVE/REMARKS/COMMENTS

Small impoundment used for Stockwater and recreation storage. A 20' earthen dam creates approx 9AF storage from two distinct sources.

Stockwater is for 800 range cattle.

Recreation use ~~also~~ ^{is} for fish pond.

Source for this right is an unnamed ~~spring~~ ^{stream} generated from an upland spring. A 2' earth ditch is used to convey water approx $\frac{3}{4}$ mile to pond. Discharge from pond goes into Fir Tree Gulch.

~~the instream~~ Stockwater uses occur along the delivery ditch and ~~along Fir Tree Gulch downstream from the discharge point~~ ^{in the reservoir}. I did not consider ~~this~~ ^{the discharge} point to be an injection location because right 65-13156 covers Stockwater uses in Fir Tree Gulch.

Overlaps: P/U overlaps 65-13156: Same pond, Source = Fir Tree Gulch
65-3041A: Irrigation from Squaw Creek; 65-13184: Separate Spring for Stockwater.

P/D overlap: 65-3025X is an actual overlap, from springs decreed w/in SWNE Sec 22. The right, for 1 cfs for Stockwater, is now diverted through the same ditch as the permit, from the same source, downstream from Spring. (65-3025A also shown diverted from Spring but not this ditch; use of this is questionable) 1/4 for 3025X is different.

~~No~~ ^{permanent} measuring devices installed. This area is regulated by Watermaster & is an active regulated ditch. However, owners sounded like they would like to request a waiver.

Have conditions of permit approval been met? yes no *

I do not recommend ~~and~~ ^{waiver} because of the controversy which occurs @ this site. Might solicit Watermaster opinion.

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

.26' over 1' weir (Cipp) = .449 cfs from discharge tables

permit limit .2 cfs
proof #50 OK

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

1. S/500 range 11.0 AFA per stock table

$$\begin{aligned} 2. \text{Storage volume} &: 80 \times 150 \times \pi = 37699 \text{ ft}^3 \\ &\times 10' \text{ avg depth} = 376990 \text{ ft}^3 \\ &= 8.65 \text{ AF} = 9 \text{ AF} \end{aligned}$$

Area of an ellipse:



$$A = \pi ab$$

3. RECREATION $\rightarrow$
H. RECOMMENDATIONS .20 x 365 x 1.9835 = 144.8 ~~AF~~
AF

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
STOCKWATER	1/1	12/31	.19	11.0
STOCKWATER STOR.	1/1	12/31		9.0
RECREATION	1/1	12/31	.20	144.8
REC. STORAGE	1/1	12/31		9.0
DIV TO STORAGE	1/1	12/31	.20	
Totals:			.20	144.8

2. Recommended Amendments

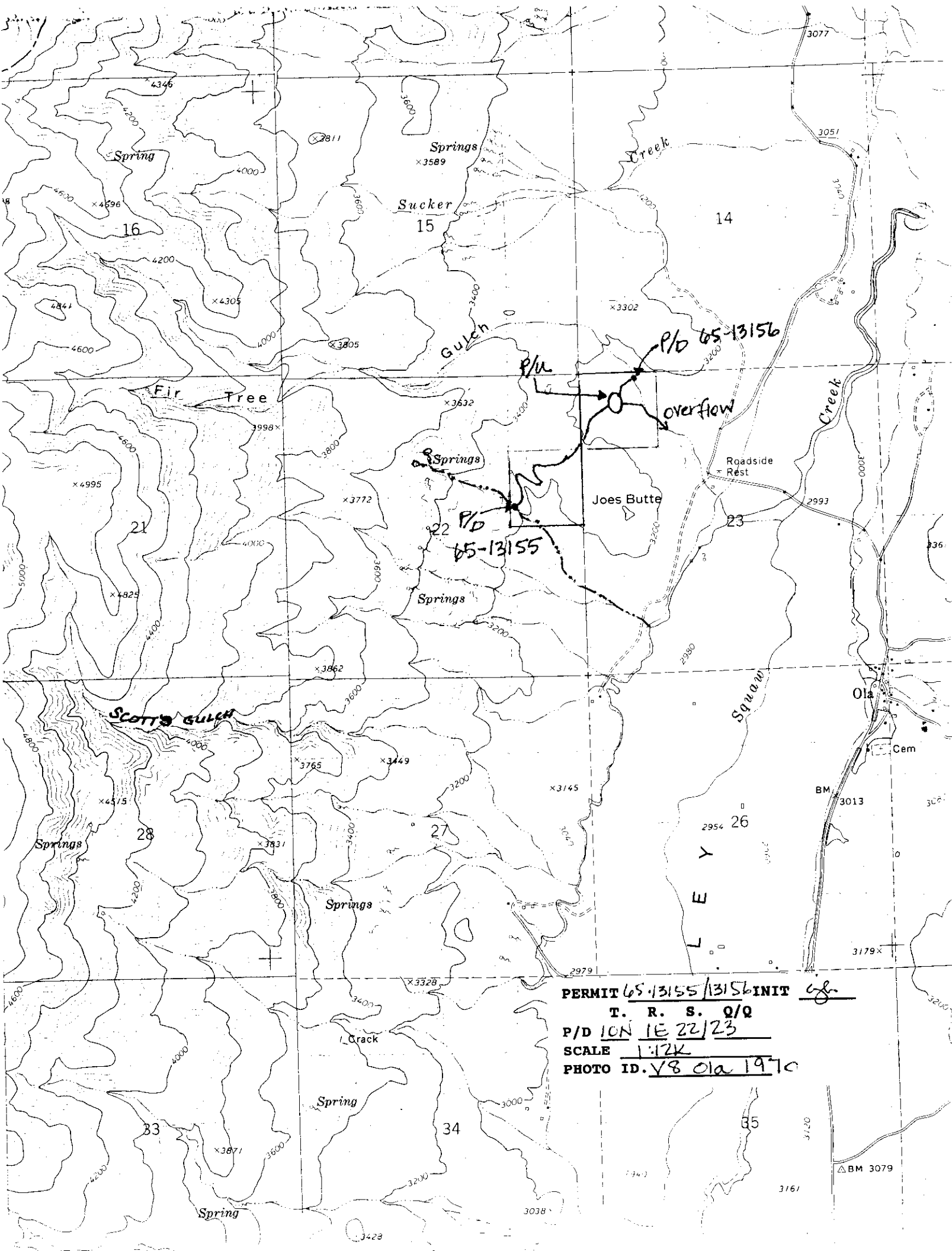
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J. Hodges Date 1/20/97

Reviewer _____ Date _____

SEAL





P/D not shown.
Ditch line is
in trees.



P/u
view to west
across pond.
Outlet control
shown.
Inlet from ditch
in upper left
corner.

65-13155

cjl

MICROFILMED
OCT 30 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 30, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED

OCT 02 1996

ERIC HERR WATERMASTER #65-A
8917 BUTTE RD.
SWEET, ID 83670

Department of Water Resources

RE: WATER DELIVERY FOR CIRCLE ARROW & MACKENZIE

Dear Eric:

I am assuming that the issue about delivery of water from springs and/or an unnamed stream for the above-referenced water users has worked out so far. This letter is to confirm the allowable arrangement in which you can deliver water to these parties.

As Watermaster (WM) of Squaw Creek District No. 65-A, you are authorized to deliver water from springs and/or an unnamed stream via a common ditch under the following conditions pursuant to I.C. § 42-607 (see attached copy).

1. Right No. 65-03025X has first priority for .10 cubic feet per second (cfs), which is 45 gallons per minute (gpm). This decreed stockwater right is for Circle Arrow Grazing Corp. (Suttons).
2. Suttons' Right No. 65-13155 has second priority for .20 cfs, which is 90 gpm, for stock and recreation uses. This right is a permit being licensed.
3. Right No. A65-18442 has third and last priority for .09 cfs, or 40 gpm. This right is for Charles MacKenzie, in-stream stock use only.
4. The first and second priority Sutton rights must be fully satisfied before any water can be delivered to the third priority MacKenzie right. However, Suttons can allow some of the water normally used to fill their rights to be routed to MacKenzie if they so choose.
5. The sliding headgate in the Sutton ditch will be adjusted only by the WM. No other parties are legally authorized to adjust this headgate or to in any way interfere with WM water delivery.
6. Beneficial use of any delivered water must occur within the limits of the associated water right(s).
7. Delivery of water to MacKenzie does not in any way either prove or disprove the validity of right no. A65-18442; that issue is left to the Snake River Basin Adjudication process.
8. Cost of these deliveries will be as follows per year: \$50 for the first WM visit, at \$25 per owner; \$50 for each subsequent WM visit to be totally paid by the party requesting the visit; these costs will be itemized as separate

September 30, 1996
Page 2

expenses in the annual WM Report (no costs to parties other than the above); and payment will occur when the normal annual assessments are paid by members of the water district.

9. Water to be delivered in accordance with these rights is tributary to Squaw Creek. The authorization defined in this letter will not over-ride a call for water by any downstream water user who owns or otherwise legally operates a senior decreed, licensed or permitted Squaw Creek right.

Please contact me at your convenience if you have any questions about this situation or about other water delivery issues in your district.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Deputy Regional Manager

Enclosure: I.C. § 42-607

c: Circle Arrow Grazing Assoc.
Charles MacKenzie
Water District 65-A File

42-606. Reports of watermasters. — All watermasters shall make an annual report to the department of water resources prior to the expiration of the watermaster's appointment for the current year. This report shall show the total amount of water delivered by the watermaster during the preceding year, the amount delivered to each water user, the total expense of delivery and the apportionment of expenses among users and all debits and credits to be carried over to the following year. Such report shall also include records of stream flow the watermaster used or made in the process of distributing water supplies. The director may ask for other information deemed necessary in assuring proper distribution of water supplies within the district. The reports of watermasters to the department of water resources shall be filed and kept in the office of the department. [1903, p. 223, § 25; reen. R.C., § 3276; am. 1915, ch. 34, § 11, p. 103; reen. C.L., § 3276; C.S., § 5610; I.C.A., § 41-506; am. 1992, ch. 339, § 8, p. 1014.]

Compiler's notes. The name of the department of water administration (formerly the department of reclamation) has been

changed to the department of water resources on the authority of S.L. 1974, ch. 286, § 1 and S.L. 1974, ch. 20, § 28 (§ 42-1801a).

42-607. Distribution of water. — It shall be the duty of said watermaster to distribute the waters of the public stream, streams or water supply, comprising a water district, among the several ditches taking water therefrom according to the prior rights of each respectively, in whole or in part, and to shut and fasten, or cause to be shut or fastened, under the direction of the department of water resources, the headgates of the ditches or other facilities for diversion of water from such stream, streams or water supply, when in times of scarcity of water it is necessary so to do in order to supply the prior rights of others in such stream or water supply; provided, that any person or corporation claiming the right to the use of the waters of the stream or water supply comprising a water district, but not owning or having the use of an adjudicated or decreed right therein, or right therein evidenced by permit or license issued by the department of water resources, shall, for the purposes of distribution during the scarcity of water, be held to have a right subsequent to any adjudicated, decreed, permit, or licensed right in such stream or water supply, and the watermaster shall close all headgates of ditches or other diversions having no adjudicated, decreed, permit or licensed right if necessary to supply adjudicated, decreed, permit or licensed right in such stream or water supply. So long as a duly elected watermaster is charged with the administration of the waters within a water district, no water user within such district can adversely possess the right of any other water user. [1903, § 26; p. 223; reen. R.C., § 3277; am. 1909, § 1, p. 326; am. 1915, ch. 34, § 12, p. 103; C.L., § 3277; C.S., § 5611; am. 1927, ch. 63, § 2, p. 78; I.C.A., § 41-507; am. 1969, ch. 305, § 2, p. 913; am. 1973, ch. 262, § 2, p. 534; am. 1992, ch. 339, § 9, p. 1014.]

Compiler's notes. The name of the department of water administration (formerly the department of reclamation) has been changed to the department of water resources on the authority of S.L. 1974, ch. 286, § 1 and

S.L. 1974, ch. 20, § 28 (§ 42-1801a).

Sections 1, 3 of S.L. 1969, ch. 305 are compiled herein as §§ 42-605, 42-618, respectively.

Section 3 of S.L. 1973, ch. 262 declared an

*delivery → decreed - licensed - permitted 1st;
if any left over, then other delivery
(like A65-18442 for example) CAN OCCUR.*

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January 29, 1993

CIRCLE ARROW GRAZING ASSN
PO BOX 26
OLA ID 83657

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13155

Dear Permit Holder:

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

I note that the permit issued to you by the department requires the installation of a measuring device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the measuring device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Karen,

We do not have
the measuring Devices
in. You said you would
check and see if
they were necessary.
thanks
Allen

January 5, 1993

CIRCLE ARROW GRAZING ASSN
PO BOX 26
OLA ID 83657

LAPSE NOTICE

RE: PERMIT NO. 65-13155

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 October 31, 1992. 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

CERTIFICATION OF MAILING

I hereby certify that on 1/5/93
~~a copy~~ an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

K19

CIRCLE ARROW GRAZING ASSN
PO BOX 26
OLA ID 83657

October 31, 1992

PROOF DUE NOTICE

RE: PERMIT NO. 65-13155

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 January 1, 1993. (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.

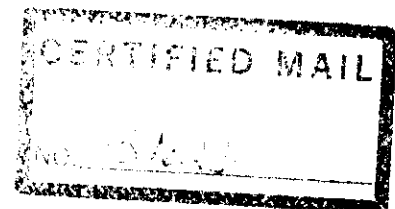
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures





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

December 31, 1991

CIRCLE ARROW GRAZING ASSN
PO BOX 26
OLA ID 83657

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13155

Dear Permit Holder:

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

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

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

APPLICATION FOR PERMIT REVIEW

Application #: 65-13155Reviewer: Pam Skaggs 38Date: 12-18-91

✓ Existing:

No - 26A-P17
 Complete in 1 year - P16

✓ Yes

✓ Proof not submitted - P16
 Proof submitted - N/A

Groundwater:

GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)
 LT. 0.2 cfs - N/A

Drilling Permit:

Approved w/permit - P99
 Not included - 046-P23(All GW, even existing wells)

✓ Location:

✓ Water Districts - WD No. 65A
 ✓ Surface water - 005, 005-01H-P01(LT.2 w/pump)
 005-01J-P08(GT.2)

Groundwater - P05
 Irrigation Districts - 023
 Canal Co. Areas - 023
 Drainage Districts - 024
 Boise Front (63) - 058 (Groundwater)
 ✓ Swan Falls Flag - (1, Blank or Other)
 Trust - 051-052-053-P74(Consumptive Uses)
 Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....
 Boise (63) - 05A & 11E
 Payette (65) - 047-P04, 059-P71
 Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

✓ Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
 042(req.), 002-P06(MD), 07A(Spec.),
 044(Policy 5G)

Power

Mining

✓ Storage

Use Power Review

- 06A, 010, or 09E-P10 & 054(req.)
 - 18A for multiple measuring devices(In WD),
 18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

Non land owner - 004

Protested:

Agreement - 020

✓ Beneficial Use Due Date: - 01-01-993

Other Conditions Recommended _____



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 14, 1991

Charles Mackenzie
P.O. Box 34
Ola, ID 83657

RE: File No. 65-13155 in the Name of Circle Arrow Grazing Assn.

Dear Mr. Mackenzie:

Enclosed is an Order which dismisses the protest on the above referenced file.

Please be advised that if you do not agree with the decision of the Department you may, appeal the decision to the district court within thirty (30) days of the date of this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Gary Spackman'.

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

208-327-7866



State of Idaho
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 14, 1991

Circle Arrow Grazing Assn.
P.O. Box 26
Ola, ID 83657

RE: File No. 65-13155 in the Name of Circle Arrow Grazing Assn.

Dear Applicant:

Enclosed is an Order which dismisses the protest on the above referenced file.

Please be advised that if you do not agree with the decision of the Department you may, appeal the decision to the district court within thirty (30) days of the date of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

124 1002



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

June 21, 1991

GOVERNOR

Mr. Charles Mackenzie
P.O. Box 1005
Caldwell, ID 83605

R. KEITH HIGGINSON

DIRECTOR

RE: Protested Application for Permit No 65-13155

Dear Mr. Mackenzie:

Enclosed please find an order relative to the above-referenced protested application for permit.

The conference was conducted as scheduled on June 20, 1991. Your notice of this conference was sent to your Caldwell address as requested in your latest correspondence to this office. Thus, I presume that you received timely notice of the conference.

Conference attendees were Larry Sutton and Larry Strickland. Our discussion at the conference still leads me to understand that the applicant is willing to allow the addition of the following conditions of approval to the water right:

Issuance of this water right does not allow construction of additional diversion works.

This water right is subject to all prior water rights, including senior downstream rights for instream stockwatering.

Accordingly, I have prepared a draft withdrawal of protest, enclosed, for your consideration. If these conditions satisfy your concerns, and if you sign the form and return it to this office, we will proceed with processing the application. If you wish to continue with the protest, please respond to the enclosed order prior to July 10, 1991.

If you have questions regarding this procedure, feel free to contact this office.

Sincerely,

David R. Tuthill Jr., P.E.
Manager, Western Regional Office

Enclosures: Order, Withdrawal of Protest
cf: Larry Sutton, Larry Strickland, Circle Arrow Grazing Assn.,
Charles Mackenzie (Ola address)

65-13155-2

BEFORE THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
)
PERMIT NO. 65-13155 IN THE NAME OF)
)
CIRCLE ARROW GRAZING ASSOCIATION)
_____)

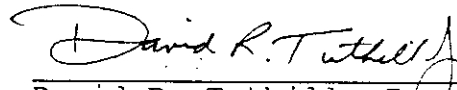
ORDER TO SHOW CAUSE

Whereas, a conference was scheduled for June 20, 1991, in the matter of protested water right application no. 65-13155 and,

Whereas, protestant Charles Mackenzie was sent by regular mail, proper notice of the conference but failed to appear,

Now, therefore, IT IS HEREBY ORDERED that the protestant, Charles Mackenzie, provide to the Department no later than July 10, 1991, any information as to why he did not appear at the conference. Failure to provide this information will result in dismissal of the protest.

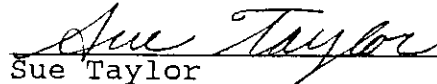
Dated this 20th day of June, 1991.



David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of June, 1991, I mailed true and correct copies of this document to Charles Mackenzie by first class mail, postage prepaid.



Sue Taylor
Secretary - Office Coordinator

JAN 24 1992

Pond construction was initiated in 1981.
1983 ditch was installed & completed.
no further development anticipated

1982 ditch was initiated

Mr. McKenzie
Western Plumbing in Caldwell

JAN 24 1992

Hearing conducted by: David R. Tuthill, Jr.

ROSTER OF ATTENDANCE

[illegible]

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

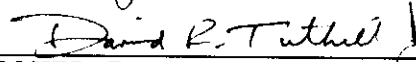
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
)
FOR PERMIT NO. 65-13155 IN THE)
)
NAME OF CIRCLE ARROW GRAZING ASSN.) NOTICE OF CONFERENCE

On February 5, 1990, Circle Arrow Grazing Association filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by Charles Mackenzie.

The Department held a conference on April 11, 1991, and has been notified that the protestant did not receive notice of the conference. The Department has set the matter of protest for another conference to be held on Thursday, June 20, 1991, at 10:00 a.m., at the Gem County Courthouse, 415 E. Main, Emmett, Idaho 83706. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 11th day of June, 1991.



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

JUN 21 1991

I hereby certify that on the 11th day of June, 1991, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

Certified Mail

Circle Arrow Grazing Assn
P.O. Box 26
Ola, ID 83657

Non-Certified Mail

Charles E. Mackenzie
P.O. Box 1005
Caldwell, ID 83605

CONFERENCE INFORMATION

IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

In accordance with Idaho Code, Section 42-203(A), the following issues are involved in the consideration of the application and protest(s):

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?
5. Will the proposed use conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the State of Idaho?

The intent of the conference is to resolve any conflicts regarding the proposed water appropriation in light of these five factors. The conference will not be recorded in an effort to promote full discussion of the issues. Possible resolutions are: (1) clarification of the issues resulting in a determination by all parties that the application is acceptable, (2) modification of the application to make it acceptable to the protestant(s), or (3) addition of acceptable restrictions or conditions of approval. If a resolution is not attainable, then a hearing will be set by the Department.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

May 22, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Charles E. Mackenzie
P.O. Box 1005
Caldwell, ID 83605

Re: Protested Application for Permit No. 65-13155

Dear Mr. Mackenzie:

This is to acknowledge the receipt of your letter dated May 17, 1991, regarding the conference on the above-referenced water right application.

We will reschedule the conference in the near future and notify you at P.O. Box 1005, Caldwell, ID 83606 or 502 Paynter Ave. Caldwell, ID 83605.

If you have any questions please call this office.

Sincerely,

A handwritten signature in cursive script that reads "David R. Tuthill, Jr.".

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

DRT:st

May 17, 1991

Charles E. Mackenzie
Po Box 1005
Caldwell, Idaho 83606

RE: Protested Application for Permit No. 65-13155

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Dear Sirs:

It is not my intent to dispute Suttons claim on the unnamed spring.

They have filed for more water than their original claim and would indicate.

At this time they are taking all the water from that claim and diverting it from the natural flow by means of a ditch dug with cat and backhoe.

Suttons claim is only half of that unnamed spring, not stream. Melvin Hunter owns the land the spring is on and he has a water right out of the same spring.

Also I would like to bring up the amount of water Suttons have filed for diversion.

As to why I did not attend the last meeting, is the Ola Post Office is only open from 10:00 A.M. to 2:00 P.M. making it difficult to pick up registered mail. Our main mailing address is: Charles Mackenzie-PO Box 1005, Caldwell, Idaho 83606 or 502 Paynter ave. Caldwell, Idaho 83605. And when I found out there was a letter the Postal Service had already sent it back, and that I asked whom it was from, I called and found that I had missed the meeting dated April 11, 1991.

I would like the consideration of a new meeting date, and to give me time to collect information from the Core of Engineers how this diversion will alter the Wet Lands below the springs.

Sincerely,

Charles Mackenzie
Charles E. Mackenzie

If any questions please call- 459-9188



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 19, 1991

Mr. Charles Mackenzie
P.O. Box 34
Ola, ID 83657

RE: Protested Application for Permit No 65-13155

Dear Mr. Mackenzie:

Enclosed please find an order relative to the above-referenced protested application for permit. Also enclosed is a copy of the notice of the conference that was in the certified mail that you failed to receive.

The conference was conducted as scheduled on April 11, 1991. In attendance were Perry, Larry, and Allen Sutton. Some information that they provided may be of interest to you relative to this application. The Suttons stated that the purpose of this application is to record their existing use of water from the unnamed stream as constructed from 1981 to 1983-- not to allow them to divert additional water. In fact, our discussion leads me to understand that they are willing to allow the addition of the following conditions of approval to the water right:

Issuance of this water right does not allow
construction of additional diversion works.

This water right is subject to all prior water
rights, including senior downstream rights for
instream stockwatering.

Accordingly, I have prepared a draft withdrawal of protest, enclosed, for your consideration. If these conditions satisfy your concerns, and if you sign the form and return it to this office, we will proceed with processing the application. If you wish to continue with the protest, please respond to the enclosed order prior to May 20, 1991.

If you have questions regarding this procedure, feel free to contact this office.

Sincerely,

David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

Enclosures: Order, Notice of Conference, Withdrawal of Protest
cf: Perry, Larry, and Allen Sutton, Circle Arrow Grazing Assn.

BEFORE THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

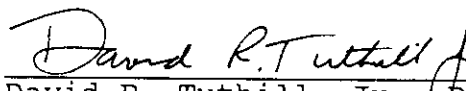
IN THE MATTER OF APPLICATION FOR)
)
PERMIT NO. 65-13155 IN THE NAME OF) ORDER TO SHOW CAUSE
)
CIRCLE ARROW GRAZING ASSOCIATION)

Whereas, a conference was scheduled for April 11, 1991, in the matter of protested water right application no. 65-13155 and,

Whereas, protestant Charles Mackenzie was sent by certified mail, proper notice of the conference but failed to pick it up from the post office,

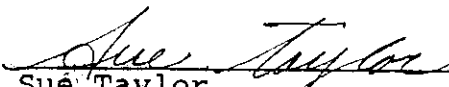
Now, therefore, IT IS HEREBY ORDERED that the protestant, Charles Mackenzie, provide to the Department no later than May 20, 1991, any information as to why he did not appear at the conference. Failure to provide this information will result in dismissal of the protest.

Dated this 19th day of April, 1991.


David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of April, 1991, I mailed true and correct copies of this document to Charles Mackenzie by first class mail, postage prepaid.


Sue Taylor,
Secretary - Office Coordinator

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
)
FOR PERMIT NO. 65-13155 IN THE)
)
NAME OF CIRCLE ARROW GRAZING)
)
ASSN.)

WITHDRAWAL OF PROTEST

The undersigned protestant hereby agrees to withdraw the protest to the approval of the above-referenced application for permit, if the permit is made subject to the following conditions of approval:

Issuance of this water right does not allow construction of additional diversion works.

This water right is subject to all prior water rights, including senior downstream rights for instream stockwatering.

Dated this _____ day of _____, 1991.

Signature _____

Re: Circle Arrow Grazing, Nos. 65-13155 & 65-13156

Place: Gem County Courthouse, 415 E. Main, Emmett, ID

Date: April 11, 1991

Hearing conducted by: David R. Tuthill, Jr.

ROSTER OF ATTENDANCE

[illegible]

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A65-18442Date Received Feb 13 1990Receipt Number W008777JFW

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) CHARLES E MACKENZIE Phone () 584-3329Mailing Address Box 34 OIA Idaho Zip 836572. Date of Priority (Only one (1) per claim) May 1, 18803. Source of water supply (a) UNNAMED STREAMwhich is tributary to (b) SQUAW CREEK

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____

_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 10 N Range 01 E Section 22, SW 1/4 of SE ~~NE~~ 1/4 of NE ~~SE~~ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township 10 N Range 01 E Section 23, SW 1/4 of SW 1/4 ofSE 1/4, Govt. Lot _____ B.M., County of GEM

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

STOCKWATER FROM INSTREAM FLOW.

Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For STOCKWATER purposes from 1/1 to 12/31 amount .09 or

For _____ purposes from _____ to _____ amount _____ or

For _____ purposes from _____ to _____ amount _____ or

For _____ purposes from _____ to _____ amount _____ or

7. Total quantity claimed (a) .09 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER - CATTLE 350-400 Hd.

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>N10N</u>	<u>01E</u>	<u>22</u>				<u>S</u>													
<u>10N</u>	<u>01E</u>	<u>23</u>				<u>(START)</u>												<u>S</u>	
																		<u>(END)</u>	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? GEM

12. Do you own the property listed above as place of use? Yes _____ No X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (X)

14. Remarks:

APPLICANT IS IN THE PROCESS OF PURCHASING PROPERTY
THE APPLICANT REALIZES THE PRIORITY DATE MAY BE MOVED AHEAD
DUE TO THE PREVIOUS Payette River Adjudication

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Basis of Claim (check one) Beneficial Use Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Charles E Mackenzie

Date X Feb-13-1990

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 13 day of Feb. 19 90

SEAL

Notary Public

Linda Werner

Residing at _____

LINDA WERNER

RESIDING AT EAGLE, IDAHO

My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

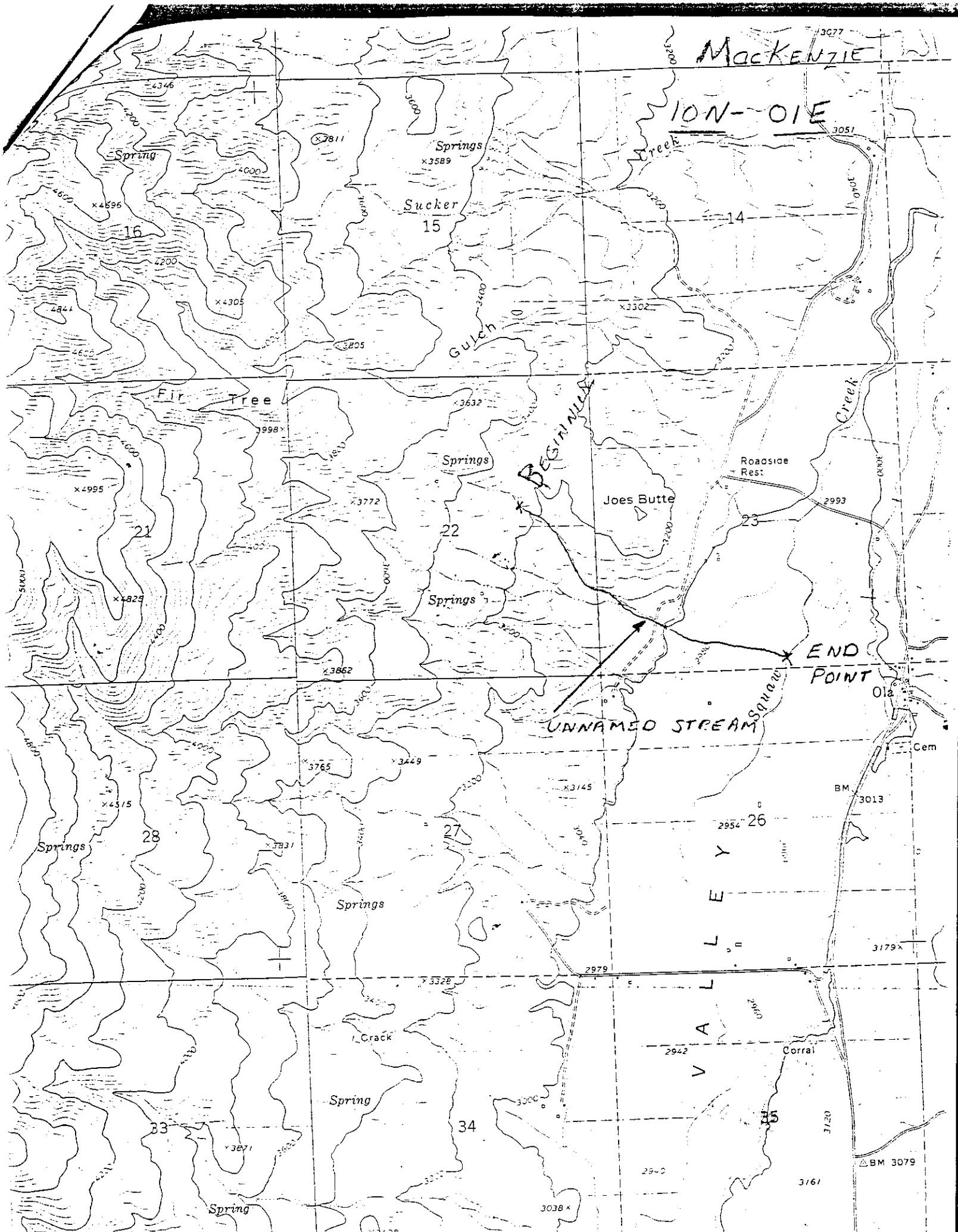
Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



MACKENZIE

ION-OIE

Creek

Sucker
15

Gulch

Fir Tree

Joes Butte

Roadside
Rest

END
POINT

UNNAMED STREAM

BEGINNING

VALLEY

Cem

BM

3013

3179x

Corral

BM 3079

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS	)	
	)	NOTICE OF CONFERENCE
FOR PERMIT NOS. 65-13155 &	)	
	)	
65-13156 IN THE NAME OF CIRCLE	)	
	)	
<u>ARROW GRAZING ASSOCIATION</u>	)	

On February 5, 1990, Circle Arrow Grazing Association filed with the Department of Water Resources two applications for permit to appropriate the public waters of the State of Idaho. The applications were protested by Charles Mackenzie.

The Department has set the matters of protest for a conference on Thursday, April 11, 1991, at 10:00 a.m., in the Gem County Courthouse, 415 E. Main, Emmett, ID 83617. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 25th day of March, 1991. JAN 24 1992



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

I hereby certify that on the 25th day of March, 1991, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor, Secretary

Certified Mail

Circle Arrow Grazing Assn.
P.O. Box 26
Ola, ID 83657

Charles Mackenzie
P.O. Box 34
Ola, ID 83657

SPECIAL NOTE: _____

PROTEST INFORMATION SHEET

Protestant - Name(s)

Charles Mackenzie

Address P.O. Box 34, Ola, ID 83657

Attorney - Name & Address _____

Date Filed 2-5-90 Protest Date 2-25-91

Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

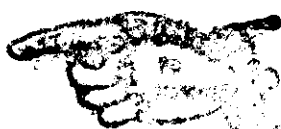
Hearing Date: _____

Other: _____

IDAHO DEPARTMENT OF WATER RESOURCES

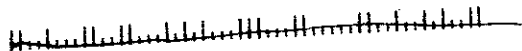
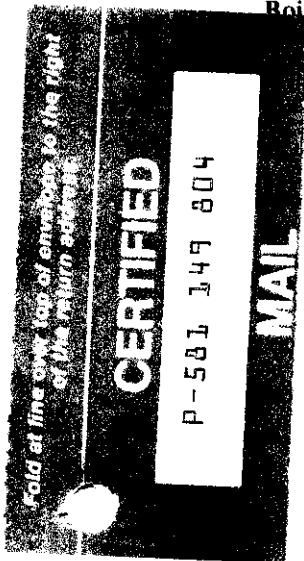
WESTERN REGION

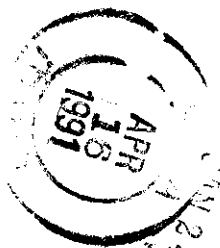
2735 Airport Way
Boise, Idaho 83705



Redacted
Notice
Do not remove this envelope

Charles Mackenzie
P.O. Box 34
Ola, ID 83657





APR 24 1992
TULSA, OK

our RETURN ADDRESS
completed on the reverse side?

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge)		2. ☐ Restricted Delivery (Extra charge)	
3. Article Addressed to: Charles Mackenzie P.O. Box 34 Ola, ID 83657		4. Article Number P-581 149 804	
		Type of Service: 65-13155 & 56 ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise	
		Always obtain signature of addressee or agent and <u>DATE DELIVERED</u> .	
5. Signature — Addressee X	8. Addressee's Address (ONLY if requested and fee paid)		
6. Signature — Agent X			
7. Date of Delivery			

PS Form 3811, Apr. 1989

★U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT

Thank you for using
Return Receipt Service.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

February 6, 1991

GOVERNOR

Charles Mackenzie
P.O. Box 34
Ola, ID 83657

R. KEITH HIGGINSON
DIRECTOR

Re: Application for Permit No. 65-13155 in the Name of Circle Arrow Grazing Association

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

The protestant may want to withdraw protest of application #65-13155 and not protest #65-13156 based on a review of enclosed copies of the revised applications. If not, does the protestant want to include 65-13156 in the protest?

If one or both applications continue to be protested and this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-1203, 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?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

If this office can be of further assistance, please contact us.

Sincerely,

A handwritten signature in cursive script, reading 'David R. Tuthill, Jr.'.

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

DRT/st

1991 1092



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 7, 1991

Circle Arrow Grazing Assn.
P.O. box 26
Ola, ID 83657

Re: Application for Permit No. 65-13155

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

The protestant may want to withdraw protest of application #65-13155 and not protest #65-13156 based on a review of enclosed copies of the revised applications. If not, does the protestant want to include 65-13156 in the protest?

If one or both applications continue to be protested and this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-1203, 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?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

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

Enclosure: Copy of protest(s)

JAN 23 1991

* Joe

1/29/91

65-13155 protested prior to advertising.

Send copy of revised application 65-13155
to 65-13156 to protestant.

Send modified protest letter to protestant/applicant
with ~~the~~ these additions:

— protestant may want to withdraw protest of 65-13155
and not protest 65-13156 based on review of
enclosed copies of the revised applications.

— if not, does protestant want to include 65-13156
in protest?

— if 1 or both applications will continue to be
protested ~~the same~~

2-22-1990

add the standard 20 day language
here

Thanks,

Steve

JAN 24 1992

* Do you want to discuss this 1st
before sending letter to protestant & applicant?

UNITED STATES PC SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

RETURN

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY

BOISE, IDAHO 83705

Department of Water Resources
Western Regional Office

UNITED STATES PC SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

RETURN

Print Sender's name, address, and ZIP Code in the space below.

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY

BOISE, IDAHO 83705

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: Circle Arrow Grazing P.O. Box 26 Ola, ID 83657	4. Article Number P-581 149 753
	Type of Service: ☐ Registered ☐ Insured ☐ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
Always obtain signature of addressee or agent and <u>DATE DELIVERED</u> .	
5. Signature - Addressee X <i>Allen Sutton</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery 6-12-91	

PS Form 3811, Apr. 1989

*U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: Circle Arrow Grazing Assn. P.O. Box 26 Ola, ID 83657	4. Article Number P-581 149 803
	Type of Service: 65-13155&56 ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
Always obtain signature of addressee or agent and <u>DATE DELIVERED</u> .	
5. Signature - Addressee X <i>Allen Sutton</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery 3-26-91	

PS Form 3811, Apr. 1989

*U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT

P-581 149 804

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to Charles Mackenzie	
Street and No. P.O. Box 34	
P.O. State and ZIP Code Ola, ID 83657	
Postage	\$ 2.29
Certified Fee	\$ 1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	\$.90
Return Receipt showing to whom Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.19
Postmark or Date	

U.S.G.P.O. 153-506 PS Form 3800, June 1985

P-581 149 753

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to Circle Arrow	
Street and No. P.O. Box 26	
P.O. State and ZIP Code Ola, ID 83657	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.19
Postmark or Date	

U.S.G.P.O. 153-506 PS Form 3800, June 1985

P-581 149 803

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to Circle Arrow Grazing Assn	
Street and No. P.O. Box 26	
P.O. State and ZIP Code Ola, ID 83657	
Postage	\$ 2.29
Certified Fee	\$ 1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	\$.90
Return Receipt showing to whom Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.19
Postmark or Date	

U.S.G.P.O. 153-506 PS Form 3800, June 1985

MEMORANDUM

TO: DAVE TUTHILL *DM*
FROM: STEVE LESTER
DATE: JANUARY 16, 1991
SUBJECT: EXPLANATION OF APPLICATIONS 65-13155 AND 65-13156

In response to my letters of 5/3/90 and 12/14/90, a representative of the applicant visited Jim Johnson on 1/8/91. The applications were revised at that time and then forwarded to the region. I spoke with Jim J. today to clarify the new information.

800 head of cattle are involved with two separate sources that share part of a common delivery ditch and pond(s). While the applications could be combined into one filing with two or more points of diversion from two or more unnamed streams, Jim and the applicant decided to retain two applications to reflect the separate sources that are used. The area described in the two applications is range for the 800 head (apparently not 800 unique head per filing).

65-13155 - P/D is an unnamed stream diverted in SWSENE S.22 via a checkdam and ditch. The ditch runs NE through the SENE & NENE S.22 and into S.23, flowing past the pond in NWNW S.23 and continuing east until it empties into Fir Tree Gulch (also tributary to Squaw Creek). A lateral(s) may branch into SWNW S.23. Use occurs along the ditch and at the pond as well as along the reach of Fir Tree Gulch within the NENW & SENW S.23. This may be considered an instream stock right where the unnamed stream is injected into the gulch at a point in SWNENW S.23. Instream use occurs from this point to approximately the end of the stream segment in SESENE S.23.

65-13156 - P/D is a different unnamed stream, perhaps just runoff, collected in the pond in NWNW S.23, and this appears to be the same pond discussed in 65-13155. Water under this second application is used at the pond and along the stretch of ditch(s) flowing east from the pond area. Again, this water may be injected into Fir Tree Gulch for instream use along the same portion of the gulch mentioned in the other application.

Together, the applications propose water from at least two unnamed streams (including runoff) tributary to Squaw Creek to be used in a pond(s) and along a ditch(s) ending at a named gulch, at which point instream use begins. The combined total flow should not exceed .19 cfs, the maximum for 800 head. The combined storage should not exceed the capacity of the pond(s), which is indicated as 20 acre-feet.

Question

Do we need to add instream use in item 4 of the applications to formalize this use? If so, would this be interpreted to mean instream use of the waters of unnamed streams injected into the gulch versus flows naturally available in the gulch? If so, an exchange is proposed. Another interpretation is that such use proposes instream use of Fir Tree Gulch water or of a combination of unnamed streams and Fir Tree Gulch. Of course, any of these interpretations include water that can be considered part of the supply of Water District 65-A.

JAN 21 1992

Applications 65-13155 & 65-13156
Memo of 1/16/91, Page 2

I guess my question comes to this: how involved should a stock water application be when we do not confirm the actual extent of beneficial use by accurately quantifying the number of head? Should we limit these applications to use wherever ditches and ponds occur and ignore the instream use? If we include the instream use, should we do this via remarks or should an additional use and perhaps an additional source be included?

NOTE Protest of 65-13155 received prior to advertising.
Came anticipate protest on 65-13156 based on that.

1/29/91 PEZ Discussion with DLT

① SHOW in

REMARKS { Water of main stream is injected into Pine Tree gulch
in Legal.

COMMENTS { Plm in Legal is within F.T. gulch instead of the
ditch.

② updated protest letter (Jue T.)

send copies of revised copies to protestant & ask if

a) want to withdraw protest?

b) if not, meet with applicant ... 20 day standard
etc. for protested applications.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 14, 1990

Mr. Allen Sutton, Secretary
Circle Arrow Grazing Association
P.O. Box 26
Ola, ID. 83657

RE: Applications for Permit Nos. 65-13155 and 13156

Dear Mr. Sutton:

The above applications for permit to appropriate water were received at this office on 2/06/90. The last correspondence to you concerning the applications occurred on 5/03/90 (see attached copy of that letter). Unless a response is received by 1/15/91, I will assume you are not interested in pursuing the water rights, and the applications will be voided and a \$60 refund will be issued.

Please contact me if additional help is needed.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Sr. Water Resource Agent

JAN 24 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 3, 1990

Mr. Allen Sutton, Secretary
Circle Arrow Grazing Assoc.
P.O. Box 26
Ola, ID. 83657

RE: Applications for Permit 65-13155 and 65-13156

Dear Sir:

Your recent Applications for Permit involving unnamed streams near Joes Butte northwest of Ola for stockwater and recreation purposes were received at this office on 2/6/90. Please excuse the delay in replying; numerous applications filed as a result of the Snake River Basin Adjudication resulted in delays.

The following items need attention before the applications can be advertised and processed.

✓ 1) Rate of flow - application 65-13155 did not specify the number of head involved. Application 65-13156 mentions 300 head of cattle, for which the maximum allowable rate is 0.07 cfs instead of 0.20 cfs shown. How many head are involved in application 65-13155 (copies of the applications are attached)?

Also, for recreation ponds, I recommend that you include a small flow rate, such as 0.04 cfs, to allow fresh water to circulate through the ponds. This would be shown as "recreation, 0.04 cfs, 1/1-12/31". The minor flow for recreation can but does not have to be added to the total flow rate in the applications.

2) Map - use the attached map to indicate (a) points of diversion from the unnamed streams, (b) location of any ponds, and (c) any stockwater use points. Between the two applications, points of diversion included SENE S.22 and NWNW S.23. Places of use included NENE and SENE S.22 and NENE, NWNW, SWNW, SENW S.23. Any ponds should be shown on the map. Be sure to indicate which diversion and use points relate to each application.

3) Storage - each application specifies 20 acre feet for ponds. By listing each pond size (average length, width, depth), total volume of stored water may be calculated. Again, indicate which ponds relate to each application. Are any dams involved with the ponds and, if so, what are the dam heights? Also, each application describes a dam and open ditch as diverting works. I assume this refers to diversion dams in the streams. What are the heights of these dams?

4) Use from storage - will water be diverted from the ponds for stockwater use in other areas or will stock use occur at the ponds? Are troughs involved and, if so, what 1/4-1/4's will have troughs? The applications indicate a pond or ponds in the NWNW S.23 but do not discuss how stockwater will be delivered to other 1/4-1/4's. Please clarify the water delivery and use proposals.

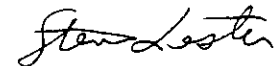
APR 24 1992

Applications 65-13155 and 65-13156
page 2

5) Titles - please provide the names, titles, and addresses of the other officers or directors of the association.

A response within 30 days will facilitate processing of your application. Let me know (334-2190) if additional help may be provided.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Lester".

Steve Lester
Sr. Water Resource Agent

SL: sl
Enclosure

Dear, Sir

Feb 15

This is a protest
letter to protest the
filling of a claim by
Circ Arrow under Permit
65-13155 - Reason is
if all the water is diverted
from our Water Claim
for Stock Water this
property will be come
of no use for livestock
grazing or anything else
I feel we should be
allowed Stock Water.

Thank You
Gordon McKenzie

RECEIVED

FEB 22 1950

Department of Water Resources
Western Regional Office

JAN 24 1950

65-13155

CIRCLE ARROW GRAZING ASSN.
P.O. BOX 26
OLA, ID 83657

Source: UNNAMED STREAM

Tributary: SQUAW CREEK

Diversion Pt: SWSENE Sec 22 T 10N R 01E

Use: STOCKWATER	(.190 CFS)	
RECREATION STORAGE		(20.00 AF)
DIVERSION TO STORAGE	(.200 CFS)	
STOCKWATER STORAGE		(20.00 AF)
RECREATION	(.200 CFS)	
Total Diversion:	(.200 CFS)	(20.00 AF)

Date Filed: 2/ 5/ 1990

In: T10N R01E S22	NENE	SENE		
S23	NENW	NWNW	SWNW	SENW

JAN 24 1992