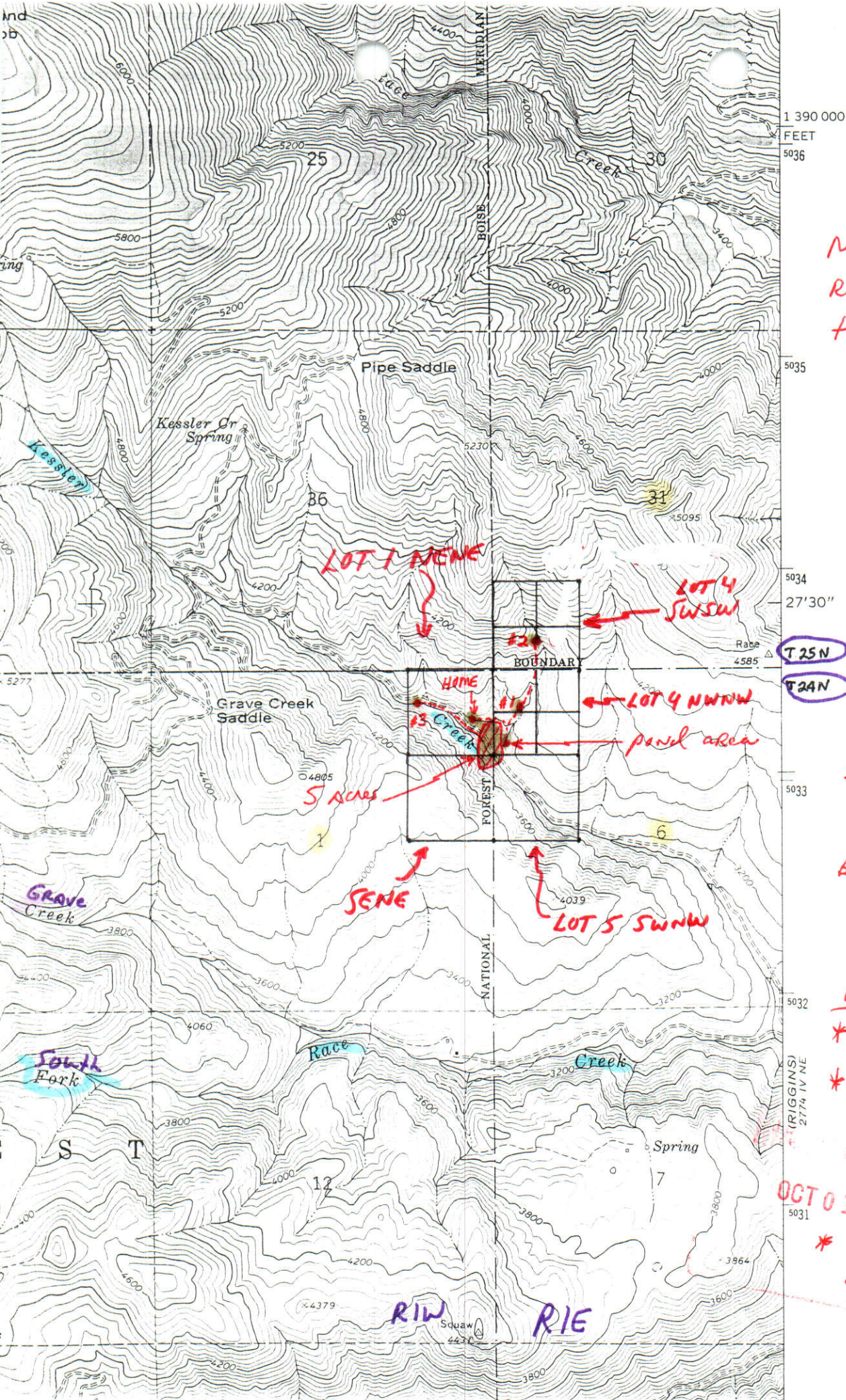




No other water rights found in this area

DIVERSIONS

- # 1 & 2 = springs trib. to Kessler Ck.
- # 3 = Kessler Ck. trib to So. Fk. Race Ck.

USE

- * irrigate 5 acres
- * stockwater

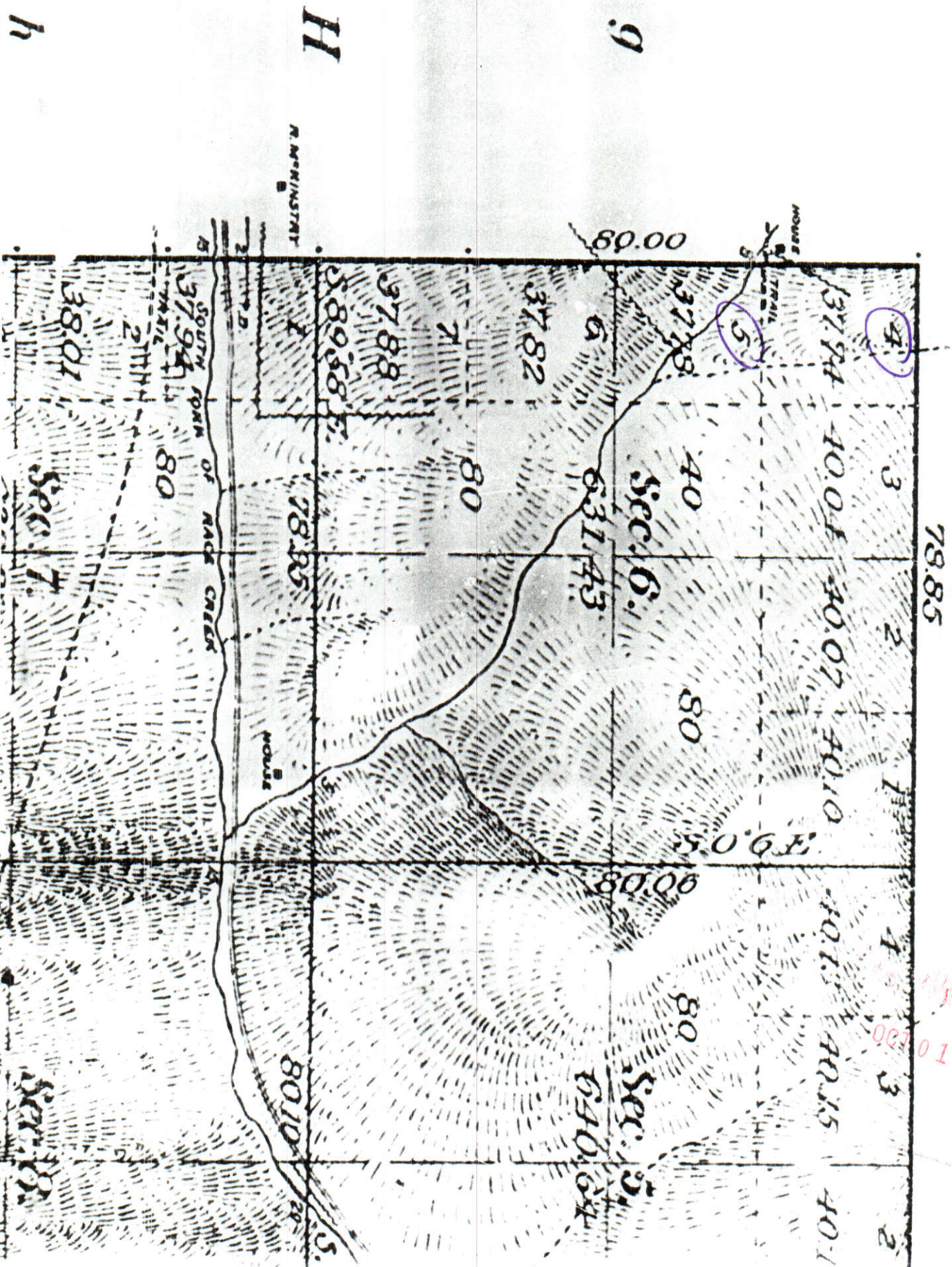
domestic (NENE Section 1)

OCT 01 1991

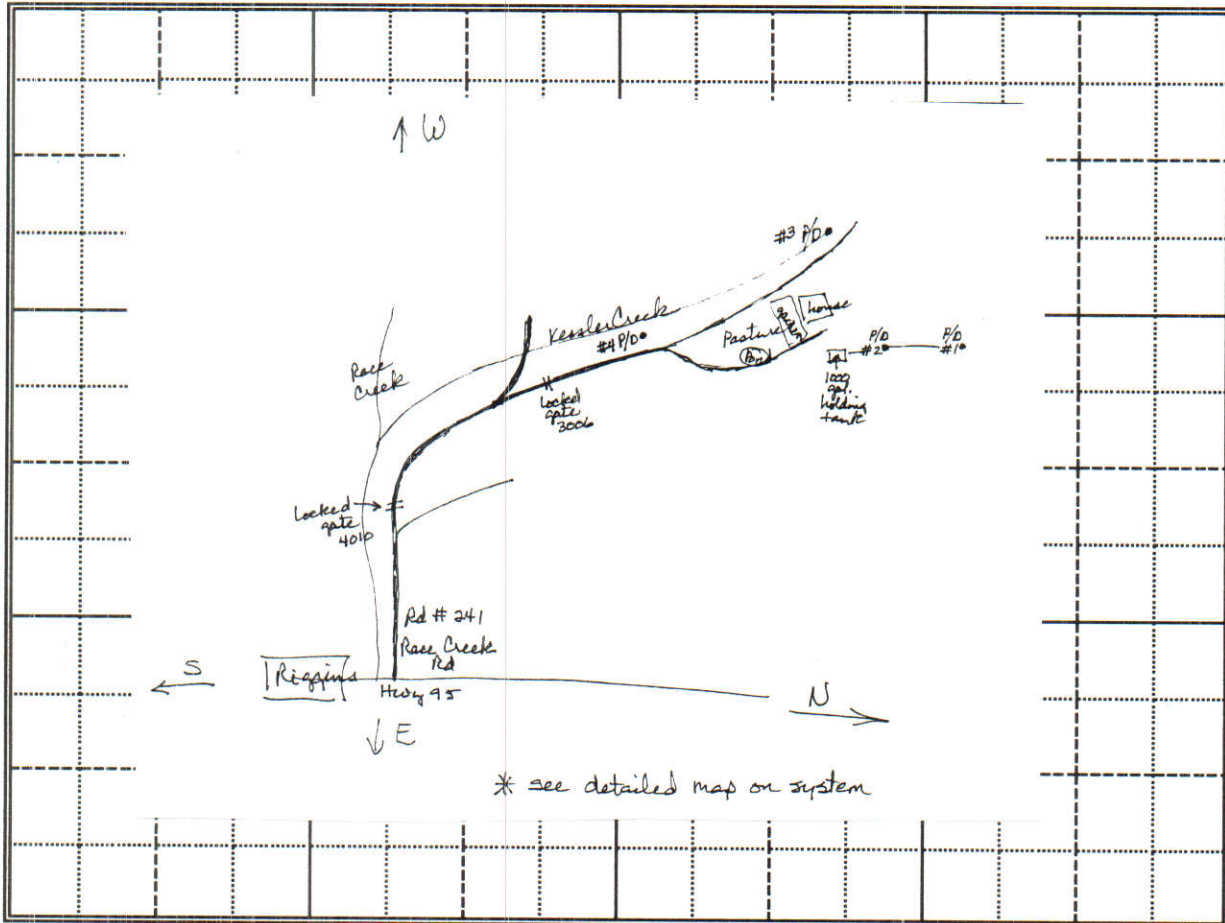
* can occur in 4 quarter-quarters

T24N R1E S.6 lots 4 & 5

RECORDED
MAY 10 1994



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



Scale: 1" = _____

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

N/A

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
P/D # 4 submers.		8			"no tag" 2"

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

D. FLOW MEASUREMENTS

1.

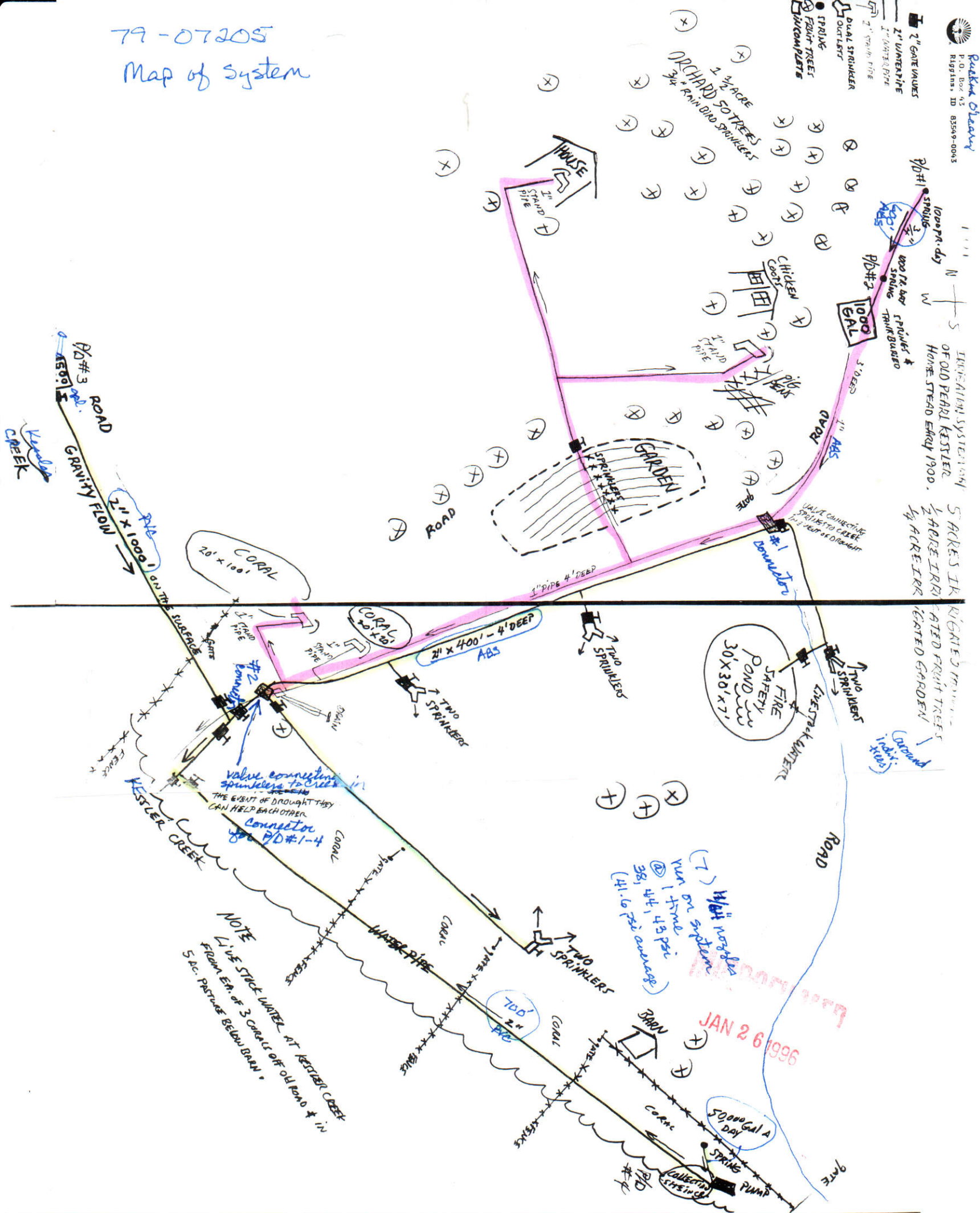
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

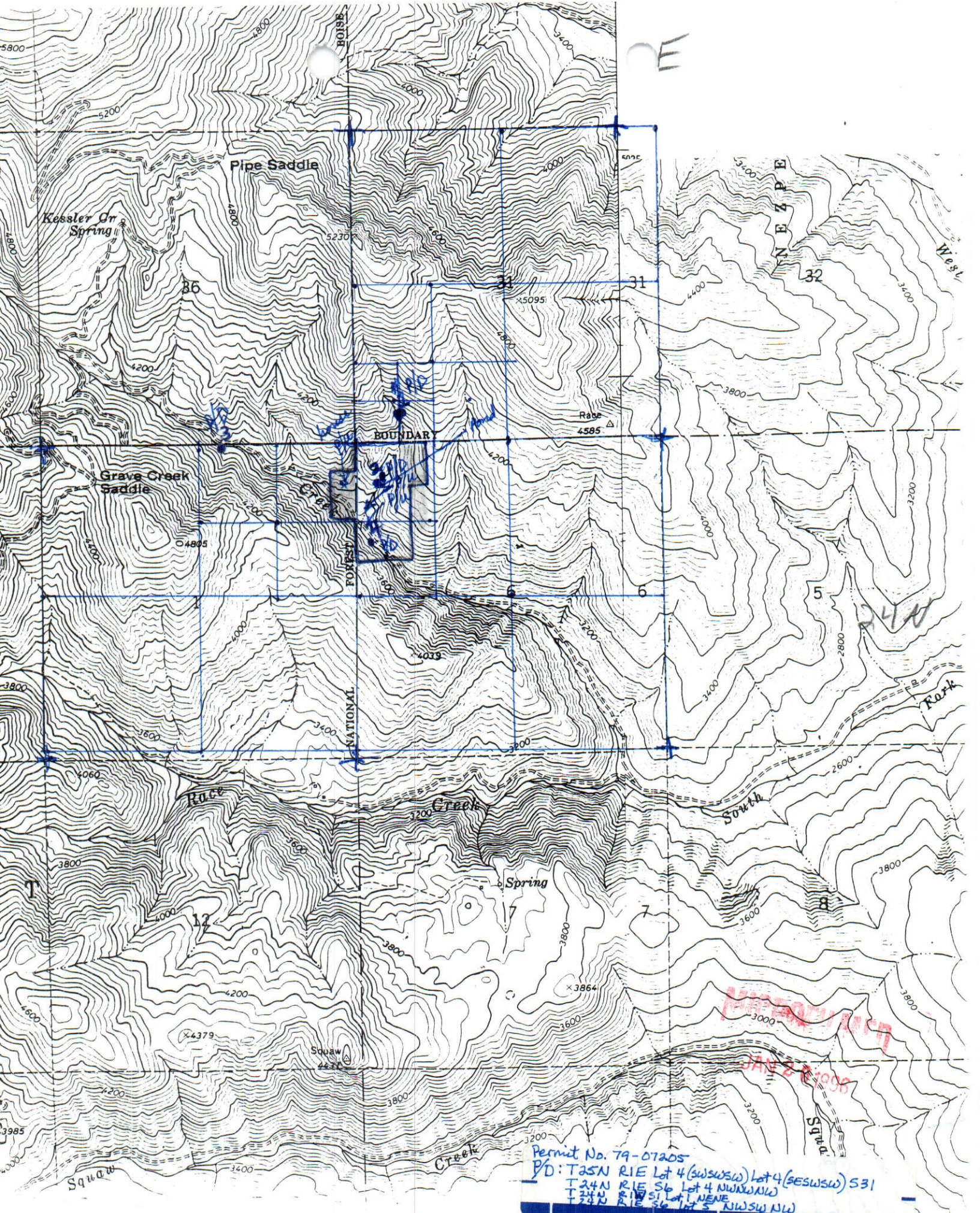
2. Measurements: Pressure gauge (T) 1/64" rainbird nozzles run on system @ 1 time. 38, 44, 43 psi (41.6 psi average)

MICROFILM

JAN 26 1996

 **Ruckus Cleary**
P.O. Box 43
Ridgins, ID 83549-0043





Permit No. 79-07A05
P/D: T25N R1E Lot 4 (SWSWSW) Lot 4 (SESWSW) S31
T24N R1E S6 Lot 4 NWWSW
T24N R1E S6 Lot 1 NE
T24N R1E S6 Lot 5 NWSW NW

USGS Top. 7.5.
S.H.

79-07205
9/22/95 S.H.

P/D #1
Spring

3/4" ABS buried
pipe
collection area:
rock, sand, +
perf. pipe covered
with gravel



P/D #2
Spring

collection area:
6' underground trench
w/sand, perf. pipe, +
gravel



JAN 26 1996
P/D #1 + P/D #2
springs are tied
in together at
this 1000 gallon
holding tank
1" ABS to
valve connection
at road

79-07205
9/22/95 S.H.



P/D # 3

Kessler Creek
w/ flume diverting
water into 500 gal.
holding tank
w/ 1000' of 2" PVC
on the surface,
to the valve
connecting where
all the P/D meet



P/D # 4
Spring

sand, perf. pipe
gravel collection
area, w/ 2" PVC buried
to the valve
connecting where
all P/D come
together

MEADOWS

JAN 26 1996



79-07205

9/22/95 S.H.

P/u: Domestic
internal + external
.5 acre garden +
yard

Irrigation:
5 acres of pasture
+ orchard behind
house (stock drink
from same use)

P/u:
Stockwater
mules, horses,
sheep, hogs,
chickens, turkeys,
pheasants
(mixed stock)



valve connecting
sprinklers into P/D#3
+ P/D#4, + P/D#1/P/D#2
which are already
interconnected

MICROFILM

JAN 26 1996

RECEIVED

JUL 31 1991

Department of Water Resources
Western Regional Office

**NOTICE OF CORRECTION OF
APPLICATION FOR PERMIT**

Notice is hereby given that on June 19 and 26, 1991, application for permit No. 79-07205 in the name of the M. Ruckus and/or Susie O'Leary was advertised in error.

The place of use was advertised at T24N R1E Sec. 1 NENE, SENE, and Sec. 6 Lot 4 (NWNW), Lot 5 (SWNW), 5 acres total. Whereas, the place of use should have read T24N R1W Sec. 1 NENE, SENE and T24N R1E Sec. 6 Lot 4 NWNW, Lot 5 SWNW, 5 acres total.

Any protest against approval of this water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before August 5, 1991.

R. Keith Higginson, Dir.
Jy 17-24

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Idaho - ss.

Marietta Hanson

....., being first duly sworn, says she is the Bookkeeper..... of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper fortwo..... weeks, being publishedtwo..... times, the first publication being on the17th..... day ofJuly....., 19.....91, and the last publication on the24th..... day ofJuly....., 19.....91; that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Marietta Hanson

STATE OF IDAHO }

}

COUNTY OF }

On this.....24th..... day ofJuly..... In the year of.....1991....., before me, a Notary Public, personally appeared.....Marietta Hanson....., known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

[Signature]
Notary Public for Idaho

Residing at.....Grangeville, Idaho.....

My commission expires:.....9-10-92.....

OCT 01 1991

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Idaho - ss.

Marietta Hanson

....., being first duly sworn, says she is the Bookkeeper..... of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 19th day of June 19⁹¹....., and the last publication on the 26th day of June 19⁹¹.....; that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Marietta Hanson

STATE OF IDAHO }

}

COUNTY OF }

On this 26th day of June in the year of 1991 before me, a Notary Public, personally appeared Marietta Hanson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

[Signature]
Notary Public for Idaho

Residing at Grangeville, Idaho

My commission expires: 9-10-92

NOTICE OF CORRECTION OF APPLICATION FOR PERMIT

Notice is hereby given that on June 6 and 12, 1991, application for permit No. 79-07205 in the name of the M. Ruckus and/or Susie O'Leary was advertised in error.

The point of diversion was advertised as T24N R1W Sec. 1 Lot 1 (NENE), T24N R1E Sec. 6 Lot 4 (NWNWNW), T24N R1E Sec. 31 Lot 4 (SWSWSW) and Lot 4 (SESWSW). Whereas, the point of diversion should have read T24N R1W Sec. 1 Lot 1 (NENE), T24N R1E Sec. 6 Lot 4 (NWNWNW), T25N R1E Sec. 31 Lot 4 (SWSWSW) and Lot 4 (SESWSW). The water source is Kessler Creek and Springs for .2 cfs and is used for irrigation, stockwater and domestic purposes. The place of use is T24N R1E Sec. 1 NENE, SENE, and Sec. 6 Lot 4 (NWNW), Lot 5 (SWNW), 5 acres total. Any protest against approval of this water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before July 8, 1991.

R Keith Higginson
Director
J19-26

JUL 1 1991

Department of Water Resources
Western Regional Office

MICROFILMED

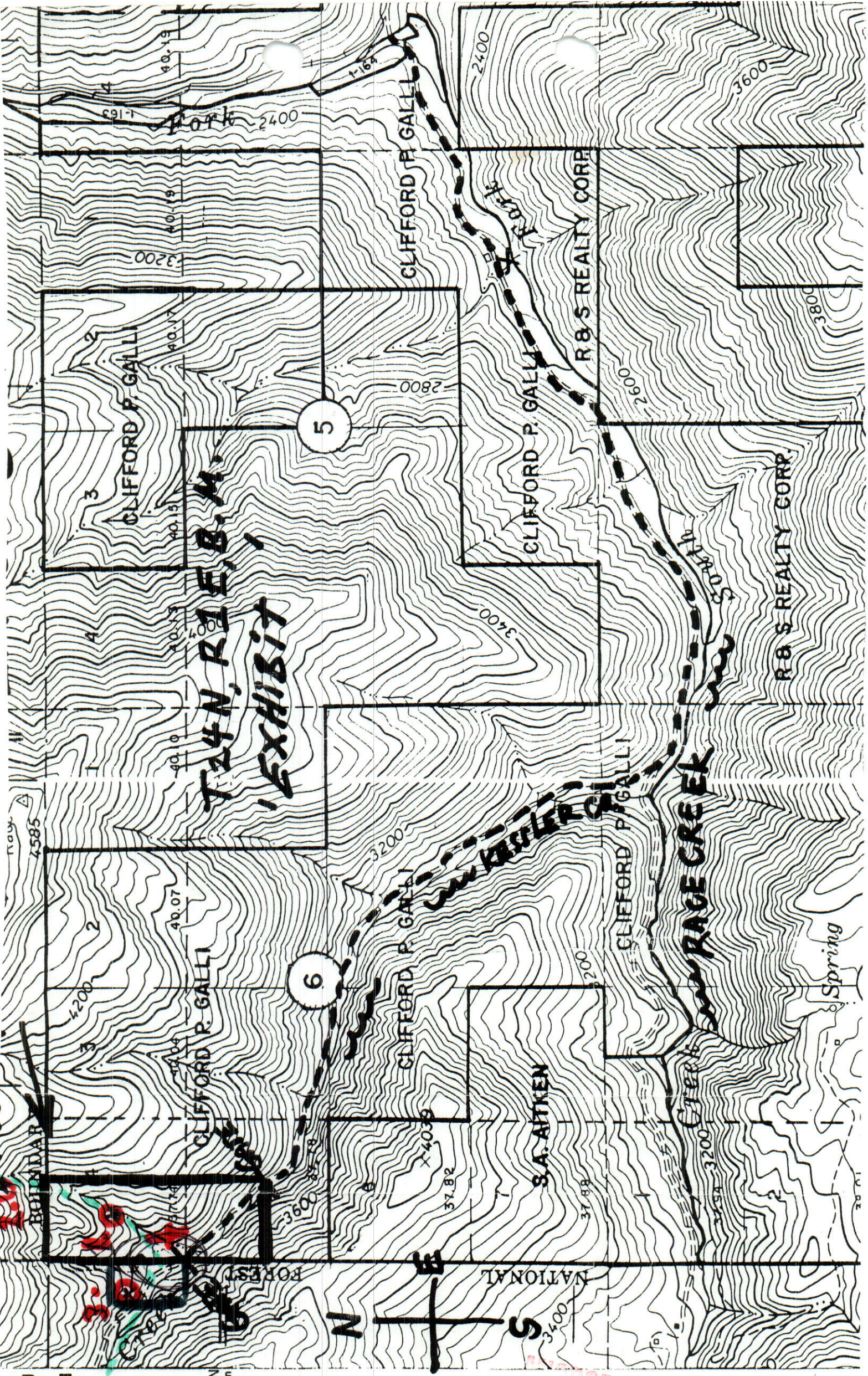
OCT 0 1 1991

T24 N R 1 W of B.M.

1661 OCT 01 1991

T25N
T24N

180 000' N
33 000' m
50' N



T24 N R 1 E B.M.
EXHIBIT

6

5

CLIFFORD P. GALLI

S.A. AITKEN

CLIFFORD P. GALLI

CREEK

RAGE CREEK

R.B. S. REALTY CORP.

CLIFFORD P. GALLI

R.B. S. REALTY CORP.

CLIFFORD P. GALLI

CLIFFORD P. GALLI

BOUNDARY
4585

FOREST

Spring

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07205

Priority: May 20, 1991

Maximum Diversion Rate: 0.18 CFS

Maximum Diversion Volume: 23.6 AF

This is to certify, that M RUCKUS O LEARY
SUSIE O LEARY

PO BOX 43

RIGGINS ID 83549

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 20, 1991; and has submitted Proof of Beneficial Use on July 8, 1993. An examination indicates that the works have a diversion capacity of 0.310 cfs of water from:

KESSLER CREEK
SPRINGS
SPRINGS

tributary to RACE CREEK, SOUTH FORK
tributary to KESSLER CREEK
tributary to SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/30	0.15 CFS	22.0 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	1.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.18 CFS	23.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (NWNWNW), Sec. 6, Township 24N, Range 01E
Lot 5 (NWSWNW), Sec. 6, Township 24N, Range 01E
Lot 1 (NENE), Sec. 1, Township 24N, Range 01W
Lot 4 (SWSNSW), Sec. 31, Township 25N, Range 01E
Lot 4 (SESNW), Sec. 31, Township 25N, Range 01E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
24N	01E	6	Lot 4 (NWNW) 2	Lot 5 (SWNW) 0.5		2.5
	01W	1	Lot 1 (NENE) 2.5	SENE 0.5		3

Total number of acres irrigated: 5.5

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC

TWN RGE SEC
24N 01W 1 Lot 1 (NENE)

JAN 26 1996

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 79-07205

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.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. One of the points of diversion is located on or near the line between the SWSWSW and NWWSW, Lot 4, S31, T25N, R01E.
7. Stockwater use is for miscellaneous stock.
8. Domestic use is for 1 house.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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 12TH day of DECEMBER, 1995.

Acting for


KARL J. DREHER, Director

JAN 26 1996

RECEIVED

DEC 04 1995

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 79-07205

Department of Water Resources

Date of Priority: May 20, 1991

Maximum Diversion Rate:

0.18 CFS

Maximum Diversion Volume:

23.6 AF

Comes now

M RUCKUS O LEARY
SUSIE O LEARY

PO BOX 43
RIGGINS ID 83549

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 79-07205, and requests that the permit be changed as follows:

Source: **KESSLER CREEK**
Source: **SPRINGS**
Source: **SPRINGS**

tributary to **RACE CREEK, SOUTH FORK**
tributary to **KESSLER CREEK**
tributary to **SINKS**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/30	0.15 CFS	22.0 AF
STOCKWATER	01/01 to 12/31	0.01 CFS	1.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.18 CFS	23.6 AF

LOCATION OF POINT(S) OF DIVERSION:

Lot 4 (NWNWNW),	Sec. 6,	Township 24N,	Range 01E
Lot 5 (NWSWNW),	Sec. 6,	Township 24N,	Range 01E
Lot 1 (NENE),	Sec. 1,	Township 24N,	Range 01W
Lot 4 (SWSWSW),	Sec. 31,	Township 25N,	Range 01E
Lot 4 (SESWSW),	Sec. 31,	Township 25N,	Range 01E

IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
24N	01E	6	Lot 4 (NWNW)	2	Lot 5 (SWNW)	2.5
	01W	1	Lot 1 (NENE)	2.5	SENE	3

Total number of acres irrigated: 5.5

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
24N	01W	1

Lot 1 (NENE)

Handwritten: 1/2/96
JAN 26 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 79-07205

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

Signed at Riggins, Idaho, this 31 day of November, 1995.

M. R. O'Leary
(Signature)

RECEIVED
JAN 2 6 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 79-07205

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50⁰⁰ Received by QW # CD34044 Date 12-5-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 79-07205 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. One of the points of diversion is located on or near the line between the SWSWSW and SESWSW, Lot 4, S31, T25N, R01E.
7. Stockwater use is for miscellaneous stock.
8. Domestic use is for 1 home.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

Witness my hand this 12TH day of DECEMBER, 1995.


Acting for **KARL J. DREHER** Director

JAN 26 1996

RECEIVED

JUL 08 1993

Department of Water Resources

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ 50.00
Date 7-8-93
Receipt No. 0028080
Received by EA

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 79-07205 Telephone No. 628-3607 ^{MESSAGE PHONE}

2. Name(s) of Permit Holder(s): M. RUCKUS O'LEARY / SUSIE O'LEARY

3. Post Office Address: P.O. Box # 43, Riggins, Idaho 83549

4. Source of Water: KESSLER CREEK & UNNAMED SPRING (SINKS)

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

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

5. Extent of Use:

Domestic 1 (No. of households) 0.04 CFS Irrigation 5 (No. of acres) 0.15 CFS

Stockwater ✓ (No. and type of stock) 0.01 CFS Other A POND FOR FIRE PROTECTION

MIXED LIVESTOCK, NUMBER VARIES

6. Total rate and/or volume for which proof is submitted 0.20 cfs _____ acre/feet

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

Measuring device: Required? Yes XNo Installed? Yes No

OR

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

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

M. RUCKUS O'LEARY / SUSIE O'LEARY ^{MESSAGE PHONE}
Name Telephone No. 628-3607

P.O. Box # 43, Riggins, Idaho 83549
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.

MICROFILMED

JUL 23 1993

Date 7/8/93 Signature (and title if on behalf of a company or organization) Michael Ruckus O'Leary

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 79-07205

Proposed Priority: May 20, 1991 Maximum Diversion Rate: 0.20 CFS
This is to certify, that M. RUCKUS O LEARY

SUSIE O LEARY
P.O. BOX 43
RIGGINS ID 83549

has applied for a permit to appropriate water from:

KESSLER CREEK
SPRINGS

tributary of RACE CREEK, SOUTH FORK
tributary of KESSLER 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>
IRRIGATION	03/01 to 12/01	0.15 CFS
STOCKWATER	01/01 to 12/31	0.01 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 1(NENE), Sec. 1, Township 24N, Range 01W
LOT 4(NWNWNW), Sec. 6, Township 24N, Range 01E
LOT 4(SWSWSW), Sec. 31, Township 25N, Range 01E
LOT 4(SESWSW), Sec. 31, Township 25N, Range 01E
IDAHO County

<u>PLACE OF USE:</u>	<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
IRRIGATION							
	24N	01E	6	LOT 4(NWNW) 2	LOT 5(SWNW) 0.5		2.5
		01W	1	NENE 2	SENE 0.5		2.5

Total number of acres irrigated: 5

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC

TWN RGE SEC

24N 01W 1 NENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1993.
2. Subject to all prior water rights.

OCT 01 1991

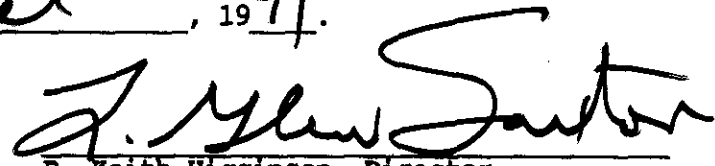
State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 79-07205

3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
6. Single point of diversion located on or near line between SWSWSW and SESWSW, Lot 4, S31, T05N, R01E.
7. Stockwater use is for mixed stock.
8. Domestic use is for 1 home.

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

29th day of August, 1991.

for 
R. Keith Higginson, Director

OCT 01 1991

RECEIVED

Form 202
6/85

MAY 15 1991

STATE OF IDAHO

Ident. No. 79-07205

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant M. Ractus or Susie O'Leary Phone N/A
Post office address P.O. Box 43 Riggins Id. 83549
2. Source of water supply ④ Kessler Creek which is a tributary of ④ South Fork Race Creek
and ⑤ springs ⑤ Kessler Creek
3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 4
Sec. 6 Township 24N Range 1E B.M. Idaho County; additional
points of diversion if any: LOT 1 NENE S.1 T24N R1W, LOT 4 SWSWSW & LOT 4 SESWSW S.31
T25N R1E (See Remarks)
4. Water will be used for the following purposes:
Amount .15 for Irrigation purposes from 3/1 to 12/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .01 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .20 and/or (b)
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Two springlines with pipelines to home & small pond; pipeline from creek to same pond with hand lines for sprinkler irrigation
* (Pond size = 40' x 40' x 8' deep at center)
 - b. Height of storage dam N/A 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 ground water with a temperature of greater than 90°F being sought?
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year). (5 yrs = maximum development period)

* $\frac{(40)(40)(8)}{43560} = .3 \text{ a.f.}$ and $(.20)(1.4835) = .4 \text{ a.f./24 hrs.}$, storage not required
per applicant's info. JL 5/15/91

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. misc. including unknown # chickens etc
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. One home
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24N	1E	6						2	1/2										2 1/2
								S	S										
								Lot 4	Lot 5										
24N	1W	1	2			1/2													2 1/2
			S			S													
			D																

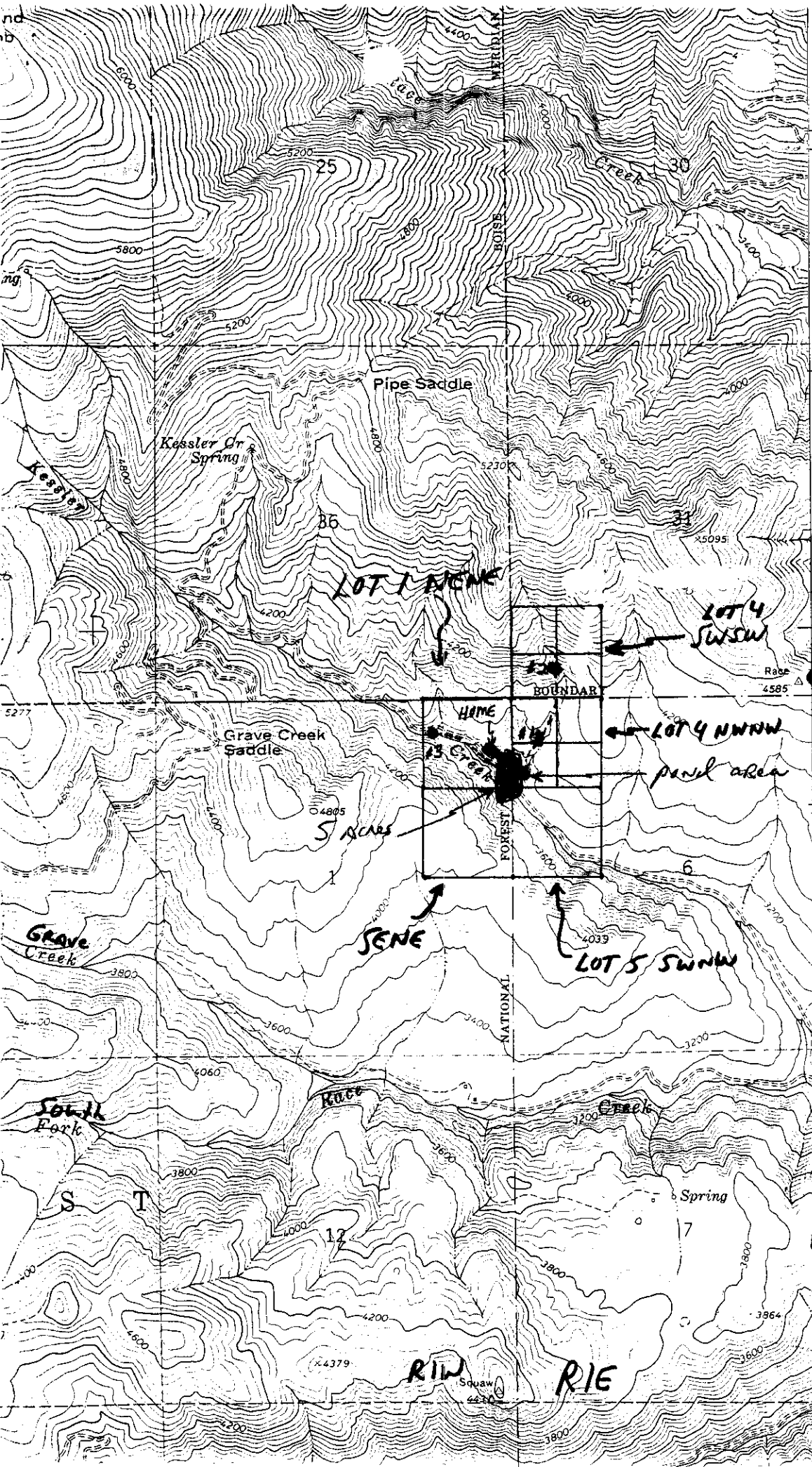
S = stock
D = domestic

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? #1: Applicant #2 & 3 = USDA Forest Service
- 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. Special use permit to be obtained for access to spring #2 & to Kessler Cr diversions
12. Remarks: Single point of diversion found on line in Lot 4 SWSWSW & SWSWSW S. 31 T25N R1E (Spring #2)

OCT 01 1996



1 390 000
FEET
5036

No other water
Rights found in
this area

5035

5034
27'30"

Race
4585
T25N
T24N

5033

5032

(RIGGINS)
2774 IV NE

OCT 6 1901
5031

DIVERSIONS

- # 1 & 2 = springs trib.
to Kessler ck.
- # 3 = Kessler ck.
trib to So. Fk.
Race ck.

USE

- * irrigate 5 acres
- * stockwater

domestic (NENE
Section 1)

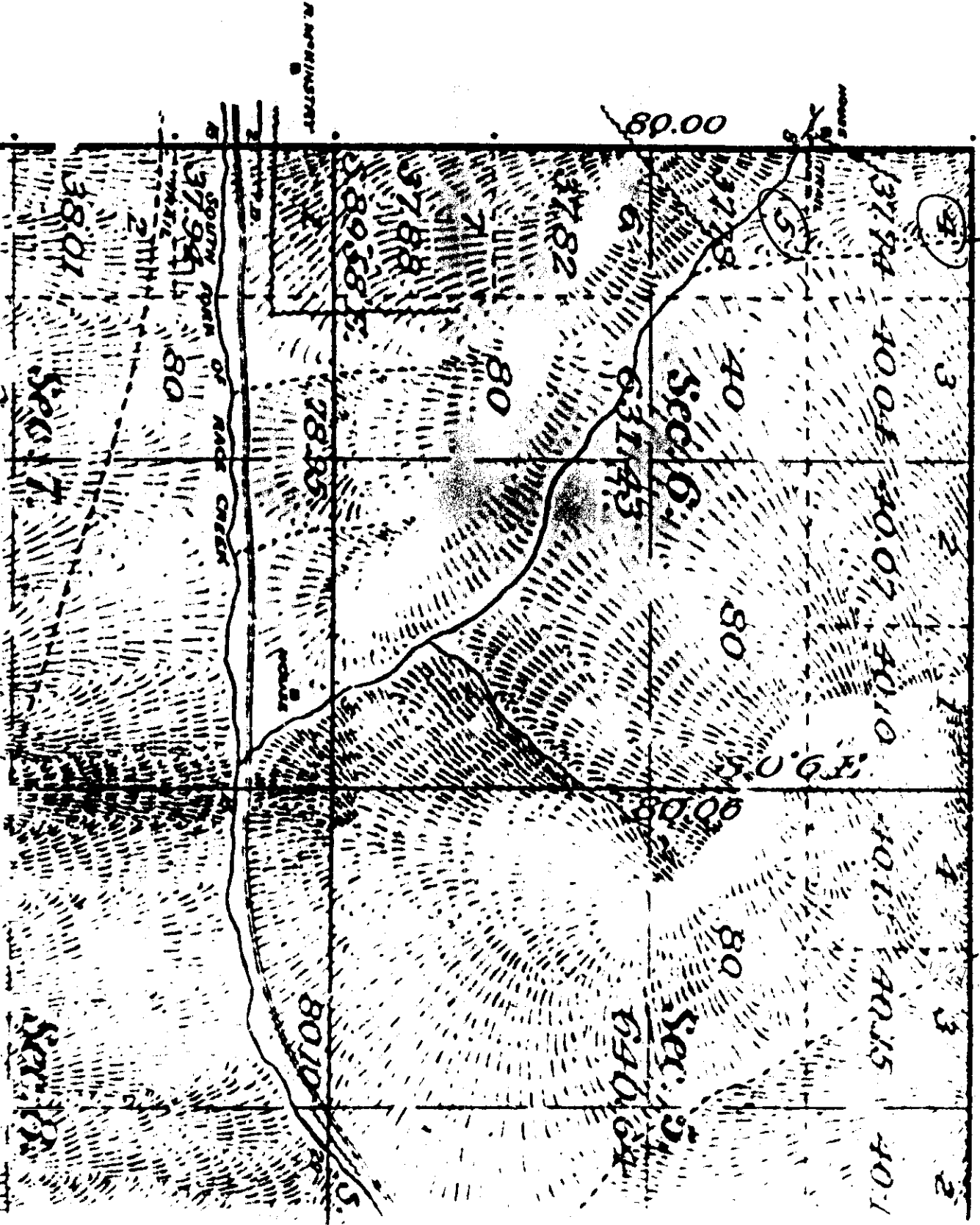
*

can occur in 4
quarter quarters

724N 21E S. 6 lots 4 is

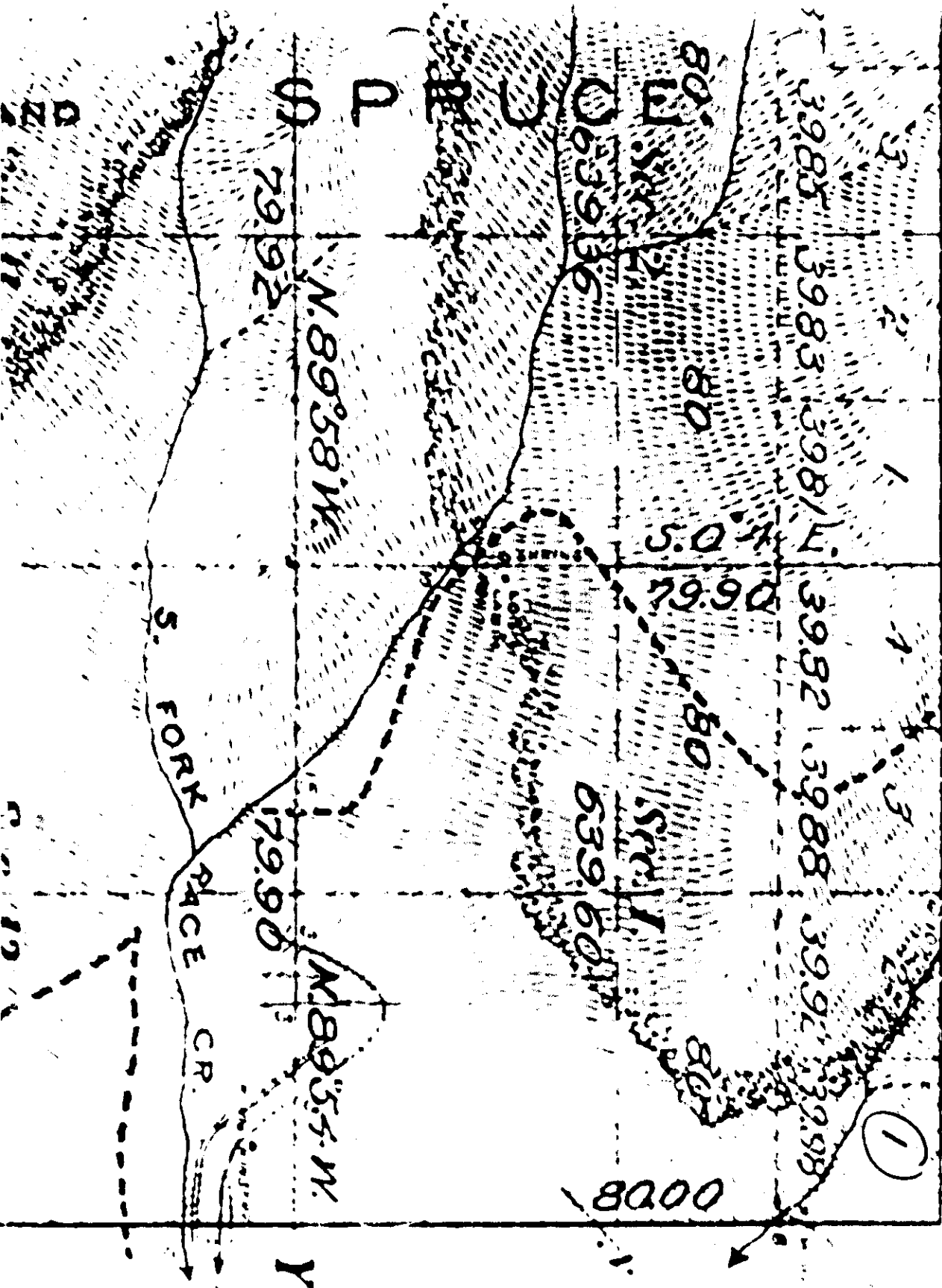
78.85

MAY 1 1991



b B " 1
T24N R1W S.1 LOT 1

WEST



1991

JLL attached maps
 prepared per applicant's
 letter with maps.

JZ

OCT 01 1991

M. Ruckus O'Leary
(Applicant)

Received by SL ^{NO ✓ ENCLUSTED} Date 5-15-91 Time 11:40 Preliminary check by SL
Fee \$ 30.00 Received by LH # W013331 Date 5/20/91 ← FEE RECEIVED
Publication prepared by GG Date 5-29-91 Published in Idaho County Free Press
Publication approved AT Date 7-5-91 6/19 & 6/26/91 Readover
7/18 & 7/25/91 Readover.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

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

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

e. Other:

OCT 01 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 13, 1995

M RUCKUS O LEARY
SUSIE O LEARY
PO BOX 43
RIGGINS ID 83549

RE: WATER RIGHT NO. 79-07205

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

JAN 26 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 14, 1995

M RUCKUS O LEARY
SUSIE O LEARY
PO BOX 43
RIGGINS ID 83549

RE: WATER RIGHT NO. 79-07205

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

JAN 26 1996

MEMORANDUM

TO: File 79-07205 / M. Ruckous O'Leary
FROM: Brenda Chapman
DATE: November 8, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 79-07205 are based on the information below:

Permit 79-07205 allowed an appropriation for domestic and stockwater purposes and for 5 acres of irrigation. The field examiner found 5 acres of irrigation, plus $\frac{1}{2}$ acre of irrigated lawn and garden associated with the domestic use. Idaho Code § 42-111 allows up to $\frac{1}{2}$ acre of irrigation to be included in a domestic use. However, to avoid any ambiguity it has been preferable to include the $\frac{1}{2}$ acre of lawn, etc., with the irrigation component of a right that includes both domestic and irrigation uses. Otherwise, in the future one may have to guess whether the domestic component of the right includes some irrigation.

Following our recent practice requires listing 5.5 acres of irrigation, even though it exceeds the face of the permit, which listed only 5 to be irrigated. The difference is cosmetic, and not substantial. Therefore, the recommendation to issue the license for 5.5 acres of irrigation is being made. A remark will be included on the license to indicate that the domestic component does not include irrigation water for a lawn, garden, etc. In this way, there will be no confusion in any future interpretation of the license.

Therefore, the domestic and irrigation volume recommendations have been adjusted accordingly.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	3-01 to 11-30	.15	22.0
Stockwater	1-01 to 12-31	.01	1.0
Domestic	1-01 to 12-31	.02	.6

The irrigation season dates have been changed to the current standards.

JAN 26 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 79-07205 DATE 11-8-95



NAME Change OK ☒ Or Address Change? ☐

PRIORITY DATE ☐ ☒ Advance? ☐ Advanced to: ☐
 Order to reinstate needed? ☐
 Incorrect fee for rate recommended? NO

SOURCE ☒ ☐ Changes or just clarification of originally intended source? ONE OF THE 3 SPRINGS SINKS
 Notice of Intent to Void necessary? ☐

POINT OF DIV ☒ ☐ Amendment needed? Add 3rd spring (Gov lots sec 6)
☐ ☒ Overlaps? ☐

PLACE OF USE ☐ ☒ Amendment needed? ☐
☐ ☒ Overlaps? ☐

DIV RATE ☒ ☐ Permit/fee limits: .20
 Meas Q = .31 Theo Q = Recommend: .18
Add 1/2 acre yard to irrigation for 5.5 acres x .02 = .11
DDM reduced to internal @ .02 cfs
 Combined rates exceed capacity ☐

ANNUAL VOLUME .18 ☒ Volume Limit: (NEW) Season: E/4.0 (3-1 to 11-30)
 Calculations: 5.5 x 4 = 22.0
DDM = .6 Stock = 1.0
 Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable ☐

USES ☐ ☒ Change in Nature of Use or additional uses? ☐
 Amendment necessary? ☐

ADDITIONAL INFO Supplemental Groundwater ☐ PPU Scenario ☐
 Irr/Dom Combination YES Shared G/W System ☐

NEW REMARKS WB5 Multiple p/d(s) in 1/4 1/4?
 Other Change Township in Condition 6 to 25N

NEW CONDITIONS ☐ Watermaster control - District ☐
☐ Measuring/Locking Devices ☐
R51 Irrigation Overlap ☐
☐ Other ☐
☐ Water Quality ☐ Heat/Cool/Fish verified ☐

COMMENTS: Amend P/D

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Irrigation</u>	<u>.15</u>	<u>22.0</u>	Adjustment Memo Needed	<u>YES</u>
<u>Stockwater</u>	<u>.01</u>	<u>1.0</u>	LICENSE	
<u>Domestic</u>	<u>.02</u>	<u>.6</u>		
<u>TOTAL</u>	<u>.18</u>	<u>23.6</u>	1ST AMEND LETTER <u>P39 + P38</u>	
			2ND AMEND LETTER <u>P47</u>	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

OCT 17 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 79-07205
msg. phone (208) 628-3607
Phone No. (208) none

1. Owner: Susie &/or M. Ruckus O'Leary
Current Address: PO Box 43 Riggins, ID 83549

2. Accompanied by: Ruckus O'Leary EXAM DATE: 9/22/95

Address: PO Box 43 Riggins, ID 83549 Phone No. none

Relationship to Permit Holder: Self

* (A) Kessler Creek P/D #3
3. Source: (B) Springs P/D #4 tributary to (A) Race Creek, South Fork
(C) Springs P/D #1 + P/D #2 (B) Kessler Creek
(C) Sink

B. OVERLAP REVIEW

- Other water rights with the same place of use: none
- Other water rights with the same point of diversion: none

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
P/D#2 <u>C</u>	4	NW	NW	NW	6	24N	1E	Idaho	USGS Topo., + exam
P/D#3 <u>A</u>	1		NE	NE	1	24N	1W		
P/D#1 <u>C</u>	4	SE SW	SW SW	SW SW	31	25N	1E		
P/D#4 <u>B</u>	5	NW	SW	NW	6	24N	1E		

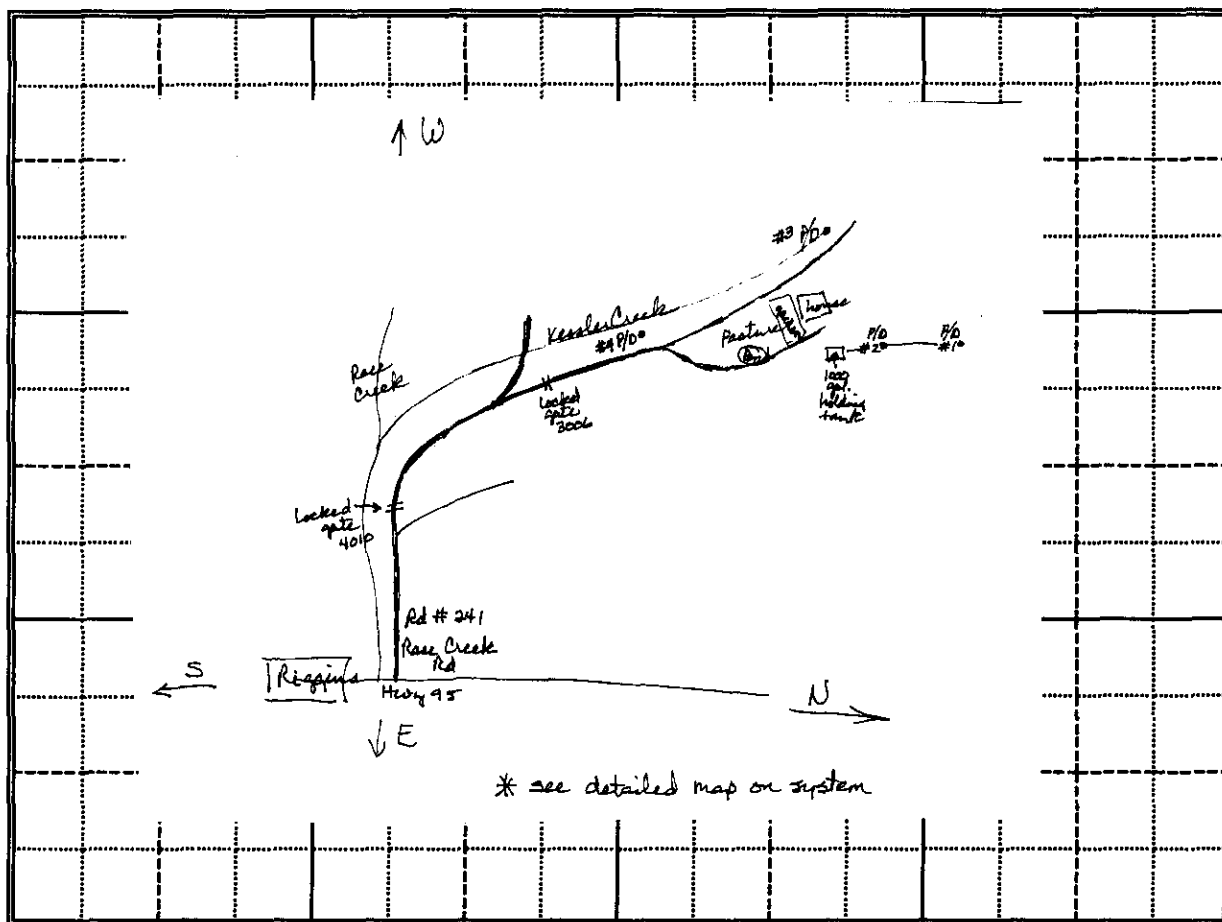
2. Place(s) of Use:

Indicate Method of Determination USGS Topo. + exam

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	1E	6						A/2	A/5										2.5 acres
24N	1W	1	A/2			A/5													2.5 acres
24N	1W	1	D/1																
24N	1W	1	S			S													
24N	1E	6						S	S										

JAN 26 1996

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
P/D # 4 submers.		8			"no tag" 2"

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Pressure gauge (7) 1/64" rainbird nozzles run on system @ 1 time 38, 44, 43 psi (41.6 psi average)

JAN 26 1996

E. NARRATIVE/REMARKS/COMMENTS

- Govt. lots found + listed under Part C. Diversion + Delivery System.
- Use is for Domestic D/I internal + external .5 acre yard + garden, irrigation of 5 acres pasture + fruit trees, stockwater for mixed stock (9 sheep, 40-50 horses, 60 chickens, 2 turkeys, 8 hogs)*, Fire Protection.
- Under Id. Code 42-111 Domestic purposes defined, (A) the use of water for homes, livestock + for any other purpose in connection therewith, including irrigation of up to 1/2 acre land, if the total use is not in excess of 13,000 gallons per day (B) Any other uses, if the total use does not exceed a diversion rate of 0.04 cfs + a diversion volume of 2,500 gallons per day. — This would cover domestic internal, 1/2 acre irrigated, + the livestock use not covered by "stockwater use".
- During the irrigation season, the same water is also used for stockwater.
- The system consists of P/D#1 spring + P/D#2 spring 600' apart, tied into together at a 1000 gallon holding tank w/ 3/4" ABS, Converts to 1" ABS to a connector that ties in w/ P/D 3+4 but also has its own separate 1" ABS line that leads to the house, garden/yard, + pig pens + chicken yard, + 1 coral. From the connector a line goes to a 30'x30'x7' pond for fire protection + some stockwater use. From #1 connector to #2 is 400' of 2" ABS that tie in P/D#3 a flue diverting water from Kessler Creek to a 500 gal. holding tank 1000' of 2" PVC, + P/D#4 spring w/ collection tank

Have conditions of permit approval been met? ☒ yes

☐ no (normally producing 50000 gal. per day) a 8HP submersible pump w/ 700' of 2" PVC.

- Recommend allowing P/D#4 to be included in the system using the pumpback calculation since the entire system was all in, but he was having problems w/ the pump.

6/19/96

The irrigation system runs (7) 1/64" rainbird nozzles @ 1 time @ an average of 41.6 psi with the pump off @ P/D#4.

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Allow .04 cfs Domestic D/I internal/external .5 acre yard
+ garden (closed system) independent from system for irrigation
- Max. Allowable (see attachment) for stockwater = .06 cfs, Allow .01
as on permit. (Domestic allows livestock use, + irrigation is used for
both irrigation + stockwater (same water, different uses)
G. VOLUME CALCULATIONS Pipeflow + Pumpback Computation Spreadsheet (see attachment)

1. Volume Calculations for Irrigation: P/D# 1+2+3+4 = .31 cfs
4 of 1 nozzle discharges (see attachment) = .10 cfs + P/D#4 Pumpback = .28 cfs
 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \times 4.0 = 20 \text{ Af}$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .15 \text{ cfs} \times 276 \times 1.9835 = 82.1$
V = Smaller of $V_{I.R.}$ and $V_{D.R.} = 20.0$

2. Volume Calculations for Other Uses:

Allow 1.2 Afa Domestic D/I internal/external
Stockwater (see attachment) = 1.0 Afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/1	12/1	.15 cfs	20.0
Stockwater	1/1	12/31	.01 cfs	1.0
Domestic	1/1	12/31	.04 cfs	1.2
Totals:			.20 cfs	22.2

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Snaf Henenway Date 10/4/95

Reviewer _____ Date _____

SEAL

* SEE adjustment memo. BC

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from P/D#1 + P/D#2 holding tank to connector —
only estimate of holding tank, since closed system

Pipeflow Computation Spreadsheet (DRT 12/31/1992)

Data Entered By: Sandy Hemenway
10/05/95
Project: Flow Computation for Permit No. 79-07205
M. Ruckus O'Leary
Given: See Data Table

Compute head losses with the Williams and Hazen Formula:
 $f = 0.2083 * (100 / \text{roughness})^{1.85} * ((\text{cfs} * 448.8)^{1.852} / \text{ID}^4.8655 * \text{Length} / 100)$

To Find: Compute Rate of Flow

Data Table

Total Head: 600.00 feet
Pressure Req'd: 41.60 psi
Available Head: 503.90 feet
Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140
aluminum - joint length 20' = 125, joint length
30' = 130, joint length 40' = 132, joint length
50' = 134, new riveted steel = 100
old riveted steel = 100, old cast iron = 95,
old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Head Loss from Pipe Friction
1.75	400.00	5.39	
0.75	600.00	498.60	
11.50	0.00	0.00	
9.50	0.00	0.00	503.98

Rate of Flow: 0.040 CFS

Solution is obtained by entering an estimated rate of flow and adjusting
until Total Head Loss approximates Available Head.

10/26/96

P/D #3

Pipeflow Computation Spreadsheet (DRT 12/31/1992)

Data Entered By: Sandy Hemenway
10/05/95
Project: Flow Computation for Permit No. 79-07205
M. Ruckus O'Leary
Given: See Data Table

Compute head losses with the Williams and Hazen Formula:
 $f = 0.2083 * (100 / \text{roughness})^{1.85} * ((\text{cfs} * 448.8)^{1.852} / \text{ID}^4.8655 * \text{Length} / 100)$

To Find: Compute Rate of Flow

Data Table

Total Head: 160.00 feet
Pressure Req'd: 41.60 psi
Available Head: 63.90 feet
Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140
aluminum - joint length 20' = 125, joint length
30' = 130, joint length 40' = 132, joint length
50' = 134, new riveted steel = 100
old riveted steel = 100, old cast iron = 95,
old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Head Loss from Pipe Friction
1.75	1000.00	63.91	
0.75	0.00	0.00	
0.50	0.00	0.00	
9.50	0.00	0.00	63.91

Rate of Flow: 0.092 CFS = .09 cfs

Solution is obtained by entering an estimated rate of flow and adjusting until Total Head Loss approximates Available Head.

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P/D # 4

Pumpback Computation Spreadsheet (DRT 1/24/1995)

Data Entered By: Sandy Hemenway
10/05/95

Project: Flow Computation for Permit No. 79-07205

Given: See Data Table

Compute head losses with the Williams and Hazen Formula:

$$f = 0.2083 * (100 / \text{roughness})^{1.85} * (\text{cfs} * 448.8)^{1.852} / \text{ID}^{4.8655} * \text{Length} / 100$$

To Find: Compute Rate of Flow for a Pumpback System

Data Table

Vertical Lift: 35.00 feet

Pressure Req'd: 41.60 psi

Required Head: 131.10 feet

Pump Horsepower: 8.00 horsepower

Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140
aluminum - joint length 20' = 125, joint length
30' = 130, joint length 40' = 132, joint length
50' = 134, new riveted steel = 100
old riveted steel = 100, old cast iron = 95,
old pipes in poor condition = 60 to 80

Inside Diameter in Inches	Equivalent Length in Feet	Unit Head Loss	Total Friction Head Loss from Pipe Friction
1.75	700.00	150.97	
1.00	0.00	0.00	
1.00	0.00	0.00	

150.97

Initial Estimate of Rate of Flow:

0.178 CFS = .18 cfs

Computation of Rate of Flow:

0.17

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① Permit:

Irrigation 3/1-12/1 .15 cfs
 Stockwater 1/1-12/31 .01 cfs
 Domestic 1/1-12/31 .04 cfs
.20 cfs

② B/U fee: \$50⁰⁰ 7/8/93 0-0.20 cfs

③ Max. Allowable:

Domestic D/I .04 cfs | internal + external ^{.5 acre yard + garden}
_{closed individual system}
 Irrigation .03 cfs X 5 acres = .15 cfs
Livestock

Table 1 Recommended Diversion Rates for
 Stockwater Exh. 15A

# head	
(9)	0-25 head sheep = .02 cfs
(40-50)	26-50 head horses = .02 cfs
(62)	51-100 head ^{turkeys} chickens = $100 \times .0000018 = .00018$
(8)	0-25 head hogs = .02 cfs
	<u>.06018 = .06 cfs</u>

④ Measurement: U of I nozzle discharge

IRRIGATION: (7) $\frac{11}{64}$ " nozzles run on system @ 1 time ^{11/11/96}

$$Q = 30 \times D(\text{in})^2 \times p(\text{psi})^{.5}$$

$$\frac{7}{\text{nozzles}} \times 30 \times \left(\frac{11}{64}\right)^2 \times (41.6 \text{ psi})^{.5} = .089 \text{ cfs} = \boxed{.09 \text{ cfs}}$$

448.8

JUL 8 6 1996

= .10 cfs

**** estimate of system:**
 .10 cfs +
 (P/D #4) .18 cfs =
.28 cfs

* this is not a true capacity, since the pump was not working on P/D #4 at the time of measurement, so I did a pumpback computation spreadsheet to calculate what it would normally contribute to the system (see attachment) P/D #4 = .18 cfs

#4 continued) Measurements:

79-07205

Fire Protection Pond: Exh. 16

30' x 30' x 7' pond

$$(S.A) \text{ surface area} = \frac{W \times L}{43,560} = \frac{30' \times 30'}{43,560} = .02 \text{ acres}$$

$$\text{Capacity} = (S.A) \times \text{max. depth} = .02 \times 7 = .14 \text{ Af}$$

Pipeflow Computation Spreadsheet (see attachment)

$$P/D \# 3 = .092 = .09 \text{ cfs}$$

$$P/D \# 1 + P/D \# 2 =$$

Pumpback Computation Spreadsheet (see attachment)

$$P/D \# 4 = .178 = .18 \text{ cfs}$$

Computer Computation of
Total Irrigation System Capacity/system capacity:

$$P/D \# 1 + \# 2 + \# 3 + \# 4 =$$

$$.04 + .09 + .18 = \boxed{.31 \text{ cfs}}$$

Volume Calculation for Stockwater:

$$V_{IR} = (\# \text{ head} \times \text{gph} \times \text{days per year}) / 325,850$$

$$V_{DR} = \text{div. rate} \times 365 \times 1.9835$$

$$V = \text{smaller of } V_{IR} \text{ or } V_{DR}$$

$$V_{IR} = (9 \text{ sheep} \times 2 \text{ gpd} \times 365) / 325,850 = .02$$

$$V_{DR} = .01 \times 365 \times 1.9835 = 7.24$$

$$V = .02$$

$$V_{IR} = (45 \text{ horses} \times 12 \text{ gpd} \times 365) / 325,850 = .60$$

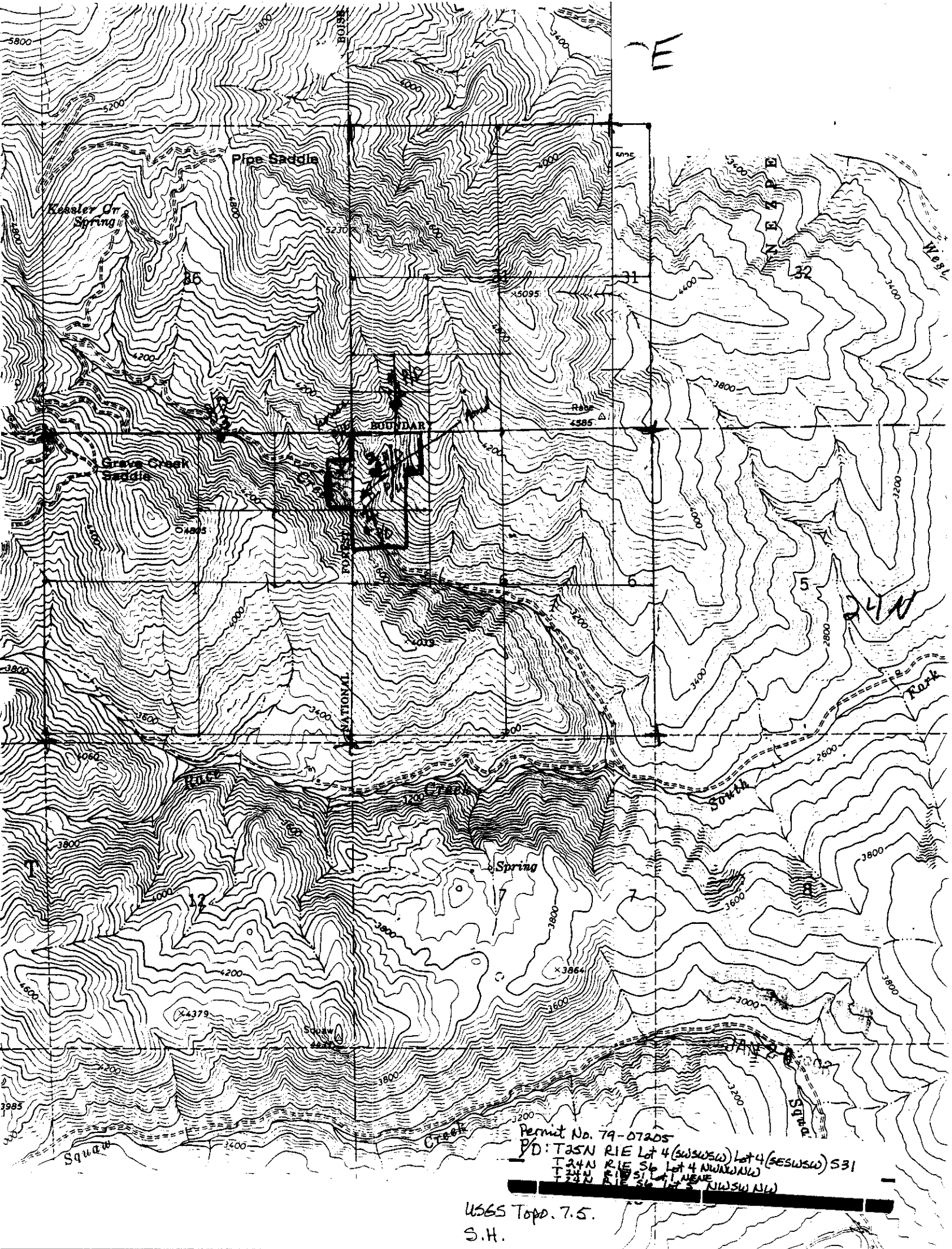
$$V_{DR} = .01 \times 365 \times 1.9835 = 7.24$$

$$V = .6$$

$$* \text{Total } .02 + .6 + .3 + .0006 + .04 = .96 = \boxed{1.0 \text{ Afa}}$$

2 gpd, 28 gpd, 4 gpd, 12 gpd, 4.5 gpd
9 sheep, 40/50 horses, 60 chickens, 2 turkeys, 8 hogs.
JAN 26 1996

$$V_{IR} = (60 \text{ chickens} \times 4.5 \text{ gpd} \times 365) / 325,850 = .30$$
$$V_{DR} = .01 \times 365 \times 1.9835 = 7.24$$
$$V = .3$$
$$V_{IR} = (2 \text{ turkeys} \times 28 \text{ gpd} \times 365) / 325,850 = .0006$$
$$V_{DR} = .01 \times 365 \times 1.9835 = 7.24$$
$$V = .0006$$
$$V_{IR} = (8 \text{ hogs} \times 4 \text{ gpd} \times 365) / 325,850 = .04$$
$$V_{DR} = .01 \times 365 \times 1.9835 = 7.24$$
$$V = .04$$



79-07205
9/22/95 S.H.

P/D #1
Spring

3/4" ABS buried
pipe
collection area:
rock, sand, +
perf. pipe covered
with gravel

P/D #2

Spring

collection area:
6' underground trench
w/sand, perf. pipe, +
gravel

JAN 26 1996
P/D #1 + P/D #2
springs are tied
in together at
this 1000 gallon
holding tank
1" ABS to
valve connection
at road

79-07205
9/22/95 S.H.



P/D #3

Kessler Creek
w/flume diverting
water into 500 gal.
holding tank
w/1000' of 2" PVC
on the surface,
to the valve
connecting where
all the P/D meet



P/D #4

Spring
sand, perf. pipe
gravel collection
area, w/2" PVC buried
to the valve
connecting where
all P/D come
together

JAN 26 1996

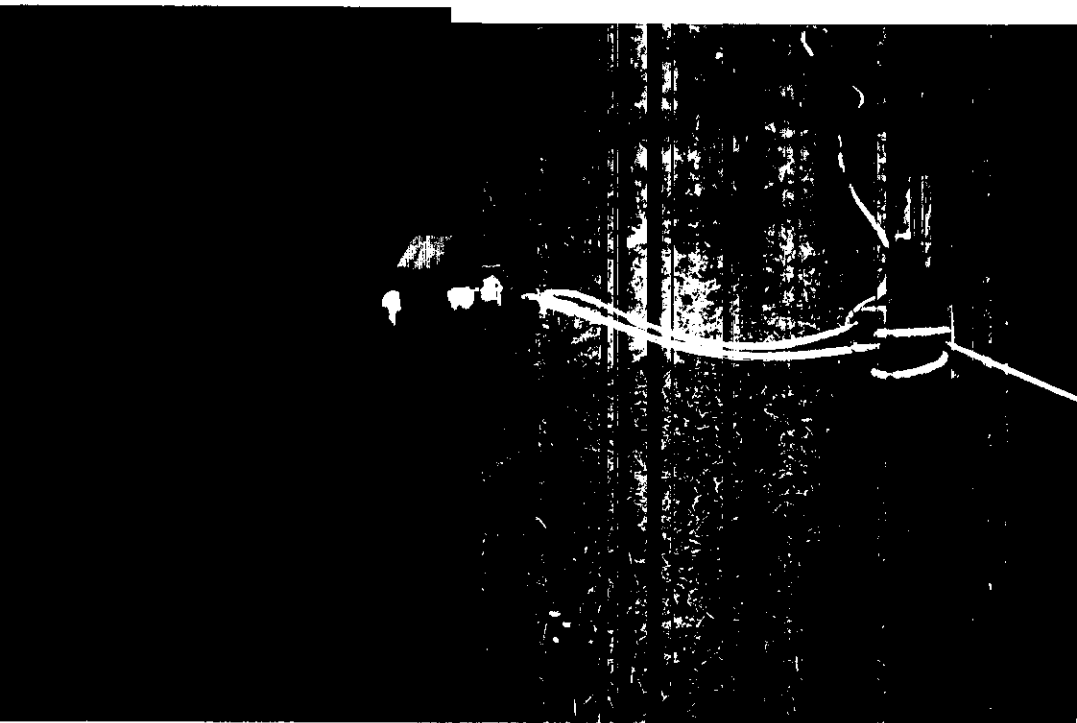


79-07205
9/22/95 S.H.

P/u: Domestic
internal + external
.5 acre garden +
yard

Irrigation:
5 acres of pasture
+ orchard behind
house (stock drink
from same use)

P/u:
Stockwater
mules, horses,
sheep, hogs,
chickens, turkeys,
pheasants
(mixed stock)



valve connecting
sprinklers into P/D#3
+ P/D#4, + P/D#1/P/D#2
which are already
interconnected

JAN 26 1996

July 9, 1993

M. RUCKUS O'LEARY
SUSIE O'LEARY
PO BOX 43
RIGGINS ID 83549

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 79-07205

Dear Permit Holder:

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

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUL 23 1993

~~John~~ July 3, 1993

RECEIVED

JUL 08 1993

Department of Water Resources

State of Idaho
Dept of Water Resources

Att of: Karen L. Gustafson

Re: Permit # 79-07205

Dear Karen.

I have just received from your desk a notice to send in my fee of \$50.⁰⁰ together with a completed 'Proof of Beneficial use' form.

Please find same enclosed.

However a question arises when I read the Permit to Appropriate Water form.

It is not correct as it lists my spring as a tributary to Kessler Creek. In point of fact, said spring is a seep & vanishes below the surface of the ground $\frac{1}{4}$ mile from Kessler Creek.

Also it states that I have only one point of diversion on Kessler Creek when in fact I have two.

I would like this letter placed in record so that I might correct this matter in person with the water examiner when he (she) comes to inspect my project.

Also I would greatly appreciate (over

June 30, 1993

M. RUCKUS O'LEARY
SUSIE O'LEARY
PO BOX 43
RIGGINS ID 83549

PROOF DUE NOTICE

RE: PERMIT NO. 79-07205

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 September 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.

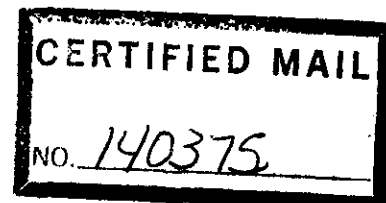
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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



RECORDED

JUL 23 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 4, 1991

M. RUCKUS O LEARY
SUSIE O LEARY
P.O. BOX 43
RIGGINS ID 83549

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 79-07205

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Sincerely,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

COPIED 1/13/91



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

August 9, 1991

M. Ruckus O'Leary
P.O. Box 43
Riggins, ID 83549

Re: Application for Permit #79-7205

Dear Mr. O'Leary:

Thank you for your comments in regard to the above-referenced application for permit.

Based on the information provided by you and by the Forest Service we see no reason to delay the processing of this application.

If you have any further question or concerns 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

OCT 9 1 1991

RECEIVED
AUG 08 1991

August 1, 1991

Department of Water Resources
Western Regional Office

Mr. David R. Tuthill Jr., P.E.
Manager, Western Regional Office
Department of Water Resources

Re: Application for Permit #79-7205 and a recent letter related to
same from the Forest Service

Dear Mr. Tuthill Jr. P.E. :

I am to-date in receipt of your letter to me of July 31, 1991
adviseing me of certain concerns that the Forest Service may have.
The only concern I was aware of was related to stream flows. This
concern was to be addressed later this month when a Forest Service
employee measured the flow at my point of diversion on Kessler
Creek.

The point of diversion on Kessler Creek is on Forest Service property
aprox. 1000 feet up stream from my property. Relative to my develop-
ment of an unnamed spring situate on my 30 ac. property, this unnamed
spring is situate on my real property.

In your letter to me you ask me to reply to Forest Service letter
#2540. My reply is this.

My concern is this, that at the time of my application for said
Forest Service permit I was assured by the ranger who was on-scene
to identify my proposed project and its impact that my proposed
project was in reality insignificant and would cause no adverse
impact. To-date the said project is complete and in place and work-
ing perfectly. I have gone to a great expence to achieve same.

I was never made aware by anyone that there may be certain con-
ditions forced on me that could prevent complete perfection of my
water claim. I would certainly have to appeal such a determination.
However this is premature.

As the said spring is on my real property thence it is of no concern
to the Forest Service. Relative to my point of diversion on Kessler
Creek,

OCT 01 1991

continued from page 1:

if it becomes the position of the Forest Service that in fact they do choose to place on my permit certain to-date unknown conditions that by there nature would make my said water claims unperfected, thence and in that event a workable alternative may be that my primary point of diversion be moved down stream to my own real property situate thereat and the point of diversion situate on Forest Service soil be added to my water use claim #79-07205 as an alternative point of diversion.

If this should become the case then it would require my building the new diversion which would also require a ditch to be developed for ditch irrigation. I can accomplish this but it will require more expence.

I had considered the ditch system at the first but chose the gravity flow system as I percieved it to cause less of an impact. With gravity flow I have complete control with no waste whatsoever. The Forest Service is aware of my thinking as I have in past explained the within to Bruce Anderson (839-2211). Their letter #2540 says, "If you have any questions related to these things contact Bruce Anderson, etc. etc..." I suggest you do and at the same time I shall send Bruce a copy of this letter and both the letters you have sent me.

I hope by sodoing that we can clear up this matter without confussion for anyone.

Please advise me at your earliest convenience of your feelings on this matter, and of any suggestions you may develope to settle these things. Thank you in advance for your attention related to the within.

Sincerely,

M. Ruckus O'Leary

M.R.O'Leary

P.O. Box#43,

Riggins, Idaho 83549

208-628-3607 mornings and evenings

cc: Bruce Anderson U.S. Forest Service, White Bird, Id.

OCT 01 1967



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

July 31, 1991

M. Ruckus or Susie O'Leary
P.O. Box 42
Riggins, ID 83549

Re: Application for Permit #79-7205

Dear Mr. & Mrs. O'Leary:

Enclosed is a copy of a letter received by this office from Robert F. Abbott of the U.S. Forest Service, Salmon River Ranger District concerning the above-referenced application.

Please review this letter and the concerns Mr. Abbott has with approval of your application. Before we proceed with the processing of your application please send any comments you may have to this office.

Sincerely,

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

DRT:st

Encl.

CC: U.S. Forest Service, White Bird

RECEIVED

OCT 01 1991



United States
Department of
Agriculture

Forest
Service

Salmon River
Ranger
District

HC01 Box 70
White Bird, ID 83554-9706

Sue
Please acknowledge
letter.
Dane

RECEIVED
JUL 29 1991

REPLY TO: 2540 Water Uses and Develop-
ment

DATE: July 25, 1991

Department of Water Resources
Western Regional Office

David R. Tuthill, Jr. *DRT*
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

Dear Mr. Tuthill:

It recently came to our attention that M. Ruckus and/or Susie O'Leary have filed an application for water right on several sources in the Kessler Creek area. The application number is 79-07205. The proposed diversions are located on the Nez Perce National Forest and we are working with the applicants to process the appropriate special use permit.

This letter is to inform the Department and the applicants that there may be terms and conditions placed upon the special use permit which could prevent complete perfection of the water claims. These would be designed to minimize adverse environmental impacts of the diversions under special use authority as found in 36 CFR 251.56.

We are not protesting the application and are confident that the necessary special use terms and conditions can be agreed upon between our agency and the applicants. If you have any questions about our special use process, please contact Bruce Anderson of this office at 839-2211.

Cordially,

Robert F. Abbott
for ROBERT F. ABBOTT
District Ranger

cc: M. Ruckus and Susie O'Leary

OCT 01 1991



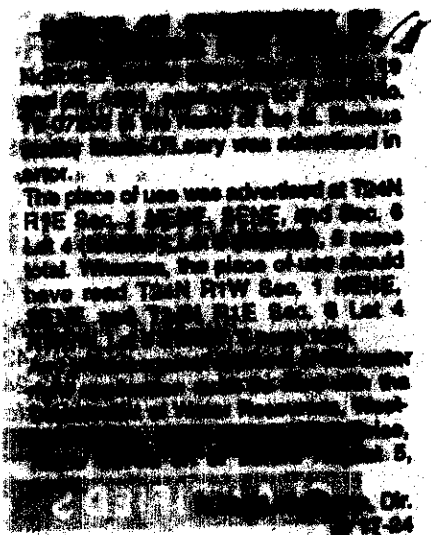
Caring for the Land and Serving People

FS-6200-28b(4/88)

RECEIVED

JUL 31 1991

Department of Water Resources
Western Regional Office



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Idaho - ss.

Marietta Hanson

....., being first duly sworn, says she is the Bookkeeper..... of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper fortwo..... weeks, being publishedtwo..... times, the first publication being on the17th..... day ofJuly....., 19.....⁹¹, and the last publication on the24th..... day ofJuly....., 19.....⁹¹; that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Marietta Hanson

STATE OF IDAHO }

}

COUNTY OF }

}

On this.....24th..... day of.....July..... in the year of.....1991....., before me, a Notary Public, personally appeared.....Marietta Hanson....., known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

[Signature]
Notary Public for Idaho

Residing at.....Grangeville, Idaho.....

My commission expires:.....9-10-92.....

**NOTICE OF CORRECTION OF
APPLICATION FOR PERMIT**

Notice is hereby given that on June 19 and 26, 1991, application for permit No. 79-07205 in the name of the M. Ruckus and/or Susie O'Leary was advertised in error.

The place of use was advertised as T24N R1E Sec. 1 NENE, SENE, and Sec. 6 Lot 4 (NWNW), Lot 5 (SWNW), 5 acres total. Whereas, the place of use should have read T24N R1W Sec. 1 NENE, SENE and T24N R1E Sec. 6 Lot 4 NWNW, Lot 5 SWNW, 5 acres total.

Any protest against approval of this water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before August 5, 1991.

R. Keith Higginson, Dir.

Advertised in the Idaho County Free Press on July 18 and 25, 1991.

1991 JUL 18

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Idaho - ss.

Marietta Hanson

....., being first duly sworn, says she is the ~~Bookkeeper~~ of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 19th day of June 19⁹¹ 26th, and the last publication on the day of June 19⁹¹; that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Marietta Hanson

STATE OF IDAHO }

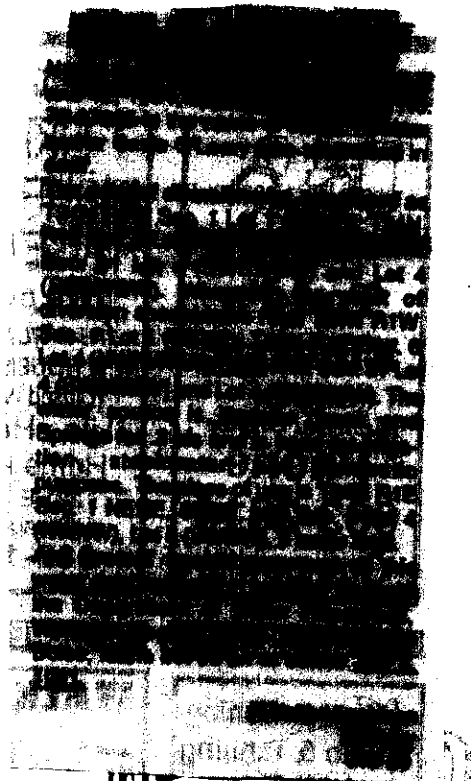
COUNTY OF }

On this 26th day of June in the year of 1991, before me, a Notary Public, personally appeared Marietta Hanson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

[Signature]
Notary Public for Idaho

Residing at Grangeville, Idaho

My commission expires: 9-10-92



JUL 1 1991
Department of Water Resources
Western Regional Office

OCT 01 1991

NOTICE OF CORRECTION OF APPLICATION FOR PERMIT

Notice is hereby given that on June 6 and 12, 1991, application for permit No. 79-07205 in the name of the M. Ruckus and/or Susie O'Leary was advertised in error.

The point of diversion was advertised as T24N R1W Sec. 1 Lot 1 (NENE), T24N R1E Sec. 6 Lot 4 (NWNWNW), T24N R1E Sec. 31 Lot 4 (SWSWSW) and Lot 4 (SESWSW). Whereas, the point of diversion should have should have read T24N R1W Sec. 1 Lot 1 (NENE), T24N R1E Sec. 6 Lot 4 (NWNWNW), T25N R1E Sec. 31 Lot 4 (SWSWSW) and Lot 4 (SESWSW). The water source is Kessler Creek and Springs for .2 cfs and is used for irrigation, stockwater and domestic purposes. The place of use is T24N R1E Sec. 1 NENE, SENE, and Sec. 6 Lot 4 (NWNW), Lot 5 (SWNW), 5 acres total.

Any protest against approval of this water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before July 8, 1991.

R. Keith Higginson
Director

Advertised in the Idaho County Free Press 6/19 and 6/26/1991.

MAILED

OCT 01 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 10, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Gray F. Reynolds, Regional Forester
U. S. Dept. of Agriculture
Forest Service
324 25th St.
Ogden, UT 84401

Re: Application for Permit No. 79-7205 in the name of M.
Ruckus & Susie O'Leary

Dear Sir:

Enclosed is a copy(s) of the above-referenced application(s) for permit which may be of interest to your agency. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by June 24, 1991.

If you have any questions regarding the application, please contact 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

Enclosure(s):

00001301



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 15, 1991

Mr. Ruckus O'Leary
P.O. Box 43
Riggins, ID. 83549

MAY 20 1991

Department of Water Resources
Western Regional Office

RE: Application for Permit

Dear Mr. O'Leary:

I received the completed application for permit for the land at Kessler Creek. The \$30 check, check no. 269, is returned along with a copy of receipt no. W013232 issued for that check. Check no. 269 was for the new application that you recently submitted for the land at Indian Creek (application for permit no. 79-07204, advertised on 5/1 and 5/8 in the "Idaho County Free Press").

The \$30 application fee for the Kessler Creek site still needs to be paid. Once the payment is received, the application will be advertised and the approval process will continue.

Please send the \$30 fee as soon as possible to avoid delays in the water right process. Let me know if additional help is needed.

Sincerely,

Steve Lester
Sr. Water Resource Agent

Enclosure: Cancelled check and receipt

Sorry. Am stupid.

Ruckus

OCT 01 1991

\$30 fee paid 5/20/91

SL



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 15, 1991

Mr. Ruckus O'Leary
P.O. Box 43
Riggins, ID. 83549

RE: Application for Permit

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The \$30 application fee for the Kessler Creek site still needs to be paid. Once the payment is received, the application will be advertised and the approval process will continue.

Please send the \$30 fee as soon as possible to avoid delays in the water right process. Let me know if additional help is needed.

Sincerely,

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

Steve Lester
Sr. Water Resource Agent

Enclosure: Cancelled check and receipt

RECEIVED
OCT 01 1991

Copy of Receipt

→ W013232

RUCKUS O'LEARY
SUSAN O'LEARY
RIVER RT. GETTY CREEK LANDING
LEWISTON, ID 83501

269

4/18/1991 92-155/1241

PAY TO THE ORDER OF Dept of Water Resources Idaho \$ 30.00
Thirty dollars & 00/100 DOLLARS

KEY BANK Key Bank of Idaho
Riggins Office
P.O. Box 32
Riggins, Idaho 83549

MEMO Water Permit M. Ruckus O'Leary

⑆124101555⑆12 020991 6⑈ 0269 ⑈0000003000⑈

4/19/1991

O'LEARY, RUCKUS

APPLICATION FOR PERMIT

520199 1238 6390

30.00

CHECK

→ 269

for new application for springs &
Indian Creek

\$30.00

Region: WESTERN

Signature: _____

WEST ONE BANK
APR 22 1991 23
124100019
KEY BANK OF IDAHO
LEWISTON, IDAHO

92-155

APR 22 91

WEST ONE BANK
LEWISTON, IDAHO
APR 22 1991
#10N

0059 73153

For Deposit Only to the
Idaho State Treasurer's Account
by Department of Water Resources

OCT 01 1991

May 1 1991

State of Idaho, Dept of Water Resources
Sr. Water Resources Agent

Mr. Steve Lester:

RECEIVED
MAY - 6 1991

Department of Water Resources
Western Regional Office

Dear Steve

I have been working with you to fix up my lice #79-07153.
I have to-date sent you everything you requested of me.

I am now buying a 35 ac. parcel in Townships T24NR1E,
B.M. # T24NR1W of B.M. Map enclosed for your review.

I wish to file for the following water rights:

1. there is a spring shown in Red #1 in the draw near my house location #3 in red. It is 500' up the draw & 200' to the house at 700' pipe. The springs source is #2. above it on the Forest Service 400' thence down to where it again surfaces at #1 approx 700'. The springs purpose is to supply domestic water to our cabin, & water to a pond (X in red), chicken coop & various water travfss. At the spring site #1 I have to-date placed a 1000' gal fiberglass water tank, & thence layed out 500' of 2" PVC to be buried to the bottom of draw. There I have already buried 4' deep a 1" water line to house, coope, ponds etc with appropriate stop & waste hydrants. Related to the above, I'd like to apply to you folks for #1 & #2 diversion sites for the spring for above said uses.

Now.

2nd.

I have applied for permit for a 2" pipe on the Forest Service & in Kessler Creek 1400' above my property as shown at #4 in red. #4 is the diversion site. The purpose of said 2" pipe is to divert the 5 ac. meadow Ave circled in ink. We plan an orchard there. I have enclosed a map un marked for your use. We have planted a pasture on said meadow. All 2" pipes & gates are installed already 4' deep.

Enclosed is a home made map or system.

I would likewise like to apply to your office for the #4 diversion, said purposes. It also helps fill pond.

Would your office please put together the necessary paper to do above & send to me for signature & personal check. Sincerely Ruckus



OCT 01 1991





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

May 8, 1991

Mr. O'Leary
P.O. Box 43
Riggins, ID. 83549

RE: Application for Permit

Dear Mr. O'Leary:

Enclosed is a partially completed application for permit to establish a new water right from two springs and Kessler Creek as outlined in your recent letter. I prepared the application based on your description and maps in your letter.

The maximum amount of water for one home, miscellaneous stock water, and five acres of irrigation is included on the application. The total amount is .20 cfs or about 90 gpm. The domestic use is in Section 1 and other uses are in Sections 1 and 6 to provide maximum flexibility for your proposed uses. As long as all of the possible quarter-quarters (QQ) within each section are listed and as long as the total irrigated acreage is correct, it is not critical to be accurate in showing the number of acres per QQ. The actual number per QQ can eventually be determined by a field exam.

Please complete the following steps.

1. Name - complete application item #1 and include a phone number if applicable.
2. Pond size - include the estimated length, width, and average depth of the pond so that the pond volume can be estimated.
3. Signature - the application should be signed on page 3 (after the maps).
4. Fee - \$30 application fee is needed.

Return the completed application to me. If you need additional help, don't hesitate to contact me.

Sincerely,

Steve Lester
Steve Lester
Sr. Water Resource Agent

Enclosure: Application for Permit

RECEIVED
MAY 15 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Department of Water Resources
Western Regional Office

*See note
above*

OCT 01 1991

Please see over

Dear Steve Lester

Enclosed please find that I have there on
followed said instructions with one exception.

Regards to step # ~~4~~ opposite side.

* note.

Also enclosed please find my check # 269
which I sent you with my last (1st)
letter related to this matter. I believe
it is what you are referring to in step
4.

If I am incorrect, please advise
me at your earliest convenience & I will
remit by return mail. Please also
advise me if I am correct & return
my cancelled check.

Sincerely,

M. Ruckno O'Leary

RECEIVED
OCT 9 1987

RECEIVED

JUN 17 1991

AFFIDAVIT OF PUBLICATION

Department of Water Resources

STATE OF IDAHO

NOTICE OF APPLICATION FOR WATER RIGHT

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

77-07309

WALTERS, KENNETH

WALTERS, TAMMIE

P.O. BOX 31

RIGGINS, ID 83549

Source: SALMON RIVER Tributary:
SNAKE RIVER

Diversion Pt: SWSENE Sec 14 T 24N R
01E

Use: IRRIGATION (.400 CFS)

Total Diversion: (.400 CFS)

Date Filed: 3/6/1991

In: T24N R01E S14 SENE NESE NWSE
SWSE 20.0 ACRES TOTAL

79-07205

O LEARY, M. RUCKUS

O LEARY, SUSIE

P.O. BOX 43

RIGGINS, ID 83549

Source: KESSLER CREEK Tributary:

RACE CREEK, SOUTH FORK

Source: SPRINGS Tributary: KESSLER
CREEK

Diversion Pt: LOT 1 (NENE) Sec 1 T 24N
R01W

LOT 4 (NWNWNW) Sec 6 T 24N R01E

LOT 4 (SWSWSW) Sec 31 T 24N R01E

LOT 4 (SESWSW) Sec 31 T 24N R01E

Use: IRRIGATION (.150 CFS)

STOCKWATER (.010 CFS)

DOMESTIC (.040 CFS)

Total Diversion: (.200 CFS)

Date Filed: 5/20/1991

In: T24N R01E S01 NENE SENE

S06 Lot 4 (NWNW) Lot 5 (SWNW) 5.0
ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Western Region, 2735 Airport Way,
Boise, Idaho 83705 on or before JUNE
24, 1991.

R. KEITH HIGGINSON, Director
Published 6/5/1991 & 6/12/1991

J5-12

County of Idaho - ss.

Marietta Hanson

....., being
first duly sworn, says she is the Bookkeeper..... of the
IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho,
and is of general circulation in said county and state, that the
said notice, of which the one hereto attached is a true copy, was
published in said paper fortwo..... weeks, being published
.....two.....times, the first publication being on the
.....5th.....day ofJune....., 19..91....,
and the last publication on the.....12th.....day of
.....June....., 19..91...; that the said notice was
published in the newspaper proper and not a supplement; that
said newspaper has been continuously and uninterruptedly
published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or
advertisement.

STATE OF IDAHO }

COUNTY OF }

On this.....12th.....day of.....June.....in the year
of.....1991....., before me, a Notary Public, personally
appeared.....Marietta Hanson....., known or
identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared
that the statements therein are true, and acknowledged to me
that he executed the same.

Notary Public for Idaho

Residing at.....Grangeville, Idaho.....

My commission expires:.....9-10-92.....

OCT 01 1991

79-07205

O LEARY, M. RUCKUS
O LEARY, SUSIE
P.O. BOX 43
RIGGINS, ID 83549

Source: KESSLER CREEK
Source: SPRINGS

Tributary: RACE CREEK, SOUTH FORK
Tributary: KESSLER CREEK

Diversion Pt: LOT 1 (NENE) Sec 1 T 24N R 01W
LOT 4 (NWNWNW) Sec 6 T 24N R 01E
LOT 4 (SWSWSW) Sec 31 T 24N R 01E } T 25 N
LOT 4 (SESWSW) Sec 31 T 24N R 01E }

Use: IRRIGATION (.150 CFS)
STOCKWATER (.010 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.200 CFS)

Date Filed: 5/20/ 1991

In: T24N R01E S01 NENE SENE
S06 Lot 4 (NWNW) Lot 5 (SWNW)

5.0 ACRES TOTAL

OCT 01 1991