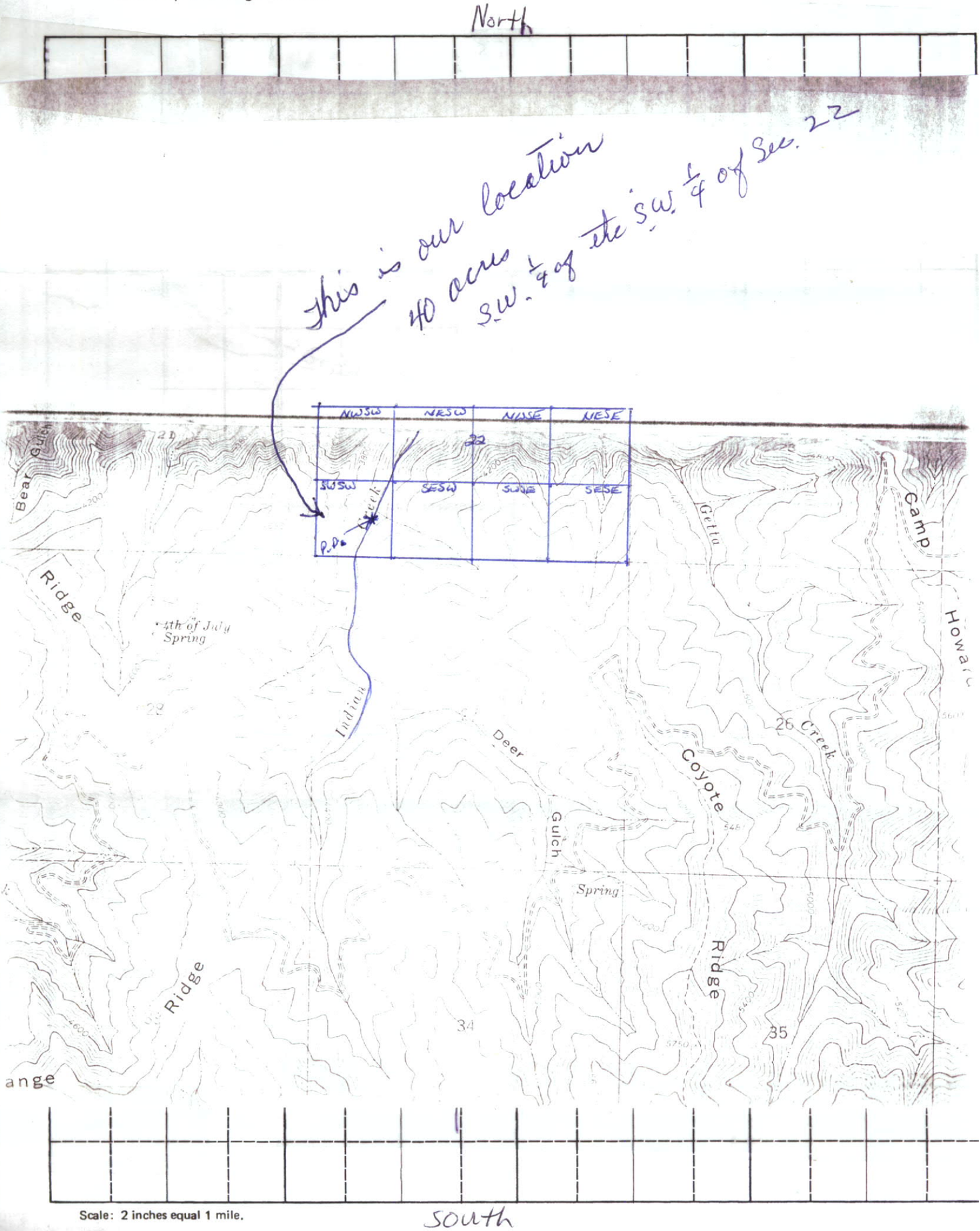
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

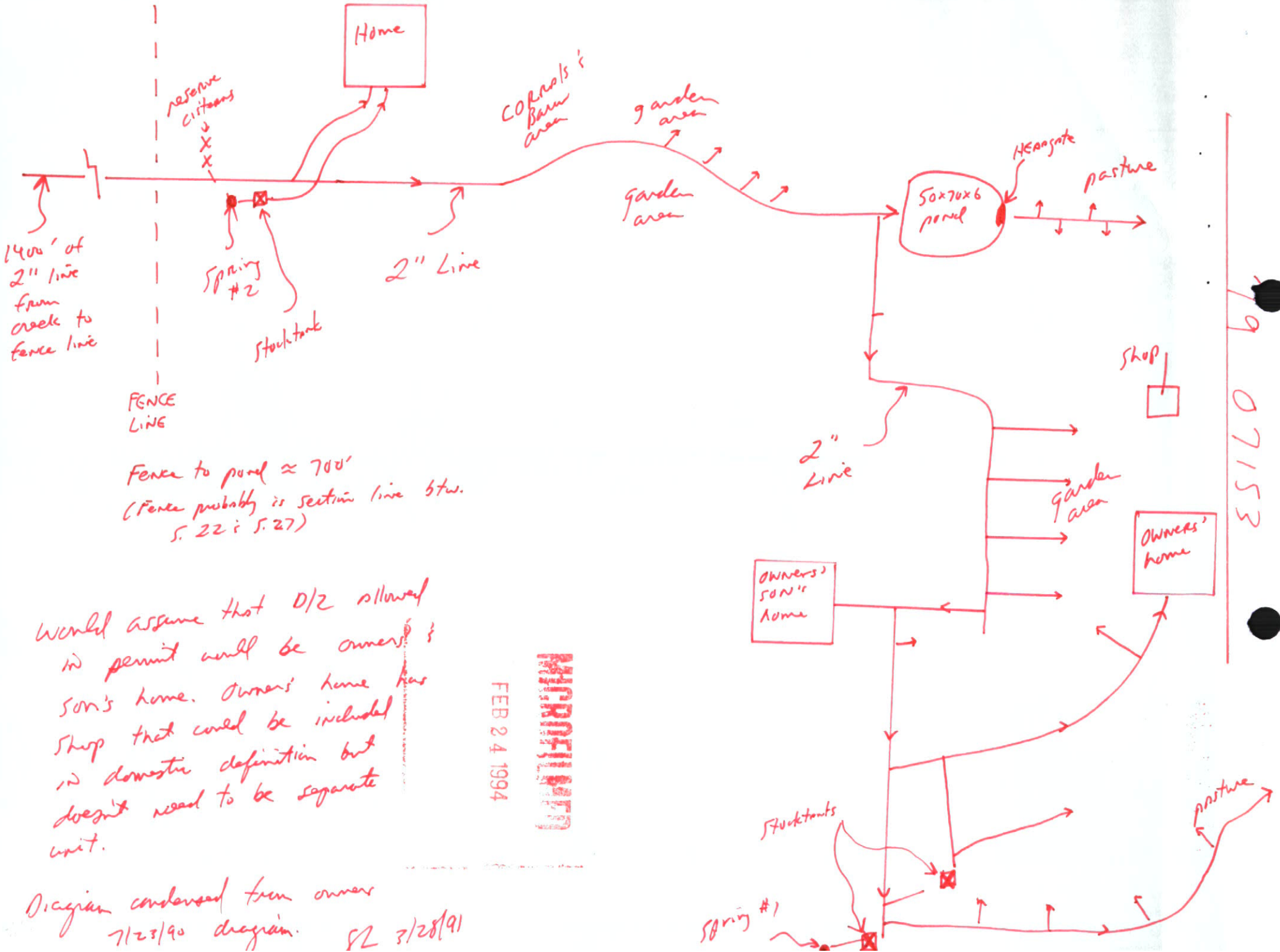


Scale: 2 inches equal 1 mile.

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

Key Way Corp. By Randy Wilcox
(Applicant) Treasurer

MICROFILMED



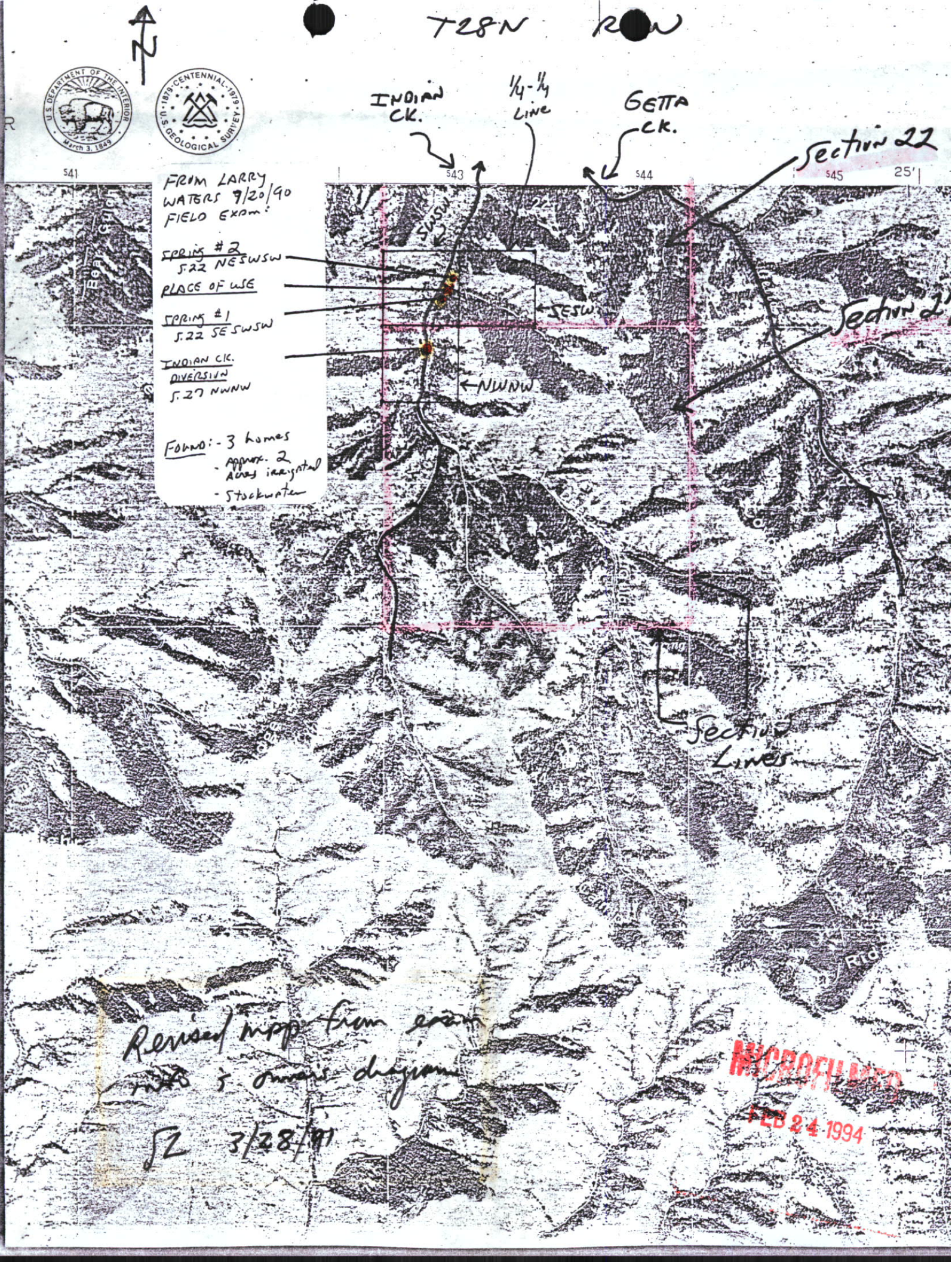
Fence to pond ≈ 700'
(Fence probably is section line btw. S. 22 & S. 27)

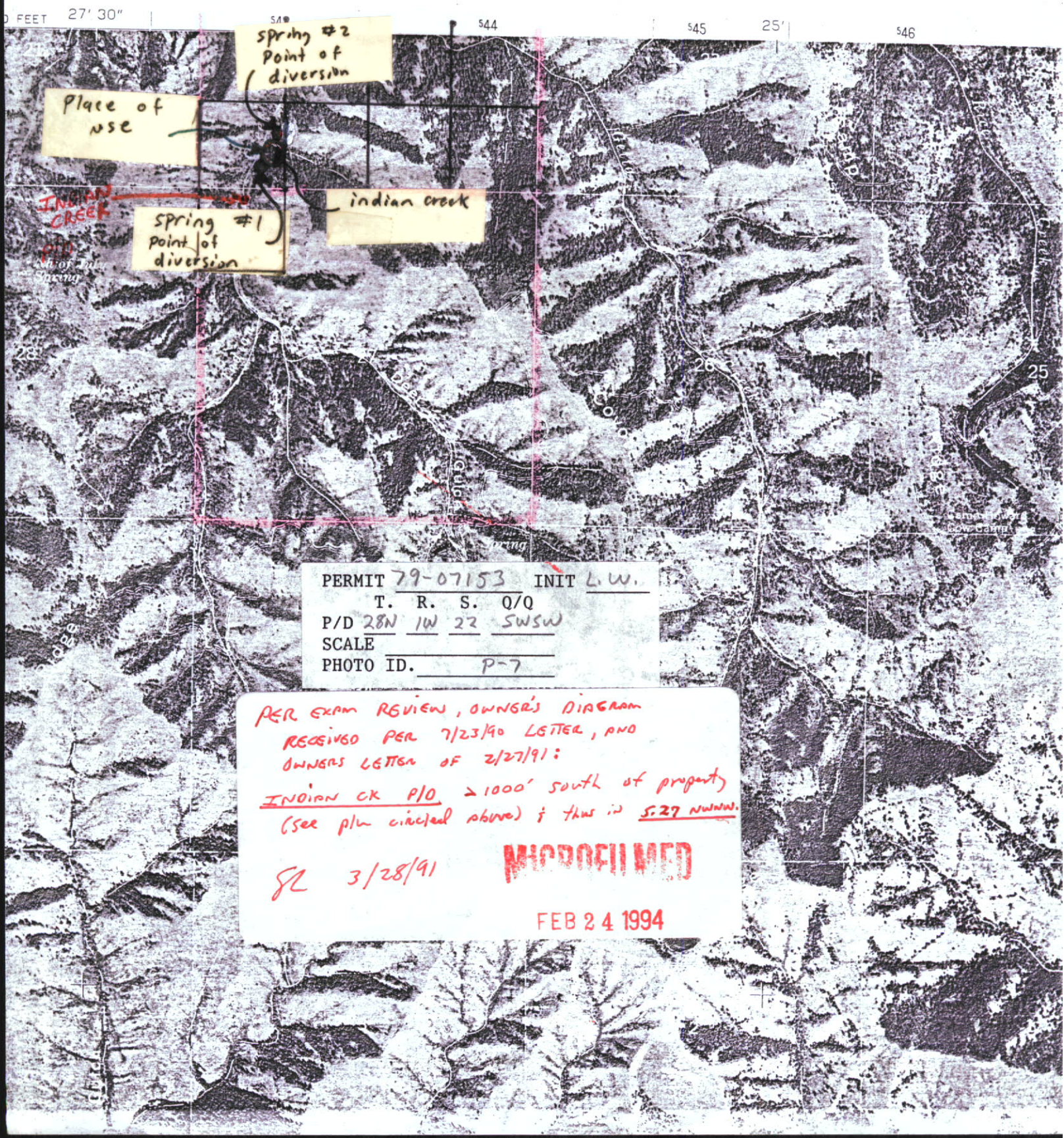
Would assume that D/2 allowed in permit would be owners' & son's home. Owners' home has shop that could be included in domestic definition but doesn't need to be separate unit.

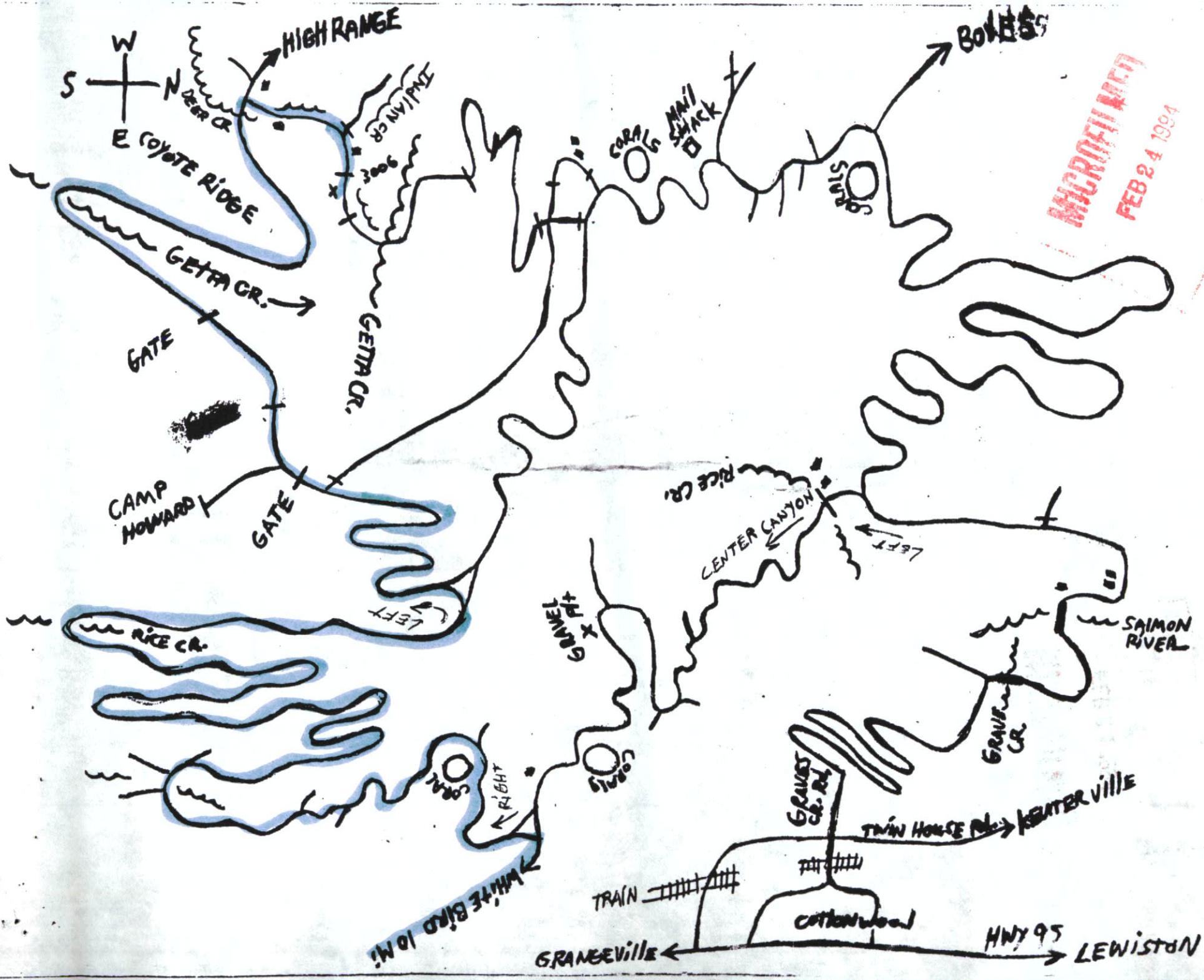
RECEIVED
FEB 24 1994
WATER RIGHTS

Diagram condensed from owner 7/23/90 diagram. SZ 3/28/91

07153


T28N R
INDIAN CK.
1/4-1/4 Line
GETTA CK.
Section 22
541
543
544
545
25'
FROM LARRY WATERS 9/20/90 FIELD EXAM:
SPRING #2 S.22 NESWSW
PLACE OF USE
SPRING #1 S.22 SESWSW
INDIAN CK. DIVERSION S.27 NWNW
FOUND: - 3 homes
- Approx. 2 Acres irrigated
- Stockwater
SWSW
SESW
NWNW
Section 21
Section Lines
Revised map from exam
MICROFILMED
FEB 24 1994
3/28/91


spring #2
Point of diversion
Place of use
INDIAN CREEK
P/D
spring #1
Point of diversion
indian creek
544
545
546
25'
27' 30"
FEET
PERMIT 79-07153 INIT L.W.
T. R. S. Q/Q
P/D 28N 1W 22 SWSW
SCALE
PHOTO ID. P-7
PER EXAM REVIEW, OWNER'S DIAGRAM RECEIVED PER 7/23/90 LETTER, AND OWNERS LETTER OF 2/27/91:
INDIAN CK P/D ≥ 1000' SOUTH OF property (SEE plat circled above) & THIS IS S.27 NWNW.
SL 3/28/91
MICROFILMED
FEB 24 1994



MICROFILMED
FEB 24 1994

79-07153

Picture #1 of flume carrying water from river bed to 250 gal. holding tank. Picture taken looking South.

RECEIVED
FEB 24 1994

Picture #2 of 250 gal. holding tank looking South. Water can be diverted to homes in low water years.

FEB 24 199

Picture #3 of spring #1 and flume carrying water to a 500 gal. Storage tank. Water is used for domestic use only. Picture taken looking east.

RECEIVED
FEB 24 1994

Picture #4 of Spring #2 with a 50 gal. cistern and a 500 gal. holding tank under ground. Picture taken looking east.

VED
1994

Picture #5 of a natural pond with a man made head gate. Pond is used for fire purposes & natural habitation. Picture taken looking South.

RECEIVED
FEB 24 1994

Picture #6 of home #1 and irrigated area around Home. Picture taken looking north east from pond.

Picture #7 of Home #2 and irrigated area around Home. Picture taken looking South east from pond.

MICROFILMED
FEB 24 1994

Picture #8 of Home #3 and irrigated area around home. Picture taken looking south from pond. Also shown in Picture is the 2" irrigation line from indian creek.

RECEIVED
FEB 24 1994

Picture # 9 of irrigated pasture for live stock. Picture taken looking west.

RECEIVED
FEB 24 1994

Picture #10 of live stock looking south west.

FEB 24

Picture #11 of stock water tank from overflow off spring #1. Picture taken looking north east.

RECEIVED
FEB 24 1994

Picture #12 of canyon where Homes & irrigation is. Picture taken looking South.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07153

Priority: June 28, 1983 | Maximum Diversion Rate: 0.08 CFS | Maximum Diversion Volume: 2.4 AF

This is to certify, that SUSAN LEE O LEARY
PO BOX 68
WHITEBIRD ID 83554-0068 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 28, 1983; and has submitted Proof of Beneficial Use on December 5, 1988. An examination indicates that the works have a diversion capacity of .380 cfs of water from:

INDIAN CREEK tributary to **GETTA CREEK**
SPRINGS tributary to **SINKS**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
DOMESTIC	01/01 to 12/31	0.08 CFS	2.4 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 22, Township 28N, Range 01W
NWNW , Sec. 27, Township 28N, Range 01W
IDAHO County

PLACE OF USE: DOMESTIC

TWN	RGE	SEC	
28N	01W	22	SWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water is diverted from two springs located within SWSW, S22, T28N, R01W.
6. Water diverted from Indian Creek is located within NWNW, S27, T28N, R01W.
7. Domestic use is for 2 homes.

[illegible]

FEB 24 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07153

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 29TH day of JANUARY, 1994.

Acting for R. Keith Higginson, Director

RECORDED

FEB 24 1994

RECEIVED
JAN 18 1994
Department of Water Resources

APPROVED

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 79-07153

Date of Priority: June 28, 1983

Maximum Diversion Rate: 0.08 CFS
Maximum Diversion Volume: 2.4 AF

Comes now SUSAN LEE O LEARY
PO BOX 68
WHITEBIRD ID 83554-0068 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. 79-07153, and requests that the permit be changed as follows:

Source: **INDIAN CREEK** tributary to **GETTA CREEK**
Source: **SPRINGS** tributary to ~~**INDIAN CREEK**~~ Jim Sinks #

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
DOMESTIC	01/01 to 12/31	0.08 CFS	2.4 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 22, Township 28N, Range 01W
NWNW , Sec. 27, Township 28N, Range 01W
IDAHO County

PLACE OF USE: DOMESTIC

TWN	RGE	SEC	
28N	01W	22	SWSW

APPROVED

FEB 24 1994

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, Id., this 12# day of January, 1994.

Per correspondence dated 1-12-94

Susan Lee O'Leary
(Signature)
P.O. Box # 43,
Riggins, Idaho 83549

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 79-07153

****

FOR DEPARTMENT USE ONLY

Preliminary check by cz Fee = $20.00 Receipted by DW # 0029449 Date 1/18/94

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 79-07153 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water is diverted from two springs located within SWSW, S22, T28N, R01W.
6. Water diverted from Indian Creek is located within NWNW, S27, T28N, R01W.
7. Domestic use is for 2 homes.

Witness my hand this 29th day of January, 1994.

Acting for R. Keith Higginson, Director

RECEIVED
FEB 24 1994

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	79-7153	Key Way Corp.	0.08 cfs
Full Assignment	79-7153	Susan Lee O'Leary	0.08 cfs

MICROFILMED

Form 217
03/86

RECEIVED
DEC 05 1988
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received $50.00
Date 12/6/88
Receipt # C003774
Receipt by CP
Reviewed by [illegible]
Sent to region ___

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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.

Permit No. 79-07153

Name(s) of Permit Holder: SUSAN LEE O'LEARY

Post Office Address: RIVER RT. GETTA CR. Lndg., LEWISTON, Id. 8350

Telephone No. NONE

Source of Water: INDIAN CREEK together with unnamed springs.

Extent of Use:

Domestic 2 (number of households)

Stockwater 15 pr. cows, 12 horse & mules, 15 pr. sheep. misc. poultry etc. (number and type of stock)

Irrigation ___ (acres)

Other/Remark ___

Total rate and/or volume for which proof is submitted .08 cfs ___ acre-feet

Show the date water was first diverted and beneficially used under this permit: first diverted 1982, requested permit 6/83

Measuring Device: Required? ___ Yes X No
Installed? ___ Yes ___ No

Fee enclosed $ $50.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ✓ Yes X No
Installed? ___ Yes ___ No

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

X SUSAN & OR Ruckus O'LEARY NONE
(Name) (Telephone Number)

RIVER RT. GETTA CR. Lndg. LEWISTON, Id. 83501 {NOTE ATTACHED RELATED TO THIS.}
(Address)

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.

RECEIVED
FEB 24 1994

Dec 5, 1988
Date

Susan lee O'Leary
Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

I, Key Way Corporation, hereby assign to SUSAN LEE O'LEARY

of RIVER RT. GETTA CK. Lndg. LEWISTON, IDAHO 83501
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 79-7153 to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

Made this _____ day of _____, 19_____.

RECEIVED
MAY 8 1985
Department of Water Resources
Northern District Office

x Norman Warner president of Key
Permit Holder

x Jeanie Warner By N.W.
Spouse of Permit Holder

State of Idaho)
ss.
County of Idaho)

On this 7th day of May, 1985, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~) (they) executed the same.

seal

Notary Public residing at
Cottonwood

My commission expires:
[illegible]

RECEIVED
MAY 13 1985
Department of Water Resources
Western Regional Office

MICROFILMED

Form 202
3/78

Ident. No. 79-7153

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Key WAY Corp. Phone None

   Post office address P.O. Box 170 Whitebird Id 83554

2. Source of water supply Indian Creek AND unnamed springs which is a tributary of Getta Creek

3. Location of point of diversion is SW ¼ of SW ¼ of Section 22 Township 28 N

   Range 1 W B.M. IDAHO County, additional points of diversion if any: ___

4. Water will be used for the following purposes:

   Amount .08 CFS (cfs ~~or acre-feet per annum~~) for Domestic purposes from JAN. 1ST to Dec. 31ST (both dates inclusive)

   Amount ___ (cfs or acre-feet per annum) for -0- purposes from -0- to -0- (both dates inclusive)

   Amount ___ (cfs or acre-feet per annum) for -0- purposes from -0- to -0- (both dates inclusive)

   Amount ___ (cfs or acre-feet per annum) for -0- purposes from -0- to -0- (both dates inclusive)

5. Total quantity to be appropriated:

   a. .08 cubic feet per second and/or b. ___ acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Water pipe or culvert with Filter & Headgate at the place of diversion possibly A springbox with pipe coming out of it from Spring. Gravity Flow System with small pipe

   b. Height of storage dam 3½ feet, active reservoir capacity 2 or less acre-feet; total reservoir capacity 4 or less acre-feet, materials used in storage dam: Rock, Wire mesh, Culvert

   Period of year when water will be diverted to storage JAN. 1ST (Month/Day) to Dec. 31ST (Month/Day) inclusive.

   c. Proposed well diameter is -0- inches; proposed depth of well is -0- feet.

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 – maximum 5 years).*

8. Description of proposed uses:
   a. If water is **not** for irrigation:
      (1) Give the place of use of water: SW ¼ of SW ¼ of Section 22 Township 28N

      Range 1W B.M.

      (2) Amount of power to be generated: ___ horsepower under ___ feet of head.

      (3) List number of each kind of livestock to be watered Appx. 8 Horses 15 Cows 4 Goats, 40 Chickens

      (4) Name of municipality to be served 2 FAMILYS, or number of families to be supplied with domestic water 2 Familys.

      (5) If water is to be used for other purposes describe: -0-

MICROFILMED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

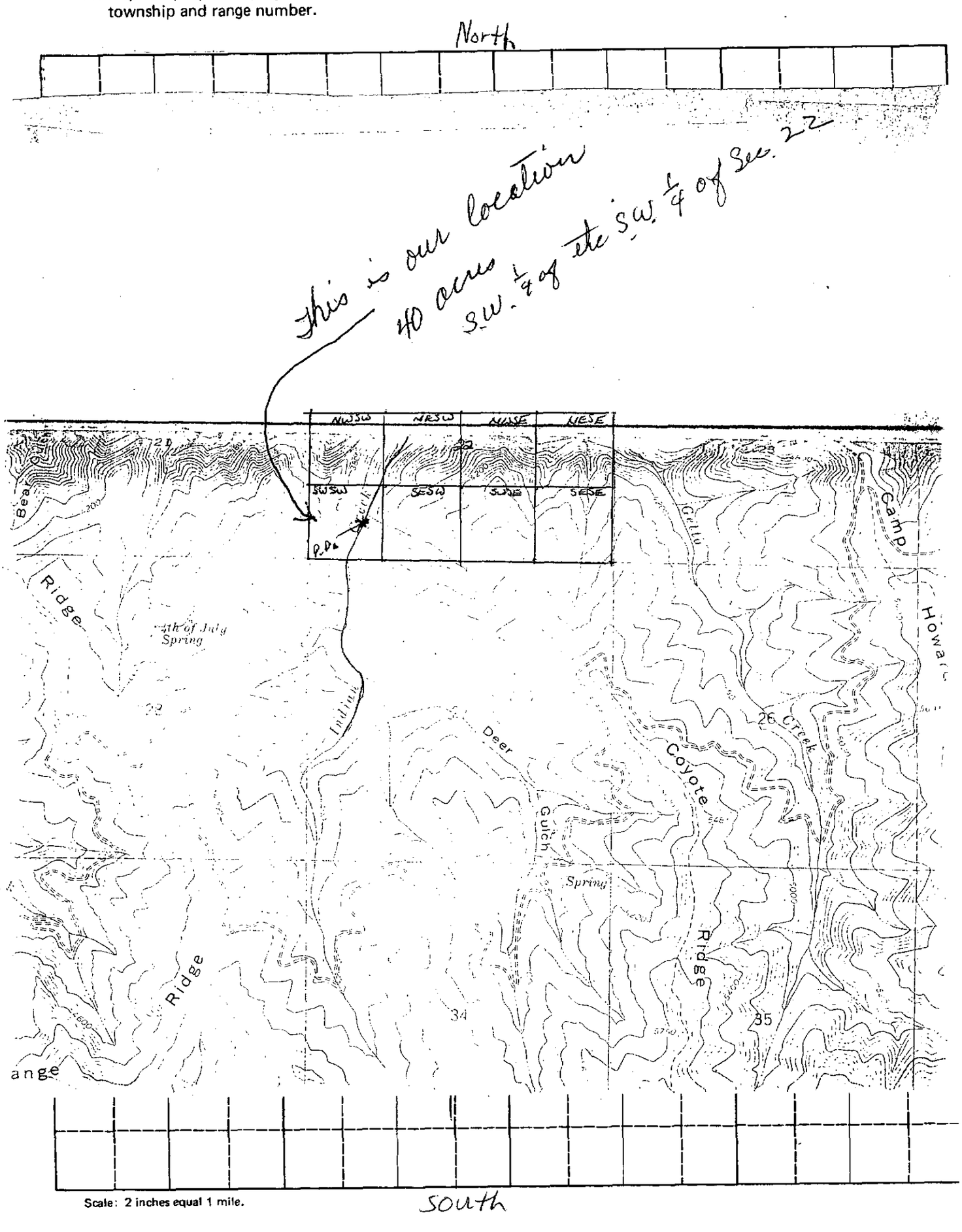
9. a. Who owns the property at the point of diversion Key Way Corp.

b. Who owns the land to be irrigated or place of use Key Way Corp.

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

10. Remarks _____

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



Scale: 2 inches equal 1 mile.

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

Key Way Corp. By Randy Weaver Treasurer
(Applicant)

AMENDED

Priority 6/28/83 11-3-83 10:00 am

Received by tw Date 6/28/83 Time 8:20

Preliminary check by JS Fee $ 30/26862

Receipted by SP Date 6/29/83

Publication prepared by SP Date 11/23/83

Published in Idaho County Free Press

Publication dates 12/1 & 12/8/83

Publication approved SP Date 12/12/83

Protests filed by: None

Copies of protests forwarded by

Hearing held by Date

Recommended for (approval) denial by DBS tw

MICROFILMED

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. 79-7153, and said application is hereby APPROVED.

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

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 89.

   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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 3rd day of January. 1984.

L. Glen Saxton
Chief, Operations Bureau

NOTICE OF APPLICATION FOR WATER RIGHT

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

77-7207

Sears, James D. &/or Marion R., Rt. 2 Box 4640, Inkom, Id 83245
Source: Unnamed Stream trib to Secesh River Spring trib. to Secesh River
Date Filed: 07/06/1983
Diversion Pt: SENW Sec 23 T 22N R 05E
Use: Irrigation (0.20 CFS) Domestic (0.27 CFS)
In: SENW Sec. 23 T 22N R 05E For 10 Acres.

77-7209

Medley, Don C., P.O. Box 946, McCall, Id 83638
Source: Spring trib. to Secesh River
Date Filed: 11/16/1983
Diversion Pt: SENW Sec 14 T 22N R 05E
Use: Domestic (0.04 CFS)
In: SWNW Sec 14 T 22N R 05E

78-7255

Fellom, Donald B. &/or Lorna D., P.O. Box 314, Riggins, Id 83549
Source: Squaw Creek trib. to Little Salmon River
Date filed: 11/10/1983
Diversion Pt: NWSE Sec 17 T 24N R 01E
Use: Irrigation (0.03 CFS) Stockwater (0.03 CFS)
In: NWSE Sec. 17 T 24N R 01E. For 1 Acres

79-7153

Key Way Corp., P.O Box 170, White Bird, Id 83554
Source: Indian Creek trib. to Getta Creek Spring trib. to Getta Creek
Date Filed: 06/28/1983
Diversion Pt.: SWSW Sec 22 T 28N R 01W
Use: Domestic (0.08 CFS)
In: SWSW Sec 22 T 28N R 01W

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Id 83720 on or before December 19, 1983.

Ken Dunn, Dir.

Published 11/30 & 12/7/83
N30-D7

AFFIDAVIT OF PUBLICATION

Nona Donaldson being first duly sworn, says he is the office manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which 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 2 weeks, being published 2 times, the first publication being on the 30 day of Novembe r, 1983, and the last publication on the 7 day of December, 1983; and 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 more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Nona Donaldson

Subscribed and sworn to before me this 7 day of December, 19 83

, Notary Public for State of Idaho, residing at Grangeville, Idaho.

MICROFILMED

Department of Water Resources
Western Regional Office

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 3, 1994

Susan Lee O'Leary
PO Box 43
Riggins, ID 83549

Re: Application for Transfer for License No. 79-07153

Dear Susan:

I wrote a letter to you in early 1991 regarding possible changes to water right no. 79-07153. At that time the right was a permit that could not be changed until the license was issued. The license was finally issued in January, 1994 (copy enclosed).

If you still want to alter the water right, an Application for Transfer is the method to use. Based on your previous information, you want to add a spring and change the creek point of diversion. The enclosed transfer application has been prepared to show the proposed changes. Page 1 of the application shows the right as you would like it to be, while page 3 lists the right as it was licensed. Page 5 is a map showing all of the diversion points that are desired. The last page is for your signature.

If you want changes other than those shown, please complete the blank form in a manner similar to the one that I prepared. To complete the transfer application process, a notarized signature and $30 fee are needed. Return the completed form to me.

Please do not hesitate to call me at 334-2190 if you have any questions. No reply is necessary if you do not want to change the license.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

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

January 31, 1994

SUSAN LEE O'LEARY
RIVER RT GRETTA CK LNDG
LEWISTON ID 83501

RE: WATER RIGHT NO. 79-07153

Dear Water Right Holder(s):

Enclosed herewith 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 feel free to contact this office.

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosure

NORTH CENTRAL REGION
FEB 24 1994

January 12, 1994

RECEIVED
JAN 18 1994
Department of Water Resources

Jim Johnson
Water Rights Supervisor
Dept. of Water Resources

Re: Water Right # 79-07153, & your letter to me of December 21, 1993.

Dear Jim Johnson:

To-date January 12, 1994, I am in reciept of your above said letter.

The matter of a water right has for us been very complicatid and expensive. I have paid you people money on too many occassion & I am getting more confused with time. I had thought that the last $50. you got from us [illegible] last.

RECEIVED
FEB 24 1994

The last sentence of your cover letter states I should contact you as soon as possible if I don't concur with your information. your letter states that I have only 14 days to respond, however your office has taken years to conclude this matter. In any case

as stated at the onset of this letter I have only just yesterday received your notice. I am therefore responding in a timely manner.

Relative to the copy of my "Application for Amendment" which accompanied your cover letter - those things I notice to be incorrect are as follows.

1. Source of specific springs on my property. Your paper states these springs are tributary to Indian Creek, however it should read, "sinks", as both said springs are a good distance from the said creek & both springs remain above ground only a few feet, thence they sink.

~~2. Location of~~ Otherwise I believe these papers to be correct.

Sincerely

W. R. O'Leary

NEW ADDRESS

P.O. Box 43,
Riggins, Id.
83549

RECEIVED
FEB 24 1994

MEMORANDUM

DATE: January 7, 1994

TO: File 79-07153

FROM: Donna Corless

SUBJECT: RETURNED MAIL

==========

An Application for Amendment of Permit, mailed to Susan O'Leary, at our address of record, PO Box 68, Whitebird, ID 83554 was returned by the U.S. Postal Service as: Forwarding Order Expired.

A telephone call to the Idaho County Assessor revealed that the current address is as follows:

Susan Lee O'Leary
PO Box 43
Riggins, ID 83549

The Application for Amendment was forwarded to that address today.

RECEIVED
FEB 24 1994

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 21, 1993

SUSAN LEE O LEARY
PO BOX 68
WHITEBIRD ID 835540068

RE: WATER RIGHT NO. 79-07153

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 correspond with the findings of the Department's field examiner.

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 $20.00 filing fee within 14 days.

If you do not concur with this information, please contact me as soon as possible.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED
FEB 24 1994

LICENSE REVIEW CHECKLIST

Permit # 79-7153 Date 12/17/93 Cindy Zimmerman

	Yes	No	
NAME	✓		Or Address Change? PO Box 68, Whitebird 83554
PRIORITY DATE 6/28/83		✓	Advance? ____ Advanced to: ____
			Order to Reinstate Needed?
			Incorrect Fee for rate recommended?
SOURCE spring/Indian Cr. Indian Cr/Getta Cr.		✓	Changes? Clarification of **Originally Intended** source ____
			Notice of Intent to Void - Source change.
P/D SWSW (1) §22 T28N R1W	✓		Amendment Needed? add NWNW S27, T28N, R1W
			~~Overlap(s)~~ *2/pd in SWSW: ① NESWSW ② SESWSW
P/U		✓	Amendment Needed? ____
			Overlap(s) ____
TOTAL CFS .08	✓		Measurement Done? 5 g bucket & stopwatch
			Spring #1 - 30 sec = 10 gpm Spring #2 25 sec. = 12 gpm Creek 2 sec. = 150 gpm } 172 gpm / 448.83 = .38 cfs
			System Capacity .38
			Allowable Amount: .08
TOTAL VOLUME 3.2			Season of Use: 1/1 - 12/31
			Calculations: 2 homes @ 1.2 AF/hm = 2.4 = 2.4
			Stock: 8 H/15C @ 12 g/ea = 276g 4 goats @ 2 g/ea = 8 g 40 chickens @ .1 g/ea = 4 g } = 288g x 365 / 325,850 = .3
			Flow limit: ____ x ____ x 1.9835 = 2.7 STORAGE: 50x70x6 / 43560 = .48 .5
			.5 3.2
USES dom/2			Change(s) in Nature of Use? ____
			Amendment Needed? add stock, stock stor, dom. stor.
REMARKS	✓		Multiple P/Ds in 1/4 1/4? 2 springs SWSW (& see above PD
			Special Overlap ____
	✓		Other ① Dom/2 ② Stock/8H, 15RC, 4 goats, 40 chickens

CONDITIONS				
		✓	Measure/Lock Devices	12/6/88 Proof Rc'd
		✓	W/Master Control	____ Water Dist
		✓	Irrigation Overlap	6/28/83 App Rec'd
		✓	Water Quality	3/28/91 Exam Made

COMMENTS: Amend P/D.

RECOMMENDED	CFS	DIV VOL
Dom/2	.08	2.4

LICENSE ____
1ST AMEND LETTER ✓ P 39
2ND AMEND LETTER ____ Check w/ Cindy before sending 2nd letter

WR0749NP
No. L79-07153

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 12/20/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	SUSAN LEE O LEARY PO BOX 68 WHITEBIRD ID 835540068	06/28/1983	DOMESTIC	01-01	12-31	0.08 CFS	2.4 AFA
				TOTAL DIVERSION:		0.08 CFS	2.4 AFA

Water Source: INDIAN CREEK SPRINGS
Tributary to: GETTA CREEK INDIAN CREEK
Stage: LICENSE

Point(s) of Diversion Capacity: 0.38 CFS

Point(s) of Diversion: T28N R01W S22 SW SW
S27 NW NW

Place of use Legal Description for: DOMESTIC

		NE				NW				SW				SE			
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac
28N	01W 22											D					

Pou County: IDAHO

Non-Irrigation Uses: D/2 HOMES

Remarks: Water is diverted from two springs located within SWSW, S22, T28N, R01W.
Water diverted from Indian Creek is located within NWNW, S27, T28N, R01W.
Domestic use is for 2 homes.

Dates:
App. Received: 06/28/1983 Priority Date: 06/28/1983
Proof Due Date: 01/01/1989 Proof Made Date: 12/05/1988
Exam Made Date: 07/20/1990 Exam Sent to S.O.: 04/01/1991
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 12/20/93 ZIMMERMA

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 79-07153

1. Owner: Michael & Ruckus c/o Susie L. O'Leary Phone No. —
   Current Address: P.O. Box 68 White Bird ID. 83554
2. Accompanied by: See original EXAM. DATE: 7-20-90 / ~~3-28-91~~
   Address: _____ Phone No. _____
   Relationship to Permit Holder: _____
3. Source: Indian Ck. Springs tributary to Getta Ck. Indian Ck.

B. OVERLAP REVIEW

1. Other water rights with same place of use: 79-07158 Cancelled Nov. 1990 ☐ Copies Attached
2. Other water rights with same point of diversion: _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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

See owner's diagram with 7/23/90 letter in original EXAM. Copy of layout not available at regional but approximated diagram of 3/28/91 is attached.

REVISED EXAM PREPARED BY Steve Lester 3/28/91

RECEIVED
FEB 24 1994

Scale: 1" = _____.

2. ☑ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
   Showing location(s) of point(s) of diversion and place(s) of use (required). (required for irrigation of 10 acres or more)
   ☑ Photo of Diversion and System Attached
   (required for all but single household domestic groundwater, and stockwater.

System Description (continued)

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

Flume is 2" line from creek and 2 springs with lines join in common system to provide domestic (internal & external) & stockwater use. A 50' x 70' x 6' pond is involved & utilizes the creek & springs water. Fire protection is involved with this water. Uses exceed permit, see Remarks.

☑ See Remarks on page 4 for continuation

4.

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

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

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

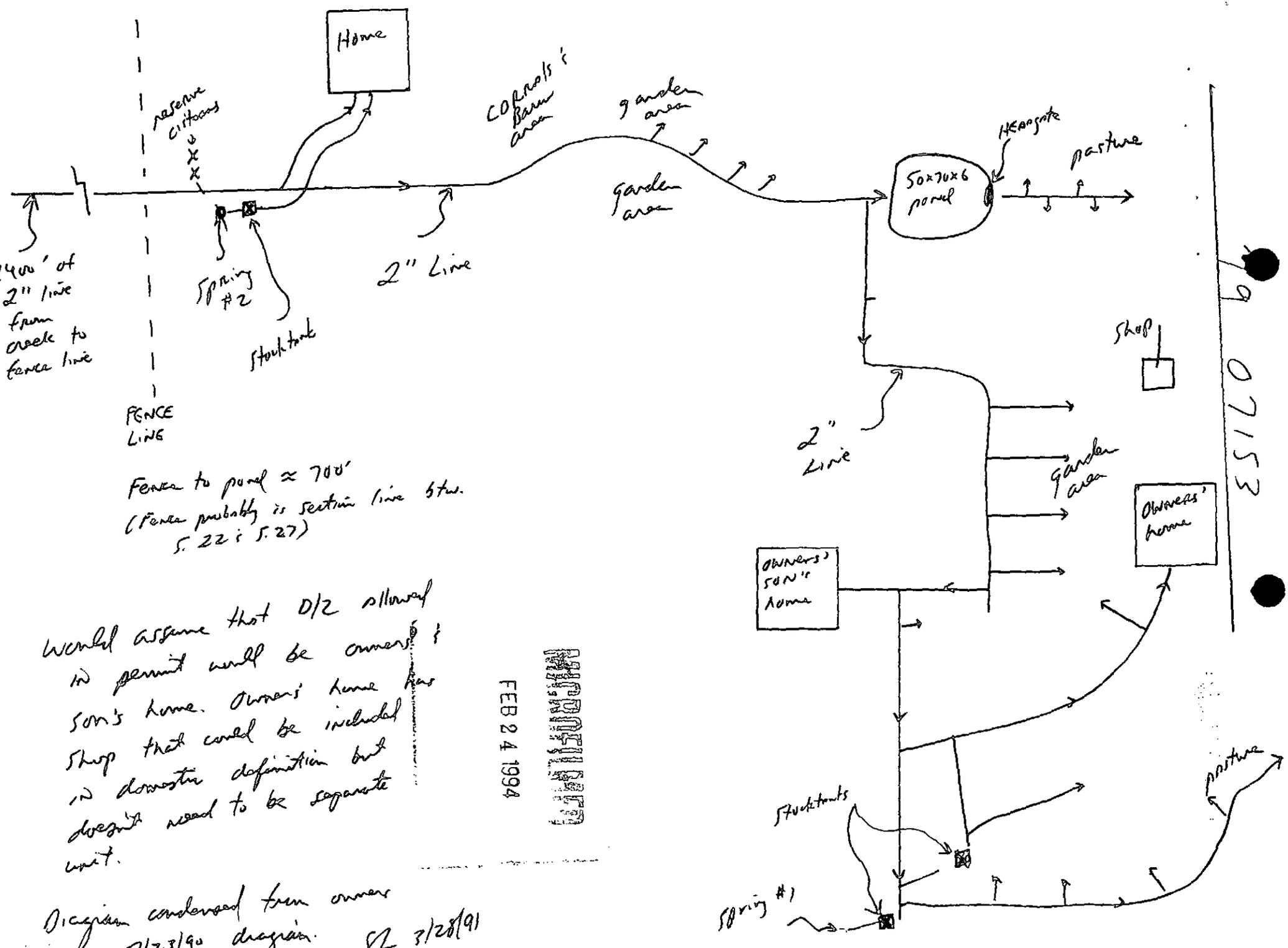
Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		—	NW	NW	27	28N	1W	IDAHO	7½' orthophoto - creek
		NE	SW	SW	22	28N	1W	IDAHO	- spring #2
		SE	SW	SW	22	28N	1W	IDAHO	- spring #1

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

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
28N	1W	22											D						—
													S						—

Do not use this space

FEB 24 1994

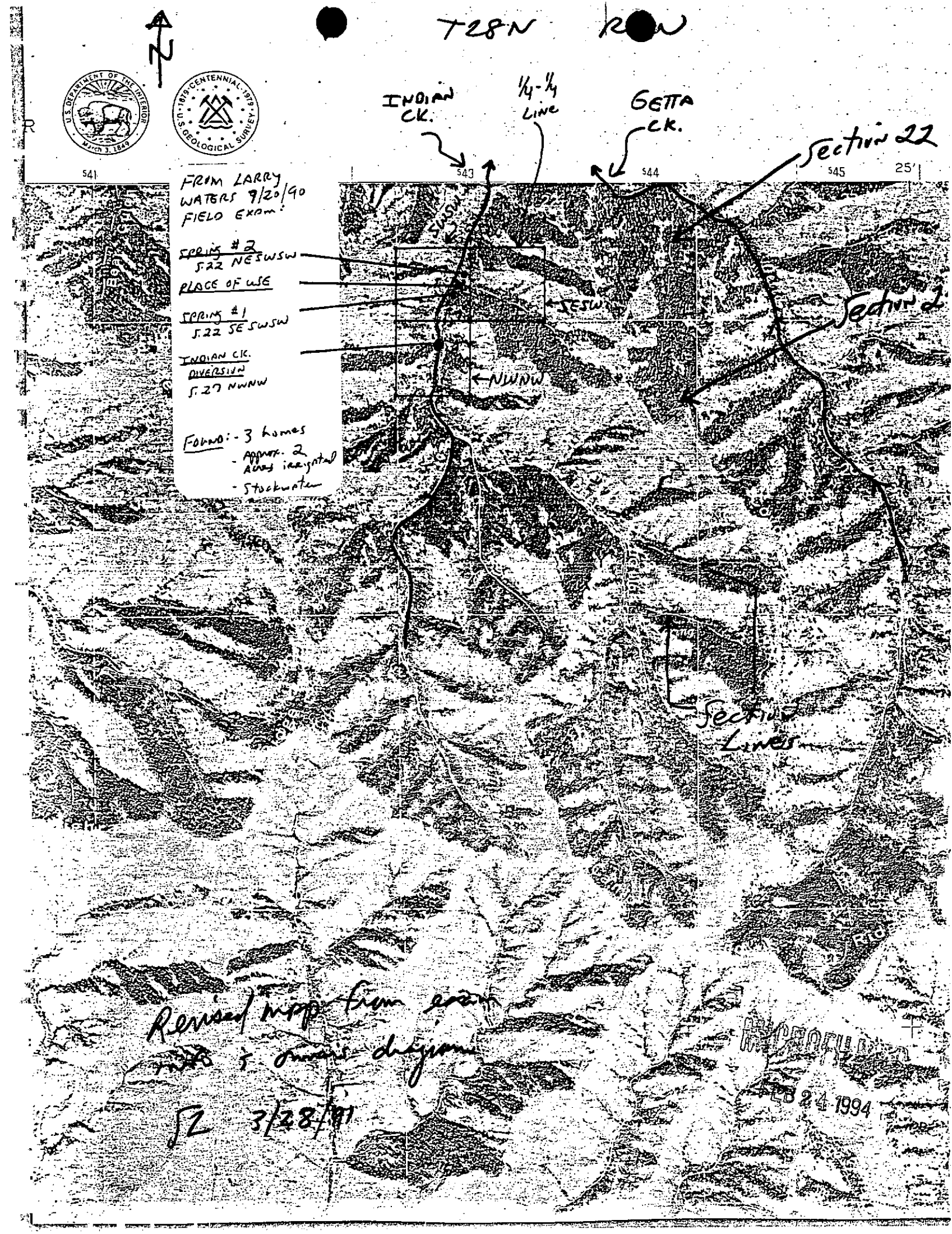


Fence to pond ≈ 700'
(Fence probably is section line betw. S. 22 & S. 27)

would assume that D/2 allowed in permit would be owners' & son's home. Owners' home has shop that could be included in domestic definition but does not need to be separate unit.

RECEIVED
FEB 24 1994

Diagram condensed from owners 7/27/90 diagram. SZ 3/28/91


T28N R9W
INDIAN CK.
1/4-1/4 Line
GETTA CK.
Section 22
541
543
544
545
25'
FROM LARRY WATERS 9/20/90 FIELD EXAM:
SPRING #2
S.22 NESWSW
PLACE OF USE
SPRING #1
S.22 SESWSW
INDIAN CK. DIVERSION
S.27 NWNW
FOUND: - 3 homes
- Approx. 2 Acres irrigated
- Stockwater
SESW
NWNW
Section 2
Section Lines
Revised map from engr
RECEIVED
FEB 24 1994
DOE
3/28/91

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Bucket					5 gal	
stop watch						

2. **Measurements:**

spring #1 5 gal / 30 sec
spring #2 5 gal / 25 sec.
creek 5 gal / 2 sec

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: $\frac{5 \times 60}{30} + \frac{5 \times 60}{25} + \frac{5 \times 60}{2} = 172$ gpm = .38 cfs

2. Alternate Method for Checking Purposes: ← N/A

MICROFILMED
FEB 24 1994

F. PUMP EFFICIENCY DATA (Optional) ← N/A

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

stock $\frac{[(23)(12)+(4)(2)+(40)(.1)](365)}{325850}$ = .3

1. Volume Calculations for Irrigation: ← N/A

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = _____ V. (.02)(365)(1.9835) = 14.5

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = max. allowed per # cows

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

Domestic - 2 homes with yards (= 1 acre) allowable from permit.
- max. .08 cfs allowed
(2)(1.2) = 2.4 V. (.08)(365)(1.9835) = 57.9

stock - see item 8a3 of permit: 8 horses x 15 cows = (23)(12)
4 goats = (4)(2)
40 chickens = (40)(.1?)

continued

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Permit for 2 domestic irrigated yards so can cover 1 acre. Found 3 homes (although original exam items shows 4, see photographs, examiner's notes on legal size paper, and owners diagram of 7/23/90 letter), 2 acres irrigation, stockwater, and 50×70×6' pond (50×70×6 ÷ 43560 = .5 a.f. capacity).

Uses exceeding permit will be covered by new application in process.

Allow limits of permit: 0'2. (which allows 1 acre irrig), stockwater, including .5 a.f. stored.

Since .08 cfs x 1.9835 yields .2 a.f./24 hr., may want to include storage in license OR include as Remarks. If license storage, add volume since permit included intent to store in item 66.

System capacity at least .38 cfs.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)	
Domestic	1/1	12/31	.08	2.4	
Stockwater	1/1	12/31	.02	.3	
Domestic storage	1/1	12/31	—	.5	only additive since
* Stockwater storage	1/1	12/31	—	.5	
		Totals:	.08	3.2	

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

ADDITIONAL N.C. = clarification of permit but not amendment of

J. AUTHENTICATION

Field Examiner's Name: Steve Lester

Signature: Steve Lester

Certification Date:

Field Report Preparation Date: 3/28/91

PROFESSIONAL ENGINEER REGISTERED David R.T. Tuthill Jr. 3909 CONSULTANT SEAL 4/3/91 STATE OF IDAHO DAVID R. TUTHILL JR.

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

* added:
Domestic from storage 1/1 - 12/31 — .5 a.f.
since water diverted from pond to field (part of domestic irrigation)

RECEIVED FEB 24 1994

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 79-7153

1. Owner: Ruckus &/or Susie O'leary Phone No. —
   Current Address: Rt. 4 Cotton wood Id. 83522
2. Accompanied by: Ruckus O'leary EXAM. DATE: 7-20-90
   Address: Same Phone No. —
   Relationship to Permit Holder: Owner
3. Source: Springs & Indian Creek tributary to Gett a Creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: None
   ☐ Copies Attached
2. Other water rights with same point of diversion: None
   ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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

see attached Page

ORIGINAL field exam.
See Revised exam based on examiner's findings & file info.
JL 2/28/91

RECEIVED
FEB 24 1994

Scale: 1" = _____.

2. ☑ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
   ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
   ☑ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater.

System Description (continued)

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

Springs & Indian Creek feeds a system of 4 houses for domestic use and about 2 acres of land for pasture & garden. See drawing for further explanation. System is gravity feed and no pumps are involved

☐ See Remarks on page 4 for continuation

4.

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

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

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

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SW	22	28N	1W	Idaho	Maps / on site inspection

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

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
28N	1W	22											D						

Do not use this space

FEB 24 1994

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Bucket					5gal	
Stop watch						

2. **Measurements:**

Spring #1 5gal/30 sec. = 10 gpm

Spring #2 5gal/25 sec. = 12 gpm

Indian Creek 5gal/2 sec. = 150 gpm

Total = 172 gpm = 0.38 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

0.38 cfs (from above)

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = ~~2 (4) = 8~~

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = ~~0.38 (246) (1.9835) = 186.9~~

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = ~~8 AFA~~

2. Volume Calculations for Other Uses:

4 domestic homes = 4 (1.2) = 4.8 AFA (for ½ acre each)

from tables

WATER RIGHTS

FEB 24 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

No overlaps

Limit to 0.08 cfs from permit and 4.8 AFA

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Domestic	1-1	12-31	0.08	4.8
Totals:			0.08	4.8

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

J. AUTHENTICATION

Field Examiner's Name: Larry L. Waters

Signature: Larry L. Waters

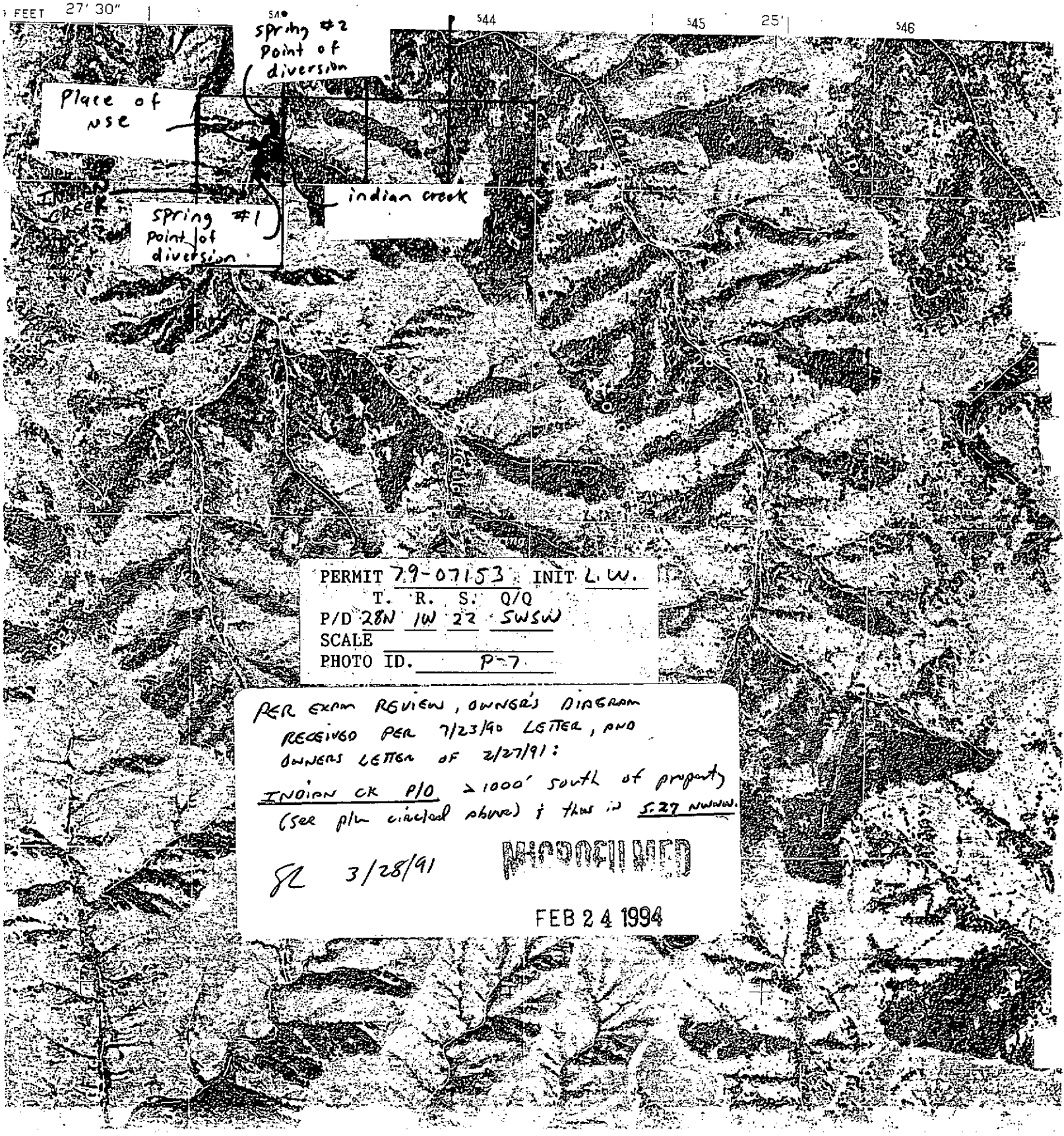
Certification Date:

Field Report Preparation Date: 8-17-90

CONSULTANT SEAL

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

RECEIVED
FEB 24 1994



PERMIT 79-07153 INIT L.W.

T.	R.	S.	Q/Q
P/D 28N	1W	22	SWSW

SCALE

PHOTO ID. P-7

PER EXAM REVIEW, OWNER'S DIAGRAM RECEIVED PER 7/23/90 LETTER, AND OWNERS LETTER OF 2/27/91:

INDIAN CK P/D ≥ 1000' south of property (see plat circled above) ; this is S.27 NWNW.

SL 3/28/91

RECEIVED

FEB 24 1994

Form 219-S.A.
Supplement
6-9-90

79-7153
Permit No.

ATTACHMENT A

SRBA CLAIM CHECK PER BENEFICIAL USE EXAM

EXAMINER Larry Waters DATE SUBMITTED 7-16-90

ADJUDICATION AGENT _____ RESPONSE DUE DATE _____

COUNTY Idaho OWNER'S NAME Key Way Corp / O'leary

PERMIT DATA	T	R	S	Q/Q	T	R	S	Q/Q
P/D	28N	1W	22	SWSW				
P/U	"	"	"	"				

ADJUDICATION DATA RELATING TO THIS PERMIT NUMBER

A. Check Permit Number for Adjudication Claim Filing

- [ ] Claim required for permit but not filed (examiner needs to notify permit holder during exam)
- [ ] Claim filed for permit and copy attached *
- [ ] Claim filed although not required (proof filed after 11-19-87)
- [X] No claim filed or required. JH 7.16.90

B. Check Adjudication Claims Relating to the Permit Holder but are Different Claims (new number - different right)

- [ ] Name index search
- [ ] Non-data entry claims search
- [ ] Claim found but large system no exam required *

Claims found requiring exam	Date field exam conducted	Exam data is in, Permit file	Attached
_____ Adj No.	_____	[ ]	[ ]
_____ Adj No.	_____	[ ]	[ ]
_____ Adj No.	_____	[ ]	[ ]

* copies included only if pertinent to permit field exam

MICROFILMED
FEB 24 1994

July 23, 1990 (concerning lic # 79-07153

Dept of Water Resources

att: Larry Waters:

RECEIVED
JUL 30 1990
Department of Water Resources
Western Regional Office

Dear Larry; after you left I sat down and did the best I could at drawing out my entire intergrated water system, showing where & how the springs are tied into the creeks main line & so forth. I know it is sort of crude but I hope it will serve to your needs.

Hope ya got to white Bird ok & no tire trouble. Thanks for everything & drop in if yer ever out this a way.

Sincerely,

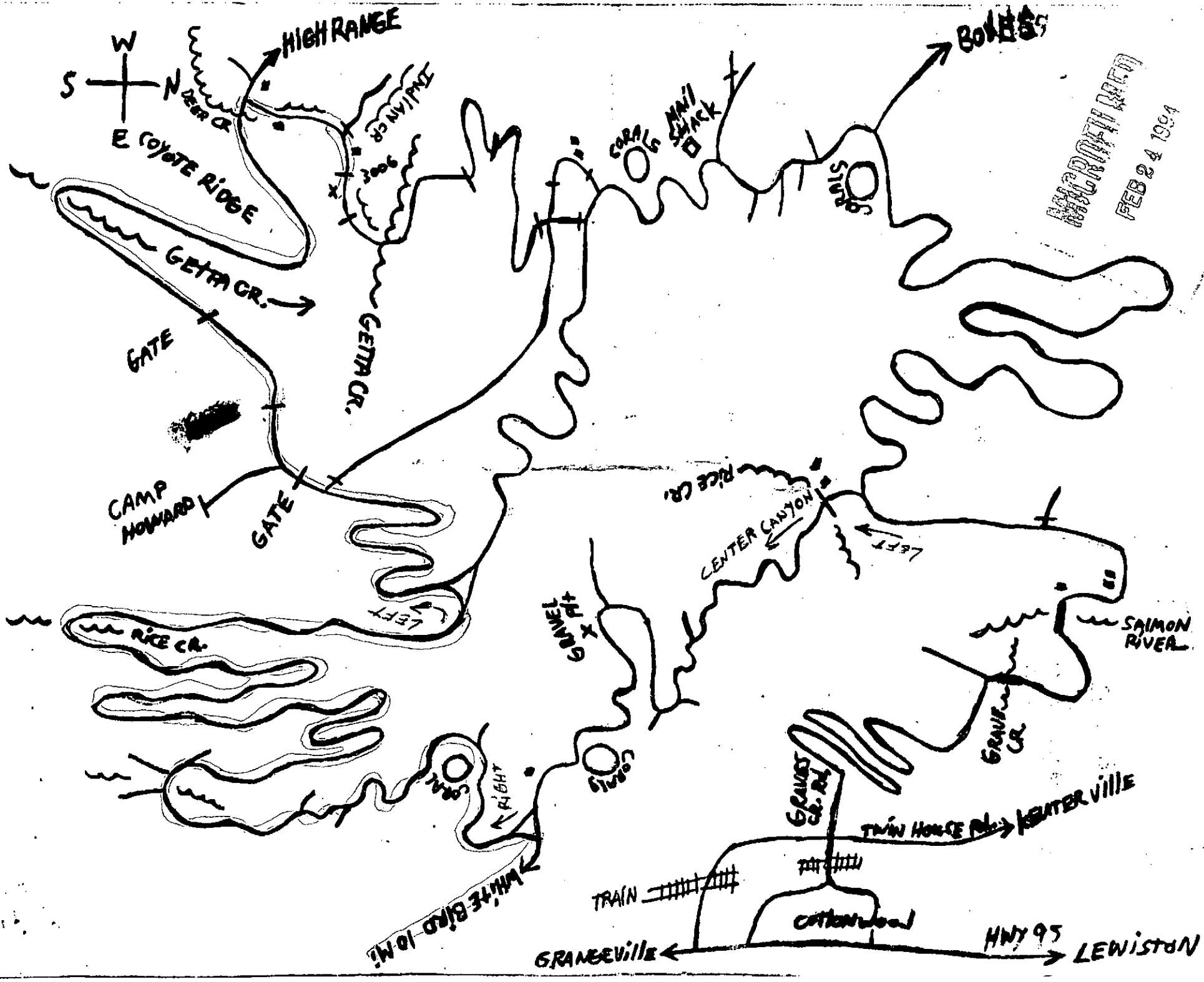
Ruckus n Susie O'Leary

Rt 4, Cottonwood, Id. 83522

MICROFILMED
FEB 24 1994

System diagram attached

79-07153


W
S
N
E
HIGH RANGE
DEER CR.
E COYOTE RIDGE
INDIAN CR.
GETTA CR.
GETTA CR.
GATE
CAMP HOWARD
GATE
LEFT
RICE CR.
CORA CR.
NAVI SHACK
BOISE
RECEIVED
FEB 24 1994
RICE CR.
CENTER CANYON
LEFT
GUMEL CR.
CORA CR.
RIGHT
WHITE BIRD - 10 MI.
SALMON RIVER
GRAVEL CR.
GRAVES CR. RD.
TWIN HOUSE RD.
KEUTER VILLE
TRAIN
CATTLEGUARD
HWY 95
GRANGEVILLE
LEWISTON

1. Ask in Cottonwood for Graves Cr. Rd.
2. From freeway to train tracks, aprox 1 mi.
3. From train tracks to Twin House Rd. 1 8/10 mi.
4. From Twin House Rd. to Graves Cr. bridge, 9 6/10 mi.
5. From Graves Cr. bridge to Salmon River bridge, 1 3/10 mi.
6. From Salmon River bridge to Center Canyon, 2 7/10 mi.
7. Up Center Canyon to gravel pile, 6 2/10 mi.
8. From gravel pile, past corals to the right turn above White Bird 2 1/2 mi.
9. From here to the first creek (small) with 2 roads going off to the left is 3 mi.
10. From this creek to where you turn left off this main road is another 4 1/2 mi. (TURN LEFT)
11. Now your on a slower road!
12. go straight and you come to a wire gate in 2 1/10 mi.
13. go straight and you come to another wire gate in 4/10 mi.
14. go straight and you cross a creek (Gitta) in 1 3/10 mi.
15. go straight and turn right 2 6/10 mi.
16. Straight down this road aprox two miles you come to a locked wooden gate across the road. Set the combination on 3006 then squeeze the lock and it opens. Your here!

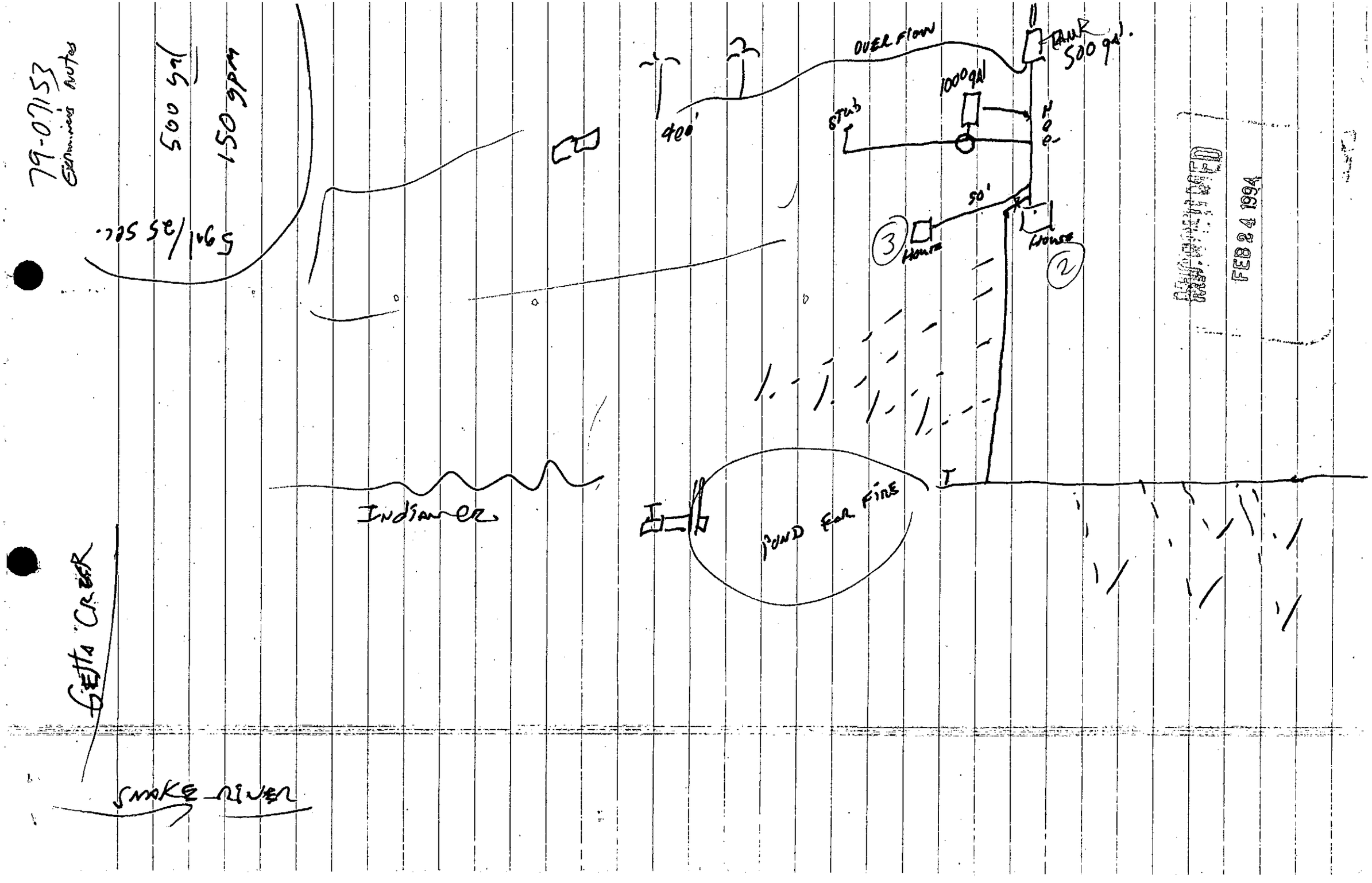
RECEIVED
FEB 24 1994

79-07153
Chemicals Autos

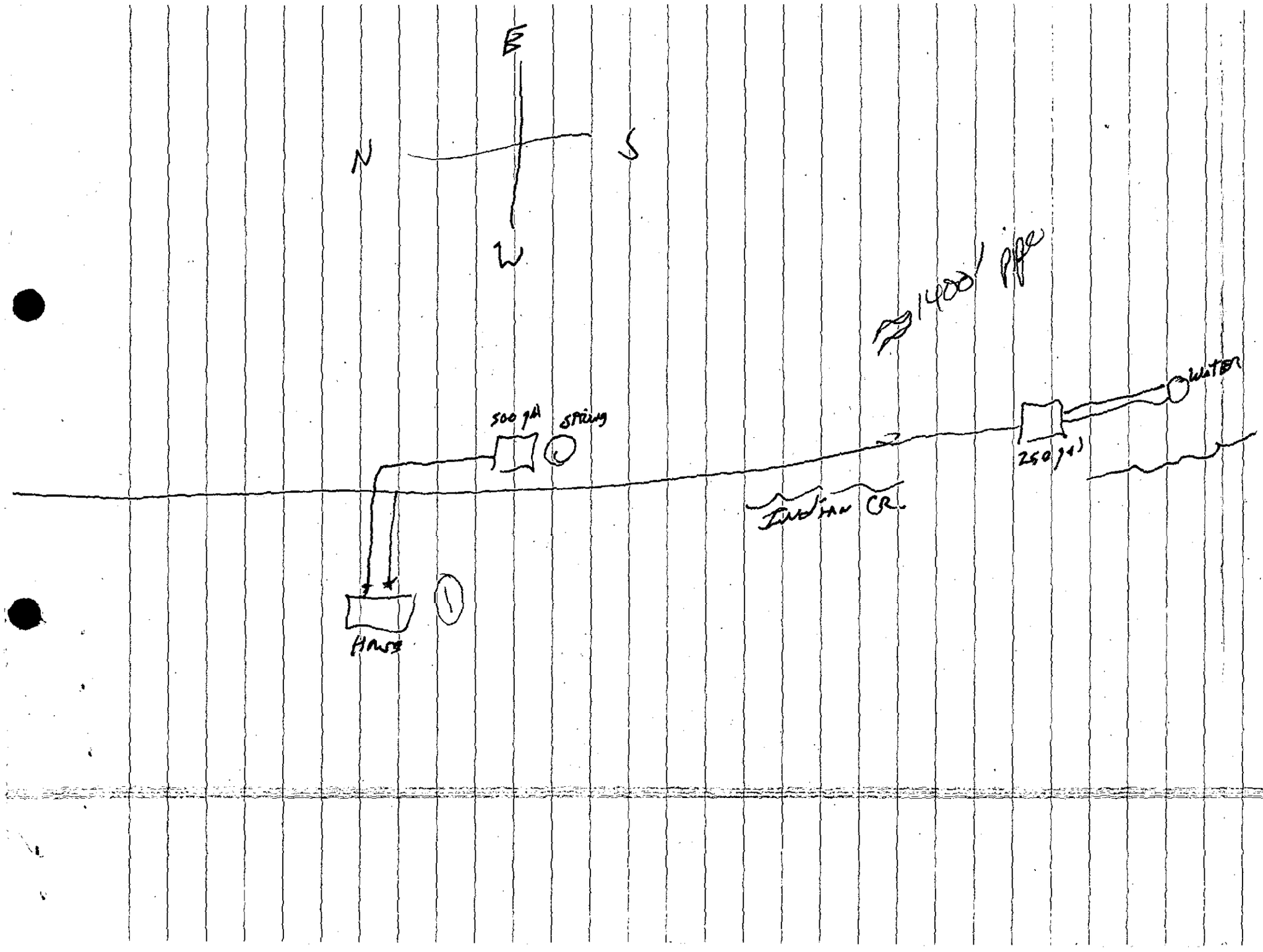
500 gal

150 gpm

.705 sec/165



RECEIVED
FEB 24 1994

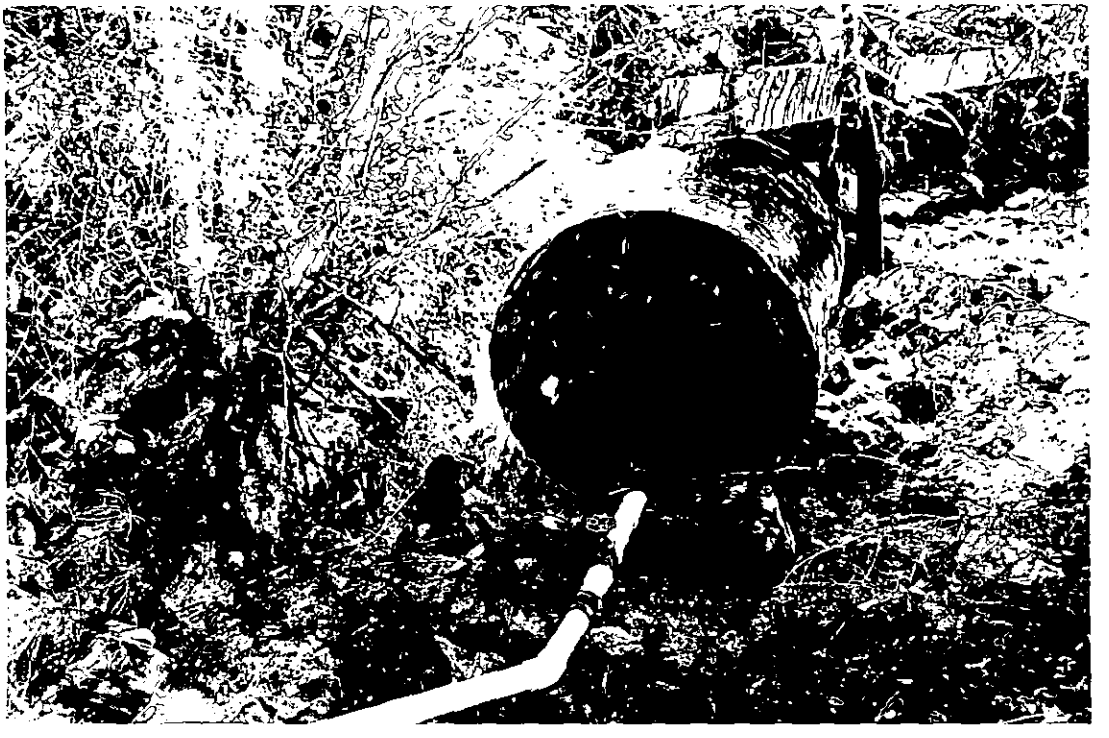


FILMED
FEB 24 1994

79-07153

Picture #1 of flume carrying water from river bed to 250 gal. holding tank. Picture taken looking South.

RECEIVED
FEB 24 1994



Picture #2 of 250 gal. holding tank looking South. Water can be diverted to homes in low water years.

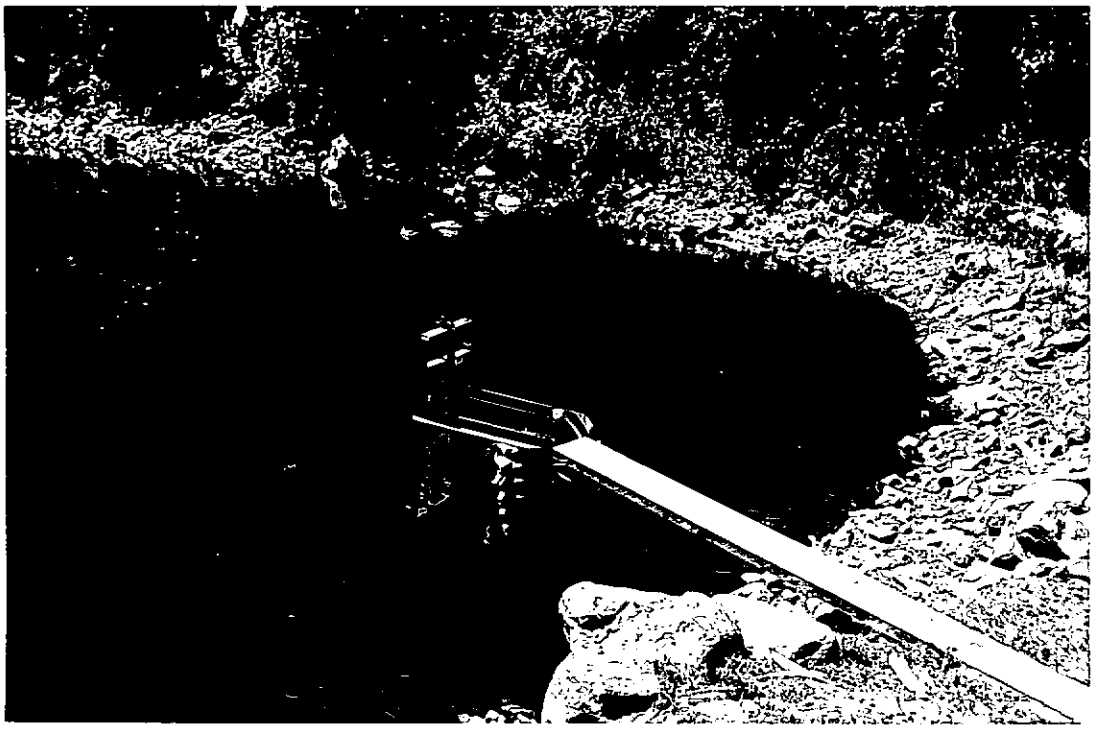
FEB 24 199

Picture #3 of spring #1 and flume carrying water to a 500 gal. storage tank. Water is used for domestic use only. Picture taken looking east.

RECEIVED
FEB 24 1994

Picture #4 of Spring #2 with a 50 gal. cistern and a 500 gal. holding tank underground. Picture taken looking east.

VED
1 1994



Picture #5 of a natural pond with a man made head gate. Pond is used for fire purposes & natural habitation. Picture taken looking South.

FILED
FEB 24 1994

Picture #6 of home #1 and irrigated area around Home. Picture taken looking north east from pond.

Picture #7 of Home #2 and irrigated area around Home. Picture taken looking South east from pond.

MICROFILMED
FEB 24 1994

Picture #8 of Home #3 and irrigated area around home. Picture taken looking south from pond. Also shown in Picture is the 2" irrigation line from indian creek.

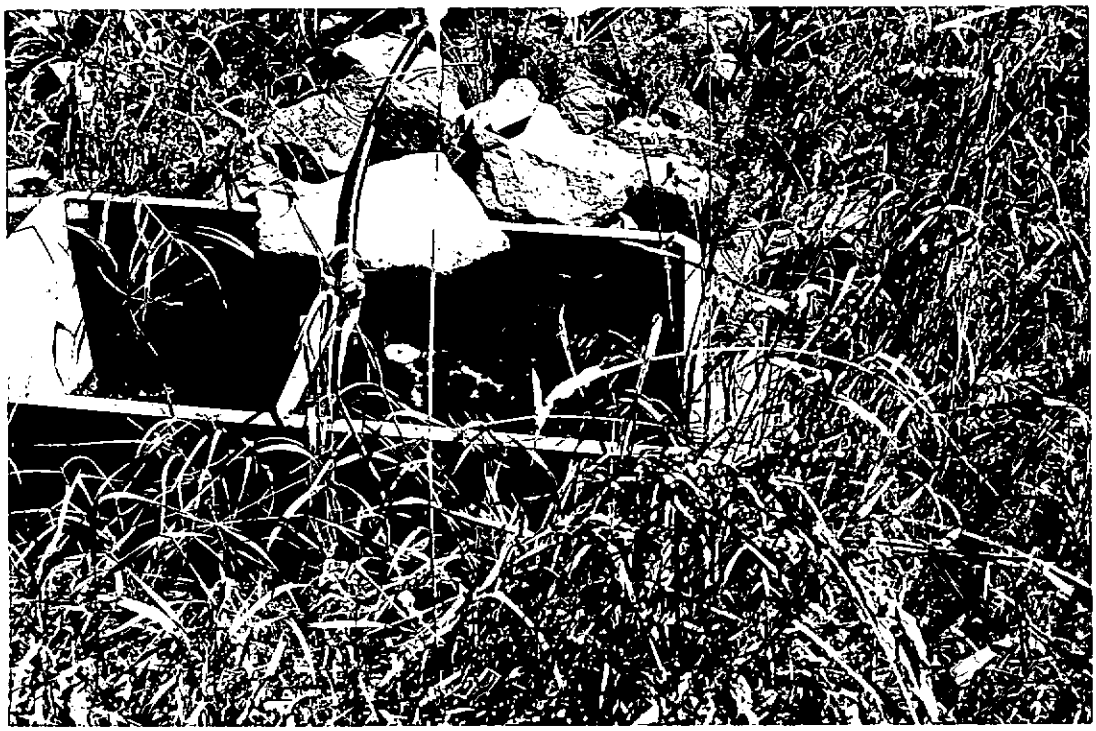
RECEIVED
FEB 24 1994

Picture # 9 of irrigated pasture for live stock. Picture taken looking west.

DEPARTMENT
FEB 24 1994

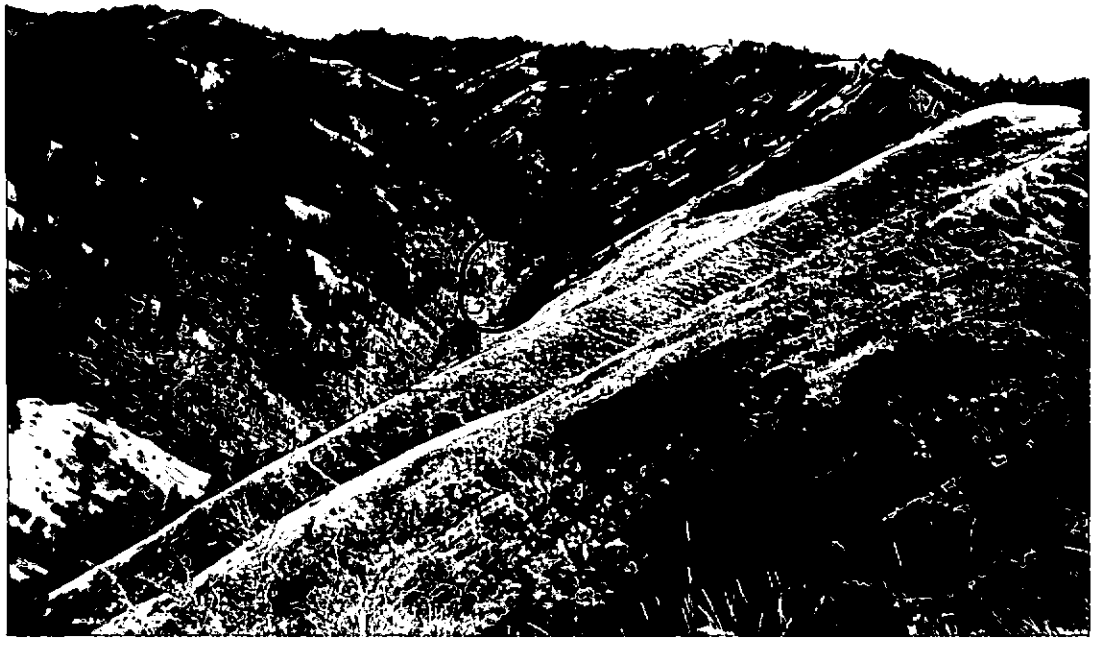
Picture #10 of live stock looking south west.

FEB 24 1994



Picture #11 of stock water tank from overflow off spring #1. Picture taken looking north east.

RECEIVED
FEB 24 1994



Picture #12 of canyon where Homes + irrigation is. Picture taken looking South.

FEB

INTER-DEPARTMENT MEMO — 1

FROM Steve Lester DNR

TO Jim Johnson

DATE 3/28/91

79-7153

SUBJECT REQUEST FOR EXPEDITED LICENSE

Per owner's 2/24/91 letter, attached, owner needs to relocate creek pld from neighbor's land to his own. Also needs to work with BLM to add spring from BLM property to this system. A new appl is in process to cover user exceeding permit.

Please licence as soon as can and send me copy of licence. I'll prepare transfer & send it to owner at that time.

Thanks, SL

SIGNATURE

FEB 24 1994

(1)

RECEIVED
FEB 27 1991
Department of Water Resources
Western Regional Office

February 24/91

Robert B. Whitney

Relative to water lic # 79-7153

Sir;

During the summer of 1990 a Mr Larry Waters a water rights examiner from the Western Regional office came into these mountains to inspect my water systems. He did inspect said systems & photograph same.

#1. I have to-date never heard back from Mr. Waters nor have I recieved a proof from the State of Idaho that I now have a permanante right to said water & its use as explained on Ident, No. 79-7153. Please advise me related to this at your earliest convenience.

2ndly; Since Mr. Waters examined my system in gross, I have now got to make certain changes.

FEB 24

1. relative to the main spring which supplys water from the apparent spring source to my two homes. I wish to ~~change~~ add a point of deversion from the water fall Mr. Waters photographed & extend a pipe up country (East) aprox 400' onto BLM property to a spring located there which may be the true point of beginning. I have already applied to the Cottonwood BLM office to a Mr. Danny O. Wilson (area manager) thereat. He has oked & inspected what I am doing on the BLM land & issued me a 30 year lease right of way to the spring. He informs me that I may have to apply to your office to add this

point of diversion to my existing water right 72-7153. Please note - I don't wish to disturb anything I have already got in place, & I wish to continue to get water from my existing point of diversion a spring situate in the E½ E½ of the SW¼ SW¼ of SEC 22 Township 28 N, R1W, BOISE MERIDIAN. What I wish to do is to add to that point of diversion another diversion 400' East up the natural draw located there & place a spring box there as it seems that this final spot may will be the springs actual source or point of beginning. In any case I am not changing or increasing the amount of water I will be getting.

Mr. Wilson of the Cottonwood BLM Office sent me your card together with Idaho dept of water Resources form #222 part 1 & 2, to achieve the above purpose. I tried very hard to fill it out but I failed completly. Please send me a couple more copys of form #222. Also when will one of your people be back in this area as I'm very sure I don't have any idea of how to fill out this form #222 when I recieve it ahead. I certainly would like some help when doing so.

The above concludes my first two problems.

3rdly.

FEB 24 1994

Also since water rights examiner Mr. Waters (an appropiate name for a water man) was last here I have recientl been served with a paper ordering some of my water piper to be removed from neighboring land out of the creek bottom. Said pipe is a total of 2100' feet long. My neighbor wishes me to remove the 1400' which has been on his property for the last 6 yrs. This I will do & so I wish to change my point of deversion for my 2" pipe to my gardens & field from Section 27 to my property line in Sec 22 T28N R1W, B.M.

Neither of the two mentioned changes

1. additional point of deversion of a spring.
2. diffirent point of deversion of a creek.

will increase or decrease the amount of water I recieve by gravity flow system I have put in place here.

1. My question about this matter is as follows. How do I accomplish the above?
2. Can I recieve help from a learned person at your office to do this?
3. What are the fees involved?
4. Would any of this affect my established water right date.
5. Can I recieve from your office a copy of my Final WATER RIGHT as per Mr. Waters stated I would soon recieve several months ago?

Please get back to me on this matter as the BLM say I am responsible to prove to them I have a water right in that draw E½ E½ SW¼ SW¼ SEC 22 T28 N R 1 W B M. I of course do, but you folks have all the papers.

Thank you in advance

Sincerely

Michael Anders & Susie Lee O'Leary

NEW ADDRESS

P O Box # 68

WHITE BIRD, Idaho

83554

RECEIVED
FEB 24 1994

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 21, 1989

RE: Permit No. 79-7153

Susan Lee O'Leary
River Rt. Getta Cr. Landing
Lewiston, ID 83501

Dear Mrs. O'Leary:

We recieved your letter regarding the above referenced permit on December 5, 1988. I am sorry, but I cannot find the letter you sent to me in July 1988. However, I hope this letter will answer all of your questions.

The Department has received your paper showing that you have put your water system in and are using it. The next step is for a department employee to make an inspection of your water system.

I don't make the inspections so you will be contacted by a field examiner from our Western Regional Office. This person will probably attempt to contact you prior to making the inspection. The Department has been very busy and I am not sure when an examination will be scheduled.

If any additional information is required, you will be notified of such. I will not be sending you any more letters until after the field examination is completed. However, if you have any further questions please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:hm

RECEIVED
FEB 24 1994

1/00

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 79-7153 Date: 12.8.88

General Considerations:
- Y Name same as permit
- Y Signature the same as permit holder
- N Address change _____ If yes, prepare a data entry
- Y Proof received timely
- _____ Reinstated

Source of Water:
- Y Surface water
- _____ Groundwater
  - _____ 1. well log in file
  - _____ 2. drilling permit
    - _____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:
- Y Rate of diversion appropriate for uses
  - Y Is rate or volume and fee appropriate?
- Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:
- _____ Is a measuring device or access port required?
- N/A Has one been installed?
- _____ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	-_____
No. of days late		=_____
Priority date	_____	+_____
NEW PRIORITY DATE	_____	=_____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

1st note:

RECEIVED
DEC 05 1988
Department of Water Resources

relative to permit # 79-07153 please refer to * (asteric).

Dear Folks:

We live on these premises & our mail does come to us by boat once a week. It requires an additional week to reply (2 weeks total) plus what ever time it takes to get from Lewiston to Boise.

During the winter months we are snowed in & it is impossible (generaly speaking) to inspect our water project at that time.

If you folks could come out say in the spring of 1989 around May our roads then are usualy open of snow & one of us could meet the examiner in either White Bird or Cottonwood (which ever is closer for yo) to guide you in.

Please advise us at your convience.

2nd note: Over please

RECEIVED
FEB 24 1994

2nd. NOTE

On July 9 88 I addressed a letter related to this permit # others to a Mr. Jim Johnson there at IDWR. To date no reply of any kind has been recieved # so I am simply to date doing here in as you legally require of me on this permit to keep it active while I await also Mr. Jim Johnsons reply.

Please advise.

Sincerly

FEB 24 1994

October 31, 1988
138130

SUSAN LEE O'LEARY
RIVER RT. GRETTA CK. LNDG.
LEWISTON, ID 83501

PROOF DUE NOTICE

RE: PERMIT NO. 79-07153

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, 1989. (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 compeleted your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

FEB 24 1994

Form 204-p
6/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 79-7153

Name(s) of Permit Holder(s): SUSAN LEE O'LEARY

Post Office Address: RIVER RT. GETTA CR. LNDO. LEWISTON, IDAHO 83501 Tel. No. NONE

☒ I hereby certify that construction of diversion works for the above referenced permit began on JULY 1, 1984 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

FEB 24 1994

*Note: A financing difficulty is not an acceptable reason.

JUNE 5, 1985
Date

Susan L. O'Leary
Signature of Permit Holder

SUSAN LEE O'LEARY
RIVER RT- GEITA CR- Indg-
LEWISTON, Idaho
83501

PLACE
STAMP
HERE

RECEIVED
JUN 12 1985

RECEIVED
FEB 24 1994

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Department of Water Resources

Rly file in 79-7153

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

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

RECEIVED
SEP 15 1987
Department of Water Resources

September 14, 1987

M. Ruckus &/or Susie Lee O'Leary
River Route, Getta Creek Landing
Lewiston, ID 83501

Dear Mr. & Mrs. O'Leary:

We have received your letter concerning Permit No.'s 79-7153 and 79-7158.

First, we'll start with a new law that went into affect on April 1, 1986. This law was drafted and enacted by the Idaho Legislature due to the large amount of proof of beneficial use examinations pending completion by the Department. These examinations are to verify your water right and issue a final license on your permit, which will remain with the land as long as the water is used. In this new law there is a fee now that must be paid when the proof of beneficial use is due. This fee has allowed the Department to hire more examiners to conduct field exams in a more timely manner.

Your permit No. 79-7158 has a proof due date of August 1, 1990. At that time a proof of beneficial use form will be sent to you to complete and return with the appropriate fee. One of these forms is enclosed for your review. The fee is based on the amount of water you are actually using, not necessarily on how much the permit was issued for. Permit No. 79-7158 was issued for .08 cfs for three domestic homes from Indian Creek and springs. The .08 cfs is the same as 36 gallons per minute and the exam fee for this amount is $50. Please note there is no fee for .04 cfs (18 gallons per minute).

Permit No. 79-7153, which was assigned to you by Key West Corp., is also for .08 cfs from the same source. If you only have a total of two or three homes, then the amount of water put on the beneficial use forms could be .04 cfs on each permit for a total of .08 cfs and no fees would need to be paid. Proof is due for permit No. 79-7153 on or before January 1, 1989. An additional proof of beneficial use form is enclosed for this permit. Please remember that this form needs to be submitted only if you have completed the water development applied for under these permits. If development is not completed then you have until the proof due dates mentioned to complete and submit the proof of beneficial use forms.

RECEIVED
SEP 28 1987

In your letter you discuss an application for amendment form to complete. These forms are normally filed only if a change in the legal description of the diversion point, place of use or purpose of the water has been made from what was stated on the permit. If you have made changes in the manner of diverting the water and conveying it, these changes need not be made on the permit. The way you install your system is up to your discretion. Any changes in the point of diversion, place of use or purpose can be verified and recommended by our field examiner at the time your exams are conducted. A field examiner will come from this office to your home to complete the exams and he/she can go over any amendments needed at that time. However, the proof of beneficial use forms enclosed will need to be submitted on or before the proof due dates mentioned above.

If you could write and tell me how many home are on the system and how many acres of irrigation, I could advise you further on what to file on for proof of beneficial use and possibly avoid paying an unnecessary fee.

Please feel free to call or write with any additional questions or information you may have.

Sincerely,

Jan Shurte
Sr. Water Resource Agent

JS:jp

MICROFILMED
SEP 28 1987

Aug 17, 1987

RECEIVED
AUG 21 1987
Department of Water Resources

Dear Folks,
Jan Grover & or Jim Johnson

I am writing you as it is from you that in the past I have written related to my attempts to both file for & amend my lice for a water right.
79-7158 & #79-7153

Friends. I will try to make my thoughts clear. As I am uneducated I am at present having trouble explaining myself & my present problem to you.

To date I have completed here on this property described on the water rights aplicaton a very good & workable water system to the homes existing & gardens, other buildings etc. Pliase understand that I am at a total loss at how to discribe it in terms that fit on your paper form (application for Amendment of a permit). Your kind letter of the past explains that I have plenty of time to get the work did. To date I have did all the work necessary to run our little spread but in truth it is a bit different than as I read my original plan & this only because by trial & error I adopted that originally would surely work as I can afford an Edsil. So please tell me if you have based in this area (Grangeville) o

RECEIVED
SEP 28 1987

(Lewiston) field workers whom I could rid-
out & call whom may at their convience
be pleased to come visit me & see what I
do both the physical project & also my
aplication; In this way all forms could
be completed correctly & possibly at that
time this person could complete the
(on-site examination) spoken of in your
letters.

If this is not possible please then tell
me where I might go when I can to eye
to eye speak & draw on paper what I
do to make these forms a happy end.
For me of course it would be a hard
ship to go to Boise & so if this paragraph
be the case I asks also again is
there any one here aboute in Lewiston
or Grangeville I might call
Friends; in advance I sincerly thank
both of you for all you've done for me
related to this matter & I await your
respected advice.

Hallelujah

M. Ruckers O'Leary
for my wife
Susie Lee O'Leary

RECEIVED
AUG 21 1987
Department of Water Resources
Western Regional Office
RECEIVED
SEP 28 1987

May 24, 1985

RE: Permit No. 79-7153

Susan Lee O'Leary
River Rt., Getta Ck. Lndg.
Lewiston, ID 83501

Dear Ms. O'Leary:

We are in receipt of an Assignment of the above referenced permit to you. Enclosed for your records is a copy of the permit.

Please note that one condition of approval on page four of the permit requires that construction of diverting works be initiated within one year of the date of approval of the permit. As of this date, our Department has not been notified that the commencement of works has been initiated. Therefore, the permit is not in good standing at this time.

In order for this permit to remain valid the enclosed blue postcard must be filled out and submitted to us within 30 days of the date of this letter. If we do not receive the commencement of works notification by that date we will initiate proceedings to cancel this water right.

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

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc
Enclosures

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KEY WAY CORP.
P.O. BOX 170
WHITEBIRD, ID 83554

JANUARY 17, 1984

RE: PERMIT NO. 79-7153

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

29-2153

KEY WAY CORP.

P.O. BOX 170, WHITEBIRD, ID 83554

Source: INDIAN CREEK trib. to GETTA CREEK
SPRING trib. to GETTA CREEK

Date Filed: 06/28/1983

Diversion Pt: SWSW Sec 22 T 28N R 01W

Use: DOMESTIC (0.08 CFS)

In: SWSW Sec 22 T 28N R 01W

MICROFILMED

Key Way

Route 4, Cottonwood, Idaho 83522

11-14-83

State of Idaho
Department of water Resources

attention: Jan Brown

Please excuse me for not getting an answer back to you sooner, but I have been away from home.

We have decided to simplify our request for water permitt by just settleing for 2 household domestic use permitts.

So what ever needs we may have for part time church group use "camp out" needs will probly be covered anyway in our domestic household use.

I hope this clarifies and answers your questions.

Thank you for you help and we hope you have a good day.

Sincerly Norman Warner
Rt. 4
Cottonwood, Idaho
83522

RECEIVED
NOV 17 1983
Department of Water Resources
Western Regional Office

MICROFILMED

The Saviour is the Key - The Saviour is the Way

October 14, 1983

Mr. Norman Warren, President
Key Way Corporation
P.O. Box 170
Whitebird, ID 83554

Dear Mr. Warren:

I received your letter concerning the application for permit submitted for water use out of Indian Creek and unnamed springs.

In that letter you stated that on occasion church groups congregate on your land and use this water source. In order to correctly file your application we need the approximate time period. The purpose of this is so that an accurate amount of water can be applied for. The amount cannot be in excess of how much water will actually be used.

Please submit this information and your application can then be processed smoothly.

Sincerely,

Jan Grover
Senior Water Resource Agent

JG/cjk

MICROFILMED

Sept. 30, 1983

attention: Jan Grover

Thank you for your correspondance concerning our application for water right.

The S.W. 1/4 of S.W. 1/4 of Sec. 22 TWP. 28 North Rge. 1 West is our correct legal discription of this 40 acre piece of property.

Also we would like to have the extra water applied for as we have groups of young people and church meetings camp meetings + ect on the property from time to time, non denominational.

I hope this answers your questions, if not please let is be of help to clear it up.

Thank you very much

Sincerely Norman Warner president
Keyway Corp.

MICROFILMED

RECEIVED
OCT 03 1983
Department of Water Resources
Western Regional Office

September 19, 1983

Key Way Corp.
P. O. Box 170
Whitebird, ID 83554

Gentlemen:

In the final review of your water right application, a problem was found with the amount of water applied for.

The Department recommends 0.04 cubic feet per second for a single family domestic use. This would be 0.08 cubic feet per second for two families. This is the same as 36 gallons per minute. The 0.20 cubic feet per second amount is the same as 90 gallons per minute, which is considered an excessive amount of water for two homes.

Domestic use includes in-house use, up to ½ acre of irrigation, and household stock.

If you still wish to file for 0.20 cubic feet per second, then some justification of that amount needs to be submitted.

There also seems to be a discrepancy in the legal description as shown on your map under Item No. 11. The SW¼SW¼, Sec. 22, Twp. 28N, Rge 1W is a 40-acre tract.

On your map it appears to be shown in the NE¼SW¼. For clarification, I am enclosing a copy of the topographic map for this area. Please mark your location on this map, check the legals as drawn in, and if the exact location is not in the SW¼SW¼, Sec. 22, then the application on Item No. 3 and 8a needs to be changed and initialED.

If you have any questions on these matters, please do not hesitate to contact me.

Sincerely,

Jan Grover
Senior Water Resource Agent

JG:kb

Enclosures

MICROFILMED