

New Meadows Quad | Meadows Quad



MICROFILMED
MAY 22 1996

FOR OFFICE USE ONLY

Amt. of Fee \$ 50Receipt No. 048863Receipt By: ThaneDate Received: 4-17-00

RECEIVED

APR 19 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

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

- Permit No. 7B-07380 Telephone No. 805/644-7458
- Name of Permit Holder(s) THANE-KEENER TRUST, W.D. THORP, TRUST
- Mailing Address 290 MAPLE CT. #200, VENTURA
City VENTURA State CA Zip 93003
- Source of Water: SURFACE If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
a. Well Driller: N.A. Drilling Permit Number: ____ - ____ - ____ - ____
- Use(s) (as authorized by the water right permit):
Domestic (No. of households): ____ Stockwater (No. and type of stock): ____
Irrigation (No. of acres): ____ Other: FIRE & WILDLIFE
- Total rate of diversion and/or volume for which proof is submitted: ____ cfs OR 2.0 acre feet
- Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes ____ or No X
Has the measuring device been installed? Yes ____ or No X
- Fee Enclosed: \$ 50 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
- Person to contact to accompany the Department representative during field examination of the water system.
Name: DICK YELTON Telephone Number: 208-347-2298
Address: Box 114, New Meadows, ID 83657
- The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

MICROFILMED

Signature of permit holder

(include your title, if on behalf of company or organization)

MAY 24 2000

Date:

4-17-00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

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

Permit No. 78-07380
Name(s) of Permit Holder: JOHNSON REEFER TRUST
Mailing Address: 290 MAPLE G #200, VENTURA, CA 93003
Date Proof is Due: 5-1-98 Telephone No. 805-644-7458

Describe what work has been completed toward the development of this water right:

(This must be filled out! If no work has been completed, show "none".)

POND TO BE CONSTRUCTED IN 1998

Costing \$ 20,000

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

WEATHER & MONETARY RESOURCES

Permit holder(s) request an extension to 10-1, 19 99.

FEE: \$50.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to May 1, 2000. MICROFILMED
IT IS FURTHER ORDERED that the permit is REINSTATED and the date of priority is advanced to September 3, 1995. APR 03 1998

Signed this 12th day of May, 1998.

A. Ann Saxton
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 78-07380

Proposed Priority: August 31, 1995

Maximum Storage Volume: 20.0 AF

This is to certify, that **JOHNSON ROEHLER TRUST**
PO BOX 207

NEW MEADOWS ID 83654-0207

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of **THRUSH CREEK**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31		20.0 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		20.0 AF
FIRE PROTECT. FROM STOR	01/01 to 12/31		20.0 AF
	Totals		20.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 8, Township 18N, Range 02E
ADAMS County

PLACE OF USE: WILDLIFE STORAGE

TWN RGE SEC

18N 02E 8 NWSW

PLACE OF USE: FIRE PROTECT. FROM STOR, same as WILDLIFE STORAGE use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **May 1, 1998**.
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. 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.
5. Use of water under this right is subject to control by the watermaster of State Water District No. 78A.
6. Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
7. The right holder shall install and maintain a low level outlet works on the impoundment structure in order to release stored water as directed by the watermaster.
8. The right holder shall cause all water entering the reservoir from July 1 to March 31 to pass through the reservoir and exit to the natural stream channel.
9. This right authorizes an annual volume of water to fill the pond and the amount required to replace losses through evaporation.

RECEIVED
MAY 22 1996

State of Idaho
Department of Water Resources

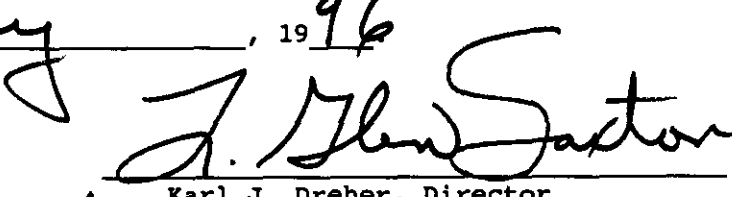
Permit To Appropriate Water

NO. 78-07380

CONDITIONS OF APPROVAL AND REMARKS

10. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.

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

10th day of May, 1996

for Karl J. Dreher, Director

MAY 22 1996

RECEIVED
MAY 03 1996

Ident. No. 78-07380

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JOHNSON ROEHLER TRUST
Address: PO BOX 207
NEW MEADOWS ID 83654
208-347-2746
2. Source: UNNAMED STREAM
Trib. to: THRUSH CREEK
3. Location of Point of Diversion: NWSW Sec. 8, Township 18N, Range 02E
ADAMS County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
WILDLIFE STORAGE	01/01	12/31			20.00
FIRE PROTECTION STORAGE	01/01	12/31			20.00
FIRE PROTECT. FROM STOR	01/01	12/31			20.00
5. Total quantity to be appropriated is:
CFS (and/or) 20.00 AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
ON-STREAM DAM AND POND COLLECTS RUNOFF; SAME POND AS 78-07381
 - b. Height of storage dam 8 feet; active reservoir capacity 20.00
acre-feet; total reservoir capacity 20.00 acre-feet; period of
year when water will be diverted to storage: ~~1/01 to 12/31~~ inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for 04/01 to 06/30 *

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 2 year(s).

8. Place of Use: WILDLIFE STORAGE

TWN RGE SEC
18N 02E 8

NWSW

Place of Use: FIRE PROTECT. FROM STOR, same as WILDLIFE STORAGE use

* Per letters dated 2/27/96 from IDFG & 4/3/96 from applicant
data base updated 5-2-96 AT

FINAL
VERSION

9. a. Who owns the property at the point of diversion?
APPLICANT
b. Who owns the land to be irrigated or place of use?
APPLICANT
c. If the property is owned by a person other than the applicant,
describe the arrangement enabling the applicant to make this filing.

10. Remarks:

Applicant seeks exemption from Salmon River Moratorium for a 20
acre feet pond also filled under right no. 78-07381 (well).
Uses are for a pond associated with a 40 home subdivision.

11. Map of proposed point of diversion and place of use attached? [*See 78-07379*]

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.

See original
Applicant

Received by *gr for RdH* Date *8/31/95* Time *9:07* Preliminary check by *gr*

* Fee \$ *50* 250.00 Receipted by *RdH* #W019820 Date 8/31/1995

Publication prepared by *AT* Date *12-13-95* Published in *the Record*

Publication approved *AT* Date *1-11-96*

* this Appl = \$50 ; 1 check for > 1 fee

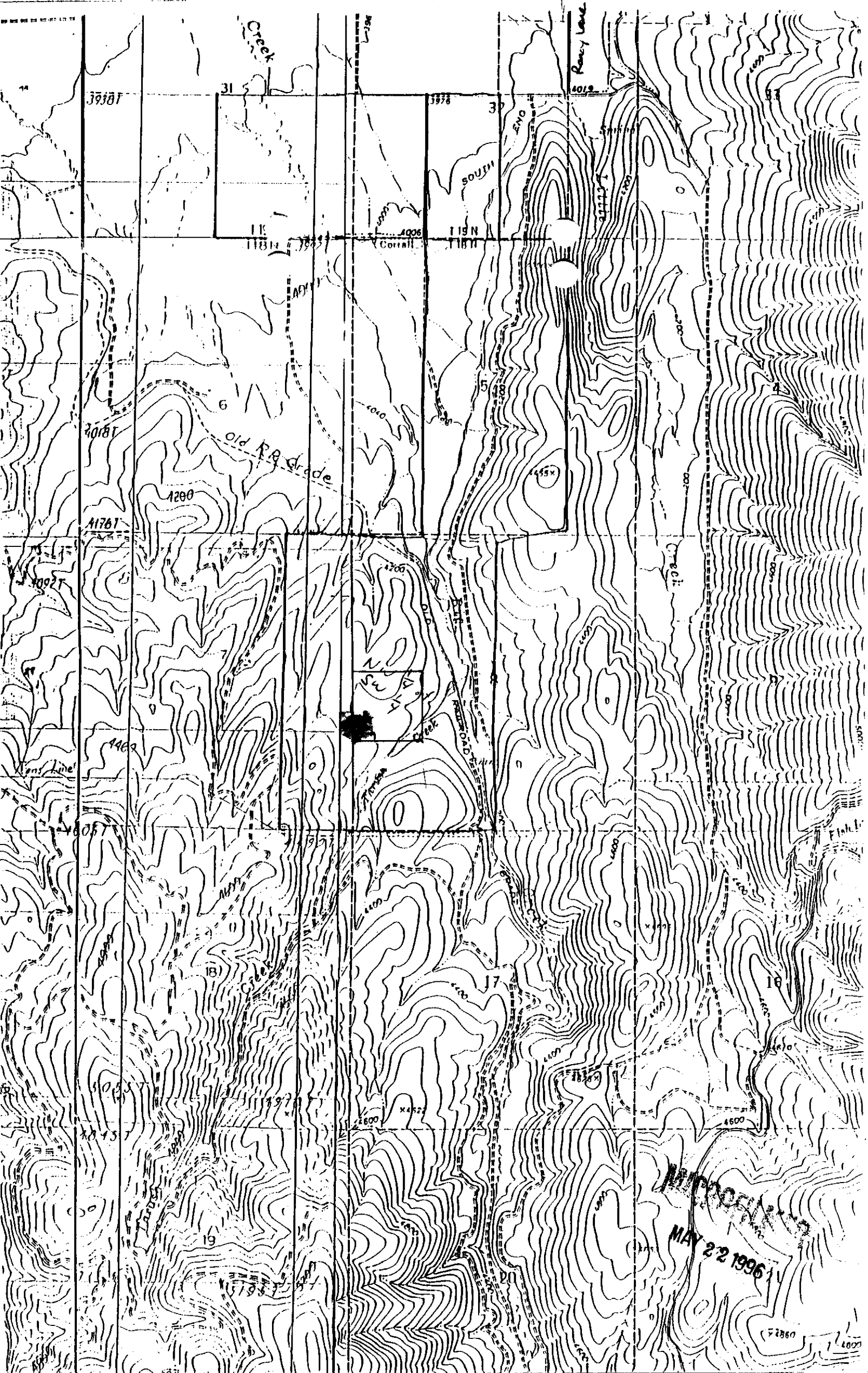
-gr

RECORDED

MAY 22 1996

New Meadows
Quad

Meadows Quad



MAY 22 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Johnsen Roehler Trust Phone 347-2746
Post office address Po Box 207 New Meadows, ID 83654
2. Source of water supply unnamed stream which is a tributary of Thrush Creek
3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 8 Township 18N Range 2E B.M. Adams County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 200 for Fire Protection purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 200 for Fire Protection purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 200 for Wool Life purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 200 for Wool Life purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 200 and/or (b) 200
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. unnamed flow from draw
that runs through 15 June. Proposed to well to
deliver 10 gpm with solar pump
 - b. Height of storage dam 8' feet; active reservoir capacity 200 acre-feet; total
reservoir capacity 200 acre-feet; period of year when water will be diverted to storage:
Jan 1 to Dec 31 inclusive.
 - c. Proposed well diameter is 6" inches; proposed depth of well is 200 feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
two years (minimum 1 year).

MAY 22 1996

Original

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Fire protection, wildlife

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
18N	2E	8										FE							0

Total number of acres to be irrigated 0

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

- Who owns the property at the point of diversion? Johnson Roehler trust
- Who owns the land to be irrigated or place of use? Johnson Roehler trust
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: this pond would be created by excavating & damming an unlined draw at the end of a large meadow. the well would be to supplement water flow in the late summer months when the draw becomes dry

MAY 22 1996

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

A full-page sheet of white graph paper featuring a uniform grid of thin black lines. The grid consists of 20 columns and 20 rows, creating a total of 400 small squares. The lines are evenly spaced and extend across the entire page, leaving no margins or additional markings.

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.

MAY 22 1996

Edgar S. Kester
(Applicant)

Special Trustee

Received by Reh Date 8/31/95 Time 9:07 Preliminary check by _____
Fee \$ 50 Received by Reh # W019820 Date 8/31/95
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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:

MAY 22 1996

LAW OFFICES OF
FAIRFIELD & FREEMAN
A PROFESSIONAL CORPORATION
290 Maple Court, Suite 200
Ventura, CA 93003

RECEIVED

MAY 15 2000

Department of Water Resources

TELEPHONE (805) 644-7458

FACSIMILE (805) 644-4325

Sender's Extension 306

fair@venturalaw.com

WILLIAM D. FAIRFIELD
WILFRED J. FREEMAN
KEVIN L. ROSE

May 11, 2000

Deborah Drew-Ellis
Administrative Assistant
Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Johnson-Roehler Trust/Whitney Ranches

Dear Deborah:

Many thanks for your assistance in connection with completing (and processing) Permit Nos. 78-07379 and 78-07380. I'm not sure this would have happened without your assistance and cooperation.

I also want to assure you that whatever remaining issues exist on the Whitney Ranches, that you will have both my and Dick Yelton's immediate cooperation.

Thanks again.

Very truly yours,

FAIRFIELD & FREEMAN
A Professional Corporation



William D. Fairfield

WDF:np



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 28, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHNSON ROEHLER TRUST
290 MAPLE CT STE 200
VENTURA CA 93003

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NOS. 78-07379 & 78-07380,

Dear Permit Holder:

The department acknowledges receipt of the proofs of beneficial use forms submitted for the above referenced permits. 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.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah Drew-Ellis
Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

MAY 24 2000

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 78-07380 Reviewed by D. Ellis Date 4/27/00

GENERAL CONSIDERATIONS

Yes Name same as permit?
No Address same as permit?
Yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Wildlife, Fire Protection
& Storage
Correct Uses? Yes

SOURCE OF WATER

✓ Surface water source
 Ground water source
 Drilling permit required?
 Copy in the file? Drilling Permit No.
 Amount paid for permit Correct?
 Well log in the file?

LICENSE EXAMINATION FEE

Yes Required?
\$50 Amount Submitted
Yes Correct?

MEASURING DEVICE

 Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 4/19/2000
Date proof due 5/1/2000
No. of days late =
Priority Date +
New Priority Date

DEFICIENCIES OR ACTION ITEMS

Acknowledge proof.

DATA ENTRY

New Address 40 W. N. Fairfield, Proof Made 4/19/00
Justice, 290 Maple Ct., #200,
Ventura, CA 93003.

February 28, 2000

JOHNSON ROEHLER TRUST
290 MAPLE CT STE 200
VENTURA CA 93003

PROOF DUE NOTICE

RE: PERMIT NO. 78-07380

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 May 1, 2000.

(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.

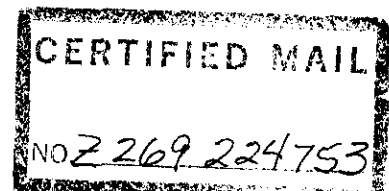
SINCERELY,

DEBORAH DREW-ELLIS
Administrative Assistant

Enclosures

MICROFILMED

MAY 24 2000



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 78-07380 Reviewed by [Signature] Date 5-12-98

BASIC INFORMATION

5-4-98 Date stamp received
no Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
yes Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?

_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN *Recommend extend to May 1, 2000, on basis*

OK due diligence -
Reinstate + advance priority to Sept-3, 1995.

PRIORITY CALCULATION

Date extension received	<u>5-4-98</u>	=	_____
Proof due date	<u>5-1-98</u>	=	_____
Number of days late	<u>3</u>	=	_____
Priority date	<u>8-31-95</u>	=	_____
New Priority Date	<u>9-3-95</u>	=	_____

DATA ENTRY

New Address 290 Maple Ct. #200, Ventura CA 93003
Change Proof Due Date 5-1-2000
Change Priority Date 9-3-95



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 12, 1998

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Johnson Roehler Trust
c o William Fairchild
290 Maple Ct STE 200
Ventura CA 93003

RE: Permit Nos. 78-07379 & 78-07380

Dear Permit Holder:

Enclosed are copies of the approved requests for extension of time submitted in connection with the above referenced permits. The time within which to submit proof of beneficial use to has been extended to **May 1, 2000**. Please note that the department has granted the extensions based on **due diligence**. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **will not** be able to grant additional extensions based on due diligence.

Be advised that since the extension requests were received after the proof due date, it was necessary for the department to reinstate the permits and advance the date of priority to **September 3, 1995**.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact any office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosures

c: IDWR - Regional Office

MICROFILMED
JUN 03 1998

February 28, 1998

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS ID 836540207

PROOF DUE NOTICE

RE: PERMIT NO. 78-07380

Dear Permit Holder:

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(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.

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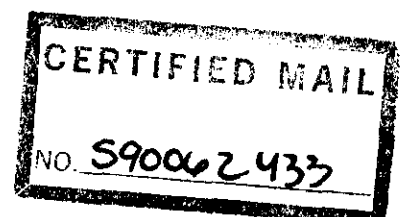
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

APR 12 1998





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

May 10, 1996

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS ID 83654-0207

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 78-07380

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

MAY 22 1996

SK:rl

Enclosures

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 78-7380 Name: Johnson Roehler Trust Date: 5/8/96 Ad OK? ☒
Correct Fee? ☒ Receipt #: W019820 Priority: 8/31/95 ☒ Gvmt Lts: ☒

AREA OF CONCERN? - No/Yes s/c Mor GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - **P16**
+1 year - **26A-P17**

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, **P99**
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - **P05** (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

Water District(~~dem~~) - 005 (req) WD # 78A <SEE MAP & LISTING>
Storage only + 0.2 cfs - 01J(meas dev)-**P08**
=/- 0.2 cfs - 01H(lock dev)-**P01** or No MD
~~In WD~~ + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-↑ Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R ↑ Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-**P10**; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(**P19**)-09E(**P10**);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - **P52** (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - **P16** <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner**OTHER CONDITIONS:****STANDARD REMARKS:**

0.001 (2) 0.006 (3) Sp. cond.

BENEFICIAL USE DUE:

5-1-1998

COMMENTS:

RECEIVED
MAY 03 1996

SALIN RIVER MORATORIUM
~~HOLD DO NOT~~
~~ADVERTISE~~

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: SL DATE: 10/5/95 APPLICATION: 78-07380
12/11/95 update

REQUIRED INFORMATION

- Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
- Address:
- Source: (See USGS Quad for names of water sources)
- Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- County:
- Quantity: (flow and/or volume)
- Period of use:
- Nature of proposed use: (Include description of use)
- Description of diverting works:
- Time required for beneficial use of water:
- Place of use or acres irrigated:
- Map: (show T, R, S, QQ &/or QQQ)
- Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
- Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- Fee:
- Yes ___ No* In form to receipt:

Gov't. Lots:

N P/D
N P/U

12/11/95 - App ^{handed to} provide _{ASAP}
Requested
See 78-07379

DATA ENTRY

updated 12/11/95 { ☒ Remarks
☒ Comments
☒ T flags } change when/it can process

ADDITIONAL INFORMATION

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion:
- ☐ Field check required: Field check by: _____
- ☐ Field report attached:
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ 1992 moratorium: Letter sent 10-5-95
- ☒ Copy to SCA staff: (perennial stream, non-pump diversion) N/A - existing in ir. dist.
- ☒ Copy to Dam Safety staff: (for any storage) JFW already has copy
- ☒ Basin 63 mitigation plan: (where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge)
- ☒ Send power requirement letter:
- ☒ Send fish farm requirement letter:
- ☒ Power residency affidavit:
- ☒ Power efficiency form:
- ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT
- Subd. plat, NAME OF SIGNATORY (cannot read who signed) OK
- DATE REQUESTED: 10-5-95
- ☒ Additional information on reverse side:

PROCESSING

APPLICATION

78-07380

YES NO

☒ ☐
☒ ☐
☒ ☐

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☒ ☐
☒ ☐
☒ ☐
☒ ☐
☒ ☐

I.D. Health and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☒ ☐
☒ ☐
☒ ☐
☒ ☐

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest 1-8-96

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Deny

Measuring device required:

Measuring port required:

Water delivered by water master? District # 78A - Big Creek & Tribs

Special conditions of approval or cover letter:

26A (Allow 2 yrs), OS (78A - Big Creek & Tribs), OIE, Season of diversion is limited to 4/1 through 6/30.

See below for additional information

Recommended Date or Priority 8/31/95

Recommended by: Dur

Date 4/29/96

STATE OFFICE REVIEW

See below for additional information. By

Date

ADDITIONAL INFORMATION

NOTE 5 SEPARATE pond development Appl. Filed - 2 can process,
 3 held by Salween River Moratorium - ponds too big (comp. loss).
 Overlap

78-07380 is well to supply same pond as - 7380. Limit
 both to 20 af storage when combined since clearly
 states intent to develop just 20 af of storage.

12/11/95 update - advertising since might be basis for approval - see 12/11
 base comments



The Best Kept Secret in Idaho

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APR 03 1996

WATER RESOURCES
WESTERN REGION

April 3, 1996

David R. Tuthill
Manager, Western Regional Office
Dept. of Water resources

Re: Applications for permit nos. 78-7377, 78-7379, 78-7380

Dear David,

This is a letter to confirm our conversation concerning the recommended restrictions from Tracey Trent, Regional Supervisor Idaho Fish & Game, dated Feb 27, 1996.

It is my belief that with these restrictions will still allow us to achieve our goals and they are acceptable to us.

Sincerely,


JR Henry special trustee

MAY 22 1996

800 • 999-3623 (calls outside Idaho)

208 • 347-2746 (calls within Idaho)

P.O. Box 207, New Meadows, ID 83654

fax 208 • 347-2746

<http://focusedpresence.com/wr/whitney.html> (on line)



IDAHO FISH & GAME
SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

✓
Sue —
Philip E. Batt / Governor
Jerry M. Conley / Director

RECEIVED

MAR 04 1996

WATER RESOURCES
WESTERN REGION

February 27, 1996

David R. Tuthill
Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

RE: Protests of Water Right Applications Nos. 78-07377, 78-07379, and 78-07380; Johnson-Roehler Trust

Dear Mr. Tuthill:

The Idaho Department of Fish and Game has recently discussed the protests of the above listed water right applications with Jay Henry, trustee for the Johnson-Roehler Trust, and we have tentatively agreed to conditionally withdraw our protests if the following stipulations are met and attached as conditions to the water rights.

In regards to water right applications 78-07379 (Thrush Creek) and 78-07380 (unnamed tributary to Thrush Creek), the Department does not object to the amount of water applied for, but the water rights should be amended to allow for diversion only during the high flow period of April, May, and June. This would eliminate significant adverse impacts to resident fish.

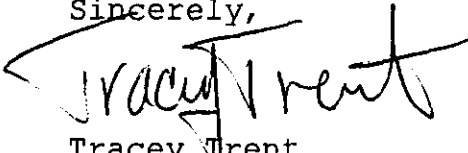
In regards to water right application 78-07377 (Big Creek), the Department will conditionally withdraw our protest if the amount of water applied for is reduced from 1.0 cfs to not more than 0.2 cfs and withdrawal only occur during the high flow period of April, May, and June. Again, this would eliminate significant adverse impacts to aquatic resources but still allow the applicants to achieve their goals.

MAY 22 1996

Mr. David R. Tuthill, IDWR
Page 2
February 27, 1996

We trust that you will find this an acceptable solution for all involved parties. Thank you for the opportunity to resolve this matter. If you have any questions, please contact Scott Grunder, Environmental Staff Biologist.

Sincerely,


Tracey Trent
Regional Supervisor

TT:sag

cc: NRPB (Cindy Robertson)
IDFG State Office-Legal (Dallas Burkhalter)
McCall Office (Don Anderson, Kim Apperson)

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FEB 28 1996

Water Right Number: 78-07380

FIRST PAGE

13. Remarks: Applicant seeks exemption from Salmon River Moratorium for a 20 acre feet pond also filled under right no. 78-07381 (well). Uses are for a pond associated with a 40 home subdivision.

(GOLD2=Update)	(GOLD4=Prev Screen)	(GOLD1=Export Remarks)	(Enter=Exit)
(GOLD3=Add Std Rmk)	(GOLD5=Next Screen)	(GOLD7=Import Remarks)	(GOLD8=Cancel)
(GOLD6=End of Data)			

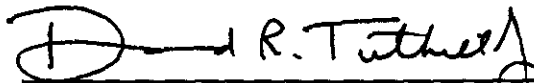
if send copies,
use this final
version with
copy of topo
map in 78-07379

10/1
 L
 77379
 Quantise with
 this Remark
 - 52

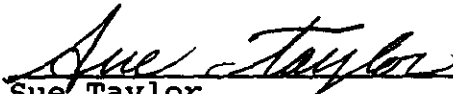
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS	)	
	)	CANCELLATION OF CONFERENCE
FOR PERMIT NOS. 78-7377, 78-7379	)	
	)	
AND 78-7380 IN THE NAME OF	)	
	)	
<u>JOHNSON-ROEHLER TRUST.</u>	)	

Because the applicant is unable to attend the conference scheduled for March 5, 1996 in the above-referenced matter the conference is hereby canceled. If the department receives notice within 20 days that the protests have been resolved, the conference will not be rescheduled.


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

I hereby certify that on the 22nd day of February, 1996, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:


Sue Taylor
Senior Secretary

Non-Certified Mail

JOHNSON-ROEHLER TRUST
PO BOX 207
NEW MEADOWS ID 83654

SCOTT GRUNDER
ID DEPT OF FISH & GAME
SOUTHWEST REGION
3101 SOUTH POWERLINE RD
NAMPA ID 83686

ID DEPT OF FISH & GAME
555 DIENHARD LN
MCCALL ID 83638

MAY 22 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR PERMIT NOS. 78-7377, 78-7379)
AND 78-7380 IN THE NAME OF JOHNSON-)
ROEHLER TRUST.)

NOTICE OF CONFERENCE

On August 31, 1995, Johnson-Roehler Trust filed with the Department of Water Resources an application for permit to appropriate the public waters of the State of Idaho. The application was protested by the Idaho Department of Fish & Game.

The Department has set the matter of protest for a telephonic conference to be held on Tuesday, March 5, 1996, at 10:00 a.m. The applicant will be able to participate in the conference at either the Idaho Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705, or at the Idaho Department of Fish & Game, 555 Deinhard Lane, McCall, Idaho 83638. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of

RECEIVED

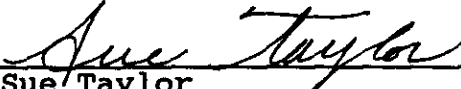
MAY 22 1996

Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 16th day of February, 1996.


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

I hereby certify that on the 16th day of February, 1996, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:


Sue Taylor
Secretary/Office Coordinator

Certified Mail

JOHNSON-ROEHLER TRUST
PO BOX 207
NEW MEADOWS ID 83654

TRACEY TRENT
ID DEPT FISH & GAME
SOUTHWEST REGION
3101 SOUTH POWERLINE RD
NAMPA ID 83686

Non-Certified Mail

ID DEPT OF FISH & GAME
555 DIENHARD LN
MCCALL ID 83638

MAY 22 1996

CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The Applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. the applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize

MAY 22 1996

themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may be written stipulation waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

RECORDED

MAY 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 9, 1996

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS ID 83654

Re: Applications for Permit Nos. 78-7377, 78-7379 and 78-7380

Dear Applicant:

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

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

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

Sincerely,

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

Enclosure: Copy of protest(s)

RECEIVED

MAY 22 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

January 10, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TRACEY TRENT
ID FISH & GAME
SOUTHWEST REGION
3101 SOUTH POWERLINE RD
NAMPA ID 83686

Re: Applications for Permit Nos. 78-7377, 78-7379 and 78-7380 in
the Name of Johnson Roehler Trust

Dear Protestant:

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

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

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

Sincerely,

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

DRT/st

MAY 22 1996



IDAHO FISH & GAME
SOUTHWEST REGION
3101 South Powerline Road
Nampa, Idaho 83686

Philip E. Batt / Governor
Jerry M. Conley / Director

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JAN 08 1996

**WATER RESOURCES
WESTERN REGION**

January 4, 1996

David R. Tuthill, P.E. *DR*
Idaho Department of Water Resources
Western Region Office
2735 Airport Way
Boise, ID 83705-5082

RE: Applications for Water Right Nos. 78-07377, 78-07379, and
78-07380 in the Name of Johnson Roehler Trust

Dear Mr. Tuthill:

The Idaho Department of Fish and Game (Fish and Game) wishes to protest the issuance of pending water right applications Nos. 78-07377 (Big Creek), 78-07379 (Thrush Creek) and 78-07380 (Unnamed Stream) in the Little Salmon River drainage due to potential adverse impacts to aquatic/riparian resources including native wild fish. We **do not** object to application No. 78-07381 (Groundwater). Enclosed find our protest fee of \$75.00. We request a receipt for accounting purposes.

We do not object to development of the ponds, but we will object to the period of use stipulated as year-round if it results in complete or significant dewatering of the channels to the detriment of aquatic resources. In order to resolve Fish and Game concerns, we recommend the applicant consider modifying the period of use so water is diverted only during high flow periods or for fire protection as needed, or reasonable bypass flows are provided. Continual diversions during base flow conditions (summer, fall, and winter) could result in significant loss of habitat for aquatic species and perhaps eventual loss of these resources.

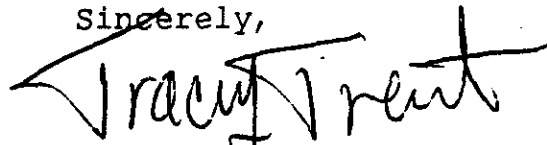
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MAY 22 1996

Rec'd by *GL*
1/8/96
Receipt # *W020236 (\$75)*

Mr. David R. Tuthill, IDWR
Page 2
January 4, 1996

Thank you for the opportunity to comment. If you have any questions, please call Scott Grunder, Environmental Staff Biologist, at the above listed phone number or Don Anderson, Regional Fishery Manager in our McCall Office at 208-634-8137.

Sincerely,

A handwritten signature in black ink that reads "Tracey Trent". The signature is stylized with a large, sweeping initial 'T'.

Tracey Trent
Regional Supervisor

TT:sag

(w/attachment)

cc: NRPB (Cindy Robertson)
McCall Office (Don Anderson)

(roehler.wpd)

MAY 22 1996

RECEIVED
JAN 08 1996
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
) ss.
COUNTY OF ADAMS)

Nancy Laker, being duly sworn,
deposes and says: That she is the Principle Clerk of The Council Record,
a weekly newspaper printed and published at Council, Adams County,
State of Idaho, and having a general circulation therein and which said
newspaper has been continuously and uninterruptedly published in said
County during a period of twelve consecutive months prior to the first
publication of the advertisement, a copy of which is attached hereto; that
advertisement was published in the regular edition of The Council Record

for two insertion(s), beginning with the
issue of December 21, 1995, and ending with the
issue of December 28, 1995

Nancy Laker
Subscribed and sworn to before me this 5 day of
January, 1996

Patricia Ann
Notary Public for Idaho, Residing at 2100 N. 2nd St.

MAY 22 1996

MAY 22 1996

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

78-07377

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS, ID 83654

Source: BIG CREEK
RIVER

Tributary: LITTLESALMON

Diversion Pt: SENW Sec 8 T 18N R 02E in ADAMS County.

Use: FIRE PROTECTION STORAGE	(	50.00 AF)
FIRE PROTECT. FROM STOR	(	50.00 AF)
DIVERSION TO STORAGE (1.000 CFS)		
RECREATION STORAGE	(	50.00 AF)
Total Diversion:	(	1.000 CFS)

Date Filed: 8/31/1995

In: ADAMS County
T18N R02E S05 NESW

Applicant seeks exemption from Salmon River Moratorium for pond development on irrigated land.

78-07379

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS, ID 83654

Source: THRUSH CREEK

Tributary: BIG CREEK

Diversion Pt: SENW Sec 8 T 18N R 02E in ADAMS County.
NESW Sec 8 T 18N R 02E in ADAMS County.

Use: FIRE PROTECTION STORAGE	(	2.00 AF)
FIRE PROTECT. FROM STOR	(	2.00 AF)
WILDLIFE STORAGE	(	2.00 AF)
Total Diversion:	(	2.00 AF)

Date Filed: 8/31/1995

In: ADAMS County
T18N R02E S08

SENW NESW
78-07380

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS, ID 83654

Source: UNNAMED STREAM

Tributary: THRUSH CREEK

Diversion Pt: NWSW Sec 8 T 18N R 02E in ADAMS County.

Use: FIRE PROTECTION STORAGE	(	20.00 AF)
FIRE PROTECT. FROM STOR	(	20.00 AF)
WILDLIFE STORAGE	(	20.00 AF)
Total Diversion:	(	20.00 AF)

Date Filed: 8/31/1995

In: ADAMS County
T18N R02E S08 NWSW

Applicant seeks exemption from Salmon River Moratorium for a 20 acre foot pond also filled under right no. 78-07381 (well).

78-07381

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS, ID 83654

Source: GROUNDWATER

Diversion Pt: NWSW Sec 8 T 18N R 02E in ADAMS County.

Use: FIRE PROTECTION STORAGE	(	20.00 AF)
FIRE PROTECT. FROM STOR	(	20.00 AF)
WILDLIFE STORAGE	(	20.00 AF)
DIVERSION TO STORAGE (- 0.200 CFS)		
Total Diversion:	(	0.200 CFS)

Date Filed: 8/31/1995

In: ADAMS County
T18N R02E S08 NWSW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JANUARY 8, 1996. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 12/21/1995 & 12/28/1995

78-07380

JOHNSON ROEHLER TRUST
PO BOX 207
NEW MEADOWS, ID 83654

Source: UNNAMED STREAM

Tributary: THRUSH CREEK

Diversion Pt: NWSW Sec 8 T 18N R 02E in ADAMS County.

Use: FIRE PROTECTION STORAGE	(	20.00 AF)
FIRE PROTECT. FROM STOR	(	20.00 AF)
WILDLIFE STORAGE	(	20.00 AF)
Total Diversion:	(	20.00 AF)

Date Filed: 8/31/1995

In: ADAMS County
T18N R02E S08 NWSW

Applicant seeks exemption from Salmon River Moratorium for a 20
acre foot pond also filled under right no. 78-07381 (well).

~~Uses are for a pond associated with a 40 home subdivision.~~

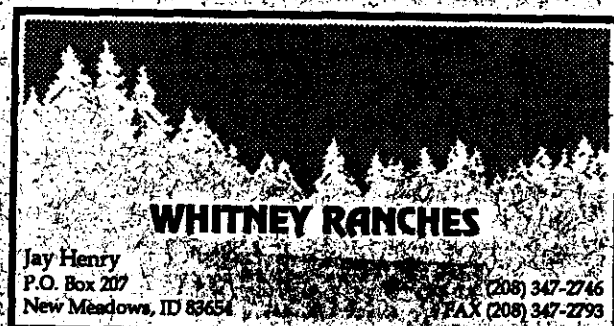
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MAY 22 1996

CONVERSATION MEMORANDUM

DATE 12/8/95FILE JOHNSON ROSTLER
TRUST App's.NAME OF PARTY JAY Henry - PER office
EMPLOYEE Steve LesterRE: Processing

- ① JAY Henry of Whitney Ranches is Special Trustee of J-R Trust.



- ② 78-07377 pond will be developed on site already irrigated by Big Creek & Brannan Res. water. No net change in surface water used consumptively (at least, no increase). OK to advertise.
- ③ 78-07378 pond not on land already irrigated. It can provide info & nature of site, i.e. already is wetted area although now-irrig. - can consider for approval. Remains on Moratorium Hold.
- ④ 78-07379 OK to advertise since pond size exempted. ($\leq \frac{1}{2}$ Acre surface area).
- ⑤ 78-07380 Runoff as available through & mid June to augment pond that will be mostly filled by well right (78-07381). Possibly could be approved since minimal impact on fisheries anticipated. OK to advertise for dept. ^{consideration} ~~consideration~~.
- ⑥ 78-07381 well to pond (same pond as - 7380) - OK to advertise.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 5, 1995

Johnson-Roehler Trust
PO Box 207
New Meadows, ID 83654

RE: APPLICATION FOR PERMIT NOS. 78-07377 THROUGH 78-07381

Dear Applicant:

Your recent applications for the above-referenced five water right permits were received at this office on August 31, 1995. Two of the applications can be processed without delay but the remaining three cannot be processed now.

APPLICATIONS TO PROCESS

1. Application No. 78-07379 for a small pond on Thrush Creek can be processed as an exemption to the Salmon River Moratorium. The moratorium is discussed later in this letter.
2. Application No. 78-07381 for a well can also be processed. The moratorium does not apply to ground water development. Additional information is needed for the well proposal. The well will provide water to a pond, and the "diversion to storage" component of the water use from the source to the pond must be added to the application. This means that a rate of flow should be included on the application; up to .20 cfs (about 90 gpm) could be added based on the \$50 fee paid for this filing. If you want to pump at a higher rate from the well, you need to let me know and also to pay any additional fees.
3. For all of the applications filed, please identify the party who signed the applications (cannot read signature). Also, please provide a copy of the subdivision plat or plats since all five applications refer to uses within a proposed subdivision(s).

APPLICATIONS SUBJECT TO PROCESSING DELAY - SALMON RIVER MORATORIUM

Due to concerns about water supplies, existing water rights, and impacts of new development on anadromous fish migration, the Director of this agency declared a moratorium on approval of applications for surface water in the Salmon River drainage in May, 1992. The moratorium applies to new consumptive uses not in place prior to November, 1987. Water storage beyond a minor amount is a consumptive use subject to the moratorium.

REV 2/8/1990

Johnson-Roehler Trust
October 5, 1995
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The applications subject to the moratorium include the following: No. 78-07377 for Big Creek in Section 5, No. 78-07378 for Big Creek in Section 8, and No. 78-07380 for an unnamed stream that will serve the same pond as the well application (No. 78-07381). The three moratorium filings will be held at this office pending changes in the moratorium as determined by the Director. Delays related to department decisions do not affect the date of priority of an application. You will be informed of any moratorium changes.

To facilitate processing of the two applications that can move forward, please provide your response to item nos. 2 and 3 above within 30 days. Let me know if I can help you in this matter.

Sincerely,

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

Steve Lester
Water Rights Supervisor