

UBER Spring
T22N, R1E, SEC 26

≈ 195'

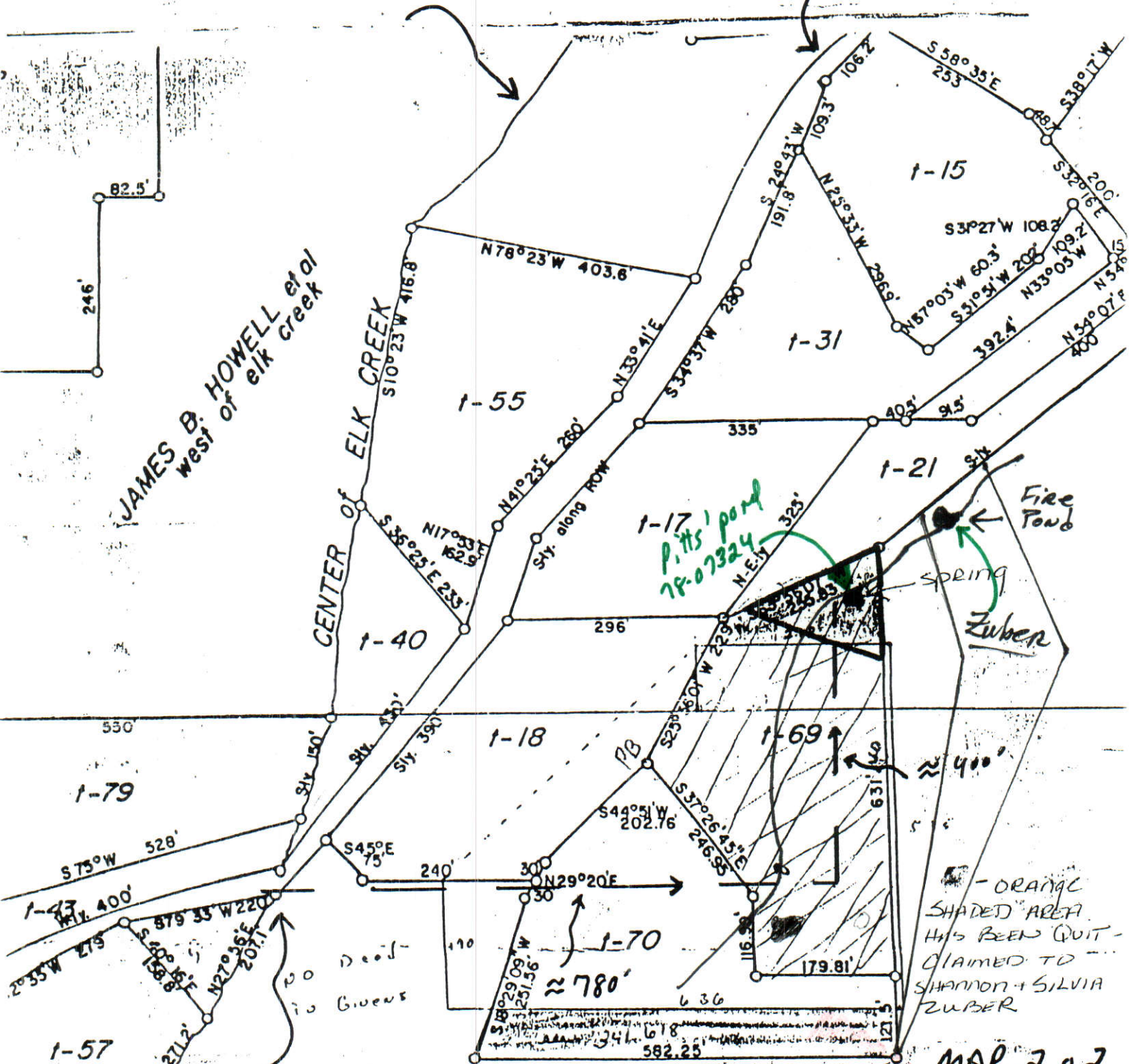
Applicant's
map 1 of 2

Access
ROAD

ELK Creek

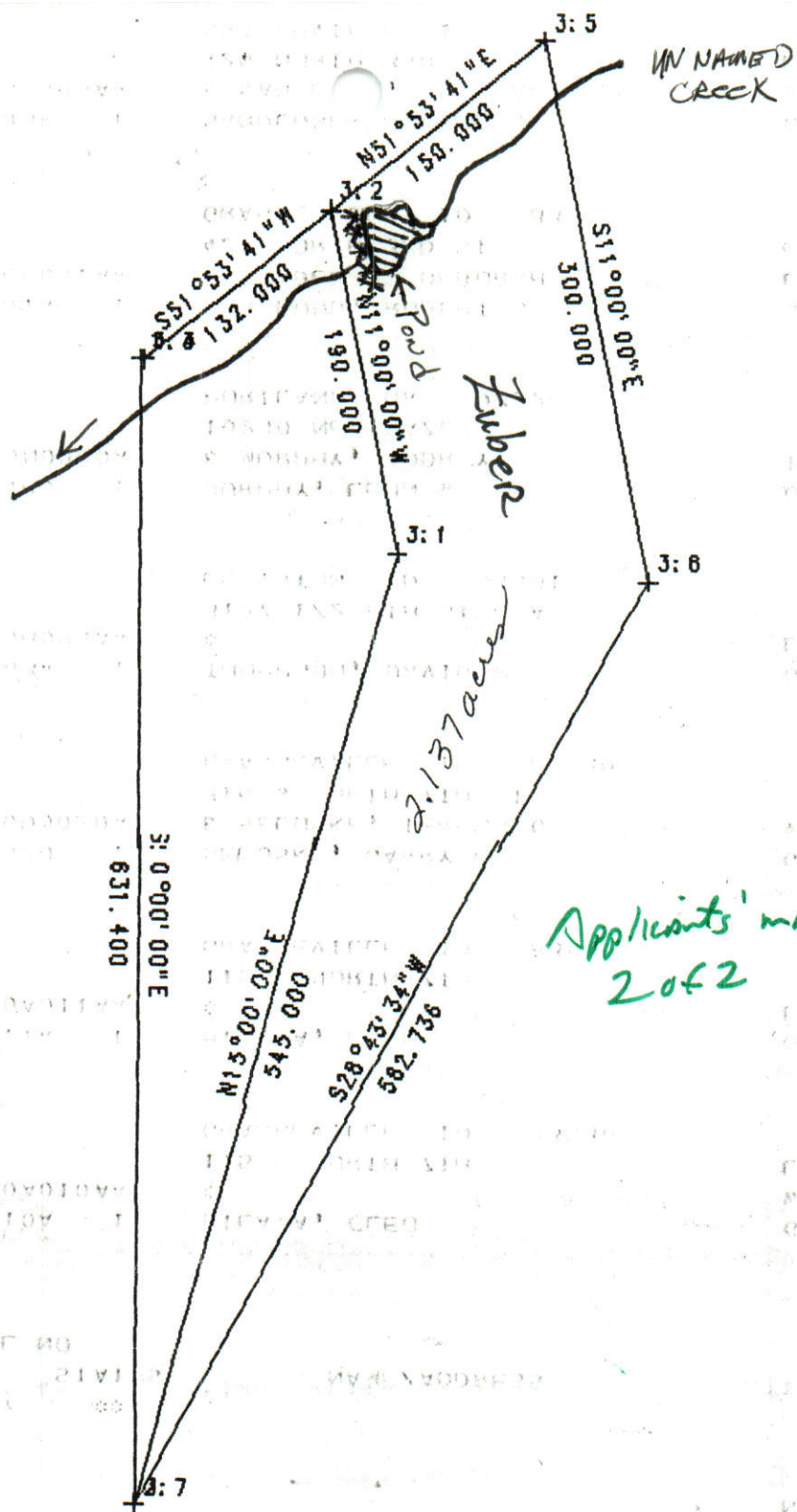
JAMES B. HOWELL et al
west of elk creek

CENTER OF ELK CREEK



See orthophoto
for point where creek
& road meet.

ALBERT D. GIVENS (TRUS
east of 1994



Untitled

SCALE: 100 ft/i

DEC 06 1994

TRAVERSE PC Date: 3-23-1993 Time: 10:58

Traverse Untitled

ERROR SUMMARY:

TRAVERSE SUMMARY:

RECEIVED

AUG 29 1994

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

NOTICE OF APPLICATION FOR WATER RIGHT

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

78-07360 ✓st

ZUBER, SHANNON R.

ZUBER, SILVIA K.

HC 75 BOX 3566

NEW MEADOWS, ID 83654

Source: UNNAMED STREAM Tributary:
ELK CREEK

Diversion Pt: SWNENW Sec. 26 T 22N
R 01E in IDAHO County.

SENWNW Sec. 26 T 22N R 01E in
IDAHO County.

NESWNW Sec. 26 T. 22N R 01E in
IDAHO County.

NWSENW Sec. 26 T 22N R 01E in
IDAHO County.

Use: FIRE PROTECTION (.200 CFS)
Total Diversion: (.200 CFS)

Date Filed: 7/26/1994

In: IDAHO County T22N R01E S26
NENW NWNW SWNW SENW

Single point of diversion and place of
use located in or near center of NW1/4,
S26, T22N, R01E.

Applicant seeks exemption from Salmon
River Moratorium for nonconsumptive
use where pond covers less than 1/2
acre surface area.

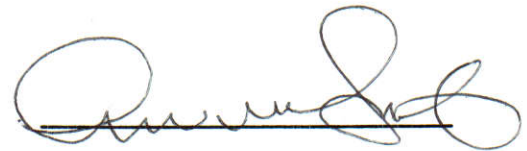
Permits will be subject to all prior water
rights. Protests may be submitted based
on the criteria of Sec. 42-203A, Idaho
Code. Any protest against the approval
of this application must be filed with the
Director, Dept. of Water Resources,
Western Region, 2735 Airport Way,
Boise, Idaho 83705 together with a
protest fee of \$25.00 on or before
SEPTEMBER 6, 1994. The protestant
must also send a copy of the protest to
the applicant.

R. KEITH HIGGINSON, Director

Published: 8/18/1994 & 8/25/1994

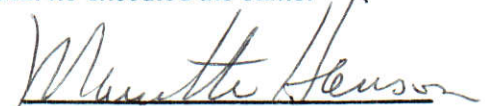
A-17-24

Andrew J. McNab, being
first duly sworn, says he is the Publisher
of the IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho, and is
of general circulation in said county and state, that the said notice, of
which the one hereto attached is a true copy, was published in said
paper for two weeks, being published two
times, the first publication being on the 17th day of
August, 19 94, and the last
publication on the 24th day of August, 19 94;
and that the said notice was published in the newspaper proper and not
a supplement; that said newspaper has been continuously and uninter-
ruptedly published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or advertise-
ment.



STATE OF IDAHO }
COUNTY OF } IDAHO

On this 24th day of August in the year of 1994,
Before me, a Notary Public, personally appeared _____
Andrew J. McNab, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.


Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 10-8-99

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DEC 06 1994

RECEIVED

MAY 24 1995

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 18-07360 Telephone No. 208 628 3437

2. Name(s) of Permit Holder(s): SILVIA K Zuber / SHANNON R. Zuber

3. Mailing Address: HC 75 BOX 3566 New Meadows ID 83654

4. Source of Water: UNNAMED CREEK / TRIA OF FLK CREEK If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____

b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. 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 Protection

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

7. 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 ✓
Has the measuring device been installed? Yes ____ or No ____

Flow Measurement Port: Is a flow measurement port required? Yes ____ or No ✓
Has the measurement port been installed? Yes ____ or No ____

8. Fee Enclosed: \$ Pre Paid (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: SHANNON R. Zuber Telephone Number: 208 628 3437

Address: HC 75 BOX 3566 New Meadows ID 83654

10. The information given on this form 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.

Signature of permit holder: Shannon R. Zuber **WITNESSED** Date: 22 MAY 95
(include your title, if on behalf of company or organization)
Silvia K. Zuber

JUN 30 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 78-07360

Proposed Priority: July 26, 1994

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **SILVIA K ZUBER**
SHANNON R ZUBER
HC 75 BOX 3566
NEW MEADOWS ID 83654
has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of **ELK 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>
FIRE PROTECTION	01/01 to 12/31	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWNENW , Sec. 26, Township 22N, Range 01E
SENWNW , Sec. 26, Township 22N, Range 01E
NESWNW , Sec. 26, Township 22N, Range 01E
NWSENW , Sec. 26, Township 22N, Range 01E
IDAHO County

PLACE OF USE: FIRE PROTECTION

TWN RGE SEC

22N 01E 26

NENW
SENW

NWNW

SWNW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1995**.
2. Subject to all prior water rights.
3. A separate stream alteration permit from the IDWR is required for any activity in the stream channel other than construction and/or maintenance of the diversion structure. If the proposed construction or operation involves construction of an outfall or any other work in the stream channel other than a water diversion, the right holder contact the Department and obtain a Stream Channel Alteration permit prior to the start of construction.
4. Single point of diversion located in or near center of NW 1/4, S26, T22N, R01E.
5. Single place of use located in or near center of NW 1/4, S26, T22N, R01E.

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DEC 06 1994

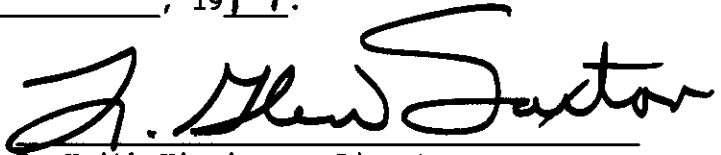
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 78-07360

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

28th day of October, 1994.



R. Keith Higginson, Director

for


DEC 06 1994

Ident. No. 78-07360

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 23 1994

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources
1210 North Boulevard

1. Name: SHANNON R ZUBER 208-628-3437
Address: HC 75 BOX 3566
NEW MEADOWS ID 83654
AND/OR
Name: SILVIA K ZUBER 208-628-3437
Address: HC 75 BOX 3566
NEW MEADOWS ID 83654

2. Source: UNNAMED STREAM Trib. to: ELK CREEK
3. Location of Point of Diversion: SWNENW Sec. 26, Township 22N, Range 01E
SENWNW Sec. 26, Township 22N, Range 01E
NESWNW Sec. 26, Township 22N, Range 01E
NWSENW Sec. 26, Township 22N, Range 01E
IDAHO County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
FIRE PROTECTION	01/01	12/31	0.200		

5. Total quantity to be appropriated is:
0.200 CFS (and/or) AF

6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
ONSTREAM POND FOR FIRE USE ONLY; STORAGE N/A PER 24 HR. FILL RULE
 - Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - Proposed well diameter is inches; proposed depth of well is
feet.
 - Is groundwater with a temperature greater than 85F being sought? NO
 - If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

DEC 06 1994

REVISED PER APPLICANTS' INFO

AND IDWR FILE INFORMATION

-PL 8/9/94

8. Place of Use: FIRE PROTECTION

TWN RGE SEC
22N 01E 26

NENW
SENE

NWNW

SWNW

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:

Single point of diversion and place of use located in or near
center of NW 1/4, S26, T22N, R01E.

Applicant seeks exemption from Salmon River Moratorium for non-
consumptive use where pond covers less than 1/2 acre surface
area.

11. Map of proposed point of diversion and place of use attached? [✓]

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

See original
Applicant

Received by VR Date 7-26-94 Time 11:45 Preliminary check by SL

Fee \$ 50.00 Received by VR #W017808 Date 7/26/1994

Publication prepared by At Date 8-10-94 Published in Idaho County Free Press

Publication approved At Date 9-6-94

RECEIVED
JUL 26 1994

See "Comments"

Comments: Date: 8/ 9/1994 User-ID: SLESTER

Subject:

MORATORIUM & MISC. INFORMATION

This use is traditionally considered exempt from water right appl but is filed to cover storage pond "just in case" (this area has known its share of water disputes: Pitts & Baum etc.) Pond is .4 af & fills in @ 24 hr. per .20 cfs rate; storage not required. Legal description is difficult to pinpoint exactly per my exam visits to this area in 1992. Used topo for group of exams to show approx. location just upstream from pond found in 78-07324 in 1992. So although applicant lists NWSENW as P/D, I added other points to show on/near center of NW 1/4 based on best information available to me.

Since use is non-consumptive & pond covers less than 1/2 acre, can process as exemption in Salmon River Moratorium.

DEC 06 1994

06 1994

WBER Spring
T22N, R1E, SEC 26

~ 195'

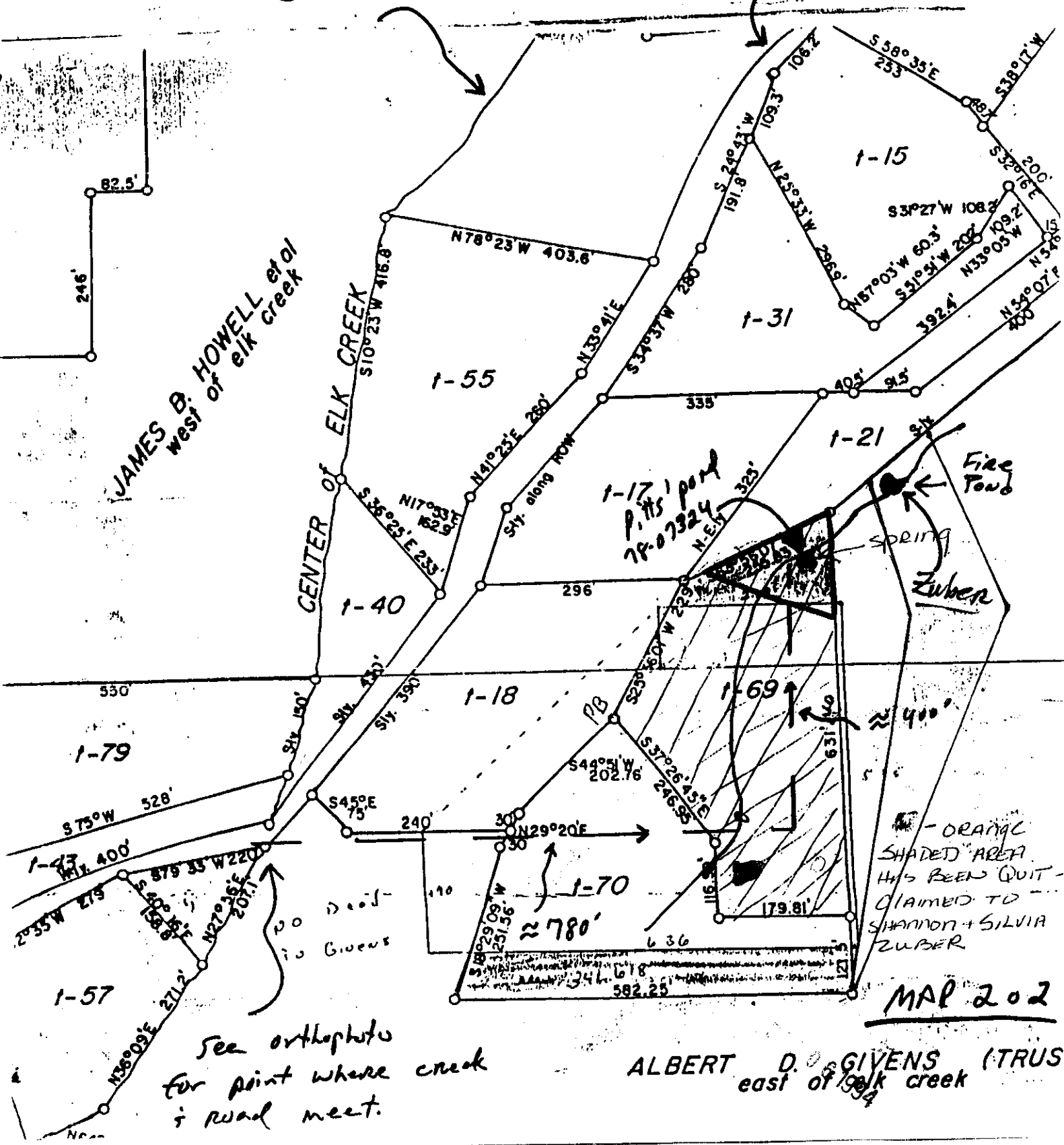
Applicant's
map 1 of 2

Access
ROAD

ELK Creek

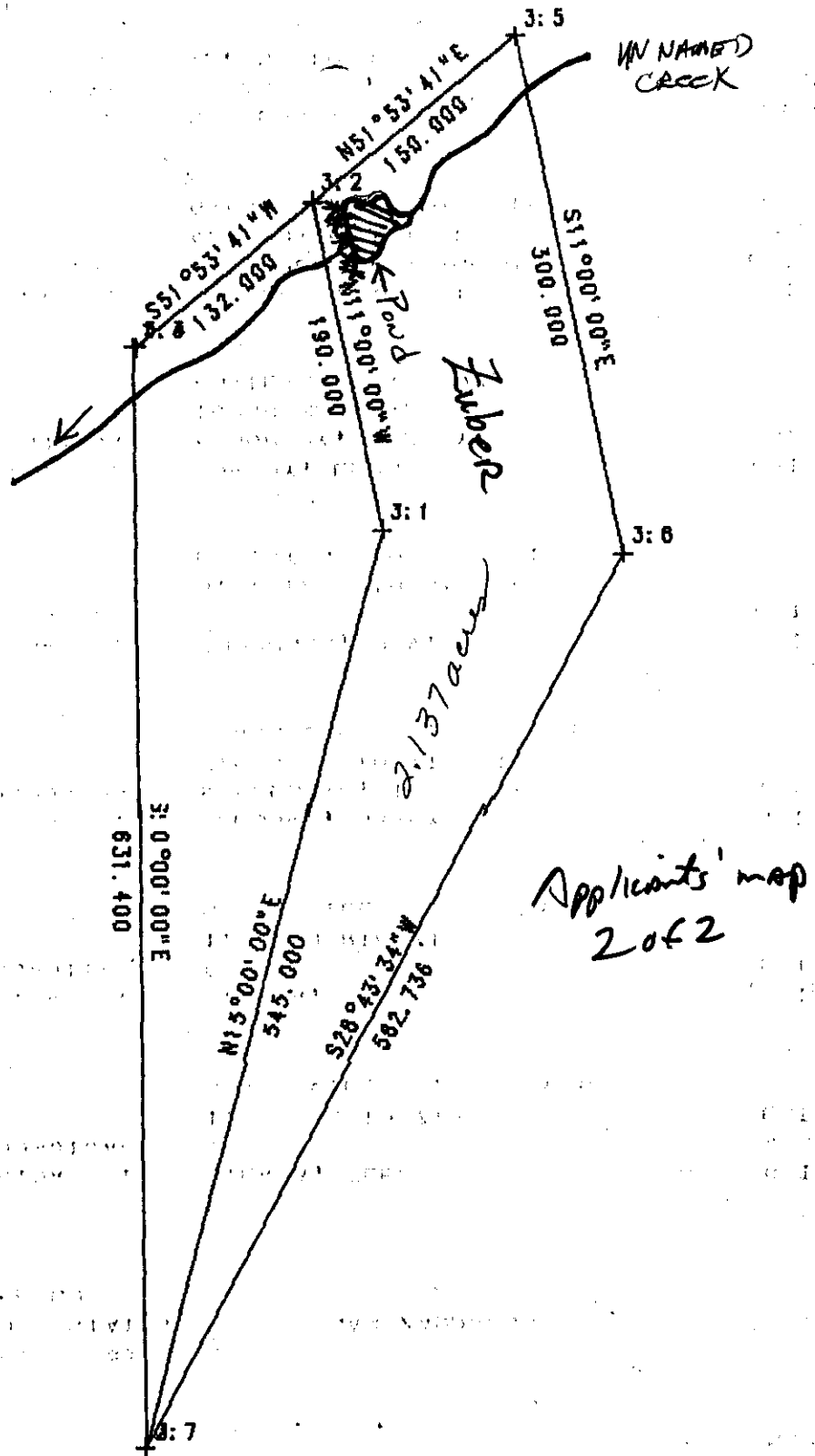
JAMES B. HOWELL et al
west of elk creek

CENTER OF ELK CREEK



MAP 2 of 2

ALBERT D. GIVENS (TRUS
east of elk creek



Applicants' map
2 of 2

Untitled

SCALE: 100 ft /

DEC 06 1993

TRAVERSE PC Date: 3-23-1993 Time: 10:58

Traverse Untitled

ERROR SUMMARY:

TRAVERSE SUMMARY:

RECEIVED

JUL 26 1994

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No.

78-07360

To appropriate the public waters of the State of Idaho

(H&W)

1. Name of applicant Zuber, Shannon R. & Silvia K Phone 208 628-3437Post office address HC 75 Box 3566 New Meadows ID 836542. Source of water supply UN NAMED STREAM which is a tributary of ELK CREEK3. Location of point of diversion is NW 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____Sec. 26 Township 22 N Range 1 E B.M. _____ County; additionalpoints of diversion if any: NW SE NW TAX # 97

4. Water will be used for the following purposes:

Amount 20 CFS for FIRE PROTECTION purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 20 CFS for STORAGE purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount 20 CFS for FIRE PROTECTION purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)5. Total quantity to be appropriated is (a) .20 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. NATURAL DRAINAGEINTO pond & directly on course without volume
loss from over run.b. Height of storage dam 7'-0 feet; active reservoir capacity .4 acre-feet; totalreservoir capacity 2000 .4 acre-feet; period of year when water will be diverted to storage:JAN 1 to DEC 31 inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ 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) _____

DEC 06 1994

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

30 DAYS / yr. years (minimum 1 year).

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. This pond will provide DIRECT & EASY ACCESS for fire fighting water hauling TRUCKS (Local-state) to support year around fire fighting capability to ELK Lake Rd Community. APPROX 8 homes in immediate area.
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	
22N	01E	26	F	F	F	F	F	F	F	F									1000 F
22N	01E	26	D	D	D	D	D	D	D	D									
22N	01E	26	J	J	J	J	J	J	J	J									

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Permit No. 78-07324 on Pitts Property
11. a. Who owns the property at the point of diversion? S.R. & S.K. Zuber
- b. Who owns the land to be irrigated or place of use? " "
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____
12. Remarks: water will pass through holding area and proceed on established course without loss of volume except during fire use.

Sec 26
T 22N
R 1E

Refer to attached maps (plans)

14-00000

DEC 06 1994

Shannon R. Zuber
Silvia K. Zuber (Applicant)

Received by VR Date 7-26-94 Time 11:45 am Preliminary check by JL
Fee \$ 50.00 Received by VR # W017808 Date 7-26-94
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:

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DEC 06 1994

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 78-07360 Reviewed by [Signature] Date 6-5-95

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?

fire pro.

yes Address same as permit?

yes Proof timely received?

Correct Uses? yes

If not, complete calculation below.

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

MEASURING DEVICE

yes Required?

no Required?

0.50.00 Amount Submitted

☐ Installed?

no Correct?

☐ Waiver requested?

PRIORITY CALCULATION

Date proof received

Date proof due

No. of days late

Priority Date

New Priority Date

_____	_____
_____	-
_____	_____
_____	=
_____	_____
_____	+
_____	_____
_____	_____

DEFICIENCIES OR ACTION ITEMS

*Return for 50.00 lic. Exam fee.
6/27 - Fee Received / Proof acceptable*

DATA ENTRY

New Address _____

Proof Made 5-24-95

June 27, 1995

SILVIA K ZUBER
SHANNON R ZUBER
HC 75 BOX 3566
NEW MEADOWS ID 83654

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 78-07360

Dear Permit Holder:

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MICROFILMED

JUN 30 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 6, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Silvia & Shannon Zuber
HC 75 Box 3566
New Meadows, ID 83654

RE: Permit No. 78-07360

Dear Permit Holder:

Returned is a copy of the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, the proof can not be accepted as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license exam fee. They are:

1. The water right must use a **groundwater** (well) source, **and**;
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

You do not meet requirement #1 since you use an unnamed stream (surface) for your source. Therefore, a license examination fee of \$50.00 applies to the permit.

Please return the copy of the proof form and the license examination fee to my attention within thirty (30) days of receipt of this letter.

If you have any questions or if I can be of any assistance, please feel to contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

RECEIVED

JUN 30 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

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

November 2, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

SILVIA K ZUBER
SHANNON R ZUBER
HC 75 BOX 3566
NEW MEADOWS ID 83654

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 78-07360

Dear Permit Holder(s):

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

DEC 06 1994

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

No.: 78-9360 Name: Zyber Date: 10/21/94 Correct Fee? ✓

AREA OF CONCERN? - No/Yes sc Mor _____ GWMA Trust/Non-trust

SYSTEM COMPLETED:

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

Yes

Proof not submitted - P16
Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <FLO-CH> - T17 (new), 01K (existing), No MD
- 0.2 cfs - No MD <FLOW CHART>

Drilling Permit:

Included w/permit - Permit No. _____, P99
Existing well - NA (pre 7/1/87)
No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <FLOW CHART>

LOCATION:

Water District(~~dem~~) - WD No. _____
*Surface water - 005 (req) 01J-P08 <FLOW CHART>
(doesn't sink) or 01H-P01 <FLOW CHART>; No MD
Groundwater - P05 (new irrigation well)
In stream channel - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (-85° GW temp only)
Swan Falls Flag - B <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA
Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA
Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10
044 (N 1000 Spr)
Irrigation - 03A/057, 803(if GW use SW 1st)(+5A PU comp), NA
Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERG); 18B-P09
Mining - 054 (req) & 06A/010/09E-P10
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
Domestic (surface) - 021(Boise R ↑ L Peak), 064(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU)

PROTESTED:

- 020(Prehearing agreement)/W19(See Order)

OTHER CONDITIONS:

REMARKS:

- ① W33 (P10 - center of NW 1/4, S26, T22N, R01E)
② W33 (P10 - center of NW 1/4, S26, T22N, R01E)

BENEFICIAL USE DUE:

- 11-1-1995

COMMENTS:

WR0749NP
No. P78-07360

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/21/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SILVIA K ZUBER	07/26/1994	FIRE PROTECTION	01-01 12-31	0.20 CFS	
C	SHANNON R ZUBER HC 75 BOX 3566 NEW MEADOWS ID 83654 (208) 628-3437					
TOTAL DIVERSION:					0.20 CFS	

Water Source: UNNAMED STREAM

Tributary to: ELK CREEK

Stage: PERMIT

Point(s) of Diversion: T22N R01E S26 SWNENW SENWNW NESWNW NWSENW IDAHO County

Place of use Legal Description for: FIRE PROTECTION

NE				NW				SW				SE						
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
22N	01E	26	:				:	F	F	F	F	:				:		

Pou County: IDAHO

Other Water Rights Listing Overlapping Place(s) of use:

78-02072	78-04000	78-04002	78-04003	78-04004	78-04005	78-04007	78-04160	78-07006	78-07067
78-07109	78-07301	78-07328	78-07329	78-07333					

Conditions of Approval:

- 030 - A separate stream alteration permit from the IDWR is required
- for any activity in the stream channel other than construction
- and/or maintenance of the diversion structure. If the proposed
- construction or operation involves construction of an outfall or
- any other work in the stream channel other than a water
- diversion, the right holder contact the Department and obtain a
- Stream Channel Alteration permit prior to the start of
- construction.

Remarks: Single point of diversion located in or near center of NW 1/4,
S26, T22N, R01E.
Single place of use located in or near center of NW 1/4, S26,
T22N, R01E.

Dates:	App. Received: 07/26/1994	Priority Date: 07/26/1994
	Proof Due Date: 11/01/1995	Proof Made Date:
	Exam Made Date:	Exam Sent to S.O.:
	Licensed Date:	

Misc: Water District Number: Field Exam Fee:

WR0749NP
No. P78-07360

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/21/94
PAGE: 2

=====

Comments: Date: 10/21/1994 User-ID: CZIMMERM Subject: DIVERSION DESCRIPTION
Point of diversion and place of use located on or near the center
of NW 1/4, S26, T22N, R01E.
On-stream pond; height of dam 7'; activer reservoir capacity 0.4
AF; total reservoir capacity 0.4 AF. Will fill in less than 24
hours therefore no storage use necessary.

Audit: 10/21/94 CZIMMERM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: R DATE: 8/9/94 APPLICATION: 78-07365

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:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No ☐ In form to receipt:

Gov't. Lots:
P/D N
P/U

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 <u>EXEMPTED USE SALMON RIVER M'TORIAN</u>
☐	☐	Copy to SCA staff (perennial stream, non-pump diversion):
☐	☐	Send dam safety information:
☐	☐	Send power requirement letter:
☐	☐	Send fish farm requirement letter:
☐	☐	Power residency affidavit:
☐	☐	Power efficiency form:
☐	☐	Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐	☐	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐	☐	<u>*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT</u>

DATE REQUESTED: _____
☒ Additional information on reverse side:

RECEIVED
SEP 23 1994
Department of Water Resources

PROCESSING

APPLICATION 1

78-07368

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. 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

9-6-94

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Deny

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

See below for additional information

Recommended Date or Priority 7/26/1994

Recommended by: DNR

Date 9/21/1994

STATE OFFICE REVIEW

See below for additional information. By

Date

ADDITIONAL INFORMATION

This is proposed new development so will be other than any existing right in this area. This is in same general vicinity of unnamed stream found in exam of 78-07324 (a different small pond downslope from applicant's property).

RECEIVED

AUG 29 1994

WATER RESOURCES
WESTERN REGION

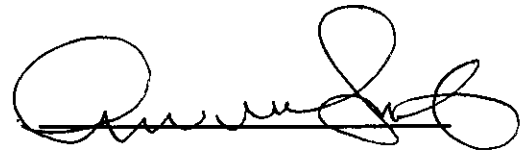
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

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

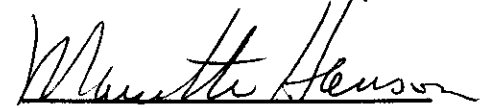
79-07540 ✓
ZUBER, SHANNON R.
ZUBER, SILVIA K.
NO 7500N 300E
NEW MEMBERS, ID 83854
Source: USARMS - SPANISH TERNARY
ELK CREEK
Division No. 220000 Sec. 26 T 22N
R 01E in IDAHO County
SE 1/4 Sec. 26 T 22N R 01E in
IDAHO County
NE 1/4 Sec. 26 T 22N R 01E in
IDAHO County
NW 1/4 Sec. 26 T 22N R 01E in
IDAHO County
Use: FIRE PROTECTION (200 GFS)
Total Diversion: (200 GFS)
Date Filed: 7/26/1994
In: IDAHO County T22N R01E S26
NENY NENY NENY NENY
Single entry of diversion and place of
use located in or near corner of NW 1/4,
S26, T22N, R01E.
Applicant seeks exemption from Salmon
River Diversion for nonconsumptive
use which does not exceed less than 100
acre per year.
Permit is subject to all prior water
rights. Permit will be submitted based
on the terms of the Idaho Code, Idaho
Code, and the rules and regulations
of the Department of Water Resources.
Director, Dept. of Water Resources,
Western Region, 2728 Airport Way,
Boise, Idaho 83705 together with a
protest fee of \$25.00 on or before
SEPTEMBER 6, 1994. The protestant
must also send a copy of the protest to
the applicant.
R. NORTH Regional Manager
Public Water Division

Andrew J. McNab, being
first duly sworn, says he is the Publisher
of the IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho, and is
of general circulation in said county and state, that the said notice, of
which the one hereto attached is a true copy, was published in said
paper for two weeks, being published two
times, the first publication being on the 17th day of
August, 1994, and the last
publication on the 24th day of August, 1994;
and that the said notice was published in the newspaper proper and not
a supplement; that said newspaper has been continuously and uninter-
ruptedly published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or advertise-
ment.



STATE OF IDAHO)
COUNTY OF) IDAHO

On this 24th day of August in the year of 1994,
Before me, a Notary Public, personally appeared _____
Andrew J. McNab, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.


Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 10-8-99

DEC 06 1994

78-07360

ZUBER, SHANNON R
ZUBER, SILVIA K
HC 75 BOX 3566
NEW MEADOWS, ID 83654

Source: UNNAMED STREAM

Tributary: ELK CREEK

Diversion Pt: SWNENW Sec 26 T 22N R 01E in IDAHO County.
 SENWNW Sec 26 T 22N R 01E in IDAHO County.
 NESWNW Sec 26 T 22N R 01E in IDAHO County.
 NWSENV Sec 26 T 22N R 01E in IDAHO County.

Use: FIRE PROTECTION (.200 CFS)
 Total Diversion: (.200 CFS)

Date Filed: 7/26/1994

In: IDAHO County
 T22N R01E S26 NENW NWNW SWNW SENV

Single point of diversion and place of use located in or near center
of NW1/4, S26, T22N, R01E.

Applicant seeks exemption from Salmon River Moratorium for non-
consumptive use where pond covers less than 1/2 acre surface area.

DEC 06 1994