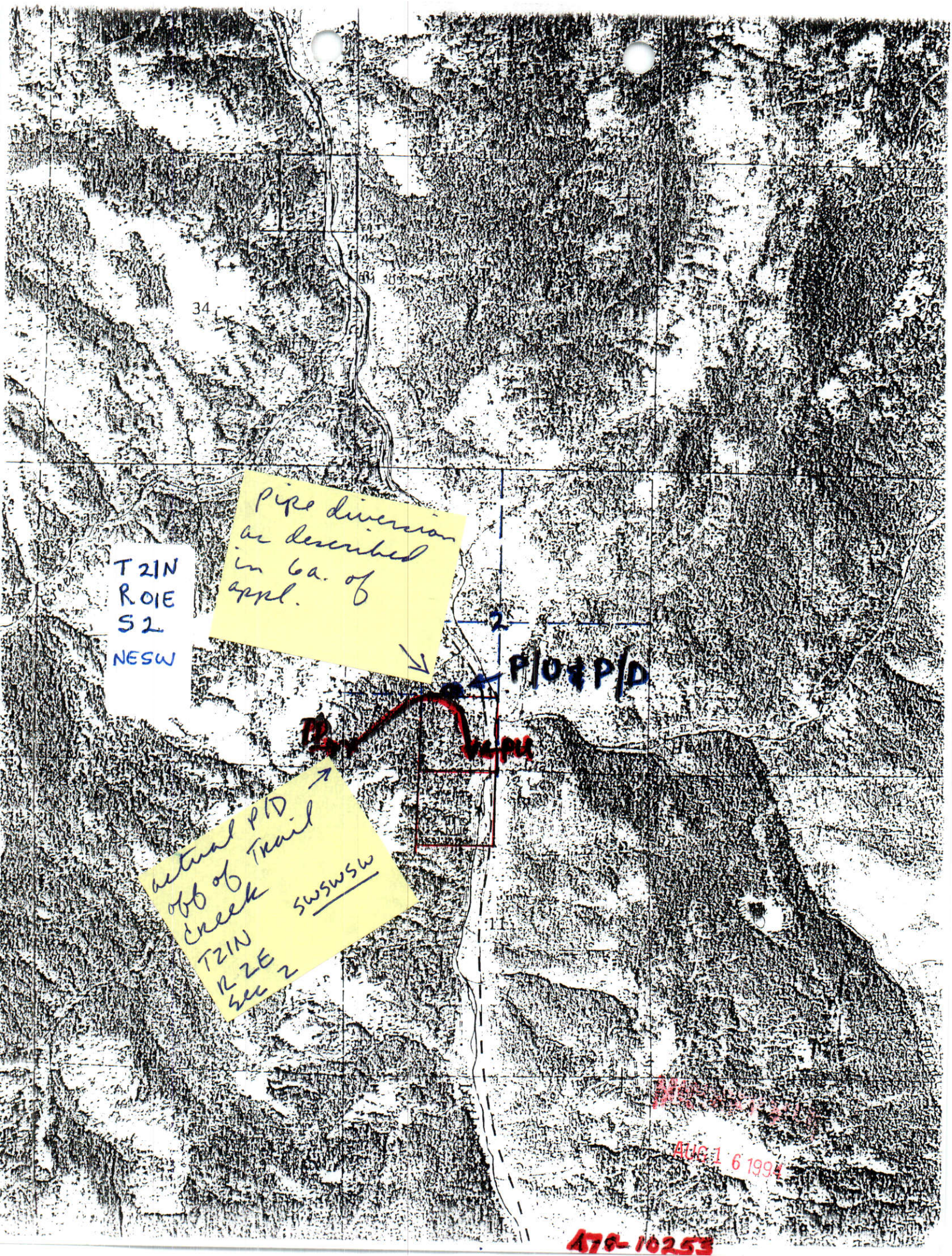
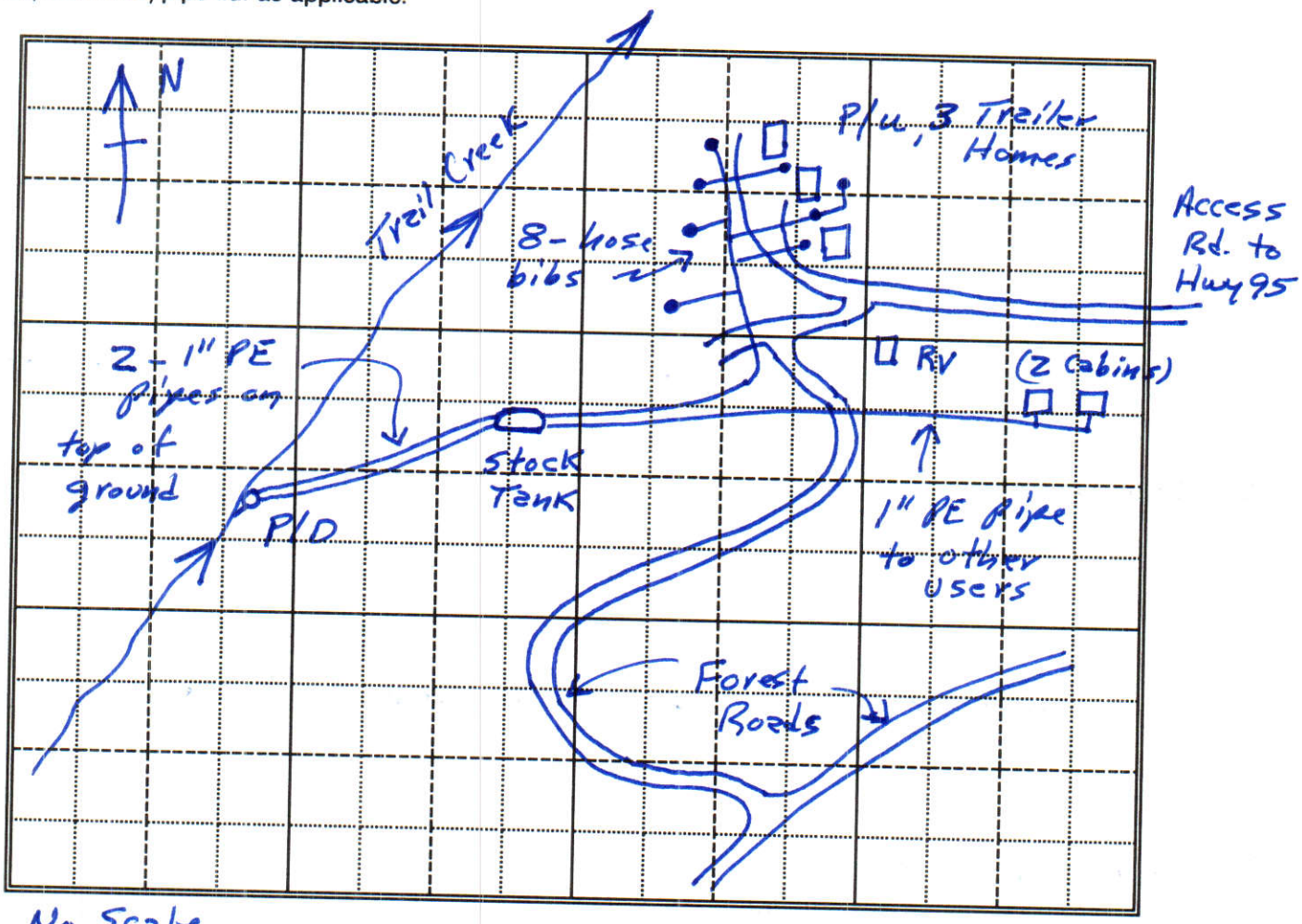

Pipe diversion as described in 6a. of appl.
T 21N
R 01E
S 2
NESW
2
P/O & P/D
actual P/D
off of Trail
creek
T 21N
R 2E
Sec 2
SWSWSW
34
11

AUG 16 1994

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



Scale: 1" = No. Scale

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

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

✓ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** 5 Gal. Bucket at Stock Tank: Q = $\frac{5 \text{ Gal.}}{40 \text{ Sec.}}$ = 7½ GPM

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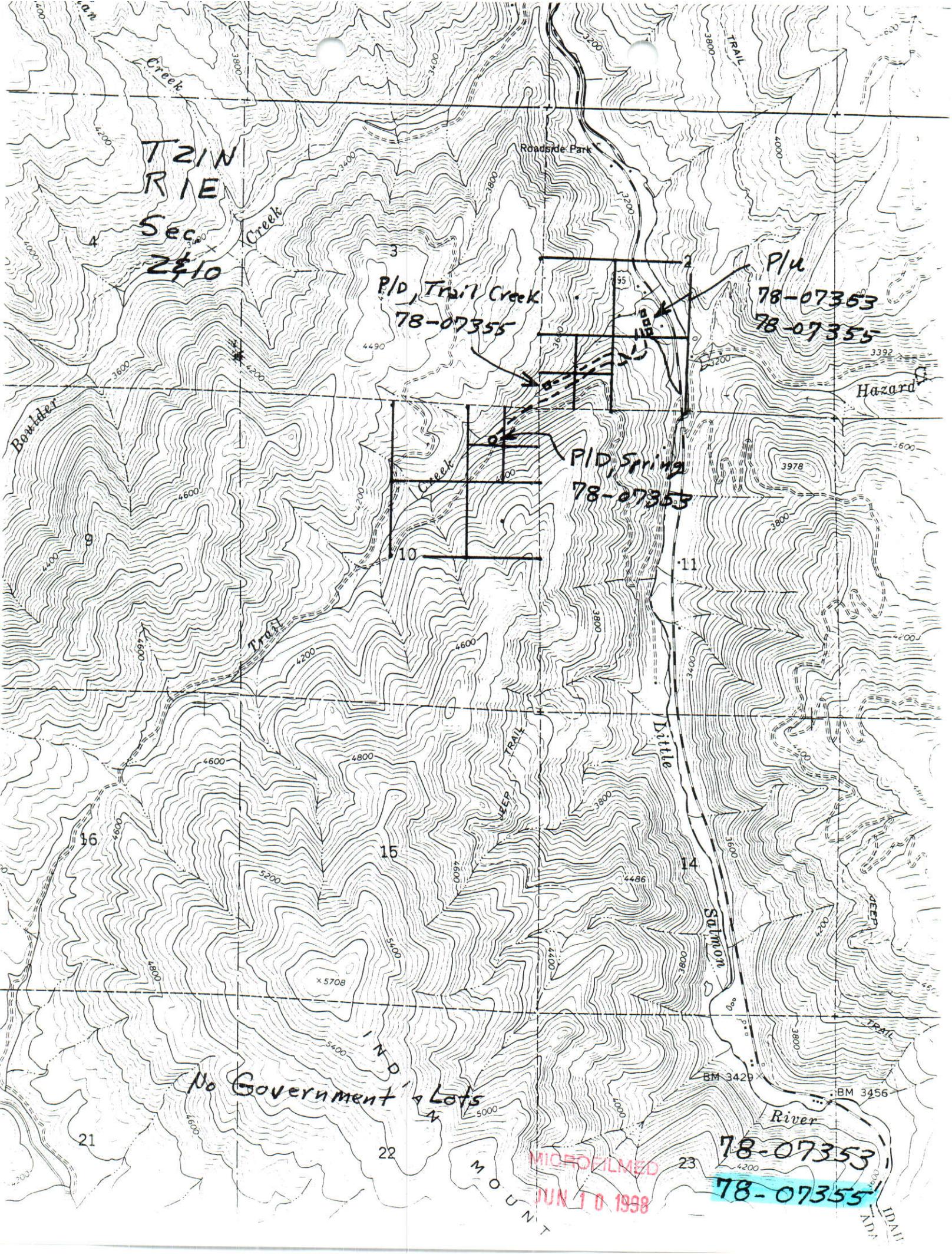
JUN 10 1998


T21N
R1E
Sec 4
2 & 10
P/D, Trail Creek
78-07355
P/U
78-07353
78-07355
P/D, Spring
78-07353
No Government Lots
78-07353
78-07355
MICROFILMED
JUN 10 1998
Roadside Park
Trail Creek
Boulder Creek
Hazard
Little Salmon River
Trail
JEEP TRAIL
BM 3429
BM 3456
MOUNT

1 of 2

P/D

Diversion at Trail Creek.

One of the PE pipes is for two cabins not on this permit.

Stock Tank

[redacted]

Place of Measure-ment.

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JUN 10 1998

78-07355

P/u
Three
Trailer
Homes,
yards
&
gardens.

View
Looking
North.

P/u
one of
the
gardens
at the
Trailer
Homes.

View
Looking
South.

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JUN 10 1998

78-07355

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County Leader, a newspaper; that a copy of the " Notice of Application for Water Right " ..... as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two (2) consecutive weeks, the first publication of the same being made in the issue dated April 7.1994

and the last in the issue dated April 14.1994

that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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 " as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 14th day of April, 1994.

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

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

78-07355

TYLER, KERRY S
TYLER, LEE ANNA M
5143 HWY 95
NEW MEADOWS, ID 83654
Source: TRAIL CREEK
Tributary: LITTLE SALMON RIVER
Diversion Pt: SWSWSW Sec 2 T 21N R 01E in ADAMS County.
Use: DOMESTIC (.060 CFS)
Total Diversion: (.060CFS)
Date Filed: 3/11/1994
In: ADAMS County
T21N R01E S02 NESW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise Idaho 83705 on or before APRIL 25, 1994.

R. KEITH HIGGINSON,
Director

Published: 4/7/1994 & 4/14/1994

MICROFILMED
AUG 16 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07355

Priority: March 11, 1994 — Maximum Diversion Rate: 0.02 CFS; Maximum Diversion Volume: 1.2 AF

This is to certify, that KERRY S TYLER
LEE ANNA M TYLER
5123 HWY 95
NEW MEADOWS ID 83654 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 11, 1994; and has submitted Proof of Beneficial Use on December 11, 1997. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

TRAIL CREEK tributary to **LITTLE SALMON RIVER**

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	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 2, Township 21N, Range 01E
ADAMS County

PLACE OF USE: DOMESTIC

TWN	RGE	SEC	
21N	01E	2	NESW

CONDITIONS OF APPROVAL AND REMARKS

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

MICROFILMED
JUN 10 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07355

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 5TH day of MARCH, 1998.

Acting for KARL J. DREHER, Director

MICROFILMED
JUN 10 1998

Form No. 217
7/94

FOR OFFICE USE ONLY
Amt. of Fee $: 50.00
Receipt No: 040881
Receipt By: LS
Date Receipted: 12/11/97

RECEIVED
DEC 11 1997
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. 78-07355 Telephone No. 208-628-3538

2. Name(s) of Permit Holder(s): Kerry S. Tyler LeeAnna M. Tyler

3. Mailing Address: 5123 Hwy 95 New Meadows, Id. 83654

4. Source of Water: Trail 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): 2 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.06 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 X
Has the measuring device been installed? Yes ____ or No X
Flow Measurement Port: Is a flow measurement port required? Yes ____ or No X
Has the measurement port been installed? Yes ____ or No X

8. Fee Enclosed: $ 50.00 (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: Field Examination has been completed Telephone Number: _____

Address: _____

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: Kerry S. Tyler Date: 12-9-97
(include your title if on behalf of company of organization)

MICROFILMED
FEB 13 1998

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 78-07355

Proposed Priority: March 11, 1994 Maximum Diversion Rate: 0.06 CFS

This is to certify, that **KERRY S TYLER**
LEE ANNA M TYLER
5143 HWY 95
NEW MEADOWS ID 83654
has applied for a permit to appropriate water from:

TRAIL CREEK tributary of **LITTLE SALMON RIVER**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
DOMESTIC	01/01 to 12/31	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSWSW , Sec. 2, Township 21N, Range 01E
ADAMS County

PLACE OF USE: DOMESTIC

TWN	RGE	SEC	
21N	01E	2	NESW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 1, 1998.**
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Domestic use is for 2 homes.
5. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.

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

25th day of May, 1994.

for R. Keith Higginson, Director

AUG 16 1994

RECEIVED
MAY 13 1994
Department of Water Resources

Ident. No. **78-07355**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: KERRY S TYLER 208-628-3538
   Address: 5143 HWY 95
   NEW MEADOWS ID 83654
   AND/OR
   Name: LEE ANNA M TYLER 208-628-3538
   Address: 5143 HWY 95
   NEW MEADOWS ID 83654

2. Source: TRAIL CREEK Trib. to: LITTLE SALMON RIVER
3. Location of Point of Diversion: SWSWSW Sec. 2, Township 21N, Range 01E
   ADAMS County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
DOMESTIC	01/01	12/31	0.060		

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

6. Proposed diverting works:
   a. Description of ditches, flumes, pumps, headgates, etc.
      Existing pipe and spring box.
   b. Height of storage dam feet; active reservoir capacity
      acre-feet; total reservoir capacity acre-feet; period of
      year when water will be diverted to storage: to inclusive.
   c. Proposed well diameter is inches; proposed depth of well is
      feet.
   d. Is groundwater with a temperature greater than 85F being sought? NO
   e. 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 4 year(s).

AUG 16 1994

8. Place of Use: DOMESTIC

TWN	RGE	SEC	
21N	01E	2	NESW

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:
The domestic use authorized under this permit shall not exceed 13,000 gallons per day per <unit/dwelling> in accordance with Section 42-111, Idaho Code.
This permit authorizes irrigation of up to 1/2 acre within each platted subdivision lot upon which a domestic dwelling has been constructed.

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.

_____
Applicant

Received by _____ Date _____ Time____ Preliminary check by _____

Fee $ 30.00 Receipted by _____ #C029783 Date 3/11/1994

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

AUG 16 1994

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MAR 11 1994
Department of Water Resources

RECEIVED
MAR 11 1994
Department of Water Resources

Form 202
10/92

Ident. No. 78-7355

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
MAR 15 1994
WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name of applicant Kerry S and LeeAnn M. Tyler Phone 208-628-5538

   Post office address 5143 Hwy 95 New Meadows, Id. 83654

2. Source of water supply Trail Creek which is a tributary of Little Salmon Rv.

4 3. Location of point of diversion is SW ¼ of ~~NE~~ SW ¼ of SW ¼, Govt. Lot _____

   Sec. 2 Township 21N Range 01E B.M. Adams County; additional

   points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount .06cfs for domestic 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)

   Amount _____ for _____ purposes from _____ to _____ (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) .06 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. The diversion from Trail Creek is already existing with pipe to a spring box to the cabins – I will be diverting from this pipe a few hundred yards uphill from the existing box and piping to a new box and on to the houses (ours)

   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.

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

   d. Is ground water with a temperature of greater than 85°F being sought? _____

   e. If well is already drilled, when? _____; Drilling firm _____

   Well was drilled for *(well owner)* _____

AUG 16 1994

7. Time required for the completion of the works and application of the water to be proposed beneficial use is 4 years *(minimum 1 year)*.

* change based on map + diverting works description. lg 3/22/94

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

a. Hydropower; show total feet of head and proposed capacity in KW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 2

e. Other; describe fully. _____

9. Description of place of use:

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

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21N	01E	2									D								

Total number of acres to be irrigated _____

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

11. a. Who owns the property at the point of diversion? Kerry and LeeAnn Tyler

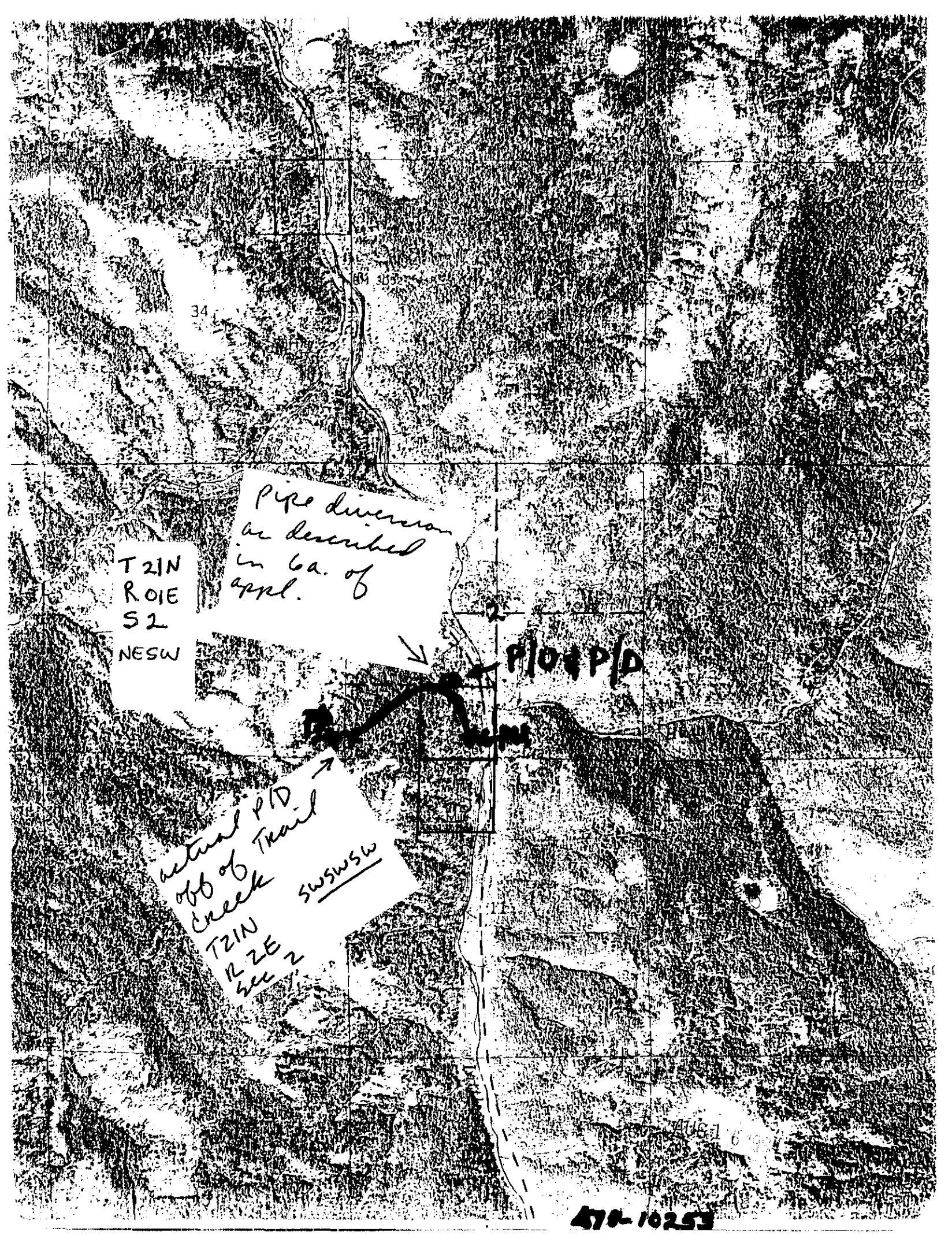
b. Who owns the land to be irrigated or place of use? Kerry and LeeAnn Tyler

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: W04, ~~W05~~

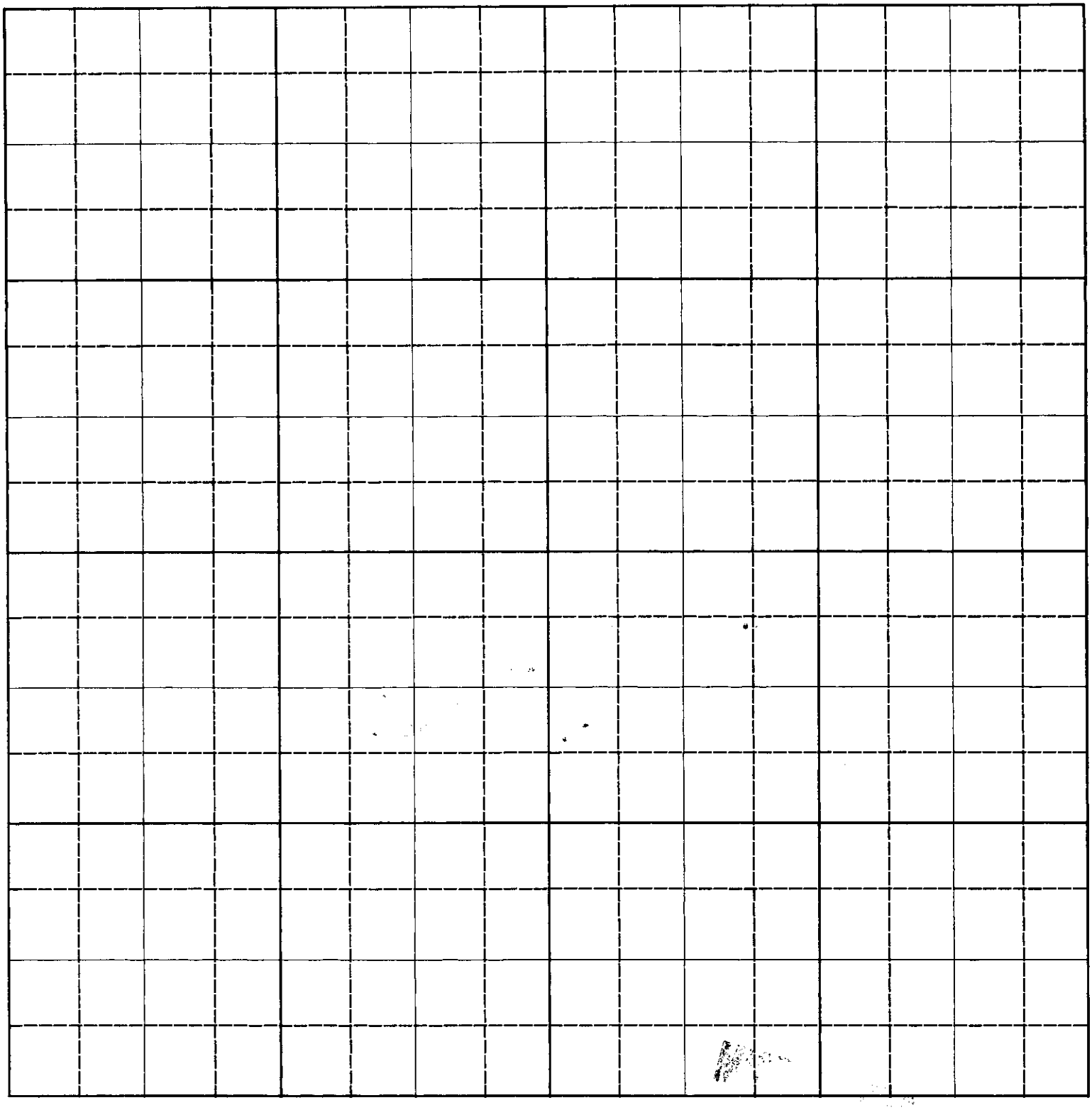
AUG 16 1994

* IDWR domestic use standard remarks. LJ 3/22/94


Pipe diversion as described in 6a. of appl.
T 21N
R 01E
S 2
NESW
Proposed P/D
actual P/D
Off of Trail
Creek
T 21N
R 2E
Sec 1
SWSWSW
34
2
1
6

See Attached Map

13. 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.

AUG 1 [illegible]

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.

Kerry S. [illegible]
(Applicant)

Received by CJ Date 3/11/94 Time 2:30 pm. Preliminary check by [illegible]

Fee $ 30.00 Receipted by dw # C029783 Date 3/11/94

Publication prepared by dt Date 3-29-94 Published in Adams City Leader

Publication approved dt Date 4-27-94

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:

AUG 16 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 6, 1998

KERRY S TYLER
LEE ANNA M TYLER
5123 HWY 95
NEW MEADOWS ID 83654

RE: WATER RIGHTS 78-07353/78-07355

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are **preliminary orders** issued by the Department pursuant to section 67-5243, Idaho Code. **They can and will become final orders without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below.**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED
JUN 10 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

i. A hearing was held,
ii. The final agency action was taken,
iii. The party seeking review of the order resides, or
iv. The real property or personal property that was the subject of the agency action is located.

RECEIVED
JUN 10 1998

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

If you have any questions, please call me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED
JUN 10 1998

CERTIFICATE OF MAILING

I hereby certify that on the **6th** day of **March, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDERS (Approved Licenses)** to the person(s) listed below:

WATER RIGHTS 78-07353/78-07355

KERRY S TYLER
LEE ANNA M TYLER
5123 HWY 95
NEW MEADOWS ID 83654

Kari Lynn Townsend
Secretary

MICROFILMED
JUL 1 8 1998

12/97

B/U FIELD EXAM REVIEW

by Cindy Lou

Permit #: 78-7355 Name: Tyler Date: 2/27/98 ✓Lots ✓

	Chng	Same	
NAME	___	✓	Or Address Change?
SOURCE	___	✓	Clarify source ___
	___		Prelim. Order to Void - Source change.
P/D	___	✓	Amendment Needed? Addn'l ¼¼? ___ Legal Clarify SeSwSw **P39**
			Same ¼¼? ___ W32 ___ **P36**
			Overlap(s) ~~78-7353 (diffuse)~~ no recorded overlaps
P/U	___	✓	Amendment Needed? ___ **P41**
			Overlap(s) 78-7353 (interior use)
			(Gov't use special ¶s) *P/D & P/U Amend? **P37**
RATE	___	✓	Permit/proof fee limits 0.06 / 0.20 $50
	___	✓	Measured Quantity = 0.02 cfs Theoretical Quantity = ___ cfs
			5gal/40sec. = 7.5gpm = 0.016≈0.02 cfs.
	___	✓	Recommended capacity 0.02 cfs
	___	✓	Recommended rate 0.02 cfs
VOLUME	___	___	Season: (/) 1/1 - 12/31 = 365 days
			Calculations: 2 hm, ext use only. = 2 x 0.6 = 1.2
			Flow limit: 0.02 cfs x 365 days/yr. x 1.9835 = 14.5 AF
	___	___	Recommended volume 1.2 AF
USES	___	✓	Same Nature of Use? developed lawn use only **P46**
	___	___	Amendment Needed? ___
REMARKS		___	Multiple p/d's in same ¼¼? Use W32 ___
		✓	① W01/2 - ext
CONDITIONS		___	Measuring Device *(R43)* or Lockable Controlling Works *(R02)*
		___	Watermaster Control *(R04)* - WD #___
		___	Irrigation rate/annual volume overlap
		___	GW irrigation replaces surface water *(050)*
		___	GW irrigation suppliments surface water *(065)*
		___	Water Quality
		___	Other ___

PRIORITY

App Rcd 3/11/94 Due 6/1/98 Rc'd 12/11/97
Receipt# C040881 Fee OK? Yes/No
Order to Reinstate Needed? Yes/No Done? ___ Advanced to: ___
Priority 3/11/94 Examined 9/10/97

COMMENTS: flow limited by measured capacity.

USE	CFS	VOLUME
Dom/2	0.02	1.2
TOTAL	0.02	1.2

SRBA Overlap none
Adjustment Memo ___
LICENSE
#1 AMEND: ___/**P38**
#2 AMEND:(R)**P42**/(C)**P47**

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 27 1998
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 78-07355

1. Owner: Kerry S. & Lee Anna M. Tyler Phone No. (208) 628-3538
Current Address: 5123 Hwy 95, New Meadows, ID 83654
2. Accompanied by: Kerry Tyler EXAM DATE: 9-10-97
Address: (Same) Phone No. (Same)
Relationship to Permit Holder: (Same)
3. Source: Trail Creek tributary to Little Selmon River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 78-07353 (Domestic - internal)
2. Other water rights with the same point of diversion: None identified - but there are two cabins owned by others that have their own pipeline from the same diversion as this permit.

C. DIVERSION AND DELIVERY SYSTEM

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

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	SW	2	21N	1E	Adams	Site Visit, Map

2. **Place(s) of Use:** Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	1E	2									D								

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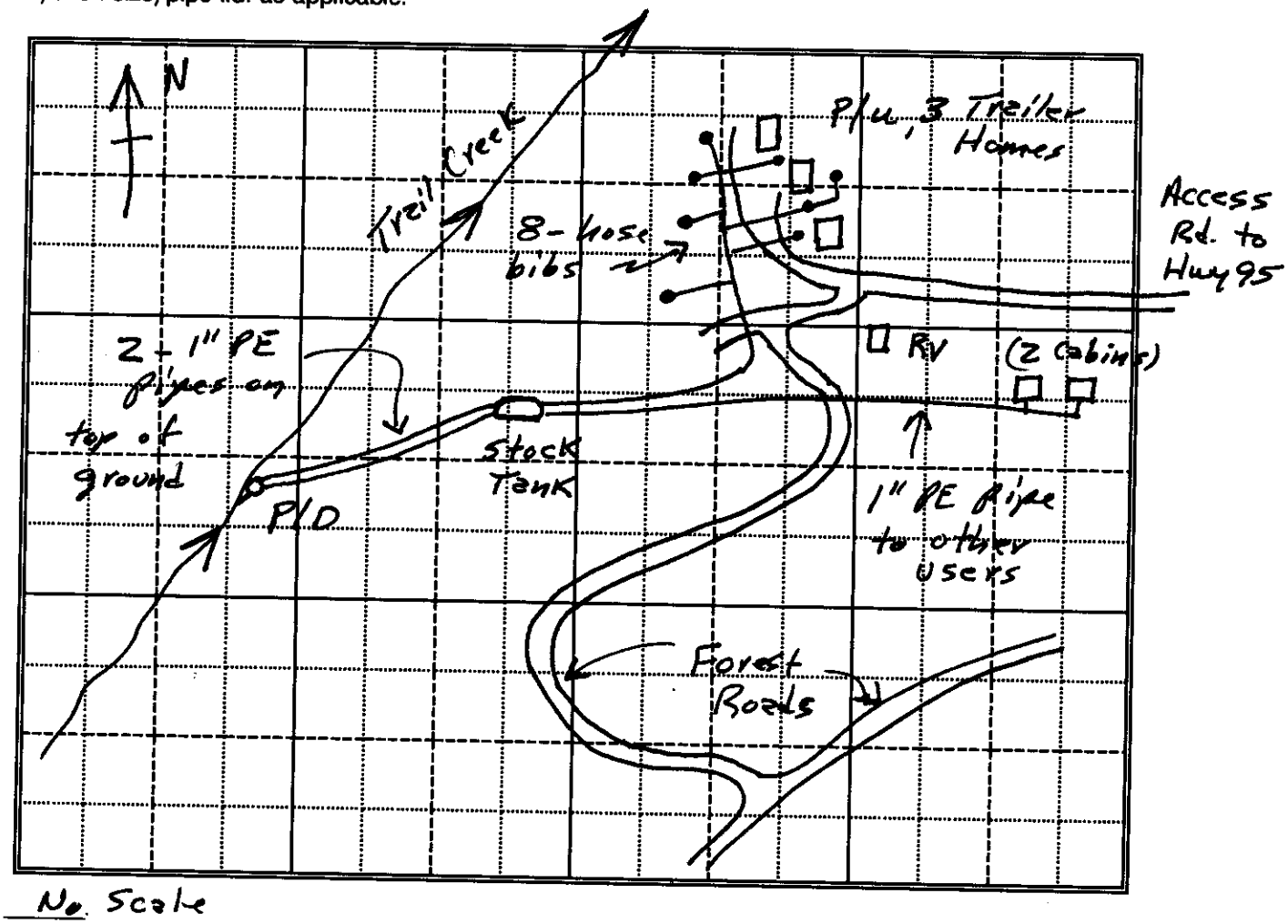
3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = No Scale

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

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

✓ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** 5 Gal. Bucket at Stock Tank: Q = $\frac{5 \text{ Gal.}}{40 \text{ Sec.}}$ = 7½ GPM

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E. NARRATIVE/REMARKS/COMMENTS

1. This water is used for irrigation of yards and gardens at 3 trailer homes. The domestic – internal water for the same three trailer homes is supplied from a spring under WR 78-07353 (shown on map).

2. The water system includes a diversion on Trail Creek, 2 – 1" PE pipes on top the ground to a Stock Tank used for storage, and a pipeline from the tank to 8 hose bibs at the trailer homes. The yards and gardens at the homes are irrigated with hoses and sprinklers from the hose bibs.

3. Another pipeline from the same Stock Tank furnishes water to two cabins that are owned by others.

4. The water was measured at the stock tank at 7½ GPM, but it is possible that the pipeline from the creek could handle ~~one~~ a larger flow, if the diversion was modified. The diversion at Trail Creek consists of a 3" PVC pipe from the creek to a small meter barrel where the two pipelines begin. One pipeline is for this permit, and the other is for the cabins owned by others.

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Have conditions of permit approval been met? X yes ✓ no – There was no Proof of Beneficial Use filed at the time of the exam, but the water system was completed. The owner said he would file the Proof for this permit. This exam was done in conjunction with the exam for WR 78-07353.

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method: 5 Gal bucket at Stock Tank.

$Q = 7\frac{1}{2}$ GPM = 0.02 cfs.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

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

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

2. Volume Calculations for Other Uses:

Domestic - Allow 2 homes, external use only. (irrigation)

= (2)(0.6 AFA)

= 1.2 AFA

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Domestic	01/01	12/31	0.02	1.2
		Totals:	0.02	1.2

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

The pipeline flow was measured at 0.02 cfs. The intake barrel and pipe was flowing full at the time.

I. AUTHENTICATION

Field Examiner's Name Don Tomuta Date 1-22-98

Reviewer _____ Date _____

SEAL

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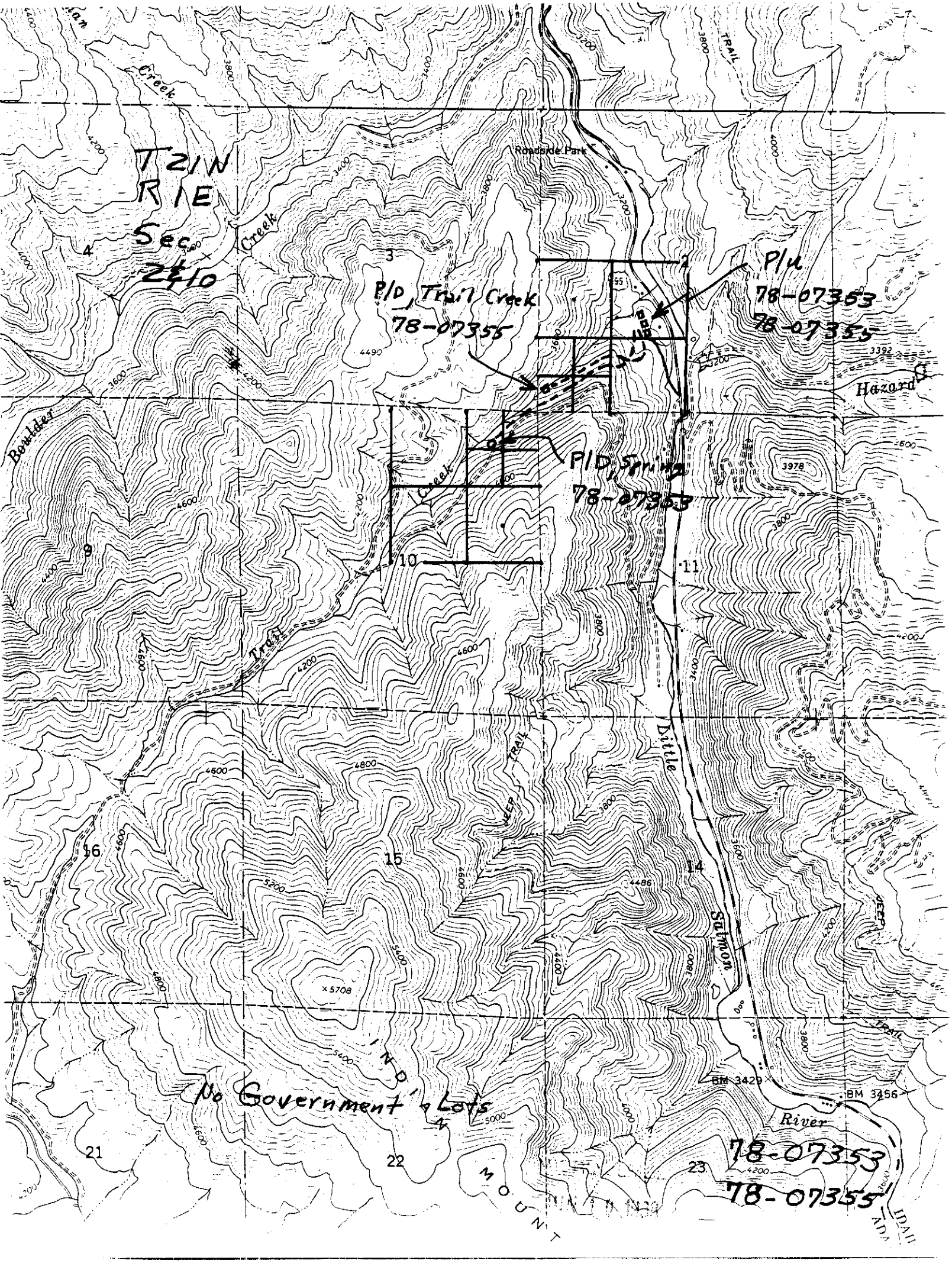
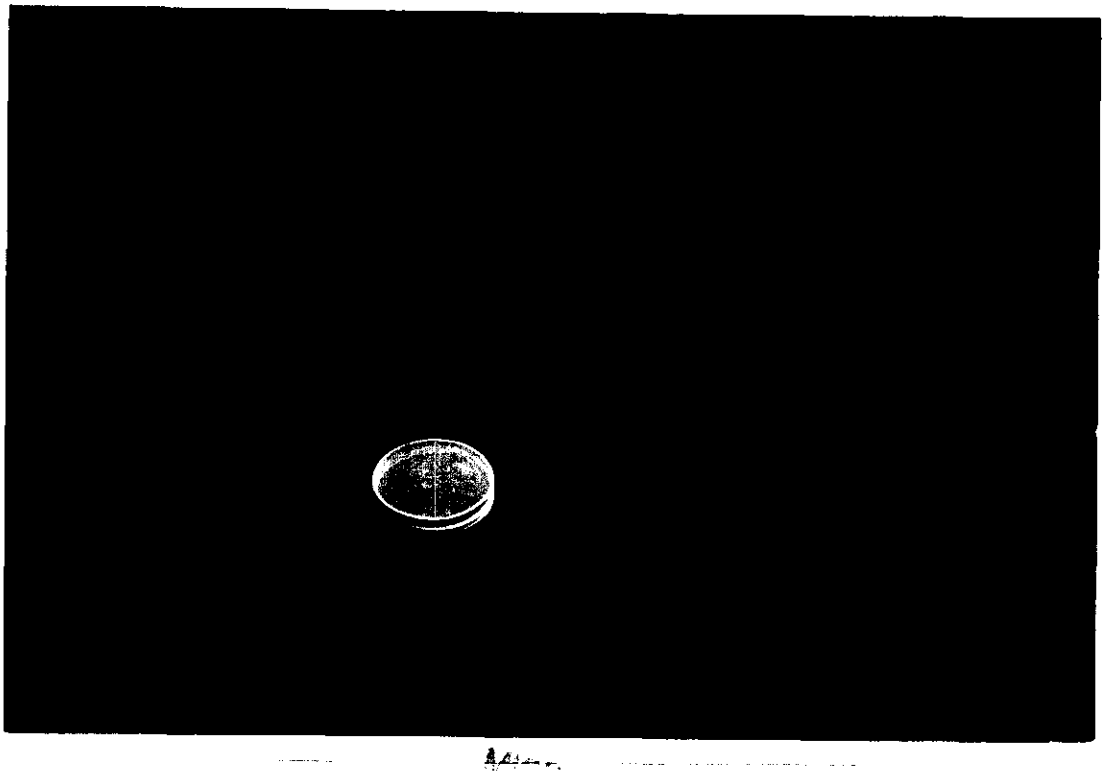

T21N
R1E
Sec 4
2410
P/D, Trail Creek
78-07355
P/U
78-07353
78-07355
P/D, Trail
78-07353
No Government Lots
78-07353
78-07355
Roadside Park
Trail Creek
Boulder Creek
Trail
Ditto Trail
Jeep Trail
Dittle
Salmon River
Hazard
BM 3429
BM 3456
MOUNT
IDAHO
1
2
3
4
9
10
11
14
15
16
21
22
23

P/D

Diversion at Trail Creek.

One of the PE pipes is for two cabins not on this permit.



Stock Tank

[redacted]

Place of Measure-ment.

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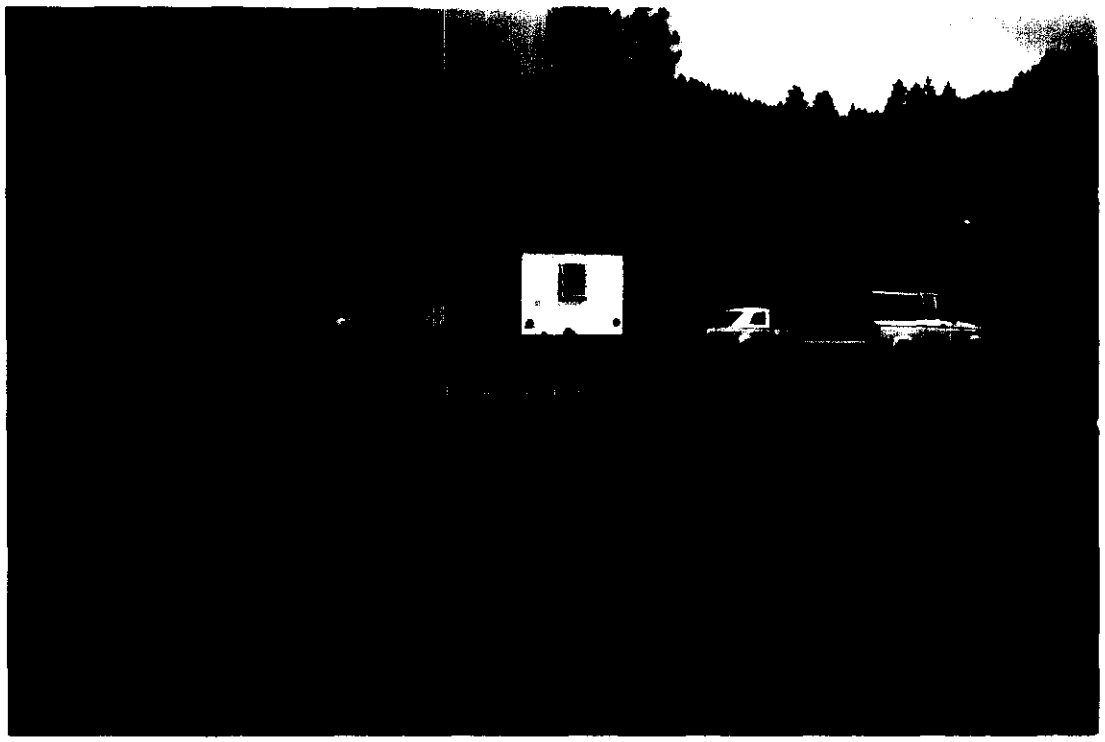
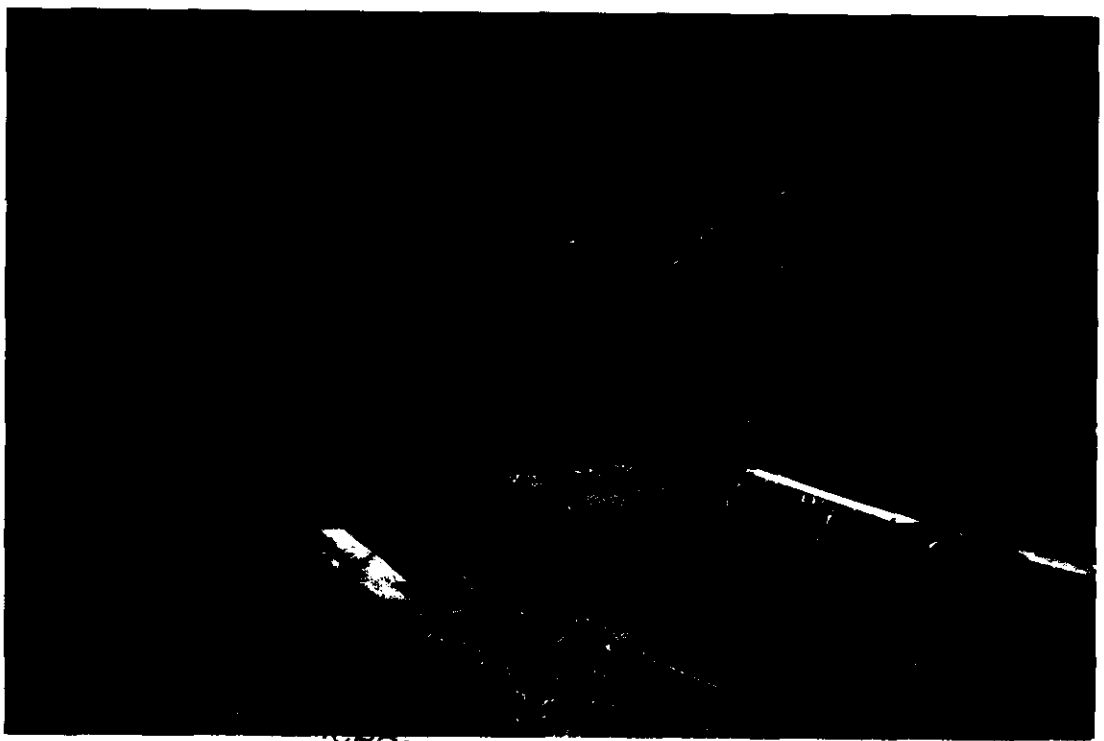
78-07355



P/u
Three
Trailer
Homes,
yards
&
gardens.

View
Looking
North.



P/u
one of
the
gardens
at the
Trailer
Homes.

View
looking
South.

JUN 10 1983

78-07355

State of Idano
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1998

Kerry and Lee Anna Tyler
5123 HWY 95
New Meadows ID 83654

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 78-07355

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.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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 department's **WESTERN** Regional Office in Boise at (208)334-2190.

Sincerely,

Julie L. Yarbrough

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

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FEB 1 3 1998

4-29-97

To Julie L. Yarbrough

Our mailing address needs to be updated. You have us at 5143 Hwy 95 which is where we were when we filed. We are now at 5123 where the developement is that we filed for. Please update our files or send a change of address form.

Sincerely

Kerry Tyler

Kerry S. Tyler
LeeAnna M. Tyler
5123 Hwy 95
New Meadows, Id. 83654

Permit # 78-07353
Permit # 78-07355

(78-07354 is defunked)

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FEB 13 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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 26, 1994

KERRY S TYLER
LEE ANNA M TYLER
5143 HWY 95
NEW MEADOWS ID 83654

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 78-07355

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.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

AUG 16 1994

78-07355

TYLER, KERRY S
TYLER, LEE ANNA M
5143 HWY 95
NEW MEADOWS, ID 83654

Source: TRAIL CREEK Tributary: LITTLE SALMON RIVER

Diversion Pt: SWSWSW Sec 2 T 21N R 01E in ADAMS County.

Use: DOMESTIC (.060 CFS)
Total Diversion: (.060 CFS)

Date Filed: 3/11/1994

In: ADAMS County
T21N R01E S02 NESW

AUG 16 1994

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County Leader, a newspaper; that a copy of the " Notice of Application for Water Right " .....

..... as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two (2) consecutive weeks, the first publication of the same being made in the issue dated April 7.1994

and the last in the issue dated April 14.1994

that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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 " as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 14th day of April, 1994.

Notary Public for Idaho,
Residing at Council, Idaho

[redacted]
FOR WATER RIGHT

The Following application (s) have been filed in accordance with the public waters of the State of Idaho:

78-07955

TYLER, KERRY S
TYLER, LEE ANNA M
514 HWY 95
NEW MEADOWS, ID 83654
Source: TRAIL CREEK
Tributary: LITTLE SALMON RIVER
Diversion Pt: [redacted]
T 21N R 01E in ADAMS County.
Use: DOMESTIC (.060 CFS)
Total Diversion: (.060CFS)
[redacted]
In: ADAMS County
T21N R01E S02 NESW

[redacted] the rights of all other water rights [redacted] the priority of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705, on or before APRIL 25, 1994.

R. KEITH HIGGINSON
Director

Date of 1st pub: 4/7/1994
4/14/1994

AUG 16 1994