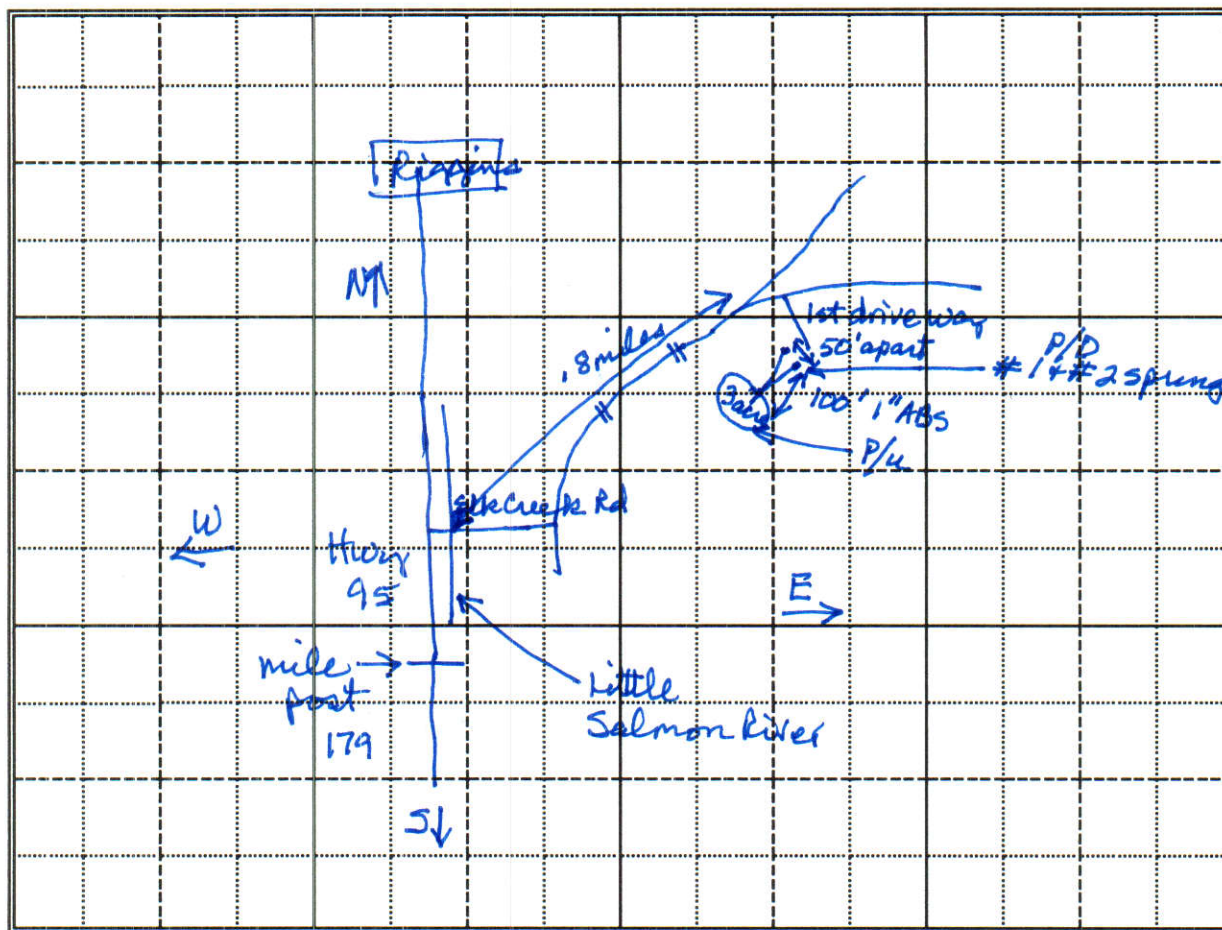




NOTIFIED

001 25 1993

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

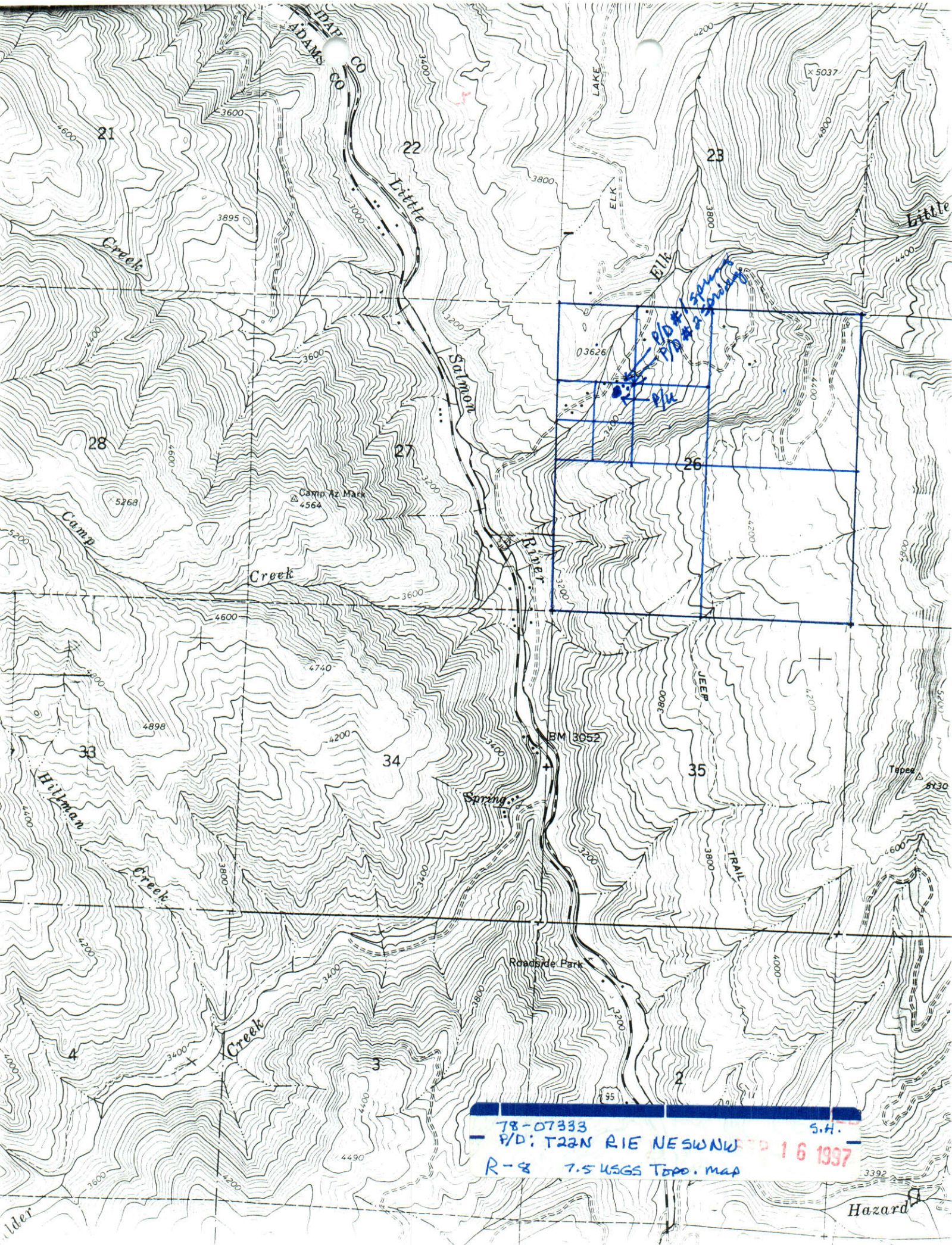
1.

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

2. Measurements: _____

MICROFILM

SEP 16 1997



78-07333 S.H.
P/D: T22N R1E NESWNW 16 1937
R-8 7.5 USGS Topo. map

78-07333
4/26/96 S.H.



P/O:
spring #1

Spring #1 + #2 are
50' apart, consist of a
rock dam, screened
1" ABS pipe, they tie
in together about 30-35'
down; a total of 100' ABS
to the P/U



P/O:
spring #2

MICROFILMED
SEP 16 1997

78-07333

4/26/96 S.H.



P/u: Irrigation

- 3 acres of trees + garden
- terraced, with furrows to flood irrigate by gravity flow, by placing pipe/hose at the different terraced level



A 5 gallon
bucket measurement
= .06 cfs

MICROFILMED
SEP 16 1997

**NOTICE OF APPLICATION FOR
WATER RIGHT**

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

78-07333

WALKER, BILLIE L.
WALKER, MICHAEL A.
146 POTTER LN
MCCALL, ID 83638
Source: SPRING Tributary: SINKS
Diversion Pt: SWNENW Sec 26 T 22N R
01E in IDAHO County.
Use: IRRIGATION (0.60 CFS)
Total Diversion: (.060 CFS)
Date Filed: 6/8/1992
In: IDAHO County
T22N R01E S26 NWNW
3.0 ACRES TOTAL

78-07348

FISHER, RICHARD D.
FISHER, BLANCHE L.
RT. 3 BOX #211D
MILTON FREEWATER, OR 97862
Source: LITTLE ELK CREEK Tributary:
ELK CREEK
Diversion Pt: SESW Sec. 23 T 22N R
01E in IDAHO County.
Use: IRRIGATION (0.30 CFS)
DOMESTIC (.060 CFS)
Total Diversion: (.090 CFS)
Date Filed: 8/6/1993
In: IDAHO County
T22N R01E S23 SESW
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
SEPTEMBER 7, 1993.
R. KEITH HIGGINSON, Director
Published: 8/19/1993 & 8/26/1993
A19-26

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Marietta Hanson, being
first duly sworn, says she is the Bookkeeper
of the IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho, and is
of general circulation in said county and state, that the said notice, of
which the one hereto attached is a true copy, was published in said
paper for two weeks, being published two
times, the first publication being on the 19th day of
August, 19 93, and the last
publication on the 26th day of August, 19 93;
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.

Marietta Hanson

STATE OF IDAHO }
COUNTY OF }

On this 26th day of August in the year of 1993,
Before me, a Notary Public, personally appeared
Marietta Hanson, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

[Signature]
Notary Public for Idaho
Residing at Grangeville, ID
My commission expires 6-4-98

RECEIVED

AUG 30 1993

Department of Water Resources
Western Regional Office

MICROFILMED

OCT 25 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07333

Priority: June 8, 1992

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

9.0 AF

This is to certify, that BILLIE L WALKER
MICHAEL A WALKER

146 POTTER LN
MC CALL ID 83638

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 8, 1992; and has submitted Proof of Beneficial Use on September 13, 1995. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from:

SPRINGS

tributary to SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
22N	01E	26	SWNW	3		3

Total number of acres irrigated: 3

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 that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. Two points of diversion are located within NESWNW, S26, T22N,

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 78-07333

CONDITIONS OF APPROVAL AND REMARKS

R1E.

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 22nd
day of AUGUST, 1992.


Acting for KARL J. DREHER, Director

SEP 16 1992

State of Idaho
Department of Water Resources

RECEIVED
AUG 18 1997

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 78-07333

Department of Water Resources

Date of Priority: June 8, 1992

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

9.0 AF

Comes now

BILLIE L WALKER
MICHAEL A WALKER

146 POTTER LN
MC CALL ID 83638

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 78-07333, and requests that the permit be changed as follows:

Source: SPRINGS

tributary to SINKS

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESWNW

Sec. 26, Township 22N, Range 01E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
22N	01E	26	SWNW	3		3

Total number of acres irrigated: 3

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

Signed at McCall IDA, this 14th day of Aug, 1997.

Michael Walker
(Signature)

SEP 14 1997

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 78-07333

FOR DEPARTMENT USE ONLY

Preliminary check by JW Fee = 50.00 Received by JW # C039879 Date 8-18-97

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 78-07333 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. Two points of diversion are located within NESWNW, S26, T22N, R1E.

Witness my hand this 22ND day of August, 1997.


Acting for KARL J. DREHER, Director

RECEIVED

SEP 13 1995

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 0233549
Receipt By: SW
Date Received: 9-17-95

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 who has been appointed by the department.

1. Permit No. 78-07333 Telephone No. 208 634-7406
2. Name(s) of Permit Holder(s): Michael A. or Billie L. Walker
3. Mailing Address: 146 Potter Lane McCall Id 83638
4. Source of Water: SPRING 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): 3 Other:
6. Total rate of diversion and/or volume for which proof is submitted: .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: MIKE WALKER Telephone Number: 208-634-7406
Address: 146 POTTER LN, MCCALL IDA- 83638

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: Michael Walker Date: 9/7/95
(include your title, if on behalf of company or organization)

NOV 15 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 78-07333

Proposed Priority: June 8, 1992

Maximum Diversion Rate:

0.06 CFS

This is to certify, that **BILLIE L WALKER**
MICHAEL A WALKER
146 POTTER LN
MC CALL ID 83638

has applied for a permit to appropriate water from:

SPRING

tributary of **SINKS**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/15 to 10/15	0.06 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
22N	01E	26	NWNW 3			3

Total number of acres irrigated: 3

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1995**.
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. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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

1st day of October, 1993.

RECORDED

OCT 25 1993

R. Keith Higginson
for
R. Keith Higginson, Director

RECEIVED

SEP 16 1993

Ident. No. 78-07333

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: BILLIE L WALKER 208-634-7406
Address: 146 POTTER LN
MC CALL ID 83638

Name: MICHAEL A WALKER 208-634-7406
Address: 146 POTTER LN
MC CALL ID 83638

2. Source: SPRING Trib. to: SINKS
3. Location of Point of Diversion: SWNENW Sec. 26, Township 22N, Range 01E
IDAHO County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/15	10/15	0.060		

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

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
SPRINGS AND PIPELINE
- 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 2 year(s).

RECEIVED
OCT 25 1993

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
22N 01E 26	NWNW 3			3

Total number of acres irrigated: 3

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:

Application being held pending withdrawal of drought moratorium.

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 _____ #W014847 Date 6/ 8/1992

Publication prepared by At Date 8-70-93 Published in Id City Free Press

Publication approved _____ Date _____

MAILED
OCT 25 1993

RECEIVED

JUN - 8 1992

STATE OF IDAHO

Ident. No. 78-07333

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Western Regional Office**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

- Name of applicant Michael A. or Billie L. Walker Phone 634-7406
Post office address 146 Potter Lane McCall ID 83638
- Source of water supply ~~Groundwater~~ Spring which is a tributary of SINKS
- Location of point of diversion is ~~SW 1/4 of NE 1/4 of NW 1/4 of Sec. 26~~ SW 1/4 of NE 1/4 of NW 1/4 of Sec. 26 of Govt. Lot See attached Legal. description
Sec. 26 Township 22N Range 1E B.M. Idaho County; additional points of diversion if any: NE SW NW T22N R1E
- Water will be used for the following purposes:
Amount .06 CFS for IRRIGATION purposes from 4/15 to 10/15 (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)
- Total quantity to be appropriated is (a) .06 cubic feet per second and/or (b) _____ acre feet per annum
- Proposed diverting works:
 - Description of ditches, flumes, pumps, headgates, etc. SPRINGS - PIPELINE
 - 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 ground water with a temperature of greater than 90°F being sought? No
- Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year).

* Per attached + IDWR standards.

MINOR USE
OCT 25 1992
6/11/92

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. 1
- Other; describe fully. Lawn & garden irrigation

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	1E	26						3											
								I											

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? Michael & Billie Walker

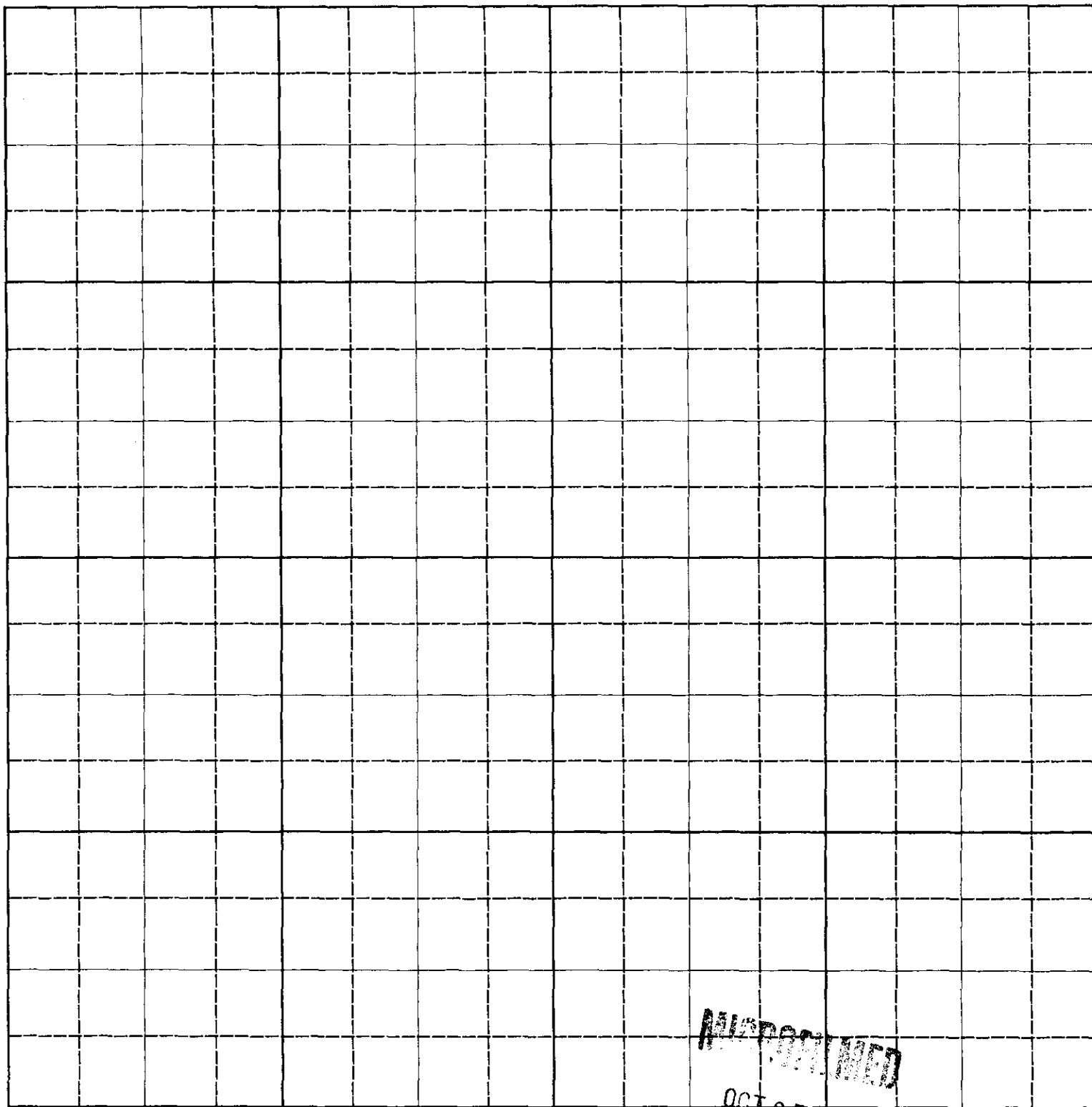
b. Who owns the land to be irrigated or place of use? Same

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: Point of diversion located between NESWNW + SWNENW, T22N R 1E sec 26.

OCT 25 1993

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.

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.

Michael Walker
(Applicant)

Received by MM Date 6-8-92 Time 1:12pm Preliminary check by 6
Fee \$ 30⁰⁰ Receipted by JTL # W014847 Date 6/8/92
Publication prepared by ST Date 8-10-93 Published in Ad county, Fair Press
Publication approved ST Date 9-7-93

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:

RECEIVED

OCT 25 1993



34

001 25

Please x where the
spring is located +
where the acres are
located. I have out-
lined the area described
on your legal.

RECEIVED

JUL 29 1993

Department of Water Resources
Western Regional Office

EXHIBIT "A"

The following property situate in Idaho County, Idaho, to-wit:

Township 22 North, Range 1 East, Boise Meridian

Section 26: Commencing at the SW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section;
thence North 116 feet to the point of beginning;
thence West parallel with the South line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
296 feet to the East right of way line of the County Road;
thence Southwesterly along the right of way 390 feet;
thence (approximately) S.45°E., 75 feet, along a road right of
way to the North side of a logging road;
thence East parallel with the South boundary of the said NW $\frac{1}{4}$ NW $\frac{1}{4}$,
240 feet;
thence N.29°29'20"E., along a road right of way 30 feet;
thence N.44°51'E., along said right of way 202.76 feet;
thence N.25°56'E., along said right of way 240 feet, more
or less, to the point of beginning.

RECORDED

OCT 25 1993



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

August 22, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BILLIE L WALKER
MICHAEL A WALKER
146 POTTER LN
MC CALL ID 83638

RE: WATER RIGHT NO. 78-07333

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order 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.

100-21000
SEP 16 1997

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.

SEP 16 1967

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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

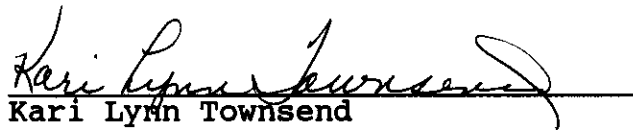
SEP 18 1991

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of August, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 78-07333

BILLIE L WALKER
MICHAEL A WALKER
146 POTTER LN
MC CALL ID 83638


Kari Lynn Townsend
Secretary

RECEIVED

AUG 18 1997

Department of Water Resources

146 Potter Lane

McCall, ID 83638

Aug. 14, 1997

Jim Johnson
Dept. of Water Resources
State of Idaho
1301 No. Orchard St.
Boise, ID 83706-2237

Mr. Johnson,

This letter is in regards to our telephone conversation today concerning our Water Right application #78-07333. It is my understanding that our legal description on the application differed from your inspector's. I am sending along a copy of EXHIBIT "A" which accompanies our warranty deed to the property. We will trust your judgment as to the exact location and will wait for your reply.

As advised by you, I am sending a signed amendment and the \$50.00 fee to secure the water right. If we need to provide any additional information, please let us know. Thank you for checking on this. We will appreciate hearing from you.

Sincerely,



Billie Walker
{208}634-7406

EXHIBIT "A"

The following property situate in Idaho County, Idaho, to-wit:

Township 22 North, Range 1 East, Boise Meridian

Section 26: Commencing at the SW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section;
thence North 116 feet to the point of beginning;
thence West parallel with the South line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
296 feet to the East right of way line of the County Road;
thence Southwesterly along the right of way 390 feet;
thence (approximately) S.45°E., 75 feet, along a road right of
way to the North side of a logging road;
thence East parallel with the South boundary of the said NW $\frac{1}{4}$ NW $\frac{1}{4}$,
240 feet;
thence N.29°29'20"E., along a road right of way 30 feet;
thence N.44°51'E., along said right of way 202.76 feet;
thence N.25°56'E., along said right of way 240 feet, more
or less, to the point of beginning.

Michael A. & Billie L. Walker
146 Potter Lane
McCall Id 83638
208-634-7406

Permit # 78-07333

its
B.

RECORDED

SEP 10 1987



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

July 31, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BILLIE L WALKER
MICHAEL A WALKER
146 POTTER LN
MC CALL ID 83638

RE: WATER RIGHT NO. 78-07333

Dear Permit Holder(s):

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

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

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

SEP 14 1997

PERMIT NO. 78-07333 DATE 7/30/97 REVIEWER: SHARLA

OVERLAPS	P/D	P/U
1	1	1
2	1	1
3	1	1
4	1	1
5	1	1
6	1	1
7	1	1
8	1	1
9	1	1
10	1	1
11	1	1
12	1	1
13	1	1
14	1	1
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16	1	1
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94	1	1
95	1	1
96	1	1
97	1	1
98	1	1
99	1	1
100	1	1

ANNUAL VOLUME/ NATURE OF USES	Use	cfs	Volume Calc	
	✓ Use	.06	3 x 3.0 = 9.0	af
				af
				af
				af
	SUBTOTAL	.06	9.0	af

Flow rate .06 cfs X 215 days X 1.98 = 21.9 af
Total volume recommended 9.0 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS Spid in NESW NW, S26.

Advancement of Priority Date Required ☐ yes ☒ no

SRBA Claim Filed NYA
Adjustment Memo 1

1st Amend Letter P37, P38
2nd Amend Letter P41

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 2 1996
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 78-07333

1. Owner: Billie L & Michael A. Walker Phone No. (208) 634-7406

Current Address: 146 Potter Ln. McCall, Id. 83638

2. Accompanied by: Michael A. Walker EXAM DATE: 4/26/96

Address: 146 Potter Ln. McCall, Id. 83638 Phone No. (208) 634-7406

Relationship to Permit Holder: Self

3. Source: Spring tributary to Sink

B. OVERLAP REVIEW

78-07301, 78-07304, 78-07328, 78-07329
78-07343, 78-04135, 78-07006, 78-07014

1. Other water rights with the same place of use: 78-07360, [REDACTED] **S.H.**

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SW	NW	26	22N	1E	Idaho	Exam. & USGS Topo. map

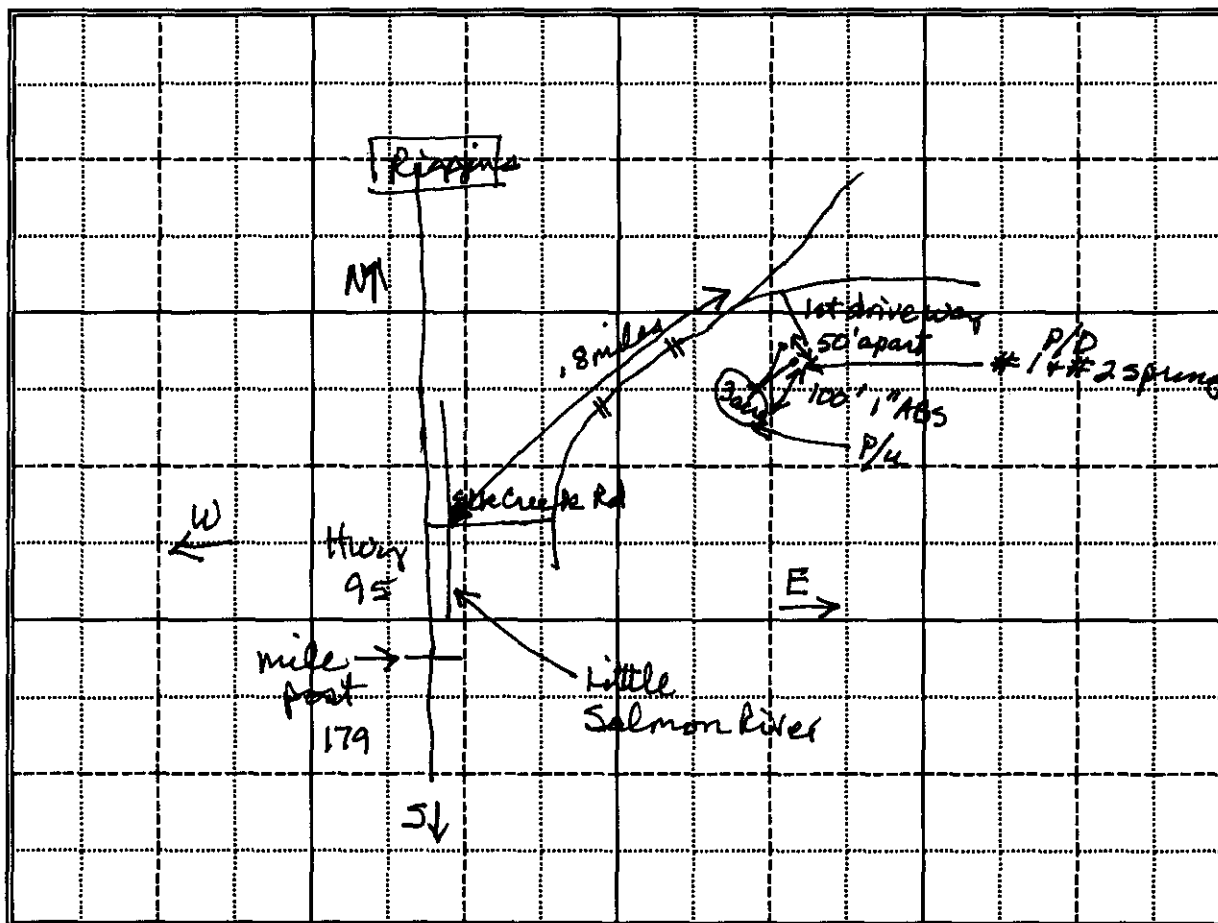
2. Place(s) of Use:

Indicate Method of Determination

Exam. & USGS
Topo. 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	
22N	1E	26							A										3.0 acres

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

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

*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:** _____

E. NARRATIVE/REMARKS/COMMENTS

- No govt lots were found.
- Other water sources available are Elk Creek.
- No other water rights used.
- Use is irrigation of 3 acres of garden & trees. ^(pine & fruit)
- Other uses are fire protection.
- ~~S.H. The system for P/D is other uses; overlaps~~
for P/U are other land &/or other uses.
- The system consists of 2 springs 50' apart; rocks used to dam up an area w/a 1" ABS pipe screened placed in it, each tie in about 30-35' down; a total of 100' ABS to the garden & tree area. A 5 gallon measurement was calculated @ .06 cfs. The area is terraced with furrows, laying pipe in the different main furrows to irrigate the different sections by flood irrigating by gravity flow.
- Recommend amendments to P/D & P/U per Michael Walker, & exam. The other map that had been sent to him before to locate P/D & P/U were not as clear to locate P/D & P/U as it was to locate on the USGS Topo. map, which defined roads & where Elk Creek was much better. Recommend the P/D be changed to read: T22N R01E S26 NESWNW, & the P/U be changed to read: T22N R01E S26 SWNW.

Have conditions of permit approval been met? ☒ yes ☐ no

Michael Walker

SEP 16 1997

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

5 gal. bucket measurement: $\frac{5 \text{ gal.} \times 60 \text{ sec.}}{11.5 \text{ sec.}} = \frac{300}{11.5} = 26.08 \text{ gpm} \times .00223 \text{ cfs} = .058$
 $= \boxed{.06 \text{ cfs}}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \text{ acres} \times 3.0 = 9.0$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .06 \text{ cfs} \times 184 \times 1.9835 = 21.9 = 22.0$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \boxed{9.0}$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Irrigation</u>	<u>4/15</u>	<u>10/15</u>	<u>.06</u>	<u>9.0</u>
Totals:			<u>.06</u>	<u>9.0</u>

2. Recommended Amendments

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

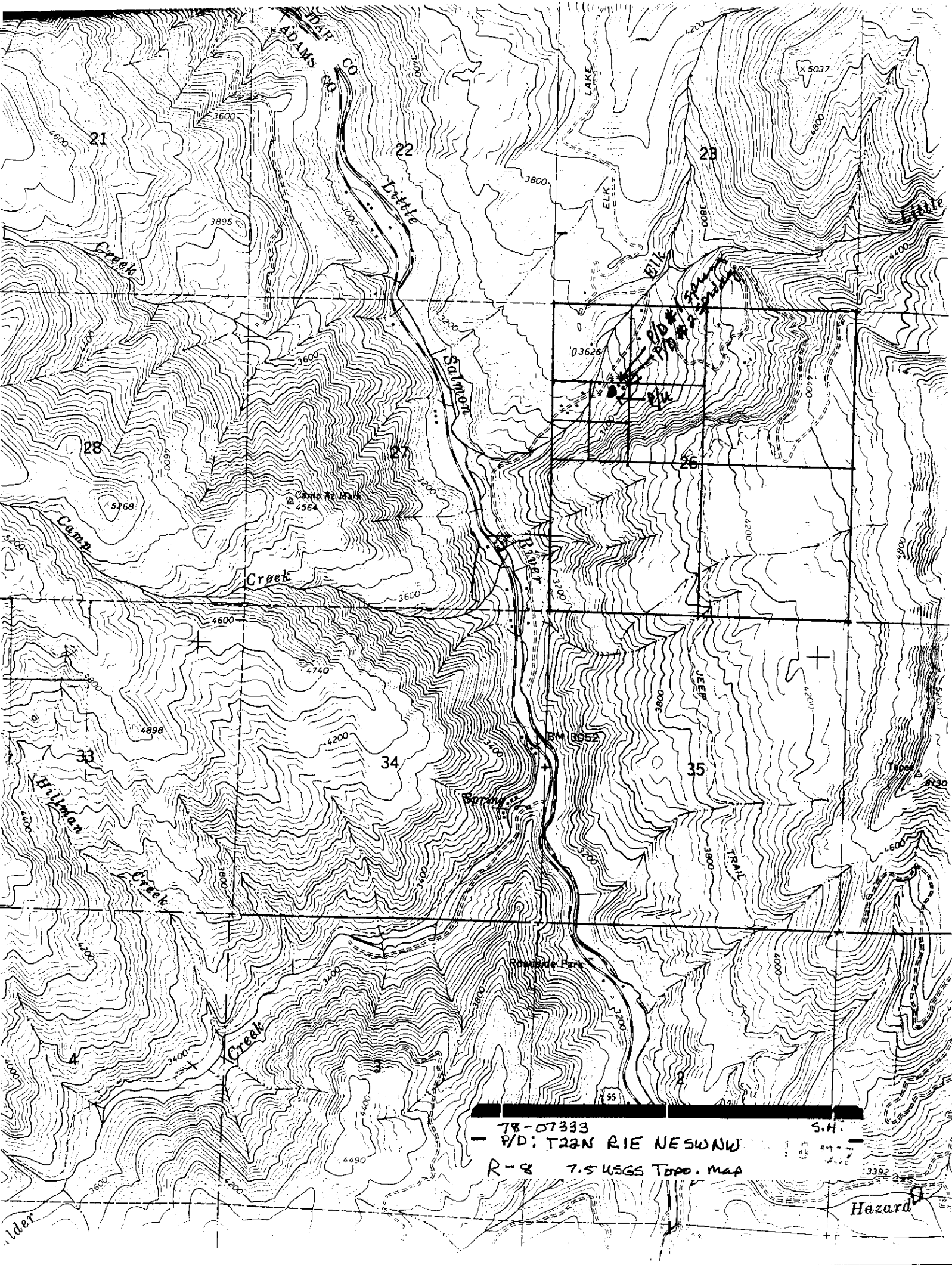
I. AUTHENTICATION

Field Examiner's Name Snodgrass Date 4/27/96

Reviewer _____ Date _____

SEAL

4/27/96
38-16-01



78-07333
- P/D: T22N R1E NESNW
R-8 7.5 USGS Topo. Map

S.H.

Hazard

① Permit: Irrigation 4/15-10/15 .06 cfs

② B/u fee: \$50.⁰⁰ 9/14/95 pl. 0-0.20 cfs
"spring"

③ Max. Allowable:

$$3 \text{ acres} \times .02 \text{ cfs} = \boxed{.06 \text{ cfs}}$$

④ Measurement:

5 gallon bucket measurement

$$\frac{5 \text{ gal.} \times 60 \text{ sec.}}{11.5 \text{ sec.}} = \frac{300}{11.5} = 26.08 \text{ gpm}$$

$$26.08 \text{ gpm} \times .00223 \text{ cfs} = .058 = \boxed{.06 \text{ cfs}}$$

78-07333
4/26/96 S.H.



P/D:
Spring #1

Spring #1 + #2 are
50' apart, consist of a
rock dam, screened
1" ABS pipe, they tie
in together about 30-35'
down; a total of 100' ABS
to the P/U



P/D:
Spring #2

78-07333
4/26/96 S.H.

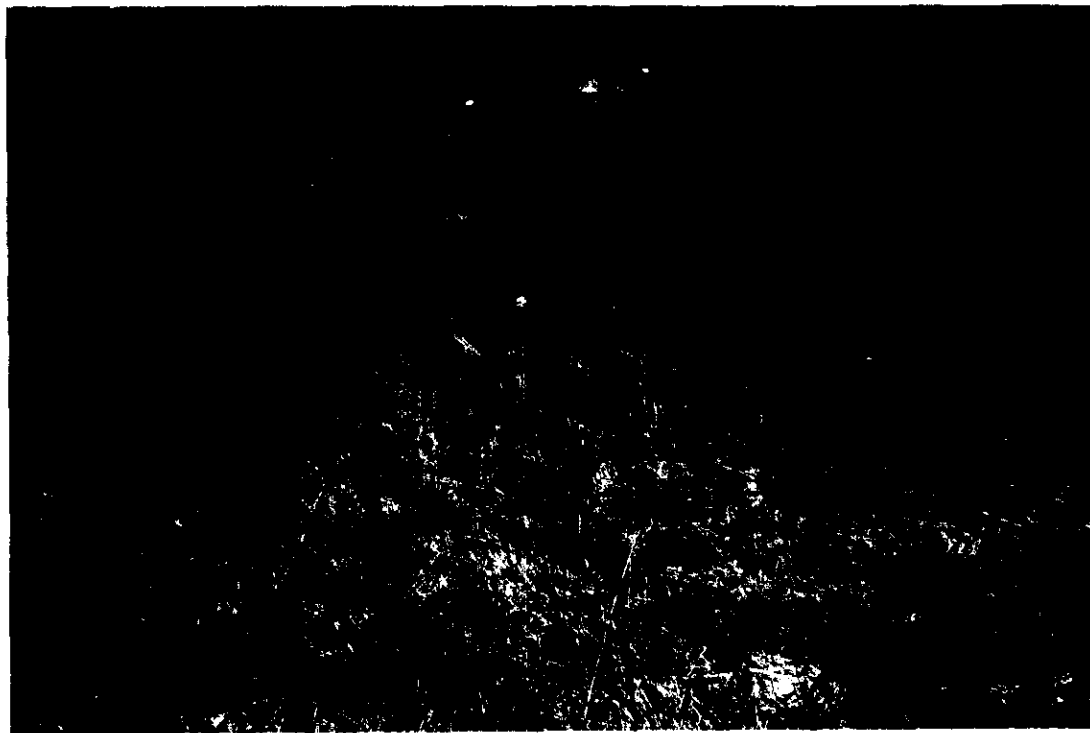
78-07333

4/26/96 S.H.



P/u: Irrigation

- 3 acres of trees + garden
- terraced, with furrows to flood irrigate by gravity flow, by placing pipe/hose at the different terraced level



A 5 gallon
bucket measurement
= .06 cfs

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 78 01333 Reviewed by [Signature] Date 9-25-95

GENERAL CONSIDERATIONS

U.S. Name same as permit?

1116 Address same as permit?

1405 Proof timely received?

If not, complete calculation below.

TYPES OF USE

Jm

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
--	------------------------

	Well log in the file?
--	-----------------------

Correct?

LICENSE EXAMINATION FEE

Yes Required?

Amount Submitted

1.15 Correct?

MEASURING DEVICE

no Required?

 Installed?

 Waiver requested?

PRIORITY CALCULATION

Date proof received _____

Date proof due 1 - 1

No. of days late _____ = _____

Priority Date +

New Priority Date

DEFICIENCIES OR ACTION ITEMS

Price acceptable

DATA ENTRY

New Address _____ Proof Made 9-13-95

September 25, 1995

BILLIE L WALKER
MICHAEL A WALKER
146 POTTER LN
MC CALL ID 83638

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 78-07333

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

RECEIVED

NOV 15 1995

July 31, 1995

BILLIE L WALKER
MICHAEL A WALKER
146 POTTER LN
MC CALL ID 83638

PROOF DUE NOTICE

RE: PERMIT NO. 78-07333

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 October 1, 1995.

(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.

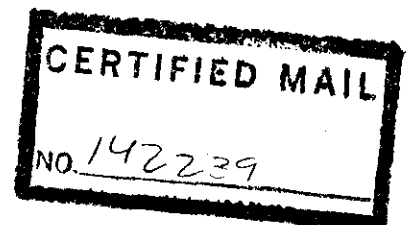
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

NOV 15 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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 7, 1993

BILLIE L WALKER
MICHAEL A WALKER
146 POTTER LN
MC CALL ID 83638

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 78-07333

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.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

OCT 25 1993

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 78-7333 Date: 9/27/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - ~~No~~/Yes S/C Mor.
SYSTEM COMPLETED:
No - 26A-P17
Complete in 1 year - P16
Yes
Proof not submitted - P16
Proof submitted - N/A
GROUNDWATER:
+ 0.2 cfs <flo-ch> - 01G-P03 (new), 01C-P03 (existing), NMR
- 0.2 cfs - NMR <flow chart>
Drilling Permit:
Included w/permit - P99 Permit No. _____
Existing well - N/A (if drilled before 7/1/87)
No WD permit? - 046-46A<Irr>-46B-P23 (if drilled after 7/1/87)
SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>
LOCATION:
Water District - WD No. _____
Surface water - 005 or 005-01J-P08 (+.2)
or 005-01H-P01 (-.2 w/pump); NMR
Groundwater - P05 (if well has not been drilled)
In stream channel - 030 (stream channel alteration)
Irrigation Dist. - 023
Canal Co. Areas - 023
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (Groundwater temperature)
Swan Falls Flag - 3 <See condition code chart>
Trust - 051-052-053-P74 (Consumptive Uses)
Non Trust <1> - 048-049
RIVER BASINS (Surface): Water District Control Condition (005) &....
Boise (63) - 05A (req), 11E (non-domestic use), NA
Payette (65) - 064 (consump. use), 047-P04 (Payette Lake), NA
Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA
USE:
Fish Propagation - 010/06A/09E-P10 (WQ) & 07A-042-002-P06 (MD) (req)
044 (N 1000 Spr)
Irrigation - 803 (if GW use SW 1st) (+5A do POU comparison) NA
Power - 08A-17K-025-027 (req); 01F-P19; 09E-P10;
+25 cfs-P18; 17G (FERC) or 17M (FERC); 18B-P09
Mining - 06A/010/09E-P10 & 054 (req)
Storage (✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10' high dam)
Domestic (surface) - 021 (Boise R ↑ L Peak), 27A (Payette R)
OWNERSHIP:
Non land owner - 004 (P/D or P/U)
PROTESTED:
Prehearing agreement - 020
OTHER CONDITIONS: - 03A
REMARKS: _____
BENEFICIAL USE DUE: - 10-1-1995
COMMENTS: - ① Mor Exempt ② Div Ass.

WRO749NP
No. P78-07333

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

DATE: 09/27/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BILLIE L WALKER	06/08/1992	IRRIGATION	04-15 10-15	0.06 CFS	
C	MICHAEL A WALKER					
	146 POTTER LN					
	MC CALL ID 83638					
	(208) 634-7406					
				TOTAL DIVERSION:	0.06 CFS	

Water Source: SPRING

Tributary to: SINKS

Stage: PERMIT

Point(s) of Diversion: T22N R01E S26 SW NE NW

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
22N	01E	26	:									03								:	3.0
																				TOTAL ACRES	3.0

Pou County: IDAHO

Other Water Rights with Same Point(s) of Diversion and Source:
78-07333

Other Water Rights Listing Overlapping Place(s) of use:
78-04000 78-04002 78-07301 78-07333

Conditions of Approval:

- 26A - 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.
- 03A - The rate of diversion of water for irrigation under this right
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.

Dates: App. Received: 06/08/1992 Priority Date: 06/08/1992
Proof Due Date: 10/01/1995 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 09/27/1993 User-ID: ZIMMERMA Subject: MORATORIUM EXEMPTION

WR0749NP
No. P78-07333

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

DATE: 09/27/93
PAGE: 2

=====

Comments: Date: 09/27/1993 User-ID: ZIMMERMA Subject: MORATORIUM EXEMPTION

This permit is located within the Salmon/Clearwater Rivers
Moratorium boundary; however, its source (spring tributary to
sinks) is within the acceptable parameters of the Moratorium
guidelines.

Date: 09/27/1993 User-ID: ZIMMERMA Subject: DIVERSION DESCRIPTION
Springs, pipeline.

Audit: 09/27/93 ZIMMERMA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: Ly DATE: 6/11/92 APPLICATION: 78-07333

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) Gov't. Lots:
☒ Period of use: ☒ P/D
☒ Nature of proposed use: (Include description of use) ☒ P/U
☒ 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:

ADDITIONAL INFORMATION

YES NO

N/A ☒ 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 - Spring trib to sinks should not impact anadromous fishery
☒ Diversion within interim protected river area
☒ 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.)
☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT
P/D info
DATE REQUESTED: 6/11/92
☒ Additional information on reverse side:

RECEIVED
SEP 16 1993

Department of Water Resources

PROCESSING

APPLICATION

78-07333

YES NO

☐ ☐ In form for advertising:
☐ ☐ Statewide advertising:
☐ ☐ 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 September 7, 1993
☐ ☒ Protest dates, resolution of protest recorded on application:
☐ ☒ Recommendations attached: Approve, Dnr
☐ ☒ 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 6/8/1992Recommended by: Dnr Date 9/15/1993

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

RECEIVED

JUL 29 1993

Department of Water Resources
Western Regional Office

Mike & Billie Walker
146 Potter Lane
McCall, ID 83638
July 27, 1993

Lori A. Graves
Sr. Water Resource Agent
Dept. of Water Resources, Western Region
2735 Airport Way
Boise, ID 83705-5082

Dear Ms. Graves,

As we have reviewed our records concerning our application for water rights on the spring on our property, we realized that we neglected to locate it on the ortho photo that you had sent. I hope this in no way affects the validity of the application. I am enclosing a copy of the receipt for monies paid so you will have the information you may need.

We have located our property on the map. It does not coincide but overlaps one corner of your location. We have also put an X as requested where the spring is located.

We will appreciate hearing from you as to the status of the application. If there is any more information that you need, please let us know. I'm sorry we were so long in returning this and hope that now you can proceed.

Sincerely,

Billie Walker

Billie Walker

RECEIVED

JUL 25 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 11, 1992

Michael or Billie Walker
146 Potter Ln
McCall, ID 83638

RE: Application for Permit

Dear Applicants:

The above application for permit to appropriate irrigation water from a spring was received on 6/08/92. According to the information that you provided, no other irrigation rights are currently used on the land in question. Therefore, a new consumptive use of water is proposed.

Due to continued drought and the need to protect existing water rights and water supplies, the Director of this agency declared a moratorium on 5/15/92 concerning water right applications proposing new consumptive uses of public water. Your application cannot be processed for possible approval until the moratorium ends. Delays related to department decisions do not affect the date of priority or seniority of an application.

This office will hold the application pending future developments in the water supply situation and will inform you of any changes. You might be able to locate someone with a valid water right with available water to sell or lease for your needs. If so, an Application for Transfer of Water Right should be filed at this office to legally change the right(s) prior to any sale or lease.

Please let me know if you need additional information.

For the file, please X where the spring is located on the enclosed ortho photo copy and return it to my attention. I have outlined the area described on your legal.

Sincerely,

Lori A. Graves
Sr. Water Resource Agent

Encl: Ortho photo copy

RECEIVED

OCT 25 1993

78-07333

WALKER, BILLIE L
WALKER, MICHAEL A
146 POTTER LN
MC CALL, ID 83638

Source: SPRING

Tributary: SINKS

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

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

Date Filed: 6/ 8/1992

In: IDAHO County
T22N R01E S26 NWNW

3.0 ACRES TOTAL

OCT 25 1993

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Marietta Hanson, being
first duly sworn, says she is the Bookkeeper
of the IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho, and is
of general circulation in said county and state, that the said notice, of
which the one hereto attached is a true copy, was published in said
paper for two weeks, being published two
times, the first publication being on the 19th day of
August, 1993, and the last
publication on the 26th day of August, 1993;
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.

Marietta Hanson

STATE OF IDAHO)
COUNTY OF)

On this 26th day of August in the year of 1993.
Before me, a Notary Public, personally appeared _____
Marietta Hanson, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.

[Signature]
Notary Public for Idaho
Residing at Grangeville, ID
My commission expires 6-4-98

RECEIVED

AUG 30 1993

OCT 8 1993

Department of Water Resources
Western Regional Office

NOTARY PUBLIC FOR
The following permits have been
filed to appropriate the public waters of
the State of Idaho:
75-97599
WALKER, BILLY E.
WALKER, MICHAELA
146 POTTER LN
MOORE, ID 83802
Source: Snake River, SNIES
Division: Ft. SENE Sec. 25 T 22N R
01E in IDAHO County
Use: IRRIGATION (0.30 CFS)
Total Diversion: (0.30 CFS)
Date Filed: 8/1/93
In: IDAHO County
T22N R01E S25 Sec 25
30 ACRES TOTAL
75-97598
FISHER, RICHARD D.
FISHER, BLANCH L.
RT. 1 BOX 8510
MILTON FREEMAN, OR 97042
Source: LITTLE ELK CREEK Tributary:
ELK CREEK
Division: Ft. SENE Sec. 25 T 22N R
01E in IDAHO County
Use: IRRIGATION (0.30 CFS)
DOMESTIC (0.00 CFS)
Total Diversion: (0.30 CFS)
Date Filed: 8/1/93
In: IDAHO County
T22N R01E S25 Sec 25
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, 2705 N. 2nd St.,
Boise, Idaho 83706 on or before
SEPTEMBER 7, 1993.
R. KEITH WOODHORN, Director
Published: 8/19/1993 & 8/26/1993
A19-28