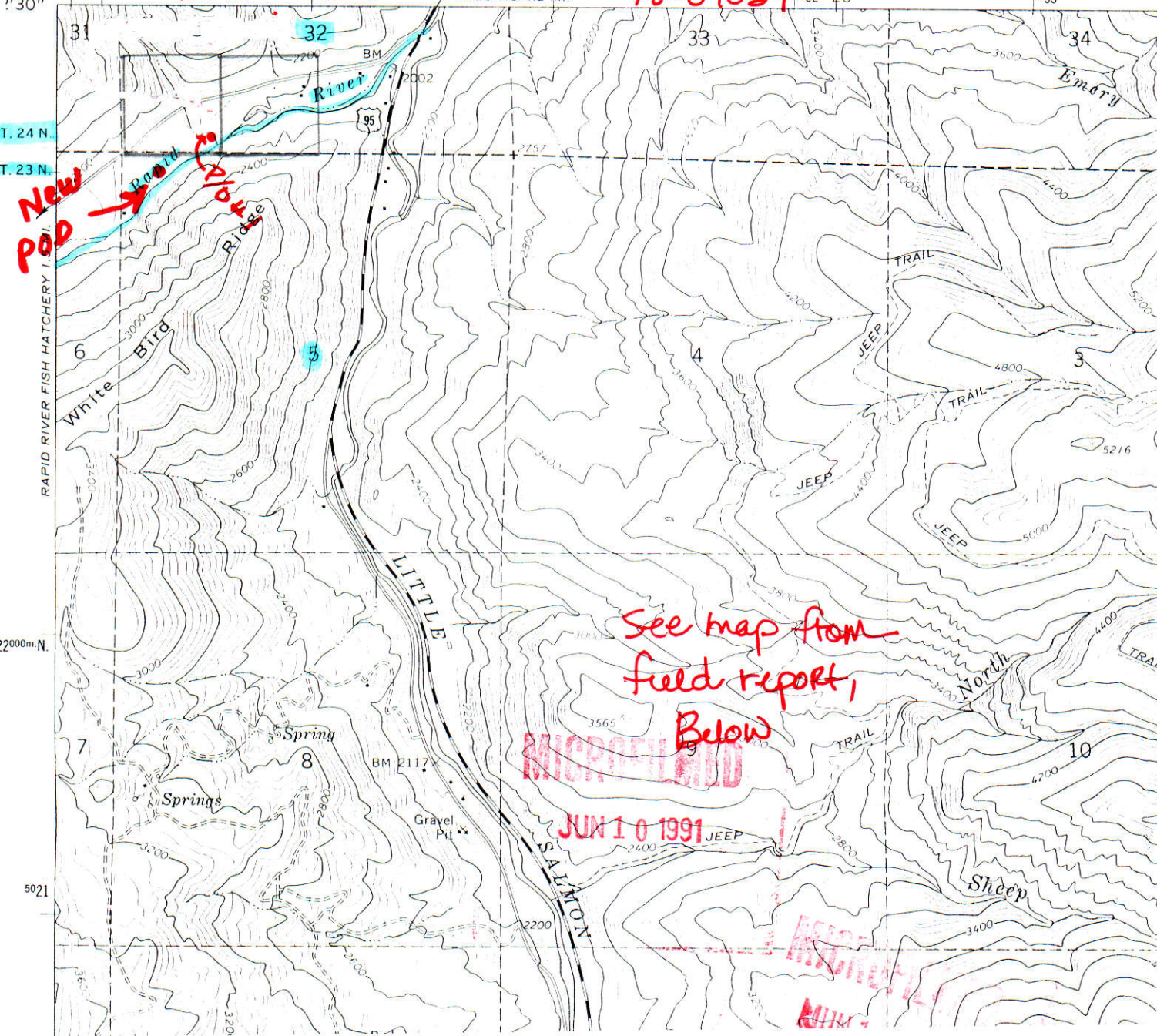
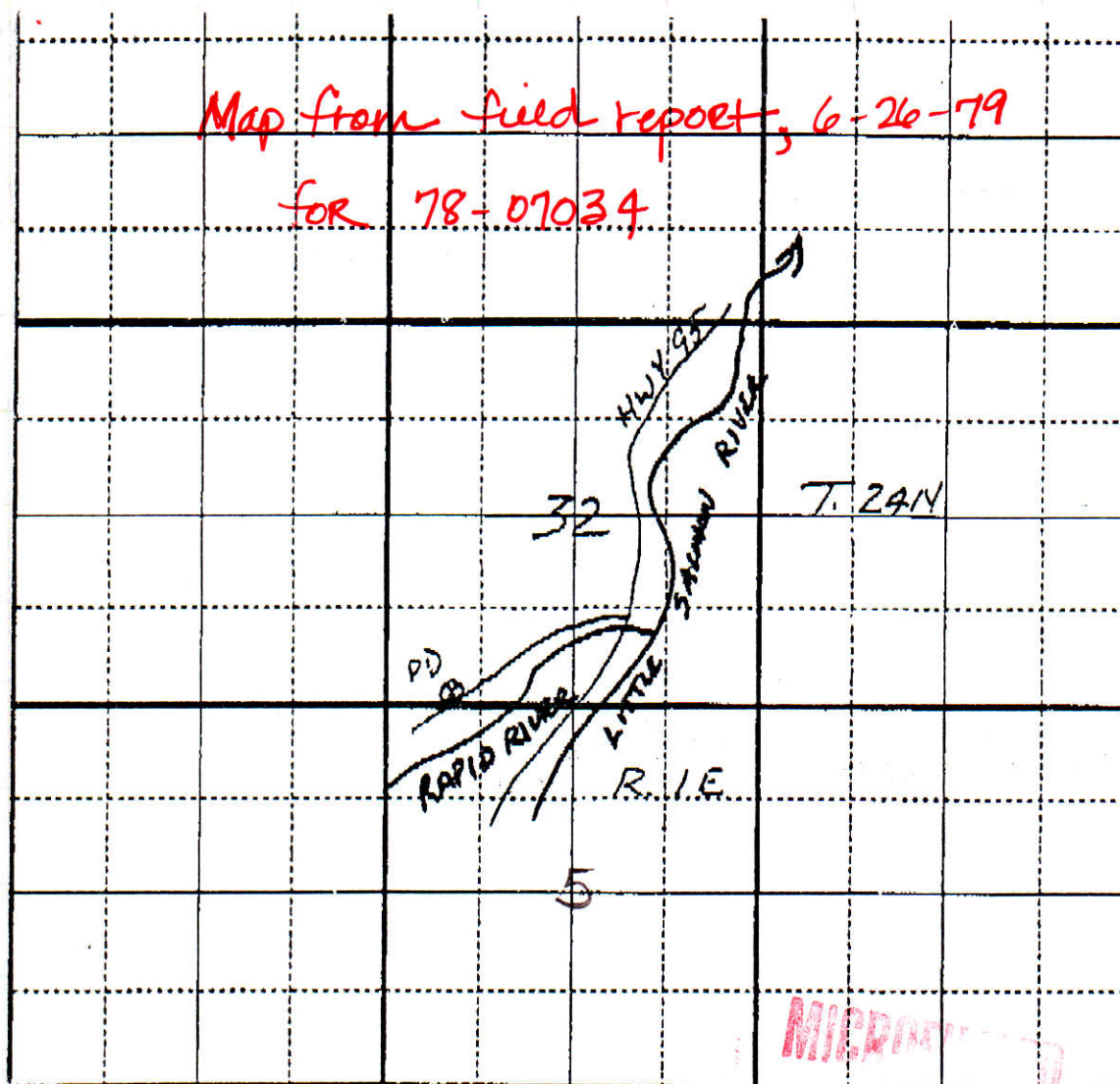


553

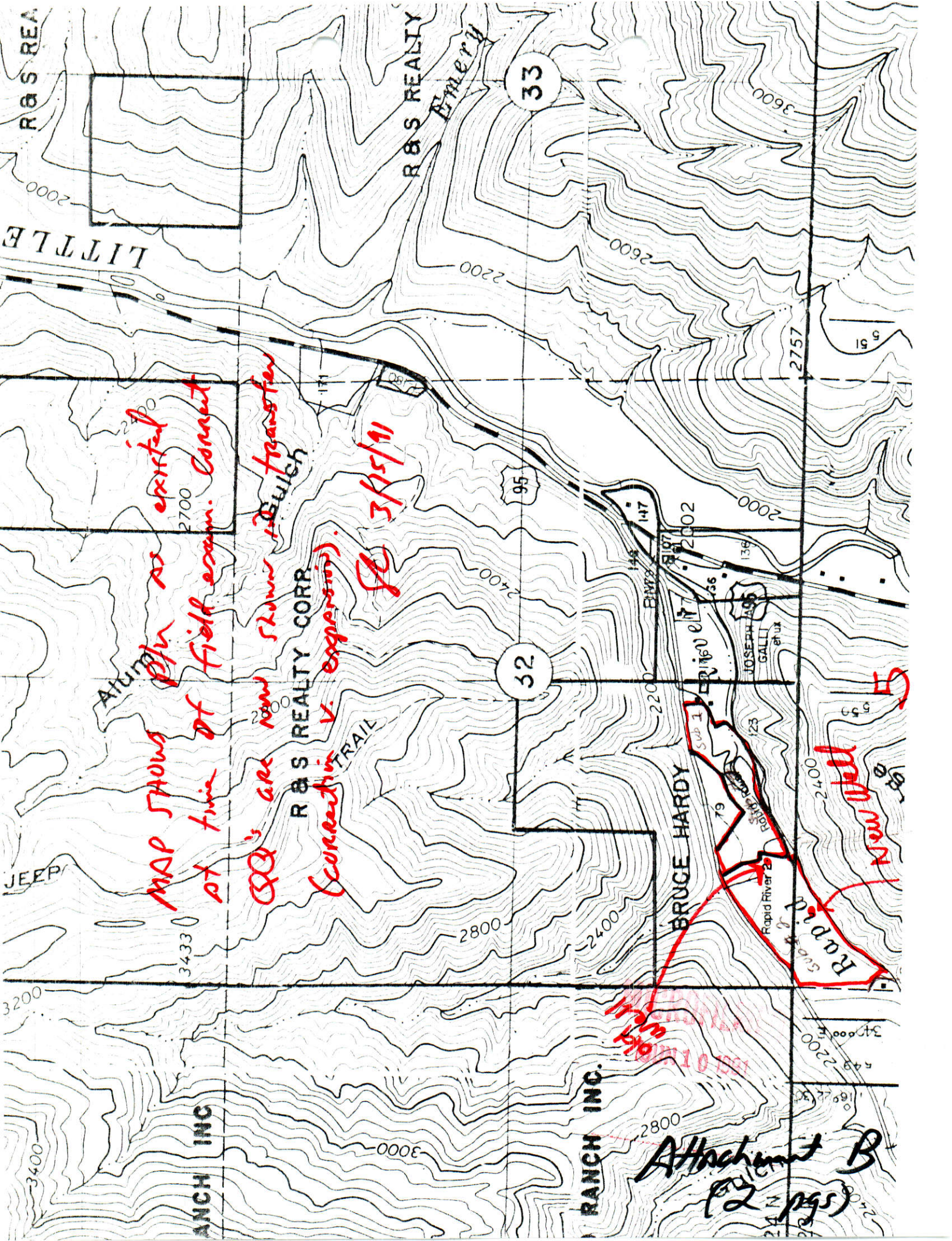


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



JUN 10 1991

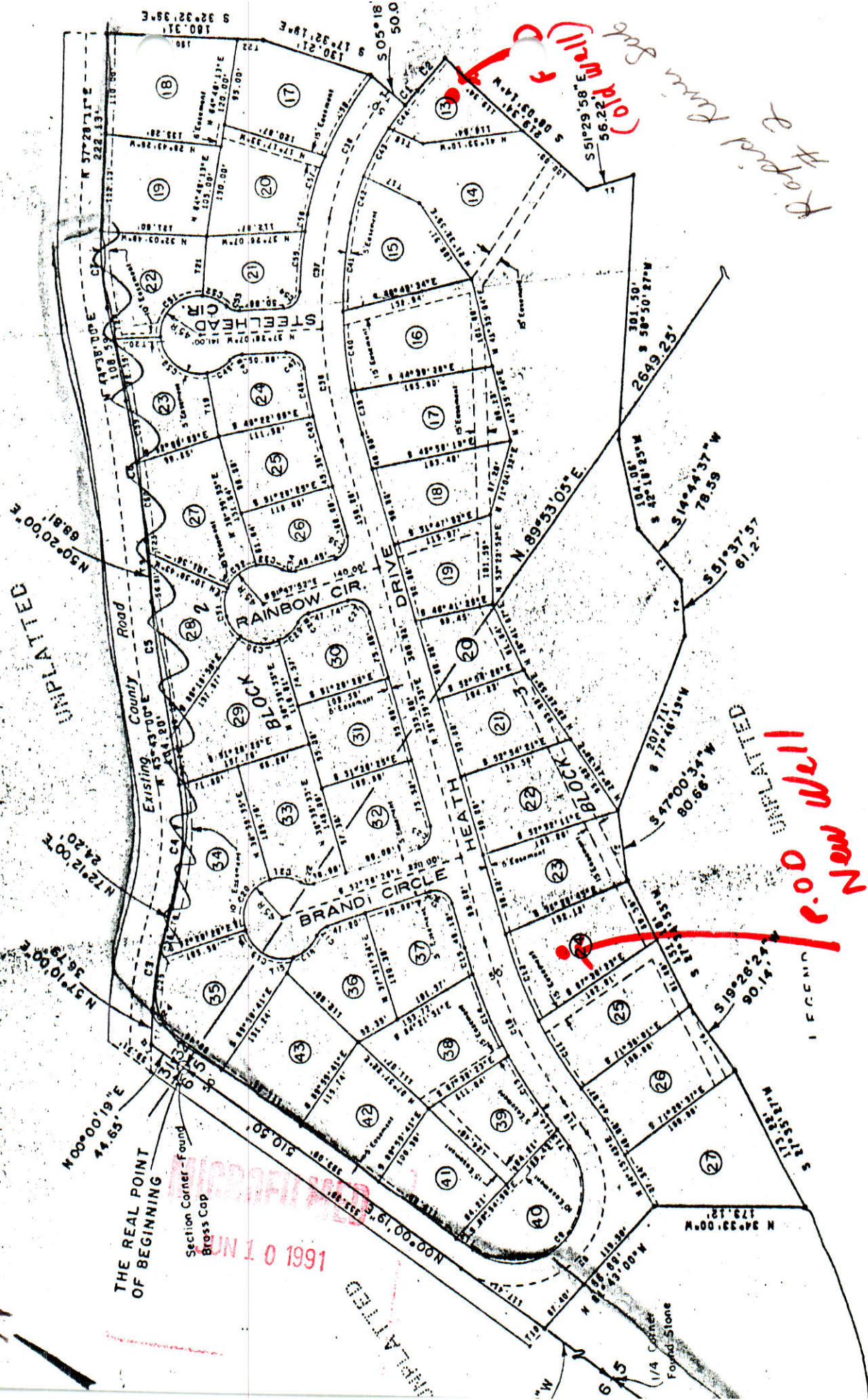


MSR shows p/n as existed at time of field exam. Contact CCC's are now shown in transfer (concurrent v. expiring).

3/15/11

New Well

Attachment B
(2 pgs)



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

APR 15 1991

County of Idaho - ss.

Marietta Hanson

Department of Water Resources
Regional Office

....., 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.....two weeks, being published two.....times, the first publication being on the 3rd day of April, 1991, and the last publication on the 10th day of April, 1991; that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Marietta Hanson

STATE OF IDAHO }

}

COUNTY OF }

}

On this 10th day of April in the year of 1991, 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, Idaho

My commission expires: 9-10-92

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 78-07034

Notice is hereby given that Rapid River Subdivision Homeowners of Riggins has applied to the Department of Water Resources for a change of point of diversion and place of use of groundwater. The right sought to be changed is evidenced by License and is recorded as follows:

Amount: .18 cfs Priority: 12/08/1972

Point(s) of Diversion: T24N R1E S32 SWSW. The water is used for domestic purposes in T24N R1E S32 S1/2SW1/4 for 80 homes.

TO BE CHANGED AS FOLLOWS

Amount: .18cfs

Point(s) of Diversion: T23N R1E S5 Lot 4 (NWNW), T24N R1E S32 SWSW. The water will be used for domestic purposes in T23N R1E S5 Lot 4 (NWNW) and T24N R1E S32 S1/2SW1/4 for 80 homes.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before April 22, 1991.

R. Keith Higginson

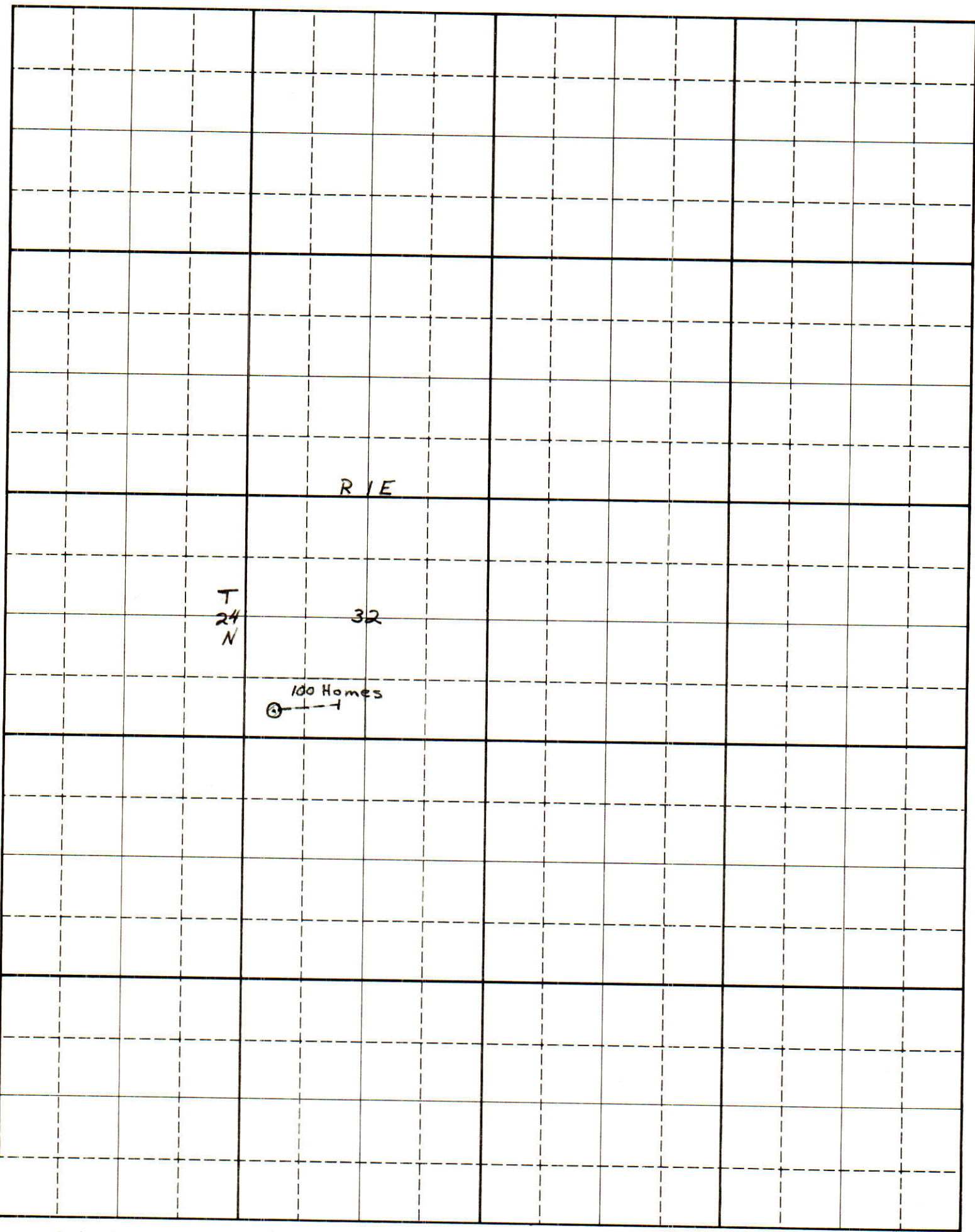
Director

Published in the Idaho County Free Press on 4/3 and 4/10/1991.

A3-10

JUN 10 1991

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



Scale: 2 inches equal 1 mile

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

Frankie A. Heath
(Applicant)

RECEIVED

Department of Water Administration

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT
Notice is hereby given that FRANKIE A. HEATH, Box 362, Riggins, Ida. has on Dec. 8, 1972 submitted Application No. 78-7034 for a permit to appropriate 2.0 cubic feet per second of water from a groundwater source by means of pump, reservoir & pipeline within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 24 N., R. 1 E., B.M., Idaho County to be used from Jan. 1 to Dec. 31 for domestic purposes within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 32, T. 24 N., R. 1 E., B.M.
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Jan. 8, 1973.
R. KEITH HIGGINSON
Director
Published in the Idaho County Free Press, Grangeville, Ida. on Dec. 20, 1972 and Dec. 27, 1972. D20-27

Gary D. Cash being first duly sworn, says he is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 20th day of December, 1972, and the last publication on the 27th day of December, 1972; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Gary D. Cash

Subscribed and sworn to before me this 27th day of December, 1972.
Richard C. Hatch, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

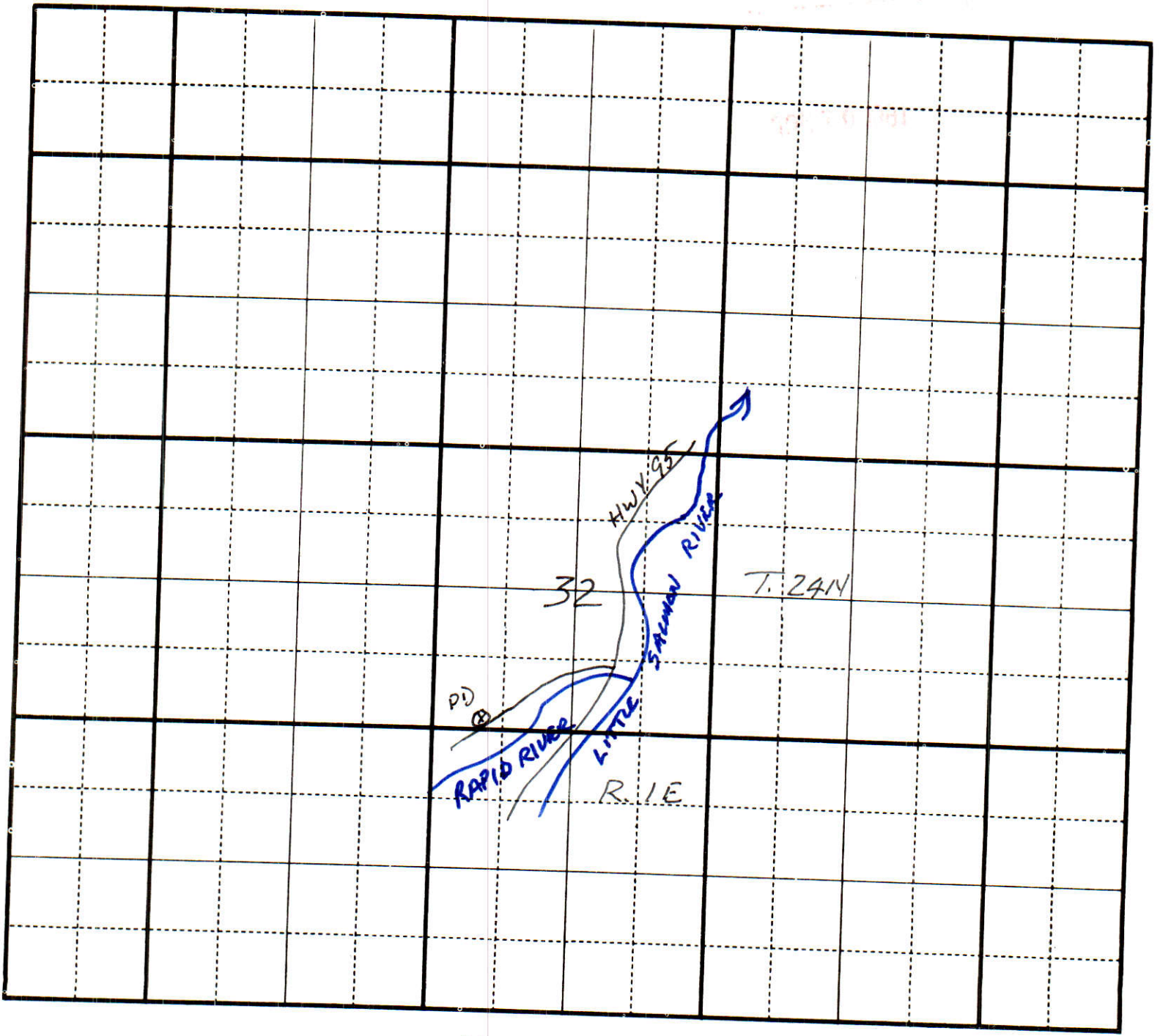


Diagram of System

JUN 10 1991

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3831

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Department of Water Resources
Name of applicant Rapid River Subdivision Homeowners Phone 628-3829
Post Office address c/o Tim Heath, president ↓ Riggins ID 83549
PO Box 377

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Add place of use
2. Describe the reason for the proposed changes Applicant is providing a backup well for Rapid River subdivision. This well is for supplemental purposes only. No expansion is desired. Change in Place of Use is a correction of the license. There were no homes added.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 78-07034 Priority 12-08-1972 Amount (cfs/ac-ft) .18 cfs/96 AF Nature of Use Domestic Period of Use 1-01 to 12-31
2. Total amount of water being transferred .18 cubic feet per second and/or 96 acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	32	24N	01E	Idaho	2 points of diversion total
4		NW	NW	5	23N	01E	Idaho	

5. Lands irrigated or place of use: (NO CHANGE)

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
24N	01E	32											DD						
23N	01E	5						DD											

Total acres _____

PART 1

6. General Information:

- a. Description of diversion system Wells, pumps, (each well capable of producing 80 gpm or .18 cfs, used alternately) reservoir & pipeline
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
None
- d. Remarks:
Domestic use is for 80 homes.
License was issued in the name of Frankie Heath. Ownership has been assumed by Rapid River Subdivision Homeowners.
P/O = Lots 13 & 24, Bl. 3 Rapid River Subd # 2 per Attachment B.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 78-07034

And said application is hereby APPROVED, subject to the following limitations and conditions:

See attached sheet for conditions of approval.

JUN 10 1991

Witness my hand this 10th day of May, 1991

J. Glen Saylor
Chief, Water Allocation Bureau

CONDITIONS OF APPROVAL

Transfer of Water Right No. 78-07034

Transfer No. 3831

1. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 10th day of May, 1991.

A. Glen Saxton

Chief, Water Allocation Bureau

JUN 10 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 78-07034 issued by the Idaho Department of Water Resources.
- c. Claim No. ~~78-07034~~ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice☐ Warranty Deed☐ Other*Ownership of p/w is not really an issue is connecting the Record.*3. Source of water groundwater tributary to _____4. Date or priority 12-08-1972

5. Water is used for the following purpose:

amount .18 cfs for Domestic purposes from 1-01 to 12-31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .18 cubic feet per second and/or 96 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	32	24N	01E	Idaho	
		~~NW~~	~~NW~~	~~5~~	~~23N~~	~~01E~~	~~Idaho~~	
		~~SW~~	~~SW~~	~~32~~	~~24N~~	~~01E~~	~~Idaho~~	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
24N	01E	32											DID						
~~23N~~	~~01E~~	~~5~~																	

Total acres _____

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

JUN 10 1991

116 22'30"

1'30"

R.I.E

550000m.E.

LUCILE 14 MI.
RIGGINS 4.2 MI.

78-07034

552 20'

553

T. 24 N.

T. 23 N.

New
Pod

RAPID RIVER FISH HATCHERY 1 MI.

White
Bldg

River

BM

2002

LITTLE

Spring

Spring

BM 2117

Gravel Pit

JUN 10 1991

See map from
field report,
Below

TRAIL

JEEP

TRAIL

JEEP

JEEP

TRAIL

North

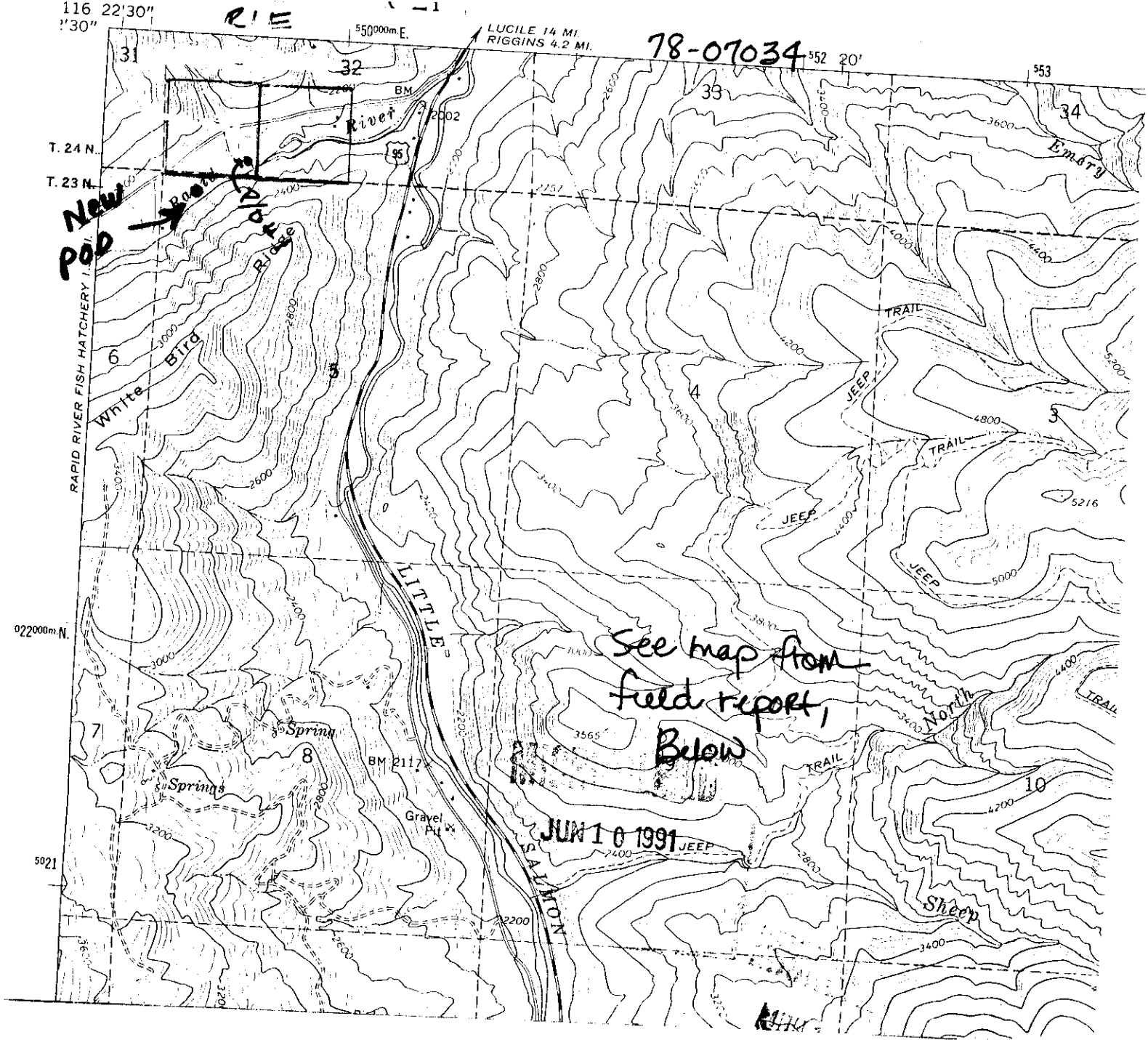
10

Sheep

TAVERN

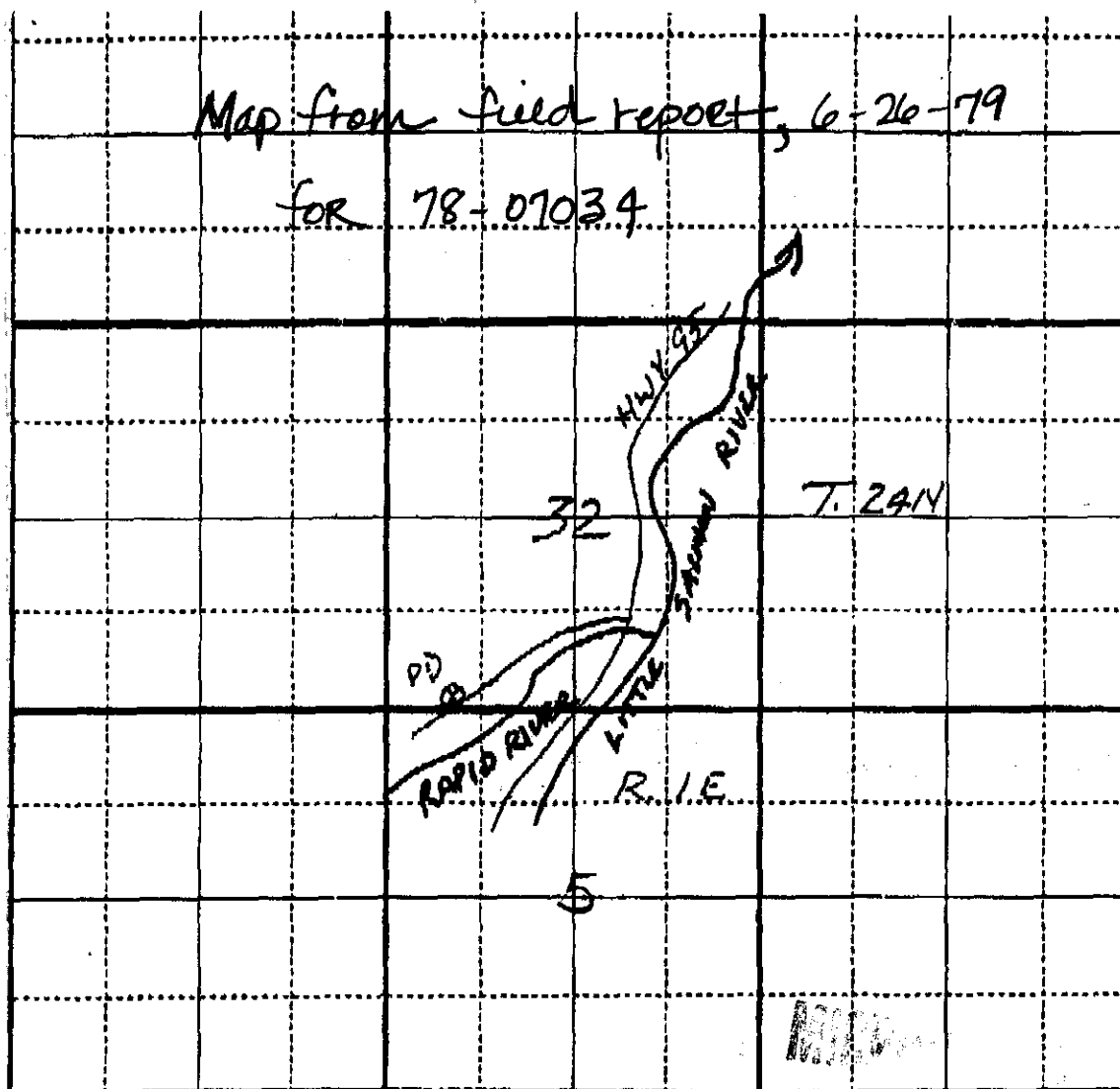
022000m.N.

5021



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3

B. CHANGES IN NATURE OF USE

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>No Change</u>			_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Frankie Heath
(Signature of Applicant)

Subscribed and sworn to before me this 15th day of Feb., 19 91.

Thelma S. Heath
(Notary Public)

My commission expires 8-15-1993

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by CH Date 2-20-91 Protest filed by _____

Prelim. check by 82 Fee 30.00 W0013021

Receipted by JCN Date 2-19-91

Published in Idaho County Free Press Copies of protest forwarded by _____

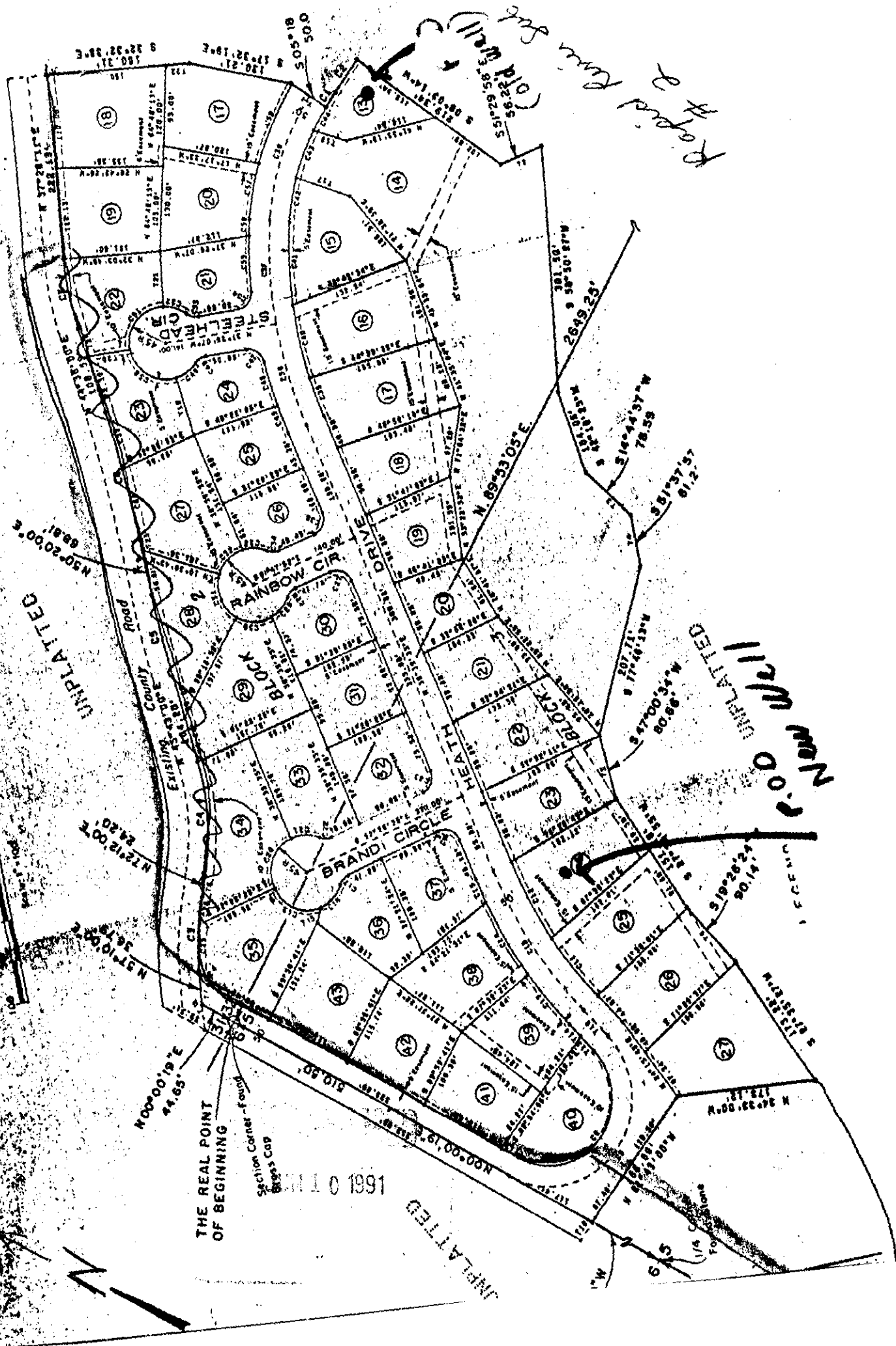
Pub. dates 4/3 & 4/10/91 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. by DET

Copy of transfer sent to lien holder _____ 91 5-7-91

JUN 10 1991



Section 29, Township 2N, Range 10E, County 10th

Section 29, Township 2N, Range 10E, County 10th

Section 29, Township 2N, Range 10E, County 10th

T23N
L⁴ NW
R1E

5.5

1

39.85

39.85

39.85

39.85

39.85

39.85

39.85

39.85

39.85

39.85

39.85

39.85

39.85

JUN 10 199

Sec. 1.

63.340

Sec. 2.

640.00

RAPID

30.8

80

80

10.08

0.1

30

12

Sec. 1.

Sec. 2.

30

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

APR 15 1991

County of Idaho - ss.

Marietta Hanson

Department of Water Resources
Water Rights Section

....., 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.....two weeks, being published two.....times, the first publication being on the 3rd.....day of April....., 19.....91, and the last publication on the.....10th.....day of April....., 19.....91; that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Marietta Hanson

STATE OF IDAHO }

COUNTY OF }

On this.....10th.....day of.....April.....in the year of.....1991....., 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.

Notary Public for Idaho

Residing at.....Grangeville, Idaho.....

My commission expires:.....9-10-92.....

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 79-27834

Notice is hereby given that Right River Irrigation Association has applied to the Department of Water Resources for a change of point of diversion and place of use of groundwater. The right sought to be changed is evidenced by License and is recorded as follows:

Amount: 18 cfs Priority: 12/29/1972

Point of Diversion: T23N R1E S32

Place of Use: T23N R1E S32

For 60 homes

TO BE CHANGED AS FOLLOWS:

Amount: 18 cfs

Point of Diversion: T23N R1E S5 Lot 4

(NW1/4), T24N R1E S32 SWSW. The

water will be used for domestic purposes

in T23N R1E S5 Lot 4 (NW1/4) and T24N

R1E S32 SWSW for 60 homes.

Any protest against approval of the pro-

posed change of water right application

must be filed with the Department of Wa-

ter Resources, Western Region, 2735

Alpen Way, Boise, Idaho 83705 on or

before April 22, 1991.

R. Keith Higginson

Director

Published in the Idaho County Free

Press on 4/3 and 4/10/1991.

AS-10

JUN 10 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 78-7034 Priority December 8, 1972 Amount .18 cfs

THIS IS TO CERTIFY, that FRANKIE A. HEATH
of Riggins, Idaho, has complied with the terms and conditions of Permit
No. 78-7034 issued pursuant to Application for Permit dated December 8, 1972,
and has submitted proof to the Department of Water Resources on December 15, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .18 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (80 units)	from <u>January 1</u> to <u>December 31</u> at	<u>.18</u> cfs and	<u>96</u> acre feet
	from _____ to _____ at	_____ cfs and	_____
	from _____ to _____ at	_____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than .18 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
96 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 24N,
Rge. 1E, B.M. in the County of _____ Idaho

Description and location of place of use:

Twp.	Range	Sec.	NEW				NWW				SWW				SEW				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	1E	32																	

Total number of acres irrigated _____

Place of use Rapid River Subdivision.

JUN 10 1981

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
April, 19 81.

Director

APPROVED

Identification No. _____

Application No. 78-7034

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant FRANKIE A. HEATH
post office address BOX 362 RIGGINS, IDAHO

2. Source of water supply SUBTERANEAN which is a tributary of RAPID RIVER

3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 32 Township 24 N
Range 1E B.M. Idaho County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 2.0 for domestic purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 2.0 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump, 20,000 gal reservoir
and pipeline system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 8 inches; proposed depth of well is 30 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ _____.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: S1 ~~N~~ of SW $\frac{1}{4}$ of Section 32 Township 24N
Range 1E B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 100.

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

7034

78 7034

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

[illegible]

Total number of acres to be irrigated_____

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

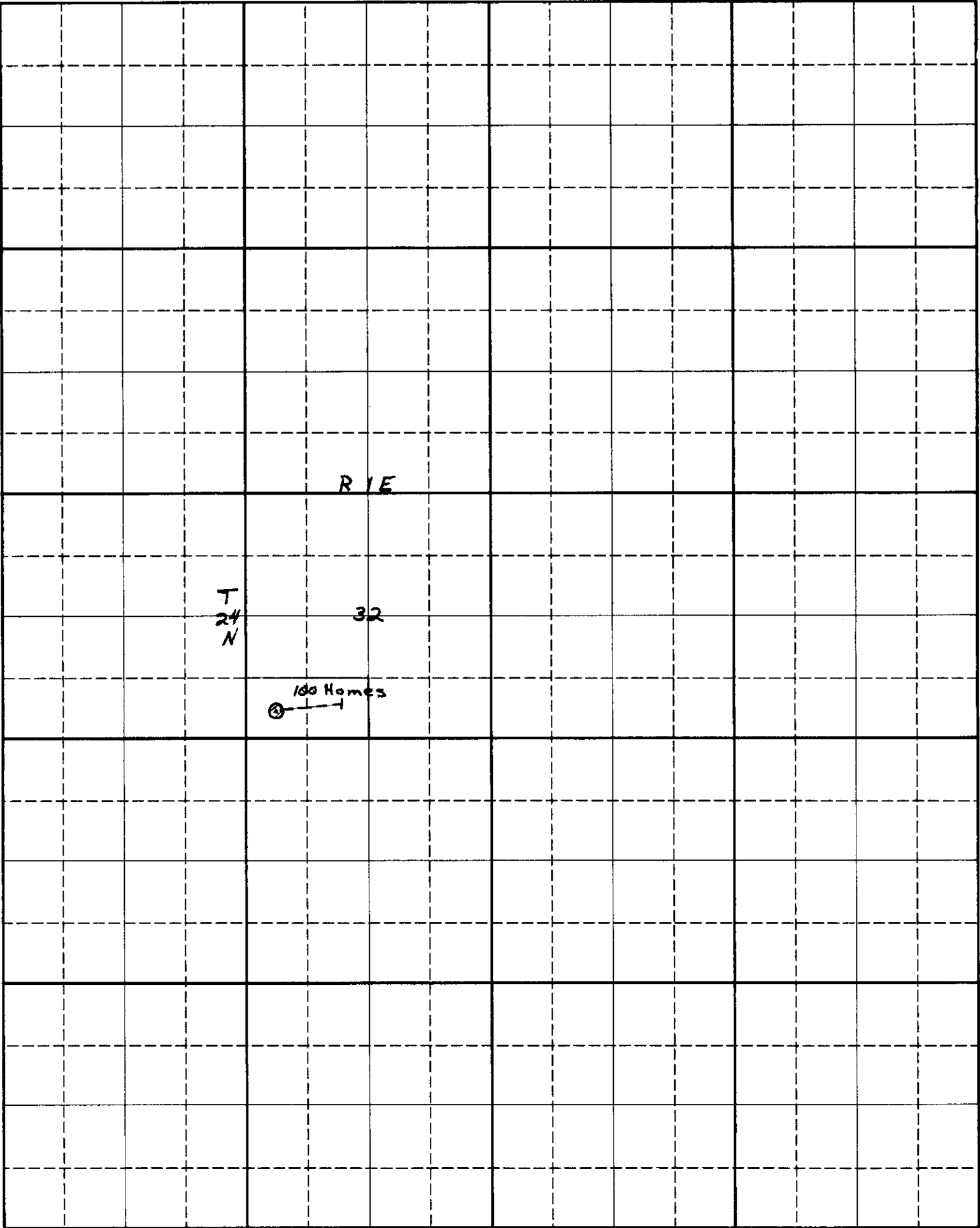
9. a. Who owns the property at the point of diversion Applicant

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 _____

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



Scale: 2 inches equal 1 mile

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

Barbara A. Heath
(Applicant)

Received by ej Date 12-8-72 Time 9:30 A
 Preliminary check by ESP Fee \$ 35.00
 Receipted by ej Date 12-8-72 Rec'd # 9117
 Publication prepared by DT Date 12-13-72
 Published in Adams County Free Press
 Publication dates 12-20 & 12-27-72
 Publication approved DT Date 1-3-73
 Priority ~~reduced~~ to 12-8-72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by KHF 1 3DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 78-7034, and said application is hereby APPROVED.

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

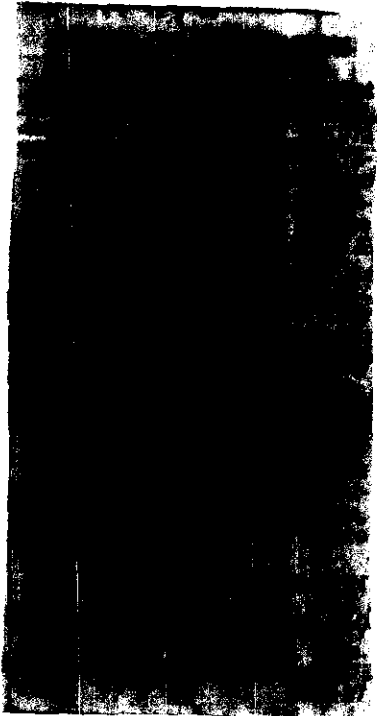
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, _____, 19 78.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 18th day of January _____ 19 73.

R. Karl Hjort
 Director

AFFIDAVIT OF PUBLICATION



_____ Gary D. Cash _____ being first duly sworn, says he is the Office Manager _____ of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 20th day of December, 1972, and the last publication on the 27th day of December, 1972; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

_____ Gary D. Cash _____

Subscribed and sworn to before me this 27th day of December, 1972.

_____ Richard C. Hatch _____, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>JSB</u>	<u>12/8</u>	Application No. <u>72-5000</u> Name <u>Mason</u>
(2)	<u>JSB</u>	<u>12/8</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>JSB</u>	<u>12/8</u>	Send copies to: ☒ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>JSB</u>	<u>12/8</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>JSB</u>	<u>12/8</u>	In form for advertising <u>yes</u>
(6)	<u>JSB</u>	<u>1-3-73</u>	Affidavit of Publication received <u>yes</u>
(7)	<u>JSB</u>	<u>1/9/73</u>	Final date for protests <u>Jan 8, 1973</u> Protests received: yes <u>no</u>
(8)	<u>NA</u>		Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. <u>Bain 78</u>
(10)	<u>JSB</u>	<u>1/9/73</u>	Critical groundwater area: yes _____ no <u>yes</u>
(11)	<u>JSB</u>	<u>1/9/73</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) <u>No records of water levels</u>
(12)			Comments: _____
(13)	<u>JSB</u>	<u>1/9/73</u>	Action recommended: ☒ Approve Priority <u>12/8/72</u> ☐ Deny Reason for Reduction _____
	<u>KAF</u>	<u>1/12/73</u>	See attached sheet for conditions of approval No conditions for approval
(14)			District <u>Western</u> By <u>Ken Foit</u> Date <u>1/12/73</u> Title <u>WDE</u>

RECOMMENDED

CONDITIONS OF APPROVAL

D ☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

March 16, 1998

RECEIVED

PHILIP E. BATT
GOVERNOR

MAR 17 1998

KARL J. DREHER
DIRECTOR

Department of Water Resources

MR JOHN TETRO
HC 69 BOX 130
RIGGINS ID 83549

--- REPLY VIA FAX ---

RE: QUESTIONS FROM YOUR FAX OF 3-2-98

Dear Mr. Tetro:

Your fax letter dated March 2, 1998 contained three questions related to the community water system(s) for Rapid River Homeowners Association. I regret that I was unable to respond by March 10 as we discussed in our March 4 telephone conversation.

Questions 1 and 3 are legal matters beyond my expertise and have been referred to the department's legal staff located in Boise. I hope the legal staff can clarify those points for you.

I can respond to Question 2. Licensed water right no. 78-07034 includes ground water (wells) for the community system. The license provides potable water and lawn irrigation water. The association can provide internal and external water to the homes served under this water right.

Enclosed are profile reports of the rights serving the association. Two reports are water rights (nos. 78-04031 and 78-07034) while three reports cover Snake River Basin Adjudication claims (nos. A78-04031, A78-07034 and A78-10188). Adjudication claims are filed to protect already recorded water rights and/or to document beneficial uses of water that not have been previously recorded.

Sincerely,

Steve Lester

Steve Lester
Water Rights Supervisor

Enclosure

c: IDWR Legal Services

*follow up → faxed cc of Transfer 3831 to him
after he rec'd this letter i called. Transfer allowed
add'l H. well in 78-07034.*

-RL

Attn: Mr. Gary Spackman / Mr. Steve Lester One of One (No Cover)

March 2, 1998

Mr. Gary Spackman / Mr. Steve Lester
I.D.W.R.
2735 Airport Way
Boise, ID. 83705

Subject: Charging of a fee for the use of water for irrigation purpose from a water system that derives it's water from wells that were drilled for the purpose of supplying potable water for a community.

Dear Mr. Gary Spackman / Mr. Steve Lester

The purpose of my letter is to get a written clarification from the Department of Water Resources of Idaho as to the following three questions;

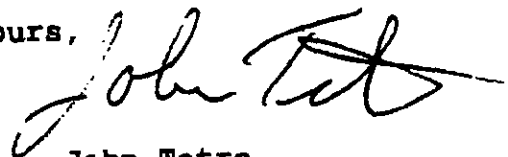
- 1.) Can a Homeowners Association and or a Water and Sewer District charge a separate fee to their memberships respectively for the purpose of irrigation, if said water that the fee is being charged for is derived from a source that is the same source the Association and or the District use to deliver potable water to their membership?
- 2.) Can water from a well or wells drilled for the purpose of supplying potable water to a community (public water system) be used for irrigation purposes also?
- 3.) Can a Water and Sewer District formed under Idaho Code Chapter 32, Section 42-3201, charge a fee to it's membership for "Ditch Cleaning"?

- yes per
License
78-07034
-FL

This ditch (irrigation ditch) runs in, out, though and around the District.

If you have any questions before you reply to this fax/letter, please feel free to call me at the following unlisted number; 208 628 3616.

Await your soonest response, Sincerely Yours,



John Tetro
HC 69 Box 130
Riggins, ID. 83549



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 18, 1992

Rapid River Subdivision Homeowners
c/o Tim Heath
Box 377
Riggins, ID 83549

RE: Approved Transfer No. 3831/Water Right No. 78-07034

Dear Water Right Holder:

On May 10, 1991, the Department approved an application for transfer of the above referenced water right(s). A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 15 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

A handwritten signature in cursive script that reads "Sharla Curtis".

SHARLA CURTIS
Water Resource Agent

Enclosure

RECORDED

JUN 29 1992

May 15, 1991

RE: Transfer of Water Right No. 78-07034

Rapid River Subdivision Owners
c/o Tim Heath
P.O. Box 377
Riggins, ID 83549

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Trans. No. 3831). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

1

RECEIVED
JUN 11 1991

MEMORANDUM

TO: FILE

FROM: TIM LUKE *TL*

DATE: May 7, 1991

RE: TRANSFER NO. 3831/LICENSE NO. 78-7034

=====

This transfer application seeks only to add a point of diversion and correct the place of use description given for the above licensed right. The added point of diversion is a backup or supplemental groundwater well. The place of use correction appears to be necessary as a portion of the subdivision was not included within the place of use description on the license.

I recommend approval of the transfer with the following conditions:

- 1) <<T07>> The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- 2) <<T08>> Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- 3) <<T09>> Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

FILED
JUN 10 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: JL

1. Right number 78-07034 Applicant Rapid River Subd. Homeowners
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use. area id 5.5 was mistakenly omitted in license process
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE: Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred. NOT an issue in correcting the plan record
 - h. ☒ Check for expansion in use of right. Comments NONE ANTICIPATED
- SAME 80 home owners are addressed
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) N/A
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____ Comment letter sent ☐ Yes ☐ No

FINAL PROCESSING REVIEW BY: DR

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____ Department of Water Resources

4. By DR Date 4/25/91
JL 5-7-91

* All uses within Watermaster Districts require special conditions.

RECEIVED
APR 29 1991

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 78-07034

Notice is hereby given that Rapid River Subdivision Homeowners of Riggins has applied to the Department of Water Resources for a change of point of diversion and place of use of groundwater. The right sought to be changed is evidenced by License and is recorded as follows:

Amount: .18 cfs Priority: 12/08/1972
Point(s) of Diversion: T24N R1E S32 SWSW. The water is used for domestic purposes in T24N R1E S32 S1/2SW1/4 for 80 homes.

TO BE CHANGED AS FOLLOWS

Amount: .18 cfs
Point(s) of Diversion: T23N R1E S5 Lot 4 (NWNW), T24N R1E S32 SWSW. The water will be used for domestic purposes in T23N R1E S5 Lot 4 (NWNW) and T24N R1E S32 S1/2SW1/4 for 80 homes.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before April 22, 1991.

R. Keith Higginson
Director

Published in the Idaho County Free Press on 4/3 and 4/10/1991.

JUN 10 1991

Attachment 'A'

1990

TAXPAYER'S VALUATION ASSESSMENT NOTICE

Property situated in Idaho County, Idaho
THIS IS NOT A NOTICE OF TAXES DUE.

NAME AND ADDRESS OF OWNER:

RP 00280003024A

9-00

HEATH, FRANKIE A

*

P O BOX 398

RIGGINS ID 83549

RAPID RIVER SUB-DIV #2

LOTS 24, 25, 26, 27 BLK 3

Category
No.

REAL PROPERTY — LAND

1. Investment Irrigated Agricultural
2. Deleted 1979
3. Investment Non-irrigated Agricultural
4. Investment Meadow
5. Investment Dry Grazing
6. Forest Land — Productivity Option
7. Forest Land — Bare land 3% Yield
8. Reforestation
9. Mineral
10. Homesite Value on Rural Investment Land
11. Recreational Sites
12. Rural Residential Tracts
13. Rural Commercial Tracts
14. Rural Industrial Tracts
15. Rural Subdivisions Residential Lots and/or Acreages
16. Rural Subdivisions Commercial Lots and/or Acreages
17. Rural Subdivisions Industrial Lots and/or Acreages
18. Other Rural Land
19. Waste [acreage only (public rights of way)]
20. Residential Lots and/or Acreages (inside city limits)
21. Commercial Lots and/or Acreages (inside city limits)
22. Industrial Lots and/or Acreages (inside city limits)

IMPROVEMENTS

30. NonResidential Improvements on Category 20
31. Improvements on Category 10
32. Improvements on Categories 1 through 9
33. Improvements on Category 11
34. Improvements on Category 12
35. Improvements on Category 13
36. Improvements on Category 14
37. Improvements on Category 15
38. Improvements on Category 16
39. Improvements on Category 17
40. Improvements on Category 18
41. Improvements on Category 20
42. Improvements on Category 21
43. Improvements on Category 22
44. Improvements on Exempt Land
45. Utility Systems (locally assessed)
46. Mobile Homes
47. Improvements to Mobile Homes

PERSONAL PROPERTY

55. Boats
56. Construction Machinery, Tools and Equipment
57. Equities in State Land (pyt in 2 inst. Sec 63-1302)
58. Farm Machinery, Tools and Equipment
59. Furniture and Fixtures
60. Improvements on Railroad Rights of Way
61. Improvements by Lessee other than Category 62
62. Leasehold improvements located on Fed. Gov't., State or Indian Land (pyt in 2 inst. Sec. 63-1302)
63. Logging Machinery, Tools and Equipment
64. Mining Machinery, Tools and Equipment
65. Mobile Homes
66. Net Profit of Mines
67. Operating Property (assessed by STC assessor identification only)
68. Other Miscellaneous Machinery, Tools and Equipment
69. Recreational Vehicles
70. Reservations and Easements
71. Signs and Signboards
72. Tanks, Cylinders, Vessels (kags, vats, etc.)

EXEMPT PROPERTY

81. Real and/or Personal

CATEGORY NO.	ACRES/LOTS	MARKET VALUATION
15		29,880

TOTAL MARKET

29,880

EXAMINE THIS ASSESSMENT.

In Case of Error — Notify the Assessor's Office
BEFORE the Fourth Monday in June.

Property is listed by class number, please check your Assessment against number description listed at top right.

Pursuant to Sec. 63-401, Idaho Code, the board of county commissioners of Idaho County meets as a Board of Equalization on the third Monday of each month of the year from January up to the fourth Monday of June, for the purpose of hearing complaints upon valuations of property, and for the purpose of equalizing assessments of property on the real and personal property assessment rolls; and shall meet on the fourth Monday of June to complete the equalization of assessment of all real and personal property which has not yet be equalized. The Board of Equalization may only hear appeals received on or before the fourth Monday of June, 63-401, Idaho Code. Upon meeting to complete the equalization assessment, the board shall continue in session from day to day until assessment of such property has been completed and shall also hear and determine complaints upon allowing or disallowing hardship exemptions under Sec. 63-105BB, Idaho Code. The board must adjourn as a board of equalization not later than the second Monday of July.

Pursuant to Sec. 63-1904, Idaho Code, the board of county commissioners of each county shall meet as a board of equalization on the fourth Monday of November of each year for the purpose of hearing complaints concerning the valuation of property placed on the subsequent assessment roll, for the purpose of equalizing the subsequent property assessment roll and for allowing or disallowing exemptions and rebates complained of under the provisions of this act affecting the assessment of property entered on the subsequent rolls and for the purpose of having settlement, with the assessor and tax collector. The board may "recess" but not officially adjourn as a board of equalization until the first Monday of December, at which time its business must have been completed.

The county commissioners shall convene as a board of equalization not later than May 15, upon which date it must complete its business and adjourn, to consider claims for tax reduction under the provisions of Sections 63-117 through 63-125, Idaho Code. Should May 15 fall on a Saturday, Sunday or legal holiday, the board shall meet on the next business day.

Applications for tax relief by reason of the existence of undue hardship must be made each year by personal appearance of the applicant before the county board of equalization between January 1, and June 20th. Sections 63-105BB and 63-107, Idaho Code.

All meetings of the Idaho Board of Equalization are held at Commissioners Room, Courthouse, Grangeville, at the hour of 10:00 A.M. to 5:00 P.M.

JIM BECKMAN, Assessor

983-2742

JUN 10 1991

Attachment A

Old (D) Number -

Address - - - - - +

State- ID Zip- 83549

Status - - - +

+

+

(49) IDAHO

+

96-00

+ - kW Usage - +

1

44

10

10

10

1
1
1

1
2
3

1
1
1

- Dec 00/0

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

Water right number - 78-07034

Prefix Translation:

--Comments--
No Comments Found

+ - - Audit Fields - 01/28/85 05/01/88 CONVERT

```
+-----+-----+-----+-----+ Water Rights Dates and Flags Area +-----+
```

Proof Due Date	01/01/1978	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	01/18/1973	Protested Date	00/00/0000	Sears Falls	-
Proof Made Date	01/01/1900	Hearing Date	00/00/0000	Temporary Right	-
Start Work Date	00/00/0000	Verified Date	01/28/1985	DLE/Carey Act	-
Order Show Cause	00/00/0000	Receipt Number	-	Water District	-
Licensed Date	04/12/1982	Appl Received	00/00/0000	Transfer/Amended	-
Decree Date	00/00/0000	Microfilm Roll No	-	Presumption Flag	-



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

~~K. STEPHEN KILGORE~~

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

May 4, 1981

Frankie A. Heath
Box 362
Riggins, Idaho 83549

Dear Mr. Heath,

RE: License No. 78-7034

Enclosed is a copy of the Water Right License issued on the above referenced Permit.

Please be advised that one of the conditions of your permit was that a measuring device be installed as part of your diversion works. That requirement has been waived with issuance of the enclosed license. However, in the event that water supply shortages become a problem installation of measuring devices may be required.

Sincerely,

JIM JOHNSON

Water Distribution Supervisor

JJ:mr

Enclosure



JUN 10 1991

Phone 628-3322
Department of Water Resources
Phone Western Regional Office

(name spring, stream, etc.)

(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

(nature of use)

(mo.-day) inclusive (mo.-day)

Other uses: _____

Max Rate of Diversion 2.0 cubic feet per second and annual volume _____ AF/Annum.

County _____
County _____
County _____

Other Points of Diversions: _____

Description of diverting works: 7hp mte, 8" casing, 35' deep, 80 gpm pump

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

JUN 10 1991

TOTAL ACREAGE

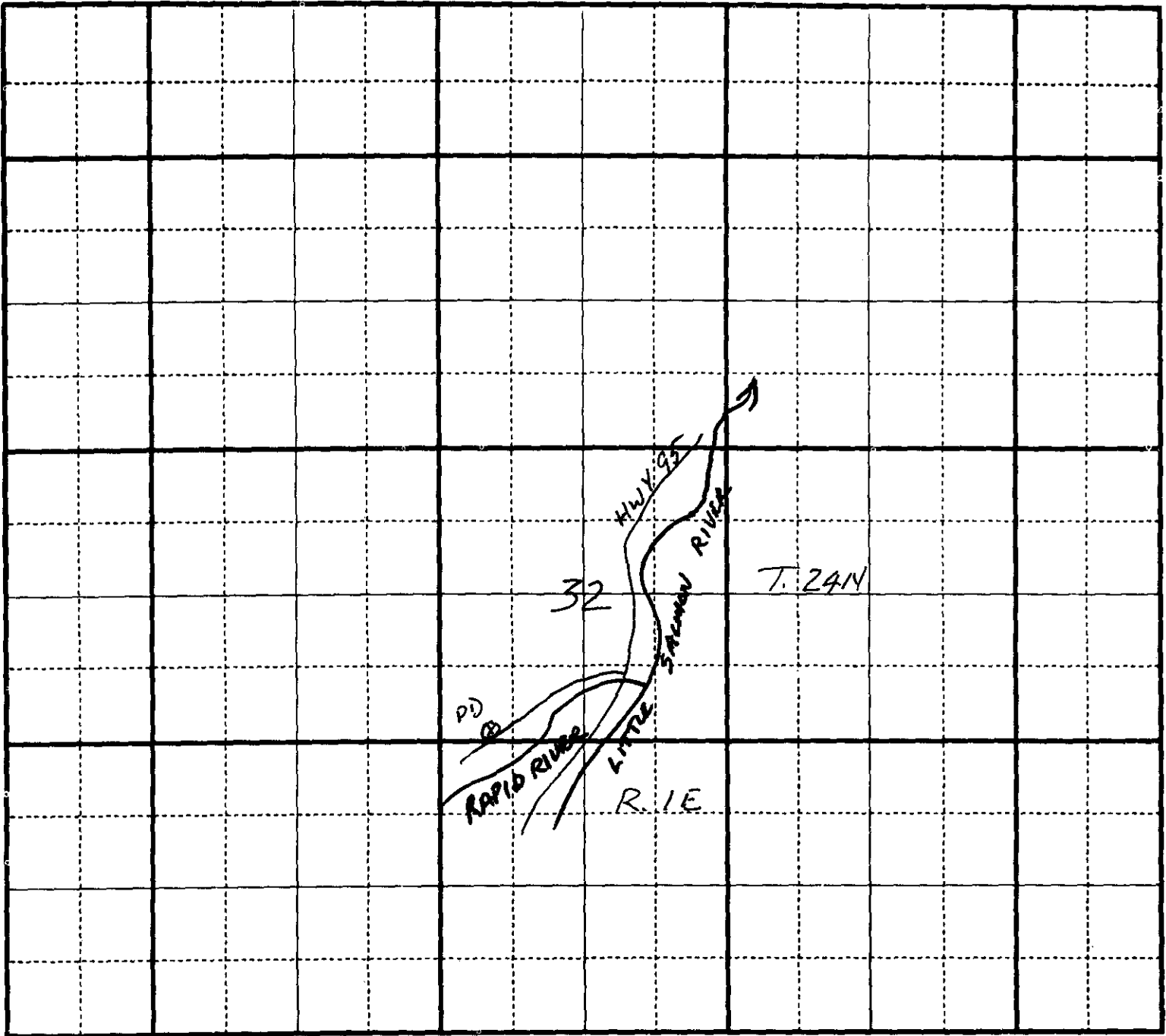


Diagram of System

DATE OF EXAM 6/26/79

ACREAGE

Found _____

Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= .18 c.f.s. V= 120.0 AF/Ann. from 1/1 to 12/31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 80 gpm = .18 cfs Method of measurement DIRECT MEASUREMENT

Total Q recommended .18 cfs Meter No. MDM-4 3285 Type BADGER Condition GOOD

Total V recommended 120.0 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

$Q = 80 \text{ gpm} (.002228) = .18 \text{ cfs}$ capacity
 $V = 1.2 \text{ AF/Ann} (100 \text{ domestic units}) = 120.0 \text{ AF/Ann}$
 $V = .18 \text{ cfs} (1.58) (665 \text{ days/yr}) = 130.7 \text{ AF/Ann}$
 $V = 1.2 \times 80 = 96$

SYSTEM DESCRIPTION:

JACUZZI 7 hp SUBMERSIBLE PUMP, 90 PSI

REMARKS:

Per telecon w/ Mrs Heath 3/9/81 she stated that
80 lots in the Rapid River Subdivision had been stubbed
with 39 lots currently using the water.
License should be issued w/ 80 units.

Examiner's Signature Charles W. Bryan Jr. Date 6/26/79 ✓

Checked by William J. Groat Date 3/5/79

Approved by Robyn Date 3/5/1981

JUN 10 1981



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

March 9, 1981

Frankie A. Heath
Box 302
Riggins, Idaho 83549

Dear Mr. Heath,

A representative of this Department has made an examination of the works covered by your Permit No. 78-7034, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .18 cfs Source: groundwater

The maximum quantity diverted shall not exceed ^{96*}~~120~~ acre feet per year.

Point(s) of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 24N, Rge. 1E, B.M.

Beneficial use: Domestic use for ^{80* original changed for}~~100~~ units within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 24N, Rge. 1E.

Priority date established: December 3, 1972

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

December 22, 1977

Re: Permit No. 78-7034

Frankie A. Heath
Box 362
Riggins, Idaho 83549

Dear Mr. Heath:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in **Boise**.

Sincerely,

JANICE RENK
Water Rights

Identification No. _____

Permit No. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 15 1972

OCJ

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Frankie A. Heath
b) Post Office Address Box 362, Riggins Idaho 83549
2. Permit Number 78-7034
3. Date of Priority that you are prepared to establish 12-8-72
4. a) Source from which water was appropriated Subterranean
b) Location of the point of diversion: SW 1/4 SW 1/4, Section 32 T24N
Township 24N, Range 1E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 2.0 for domestic purposes from 1-1 to 12-31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 2.0 cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Measured by Meter - approved by Chronic + Assoc.

Engineering Firm and Health + Welfare Dept. Meter permanently installed in system.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pump size ~~80 gpm~~ Motor size 7HP

8" Well Casing Depth of well 35' - Pump size 80 gpm

b) Describe the type and size of measuring device which you have installed at your point of diversion:

c) Give well driller's name and address and the date the well was completed: Uhlenkott Well

Drilling, Fenal, Idaho - 12-15-72

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Rapid River Sub Division, 18 homes using Well at this
Date:

1/5/78

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

(Date) Frankie Heath
(Signature)

State of Idaho)
County of Idaho) ss.

On this 14th day of December, 1972, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Norma Bradley
Notary Public residing at Piggins
Idaho

My commission expires July 11, 1979

October 31, 1977

CERTIFIED MAIL

138142

Re: Permit No. 78-7034

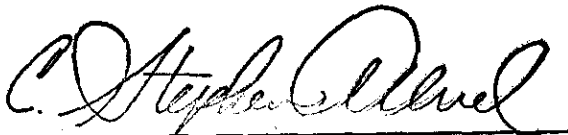
Frankie A. Heath
Box 362
Riggins, Idaho 83549

Dear Mr. Heath:

One of the conditions of approval of your water Permit No. 78-7034 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

January 19, 1973

Re. Permit No.: 78-7034

Frankie A. Heath
Box 362
Riggins, Idaho

Dear Mr. Heath:

Enclosed is a copy of your approved Application for Permit No. 78-7034 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

78 7034

December 13, 1972

Re: Application for Permit No. 78-7034 Frankie A. Heath

State of Idaho
Department of Health
Environmental Improvement
STATEHOUSE MAIL

ATTENTION: Vaughn Anderson

Dear Mr. Anderson:

We are enclosing a copy of the above referenced application for permit, which may be of interest to your agency.

Please review the application and if you have any comments, please submit them to our Department as soon as possible.

We normally complete the processing of an application within a six (6) week period and we are required to take final action shortly thereafter.

If we may be of any assistance to you in the meantime, please do not hesitate to contact this Department.

Sincerely,

JAMES E. BOOKER
W. R. Supervisor

JEB:def

Enclosure

78 7034

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

December 13, 1972

Re: Application for Permit No. 78-7034

Idaho County Free Press
Box 267
Grangeville, Idaho 83530

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

78 7034

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that FRANKIE A. HEATH,
Box 362, Riggins, Ida.
has on Dec. 8, 1972 submitted Application No. 78-7034
for a permit to appropriate 2.0 cubic feet per second ~~none~~
~~per annum~~ of water from a groundwater source
by means of pump, reservoir & pipeline
within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 24 N., R. 1 E., B.M., Idaho County

to be used from Jan. 1 to Dec. 31
for domestic purposes
within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 24 N., R. 1 E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Jan. 8, 1972.

R. KEITH HIGGINSON

Director

Published in the Idaho County Free Press, Grangeville, Ida.

on Dec. 20, 1972 and Dec. 27, 1972

78 7034

December 8, 1972

Re: Application for Permit No. 78-7034

Mr. Frankie A. Heath
Box 362
Riggins, Idaho 83549

Dear Mr. Heath:

Attached herewith is your Receipt No. 9117 in the amount of \$35.00 for Application
for Permit No. 78-7034 which was received in this office on December 8, 1972

Sincerely,

DEANNA E. FELDT
Secretary

78 7034