

23 T-26N

P.D.
P.U.

R-6E

See attachment
JK 8/20/93

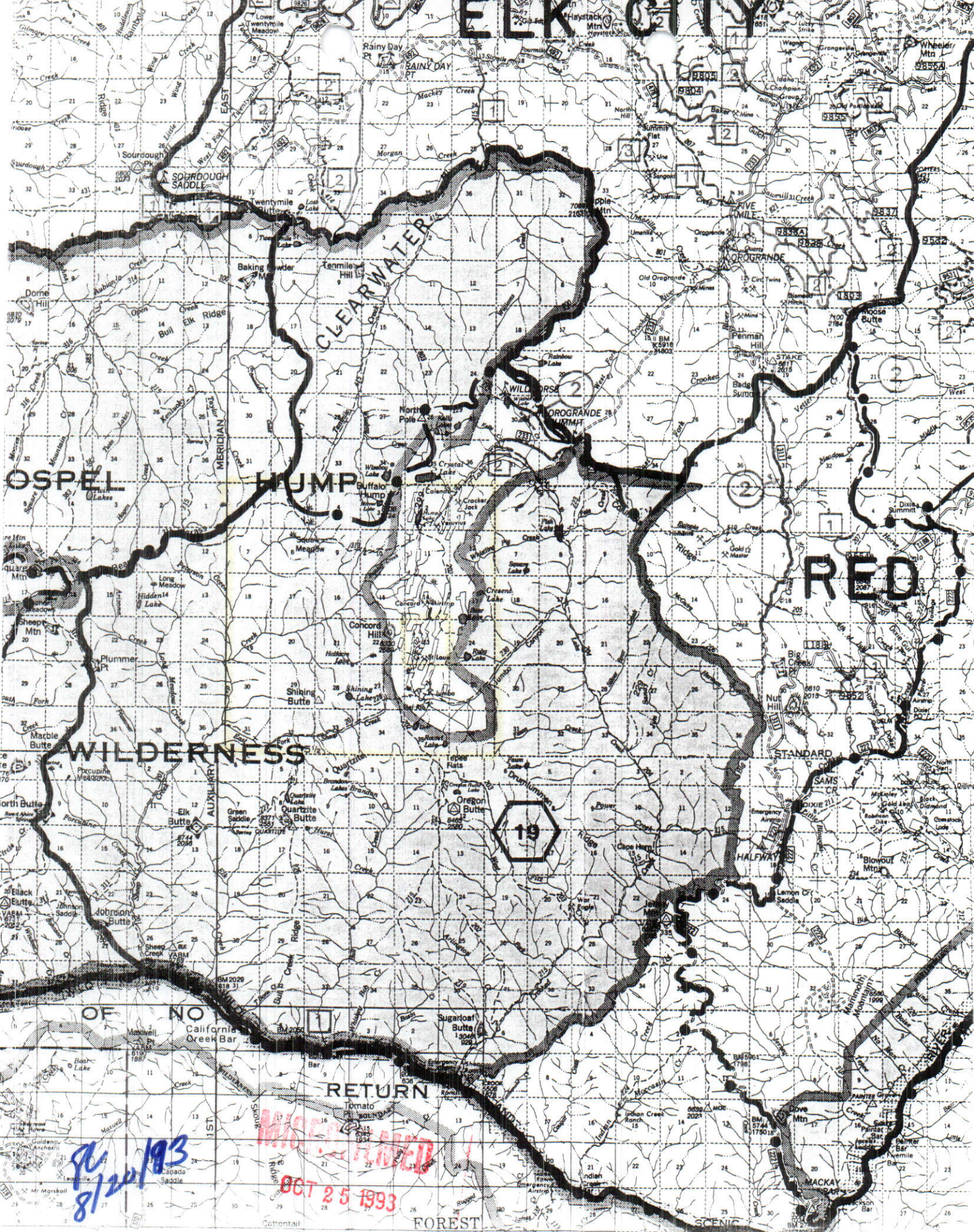
MAILED

n for permit to appropriate the public waters of


(Applicant)

(Applicant)

ELK CITY

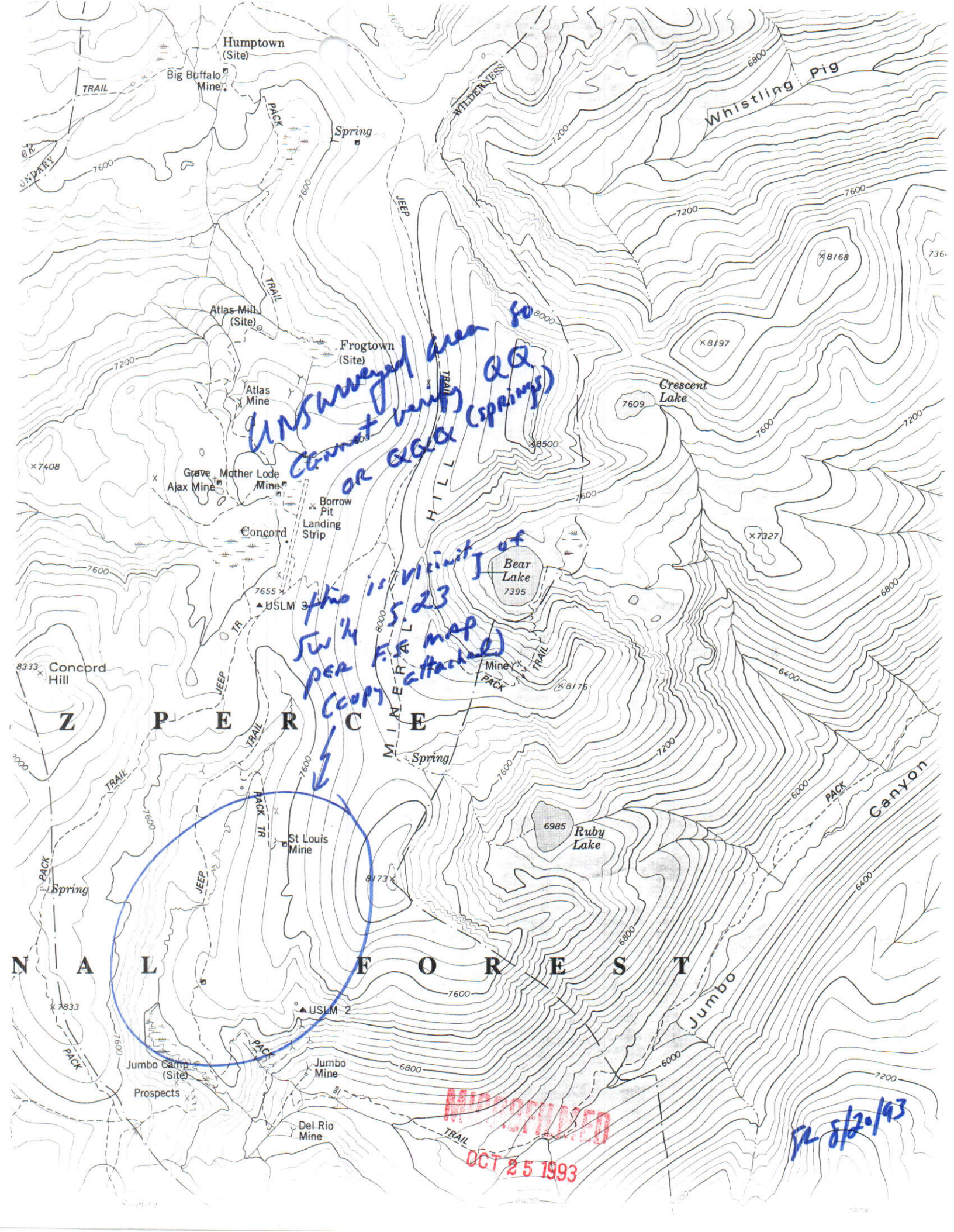


8/20/93

OCT 25 1993

T26N R6E S.23

FOREST



UNSURVEYED area so
cannot verify QQ
or QQQ (springs)

this is vicinity of
SW 1/4 sec 5.23
per F.S. map
(copy attached)

PC 8/20/93

MICROFILMED
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 2nd day of
September, 19 93, and the last
publication on the 9th day of September, 19 93;
and that the said notice was published in the newspaper proper and not
a supplement; that said newspaper has been continuously and uninterru-
ptedly 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 9th day of September 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

NOT RECORDED

OCT 25 1993

NOTICE OF APPLICATION FOR WATER RIGHT

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

77-07329 ✓

FARLEY, BRIAN T.
BOX 1836
HAYDEN LAKE, ID 83856
Source: SPRINGS (2) Tributary: JUMBO
CANYON
Source: UNNAMED STREAM Tributary:
Diversion Pt: SWSW Sec. 23 T 26N R
06E in IDAHO County.
Use: STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.060 CFS)
Date Filed: 8/13/1993
In: IDAHO County T26N R06E S23
SWSW

77-07330

WEST, LESTER K
WEST, ERLENE E.
P.O. BOX 642
KAMIAH, ID 83536
Source: ROBERTSON CREEK Tributary:
SALMON RIVER
Diversion Pt: SENW Sec. 1T 25N R 09E
in IDAHO County.
Use: STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS) Total Diversion:
(.040 CFS)
Date Filed: 7/30/1993
In: IDAHO County T25N R09E S01
SENW
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 20, 1993.

R. KEITH HIGGINSON, Director
Published: 9/2/1993 & 9/9/1993

S2-9

RECEIVED

SEP 23 1993

Department of Water Resources
Western Regional Office

IN THE MATTER OF PERMIT NO. 77-07329)
)
IN THE NAME OF BRIAN T. FARLEY) **ORDER OF**
) **REINSTATEMENT**
)

FINDINGS OF FACT

- DECLASSIFIED
100-10-312

acceptable as filed. The permit holder explained by telephone and written correspondence that he mailed the proof in September of 1995, but due to delivery problems at the Hayden Lake Post Office the proof did not reach the department until May 28, 1996. On August 7, 1996, the permit holder submitted an invoice showing that the excavation and development of his water delivery system occurred on August 15, 1995.

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used within the authorized development period.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

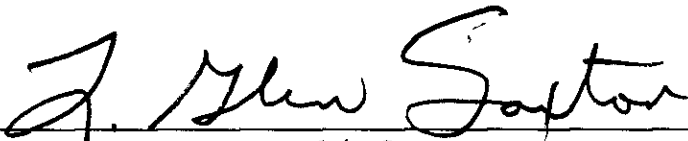
3. The department should reinstate the permit with the date of priority advanced to the date proof of beneficial use and supporting information was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 77-07329 is **REINSTATED**.

IT IS FURTHER ORDERED that the priority date is advanced to August 7, 1996.

Dated this 25th day of October, 1996.



L. GLEN SAXTON, Chief
Water Allocation Bureau

MCTD-1111
JAN 18 1997

RECEIVED

MAY 28 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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. 77-67329 Telephone No. 208 772-0841
2. Name(s) of Permit Holder(s): BRIAN T FARLEY
3. Mailing Address: PO BOX 1836 HAYDEN LAKE IDAHO 83835
4. Source of Water: SPRING + STREAM If **GROUNDWATER** (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: NA 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): 1 Stockwater (No. and type of stock): 4 HORSES
Irrigation (No. of acres): 0 Other: ____
6. Total rate of diversion and/or volume for which proof is submitted: 1.06 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?
Has the measuring device been installed?

Yes ____ or No X
Yes ____ or No X

Flow Measurement Port: Is a flow measurement port required?
Has the measurement port been installed?

Yes ____ or No X
Yes ____ or No X

8. Fee Enclosed: \$ 50 (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: BRIAN T. FARLEY Telephone Number: 208 772 0841
Address: PO BOX 1836 HAYDEN LAKE IDAHO 83835
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: [Signature]
(include your title, if on behalf of company or organization)

Date: 9-7-95

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 77-07329

Proposed Priority: August 13, 1993

Maximum Diversion Rate:

0.06 CFS

This is to certify, that **BRIAN T FARLEY**

PO BOX 1836

HAYDEN LAKE ID 838561836

has applied for a permit to appropriate water from:

SPRINGS

tributary of **UNNAMED STREAM**

UNNAMED STREAM

tributary of **LAKE CREEK**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 23, Township 26N, Range 06E
IDAHO County

PLACE OF USE: STOCKWATER

TWN RGE SEC

26N 06E 23

SWSW

PLACE OF USE: DOMESTIC, same as STOCKWATER use

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. Domestic use is for 1 home.
5. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
6. Stockwater use is for 4 horses and mules.

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

12th day of October, 1993.

OCT 25 1993

for R. Keith Higginson, Director

RECEIVED

SEP 28 1993

Ident. No. 77-07329

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: BRIAN T FARLEY 208-772-0841
Address: BOX 1836
HAYDEN LAKE ID 83856
2. Source: SPRINGS (2) Trib. to: ^{UNNAMED STREAM} JUMBO CANYON
UNNAMED STREAM LAKE CREEK
3. Location of Point of Diversion: SWSW Sec. 23, Township 26N, Range 06E
IDAHO County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------|-------|-------|-------|------|----|
| STOCKWATER | 01/01 | 12/31 | 0.020 | | |
| DOMESTIC | 01/01 | 12/31 | 0.040 | | |
5. Total quantity to be appropriated is:
0.060 CFS (and/or) AF
6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
COLLECTION BOX 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 3 year(s).
8. Place of Use: STOCKWATER
- TWN RGE SEC
26N 06E 23 SWSW
- Place of Use: DOMESTIC, same as STOCKWATER use

RECEIVED

OCT 25 1993

* per orthoquad map 23

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:
STOCKWATER USE IS FOR 4 HORSES AND MULES

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 \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED

OCT 25 1993

RECEIVED

AUG 16 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 77-7329

Department of Water Resources To appropriate the public waters of the State of Idaho
Western Regional Office

1. Name of applicant BRIAN T. FARLEY Phone 772-0841
Post office address Box 1836, HAYDEN LAKE, ID 83856
SPRINGS (2)
2. Source of water supply UNNAMED STREAM which is a tributary of WUNBO CREEK *
CANYON
3. Location of point of diversion is _____ 1/4 of SW 1/4 of SW 1/4, Govt. Lot N/A
Sec. 23 Township 26N Range 6E B.M. IDAHO County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for DOMESTIC purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for STOCKWATER purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. COLLECTION BOX
WITH PIPELINE TO PLACE OF USE
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____
7. Time required for the completion of the works and application of the water to be proposed beneficial use is
3 years (minimum 1 year). * per topo 8/26/93 - SL

OCT 25 1993

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 3-4 HEAD HORSES & MULES
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
26N	0E	23											D S						

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. NONE

11. 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. _____

12. Remarks: _____

OCT 25 1993

P.D.
&
P.H.

23

T-26N

R-6E

See attachment
R 8/20/93

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 Ken Date 8/13/93 Time 3:10 p Preliminary check by SL
Fee \$ 30.00 Receipted by Ken # N-6847 Date 8/13/93
Publication prepared by st Date 9-13 Published in Idaho Free Press
Publication approved st Date 9-23-93

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:

OCT 25 1993

SCHEDULE C

FILE NO. 8918

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

A parcel of land consisting of the southerly $\frac{1}{4}$ of Lots 3 and 4 located in the Colonel and Robert Slee Lode Mining Claims, Mineral Survey No. 2256 in the Robbins Mining District, Idaho County, Idaho, in Township 26 North, Range 6 East, Boise Meridian, surveyed by Archambault and Von Barga in 1973, more particularly described as follows:

Beginning at Corner No. 1 of the Colonel Lode, marked by a 3 inch diameter brass cap on a 2 inch diameter galvanized iron pipe 36 inches long;

thence on a bearing of S 07°13' W, 1501.80 feet to the SE corner of Lot 5, a monument;

thence on a bearing of S 87°58' W, 201.95 feet to a monument, the True Point of Beginning;

thence on a bearing of N 07°07' E, 212.79 feet;

thence on a bearing of S 87°58' W, 403.84 feet;

thence on a bearing of S 07°07' W, 213.49 feet to a monument;

thence on a bearing of S 13°56' W, 350.00 feet to the SW Corner of Lot 3, a monument;

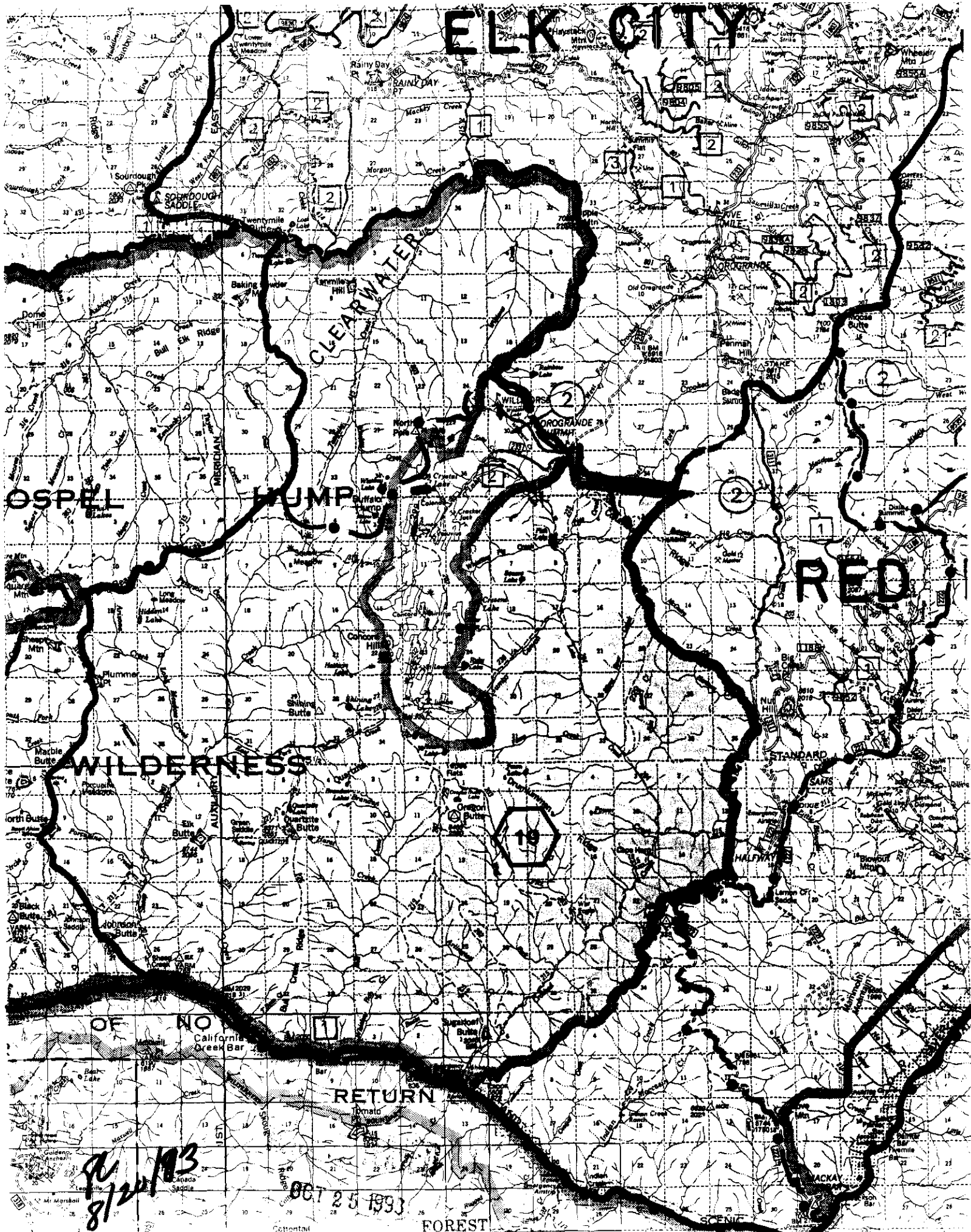
thence on a bearing of N 87°52' E, 403.96 feet to the SE corner of Lot 4, a monument;

thence on a bearing of N 13°56' E, 350.00 feet to a monument and the True Point of Beginning.

OCT 25 1993

Brian Farley application

ELK CITY



OSPEL

HUMP

RED

WILDERNESS

19

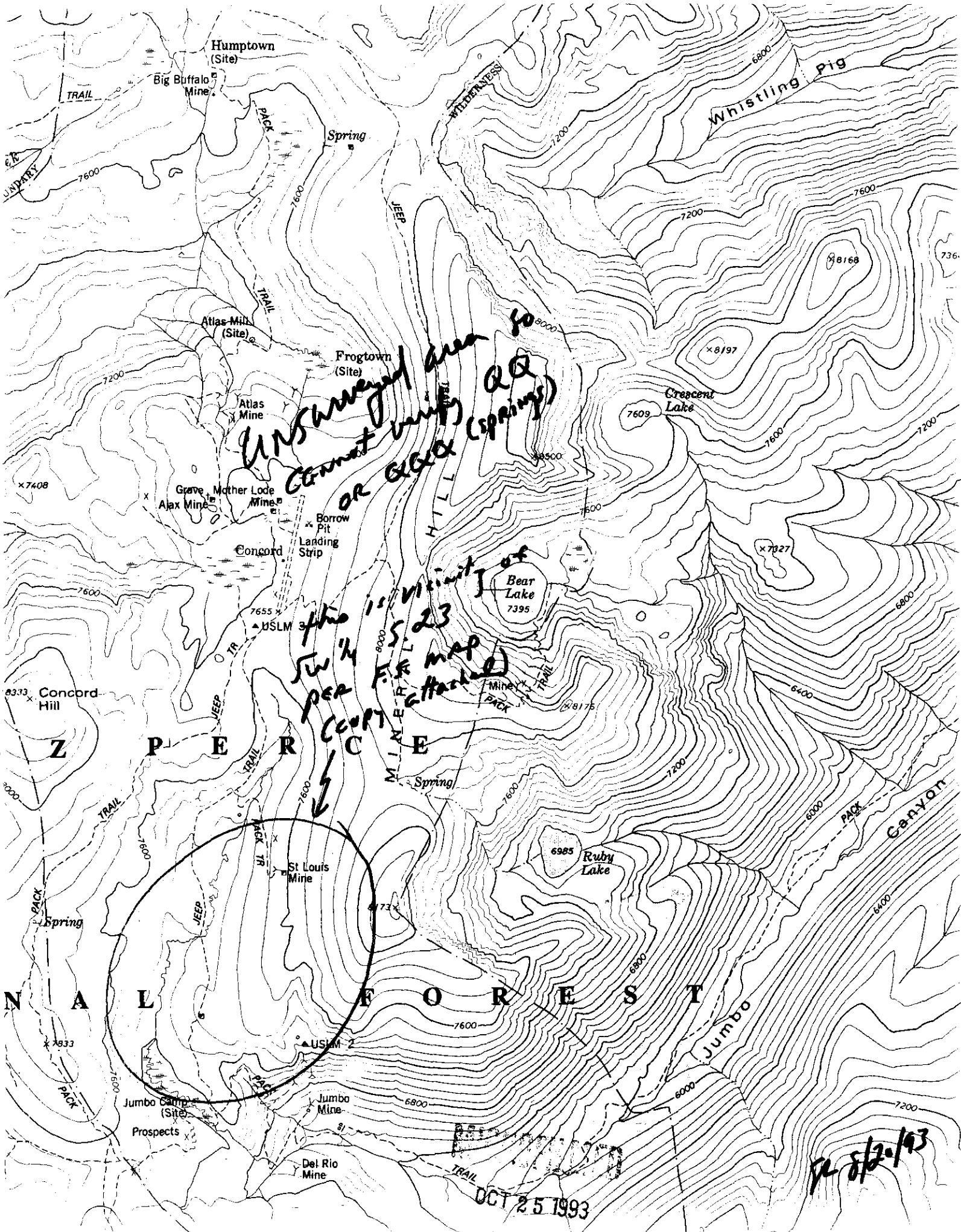
RETURN

8/24/93

OCT 25 1993

FOREST

T26N R6E S.23



**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 77-07329 Reviewed by [Signature] Date 6-14-96

GENERAL CONSIDERATIONS

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

TYPES OF USE

dom., stock

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?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received 8-7-96
~~5-28-96~~

Date proof due 10-1-95 - _____

No. of days late past 60 days = _____

Priority Date 8-13-93 + _____

New Priority Date 5-28-96
8-7-96

~~5-28-96~~
8-7-96

DEFICIENCIES OR ACTION ITEMS

*Request late reinstatement info.
info received - late Reinstatement the permit & advance
priority to Aug 7, 1996.*

DATA ENTRY

New Address X Proof Made 8-7-96



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR
October 25, 1996

BRIAN T FARLEY
PO BOX 1836
HAYDEN LAKE ID 83835

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 77-07329

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since proof was submitted after the proof due date of October 1, 1995. Please note that the priority date has been advanced to August 7, 1996.

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

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 the field examination, contact the **WESTERN** Regional Office in at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

RECEIVED
JUL 10 1996

QUALITY CUSTOM HOMES SINCE 1975

BRIAN FARLEY

BUILDER

RECEIVED

AUG 07 1996

Department of Water Resources

July 30, 1996

State of Idaho
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720-0098

Attn.: Julie L. Yarbrough
RE: Permit No.: 77-07329

Dear Julie:

Thank you for your letter regarding my proof of beneficial use.

I was a bit surprised that you considered it as lapsed since I mailed in the necessary forms and fee last year in September of 1995 and thought that everything was in order.

It is not impossible that it took 7 months or so to reach you as it was mailed at our local Hayden Lake Post Office. We have (and others) experienced a considerable amount of trouble in sending and receiving mail to the point of items mailed at the Hayden Post Office to another Hayden address never being delivered. In fact my wife Pam was requested by the United States Postal Service to be one of many "watch dogs" of the U.S. mail and to help keep track of the efficiency of the same.

I am enclosing an invoice for the excavator that provided labor and equipment for the spring and creek development. I hope that this documentation will allow you to reinstate my water rights.

Thanks again for your assistance.

Regards,



Brian T. Farley

SERVICE GUARANTEEDQUALITY UNSURPASSED**
ENDORSED BY NEW YORK YANKEE LEGEND DON LARSEN

P.O. BOX 1835 HAYDEN LAKE, ID 83835 208-772-0841

VISIT OUR HOME PAGE ON THE WORLD WIDE WEB

<http://www.nidlink.com/~bhbi>

RECEIVED

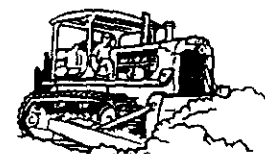
07 1996



580 SUPER E
EXTENDA HOE

DIRT WORKS

9551 Government Way
Hayden, Idaho 83835
(208) 772-7268
Department of Water Resources



450 W/S WAY BLADE
& RIPPERS

Tom Fellows • Owner / Operator • State Licensed • Bonded & Insured

TO: Brian Farley

DATE: 08/15/95

Hayden Lake, Idaho

JOB REFERENCE: Buffalo Hump

INVOICE PLEASE PAY BY THIS INVOICE. NO STATEMENT WILL BE SENT.

DATE	HOURS	RATE/HR.	DESCRIPTION	AMOUNT
			Spring and creek development at Jumbo Creek property. Excavate and install collector pipe with Typar in spring and creek. Install culvert and backfill with rock for water collection.	
	8	\$65.00	Labor and Materials	\$1,130.00
			Travel Time	\$520.00
			TOTAL	\$1,650.00

- | | | | | | |
|------------------|---------------|-------------|----------------|------------|-----------|
| • Lowboy Service | • Home Sites | • Utilities | • Sewer Lines | • Footings | • Backhoe |
| • Septic Systems | • Water Lines | • Site Prep | • Snow Removal | • Grading | • Dozer |

PAID
11/13/95



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 21, 1996

Brian T. Farley
P.O. Box 1836
Hayden Lake, ID 83856

RE: Lapsed Permit No. 77-07329

Dear Permit Holder:

The department is in receipt the proof of beneficial use statement you submitted in connection with the above referenced lapsed permit. Proof of beneficial use was due on October 5, 1995, therefore, the proof cannot be accepted until you submit some additional information

Pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- ▶ Two pieces of evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date (October 12, 1993 to October 1, 1995,) and
- ▶ Reasonable cause why the proof of beneficial use was filed late.

You can submit pump records, affidavits, receipts from equipment purchased, or any other information that would verify use.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for **60 days** to allow you the opportunity to submit the additional required information.

Please be aware that this permit is **lapsed** and is of no force nor effect until it is reinstated.

If you have any questions regarding this matter, please contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

I certify that file No. 77-07329

has been reviewed and is ready to be

MICROFILMED and DESTROYED.

The attached proof report is the water right as it appeared in the database prior to final status entry and deletion from the database.

S. Curtis
Reviewer

2/14/96
Date

MAY 21 1996

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

02/13/96 15:06:10

Page 1

Water Right Number - 77-07329

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
FARLEY

BRIAN T

1 - PO BOX 1836

2 -

3 -

City- HAYDEN LAKE

Phone - 208-772-0841

State- ID Zip- 838561836

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/13/1993 14 WESTERN P - PERMIT

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SPRINGS UNNAMED STREAM UNNAMED STREAM LAKE CREEK

Point of Diversion						Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	Rflg	County		
26N	06E	23	SW SW			(49) IDAHO		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31	0.020	
43 - DOMESTIC		01/01	12/31	0.040	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.060

Place of Use						Description	County
Twn	Rng	Sec	Tract	Lot	Acres	Code	
26N	06E	23	SW SW			04 STOCKWATER	(49) IDAHO

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
Domestic use is for 1 home.
The domestic use authorized under this permit shall not exceed
13,000 gallons per day per dwelling in accordance with
Section 42-111, Idaho Code.
Stockwater use is for 4 horses and mules.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

6217 2010000

MAY 21 1996

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

02/13/96 15:06:10
Page 2

Water right number - 77-07329

Prefix Translation: WATER RIGHT

+ - - - - 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.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +

00/00/0000

+ - - - - Comments- - - - - +

Date: 10/05/1993 User Id: ZIMMERMA Subject: MORATORIUM EXEMPTION

This permit is located within the Salmon/Clearwater Rivers Moratorium boundary; however, its domestic & stockwater uses are within the acceptable parameters of the Moratorium guidelines.

Date: 10/05/1993 User Id: ZIMMERMA Subject: DIVERSION DESCRIPTION

Collection box with pipeline.

Date: 10/19/1995 User Id: VAULT Subject: Lapse Notice Sent

Lapse Notice Sent

+ - - Audit Fields - 08/24/93 TAYLOR 10/05/93 ZIMMERMA 10/19/95 COMMENTS

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

Proof Due Date - 10/01/1995	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 10/12/1993	Protested Date - 00/00/0000	Swan Falls - B
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - N006847	Water District -
Licensed Date - 00/00/0000	Appl Received - 08/13/1993	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag- Y
Presumption Flag -		

EXEMPTED
MAY 21 1996

October 19, 1995

BRIAN T FARLEY
PO BOX 1836
HAYDEN LAKE ID 838561836

LAPSE NOTICE

RE: PERMIT NO. 77-07329

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated July 31, 1995. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

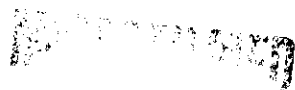
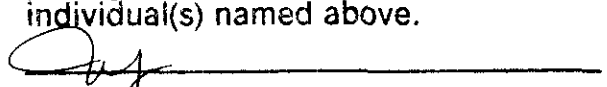
Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 10/20/95
a ~~copy~~/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



MAY 21 1996

July 31, 1995

BRIAN T FARLEY
PO BOX 1836
HAYDEN LAKE ID 838561836

PROOF DUE NOTICE

RE: PERMIT NO. 77-07329

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.

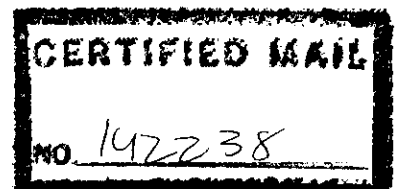
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

10-10-1995

JULY 31 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 12, 1993

BRIAN T FARLEY
PO BOX 1836
HAYDEN LAKE ID 838561836

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 77-07329

Dear Permit Holder:

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. 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,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

MICROFILMED

OCT 25 1993

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 7-7329 Date: 10-8-78 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes 01C P16
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 -.2 no pump)
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 - 5 <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)
Power - 08A-17K-025-027 (req); 01F-P19; 09E-P10;
+25 cfs-P18; 17G (FERC) or 17M (FERE); 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: -
REMARKS: - 2. 201(1) 3. 201(1) 4. 201(1) 5. 201(1) 6. 201(1) 7. 201(1) 8. 201(1) 9. 201(1) 10. 201(1)
11. 201(1) 12. 201(1) 13. 201(1) 14. 201(1) 15. 201(1) 16. 201(1) 17. 201(1) 18. 201(1) 19. 201(1) 20. 201(1)
BENEFICIAL USE DUE: - 1-1-199
COMMENTS: - 4. 201(1) 5. 201(1) 6. 201(1) 7. 201(1) 8. 201(1) 9. 201(1) 10. 201(1) 11. 201(1) 12. 201(1) 13. 201(1) 14. 201(1) 15. 201(1) 16. 201(1) 17. 201(1) 18. 201(1) 19. 201(1) 20. 201(1)

WR0749NP
No. P77-07329

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

DATE: 10/05/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRIAN T FARLEY PO BOX 1836 HAYDEN LAKE ID 838561836 (208) 772-0841	08/13/1993	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.02 CFS 0.04 CFS	
TOTAL DIVERSION:					0.06 CFS	
Water Source: SPRINGS UNNAMED STREAM		Tributary to: UNNAMED STREAM LAKE CREEK		Stage: PERMIT		

Point(s) of Diversion: T26N R06E S23 SW SW

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
T R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
26N 06E 23	:				:				:				:			

Place of use location for DOMESTIC is the same location as described for: STOCKWATER

Pou County: IDAHO

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.

Remarks: Domestic use is for 1 home.
The domestic use authorized under this permit shall not exceed
13,000 gallons per day per dwelling in accordance with
Section 42-111, Idaho Code.
Stockwater use is for 4 horses and mules.

Dates: App. Received: 08/13/1993 Priority Date: 08/13/1993
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: 10/05/1993 User-ID: ZIMMERMA Subject: MORATORIUM EXEMPTION
This permit is located within the Salmon/Clearwater Rivers
Moratorium boundary; however, its domestic & stockwater uses are

WR0749NP
No. P77-07329

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

DATE: 10/05/93
PAGE: 2

=====

Comments: Date: 10/05/1993 User-ID: ZIMMERMA Subject: MORATORIUM EXEMPTION
within the acceptable parameters of the Moratorium quidelines.

Date: 10/05/1993 User-ID: ZIMMERMA Subject: DIVERSION DESCRIPTION
Collection box with pipeline.

Audit: 10/05/93 ZIMMERMA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SR DATE: 8/20/93 APPLICATION: 77-7329

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) - SEE NEXT PG.
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No* In form to receipt:

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

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 Exempted use per 42-111A in Salmon R. moratorium
Copy to SCA staff (perennial stream, non-pump diversion):
Send dam safety information:
Send power requirement letter:
Send fish farm requirement letter:
Power residency affidavit:
Power efficiency form:
Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____
☒ Additional information on reverse side:

RECEIVED
SEP 28 1993

Department of Water Resources

PROCESSING

APPLICATION NO.

77-

YES NO

☒ ☐
☐ ☒
☒ ☐

In form for advertising:

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

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☒ ☒

Publication dates and paper recorded on application:

Protests received. Final date for protest

Protest dates, resolution of protest recorded on application:

Recommendations attached: *Approve, Dno*

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

26A (Allow 24/93)

See below for additional information

Recommended Date or Priority *8/13/1993*

Recommended by:

*Dno*Date *9/24/1993*

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

*Per 8/20/93 telecon with applicant: proposes to divert spring(s) via collection**box & pipe & add to that water piped from upper stream so 2**sources joined in common system.**Cannot verify Q&Q location in unsurveyed area - looks ± accurate.*

77-07329

FARLEY, BRIAN T
BOX 1836
HAYDEN LAKE, ID 83856

Source: SPRINGS (2)
Source: UNNAMED STREAM

Tributary: JUMBO CANYON
Tributary:

Diversion Pt: SWSW Sec 23 T 26N R 06E in IDAHO County.

Use: STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.060 CFS)

Date Filed: 8/13/1993

In: IDAHO County
T26N R06E S23 SWSW

RECEIVED

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 2nd day of September, 19 93, and the last publication on the 9th day of September, 19 93; 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 seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Marietta Hanson

STATE OF IDAHO }
COUNTY OF }

On this 9th day of September 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
SEP 23 1993

Department of Water Resources
Western Regional Office

000 25 1993