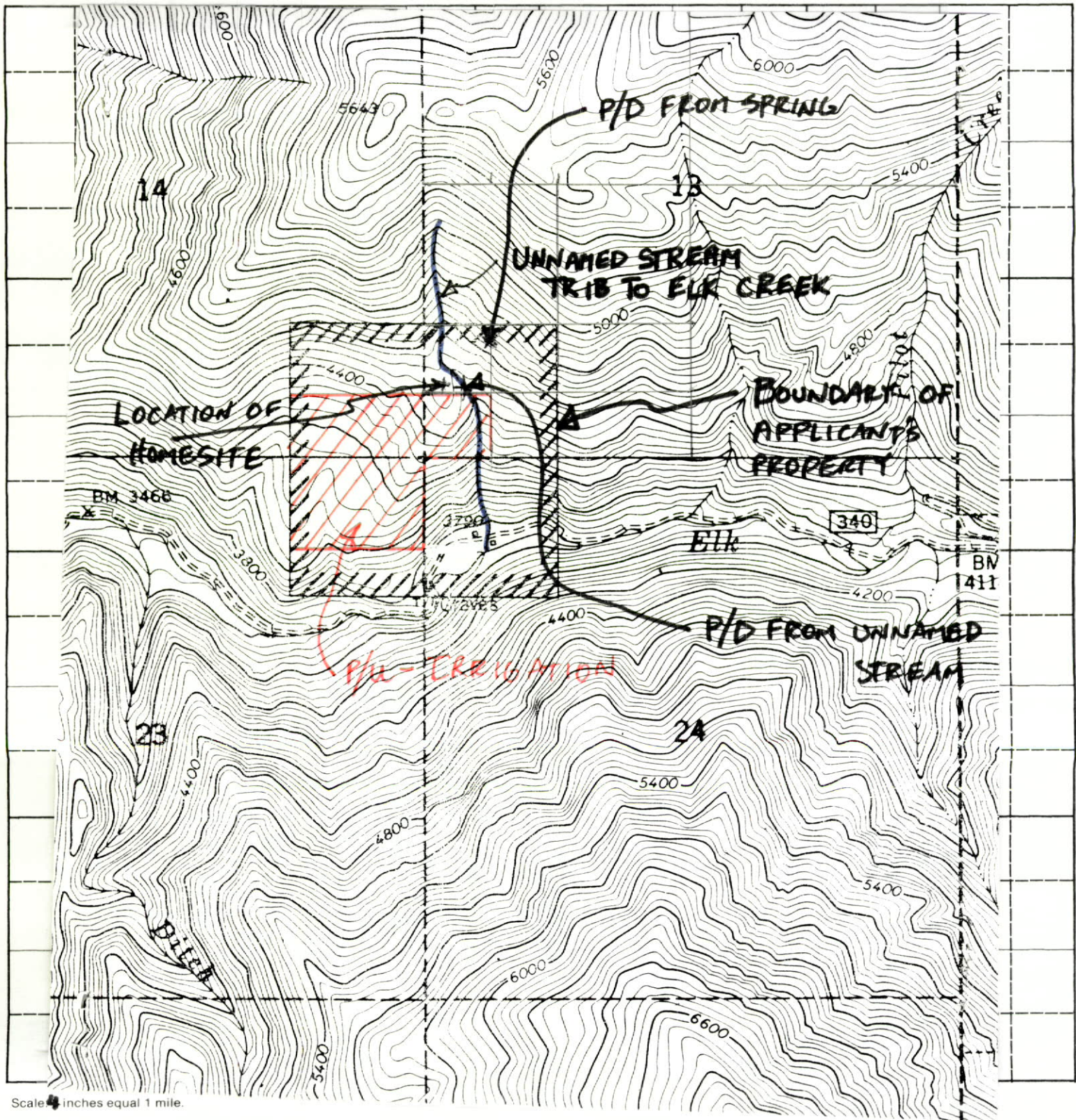


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

[Signature]
(Applicant)

MICROFILMED

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

SS.

County of Valley

Judy Brooks, being duly sworn deposes and says, I am the book-keeper of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the Notice of Correction, a copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began,

April 16, 1986, 1986

and ended, April 23, 1986.

Judy Brooks
Subscribed and sworn before me, this the

23rd day of April, 1986

STATE OF IDAHO, COUNTY OF VALLEY, ss..

On this 23rd day of April, 1986, before me, a Notary Public in and for said State, personally appeared Judy Brooks known to me or identified to me to be the bookkeeper of the corporation that executed the instrument or the person(s) who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Tom Grote

Tom Grote
Notary Public
Residing at McCall, Idaho
Commission Expires: Life

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 77-7239 in the name of Roger Cadwalder was published in error on 03/12 and 03/19/86.

The water uses were listed as Irrigation (0.040 CFS), and Domestic (0.040 CFS). WHEREAS, the actual uses are Irrigation (0.400 CFS), and Domestic (0.040 CFS).

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Department of Water Resources, Western Region, Statehouse, 450 W. State Street, Boise, ID 83720 on or before May 5, 1986.

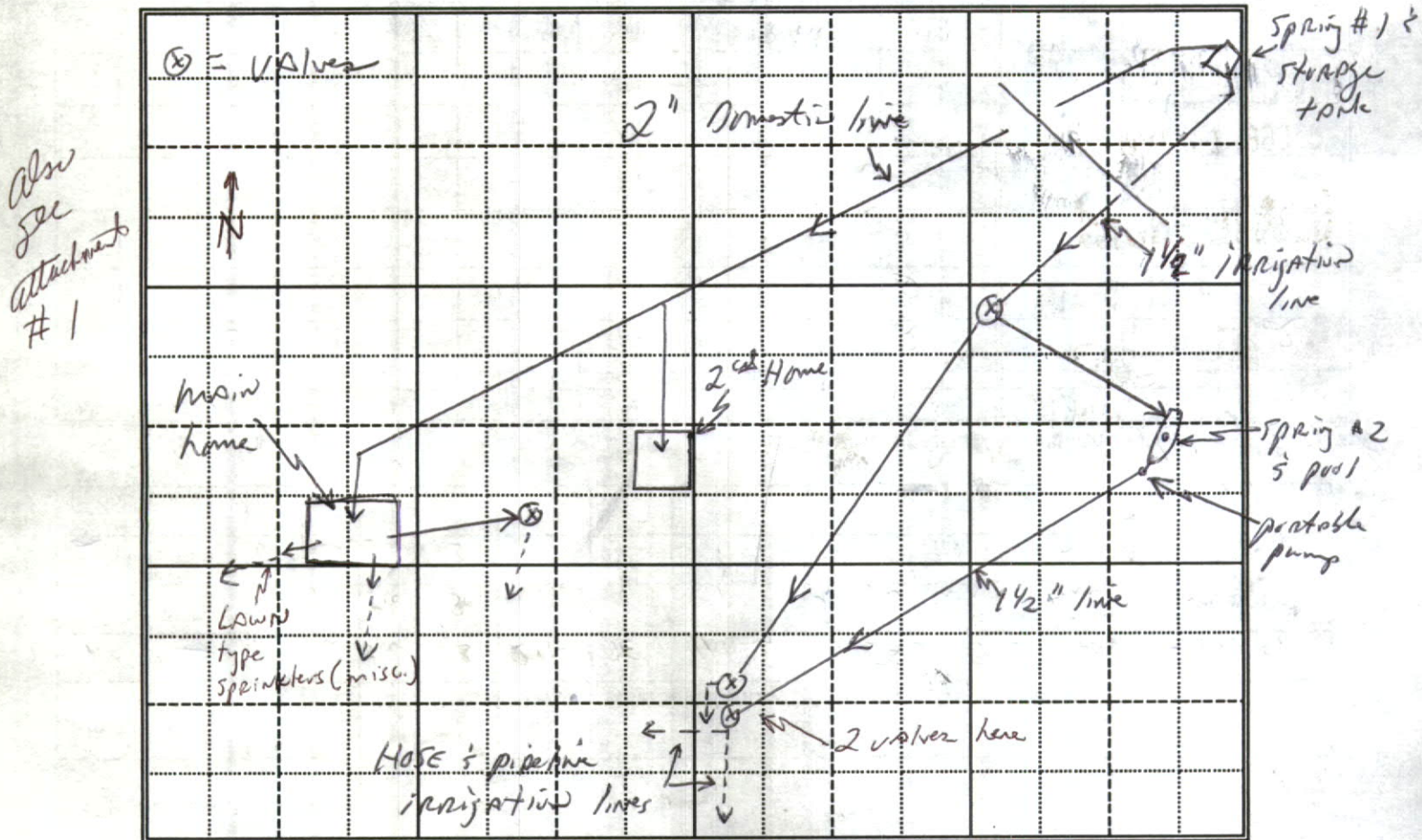
Published in The Star-News 04/16 & 04/23/86. Ken Dunn, Director

RECEIVED
APR 25 1986

Department of Water Resources
Western Regional Office

RECORDED

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



Scale: 1" = 50'

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A P/O #2	Briggs & Stratton	5	No Tag	Pacer	model # SER24L E 5C code # 69561 (no serial #)

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

Serial #); 1 1/2" main line

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sprinkler gauge					1 1/2"	
5 gallon bucket						

MAY 21 1993

2. Measurements: a) Sprinkler gauge:

Readings, No model #, 5/32" nozzle, 5 hrs.

psi: 50, 44, 48 $\bar{x} = 47.3$

b) 5 gallon bucket:

59
355.

(from domestic line from main house)

42-381	50 SHEETS	5 SQUARE
42-382	100 SHEETS	5 SQUARE
42-389	200 SHEETS	5 SQUARE

Made in U.S.A.



87,000 ft²

MICROFILMED

MAY 21 1993

I O N A L F O R E S T

PERMIT 77-7239 INIT SL

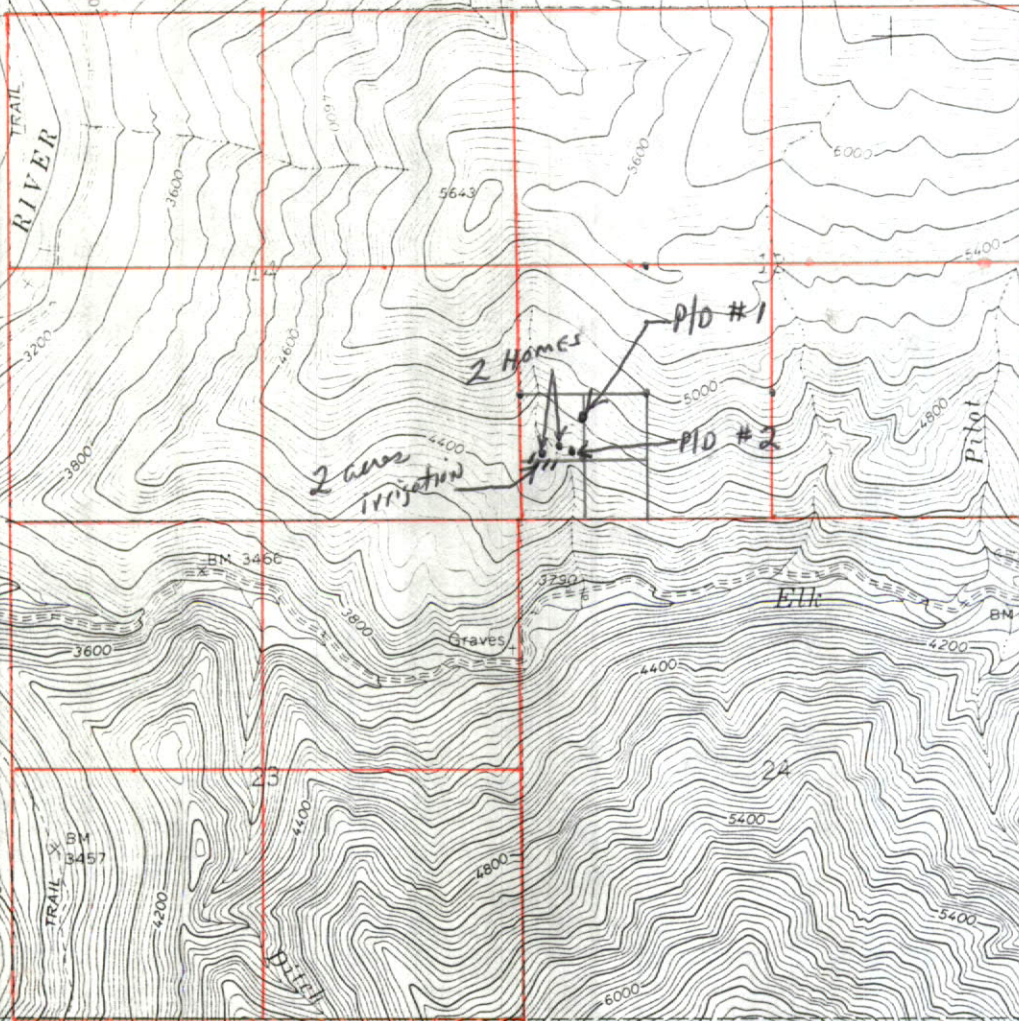
T. R. S. Q/Q

P/D 2N 76 13 30/50

SCALE

PHOTO ID.

NO
50' x
60' x
75' x



P/O #1

Buried springbox &
storage tank.

4" line partly seen
from spring to tank

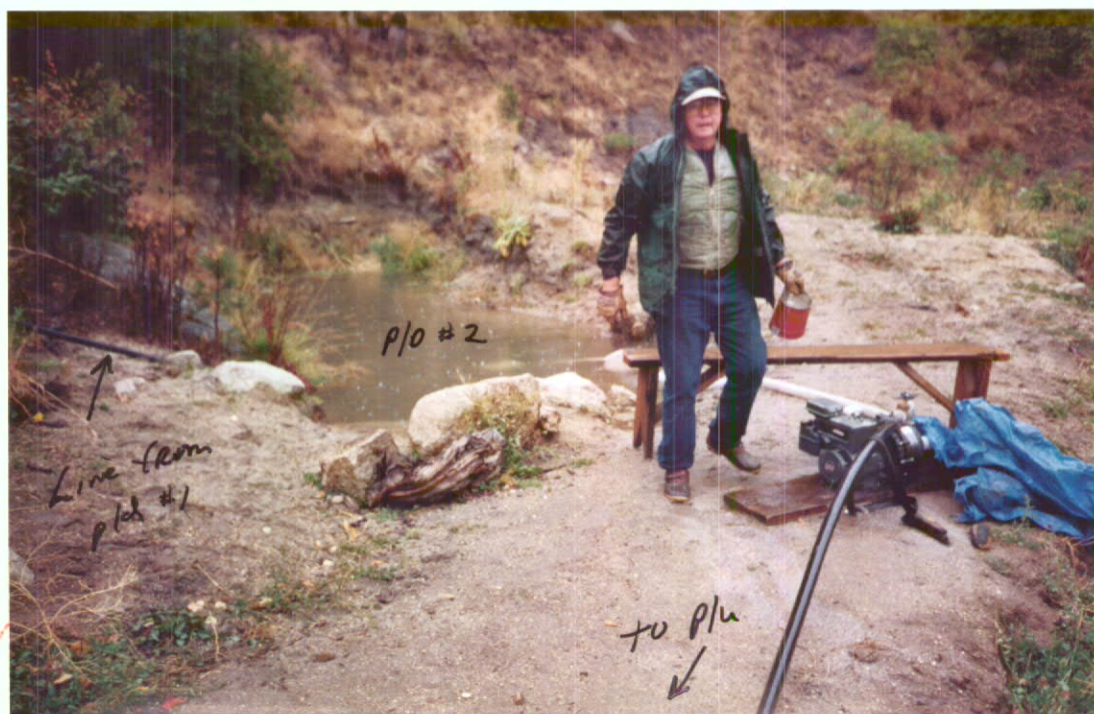
PHOTO ONE-



Dr. Cadwalder at P/O #2,
spring at base of pool.

Line on left
is branch from
storage tank at
P/O #1. Portable
pump's line in
foreground lead
to irrigated area.

PHOTO TWO-



REPRODUCED
MAY 21 1993

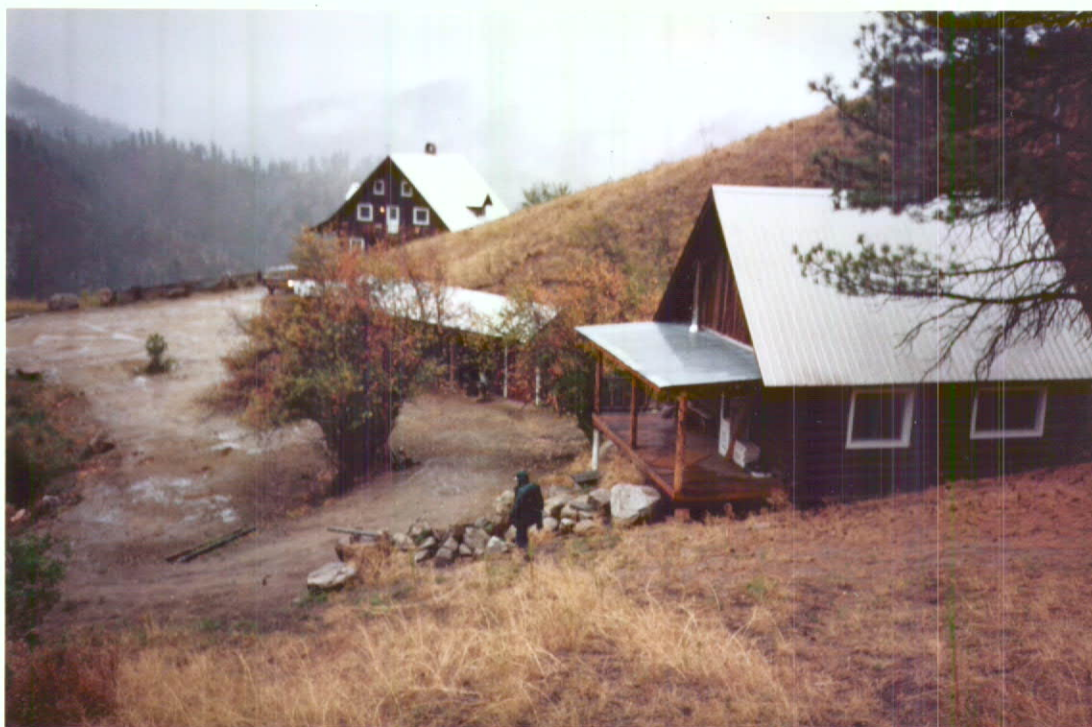


PHOTO THREE-

Looking SW at two homes, main home in background & guest cabin in foreground. Both cabins have internal lines from spring #1.



PHOTO FOUR-

Looking NW at main home & some of irrigated area. Roundbird sprinklers used on marginal area, but enough of the plots are non-native to allow site to be credited for irrigation.

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MAY 21 1993



PHOTO FIVE-

Looking SW at head of irrigated area, near site of two valves (SEE diagram in exam report).

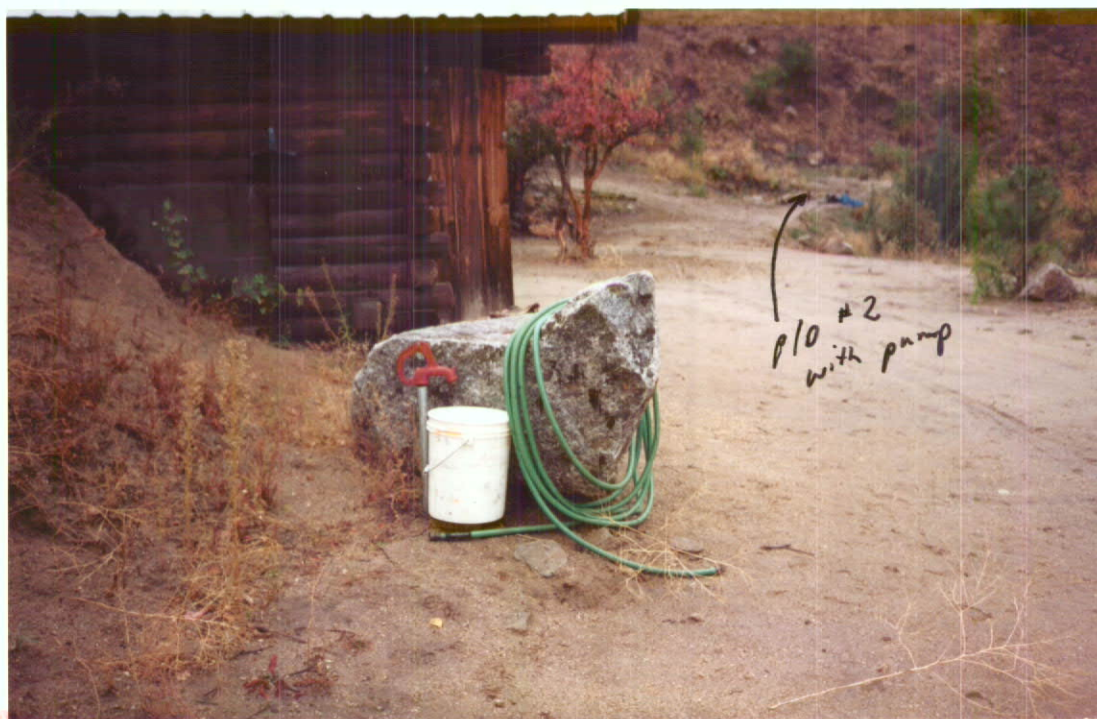


PHOTO SIX-

Site of 5g. bucket measurement between 2 cabins. Standpipe is plumbed to line from main home. Pipe can be used for irrig. or domestic water as needed.

MAY 21 1993















House



Land to be Irrigated

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DEC 16 1988



Head Box



Upper Spring

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DEC 16 1988



Stock Water Spring



Stock Pond

DEC 16 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 77-07239

Priority: February 26, 1986

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

7.2 AF

This is to certify, that ROGER CADWALDER

2636 N EDGEWOOD RD

EAGLE ID 836160000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 26, 1986; and has submitted Proof of Beneficial Use on April 30, 1990. An examination indicates that the works have a diversion capacity of .070 cfs of water from:

SPRINGS

tributary to ELK CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	6.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Totals		0.07 CFS	7.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NESWSW , Sec. 13, Township 21N, Range 07E
NWSWSW , Sec. 13, Township 21N, Range 07E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
21N	07E	13	SWSW	2		2

Total number of acres irrigated: 2

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

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

RECORDED

MAY 21 1992

State of Idaho
Department of Water Resources

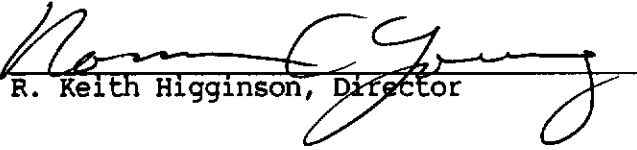
WATER RIGHT LICENSE

WATER RIGHT NO. 77-07239

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. Domestic use is for 2 homes.
7. Single point of diversion is located on line between NESWSW and NWSWSW.
8. Second point of diversion is located within NWSWSW, S13, T21N, R07E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 20th day of APRIL, 1993.

Acting for  R. Keith Higginson, Director

RECEIVED

MAY 21 1993

204
JUL 21 1988
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by CP
Date 7-21-88
Receipt # C001923

JUL 21 1988 REQUEST FOR EXTENSION OF TIME

Department of Water Resources To provide additional time in which to submit proof
of beneficial use for a water right permit

RECEIVED
JUL 11 1988

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under Department of Water Resources 42-204, Idaho Code.

Permit No. 77 - 7239

Name(s) of Permit Holder: Roger Cadwalder

Post Office Address: 1508 S. Gessner Houston Texas 77063

Telephone No. (713) 266 - 5039

Date Proof Is Due: Aug 1, 1988

Describe what work has been completed toward the development of this water right: Head Box

(This must be filled out! If no work has been completed, show "none".)

installed, Approx. 500 Ft of plastic pipe installed, stock pond developed,

house 60 percent complete. Irrigation for a garden spot is in.

Costing \$ 45,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Insufficient water to meet requirements. Seeking additional sources. I intend to
impound the water for storage and apply it to irrigation use, but not to the full 20 acres.

Permit holder(s) request an extension to Aug. 1, 19 90.
(1 yr. minimum)

FEE: \$15.00

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DEC 16 1988

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to August 1, 1990.

Signed this 19th day of October, 19 88.

A. Glen Sayton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 77-7239

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Roger Cadwalder Phone (713) 266-5039
Post office address 1508 S. Gessner Houston, TX 77063
unnamed stream
2. Source of water supply Spring which is a tributary of Elk Creek
unnamed stream Elk Creek GLS
3. Location of point of diversion is N $\frac{1}{2}$ $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 13 Township 21N Range 7E B.M. Valley County; additional
points of diversion if any: (2 points)
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.40 for Irrigation purposes from 4-15 to 10-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.44 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Spring box & pipeline to house;
overflow from spring for irrigation; pipeline and gravity flow from unnamed
stream to irrigation.
 - 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 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

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

UNRECORDED

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 home - per item 6a- kw 6/24/1986
- e. Other; describe fully. _____

9. Description of place of use:

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

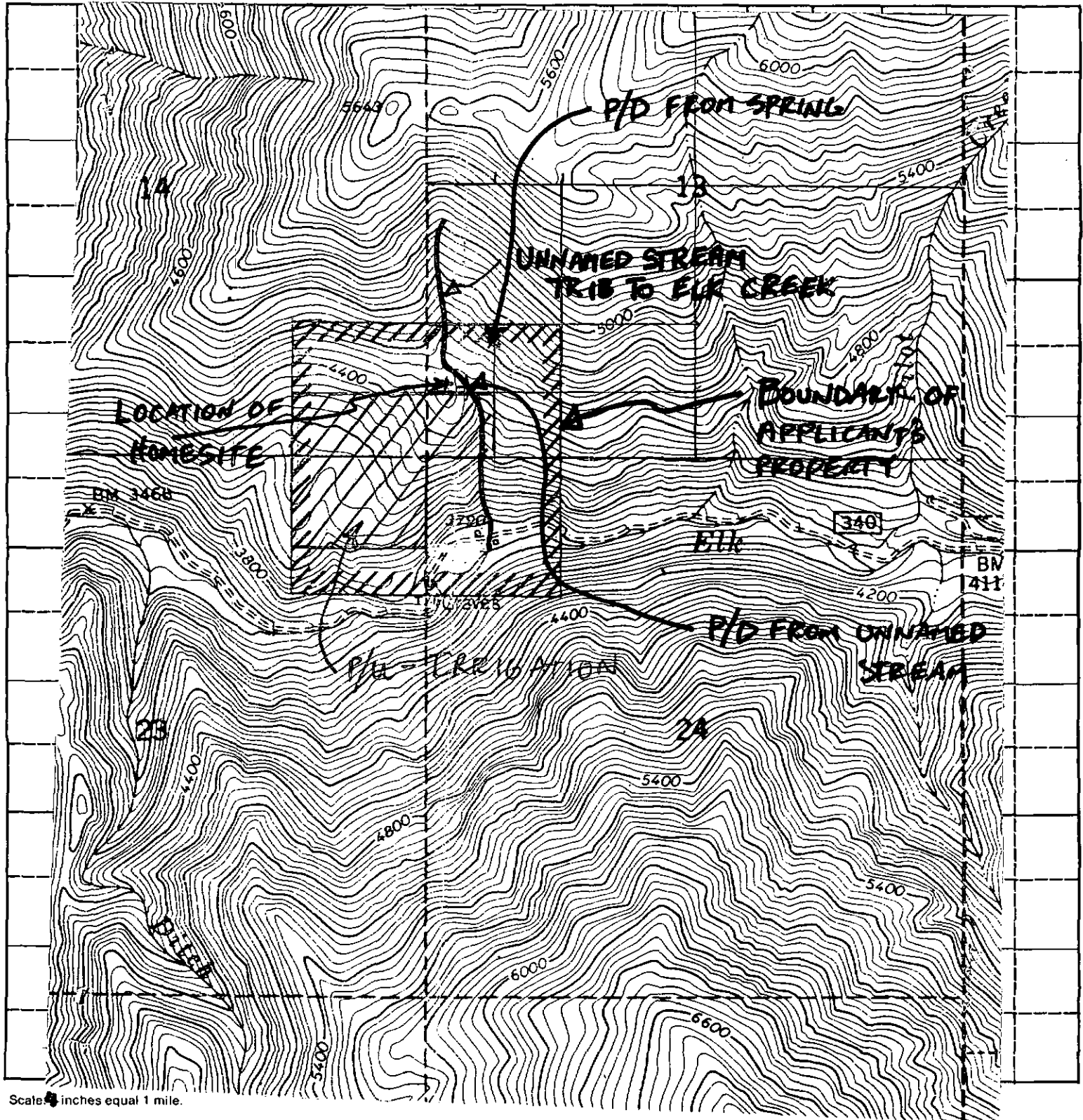
TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21N	7E	13											D						5
		14																5	5
		23	10																10

Total number of acres to be irrigated 20

10. Describe any other water rights used for the same purposes as described above. Water Rt. No. 77-7237 contains a provision for irrigation of over-lapping lands.
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: Applicant purchased the property from the McBride Family Trust.
- _____
- _____
- _____

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



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.

[Signature]
(Applicant) **WILKINSON**

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

SS.

County of Valley

Judy Brooks, being duly sworn deposes and says, I am the book-keeper of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the Notice of Correction

a copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began,

April 16, 1986, 19__

and ended, April 23, 19__86.

Judy Brooks
Subscribed and sworn before me, this the

23rd day of April, 19__86

STATE OF IDAHO, COUNTY OF VALLEY, ss..

On this 23rd day of April, 19__86,
before me, a Notary Public in and for said State,
personally appeared Judy Brooks known to me
or identified to me to be the bookkeeper of
the corporation that executed the instrument
or the person(s) who executed the instrument
on behalf of said corporation, and acknowledged
to me that such corporation executed the same.

Tom Grote
Tom Grote
Notary Public
Residing at McCall, Idaho
Commission Expires: Life

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 77-7239 in the name of Roger Cadwalder was published in error on 03/12 and 03/19/86.

The water uses were listed as Irrigation (0.040 CFS), and Domestic (0.040 CFS). WHEREAS, the actual uses are Irrigation (0.400 CFS), and Domestic (0.040 CFS).

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Department of Water Resources, Western Region, Statehouse, 450 W. State Street, Boise, ID 83720 on or before May 5, 1986.

Ken Dunn, Director
Published in The Star-News 04/16 & 04/23/86.

RECEIVED
APR 25 1986

Department of Water Resources
Western Regional Office

MICROFILMED

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

SS.

County of Valley

Judy Brooks, being duly sworn deposes and says, I am the book-keeper of The Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the Notice of Application, a copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began,

March 12, 19 86

and ended, March 19, 19 86.

Judy Brooks
Subscribed and sworn before me, this the

19th day of March, 19 86

STATE OF IDAHO, COUNTY OF VALLEY, ss.,

On this 19th day of March, 19 86,

before me, a Notary Public in and for said State, personally appeared Judy Brooks known to me or identified to me to be the bookkeeper of the corporation that executed the instrument or the person(s) who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Tom Grote
Tom Grote
Notary Public
Residing at McCall, Idaho
Commission Expires: Life

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-12763

HAY, CHARLES L.
P.O. BOX 1039, CASCADE, ID 83611
Source: BIG CREEK trib. to
PAYETTE RIVER, NORTH FORK
Diversion Pt: NESENE Sec 09 T 13N R
04E
Use: IRRIGATION (0.020 CFS)
Date Filed: 02/21/1986
In: SENE Sec 09 T 13N R 04E FOR 1
ACRES

77-7239
CADWALDER, ROGER
1508 S. GESSNER, HOUSTON, TX
77063
Source: UNNAMED STREAM trib. to
ELK CREEK SPRING trib. to ELK
CREEK

Diversion Pt: NESWSW NWSWSW
Sec 13 T 21N R 07E
Use: IRRIGATION (0.040 CFS);
DOMESTIC (0.040 CFS)
Date Filed: 02/26/1986
In SWSW Sec 13 T 21N R 07E SESE
Sec 14 T 21N R 07E NENE Sec 23 T. 21N
R 07E FOR 20 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before MARCH 31, 1986.

KENN DUNN, Dir.
Published 03/12 & 03/19/86.

RECORDED

Department of Water Resources
Western Regional Office



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

November 13, 1996

ROGER CADWALDER
1320 QUITMAN
HOUSTON TX 77009

RE: Water Right Nos. 77-07235 and 77-07239

Dear Mr. Cadwalder:

We acknowledge receipt of the correspondence changing the address of the above referenced water rights. We have modified our computer records to reflect this change in address.

Just a reminder, because of the new law that went into effect July 1, 1996, water right owners are required to report any change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

Patti Harrell
Secretary

Enclosures

MICROFILMED

JAN 10 1997

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): 77-7237
~~77-7235~~ 77-7235
77-7239

[] Old Mailing Address: _____

[] New Mailing Address: 1320 Quitman
Houston, Tex. 77009

New Telephone Number: (713) 227-8246

[] Signature of Claimant: _____

Date: 5-23-96

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Office visit by Dr. Cadwalder

No local address - lives in Texas now.

Note current address above. Does not appear that
this info has reached d'base (per WRS 77-07237
checked today). He's been concerned since has not
heard from IDWR in quite awhile.

77-07237 proof due 11/1/96. He will file ext. of
time to get more time to complete development.

- cc to S.O. today -

11/7/96
1997



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

April 26, 1993

ROGER CADWALDER
2636 N EDGEWOOD RD
EAGLE ID 836160000

RE: WATER RIGHT NO. 77-07239

Dear Water Right Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

RECEIVED

MAY 21 1993

WR0749NP
No. L77-07239

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

DATE: 03/29/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		DIVERSION RATE	DIVERSION VOLUME
				FROM	TO		
C	ROGER CADWALDER 2636 N EDGEWOOD RD EAGLE ID 836160000 (208) 939-1047	02/26/1986	IRRIGATION DOMESTIC	04-15	10-15	0.06 CFS	6.0 AFA
				01-01	12-31	0.04 CFS	1.2 AFA
				TOTAL DIVERSION:		0.07 CFS	7.2 AFA

Water Source: SPRINGS

Tributary to: ELK CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.07 CFS

Point(s) of Diversion: T21N R07E S13 NE SW SW NW SW SW

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
21N	07E	13	:												02					2.0
TOTAL ACRES																				2.0

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

Pou County: VALLEY

Other Rights: 77-7237

Other Water Rights Listing Overlapping Place(s) of use:
77-07239

Conditions of Approval:

- R49 - This right when combined with all other rights shall provide no
- more than .03 cfs per acre nor more than 3.0 afa per acre for the
- lands above.

Remarks: Domestic use is for 2 homes.
Single point of diversion is located on line between NESWSW and
NWSWSW.
Second point of diversion is located within NWSWSW, S13, T21N,
R07E.

Dates: App. Received: 02/26/1986 Priority Date: 02/26/1986
Proof Due Date: 08/01/1990 Proof Made Date: 04/30/1990
Exam Made Date: 09/24/1992 Exam Sent to S.O.: 03/08/1993
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 03/29/93 SKAGGS

28 03-26-93

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 8 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 77-07239

1. Owner: Roger Cadwalder Phone No. 939-1047

Current Address: 2636 N. Edgewood Rd. Eagle ID 83616

2. Accompanied by: Same EXAM DATE: 9/24/92

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: springs tributary to Elk Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1	—	NW	SW	SW	13	21N	7E	Valley	USGS 7 1/2' quad - P10 #1
		NE	SW	SW	13	}	}	}	on GQG line
2		NW	SW	SW	13	}	}	}	Both springs trib. to Elk Creek
									It can be licensed under this permit

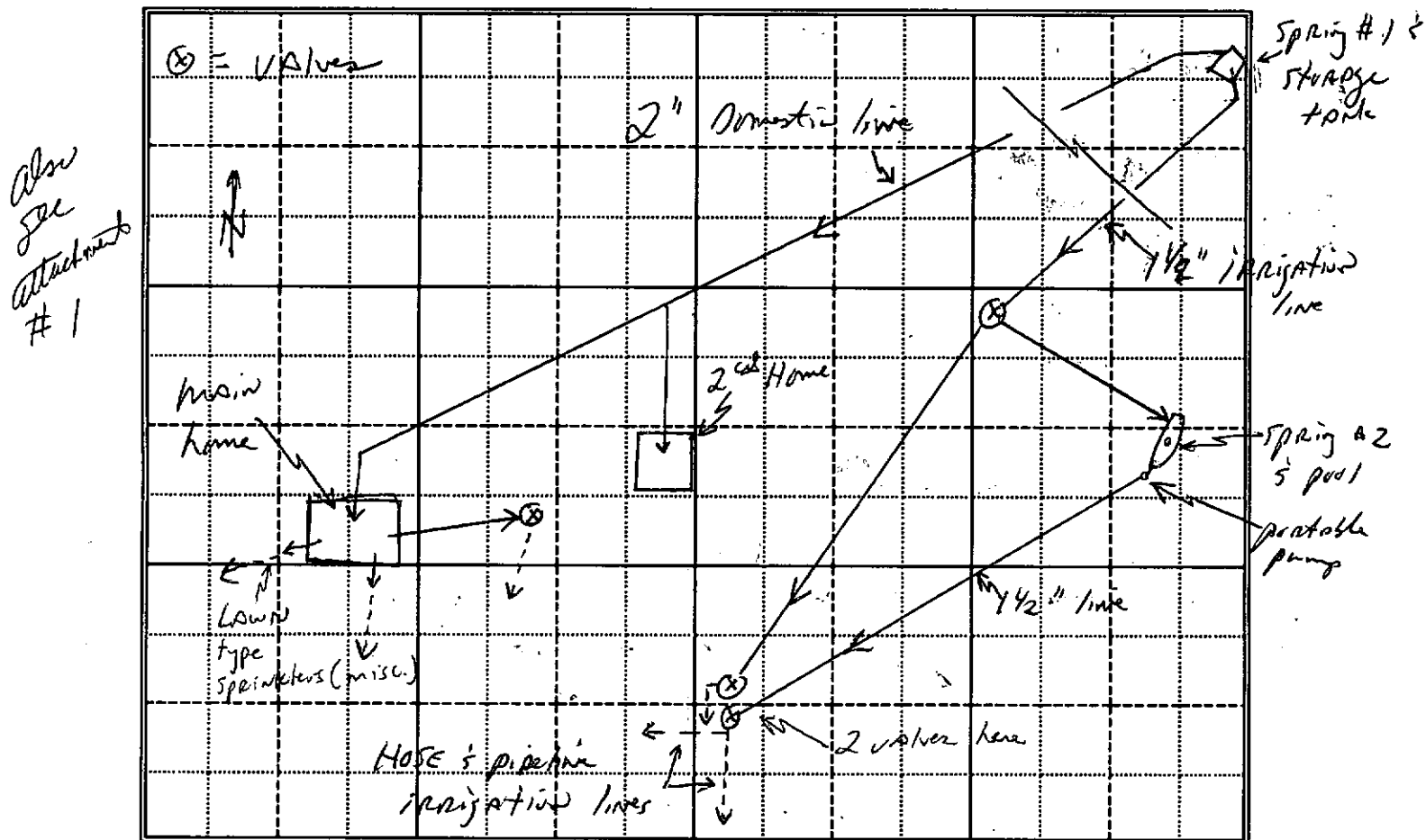
2. Place(s) of Use:

Indicate Method of Determination Pacing & top

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	7E	13										2						2	
												0							

Completed this under wet weather conditions - let me know if have trouble reading any of it. -82

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



Scale: 1" = $\frac{1}{8}$ mile

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
N/A P/O #2	Briggs & Stratton	5	No Tag	Pacer	model # SER2UL E 5C code # 69561 (No

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

Serial #); 1 1/2" main line

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sprinkler gauge					1 1/2"	
5 gallon Bucket					400"	

MAY 21 1955

2. Measurements: a) Sprinkler gauge:

Readings, No model #, 5/32" nozzle, 5 hrs.

psi: 50, 44, 48 $\bar{x} = 47.3$

b) 5 gallon bucket:

59
355.

(from domestic line from main house)

E. NARRATIVE/REMARKS/COMMENTS

NO development from unv. stream has occurred. Instead, two springs have been developed.

Spring #1: Sprinkler, 4" line to adjacent buried 1600 gallon tank, 2" line from tank to 2 homes. Pipes from home #1 (main house) can be used for hose irrigation. 5 gallon bucket measurement was from riser connected to domestic line system. A 1 1/2" line also leaves tank for irrigation use. This line forks. One line goes directly to valve by main house & is for irrigation via 1" sprinkler line &/or hose. A second branch goes to small pool at spring #2. See next description. Spring #1 supplies domestic & irrigation water.

Spring #2: This spring supplies irrigation water. It was excavated so that spring feeds a small pool. Water from Spring #1 can be routed to this pool. A portable pump with a 1 1/2" main is used from pool to supply sprinklers &/or hoses for irrigation. main sprinkler line consists of 1" pipe with 4 R.A.D. bird heads (more or less model 30BW).

Pool is too small to require storage component.

Cannot measure flow from Spring #1 to storage tank. The 5 gallon bucket meas. via domestic line reflects water from tank under adequate pressure via slope of line from tank to p/w.

Difficult to definitively quantify ~~amount~~^{amount} of irrig. area due to sporadic irrig. practices based on owners ability to visit site in- Have conditions of permit approval been met? ☒ yes ☐ no

frequently. However, best estimate is 2 acres based on

sprinkler lines & pipes available to cover this area. Irrig. is marginal but present - includes grass for stock (a few horses) although not quite a pasture, fruit trees, ornamental shrubs/trees.

MAINTAINED

1993

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

measured Method:

(a) Sparometer method - 5 Rainbird model 30 bw Egmasts, mean psi = 47.3.

From chart $\frac{\text{psi}}{45} \frac{\text{gpm/hr}}{4.72} (5 \text{ hds.}) (4.84 \text{ gpm/hr}) = 24.2 \text{ gpm}$

From chart

psi	gpm/hd
45	4.72
47.3	4.84
50	4.98

$$(5 \text{ L/d.})(4.84 \text{ gpm/L}) = 24.2 \text{ gpm}$$

(c) $\frac{24.2 \text{ gpm} + 8.6 \text{ gpm}}{448.8 \text{ gpm/cfs}} = .07 \text{ cfs}$ ✓
capacity

$$2 \times .03 = \underline{.06 \text{ cfs (IRR)}} \quad \underline{.04 \text{ cfs (DOM)}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (2)(3.0) = 6.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.6)(184)(1.9835) = 21.9$$

$$V = \text{Smaller of } V_{LB} \text{ and } V_{DB} = \underline{6.0 \text{ at a (IRR)}}$$

2. Volume Calculations for Other Uses:

Domestic, interval use 2 homes

$$(2)(.6) = \underline{\underline{1.2 \text{ A}(\text{DOM}) \text{ v.}}} \quad (.04)(365)(1.9835) = 28.96 \text{ A} \cdot \text{A}$$

From Permit: 0.1 ± 0.04 cfs could imply 1 lane int. + ext (1.2 AT).

Allow D/2 @ .04 cfs but inst. use only (1.2 Af).

This is therefore not an expansion. Second home is guesthome
NS under same ownership & do not see value in forcing another
Right to be filed on accomplished development.

H. RECOMMENDATIONS

1. Recommended Amounts

Remarks - Single P/D on line, 2 P/Ds NWSWSW

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic (2 homes)</u>	<u>1/1</u>	<u>12/31</u>	<u>.04</u>	<u>1.2</u>
<u>Irrigation</u>	<u>4/15</u>	<u>10/15</u>	<u>.06</u>	<u>6.0</u>
Totals:			<u>.07</u> <i>(system capacity)</i>	<u>7.2</u>

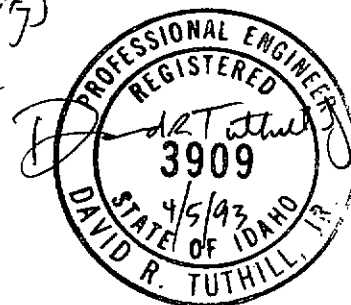
2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Steve Lester Date 9/24/92

Reviewer Camille Skaggs Date 3-26-93



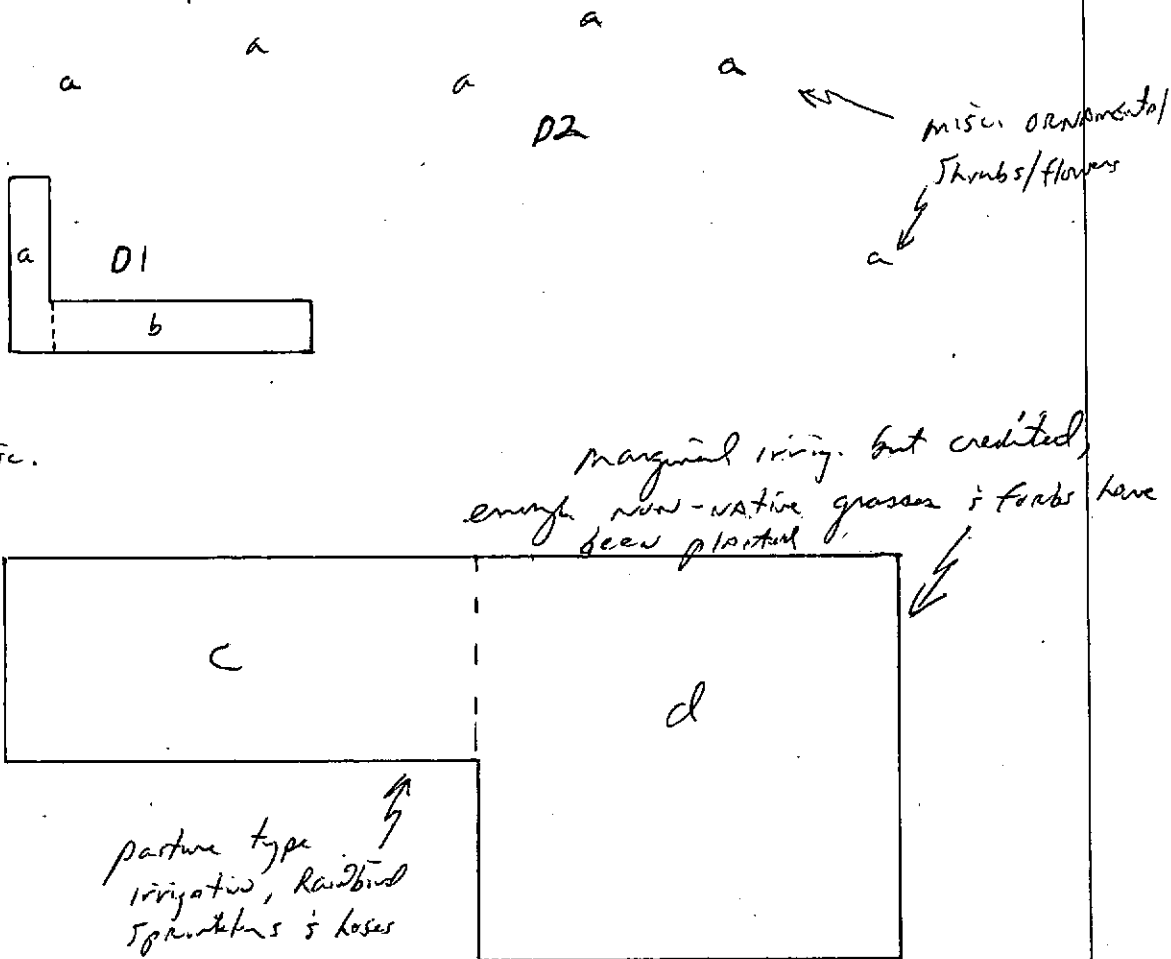
WINTER SEAL

May 21 1993

ATTACHMENT NO. 1

77-07239

Estimated area of irrigation



AREAS (DACC60)

- a) $30' \times 100' = 3,000 \text{ ft}^2$
 + $1000 \text{ ft}^2 \text{ misc.} = 1,000 \text{ ''}$
- b) $35' \times 200' = 7,000 \text{ ''}$
- c) $100' \times 310' = 31,000 \text{ ''}$
- d) $200' \times 225' = 45,000 \text{ ''}$

$$\frac{87,000 \text{ ft}^2}{43,560 \text{ ft}^2/\text{ac}} = 1.997$$

$$= 2 \text{ acres}$$

87,000 ft²

MICROFILMED

MAY 21 1993

NOT TO SCALE

IRON A L F O R E S T

PERMIT 77-7239 INIT SL

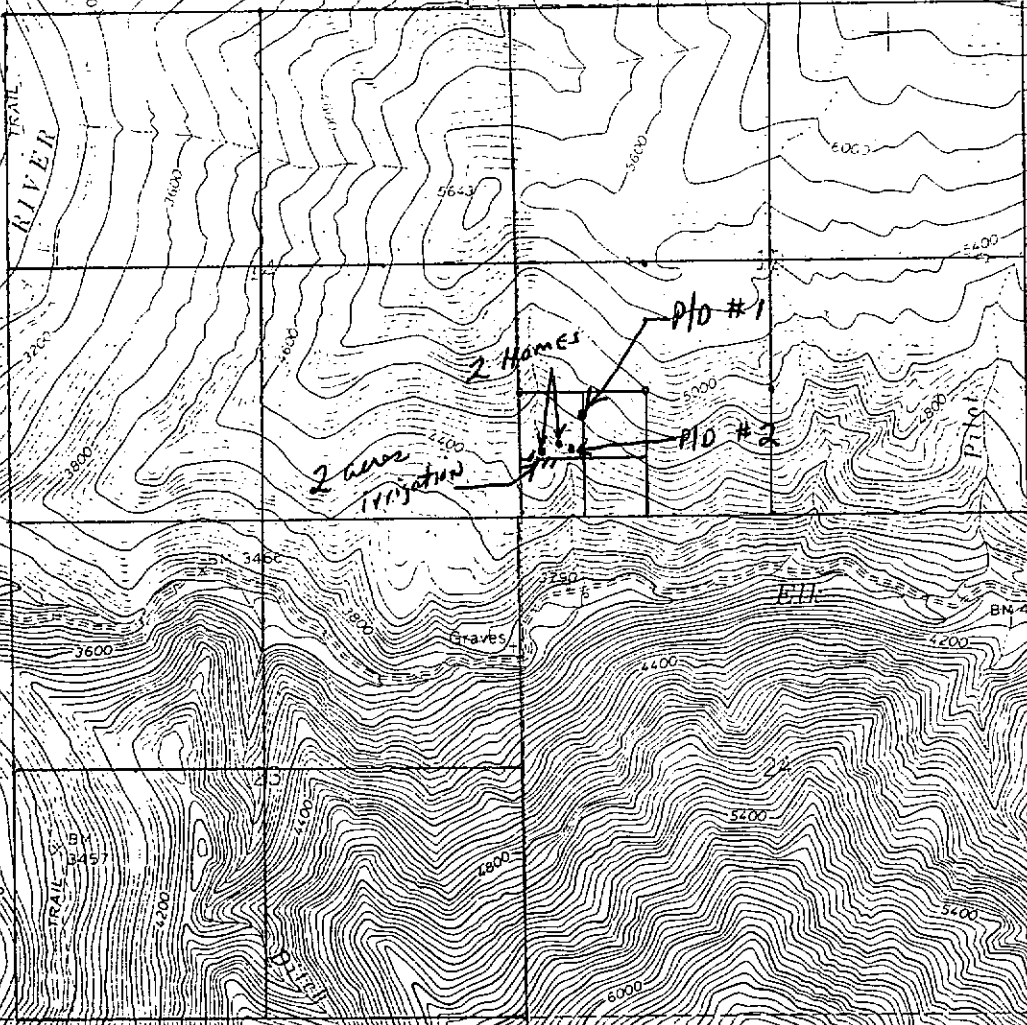
T. R. S. Q/Q

P/D 21N 7E 13 Sw/5w

SCALE

PHOTO ID. _____

NO
504
lots.



P/O #1

Buried springtop &
storage tank.4" line partly seen
from spring to tank

PHOTO ONE-

Dr. Cadwalder at P/O #2,
spring at base of pool.Line on left
is branch from
storage tank at
P/O #1. Portable
pump & line in
foreground lead
to irrigated area.

RECEIVED
PHOTO TWO-
MAY 21 1993



PHOTO THREE-

Looking SW at two homes, M.D. home in background & guest cabin in foreground. Both cabins have internet lines from spring #1.



PHOTO FOUR-

Looking NW at M.D. home & some of irrigated area. Round sprinklers used on marginal area, but enough of the plots are non-native to allow site to be credited for irrigation.

MAY 21 1993

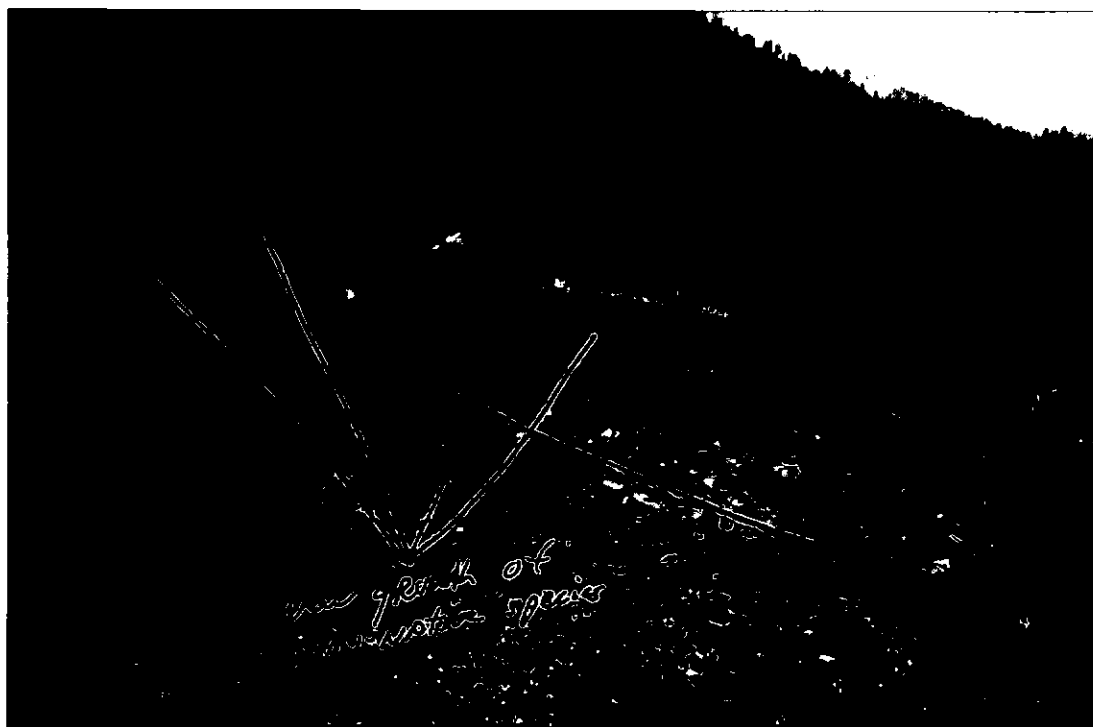


PHOTO FIVE-

Looking SW at head of irrigated area, near site of two valves (SEE diagram in exam report).



PHOTO SIX-

Site of 5g. bucket measurement between 2 cabins. Standpipe is plumbed to line from main home. Pipe can be used for irrig. OR domestic water as needed.

MAY 21 1993

MEMORANDUM

May 30, 1991

TO: Files 77-7235, 77-7237, 77-7239

FROM: Rita Fleck

RE: Status of Water Right filings

Dr. Roger Cadwalder came into the office yesterday to discuss the status of his water right filings.

77-7235 - The assignment has been received, recorded and an extension of time has been granted until January 1, 1993. This filing is in good standing.

77-7237 (Protested) - This filing is still protested by the U.S. Forest Service. Dr. Cadwalder came in to discuss Dave Tuthill's letter asking if Dr. Cadwalder still had an interest in developing this project. He does. Dr. Cadwalder has submitted a copy of the engineering plan. We discussed the uses proposed by the application. He intends to contact the Forest Service and send them a copy of his engineering plan and discuss the Forest Service's concerns. He hopes to negotiate with them to remove the protest.

77-7239 - This permit is waiting for a field inspection. It is in good order.

c: W. Region

RECEIVED

MAY 21 1993

July 17, 1990

ROGER CADWALDER
1508 S. GESSNER
HOUSTON, TX 770630000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 77-07239

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

INDEXED

JUL 27 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 77-7239

Date: 7-17-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☒ Surface water
☐ Groundwater
N/A 1. well log in file
N/A 2. drilling permit
N/A A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	<u>N/A</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

JP
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

03/

RECEIVED

APR 30 1990

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received 100.00Date 4-30-90Receipt # 2016592Receipt by JHReviewed by JH-7-17-90Sent to region

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 77-7239Name(s) of Permit Holder: Roger CadwalderPost Office Address: 1508 S. Gessner Houston, Texas 77063Telephone No. 713-266-5039Source of Water: Spring & unnamed stream - a tributary to Elk Creek

Extent of Use:

Domestic One (number of households) Stockwater (number and type of stock)Irrigation 20 (acres) Other/Remark Total rate and/or volume for which proof is submitted .44 cfs acre-feetShow the date water was first diverted and beneficially used under this permit: July 15, 1987Measuring Device: Required? Yes X No
Installed? Yes NoFee enclosed \$ 100.00
(See License Examination Fee Schedule)Flow Measurement Port: Required? Yes X No
Installed? Yes No

Person to contact to accompany the Department representative during the field examination:

Dr. Roger Cadwalder
(Name)713-266-5029
(Telephone Number)1800 Bering Drive, Suite 290Houston, Texas 77057(business)

(Address)

MICROFILMED

The above information 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.

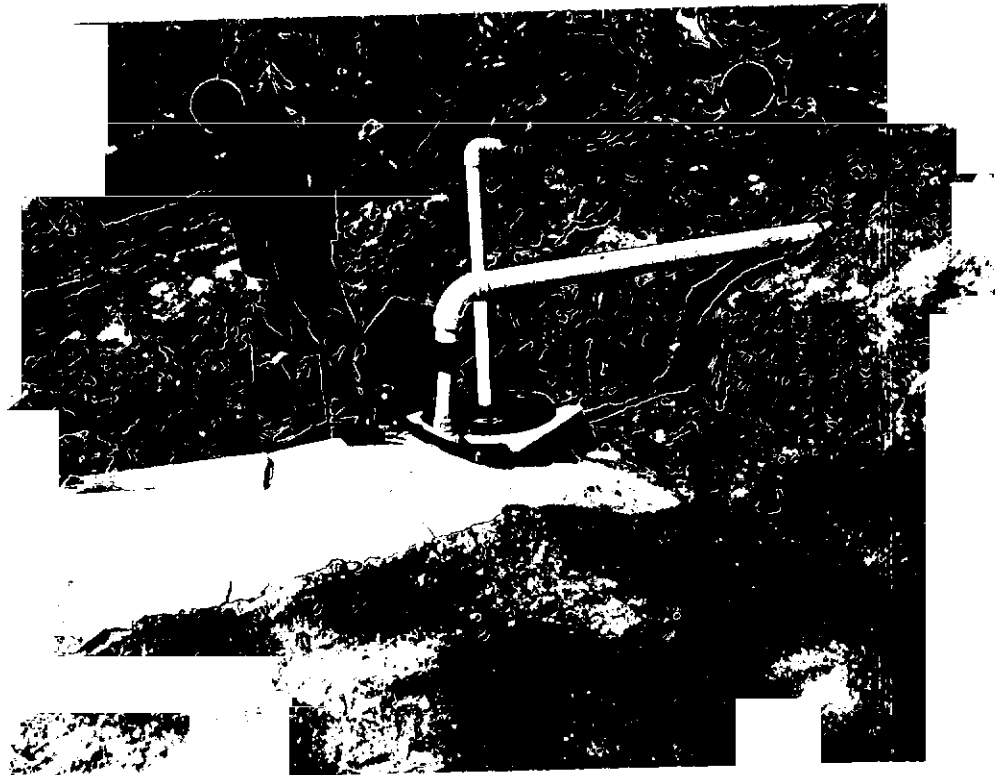
JUL 27 1990

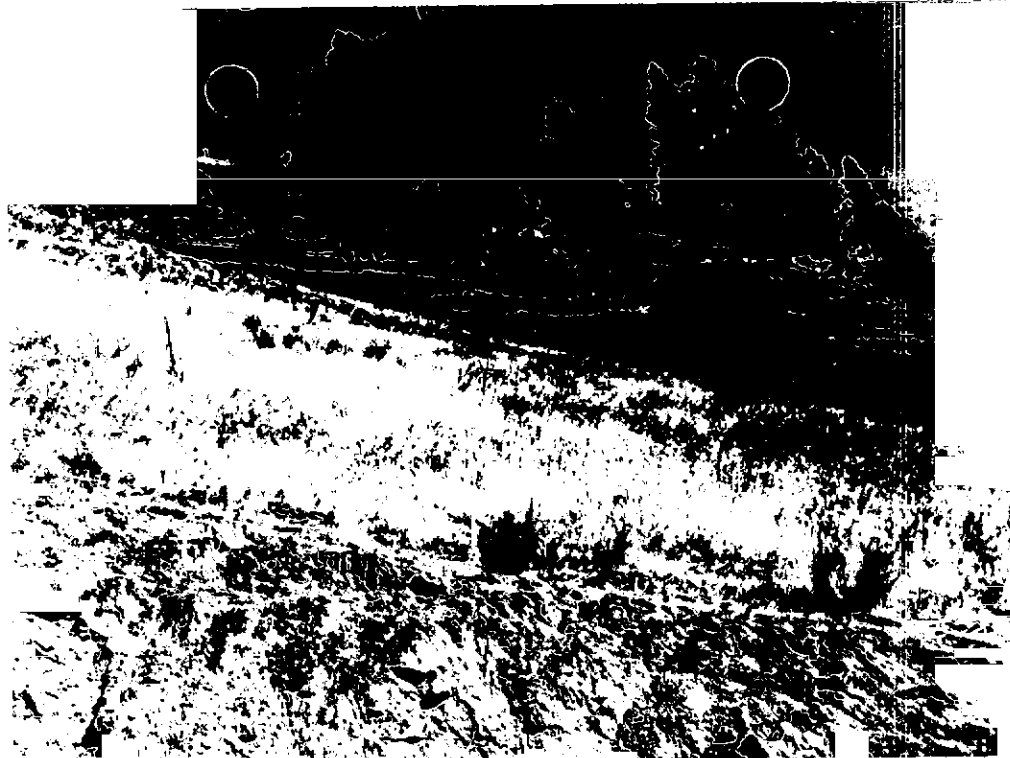
4/22/90

Date

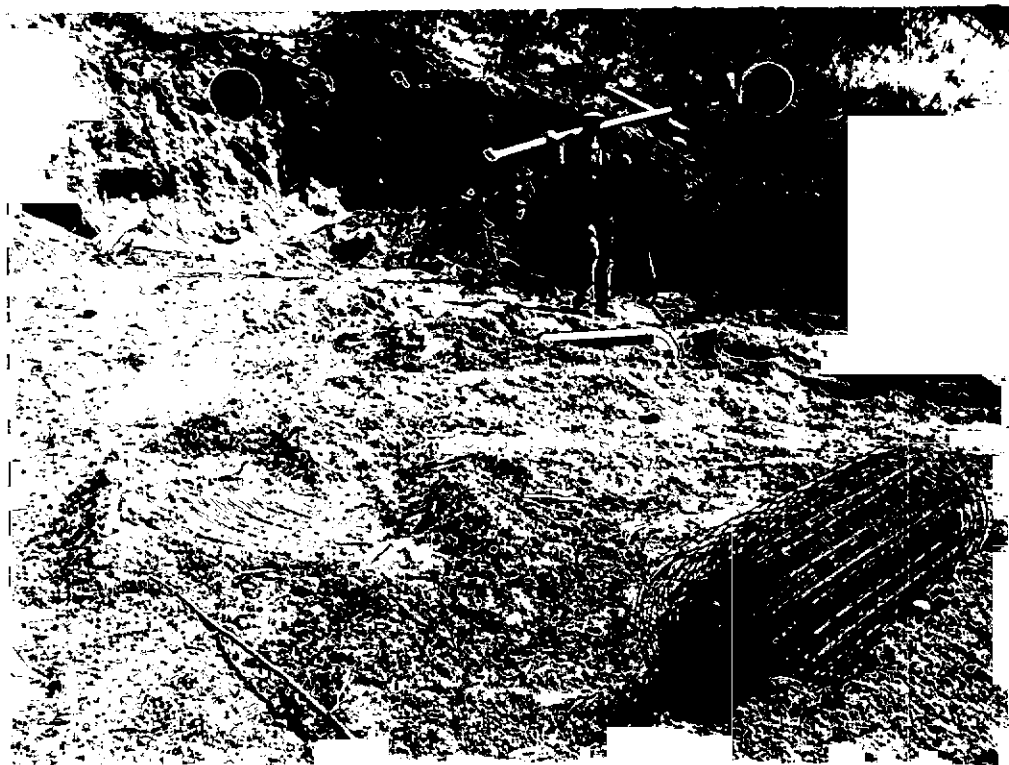
Signature of Permit Holder (and title, if appropriate)

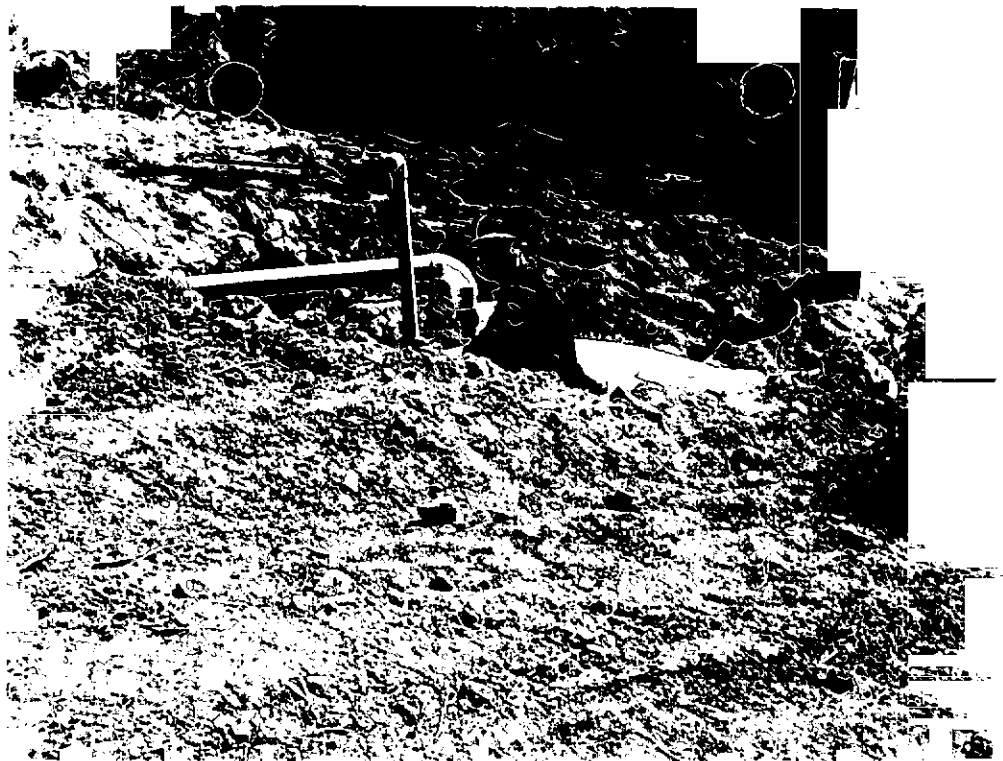












April 25, 1990

RECEIVED
APR 30 1990
Department of Water Resources

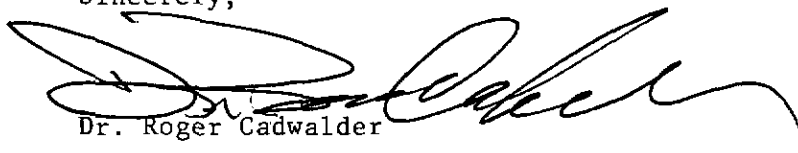
Rita Fleck
Secretary, Records Manager
Idaho Department of Water Resources
1301 North Orchard St.
Boise, Idaho 83720

Dear Ms. Fleck:

Here are the necessary papers to complete the license for permit #77-7239. I've enclosed some pictures of the project. Can secure additional ones if needed.

Thank you for all your help. Call if you need more information.

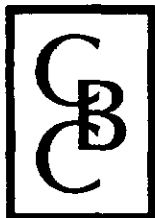
Sincerely,


Dr. Roger Cadwalder

RC/as

MICROFILMED
JUL 27 1990

Dear Rita,
If there is something
else I need to do
please call -
Sincerely
Dr. Roger



CADWALDER
BEHAVIORAL
CENTER

SMOKING, ALCOHOLISM, WEIGHT, STRESS

1800 Bering Drive, Suite 290, Houston, Texas 77057 Telephone: (713) 266-5039 or A-B-S-T-A-I-N

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 77-7239
Name(s) of Permit Holder(s): Dr. Roger Cadwalder
Post Office Address: 1508 S. Bessier Hailey
Idaho Tel. No. 26-5039

☒ I hereby certify that construction of diversion works for the above referenced permit began on Aug. 15, 1984 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

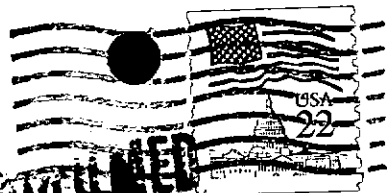
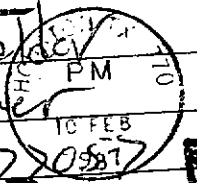
☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

Sept. 26, 1984
Date

Dr. Roger Cadwalder
Signature of Permit Holder

Dr. Roger Schwabach
1508 S. Gessner
Houston, Tex 77058



REGISTERED

JUL 27 1990



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

October 19, 1988

Roger Cadwalder
1508 A. Gessner
Houston, TX 77063

Dear Mr. Cadwalder:

Re: Permit No. 77-7239

Enclosed is a copy of the approved request for extension of time. The time within which to submit the proof of beneficial use form is extended to August 1, 1990.

If you have any questions or concerns regarding the permit, please contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

RECEIVED

DEC 16 1988

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 77-7239Reviewed by [Signature]Date 10-18-1988

BASIC INFORMATION

Y Date stamp received
Y Extension received timely
 (not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
N Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

Y Has adequate work been completed to demonstrate due diligence?
Y Has the cost incurred been adequate to demonstrate an intent to complete the project?
N/A Has the permit been involved in litigation?
 a. Swan Falls _____ Dismissed from Swan Falls _____
 Other _____ Identify _____
 b. Is supporting documentation needed to complete the file? _____
 Requested _____
 c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

N/A Is delay by a government agency?
 Is supporting documentation needed to complete the file? _____
 Requested? _____

ACTION TAKEN - *Recommend approval based on due diligence for 2 years*

Special conditions or remarks:

N/A Reinstatement Date extension received _____ = _____
 Proof due date _____ = _____
 No. of days late _____ = _____
 Priority date _____ = + _____
 ADJUSTED PRIORITY DATE _____ = _____

✓ Prepare coding sheet
✓ Change rolodex cardf

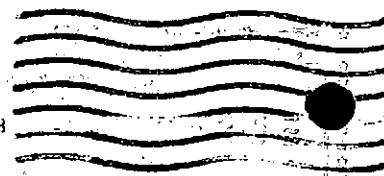


CADWALDER BEHAVIORAL CENTER

1800 Bering Drive, Suite 290
Houston, Texas 77057



1988



State of Idaho
Dept. of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

July 12, 1988

Roger Cadwalder
1508 S. Gessner
Houston, TX 77063

Dear Mr. Cadwalder:

Re: Permit No. 77-7239

I received your letter, the request for extension of time form, pictures and check in the amount of \$15. I am including your letter and the pictures in our file and returning the extension of time form along with your check No. 3404 in the amount of \$15.

Please sign the request form again next to the red "x" and return it along with your check. Upon receipt, the department will consider the request. Note that the request should be returned to this office by August 1, 1988.

Thank you.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enc. - 2

RECORDED

DEC 16 1988

RECEIVED
JUL 11 1988

June 20, 1988

Department of Water Resources

Idaho Department of Water Resources
State Office
1301 N. Orchard Street
Boise, Idaho 83706-2237

Re: Permit #77-7239

Dear Sirs:

In reply to your letter of May 31, 1988 concerning Proof of Beneficial Use for our water rights.- We have not been able to complete our water system.

I am heavily committed to my business in Texas and have only a limited amount of time to spend at the ranch.

As shown on the enclosed photos, we have the building up but not completed on the inside. At the spring listed in our application, we have built a wooden spring box (see photos) and installed approximately 500 feet of one-inch plastic pipe to deliver the water to the house. This pipe isn't connected to anything but we are using it for domestic purposes, construction and to supplement the stock pond by the stream.

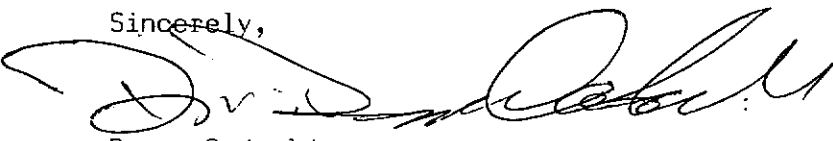
We have not yet installed any system for irrigation because from our initial work it appears we do not have enough water from the proposed source to meet our needs. We will probably have to find another source. The only obvious water is Elk Creek but that alternative would require either an upstream diversion or a pump. Both of these alternatives would be expensive and will require further study.

In view of these problems, we request a two-year extension on our Aug. 1, 1988 due date. (Request for extension enclosed.)

We realize these changes may require an amended application but we need more time to find an adequate source.

If you need additional information, we will be happy to supply it.

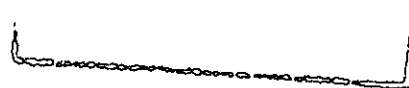
Sincerely,

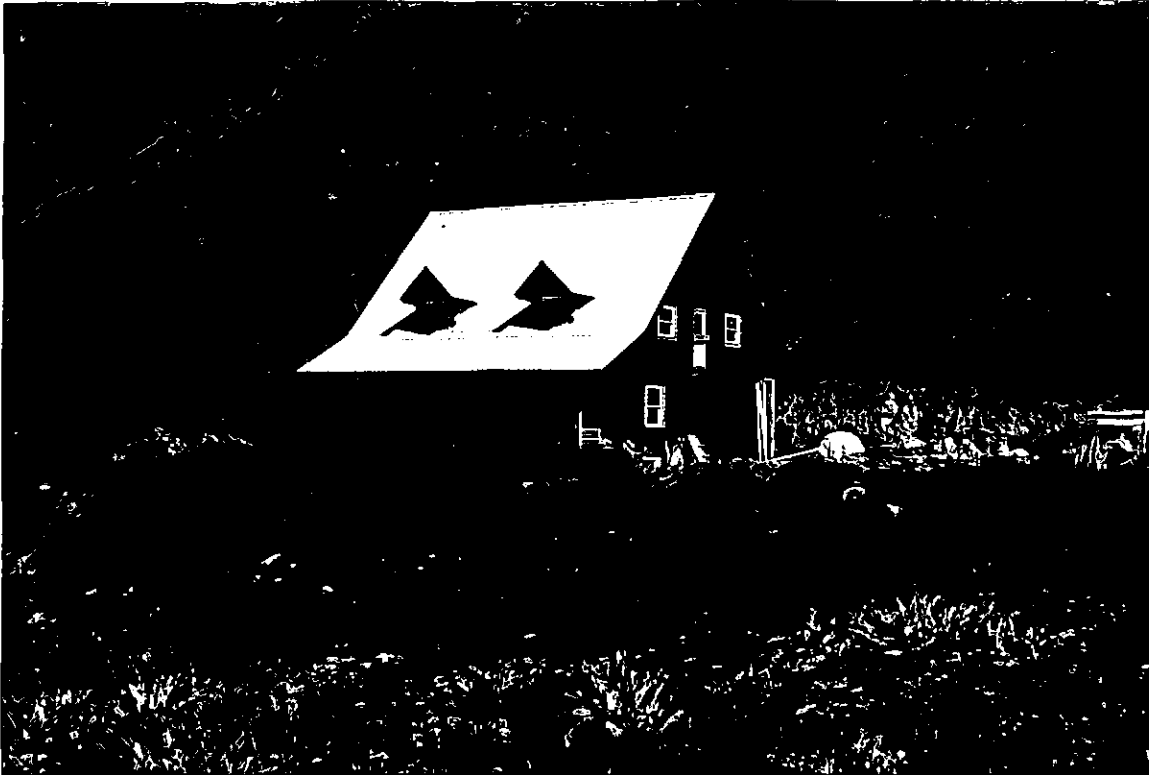

Roger Cadwalder

RC:cw
enclosures

MICROFILMED

DEC 16 1988





House



Land to be Irrigated

DEC 16 1988



Head Box



Upper Spring

DEC 16 1988



Stock Water Spring



Stock Pond

DEC 16 1988

138783
CERTIFIED MAIL
May 31, 1988

CADWALDER, ROGER
1508 S. GESSNER
HOUSTON, TX 77063

PROOF DUE NOTICE

RE: Permit No. 77-7239

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 August 1, 1988. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

DEC 16 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

September 29, 1986

Secretary To:
Mr. Roger Cadwalder
1800 Bearing Drive
Suite 290
Houston, TX 77057

Dear Betty:

Please excuse the missing last name. I didn't get it down and neither did our Regional Office Secretary when she talked to you.

Regardless, as we discussed, enclosed are some Blue Commencement of Works Forms. It will not be necessary to execute these if it is Mr. Cadwalder's intention to submit Proof of Beneficial Use immediately on the two Permits, 77-7235 and 77-7239.

After our conversation this morning, I talked with the person who works with the Proof Forms daily and received information contrary to that which I relayed earlier.

In the event that it is desired to submit Proofs on the two Permits at this time, Instructions and Proof Forms are enclosed. Then, contrary to my statement this morning, a Fee of \$100.00 should accompany the Proof for Permit 77-7239, if the appropriated amount of .44 C.F.S. is entered. Since Permit 77-7235 is for .04 C.F.S. only, no Fee is applicable if Proof is filed for it.

If only the Commencement of Works Cards are filed at this time, that would be all that would be necessary for the present. Subsequently, approximately two months prior to the Proof Due Date for each of the Permits, notification would be sent with the reminder of the impending Proof Due Date.

Hopefully, by this time, all is not totally confused. If you have further questions, please feel free to call or write.

Sincerely,

Forrest E. Luthy
Water Resource Agent

MICROFILMED

DEC 16 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
JULY 02, 1986

CADWALDER, ROGER
1508 S. GESSNER
HOUSTON, TX 77063

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 77-7239

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

DRT: SC
ENCLOSURES

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: GLS

APPLICATION NUMBER: 77-7239

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ Yes ☒ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. None

- ☒ Yes ☐ No*

In form for advertising.

Final date for protests: march 31, 1986 may 5 1986

☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 3/24/86
☒ Application published correctly. If not, record action taken: re-advertised
☒ Fee amount, receipt date & number, recorded on application. 45140222
☒ Publication dates and paper, recorded on application. the Star News 3/12 & 3/19/86
☒ Protests, dates, withdrawal, etc., recorded on application. w/o 5/15/86 4/16 & 4/23/86
☒ Recommendation & initial, recorded on application. Approve Dnr
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district?
☒ 2/26/1986 Date of priority recommended.
Special conditions of approval or cover letter. 26A

allow 2 years for B/U development-

By: Dnr

Date: 6/12/1986

STATE OFFICE REVIEW:

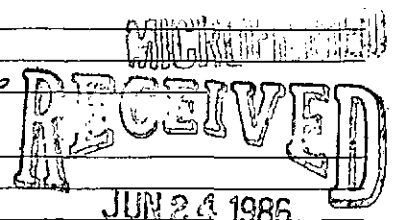
617

26

- ☐ See attached sheet for more information.

By: KW

Date: 6/24/86 Department of Water Resources



POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

May 21, 1986

Roger Cadwalder
1508 S. Gessnor
Houston, TX 77063

Re: Application for Permit No. 77-72395

Dear Mr. Cadwalder:

Enclosed is a copy of a withdrawal of protest against the above referenced application.

The Department will now continue processing the application.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Manager

DRT:jp

Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

May 21, 1986

J. S. Tixier
Regional Forester
U. S. Dept. of Agriculture
Forest Service
324 25th St.
Ogden, UT 84401

Re: Application for Permit No. 77-7239 in the Name of Roger Cadwalder

Dear Mr. Tixier:

This office acknowledges receipt of the withdrawal of protest against the above mentioned application.

If you have any questions, please feel free to call this office.

Sincerely

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

MICROFILMED



United States
Department of
Agriculture

Forest
Service

Intermountain
Region

324 25th Street
Ogden, UT 84401

Reply to: 2540

Date: MAY 13 1986

Mr. David R. Tuthill, Jr.
Western Region Supervisor
Idaho Department of Water Resources
Towers Building, 3rd Floor
450 West State Street
Boise, ID 83720

Dear Mr. Tuthill:

On March 27, we protested Application for Permit No. 77-7239 filed by Roger Cadwalder. We have determined that the proposed point of diversion is not on National Forest System land and the development will have no effect on National Forest management. Consequently, we withdraw our protest of Application for Permit No. 77-7239.

Thank you for your assistance in this matter.

Sincerely,

J. S. TIXIER
Regional Forester

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RECEIVED
MAY 15 1986

Department of Water Resources
Western Regional Office



SPECIAL NOTE: _____

Application No. 77-7239

PROTEST INFORMATION SHEET

Protestant - Name(s)

J. S. Tixier, Regional Forester, U. S. Forest Service, Intermountain Region

Address 324 25th St., Ogden, UT 84401

Attorney - Name & Address _____

Date Filed 3/31/86

Protest Date 3/31/86

Issues _____

USFS indicated that they are sending a withdrawal
of protest 5/2/86 DNR

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

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Protest Information submitted in Computer (following hearing): _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DIJNN
Director

April 9, 1986

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

Roger Cadwalder
1508 S. Gessner
Houston, TX 77063

Dear Mr. Cadwalder:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 77-7239. The Department suggests you contact the protestant(s) directly in an effort to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Yours truly,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

Enclosure

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State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

April 9, 1986

J. S. Tixier
Regional Forester
U. S. Dept. of Agriculture
Forest Service
324 25th St.
Ogden, UT 84401

Re: No. 77-72393 in the Name of Roger Cadwalder

Dear Mr. Tixier

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application(s). The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application(s) and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

If this office can be of further assistance, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:jp

MICROFILMED



United States
Department of
Agriculture

Forest
Service

Intermountain
Region

324 25th Street
Ogden, UT 84401

Reply to: 2540

Date: MAR 27 1986

Mr. A. Kenneth Dunn
Director
Idaho Department of Water Resources
Towers Building, 3rd Floor
450 West State Street
Boise, ID 83720

RECEIVED
MAR 31 1986

Department of Water Resources

Dear Mr. Dunn:

We are writing in reference to Application for Permit No. 77-7239 filed by Roger Cadwalder. We protest this application for the following reasons:

1. The United States has a Federal reserved water right for instream flows necessary to secure favorable conditions of water flow as mandated by the Organic Administration Act of 1897.

2. The Forest Service is mandated by the Multiple-Use Sustained-Yield Act of 1960 to manage the National Forests for timber, range, recreation, and fish and wildlife purposes. Should the State grant this application, the Forest Service will not be unable to comply with Federal law.

We would also like to request that the Idaho Department of Water Resources defer any hearings until the Forest Service has time to complete a field review of the area to determine the instream flow needs for the subject stream.

Given the above, we request that this application be denied.

Sincerely,

J. S. TIXIER
Regional Forester

RECEIVED
MAR 31 1986

Department of Water Resources
Western Regional Office

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FS-6200-28(7-82)





State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

April 9, 1986

The Star News
Box 985
McCall, ID 83638

Re: Application for Permit - No. 77-7239 - Roger Cadwalder

Dear Legal Department:

Enclosed is a copy of the original notice for the above referenced application and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We are requesting that you publish the enclosed correction notice at your expense.

Upon receipt of an affidavit of publication for the correction notice, we will forward the bill for the first publication to our accounting section.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Judy Pense
Secretary

JP

Enc: copy of original notice
copy of affidavit
legal notice (correction)

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NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 77-7239 in the name of Roger Cadwalder was published in error on 03/12 and 03/19/86.

The water uses were listed as Irrigation (0.040 CFS), and Domestic (0.040 CFS).

WHEREAS, the actual uses are Irrigation (0.400 CFS), and Domestic (0.040 CFS).

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Department of Water Resources, Western Region, Statehouse, 450 W. State Street, Boise, ID 83720 on or before May 5, 1986.

Ken Dunn, Director

Published in the Star News 04/16 & 04/23/86

MICROFILMED

77 7239

CHANDLER, ROGER

1580 S. GESSNER, HOUSTON, TX 77063

Source: UNNAMED STREAM trib. to ELK CREEK
SPRING trib. to ELK CREEK

Diversion Pt: NEENSW NWENSW Sec 13 T 21N R 87E

Use: IRRIGATION (8.4 CFS)
DOMESTIC (8.848 CFS)

Date Filed: 02/26/1986

In: EWSW Sec 13 T 21N R 87E SESE Sec 14 T 21N R 87E NENE Sec 23 T 21N R 87E
FOR 20 ACRES

MICROFILMED