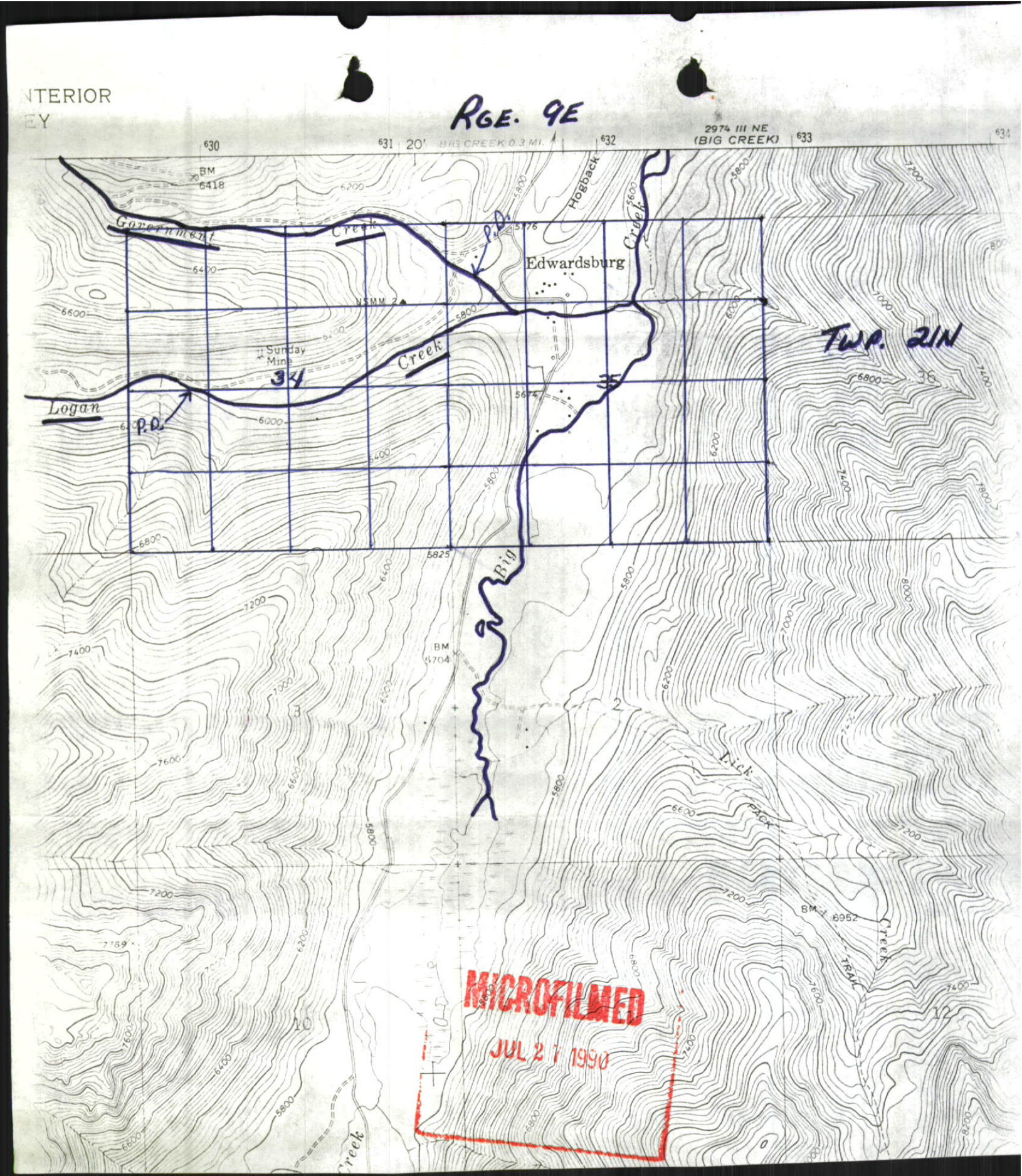
NTERIOR
EY
RGE. 9E
630
631
20'
BIG CREEK 0.3 MI.
632
2974 III NE
(BIG CREEK)
633
634
BM
6418
Government
Creek
P.O.
Edwardsburg
Hogback
Creek
WSMM 2
Sunday
Mine
34
Creek
TWP. 21N
35
36
Logan
P.O.
5674
6000
5825
Big
BM
5704
2
3
10
11
12
Fork
BM
6952
Creek
TRAIL
Creek
MICROFILMED
JUL 27 1990

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
SS.
County of Valley }

Judy Brooks, being duly sworn deposes and says, I am the bookkeeper 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 Amended Application for Permit, 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 26, 1986

and ended, April 2, 1986.

Judy Brooks

Subscribed and sworn before me, this the

2nd day of April, 1986

STATE OF IDAHO, COUNTY OF VALLEY, ss..

On this 2nd 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 AMENDED APPLICATION FOR PERMIT

Notice is hereby given that Application No. 77-7233 in the name of Robin S. McRae was filed on 7/30/85 for the diversion of .12 cfs from Government Creek and Logan Creek with a point of diversion within the NWNW Sec 35 and NWSW Sec 34 T 21N R 9E to be used for Irrigation purposes from 4/1 to 11/1 within portions of the SENW Sec 35 T 21N R 9E for 6 acres.

The Applicant now proposes to amend the application by changing the place of use to the SENW and NESW Sec 35 T 21N R 9E for 6 acres.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID 83720 on for before April 14, 1986.

A. Kenneth Dunn
Director

Published 3/26 and 4/2/86.

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JUL 27 1990

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APR 8 1986
Department of Water Resources
Western Regional Office

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
SS.
County of Valley }

Judy Brooks, being duly sworn deposes and says, I am the bookkeeper 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 Amended 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 January 8, 1986 and ended January 15, 1986.

Judy Brooks

Subscribed and sworn to before me this the 15th day of January, 1986.

MICROFILMED
JUL 27 1990

Notary Public in and for the State of Idaho, residing at McCall therein.

NOTICE OF AMENDED APPLICATION FOR PERMIT 138

NOTICE IS HEREBY GIVEN that Application No. 77-7233 in the name of ROBIN S. McRAE was filed on 7/30/85 for the diversion of 0.12 cfs from Government Creek and Logan Creek with a point of diversion within the NW¼ NW¼, SE¼ NW¼, Sec. 35, Twp. 21N., Rge. 9E., to be used for irrigation purposes from Aril 1 to November 1 within portions of the SE¼ NW¼, Sec. 35, Twp. 21N., Rge. 9E., B.M.

The Applicant now proposes to amend the Application by changing the point of diversion to the NW¼ NW¼, Sec. 35 and the NW¼ SW¼, Sec, 34, Twp. 21N., Rge. 9E.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID. 83720 on or before January 27, 1986.

A. KENNETH DUNN
Director

1-8-2t 25

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JAN 16 1986
Department of Water Resources
Western Regional Office

We feel that Mr. McRae's water application will effect our water system that is already very delicate.

Thank You,

Mrs. R.H. Robinson
Rt 2 Box 294
Crocent City, Calif
95531

NOTICE OF APPLICATION FOR WATER RIGHT

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

77-7233

MC RAE, ROBIN S.
1333 HERVEY ST., BOISE, ID 83705
Source: GOVERNMENT CREEK trib. to LOGAN CREEK; LOGAN CREEK trib. to BIG CREEK
Date Filed: 07/30/1985
Diversion Pt: NWNW SENW Sec 35 T 21N R 09E
Use: IRRIGATION (0.12 CFS)
In: SENW Sec 35 T 21N R 09E FOR 6 ACRES

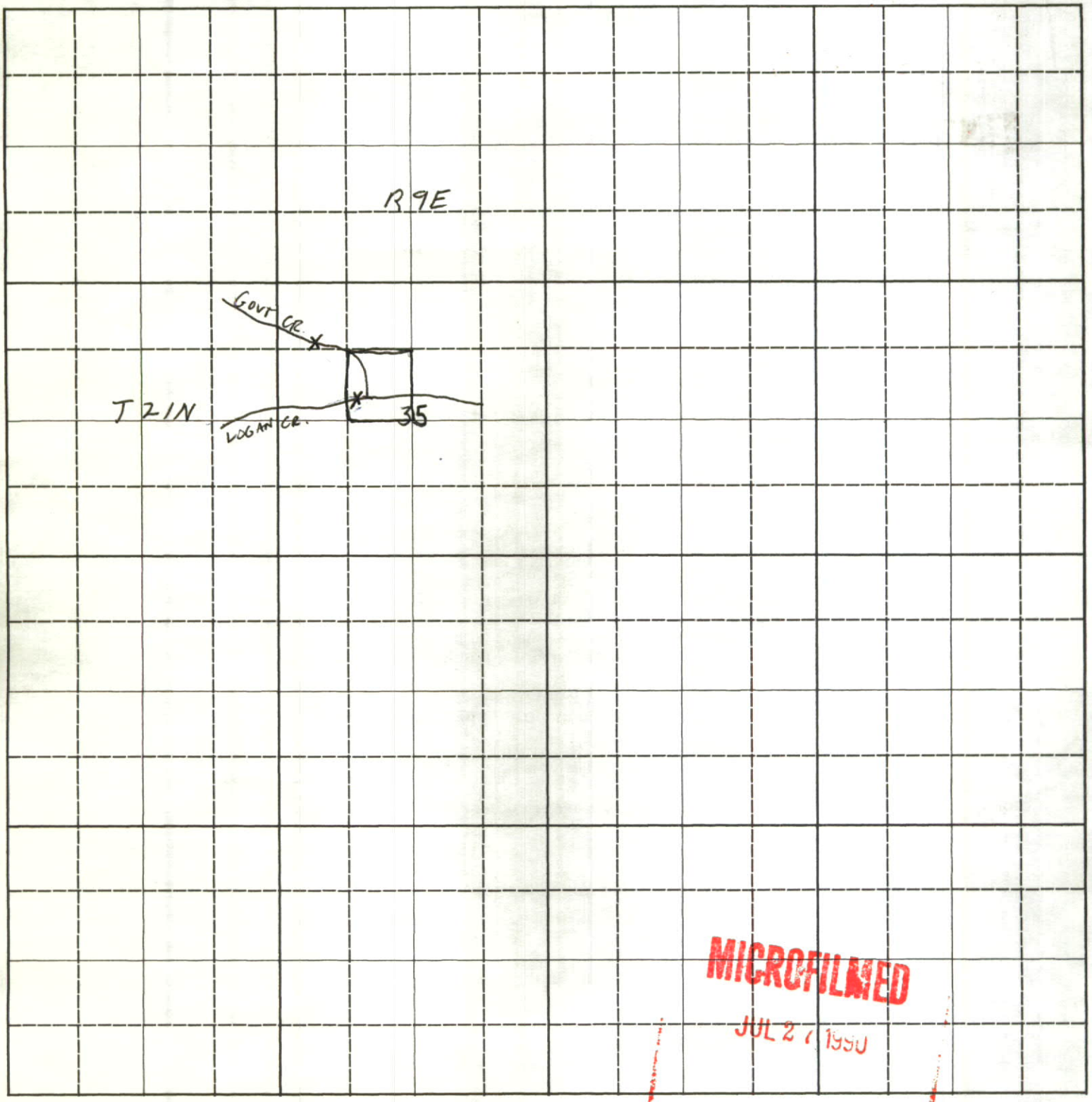
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before AUGUST 26, 1985.

KEN DUNN, Dir

Published 08/07 & 08/14/85

MICROFILMED
JUL 27 1990

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



MICROFILMED
JUL 2 7 1990

Scale: 2 inches equal 1 mile.

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

Robin S. McRae
(Applicant)

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Valley } SS.

Judy Brooks, being duly sworn deposes and says, I am the bookkeeper 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 August 7, 19 85 and ended August 14, 19 85.

Judy Brooks

Subscribed and sworn to before me this the 14th day of August, 19 85.

Notary Public in and for the State of Idaho, residing at McCall therein.

MICROFILMED
JUL 27 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

77-7233 ✓ 38

MC RAE, ROBIN S.
1333 HERVEY ST., BOISE, ID 83705
Source: GOVERNMENT CREEK trib. to LOGAN CREEK; LOGAN CREEK trib. to BIG CREEK
Date Filed: 07/30/1985
Diversion Pt: NWNW SENW Sec 35 T 21N R 09E
Use: IRRIGATION (0.12 CFS)
In: SENW Sec 35 T 21N R 09E FOR 6 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 AUGUST 26, 1985.

KEN DUNN, Dir

Published 08/07 & 08/14/85

25

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AUG 21 1985
Department of Water Resources
Western Regional Office

Form 219
6/86

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MAR 2 6 1993
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 77-07233

1. Owner: Robin S. McRae — Phone No. 342-8995
   Current Address: 1307 W. Jefferson, Boise, Id. 83702 (Per Proof of B.U.)
2. Accompanied by: Cathy Gillihan — EXAM. DATE: 8/2/91
   Address: 850 Jackson Ave., Emmett Id. 83617 — Phone No. 365-5384
   Relationship to Permit Holder: owns & operates Gillihan's Lodge; Mr. McRae indicated in 7/25/91 telecon to contact Cathy for exam appt.
3. Source: Government Ck. tributary to Logan Ck.

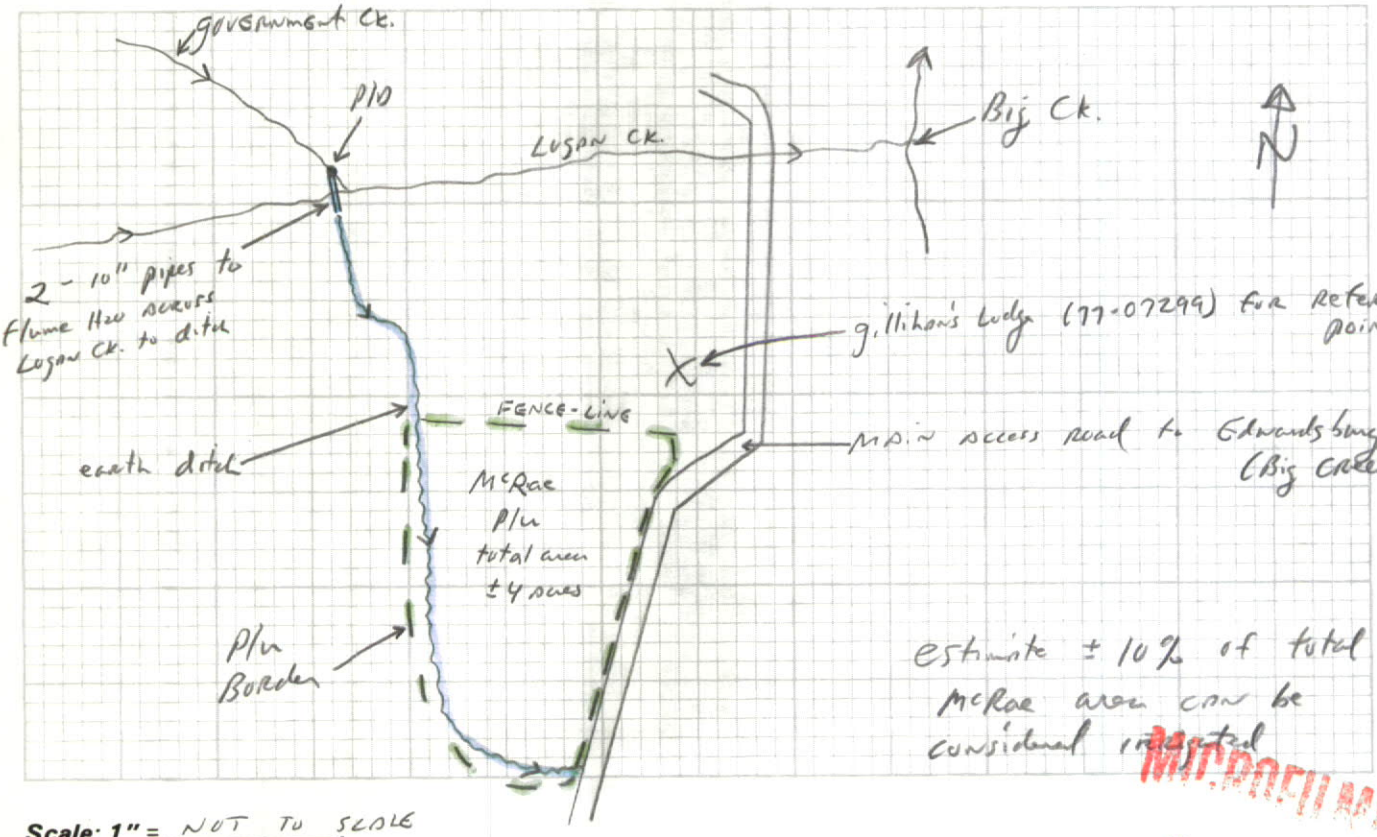
B. OVERLAP REVIEW

1. Other water rights with same place of use: 77-02043 -04007 -04008 -04009 -07025 -07176
   ☑ Copies Attached
2. Other water rights with same point of diversion: 77-02043 ~~-02141~~ -04008 ~~-04025~~ ~~-07025~~ ~~-07031~~ -04009
   ☑ Copies Attached ☑ Copies of Field Exam's Attached
   copies as needed

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

SEE TOPO FOR SCALE



Scale: 1" = NOT TO SCALE

2. ☑ Copy of U.S.G.S. 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 or more).
   ☑ Photo of Diversion and System Attached
   (required for all but single household domestic groundwater, and stockwater.

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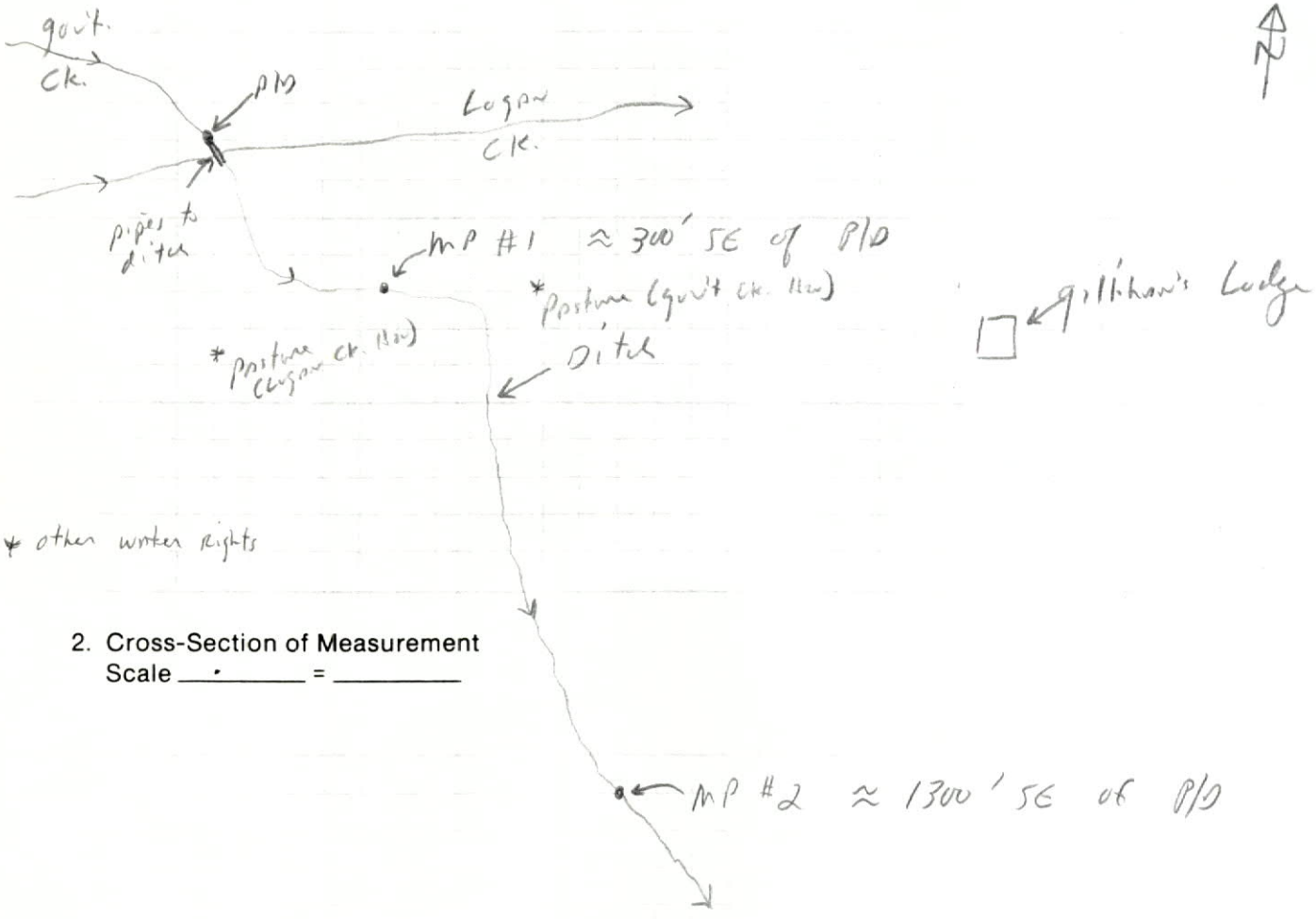
NOV 15 1995

C. DIAGRAMS

1. Measurement Location
   Scale: _____ = no scale



2. Cross-Section of Measurement
   Scale _____ = _____

D. SUMMARY INFORMATION

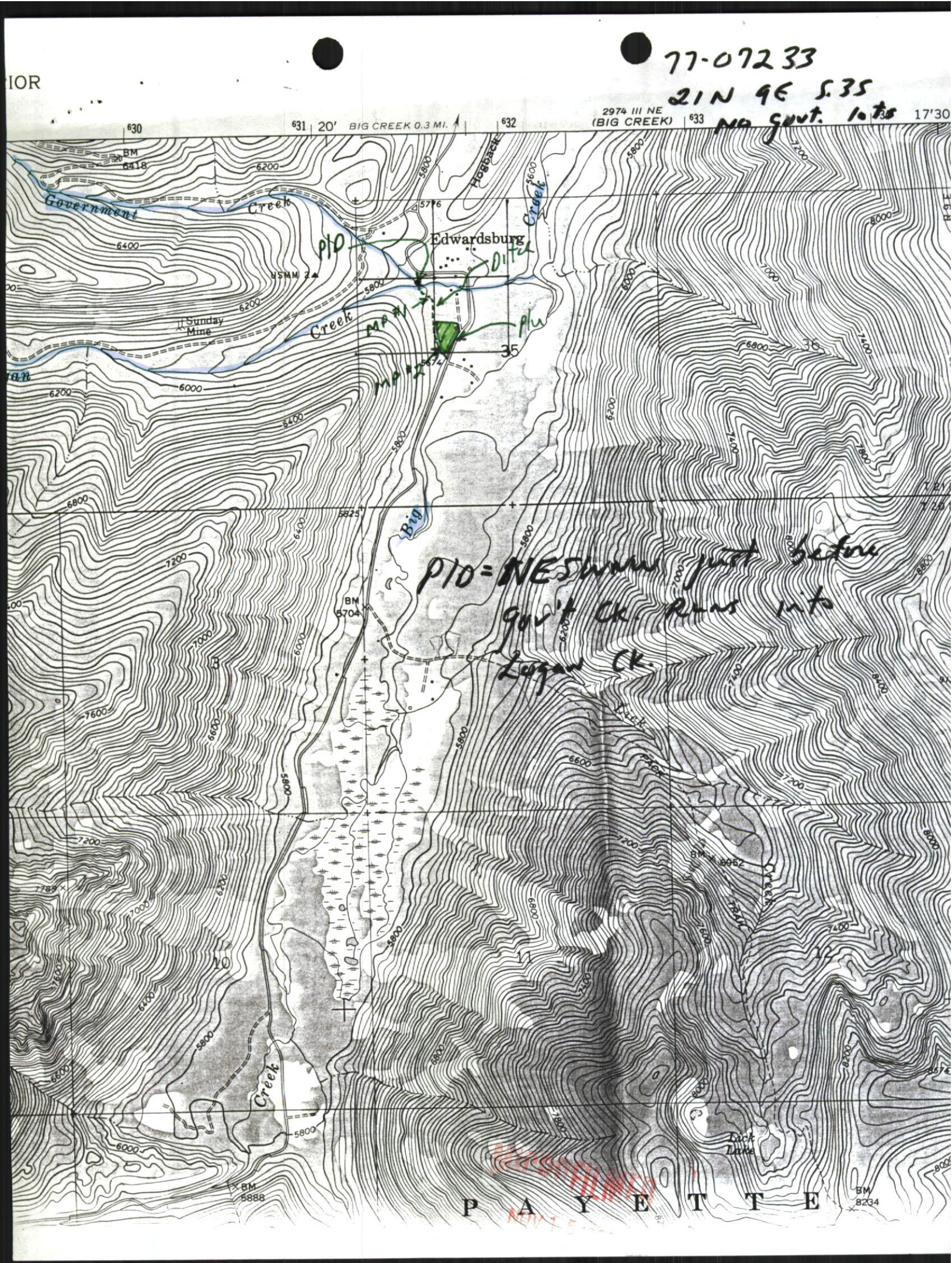
1. Measurement rated _____ excellent _____ good _____ fair _____ poor
2. Remarks: ditch running at capacity
3. Width: _____ Area: _____ Discharge in cubic feet per second: _____

8/2/91
DATE

SIGNATURE OF PERSON CONDUCTING MEASUREMENT

NOV 15 1995

77-07233
21N 9E S.35
No Govt. lo ts



Permit 77-07233 Photos taken 8/2/91 Pg 1 of 3

Near confluence of Logan & Government Creeks.

PHOTO ONE-

Looking NW across Logan Ck. at two 10" pipes that flume water from gov't Ck. to earth ditch. Common pt. for permit & 2 other rights.

View of end of pipes as ditch starts.

PHOTO TWO-

NOV 15 1995

View of ditch at m.p. #2 in SWSE of Sec 35. Clipboard on left of ditch gives scale. Flow is towards viewer. Flow estimated at 1.28 cfs here.

PHOTO THREE-

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Typical area within McRae property where native vegetation grows. Not considered irrigated land. Shown are:

Pinegrass = Calamagrostis Rubescens

PHOTO FOUR-

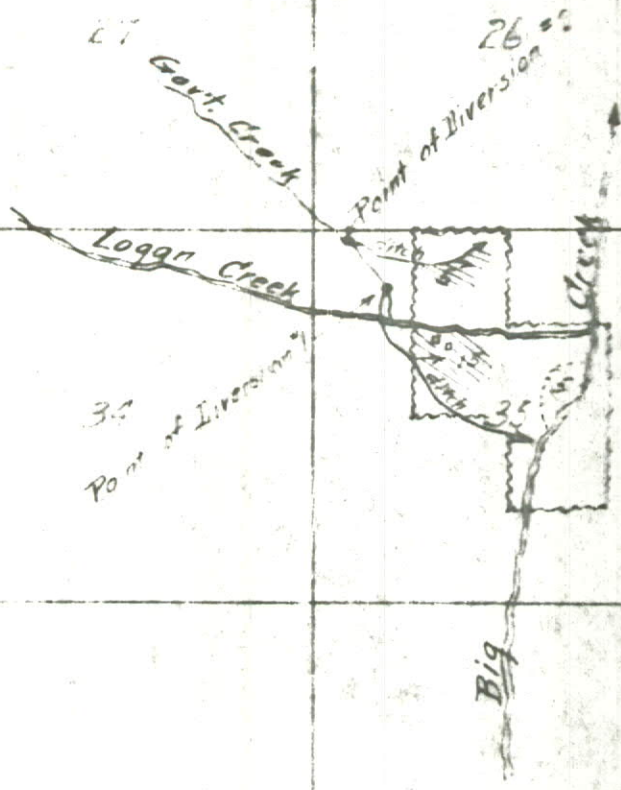
grouse whortleberry = Vaccinium Scoparium

Lodgepole Pine = Pinus Contorta

Permit 77-07233 Photos taken 8/2/95 Pg 3 of 3

PHOTO FIVE- Area within plot boundary that can be considered to have some irrigation. Note clover intermingled with grasses, whortleberry & pinegrass. Consider clover to be irrigated vegetation (clover is not a common plant found in this forest vegetative community of plants).

NOV 15 1995



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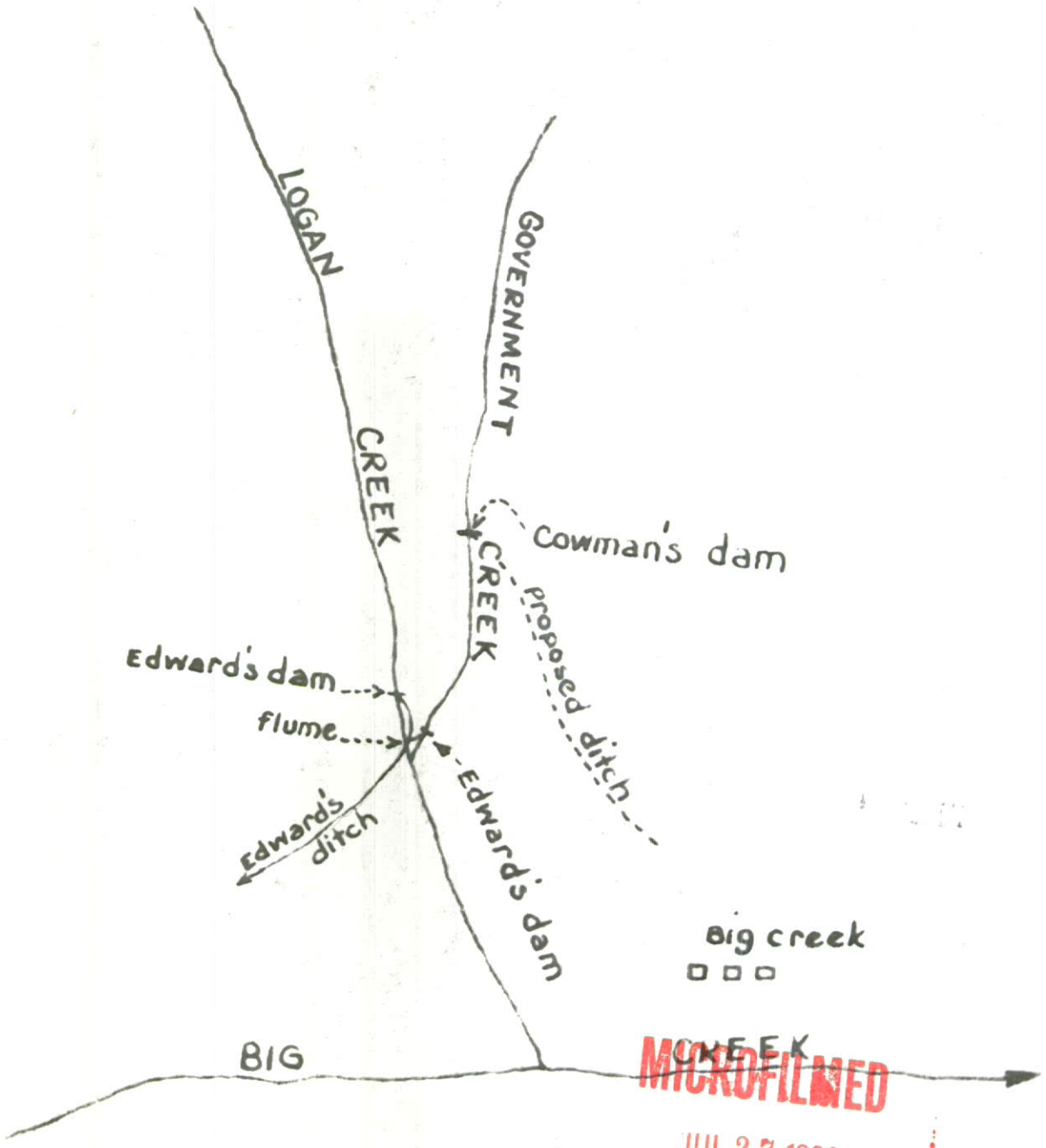
MILE DRAW MAP IN INK

Rough Sketch
Showing Edward's diversions & Cowman's proposed diversion



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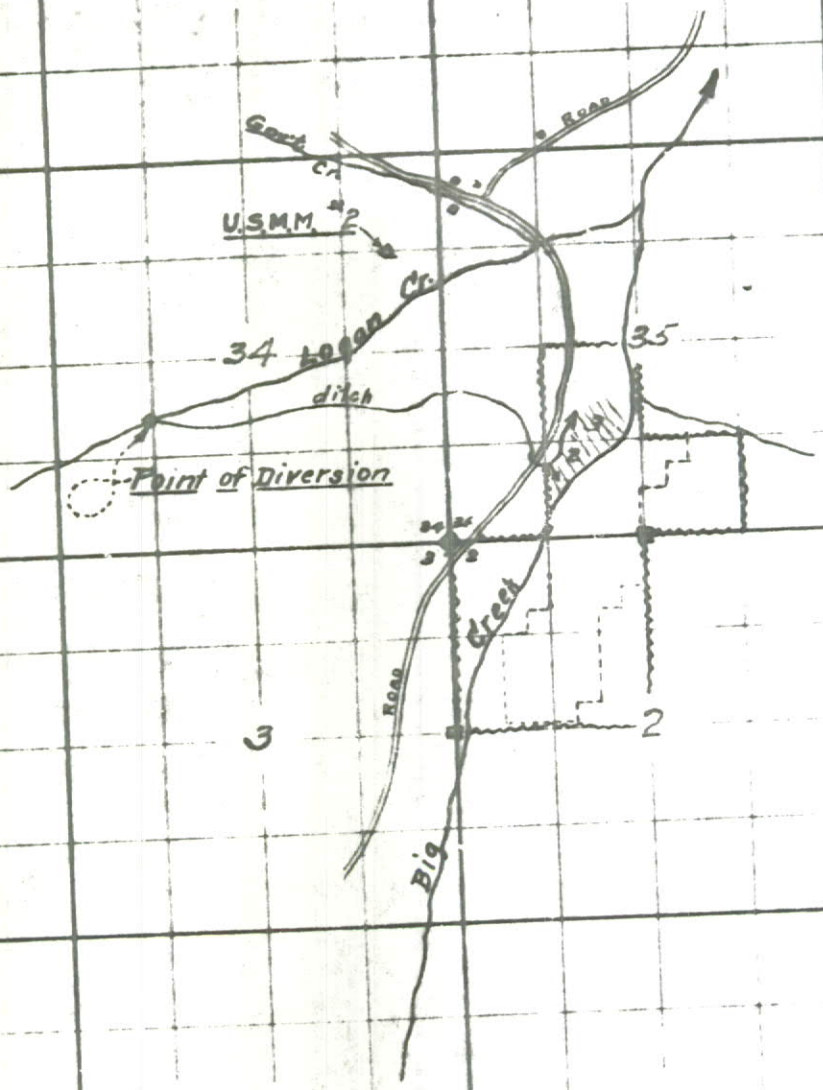
JUL 27 1990



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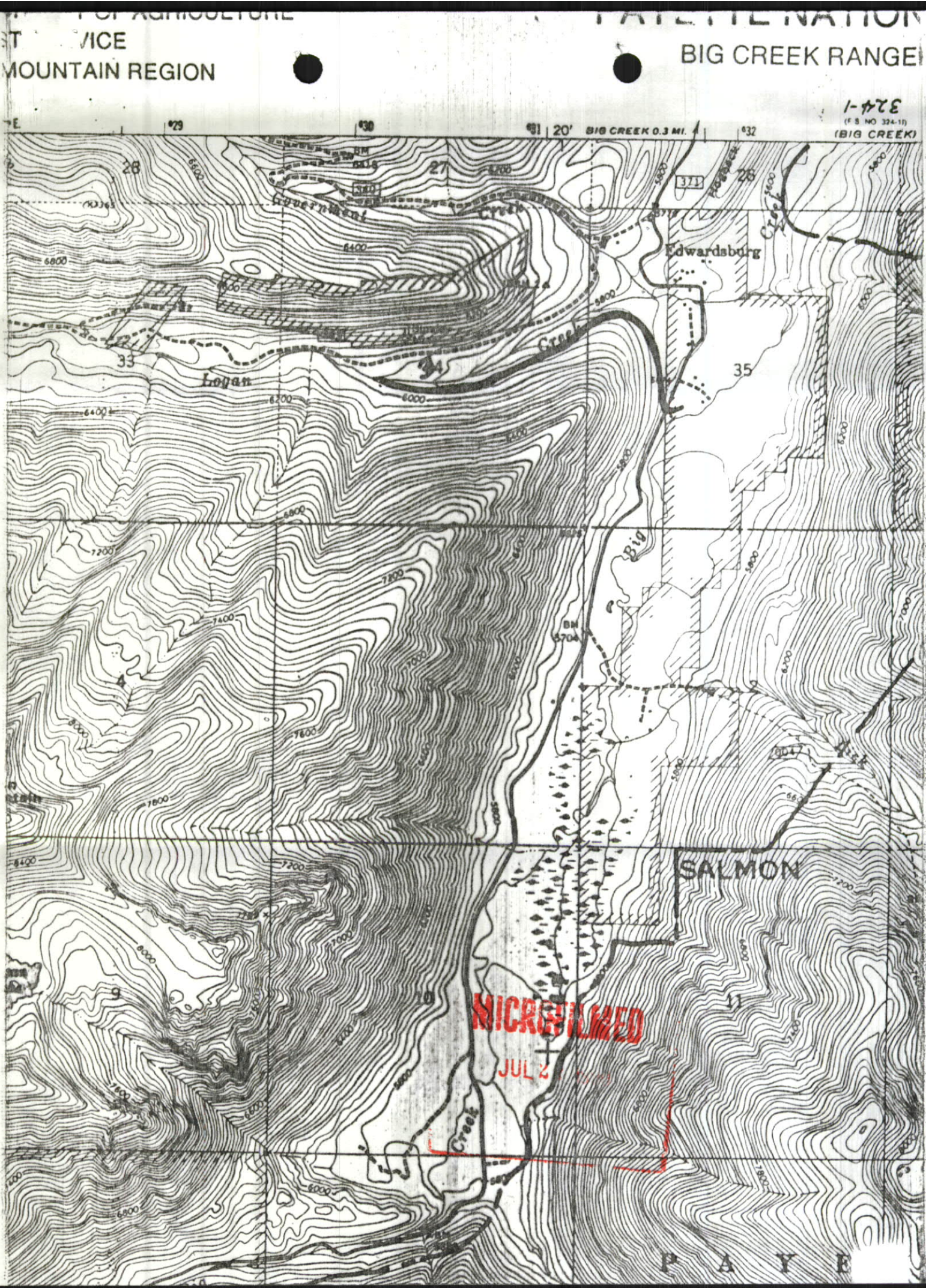
JUL 27 1990

SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

18935


T VICE
MOUNTAIN REGION
BIG CREEK RANGE
1-324
(FS NO 324-1)
(BIG CREEK)
20' BIG CREEK 0.3 MI.
Edwardsburg
Logan
SALMON
MICROFILMED
JUL 2

2718.1 - PERMITS TO ASSOCIATIONS. 36 CFR 251.56 authorizes permits to association of permittees formed in accordance with 36 CFR 210.1 (FSM 2023) for community improvements.

§ 251.56 Permit for community improvements.

(a) Special use permittees who occupy national forest lands for summer homes or other residential purposes or are connected with timber sales, grazing permits, or water power developments and who have organized an association which has been recognized under the provisions of § 211.1 Regulation of this character, may be issued permits authorizing the construction and maintenance of improvements or facilities which contribute to their comfort or welfare. Such permits shall be issued by the regional forester.

(b) Special use permits for the use or improvements and facilities constructed by the Government in the development of a group residential site may be issued to associations of permittees on the condition that they be operated and maintained by the association.

All occupancy or use of National Forest land by improvements constructed by associations of permittees will be authorized by special use permit issued under this regulation.

Only annual permits will be issued.

Because the permits are in connection with an authorized utilization of National Forest resources, they will be issued free under 36 CFR 251.2.

Permit conditions will correspond with requirements for the kind of use permitted (FSM 2780).

The Forest Service may not require permittees to pay for benefits they receive from the association's permitted improvements, services, or facilities whether they are members of an association or not. Therefore, association claims may not be included in permits. An obligation between a recipient of benefits and the association is a matter of liability between the association and the permittee. The Forest Service is not and cannot be involved or be a party to collection of moneys due the association.

2718.2 - Association's Constitution and Bylaws. Permittee associations incorporated under State laws will use articles of incorporation as specified under the specific State laws. An appropriate constitution and bylaws have been prepared for use by associations of permittees when such associations are not incorporated under State laws and are shown in exhibit 1.

* Exhibit 1--Continued

MICROFILMED JUL 27 1990

CONVERSATION MEMORANDUM

DATE 2/7/86

FILE (2) 77-4007
77-1233
77-2073

NAME OF PARTY Hilda & Walter Hanson

EMPLOYEE Jan Shutt

RE:

Spoke with Mr. & Mrs. Hanson concerning their problem on Logan Creek & protest on App. for permit no. 77-1233. They submitted the attached information concerning the sale of property claimed under Claim No. 77-4007 by Kathy Gillihan. It shows her acquiring the property in 1974 from her father's estate and that her father acquired the land in 1967 rather than 1965 as indicated on the above claim. Mr. & Mrs. Hanson's rights are covered under Lic. # 77-2073.

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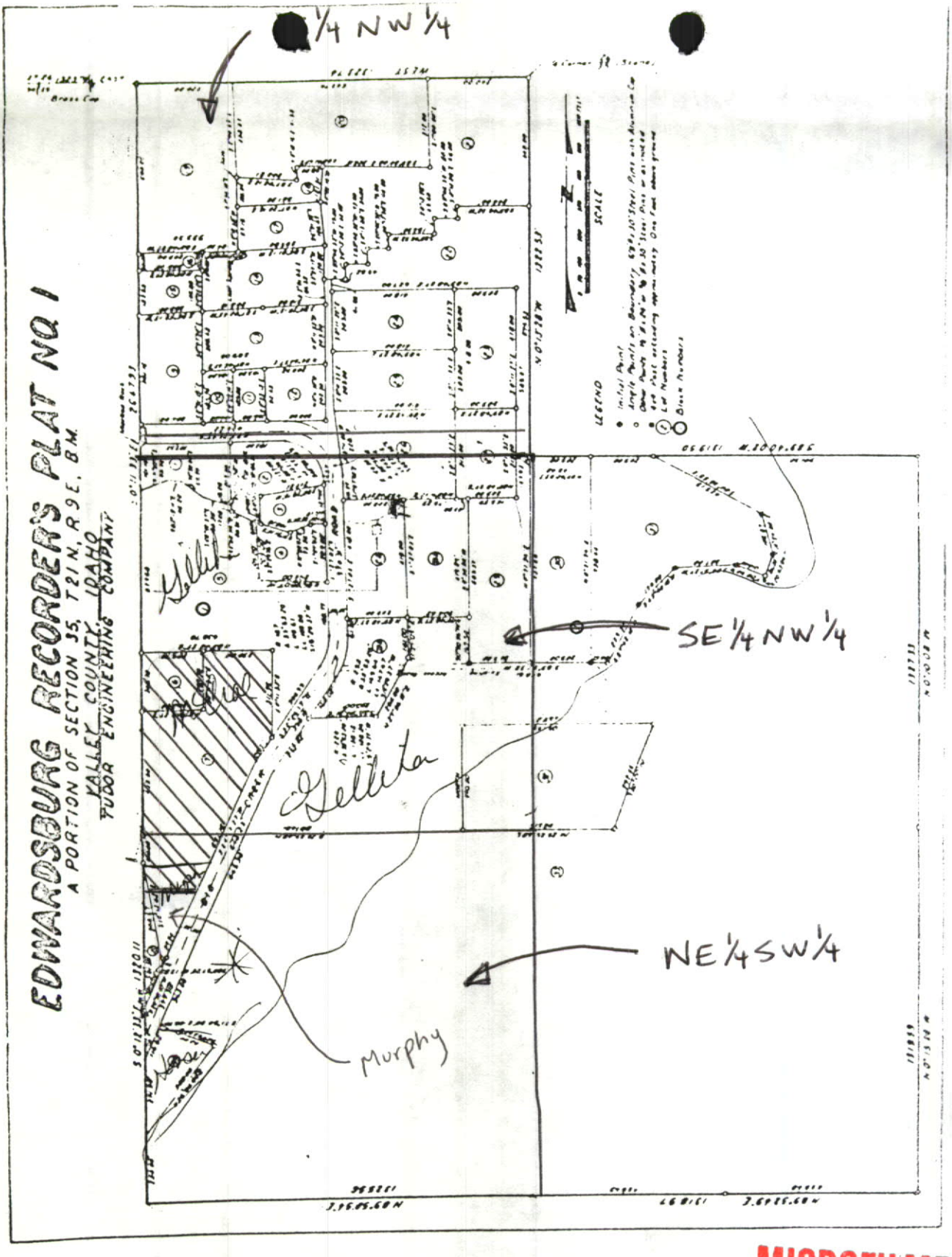
JUL 1 1990



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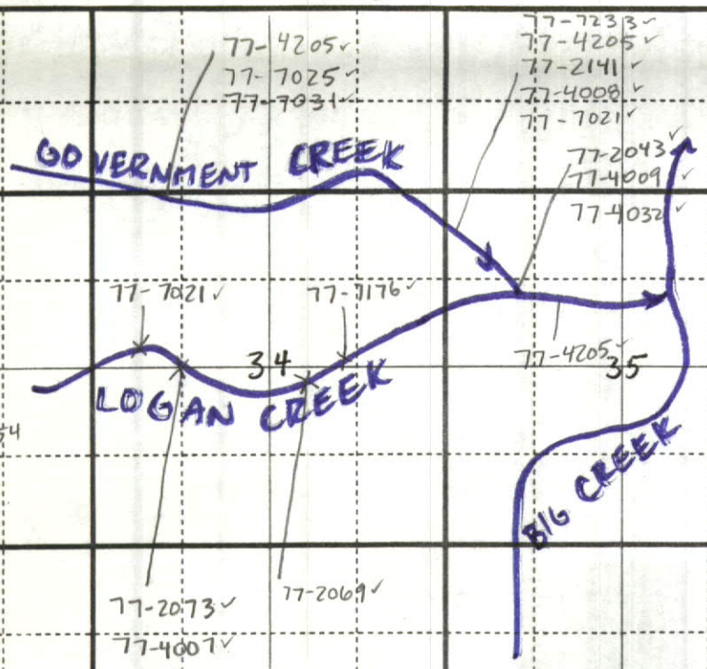
JUL 27 1990

NAME OF APPLICANT.....

Notes by RT 3/12/86

Form No. 0



Water Rights

77-2043
-2073
-2069
-2141
-4007
-4008
-4009
-4010
-4205
-4033
-4032
-7021
-7025
-7233
-7031
-7076

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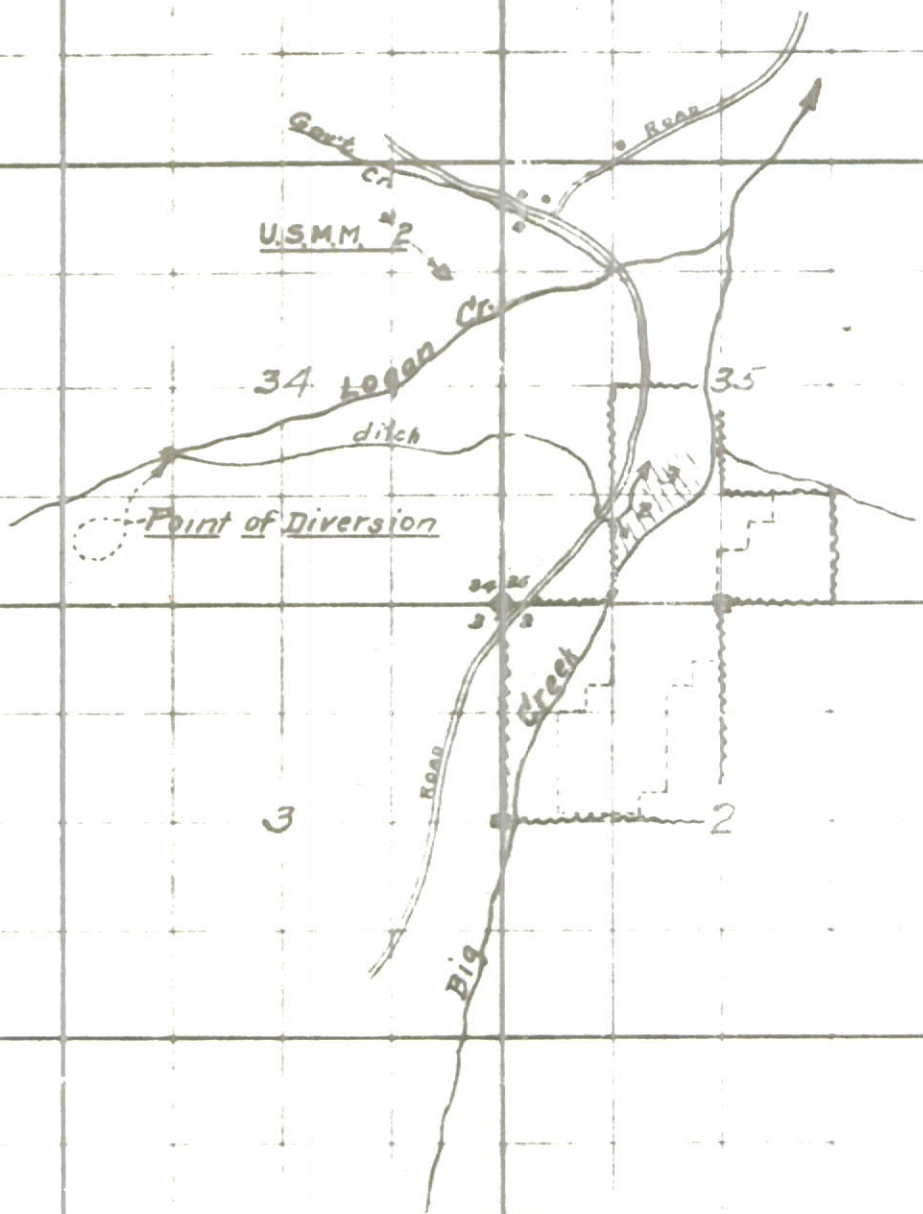
JUL 27 1990

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.



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JUL 2 7 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 77-07233

Priority: August 20, 1985 | Maximum Diversion Rate: 0.03 CFS | Maximum Diversion Volume: 1.2 AF

This is to certify, that ROBIN S MC RAE
1307 W JEFFERSON
BOISE ID 83701 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 30, 1985; and has submitted Proof of Beneficial Use on January 22, 1991. An examination indicates that the works have a diversion capacity of 1.280 cfs of water from:

GOVERNMENT CREEK tributary to **LOGAN CREEK**

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	0.03 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: NESWNW , Sec. 35, Township 21N, Range 09E
VALLEY County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
21N	09E	35	SENW	0.4			0.4

Total number of acres irrigated: 0.4

CONDITIONS OF APPROVAL AND REMARKS

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

RECORDED

NOV 15 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 77-07233

CONDITIONS OF APPROVAL AND REMARKS

5. Water diverted under this water right may be conveyed only through existing ditches, and only maintenance of the existing water ditches, as opposed to construction of new and larger conveyance ditches, is allowed under this water right.
6. This water right is not considered to be in addition to, but rather restates a portion of, the corresponding portion of Water Right License 77-02043.
7. This right when combined with all other rights shall provide no more than .03 cfs nor more than 1.2 afa for the land described above.

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 19TH day of OCTOBER, 1995.

KARL J. DREHER, Director
Acting for

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NOV 15 1995

APPROVED

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 77-07233

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APR 2 1 1994
Department of Water Resources

Date of Priority: August 20, 1985

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 1.2 AF

Comes now ROBIN S MC RAE
1307 W JEFFERSON
BOISE ID 83701 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 77-07233, and requests that the permit be changed as follows:

Source: **GOVERNMENT CREEK** tributary to **LOGAN CREEK**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/15 to 10/15	0.03 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: NESWNW , Sec. 35, Township 21N, Range 09E
VALLEY County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
21N	09E	35	SENW	0.4			0.4

Total number of acres irrigated: 0.4

APPROVED

NOV 1 5 1995

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

Signed at _____, this 18 day of APRIL, 1994.

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 77-07233

****

FOR DEPARTMENT USE ONLY

Preliminary check by CB Fee = $20.00 Receipted by dw # C030117 Date 4/21/94

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 77-07233 with the following;

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.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

Witness my hand this 19TH day of OCTOBER, 1995.

Acting for Karl J. Dreher, Director

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NOV 15 1995

Form 217
07/90

.12 cfs

DW 1

RECEIVED
JAN 22 1991
No $ received
Department of Water Resources

For Office Use Only
Amt. of Fee $ 50.00
Date 1-15-91
Receipt No. C019400
Received by

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 77-07233 Telephone No. 342 8995

2. Name(s) of Permit Holder(s): ROBIN S. McRAE LORIE ICENHOWER

3. Post Office Address: 1307 W. JEFFERSON, BOISE, IDAHO 83702

4. Source of Water: GOVERNMENT

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic NONE CURRENTLY (No. of households) Irrigation 5+ (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted .12 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? __Yes X No Installed? __Yes X No

OR

Flow Measurement Port: Required? __Yes X No Installed? __Yes X No

8. Fee Enclosed: $ 50.00 (See License Examination Fee Schedule)

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

ROBIN S. McRAE 342 8995
Name Telephone No.

1307 W. JEFFERSON, BOISE, IDA 83702
Address

10. 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.

PROOF FILED
APR 16 1991

11/5/90 Robin S McRae
Date Signature (and title if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 77-7233 IN THE NAME OF ROBIN S. McRAE	ORDER OF REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before January 1, 1991; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on January 22, 1991;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 77-7233 be REINSTATED and the priority advanced to August 20, 1985.

Dated this 21st day of March, 1991.

L. GLEN SAXTON, Chief
Water Allocation Bureau

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APR 16 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 77-7233 IN THE NAME OF ROBIN S. MCRAE	))))	ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER

WHEREAS, R. Keith Higginson, Director of the Department of Water Resources having issued and served a copy on the parties on November 21, 1989, a Proposed Memorandum Decision and Order in the above-captioned matter, pursuant to Section 67-5211, Idaho Code; and,

WHEREAS, more than fifteen days have passed since the service of the Proposed Memorandum Decision and Order; and,

WHEREAS, no exception to that Proposed Memorandum Decision and Order has been received;

IT IS, THEREFORE, HEREBY ORDERED that said Proposed Memorandum Decision and Order be adopted and issued as the Final Decision and Order and Application for Permit No. 77-7273 be PARTIALLY APPROVED and proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1991.

Dated this 21st day of December, 1989

R. KEITH HIGGINSON
Director

MICROFILMED
JUL 27 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 77-7233	SOURCE:	Government Creek Tributary to Logan Creek, and Logan Creek Tributary to Big Creek
ROBIN S. MCRAE, Applicant,		
MR. AND MRS. R. H. ROBINSON, MR. AND MRS. W. G. HANSON, BRUCE E. MINTER, AND U.S. DEPT. OF AGRICULTURE, FOREST SERVICE, Protestants.	County:	Valley

PROPOSED MEMORANDUM DECISION AND ORDER
APPROVING IN PART AND DENYING IN PART APPLICATION FOR PERMIT
NO. 77-7233 BY HEARING OFFICER BOBBY D. FLEENOR

Robin S. McRae having filed with the Department of Water Resources application for permit No. 77-7233 to appropriate unappropriated water; protests having been received; and two conferences having been held, the Department finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On July 30, 1985, Robin S. McRae (hereinafter applicant) applied to the Department of Water Resources for a permit to appropriate 0.12 cubic feet per second (cfs) from Government Creek tributary to Logan Creek and from Logan Creek tributary to Big Creek, located in Valley County, for irrigation purposes to be diverted during the period from April 1 through November 1 of each year. The applicant proposed to divert the water within the NW1/4 NW1/4, and the SE1/4 NW1/4, Sec. 35, Twp. 21N., Rge. 9E., B.M., Valley County.

2. Notice of the application was published in the Star-News on August 8 and 14, 1985.

3. Protests against approval of the application were received from Mrs. R. H. Robinson and from the U. S. Dept. of Agriculture, Forest Service (hereinafter Forest Service).

4. On December 16, 1985, the applicant filed an amended application for permit No. 77-7233. This amended application had the effect of changing the proposed point of diversion from Logan Creek, from the original location within the SE1/4NW1/4, Sec. 35, Twp. 21N., Rge. 9E., B.M., to a new location in the NW1/4SW1/4, Sec. 34, Twp. 21N., Rge. 9E., B.M.

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5. The amended application changing the point of diversion was advertised in the Star-News on January 8 and 15, 1986. Protests against the approval of the application were received from Mr. and Mrs. W. G. Hanson, Mr. Bruce E. Minter, and Mr. R. H. Robinson. In addition, the original protests filed by the Forest Service and Mrs. R. H. Robinson remained valid.

6. A conference regarding the protested application was conducted in Boise, Idaho, on March 13, 1986. The applicant was present and represented by attorney Richard Anderson. The protestants were represented as follows: Mr. and Mrs. R. H. Robinson were present and were represented by attorney Jim Weaver; the Forest Service was represented by Randy Zuniga; Mr. and Mrs. W. G. Hanson were not present but were represented by attorney Wilbur Nelson; and Bruce Minter was present and was represented by attorney Jim Weaver.

7. At the conference held on March 13, 1986, the applicant modified the amended application by reducing the acreage to be irrigated within the SE1/4NW1/4, Sec. 35, Twp. 21N., Rge. 9E., B.M. from six acres to five acres, and by adding one acre of irrigation within the NE1/4SW1/4, of the same section. The total of irrigated lands remained six acres. This change was advertised in the Star-News on March 26 and April 2, 1986.

8. Follow-up from the first conference did not result in resolution of the protests, so on January 14, 1988 the Department held another conference. At this conference the parties in attendance signed an agreement allowing the Director of the Department to reach a decision in this matter based on the information presented at the conference. Protestants Bruce E. Minter, and Mr. and Mrs. R. H. Robinson failed to attend the conference and did not respond to an Order to Show Cause why their protests should remain valid sent by the Department on March 28, 1989.

9. The applicant has described that the water system proposed in this application does not identify new lands to be irrigated, but instead clarifies the water rights on lands which have historically been irrigated.

10. With respect to diversion from Government Creek, the application indicates that water right license No. 77-2043 was used in part for the same purposes as described in this application. This license was issued to William A. Edwards for 0.5 cfs with date of priority October 5, 1925. The point of diversion from Government Creek described in the license is the same as that described in the application, within the NW1/4NW1/4, Sec. 35, Twp. 21N., Rge. 9E., B.M. The places of use in the license include five acres within the SE1/4NW1/4, Sec. 35, Twp. 21N., Rge. 9E. Based on the information in the license file it appears that these acres correspond to the five acres described in this tract on the amended application. Application No. 77-7233 is found to be a restatement of license No. 77-2043 with respect to irrigation of these five acres.

11. With respect to diversion from Logan Creek, the Department water right records include ten water rights with date of priority earlier than that of the application. None of these water rights shows as a place of use lands described in the application. Licensed water right No. 77-2073 identifies irrigated lands within the NE1/4SW1/4, Sec. 35, Twp. 21N., Rge. 9E. However, these lands are shown on the field exam report to be located south and east of

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the lands identified in the application.

12. Information provided at the conferences indicates that there may have been periods of time in the past when the diversions from Government Creek under water right No. 77-2043 have not been used once in every five year period, so it is possible that the licensed water right pertaining to the lands identified in the application has been forfeited.

13. Information in the records of the Department indicates that the diversion ditch from Logan Creek with point of diversion located within the NW1/4SW1/4, Sec. 34, Twp. 21N., Rge. 9E., is to a large extent located on property owned by the Forest Service, and the ditch currently has limited capacity.

14. Based on the information provided at the conference held on March 13, 1986, the Forest Service submitted a withdrawal of protest dated March 19, 1986, subject to the conditions that (1) the application is to affirm existing rights from Government and Logan Creeks held by the applicant, (2) no additional water will be appropriated from either creek, and (3) water transmittal will be via existing ditches.

15. At the first conference protestants Bruce Minter and Mr. and Mrs. R. H. Robinson indicated that the proposed application would not impact their intended uses, and agreed to withdraw their protests. On April 9, 1986, the Department sent to attorney Jim Weaver a request for withdrawal. The Department has received no response to this request to date.

16. Protestants Mr. and Mrs. W. G. Hanson provided a letter to the Department after the first conference which reiterated their objections to approval of the application, based on the limited size of the existing ditch from Logan Creek.

CONCLUSIONS OF LAW

Applicable Legal Principles

1. Idaho Code Sec. 42-203A(5) (Supp. 1989) states in part as follows:

> The director of the department of water resources shall find and determine from the evidence presented to what use or uses the water sought to be appropriated can be and are intended to be applied. In all applications whether protested or not protested, where the proposed us is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the department that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people in the area directly affected by the proposed use; the director of the department

APPROVED
JUL 27 1990

of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

2. Idaho Code Sec. 42-222 (Supp. 1989) states in part as follows:

All rights to the use of water acquired under this chapter or otherwise shall be lost and forfeited by a failure for the term of (5) years to apply it to the beneficial use for which it was appropriated and when any right to the use of water shall be lost through nonuse or forfeiture such rights to such water shall revert to the state and be again subject to appropriation under this chapter.

3. Issuance of a permit by the Department does not constitute approval of any easement or right of way across lands of another party.

Application of Legal Principles

4. Because the applicant has indicated that no additional construction is contemplated under this application, the Department concludes that the only purpose of this application is to reinstate a water right that may have possibly been forfeited through nonuse. Application for a new permit is a proper means to resume a use of the water when forfeiture has occurred.

5. The one (1) acre parcel located in the NE1/4SW1/4 Sec. 35, Twp. 21N., Rge. 9E., is not currently identified under existing water rights but is found to be adjacent and contiguous to the five (5) acre parcel.

6. Information provided at the conferences and located in the Department files does not demonstrate that a water right from Logan Creek exists for the irrigation of lands described in the application. To the extent this application is intended to be an affirmation of existing water rights, no existing water rights from Logan Creek have been identified.

7. Any water right granted by the Department with point of diversion on lands other than those owned by the applicant will contain a condition that an easement must be obtained by the applicant to provide for diversion through the proposed diverting works.

ANALYSIS

The primary reason for protest in this matter relates to the concern that the proposed use by the applicant would utilize an existing limited capacity diversion ditch from Logan Creek. Research conducted by the Department has revealed no recorded water rights that provide for water to be delivered to the applicant's land from Logan Creek. At the conference the applicant indicated that he does not intend to divert additional water other than that identified on previously recorded water rights. Thus, diversion of flows from Logan Creek should not be allowed under this right. The purpose of this water right is solely to replace the water right in order to retain the existing water use from Government Creek.

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ORDER

IT IS, THEREFORE, ORDERED that application for Permit No. 77-7233 is HEREBY APPROVED IN PART AND DENIED IN PART, subject to following conditions:

1. This water right is APPROVED for diversion from Government Creek tributary to Logan Creek within the NW1/4 NW1/4, Sec. 35, Twp. 21N., Rge. 9E., B.M. for 0.12 cfs for irrigation purposes.

2. This water right is DENIED for diversion from Logan Creek tributary to Big Creek within the NW1/4 SW1/4, Sec. 34, Twp. 21N., Rge. 9E., B.M.

3. This water right is subject to all prior water rights.

4. Water may be diverted under this water right and conveyed only through existing ditches, and only maintenance of the existing water ditches, as opposed to construction of new and larger conveyance ditches, is allowed under this water right.

5. The time allowed for the completion of works and application of water to the proposed beneficial use is limited to one year following the date indicated on the final order.

6. This water right when combined with all other water rights shall provide no more than 0.02 cfs per acre nor more than 3.0 acre-feet per acre. This water right is not considered to be in addition to, but rather restates a portion of, the corresponding portion of water right license No. 77-2043.

7. Protests filed by Mr. and Mrs. R. H. Robinson and Bruce E. Minter are dismissed for failure to show cause. The protest filed by Mr. and Mrs. W. G. Hanson has been fully considered in reaching this decision.

Dated this 20TH day of NOVEMBER, 1988.

for Norman C. Young
BOBBY D. FLEENOR,
Hearing Officer

MICROFILMED
JUL 27 1990

APPROVED

Form 202
6/85

Ident. No. 77-7233

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

AMENDED

AMENDED

RECEIVED
DEC 16 1985
Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant ROBIN S. McRAE Phone 342-8995

   Post office address 1333 Hervey St. Boise, ID 83705

2. Source of water supply ~~Logan Creek~~ Government Creek ~~which is a tributary of Big Creek~~ Logan Creek

3. Location of point of diversion is _____ ¼ of NW ¼ of NW ¼, Govt. Lot _____

   Sec. 35 Township 21N Range 9E B.M. Valley County; additional

   points of diversion if any: ~~NWSW, S.34, T. 21N., R. 9E.~~

4. Water will be used for the following purposes:

   Amount .12 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
   (cfs ~~or acre-feet per annum~~)

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

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

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

5. Total quantity to be appropriated is (a) .12 (cubic feet per second) and/or (b) _____ (acre feet per annum)

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. diversion dam with gravity ditches

   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*):

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. _____

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.

3/13/86 Pink Pink

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	9E	35								5 6	1								6

Total number of acres to be irrigated 6

10. Describe any other water rights used for the same purposes as described above. 77-2043

11. a. Who owns the property at the point of diversion? Gillihans or USFS

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

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: _____

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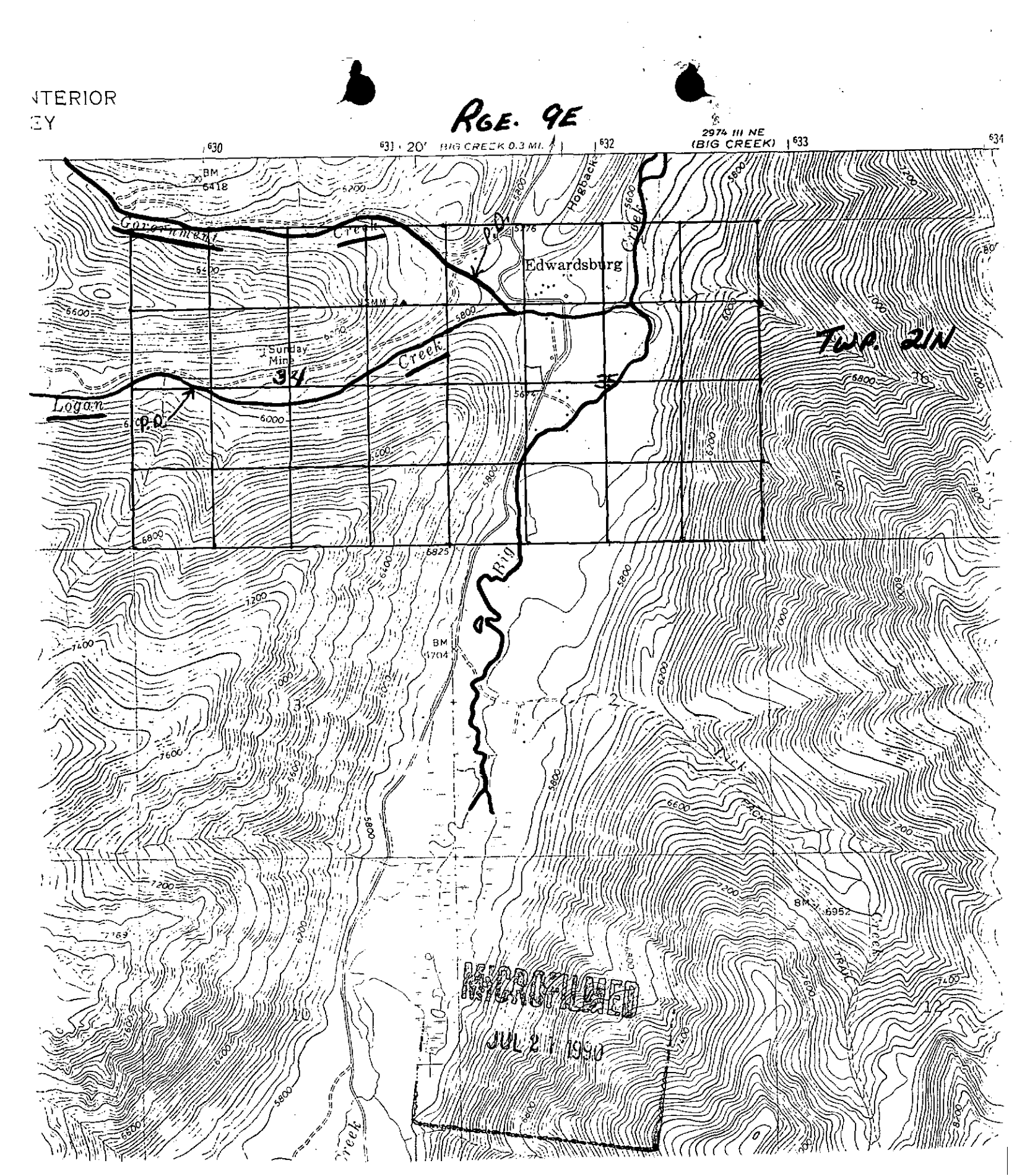
NTERIOR
EY
RGE. 9E
630
631
20' BIG CREEK 0.3 MI.
632
2974 III NE
(BIG CREEK)
633
634
BM
6418
Hogback
Creek
Edwardsburg
P.O.
5976
USMM 2
Sunday
Mine
Creek
Logan
P.O.
TWP. 21N
36
31
35
6825
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2
3
10
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6952
TRAIL
Creek
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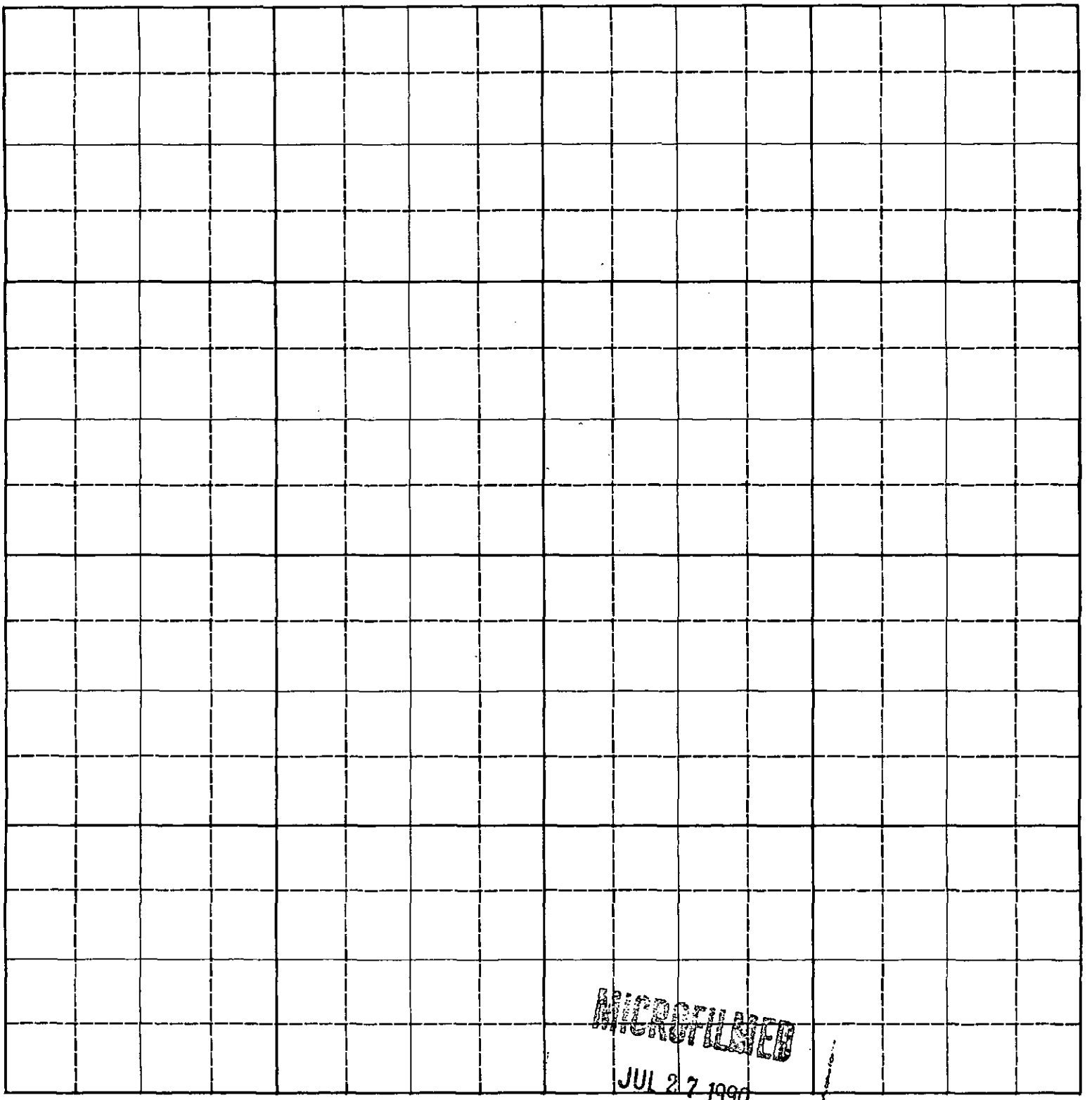
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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Scale: 2 inches equal 1 mile.

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

Robin S. McRae

(Applicant)

12-16-85 2:30
LS 12/16/85 11:00~

Received by 6LS Date 7/30/85 Time 12:00 Preliminary check by

Fee $ 20.00 (AMENDED APPLICATION) 20.00 Amended App Receipted by JP JP # 360196 # 40234 Date 12/19/85 3/13/86

Publication prepared by JP Date 12/30/85 Published in Idaho Dawn 1/8 & 1/15/86

Publication approved JP JP Date 8/21/85 1/16/86 3/26 & 4/2/86

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. 77-7233, and said application is hereby PARTIALLY APPROVED.

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

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 91.

   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:

PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER AND FINAL ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER.

Dated this 21ST day of DECEMBER, 1989.

R. KEITH HIGGINSON
Director

CERTIFICATE OF MAILING

I hereby certify that on this the 22nd day of December, 1989, a true and correct copy of the foregoing ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER, was mailed postage prepaid to:

Robin S. McRae
1333 Hervey St.
Boise, ID 83705

Mr. and Mrs. W. G. Hanson
2810 E. Franklin Rd.
Meridian, ID 83642

Mr. and Mrs. R. H. Robinson
Rt. 2 Box 294
Cresent City, CA 95531

Bruce E. Minter
P. O. Box 1443
McCall, ID 83638

Wilbur T. Nelson
Attorney at Law
2312 N. Cole Rd.
Boise, ID 83711-4067

Randall Zuniga and Glen Page
U.S. Dept. of Agriculture
Forest Service
P. O. Box 1026
McCall, ID 83638

Jim Weaver
P. O. Box 1318
McCall, ID 83638

Howard F. Manly
P. O. Box 967
Boise, ID 83701

Richard J. T. Anderson
Attorney at Law
P. O. Box 1655
Boise, ID 83701

A. J. Bonner
P. O. Box 1397
Boise, ID 83701

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JUL 27 1990

Rita L. Fleck
RITA L. FLECK
Secretary/Records Manager

BEFORE THE DIRECTOR OF THE DEPARTMENT

OF WATER RESOURCES OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO. 77-7233 IN THE NAME OF ROBIN S. McRAE	ORDER ISSUING PROPOSED MEMORANDUM DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by this appointee, Bobby D. Fleenor, who conducted the hearing or who has read the record in this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,

2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and

3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

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JUL 27 1990

III.

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral argument in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral agruments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.
CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.
FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 21th day of November, 19 89.

R. KEITH HIGGINSON
Director

CERTIFICATE OF MAILING

I HEREBY CERTIFY That on this the 21st day of November, 1989, a true and correct copy of the foregoing ORDER ISSUING PROPOSED DECISION and PROPOSED MEMORANDUM DECISION AND ORDER was mailed, postage prepaid to:

Robin S. McRae
1333 Hervey St.
Boise, ID 83705

Mr. and Mrs. W. G. Hanson
2810 E. Franklin Rd.
Meridian, ID 83642

Mr. and Mrs. R. H. Robinson
Rt. 2 Box 294
Cresent City, CA 95531

Bruce E. Minter
P. O. Box 1443
McCall, ID 83638

Wilbur T. Nelson
Attorney at Law
2312 N. Cole Rd.
Boise, ID 83711-4067

Randall Zuniga and Glen Page
U.S. Dept. of Agriculture
Forest Service
P. O. Box 1026
McCall, ID 83638

Jim Weaver
P. O. Box 1318
McCall, ID 83638

Howard F. Manly
P. O. Box 967
Boise, ID 83701

Richard J. T. Anderson
Attorney at Law
P. O. Box 1655
Boise, ID 83701

A. J. Bonner
P. O. Box 1397
Boise, ID 83701

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JUL 27 1990

RITA I. FLECK
Secretary/Records Manager

United States Department of Agriculture
Forest Service
Payette National Forest
P.O. Box 1026
McCall, ID 83638

Reply To: 2540

Date: March 19, 1986

Mr. David Tuthill, Jr.
Western Region Supervisor
Idaho Department of Water Resources
450 W. State Street
Boise, Idaho 83720

Dear Mr. Tuthill:

We are writing in regard to Application for Permit No. 77-7233 filed by Robin McRae to appropriate water from Government and Logan Creeks. The preliminary hearing held on March 13, 1986, greatly clarified the application in question. The Forest Service hereby withdraws the existing protest to this application subject to the following conditions:

1. The application is to affirm existing rights from Government and Logan Creeks held by the Applicant.
2. No additional water will be appropriated from either creek.
3. Water transmittal will be by existing devices.

We are pleased that this protest could be resolved in a manner satisfactory to all parties involved.

Sincerely,

JOHN SKINNER
Acting Forest Supervisor

cc:
Regional Forester
Krassel Ranger District
Forest Hydrologist
Tom Ellison

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JUL 27 1990

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MAR 24 1986
Department of Water Resources
Western Regional Office

Bruce E. Minter
P.O. Box 1443
McCall, Idaho 83638

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

RECEIVED
JAN 23 1986
Department of Water Resources

Jan. 22, 1986

Sirs;

We wish to file a protest on Robin McRae's application for water rights on Government Creek. Jointly and seperately, R.H. Robinson and Bruce E. Minter, due here by file this protest.

Bruce E. Minter

Bruce E. Minter

634-8744

MICROFILMED
JUL 27 1990

RECEIVED
JAN 28 1986
Department of Water Resources
Western Regional Office

Dec. 30, '85

To whom it may concern

we understand that Robin Mc Rae has amended his application for water rights from Logan cr. to make the point of diversion from the Logan cr. ditch, license no. 18935 77-2073.

we protest this application as the ditch furnishes water to our property + four acres adjoining. The ditch is not large enough to hold water for more than our needs + the four adjoining acres. Part of it is on a steep mountain side + if too much water is diverted to the ditch it will run over + break + we could lose the whole ditch.

we would like copies of all correspondence concerning this matter sent to:

Wilbur T. Nelson attny. 322-7200

2312 N. Cole Rd. Boi 83711-4067

+ also copies sent to us:

Mr. + Mrs. W. G. Hanson

2810 E. Franklin Rd.

Meridian, Idaho 83642

Sincerely

Mr. + Mrs. W. G. Hanson

MICROFILMED
JUL 27 1990

RECEIVED
JAN 2 - 1986
Department of Water Resources
Western Regional Office

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO } SS.

County of Valley }

Judy Brooks, being duly sworn deposes and says, I am the bookkeeper 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 Amended Application for Permit, 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 26, 1986

and ended, April 2, 1986.

Judy Brooks

Subscribed and sworn before me, this the

2nd day of April, 1986

STATE OF IDAHO, COUNTY OF VALLEY, ss..

On this 2nd 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 AMENDED APPLICATION FOR PERMIT

Notice is hereby given that Application No. 77-7233 in the name of Robin S. McRae was filed on 7/30/85 for the diversion of .12 cfs from Government Creek and Logan Creek with a point of diversion within the NWNW Sec 35 and NWSW Sec 34 T 21N R 9E to be used for irrigation purposes from 4/1 to 11/1 within portions of the SENW Sec 35 T 21N R 9E for 6 acres.

The Applicant now proposes to amend the application by changing the place of use to the SENW and NESW Sec 35 T 21N R 9E for 6 acres.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID 83720 on for before April 14, 1986.

A. Kenneth Dunn
Director

Published 3/26 and 4/2/86.

MICROFILMED
RECEIVED
APR 8 1986
JUL 27 1990
Department of Water Resources
Western Regional Office

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Valley } SS.

Judy Brooks being duly sworn deposes and says, I am the bookkeeper 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 Amended 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 January 8, 19 86 and ended January 15, 19 86.

Judy Brooks

Subscribed and sworn to before me this the 15th day of January, 19 86.

MICROFILMED

JUL 27 19[illegible]

Notary Public in and for the State of Idaho, residing at McCall therein.

NOTICE OF AMENDED APPLICATION FOR PERMIT

NOTICE IS HEREBY GIVEN that Application No. 77-7233 in the name of ROBIN S. McRAE was filed on 7/30/85 for the diversion of 0.12 cfs from Government Creek and Logan Creek with a point of diversion within the NW¼ NW¼, SE¼ NW¼, Sec. 35, Twp. 21N., Rge. 9E., to be used for irrigation purposes from Aril 1 to November 1 within portions of the SE¼ NW¼, Sec. 35, Twp. 21N., Rge. 9E., B.M.

The Applicant now proposes to amend the Application by changing the point of diversion to the NW¼ NW¼, Sec. 35 and the NW¼ SW¼, Sec, 34, Twp. 21N., Rge. 9E.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID. 83720 on or before January 27, 1986.

A. KENNETH DUNN
Director

1-8-2t 25

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JAN 16 1986
Department of Water Resources
Western Regional Office

RECEIVED
AUG26 1985
Department of Water Resources
Western Regional Office

Aug 23, 1985

Director Ken Dunn
Dept of Water Resources
Western Region
State House
Boise, Idaho 83720

RECEIVED
AUG 26 1985
Department of Water Resources

I here by make formal protest of the application for water right by Robin S McRae.

We own five (5) acres at Big Creek and use Government Creek as a source of water for drinking and irrigation. Our system was originally developed by Glen Harper back in the 1960's and later improved by Bruce Minter (U.S. Forest Service permit)

I believe in 1982 or 1983 we submitted an application for waters. At that time your department advised us that as this system had been in for sometime, we did not need to file

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JUL 27 1990

We feel that Mr. McRae's water application will effect our water system that is already very delicate.

Thank You,

Mrs. R.H. Robinson
Rt 2 Box 294
Crocent City, Calif
95531

NOTICE OF APPLICATION FOR WATER RIGHT

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

77-7233

MC RAE, ROBIN S.
1333 HERVEY ST., BOISE, ID 83705
Source: GOVERNMENT CREEK trib. to LOGAN CREEK; LOGAN CREEK trib. to BIG CREEK
Date Filed: 07/30/1985
Diversion Pt: NWNW SENW Sec 35 T 21N R 09E
Use: IRRIGATION (0.12 CFS)
In: SENW Sec 35 T 21N R 09E FOR 6 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 AUGUST 26, 1985.

KEN DUNN, Dir

Published 08/07 & 08/14/85

MICROFILMED
JUL 27 1990

United States Department of Agriculture
Forest Service
Payette National Forest
P.O. Box 1026
McCall, ID 83638

Reply To: 2540

Date: August 23, 1985

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

RECEIVED
AUG 26 1985
Department of Water Resources
Western Regional Office

Dear Mr. Tuthill: DAT

We are writing with regard to Application for Permit No. 77-7233 filed by Robin S. McRae to appropriate water (0.12 cfs) from Government and Logan Creeks for irrigation. The subject application is not definitive as to the ownership of the property at the point of diversion.

The Forest Service protests 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 Multiple-Use Sustained-Yield Act of 1960 directs the Forest Service to manage National Forest System Lands for watershed, timber, range, recreation, and wildlife and fish.
3. Several acts, including the Acts of June 4, 1897 and October 21, 1976, authorize the Secretary of Agriculture to establish regulations to permit, restrict, and control use and occupancy of National Forest System lands.

Should this water right be granted, the Forest Service will be unable to comply with Federal law.

Based on the above, we respectfully request the application be denied.
Sincerely,

/s/ Kenneth D. Weyers

KENNETH D. WEYERS
Forest Supervisor

cc:
Regional Forester
D-4
Forest Hydrologist

MICROFILMED
JUL 27 1990

Form 202
6/85

Ident. No. 77-7233

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Robin S. McRae Phone 342-8995

   Post office address 1333 Hervey St. Boise, ID 83705

2. Source of water supply ~~Government Creek~~ Logan Creek which is a tributary of ~~Logan Creek~~ Big Creek

3. Location of point of diversion is _____ ¼ of NW ¼ of NW ¼, Govt. Lot _____

   Sec. 35 Township 21N Range 9E B.M. Valley County; additional

   points of diversion if any: SENW Sec 35 T21N R9E

4. Water will be used for the following purposes:

   Amount .12 (cfs or acre-feet per annum) for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)

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

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

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

5. Total quantity to be appropriated is (a) .12 (cubic feet per second) and/or (b) _____ (acre feet per annum)

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. diversion Dam with Gravity Ditches

   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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JUL 27 1990

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

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

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

   c. Municipal; show name of municipality. _____

   d. Domestic; show number of households. _____

   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	9E	35								6									6

Total number of acres to be irrigated 6

10. Describe any other water rights used for the same purposes as described above. 77-2043

11. a. Who owns the property at the point of diversion? Gillihans or USFS

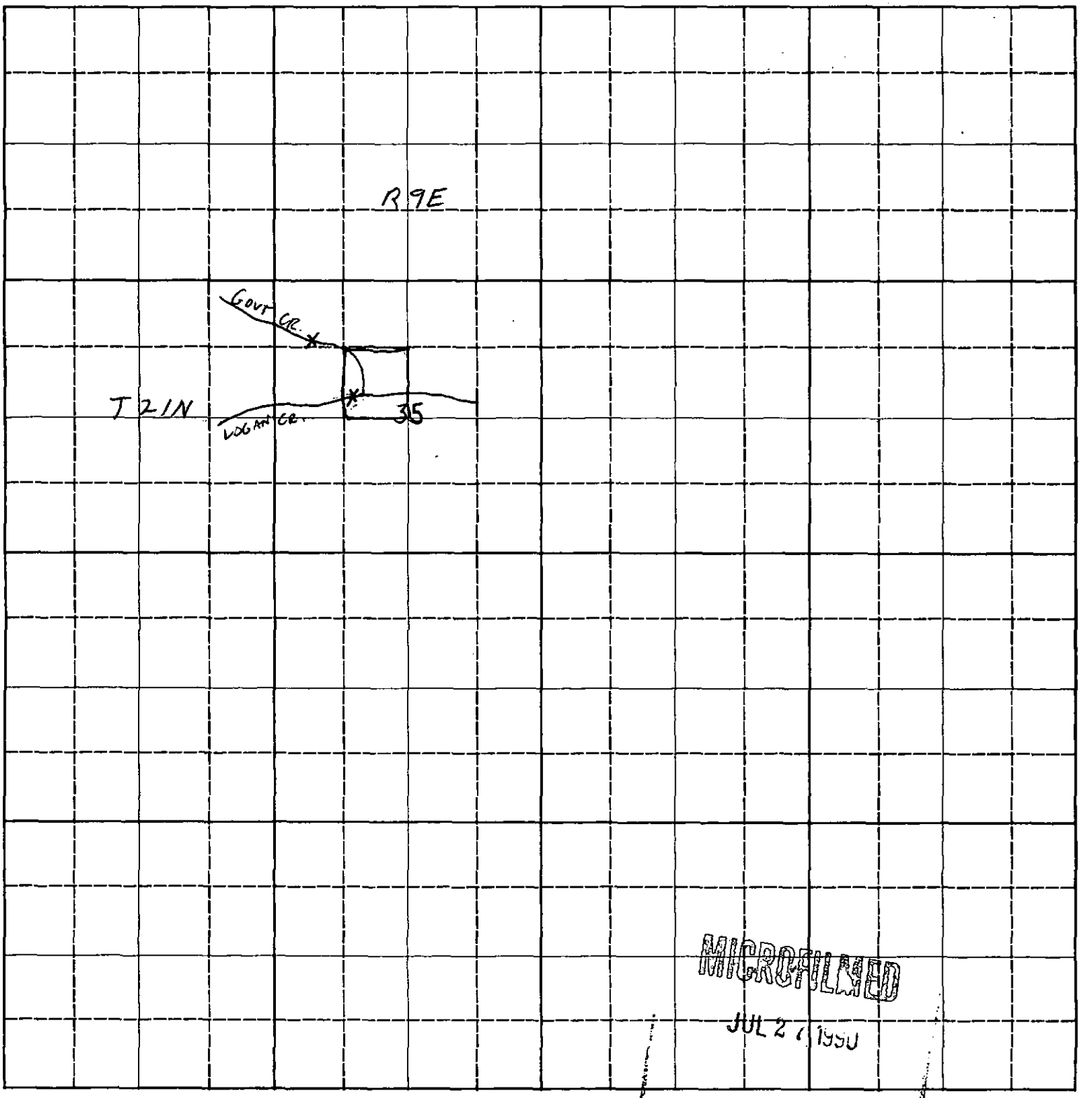
    b. Who owns the land to be irrigated or place of use? Applicants

    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: _____

RECEIVED
JUL 27 1990

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



MICROFILMED
JUL 27 1990

Scale: 2 inches equal 1 mile.

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

Robin S. McLee
(Applicant)

Received by LLS Date 7/30/85 Time 12:00 Preliminary check by JP

Fee $ 30.00 Receipted by JP # 36118 Date 7/30/85

Publication prepared by jp Date 8/1/85 Published in The Star News 8/7 & 8/14/85

Publication approved JP Date 8/2/85

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:

MICROFILMED
JUL 2 6 1990

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
SS.
County of Valley }

Judy Brooks being duly sworn deposes and says, I am the bookkeeper 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 August 7, 19 85 and ended August 14, 19 85.

Judy Brooks

Subscribed and sworn to before me this the 14th day of August, 19 85.

Notary Public in and for the State of Idaho, residing at McCall therein.

MICROFILMED
JUL 2 7 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

77-7233

MC RAE, ROBIN S.
1333 HERVEY ST., BOISE, ID 83705
Source: GOVERNMENT CREEK trib. to LOGAN CREEK; LOGAN CREEK trib. to BIG CREEK
Date Filed: 07/30/1985
Diversion Pt: NWNW SENW Sec 35 T 21N R 09E
Use: IRRIGATION (0.12 CFS)
In: SENW Sec 35 T 21N R 09E FOR 6 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 AUGUST 26, 1985.

KEN DUNN, Dir

Published 08/07 & 08/14/85

RECEIVED
AUG 21 1985
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

October 19, 1995

ROBIN S MC RAE
1307 W JEFFERSON
BOISE ID 83701

RE: WATER RIGHT NO. 77-07233

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED
NOV 15 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 11, 1994

ROBIN S MC RAE
1307 W JEFFERSON
BOISE ID 83701

RE: WATER RIGHT NO. 77-07233

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the $20.00 filing within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur with this information, or have any questions please contact me as soon as possible. My telephone number is (208) 327-7947.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED
APR 15 1995

LICENSE REVIEW CHECKLIST

Permit # 77-7233 Date 2/4/94 Cindy Zimmerman

	Yes	No	
NAME		✓	Or Address Change?
PRIORITY DATE			Proof Due 12/21/90 Proof R'cd 1/15/91 c019400
~~7/30/85~~	✓		Advanced Advanced to: 8/20/85 at filing of proof
8/20/85		✓	Order to Reinstate Needed? done of 8/U.
		✓	Incorrect Fee for rate recommended?
SOURCE		✓	Changes? Clarification of **Originally Intended** source
Gov'm't Cr./Logan Cr.		✓	Notice of Intent to Void - Source change.
P/D	✓		Amendment Needed? NE SW NW
NWNW	✓		Overlap(s) w/ 77-2043 (same diversion works)
P/U		✓	Amendment Needed? found .4A of permitted 6A under irr. allow .03cf
~~SE~~ NW, NE SW	~~✓~~	✓	~~Overlap(s)~~ NO P/U Overlap located in SENW delete NESW
TOTAL CFS	✓		Measurement done?? "Orange peel method" (gravity system)
.12			Est flow at P/D = (10'/8sec)(2.7'w)(.67'd) = 3.02 cfs.
			Est flow at P/U = (10'/8sec)(1.8'w)(.57'd) = 1.28 cfs
		✓	Theoretical 8.8 x .70 x ..... / ..... + (2.31 x .....) = NA
	✓		**Capacity** 1.28
			Allowable Amount: ~~.03~~ .02 (per order)
TOTAL VOLUME			Season of Use: 4/15 - 10/15
	✓		Calculations: .4(3.0) = 1.2
			Flow limit: .03 x 184 x 1.9835 = 10.9
			Recommended volume 1.2 AF
USES		✓	Change(s) in Nature of Use? reduce to .4A; .03 cfs.
Irr/D			Amendment Needed?
REMARKS		✓	Multiple P/Ds in 1/4 1/4?
			Special Overlap
		✓	Other
CONDITIONS		✓	Measuring/Locking Devices
		✓	W/Master Control — Water Dist
	✓	R29	Irrigation Overlap 7/30/85 App Rec'd
		✓	Water Quality 8/2/91 Exam Made

COMMENTS:

RECOMMENDED	CFS	DIV VOL	CON VOL	
Irrigation	.03	1.2		LICENSE
				1ST AMEND LETTER P39, P38
~~Comb rate/vol~~				2ND AMEND LETTER P47

WR0743NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

06/16/94 08:36:04
Page 1

Water Right Number - <L77-07233 Prefix Translation: <LICENSE Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER *** MC RAE	ROBIN S	1 - 1307 W JEFFERSON 2 - 3 - City- BOISE State- ID Zip- 83701 Phone - 208-342-8995

Priority Date	Region	Stage	Status
08/20/1985	14 WESTERN	<L - LICENSE	

Source - GOVERNMENT CREEK

Tributary - LOGAN CREEK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
21N	09E	35	NE SW NW			(85) VALLEY			

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/15	10/15	<0.030	<1.20

Total Div. Rate - <0.030
Total Div. Volume - <1.20
Total Div. Capacity - <1.280

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
21N	09E	35	SE NW		<0.4	01	IRRIGATION	(85) VALLEY

Total Acres: <0.4

Diversion Means - DIVERSION DAM & GRAVITY DITCHES

Non-Irrigation Use -

Other Rights for Same Use - 77-2043

Remarks

Water diverted under this water right may be conveyed only through existing ditches, and only maintenance fo the existing water ditches, as opposed to construction of new and larger conveyance ditches, is allowed under this water right. This water right is not considered to be in addition to, but rather restates a portion of, the corresponding portion of water right License 77-02043.

Old Water Right Numbers

No Old Water Right Numbers found.

Water right number - L77-07233 Prefix Translation: LICENSE

Conditions of Approval

R29 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.0 afa per acre for the
- lands above.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

No Comments Found

Audit Fields - 02/04/94 ZIMMERMA 02/04/94 ZIMMERMA 05/02/94 CZIMMERM 06/16/94 CZIMMERM

Water Rights Dates and Flags Area

Proof Due Date	01/01/1991	Field Exam Made	08/02/1991	Field Exam Fee	R
Approved/Denied	12/21/1989	Protested Date	00/00/0000	Swan Falls	B
Proof Made Date	01/22/1991	Hearing Date	00/00/0000	Temporary Right	P
Exam to S.O. Date	03/24/1993	Verified Date	00/00/0000	DLE/Carey Act	
Order Show Cause	00/00/0000	Receipt Number	C019400	Water District	
Licensed Date	00/00/0000	Appl Received	07/30/1985	Transfer/Amended	
Decree Date	00/00/0000	Name Connector		POU Ownership Flag	Y
Presumption Flag					

21-S-A.
6-90

77-07233
Permit No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

P/D 21N 9E S.35 NE SW NW
" SE NW
Ph

RECEIVED
MAR 26 1993
Water Resources

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

✓ Blank Field Report Form
✓ Copy of Permit
✓ Copies of any Amendments/Orders with Conditions of Approval Order dated 12/21/89
N/A Well Inspection Form (If Needed)
✓ Aerial Photo Required? ___ yes ✓ no If yes: ___ copy attached
N/A SRBA Attachment A Submitted to Adjudication Section
SRBA Claim Check Received SL 7/31/91 (initial & date)
✓ N/A ___ Applicable, See Attachment A _____
✓ Copy of U.S.G.S. Quad NO other available
✓ Check for Government Lots. If so, make a copy of government plat
✓ Check of P/D index SL 7/30/91 (initial & date)
Overlap ✓ yes ___ no If yes: ✓ copy of exam(s) attached? 77-02043
Type of Overlap? ✓ Add acres or uses to existing system } same system + land *
✓ Increase rate of flow or volume } " " other land
✓ Other: Same source other diversion
✓ Check of P/U index SL 7/30/91 (initial & date)
Overlap? ✓ yes ___ no If yes: ✓ copy of water right(s) attached?
Type of Overlap? ✓ Increase rate of flow or volume
___ Add P/D's
✓ Increase number of acres within tracts
✓ Other: _____
N/A Scheduling Letter Sent? _____ (initial & date)
✓ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

✓ Fully Completed and Signed Field Report Form
✓ Photographs of Point of Diversion and Place of Use
N/A Copy of SRBA Claim Verification Sheet / ___ Original Returned to Adjudication Section

* NOTE NO CLAIM FORMS FOR 77-02043 PER AJ2

C. Review and Processing:

Exam Completed Steve Lester 2/12/92 (signature of examiner & date)
Exam Reviewed by Senior Water Resource Agent G 3/19/92 (initial & date)
Exam Reviewed by Manager of Regional Office DM 3/2/93 (initial & date)
Exam Sent to State Office AT 3-25-93 (initial & date)

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 2 6 1993
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 77-07233

1. Owner: Robin S. McRae — Phone No. 342-8995
   Current Address: 1307 W. Jefferson, Boise, ID. 83702 (Per Proof of B.U.)
2. Accompanied by: Cathy Gillikon — EXAM. DATE: 8/2/91
   Address: 850 Jackson Ave., Emmett Id. 83617 — Phone No. 365-5384
   Relationship to Permit Holder: OWNS & operates Gillikon's Lodge; Ms. McRae indicated in 7/25/91 telecon to contact Cathy for exam appt.
3. Source: Government Ck. tributary to Logan Ck.

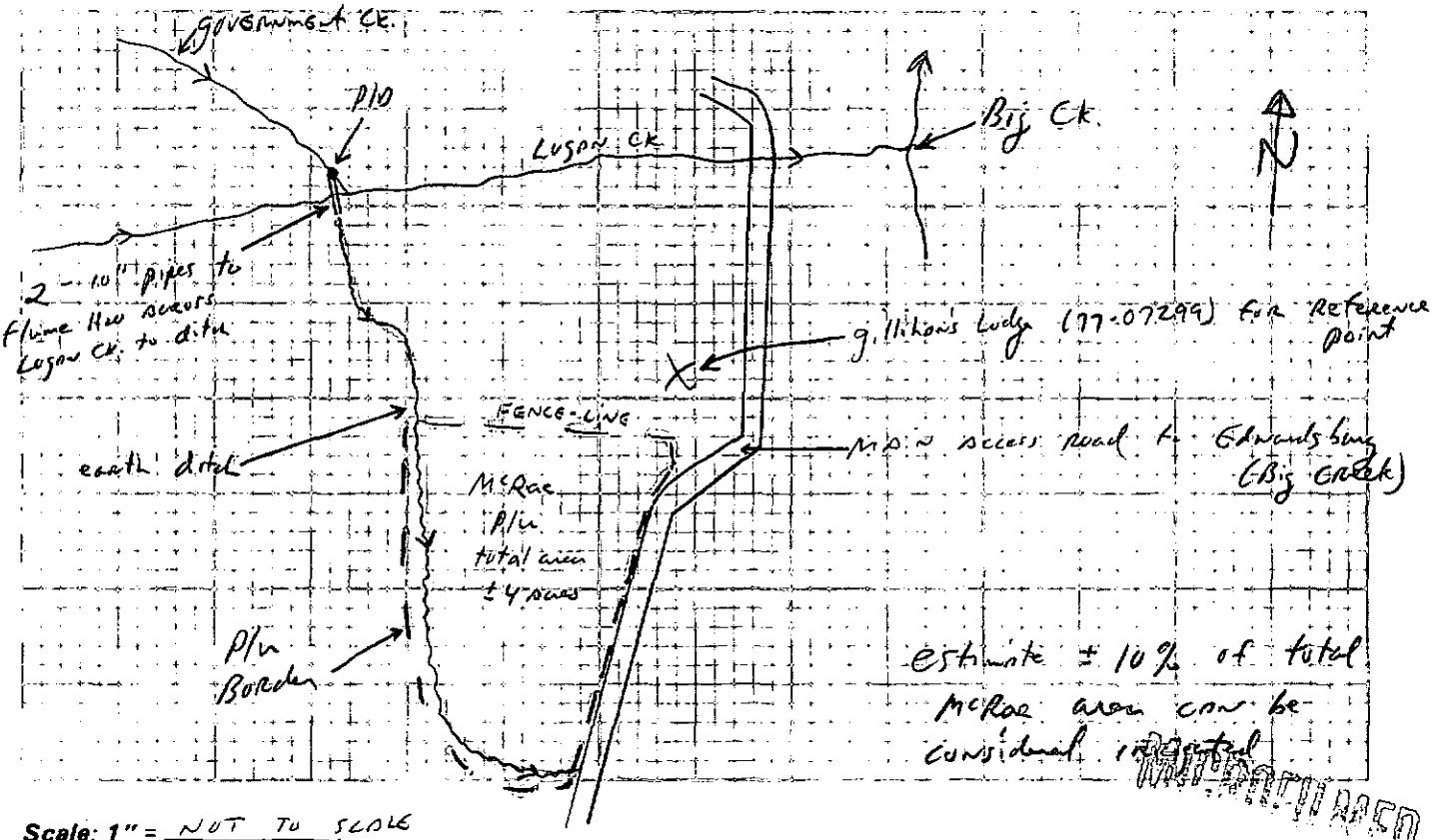
B. OVERLAP REVIEW

1. Other water rights with same place of use: 77-02043 -04007 -04008 -04009 -07025 -07176 ☑ Copies Attached
2. Other water rights with same point of diversion: 77-02043 ~~-02441~~ -04008 ~~-04005~~ ~~-07025~~ ~~-07031~~ -04009 ☑ Copies Attached ☑ Copies of Field Exam's Attached
   copies as needed

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

SEE TOPO FOR SCALE



Scale: 1" = NOT TO SCALE

2. ☑ Copy of U.S.G.S. 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 or more).
   ☑ Photo of Diversion and System Attached
   (required for all but single household domestic groundwater, and stockwater.

WATER RIGHTS
NOV 15 1995

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Water is diverted from gov't Ck. through two 10" pvc pipes to flume water across Logan Ck. to an earth ditch for gravity irrigation. Plastic checkdams can be used in ditch to flood irrigate on both sides of ditch, although must use access on east side of ditch. Most of the McRae property contains native forest vegetation (primarily Lodgepole Pine and scattered amounts of understory - grouse whortleberry & pinegrass). Some areas of clover are also found, and the clover is the only sign that can be considered as an irrigation beneficial use. It is not an irrigation beneficial use to apply

☒ See Remarks on page 4 for continuation

4.

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

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

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

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	~~NW~~ SW	NW	35	21N	9E	Valley	USGS 7½' topo - pld just before confluence of gov't Ck. & Logan Ck.; diversion will be QQ only = SWNW

6. **Place(s) of Use:** Indicate Method of Determination As in pld. + spacing

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
21N	9E	35								.4									.4

RECEIVED

NOV 15 1995

WR

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Eng. tape & stopwatch for estimate ("orange peel method")						

2. **Measurements:**

E. FLOW CALCULATIONS

☑ Additional Computation Sheets Attached

1. Measured Method: See OPEN Channel Meas. Notes, Estimated Flow.

2. Alternate Method for Checking Purposes: allow max. cfs for 2 / acre, .03

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = ~~(4)( )( ) .04~~ (.4)(3.0) = 1.2 – See remarks

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = (1.03)(184)(1.9835) = 10.9 – Nearest fit standard season 4/15-10/15; also agrees with [illegible] map showing season & volume

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 1.2 –

2. Volume Calculations for Other Uses:

RECEIVED
NOV 15 2005

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Allow .03 cfs if condition #6 in 12/21/89 order can be changed due to irrigation of < 5 acres.

Narrative cont: water to native forest vegetation. It's difficult to quantify the amount of clover found in the ±4 acre area, but my best estimate is that 10% of area hosts clover. Irrigation is 10% of 4 acres or .4 acres. This is the same system as 77-02043, which may have been forfeited (see 12/21/89 Order, Pg. 3). Forfeiture of the previous right can be handled in the SRBA. The new license should be conditioned to not exceed .03 cfs/ac. or 3.0 afa/ac. when combined with 77-02043 and any other rights for the same ~~property~~ property. Fire protection is assumed in these rights.

Overlap - See attachment

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	4/15	10/15	.03	1.2
		Totals:	.03 -	1.2 -

2. Recommended Amendments

☑ Change P.D. as reflected above ☐ Add P.D. as reflected above ☑ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name: Steve Lester

Signature: Steve Lester

Certification Date: 3/19/92

Field Report Preparation Date: 2/12/91

PROFESSIONAL ENGINEER REGISTERED 3909 3/2/93 CONSULTANT SEAL STATE OF IDAHO DAVID R. TUTHILL, JR.

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

5 1995

Form 219-N
7/86

77-07233
Water Right No.
(if applicable)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Open Channel Discharge Measurement Notes

RECEIVED
MAR 2 6 1993
Department of Water Resources

A. GENERAL INFORMATION

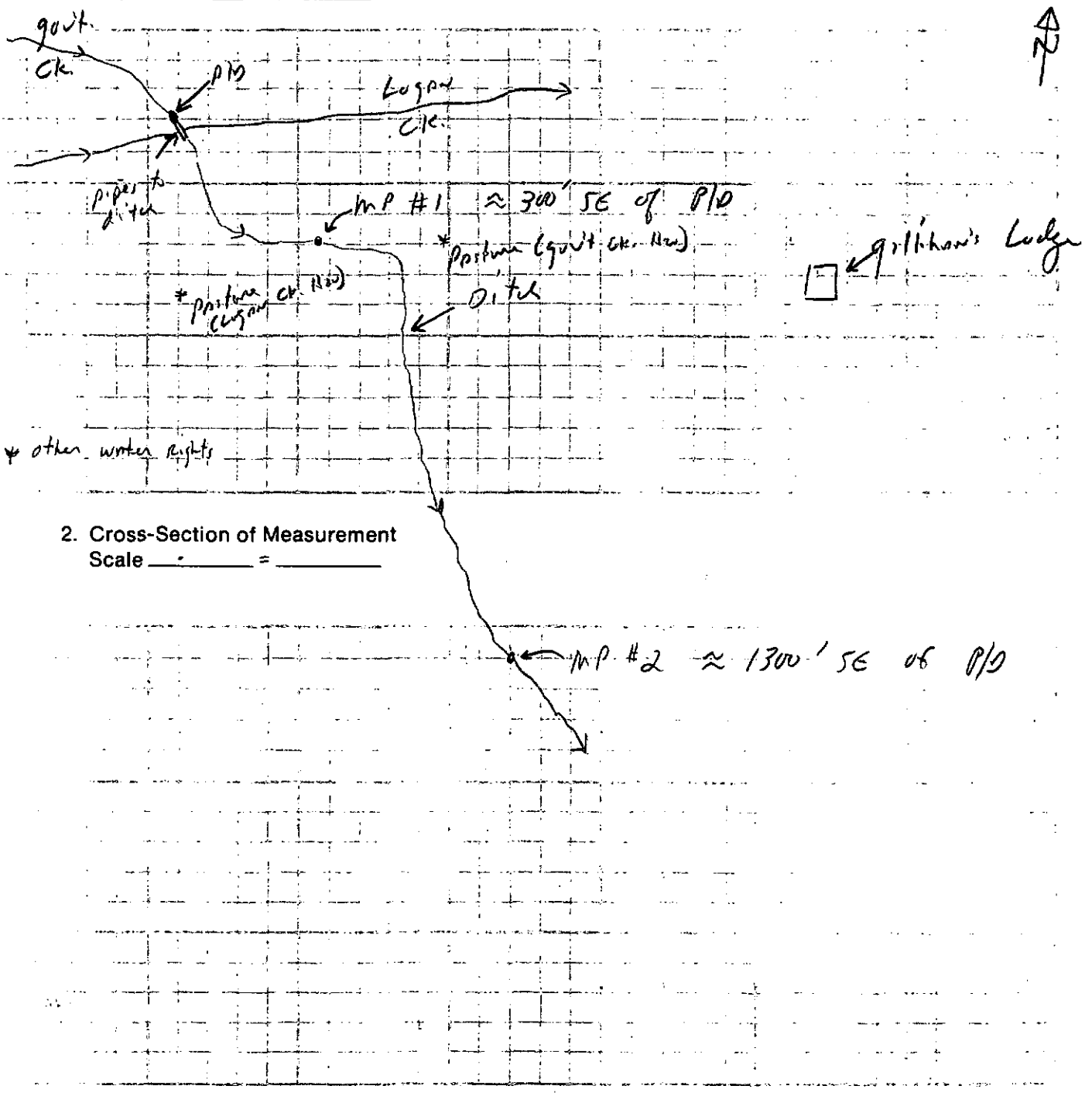
1. Name of stream or ditch: ditch from Government Creek
2. Location: ① SWNW 5.35 T21N R9E ② SENW
3. Person conducting measurement: Steve Lester
4. Date and time of measurement: 8/2/91 3:00 p.m.
5. Accompanied by: —
6. Measuring device size and ID no.: Discovered that operating pin on pygmy meter was
7. Spin test before measurement OK? missing so could not do flowmeter measurement after measurement OK? —
8. Purpose of measurement: B.U. Exam

B. MEASUREMENT DATA

Angle co-efficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY: At point	VELOCITY: Mean in vertical	Adjusted for hor. angle or ———	Area	Discharge
	DID	ESTIMATED	FLOW	INSTEAD.		ESTIMATES MADE AT				2 POINTS	
①	SWNW		M.P.	#1	(See	tops)					
			Ditch	width	=	2.7'					
				depth	=	.70',	.70',	.65',	.63', $\bar{x}$ =	.67	ft.
				flow	=	10' in	6 seconds (same results 3 times)				
			Est.	Flow	=	VA					
					=	(10/6)(2.7)(.67)	= 3.02 cfs				
②	SENW		MP	#2	- this	is within	owners property; ditch is smaller				
							as farther away from p/d				
				width	=	1.8'					
				depth	=	.45',	.60',	.65',	$\bar{x}$ =	.57	ft.
				flow	=	10' in	8 seconds (same results 3 times)				
			Est	Flow	=	VA					
					=	(10/8)(1.8)(.57)	= 1.28 cfs			NOV 15 '95	

C. DIAGRAMS

1. Measurement Location
   Scale: _____ = no scale



2. Cross-Section of Measurement
   Scale _____ = _____

D. SUMMARY INFORMATION

1. Measurement rated _____ excellent _____ good _____ fair _____ poor
2. Remarks: ditch running at capacity
3. Width: _____ Area: _____ Discharge in cubic feet per second: _____

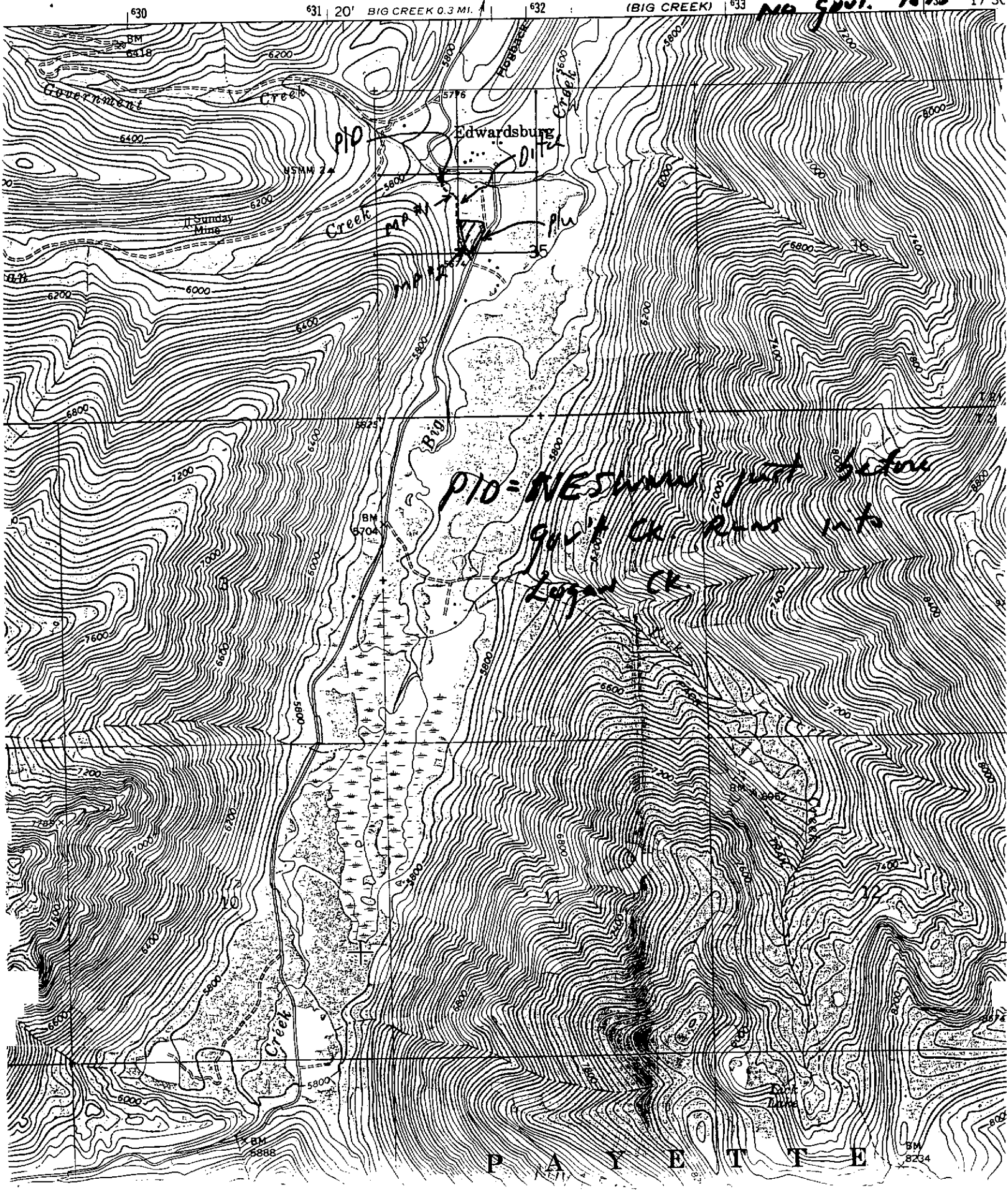
8/2/91
DATE

SIGNATURE OF PERSON CONDUCTING MEASUREMENT

NOV 15 1995

IOR

77-07233
21N 9E S.35
No Grut. 1.ts



Permit 77-07233 Photos taken 8/2/91 Pg 1 of 3

Near confluence of Logan & Government Creeks.

PHOTO ONE-

Looking NW across Logan Ck at two 10" pipes that flume water from gov't Ck. to earth ditch. Common pt of Esv permit & 2 other rights.

View of end of pipes as ditch starts.

PHOTO TWO-

NOV 15 1995

View of ditch at m.p. #2 in SWSENW 5.35. Clipboard on left of ditch gives scale. Flow is towards viewer. Flow estimated at 1.28 c/s here.

PHOTO THREE-

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NOV 15 1995

Typical area within McRae property where native vegetation grows. Not considered irrigated land. Shown are:

Pinegrass = Calamagrostis Rubescens

PHOTO FOUR-

grouse whortleberry = Vaccinium Scoparium

Lodgepole Pine = Pinus Contorta

PHOTO FIVE- Area within the boundary that can be considered to have some irrigation. Note clover intermingled with ground whortleberry & pinegrass. Consider clover to be irrigated vegetation (clover is not a common plant found in this forest vegetative community of plants).

NOV 15 1995

April 5, 1991

ROBIN S. MC RAE
1307 W. JEFFERSON
BOISE, ID 83701

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 77-07233

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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

Enclosure

MICROFILMED
APR 16 1991

January 17, 1990

Dr. Robin L. McRae
133 Hervey St.
Boise, ID 83705

Dear Dr. McRae:

Re: Permit No. 77-7233

On January 15, 1991, the department received $50 in the mail. It, however, did not accompany a form, only the upper portion of a proof due notice.

Enclosed for use is a set of forms. Either the request for extension of time form or the proof of beneficial must be submitted before the department will take action to reinstate the permit.

I will hold the receipt with the file for five days. If no document is received to accompany the fee, I will refund the $50.

If you have any questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

FILMED
APR 16 1991

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

January 7, 1991

ROBIN S. MC RAE
1333 HERVEY ST.
BOISE, ID 83705

LAPSE NOTICE

RE: PERMIT NO. 77-07233

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 October 31, 1990. 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 fifteen dollar ($15) 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

LGS:rf

Enclosures

RECEIVED
APR 16 1991

CERTIFICATION OF MAILING
I hereby certify that on 1-10-91
a copy/an original of this document was deposited in the United States mail, postage prepaid addressed to the individual(s) named above.

138708

October 31, 1990

ROBIN S. MC RAE
1333 HERVEY ST.
BOISE, ID 83705

PROOF DUE NOTICE

RE: PERMIT NO. 77-07233

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 January 1, 1991. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

APR 16 1991

RECEIVED
NOV 30 1989
Department of Water Resources
Western Regional Office

LAW OFFICES OF
STEVEN J. MILLEMANN, P.A.
POST OFFICE BOX 1318
McCALL, IDAHO 83638

PHONE (208) 634-7641

STEVEN J. MILLEMANN
JAMES C. WEAVER
EDWARD G. BURTON*, P.C.
*ALSO ADMITTED IN ALASKA

November 27, 1989

Idaho Department of Water
Resources
Wester Region
2735 Airport Way
Boise, ID 83705

State office File

Re: Application for Permit No. 77-7233
in the name of Robin S. McRae

Dear Sirs:

I have received a copy of your proposed memorandum decision in the referenced matter. Please be advised that, pursuant to the findings of fact relating to my representation of the protestants and of Bruce Minter, and to the reference that a request for withdrawal was not received by your office in response to your request for the same of April 9, of 1986, be advised that I did, in fact, inform the Department, in writing, that I withdrew as the attorney of record for the referred to parties as of that date. The proposed findings of fact and conclusions of law should reflect that fact.

Sincerely,

JAMES C. WEAVER
Attorney at Law

JCW/ddm
cc: Bruce Minter
Mr. & Mrs. R.H. Robinson

MICROFILMED
JUL 27 1990

RECEIVED
FEB 14 1990
Department of Water Resources

December 22, 1989

Robin S. McRae
1333 Hervey St.
Boise, ID 83705

Dear Mr. McRae:

Re: Application for Permit No. 77-7233

Enclosed is a copy of the approved Application for Permit No. 77-7233 along with a copy of the Order Adopting Proposed Memorandum Decision and Order and a copy of the Proposed Memorandum Decision and Order. Please note the conditions of approval as set forth in the Proposed Memorandum Decision and Order.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must eventually take further action to develop this permit into a license. The proof due date is indicated on the final order and last page of the permit.

Any person who does not agree with the decision of the department may request a rehearing before the Director within 20 days, or may appeal directly to the district court within 30 days of the date the decision is mailed.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

c: Mr. and Mrs. W. G. Hanson
Mr. and Mrs. R. H. Robinson
Bruce E. Minter
Wilbur T. Nelson
Randall Zuniga and Glen Page
Jim Weaver
Howard F. Manly
Richard J. T. Anderson
A. J. Bonner

MICROFILMED
JUL 27 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)	
)	
PERMIT NO. 77-7233 IN THE NAME OF)	ORDER TO SHOW CAUSE
)	
ROBIN S. MCRAE)	
)	

Whereas, a conference was held on January 14, 1988, in the matter of protested water right application no. 77-7233; and,

Whereas, protestants Bruce E. Minter, and Mr. and Mrs. R.H. Robinson, were properly notified of the conference but failed to appear.

Now, therefore, IT IS HEREBY ORDERED that protestants Bruce E. Minter, and Mr. and Mrs. R.H. Robinson, provide to the Department no later than April 18, 1989, any information as to why their protests should remain valid. Failure to provide this information will result in dismissal of the protests.

Dated this 28th day of March, 1989.

David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of March, 1989, I mailed true and correct copies, postage prepaid, of this document to Bruce E. Minter and Mr. & Mrs. R.H. Robinson.

MICROFILMED

JUL 2 1 1990

Sue Taylor, Secretary - Office Coordinator

IN THE MATTER OF)
Application for Permit No. 77-72373) Agreement
IN THE NAME OF ROBIN S. MCRAE)

We, the undersigned, hereby agree to allow the Director of the Department of Water Resources to reach a decision in the above captioned matter based upon the information presented at the conference on JANUARY 14, 1988 at BOISE, ID, the official files and records of the Department of Water Resources, the Director's understanding of the law, and the letter dated March 19, 1986 from the U.S. Forest Service.

The decision will first be issued as a proposed decision, to which the undersigned may file exceptions and request to present oral arguments before the Director.

The undersigned understand that this agreement does not waive the right of the undersigned to apply for a rehearing as described in Rule 11 of the Department of Water Resources Rules and Regulations for Practice and Procedure, or to appeal the decision of the Director of the Department of Water Resources.

Signed this 14th day of January, 1988, at Boise, Idaho.

Beverly A. Murphy

Robin S. McRae

Randall J. Gangle

MICROFILMED
JUL 27 1990

Notes by D. Tuthill 1/14/88

Applicant - Sandy McRae

Protestants: - Mr & Mrs G. Hanson (Represented by Paul Smith & Beverly Murphy)
- Mr & Mrs R. H. Robinson
(Protest initially withdrawn) - U.S.F.S. (Randy Zuniga & Clem Pope)
- Bruce Minter

Issue
1. Show cause Orders to McRae & Robinson re: why they should not be deleted as protestants.

2. Prepare Proposed Memo decision.

MICROFILMED
JUL 27 1990

Re: No. 77-7233 - Robin S. McRaae

Place: Seventh Floor Large Conference Room, State Towers Bldg., Boise, ID

Date: 1:30 p.m., Thursday, January 14, 1988

Hearing conducted by: Bob Fleenor & Dave Tuthill

ROSTER OF ATTENDANCE

Name	Address	Representing
Barry G. Murphy	2810 E. Franklin Rd Meri	Myself & W.R. Hansons
Paul D. Smith	4803 SHIRLEY	HANSONS
Ralph L. McRae	1333 Harvey	
Ellen Pope	1026 McCall, ID	US FOREST SERVICE
Randy Zuniga	BOX 1026 McCall ID	US FOREST SERVICE

MICROFILMED
JUL 27 1990

Re: Application for Permit
Number 77-723[redacted]

Dec. 24, '87

DWR

To whom it may concern

This is to re-affirm our protest to Robin McRae's water claim on Logan creek with access to the ditch that supplies water to our property. The ditch does not run thru his property + never has. A ditch from Government creek does run thru his property but he has not irrigated from either one.

The ditch from Logan creek cannot carry enough water to supply our needs + others who want the water. Steve Lester was at Big creek last August to examine the creek + the ditch + his report affirms this. In July of 1986 forest service personnel + hydrologists examined + measured the ditch + said that it is not large enough to carry enough water to supply all who request it.

Sincerely

Walter + Hilda Hanson

MICROFILMED
JUL 27 1990

RECEIVED
DEC 28 1987
Department of Water Resources
Western Regional Office

Dec. 24, '87

DRT

Dear Mr. Luthill

Our daughter, Beverly Murphy, forwarded your letter concerning the hearing on Robin McRae's amended application for water from Logan cr.

We will be unable to attend as we are in the San Diego area where walter has medical appointments at the naval hospital. we think our daughter will attend in our place.

we are sending a letter of protest to re-affirm our objection to the McRae application for permit No. 77-7233.

Sincerely

Hilda + walter Hanson

MICROFILMED
JUL 2 1 1988

RECEIVED
DEC 23 1987
Department of Water Resources
Western Regional Office

P 300 228 123

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Jim Weaver

STREET AND NO.
Box 1141

P.O., STATE AND ZIP CODE
McCall ID 83638-1141

POSTAGE	$
CERTIFIED FEE	¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE — SHOW TO WHOM AND DATE DELIVERED	¢
RETURN RECEIPT SERVICE — SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
RETURN RECEIPT SERVICE — SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
RETURN RECEIPT SERVICE — SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	$
POSTMARK OR DATE	

CONSULT POSTMASTER FOR FEES
OPTIONAL SERVICES

PS Form 3800, Apr. 1976

[redacted]

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

☆GPO: 1980 331-003

P 300 228 124

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Mr & Mrs R H Robinson
Mo Bruce Minter
STREET AND NO.
P.O. Box 1443
P.O., STATE AND ZIP CODE
McCalla AL 35638

POSTAGE		$
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	¢
OPTIONAL SERVICES	SPECIAL DELIVERY	¢
OPTIONAL SERVICES	RESTRICTED DELIVERY	¢
OPTIONAL SERVICES / RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	
OPTIONAL SERVICES / RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	
OPTIONAL SERVICES / RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
OPTIONAL SERVICES / RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$
POSTMARK OR DATE		

JUL 21 1990

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6. Save this receipt and present it if you make inquiry.

☆GPO: 1980 331-003

P 300 228 111

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO Hanson
m & mrs W. C.
STREET AND NO.
2810 E. Franklin Rd
P.O., STATE AND ZIP CODE
Meridian ID 83642

POSTAGE		$
CONSULT POSTMASTER FOR FEES — CERTIFIED FEE		¢
OPTIONAL SERVICES — SPECIAL DELIVERY		¢
OPTIONAL SERVICES — RESTRICTED DELIVERY		¢
OPTIONAL SERVICES — RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
OPTIONAL SERVICES — RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
OPTIONAL SERVICES — RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
OPTIONAL SERVICES — RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$
POSTMARK OR DATE		

PS Form 3800, Apr. 1976

[redacted]

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

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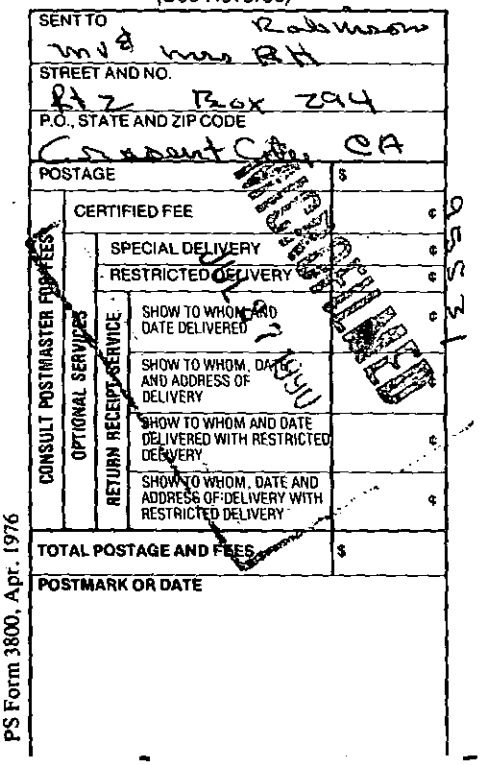
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

☆GPO: 1980 331-003

P 300 228 110

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)



PS Form 3800, Apr. 1976

[redacted] [redacted]

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

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6. Save this receipt and present it if you make inquiry.

☆GPO: 1980 331-003

P 300 228 109

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Robin S. Mc Roe
STREET AND NO.
1333 Harvey St
P.O., STATE AND ZIP CODE
Boise Id 83705

POSTAGE		$
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	¢
OPTIONAL SERVICES	SPECIAL DELIVERY	¢
OPTIONAL SERVICES	RESTRICTED DELIVERY	¢
OPTIONAL SERVICES — RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	¢
OPTIONAL SERVICES — RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
OPTIONAL SERVICES — RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
OPTIONAL SERVICES — RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES		$
POSTMARK OR DATE		

PS Form 3800, Apr. 1976

[redacted]

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

☆GPO: 1980 331-003

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☑ Show to whom and date delivered ..... ¢
   - ☐ Show to whom, date, and address of delivery.. ¢
2. ☐ RESTRICTED DELIVERY ¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $

3. ARTICLE ADDRESSED TO:
   Mrs Mary [illegible]
   c/o Bruce Morton
   P O Box 1443
   McCall ID

4. TYPE OF SERVICE:
   - ☐ REGISTERED ☐ INSURED
   - ☑ CERTIFIED ☐ COD
   - ☐ EXPRESS MAIL

ARTICLE NUMBER
P 3[illegible]
228 124

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5. DATE OF DELIVERY
12-24-87

POSTMARK
DEC 24 1987

6. ADDRESSEE'S ADDRESS *(Only if requested)*
P.O BOX 1443

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

EE 2L.LL

[redacted]

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse [illegible] "Return Receipt Requested" adjacent to number.

BOISE, ID P M 1987

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S.MAIL

RECEIVED
DEC 28 1987
RETURN TO
Department of Water Resources
Western Regional Office

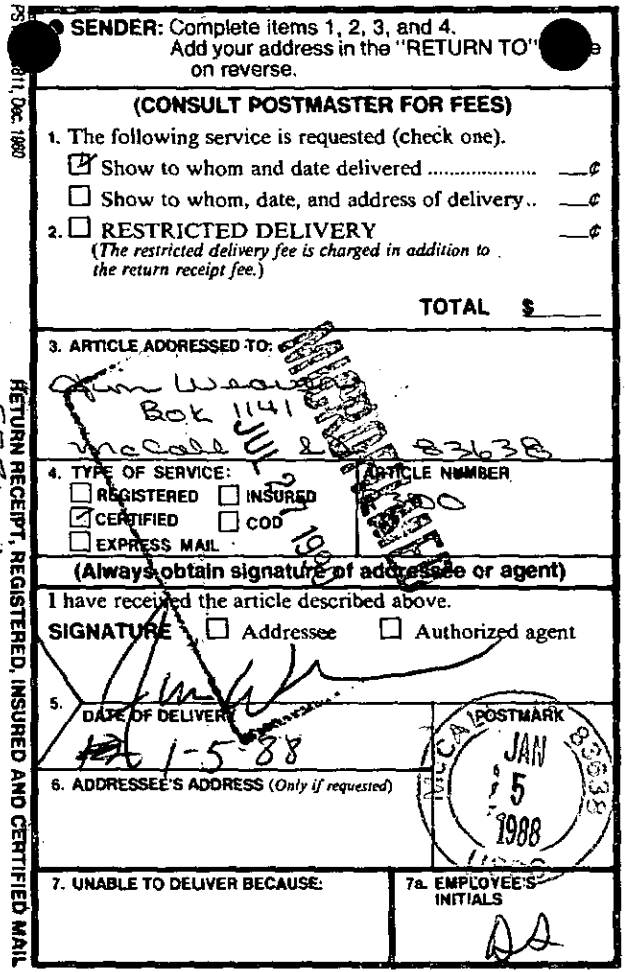
RECEIVED
JUL 27 1990
DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)



PS Form 3811, Dec. 1980

SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☑ Show to whom and date delivered ..... ¢
   - ☐ Show to whom, date, and address of delivery.. ¢
2. ☐ RESTRICTED DELIVERY ¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $

3. **ARTICLE ADDRESSED TO:**
   Box 1141
   McCall ID 83638

4. **TYPE OF SERVICE:**
   - ☐ REGISTERED ☐ INSURED
   - ☑ CERTIFIED ☐ COD
   - ☐ EXPRESS MAIL

ARTICLE NUMBER
P 800

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5. **DATE OF DELIVERY**
   1-5-88

POSTMARK
JAN 5 1988
83638

6. **ADDRESSEE'S ADDRESS** *(Only if requested)*

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S.MAIL

RETURN TO

Department of Water Resources
Western Regional Office

JAN 6 1988

JUL 2 7 1988

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

PS Form 3811, July 1983

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☑ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:

Robin S. McRae
1333 Herway St.
Rbin. Co 83705

4. Type of Service:

☐ Registered ☐ Insured
☑ Certified ☐ COD
☐ Express Mail

Article Number
P 300 228 109

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature — Addressee
X Robin S. McRae

6. Signature — Agent
X

7. Date of Delivery DEC 4 1981

8. Addressee's Address *(ONLY if requested and fee paid)*

DOMESTIC RETURN RECEIPT

811 2 133

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

DEC 28 1990

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

U.S. MAIL

PENALTY FOR PRIVATE USE, $300

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
(No. and Street, Apt. Suite, P.O. Box or R.D. No.)

(City, State, and ZIP Code)

(Name of Sender)

PS Form 3811, July 1983

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☑ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:

Owen Ramsher Sons
Star Rt B
PO Box 1104
Pawnee OK 74064

4. Type of Service:

☐ Registered ☐ Insured
☑ Certified ☐ COD
☐ Express Mail

Article Number:

P 805 228 515

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature – Addressee

X

6. Signature – Agent

X

7. Date of Delivery

12/23/87

8. Addressee's Address *(ONLY if requested and fee paid)*

DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDARO (Name of Sender)

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

(City, State, and ZIP Code)

RECEIVED DEC 23 1987 Water Resources Office

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

DEC 24 1987 8360 U.S. MAIL

PENALTY FOR PRIVATE USE $300

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PS Form 3811, July 1983

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. ☑ Show to whom, date and address of delivery.
2. ☐ Restricted Delivery.

3. Article Addressed to:

mr & mrs W C Hansen
2810 E Franklin Rd
Meridian ID 83642

4. Type of Service:

☐ Registered ☐ Insured
☑ Certified ☐ COD
☐ Express Mail

Article Number
P 398 228 116

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature – Addressee
X

6. Signature – Agent
X

7. Date of Delivery
12.15.87

8. Addressee's Address (ONLY if requested and fee paid)
2810 E Franklin
Meridian Id 83642

E32L-11 DOMESTIC RETURN RECEIPT

RECEIVED

DEC 21 1987

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

Department of Water Resources
Western Regional Office

U.S. MAIL

PENALTY FOR PRIVATE USE, $300

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RETURN TO

JUL 27 1990

(Name of Sender)
2735 AIRPORT WAY
(No. and Street, Apt., Suite, P.O. Box or R.D. No.)
(City, State, and ZIP Code)

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF AMENDED APPLICATION) NOTICE OF HEARING

FOR PERMIT NO. 77-7233 IN THE NAME)

ROBIN S. MC RAE)

On March 13, 1986, a conference was held regarding the above-referenced Amended Application for Permit. As a result of the conference, the application was amended, by shifting the place of use of one acre from the SE1/4 NW1/4 to the NE1/4 SW1/4, Sec 35, T 21N, R 9E. The amendment was advertised in the Star-News, and no additional protests were received.

Since the date of the conference no withdrawals of protest have been received. Neither has the Department received authorization from all parties to prepare a proposed decision based on the results of the conference. Thus, in order to prepare a decision on this matter a formal hearing is required.

The Department has set the matter of protest for hearing on Thursday, January 14, 1988, at 1:30 p.m., in the Seventh Floor Large Conference Room, State Towers Building, 450 W. State St., Boise, ID 83720. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice of Water Appropriation of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of

MICROFILMED
JUL 27 1990

the Department of Water Resources. The hearing record will not include information provided at the conference on March 13, 1986, so parties must be must be prepared to submit all appropriate information for the record. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 10th day of December, 1987.

David R. Tuthill Jr.

DAVID R. TUTHILL, JR., P.E.

Manager, Western Regional Office

MICROFILMED

JUL 27 1990

Mailing list

FOR PROTESTED APPLICATION FOR PERMIT NO. 77-7233

IN THE NAME OF ROBIN S. MCRAE

CERTIFIED MAIL — December 14, 1987

Robin S. McRae
1333 Hervey St.
Boise, ID 83705

Mr. & Mrs. W. G. Hanson
2810 E. Franklin Rd.
Meridian, ID 83642

Mr. & Mrs. R. H. Robinson *
Rt. 2 Box 294
Cresent City, CA 95531

NON-CERTIFIED MAIL

Bruce E. Minter
P.O. Box 1443
McCall, ID 83638

Wilbur T. Nelson
Attorney at Law
2312 N. Cole Rd.
Boise, ID 83711-4067

Non-certified Mail — December 17, 1987

U.S. Dept. of Agriculture
Forest Service
Attn: Randall Zuniga & Glen Page
P.O. Box 1026
McCall, ID 83638

Jim Weaver
Attorney at Law
1519 N. 23rd.
Boise, ID 83701

Box 1141
McCall ID
83638-1141

Howard F. Manly
P.O. Box 967
Boise, ID 83701

Richard J T Anderson
Attorney at Law
P.O. Box 1655
Boise, ID 83701

A. J. Bonner
P.O. Box 1397
Boise, ID 83701

MICROFILMED
JUL 2 1 1990

Richard J T Anderson
Attorney at Law
P.O. Box 1655
Boise, ID 83701

* Came back 12/21/87 sent 12/22/87 to Bruce E. Minter, son, at the above listed address.

CONVERSATION MEMORANDUM

DATE 9/21/87

FILE 77-7233

NAME OF PARTY Protestants

EMPLOYEE Dave Tuthill

RE: Resolution

1. Called Wilbur Nelson, atty for protestants. He is considering the potential of writing a letter allowing us to make a decision based on the conf.

2. Called Bruce Minty. He is not willing to withdraw protests but will submit letter allowing us to prepare a proposed decision based on the conference.

DRT

MICROFILMED
JUL 27 1990

INTER-DEPARTMENT MEMO — 1

DATE 8-12-87

FROM Bob F

TO Dave T

RECEIVED

Department of Water Resources
Western Regional Office

SUBJECT PMD # Order 77-7233

We can't dismiss the protests by order but must either have a written withdrawal of them or set the application for further hearing.

I also don't find where the parties agreed to allow us to make a decision based upon the conference.

I suggest the parties be called.

SIGNATURE

INTER-DEPARTMENT MEMO — 1

FROM Dave T

DATE 7/29/87

TO Bob F.

SUBJECT Attached PMD&O

RECEIVED
JUL 31 1987
Department of Water Resources

If you have changes, Judy has this one on the exxon. word processor.

Dave

SIGNATURE

Form No. 202a
3/79

State of Idaho
Department of Water Resources

AMENDED APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Shute APPLICATION NUMBER: 77-7233

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. Copies sent by: _____ Date: _____
- ☐ Idaho Fish and Game Department.
- ☐ Idaho Department of Lands.
- ☐ U.S. Bureau of Land Management.
- ☐ U.S. Forest Service.
- ☐ Other Copy sent to Mr. + Mrs. Hanson (may want to send copy to other protestants, MRS. R. H. ROBINSON.

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
- ☐ Yes ☐ No Other rights on same place of use. See previous staff analysis sheet - 77-2043 + 77-4008 - SAME P.O.
- ☐ Yes ☐ No* In form for advertising.
  Final date for protests: January 27, 1986
- ☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received. Date: 1/16/86
- ☑ Application published correctly. If not, record action taken: _____
- ☑ Fee amount, receipt date & number, recorded on application. 20/36196
- ☑ Publication dates and paper, recorded on application. The Star News 1/8 & 1/15/86
- ☑ Protests, dates, withdrawal, etc., recorded on application.
- ☐ Recommendation & initial, recorded on application.
- ☐ Yes ☑ No Measuring device required.
- ☐ Yes ☑ No Access port required.
- ☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
- 7-30-85 Date of priority recommended.

see proposed mem. dec. + order

KW 8/16/87

Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW: 04

☐ See attached sheet for more information.
By: _____ Date: _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

77-2043

State of Idaho

License and Certificate of Water Right

Water District No. 1284?

Water District No.

Amount C.f [illegible]

[illegible] Oct. 5, 1925

THIS IS TO CERTIFY that William A. Edwards

of Edwardsburg, Idaho, made application for a permit to [illegible] the public waters of the State of Idaho, and [illegible] April 27, 1925, and Permit No. 16247 was issued thereon, subject to approval and [illegible] of construction of works, with a carrying capacity of 0.5 [illegible] cubic feet per second, [illegible] which works, by said permit, were to be completed on or before the [illegible] day of October, 1926, and complete application of the water to the beneficial use [illegible] day of October, 1926.

William A. Edwards

of Edwardsburg, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Government Creek, a tributary of Logan Creek, for the purpose of Irrigation & Domestic Use, under Use Permit No. 16247 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3682, on the 11th day of February, 1928;

The right hereby confirmed dates from October 5, 1925.

The Point of Diversion is located in the NW ¼ NW ¼, Sec. 36, Tp. 21 N., R 9 E., B. M., Valley County

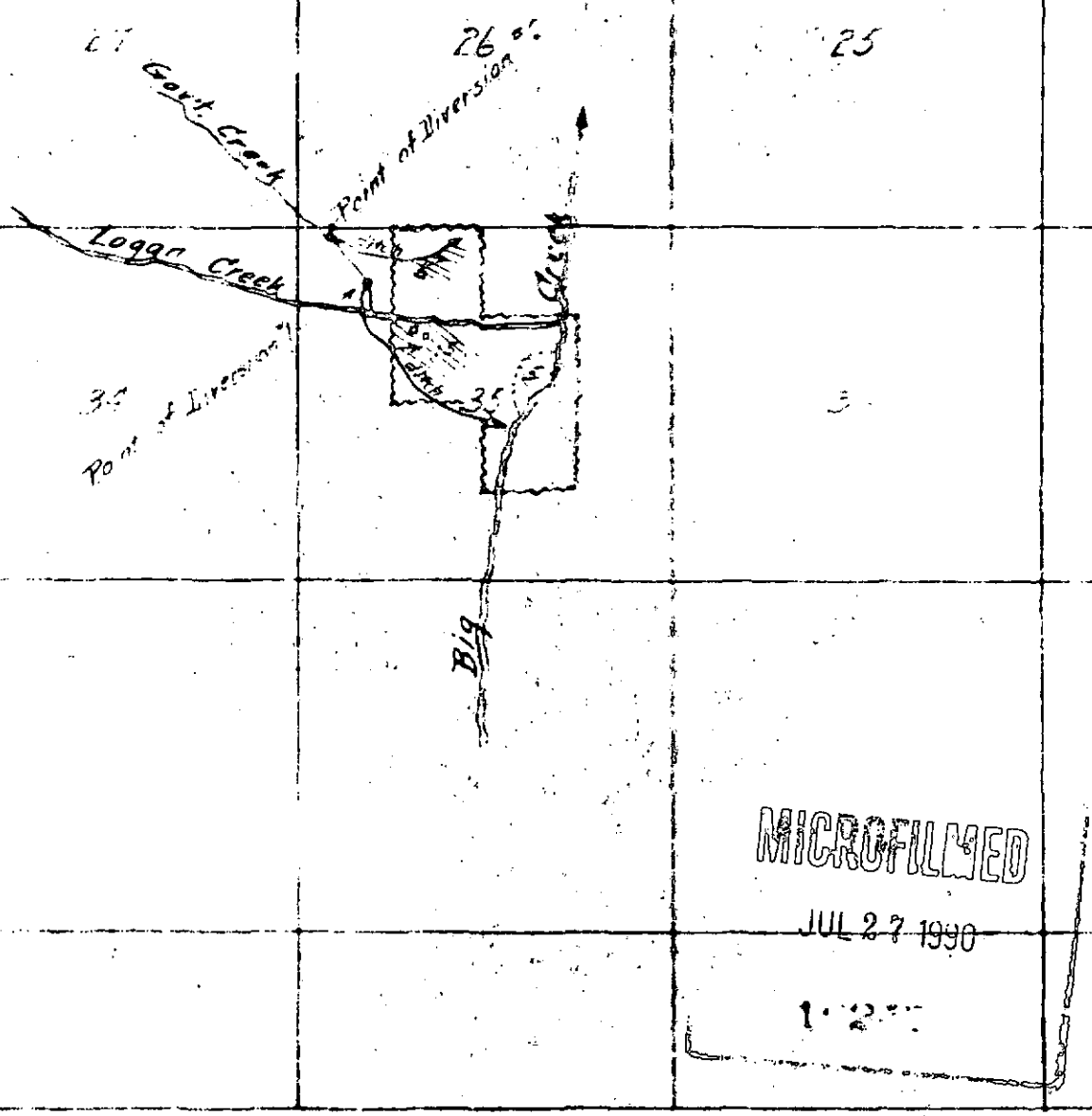
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
21 N.	9 E.	35	SW NW	40	6
"	"	35	NW SW	40	5
"	"	36	SW NW	40	15
				Total	25

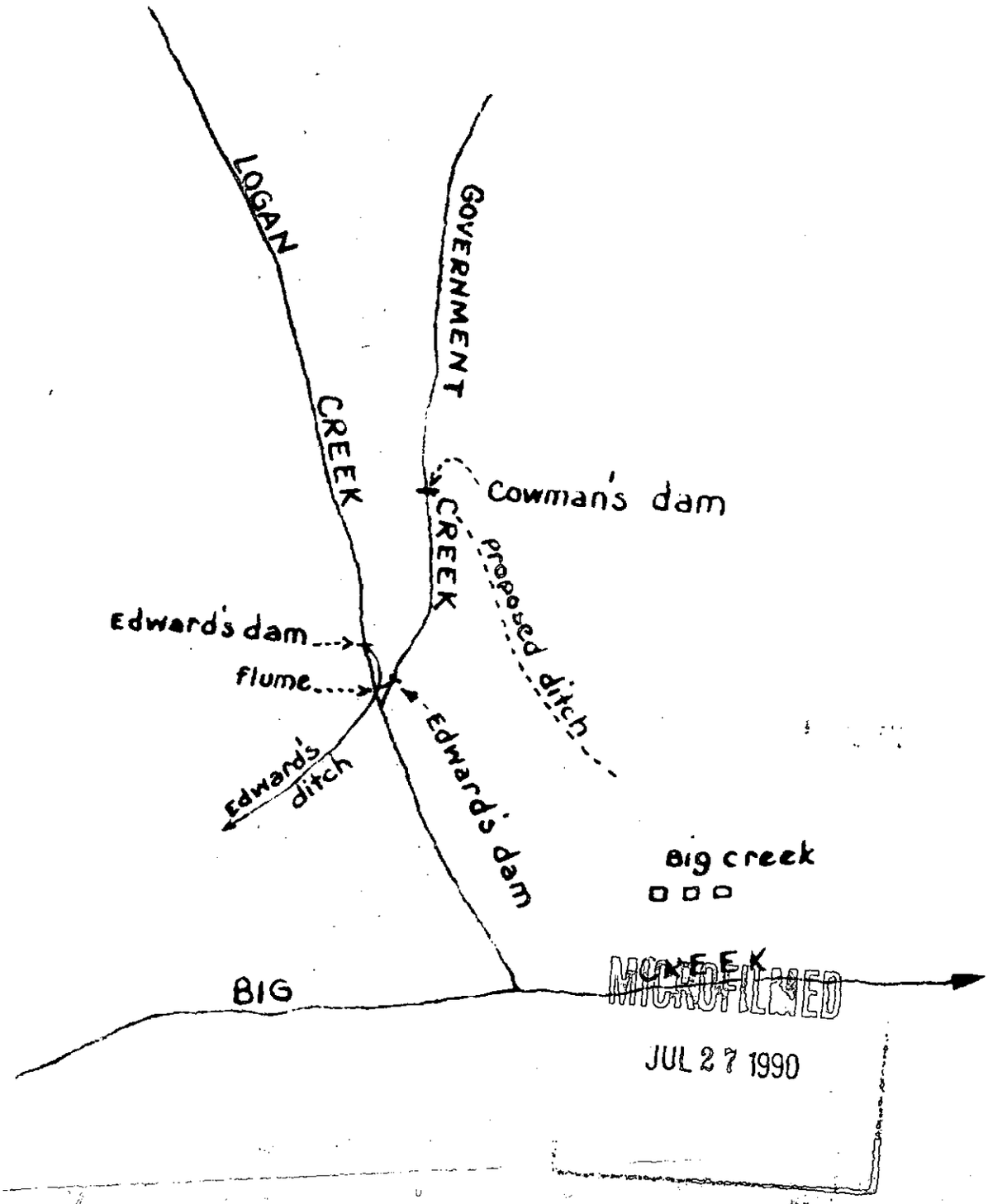
MICROFILMED
JUL [illegible]

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the Laws of Idaho



MILE DRAW MAP IN INK.

Rough Sketch
Showing Edward's diversions & Cowman's proposed diversion



MICROFILMED
JUL 27 1990

77-2073

State of Idaho

License and Certificate of Water Right

Water License No. 18935

Water District No.

Amount One cubic foot

Priority January 5, 1940

THIS IS TO CERTIFY that NAPIER EDWARDS

of Edwardsville, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 5, 1940; that Permit No. 18935 was issued under said application; that Certificate of Completion of works, with a carrying capacity of One second feet, was issued thereunder on December 29, 1944, showing that said works were completed on the 24th day of October, 1944; and that on the 3rd day of October, 1946,

NAPIER EDWARDS

of Big Creek, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Logan Creek, a tributary of Big Creek, for the purpose of irrigation and domestic use, under Use Permit No. 18935 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4505, on the 1st day of February, 1950;

The right hereby confirmed dates from January 5, 1940;

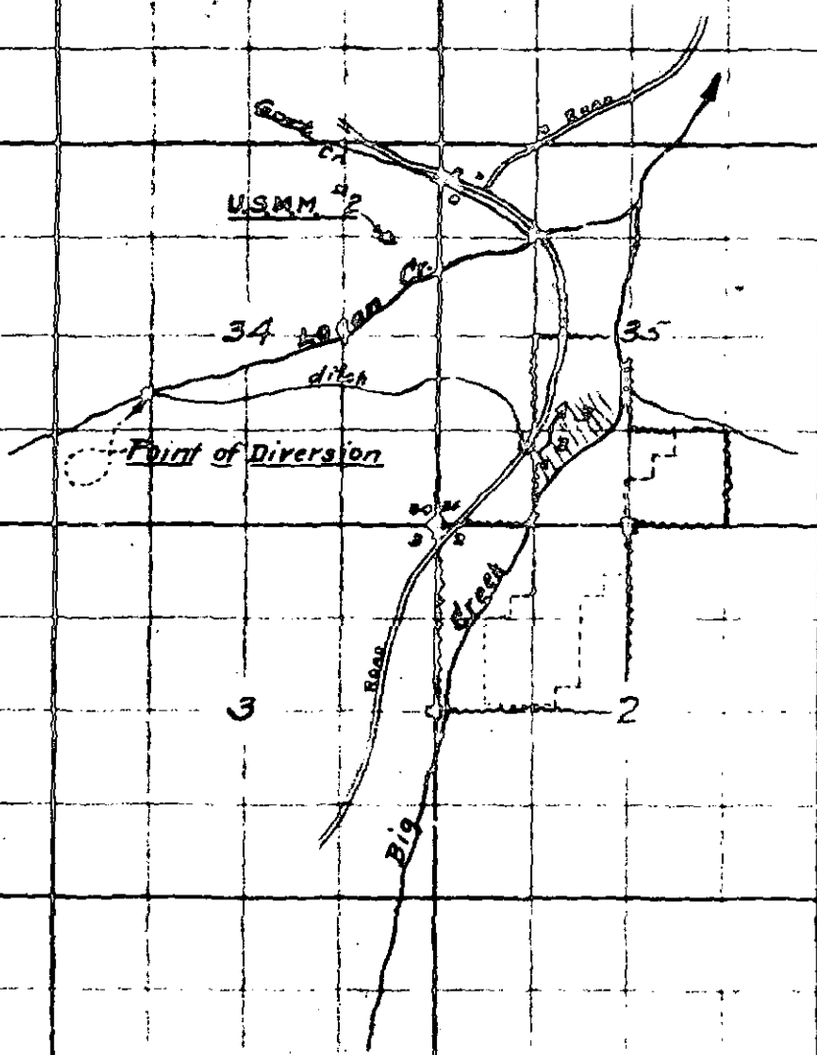
The Point of Diversion is located in the NW ¼ SW ¼ Sec. 34, Tp. 21 N., R. 9 E., B. M. Valley County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.14 cubic feet per second.

Description and location of use:

Twp.	Range	Sec	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
21 N.	9 E.	35	Part of SE¼ SW¼ and SW¼ SE¼		
20 N.	9 E.	2	Part of NW¼		
			Lands included in Homestead Entry No. 028390		

MICROFILMED
JUL 2 1950



MICROFILMED
JUL 27 1990

SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

18935

DAR

United States Department of Agriculture | Forest Service | Payette National Forest | Krassel Ranger District P.O. Box 1026 McCall, ID 83638

Reply To: 2720

Date: July 25, 1986

RECEIVED
JUL 29 1986
Department of Water Resources

Walter and Hilda Hanson
Big Creek
Air Star Route
Cascade, ID 83611

Dear Walter and Hilda:

On July 7 and 8 Randy Zuniga and Clem Pope of the Payette National Forest walked the existing Logan Creek water ditch and visited with Walter (Swede) and Hilda Hanson and Bob and Cathy Gillihan, current users of the water being carried by the ditch. It is also understood that Robin McCrae has a potential interest in using this ditch for supplying water to acreage in the immediate area. The Rex Lanham estate, as represented by Lucky Brands, Inc. also uses this ditch for irrigation. The Murphy's also have apparently tapped into the Hanson's domestic water line for household water. These are the only known current users.

The general location of the ditch is shown on the enclosed map. Approximately 4800 feet of this ditch is on the National Forest. The general condition of the ditch was good. There was no indication of past major failures or current resource impacts on the Forest. The water diversion and ditch are not currently under Special Use Permit or any other recorded authorization. There is no indication or evidence to indicate the ditch was constructed and used prior to the creation of the National Forest. Under these conditions the fact that the ditch has been used without authorization for an extended period of time does not establish a continuing right. A Forest Service Special Use Permit will be necessary to make continued use of the ditch system.

The conflicting claims to the ditch make the issuance of an authorization difficult. In similar situations it is to the advantage of the users to form an association responsible for the maintenance of the ditch to which the Special Use Permit can be issued. For an existing facility on the National Forest where there is currently more than a single user this would be the preferred means of resolution. Information concerning the formation of an association is enclosed. The option to issue a permit to a single individual is probably not viable in this case unless there is agreement between the current users. The option to issue permits to each of the current users is definitely undesirable as it confuses the users responsibility for maintenance of the facility and will result in increasing permit fees.

MICROFILMED
JUL 2 1 1990

RECEIVED
AUG 4 1986
Department of Water Resources
Western Regional Office

The history of the ditch indicates it has been in use for a considerable period, with most of the recent maintenance having been provided by the Hansons. There is no indication of use to provide water to the McCrae property. The Gillihan's use of the water has involved piping water from the ditch to a holding tank and burying a pipeline across the Forest to provide domestic water for the lodge on private land. There has also been minor use of the ditch water through lateral ditches for irrigation purposes. The Hanson's and Murphy's domestic water line is laid into the ditch and picks up water directly from the ditch above the Gillihan withdraw point. All uses and taps on the main ditch which involve the National Forest require authorization and ideally would be covered in the permit for the Logan Creek ditch itself.

I feel it is imperative to resolve this situation. It is unfortunate that it has been left in such a state for such a period of time. It should perhaps be emphasized that the Forest Service interest is solely with regards to the facilities on the National Forest. Actual water rights and claims to water rights are under the purview of the State. The Forest Service will provide comment and will try to protect the interest of the National Forest for adequate flows in the creeks. However, frankly, this does not appear to be a concern in Logan Creek at the present time.

It is my suggestion that all the existing users and potential users of the Logan Creek ditch try to reach an amiable agreement as regards the use and maintenance of the Logan Creek ditch and form an association clearly stating this agreement. The Forest Service would issue a Special Use Permit to the association as a legal entity for the use and maintenance of the ditch and associated developments as specified in the Permit or an attached Operating Plan.

I feel this resolution should be reached by September 15. If not then actual evidence should be provided that significant steps have been taken by the concerned users adequate to achieve a satisfactory settlement by early January 1987. Failure in this regard will result in steps to terminate the use. Clearly this is NOT the course of action I wish to pursue or feel forced into. I urge that a good faith effort be taken to resolve the situation as quickly and amiably as possible.

MICROFILMED
JUL 27 1990

If there are any questions please feel free to contact Clem regarding this issue. I am also available to discuss this situation if you wish. I sincerely hope we can achieve a mutually satisfactory resolution for all concerned.

Sincerely,

Earl C. Kimball

EARL C. KIMBALL
District Ranger

Enclosure - Location Map
Information on User Association

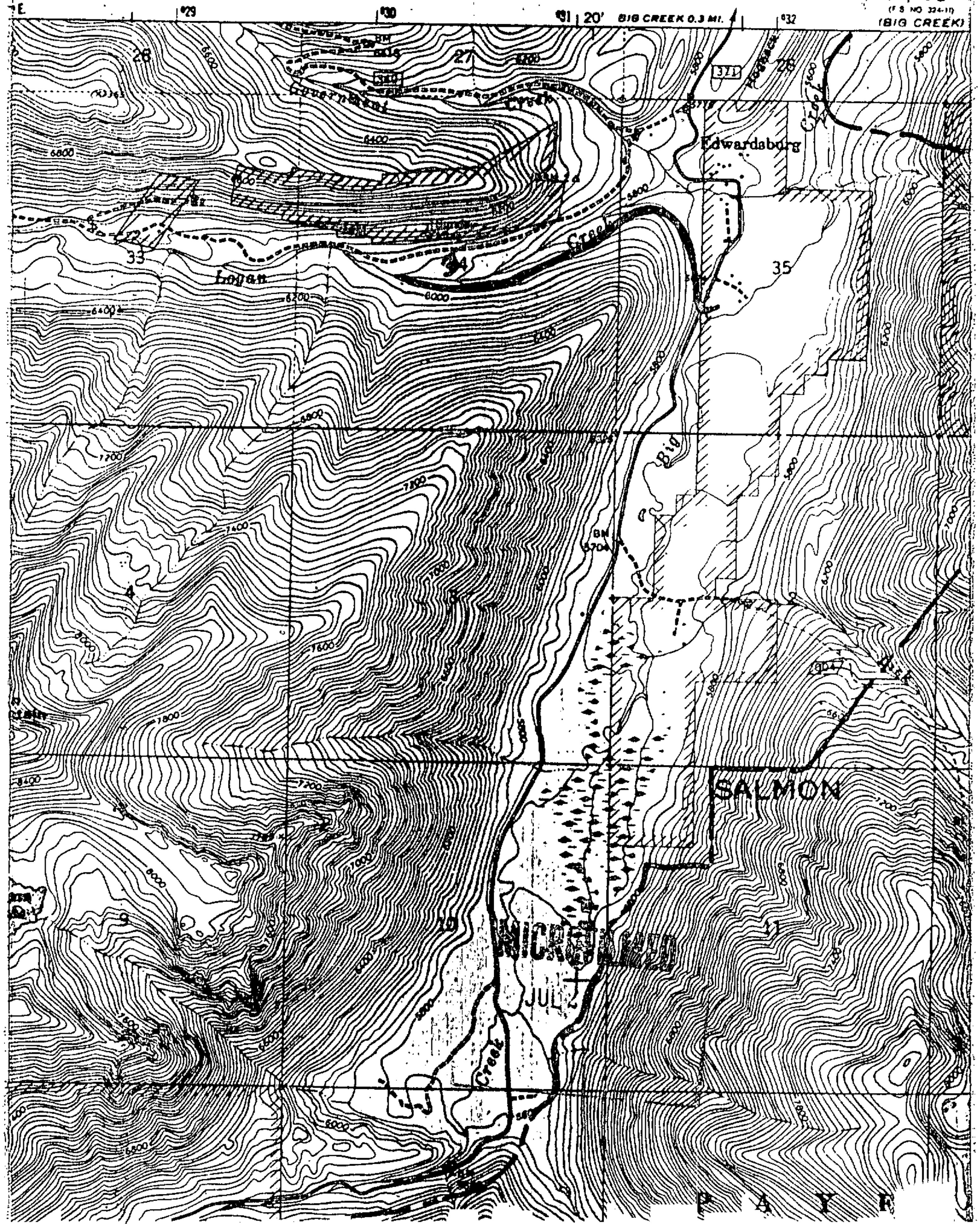
cc:
SO
Gillihan
Hanson
McCrae
Murphy
Lucky Brands
State of Idaho, Department of Water Resources

MICROFILMED
JUL 27 1990

OF AGRICULTURE
VICE
MOUNTAIN REGION

BIG CREEK RANGER

324-1



- PERMITS TO ASSOCIATIONS. 36 CFR
authorizes permits to association of permittees
in accordance with 36 CFR 251.1 (
223) for community improvements.

**§ 25 Permit for community imp
nts.**

(a) Special use permittees who occupy national forest lands for summer homes or other residential purposes or who are connected with timber sales, grazing permits, or water power developments and who have organized an association which has been recognized under the provisions of § 211. of this chapter, may be issued permits authorizing the construction and maintenance of improvements or facilities which contribute to their comfort and welfare. Such permits shall be issued by the regional forester.

(b) Special use permits for the use of improvements and facilities constructed by the Government and subsequently transferred to the ownership of a group of residents may be issued to associations of permittees on the condition that they be operated and maintained by the association.

All occupancy or use of National Forest land by improvements constructed by associations of permittees will be authorized by special use permit issued under this regulation.

Only annual permits will be issued.

Because the permits are in connection with an authorized utilization of National Forest resources, they will be issued free under 36 CFR 251.2.

Permit conditions will correspond with requirements for the kind of use permitted (FSM 2780).

The Forest Service may not require permittees to pay for benefits that accrue from the association's permitted improvements, services, or facilities whether they are members of an association or not. Therefore, association dues may not be included in permits. An obligation between a recipient of benefits and the association is a matter of liability between the association and the permittee. The Forest Service is not a party to such agreements and cannot be involved in the collection of moneys due the association.

2718.1 - Association's Constitution and Bylaws.

Permittees associations incorporated under State laws will use articles of incorporation as specified under the specific State laws. An appropriate constitution and bylaws have been prepared for use by associations of permittees which such associations are not incorporated under State laws and are shown in exhibit 1.

* Exhibit 1--Continued

Exhibit 1

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

CONSTITUTION AND BYLAWS
of the

.....

IMPROVEMENT ASSOCIATION

CONSTITUTION

Article I.

Section 1. The name of this Association shall be

.....

Improvement Association.

Article II.

Section 2. The purpose of this Association is to form an organization of lot holders and lessees from the Forest Service of cabin sites on the ..... special use tract on the .....National Forest, State of ..... The objects of this Association shall be to protect the property of its members; to better conditions on the tract by installing water and sewage systems, providing for the collection of garbage, establishing police protection, and preventing and fighting fires; to work in cooperation with the Forest Service in the enforcement of all regulations of the Department of Agriculture with regard to sanitation, fires, public health and recreation on the National Forests; and to do any and all things lawful, just, and necessary to further the interests of this Association as the need presents itself from time to time.

MICROFILMED

JUL 2 ? 1990

*Exhibit 1--Continued

Article III.

SECTION 1. One person from each lot on said tract on which a summer home or other structure is erected under permit from the Forest Service, may become a regular member of this Association by signing the constitution and bylaws and paying the initiation fee provided for in the bylaws.
SECTION 2. Associate members shall include all members of the families of regular members, but an associate member shall not be entitled to vote unless holding a proxy and representing a regular member.

Article IV.

SECTION 1. The officers of the Association shall consist of a president, vice-president, and secretary-treasurer, and executive committee elected from the membership, and they shall hold office for one year or until their successors are elected.

Article V.

SECTION 1. The executive committee shall be composed of the officers of the Association and _____ additional members elected annually by the Association.
SECTION 2. The president of the Association shall be chairman of the executive committee.
SECTION 3. The president and any _____ members of the executive committee shall constitute a quorum to do business.

Article VI.

SECTION 1. The general management and business of the Association shall be carried on by the executive committee.

Article VII.

SECTION 1. Any regular member who transfers or relinquishes his permit for a lot on the _____ _____ special-use tract shall cease to be a member of this Association.

MICROFILMED

JUL 27 1990

* Exhibit 1--Continued

SECTION 3. Except as otherwise provided in the constitution and bylaws, any business of the Association may be transacted at any meeting at which a quorum is present.

Article II.

SECTION 1. The officers of the Association and the executive committee shall be elected by ballot and installed at the annual meeting of the Association or at a special meeting and shall hold office until the next annual meeting after their election or thereafter until their successors have been duly elected and installed. Use the appropriate sentence--(Vacancies shall be filled by election. / The president shall appoint replacements to fill vacancies on the executive committee or the Secretary-Treasurer position.)

SECTION 2. The duties of the officers of this Association shall be those that are usually incident to such offices and as defined in the bylaws or as this Association may direct.

Article III.

SECTION 1. It shall be the duty of the president to preside at all meetings, to supervise the work of the Association, and direct the work of its officers. He shall approve and countersign all checks for the expenditure of money for the Association and shall perform all the duties that devolve upon such office.

SECTION 2. Meetings of the executive committee shall be called by the secretary-treasurer upon request from the president or from a majority of the executive committee or from the supervisor of the _____ National Forest.

Article IV.

SECTION 1. The vice-president shall perform all duties of the president in the absence of the president or in the event of his inability to act.

Article V.

SECTION 1. It shall be the duty of the secretary-treasurer to conduct the correspondence of the Association; to keep all records and accounts; report to the membership of the Association all assessments ordered by the Association or the executive committee, showing each member's portion; to collect from the members of

MICROFILMED JUL 2 7 1972

* Exhibit 1--Continued

Article VIII.

SECTION 1. The order of business of any meeting of the Association shall be as follows:

1. Call to order
2. Rollcall and ascertainment of standing of members.
3. Ascertainment of a quorum.
4. Reading of minutes of last meeting.
5. Unfinished business.
6. Consideration of reports by secretary-treasurer and auditing committee.
7. Reading of communications.
8. Report of executive committee.
9. Report of special committees.
10. Report of standing committees.
11. Regular business including offering and discussion of resolutions.
12. Election of officers by ballot.
13. Installation of new officers.
14. Admission of new members.
15. Appointment of committees.
16. Adjournment.

Article IX.

The funds of the Association shall be deposited in _____ _____. Other property or valuable documents shall be held in the custody of _____

UNCLASSIFIED
JUL 27 1990

RECEIVED
JUL 15 1986
Department of Water Resources
Western Regional Office

Logan 1986

Dear Jan Shirts

The forest service rangers + the hydrologist were in here to yesterday they checked water ditches in here, ours included. They came to our house this morning + said they had talked with Hillihans + that they that an association should be formed. The hydrologist also said that Hillihans could put any size pipe they want in the ditch unless it interferes with our water.

The ranger said an open letter would be sent to everyone in here. when it comes we will send you a copy.

The hydrologist did say that when Hillihans disconnected the pipe from the tank installed in '79 that it was legally abandoned + they had to start over. He said they made a mistake there. They talked a lot + we listened. we aren't happy with a lot they told us + don't know how a lot of it affects us don't think it sounds good.

The hydrologist did tell us that the ditch is carrying all the water it can stand right now + that no way could it irrigate the 35+ acres she claims the water for.

They all said there is plenty of water in Logan er

MICROFILMED
JUL 21 1986

Copies in 77-4007, 77-2073 (JS)

Name dates as proposed use 77-7233 (McRAE)

& we agree with that but our ditch off Logan cr. is what concerns us.

We plan to be in the Boise area August 1st & will contact you while we're out.

Sincerely

Hilda & Walter Hanson

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JUL 27 1990

Lois Chapman

HANSEN'S

Idaho State Fire School

Edwards to Lukehart
June 23, 1964, Recorded
April 24, 1966 Book 38 - Pg. 436

Lukehart to Lucky Brands
Nov. 28-1967 Recorded
Dec. 1 - 1967

Lucky Brands to Cathy G.
March 26-1974 - #1661

(QUITCLAIM DEED OF PROPERTY
IN QUESTION)
RECORDED IN VALLEY CO.
COURTHOUSE.

JUL 27 1990

CONVERSATION MEMORANDUM

DATE 2/7/86

FILE (2) 77-4007
77-1233
77-2073

NAME OF PARTY Hilda & Walter Hanson

EMPLOYEE Jan Shute

RE:

Spoke with Mr. & Mrs. Hanson concerning their problem on Logan Claim & protest on App. for permit no. 77-1233. They submitted the attached information concerning the sale of property claimed under Claim No. 77-4007 by Kathy Gillidan. It shows her acquiring the property in 1974 from her father's estate and that her father acquired the land in 1967 rather than 1965 as indicated on the above claim. Mr. & Mrs. Hanson's rights are covered under Sec. # 77-2073

RECEIVED
JUL - 1 1986

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

Mr. Jim Weaver
Attorney at Law
1519 N. 23rd St.
Boise, ID 83702

re: Application for Permit No. 77-7233, Robin S. McRae

Dear Mr. Weaver:

At the hearing on March 13, 1986, regarding the above-referenced protested water right application, you represented Bruce Minter and Mr. and Mrs. R.H. Robinson. As you recall, at the close of the hearing, the Hearing Officer, Bob Fleenor, requested that you submit to this office a statement withdrawing the protests of your clients, since you indicated that based on the information provided at the conference your clients had no objection to the application.

The purpose of this letter is to request that you provide to this office either the withdrawal, or information as to why the withdrawal will not be forthcoming.

Thank you for your assistance in this matter.

Sincerely,

David R. Tuthill Jr.

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

jw

MICROFILMED
JUL 27 1990

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

March 27, 1986

Robin S. McRae
1333 Hervey St.
Boise, ID 83705

Re: Application for Permit No. 77-7233

Dear Mr. McRae:

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

The application is still protested by other protestants.

Sincerely,

David R. Tuthill

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

DRT:jp

Enclosure
P.S. Receipt Enclosed

MICROFILMED
JUL 27 1990

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

March 27, 1986

John Skinner
Acting Forest Supervisor
U. S. Dept. of Agriculture
Payette National Forest
P. O. Box 1026
McCall, ID 83638

Re: Application for Permit No. 77-7233 in the Name of Robin S. McRae

Dear Mr. Skinner:

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.

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

DRT:jp

MICROFILMED
JUL 6 / 1986

RECEIVED
MAR 21 1986
Department of Water Resources
Western Regional Office

Mar. 18, '86

Dear Jan Shute

I just talked with Beverly + she told me that the way it was understood was that if there were no more diversions from Logan cr. that we would not object to Sandy McRae + Cathy's claims on our ditch, this is not the way Mr. Nelson told us + we do strongly object to their claims. I'm going to phone Mr. Nelson this morning + find out what his opinion is. I talked with him after the hearing + as I understood what he said it wasn't to withdraw our objection. I'm sorry we weren't up there but he didn't think it would be necessary. We wish someone from the water resources would go to Big cr. this spring + see what the problem is before making a decision.

I wrote in our letter of protest that the ditch is too small + fragile to hold water to supply our needs + to supply any one else who wants it.

The McRae land has never been irrigated. Jim Ivers owned it before selling to McRae + he didn't irrigate it + I'm sure that Raylene Edwards didn't irrigate it either. There would be no reason to as it's just forest ground. There is a ditch from Government cr. that runs thru the north part

MICROFILMED
JUL 27 1999

part of the land in question but, apparently, Cathy doesn't want Sandy McRae to use water from it to irrigate his land. There are many people who can tell you that there has never been any irrigation on the McRae property.

We thank you for helping us with the water records + we still hope for a peaceful settlement but with both Robin (Sandy) McRae + Cathy Gillihan claiming water from the Logan cr. ditch it seems unpredictable.

Later

I just talked with Mr. Nelson + he is writing a letter to the water resources board. Glen Harper who ran the Big cr. lodge for years, phoned him to tell him what he knows about the water + ditches for water at Big cr.

We plan to be in Boise about the first of May unless circumstances seem to warrant an earlier date.

Sincerely

Walter + Hilda Hanson

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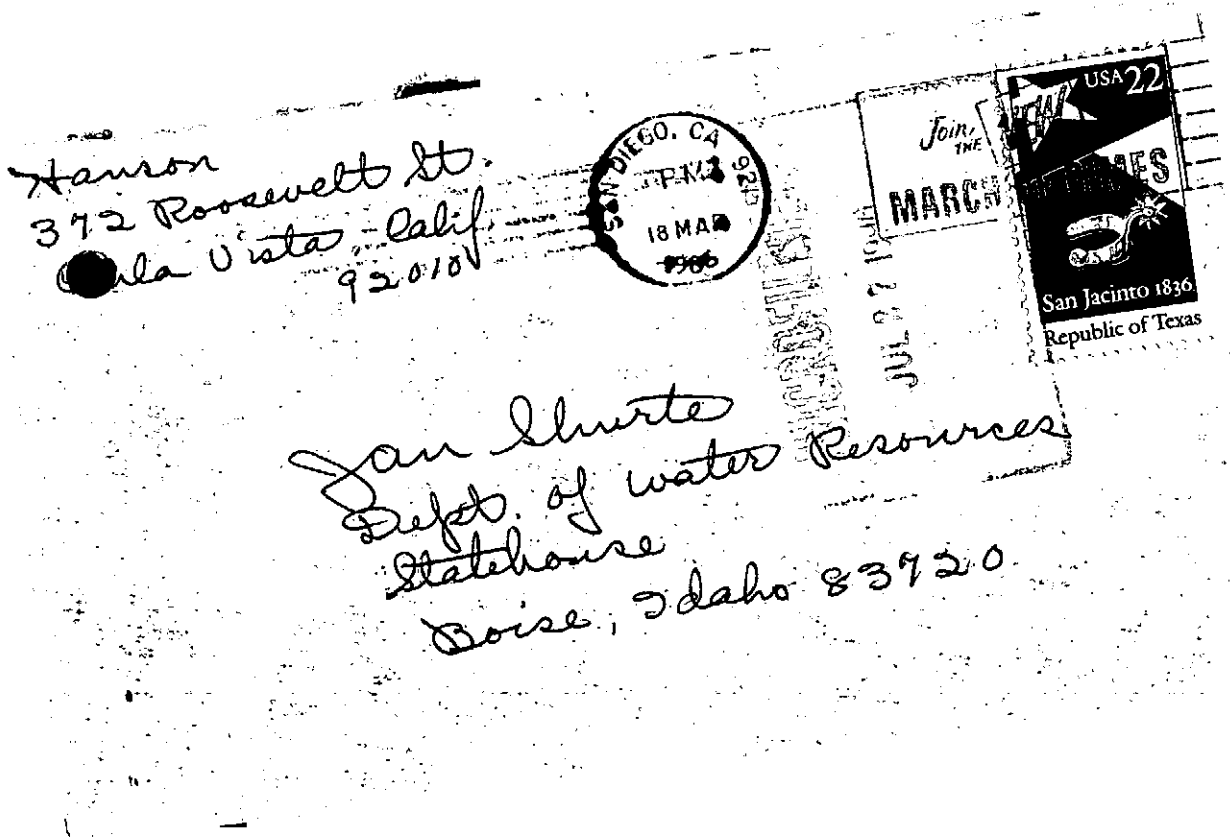
JUL 27 1990


Hanson
372 Roosevelt St.
Chula Vista, Calif
92010
SAN DIEGO, CA
18 MAR
1986
Join the
MARCH
USA 22
San Jacinto 1836
Republic of Texas
Jan Shute
Dept. of Water Resources
Statehouse
Boise, Idaho 83720

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that Application No. 77-7233 in the name of Robin S. McRae was filed on 7/30/85 for the diversion of .12 cfs from Government Creek and Logan Creek with a point of diversion within the NWNW Sec 35 and NWSW Sec 34 T 21N R 9E to be used for Irrigation purposes from 4/1 to 11/1 within portions of the SENW Sec 35 T 21N R 9E for 6 acres.

The Applicant now proposes to amend the application by changing the place of use to the SENW and NESW Sec 35 T 21N R 9E for 6 acres.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID 83720 on or before April 14, 1986

A. Kenneth Dunn, Director

Published in The Star News
3/26 and 4/3/86

MICROFILMED
JUL 2 ? 1990

Water Right Hearing/Conference
Water Right App No. 77-7233
Hearing Officer – Bob Fleenor
Notes by: D. Tuthill
10th Floor Conf Room 450 W. State 1:30 PM Thurs Mar 13, 1986

Applicant: Robin McRae Rep. By Richard Anderson

Protestants	Represented By
Mr & Mrs R H Robinson	Jim Weaver
U.S. forest Service	Randall Zuniga
~~A.J. Bonna~~	~~A.J. B~~
Mr. & Mrs. Hanson	Wilbur Nelson
Bruce Minter	Jim Weaver

Applicant (by Anderson) No new project. This app merely affirms the water rights that currently exist on the property.
Ditches were constructed by Napier Edwards
No new use is contemplated

(Robinsons & Minter)
Jim Weaver – App does not affect them – will withdraw the protest agreed to provide the withdrawal to the dept
USFS – Special use permit is re
Wilbur Nelson – will recommend to clients that a conditional withdrawal be filed

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JUL 27 1990

Per Hearing Officer:
Permit would be conditioned that ~~no more~~ this rt does not describe an increase in diversion, in addition to the existing licensed water rights nos. 77-2073 and ~~77-77-2141~~. 77-2043.

Post-Hearing Dept info gathering: Original rts may be forfeited.

MICROFILMED
JUL 27 1990

Re: No. 77-7233 - Robin S. McRae

Place: Tenth Floor Small Conference Room, State Towers Bldg.

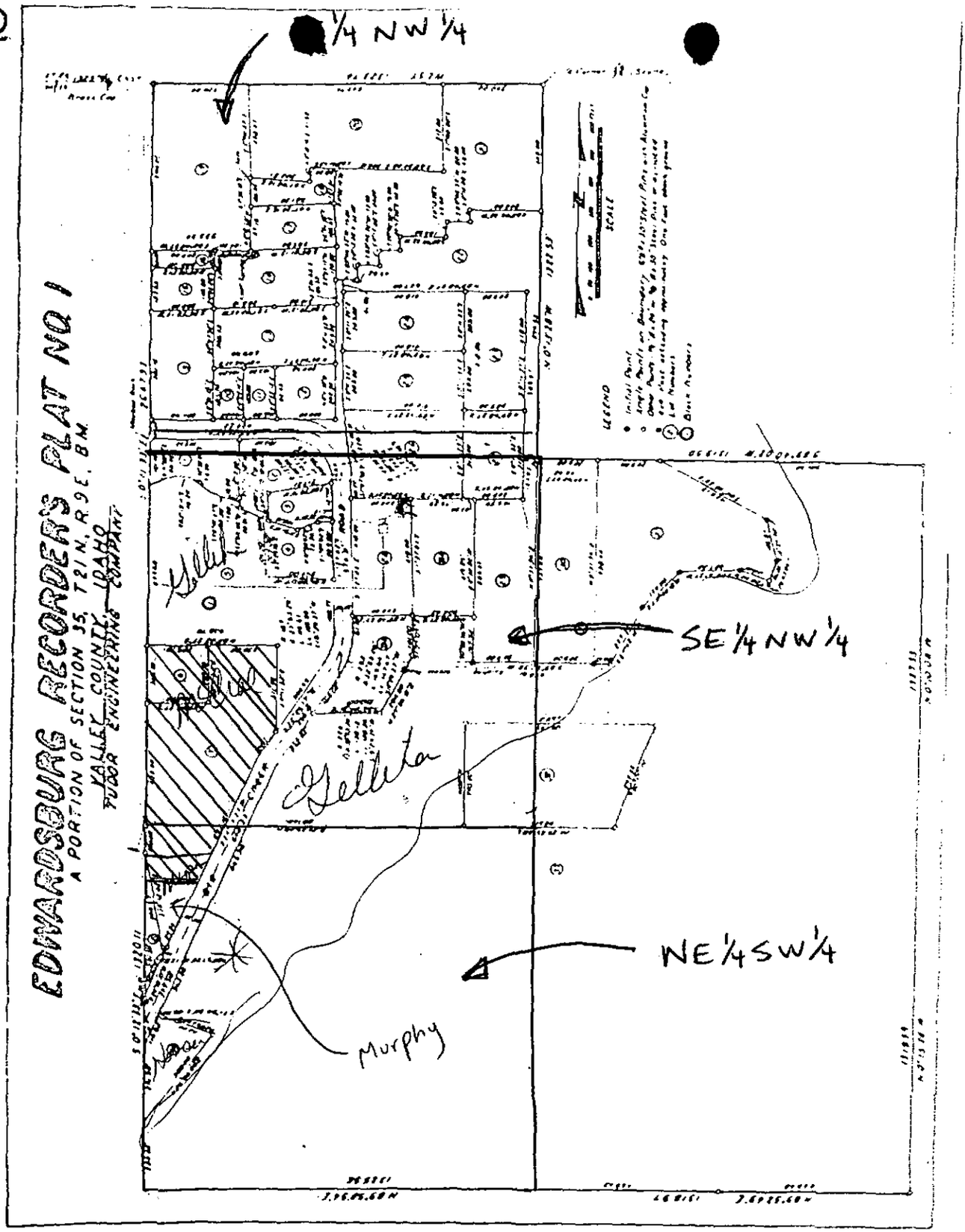
Date: Thursday - March 13, 1986 - 1:30 p.m.

Hearing conducted by: Bob Fleenor & Dave Tothill

ROSTER OF ATTENDANCE

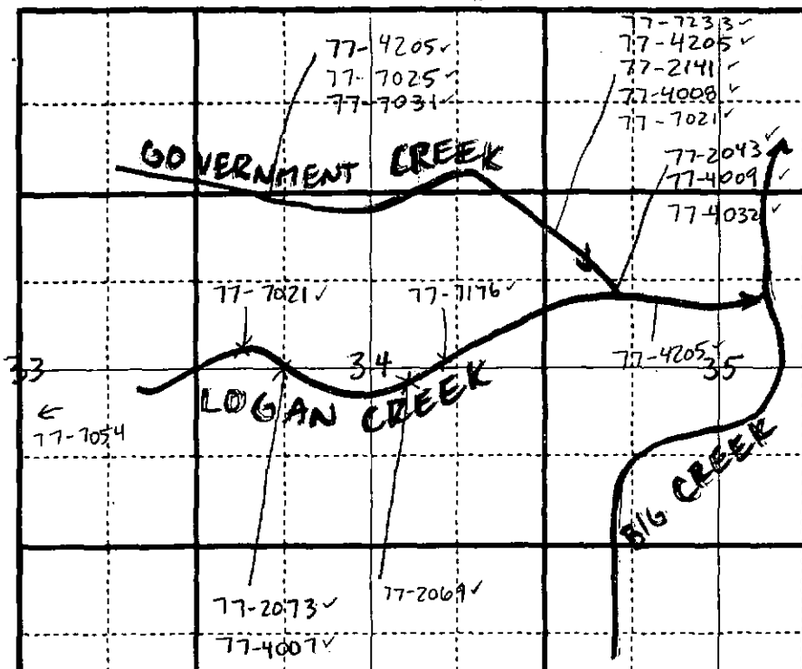
Name	Address	Representing
Randall Zuniga	P.O. Box 1026 M'CALL ID	US FOREST SERVICE
Glen Lodge	Box 1026 McCall	Krassel RD, USFS
A. J Bohmer	P.O. Box 1397 Boise ID 83701	Gilliam and Lucky Boomb Inc.
Howard F. Manly	P.O. Box 967 Boise 83701	Big Creek Development Co.
William R. Nelson	P.O. Box 4067 Boise 83711	Walter & Hilda Hanson
Roxy Minter	P.O Box 1443 - McCall 83638	
Bruce Minter	PO Box 1443 McCall 83638	
JIM GEAVERY	159 N. 23 BOISE, IDAHO	BRUCE & ROXY MINTER
Robin S. McRae	1333 Harvey St	Boise - Idaho
Bernard Anderson	PO Box 1655 Boise ID	Robin S. McRae

MICROFILMED
JUL 27 1990



MICROFILMED
JUL 27 1990

NAME OF APPLICANT..... Notes by RT 3/12/86 Form No. 0



Water Rights

77-2043
-2073
-2069
-2141
-4007
-4008
-4009
-4010
-4205
-4033
-4032
-7021
-7025
-7233
-7031
-7176

MICROFILMED
JUL 22 1990

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

P 397 135 150

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Kenneth D Weegens U.S.F.S.	
Street and No. P.O. Box 1026	
P.O., State and ZIP Code Mecca ID 83638	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$
Postmark or Date	

PS Form 3800, Feb. 1982

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL POSTAGE CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side f the article leaving the receipt attached and present the article at a post office service window or and it to your rural carrier. (no extra charge)

. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the ddress side of the article, date, detach and obtain the receipt, and mail the article.

If you want a return receipt, write the certified-mail number and your name and address on a eturn receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends ~~if space permits. Otherwise, affix to back of article. Endorse front of article~~ **RETURN RECEIPT IEQUESTED** adjacent to the number

. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, ndorse RESTRICTED DELIVERY on the front of the article

.. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If eturn receipt is requested, check the applicable blocks in Item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

P 397 135 151

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to mrs. R.H. Robinson	
Street and No. R.F.D. Box 294	
P.O., State and ZIP Code Crescent City CA 95531	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$
Postmark or Date	

PS Form 3800, Feb. 1982

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

P 397 135 152

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to William T. Wilson	
Street and No. 2312 N. Cole Rd.	
P.O., State and ZIP Code Boise ID 83711-4067	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$
Postmark or Date	

PS Form 3800, Feb. 1982

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (See front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (No extra charge)

2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

P 397 135 148

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Robert S. McRae	
Street and No. 1333 Highway 5N	
P.O., State and ZIP Code Boise ID 83705	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$
Postmark or Date	

PS Form 3800, Feb. 1982

GIVEN POSTAGE STAMPS TO AFFIX TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL, REGISTERED OR INSURED FEES AND SELECTED OPTIONAL SERVICES. (see front)

If you want this receipt postmarked, stick the gummed stub on the left portion of the address s de
of the article leaving the receipt attached and present the article at a post office service window or
hand it to your rural carrier. (no extra charge)

If you do not want this receipt postmarked, stick the gummed stub on the left portion of the
address side of the article, date, detach and retain the receipt, and mail the article.

If you want a return receipt, write the certified mail number and your name and address on a
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if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT
REQUESTED** adjacent to the number.

If you want delivery restricted to the addressee, or to an authorized agent of the addressee,
endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If
return receipt is requested, check the applicable blocks in Item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

P 397 135 149

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to Mr & Mrs W.C. Hansen	
Street and No. 2810 E. Franklin Rd	
P.O., State and ZIP Code Meridian ID 83642	
Postage	$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$
Postmark or Date	

PS Form 3800, Feb. 1982

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).

If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.

If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☑ Show to whom and date delivered ..... ¢
   - ☐ Show to whom, date, and address of delivery.. ¢
2. ☐ RESTRICTED DELIVERY ¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $

3. **ARTICLE ADDRESSED TO:**
Kenneth D Wiegand
Forest Supv.
U.S.F.S. P.O. Box 10126
McCall ID 83638

4. **TYPE OF SERVICE:**
   - ☐ REGISTERED ☐ INSURED
   - ☑ CERTIFIED ☐ COD
   - ☐ EXPRESS MAIL

ARTICLE NUMBER
P 397 135 150

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5. **DATE OF DELIVERY**

POSTMARK
BOISE ID 83638 FEB 25 1991

6. **ADDRESSEE'S ADDRESS** *(Only if requested)*

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

E221-11

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S.MAIL

JUL 27 1990

MICROFILMED

RECEIVED
FEB 26 1936
Department of Water Resources
Western Regional Office

RETURN TO

(Name of Sender)
Idaho Department of Water Resources
Western Region
Statehouse (Street or P.O. Box)
Boise, Idaho 83720
(City, State, and ZIP Code)

[redacted]

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☑ Show to whom and date delivered ..... ¢
   - ☐ Show to whom, date, and address of delivery.. ¢
2. ☐ RESTRICTED DELIVERY ¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $

3. ARTICLE ADDRESSED TO:
mr & mrs W S Hannan
2810 E. Franklin Rd
Meridian ID 83642

4. TYPE OF SERVICE:
   - ☐ REGISTERED ☐ INSURED
   - ☑ CERTIFIED ☐ COD
   - ☐ EXPRESS MAIL

ARTICLE NUMBER
P 341 135 049

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

X W. S. Hannan

5. DATE OF DELIVERY
FEB 25 1986

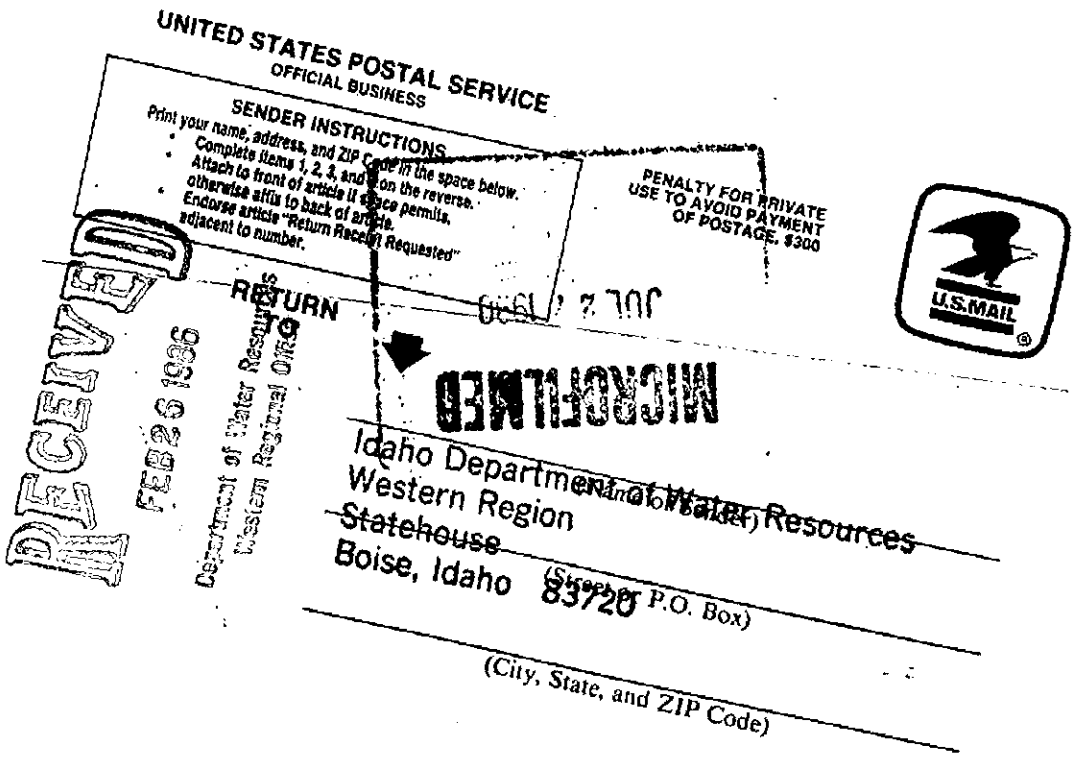
POSTMARK

6. ADDRESSEE'S ADDRESS *(Only if requested)*

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

EE2LL-LL


UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS
SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
Complete items 1, 2, 3, and 4 on the reverse.
Attach to front of article if space permits, otherwise affix to back of article.
Endorse article "Return Receipt Requested" adjacent to number.
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
U.S.MAIL
RETURN TO
MICROFILMED
Idaho Department of Water Resources
Western Region
Statehouse
Boise, Idaho 83720
(Street or P.O. Box)
(City, State, and ZIP Code)
RECEIVED
FEB 26 1996
Department of Water Resources
Western Regional Office

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☑ Show to whom and date delivered ..... ¢
   - ☐ Show to whom, date, and address of delivery.. ¢
2. ☐ RESTRICTED DELIVERY ¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $

3. **ARTICLE ADDRESSED TO:**
Mrs R.H. Robinson
RT 2 Box 294
Crescent City CA 95531

4. **TYPE OF SERVICE:**
   - ☐ REGISTERED ☐ INSURED
   - ☑ CERTIFIED ☐ COD
   - ☐ EXPRESS MAIL

ARTICLE NUMBER P 397 135 151

(Always obtain signature of addressee or agent)

I have received the article described above.

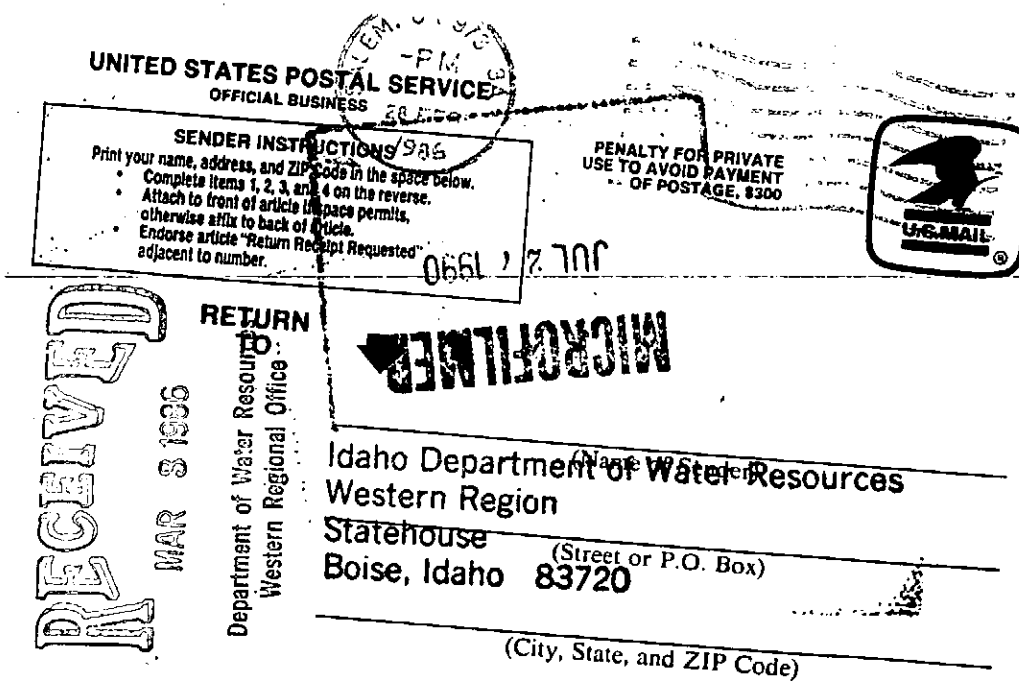
SIGNATURE ☐ Addressee ☐ Authorized agent

5. **DATE OF DELIVERY** **POSTMARK** 20 1986

6. **ADDRESSEE'S ADDRESS** *(Only if requested)*

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**


UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS
SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
• Complete items 1, 2, 3, and 4 on the reverse.
• Attach to front of article if space permits, otherwise affix to back of article.
• Endorse article "Return Receipt Requested" adjacent to number.
PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
U.S.MAIL
JUL 2 1990
RETURN TO:
Department of Water Resources
Western Regional Office
MAR 8 1993
RECEIVED
MICROFILMED
Idaho Department of Water Resources
Western Region
Statehouse
Boise, Idaho 83720
(Name of Addressee)
(Street or P.O. Box)
(City, State, and ZIP Code)

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☑ Show to whom and date delivered ..... ¢
   - ☐ Show to whom, date, and address of delivery .. ¢
2. ☐ RESTRICTED DELIVERY ¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $

3. **ARTICLE ADDRESSED TO:**
Robin S. MaRae
1333 Hervey St.
Boise ID 83705

4. **TYPE OF SERVICE:**
   - ☐ REGISTERED ☐ INSURED
   - ☑ CERTIFIED ☐ COD
   - ☐ EXPRESS MAIL

ARTICLE NUMBER
P 397 135 148

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☑ Authorized agent

Melissa Stearns

5. **DATE OF DELIVERY** FEB 28 1986

POSTMARK
USPS BOISE ID WHITNEY FEB 28 86 A.M.

6. **ADDRESSEE'S ADDRESS** *(Only if requested)*
JUL 27 1990

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

E27L-LL

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S.MAIL

JUL 2 1990

RETURN TO

Department of Water Resources
Western Regional Office

MICROFILMED

Idaho Department of Water Resources
Western Region
Statehouse
Boise, Idaho 83720

(Street and P.O. Box)

(City, State, and ZIP Code)

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☑ Show to whom and date delivered ..... ¢
   - ☐ Show to whom, date, and address of delivery.. ¢
2. ☐ RESTRICTED DELIVERY ¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $

3. **ARTICLE ADDRESSED TO:**
   Wilbur T. Nabrons
   2312 N. Cole Rd
   Boise ID 83711-4067

4. **TYPE OF SERVICE:**
   - ☑ REGISTERED ☐ INSURED
   - ☑ CERTIFIED ☐ COD
   - ☐ EXPRESS MAIL

ARTICLE NUMBER P397 135 152

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Donna Nelson

5. **DATE OF DELIVERY** JUL 23 1990 **POSTMARK**

6. **ADDRESSEE'S ADDRESS** *(Only if requested)*

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S.MAIL

SENDER INSTRUCTIONS

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- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

JUL 17 1990

RETURN TO

MICROFILMED

(Name of Sender)

Idaho Department of Water Resources
Western Region
Statehouse (Street or P.O. Box)
Boise, Idaho 83720

(City, State, and ZIP Code)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF AMENDED APPLICATION)
FOR PERMIT NO. 77-7233 IN THE NAME OF)
ROBIN S. MC RAE)

NOTICE OF HEARING
AND/OR CONFERENCE

On July 30, 1985, Robin S. McRae filed with the Department of Water Resources (Department) Application for Permit No. 77-7233 to appropriate the public waters of the State of Idaho. On August 26, 1985, the Department received protests against approval of the application from Mrs. R. H. Robinson and from Mr. Kenneth D. Weyers, Forest Supervisor, United States Department of Agriculture, Forest Service.

On December 16, 1985, Robin S. McRae amended the original application by filing with the Department the above captioned amended application to appropriate the public waters of the State of Idaho. On January 2, 1986, the Department received a protest against approval of the said amended application from Mr. & Mrs. W. G. Hanson. In addition, the protests on the original application for permit filed by Mr. Kenneth D. Weyers, Forest Supervisor, United States Department of Agriculture, Forest Service, and by Mrs. R. H. Robinson are still valid with respect to the amended application for permit.

An additional protest against approval of the amended application for permit was submitted by Bruce E. Minter on behalf of himself and R. H. Robinson. This protest was originally believed to be filed on January 28, 1986, one day after the protest period ended on January 27, 1986. However,

MICROFILMED
JUL 2 1 1990

Bruce E. Minter provided evidence that the certified envelope containing the protest was received and signed by the Statehouse postal system on January 27, 1986, so the protest is considered to be valid, and both Bruce E. Minter and R. H. Robinson are considered to be protestants against approval of the application for permit.

The Department has set the matter of protest for hearing for Thursday, March 13, 1986, at 1:30 p.m., in the 10th Floor Small Conference Room, State Towers Building, 450 W. State St., Boise, Idaho, 83720. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

Dated this 21 day of February , 1986.

by Lee Sisco for
DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

MICROFILMED
JUL 2 1 1990

CONFERENCE AND HEARING INFORMATION IN THE
MATTER OF APPROVAL OF AN AMENDED APPLICATION FOR PERMIT

In accordance with Idaho Code, Section 42-203, the following issues are involved in the consideration of the amended application and protest(s):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose 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 conflict with the local public interest?

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties may be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 42-1701A.

The parties by written stipulation may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the Director's review of a party's evidence and arguments. However, such a waiver will shorten the decision-making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to Rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the district court.

Under the provisions of the Idaho Code, Sections 42-1701A and 67-5215, any court review of the Department's decision on appeal shall be confined to the record created before the Department.

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all costs incurred by reason of such non-appearance may be assessed against such non-appearing parties.

RECEIVED
JUL 2 1990

United States Department of Agriculture
Forest Service
Payette National Forest
Krassel Ranger District
P.O. Box 1026
McCall, ID 83638

Reply To: 2720

Date: February 14, 1986

RECEIVED
FEB 18 1986
Department of Water Resources

Idaho Dept. of Water Resources
450 W. State St.
Boise, ID 83702

RE: Bruce Minter: Application for permit to appropriate the public waters of the State of Idaho

Dear Gentlemen:

Upon receipt of a copy of the amended application, correcting items 11a and 11c, the Forest Service will withdraw the protest to this application.

A letter formally withdrawing the Forest Service protest will be issued subsequent to receiving the required evidence (application copy) that action to correct identified deficiences has been satisfactorily pursued.

Sincerely,

Earl Kimball

EARL C. KIMBALL
District Ranger

cc:
Bruce Minter

RECEIVED
FEB 18 1986
Department of Water Resources
Western Regional Office

MICROFILMED
JUL 27 1990

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

BOISE, ID 27 JAN 1986

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S.MAIL

RETURN TO

B.E. Mueller
(Name of Sender)

P.O. Box 1443
(Street or P.O. Box)

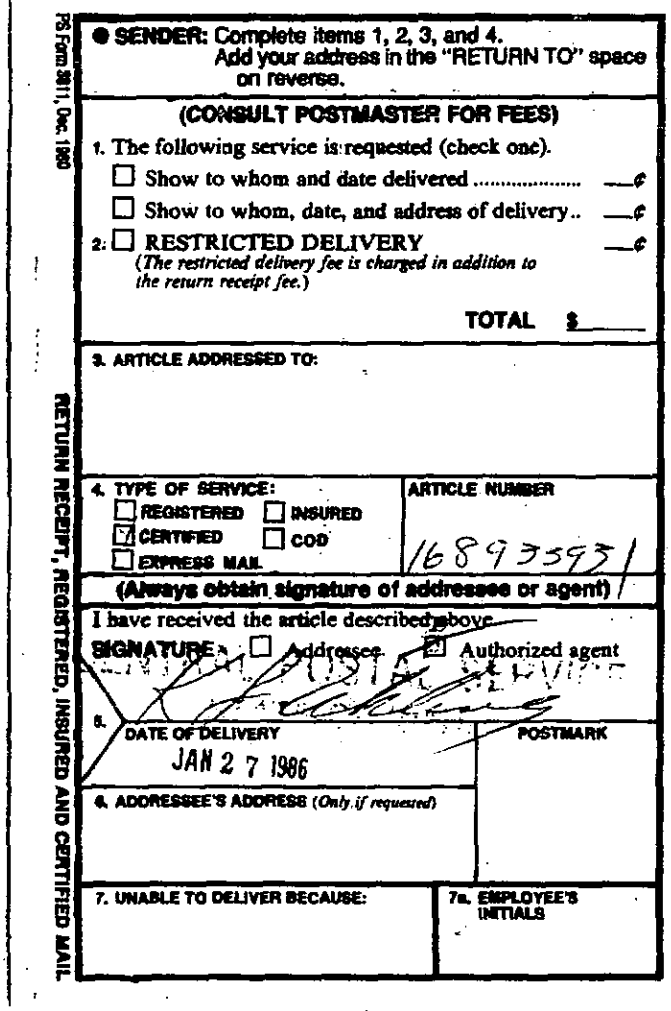
Idaho Falls, Id 83403
(City, State, and ZIP Code)

MICROFILMED
JUL 27 1990

from
Bruce Mueller
con. / D. Tuthill
per
on 2-6-86

RECEIVED
FEB 7 1986

Department of Water Resources
Western Regional Office



PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
   - ☐ Show to whom and date delivered ..... ¢
   - ☐ Show to whom, date, and address of delivery.. ¢
2. ☐ **RESTRICTED DELIVERY** ¢
   (The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL $

3. **ARTICLE ADDRESSED TO:**

4. **TYPE OF SERVICE:**
   ☐ REGISTERED ☐ INSURED
   ☑ CERTIFIED ☐ COD
   ☐ EXPRESS MAIL

ARTICLE NUMBER 168933951

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☑ Authorized agent

5. **DATE OF DELIVERY** JAN 27 1986

POSTMARK

6. **ADDRESSEE'S ADDRESS** *(Only if requested)*

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

RECEIVED
FEB 2 1986
Department of Water Resources
Western Regional Office

MICROFILMED
JUL 27 1990

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

February 4, 1986

Bruce E. Minter
P. O. Box 1443
McCall, ID 83638

Re: Protest to Approval of Amended Application for Permit No. 77-7233 in the Name of Robin S. McRae

Dear Mr. Minter:

On January 28, 1986 this office received your letter dated January 22, 1986, in which you registered a protest to the Application for Permit identified above on behalf of R. H. Robinson and yourself.

Please be advised that the initial protest period in this matter formally ended on January 27, 1986. Because your protest was received after this date we are legally prevented from considering your protest to be valid as submitted.

As stated in my letter to Mrs. R. H. Robinson dated January 6, 1986, her protest is still valid in this matter. In order to add R. H. Robinson and yourself to the list of protestants you have the opportunity to intervene. The method of intervention is described in Rule No. 6 of the Rules and Regulations of Practice and Procedure of this Department, a copy of which is enclosed for your convenience.

Please advise if you have questions about this matter.

Sincerely,

David R. Tuthill Jr.

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

MICROFILMED
JUL 2 1990

DRT:jp

Enclosure

INTER-DEPARTMENT MEMO — 1

FROM Lee

DATE 1/14/86

TO File 77-7233

SUBJECT Protest

Mr McRae called and said that he could not resolve the Hanson or Forest Service Protests, so go ahead with hearing.

MICROFILMED
JUL 27 1990

Lee

SIGNATURE

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

January 6, 1986

Robin S. McRae
1333 Hervey St.
Boise, ID 83705

Dear Mr. McRae:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Amended Application for Permit No. 77-7233. The Department suggests you contact the protestant(s) directly in an effort to resolve the protest(s) and to attempt 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.

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

DRT:jp

Enclosure

MICROFILMED
JUL 27 1990

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

January 6, 1986

U.S. Forest Service
Attn: Kenneth D. Weyers, Forest Supervisor
P. O. Box 1026
McCall, ID 83638

Mrs. R. H. Robinson
Rt. 2 Box 294
Cresent City, CA 95531

Re: Protested Application for Permit No. 77-7233 in the Name of Robin S. McRae

Deat Protestant:

As you recall, in August, 1985, you mailed to this Department a Protest against the approval of the above-referenced Application for Permit.

The purpose of this letter is to advise you that the Application was Amended by Mr. McRae on December 16, 1985. Enclosed please find a copy of the Amended Application. Your existing protest is considered to pertain to the Amended Application; however, if the Amended Application represents a project to which you have no objection, you may withdraw the protest.

Sincerely,

David R. Tuthill Jr.

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

DRT:jp

Enclosure

MICROFILMED
JUL 27 1990

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

January 6, 1986

Mr. & Mrs. W. G. Hanson
2810 E. Franklin Rd.
Meridian, ID 83642

Re: Amended Application for Permit No. 77-7233 in the name of Robin S. McRae

Dear Mr. & Mrs. Hanson:

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

Yours truly,

MICROFILMED
SEP 27 1990

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

DRT:jp

cc: Wilbur T. Nelson, Attoreny
2312 N. Cole Road
Boise, ID 83711-4067

NOTICE OF AMENDED APPLICATION FOR PERMIT

NOTICE IS HEREBY GIVEN that Application No. 77-7233 in the name of ROBIN S. McRAE was filed on 7/30/85 for the diversion of 0.12 cfs from Government Creek and Logan Creek with a point of diversion within the NW¼ NW¼, SE¼ NW¼, Sec. 35, Twp. 21N., Rge. 9E., to be used for irrigation purposes from April 1 to November 1 within portions of the SE¼ NW¼, Sec. 35, Twp. 21N., Rge. 9E., B.M.

The Applicant now proposes to amend the Application by changing the point of diversion to the NW¼ NW¼, Sec. 35 and the NW¼ SW¼, Sec. 34, Twp. 21N., Rge. 9E.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID 83720 on or before January 27, 1986.

A. KENNETH DUNN

Director

PUBLISHED The Star News 1/8 and 1/15/86.

MICROFILMED

JUL 27 1990

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

December 12, 1985

Robin S. McRae
1307 W. Jefferson
Boise ID 83702

Dear Mr. McRae:

Enclosed is the Amended Application for Permit No. 77-7233. Please note the change in point of diversion on Item No. 3 and corresponding map.

All that is necessary is for you to sign on Page 3 and return the Amended Application to our office, together with the $20.00 re-advertising fee. The Amended Application will then be re-advertised in the Valley County paper.

If you have any further questions concerning the Amended Application, please do not hesitate to contact me.

Sincerely,

Jan Shurte

JAN SHURTE
SENIOR WATER RESOURCE AGENT

jw
enc.

MICROFILMED
JUL 27 1990

Form No. 202a
3/79

State of Idaho

Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Graves APPLICATION NUMBER: 77-7233

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.	Copies sent by: _____	Date: _____
☐ Idaho Fish and Game Department.	_____	_____
☐ Idaho Department of Lands.	_____	_____
☐ U.S. Bureau of Land Management.	_____	_____
☑ U.S. Forest Service.	JP	8/1/85
☐ Other _____	_____	_____

PROCESSING:

- ☐ Yes ☑ No Platted by: _____ Map No. _____
- ☑ Yes ☐ No Other rights on same place of use. 77-2043 for 15 AC IN SENW AT 1" PER ACRE. 77-4007 for 11 AC IN SENW FOR OVER 1" PER AC & 77-4008 for 22 ACRES IN SENW for OVER 1" A
- ☑ Yes ☐ No* In form for advertising. APPLICANT SAYS 77-2043 COVERS HIS GRAND BUT HAS NOT BEEN IRRIGATED FOR YEARS & YEARS.
  Final date for protests: September 26 - 1985
- ☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received. Date: 8/21/85
- ☑ Application published correctly. If not, record action taken: _____
- ☑ Fee amount, receipt date & number, recorded on application. 30136118 8/9 & 8/14/85
- ☑ Publication dates and paper, recorded on application. the Star News
- ☑ Protests, dates, withdrawal, etc., recorded on application.
- ☐ Recommendation & initial, recorded on application.
- ☐ Yes ☐ No Measuring device required.
- ☐ Yes ☐ No Access port required.
- ☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? _____
  _____ Date of priority recommended.

Special conditions of approval or cover letter. _____

By: _____ Date: _____

RECEIVED
SEP 22 1989
Department of Water Resources

STATE OFFICE REVIEW:

☐ See attached sheet for more information.

By: _____ Date: _____

RECEIVED
AUG 04 1987
Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

CONVERSATION MEMORANDUM

DATE Sept 20, 85

FILE 77-7233

NAME OF PARTY Bruce Minter

EMPLOYEE Dave Tuthill

RE: My letter dated Sept 16, 1966

Mr Minter indicated that the property on which he had built the cabin is owned by the Robinsons, not Robin McRae. Apparently my letter confused the issue somewhat on this account. Mr. Minter asked that we assist him with refiling for domestic water on the Robinson's cabin, as ~~his~~ their irrigation use is covered in an irrigation rt in the name of Edwards. We assisted him with preparation of a Claim.

Mr. Minter is interested in attending a protest hearing on the matter.

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JUL 27 1990

CONVERSATION MEMORANDUM

DATE 9/18/85

FILE 77-7233

NAME OF PARTY Robin McRae

EMPLOYEE Dave Tuthill

RE: My Letter Dated Sept 16

Mr. McRae called to say that the property that Bruce Minter referenced in his telecon (the subject of my 9/16 letter) is different from the property on the app.

He indicated that he is planning to work with the USFS to resolve their protest.

DMS

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JUL 27 1990

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 16, 1985

Robin S. McRae
1333 Hervey St.
Boise, ID 83705

Re: Application for Permit No. 77-7233

Dear Water Right Applicant:

The purpose of this letter is to document a telephone conversation between Bruce Minter and myself, dated September 6, 1985. Mr. Minter called to provide information for the record relative to a water system which he had personally installed.

Mr. Minter indicated that in the mid-1970's he installed a water system to convey domestic water from Government Creek to a home which he had constructed. He indicated that a water diversion system had originally been installed in the 1960's by a Mr. Harper, which conveyed water through plastic pipe on top of the ground from Government Creek to a cabin site. Mr. Minter indicated that it was his understanding that Mr. Harper had used the water for irrigation purposes.

Mr. Minter said that he had obtained a special use permit from the Forest Service, and installed a water pipe underground to convey water from Government Creek to the cabin site. He said that this was the cabin that was subsequently purchased by you.

Mr. Minter indicated he had in his possession a letter from this Department, dated December, 1983, which had been used to return a Claim to a Water Right that he had filed in June, 1983. Apparently the delay in returning the claim to Mr. Minter was caused by the large number of filings received by the Western Regional Office in June, 1983 as a result of the pending increase in the fee of filing claims under the Idaho Water Rights Claims Program. He indicated that the letter shows the claim was returned because of an illegible, and possibly late, date of priority.

At this point, it may be helpful to explain the difference between a Claim to a Water Right and an Application for Permit. A Claim to a Water Right is used to record a water right which has been developed

JUL 27 1990

as a beneficial use or "constitutional use" water right. A beneficial use water right is one for which the diversion and beneficial use began prior to a specific deadline. In the case of surface water such as Government Creek, the deadline was May 20, 1971. Thus, if water from Government Creek was diverted and beneficially used prior to that date, a Claim to a Water Right would be appropriate. On the other hand, if water from Government Creek was diverted and beneficially used after that date, then an Application for Permit is the proper way to record the water right. The Application for Permit is used to develop a new water right, and is the only way that a water right can be developed for use commencing after May 20, 1971. Thus, the letter returning the claim sent from the Department to Mr. Minter indicated that the date of priority was not totally legible, but that it appeared to be after 1971. A claim for surface water use with date of priority shown after 1971 is, by standards, returned to the claimant.

Mr. Minter said there was a possibility that Mr. Harper had filed on water rights for the system that he had developed. I indicated to Mr. Minter that I would check up on any filing in the name of Mr. Harper, and that I would send this letter to you with a carbon copy to Mr. Minter.

Please be advised that I have checked our file and can find no water right recording from Government Creek filed by Mr. Harper. Thus, I would conclude that the Application for Permit that you have filed for the irrigation of six acres does appear to be the correct type of filing for all irrigation in excess of what has been developed by Mr. Harper. If you feel that Mr. Harper may have developed a water right that has not been lost by lack of use for five consecutive years, you may wish to contact this Department about filing a claim. A Claim to a Water Right can be filed by a property owner in Idaho to record any valid water right established through beneficial use. Currently, the deadline for filing a Claim to a Water Right for irrigation purposes has been established by the state legislature as June 30, 1988.

This letter contains a significant amount of information regarding the Idaho water right system in a very abbreviated form. Please review the records that are available to you with respect to water use from Government Creek and/or Logan Creek and contact this office if you have questions. If we do not hear from you, we will assume that you feel no claim needs to be filed, and we will begin to make arrangements for holding a hearing to review the protest on this application.

Sincerely,

David R. Tuthill Jr.

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

ls

cc: Bruce Minter

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JUL 2 7 1990

of Edwardsburg, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, and Permit No. 16247 was issued authorizing the construction of works, with a carrying capacity of 3.0 second feet, and the proof of construction of works and application of water to beneficial use was submitted on the 9th day of October, 1931.

William A. Edwards

of Edwardsburg, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Government Creek, a tributary of Logan Creek, for the purpose of Irrigation & Domestic Use, under Use Permit No. 16247, of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 5682, on the 11th day of February, 1932;

The right hereby confirmed dates from October 5, 1925;

The Point of Diversion is located in the NW ¼ NW ¼, Sec. 36, Tp. 21 N., R. 9 E., B. M., Valley County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
21 N.	9 E.	35	SW NW	40	0
"	"	36	SW NW	40	8
"	"	36	NW SW	40	15
				Total	

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JUL 2 1990

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 11th day of February, 1932.

D. O. Park
Commissioner of Reclamation

CONVERSATION MEMORANDUM

DATE Sept 6, 85

FILE McRae App, Govt Creek
77-7233

NAME OF PARTY Bruce Minter

EMPLOYEE Dave Tuthill

RE: Robinson Water System

Mr. Minter called in behalf of the Robinsons to say that in the Mid-1970's he installed a water system to convey Govt Cr domestic water to a home he constructed, which was later purchased. He said that a system was installed to provide water to the property by a Mr. Harper in the 1960's, but that it was an above-ground system to a lot where no home was built but possibly had irr use.

Mr. Minter says he has a copy of a letter from IDWR which returned a claim filed in June 1983, because the date claimed was after 1971. He did not follow up the returned claim with a letter or with an app.

I said I would check the Govt Cr water rights to see if Mr. Harper had filed, and write a letter to the Robinsons regarding this telephone conversation, with a c.c. to Mr Minter at: P.O. Box 1443 Sun Valley, Id 83638

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JUL 27 1911

DRT

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 6, 1985

W. G. and Hilda M. Hanson
Big Creek, via
Yellowpine, ID 83677

Re: Application for Permit No. 77-7233

Dear Mr. and Mrs. Hanson:

We are in receipt of your letter dated August 31, 1985, which indicates that you have no objection to the above-referenced application unless there is an intent to divert water through the diversion ditch identified in License No. 18935 (77-2073).

I have reviewed the points of diversion on the new application for permit and on the existing license, No. 77-2073, and can respond that the new point of diversion is identified as a separate location from the existing ditch. The point of diversion described by the license is located within the NW¼SW¼, Sec. 34, Twp. 21N, Rge. 9E. The point of diversion from Logan Creek identified on the application for permit is in the SE¼NE¼, Sec. 35, Twp. 21N, Rge 9E. Thus, the proposed point of diversion for the application is identified as more than one mile downstream from the point of diversion on your licensed right.

At this time, the Department will not consider your letter to be a protest. However, based on your expressed interest, you will be notified of any conference or hearing held with respect to the application. If you have further comments on this matter, please feel free to contact this office.

Sincerely,

David R. Tuthill Jr.

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

DRT/ls

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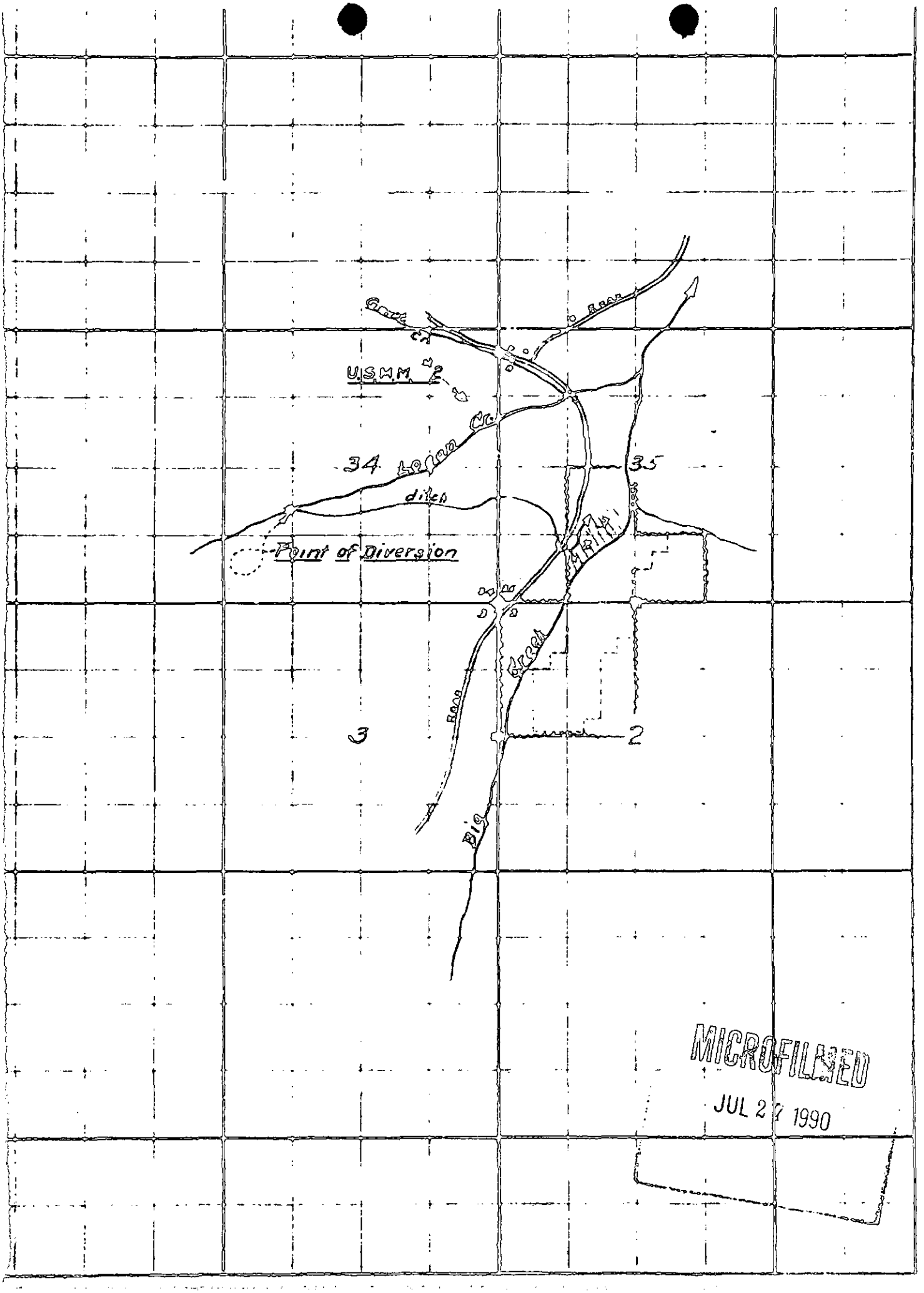
JUL 27 1990



MICROFILMED
JUL 2 9 1990

Aug. 31, '85

DBR

To whom it may concern.

Re: water claim on Logan cr. by Robin McRae.

we do not object to Mr. McRae's water claim on Logan cr. unless he plans to divert water by our diversion ditch, license no: 18935 (77-2073 DBR)

The ditch is not large enough to carry enough water for our needs & the needs of others. The upper part of our ditch runs on the side of the mountain & if too much water is diverted to it, the ditch will overflow & we could lose that part of it. It would be very difficult to re-build.

Sincerely

W. G. Hanson

Hilda M. Hanson

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JUL 27 1990

RECEIVED

SEP 3 1985

Department of Water Resources
Western Regional Office

August 28, 1985

Robin S. McRae
1333 Hervey St.
Boise, ID 83705

Dear Mr. McRae:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 77-7233. The Department suggests you contact the protestant(s) directly in an effort to resolve the protest(s) and to attempt 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.
Western Region Manager

DRT:jp

Enc:

MICROFILMED
JUL 27 1990

August 28, 1985

Mrs. R. H. Robinson
Rt. 2 Box 294
Cresent City, CA 95531

Re: No. 77-7233 in the Name of Robin S. McRae

Dear Mrs. Robinson:

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.

Yours truly,

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JUL 2 1 1990

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

DRT:jp

August 28, 1985

Kenneth D. Weyers
Forest Supervisor
U. S. Dept. of Agri.
Forest Service
P. O. Box 1026
McCall, ID 83638

Re: No. 77-7233 in the Name of Robin S. McRae

Dear Mr. Weyers:

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.

Yours truly,

MICROFILMED
JUL 27 1990

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

DRT:jp

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

August 1, 1985

L. Kent Mays, Jr.
Deputy Regional Forester
Department of Agriculture
Forest Service
324 25th St.
Ogden, UT 84401

Re: Nos. 77-7233/McRae & 63-10308/Bell

Dear Mr. Mays:

Enclosed is a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter, however, if your agency desires to file a formal protest against the approval of this application, your written protest must be received in this office by August 26, 1985.

If you have any questions regarding the application, please contact this office.

Sincerely,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enclosure

MICROFILMED
JUL 27 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

AUGUST 1, 1985

The Star News
Box 985
McCall, ID 83638

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 26, 1985.

Yours truly,

JUDY PENSE
Secretary

Encl.

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JUL 27 1990

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED
JUL 27 1990

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 AUGUST 26, 1985.

KEN DUNN, Dir.

Published 08/07 & 08/14/85.

ZZ-2233

MC RAE, ROBIN S.

1333 HERVEY ST., BOISE, ID 83705

Source: GOVERNMENT CREEK trib. to LOGAN CREEK
LOGAN CREEK trib. to BIG CREEK

Date Filed: 07/30/1985

Diversion Pt: NWNW SENW Sec 35 T 21N R 09E

Use: IRRIGATION (0.12 CFS)

In: SENW Sec 35 T 21N R 09E FOR 6 ACRES

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JUL 27 1990