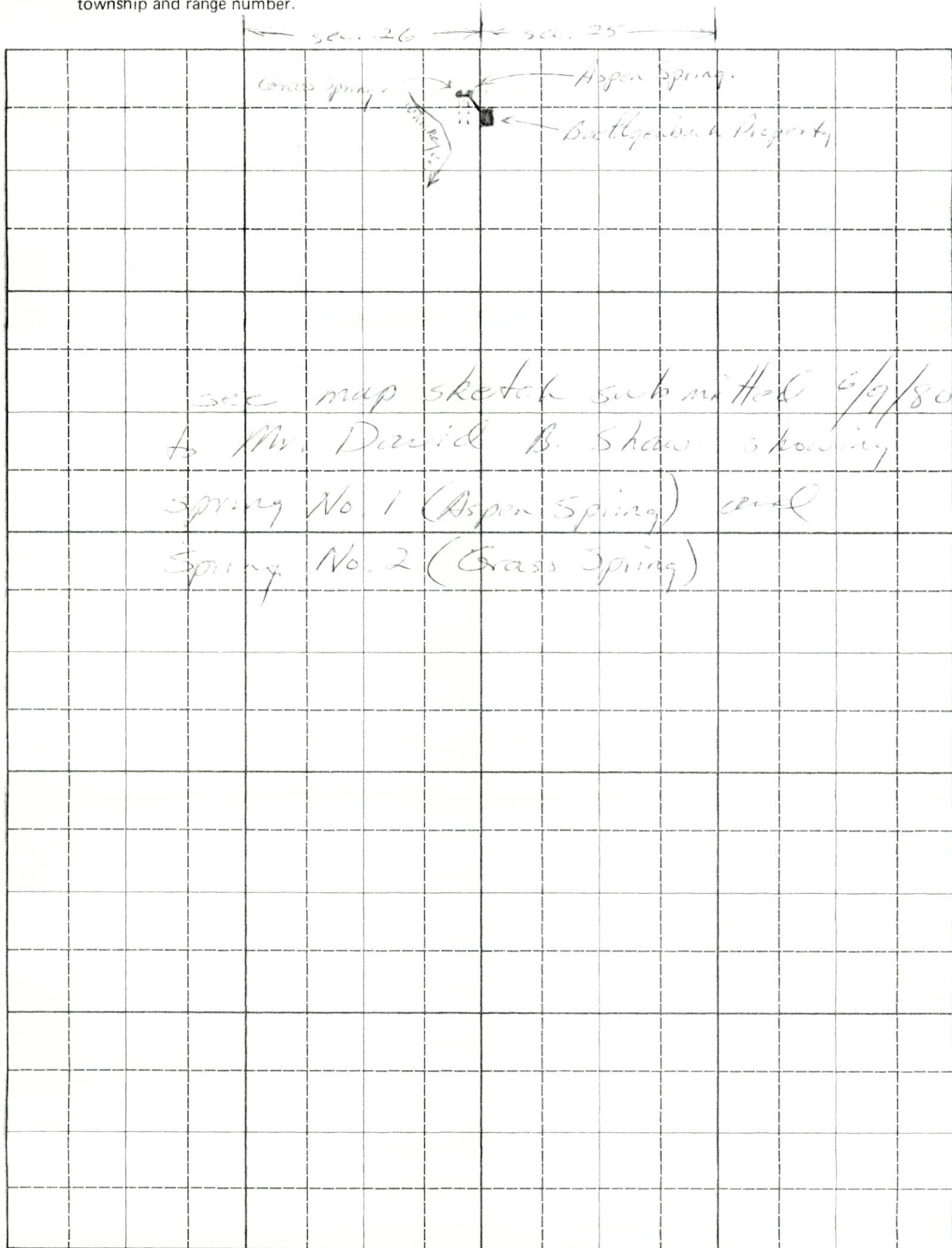


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



see map sketch submitted 6/9/80
to Mr. David B. Shaw showing
spring No. 1 (Aspen Spring) and
Spring No. 2 (Grass Spring)

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.

Robert A. Baetzger
(Applicant)

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Valley

SS.

Beryl Baker

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 App For water 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 July 31 19 80 and ended August 7 19 80.

Subscribed and sworn to before me this the _____ day of August, 19 80

Beryl Baker

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

Marilyn Jones

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho.

77-7110

BUETTGENBACH, HUBERT H.

P.O. BOX 375, YELLOW PINE, ID 83677

Source: GRASS SPRING

tributary to SIP XS

Date Filed: 7-15-1980

Amount: 0.08 CFS

Diversion Point: NENE Sec - 26 T 19N R 07E, VALLEY, Co.

Use: IRRIGATION (0.06 CFS) from 04-01 to 10-15 DOMESTIC (0.08 CFS) from 01-01 to 12-31

Place of Use: SWNW Sec 25 T 19N R 07E FOR 2 ACRES

Diversion Means: DIVERSTION BOX AND PIPELINE.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before AUGUST 18, 1980.

C. Stephen Allred
Director

RECEIVED

AUG 11 1980

Department of Water Resources
Western Regional Office

Published 7-31 & 8-7-80

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

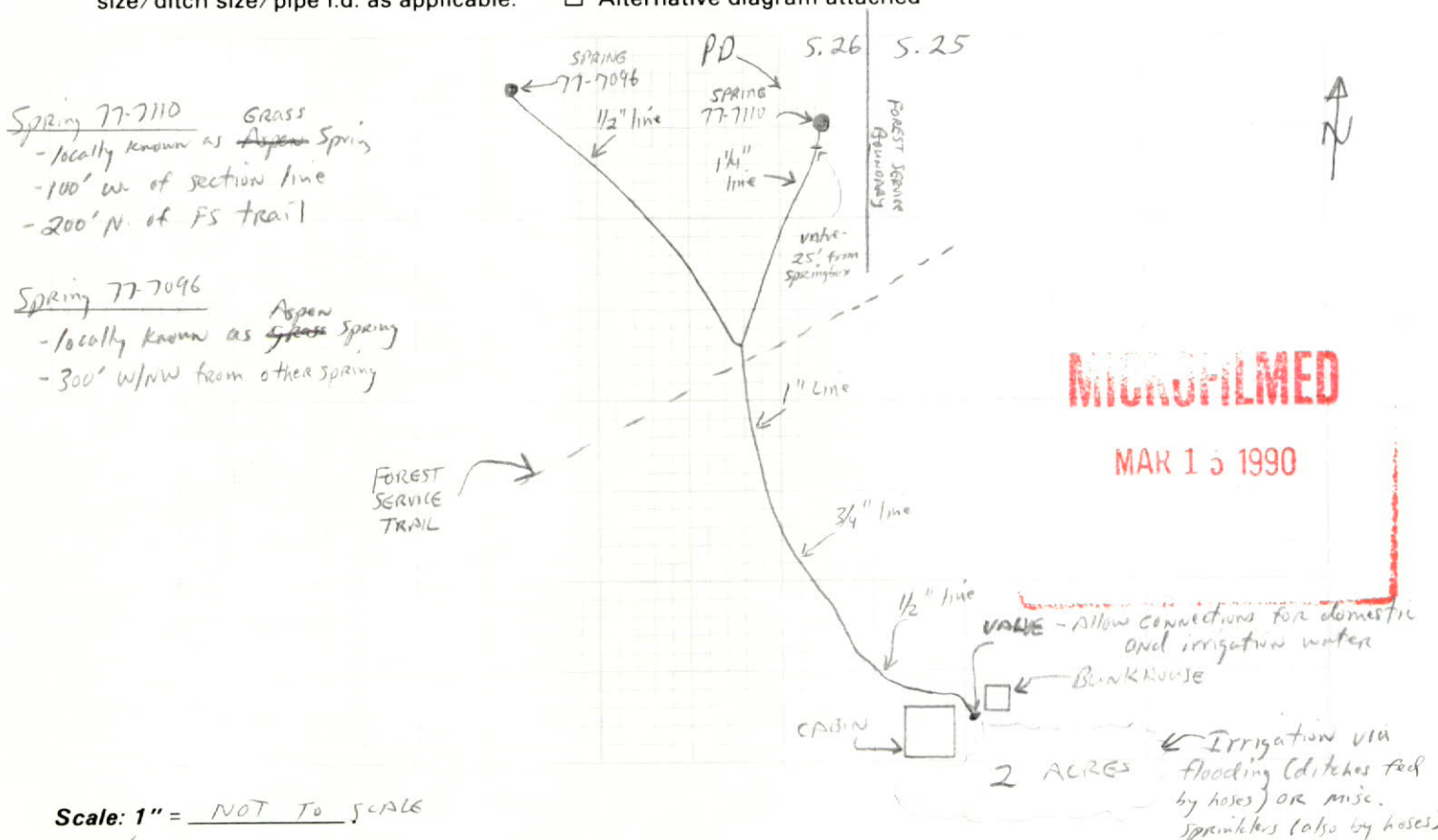
Permit No. 77-7110
Phone No. None
1. Owner: Herbert H. Buettgenbach
Current Address: P.O. Box 76 Yellow Pine, ID. 83677
2. Accompanied by: Same EXAM. DATE: 7/2/87
Address: Same Phone No. None
Relationship to Permit Holder: Same
3. Source: Spring tributary to Sinks locally known as Grass Spring

B. OVERLAP REVIEW

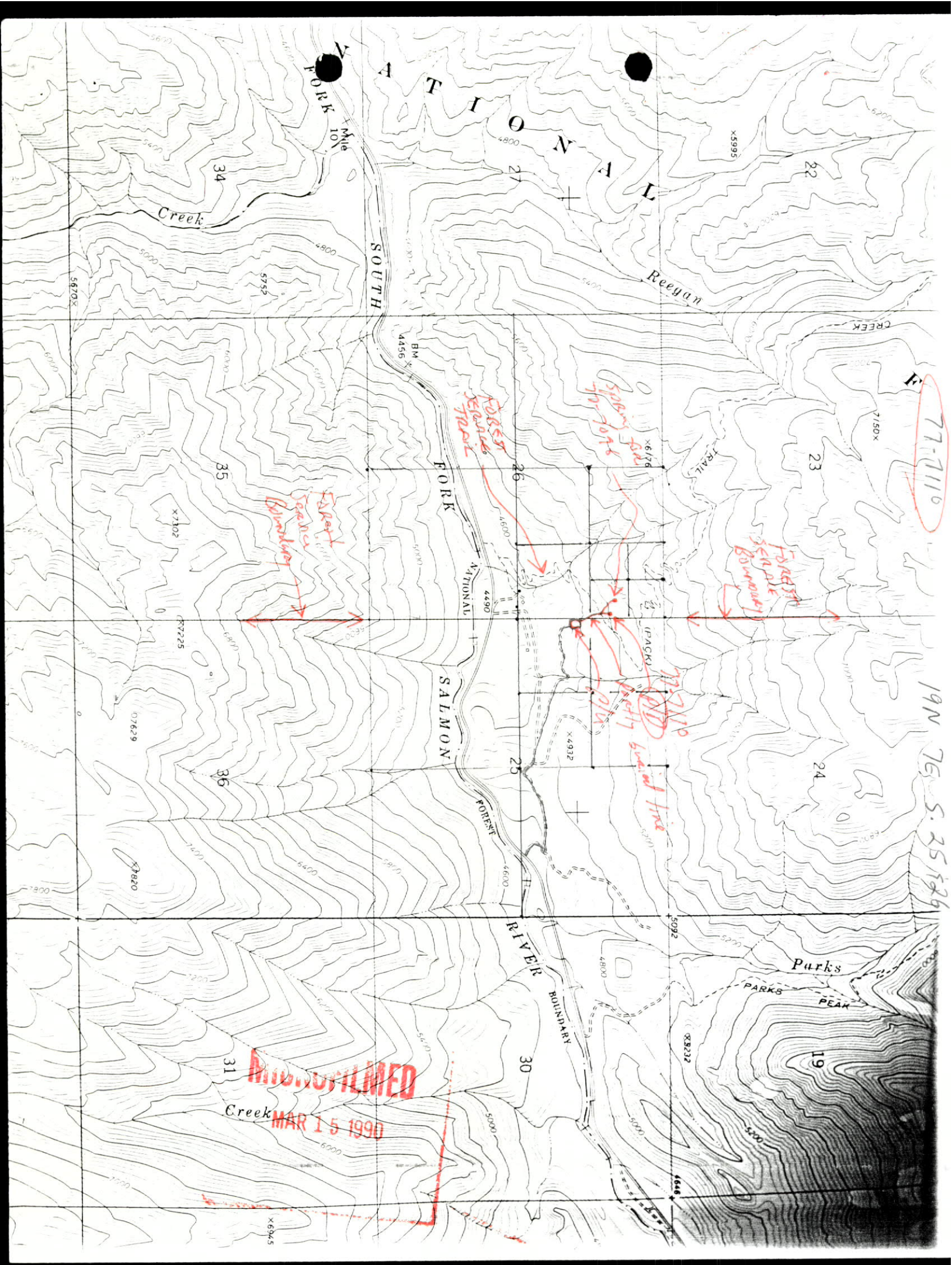
1. Other water rights with same place of use: 77-7096, 77-2205, 77-2035 ☒ Copies Attached 7096 only
2. Other water rights with same point of diversion: 77-7096, 77-7172 in S. 24 ☒ Copies Attached ☒ Copies of Field Exam's Attached of 7096 only

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



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).



77-7110 AND 77-7096



77-7110 P/D
Spring 1/2 mile N. of Salmon River*
and approx. half-way between Reagan and
Packs Creeks.

1/2 mile N. of South Fork



77-7096 P/D
Spring approx. 300' W/NW from
spring in 77-7110. 1 1/4" pipe leading from
spring towards bottom of photo is over/low
pipe.

MICROFILMED
MAR 15 1990

77-7110 AND 77-709

pg. 2 of 2



P/U

CABIN (L.) and
bunkhouse (R.) receive
internal domestic
water. Springs are
uphill behind buildings
approx. 750'.



P/U

Irrigated garden.
2 acres includes gardens,
berries, and misc.
ornamental plants.

MICROFILMED

MAR 15 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

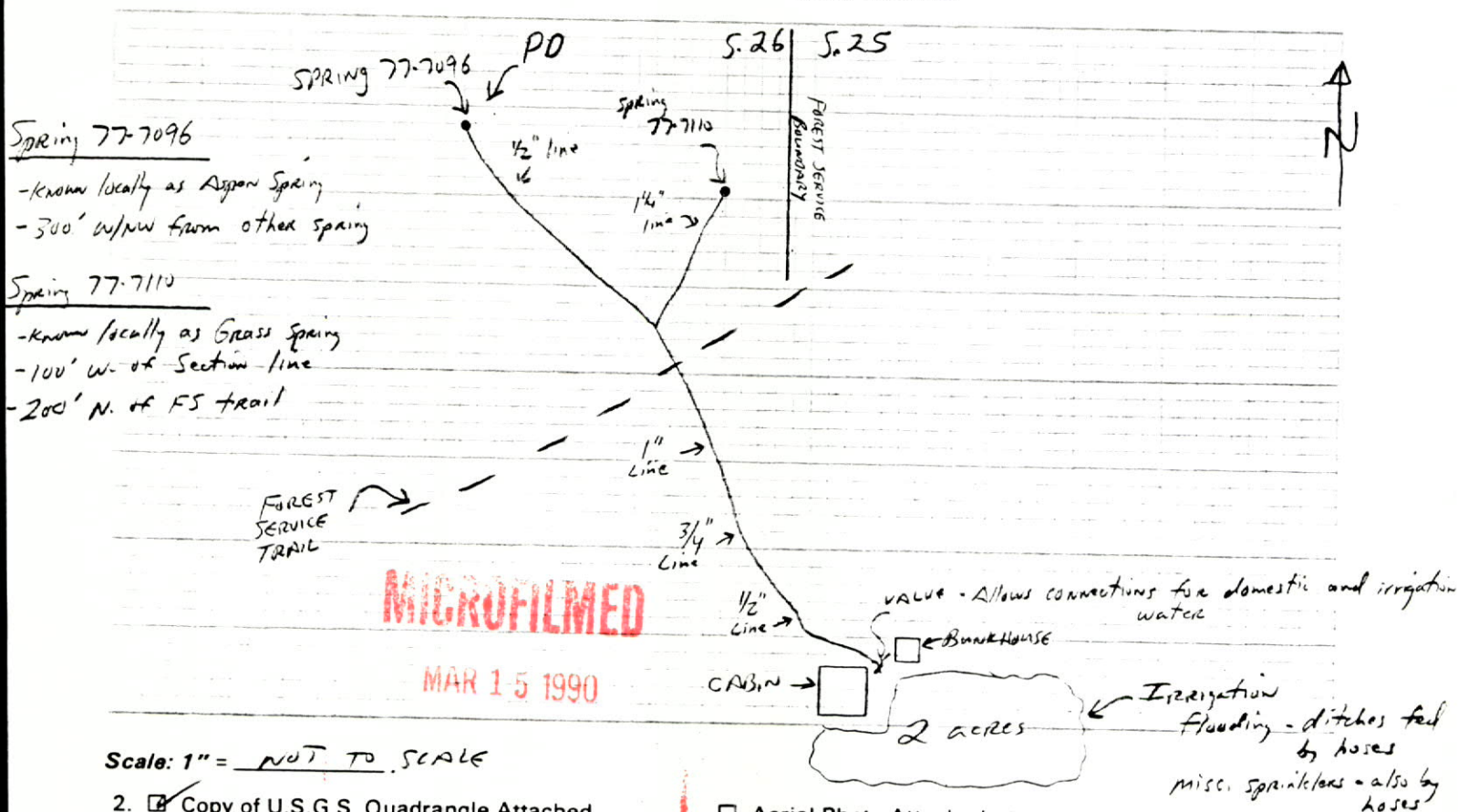
1. Owner: Hubert H. Buettgenbach Permit No. 77-7096
Current Address: P.O. Box 76 Yellow Pine, ID. 83677 Phone No. none
2. Accompanied by: Same EXAM. DATE: 7/2/87
Address: Same Phone No. none
Relationship to Permit Holder: Same
3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with same place of use: 77-7110, 77-2205, 77-2035 ☒ Copies Attached 7110 only
2. Other water rights with same point of diversion: 77-7110 ☒ Copies Attached ☒ Copies of Field Exam's Attached

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



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 - See 77-7110 (required for all but single household domestic groundwater, and stockwater).

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 77-07110

Priority: July 15, 1980

Maximum Diversion Rate: 0.08 CFS
Maximum Diversion Volume:¹ 7.2 AF

This is to certify, that HUBERT H. BUETTGENBACH
P.O. BOX 76

YELLOW PINE, ID 83677 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 15, 1980; and
has submitted Proof of Beneficial Use on September 6, 1984. An examination indicates
that the works have a diversion capacity of .080 cfs of water from:

SPRING tributary to SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/15	0.06 CFS	6.0 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.08 CFS	7.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SENESE , Sec. 26, Township 19N, Range 07E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
19N 07E 25	SWNW 2			2

Total number of acres irrigated: 2

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery 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.

RECORDED
MAR 13 1980

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 77-07110

CONDITIONS/REMARKS:

6. The maximum combined rate of diversion under this right & Right 77-7096 shall not exceed .08 cfs.
7. The combined annual volume of water under this right & Right 77-7096 shall not exceed 7.2 af.
8. Domestic use is for 1 home.
9. Source is known locally as Grass Spring.

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 28TH day of NOVEMBER, 1989.

Acting for 
R. Keith Higginson, Director

RECORDED

MAR 15 1990

For Office Use Only

Fee Received 15.00Date 9-14-82Receipt # 24685STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

SEP 10 1982

Department of Water Resources

Hubert H. Buettgenbach
(Name)POB 76 Yellow Pine
(Address) ID 83677State of Idaho, deposes and says:That he is the holder, ~~or the duly authorized agent of the holder*~~, of Permit to Appropriates the Public Water of
the State of Idaho No. 77-7110 (Grass Spring)That under the terms and conditions of said permit, work thereunder was required to be completed on or before
Nov. 1, 1982

That he has heretofore performed the following work described under said permit:

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

Cabin constructed, roadways built,
stone garden and orchard ground
prepared and in use, Pipe + Fitting
purchased Costing \$ _____

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

The US Forest Service has requested
I delay development of this spring
pending the results of tests of its flow.
(see USFS Special Use Permit and Environ. Assessment Report)Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to Nov. 1, 1984
(1 yr. minimum, 5 yrs. maximum)

ck. #180 encl.

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Hubert H. Buettgenbach
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit the statement of beneficial use is extended to November 1, 1984.Signed this 21st day of September, 1982L. Glen Saxton
Chief, Operations Bureau

Victor L. Lee enclosed.
#2000
1000
#3000

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APPROVED
JUL 15 1980

JUL 15 1980 To appropriate the public waters of the State of Idaho

Department of Water Resources
Western Regional Office

1. Name of applicant Hubert H. Buehgenbach Phone none
Department of Water Resources
Western Regional Office

Post office address P.O. Box 375, Yellow Pine, ID 83677

2. Source of water supply Grass Spring which is a tributary of "sinks"

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 19N

Range 7E B.M. Valley County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .06 for irrigation purposes from Apr. 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .08 for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

a. .08 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

Diversion box at spring and 1 1/4" line
to my property via Aspen Spring (previously unnamed)

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

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial

use is 2 ^{AAB} years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25 Township 19N
Range 7E B.M.

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

(3) List number of each kind of livestock to be watered 2 milk cows,
10 horses, mules, & burros

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

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

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
									2±										2±

Total number of acres to be irrigated 2±

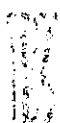
c. Describe any other water rights used for the same purposes as described above. Have applied for rights on Aspen Spring as the flow of each is somewhat seasonal.

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

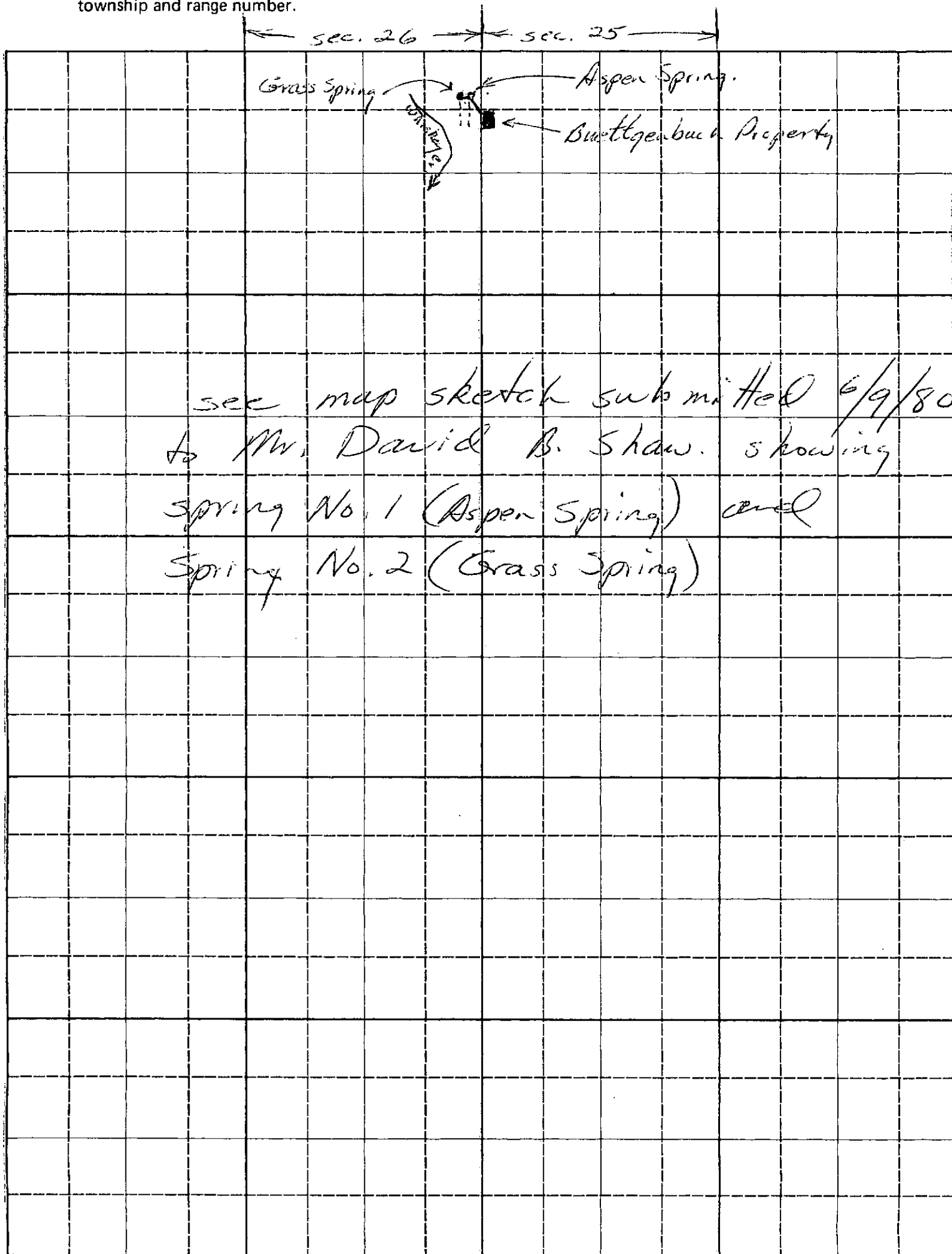
b. Who owns the land to be irrigated or place of use Hubert H. Buettgenbach

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing permission for water use has been requested from the Dist. Ranger Drew Bellon.

10. Remarks



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



Scale: 2 inches equal 1 mile.

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

Robert A. Brettgerebach
(Applicant)

Proposed Priority 7/15/80
Received by h/h Date 7-15-80 Time 12:55
Preliminary check by 665 Fee \$ 30.00
Receipted by h/h Date 7/24/80 # 15653
Publication prepared by h/h Date 7/24/80
Published in Star News
Publication dates 7/31 & 8/8/80
Publication approved h/h Date 8/18/80
Protests filed by: ~~John~~ John Eigen
prot. withdrawn 9/16/80
Copies of protests forwarded by HLH
Hearing held by DBS, BDF Date 9/16/80
Recommended for approval denial by DBS RA

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. 77-7110, and said application is hereby approved.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 82.
- 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. Other:

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

Witness my hand this 6th day of October 19 80.

A. Glen Saxton
Chief, Operations Bureau

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }

SS.

County of Valley }

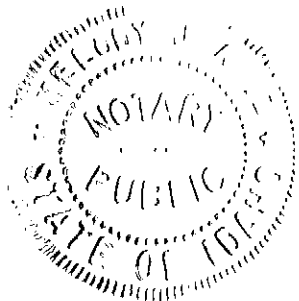
Beryl Baker, being duly sworn deposes and says, I am the bookkeeper of the Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the Notice of App for water copy 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 July 31, 19 80 and ended August 7, 19 80.

Beryl Baker

Subscribed and sworn to before me this the 7th day of August, 19 80

Melody J. J. J.

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



MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT
Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho.

77-7110
BUETTGENBACH,
HUBERT H.
P.O. BOX 375, YELLOW PINE, ID 83677
Source: GRASS SPRING tributary to Silt KS
Date Filed: 7-15-1980
Amount: 0.08 CFS
Diversion Point: NENE Sec. 26 T 19N R 07E, VALLEY, Co.
Use: IRRIGATION (0.06 CFS) from 04-01 to 10-15 DOMESTIC (0.08 CFS) from 01-01 to 12-31
Place of Use: SWNW Sec. 25 T 19N R 07E FOR 2 ACRES
Diversion Means: DIVERSION BOX AND PIPELINE.
If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before AUGUST 18, 1980.
C. Stephen Allred
Director

Published 7-31 & 8-7-80

0-10
H2H.

RECEIVED
AUG 11 1980

Department of Water Resources
Western Regional Office

I John B Egan protest app. No.
77-7110 in the name of Herbert
Buttgenbach. because it is not
clearly defined and it may infringe
upon existing water rights on
our property.

for Egan Ranch.

John B Egan
18 Aug. 1980

3554 Hansen St.

Boise, ID 83702

RECEIVED
AUG 18 1980

Department of Water Resources
Western Regional Office

MICROFILMED

November 28, 1989

HUBERT H. BUETTGENBACH
P.O. BOX 76
YELLOW PINE, ID 83677

RE: PERMIT NO. 77-07110

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

MAR 15 1990

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT 1\4 1\4 1\4	LT	#SOURCE	#NAME
7707110 7707096	19N	07E	26	NE NE		GRASS SPRING SPRING	BUETTGENBACH, BUETTGENBACH,

MICROFILMED

MAR 15 1990

RECEIVED
MAR - 1 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Official Use Field Report

77-7110
Permit No.

Department of Water Resources

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
- ☐ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index S.L. 6/23/87 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☒ copy of exam(s) attached? 77-9096 only
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☒ Other: _____

Check of P/U index S.L. 6/23/87 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☒ copy of water right(s) attached? 77-9096 only
Type of Overlap? ☐ Increase rate of flow or volume
☒ Add P/D's 77-7110
☐ Increase number of acres within tracts
☒ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? N/A S.L. 6/23/87 (Initial and 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
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Sten Loster 7/2/87 (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent LD 1/21/88 (Initial and date)
Exam Reviewed by Manager of Regional Office AMS 2/19/88 (Initial and date)
Exam Date Entered in Computer ✓ (Initial and date)
Exam sent to State Office ml 2-24-88 (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

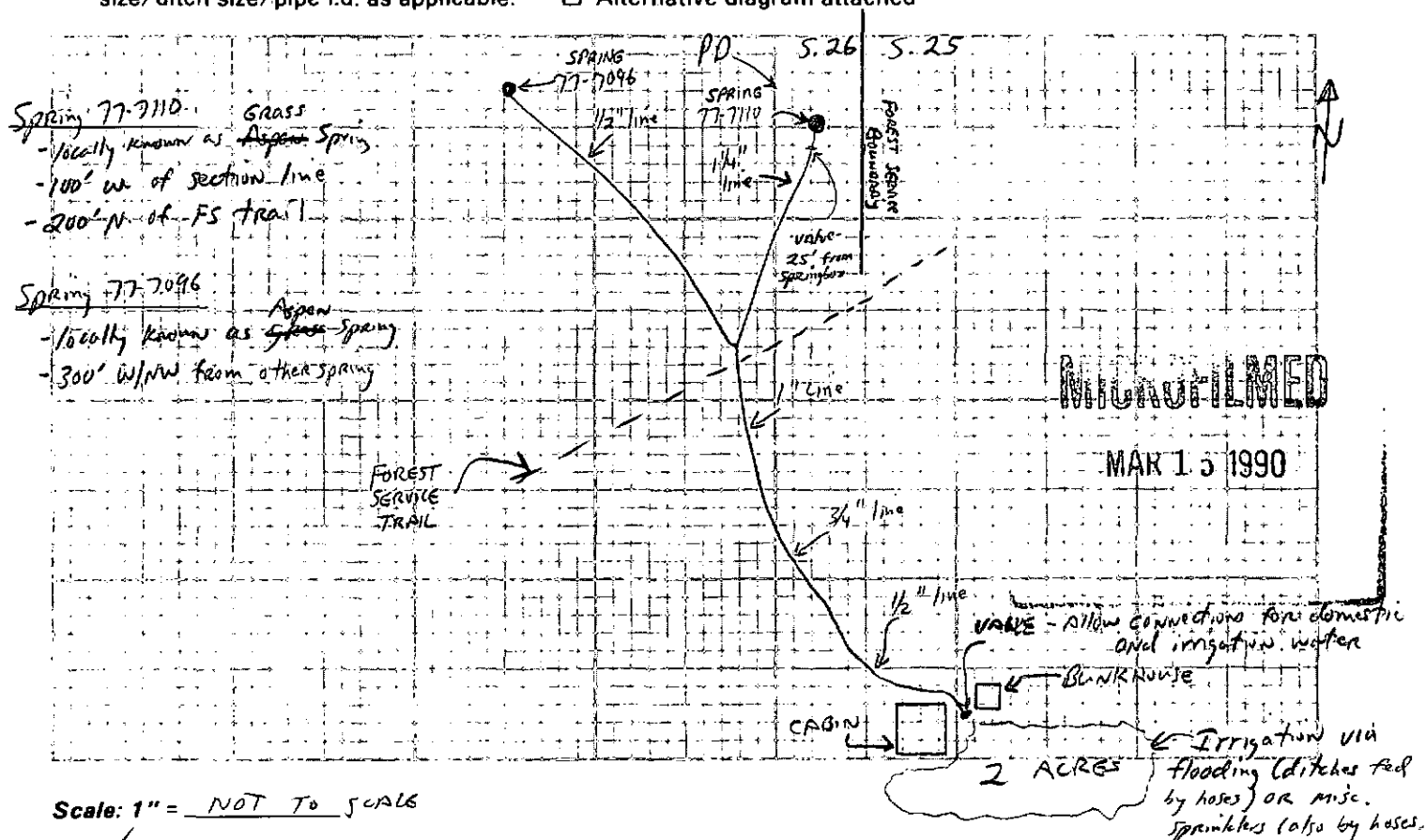
Permit No. 77-7110
1. Owner: Hubert H. Buettgenbach Phone No. NONE
Current Address: P.O. Box 76 Yellow Pine, Id. 83677
2. Accompanied by: same EXAM. DATE: 7/2/87
Address: same Phone No. NONE
Relationship to Permit Holder: same
3. Source: spring tributary to sinks locally known as Grass Spring

B. OVERLAP REVIEW

1. Other water rights with same place of use: 77-7096, 77-2205, 77-2035
☒ Copies Attached 7096 only
2. Other water rights with same point of diversion: 77-7096, 77-7172 in S. 24
☒ Copies Attached ☒ Copies of Field Exam's Attached
of 7096 only

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



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).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

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

A barrel serving as a springbox and a 1 1/4" line from the diversion for this spring. A valve is located 25' "downstream" from spring. The line is joined by a 1/2" line from spring in 77-7096. The common line then reduces in stages (1", 3/4", 1/2") before reaching the P/U. One cabin, one bunkhouse, and 2 acres of garden, berries, misc. shrubs, and trees constitute the beneficial use. A valve near the terminal end of the line allows multiple hoses to provide internal domestic water, flood irrigation (ditches), or misc. sprinkler irrigation.

☐ 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
	NONE				

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NE	NE	26	19N	7E	Valley	USGS 7 1/2' QUAD; Spring located with respect to section line and Forest Service trail.

6. Place(s) of Use:

Indicate Method of Determination

USGS 7 1/2' QUAD

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19N	7E	26						2											2
		25						D											1

MICROFILMED

MAR 15 1990

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
NONE						

2. Measurements:

NONE

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: *NONE possible - some flow occurs in a.m. but by p.m. (when exam conducted) flow is negligible. Dry year has had considerable impact on spring. Usually flows more predictably; flow generally ample.*
2. Alternate Method for Checking Purposes: *NONE*

F. PUMP EFFICIENCY DATA (Optional) *N/A*

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:

nearest fit for this area
 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (2)(3.0) = 6.0$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.06)(198)(1.9835) = 23.6$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6.0$

2. Volume Calculations for Other Uses:

*Domestic, 2 units:
cabin and bunkhouse, internal use only*

$2 \times .6 = 1.2$

MICROFILMED

MAR 15 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Due to variable flow from this spring this year, there was no way to quantify flow during exam. Therefore, allow the full .03 cfs/acre for irrigation. Domestic rate is restricted by nature of use to .04 cfs.

Overlap

P/O: 77-7096 is another spring 300' W/NW for same system of use.

~~77-7172 is other surface water W of spring~~

P/U: 77-7096 is same P/U as 77-7110.

77-2035 uses Parks Creek for irrig. & domestic use for land SE of area in question

77-2205 uses Parks Creek for irrig. & domestic use for land SE of area in question

→ License condition - This right, when combined with 77-7096, shall not exceed .08 cfs or 7.2 AFA, and shall not exceed .03 cfs/ac. or 3.0 AFA/ac.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	10/15	.06	6.0
Domestic	1/1	12/31	.04	1.2
Totals:			.08 (limited by permit)	7.2

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

Steven Lester

Signature

Steven Lester

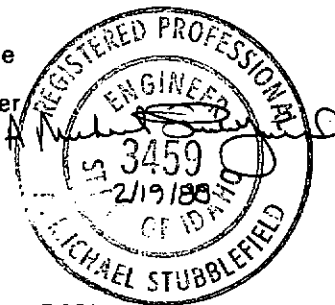
Certification Date

Field Report Preparation Date

7/2/87

BD

1/21/88



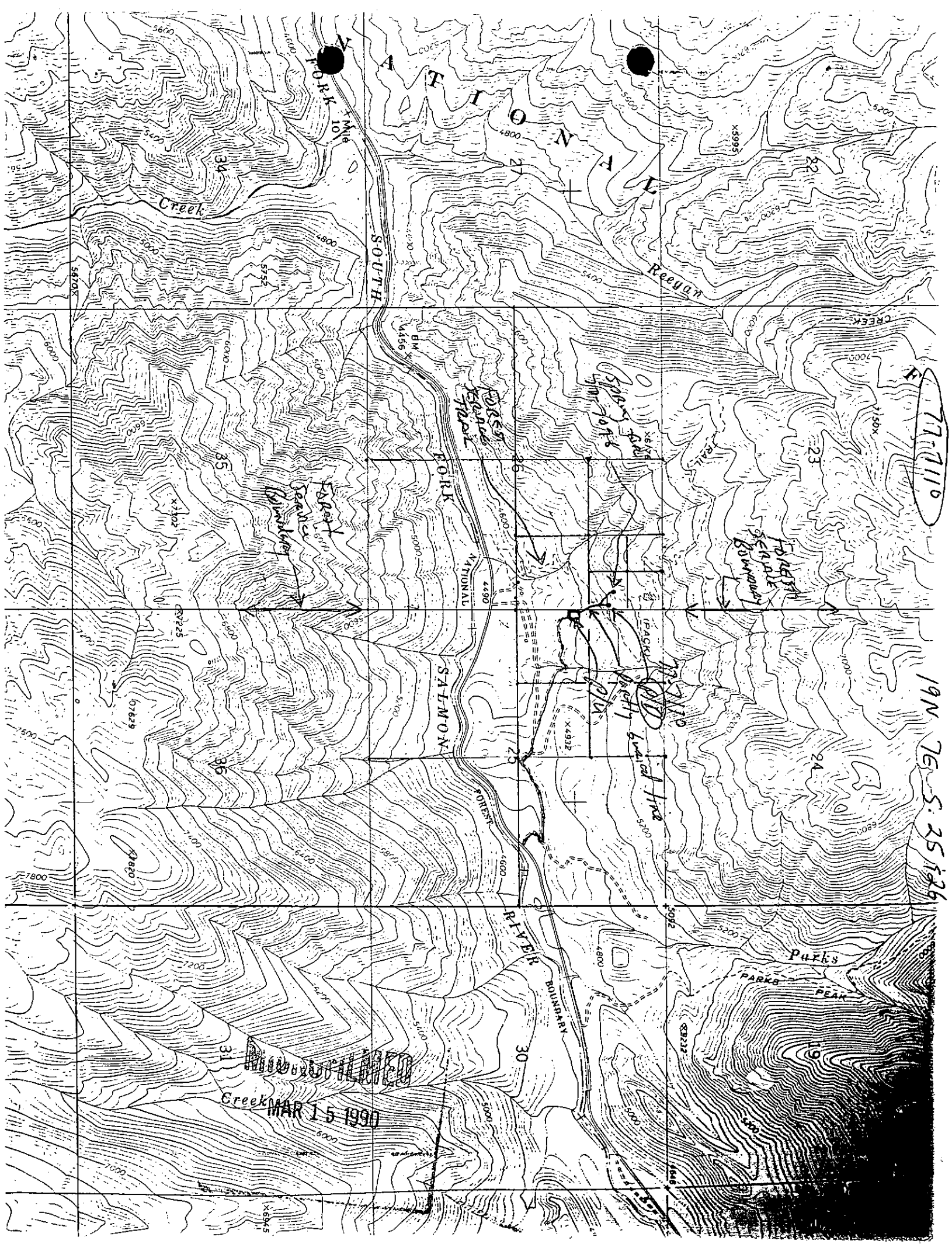
CONSULTANT SEAL

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

JOM 3/20/89

MICROFILMED

MAR 15 1990



77-7110 and 77-7096



77-7110 P/D
Spring 1/2 mile N. of Salmon River *
and approx. half-way between Reagan and
Parks Creeks.

* East Fork of South Fork

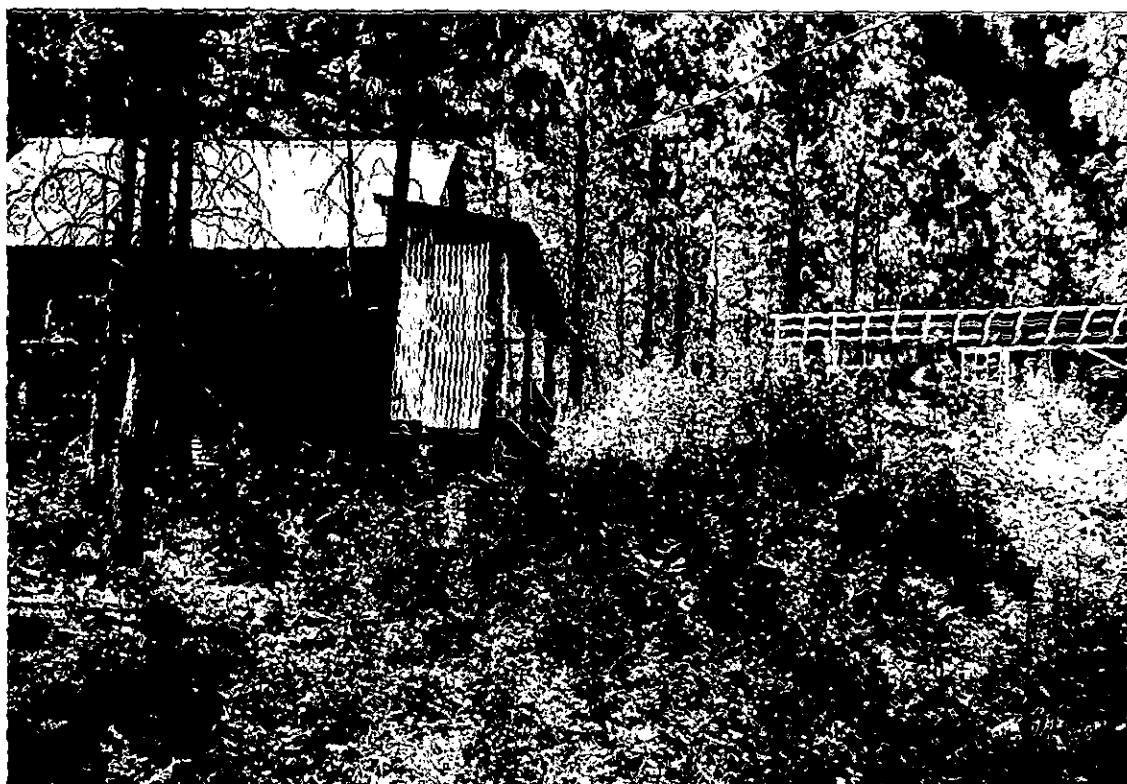


77-7096 P/D
Spring approx. 300' W/NW from
spring in 77-7110. 1 1/4" pipe leading from
spring towards bottom of photo is overflow
pipe.

MICROFILMED
MAR 15 1990

77-7110 AND 77-709

pg. 2 of 2



P/U

CABIN (L.) and
bunkhouse (R.) receive
internal domestic
water. Springs are
uphill behind buildings
approx. 750'.



P/U

Irrigated garden.
2 acres includes gardens,
berries, and misc
ornamental plants.

UNRECORDED

MAR 15 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

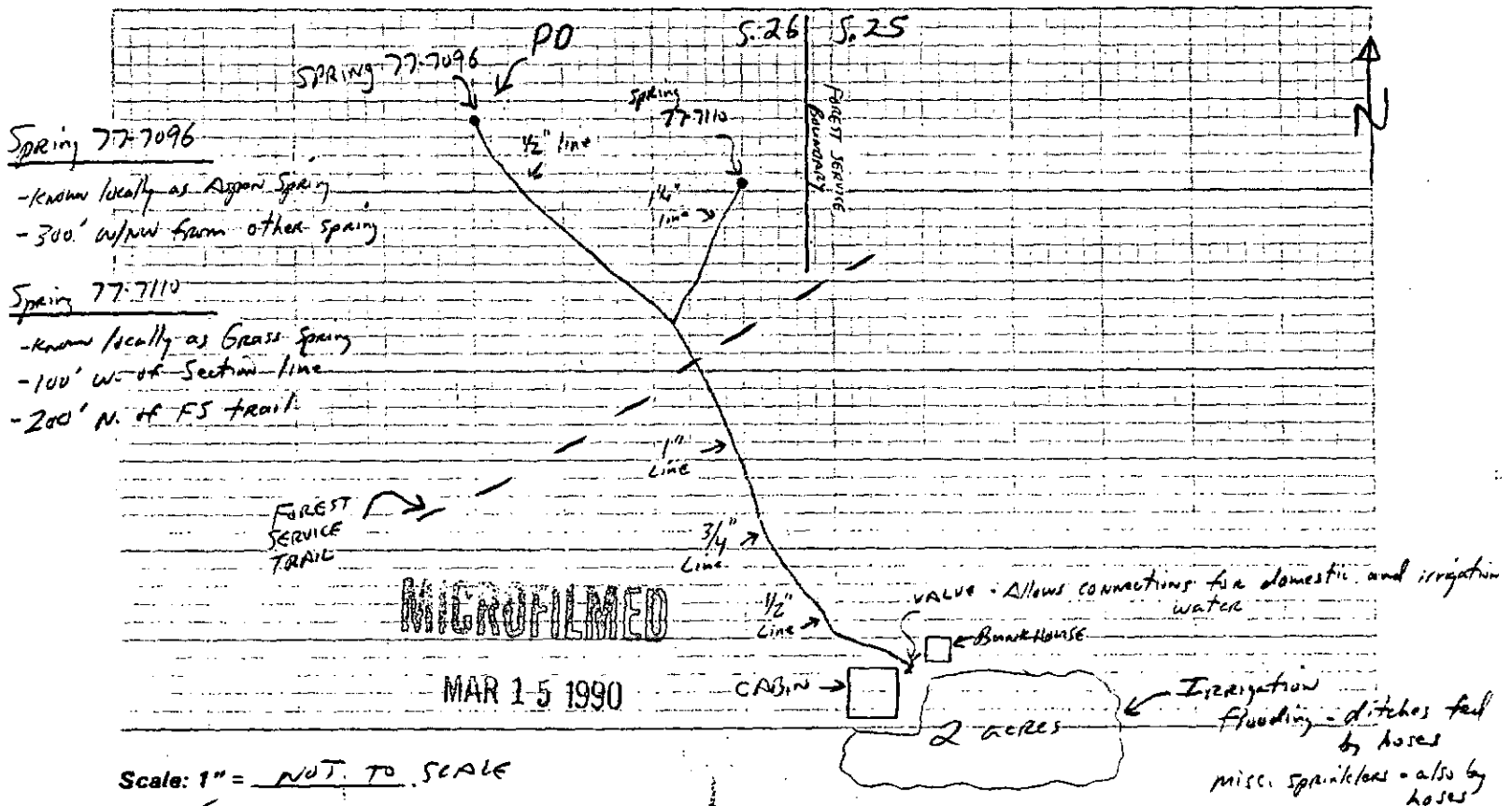
Permit No. 77-7096
1. Owner: Hubert H. Buettgenbach Phone No. None
Current Address: P.O. Box 76 Yellow Pine, ID. 83677
2. Accompanied by: Same EXAM. DATE: 7/2/87
Address: Same Phone No. None
Relationship to Permit Holder: Same
3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with same place of use: 77-7110, 77-2205, 77-2035
☒ Copies Attached 7110 only
2. Other water rights with same point of diversion: 77-7110
☒ Copies Attached ☒ Copies of Field Exam's Attached

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



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).
☒ Photo of Diversion and System Attached - See 77-7110 (required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

System Description (continued)

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

A spring box and 1/2" line and a 1 1/4" overflow line constitute the diverting works. The 1/2" line is joined by a 1 1/4" line from spring in 77-7110. The common line then reduces in stages (1", 3/4", 1/2") before reaching the p/u. One cabin, one bunkhouse, and two acres of garden, berries, and misc. shrubs/trees receive water. A valve near the terminal end of the line allows multiple hoses to provide internal domestic water, flood irrigation (ditches), or misc. sprinkler irrigation.

☐ 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
	NONE				

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NE	NE	26	19N	7E	Valley	USGS 7 1/2' Quad; spring located with respect to section line and Forest Service trail.

6. Place(s) of Use:

Indicate Method of Determination USGS 7 1/2' Quad

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19N	7E	25							2										2
									D										-

MICROFILMED

MAR 15 1990

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
NONE						

2. Measurements:

NONE

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method: *NONE POSSIBLE - Some flow occurs in a.m. but by p.m. (when exam conducted) flow is negligible. Dry year has had considerable impact on spring. Usual flow is quite predictable and ample.*
2. Alternate Method for Checking Purposes: *NONE*

F. PUMP EFFICIENCY DATA (Optional) *N/A*

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:

Best fit for this area.
 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (2)(3.0) = 6.0$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (.06)(198)(1.9835) = 23.6$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6.0$

2. Volume Calculations for Other Uses:

*Domestic, 2 units
cabin & bunkhouse, internal use only.
 $2 \times .6 = 1.2$*

MAR 10 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Due to variable flow from this spring this year, there was no way to quantify flow. Therefore, allow the full .03 cfs/ac. for irrigation. Domestic rate is restricted by nature of use to .04 cfs.

Overlap:

P/O : 77-7110 is another spring 300' E/SE for same system of use.

P/U : 77-7110 is same P/U.

77-2035 } uses both use Parks Creek for irrigation and domestic use of
77-2205 } land SE of area in question.

License condition: This right, when combined with 77-7110, shall not exceed .08 cfs on 7.2 AFA, and shall not exceed .03 cfs/acre or 3.0 AFA/acre

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	10/15	.06	6.0
Domestic	1/1	12/31	.04	1.2
Totals:			.08 (limited by permit)	28 7.2

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

Steven Lester

Signature

Steven Lester

Certification Date

7/2/87

Field Report Preparation Date

CONSULTANT SEAL

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

RECORDED & INDEXED

MAR 15 1990

100 - money order enclosed for fee
for 77-7110 + 77-7096

4/86

see map + directions with
earlier letter.

For Office Use Only
Fee Received \$ 50
Date 9/12/87
Receipt # 24947
Receipt by SLH
Sent to S.O.

RECEIVED

JUN 8 1987

KEYPUBLISHED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Western Regional Office

EXAMINATION FEE INFORMATION

RECEIVED

APR 18 1989

1. Permit No. 77-7110 7110

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Harber & H. Buehlerback

3. Post Office Address: PO Box 76 Yellow Pine, ID.

83677 Telephone No.

4. Source of Water: Grass Spring

5. Extent of Use:

Domestic 42 (No. of households) Stockwater (No. and type of stock)

Irrigation 2 (acres) Other/Remark

6. Total rate &/or volume for which proof is submitted .08 cfs acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1980

8. Person to contact to accompany the department representative during the field examination:

above (Name) **MICROFILMED**

same (Address) (Telephone Number)

MAR 15 1990

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner. I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

June 1, 1987
Date

Harber & H. Buehlerback
Signature of Permit Holder (and title, if appropriate)



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

77-7110
BUETTGENBACH, HUBERT H.
P.O. BOX 76
YELLOW PINE, ID 83677

138339

April 10, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

MICROFILMED

MAR 15 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

OCTOBER 22, 1984

HUBERT H. BUETTGENBACH
P.O. BOX 76
YELLOW PINE ID 83677

RE: Permit No. 77-7110

Dear Permit Holder:

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

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

RECEIVED

MAR 15 1985

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 77-7110.

Name(s) of Permit Holder: Hubert H. Buettenbach

Post Office Address: P.O. Box 76

Yellow Pine, ID., 83677 Tel. No. none

Source of Water: Grass Spring

Extent of Use: ☒ Domestic 2 (number of households)

☒ Stockwater 2 horses (number and type of stock)

☒ Irrigation 2 (acres)

☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

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

9-1-84 Date Hubert H. Buettenbach Signature of Permit Holder

H. H. Quettgenbach
P.O. Box 76
Yellow Pine, ID

PLACE
13 CENT
STAMP
HERE

RECEIVED



SEP 6 1984

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

Department of Water Resources

BOISE, IDAHO 83720

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138205

BUETTGENBACH, HUBERT H.
P.O. BOX 76
YELLOW PINE, ID 83677

PROOF DUE NOTICE

AUGUST 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 77-7110 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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

RECEIVED
AUG 31 1984

September 21, 1982

Hubert H. Buettgenbach
P.O. Box 76
Yellow Pine, ID 83677

Dear Mr. Buettgenbach:

Re: Permit No. 77-7110

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to November 1, 1984.

Sincerely,

RIIA I. FLECK
Sr. Secretary

Enc: Ext. of Time



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

EXTENSION OF TIME

September 14, 1982

Hubert H. Buettgenbach
P. O. Box 76
Yellow Pine, ID 83677

PERMIT NO. 77-7110

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 24685.

Roberta Garrett
Records Supervisor

Enclosure

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138623

BUETTGENBACH, HUBERT H.
P.O. BOX 375
YELLOW PINE, ID 83677

AUGUST 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 77-7110 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

RECEIVED

IDENT. NO. 77-7110

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

BUETTGENBACH, HUBERT H.
P.O. BOX 375
YELLOW PINE, ID 83677

OCTOBER 23, 1980

RE: PERMIT NO. 77-7110

DEAR PERMIT HOLDER:

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

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

SINCERELY,

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

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

77-2035
77-2205
77-7096

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

APPLICATION NUMBER: 77-7110

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No
☒ Yes ☐ No*

Field check by: _____

Date: _____

Comments: _____

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: _____ Date: _____

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. hlm 8/25/80
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 77-7096 this is
☒ Yes ☐ No* Buettgenbach's previous filing on another spring
☒ Yes ☐ No In form for advertising. see 8c
☒ Yes ☐ No Final date for protests: 8/18/80 ✓
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/11/80 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ 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? _____
☒ 7/15/80 Date of priority recommended.
☒ Special conditions of approval or cover letter. Right-of-way clause

By: DBS Date: 9/18/80

STATE OFFICE REVIEW:

return receipt w/cover letter

SLW to cond

- ☐ See attached sheet for more information.

By: Robyn Date: 9/26/80

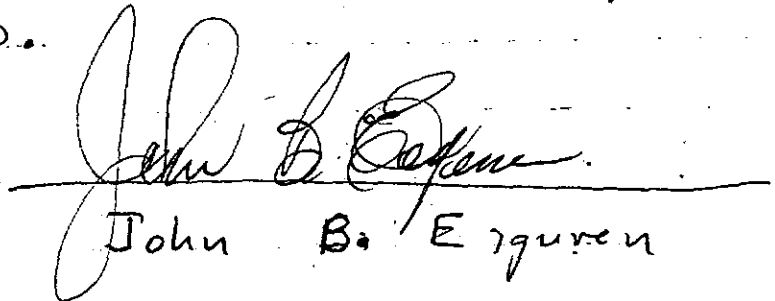
RECEIVED
SEP 10 1980
Department of Water Resources

MICROFILMED

IN THE MATTER OF PROTESTED)
APPLICATIONS FOR PERMITS NO.) WITHDRAWL
77-7096 AND 77-7110 IN THE) OF
NAME OF Hubert H. Buettgenback) PROTEST

After hearing the explanation of the proposed spring development I do not believe the development will affect our water rights and agree to withdraw the protest against these applications,

Signed at McCall, Idaho on September
16, 1980..


John B. Eguen

MICROFILMED

77-7096 AND 77-7110 HUBERT H. BUETTGENBACH

McCall Ranger District Conference Room, McCall, Idaho

Tuesday, September 16, 1980, 1:30 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
John B. Eiguren	3554 Hansen. Boise	Eiguren Ranch
Howard Buettgenbach	Box 375 Yellow Pine	Buettgenbach

RECEIVED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL	)	
	)	NOTICE OF CONFERENCE
OF THE APPLICATIONS FOR PERMIT NOS. 77-7096	)	
	)	AND/OR HEARING
AND 77-7110 IN THE NAME OF HUBERT H. BUETTGENBACH	)	
_____	)	

On March 21, 1980 and July 9, 1980, respectively, Hubert H. Buettgenbach filed with the Department of Water Resources applications to appropriate the public waters of the State of Idaho. On May 15, 1980 and August 18, 1980, respectively, the Department received protests against approval of said applications from John B. and Terry Eiguren.

The Department has set the matter of protests for conference and/or hearing for Tuesday, September 16, 1980, at 1:30 p.m., in the McCall Ranger District Conference Room, McCall Idaho. Any hearing will be held in accordance with provisions of Chapter 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.

In accordance with Idaho Code, Section 42-203, the following issues are involved in the consideration of the application and protests:

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.

MICROFILMED

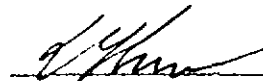
If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be submitted to the parties and the parties will be afforded an opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by Idaho Code, Section 67-5211.

By written stipulation, the parties may waive compliance with Idaho Code, Section 67-5211. If the hearing is conducted by a hearing officer, the hearing officer will ask the parties at the close of the hearing whether they would like to make such a stipulation.

Failure to waive compliance with Idaho Code, Section 67-5211 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 67-5211 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.

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

Dated this 3 day of September, 1980.



DAVID B. SHAW
Western Region Supervisor



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

August 18, 1980

Hubert M. Buettgenbach
P.O. Box 375
Yellow Pine, Idaho 83677

Dear Mr. Buettgenbach:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 77-788. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of 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 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,

DAVID B. SHAW
Western Regional Supervisor

Enc.

RECEIVED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

August 18, 1980

John B. Eiguren
3554 Hansen Street
Boise, Idaho 83702

RE: Application No. 77-7110, in the name of Humbert H. Buettgenbach

Dear Mr. Eiguren:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) 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,

DAVID B. SHAW
Western Regional Supervisor

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JULY 25, 1980

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 18, 1980.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before AUGUST 18, 1980.

C. STEPHEN ALLRED

Director

Published 7/31 & 8/7/80.

ZZ-2110

BUETTGENBACH, HUBERT H.

P.O. BOX 375, YELLOW PINE, ID 83677

Source: GRASS SPRING tributary to SINKS

Date Filed: 07/15/1980

Amount: 0.08 CFS

Diversion Point: NENE Sec 26 T 19N R 07E, VALLEY Co.

Use: IRRIGATION	(0.06 CFS)	from 04/01 to 10/15
DOMESTIC	(0.08 CFS)	from 01/01 to 12/31

Place of Use: SWNW Sec 25 T 19N R 07E FOR 2 ACRES

Diversion Means: DIVERSION BOX AND PIPELINE.