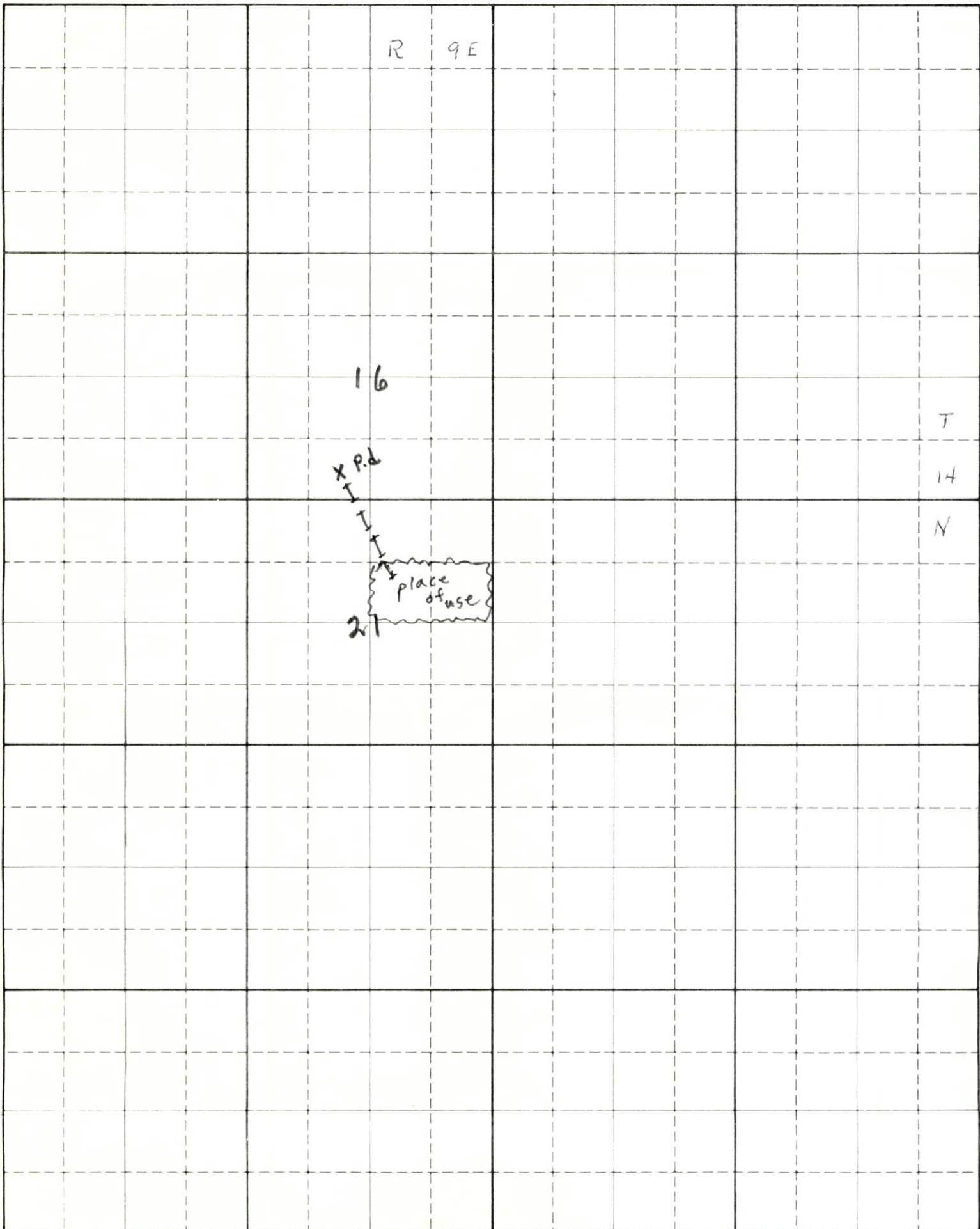


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

X Eugene Barton  
(Applicant)

# PUBLISHER'S AFFIDAVIT

STATE OF IDAHO )

) ss.

County of Valley )

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and 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 advertisement, a copy of which is hereto attached, 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 8, 1976, and ended July 1, 1976.

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this day of June, 1976, at McCall, Idaho, Notary Public.  
My commission expires July 1, 1976.

## NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that EUGENE BARTON Wayzata, MN has on June 22, 1976 submitted Application No. 77-7052 for a permit to appropriate 1.5 cubic feet per second of water from Blue Moon Creek trib. Sulphur Creek by means of diversion dam, pipeline and ditch within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 16 T14N-R9E B.M., Valley County to be used from May 1 to Nov 1 for fish propagation within a 48 acre feet reservoir located within the S $\frac{1}{2}$ NE $\frac{1}{4}$  Sec 21 T14N-R9E B.M.

If issued, this permit will be subject to all prior water rights.

Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before July 19, 1976.

R. KEITH HIGGINSON  
Director

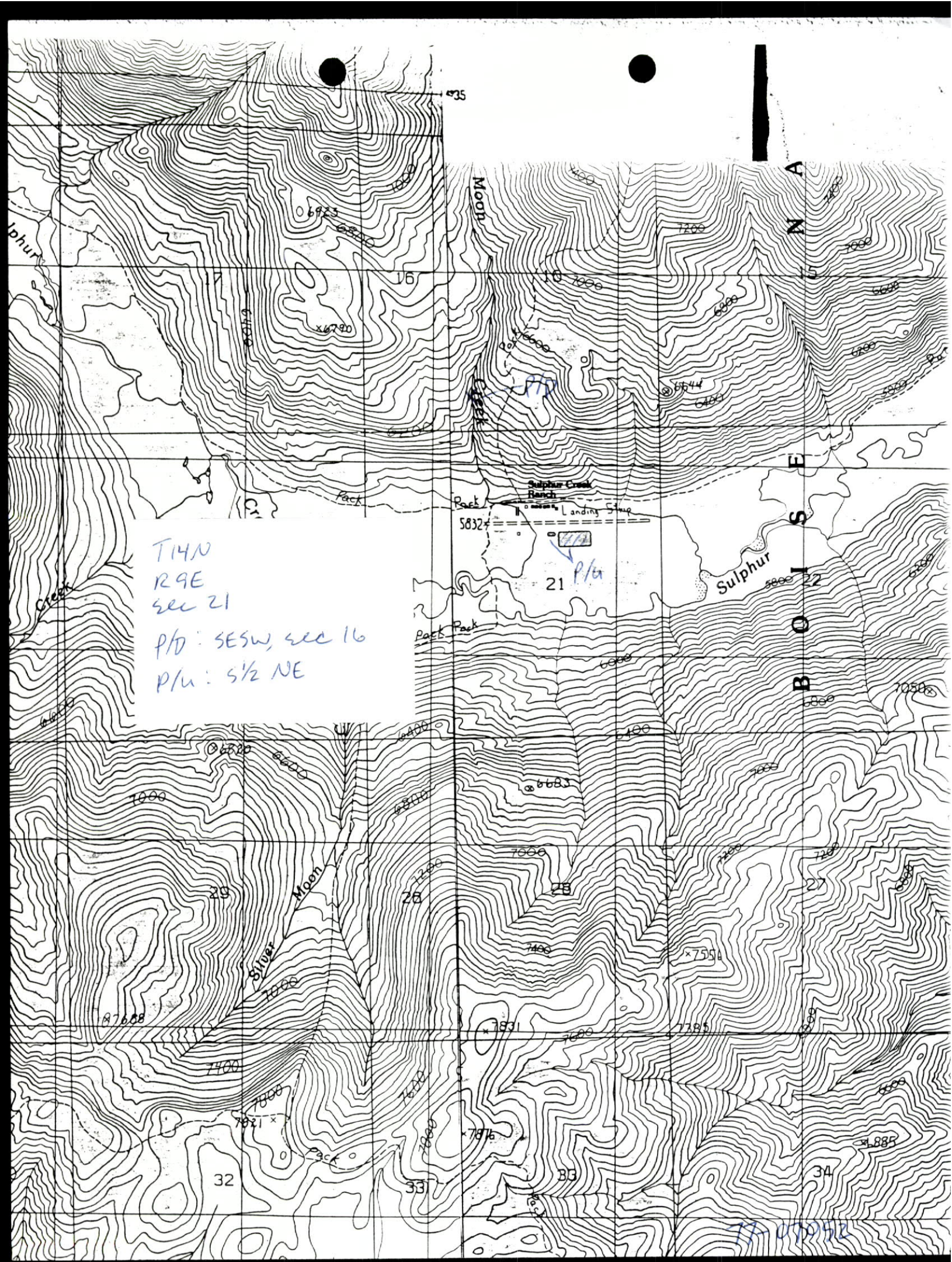
Published in the Star News, McCall, ID on July 1, 1976 and July 8, 1976.

Department of Water Resources

JUL 29 1976

RECEIVED

OK  
7-23-76  
RB



T14N  
R9E  
sec 21

P/D: SESW, sec 16  
P/U: S 1/2 NE

Moon

Sulphur Creek  
Ranch

Landing Strip

21 P/U

Sulphur

N  
S  
E  
B  
O  
I  
S

77 059512



3' dam  
8" gravity flow pipe

8" pipe entering  
power plant

77-07052





discharge water flowing  
SE from power plant  
to ponds

overflow area  
East of large  
pond



77-07052



discharge  
waters entering  
small pond  
through 1½'  
culvert pipe

waters from small  
pond entering large  
pond through 1½'  
culvert pipe





small pond  
(large pond in  
background  
just east of  
small pond)



large pond  
(looking East)

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING DEVICE  
REQUIREMENT ON PERMIT NO. 77-7052 IN THE NAME OF  
SULPHUR CREEK RANCH, INC.

ORDER

WHEREAS, on June 22, 1976, Eugene Barton filed with the Department of Water Resources an application for permit to appropriate 1.50 cubic feet per second of water from Blue Moon Creek to be used for fish propagation purposes and 48.00 acre feet per annum of water from Blue Moon Creek for fish pond storage purposes to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 16, Twp. 14N, Rge. 9E, B.M., Valley County; and,

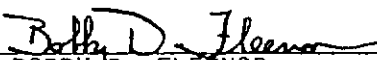
WHEREAS, on August 7, 1976, the Department approved said application and issued Permit No. 77-7052 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before September 1, 1977, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on August 29, 1977, the Department received the required proof of application of water to beneficial use along with a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 77-7052.

Dated this 30 day of September, 1977.

  
BOBBY D. FLEENOR  
Chief, Operations Bureau

*E. Barton*

5/5  
Received 50  
8/20/77  
OK JG

State of Idaho  
Department of Water Resources  
ASSIGNMENT OF PERMIT

I, Eugene Barton, hereby assign to Sulphur Creek Ranch Inc.  
of P.O. Box 131 Boise, Idaho 83701  
Address

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 77-7052  
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit  
No. \_\_\_\_\_ to appropriate the public waters of the State of Idaho.  
(Describe that portion of the permit being assigned by listing the acreage within  
each 40 acre subdivision, the point of diversion and the amount of water in cubic  
feet per second for direct diversion, or acre feet for storage)

Made this 26<sup>th</sup> day of August, 1977.

Eugene Barton  
Permit Holder

\_\_\_\_\_  
Spouse of Permit Holder

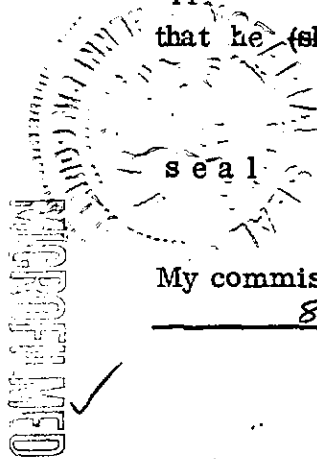
State of <sup>MINNESOTA</sup> ~~Idaho~~ )  
County of HENNEPIN ) ss.

On this 26<sup>th</sup> day of AUGUST, 1977, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged to me  
that he (she) (they) executed the same.

John J. Klinkner  
Notary Public residing at  
HENNEPIN COUNTY, MINN.

My commission expires:  
8-14-79

JOHN J. KLINKNER  
Notary Public, Hennepin County, Minn.  
My Commission Expires Aug. 14, 1979



ASSIGNED TO: SULPHUR CREEK RANCH

Identification No. \_\_\_\_\_

Application No. 77-7052

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant EUGENE BARTON Phone: (612) 473-9217  
post office address 2900 Fairchild Avenue, Wayzata, Minnesota
2. Source of water supply Blue Moon Creek which is a tributary of Sulphur Creek
3. a. Location of point of diversion is Southeast  $\frac{1}{4}$  of Southwest  $\frac{1}{4}$  of Section 16 Township 14 North  
Range 9 East B.M. Valley County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 48.0 for fish pond/storage purpose from May 1 to Nov. 1 (both dates inclusive)  
(~~xxx~~ acre-feet per annum)  
Amount 1.5 for fish propa/gation purpose from May 1 to Nov. 1 (both dates inclusive)  
(~~xxxxxxx~~ cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:  
a. 1.5 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. Wooden division dam on Blue Moon  
Creek, 8" pipe to power plant, used water from plant diverted into open  
ditch to fish pond

\* See back for  
additional remarks

- b. Height of storage dam 8 feet, active reservoir capacity 48 acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam: Earth  
Period of year during which storage will occur May 1 to November 1 inclusive.  
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 1 years.  
b. Estimated construction cost is \$ 15,000.00.
8. Description of proposed uses:  
a. If water is **not** for irrigation: S.E. N.E.  
(1) Give the place of use of water: S.W.  $\frac{1}{4}$  of N.E.  $\frac{1}{4}$  of Section 21 Township 14 North  
Range 9 East B.M.  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water \_\_\_\_\_  
(5) If water is to be used for other purposes describe: Water is to be used to fill and store  
in fish pond

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

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

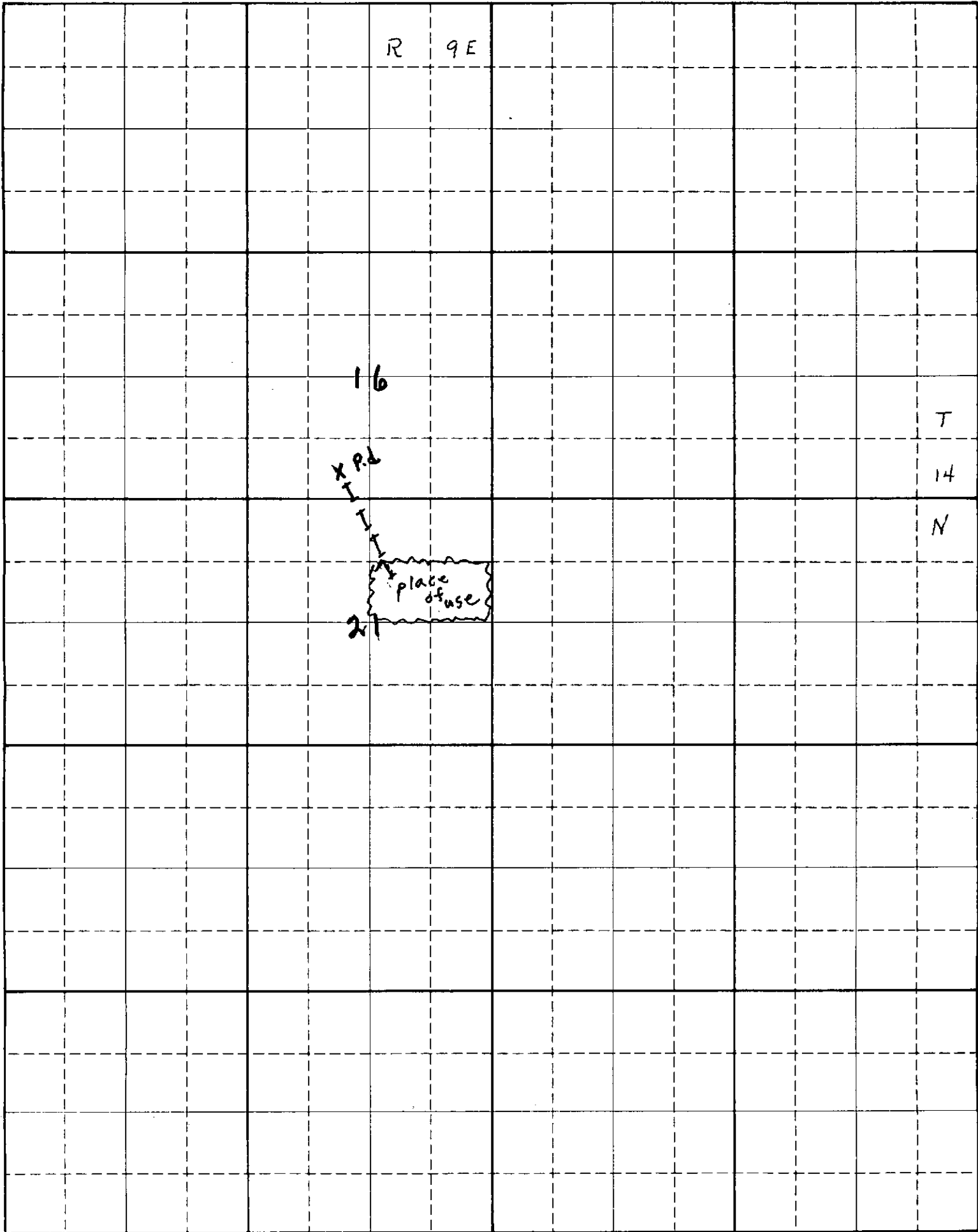
Total number of acres to be irrigated \_\_\_\_\_

c. Describe any other water rights used for the same purposes as described above. 77-2106 for Irrigation

9. a. Who owns the property at the point of diversion USFS Boise N.F.  
 b. Who owns the land to be irrigated or place of use Applicant  
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

10. Remarks \*Fishing pond has been constructed with a front end loader. There is no dam but an excavated pond with the lower end about 8' high from level of meadow to spillway.

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.

X Eugene Barton  
(Applicant)

Proposed Priority 6-22-76  
Received by DRB Date 6-22-76 Time 10:55 Am  
Preliminary check by HJ Fee \$ 35.00  
Received by RB Date 6-22-76 # 5048  
Publication prepared by RB Date 6-24-76  
Published in The Star News  
Publication dates July 1-48  
Publication approved RB Date 7-23-76  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by HJ DZT

#### 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. 77-7052, 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 September 1, 19 77.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 7 day of August, 19 76.

R. Karl Hjort  
Director

# PUBLISHER'S AFFIDAVIT

STATE OF IDAHO )

) ss.

County of Valley )

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and 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 advertisement, a copy of which is hereto attached, 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 8, 1976..... and ended .....July 1, 1976.....

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this .....day of .....19.....

My commission expires.....19.....

*Charles E. McMahan*  
Notary Public.

## NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that EUGENE BARTON Wayzata, MN has on June 22, 1976 submitted Application No. 77-7052 for a permit to appropriate 1.5 cubic feet per second of water from Blue Moon Creek trib. Sulphur Creek by means of diversion dam, pipeline and ditch within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec 16 T14N-R9E B.M., Valley County to be used from May 1 to Nov 1 for fish propagation within a 48 acre feet reservoir located within the S $\frac{1}{2}$ NE $\frac{1}{4}$  Sec 21 T14N-R9E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before July 19, 1976.

R. KEITH HIGGINSON  
Director

Published in the Star News, McCall, ID on July 1, 1976 and July 8, 1976.

JUL 22 1976

Department of Water Resources

*OK 7-29-76*

RECEIVED

OCT 23 1998

Department of Water Resources

## A. GENERAL INFORMATION

Permit No. 77-07052

1. Owner: Sulphur Creek Ranch Inc Phone No. 377-1188

Current Address: 7153 W Emerald Boise Id 83704

2. Accompanied by: Tom Allegrezza EXAM DATE: 9/16/98

Address: Same Phone No. \_\_\_\_\_

Relationship to Permit Holder: owner

3. Source: Blue Moon Creek tributary to Sulphur Creek

## B. OVERLAP REVIEW

1. Other water rights with the same place of use: \_\_\_\_\_

2. Other water rights with the same point of diversion: 77-04134, A 77-04134  
77-02106, A 77-10096

### C. DIVERSION AND DELIVERY SYSTEM

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

[illegible]

**2. Place(s) of Use:**

**Indicate Method of Determination**

[illegible]

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

Scale: 1" = \_\_\_\_\_

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

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

☐ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

*Discharge from power plant measured in 1976 at 2.35 cfs*

E. NARRATIVE/REMARKS/COMMENTS

Water is diverted from a 3' dam on Blue Moon Creek into an 8" pipe, then is carried ~1000' to a power station via gravity flow with ~400' elevation drop.

The discharge from the generator was measured in 1976 at 2.35 cfs. The discharge water can be diverted for irrigation +/- to the ponds via open ditch and 4" buried mainline.

A  $\frac{1}{2}$  ac pond is used for fish rearing which then dumps into a  $4\frac{1}{2}$  ac pond via  $1\frac{1}{2}'$  culvert pipe. Overflow from the large pond irrigates surrounding pasture licensed under 77-02106. Fish are planted in the small pond, they do not enter naturally. Fish leave the large pond only through recreational fishing. Fish propagation and fish propagation from storage are not necessary uses.

A separate discharge and delivery system from the power plant is used for domestic and power uses.

77-04184 and A77-04184 covers the dom & power uses.

77-02106 covers the irrigation use. A77-10096 is 77-02106, claiming an earlier priority date.

No other rights are used.

Have conditions of permit approval been met? ☐ yes ☐ no

**F. FLOW CALCULATIONS**

\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

Discharge from power generator measured at  
2.35 cfs in 1976 for license 77-02106.

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

 $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$  \_\_\_\_\_

## 2. Volume Calculations for Other Uses:

1.5 ac small pond + 4.5 ac large pond  $\times$  22' max depth  $\times$  .4  
for V shaped ponds = 44 af. Allow 48 af as listed  
on permit due to estimated measurements.

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use | Period of Use |      | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|------|------------------------------|--------------------------|
|                | From          | To   |                              |                          |
| Div to Stor    | 5/1           | 11/1 | 1.5                          |                          |
| Fish Prop stor | 5/1           | 11/1 |                              | 48                       |
|                |               |      |                              |                          |
|                |               |      |                              |                          |
|                |               |      |                              |                          |
| Totals:        |               |      | 1.5                          | 48                       |

## 2. Recommended Amendments

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

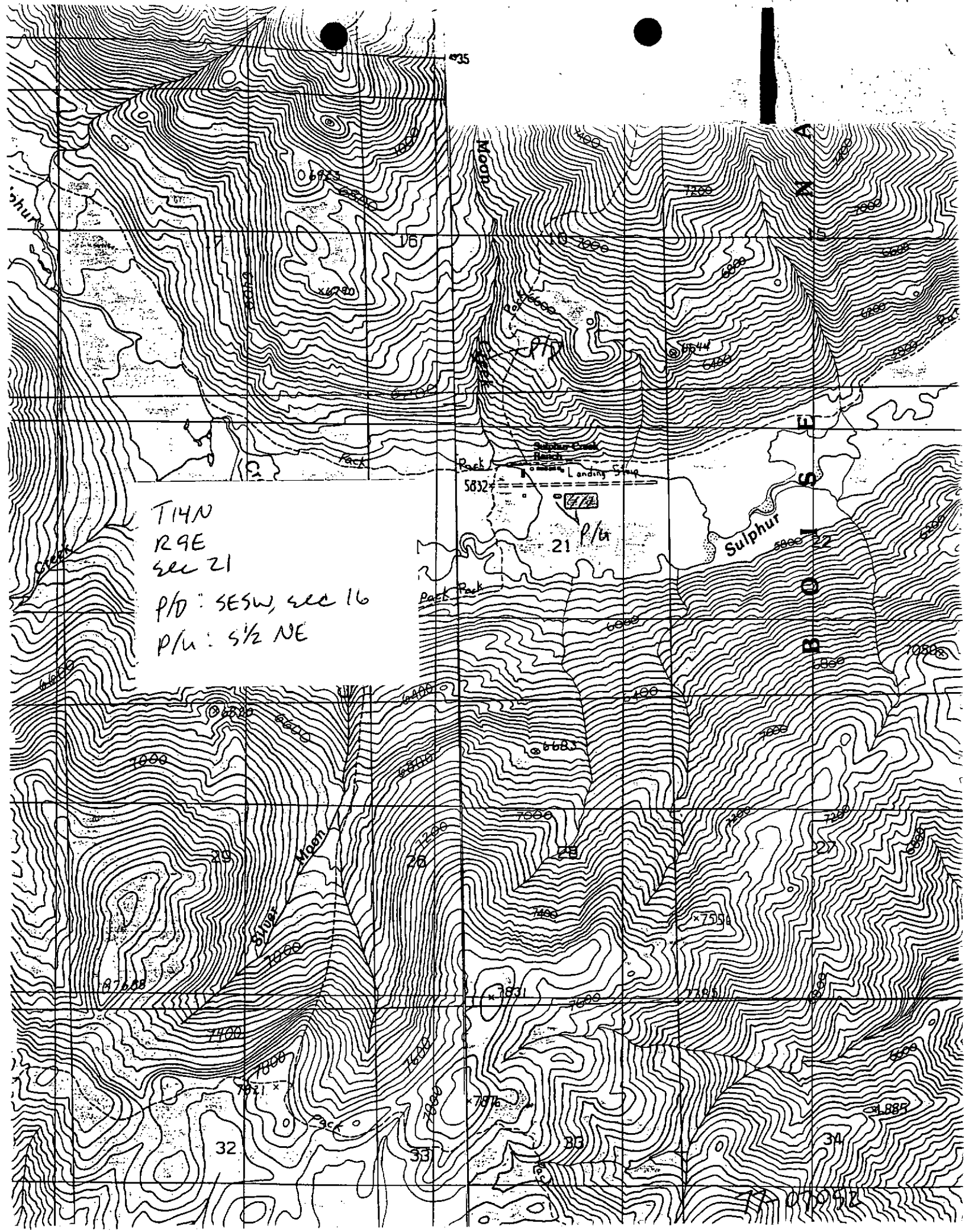
**I. AUTHENTICATION**Field Examiner's Name Loi Brewer Date 10/20/98

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL

T14N  
R9E  
sec 21

P/D: SESW, sec 16  
P/U: S 1/2 NE

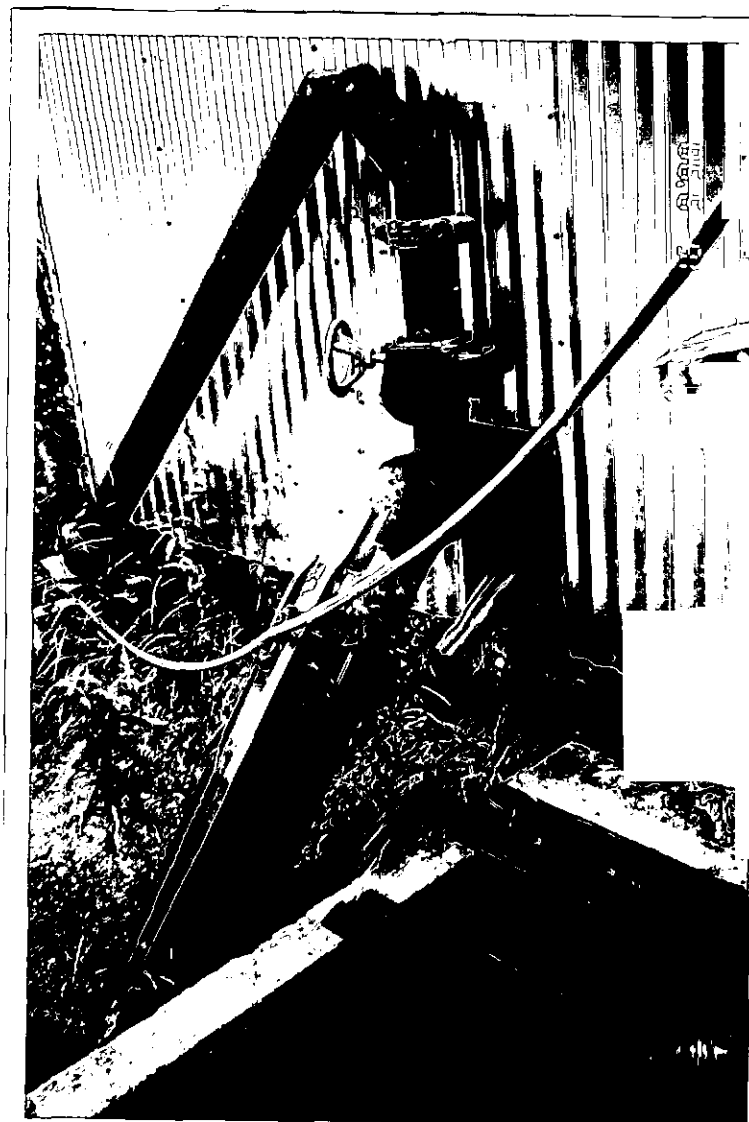




3' dam

8" gravity flow pipe

8" pipe entering  
power plant



77-07052



discharge water flowing  
SE from power plant  
to ponds

overflow area  
East of large  
pond



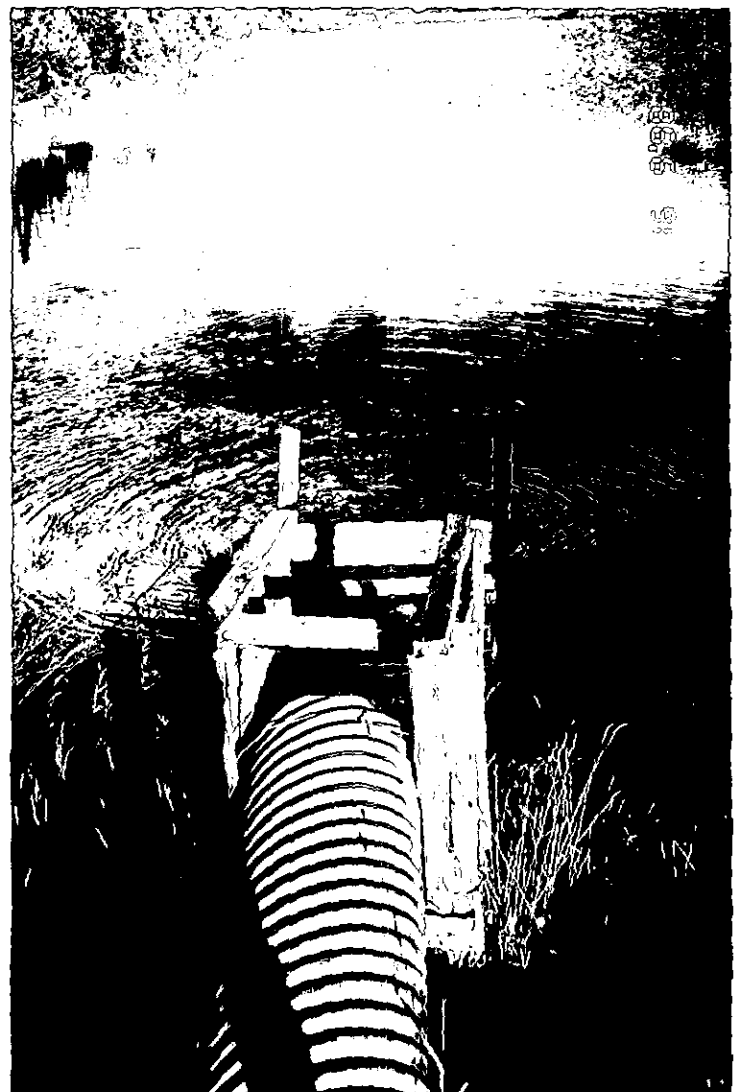
77-07052

16 9'98



discharge  
water entering  
small pond  
through  $1\frac{1}{2}$ '  
culvert pipe

water from small  
pond entering large  
pond through  $1\frac{1}{2}$ '  
culvert pipe





small pond  
(large pond in  
background  
just east of  
small pond)

large pond  
(looking East)



77-07052

4/86

RECEIVED

OCT 27 1988

RECEIVED

JUN 16 1989

For Office Use Only  
Fee Received \$100.00  
Date 10-27-88  
Receipt # C003077  
Receipt by [Signature]  
Sent to S.O. 6/15/89

STATE OF IDAHO Department of Water Resources  
DEPARTMENT OF WATER RESOURCES  
EXAMINATION FEE INFORMATION

RECEIVED

NOV 2 1988

Original to SD  
due to lapse  
notice of  
5/5/88  
gl.

Department of Water Resources

1. Permit No. 77-7052

Department of Water Resources  
Western Regional Office

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: Sulphur Creek Ranch

3. Post Office Address: 7153 W. Emerald  
Boise, Id 83704 Telephone No. (208) 377-1188

4. Source of Water: Blue Moon Creek

5. Extent of Use:

Domestic \_\_\_\_\_ (No. of households) Stockwater \_\_\_\_\_ (No. and type of stock)  
Irrigation \_\_\_\_\_ (acres) Other/Remark Fish Propagation

6. Total rate &/or volume for which proof is submitted \_\_\_\_\_ cfs 48 acre-feet

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

6/22/1976

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

Tom Allegrezza (Name)

7153 W. Emerald (Address) Boise Id (Telephone Number) (208) 377-1188

☐ 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.)

10/26/88  
Date

[Signature]  
Signature of Permit Holder (and title, if appropriate)

State of Idaho  
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second  
AF = acre feet)

| cfs          | AF          | Fee    |
|--------------|-------------|--------|
| 0 - 0.04     | 0 - 4       | \$ 0   |
| .05 - 0.20   | 5 - 20      | 50.00  |
| .21 - 1.0    | 21 - 100    | 100.00 |
| 1.01 - 2.0   | 101 - 200   | 125.00 |
| 2.01 - 3.0   | 201 - 300   | 150.00 |
| 3.01 - 4.0   | 301 - 400   | 175.00 |
| 4.01 - 5.0   | 401 - 500   | 200.00 |
| 5.01 - 6.0   | 501 - 600   | 225.00 |
| 6.01 - 7.0   | 601 - 700   | 250.00 |
| 7.01 - 8.0   | 701 - 800   | 275.00 |
| 8.01 - 9.0   | 801 - 900   | 300.00 |
| 9.01 - 10.0  | 901 - 1000  | 325.00 |
| 10.01 - 11.0 | 1001 - 1100 | 350.00 |
| 11.01 - 12.0 | 1101 - 1200 | 375.00 |
| 12.01 - 13.0 | 1201 - 1300 | 400.00 |
| 13.01 - 14.0 | 1301 - 1400 | 425.00 |
| 14.01 - 15.0 | 1401 - 1500 | 450.00 |
| 15.01 - 16.0 | 1501 - 1600 | 475.00 |
| 16.01 - 17.0 | 1601 - 1700 | 500.00 |
| 17.01 - 18.0 | 1701 - 1800 | 525.00 |
| 18.01 - 19.0 | 1801 - 1900 | 550.00 |
| 19.01 - 20.0 | 1901 - 2000 | 575.00 |
| 20.01 & over | 2001 & over | 600.00 |

Checks should be made payable to the  
Department of Water Resources

No fee is required for single family  
domestic use or stockwater use.



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS  
GOVERNOR  
R. KEITH HIGGINSON  
DIRECTOR

77-7052  
SULPHUR CREEK RANCH INC.  
P.O. BOX 131  
BOISE, ID 83701

May 5, 1988

Dear Permit Holder:

LAPSE NOTICE  
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on June 9, 1988, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 10, 1987.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 8, 1988, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief  
Operations Bureau

Enclosure



STATE OF IDAHO

# DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

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

October 1, 1987

Sulphur Creek Ranch Inc.  
Mr. Jim S. Higgins  
P.O. Box 131  
Boise, ID 83701 (77-7052)

RE: Permit to Appropriate Water No. *77-7052*

The Department mailed the original of the enclosed letter in an attempt to inform him that he was required to pay an examination fee on the above referenced permit. The letter was returned to the Department as undeliverable mail. Research of the records of the County Assessor reveals that you own property which may have been listed as the place of use in the permit.

Please read the enclosed letter. It may be necessary that you file an examination fee with the Department to prevent loss of a developed water right. Should we not hear from an interested party within sixty (60) days of the date of this letter, action will be initiated to remove the permit from the Department files.

Respectfully,

GARY SPACKMAN, Supervisor  
Water Allocation Section

GS:jf

CC:

INTER-DEPARTMENT MEMO — 1

FROM State Office

DATE June 25, 1987

TO File 77-7052

SUBJECT Returned Mail from 1986 mailing of the "Certified Examination Fee Notice" letter.

New addresses were located and another Certified Examination Fee Notice letter and Exam information sheet were mailed dated June 25, 1987. These letters were sent out by the State Office using each regions letterhead.

These addresses were obtained by contacting the county assessors office.

Gail Laxett  
SIGNATURE



State of Idaho  
DEPARTMENT OF WATER RESOURCES  
Western Region

Cecil D. Andrus  
Governor

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

June 25, 1987

77-7052  
Sulphur Creek Ranch Inc.  
Box 3121  
Boise, Id 83703

138637  
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.

page 2  
Examination Fee Notice

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is available from the department upon request. A listing of certified water right examiners is also available.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

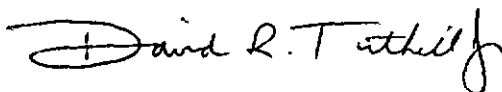
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FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be returned to this office. If you have questions or concerns please feel free to call at (208) 334-2190, or to visit the office at our new location near the airport, at 2735 Airport Way.

Sincerely,



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

DRT:jp

Enclosure



Cecil D. Andrus  
Governor

State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Western Region

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

77-7052  
SULPHUR CREEK RANCH INC.  
P.O. BOX 131  
BOISE, ID 83701

138317

April 10, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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The attached examination fee information sheet and the fee may be returned to this office. If you have questions or concerns please feel free to call at (208) 334-2190, or to visit the office at our new location near the airport, at 2735 Airport Way.

Sincerely,



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

DRT:jp

Enclosure

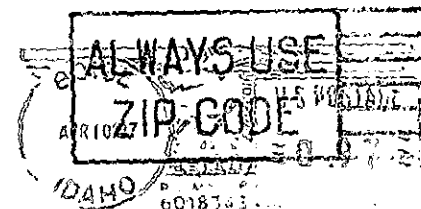
Idaho Department of Water Resources  
Western Region

DEPARTMENT OF WATER RESOURCES  
2735 AIRPORT WAY  
BOISE, IDAHO 83705

RECEIVED  
APR 20 1987

Department of Water Resources  
Western Regional Office

Valley



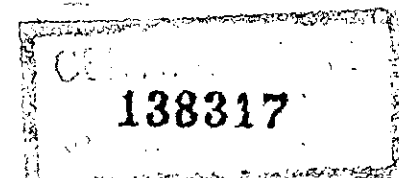
85



MOVED. LEFT NO ADDRESS

APR 18 1987

MOVED. LEFT NO



CLAIM CHECK  
NO.  
212766

☐ HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

Detached from  
PS Form 3849-A  
Oct. 1980



Cecil D. Andrus  
Governor

State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Western Region

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

June 25, 1987

77-7052  
Sulphur Creek Ranch Inc.  
Box 3121  
Boise, Id 83703

138637  
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 471 (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.

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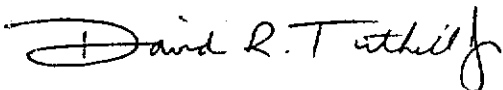
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Sincerely,



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

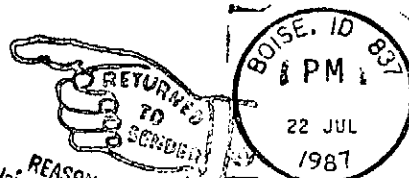
DRT:jp

Enclosure

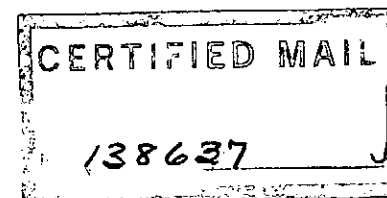
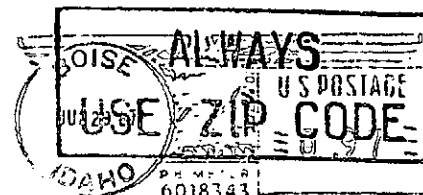
STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Boisehouse  
Boise, Idaho 83720

RECEIVED  
JUL 24 1987

Department of Water Resources



REASON CHECKED  
Unclaimed ☒ Attempted ☒ Refused ☒  
Insufficient Address ☒ No such street ☒  
No such office in state ☒ Do not re-mail in this envelope



JUN 30 1987

JUL 10 1987

JUL 22 1987



Cecil D. Andrus  
Governor

State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Western Region

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

77-7052  
SULPHUR CREEK RANCH INC.  
P.O. BOX 131  
BOISE, ID 83701

138317

April 10, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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WATER RIGHT NUMBER 77-7052

OWNER LAST NAME - BARTON  
OWNER LAST NAME - SULPHUR CREEK RANCH INC.FIRST NAME - EUGENE  
FIRST NAME -ORIG OWNER - 0  
ORIG OWNER -

ADDRESS LINE 1 - P.O. BOX 131

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE

STATE - ID ZIP CODE - 83701

SOURCE - BLUE MOON CREEK

TRIBUTARY OF - SULPHUR CREEK

STAGE - PERMIT

STATUS -

PRIORITY - 06-22-1976 COUNTY - VALLEY

TOTAL DIV. RATE -

1.5000 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESW 16 14N 09E LOT REDIV -

272.0 92.0 279.0 139.0 4.0 0.0 0.0 0.0 0.0 0.0 1.1

FROM - 05-01 TO - 11-01 USE - FISH PROP.

USE DIV. RATE -

1.5000 CFS

USE DIV. VOLUME -

.00 AFA

FROM - 05-01 TO - 11-01 USE - FISH PROP. STORAGE

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

48.00 AFA

FROM - 05-01 TO - 11-01 USE - FISH PROP. FROM STORAGE

USE DIV. RATE -

.0000 CFS

USE DIV. VOLUME -

48.00 AFA

USE - FISH PROP.

PLACE OF USE - TWN 14N RNG 09E SEC 21 TRACT SWNE LOT

AC

TRACT

SENE LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 09-01-1977 PERMIT/DENIED - 08-07-1976 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS - DAM &amp; DITCH.

December 4, 1980

G. Val Simpson  
U.S. Dept. of Agriculture  
Forest Service  
Cascade Ranger District  
Cascade, Idaho 83611

Dear Mr. Simpson,

RE: Permit No. 77-7052

We are in receipt of your letter of December 1, 1980 concerning the application for permit No. 77-7052 by Mr. Eugene Barton.

This application was filed in June 1976 and was advertized in the newspaper pursuant To Section 42-203, Idaho Code. The Department did not receive any protests against issuance of said permit. On August 7, 1976 a Water Permit was issued to Mr. Barton.

On August 26, 1977 an Assignment of Permit was made changing ownership of the permit from Eugene Barton to Sulphur Creek Ranch, Inc.

On August 29, 1977, Sulphur Creek Ranch Inc. submitted proof of application of water to beneficial use, which they stated that their development toward using water for fish propagation had been completed.

The Department has yet to conduct a field exam on the development to varify the extent to which the water has been put to beneficial use.

Since the development of the water right does not in itself put restrictions on the type and/or method of construction, I would suggest that you should notify the present owner of the improvement limitations.

If I can be of further assistance please let me know.

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

RECEIVED

DEC 3 1980

Department of Water Resources  
2540  
December 1, 1980

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOREST SERVICE

Cascade Ranger District  
Cascade, Idaho 83611

17-7052



State of Idaho  
Department of Water Resources  
State Office, 450 W. State  
Boise, ID 83702

Gentlemen:

Mr. Eugene Barton's application for water use indicates he will construct some improvements on National Forest lands in Section 16 and 21, T. 14 N., R. 9 E. Part of these lands are administered by the Boise National Forest and part are administered by the Challis National Forest. All of the National Forest land in these two sections are within the River of No Return Wilderness Area.

The Boise National Forest has not issued a permit for any improvements on the lands they administer in these sections.

The Wilderness Act is quite restrictive on permitting improvements to be constructed in the Wilderness Area, therefore, any application for construction of structures we receive will have to be carefully evaluated for compliance with the Wilderness Act.

Sincerely,

*G. Val Simpson*

G. VAL SIMPSON  
District Forest Ranger

Enclosure

IDENT. NO. 77-7052

WATER RIGHT  
DATA ENTRY LOG

[illegible]

October 3, 1977

Re: Permit No. 77-7052

Sulphur Creek Ranch, Inc.  
Attn: Jim S. Higgins  
P. O. Box 131  
Boise, Idaho 83701

Dear Mr. Higgins:

Enclosed is an Order which removes the measuring device requirement on the above referenced permit.

Sincerely,

JANICE RENK  
Water Rights

Handwritten signature/initials in the bottom right corner.

FROM Jim Johnson

DATE 11-10-77

TO File #77-7052

SUBJECT Measuring Device Requirement

Mr. Higgins came in and explained the situation pertaining to this application for permit. It appears that as a result of an earlier permit field examination the examiner found that water was being used for additional uses and he recommended that the applicant file for a water permit.

This was done by the applicant and since there are no other users within 50 miles and the water used for fish propagation is a non consumptive use it was felt that even if a measuring device was required no one would check the diversion until the water drainage underwent substantial growth.

---

SIGNATURE

September 8, 1977

Re: Permit No. 77-7052

Suppher Creek Ranch, Inc.  
P. O. Box 131  
Boise, Idaho 83701

Attn: Mr. Jim S. Higgins

Dear Mr. Higgins:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records. We also acknowledge receipt of the affidavit submitted as proof of beneficial use on this permit.

At the time you submitted this proof you also requested that the measuring device requirement be removed. However, we do not feel that conditions have changed from the time the permit was originally issued to warrant the removal of the measuring device requirement. Therefore, a measuring device on your permit must be installed prior to licensing. A representative of this Department will contact you about making a field examination on this permit. A field examination must be made also before a license can be issued on this permit. At the time the examiner makes the examination the measuring device needs to be installed. We have enclosed a list of the types of measuring devices accepted by this office.

If you have any questions regarding the field examination or regarding the measuring device requirement, please contact our Regional Office in Boise.

Sincerely,

JAN GROVER  
Water Rights Supervisor

JG:JFR

Encl.

RECEIVED

OUTFITTER & MANAGER  
Terry Beeler

GUIDE  
Tim Keogh

COOK  
Donna Beeler



OWNERS  
George Truppi  
Jim Higgins  
Bill George  
Tom Allegrezza

August 29, 1977

State of Idaho  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

RE: Permit # 77-7052

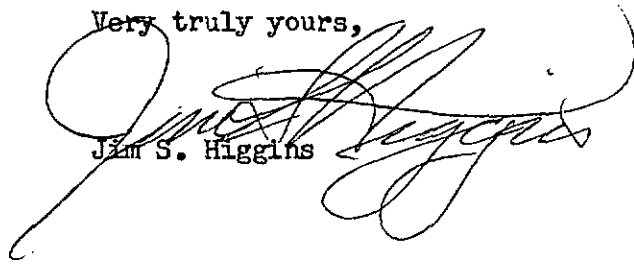
Gentlemen:

Enclosed is the signed and notarized assignment from Mr. Barton.

Also enclosed is proof-of-beneficial use signed by me as secretary of Sulphur Creek Ranch, Inc.

We would like for you to waive the requirement for a measuring device in that all of the water diverted is delivered through an 8" pipe, first through the power plant and then by ditch.

Very truly yours,

  
Jim S. Higgins

JSH:anh

ELK — SHEEP — GOAT — DEER — BEAR — COUGAR

P. O. Box 131  
Boise, Id. 83701  
PH: (208) 377-1188

Identification No. \_\_\_\_\_

Permit No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED  
AUG 28 1977  
067

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Eugene Barton  
b) Post Office Address P.O. Box 131 Boise, Idaho  
2. Permit Number 77-7052  
3. Date of Priority that you are prepared to establish 6-22-1976  
4. a) Source from which water was appropriated Blue Moon Creek  
b) Location of the point of diversion: SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , Section 16  
Township 14N, Range 9E Boise Meridian, Other points of diversion: \_\_\_\_\_

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

Amount 48.0 for fish pond/storage purposes from May 1 to Nov 1 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount 1.5 for fish propagation purposes from May 1 to Nov 1 incl.  
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

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

b) Total amount appropriated 1.5 cfs cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: N/A

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

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

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

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) water diverted from power plant to fish pond via open ditch

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

Request that measuring device requirement be waived because of remote location of Ranch

c) Give well driller's name and address and the date the well was completed: N/A

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

fish pond and fish propagation.

9/8/77

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

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

Total number of acres irrigated \_\_\_\_\_

10. Remarks: \_\_\_\_\_

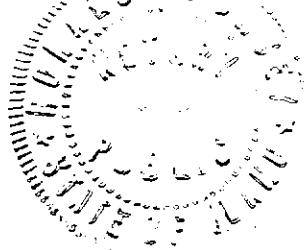
The above information is a true statement of the extent to which the above numbered permit has been developed.

8/29/77  
(Date)

SODAPUR CREEK RANCH  
IND  
(Signature)

State of Idaho )  
 ) ss.  
County of Ada )

On this 29TH day of AUGUST, 1977, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Robert W. Cese  
Notary Public residing at 4106 STATE  
BOISE IDAHO

My commission expires LIFE

June 30, 1977

CERTIFIED MAIL

138735

77-7052

Re: Permit No.

Eugene Barton  
2900 Fairchild Ave.  
Wayzata, MN 55391

Dear Mr. Barton:

77-7052

One of the conditions of approval of your water Permit No. \_\_\_\_\_ (see last page of your approved permit) was that evidence of the extent of development be submitted ~~September 15, 1977~~ application of water to beneficial use to this office on or before \_\_\_\_\_. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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



C. STEPHEN ALLRED  
Director

CSA:jfr

Enc: Proof affidavit

MICROFILMED

August 10, 1976

Re: Permit No. 77-7052

Eugene Barton  
2900 Fairchild Avenue  
Wayzata, MN 55391

Dear Mr. Barton:

Enclosed is a copy of your approved Application for Permit No. 77-7052 . We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:jfr

Enclosures

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. 77-7052

☒ Source  
☒ Point of Diversion  
☒ County  
☒ Quantity of Water and Period of Use  
☒ Description of Diverting Works  
☒ Time required for B/U of water  
☒ Place of Use or Acres Irrigated  
☒ Map  
☒ Signature  
☒ Fee

(1) JH 6-22-76

In form to receipt

(2) \_\_\_\_\_

Send Copies to:

\_\_\_\_\_ Idaho State Health Department  
\_\_\_\_\_ Idaho Fish and Game Department  
\_\_\_\_\_ Bureau of Land Management

(3) RB 6-23-76

☒ ~~Request Special Use Permit from~~ U.S.F.S.  
\_\_\_\_\_ Request Easement from B.L.M.  
\_\_\_\_\_ Request Information from Applicant

(4) JH 6-22-76

In form for advertising

(5) \_\_\_\_\_

Platted on Map No. \_\_\_\_\_

(6) \_\_\_\_\_

Located within Water District No. \_\_\_\_\_

(7) \_\_\_\_\_

Critical groundwater area: yes \_\_\_\_\_ no \_\_\_\_\_

(8) \_\_\_\_\_

Groundwater levels: N/A

\_\_\_\_\_ Declining, \_\_\_\_\_ Stable, \_\_\_\_\_ Increasing

(comment) \_\_\_\_\_

(9) \_\_\_\_\_

Other rights on the same place of use not for  
Comments: storage or fish propagation.

(10) \_\_\_\_\_

(11) RD OK

Affidavit of Publication received(date) 7-23-76

(12) \_\_\_\_\_

Final date for protests 7-19-76

Protests received: yes \_\_\_\_\_ no ☒

(13) \_\_\_\_\_

All requested information received from agencies or applicant: yes \_\_\_\_\_ no \_\_\_\_\_

(14) \_\_\_\_\_

Action recommended:

☒ Approve \_\_\_\_\_ Deny

\_\_\_\_\_ Proposed Priority

\_\_\_\_\_ Reason for Reduction \_\_\_\_\_

Yes, Since the power plant is not to be allowed as out of state owner

☒ ~~NO~~ Measuring device required

\_\_\_\_\_ See attached sheet for other conditions of approval

\_\_\_\_\_ No special conditions for approval

(15) District W

By JH

Date 7-26-76



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse  
Boise, Idaho 83720  
(208) 384-2190

June 23, 1976

Re: Notice of Application for Permit No. 77-7052 Eugene Barton  
Corrected Notice of Proposed Change of Water Right No. 65-3117 -  
Ray Potter

The Star News  
Box 985  
McCall, ID 83638

Gentlemen:

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

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

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

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

Sincerely,

-----  
(Signature of Claimant)

Bill submitted

7-23-76

RB

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that EUGENE BARTON

Wayzata, MN

has on June 22, 1976 submitted Application No. 77-7052

for a permit to appropriate 1.5 cubic feet per second ~~xxacre feet~~

~~per second~~ of water from Blue Moon Creek trib. Sulphur Creek

by means of diversion dam, pipeline and ditch

within the SE<sup>1</sup>SW<sup>1</sup> Sec 16 T14N-R9E B.M., Valley County

to be used from May 1 to Novel

for fish propagation within a 48 XX acre feet reservior located

within the SE<sup>1</sup>NE<sup>1</sup> Sec 21 T14N-R9E B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before July 19, 1976.

R. KEITH HIGGINSON

Director

Published in the The Star News, McCall, ID

on July 1, 1976 and July 8, 1976

June 23, 1976

Re: Applications for Permit Nos. 65-7632 & 77-7052

U. S. Forest Service  
c/o Personnel  
1075 Park Blvd.  
Boise, ID 83706

Gentlemen:

We are enclosing copies of the above referenced applications for permit which may be of interest to your agency. Please review the applications and if you have any comments, please submit them to our department as soon as possible.

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

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

Sincerely,

L. GLEN SAXTON, P.E.  
Western Regional Supervisor

LGS:rb

Enc.



# STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

June 23, 1976

Re: Application for Permit No. 77-7052 - Eugene Barton

L. M. McGray  
10633 89th Ave. No.  
Osseo, MN 55369

Dear Mr. McGray:

Enclosed is your Receipt No. 5048 in the amount of \$ 35.00  
for Application for Permit No. 77-7052 which was received in this  
office on June 22, 1976.

Sincerely,

CATHY L. SHAW  
Senior Clerk

CLS:cs

Enclosure