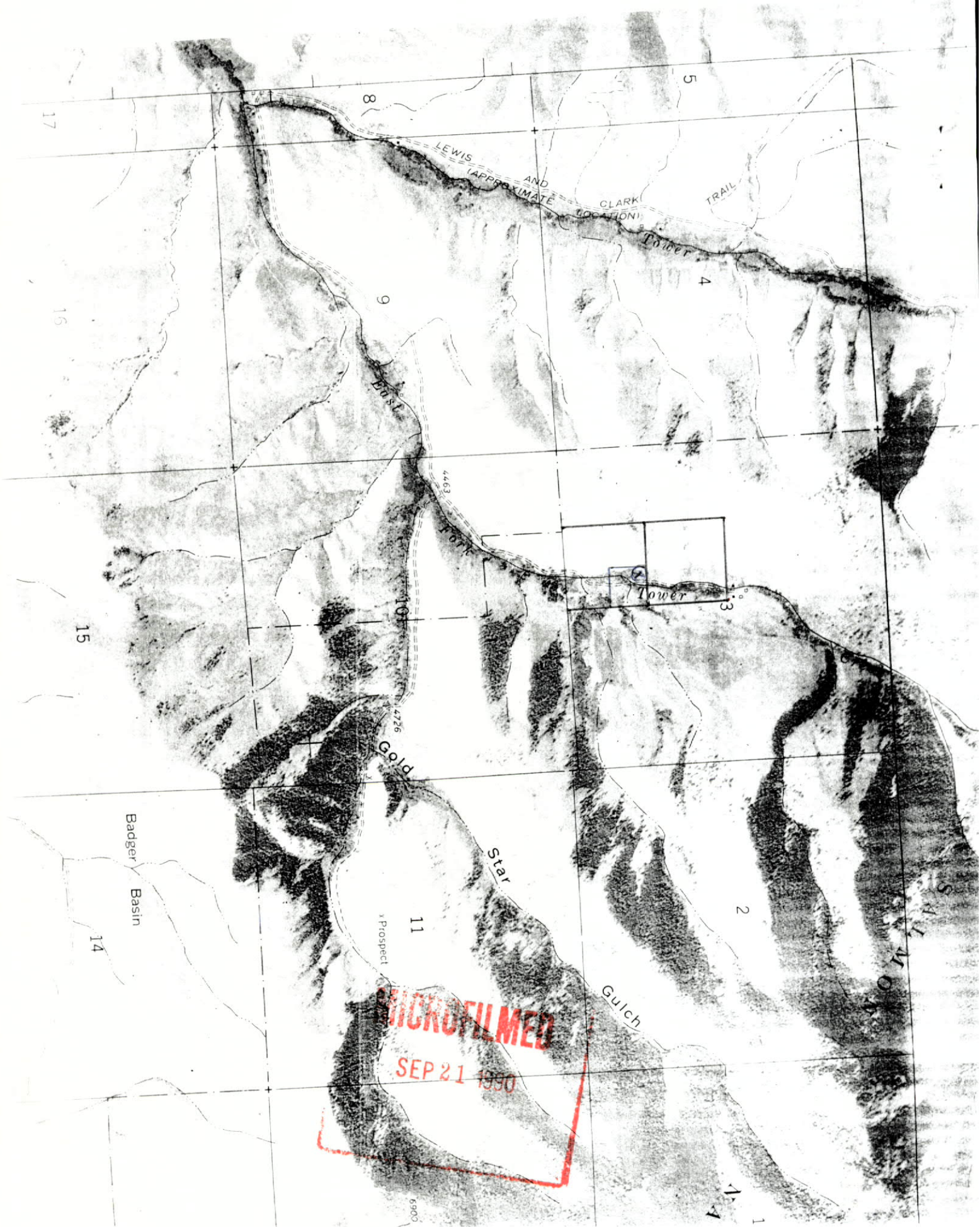




on Tower Creek until there can be
some form of regulation.

Thank you for your time and
we would appreciate any information
you could give us on options for
action needed and how to start
them.

Respectfully

MICROFILMED

SEP 21 1990

Friends of Tower Creek
Box 134

Carmen, Idaho, 83462

c/o LARRY FOLKERS

75-07519

we respectfully
oppose this permit
until regulation
on the creek

Thank you

SEGER, JOHN J.
P.O. BOX 1819
HUNTINGTON BEACH, CA
92647
Source: SPRING
Tributary: TOWER CREEK, EAST
FORK
Diversion Pt: NESESW Sec 3 T
23N R 22E
Use: IRRIGATION (.120 CFS)
Total Diversion: (.120 CFS)
Date Filed: 5/11/1990
In: T23N R22E S03 SESW
4.0 ACRES TOTAL

RECEIVED

SEP 2 - 1994

FOR OFFICE USE ONLY

Amt. of Fee \$: 500

Receipt No. 0031192

Receipt By: RJ

Date Received: 9-2-94

RECEIVED

AUG 22 1994

Department of Water Resources

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

4.02

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 75-07519 Telephone No. 714-891-8019 DAYS
714-840-8190 AVE MACH
2. Name(s) of Permit Holder(s): John J. Seeger
3. Mailing Address: 17831 ALFAWA CIRCLE, HUNT Bch, CA 92649
4. Source of Water: SPRING If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____
 - a. Well Driller: _____ Drilling Permit Number: _____
 - b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 4 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 0.12 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____ or No _____
	Has the measuring device been installed?	Yes _____ or No _____
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No _____
	Has the measurement port been installed?	Yes _____ or No _____
8. Fee Enclosed: \$ 500 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: ROY LINCOLN Telephone Number: 208-756-4405
Address: TOWER CREEK RD (CARMEN POST OFFICE) I DON'T KNOW THE ACTUAL
83466 PO Box #
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: _____

(include your title, if on behalf of company or organization)

OCT 31 1994

Date: 8-16-94

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 75-07519

Proposed Priority: May 11, 1990 Maximum Diversion Rate: 0.12 CFS
This is to certify, that JOHN J. SEEGER
P.O. BOX 1819
HUNTINGTON BEACH, CA 92647
has applied for a permit to appropriate water from:

SPRING tributary of TOWER CREEK, EAST FORK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION: NESESW Sec. 3, Township 23N, Range 22E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
23N	22E	3	SES	W	4	4

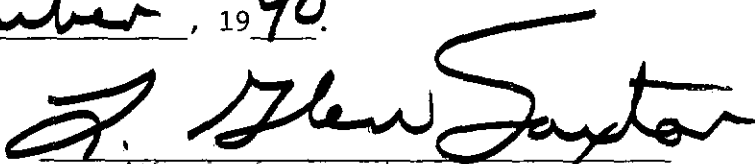
Total number of acres irrigated: 4

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1994.
2. Subject to all prior water rights.
3. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

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

5th day of September, 1990.

for 
R. Keith Higginson, Director
MICROFILMED

SEP 21 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant John J. Seeger Phone 714-891-2000
Post office address P.O. Box 1819 Huntington Beach, CA 92647
2. Source of water supply Spring which is a tributary of Tower Ck, East Fork
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 3 Township 23N Range 22E B.M. LEWHI County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .12 for IRR purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .12 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. PIPE, DITCH

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

MICROFILMED

SEP 21 1990

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

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
23N	22E	3											4						4 Acre

Total number of acres to be irrigated 4

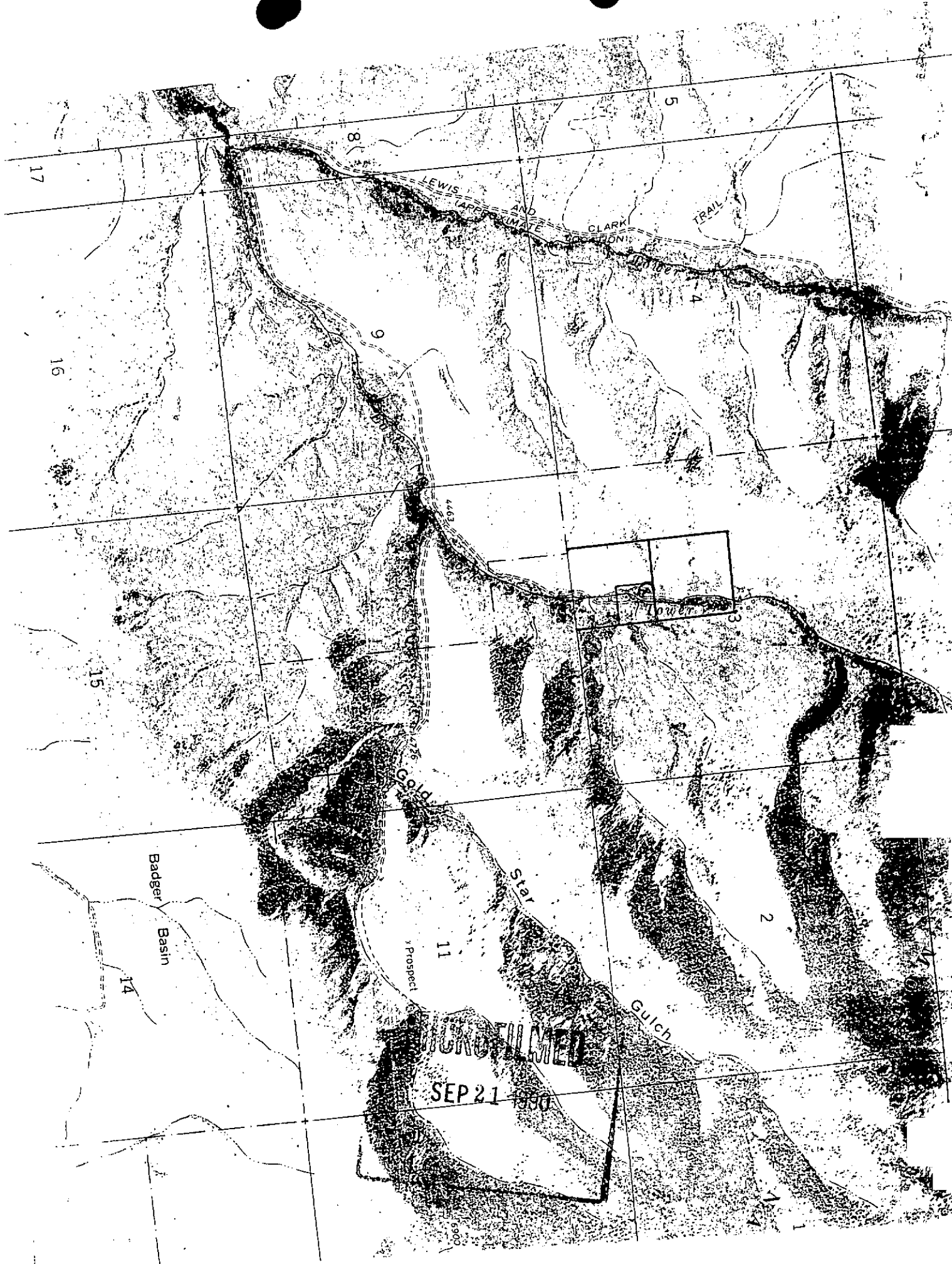
10. Describe any other water rights used for the same purposes as described above. _____

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

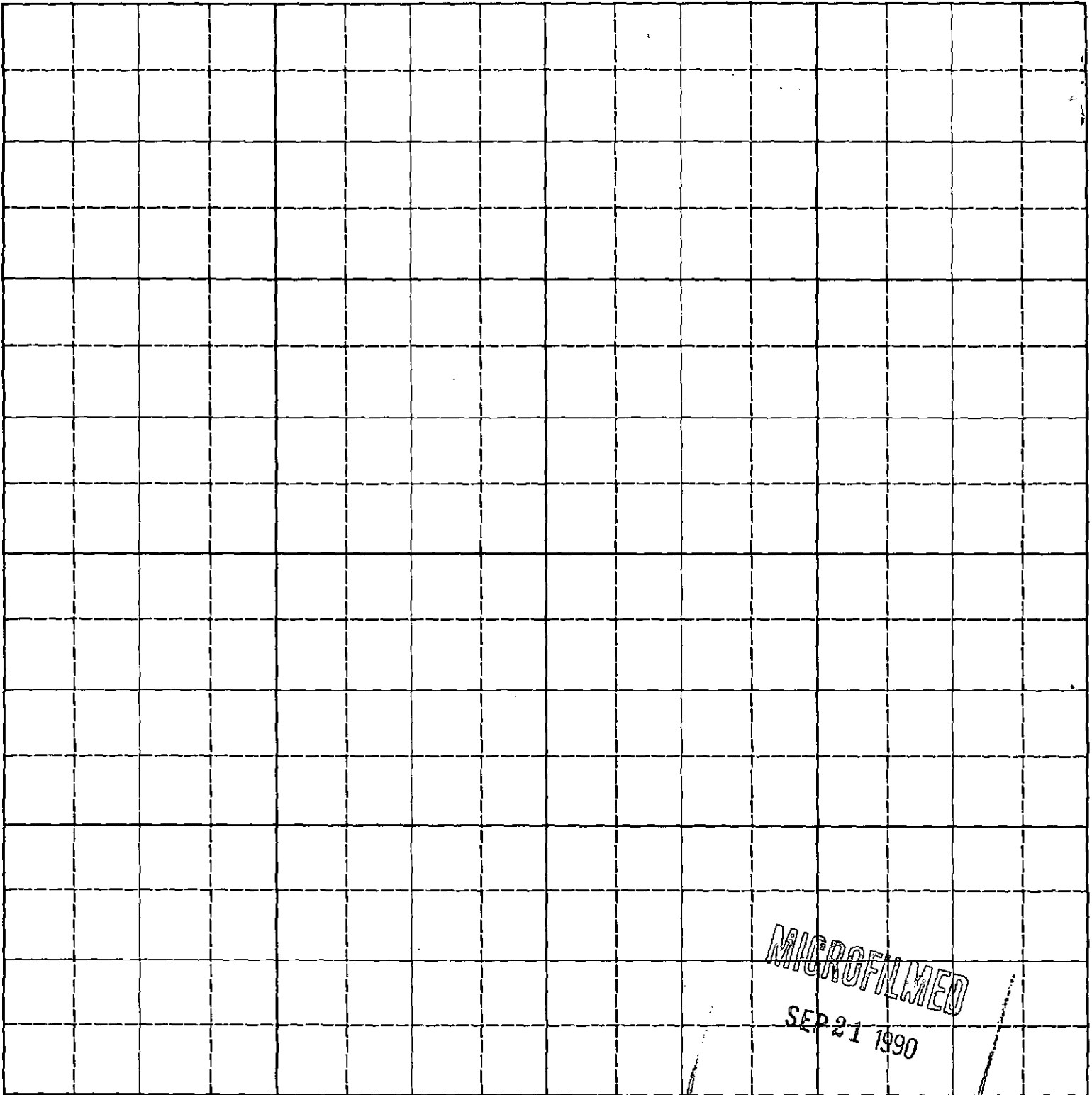
12. Remarks: _____

MICROFILMED

SEP 21 1990

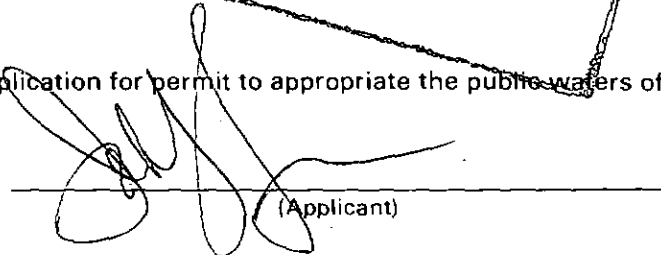


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.


(Applicant)

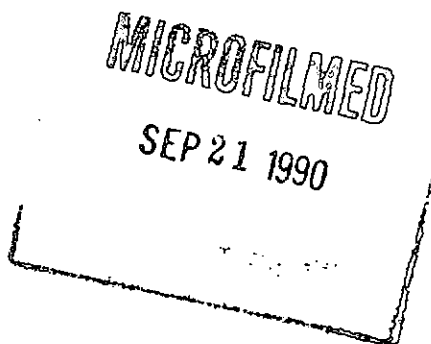
Received by QW Date 5-11-90 Time 11:54A. Preliminary check by DN
Fee \$ 30.00 Receipted by JP # EO 14434 Date 5-11-90
Publication prepared by RB Date 2-5-12-90 Published in Recorder-Herald
Publication approved LB Date 7-23-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:



In: SALMON, ID 83467
 Source: SPRING
 Tributary: MC CREEK
 Diversion Pt: SWNESE Sec 16 T
 17N R 21E
 Use DOMESTIC (.040 CFS)
 Total Diversion: (.040 CFS)
 Date Filed: 5/24/1990
 In: T17N R21E S16 NWSE
 75-07517
 ZIEGLER BROTHERS
 P.O. BOX 1101
 SALMON, ID 83467
 Source: SPRINGS
 Tributary: SALMON RIVER
 WASTE WATER SALMON
 RIVER
 Diversion Pt: SWNWSE Sec 19 T
 22N R 22E
 Use: IRRIGATION (2.000 CFS)
 STOCKWATER (.070 CFS)
 Total Diversion: (2.000 CFS)
 Date Filed: 5/10/1990
 In: T22N R22E S19 SENW NESW
 SESW NWSE SWSE
 108.0 ACRES TOTAL
 75-07518
 ZIEGLER BROTHERS
 P.O. BOX 1101
 SALMON, ID 83647
 Source: SPRING
 TRIBUTARY: SINKS
 Diversion Pt: SESWSE Sec 35 T
 23N R 22E
 Use: STOCKWATER (.040 CFS)
 Total Diversion: (.040 CFS)
 Date Filed: 5/10/1990
 In: T23N R22E S35 SWSE
 75-07519
 SEEGER, JOHN
 P.O. BOX 1819
 HUNTINGTON BEACH, CA
 92647
 Source: SPRING
 Tributary: TOWER CREEK, EAST
 FORK
 Diversion Pt: NESESW Sec 3 T
 23N R 22E
 Use: IRRIGATION (.120 CFS)
 Total Diversion: (.120 CFS)
 Date Filed: 5/11/1990
 In: T23N R22E S03 SESW
 4.0 ACRES TOTAL
 75-07520
 GALLIGAN, WILLIAM B.
 GALLIGAN, SUE M.
 HC 64 BOX 111
 NORTH FORK, ID 83466
 Source: SPRING
 Tributary: SPRING CREEK,
 WEST FORK
 Diversion Pt: NWSWSE Sec 7 T
 24N R 19E
 Use: DOMESTIC (.040 CFS)
 Total Diversion: (.040 CFS)
 Date Filed: 5/3/1990
 In: T24N R19E S07 SWSE
 75-07521
 HOOVER, MELVIN JOEL
 806 FULTON ST.
 SALMON, ID 83467
 Source: GROUNDWATER
 Diversion Pt: NWNWSW Sec 6 T
 21N R 22E
 Use: IRRIGATION (.030 CFS)
 STOCKWATER (.020 CFS)
 Total Diversion: (.030 CFS)
 Date Filed: 5/7/1990
 In: T21N R22E S06 NWSW
 1.5 ACRES TOTAL

The permit(s) will be subject to
 all prior water rights. Protests must
 be filed with the Director, Dept. of
 Water Resources, Eastern Region,
 150 Shoup Avenue, Suite 15,
 Idaho Falls, Idaho 83402 on or
 before JULY 23, 1990.

R. KEITH HIGGINSON,

Director

Published 7/5/1990 & 7/12/1990

7-5-2 tc

MICROFILMED

SEP 21 1990

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 75-7519

Reviewed by [Signature]

Date 8/25/94

GENERAL CONSIDERATIONS

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

TYPES OF USE

occ.
Correct Uses? yes

SOURCE OF WATER

☒ Surface water source
☐ Ground water source

☐ Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☒ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
0 Amount Submitted
no Correct?

MEASURING DEVICE

no Required?
☒ Installed?
☒ Waiver requested?

PRIORITY CALCULATION

Date proof received _____
Date proof due _____
No. of days late _____
Priority Date _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Return for \$150.00 exam fee

9/14 - Fee Received - Proof acceptable

DATA ENTRY

New Address 17831 Alhambra Cir.
Huntington Beach, CA 92649

Proof Made 9/2/94



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 15, 1994

JOHN J SEEGER
17831 ALFAWN CIRCLE
HUNTINGTON BEACH CA 92649

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 75-07519

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls, at (208) 525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

OCT 31 1994

August 26, 1994

John J. Seeger
17831 Alfawn Circle
Huntington Beach, CA 92649

RE: Permit No. 75-07519

Dear Permit Holder :

Returned is the Proof of Beneficial Use form submitted to this office in connection with the above referenced permit. Unfortunately, it can not be accepted as filed.

The proof indicates the total rate of diversion of water to be 0.12 cfs from a surface water source. The license exam fee for a rate of 0.12 cfs is \$50.00.

You state on the proof form that a fee of \$50.00 was enclosed but a check was not received with the proof.

Please return the original proof along with the license examination fee of \$50.00 within thirty (30) days of receipt of this letter. Please address any correspondence directly to me.

If you have any questions or if I can be of any further assistance, please feel free to contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

APPROVED

OCT 31 1994

August 12, 1994

JOHN J SEEGER
17821 ALFAWN CIR
HUNTINGTON CA 92649

RE: Permit No. 75-07519

Dear Permit Holder:

Enclosed are the forms needed to file proof of beneficial use on the above referenced water right. The forms were originally sent by certified mail on July 31, 1994, to the name and address listed on the water right permit, but they were returned undelivered by the postal service.

Please read the original enclosed letter, complete the necessary forms and return them to this office on or before the proof due date of October 1, 1994.

If you have any questions or I can be of any assistance, please do not hesitate to contact me at (208)327-7953.

Sincerely,

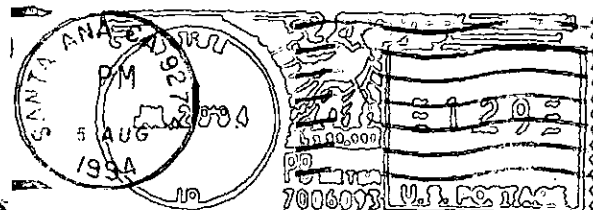
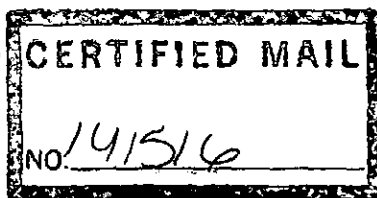
JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

OCT 31 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237



8/12 - 17831 AlFawar Cir.
Huntington, CA. 92649



RECEIVED
AUG 09 1994
Department of Water Resources

OCT 31 1994



July 31, 1994

JOHN J. SEEGER
P.O. BOX 1819
HUNTINGTON BEACH CA 92647

PROOF DUE NOTICE

RE: PERMIT NO. 75-07519

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED
OCT 31 1994



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 75-07519.
Name(s) of Permit Holder(s): John J. SEEGER
Post Office Address: PO Box 1819
HUNTINGTON BEACH, CA 92647 Tel. No. 714-841-2000 DAYS

☒ I hereby certify that construction of diversion works for the above referenced permit began on APRIL 8/15/91 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

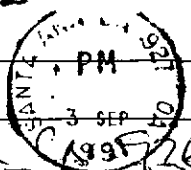
☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

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

SEPT-3-1991
Date

[Signature]
Signature of Permit Holder

John SEEGER
P.O. Box 1819
Huntington Beach



2647
RECEIVED

SEP 06 1991



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

OCT 31 1994



S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
September 6, 1990

JOHN J. SEEGER
P.O. BOX 1819
HUNTINGTON BEACH, CA 92647

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 75-07519

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

ENCLOSURE
MICROFILMED
SEP 21 1990

5-18-90

Submit for advertising 6-1-90

Form No. 202a
4/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

P.M.

INITIAL REVIEW BY DNDATE 5-25-90

APPLICATION NUMBER

75-7519

Seeger

REQUIRED INFORMATION

- Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- Address
- Source (See USGS Quad for names of water sources)
- Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- County
- Quantity (flow and/or volume)
- Period of Use
- Nature of proposed use (Include description of use.)
- Description of diverting works
- Time required for beneficial use of water
- Place of use or acres irrigated
- Map
- Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- Fee
- Yes ☐ No ☐ In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion
- Yes ☐ No ☒ Field check required
- Field check by _____
- Yes ☐ No ☒ Field report attached
- Yes ☐ No ☒ Critical groundwater area
- Yes ☐ No ☒ Groundwater management area
- Yes ☐ No ☒ Send dam safety information
- Yes ☐ No ☒ Send power requirement letter
- Yes ☐ No ☒ Send fish farm requirement letter
- Yes ☐ No ☒ Power residency affidavit
- Yes ☐ No ☒ Power efficiency form
- Yes ☐ No ☒ Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- Yes ☐ No ☒ Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested

RECEIVED
AUG 21 1990

Department of Water Resources

PROCESSING ☒ Yes ☒ No Inform for advertising
☒ Yes ☒ No Statewide advertising
☒ Yes ☒ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☒ Yes ☐ No Protests received Withdrawn
☒ Yes ☐ No Final date for protest 7-23-90
☒ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☒ Yes ☒ No Recommendations attached
☒ Yes ☒ No Measuring device required
☒ Yes ☒ No Access port required
☒ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. NO 75D
☒ Yes ☐ No Special conditions of approval or cover letter below.

See below for additional information
Date of priority recommended 5-11-90
By HWS Date 8-17-90

STATE OFFICE REVIEW

See below for additional information
By KW Date 8/27/90

ADDITIONAL INFORMATION

POSSIBLE P/D OVERLAP: 75-07074, 07120, 07450 (?)

POSSIBLE P/U OVERLAP: 75-07450

Condition < 017

allow 4 yrs. to develop-out of
state applicant

file copy
discarded

August 17, 1990

RE: Application for Permit No. 75-07519

Mr. John J. Seeger
P.O. Box 1819
Huntington Beach, CA 92647

Dear Mr. Seeger:

This letter is to advise you that the protest filed against approval of the above referenced application has been withdrawn. The Department has resumed the processing of this application.

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

Very truly yours,

HAROLD W. JONES
Water Right Supervisor

HWJ:CW

MicroFILMED

SEP 21 1990

August 17, 1990

RE: Application for Permit No. 75-7519 SEEGER

Mr. Larry Folkers
Box 136, Tower Creek
Carmen, ID 83462

Dear Mr. Folkers:

This letter is to acknowledge receipt of the withdrawal of protest against the above referenced application. The Department is now continuing processing of this application.

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

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

MICROFILMED

SEP 21 1990

RECEIVED

AUG 16 1990

Department of Water Resources
Eastern District Office

Aug 15/90

Re. Application for Permit # 75-07519 Seeger

Harold W. Jones

Water Rights Supervisor

Dept. of Water Resources

State of Idaho.

150 Shoup Ave Suite 15

Idaho Falls, Idaho 83402

Dear Mr. Jones

Our protest against approval
for application for W. R. Permit No. 75-07519
Seeger has been resolved. We are
withdrawing our protest.

However, our request to establish
a water district or be absorbed into
Pioneer Creek Water district is still a
great concern.

SEP 21 1990

Respectfully

(Friends of Pioneer Creek)

Larry Folger

CIRVIS

CIRVIS, INC.
P.O. Box 1819
Huntington Beach, CA 92647
(714) 891-2000

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AUG 13 1990

Department of Water Resources
Eastern District Office

August 8, 1990

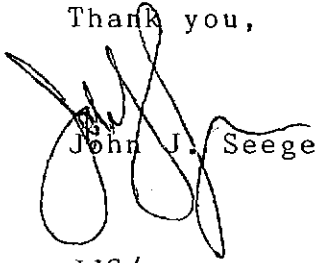
Harold W. Jones
Water Rights Supervisor
Department of Water Resources
State of Idaho
150 Shoup Avenue Suite 15
Idaho Falls, ID 83402

Dear Mr. Jones,

Thank you for taking the time to chat with me about the protest filed against my application No. 75-07519 and about the water rights issues in general. I have, as you suggested, contacted Mr. Folkers and reached an amicable resolution to his protest. You should receive his letter rescinding his protest within the near future.

It is apparent to me that there are some legitimate concerns held by Mr. Folkers and his group. I appreciate the way you are handling the water issues currently and am sure future issues will be handled in the same manner. Nevertheless I want to go on record as supporting official supervision of the water usage on Tower creek whenever that becomes feasible. Any help your office is able to provide would be appreciated by all of us.

Thank you,


John J. Seeger

JJS/me

cc: Larry Folkers

MICROFILMED

SEP 21 1990

July 24, 1990

John J. Seeger
P.O. Box 1819
Huntington Beach, CA 92647

Dear Mr. Seeger:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to application No. 75-07519. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. At a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 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 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 under this permit conflict with the local public interest?

The applicant must be prepared to present evidence and/or testimony addressing each of the five items. Although representation by legal

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SEP 21 1990

John Seeger
July 24, 1990
Page 2

counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

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

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

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SEP 21 1990

July 24, 1990

RE: Application for Permit No. 75-07519 SEEGER

Larry Folkers
Box 136, Tower Creek
Carmen, ID 83462

Dear Protestant:

Your protest against approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances requiring additional time, our objective is to schedule a conference and/or hearing to consider the protests within 60 days. 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 (Sec. 42-203, Idaho Code): the following are the principle items the Department can consider in either approving or denying the application for permit (Sec. 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 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 under this permit conflict with the local public interest?

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SEP 21 1990

Larry Folkers
July 24, 1990
Page 2

The protestant must be prepared to present proof of allegations involving one or more of the five items.

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

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

Enclosure

cc: IDWR - State Office

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JUL 23 1990

Department of Water Resources
Eastern District Office

July 18 / 90

Dear Sir

The problem on Tower Creek
formerly Doyle Creek, is not unique
by any means.

There has never been any regulation
on the creek because there were not
any serious problems.

Now, because of growth,
same old story, new people, nearer
the source do not know C.F.S.

They increase pump sizes - increase
ditch lengths, construct ponds, irrigating
"above" ditch sage brush land with
pumps and pipe, claim more land to use
more water when the land originally under
irrigation was much smaller than claimed
irrigation land.

SEP 21 1990

The creek which had always run,
was dry the second week in April 1990.

It has now continued to run due to the good wet spring.

We have no water master for the creek, never had to before, so our questions are? How do we, the few who have early rights down stream, get someone to control the use upstream where the new people are who don't want any control over the water now?

What if only 10 or 15 of early water right people want a water master and 20-30 of late water right people don't want a water master? Do people from your dept ck on improper use?

Just a casual inspection of water use on Tower Creek would be enough to convince someone that some form of control is now necessary.

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SEP 21 1990

Because of this problem a number of us are concerned enough to ask you to deny W.R. permits

on Tower Creek until there can be
some form of regulation.

Thank you for your time and
we would appreciate any information
you could give us on options for
action needed and how to start
them.

Respectfully

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SEP 21 1990

Friends of Tower Creek
Box 136

Carmen, Idaho, 83462

to LARRY FOLKERS

75-07519

SEGER, JOHN J.
P.O. BOX 1819
HUNTINGTON BEACH, CA
92647
Source: SPRING
Tributary: TOWER CREEK, EAST
FORK
Diversion Pt: NESESW Sec 3 T
23N R 22E
Use: IRRIGATION (.120 CFS)
Total Diversion: (.120 CFS)
Date Filed: 5/11/1990
In: T23N R22E S03 SESW
4.0 ACRES TOTAL

~~we respectfully~~
oppose this permit
until regulation
on the creek

Thank you

21-Jun-1990

JOHN J. SEEGER
P.O. BOX 1819
HUNTINGTON BEACH, CA 92647

RE: Application for Permit No. 75-07519

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Recorder-Herald on JULY 5 & 12, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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SEP 21 1990

75-07519

SEEGER, JOHN J.
P.O. BOX 1819
HUNTINGTON BEACH, CA 92647

Source: SPRING

Tributary: TOWER CREEK, EAST FORK

Diversion Pt: NESESW Sec 3 T 23N R 22E

Use: IRRIGATION (.120 CFS)
Total Diversion: (.120 CFS)

Date Filed: 5/11/ 1990

In: T23N R22E S03 SESW

4.0 ACRES TOTAL

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SEP 21 1990