

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

MOUNTAIN REGION

T21N

12'30"

R19E



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.

George T. Fernandez
(Applicant)

NOTICE OF APPLICATION
FOR WATER RIGHT

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

75-07502

FERNANDEZ, GEORGE T.
P.O. BOX 825
CHALLIS, ID 83226
Source: PANTHER CREEK
Tributary: SALMON RIVER
Diversion Pt: NENE Sec 33 T 21N
R 19E
Use: IRRIGATION (.100 CFS)
Total Diversion: (.100 CFS)
Date Filed: 2/12/1990
In: T21N R19E S33 NENE
5.0 ACRES TOTAL

75-07503

WRIDE, MARION
P.O. BOX 604
ABERDEEN, ID 83210
Source: PANTHER CREEK
Tributary: SALMON RIVER
Diversion Pt: SESENE Sec 33 T
19N R 18E
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 2/26/1990
In: T19N R18E S33 SENE

The permit(s) will be subject to
all prior water rights. Protests
must be filed with the Director,
Dept. of Water Resources, East-
ern Region, 150 Shoup Avenue,
Suite 15, Idaho Falls, Idaho
83402 on or before MAY 31,
1990.

R. KEITH HIGGINSON,
Director
Published 5/3/1990 and
5/10/1990

5-3-2tc

Affidavit of Publication

RECEIVED

STATE OF IDAHO

ss.

County of Lemhi

MAY 17 1990

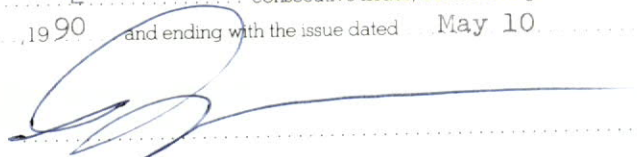
Department of Water Resources

Eastern District Office

RICKY G. HODGES
I, the undersigned, being first duly sworn, deposes
and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Rights 75-07502,
75-07503

is a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-
lished in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for 2 consecutive issues, commencing with the issue
dated May 3, 1990 and ending with the issue dated May 10,
1990.



STATE OF IDAHO

ss.

COUNTY OF LEMHI

On this tenth day of May in the year of 19 90
before me, A Notary Public, personally appeared
known or identified to me to be the person whose name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he
executed the same.

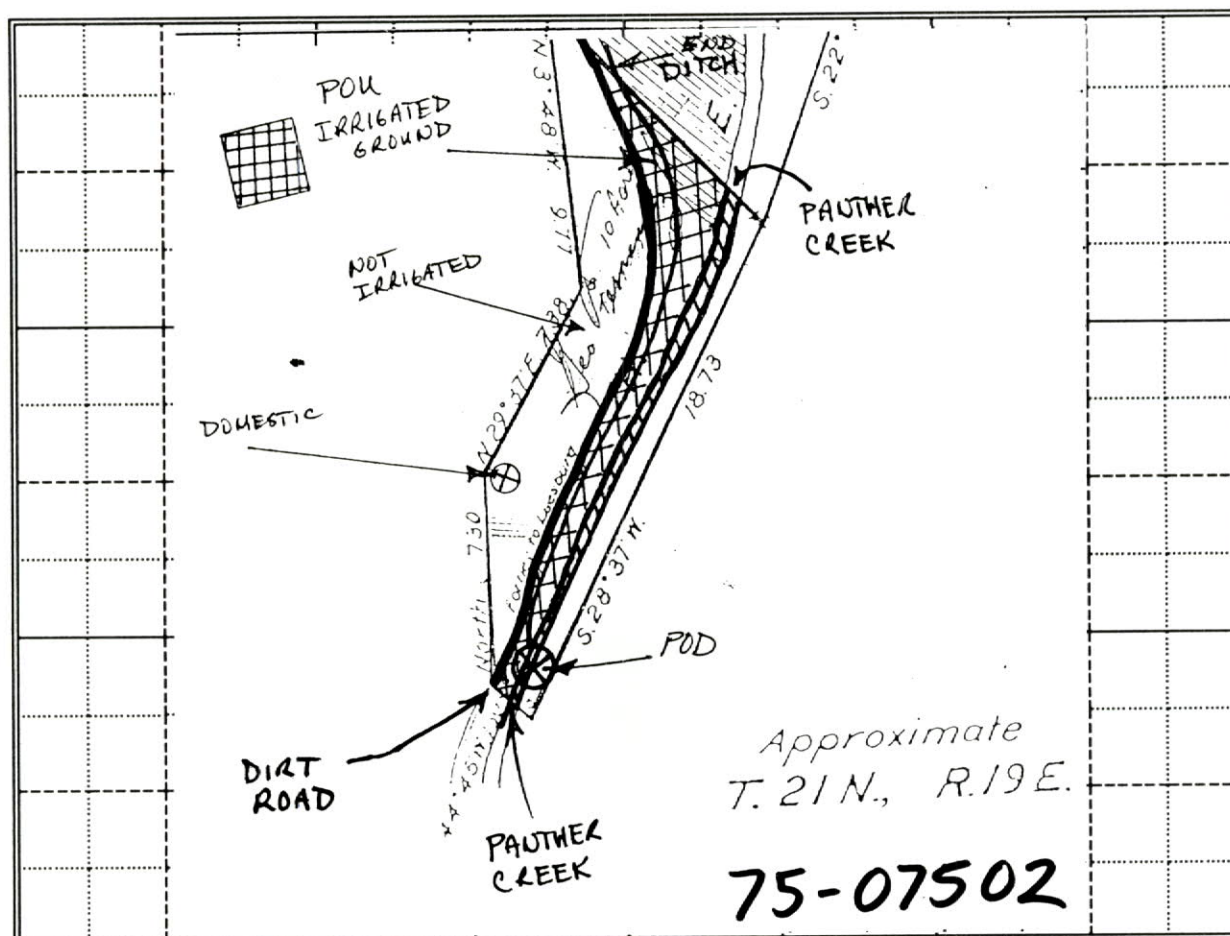
Shirley K. Hodges
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-95

Publication Fee \$ 49.68

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

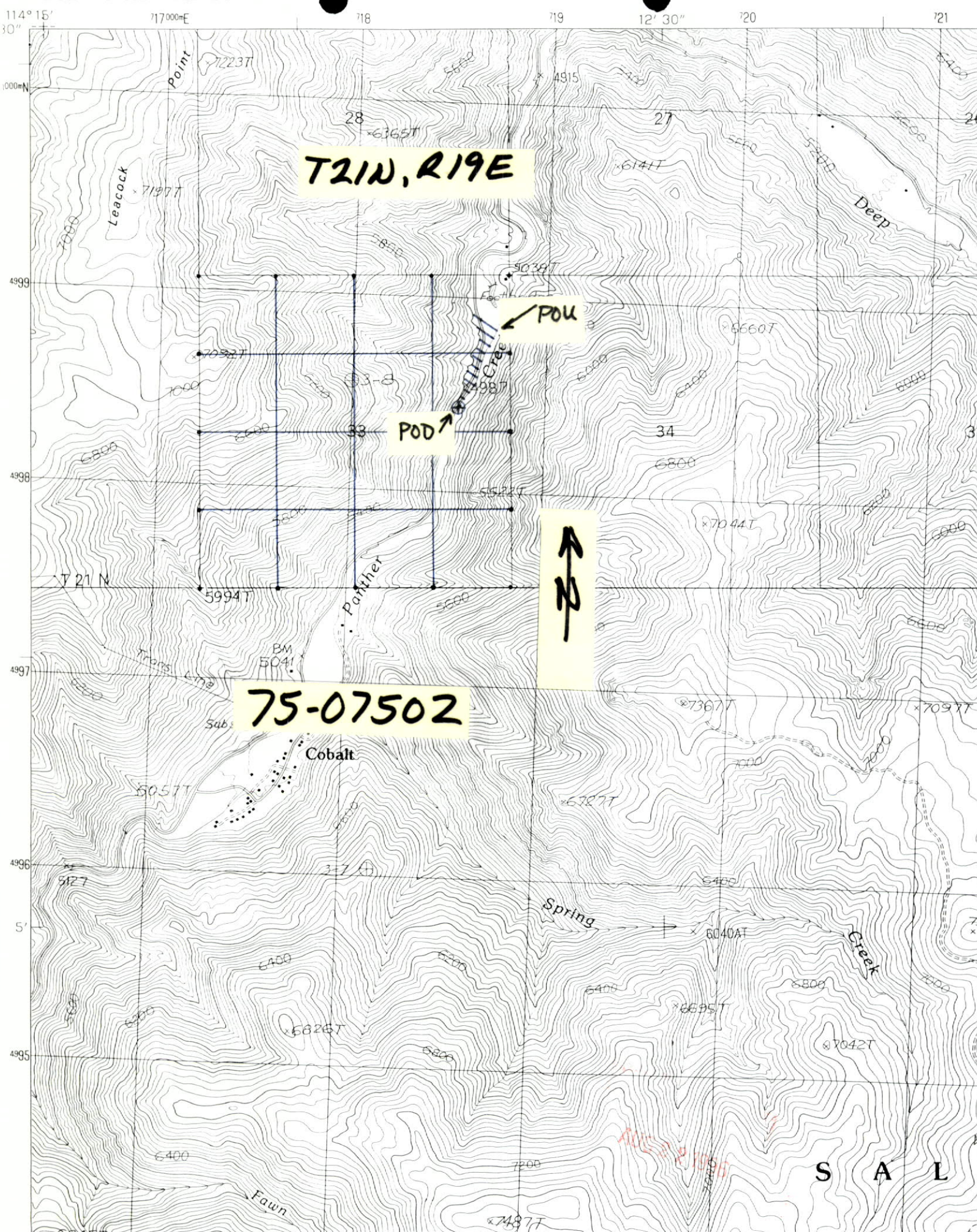
1.

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

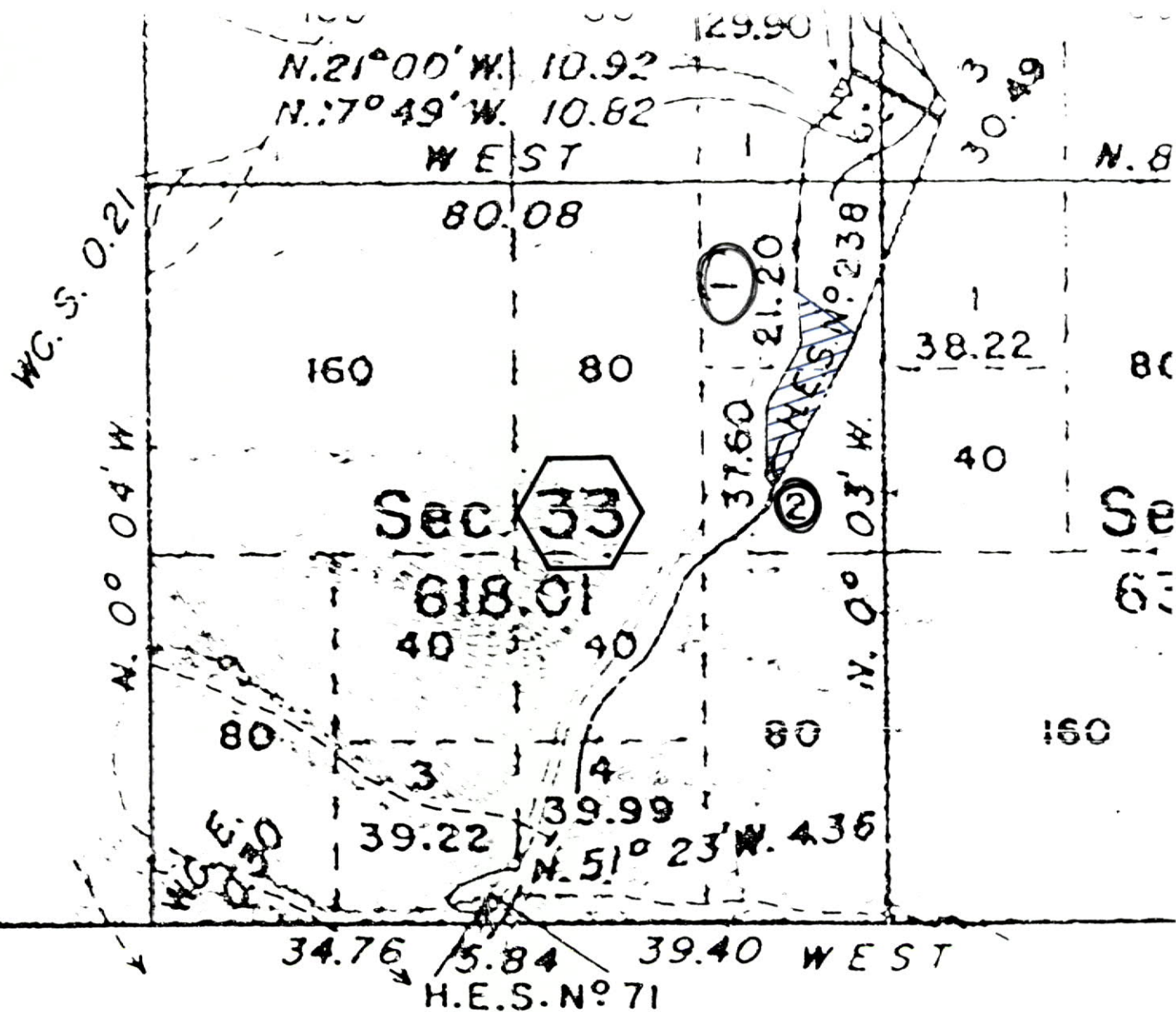
2. Measurements: DITCH DRY AT TIME OF EXAM; PANTHER CREEK
RUNNING LOW FLOW.

AUG 22 1996

AUG 22 1990



S A L



75-07502

divisional lines surveyed
 1941 and completed

AUG 22 1996

2 of 2

VIEW OF
PLACE OF
USE AND
IRRIGATION
DITCH.

← ↗
NO IRRIGATION



NO IRRIGATION



↑
IRRIGATION

↑
DITCH

AUG 22 1996

75-07502

GEORGE FERNANDEZ
IRRIGATION

10/2

VIEW OF
DIVERGENCE
POINT OFF
PANTHER CK.



VIEW OF
FLUME
12" DEEP (VAR)
15" SET WIDTH



75-07502

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 75-07502

Priority: October 15, 1992

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

11.3 AF

This is to certify, that GEORGE T FERNANDEZ

901 SPRING VALLEY PARKWAY

ELKO NV 89801

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 12, 1990; and has submitted Proof of Beneficial Use on October 15, 1992. An examination indicates that the works have a diversion capacity of 2.850 cfs of water from:

PANTHER CREEK

tributary to SALMON RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	11.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 33, Township 21N, Range 19E
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>
21N	19E	33	NENE 1.9	SENE 1.3		3.2

Total number of acres irrigated: 3.2

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Point of diversion and place of use known as H.E.S. 238.

AUG 22 1996

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 75-07502

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 12TH
day of AUGUST, 1996.


Acting for KARL J. DREHER Director



AUG 22 1996

State of Idaho
Department of Water Resources

RECEIVED

AUG 05 1996

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 75-07502

Department of Water Resources

Date of Priority: October 15, 1992

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

11.3 AF

Comes now
901 SPRING VALLEY PARKWAY
ELKO NV 89801

GEORGE T FERNANDEZ

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 75-07502, and requests that the permit be changed as follows:

Source: PANTHER CREEK

tributary to SALMON RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.06 CFS	11.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 33, Township 21N, Range 19E
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>
21N	19E	33	NENE 1.9	SENE 1.3		3.2

Total number of acres irrigated: 3.2

RECEIVED

AUG 22 1996

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

Signed at ELKO, this 1st day of August, 1996.

George T. Fernandez
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 75-07502

FOR DEPARTMENT USE ONLY

Preliminary check by Ket Fee = \$50.00 Received by Ket # C036249 Date 8.5.96

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 75-07502 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Point of diversion and place of use known as H.E.S. 238.

Witness my hand this 12TH day of AUGUST, 1996.


KARL J. DREHER, Director

AUG 22 1996

Amt. of Fee \$ 50.00
Date 10/16/92
Receipt No. 0025757
Receipt by alg

RECEIVED

OCT 15 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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 a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 75-07502 Telephone No. (208) 879-4755
2. Name(s) of Permit Holder(s): George T. Fernandez
3. Mailing Address: P.O. Box 825 Challis, Idaho 83226
4. Source of Water: Panther Creek

If **GROUNDWATER**, Well Driller's Name: N/A Date Drilled: _____

OPTIONAL:

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

5. Extent of Use (as authorized by the permit):

Domestic — (No. of households) Stockwater — (No. and type of stock)Irrigation 5 (No. of acres) Other —

6. Total rate and/or volume for which proof is submitted
- .1
- cfs OR
- 5
- acre/feet

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

Measuring device: Required? — Yes ✓ No Installed? ✓ Yes — NoOR
Flow Measurement Port: Required? — Yes ✓ No Installed? — Yes ✓ No

8. Fee Enclosed: \$
- 50.00
- (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name George Fernandez Telephone No. (208) 879-4755Address P.O. Box 825 Challis, Idaho 83226

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

10-13-92
DateGeorge T. Fernandez
Signature (and title, if on behalf of a company or organization)

DEC 10 1992

IN THE MATTER OF PERMIT NO. 75-07502)
)
IN THE NAME OF GEORGE T. FERNANDEZ) ORDER OF
) REINSTATEMENT
)

DEC 10 1992

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used as identified on the permit.

2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The permit can be reinstated with the date of priority advanced to the date proof of beneficial use was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 75-07502 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of this permit is advanced to October 15, 1992.

Dated this 6th day of November, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

DEC 10 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 75-07502

Proposed Priority: February 12, 1990 Maximum Diversion Rate: 0.10 CFS

This is to certify, that **GEORGE T. FERNANDEZ**
P.O. BOX 825
CHALLIS, ID 83226

has applied for a permit to appropriate water from:

PANTHER CREEK

tributary of **SALMON RIVER**

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	04/15 to 10/15	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION: NENE Sec. 33, Township 21N, Range 19E
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>
21N	19E	33	NENE	5		5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1992**.
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 0.02 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

9th day of July, 1990

for 
R. Keith Higginson, Director

MICROFILMED

JUL 27 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 George T. Fernandez Phone (208) 879-4755
Post office address PO Box 825, Challis, Idaho 83226

2. Source of water supply Panther Creek which is a tributary of Salmon River

3. Location of point of diversion is _____ 1/4 of NE 1/4 of NE 1/4, Govt. Lot _____
Sec. 33 Township 21N Range 19E B.M. Lemhi County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .10 for Irrigation purposes from 15 April to 15 October (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) .10 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headgate and ditches

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

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

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
Two (2) years (minimum 1 year).

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JUL 21 1990

DECLASSIFIED

applicant to make this filing.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

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

11. a. Who owns the property at the point of diversion? *applicant*

10. Describe any other water rights used for the same purposes as described above. *None*

Total number of acres to be irrigated 2

[illegible]

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding column.

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

9. Description of place of use:

e. Other; describe fully, _____

d. Domestic; show number of households.

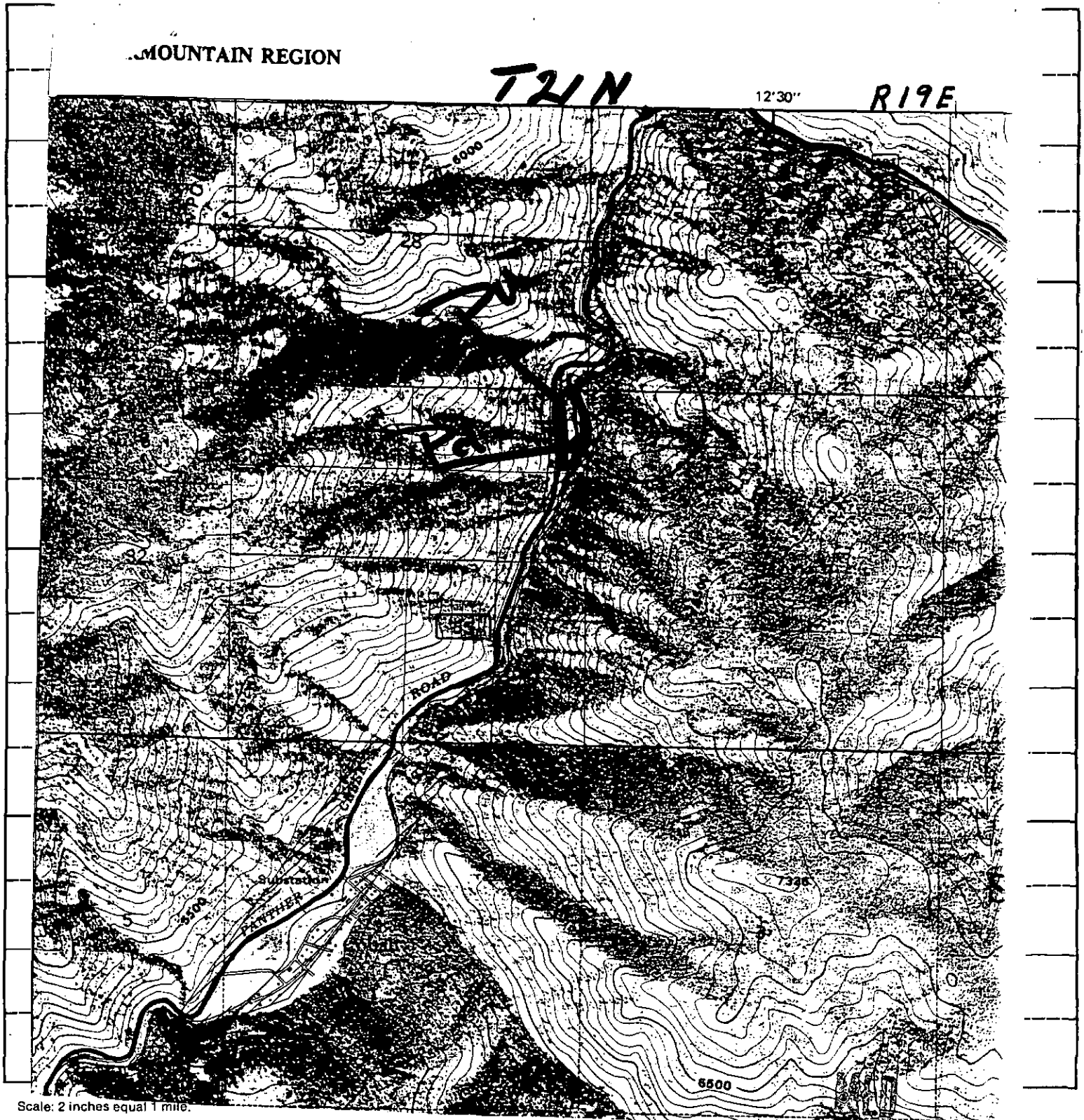
c. Municipal; show name of municipality.

b. Stockwatering; list number and kind of livestock.

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

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

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



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate ~~290~~ public waters of the State of Idaho as herein set forth.

George T. Fernandez
(Applicant)

Received by SMS Date 12 Feb 1990 Time 15:00 hrs Preliminary check by _____
Fee \$ 30.00 Received by SMS # E-012021 Date _____
Publication prepared by RB Date 5-31-90 Published in Recorder-Herald
Publication approved RB Date 6-5-90

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:

MICROFILMED

JUL 27 1990

NOTICE OF APPLICATION
FOR WATER RIGHT

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

75-07502

FERNANDEZ, GEORGE T.
P.O. BOX 825
CHALLIS, ID 83226
Source: PANTHER CREEK
Tributary: SALMON RIVER
Diversion Pt: NENE Sec 33 T 21N
R 19E
Use: IRRIGATION (.100 CFS)
Total Diversion: (.100 CFS)
Date Filed: 2/12/1990
In: T21N R19E S33 NENE
5.0 ACRES TOTAL

75-07503

WRIDE, MARION
P.O. BOX 604
ABERDEEN, ID 83210
Source: PANTHER CREEK
Tributary: SALMON RIVER
Diversion Pt: SESENE Sec 33 T
19N R 18E
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 2/26/1990
In: T19N R18E S33 SENE

The permit(s) will be subject to
all prior water rights. Protests
must be filed with the Director,
Dept. of Water Resources, East-
ern Region, 150 Shoup Avenue,
Suite 15, Idaho Falls, Idaho
83402 on or before MAY 31,
1990.

R. KEITH HIGGINSON,
Director
Published 5/3/1990 and
5/10/1990

5-3-2tc

Affidavit of Publication

RECEIVED

STATE OF IDAHO

County of Lemhi

ss.

MAY 17 1990

RICKY G. HODGES

Department of Water Resources

Eastern District Office

..... being first duly sworn, deposes
and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published
weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice of Application for Water Rights 75-07502,
75-07503

....., a true
printed copy of which is attached to the margin hereof, has been and was correctly printed and pub-
lished in the regular and entire issue of every number of said newspaper and not in any supplement
thereof or thereto for 2 consecutive issues, commencing with the issue
dated May 3, 1990 and ending with the issue dated May 10, 1990.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this tenth day of May, 1990

before me, A Notary Public, personally appeared
known or identified to me to be the person whose name subscribed to the within instrument, and being
by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he
executed the same.

Residing At Salmon, Idaho

Shirley K. Hodges

Notary Public for Idaho

My Commission expires: 9-21-95

Publication Fee \$ 49.68



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 13, 1996

GEORGE T FERNANDEZ
901 SPRING VALLEY PARKWAY
ELKO NV 89801

RE: WATER RIGHT NOS. 75-07500 AND 75-7502

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits along with copies of your approved Applications for Amendment. Should you have any questions regarding these documents, please contact me.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

RECEIVED
AUG 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 23, 1996

GEORGE T FERNANDEZ
901 SPRING VALLEY PARKWAY
ELKO NV 89801

RE: WATER RIGHT NO. 75-07502

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

AUG 22 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 75-07502

DATE 7/16/96

REVIEWER: S H A R L A

NAME Change — OK ✓

Address Change Y/S

SOURCE Change — OK ✓

Is change clarification of originally intended source? —

If not, prepare Notice of Intent to Void —

POINT OF DIV ✓ —

Amendment required Y/S

PLACE OF USE ✓ —

Amendment required Y/S

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate 0.10 cfs
 Fee limit 0.20 cfs \$50⁰⁰
 Measured 2.85 cfs
 Theoretical — cfs

Recommended Total Div Rate .06* cfs

ANNUAL VOLUME/
NATURE OF USES

— ✓

Use Ir.

Volume Calculation
3.2 x 3.5 = 11.2 af
examines calc af
on 3.24 @ 11.3 af

SUBTOTAL 11.3 af

Flow rate .06 cfs X 214 days X 1.98 ~~28~~ = 25.4 af
 Total volume recommended 11.3 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS — Watermaster Control WD# _____

R30 — GW Measurement/Measuring Device
Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes — no

SRBA Claim Filed N/A
 Adjustment Memo Rate

1st Amend Letter P37 P38
 2nd Amend Letter P47

MEMORANDUM

TO: File 75-07502

FROM: Sharla

DATE: July 16, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 75-07502 are based on the following.

H. RECOMMENDATIONS

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4/15 - 10/15	0.06	11.3 afa

One of the permit conditions of approval limited the rate of diversion to 0.02 cfs per acre. This is also the rate per acre requested by the applicant. The license should be limited to 0.02 cfs/acre.

Examiner: Don Simpkins
Exam date: September 26, 1995

RECEIVED
AUG 22 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
APR 11 1996
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 75-07502

1. Owner: GEORGE FERNANDEZ

Phone No. (702) 753-3983

Current Address: 901 SPRING VALLEY PARKWAY, ELKO, NEVADA 89801

2. Accompanied by: OWNER

EXAM DATE: 9/26/95

Address: N/A

Phone No. N/A

Relationship to Permit Holder: N/A

3. Source: PANTHER CREEK

tributary to SALMON RIVER

B. OVERLAP REVIEW

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

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	<u>2</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>33</u>	<u>21N</u>	<u>19E</u>	<u>LEMMI</u>	<u>U.S.G.S. TOPO MAP</u>

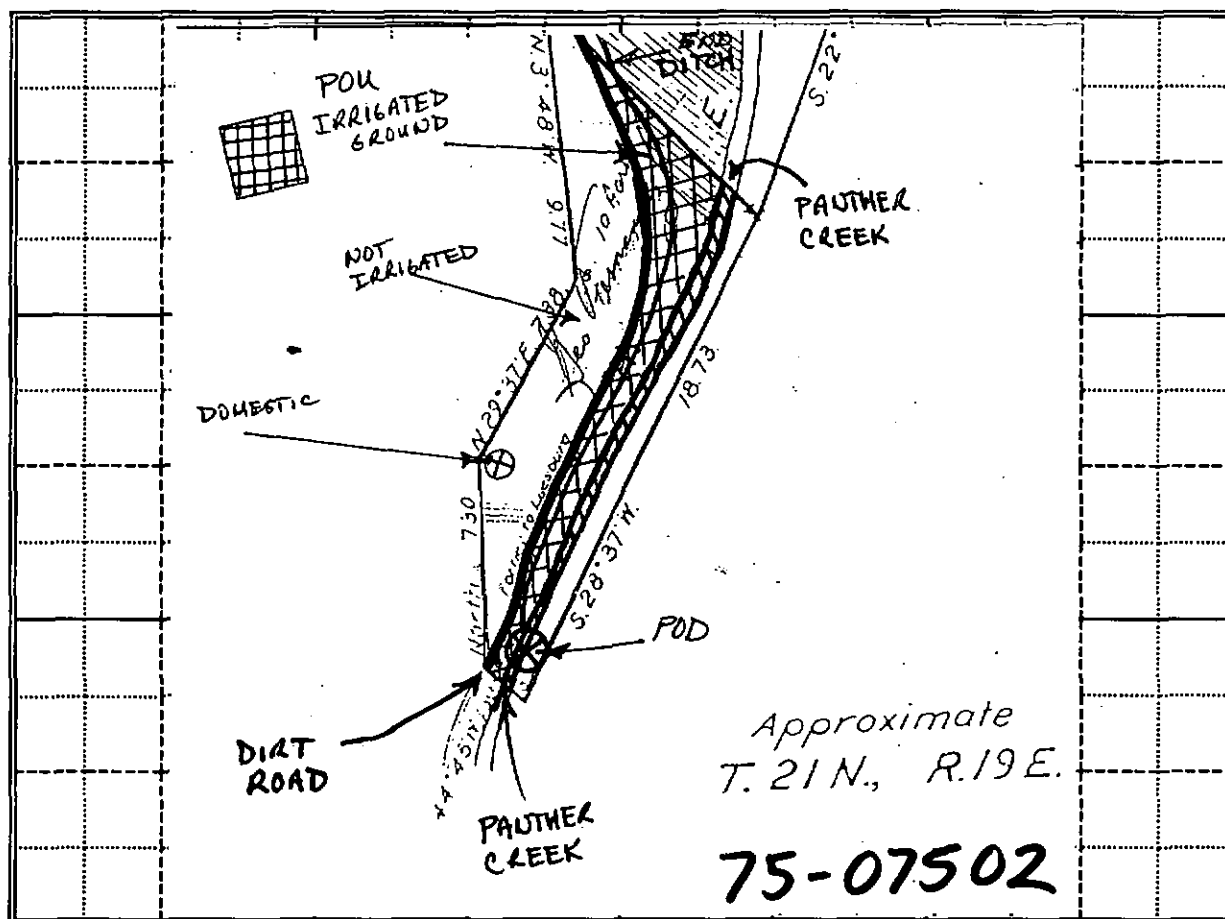
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>21N</u>	<u>19E</u>	<u>33</u>	<u>1.9</u>			<u>1.34</u>													<u>3.24</u>

AUG 22 1996

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: DITCH DRY AT TIME OF EXAM; PANTHER CREEK
RUNNING LOW FLOW.

AUG 22 1996

E. NARRATIVE/REMARKS/COMMENTS

THIS PERMIT IS FOR WATER DIVERTED OFF PANTHER
CREEK. THE SYSTEM IS ALL GRAVITY FED VIA OPEN
UNLINED DITCHES. THERE IS NO IRRIGATION WEST OF
THE DIRT ROAD AND EAST OF PANTHER CREEK.

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

APPROVED
AUG 22 1996

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

$Q = 2.85$ SYSTEM IS CAPABLE OF HANDLING IN EXCESS OF APPROPRIATION.

$$3.24 \text{ acres} \times 0.03 \text{ cfs/acre} = 0.097 \text{ cfs}$$

~~Q IS LIMITED BY PERMIT~~ 0.10 CFS
allow

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3.24 \times 3.5 = 11.34$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.10 \times 183 \times 1.9835 = 36.298$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 8.1$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS PERMIT LIMITS TO 0.10 CFS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	0.10	8.1 11.3
Totals:			0.10 CFS	8.1 AFA 11.3

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 SIMPkins Date 1/8/96

Reviewer [Signature] Date 3-5-96

SEAL

AUG 22 1996

ACREAGE COMPUTATION

$$AREA = \frac{16 \times \# \text{ DOTS}}{(SCALE \text{ IN INCHES/MILE})^2}$$

SENE

$$\frac{16 \times 12}{11.95^2} = \frac{192}{142.8} = 1.34$$

NENE

$$\frac{16 \times 17}{11.95^2} = \frac{272}{142.8} = 1.9$$

$$A = 3.24 \text{ Acres.}$$

16' DROP IN 2,112 FEET (APPROXIMATE)

$$Q = 2.85 \text{ CFS}$$

RECTANGLE OPENING
AT FLUME 15" WIDE X 12"
DEEP.

$$Q = \frac{1.486}{N} \times A \times R^{0.667} \times S^{0.50}$$

$$Q = \frac{1.486}{.03} \times 1.25 \times .3846^{0.667} \times .007575^{0.5}$$

$$Q = 49.53 \times 1.25 \times .5287 \times .087 = 2.85 \text{ CFS}$$

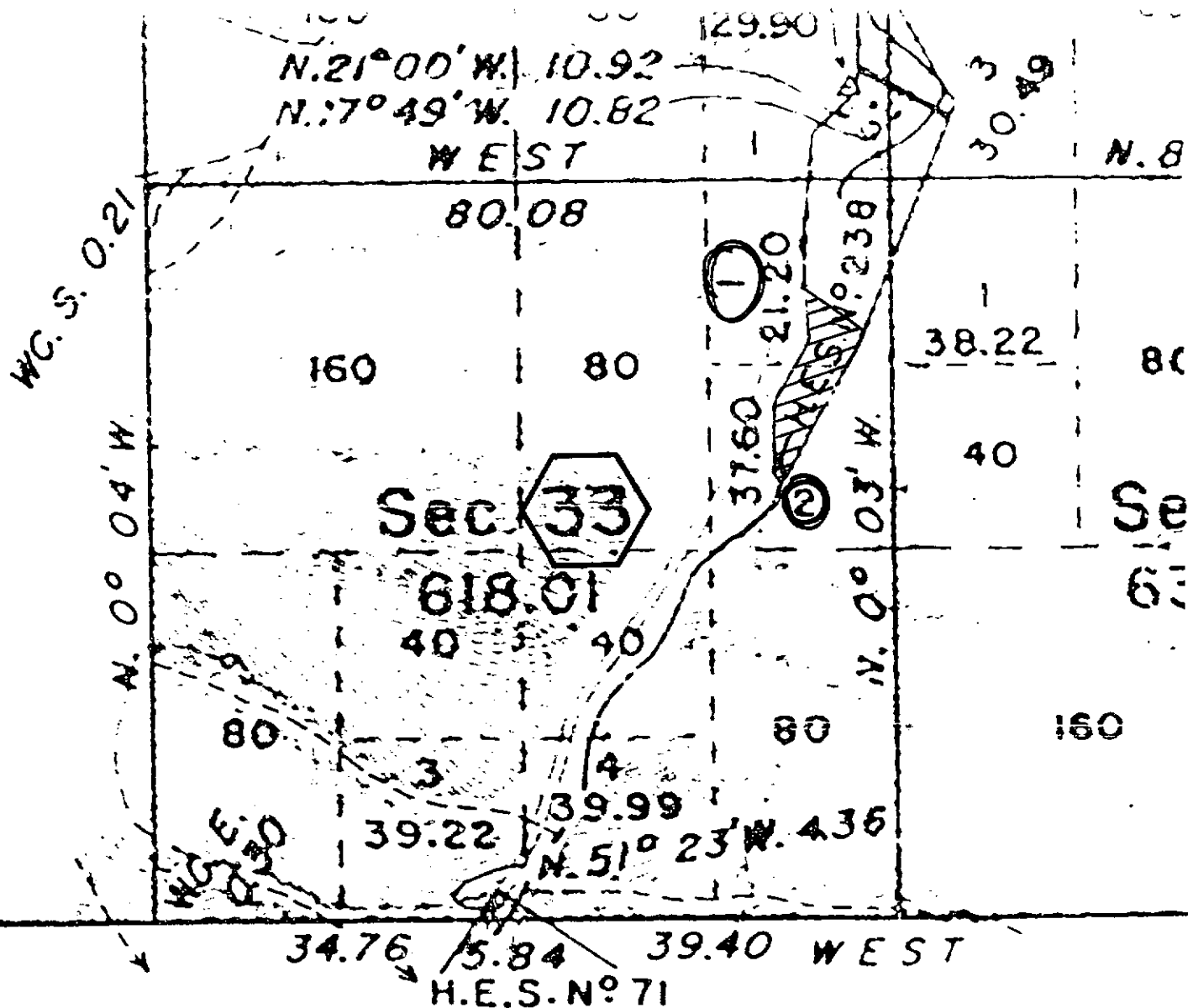
$$R = \frac{AREA}{WETTED PERIMETER} = \frac{1.25}{1.25 + (2 \times 1.0)} = .3846$$

$$S = \frac{FALL}{LENGTH} = \frac{16'}{2112'} = 0.007575$$

AUG 22 1996

75-07502

75-07502



75-07502

Divisional lines surveyed
 1941 and completed

AUG 22 1996

2 of 2

VIEW OF
PLACE OF
USE AND
IRRIGATION
DITCH.

↖ ↗
NO IRRIGATION

26 9'95

NO IRRIGATION



↑
IRRIGATION

↑
DITCH

AUG 22 1996

75-07502

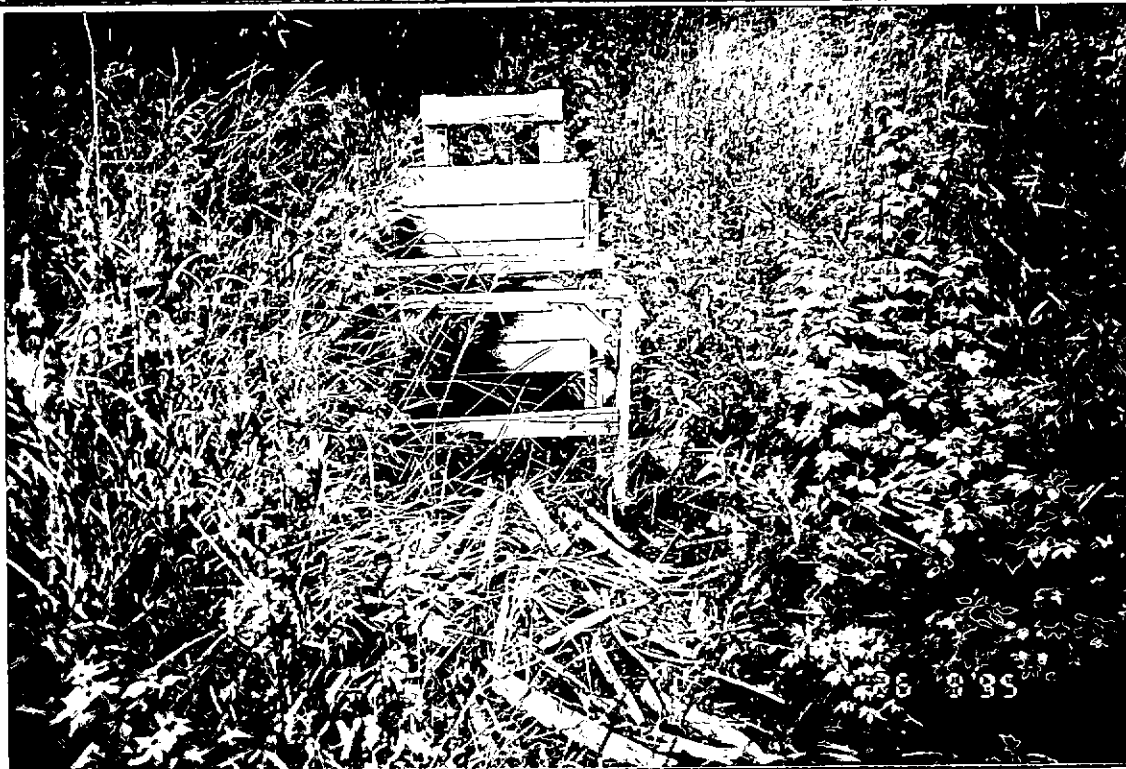
GEORGE FERNANDEZ
IRRIGATION

1012

VIEW OF
DIVERSON
POINT OFF
PANTHER CK.



VIEW OF
FLUME
12" DEEP (VAR)
15" SET WIDTH



781007502

November 6, 1992

GEORGE T. FERNANDEZ
P.O. BOX 825
CHALLIS ID 83226

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 75-07502

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED
NOV 10 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 75-07502

Reviewed by Klg

Date 10/16/92

GENERAL CONSIDERATIONS

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

TYPES OF USE

irrigate - 5
Correct Uses? yes

SOURCE OF WATER

2 Surface water source
Ground water source

NA 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?
50 Amount Submitted
yes Correct?

MEASURING DEVICE

NA Required?
/ Installed?
/ Waiver requested?

PRIORITY CALCULATION

Date proof received 10/15/92 288
Date proof due 8/1/92 - 213
No. of days late _____ = 75
Priority Date _____ +
New Priority Date 10/15/92

Received Beyond the 60
day simple reinstatement
period - advance to date
proof received.

DEFICIENCIES OR ACTION ITEMS

proof acceptable

DATA ENTRY

New Address _____

needs a late order
Proof Made 10/15/92
11/6/92 Klg

Karen L. Gustafson
Secretary/Record Manager

75-7502
75-7500

Dear Karen:

My reasonable cause on why the
proof of beneficial use was filed
late is as follows.

The form was accidentally shuffled in
with old mail and lost in a file drawer.
When I finally found it the due date
had expired. I called the Dept. of
Water Resources and talked with
Harold Jones. He advised me to go
ahead and mail my proof to Boise.
Enclosed is two statements from
adjoining property owners.

RECEIVED
DEC 10 1992

RECEIVED

NOV 03 1992

Department of Water Resources

Oct. 29, 92

State of Idaho

Dept. of Water Resources

I, Charles J. Fernandez, do hereby state that I saw George Fernandez's headgate installed and in use by 10-1-91. I have adjoining property next to Mr. Fernandez's. I have owned this property since 1980 and lived there full time till Jan. 86. I am also acquainted with Mr. Sillings who installed this unit, and have helped him maintain it.

Sincerely

Charles J. Fernandez

RECEIVED

DEC 10 1992

NOV 03 1992

Department of Water Resources

RECEIVED

NOV 03 1992

Department of Water Resources



10/29/92

Irrigation Head gate &
ditches were started on
approximately May 22nd/1991
& were operational on Sept 15th
1991

Richard Sillip

MICROFILMED

DEC 10 1992

SUPPORT YOUR
"GRACELAND WARRIOR BAND"
GRACELAND CHRISTIAN SCHOOL
3600 KAMER MILLER ROAD
NEW ALBANY, INDIANA 47150
(812) 944-6448



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

October 16, 1992

George T. Fernandez
P.O. Box 825
Challis, ID 83226

RE: Permit No. 75-07502

Dear Permit Holder:

The Department received your proof of beneficial use statement for the above referenced permit on October 15, 1992. The permit lapsed on August 1, 1992, so the 60-day late period during which the permit can be readily reinstated has passed.

Because you failed to file the proof of beneficial use in a timely manner, and pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- a) Two pieces of evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for 60 days to allow you an opportunity to assemble and submit the additional required information.

You should also be aware, that since the proof was filed late, your priority date has been penalized. Provided you supply the requested information, your priority date of February 12, 1990 will be advanced to October 15, 1992.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

Enclosure

MICROFILMED

DEC 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. P75-02500
Name(s) of Permit Holder(s): George T. Fernandez
Post Office Address: Box 825 Challis, Idaho 83226
Tel. No. 879 4755

☒ I hereby certify that construction of diversion works for the above referenced permit began on May 1 1991 (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.

10-13-92
Date

George T. Fernandez
Signature of Permit Holder

George T. Sanchez
BOX 825
Challis Id. 83226

PLACE
STAMP
HERE

RECEIVED



OCT 15 1992
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEC 10 1992

August 5, 1992

GEORGE T. FERNANDEZ
P.O. BOX 825
CHALLIS ID 83226

LAPSE NOTICE

RE: PERMIT NO. 75-07502

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated May 31, 1992. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 8/5/92
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

Klg

RECORDED
INDEXED

DEC 10 1992

May 31, 1992

GEORGE T. FERNANDEZ
P.O. BOX 825
CHALLIS ID 83226

PROOF DUE NOTICE

RE: PERMIT NO. 75-07502

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before August 1, 1992. (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.

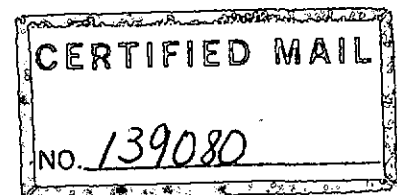
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



PAID/RECEIVED

DEC 10 1992

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

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
July 11, 1990

GEORGE T. FERNANDEZ
P.O. BOX 825
CHALLIS, ID 83226

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 75-07502

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

MAIL ROOM

JUL 27 1990

Dist. for staffing 2-13-90
Submitted for advertising 2-16-90

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Nontrust - Hold

APPLICATION FOR PERMIT ANALYSIS SHEET

75~7502

INITIAL REVIEW BY QW DATE 2-14-90 APPLICATION NUMBER _____

George T. Fernandez (#2)

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 _____

REC-10
JUN 25 1990

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form 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
Final date for protest 5-7-90 5-21-90
☐ 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. _____
☐ Yes ☐ No Special conditions of approval or cover letter below. _____

See below for additional information
Date of priority recommended 2-12-1990
By HLJ Date 6-20-90

STATE OFFICE REVIEW

See below for additional information
By KW Date 6-27-90

ADDITIONAL INFORMATION

OK to allow 2 yrs. to develop

01-May-1990

GEORGE T. FERNANDEZ
P.O. BOX 825
CHALLIS, ID 83226

RE: Application for Permit No. 75-7502

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 MAY 3 & 10, 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

INDEXED

JUL 27 1990

75-07502

FERNANDEZ, GEORGE T.
P.O. BOX 825
CHALLIS, ID 83226

Source: PANTHER CREEK

Tributary: SALMON RIVER

Diversion Pt: NENE Sec 33 T 21N R 19E

Use: IRRIGATION (.100 CFS)
Total Diversion: (.100 CFS)

Date Filed: 2/12/ 1990

In: T21N R19E S33 NENE

5.0 ACRES TOTAL

RECORDED

JUL 27 1990