

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

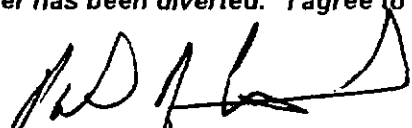
RECEIVED

DEC 30 2002

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 be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 75-14030 Telephone No. 850-878-8575
2. Name of Permit Holder(s): Patrick Farrell, Jr. and/or Kathleen Farrell
3. Mailing Address: 7391 Buck Lake Road
City Tallahassee State FL Zip 32317
4. Source of Water: Spring If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
Well Driller: _____ Drilling Permit Number: _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: Recreation
6. Total rate of diversion and/or volume for which proof is submitted: .30 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 <u>X</u> |
| Has the measuring device been installed? | Yes _____ or No <u>X</u> |
8. Fee Enclosed: \$ 100 (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: Jerry Myers Telephone Number: 208-394-2126
Address: 194 Indian Creek Road, North Fork, ID 83466
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.
- Signature of permit holder:  Date: 12/26/02
(include your title, if on behalf of company or organization)

MICROFILMED
MAR 20 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 75-14030

Priority: 11/13/2001

Maximum Diversion Rate: 0.30 CFS

This is to certify, that PATRICK FARRELL
7391 BUCK LAKE RD
TALLAHASSEE FL 32317

And/Or

KATHLEEN FARRELL
7391 BUCK LAKE RD
TALLAHASSEE FL 32317

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: INDIAN CREEK

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>	<u>ANNUAL VOLUME</u>
RECREATION	01/01 to 12/31	0.30 CFS	
RECREATION STORAGE	01/01 to 12/31		4.4 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.30 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SPRING NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, Twp 24N, Rge 19E, B.M. LEMHI County

PLACE OF USE: RECREATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	19E	12	X																

PLACE OF USE: RECREATION STORAGE, same as Recreation

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before February 01, 2003.
2. Subject to all prior water rights.
3. Use of water under this right shall be non-consumptive.
4. The diversion works shall consist of a perforated pipe to the pond and return flow shall be discharged into Indian Creek via a screened pipe.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of February, 2002

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OCT 04 2002


for KARL J DREHER, Director

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JAN 18 2002

FORM 202
12/99

Department of Water Resources

Ident. No.

69557

75-14030
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NOV 13 2001

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources
Eastern Region

1. Name of Applicant Patrick J. Farrell Jr./Kathleen D. Farrell Phone 850-878-8575
Mailing address 7391 Buck Lake Rd., Tallahassee, FL 32317
2. Source of water supply Spring which is a tributary of N/A
3. Location of point of diversion is Township 24N Range 19E Sec. 12 in the NW $\frac{1}{4}$,
NE $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot Unsurveyed, B.M., Lemhi County;
additional points of diversion if any: N/A
4. Water will be used for the following purposes: Div. to
Amount 2.3 cfs for recreation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 4.4 af for recreation storage 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)
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) 2.3 cfs and/or (b) 4.4 af
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source spring box and pipe
to pond 15,000-16,000 sq. ft. 10-12 feet deep - overflow to Indian Creek
b. Height of storage dam N/A feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? N/A
e. If well is already drilled, when? N/A; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW. N/A
b. Stockwatering; list number and kind of livestock. N/A
c. Municipal; show name of municipality. N/A
d. Domestic; show number of households. N/A
e. Other; describe fully. Recreation - wildlife

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OCT 04 2002

3. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	19E	12	R	R															
			R																

Total number of acres to be irrigated N/A

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

11. a. Who owns the property at the point of diversion? Applicants
- b. Who owns the land to be irrigated or place of use? N/A
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: N/A

12. Remarks: _____

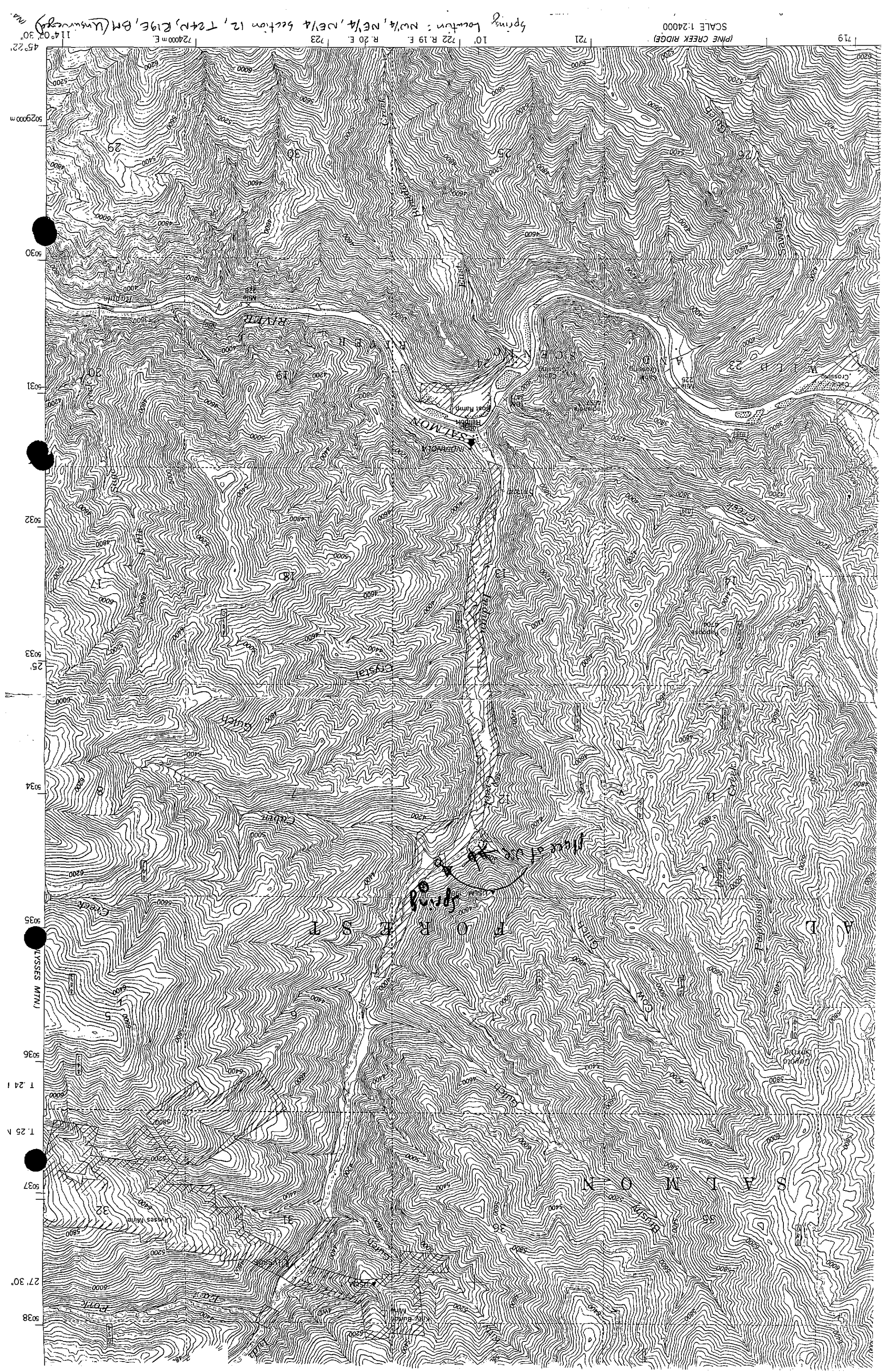
13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.) attached

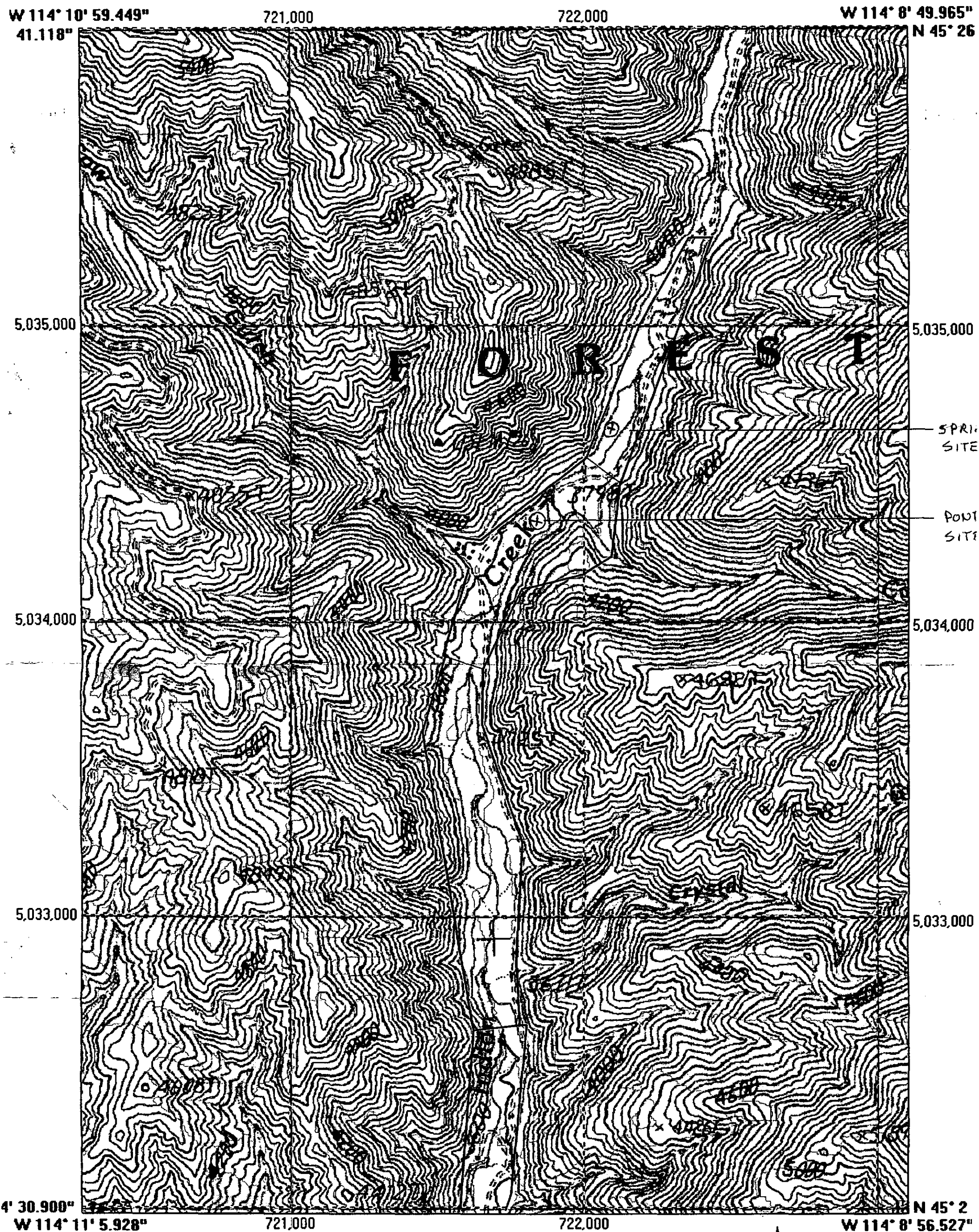
BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature] - owner
Kathleen D. Turner - owner
 Signature of Applicant (and title, if applicable)

Received by HWT Date 11-13-01 Time _____ Preliminary check by _____
 Fee \$ 250.00 Received by HWT # E027265 Date 11-14-01
 Publication prepared by SC Date 11/14/01 Published in Recorder Herald
 Publication approved SC Date 11/14/01

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 OCT 04 2002





North American Datum; 1,000-meter UTM grid zone 11
created by BigTopo (www.bigtopo.com)
compiled from USGS Quads: Ulysses; ID, MT

Scale: 1" = 1000'





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 3, 2003

PATRICK FARRELL JR
KATHLEEN FARRELL
7391 BUCK LAKE ROAD
TALLAHASSEE FL 32317

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 75-14030

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the Eastern Regional Office of the department in Idaho Falls (208) 525-7161.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

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MAR 20 2003

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 75-14030

Reviewed By: dgibson

Date: January 2, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		E027265, C066572	Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		12/30/2002
Date proof due	-	02/01/2003
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	11/13/2001
New priority date	=	11/13/2001

Deficiencies of Actions Items

Acknowledge proof.

November 30, 2002

PATRICK FARRELL
KATHLEEN FARRELL
7391 BUCK LAKE RD
TALLAHASSEE, FL 32317

PROOF DUE NOTICE

RE: PERMIT NO. 75-14030

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 February 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

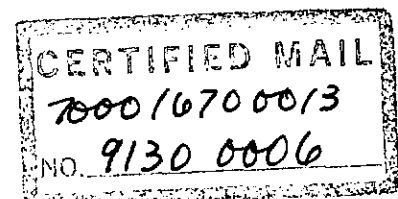
Sincerely,

Deborah J. Gibson, Admin. Asst.
Water Allocation Bureau

Enclosures

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MAR 20 2003



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MAR 28 2001

Department of Water Resources

Patrick Farrell, Jr.
Kathleen D. Farrell
7391 Buck Lake Road
Tallahassee, FL 32317

Home Phone: (850) 878-8575

Office Phone: (850) 224-4663

Office Fax: (850) 561-8839

January 4, 2002

Harold W. Jones
Water Rights Supervisor
State of Idaho
Department of Water Resources
900 North Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

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MAR 21 2002

Department of Water Resources
Eastern Region

RE: Application for permit number 75-14030.

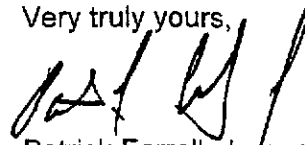
Dear Mr. Jones:

Pursuant to our recent telephone conversation, please find enclosed a copy of my letter to the Forest Service which responds to the concerns set forth in their letter of December 20, 2001. Also, under separate cover you should receive from Jerry Myers a revised map showing the location of the spring and pond on our property.

It is my understanding with this information the file will be sent to Boise and we should be receiving the permit in the near future. If I am incorrect, or if you need any additional information, please let me know.

With best regards, I remain

Very truly yours,



Patrick Farrell, Jr. and
Kathleen Farrell

PJF/ma

cc: Jerry and Terry Myers
P.O. Box 8
Salmon, ID 83467

MICROFILMED

OCT 04 2002

Patrick Farrell, Jr.
Kathleen D. Farrell
7391 Buck Lake Road
Tallahassee, FL 32317

Home Phone: (850) 878-8575
Office Phone: (850) 224-4663
Office Fax: (850) 561-8839

January 4, 2002

RECEIVED

MAR 21 2002

Department of Water Resources
Eastern Region

George Metejko
Forest Supervisor
Salmon-Challis National Forest
Headquarters Building
50 Hwy. 93 South
Salmon, ID 83467

RE: Application for permit number 75-14030 of Patrick and Kathleen Farrell;
Your File Code: 2540

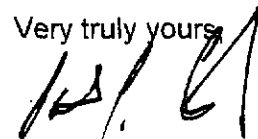
Dear Mr. Metejko:

This will acknowledge your letter of December 20, 2001, to Mr. Harold Jones regarding our application for permit number 75-14030. Under separate cover, Jerry and Terry Myers will be forwarding a corrected map to Mr. Jones and providing you with a copy which shows that both the spring and the pond are located on our property.

With respect to the other issues raised in your letter, we have no objection to using a perforated pipe at the spring and returning the overflow to Indian Creek in a buried screened pipe. I believe this meets all the concerns raised in your correspondence. If I am incorrect, please let me know promptly.

With best personal regards, I remain

Very truly yours,



Patrick Farrell, Jr. and
Kathleen Farrell

PJF/ma

cc: Betsy Rieffenberger
Harold W. Jones
Boise Adjudication Team
Jerry and Terry Myers

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OCT 04 2002



United States
Department of
Agriculture

Forest
Service

Salmon-Challis
National Forest

Headquarters Bldg
50 Hwy 93 S
Salmon, ID 83467

File Code: 2540

Date: December 20, 2001

Harold Jones, Water Right Supervisor
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Dear Harold:

We appreciate the opportunity to review the proposed Application for Permit #75-14030 that was submitted to your office by Patrick and Kathleen Farrell. We have discussed this proposed water development with the Indian Creek Guest Ranch caretakers, Jerry and Terry Myers, and with Mr. Farrell. We have several concerns with the application as currently written. The legal description for the pond location appears correct, but the location as shown on the map does not appear to be correct as it shows the pond on the hillside, possibly on National Forest land. As discussed with the Myers, the pond will actually be located closer to Indian Creek on private land. Since the map will be part of the record for this water right, it should accurately reflect the pond location.

The application states that the development will consist of a spring box and a pipe. In our discussion with the Myers, they indicated that the development would consist of a perforated pipe only and not a spring box. We would like to see the application reflect the use of a perforated pipe only and not a spring box. The concern with a spring box would be the potential to dry up this wetland and reduce the recharge of cool groundwater to Indian Creek.

The application states that the pond overflow would be returned to Indian Creek. If the overflow were returned in a pipe instead of an open ditch, there would be less seepage loss and possibly less heating of the return flow. We would like the application to specify how the overflow would be returned to Indian Creek.

It is our intent to work with the applicants to meet their needs for water use while reducing impacts to the aquatic habitat in Indian Creek. If you have any questions or need additional information please contact Betsy Rieffenberger, Forest Hydrologist, at (208) 756-5108 or Dan Garcia, District Fish Biologist, at (208) 865-2722.

Sincerely,

GEORGE MATEJKO
Forest Supervisor

Cc: NF District Ranger
Betsy Rieffenberger

Patrick and Kathleen Farrell
7391 Buck Lake Rd.
Tallahassee, FL 32317

Boise Adjudication Team
380 E. Parkcenter Blvd.
Boise, ID 83706

RECEIVED
OCT 04 2002





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 21, 2002

PATRICK FARRELL
KATHLEEN FARRELL
7391 BUCK LAKE RD
TALLAHASSEE FL 32317

RE: Permit No. 75-14030

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is 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 licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

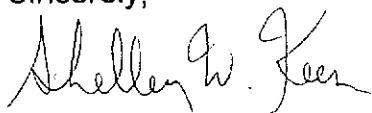
Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to 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 or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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OCT 04 2002

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

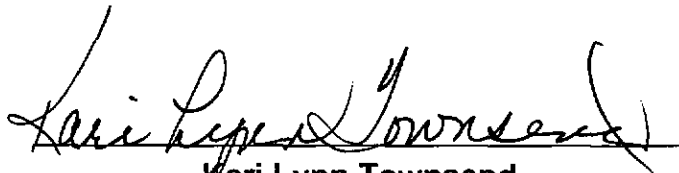
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OCT 04 2002

CERTIFICATE OF MAILING

I hereby certify that on February 21, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 75-14030

**PATRICK FARRELL
KATHLEEN FARRELL
7391 BUCK LAKE RD
TALLAHASSEE FL 32317**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
OCT 04 2002**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 2/13/02

No. 75-14030 Name: Farrell Corp. Officers N/A Ad ok ☒ Govt Lots
AREA OF CONCERN: No/Yes SC Moratorium GWMA TRUST/NON-TRUST

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046
Basin 34 - 084 (if necessary)
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067
~~WMD~~
Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
Trust - 051 (consumptive uses)
Non-Trust - 048 (consumptive uses or non-cons. > 1.0 cfs)

USES:

STORAGE - 18C-01H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
or 17M (not FERC regulated)
025-027-R22-08A

BENEFICIAL USE DUE: 2/01/2003

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
> 1 yr - 26A
Ownership - 004
Non-consumptive - 027
Water Quality - 106-R07

SURFACE-WATER: (✓Flow Chart)

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD#)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

SPRINGS/SINK; INACTIVE WD or WB

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - ~~W23~~ 029 (fish screens)
Weiser R (67) - 086-087

USES:

MUNICIPAL
Restricted area - 022,075
Irr., GW supp to SW - 102
Future needs - 007,109
FISH PROP - 029 (70's only)-007-042-106
DOMESTIC
Surface water - WB5 (Big Wood/Boise above Star Bridge)
- 27A (Payette R)
> 1 in restricted area - 070-071-075 (no parks/common areas)
Irr separate or none allowed - WB5
GW w/irrigation from SW evident - 065-104
Moratorium approvable - W03 (2500 gpd - meets domestic def
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single pd intended - 076

IRRIGATION SEASON - (Per updated map) IRR VOLUME/ACRE

OTHER CONDITIONS/REMARKS pond < .5 of surface area - ok to process

COMMENTS

Sand Capital

Dist. for staffing
Submitted for advertising 11-16-01

Form No. 202
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATIONS FOR PERMIT ANALYSIS PERMIT

RECEIVED
JAN 18 2002

INITIAL REVIEW BY HWS DATE 11-16-01 APPLICATION NO. 75-14030 DEPARTMENT OF WATER RESOURCES

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 signatory 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
☐ Yes ☒ No 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 _____

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 - Salmon ☒ 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 _____
☒ 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 11-13-01
By [Signature] Date 1-10-02

STATE OFFICE REVIEW

See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

* See attached letter of agreement by Patrick Farwell & USFS.

LOCAL PUBLIC INTEREST

Comments received from

_____City	_____Idaho Fish & Game	_____Irrigation District
_____County	_____Idaho Health & Welfare	_____Canal Company
_____Reservations	_____Division of Environment	_____Other_____

Project impacts/implications report

COMMENTS

RECEIVED

JAN 10 2002

Department of Water Resources
Eastern Region

Patrick Farrell, Jr.
Kathleen D. Farrell
7391 Buck Lake Road
Tallahassee, FL 32317

Home Phone: (850) 878-8575

Office Phone: (850) 224-4663

Office Fax: (850) 561-8839

January 4, 2002

RECEIVED

JAN 18 2002

Department of Water Resources

Harold W. Jones
Water Rights Supervisor
State of Idaho
Department of Water Resources
900 North Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RE: Application for permit number 75-14030.

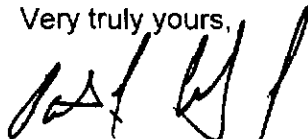
Dear Mr. Jones:

Pursuant to our recent telephone conversation, please find enclosed a copy of my letter to the Forest Service which responds to the concerns set forth in their letter of December 20, 2001. Also, under separate cover you should receive from Jerry Myers a revised map showing the location of the spring and pond on our property.

It is my understanding with this information the file will be sent to Boise and we should be receiving the permit in the near future. If I am incorrect, or if you need any additional information, please let me know.

With best regards, I remain

Very truly yours,



Patrick Farrell, Jr. and
Kathleen Farrell

PJF/ma

cc: Jerry and Terry Myers
P.O. Box 8
Salmon, ID 83467

MICROFILMED

OCT 04 2002

Patrick Farrell, Jr.
Kathleen D. Farrell
7391 Buck Lake Road
Tallahassee, FL 32317

Home Phone: (850) 878-8575
Office Phone: (850) 224-4663
Office Fax: (850) 561-8839

January 4, 2002

George Metejko
Forest Supervisor
Salmon-Challis National Forest
Headquarters Building
50 Hwy. 93 South
Salmon, ID 83467

RE: Application for permit number 75-14030 of Patrick and Kathleen Farrell;
Your File Code: 2540

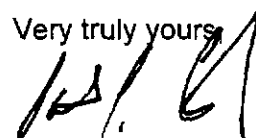
Dear Mr. Metejko:

This will acknowledge your letter of December 20, 2001, to Mr. Harold Jones regarding our application for permit number 75-14030. Under separate cover, Jerry and Terry Myers will be forwarding a corrected map to Mr. Jones and providing you with a copy which shows that both the spring and the pond are located on our property.

With respect to the other issues raised in your letter, we have no objection to using a perforated pipe at the spring and returning the overflow to Indian Creek in a buried screened pipe. I believe this meets all the concerns raised in your correspondence. If I am incorrect, please let me know promptly.

With best personal regards, I remain

Very truly yours,



Patrick Farrell, Jr. and
Kathleen Farrell

PJF/ma

cc: Betsy Rieffenberger
Harold W. Jones
Boise Adjudication Team
Jerry and Terry Myers

MICROFILMED

OCT 04 2002

APPLICATION FOR PERMIT
NO. 75-14030

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

Patrick Farrell 75-14030

Kathleen Farrell

7391 BUCK LAKE RD

TALLAHASSEE FL 32317

Point(s) of Diversion: NW/NENE

S12 T24N R19E, LEMHI County

Source SPRING, Tributary To IN-

DIAN CREEK

Use: RECREATION 01/01 To 12/

31

Use: RECREATION STORAGE

01/01 To 12/31 4.4 AFA

Total Diversion: 0.3 CFS 4.4

AFA

Date Filed: 11/16/2001

Place of Use: RECREATION AND

RECREATION STORAGE T24N R19E

S12 NW/NE

Permits will be subject to all prior water rights. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource,

Eastern Region, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402 together with a protest fee of \$25.00 for each

application on or before December 24, 2001. The protestant must also send a copy of the protest to the applicant.

Karl J Dreher, Director

Published on December 6 & 13, 2001

Affidavit of Publication

RECEIVED

DEC 31 2001

Department of Water Resources
Eastern Region

STATE OF IDAHO }
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the APPLICATION PERMIT-FARRELL, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof for TWO(2) consecutive issue(s), commencing with the issue dated 12-6-2001 and ending with the issue dated 12-13-2001.

STATE OF IDAHO }
County of Lemhi } ss.

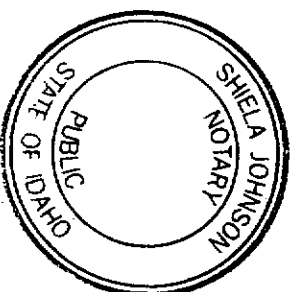
On this 21st day of December in this year of 2001 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Residing At Salmon, Idaho

Shiela Johnson
Notary Public for Idaho

My Commission expires: 01-02-2007

Publication Fee \$67.08



INDIAN CREEK

GUEST RANCH RECEIVED

JAN 07 2002

Department of Water Resources
Eastern Region

DATE:

1/04/02

FROM:

TO:

TO: HAROLD JONES

TEL#

WATER RIGHT PERMIT # 7514030

HERE IS A CORRECTED MAP

FOR THE ABOVE WATER RIGHT

IF YOU HAVE ANY QUESTIONS

PLEASE CALL JERRY OR TERRY

MYERS IF YOU HAVE QUESTIONS

THANK YOU (208) 756-2147

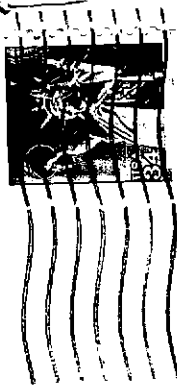
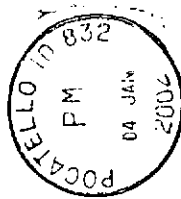
Jimmy Myers

MICROFILMED

OCT 04 2002

MTERS
POB 8
SALMON, ID

83467



HAROLD JONES
WATER RIGHT SUPV.
IDaho DEPT OF WATER RESOURCES
900 N SKYLARK DR - STE. A
IDaho Falls, ID 83402 - 1718
83402+1718

MICROFILMED
OCT 04 2002



United States
Department of
Agriculture

Forest
Service

Salmon-Challis
National Forest

Headquarters Bldg
50 Hwy 93 S
Salmon, ID 83467

File Code: 2540

Date: December 20, 2001

Harold Jones, Water Right Supervisor
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RECEIVED

DEC 24 2001

Department of Water Resources
Eastern Region

Dear Harold:

We appreciate the opportunity to review the proposed Application for Permit #75-14030 that was submitted to your office by Patrick and Kathleen Farrell. We have discussed this proposed water development with the Indian Creek Guest Ranch caretakers, Jerry and Terry Myers, and with Mr. Farrell. We have several concerns with the application as currently written. The legal description for the pond location appears correct, but the location as shown on the map does not appear to be correct as it shows the pond on the hillside, possibly on National Forest land. As discussed with the Myers, the pond will actually be located closer to Indian Creek on private land. Since the map will be part of the record for this water right, it should accurately reflect the pond location.

The application states that the development will consist of a spring box and a pipe. In our discussion with the Myers, they indicated that the development would consist of a perforated pipe only and not a spring box. We would like to see the application reflect the use of a perforated pipe only and not a spring box. The concern with a spring box would be the potential to dry up this wetland and reduce the recharge of cool groundwater to Indian Creek.

The application states that the pond overflow would be returned to Indian Creek. If the overflow were returned in a pipe instead of an open ditch, there would be less seepage loss and possibly less heating of the return flow. We would like the application to specify how the overflow would be returned to Indian Creek.

It is our intent to work with the applicants to meet their needs for water use while reducing impacts to the aquatic habitat in Indian Creek. If you have any questions or need additional information please contact Betsy Rieffenberger, Forest Hydrologist, at (208) 756-5108 or Dan Garcia, District Fish Biologist, at (208) 865-2722.

Sincerely,

GEORGE MATEJKO
Forest Supervisor

MICROFILMED

OCT 04 2002

Cc: NF District Ranger

Betsy Rieffenberger

Patrick and Kathleen Farrell
7391 Buck Lake Rd.
Tallahassee, FL 32317

Boise Adjudication Team
380 E. Parkcenter Blvd.
Boise, ID 83706



Caring for the Land and Serving People

Printed on Recycled Paper





IDAHO FISH & GAME

SALMON REGION
1215 Highway 93 North
P.O. Box 1336
Salmon, Idaho 83467

Dirk Kempthorne / Governor
Rod Sando / Director

December 11, 2001

RECEIVED

DEC 12 2001

Department of Water Resources
Eastern Region

Harold W. Jones
Idaho Department of Water Resources
900 N Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

Re: Application #75-14030

Dear ~~Mr. Jones~~, ^{SKIP}

Department personnel have reviewed the application by Mr. and Mrs. Farrell to develop a water source and pond adjacent to Indian Creek. Jerry Myers, the Indian Creek guest ranch manager, contacted our fisheries staff to review the project during the conceptual phase to minimize adverse impacts. This project is part of a large effort to increase irrigation efficiency, enhance in-stream flows, and improve fish migration conditions in Indian Creek. It's our determination that the proposed project will enhance fish and wildlife values of the watershed.

Thank you for the opportunity to review this application and provide comments.

Sincerely,

James R. Lukens
Regional Supervisor

cc: Russ Kozacek
Rob Brochu, U.S. Army Corps of Engineers, Idaho Falls
Natural Resources Policy Bureau

MICROFILMED
OCT 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 28, 2001

US Forest Service
RR 2 Box 600
Salmon ID 83467

RE: Application for Permit #75-14030

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is December 24, 2001, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED

DEC 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

November 28, 2001

KARL J. DREHER
Director

ID Fish & Game
PO Box 1336
Salmon ID 83467

RE: Applications for Permit #73-11958, 73-11959 and 75-14030

Dear Sir:

We are enclosing a copy of the application (s) that may be of interest to your department. Please review the application (s) and submit any comments you may have to our Department as soon as possible. The last date of protest is December 24, 2001, and we are required to take final action shortly thereafter.

If we may be of further assistance, please feel free to contact us.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ: sc

Enc.

MICROFILMED

OCT 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 28, 2001

PATRICK FARRELL
KATHLEEN FARRELL
7391 BUCK LAKE RD
TALLAHASSEE FL 32317

RE: Application for Permit No 75-14030

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Recorder Herald on December 6 and 13, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

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

Sincerely,

A handwritten signature in cursive script that reads "Harold W. Jones".
Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED

OCT 04 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 28, 2001

Legal Notice Department
RECORDER-HERALD
PO BOX 310
SALMON ID 83467

RE: Application for Permit No. 75-14030

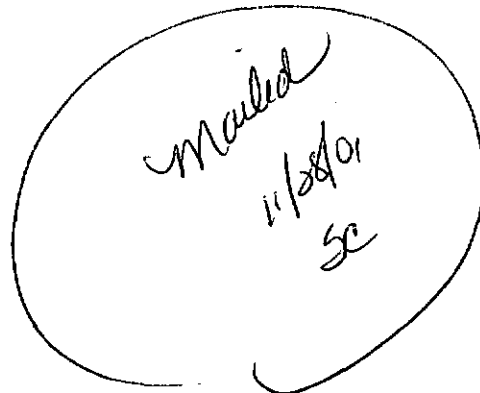
Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before December 24, 2001. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant



MICROFILMED
OCT 04 2002

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

75-14030

PATRICK FARRELL
KATHLEEN FARRELL
7391 BUCK LAKE RD
TALLAHASSEE FL 32317

Point(s) of Diversion: NWNENE S12 T24N R19E, LEMHI County

Source SPRING, Tributary To INDIAN CREEK

Use: RECREATION 01/01 To 12/31 0.3 CFS

Use: RECREATION STORAGE 01/01 To 12/31 4.4 AFA

Total Diversion: 0.3 CFS 4.4 AFA

Date Filed: 11/16/2001

Place Of Use: RECREATION AND RECREATION STORAGE

T24N R19E S12 NWNE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before December 24, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on December 6 and 13, 2001

MICROFILMED

OCT 04 2002