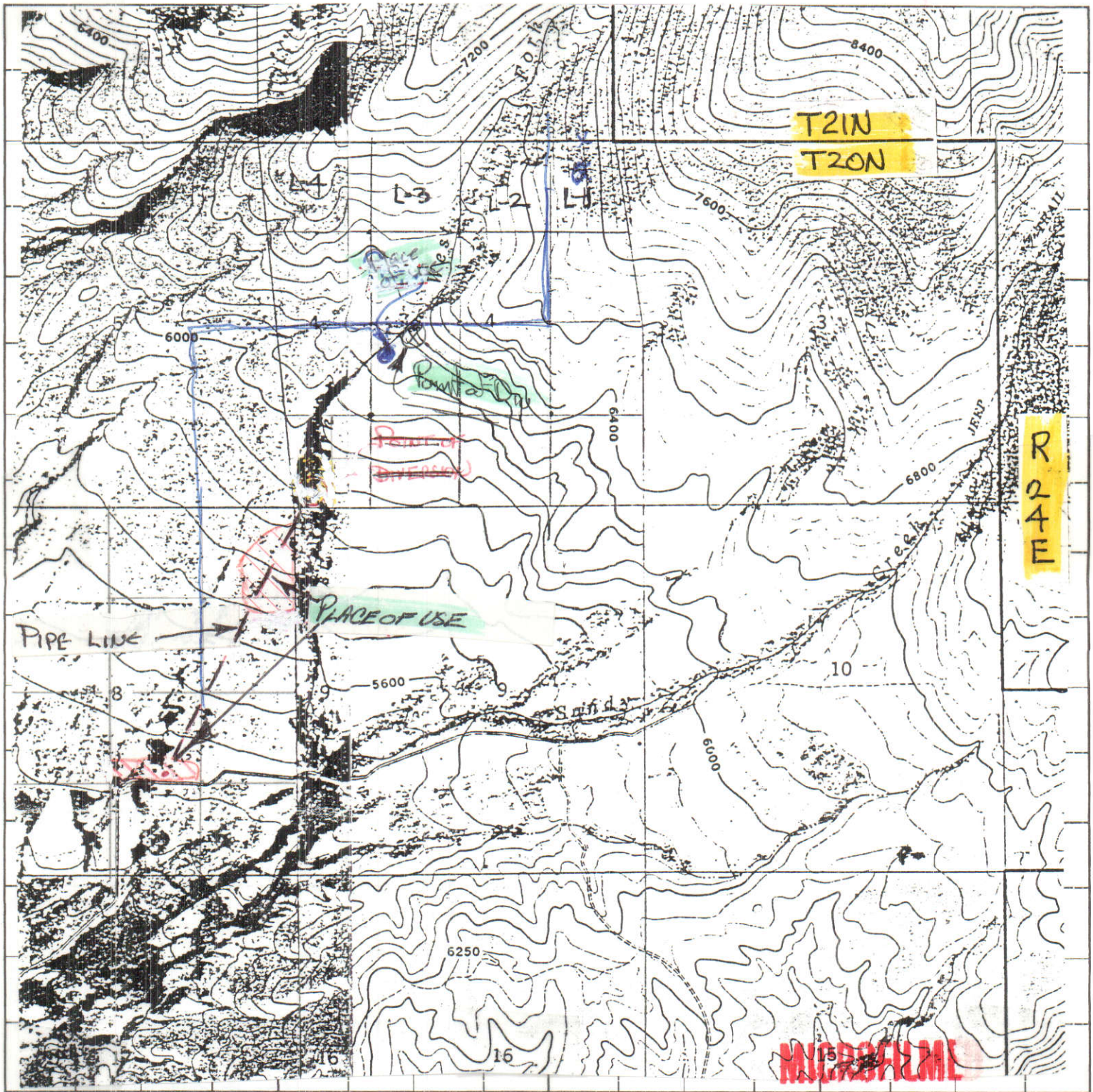


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



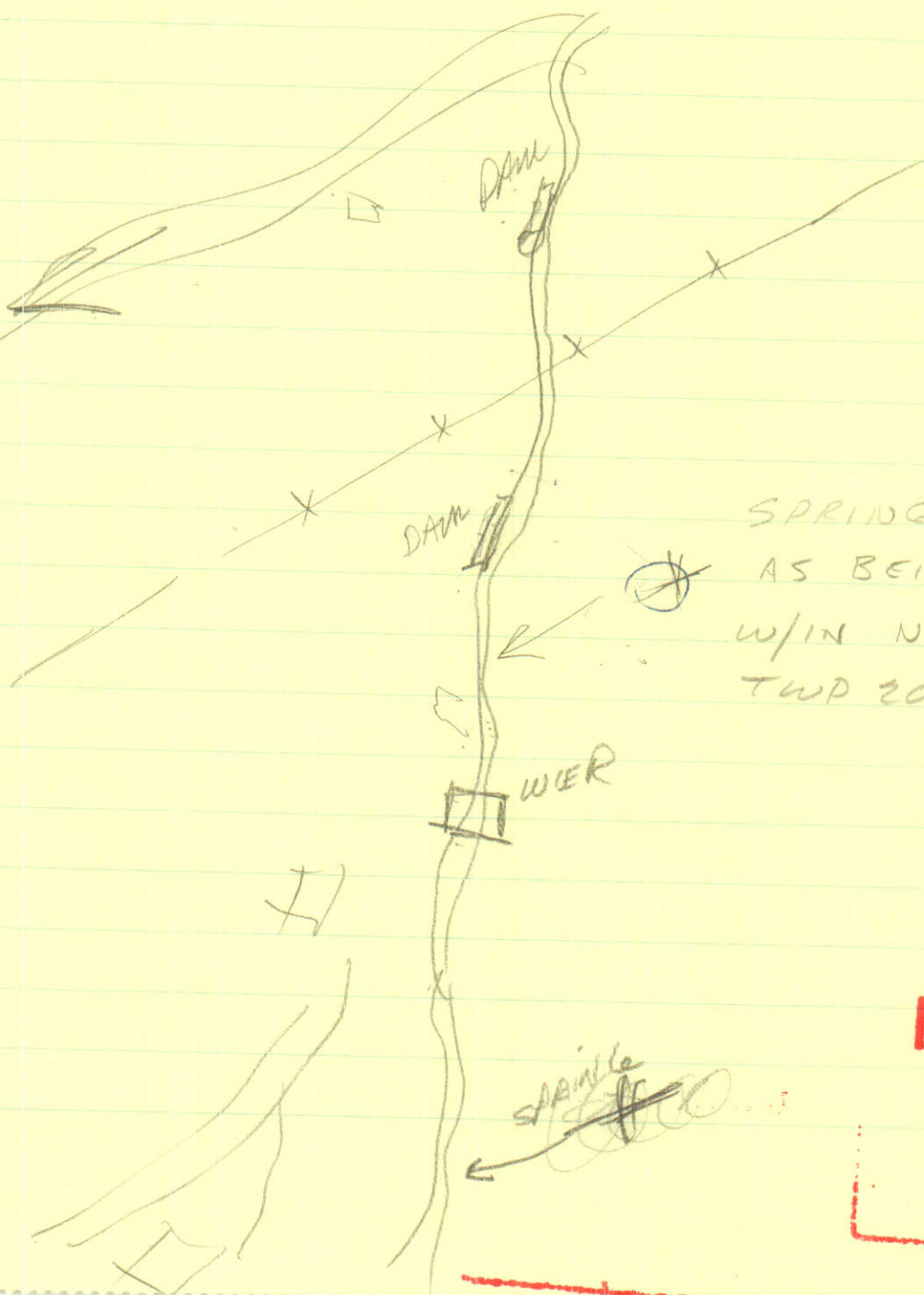
Scale: 2 inches equal 1 mile.

NOV 22 1989

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.

Boyd E. Anderson
(Applicant)

CONFERENCE 7-7249



SPRING IDENTIFIED
AS BEING LOCATED
W/IN NW⁴ NE⁴ SW⁴ SEC 4
TWP 20N RGE 24E

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NOV 22 1989

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 74-07249

Proposed Priority: May 4, 1987

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **BOYD E. ANDREWS**
RT. 1 BOX 48-C
SALMON, ID 834670000

has applied for a permit to appropriate water from:

SPRING

tributary of **SINKS**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.20 CFS
STOCKWATER	01/01 to 12/31	0.10 CFS
	Totals	0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWNESW Sec. 4, Township 20N, Range 24E
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>
20N	24E	8	NENE 5	SENE 2	NWSE 3	10

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
20N	24E	5
		8
		NESW
		NWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1990.**
2. Subject to all prior water rights.
3. Source known locally as Agee Spring.

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

19th day of October, 1989

MICROFILMED

NOV 22 1989

R. Keith Higginson
R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Boyd E. Andrews Phone 756-2065
Post office address Rt. 1 Box 48-C; Salmon, Idaho 83467

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

3. Location of point of diversion is NW NE
SW SW 1/4 of SW 1/4 of SW 1/4, Govt. Lot _____

Sec. 4 Township 20N Range 24E B.M. Lemhi County; additional
Richards *
points of diversion if any: Local name for this spring is Agee Spring.

4. Water will be used for the following purposes:

Amount .20 cfs for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .10 cfs for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) 0.20 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Spring box to pipeline through applicants
property to corrals and pasture. Will irrigate approx. 10 acres.

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

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

d. Is ground water with a temperature of greater than 90°F being sought? no

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

MICROFILMED

NOV 22 1989

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

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. Water for 100 range cattle and 60 dairy cows.
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. 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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
20N	24E	8	5			2					S					S			10
		4									S								

Total number of acres to be irrigated 10

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

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

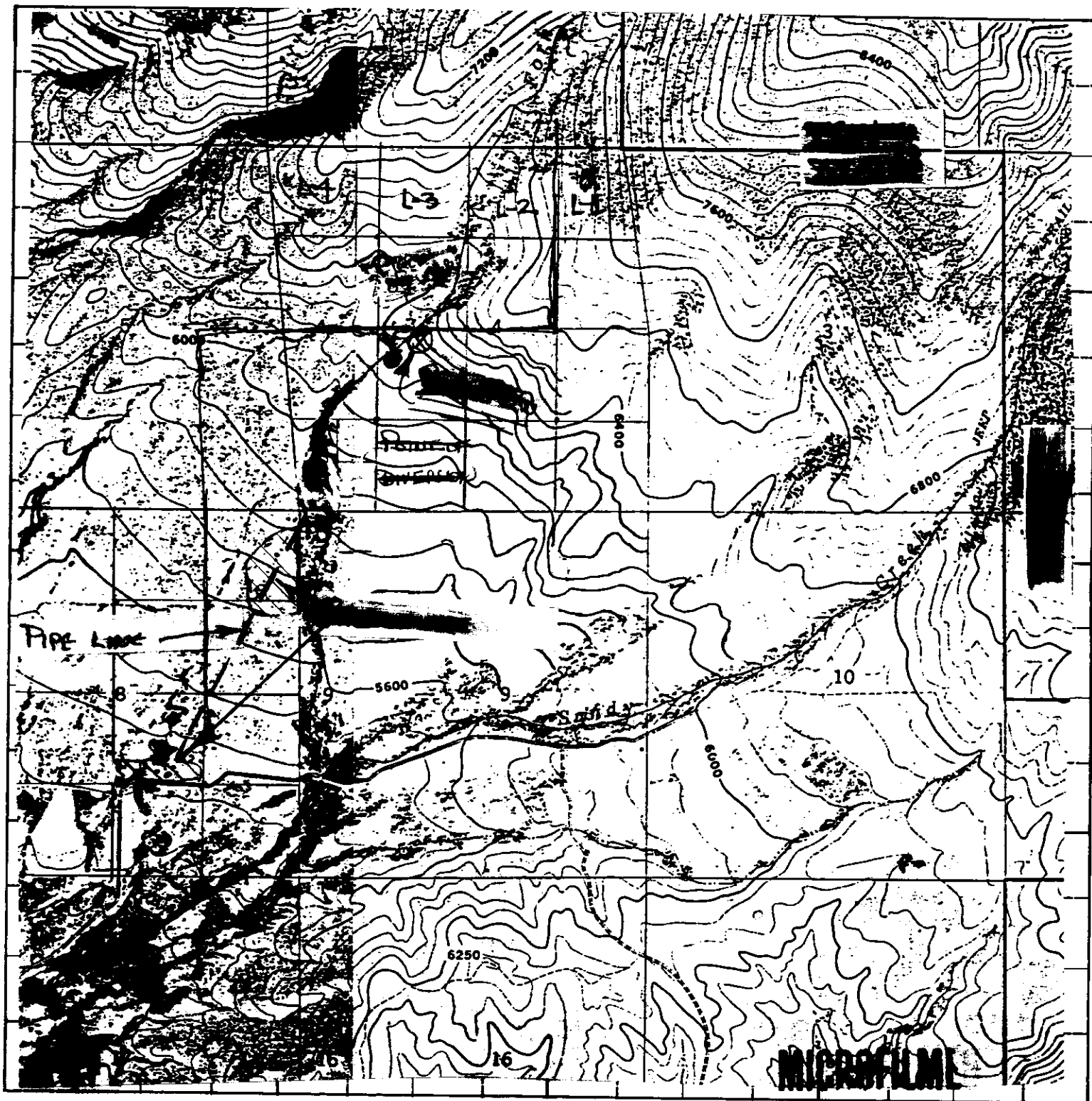
12. Remarks: This filing is made to supplement a spring(used by the applicant near the existing corrals) which is drying up. When spring is running high, excess water will be used to irrigate _____ acres in NE NE Sec 8 T20N R24E.

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NOV 22 1965

NOV 2 1989

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



Scale: 2 inches equal 1 mile.

NOV 2 1989

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.

Boyd E. Anderson
(Applicant)

Received by CW Date 5-21-87 Time 12:25P. Preliminary check by HWT
Fee \$ 30.00 Received by CW # 41185 Date 5-11-87
Publication prepared by dlg Date 6-10-87 Published in Record - Handed
Publication approved (u) Date 6-30-87

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

NOV 22 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 220

To appropriate the public waters of the State of Idaho

1. Name of applicant Boyd E. Andrews Phone 256-2065

Post office address RT 1 Box 48-C Salmon Idaho

2. Source of water supply Spring which is a tributary of ITSELF

3. Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____

Sec. 4 Township 20 Range 24 B.M. Lemhi County; additional

points of diversion if any: as Marked on both Maps

4. Water will be used for the following purposes:

Amount 3 Miners inches for Stock purposes from April 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 3 Miners inches and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. will put in pipe and watering Trough, This is referring to The Richards Spring

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 _____ use is,
_____ years (minimum 1 year).

MICROFILMED

NOV 22 1989

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

- a. Hydropower; show total feet of head and proposed capacity in KW. WRA 22 1988
- b. Stockwatering; list number and kind of livestock. 200 Head of Beef Cattle
For approx 120 days.
- c. Municipal; show name of municipality. **RECEIVED**
- d. Domestic; show number of households. _____
- e. Other; describe fully. We might put a House Here
at some Future date.

9. 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	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated None

10. Describe any other water rights used for the same purposes as described above. This is The only water we can be share of. For cattle.

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

12. Remarks: This is the only water in this area to livestock after August. and some times July.

RECEIVED

NOV 22 1989

Received by CW Date 5-4-87 Time 12:10 P Preliminary check by _____
Fee \$ 30.00 Received by CW # 41186 Date 5-11-87
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

MICROFILMED

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

NOV 22 1989

NOTICE OF
APPLICATION FOR
WATER RIGHT

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

74-7248

ANDREWS, BOYD E.

RT. 1 BOX 48-C, SAL-
MON, ID 83467

Source: SPRING trib. to
SINKS

Diversion Pt: NWNESW

Sec 04 T 20N R 24E

Use: STOCK WATER
(0.050 CFS)

Date Filed: 05/04/1987

In: NESW Sec 04 T 20N R
24E

74-7249

ANDREWS, BOYD E.

RT. 1 BOX 48-C, SAL-
MON, ID 83467

Source: SPRING trib. to
SINKS

Diversion Pt: SWSWSW

Sec 04 T 20N R 24E

Use: IRRIGATION (0.2
CFS)

STOCKWATER (0.1 CFS)

Date Filed: 05/04/1987

In: NENE SENE NWSE Sec
08 T 20N R 24E FOR 10
ACRES

75-7450

DUNPHY, MICHAEL

BOX 412, SALMON, ID
83467

Source: TOWER CREEK,
EAST FORK trib. to SAL-
MON RIVER

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

Use: IRRIGATION (0.040
CFS)

Date Filed: 06/01/1987

In: SESW Sec 03 T 23N R
22E FOR 2 ACRES

The permit(s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water Resources,
Eastern Region, 150 Shoup,
Suite 15, Idaho Falls, Idaho
83402 on or before JULY 6,
1987.

KEN DUNN, Dir.

Published 6/18 & 6/25/
87

6-18-2tc

Affidavit of Publication

RECEIVED
JUN 26 1987

STATE OF IDAHO

County of Lemhi

ss.

Department of Water Resources
Eastern District Office

JERRY G. ROSIN

being first duly sworn, deposes
and says that he is one of the printers (publisher) 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 74-7248,
74-7249, 75-7450

a true
printed copy of which is attached to the margin hereof, has been and was correct-
ly printed and published 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 June 18, 1987
and ending with the issue dated June 25, 1987

Jerry G. Rosin

Subscribed and sworn to before me, this twenty fifth

day of June, 1987

Carl Ametony

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 39.69

MICROFILMED

NOV 22 1989

December 17, 1990

BOYD E. ANDREWS
RT. 1 BOX 48-C
SALMON, ID 834670000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 74-07249

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MicroFILMED

JAN 17 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 74-7249

Date 12-14-90

GENERAL CONSIDERATIONS

Y Name same as permit?
N Address change? If yes, prepare data entry form.
Y Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

✓ Surface water source
 Ground water source
 Drill permit req'd? Copy in file?
 Well log in file?
 Amt paid for drilling permit? Correct?

LICENSE EXAMINATION FEE

Y Required?
50 Amount submitted?
Y Correct amount?

MEASURING DEVICE

N Measuring device or access port required?
 Installed?
 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

proof acceptable

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	- <u> </u>
No. of days late	<u> </u>	= <u> </u>
Priority date	<u> </u>	+ <u> </u>
NEW PRIORITY DATE	<u> </u>	= <u> </u>

[Signature]

RECEIVED

OCT 26 1990

STATE OF IDAHO

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Amt. of Fee \$ 50.00Date 10-26-90Receipt No. 1 E015376Received by HWS

OCT 29 1990

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 74-07249 Telephone No. 756-2065

Name(s) of Permit Holder(s): Boyd E. Anderson

Post Office Address: RT 1 Box 48-C Salmon Idaho

Source of Water: Spring

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:

Domestic _____ (No. of households)

Irrigation 10 (No. of acres)Stockwater 150 (No. and type of stock)

Other _____

approx. 150 head of cows and few horses

Total rate and/or volume for which proof is submitted 0.20 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: approx Oct 20, 1990

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Boyd E. Anderson Name 756-2065 Telephone No.

RT 1 Box 48-C Salmon Idaho Address

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.

JAN 17 1991

Oct 25 Date Boyd E. Anderson Signature (and title if on behalf of a company or organization)

August 31, 1990

BOYD E. ANDREWS
RT. 1 BOX 48-C
SALMON, ID 834670000

PROOF DUE NOTICE

RE: PERMIT NO. 74-07249

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 November 1, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JAN 17 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
October 20, 1989

BOYD E. ANDREWS
RT. 1 BOX 48-C
SALMON, ID 834670000

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P74-07249

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.

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. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

NOV 22 1989

└──────────┘

We did not require a
re-ad as protestants
agreed to changes on
applic.

→ *Left*

74-7248 is dropped (withdrawn) & pon
added onto 74-7249. HWT

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

74~7249

INITIAL REVIEW BY: ESV/AWS

APPLICATION NUMBER: B. Andrews

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.

Field check by: _____

Date: _____

Comments: _____

☐ Yes ☒ No Field check required.

☐ Yes ☒ No Critical groundwater area.

☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

Lumber Adj. area

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other WDJG

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☒ No

Platted by: _____ Map No. _____

☒ Yes ☐ No

Other rights on same place of use. 74-0854 + 74-1797

☒ Yes ☐ No*

In form for advertising.

Final date for protests: _____

☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 6-26-87

☒ Application published correctly. If not, record action taken: _____

☒ Fee amount, receipt date & number, recorded on application.

☒ Publication dates and paper, recorded on application.

☒ Protests, dates, withdrawal, etc., recorded on application. Protest withdrawn

☒ Recommendation & initial, recorded on application.

☐ Yes ☒ No Measuring device required.

☐ Yes ☒ No Access port required.

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____

5-04-87 Date of priority recommended.

Special conditions of approval or cover letter. Subject to prior water rights

By: AWS Date: 9-13-89

STATE OFFICE REVIEW:

☐ See attached sheet for more information.

By: KW Date: 10-11-89

RECEIVED
SEP 16 1989

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

September 12, 1989

RE: Application for Permit No. 74-7248 and 74-7249

Boyd E. Andrews
Rt. 1, Box 48-C
Salmon, ID 83467

Dear Mr. Andrews:

This letter is to advise you that Henry E. Schaffner and John McConnaghy have withdrawn their protest against the above referenced applications. The Department is now continuing the processing of your applications.

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

Very truly yours,

HAROLD W. JONES
Water Right Supervisor

HWJ:CW

MICROFILMED

NOV 22 1989

September 12, 1989

RE: Application for Permit No. 74-7248 & 74-7249 ANDREWS

Mr. Henry E. Schaffner
Mr. John McConnaghy
Rt. 1, Box 33
Salmon, ID 83467

Gentlemen:

This letter is to acknowledge receipt of your withdrawal of protest against the above referenced application. The Department has now resumed processing of these applications.

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

Very truly yours,

HAROLD W. JONES
Water Rights Supervisor

HWJ:CW

MICROFILMED

NOV 22 1989

IN THE MATTER OF)
APPLICATIONS FOR)
PERMIT 74-7248 &)
74-7249 IN THE)
NAME OF)
BOYDE. ANDREWS)

WITHDRAWAL OF
APPLICATION 74-7248
&
WITHDRAWAL OF
PROTEST OF 74-7249

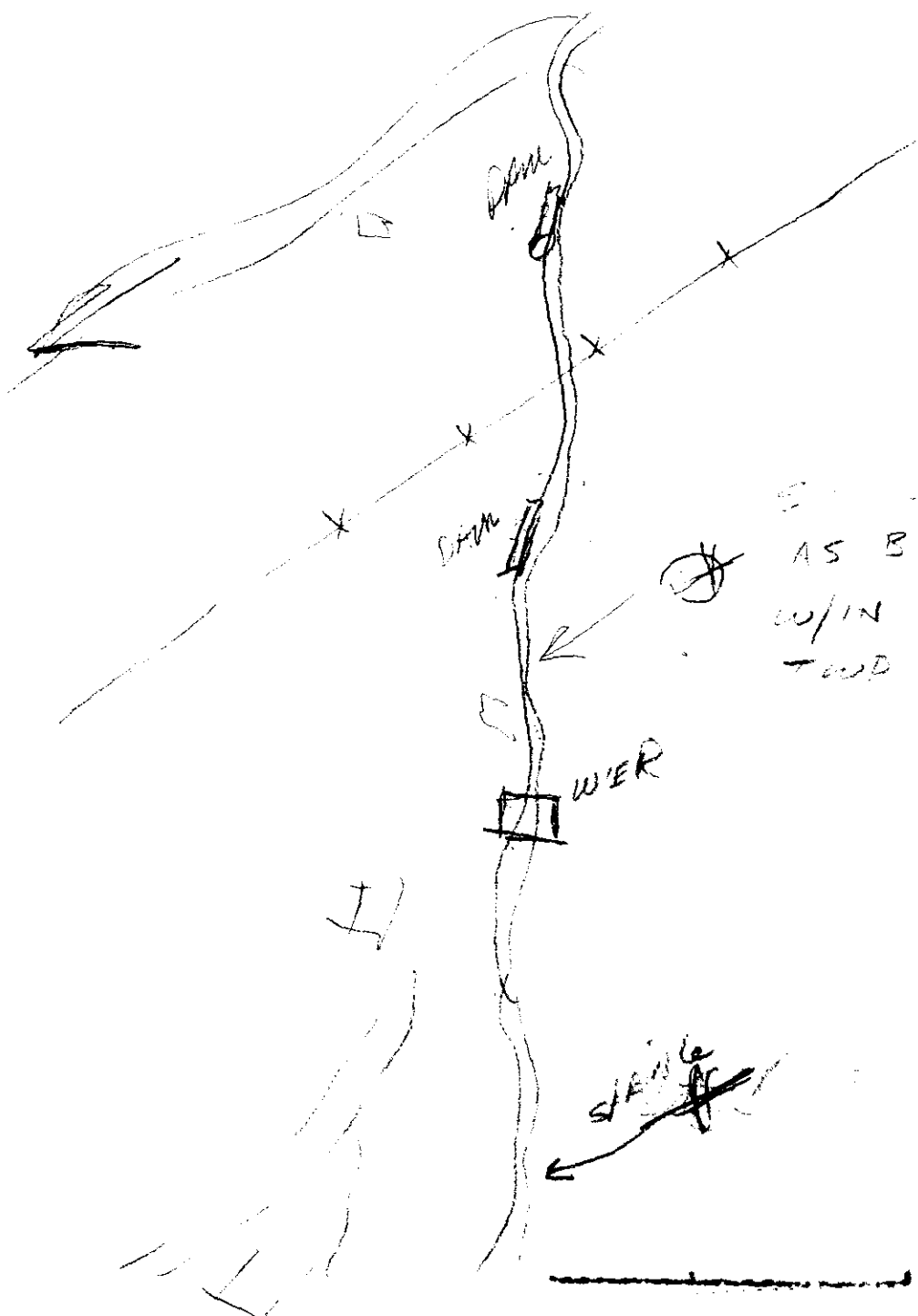
Based upon the information presented at the Conference conducted on August 24, 1989 it was agreed that the source for both applications should have been the same spring located in NW⁴NE⁴SW⁴ SEC 4 TWP 20N RGE 24E. The applicant hereby agrees to amend his application 74-7249 to include the place of use shown in 74-7248. The applicant further agrees to withdraw application 74-7248 from further consideration by the department. The protestants hereby agree to withdraw their Protest with the understanding that any water used under permit 74-7249 will be specifically subject to the rights of John McConnaghy. signed in Salmon Idaho this 24th day of Aug

NOV 22 1989

Boyd E. Andrews
APPLICANT

Henry Schaffner
John McConnaghy
PROTESTANTS

COMPOSITE 7 1209



POINT IDENTIFIED
AS BEING LOCATED
W/IN NW⁴ NE⁴ SW⁴ SEC 4
TWP 20N R2E 24E

MICROFILMED

NOV 22 1989

August 14, 1989

Lemhi County Commissioner's
ATTN: TERRY
206 Courthouse Drive
Salmon, ID 83467

Dear Terry:

This is to confirm the use of the Commissioner's Room, Lemhi County Courthouse, for water right conferences to be held by this Department beginning at 1:00 p.m., Thursday, August 24 and on Friday, August 25, 1989 beginning at 9:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Assistant

MICROFILMED

NOV 22 1989

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS FOR)
PERMITS NOS. 74-7248 AND 74-7249 IN)
THE NAME OF BOYD E. ANDREWS) NOTICE OF CONFERENCE
_____)

On May 4, 1987, Boyd E. Andrews filed with the Department of Water Resources applications to appropriate the public water of the State of Idaho. On July 1, 1987 the Department received a protest against approval of said application from Henry E. Schaffner and John McConnaghy.

The Department has set the matter of protest for an administrative conference to be conducted at 1:00 p.m., Thursday, August 24, 1989, in the Commissioner's Room, Lemhi County Courthouse, Salmon, Idaho.

Agenda items for this conference will include:

1. Identify spokesman and/or counsel representing the protestant.
2. Review of the application.
3. Identify issues of protest.
4. Designate date for identifying witnesses.
5. Designate target date for conducting administrative hearing if resolution is not possible during the conference.

The conference will be held in accordance with provisions of the adopted Rules of Practice and Procedure of the

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Department of Water Resources.

Dated this 7th day of August, 1989.



RONALD D. CARLSON
Eastern Regional Manager

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NOV 22 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing Address:
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

18 April 1988

Boyd E. Andrews
Route 1, Box 48C
Salmon, ID 83467

RE: Permit Applications 74-7248 & 74-7249

Dear Mr. Andrews:

The department will comply with your recent request to defer consideration of the protests against the above captioned applications until November 1988. This decision is based on your commitment that continuance of the deferment will not be requested at the end of this period.

Respectfully submitted,

Ernest Carlsen
Water Rights Supervisor

cc: Henry C. Schaffner
John McConnaghy

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NOV 22 1989

July 13, 1987

Mr. Boyd E. Andrews
Rt. 1, Box 48-C
Salmon, Idaho 83467

Dear Mr. Andrews:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your application Nos. 74-7248 and 74-7249. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (§42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest.

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

Very truly yours,

ERNEST CARLSEN
Water Rights Supervisor

EC:CM

Enclosure

cc: IDWR - State Office

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NOV 22 1989

July 13, 1987

RE: Application for Permit Nos. 74-7428 & 74-7429 ANDREWS

Henry E. Scheffner ✓
John McConnaghy
Rt. 1, Box 33
Salmon, ID 83467

Gentlemen:

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

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (§42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resource with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?

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

Very truly yours,

ERNEST CARLSEN
Water Rights Supervisor

EC:CM

IDAHO - State Office

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NOV 22 1989

June 29, 1987

RECEIVED

JUL 1 1987

Director, Idaho Dept. of Water Resources
Eastern Region
150 Shoup St.
Idaho Falls, Idaho 83402

Department of Water Resources
Eastern District Office

RE: APPLICATION FOR WATER RIGHTS, Nos. 74-7248 & 74-7249, Boyd E. Andrews
PROTEST

Dear Sir:

We protest the above-referenced applications for water rights on the following grounds:

- (1) 74-7248: We do not feel this source of water represents a "spring". It is sub-water from the irrigation ditches and/or creek bed above it. We observed this "spring" on two occasions during the last two weeks and it was practically dry. There is not more than a trickle of water running there and the applicant is filing for more water than is available.

Our protest is that the applicant will file on this amount of water, establish a water right for spring water which is non-existent and in future years, will demand that the neighbors keep this "spring" charged and flowing.

- (2) 74-7249: We believe there are errors in the legal description in both the point of diversion and the place of use on this filing. Again, this "spring" being filed on is nothing more than West Sandy Creek water which is leaking from the diversion structure/weir, and is not a self-sustaining spring. The flow at this point is relative to how much water leaks under and around the diversion structure, rainfall, etc. This water is part of the Decree #74-0200, or the first rights on West Sandy and the fact that it is presently leaking down the old ditch does not make it available for a future water right in our opinion. Again, the applicant is filing for more water than has been observed at this point and we feel this will constitute another case of establishing a water right and causing on-going problems in future years if the adjoining landowners do not keep this water coming to the applicant.

In addition, the amount of water being filed on for irrigation will never reach the place of use unless it is piped down - and the applicant's application does not refer to this pipeline. The amount of water being filed on for irrigation is not sufficient for irrigation purposes.

Continued....

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NOV 22 1989

June 29, 1987

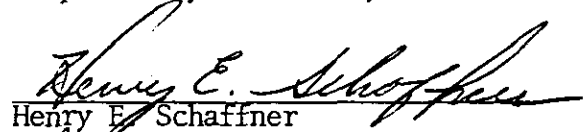
In summary, there is no "source" of water in the West Sandy or Sandy Creek drainage which has not previously been appropriated. All the available water has been filed on and anyone trying to establish a new right, from a new "source" is going to be placing undue demands on the adjoining land-owners in future years to insure that this new source of water remains available.

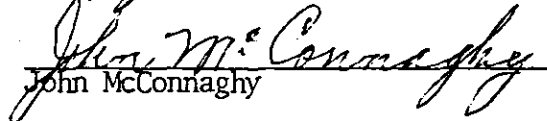
During the extreme drought over the last 7 months, many springs in Lemhi County froze and stopped flowing. This spring and summer many springs either stopped running or were reduced in flow substantially. On both of these applications for water rights, we are not able to observe the flow the applicant is filing on.

We request that a hearing be held and a field inspection of these claims be made prior to applicant's being issued a water right on either source.

Thank you for your time and assistance.

Respectfully submitted,


Henry E. Schaffner


John McConnaghy

CERTIFIED MAIL

cc: Leonard Reagle,
WaterMaster, Sandy Creek District

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans
Governor

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

A. Kenneth Dunn
Director

June 19, 1987

Boyd E. Andrews
Rt. 1, Box 48-C
Salmon, Idaho 83467

RE: Applications for Permit No. 74-7248 & 74-7249

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right applications for permit. The applications have been assigned identification no. 74-7248 and 74-7249. Please refer to these numbers in all further correspondence.

This office is currently in the process of advertising the applications in The Recorder-Herald. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

If the applications are not protested, they 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,

Ernest Carlsen
Assistant Regional Manager

EC/dg

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JUL 22 1989

June 10, 1987

Leonard Reagle, Watermaster
Water District #74-G
Rt. 1
Salmon, Idaho 83467

RE: Applications for Permit 74-7248 & 74-7249

Dear Mr. Reagle:

Enclosed for your information only are copies of the above referenced applications for a water right filed within your district. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Ernest Carlsen
Water Rights Supervisor

EC/dq

Enclosure

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NOV 22 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 10, 1987

The Recorder-Herald
P. O. Box 310
Salmon, Idaho 83467

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JULY 6, 1987.

Yours truly,

Michele Davis
Office Secretary

Encl.

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NOV 22 1989

74-7249

ANDREWS, BOYD E.

RT. 1 BOX 48-C, SALMON, ID 83467

Source SPRING 1/16, to SINKS

Division Ft. SIMS SW Sec 04 T 20N R 24E

Use IRRIGATION	(0.2 CFS)
STOCKWATER	(0.1 CFS)

Date Filed 05/04/1987

10 NENE EENE NASE Sec 08 T 20N R 24E FOR 10 ACRES

NOV 22 1988

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NOV 22 1989

NOTICE OF
APPLICATION FOR
WATER RIGHT

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

~~74-7249~~

ANDREWS, BOYD E.
RT. 1 BOX 48-C, SAL-
MON, ID 83467
Source: SPRING trib to
SINKS
Diversion Pt: SWSWSW
Sec 04 T 20N R 24E
Use: IRRIGATION (0.2
CFS)
STOCKWATER (0.1 CFS)
Date Filed: 05/04/1987
In: NENE SENE NWSE Sec
08 T 20N R 24E FOR 10
ACRES

The permit(s) will be
subject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water Resources,
Eastern Region, 150 Shoup,
Suite 15, Idaho Falls, Idaho
83402 on or before JULY 6,
1987.

KEN DUNN, Dir.
Published 6/18 & 6/25/
87.

6-18-2tc

MOA 55 1888

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NOV 22 1989

