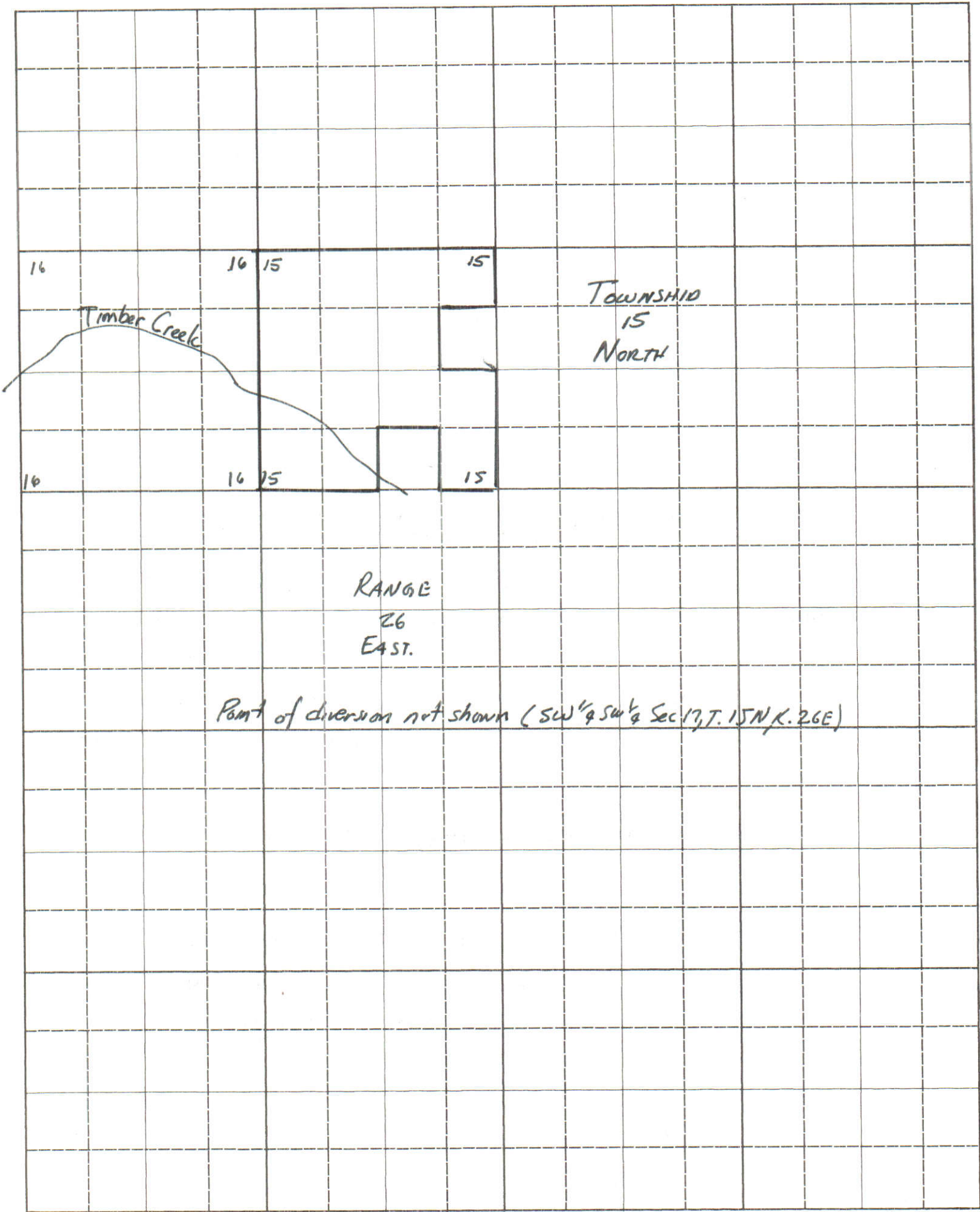


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Kurt Bird
(Applicant)

NAME AND
ADDRESS
OF SENDEREASTERN DISTRICT OFFICE
IDAHO FALLS, IDAHO 83401Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ CertifiedI certify that we have
☐ Commercial Insurance
☐ A deductible clause of
\$Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

1 No	NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (If Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST. DEL. FEE REMARKS
1	13040	David W. Vidy, Box 84, Reader	25	75				60			74-9167
2	13041	James Whitaker, Box 179, Reader									"
3	13042	Ed M. Fox, Box 430, Salmon									"
4	13043	Leota & David Vidy, Box 84, Reader									74-9165
5	13044	Alma Hurd, Reader									"
6	13045	Layman John Thomas, Box 73, Letonia									22-7417
7	13046	Billy Island, P.O. Box 205, Ashton									21-2301
8	13047	Mary Smith, 32 S. 2nd W, Lethburg									22-7414 21-2301
9	13048	Barry Bone, Rt #2, Ashton									21-7301
10	13049	Frederick Madison, P.O. Box 15, St. Anthony									22-7414 21-2301
11	13050	Leo Frankburger, Rt #2, Ashton									21-2301
12	13051	Brown Co. Canal, Squaw Falls									22-7414 21-2301
13	13052	Lynn Brasli, Ashton									"
14	13053	Big Lake Investments, Rt #2, Box 1247, Briggs									"
15	13054	Donna & Billie, P.O. Box 1268, Ventnor, Ca.									"
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.					
2615		20 15		R. Coos							

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN ☆ U.S. GOVERNMENT PRINTING OFFICE: 1979-301-994

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 74-7165 IN THE)
NAME OF KURT &/OR JANET BIRD) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before February 1, 1988; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, on February 1, 1988 the permit lapsed for failure of the permit holder to submit proof of beneficial use together with the examination fee; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use and the examination fee on February 3, 1988;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 74-7165 be REINSTATED and the priority advanced to October 6, 1982.

Dated this 9th day of February, 1988.

MICROFILMED

MAR 03 1988

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Kurt Bird &/or Janet Bird Phone 768-2425

Post office address Box 16, Leadore, ID 83404

2. Source of water supply Timber Creek which is a tributary of Lemhi River

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17 Township 15N

Range 26E B.M. Lemhi County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 6.55 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 6.55 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Diversion from Timber Creek by a headgate to flood irrigation and a sprinkler system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

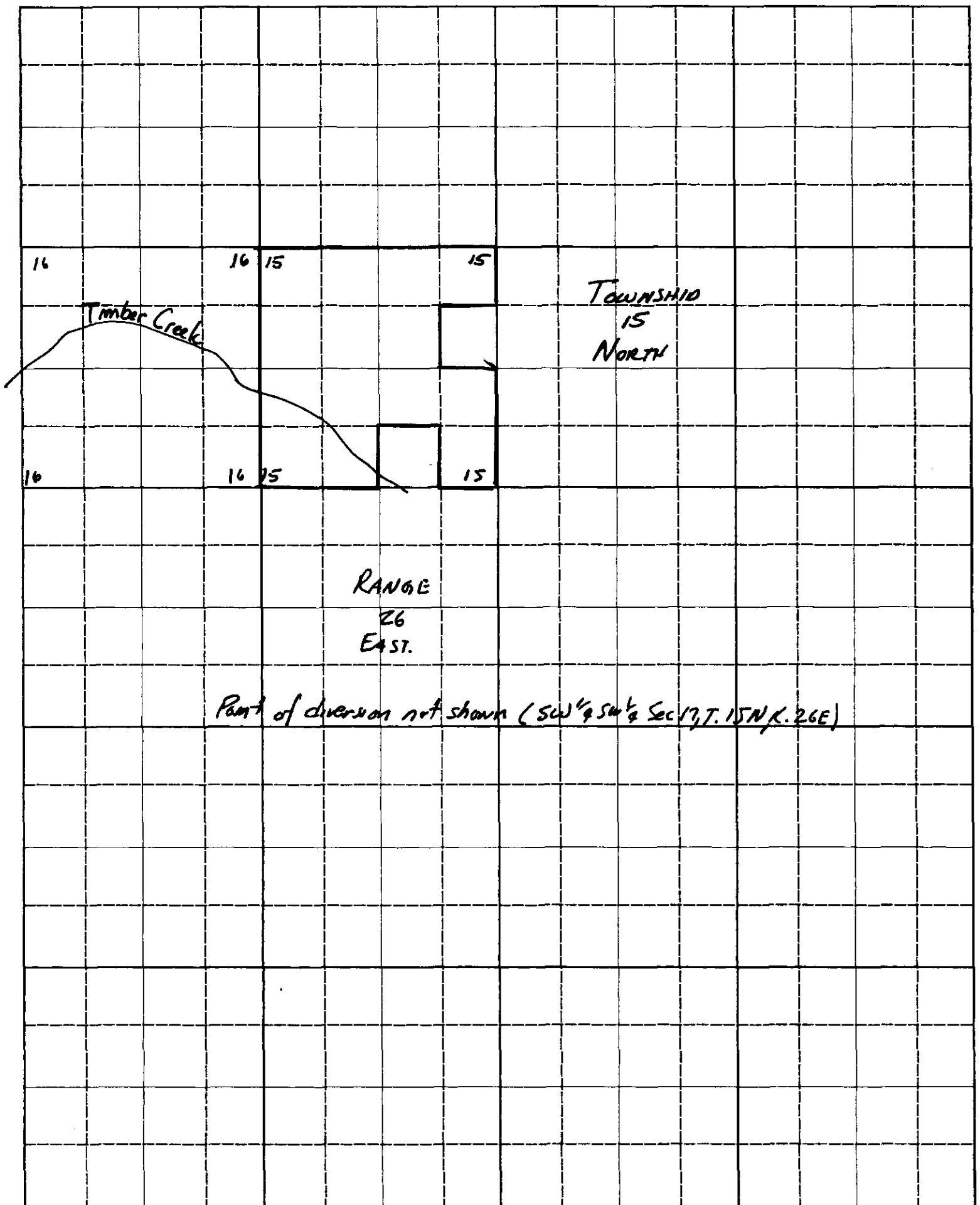
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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



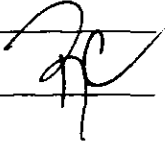
Scale: 2 inches equal 1 mile.

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

Kurt Bird
(Applicant)

Proposed Priority 10/04/1982

Received by Skumel Date Oct 4, '82 Time 3:50
Preliminary check by Kaw Fee \$ 265⁰⁰
Receipted by S.M. Date 10/4/82 # 22525
Publication prepared by BP Date 10/6/82
Published in Recorder Herald
Publication dates 10/14/ & 10/21/82
Publication approved BP Date 11-9-82
Protests filed by: Alan Purcell - Withdrawn 1/24/83.

Copies of protests forwarded by CW
Hearing held by _____ Date _____
Recommended for approval denial by EMC. 

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. 74-7165 , and said application is hereby APPROVED .

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1 , 19 88 .
- 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. Other:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

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.

Use of water under this permit is subject to control by the watermaster of State Water District No. 74W, Texas, Hawley, Timber, Junction, Bull, Jake, Canyon and Eighteen Mile Creeks.

Witness my hand this 1st day of February, 1983.


Chief, Operations Bureau

RECEIVED

JAN 21 1983

Department of Water Resources
Eastern District Office

Leadore, Idaho
Jan 21, 1983

Department of Water Resources
Idaho Falls, Idaho

Dear Mr. Carlson,

In the matter of my protest
of Application for permit No. 74-7165
in the name of Kurt & a Janeb
Bird I wish to inform Your
Office that I want to withdraw
the protest.

Very Truly Yours,
Allan Sorell

Alan Small -

Box 15

Leadore, Idaho 83464



State of Idaho
Department of Water Resources

150 Shoup

Idaho Falls, Idaho 83402

Leadore, Idaho
Department of Water Resources
Idaho Falls, Idaho

I Allan Cuncell protest the filing
of Water Right 4-7165 on the basis
that water has already been
decreed for this ground and that
it will damage the later rights

Sincerely
Allan Cuncell

RECEIVED

OCT 18 1982

Department of Water Resources
Eastern District Office

NOTICE OF
APPLICATION FOR
WATER RIGHT

Notice is hereby given
that the following applica-
tion(s) have been submit-
ted for permit to appropri-
ate the public waters of
the State of Idaho:
75-7323

SALMON SCHOOL
DISTRICT #291
BOX 790, SALMON, ID

83467

Source: GROUND-
WATER

Date Filed: 09/30/1982

Amount: 0.40 CFS

Diversion Point: NENW
Sec 08 T 21N R 22E, LEM-
HI Co.

Use: IRRIGATION (0.40
CFS) from 04/01 to 10/15
Place of Use: NENW Sec
08 T 21N R 22E FOR 20
ACRES

Diversion Means: PUMPS
74-7165

BIRD, KURT &/or
JANET
BOX 16, LEADORE, ID
83404

Source: TIMBER CREEK
tributary to LEMHI RIV-
ER

Date Filed: 10/04/1982

Amount: 6.55 CFS

Diversion Point: SWSW
Sec 17 T 15N R 26E, LEM-
HI Co.

Use: IRRIGATION (6.55
CFS) from 04/01 to 11/01
Place of Use: NENE
NWNE SWNE NENW
NWNW SWNW SENW
NESW NWSW SWSW
SESW NESE NWSE
SESE Sec 15 T 15N R 26E
FOR 329 ACRES

Diversion Means: HEAD-
GATE & SPRINKLER
SYSTEM

If issued, the permit(s)
will be subject to all prior
water rights. Protests ag-
ainst the granting of any
permit must be filed with
the Director of the Idaho
Department of Water Re-
sources, 150 Shoup Ave.,
Idaho Falls, Idaho 83402
on or before NOVEM-
BER 1, 1982.

A. KENNETH DUNN
Director

Published 10/14 & 10/
21/82.

10-14-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

RECEIVED
NOV 8 1982
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 75-7323,
74-7165

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 Oct. 14, 1982
and ending with the issue dated Oct. 21, 1982

Subscribed and sworn to before me, this twenty first
day of October, 1982

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

Publication Fee \$ 31.50

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

APRIL 6, 1988

KURT BIRD
BOX 16
LEADORE ID 83464

RE: Permit No. 74-7165

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order involving your permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 525-7161 or in person in the third floor State Office Building, 150 Shoup, Idaho Falls, Idaho.

Sincerely,
s/HAROLD W. JONES
Sr. Resource Agent

Enclosure

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 74-7165

Date: 2-9-1988

General Considerations:

- Y Name same as permit
Y Signature the same as permit holder
N Address change If yes, prepare a data entry
Y Proof received timely
Y Reinstated

Source of Water:

- Y Surface water
Y Groundwater
 1. well log in file
 2. drilling permit
 A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- Y Is a measuring device or access port required?
Y Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

*Reinstate permit
Proof acceptable*

Priority Calculation:

Date proof received	<u>Feb. 3</u>	<u>34</u>
Date proof due	<u>Feb. 1</u>	+ <u>32</u>
No. of days late		= <u>2</u>
Priority date	<u>Oct. 4, '82</u>	+ <u>277</u>
NEW PRIORITY DATE	<u>Oct 6 '82</u>	= <u>279</u>

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

MICROFILMED

MAR 03 1988

RECEIVED

FFB - 3 1988

STATE OF IDAHO

Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received 250
Date 2-1-88
Receipt # 46404
Receipt by SM
Reviewed by _____
Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 74-7165

Name(s) of Permit Holder: Bird - Kurt and JANET ✓

Post Office Address: Box 16 ✓

Leadore Id 83464 ✓ Telephone No. 208-768-2425

Source of Water: Big Timber Creek

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)

X Irrigation 327.5 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 6.55 cts _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1968 ✓

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

Fee enclosed \$ 250.00 ✓
(See License Examination Fee Schedule)

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

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

Applicant
(Name) (Telephone Number)

(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.

RECEIVED

MAR 03 1988

2-1-88
Date

Kurt Bird
Signature of Permit Holder (and title, if appropriate)

138113
CERTIFIED MAIL
November 30, 1987

BIRD, KURT & JANET
BOX 16
LEADORE, ID 83404

PROOF DUE NOTICE

RE: Permit No. 74-7165

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 1, 1988. (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 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

FILMED
MAR 03 1988

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

BIRD, KURT & JANET
BOX 16
LEADORE, ID 83404

FEBRUARY 15, 1983

RE: PERMIT NO. 74-7165

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL AND MAINTAIN A MEASURING DEVICE AT YOUR POINT OF DIVERSION. WE HAVE ENCLOSED A DESCRIPTION OF THE DIFFERENT TYPES OF MEASURING DEVICES ACCEPTED BY THIS OFFICE.

THE 1982 IDAHO LEGISLATURE ADDED A 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 INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

RE: PERMIT 74-7165

PAGE 01
FEBRUARY 15, 1983

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

APPLICATION NUMBER: 74 7165

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.

Field check by: _____

Date: _____

Comments: _____

☒ Fee.

☒ Yes ☒ No

☐ Yes ☒ No

☐ Yes ☒ No

☒ Yes ☐ No*

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: _____ Date: _____

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

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 WD 74-W

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☒ No

☒ Yes ☐ No

Platted by: _____ Map No. _____

Other rights on same place of use. 74-0084 / 0085

☒ Yes ☐ No*

☒ Yes ☐ No

In form for advertising.

Final date for protests: Nov 1, 1982

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. Date: 11-8-82

☒ 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.

☒ 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? 74-W.

10-4-82 Date of priority recommended.

Special conditions of approval or cover letter. _____

By: Ernest Carlson
STATE OFFICE REVIEW:

Date: Jan 24, 1983

SLD/L17, L02

01 26 05

(74W)

☐ See attached sheet for more information.

By: [Signature]

Date: 1/31/83

RECEIVED

JAN 28 1983

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

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

IDAHO STREAM CODE INDEX

January 24, 1983

RE: Application for Permit No. 74-7165

Kurt &/or Janet Bird
Box 16
Leadore, ID 83404

Dear Mr. & Mrs. Bird:

This is to advise you that Allan Purcell has withdrawn his protest against approval of the above referenced application. The Department, therefore, has cancelled the hearing in this matter and has resumed the processing of your application.

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

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

January 24, 1933

RE: Application for Permit No. 74-7165 BIRD

Allan Purcell
Box 15
Leadore, Idaho 83464

Dear Mr. Purcell:

This is to acknowledge receipt of your withdrawal of protest against approval of the above referenced application. The Department, ~~has~~ therefore, cancelled the hearing scheduled in this matter.

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

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

74-7165 - Kurt or Janet Bird

City Building, Mud Lake, Idaho
Tuesday, January 25, 1983 (11:30 a.m.)

ROSTER OF ATTENDANCE

Hearing Officer _____

Name	Address	Representing

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 74-7165 IN THE NAME OF) STIPULATION
KURT OR JANET BIRD)
_____)

BY THIS STIPULATION, the undersigned parties to the above-captioned case waive compliance with the requirements of Idaho Code, Section 67-5211, including the right to a proposed decision, to file exceptions to a proposed decision and to present briefs and oral arguments to the Director of the Department of Water Resources and agree that the Director may render a final decision in this case without first submitting a proposed decision.

Dated this _____ day _____, 19____.

(Notary Subscription)

PS Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

74-7/65

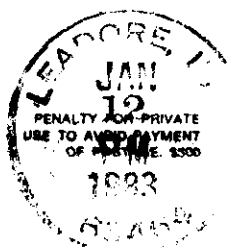
● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.								
1. The following service is requested (check one.) ☒ Show to whom and date delivered.....¢ ☐ Show to whom, date and address of delivery.....¢ ☐ RESTRICTED DELIVERY Show to whom and date delivered.....¢ ☐ RESTRICTED DELIVERY. Show to whom, date, and address of delivery.\$___ (CONSULT POSTMASTER FOR FEES)								
2. ARTICLE ADDRESSED TO: Kurt & Janet Bird Box 16 Ainslie St J 3464								
3. ARTICLE DESCRIPTION: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>13543</td> <td></td> </tr> </table> (Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		13543	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
	13543							
4. DATE OF DELIVERY JAN 12 1983								
5. ADDRESS (Complete only if requested)								
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS						

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHOUP AVE.

IDAHO FALLS, IDAHO 83401

(Name of Sender)

JAN 13 1983

Department of Water Resources
Eastern District Office

(Street or P.O. Box)

(City, State, and ZIP Code)

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

74-7165

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)
☒ Show to whom and date delivered. €
☐ Show to whom, date and address of delivery. €
☐ RESTRICTED DELIVERY
 Show to whom and date delivered. €
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery. \$ ____

(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**
Allen Purcell
Proctor, Jan 85464

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	13044	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. *Kenny Purcell*
 DATE OF DELIVERY
JAN 12 1983

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS
CL

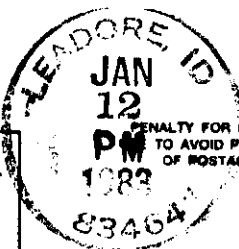
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**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
150 SHOUP AVE.
IDAHO FALLS, IDAHO 83401

(Name of Sender)

JAN 13 1983

(Street or P.O. Box)

Department of Water Resources
Eastern District Office

(City, State, and ZIP Code)

NAME AND
ADDRESS
OF SENDEREASTERN DISTRICT OFFICE
IDAHO FALLS, IDAHO 83401Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ CertifiedI certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$Affix stamp here if issued as
proof of date of mailing or for
additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

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1	13040	David W. Day, Box 84, Leadore	25	75				60			74-7167
2	13041	James T. Hittman, Box 177, Leadore									"
3	13042	Edith, Box 43, Leadore									"
4	13043	Kurt O. and Vicki, Box 6, Leadore									74-7165
5	13044	Allen Hirsch, Leadore									"
6	13045	Raymond S. S. Hume, Box 73, Letonia									74-7117
7	13046	Billy Leland, P.O. Box 505, Ashton									71-7301
8	13047	Mary Smith, 302 2nd W, Letonia									72-7414 71-7301
9	13048	Betty Anne, Rt #2, Ashton									71-7301
10	13049	James Madison, P.O. Box 5, St. Anthony									71-7301
11	13050	Low Lashbaugh, Rt #2, Ashton									71-7301
12	13051	Ernest Ed. Evans, Letonia									72-7142
13	13052	Lynn L. Lash, Ashton									"
14	13053	Big Joe Investments, Rt #2, Box 1247, Prigg									"
15	13054	Jimmy J. Linn, P.O. Box 1268, Letonia, Ca									"

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TOTAL NUMBER OF
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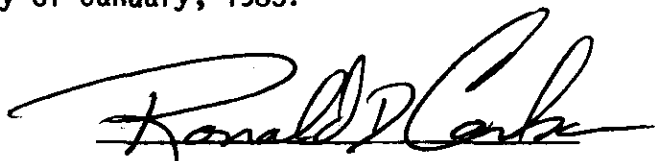
BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST	}	
APPLICATION FOR PERMIT NO. 74-7165		NOTICE OF HEARING
IN THE NAME OF KURT &/OR JANET BIRD		AND/OR CONFERENCE

On October 4, 1982, Kurt and/or Janet Bird filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On October 18, 1982, the Department received a protest against approval of said application from Allan Purcell.

The Department has set the matter of protest for hearing for Tuesday, January 25, 1982, at 11:30 a.m. in the City Building, Mud Lake, Idaho. The hearing will be held in accordance with provisions of Chapter 2, Title 42, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 10th day of January, 1983.



RONALD D. CARLSON

Eastern Regional Supervisor



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

150 Shoup - Suite 15
Idaho Falls, Idaho 83401
(208) 525-7161

A. Kenneth Dunn
Director

November 4, 1982

RE: Application for Permit No. 74-7165 BIRD
75-7323 SALMON SCHOOL DISTRICT #291

Claim to a Water Right No. 75-4310 ALDOUS
75-4311 "

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

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on October 14 and 21, 1982.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

11-11-82

October 25, 1982

- Suite 15

RE: Application for Permit No. 74-7165 BIRD

Allan Purcell
Leadore,
Idaho 83464

Dear Mr. Purcell:

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

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 (Section 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,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

October 25, 1982

- 350tsh05

Kurt &/or Janet Bird
Box 16
Leadore, ID 83464

Dear Applicants:

Enclosed is a copy of a protest filed against the issuance of a permit pursuant to your Application No. 74-7165. 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 (Section 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,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

October 7, 1982

RE: Application for Permit No. 74-7165 BIRD

Obe Corey, Watermaster
Water District No. 74-W
Box 105
Leadore, Idaho 83464

Dear Mr. Corey:

We are enclosing a copy of an application that may be of interest to your water district. Please review the application and submit any comments you may have to our Department as soon as possible. The last date of protest is November 1, 1982, 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,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure



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

WATER RIGHT DATA ENTRY LOG

[illegible]

74-7165

BIRD, KURT &/or JANET

BOX 16, LEADORE, ID 83404

Source: TIMBER CREEK tributary to LEMHI RIVER

Date Filed: 10/04/1982

Amount: 6.55 CFS

Diversion Point: SWSW Sec 17 T 15N R 26E, LEMHI Co.

Use: IRRIGATION (6.55 CFS) from 04/01 to 11/01

Place of Use: NENE NINE SWNE NENW NWNW SWNW SENW NESH NNSW SWSW SESW NESE NWSE
SESE Sec 15 T 15N R 26E FOR 329 ACRES

Diversion Means: HEADGATE & SPRINKLER SYSTEM

74-7165

BIRD, KURT &/or
JANET

BOX 16, LEADORE, ID
83404

Source: TIMBER CREEK
tributary to LEMHI RIV.
ER

Date Filed: 10/04/1982

Amount: 6.55 CFS

Diversion Point: SWSW
Sec 17 T 15N R 26E, LEM-
HI Co.

Use: IRRIGATION (6.55
CFS) from 04/01 to 11/01

Place of Use: NENE
NWNE SWNE NENW
NWNW SWNW SENW
NESW NWSW SWSW
SESW NESE NWSE

SESE Sec 15 T 15N R 26E
FOR 329 ACRES

Diversion Means: HEAD-
GATE & SPRINKLER
SYSTEM