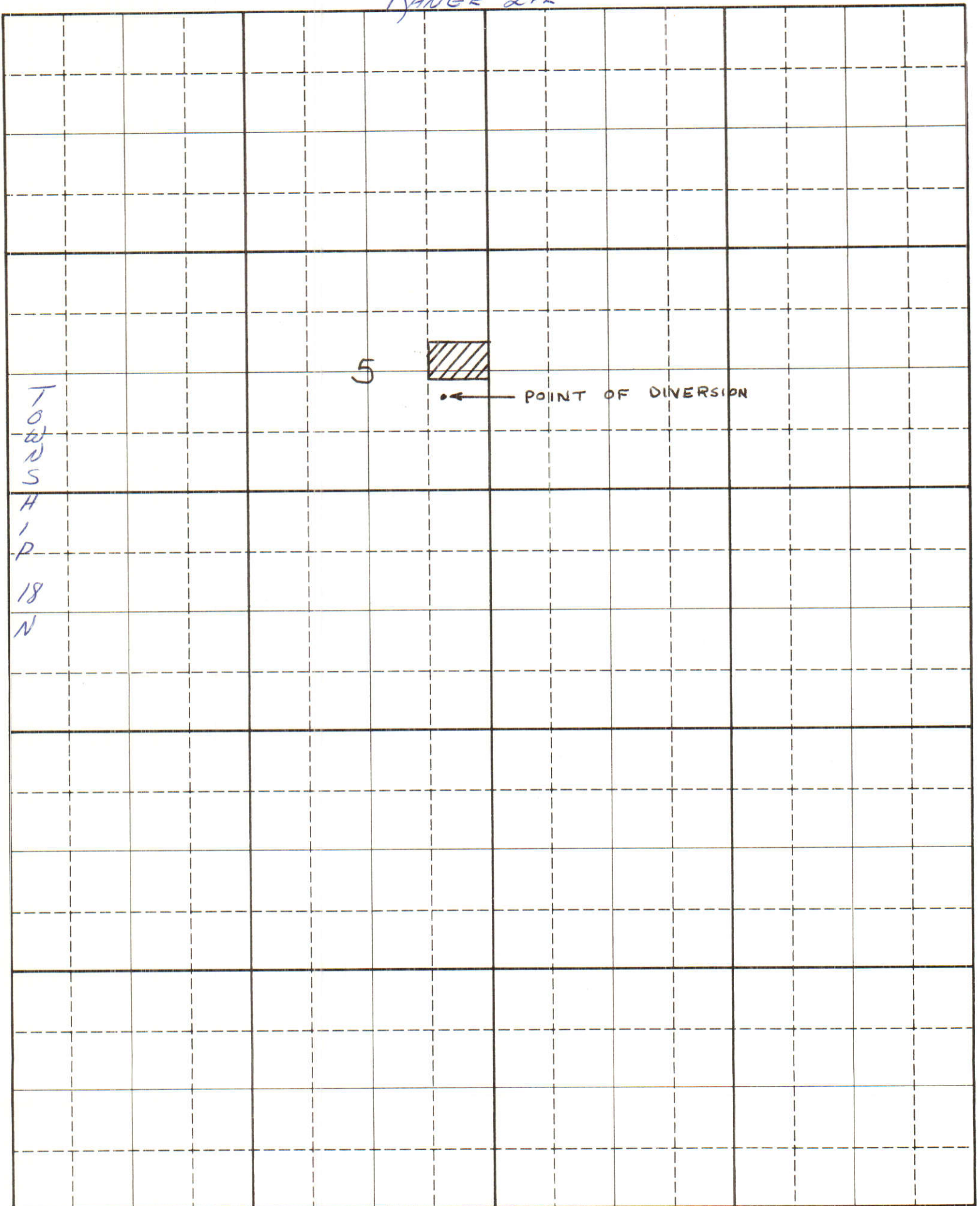


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

RANGE 24E



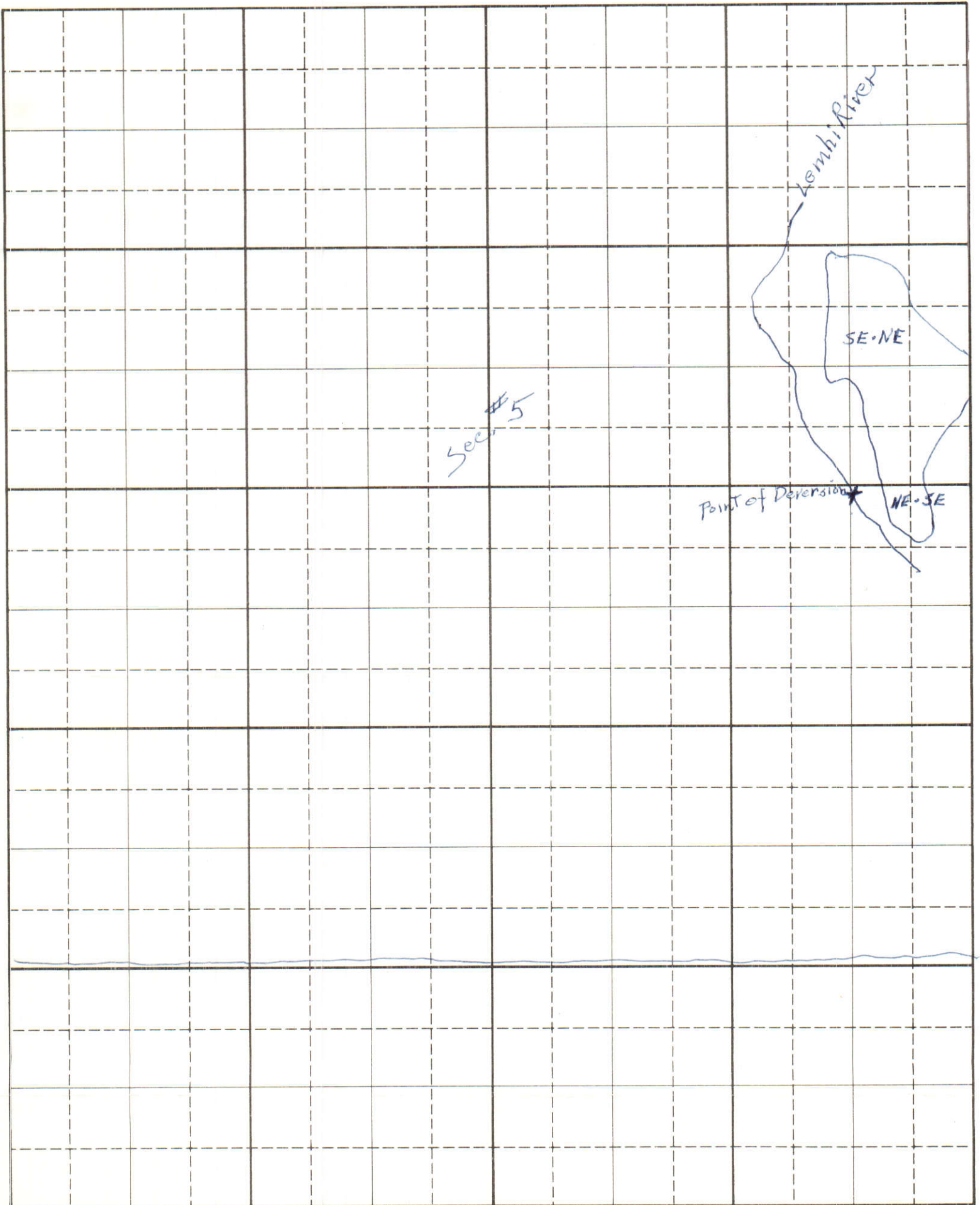
Scale: 2 inches equal 1 mile

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.

*Francis Cunningham*  
(Applicant)

74 7040

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



Scale:  $\frac{2}{8}$  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.

James Baughman  
(Applicant)

Proposed project

Point of Diversion

B29

B  
26.0

A  
14.8

574  
97

C  
23.9

74 7040

"NOT TO SCALE"

RECEIVED

FEB 4 1974

Department of Water Administration  
Eastern District Office

NOTICE OF APPLICATION FOR  
WATER PERMIT

ME  
Notice is hereby given that Francis Carrington, Box 53, Tendency, Idaho has on 1/17/74 submitted Application No. 74-7040 for a permit to appropriate 0.30 cubic feet per second of water from Lemhi River tributary of Salmon River by means of pump and mainline within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 5, T. 18N, R. 24E, B. M. Lemhi County; to be used from Apr. 1 to Nov. 1 for the irrigation of 15 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 5, T. 18N, R. 24E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before February 11, 1974.  
R. KEITH HIGGINSON  
Director

Published in The Recorder-Herald, Salmon, Idaho on January 24 and January 31, 1974.  
1-24-2tc

# Affidavit of Publication

STATE OF IDAHO }  
County of Lemhi } ss.

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 Permit #74-7040

\_\_\_\_\_ 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 or thereto for 2 consecutive issues, commencing with the issue dated Jan. 24, 1974 and ending with the issue dated Jan. 31, 1974

Jerry G. Rosin  
thirty first

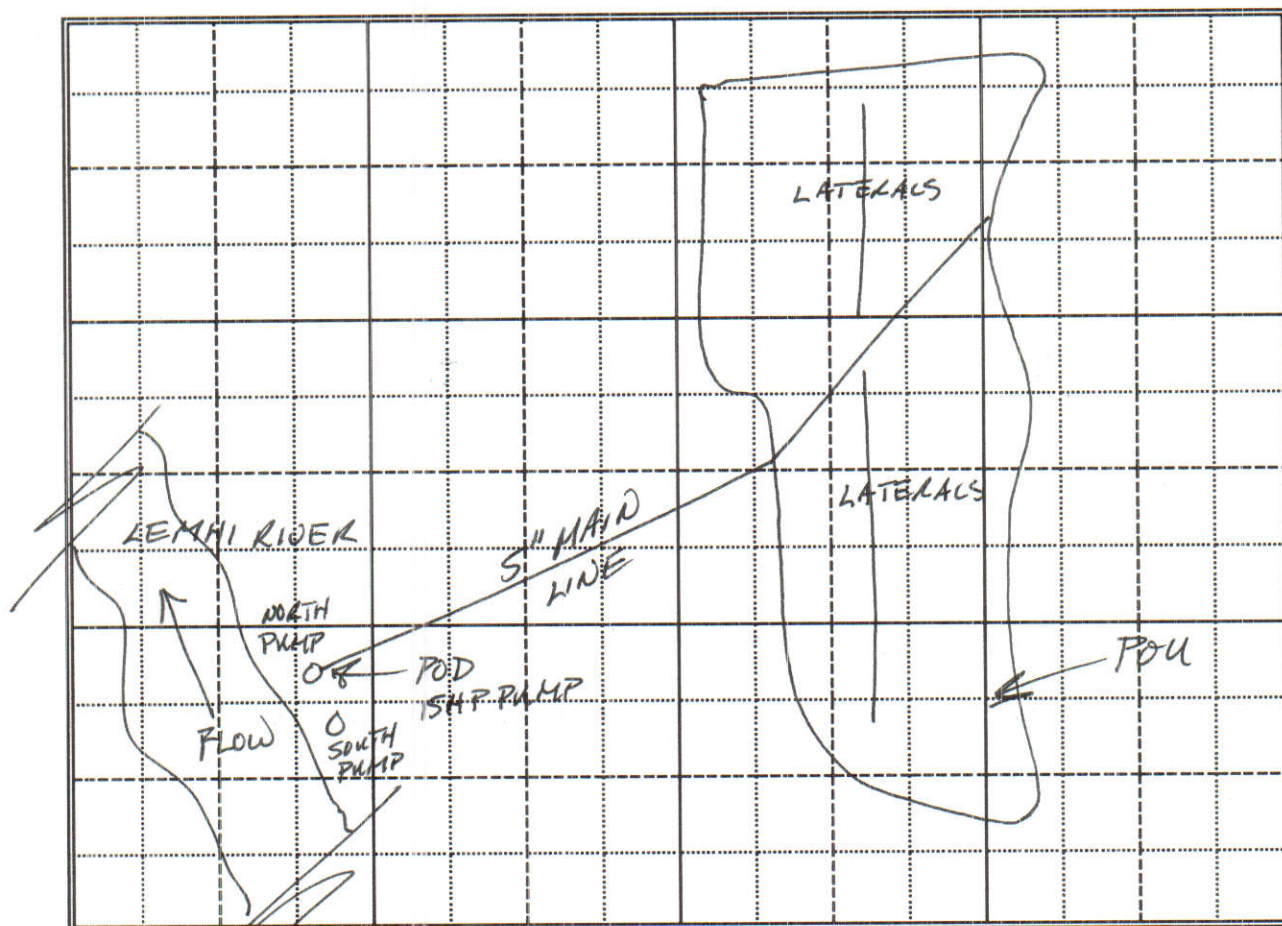
Subscribed and sworn to before me, this \_\_\_\_\_ day of January, 1974

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

Publication Fee \$ 11.47

74 7040

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. *SEE PHOTOS + MAPS*



Scale: 1" = \_\_\_\_\_

\_\_\_\_ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

\_\_\_\_ Aerial Photo Attached (required for irrigation of 10+ acres)

\_\_\_\_ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| NORTH PUMP                            | G.E.       | 15 |                  | CORNELL   | 1 1/2"                            |
|                                       |            |    |                  | 1.5Y15-2  |                                   |
|                                       |            |    |                  |           |                                   |

\*Code to correspond with No. on map and aerial photo

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make   | Model No. | Serial No.                  | Size  | Calib. Date |
|-----------------------|------|--------|-----------|-----------------------------|-------|-------------|
| POLYSONIC FLOW METER  |      |        | TF-P      | 740263<br><del>070727</del> |       |             |
| PRESSURE GAGE         |      | U.S.G. |           |                             | 0-100 |             |

2. Measurements: TAKEN AT PUMP SITE

MICROFILMED

JUN 09 1998



32 33

5 4

T18N, R24E Big Dry Gulch

PLACE  
OF USE  
POU

ROAD

Station

POINT OF DIVERSION

MICROFILMED  
JUN 09 1998

5 4

8 9

74-07040

Lambi River Estates

IRRIGATION

1512

POINT OF  
DIVERSION  
15 HP PUMP



← 5" MAIN  
LINE



PLACE OF  
USE  
VIEW OF  
POD

MICROFILMED  
JUN 09 1998

PERMIT  
NUMBER

74-07040

LEMMING RIVER ESTATES

IRRIGATION

2512

VIEW OF  
CENTER  
PORTION  
PLACE OF  
USE



VIEW OF  
NORTH PORTION  
PLACE OF USE



PERMIT  
NUMBER

74-07040

MICROFILMED  
JUN 09 1998

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 74-07040

Priority: March 22, 1974

Maximum Diversion Rate: 0.30 CFS  
Maximum Diversion Volume: 52.5 AF

This is to certify, that WINFRED DUDLEY  
12365 MAPLEVIEW ST  
LAKESIDE CA 92040

has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated January 16, 1974; and  
has submitted Proof of Beneficial Use on March 26, 1980. An examination indicates  
that the works have a diversion capacity of 0.330 cfs of water from:

LEMHI RIVER tributary to SALMON RIVER

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/15 to 10/15       | 0.30 CFS                 | 52.5 AF              |

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 5, Township 18N, 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 18N        | 24E        | 4          | SWNW 1       |              |              | 1            |
|            |            | 5          | SENE 12      | NESE 2       |              | 14           |

Total number of acres irrigated: 15

## CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

MICROFILMED

JUN 11 1988

State of Idaho  
Department of Water Resources

## WATER RIGHT LICENSE

WATER RIGHT NO. 74-07040

### CONDITIONS OF APPROVAL AND REMARKS

7. The Director retains jurisdiction to require installation of a measuring device in the future if determined to be necessary.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 31<sup>st</sup> day of DECEMBER, 1992.

  
Acting for KARL J. DREHER, Director

MICROFILMED

JUN 09 1998

RECEIVED

DEC 15 1997

State of Idaho  
Department of Water Resources

Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 74-07040**

Date of Priority: March 22, 1974

Maximum Diversion Rate: 0.30 CFS  
Maximum Diversion Volume: 52.5 AF

Comes now WINFRED DUDLEY  
12365 MAPLEVIEW ST  
LAKESIDE CA 92040

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 74-07040, and requests that the permit be changed as follows:

Source: LEMHI RIVER tributary to SALMON RIVER

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/15 to 10/15       | 0.30 CFS                 | 52.5 AF              |

LOCATION OF POINT(S) OF DIVERSION: NESE, Sec. 5, Township 18N, 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> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 18N        | 24E        | 4          | SWNW         | 1            |              | 1            |
|            |            | 5          | SENE         | 12           | NESE         | 2            |
|            |            |            |              |              |              | 14           |

Total number of acres irrigated: 15

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

Signed at Lakeside Calif., this 11 day of December, 1997.

MICROFILMED  
JUN 09 1998

Winfred Dudley  
(Signature)

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 74-07040**

\*\*\*\*\*

**FOR DEPARTMENT USE ONLY**

Preliminary check by SNK Fee = 50<sup>00</sup> Received by KS # C040901 Date 12/15/97

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, Karl J. Dreher, of the Department of Water Resources hereby approve the  
above Application for Amendment for Permit No. 74-07040 with the following;

**CONDITIONS OF APPROVAL AND REMARKS**

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
7. The Director retains jurisdiction to require installation of a measuring device in the future if determined to be necessary.

Witness my hand this 31<sup>st</sup> day of DECEMBER, 1997.

Acting for KARL J. DREHER, Director

JUN 09 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT )  
NO. 74-07040 IN THE NAME OF )  
WINFRED DUDLEY )  
\_\_\_\_\_ )

ORDER REMOVING  
CONDITION OF APPROVAL

WHEREAS, on January 17, 1974, Francis Carrington applied to the Department of Water Resources (Department) for a permit to appropriate water from the Lemhi River for irrigation use; and,

WHEREAS, the Department approved Permit No. 74-07040 with the following condition:

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

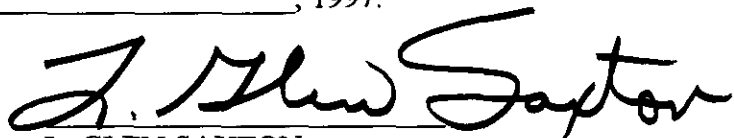
and,

WHEREAS, the watermaster of Water District No. 74 has informed the department that a measuring device is not necessary for regulation of this water right; and,

WHEREAS, there appears to be reasonable cause to remove the condition,

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval requiring the installation of a measuring device for Permit No 74-07040 is REMOVED provided that the Director retains jurisdiction to reinstate the condition in the future if determined by the Director to be necessary.

Dated this 17<sup>th</sup> day of November, 1997.

  
L. GLEN SAXTON  
Chief, Water Allocation Bureau

MICROFILMED

JUN 09 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 74-7040 )

IN THE NAME OF FRANCIS CARRINGTON )

ORDER OF REINSTATEMENT

WHEREAS, on January 17, 1974, Francis Carrington applied to the Department of Water Resources for a permit to appropriate 0.30 cubic feet per second of water from the Lemhi River, to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 5, Twp. 18N, Rge. 24E, B.M., Lemhi County, to be used for irrigation purposes; and,

WHEREAS, on February 15, 1974, the Department approved said application and issued Permit No. 74-7040 with the condition that proof of construction of works and application of water to beneficial use be submitted on or before February 1, 1979; and,

WHEREAS, on March 2, 1979, the Department granted the permit holder an extension of time to February 1, 1980 along with an advance in priority to January 28, 1974; and,

WHEREAS, on November 30, 1979, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on February 15, 1980, the Department notified the permit holder that Permit No. 74-7040 had lapsed for failure to submit proof of beneficial use of water; 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 from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use of water on March 26, 1980;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 74-7040 be REINSTATED and the priority advanced to March 22, 1974.

Dated this 17<sup>th</sup> day of April, 1980.

MICROFILMED  
JUN 13 1988

  
L. GLEN SAXTON

Chief, Operations Bureau

State of Idaho  
Department of Water Resources  
ASSIGNMENT OF PERMIT

545  
750  
MAR 11 1980  
Department of Water Resources

I, FRANCIS CARRINGTON, hereby assign to WINFRED DUDLEY  
of 10821 Airport Drive, El Cajon, California 92021  
Address

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 74 7040  
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit  
No. \_\_\_\_\_ to appropriate the public waters of the State of Idaho.  
(Describe that portion of the permit being assigned by listing the acreage within  
each 40 acre subdivision, the point of diversion and the amount of water in cubic  
feet per second for direct diversion, or acre feet for storage)

Made this 21<sup>st</sup> day of March, 19 80.

[Signature]  
Permit Holder

[Signature]  
Spouse of Permit Holder

State of Idaho )  
County of Linden ) ss.

On this 21<sup>st</sup> day of March, 19 80, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged to me  
that he (she) (they) executed the same.

seal

[Signature]  
Notary Public residing at

My commission expires:

12/82

MICROFILMED  
JUN 8 1998

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR EXTENSION OF TIME

FEB 22 1979

Department of Water Resources

STATE OF IDAHO :  
: SS.  
County of Lemhi :

JAMES C. HERNDON, of P. O. Box 789, Salmon, Idaho, being first duly sworn, upon his oath deposes and says:

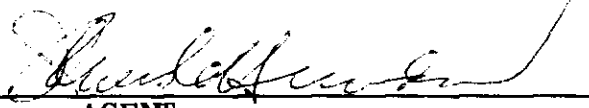
That he is the holder, or the duly authorized agent of the holder, of Permit to appropriate the Public Waters of the State of Idaho No. 74-7040.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before February 1, 1979.

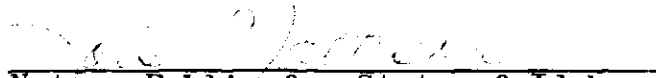
That the parties heretofore performed the following work described under said permit: Installed pump with approximately 1500' of mainline with 2 movable lateral sprinkler lines.

That the reason that no measuring device has been installed is that the parties have waited until the Lemhi Irrigation District decides which weir that the District will prefer so they can install a weir similar to the others being installed in the District.

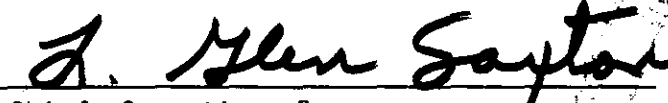
WHEREFORE, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to August 1, 1979.

  
AGENT

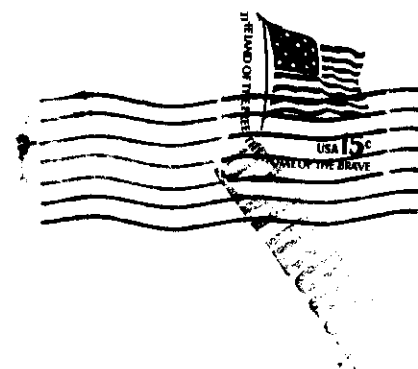
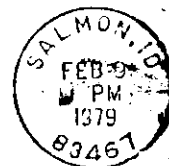
SUBSCRIBED AND SWORN To before me this 7th day of February, 1979.

  
Notary Public for State of Idaho  
Residing at Salmon, Idaho  
Comm expires:       

ACTION OF THE DEPARTMENT OF WATER RESOURCES  
I, L. Glen Saxton, Chief,, Director of the Idaho Department of Water Resources, hereby approve this request for extension of time. The time within which to submit proof of beneficial use of water is extended to February 1, 1980. IT IS FURTHER ORDERED that the permit be reinstated and the priority advanced to January 28, 1974.  
Dated this 2nd day of March, 1979.

  
Chief, Operations Bureau

LAW OFFICES OF  
**JAMES C. HERNDON**  
HERNDON HOTEL BLOCK  
P. O. BOX 789  
SALMON, IDAHO 83467



STATE OF IDAHO  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

ASSIGNED TO:  
Winfred Dudley  
10821 Airport Drive  
El Cajon, CA 92021  
3/26/80

Identification No. 74 7040  
Application No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION  
**APPLICATION FOR PERMIT** **APPROVED**  
To Appropriate the Public Waters of the State of Idaho  
(TYPE OR PRINT IN INK)

1. Name of applicant FRANCIS CARRINGTON PH: 756-3957  
post office address Box 53, Tendoy, Idaho 83468

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

3. a. Location of point of diversion is NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 5 Township 18N  
Range 24E B.M. Lemhi County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_

4. Water will be used for the following purposes:  
Amount 0.30 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)  
(cfs or ~~acre-feet per annum~~)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:  
a. 0.30 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.

6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. 15 hp pump with approximately 1500'  
of mainline with 2 movable lateral sprinkler lines.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 5 years.  
b. Estimated construction cost is \$4,000.00.

8. Description of proposed uses:  
a. If water is **not** for irrigation: N. A.  
(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: \_\_\_\_\_ hp 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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

| 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 |        |
| 18N  | 24E   | 5    |        |        |        | 13     |        |        |        |        |        |        |        |        | 2      |        |        |        | 15     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated 15

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

9. a. Who owns the property at the point of diversion Francis Carrington, Carrington Ranch

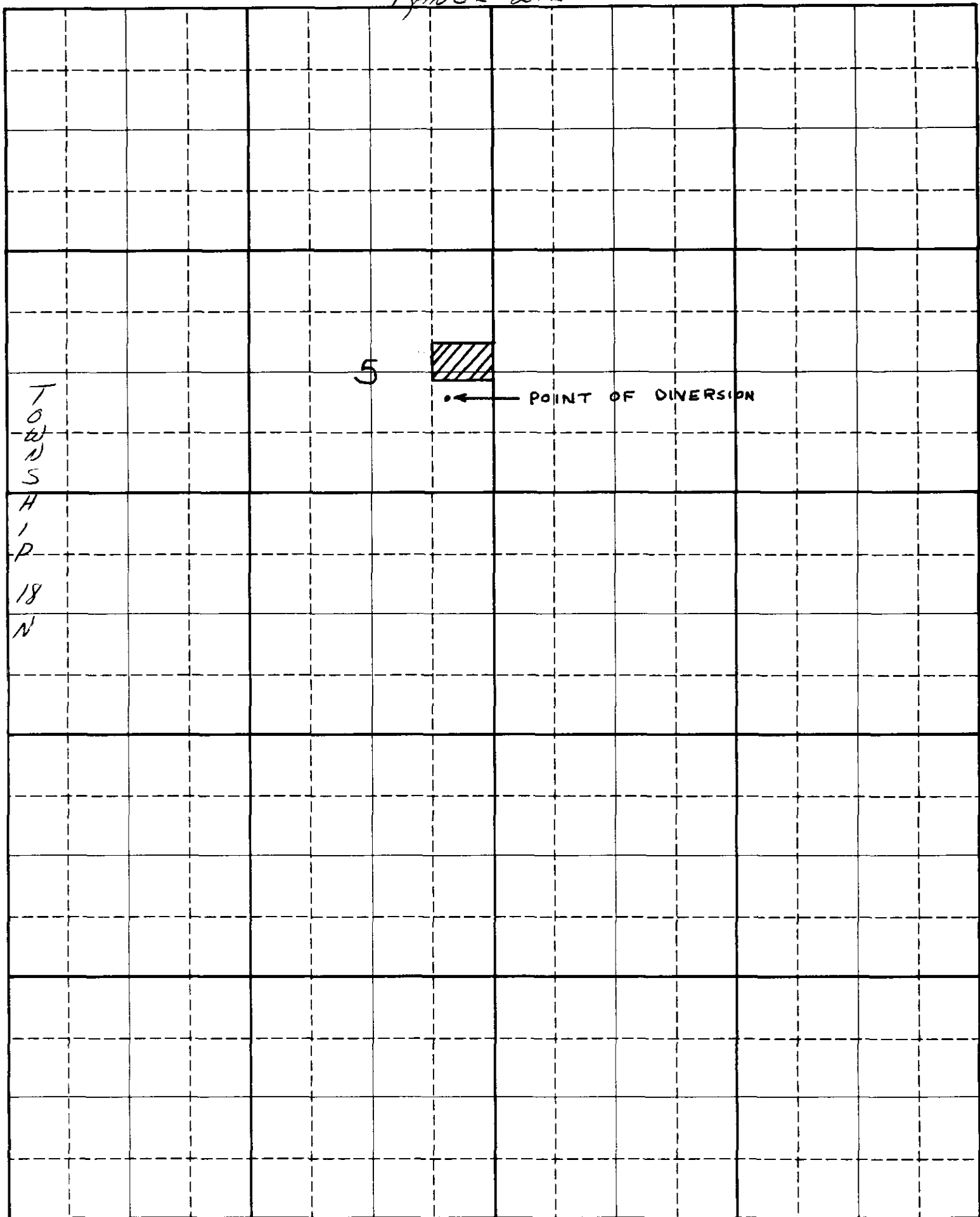
b. Who owns the land to be irrigated or place of use Francis Carrington, Carrington Ranch

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

10. Remarks

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

RANGE 24E



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.

*James Barrington*  
(Applicant)

74 7040

Proposed Priority 1-17-1974

Received by MB Date 1-31-74  
Received by MB Date 1-16-74 Time 11:10 AM  
Preliminary check by MB Date 1-19-74 #13691 Fee \$85.00  
Received by MB Date 1-18-74  
Published in Idaho Water Review - March  
Publication dates Jan. 24 & 31, 1974  
Publication approved Date 2/6/74  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: \_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by Mr. DUE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 74-7040, 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 79.
- c. Other: A measuring device of a type approved by this department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: \_\_\_\_\_

Witness my hand this 15 day of February 19 74.

Director

Identification No. 74 7040

Application No. \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER ADMINISTRATION**  
**APPLICATION FOR PERMIT**

**To Appropriate the Public Waters of the State of Idaho**  
(TYPE OR PRINT IN INK)

1. Name of applicant Francis Carrington PH: 756-3957  
post office address Bx 53 Tendey, Idaho 83468
2. Source of water supply Lemhi River which is a tributary of Salmon River
3. a. Location of point of diversion is NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 5 Township T18N  
Range R24E B.M. Lemhi County; additional points of diversion if any: \_\_\_\_\_

- b. If water is not consumed, it will be discharged into \_\_\_\_\_ at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_

4. Water will be used for the following purposes:
- |                                                                                                                                | Apr. 1 | Nov. 1 |  |
|--------------------------------------------------------------------------------------------------------------------------------|--------|--------|--|
| Amount <u>.30</u> <del>4.5</del> for <u>irrigation</u> purpose from <u>March 1</u> to <u>October 31</u> (both dates inclusive) |        |        |  |
| <small>(cfs or acre-feet per annum)</small>                                                                                    |        |        |  |
| Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)                                                      |        |        |  |
| <small>(cfs or acre-feet per annum)</small>                                                                                    |        |        |  |
| Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)                                                      |        |        |  |
| <small>(cfs or acre-feet per annum)</small>                                                                                    |        |        |  |

5. Total quantity to be appropriated:

- a. .30 cubic feet per second and/or
- b. 4.5 ~~4.5~~ acre feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. One 15hp pump with  
app 1500 ft of Main line with 2 moveable lateral sprinkling  
lines

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

Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day)(Mo. Day)

- c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 5 ~~5~~ years. 9 ~~9~~ All corrections made per telecon

- b. Estimated construction cost is \$ 4000 LHJ - 1/16/74

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: \_\_\_\_\_ hp 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: \_\_\_\_\_

74 7040

~~15~~ Total number of acres to be irrigated

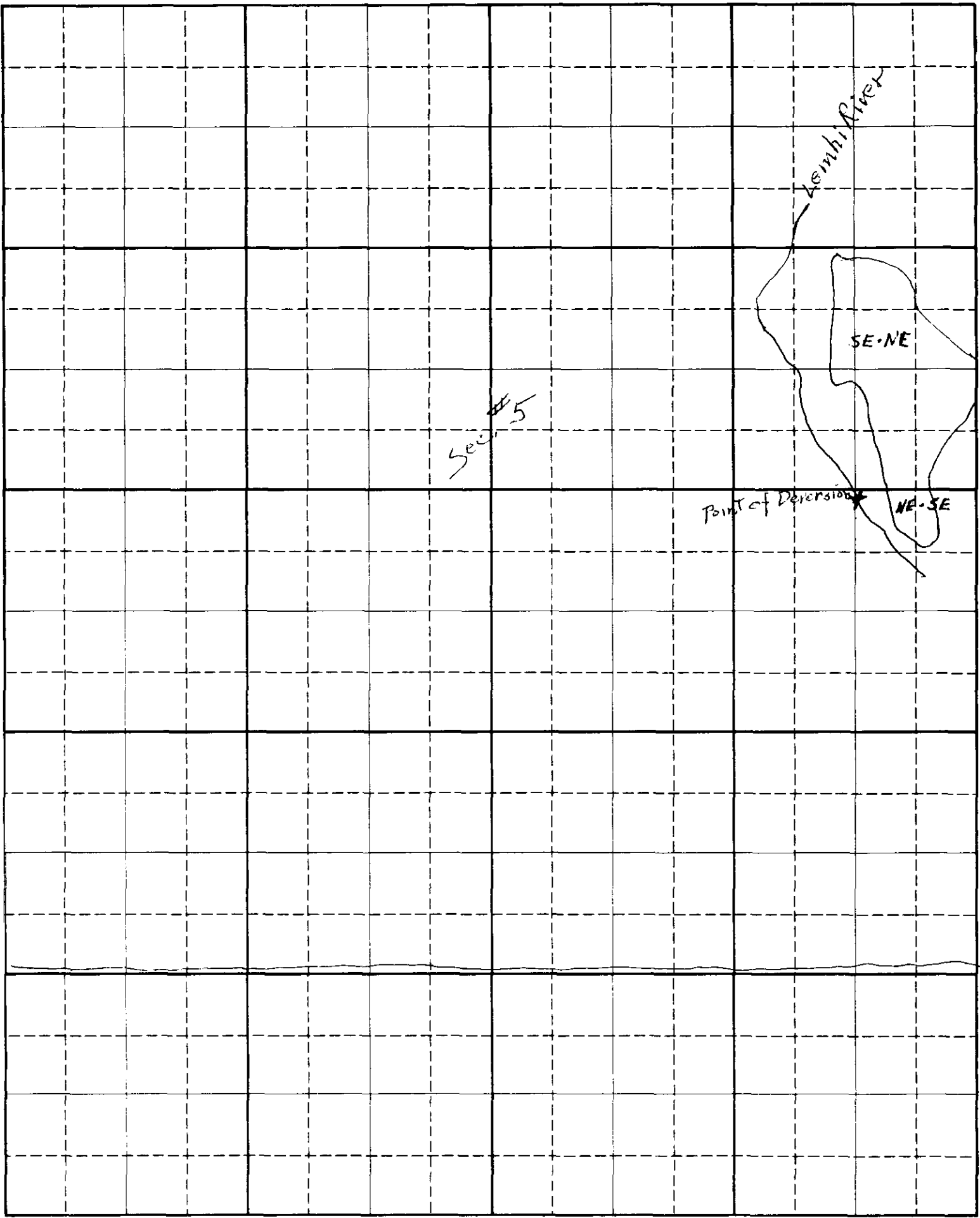
c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Francis Carrington, Carrington Ranch  
b. Who owns the land to be irrigated or place of use Francis Carrington, Carrington Ranch  
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing \_\_\_\_\_

applicant to make this filing-

10. Remarks

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



Scale:  $\frac{1}{8}$  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.

*James Sawington*  
(Applicant)

0200 22

Received by MB Date 1-16-74 Time 11:10 AM  
Preliminary check by Fee \$ 25.00  
Received by MB Date 1-17-74 #12691  
Publication prepared by MB Date 1-18-74  
Published in *Standard-Breeze*  
Publication dates *Jan 24 + 31, 1974*  
Priority reduced to \_\_\_\_\_ Date \_\_\_\_\_ Reason \_\_\_\_\_  
Protests filed by: \_\_\_\_\_  
Copies of protests forwarded by \_\_\_\_\_  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by \_\_\_\_\_

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

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. Other: \_\_\_\_\_

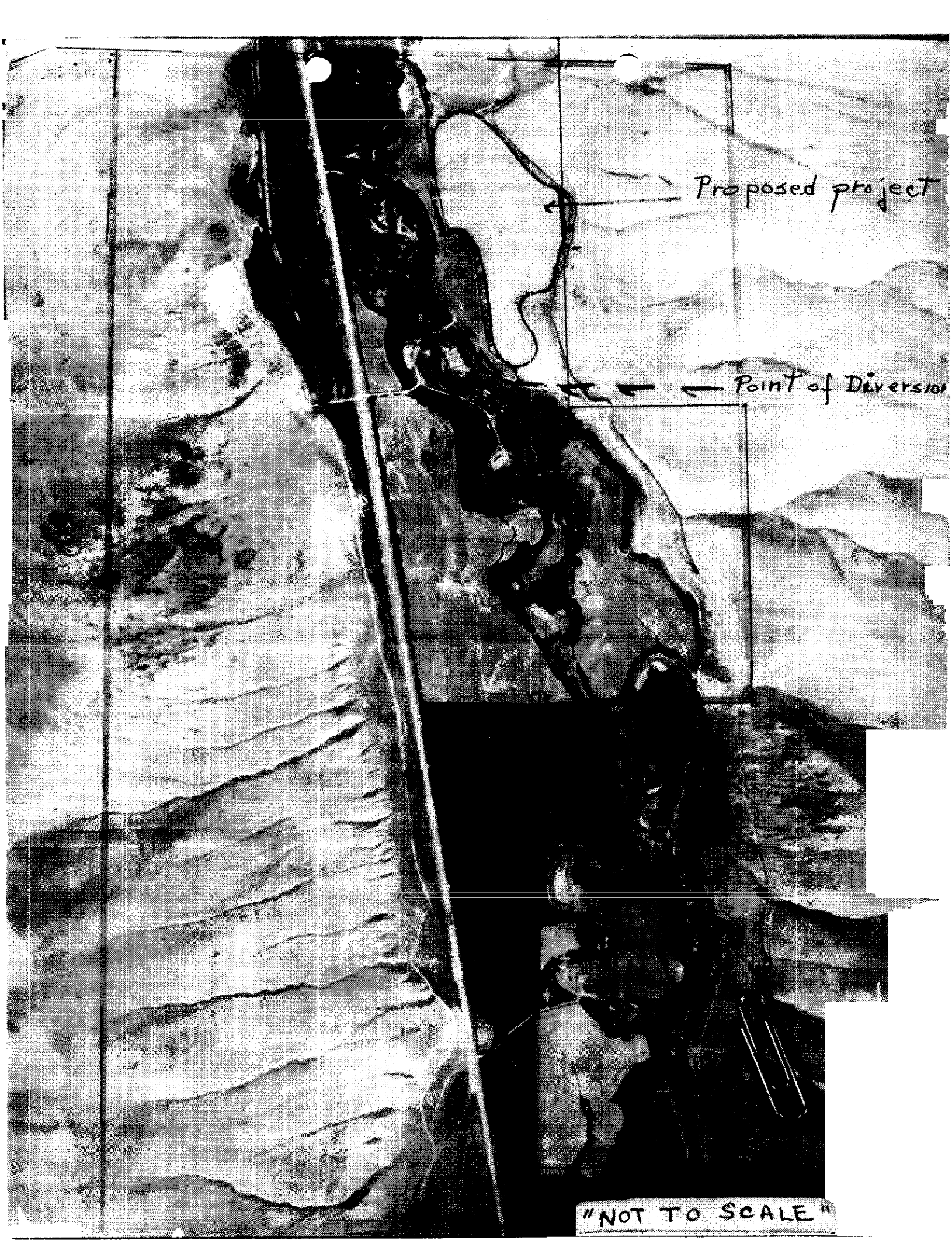
2. Denial of said application is for the following reasons: \_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Director

DEPARTMENT OF WATER ADMINISTRATION  
- STAFF ANALYSIS -

| Item | Initial           | Date           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|------|-------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)  | <u>NCY</u>        | <u>1/12/74</u> | Application No. <u>74-7040</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| (2)  |                   |                | <input checked="" type="checkbox"/> Source<br><input checked="" type="checkbox"/> Point of Diversion<br><input checked="" type="checkbox"/> County<br><input checked="" type="checkbox"/> Quantity of Water and Period of Use<br><input checked="" type="checkbox"/> Description of Diverting Works<br><input checked="" type="checkbox"/> Time required for B/U of water<br><input checked="" type="checkbox"/> Place of Use or Acres Irrigated<br><input checked="" type="checkbox"/> Map<br><input checked="" type="checkbox"/> Signature<br><input checked="" type="checkbox"/> Fee |
| (3)  | <u>"</u>          | <u>"</u>       | In form to receipt <u>Yes</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|      | <u>"</u>          | <u>"</u>       | Send Copies to:<br><input type="checkbox"/> Idaho State Health Department<br><input checked="" type="checkbox"/> Idaho Fish and Game Department<br><input type="checkbox"/> Bureau of Land Management                                                                                                                                                                                                                                                                                                                                                                                   |
| (4)  | <u>"</u>          | <u>"</u>       | <input type="checkbox"/> Request Special Use Permit from U.S.F.S.<br><input type="checkbox"/> Request Easement from B.L.M.<br><input checked="" type="checkbox"/> Request Information from Applicant <u>Retype</u>                                                                                                                                                                                                                                                                                                                                                                      |
| (5)  | <u>"</u>          | <u>"</u>       | In form for advertising <u>Yes</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| (6)  | <u>"</u>          | <u>"</u>       | Located within Water District No. <u># 74 Lemhi River</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| (7)  | <u>"</u>          | <u>"</u>       | Critical groundwater area: yes <u>no</u> <u>N.A.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| (8)  | <u>"</u>          | <u>"</u>       | Groundwater levels:<br><input type="checkbox"/> Decline (comment) <u>N.A.</u><br><input type="checkbox"/> Stable (comment) _____<br><input type="checkbox"/> Increasing (comment) _____                                                                                                                                                                                                                                                                                                                                                                                                 |
| (9)  | <u>"</u>          | <u>"</u>       | Comments: <u>No Lemhi Adjud. Claims on this</u><br><u>Leada Map show ownership as Mary</u><br><u>Turner</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| (10) | <u>MB</u>         | <u>2/4/74</u>  | Affidavit of Publication received (date) <u>Feb. 4, 1974</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| (11) | <u>CB</u>         | <u>2/11/74</u> | Final date for protests <u>February 11, 1974</u><br>Protests received: yes <u>no</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| (12) | <u>"</u>          | <u>"</u>       | Date and Place of hearing <u>N.A.</u><br>Decision reached at hearing _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| (13) | <u>N.A.</u>       | <u>"</u>       | All requested information received from agencies or applicant<br>yes <u>no</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| (14) | <u>RDC</u>        | <u>2/11/74</u> | Action recommended:<br><input checked="" type="checkbox"/> Approve <span style="float: right;">Priority <u>1/16/74</u></span><br><input type="checkbox"/> Deny <span style="float: right;">Reason for Reduction _____</span><br><input checked="" type="checkbox"/> Measuring device required<br><input type="checkbox"/> See attached sheet for additional conditions of approval<br><input type="checkbox"/> No additional conditions for approval                                                                                                                                    |
| (15) | District <u>E</u> | By <u>RDC</u>  | Date <u>2/11/74</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



Proposed project

Point of Diversion

"NOT TO SCALE"

# Affidavit of Publication

STATE OF IDAHO }  
County of Lemhi } ss.

**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 Permit #74-7040

..... 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 or thereto for 2 consecutive issues, commencing with the issue dated Jan. 24, 1974 and ending with the issue dated Jan. 31, 1974

*Jerry G. Rosin*  
thirty first

Subscribed and sworn to before me, this

day of January, 1974

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

Publication Fee \$ 11.47

74 7040



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

January 2, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

WINFRED DUDLEY  
12365 MAPLEVIEW ST  
LAKESIDE CA 92040

RE: WATER RIGHT NO. 74-07040

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

NOT RECALLED  
JUN 23 1998

### ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

### FINAL ORDER

The Department 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 Department 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.

For your records I have enclosed a copy of your Application for Amendment of Permit, which was approved. Also enclosed is a copy of the order removing the measuring device condition from your permit.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen  
Water Rights Supervisor

SWK:klt

Enclosures

MO 12 141  
JUN 09 1983

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of January, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 74-07040

WINFRED DUDLEY  
12365 MAPLEVIEW ST  
LAKESIDE CA 92040

  
Kari Lynn Townsend  
Secretary

JAN 08 1998



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

December 5, 1997

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

WINFRED DUDLEY  
12365 MAPLEVIEW ST  
LAKESIDE CA 92040

RE: WATER RIGHT NO. 74-07040

Dear Permit Holder(s):

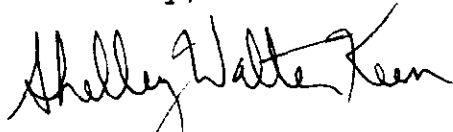
The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50 filing fee within 14 days.

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

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

Sincerely,

  
Shelley W. Keen  
Water Rights Supervisor

SK:klt

Enclosure

NOV 11 1997  
JAN 15 1998

WR0749NP  
No. L74-07040

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 10/29/97  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                          | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | WINFRED DUDLEY<br>10821 AIRPORT DR<br>EL CAJON CA 92021 | 03/22/1974       | IRRIGATION | 04/15 10/15           | 0.300 CFS         | 52.50 AFA           |
| TOTAL DIVERSION: |                                                         |                  |            |                       | 0.300 CFS         | 52.50 AFA           |

Water Source: LEMHI RIVER

Tributary to: SALMON RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 0.330 CFS

Point(s) of Diversion: T18N R24E S05 NESE LEMHI County

Place of use Legal Description for: IRRIGATION

| NE  |     |   |   | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      |      |      |      |      |     |             |      |
|-----|-----|---|---|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-----|-------------|------|
| T   | R   | S |   | NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SENW | NESW | NWSW | SWSW | SESW | NENE | NWSE | SWSE | SESE | SUM |             |      |
|     |     |   |   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt  | Ac          |      |
| 18N | 24E | 4 | : |      |      |      |      |      |      | 01   | :    |      |      |      |      |      |      |      |      |     |             | 1.0  |
| 18N | 24E | 5 | : |      |      |      | 12   | :    |      |      |      |      |      |      |      | 02   |      |      |      |     |             | 14.0 |
|     |     |   |   |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |     | TOTAL ACRES | 15.0 |

Pou County: LEMHI

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

74-01711 74-02140B ~~74-07040~~ 74-07254

Other Water Rights Listing Overlapping Place(s) of use:

74-02140A 74-02140B ~~74-07040~~ 74-07254

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
- R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

Dates: App. Received: 01/16/1974 Priority Date: 03/22/1974 (Priority Date Advanced.)  
Proof Due Date: 02/01/1980 Proof Made Date: 03/26/1980 (Proof Received Late.)  
Exam Made Date: 06/05/1996 Exam Sent to S.O.: 05/22/1997  
Licensed Date:

Misc: Water District Number: 74 Field Exam Fee: R (Received)

Audit: 06/09/97 SCURTIS 10/28/97 SCURTIS

~~(74-07254)~~  
Sowan Pump  
20 hp  
Berkley

[illegible]

## **MEMORANDUM**

**TO: File 74-07040**

**FROM: Sharla**

**DATE: July 16, 1997/October 21, 1997**

**RE: Telecon**

On July 16, Mr. Sager (watermaster) called in response to my letter. He confirmed the need for a measuring device and stated that he was not aware of one having been installed in connection with Mr. Dudley's diversion.

A letter was sent to the right holder allowing 30 days for notifying us of compliance with the permit condition. Correspondence finally must have reached Mr. Dudley and he contacted the watermaster about his diversion. Mr. Sager called me on October 21 and stated that after again examining the diversion, he does not feel a measuring device is warranted.

MICROFILMED

JUN 09 1998



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

October 8, 1997

Winfred Dudley  
10821 Airport Dr.  
El Cajon, CA 92021

RE: Permit No. 74-07040

Dear Mr. Dudley:

At the end of July I sent a letter to you concerning the installation of a measuring device as required in the approval of the permit. The letter was sent to 10821 Airport Dr., El Cajon, CA, and was not returned to us (copy enclosed). After sending a reminder letter dated 9/22, the organization located at that address called me and said they didn't know of anyone by your name; they had been located at that address since 1994. I found the Lakeside, CA address in our files and hope this correspondence reaches you.

In my previous correspondence, I stated that your efforts to satisfy the measuring device requirement should be coordinated with the watermaster to be sure the device(s) are satisfactorily installed. Compliance with this condition is required before a license can be issued.

If we do not hear from you within 30 days, the department could commence action to void the permit for failure to comply with the conditions of the permit. If you have any questions, give me a call.

Sincerely,

SHARLA CURTIS  
Water Resource Agent

RECORDED  
JUN 09 1998



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

September 22, 1997

Winfred Dudley  
10821 Airport Dr.  
El Cajon, CA 92021

RE: Permit No. 74-07040

Dear Mr. Dudley:

At the end of July I sent a letter to you concerning the installation of a measuring device as required in the approval of the permit. I stated that your efforts should be coordinated with the watermaster to be sure the device(s) are satisfactorily installed. As of this date, I have not heard from you about this matter.

If we do not hear from you within 30 days, the department could commence action to void the permit for failure to comply with the conditions of the permit. If you have any questions, give me a call.

Sincerely,

SHARLA CURTIS  
Water Resource Agent

9/29 - telecon w/ employee of the business currently ~~residing~~ occupying the complex at the above address. They've been there since 1994 and have no association to Mr. Dudley.

— contact assessor's office for a current addr.

JUN 09 1998



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

July 21, 1997

Winfred Dudley  
10821 Airport Dr.  
El Cajon, CA 92021

RE: Permit #74-07040

Dear Water Right Holder(s):

We are in the process of reviewing your permit for licensing. During the field examination on June 5th, 1996, our examiner found no measuring devices installed. The conditions of the permit stated: "A measuring device of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works". A conversation with the watermaster has confirmed the need for a measuring device.

In order to complete the licensing process you must comply with the conditions of the permit. Before proceeding with installation of a device, you should contact the watermaster directly for explanation of the type(s) of acceptable measuring devices. You should coordinate these efforts with the watermaster to be sure the measuring device(s) are satisfactorily installed. Within 30 days either you or the watermaster should contact me to report the progress.

If you have any questions, please contact me as soon as possible. My telephone number is (208) 327-5452.

Sincerely,

Sharla Curtis  
Water Resource Agent

SC:cb

JUN 25 1997

## **MEMORANDUM**

**TO: File 74-07040**

**FROM: Sharla**

**DATE: July 16, 1997**

**RE: Telecon**

On this date, Mr. Sager (watermaster) called in response to my recent letter. He confirmed the need for a measuring device and stated that he was not aware of one having been installed in connection with Mr. Dudley's diversion.

A letter will be sent to the right holder allowing 30 days for notifying us of compliance with the permit condition.

100-100000

100-100000



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

July 7, 1997

Rick Sager  
201 Broadway  
Salmon, ID 83467

RE: Water Right 74-07040

Dear Rick,

In June of 1997, I sent you information on permit number 74-07040. As of this date, I have not received your response. Is a measuring device necessary for regulation of this right? If so, we will retain the condition when the license is issued, but if it is not necessary, we will remove the condition.

I appreciate your help in this matter. If you have any additional questions, please feel free to contact me at (208) 327-5452.

Sincerely;

Sharla Curtis  
Water Resource Agent

SC:cb

RECEIVED

JUL 09 1997



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

June 10, 1997

Rick Sager  
201 Broadway  
Salmon, ID 83467

RE: Water Right 74-07040

Dear Rick,

I am in the process of reviewing permit number 74-07040 for licensing. One of the conditions on the permit was that a measuring device was to be installed. During our field examination of this water right the examiner found that no measuring device was installed. Is a measuring device necessary for regulation of this right? If so, we will retain the condition when the license is issued, but if it is not necessary, we will remove the condition.

I have enclosed<sup>x</sup> profile report on the water right for your information. I appreciate your help in this matter. If you have any additional questions, please feel free to contact me at (208) 327-5452.

Sincerely;

Sharla Curtis  
Water Resource Agent

SC:cb

Enclosure

JUN 09 1997

# LICENSE REVIEW CHECKLIST

PERMIT NO. 74-07040 DATE 6/9/97 REVIEWER: SHARLA

NAME Change OK Address Change NO  
 SOURCE Change OK Is change clarification of originally intended source? NO  
 POINT OF DIV Change OK If not, prepare Notice of Intent to Void NO  
 PLACE OF USE sec 4 Change OK Amendment required NO

Does map agree with written description? yes no

OVERLAPS P/D P/U 74-07254 is the

RATE OF DIV  
 Permitted Rate .30 cfs  
 Fee limit 1.0 cfs \$100<sup>00</sup>  
 Measured .33 cfs  
 Theoretical .71 cfs .41 @ 100' left  
 Recommended Total Div Rate .30 cfs

ANNUAL VOLUME/  
 NATURE OF USES Use 153 Volume Calculation  
15 X 3.5 = af  
af  
af  
af  
 SUBTOTAL 52.5 af

Flow rate .30 cfs X 183 days X 1.98 af = 108.7 af  
 Total volume recommended 52.5 af  
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS 201  
201  
201

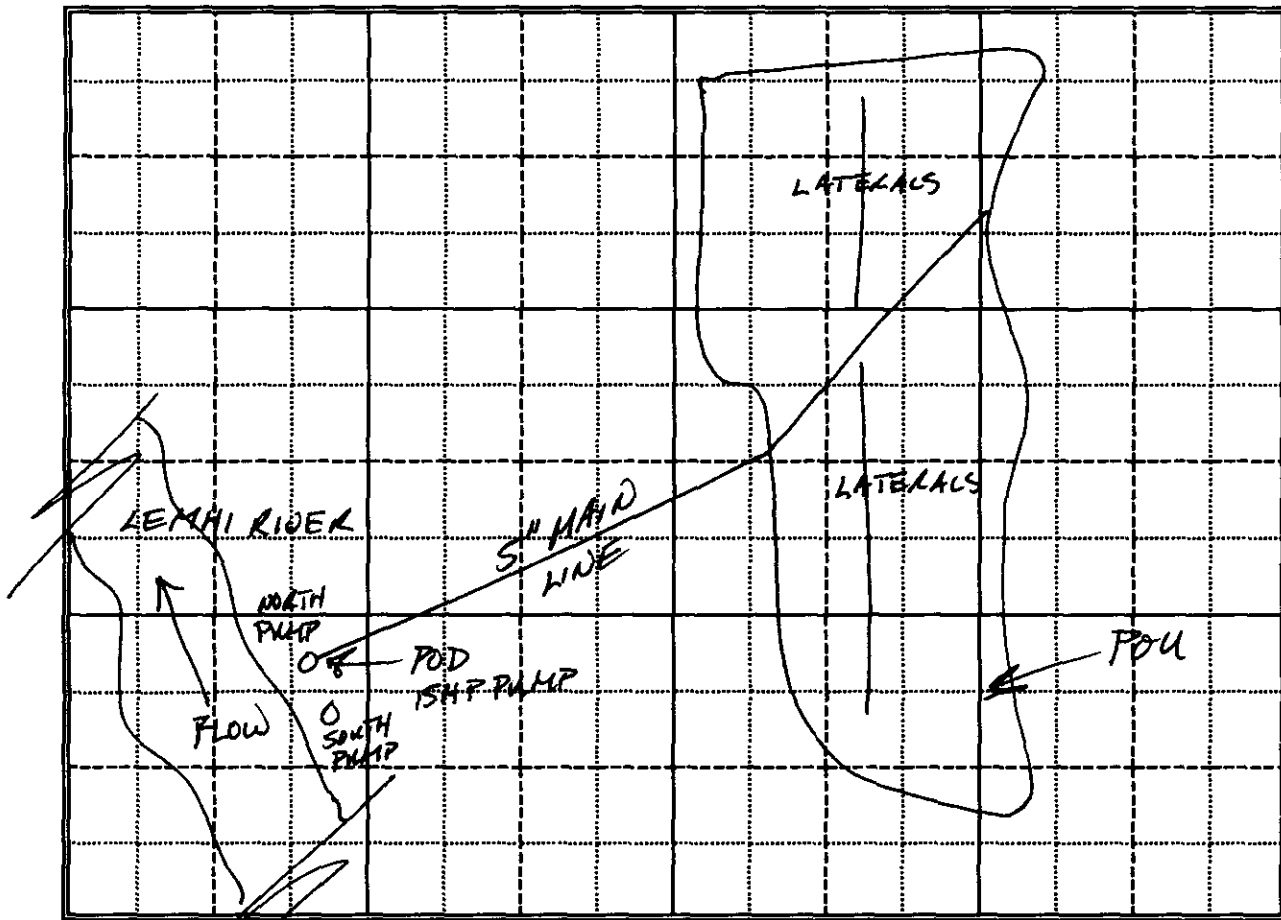
CONDITIONS 201 Watermaster Control WD# 74  
201 GW Measurement/Measuring Device  
201 Overlap

Use-specific conditions  
 Advancement of Priority Date Required yes no

SRBA Claim Filed 141  
 Adjustment Memo 138  
 1st Amend Letter 141  
 2nd Amend Letter 142

TOTAL

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. *SEE PHOTOS + MAPS*



Scale: 1" = \_\_\_\_\_

\_\_\_\_ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

\_\_\_\_ Aerial Photo Attached (required for irrigation of 10+ acres)

\_\_\_\_ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| NORTH PUMP                            | G.E.       | 15 |                  | CORNELL   | 1 1/2"                            |
|                                       |            |    |                  | 1.5Y15-2  |                                   |
|                                       |            |    |                  |           |                                   |

\*Code to correspond with No. on map and aerial photo

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make   | Model No. | Serial No.                  | Size  | Calib. Date |
|-----------------------|------|--------|-----------|-----------------------------|-------|-------------|
| POLYSONIC FLOW METER  |      |        | TF-P      | 710263<br><del>670767</del> |       |             |
| PRESSURE GAGE         |      | U.S.G. |           |                             | 0-100 |             |

2. Measurements: TAKEN AT PUMP SITE

WATER LINE

JUN 09 1993

**E. NARRATIVE/REMARKS/COMMENTS**

WATER IS PUMPED VIA A 15 HP PUMP UPHILL APPROXIMATELY  
1500 FEET WITH ABOUT 100+ FEET OF LIFT TO THE PLACE  
OF USE (VIA A 5" MAIN LINE). WATER IS DISTRIBUTED  
BY 3 SMALL HANDLINE UTILIZING 33 RAIN BIRDS  
HAVING 9/64 NOZZLES. SYSTEM HAS CHECK VALVE AND GATE  
VALVE AT PUMP DISCHARGE.

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

NOTED LMAE  
JUN 09 1998

## F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

$$Q = \text{SONIC METEL} = \frac{150.3136 \text{ FH}}{448.8} = .3349 \text{ CFS}$$

## G. VOLUME CALCULATIONS

### 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 15 \text{ AC} \times 3.5 = 52.5 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.30 \text{ CFS} \times 183 \times 1.9835 = 108.9 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 52.5 \text{ AFA}$$

### 2. Volume Calculations for Other Uses:

## H. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use    | Period of Use |              | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-------------------|---------------|--------------|------------------------------|--------------------------|
|                   | From          | To           |                              |                          |
| <u>IRRIGATION</u> | <u>4/15</u>   | <u>10/15</u> | <u>0.30</u>                  | <u>52.5</u>              |
|                   |               |              |                              |                          |
|                   |               |              |                              |                          |
|                   |               |              |                              |                          |
|                   |               |              |                              |                          |
| Totals:           |               |              | <u>0.30 CFS</u>              | <u>52.5 AFA</u>          |

### 2. Recommended Amendments

☐ Change P.D. as reflected above    ☐ Add P.D. as reflected above    ☐ None  
☒ Change P.U. as reflected above    ☐ Add P.U. as reflected above    ☐ Other

## I. AUTHENTICATION

Field Examiner's Name D. J. [Signature] Date 1/16/97

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL

MICROFILM  
JUN 8 9 1998

## THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

$$Hp = \text{Horsepower} = \underline{15}$$

$$Eff = \text{Efficiency} = \underline{.7} \quad (\text{Usually } 70\%)$$

$$\text{Lift: (Static Level + Assumed Draw down)}$$

$$\text{Static Water Level} = \underline{4} \text{ ft.}$$

$$\text{Assumed Draw down} = + \underline{-0} \text{ ft. } \text{ADEK}$$

$$\text{Lift} = \underline{4}$$

OR

$$\text{Measured Dynamic Water Level} = \underline{\hspace{2cm}} \text{ ft.}$$

$$psi = \text{Operating Pressure} = \underline{55} \text{ psi}$$

$$Q_{cfs} = \left[ \frac{15}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[ \frac{4}{Lift} + \left( \frac{55}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[ \underline{92.547} \right] \div \left[ \underline{130.94} \right]$$

$$Q_{cfs} = \underline{0.7067} \text{ cfs}$$

PERMIT NO. 74-07040

REV 09 1938

PRINTER USE  
? YES

MODE SELECT  
INPUT

OUTER DIAMETER  
5.0000 IN

PIPE MATERIAL  
? AL, DI

WALL THICKNESS  
0.0531 IN

INNER LINING  
? NO LING.

KIND OF FLUID  
? ANOTHER

SOUND VELOCITY  
1460 M/S-

SENSOR MOUNTING  
? U

TYPE OF SENSOR  
? SMALL

DATA CHANGE  
? NO

SPACING  
3.027 IN U

ZERO MODE  
CLEAR

ZERO MODE  
AUT ZERO

06-05 15:1300 \*H  
+002.90 % AI2

MODE SELECT  
T0 CHECK

0185.0 MMSEC  
100.06 % T0

06-05 15:1500 \*R  
+145.558E 00PM

JUN 05 1983

06-05 15:1600 \*R  
+150.313E 00PM

0.3349 CFS

74-07040 15 ACES 15HP

74-07040

74-07040  
WINGED DUDLEY  
SONIC TAFE

100-100000  
JUN 05 1938

PRINTER USE  
? YES  
MODE SELECT  
INPUT  
OUTER DIAMETER  
5.0000 IN  
PIPE MATERIAL  
? AL-DI  
WALL THICKNESS  
0.0531 IN  
INNER LINING  
? NO LING.  
KIND OF FLUID  
? ANOTHER  
SOUND VELOCITY  
1460 M/S-  
SENSOR MOUNTING  
? U  
TYPE OF SENSOR  
? SMALL  
DATA CHANGE  
? NO  
SPACING  
3.027 IN U  
ZERO MODE  
CLEAR  
ZERO MODE  
AUT ZERO  
06-05 15:1300 \*H  
+002.90 % AI2  
MODE SELECT  
T0 CHECK  
0185.0 MMSEC  
100.06 % T0  
06-05 15:1500 \*R  
+145.558E 06GPM

06-05 15:1600 \*R  
+150.313E 06GPM

0.3349 CFS

74-7254-1260000.  
74-07040 15 ACES 15HP.



32 33

5 4

T18N, R24E Big Dry Gulch

PLACE  
OF USE  
POW

MAIN LINE

ROAD

POINT OF DIVERSION

Station

0 2 1998

5 4  
8 9

74-07040

Lembi River Estates

IRRIGATION

1512

POINT OF  
DIVERSION  
15 HP PUMP

← 5" MAIN  
LINE

PLACE OF  
USE

VIEW OF  
FOD

JUN 09 1933

PERMIT  
NUMBER

74-07040

LEMMI RIVER ESTATES

IRRIGATION

212

VIEW OF  
CENTER  
PORTION  
PLACE OF  
USE

VIEW OF  
NORTH PORTION  
PLACE OF USE

PERMIT  
NUMBER

74-07040

JUN 10 1968

4/86

For Office Use Only  
Fee Received 1000  
Date 3-26-87  
Receipt # 41120  
Receipt by [Signature]  
Sent to S.O. 4-3-87

RECEIVED

MAR 26 1987

Department of Water Resources  
Eastern District Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EXAMINATION FEE INFORMATION

RECEIVED

APR 06 1987

1. Permit No. 74-7040

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE.

☐ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: WINFRED L. DUDLEY

3. Post Office Address: 12365 MAPLEVIEW STREET

LAKESIDE, CA 92040 Telephone No. (619) 561-8000

4. Source of Water: LEMHI RIVER

5. Extent of Use:

Domestic 5 OF (No. of households) Stockwater 60 (No. and type of stock)  
SEPARATE WELLS CHAROLAIS

Irrigation \_\_\_\_\_ (acres) Other/Remark \_\_\_\_\_

6. Total rate &/or volume for which proof is submitted .3 cfs --- acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

APRIL 1979

8. Person to contact to accompany the department representative during the field examination:

WALLACE SPENCER

(Name)

P.O. BOX #1, TENDON, IDAHO 83468

(Address)

(208) 756-3957

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

3-23-87

Date

[Signature]  
Signature of Permit Holder (and title, if appropriate)

JUN 05 1988

[Signature]  
Copy returned.

State of Idaho  
Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second  
AF = acre feet)

| cfs          | AF          | Fee    |
|--------------|-------------|--------|
| 0 - 0.04     | 0 - 4       | \$ 0   |
| .05 - 0.20   | 5 - 20      | 50.00  |
| .21 - 1.0    | 21 - 100    | 100.00 |
| 1.01 - 2.0   | 101 - 200   | 125.00 |
| 2.01 - 3.0   | 201 - 300   | 150.00 |
| 3.01 - 4.0   | 301 - 400   | 175.00 |
| 4.01 - 5.0   | 401 - 500   | 200.00 |
| 5.01 - 6.0   | 501 - 600   | 225.00 |
| 6.01 - 7.0   | 601 - 700   | 250.00 |
| 7.01 - 8.0   | 701 - 800   | 275.00 |
| 8.01 - 9.0   | 801 - 900   | 300.00 |
| 9.01 - 10.0  | 901 - 1000  | 325.00 |
| 10.01 - 11.0 | 1001 - 1100 | 350.00 |
| 11.01 - 12.0 | 1101 - 1200 | 375.00 |
| 12.01 - 13.0 | 1201 - 1300 | 400.00 |
| 13.01 - 14.0 | 1301 - 1400 | 425.00 |
| 14.01 - 15.0 | 1401 - 1500 | 450.00 |
| 15.01 - 16.0 | 1501 - 1600 | 475.00 |
| 16.01 - 17.0 | 1601 - 1700 | 500.00 |
| 17.01 - 18.0 | 1701 - 1800 | 525.00 |
| 18.01 - 19.0 | 1801 - 1900 | 550.00 |
| 19.01 - 20.0 | 1901 - 2000 | 575.00 |
| 20.01 & over | 2001 & over | 600.00 |

Checks should be made payable to the  
Department of Water Resources

No fee is required for single family  
domestic use or stockwater use.

# LEMHI RIVER ESTATES

(619) 561-8000

12365 MAPLEVIEW STREET • LAKESIDE, CA 92040

March 20, 1987

State of Idaho  
Department of Water Resources  
Eastern District Office  
150 Shoup Avenue  
Idaho Falls, ID 83401

ATTENTION: MR. ERIC VERNER

REFERENCE: EXAMINATION FEE NOTICE

Dear Mr. Verner:

As we discussed in our telephone conversation of March 19, 1987, you will find a check enclosed in the amount of one hundred dollars (\$100) for the examination fee notice.

If any fees are involved for the gravity irrigation water, please notify me immediately.

Thank you for your help in this matter.

Sincerely,



Winfred L. Dudley  
President

bje  
Enclosure

RECEIVED

MAR 21 1987

Department of Water Resources  
Eastern District Office

RECEIVED

APR 06 1987

Department of Water Resources

APR 21 1987  
JUN 09 1988



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

March 12, 1987

Winfred Dudley  
12365 Mapleview Street  
Lakeside, CA 92040-1737

RE: 74-7040



EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the Department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the Department, but you must within sixty (60) days of the date of this letter return to the Department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the Department to conduct the field examination, but you may change to another certified examiner.

APPROVED

JUN 09 1988

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the Department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing of certified water right examiners will be available from this Department when examiners have been certified.

If your permitted use, in fact, has already been examined by the Department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the Department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

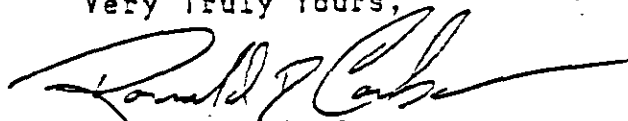
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT

The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region  
Idaho Dept. of Water Resources  
150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83401  
Phone: 525-7161

Very Truly Yours,



Ronald D. Carlson  
Eastern Regional Manager

Enclosures

JUN 10 9 1956



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

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

February 10, 1987

74-7040  
DUDLEY, WINFRED  
10821 AIRPORT DR.  
EL CAJON, CA 92021



### EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this Department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

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NOTED

JUN 09 1988

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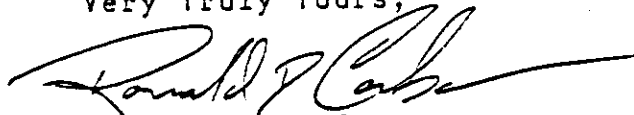
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The attached examination fee information sheet and the fee may be submitted to the following Department office:

Eastern Region  
Idaho Dept. of Water Resources  
150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83401  
Phone: 525-7161

Very Truly Yours,



Ronald D. Carlson  
Eastern Regional Manager

Enclosures

JUN 09 1988

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF APPLICATION  
OF WATER TO BENEFICIAL USE

MAR 26 1980

Department of Water Resources

1. a) Name of permit holder FRANCIS CARRINGTON  
b) Post office address Box 53, Tendoy, Idaho 83468
2. Permit number 74 7040
3. Date of priority that you are prepared to establish January 28, 1974
4. a) Source from which water was appropriated Lemhi River  
b) Location of the point of diversion: NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 5  
Township 18N, Range 24E Boise Meridian. Other points of diversion: None
5. a) The amount of water and use to which the water has been applied:  
Amount 0.30 cfs for Irrigation purposes from Apr. 1 to Nov. 1 incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)  
b) Total amount appropriated 0.30 cfs ~~and/or acre-feet per annum.~~  
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. If the means of diversion and conveyance are owned by someone other than the permit holder:  
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b) Describe the agreement of understanding by which you take water from the works: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):  
15 hp pump with approximately 1500' of mainline with 2 movable lateral sprinkler lines.  
\_\_\_\_\_  
\_\_\_\_\_  
b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)  
1 Model MCO 1400 Flow Meters (McCrometer); 10 ft. 4" pipe; 1 set 4" ring lock couplers w/gasket.  
\_\_\_\_\_  
\_\_\_\_\_

JUN 09 1980

c) Give well driller's name and address and the date the well was completed: N/A

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

N/A

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

| T   | R   | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|     |     |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 18N | 24E | 5    |     |     |     | 13  |     |     |     |     |     |     |     |     | 2   |     |     |     | 15    |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

Total number of acres irrigated 15

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

(Date)

(Signature)

State of

County of Lemhi

On this 21<sup>st</sup> day of March, 19 80, personally appeared before me the

signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~ they) executed the same.

My commission expires 10/80

Notary Public

Residing at Salmon, Idaho

MICROFILMED

JUN 03 1988

April 18, 1980

Winfred Dudley  
10821 Airport Drive  
El Cajon, CA 92021

Dear Ms. Dudley:

Re: Permit No. 74-7040

This office acknowledges receipt of the assignment conveying the above-referenced permit to you. The assignment has been entered into the Department's records.

Also, this office acknowledges receipt of the statement of beneficial use which was submitted by Francis Carrington. Please find enclosed a copy of the reinstatement order which returns the permit to good order and advances the priority to March 22, 1974.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but it will be made during the irrigation season.

If you have any questions regarding the field examination, please contact our regional office in Idaho Falls.

Sincerely,

RITA FLECK  
Sr. Secretary

Enclosure

LAW OFFICES OF  
**CHARLES HERNDON**  
HERNDON HOTEL BLOCK  
SALMON, IDAHO 83467

MAILING ADDRESS  
POST OFFICE BOX 789

TELEPHONE 756-2412  
AREA CODE 208

March 24, 1980

RECEIVED

Department of Water Resources  
State Office, Statehouse  
Boise, Idaho 83720

MAR 26 1980

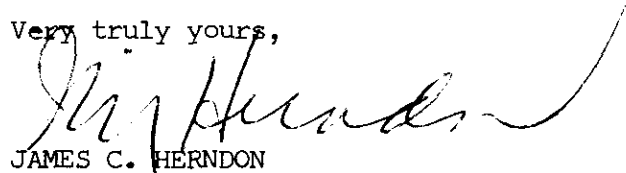
Department of Water Resources

Attention: C. Stephen Allred

Dear Mr. Allred:

Enclosed herewith please find proof of completion of works and also an assignment of Mr. Carrington's interest to Winfred Dudley. Please let us know the assignment fee and we will remit it to you.

Very truly yours,

  
JAMES C. HERNDON

JCH:dlp  
enc.

MICROFILMED  
JUN 09 1998

JAMES C. HERNDON  
P.O. B X 789  
SALMON, IDAHO 83467



Department of Water Resources  
Attention: C. Stephen Allred  
Statehouse  
Boise, Idaho 83467

RECORDED  
JUN 19 1958

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

February 14, 1980

Francis Carrington  
Box 53  
Tendoy, ID 83468

Dear Mr. Carrington:

Re: Permit No. 74-7040

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided a form for that purpose in our notice to you dated November 30, 1979.

Your permit cannot be reinstated unless you submit the proof of beneficial use postcard, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.

C. STEPHEN ALLRED  
Director

CSA:rf

Enclosure

cc: James C. Herndon

MICROFILMED  
JUN 19 1998

2/15/80



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

101587

November 30, 1979

Francis Carrington  
Box 53  
Tendoy, ID 83468

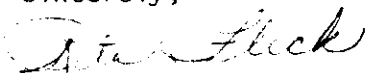
**Dear Mr. Carrington:**

One of the conditions of approval of your water Permit No. 74-7040 was that evidence of the extent of development must be submitted to this office on or before February 1, 1980. (See last page of your approved permit). Enclosed is a post card which may be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use post card or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect within 60 days.

Sincerely,

  
RITA FLECK  
Sr. Secretary

Enc: 1

cc: James C. Herndon  
P. O. Box 789  
Salmon, ID 83467

RECEIVED  
JUN 28 1980

March 21, 1979

Re: Permit No. 74-7040

James C. Herndon  
Herndon Hotel Block  
P.O. Box 789  
Salmon, Idaho 83467

Dear Mr. Herndon:

The priority date was extended due to the fact that the extension request was received eleven (11) days after proof was due. Proof was due February 1, 1979, and your request received February 12, 1979. A day of priority is lost for each day that the extension request or proof of beneficial use is late past the proof due date pursuant to Section 42-218a, Idaho Code.

If you have further questions, please contact us.

Sincerely,

JAN GROVER  
Water Rights Supervisor

JG:lr

*Can*

LAW OFFICES OF  
JAMES C. HERNDON  
HERNDON HOTEL BLOCK  
P. O. BOX 789  
SALMON, IDAHO 83467

J. CHARLES HERNDON [1911-1986]

TELEPHONE 756-2412  
AREA CODE 208

March 14, 1979

State of Idaho  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

Attention: Jan Grover

RE: Permit No. 74-7040

Dear Ms. Grover:

We note that along with the approval for extension of time on the above water permit, the priority date has been advanced to January 28, 1974. Since the system has been installed and in operation, we query as to the reason you extended the priority date. As soon as the Court or irrigation district decides on the type of measuring device it wants installed, we will install one.

Very truly yours,

*James C. Herndon*

JAMES C. HERNDON

JCH/rt

MICROFILMED

JUN 09 1988

March 2, 1979

Francis Carrington  
Box 53  
Tendoy, ID 83462

Dear Mr. Carrington:

Re: Permit No. 74-7040

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use of water is extended to February 1, 1980. Also, the priority date has been advanced to January 28, 1974.

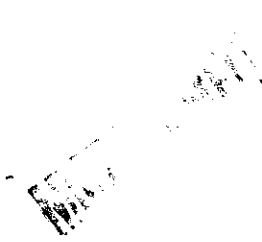
Sincerely,

JAN GROVER  
Water Rights Supervisor

JG:rf

Enc: 1

cc: James C. Herddon



LAW OFFICES OF  
**JAMES C. HERNDON**  
HERNDON HOTEL BLOCK  
P. O. BOX 789  
SALMON, IDAHO 83467

J. CHARLES HERNDON [1911-1966]

TELEPHONE 756-2412  
AREA CODE 208

February 26, 1979

**RECEIVED**

MAR 1 1979

Department of Water Resources

State of Idaho  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

Attention: L. Glen Saxton

RE: Permit No. 74-7040 - Francis Carrington

Dear Glen:

In answer to your letter of February 23, 1979, the request is made by Francis Carrington. The ranch has been sold on contract and all the interests have not yet been assigned. We do expect to complete the transfer of title this spring.

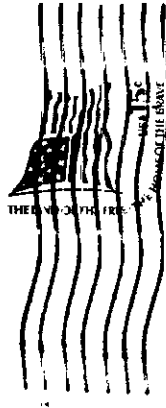
Very truly yours,

*James C. Herndon*  
JAMES C. HERNDON

JCH/rt

**RECEIVED**

HERNDON LAW OFFICE  
P O Box 789  
Salmon, Idaho 83467



L. Glen Saxton  
State of Idaho  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

February 23, 1979

James C. Herndon  
P. O. Box 789  
Salmon, ID 83467

Dear Jim:

Re: Permit No. 74-7040 -- Francis Carrington

This office has received the application for extension of time submitted in connection with the above referenced permit. The extension request does not indicate on whose behalf the request is submitted. This normally would not present a problem, however, a review of correspondence in the file indicates that Francis Carrington has sold the property to Winfred and Laura Dudley, Alvin and Elizabeth Clancy and David and Janet Dennison but there is no assignment of permit in our file reflecting the change in ownership of the permit. If the extension request is on behalf of Francis Carrington, it is acceptable. But if it is on behalf of the other parties it is not acceptable.

The Department will hold the request pending clarification.

With regard to measuring devices, enclosed is a list of measuring devices acceptable to the Department.

Since the permit could lapse and be of no further force nor effect 60 days after February 1, 1979, please advise the Department soon in this matter. I have enclosed an assignment form for your use.

Sincerely,

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:rf

Enc: 2



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

February 20, 1979

Francis Carrington  
Box 53  
Tendoy, ID 83468

Dear Mr. Carrington:

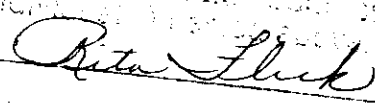
You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 74-7040 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated November 30, 1978.

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.

  
C. STEPHEN ALLRED  
Director

CSA:jfr

Encl.

**CERTIFICATION OF MAILING**  
I hereby certify that on 2-23-79  
a true and correct copy of this document was  
deposited in the United States mail,  
properly addressed and used to the  
intent of this statute.  


RECEIVED  
FEB 23 1979  
MAIL ROOM



**FRANCIS REALTY, Inc.**

1309 COLLEGE AVENUE -- TELEPHONE 546-7393  
SANTA ROSA, CALIFORNIA 95404

RECEIVED  
DEC 6 1978  
Department of Water Resources

December 4, 1978

Department of Water Resources  
Statehouse  
Boise, Idaho 83720

RE: Permit #74-7040

Gentlemen:

The property concerned under permit #74-7040  
has been sold by me to Winfred and Laura Dudley,  
Alvin and Elizabeth Clancy, and David and Janet  
Dennison.

I have forwarded the papers received from you  
today to Mr. Dudley, 10821 Airport Dr., El  
Cajon, CA 92021.

Sincerely,

Francis Carrington

FC/r

44-261-1010

**FRANCIS REALTY, Inc.**  
1309 COLLEGE AVENUE  
SANTA ROSA, CALIFORNIA 95404



ALWAYS  
USE ZIP  
CODE



DEPARTMENT OF WATER RESOURCES  
STATEHOUSE  
BOISE, IDAHO 83720



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

CERTIFIED MAIL

November 22, 1979

Re: Permit No. 71-7010

100408

Mr. Carrington  
Box 52  
Troy, ID 83468

Dear Mr. Carrington:

One of the conditions of approval of your water Permit No. 71-7010 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before February 1, 1980. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

RITA FLECK  
Water Rights

Encl: Proof affidavit

MICROFILMED

February 20, 1974

Re: Permit No. 74-7040

Francis Carrington  
Box 53  
Tendoy, Idaho 83468

Dear Mr. Carrington:

Enclosed is a copy of your approved Application for Permit No. 74-7040. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR  
Assistant Director

BDF/bjg

Enclosures

74 7040

XXXXXXXXXXXXXXXXXXXX 1515 Lincoln Road

January 18, 1974

RE: Application for Permit No. 74-7040 - Carrington

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

-----  
(signature of claimant)

Very truly yours,

NORMAN C. YOUNG  
District Engineer

Bill submitted 2-4-74 by MB

NCY:cb

74 7040

Enc: Legal Notice (1)

74-7040

Notice is hereby given that Francis Carrington, Box 53, Tendency, Idaho has on 1/17/74 submitted Application No. 74-7040 for a permit to appropriate 0.30 cubic feet per second of water from Lemhi River tributary of Salmon River by means of pump and mainline within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 5, T. 18N, R. 24E, B. M. Lemhi County; to be used from Apr. 1 to Nov. 1 for the irrigation of 15 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 5, T. 18N, R. 24E, B. M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before February 11, 1974.

R. KEITH HIGGINSON

Director

Published in The Recorder-Herald, Salmon, Idaho on January 24 and January 31, 1974.

1-24-2tc

74 7040

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Francis Carrington,

Box 53, Tendoy, Idaho

has on 1/17/74 submitted Application No. 74-7040

for a permit to appropriate 0.30 cubic feet per second ~~2000 cubic feet per second~~

of water from Lemhi River tributary of Salmon River

by means of pump and mainline

within the NE<sup>1</sup>SE<sup>1</sup>, Sec. 5, T. 18N, R. 24E, B.M. Lemhi County;

to be used from Apr. 1 to Nov. 1

for the irrigation of 15 acres

within the SE<sup>1</sup>NE<sup>1</sup>, NE<sup>1</sup>SE<sup>1</sup>, Sec. 5, T. 18N, R. 24E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before February 11, 1974.

R. KEITH HIGGINSON

Director

Published in the Recorder-Herald, Salmon, Idaho

on January 24 and January 31, 1974.

74 7040

*Handwritten initials and scribbles in the bottom left corner.*

1515 Lincoln Road

January 17, 1974

Re: Application for Permit No. 74-7040

Mr. Francis Carrington  
Box 53  
Tendoy, Idaho 83468

Dear Mr. Carrington:

Attached herewith is departmental receipt No. 12691 in the amount of \$25.00 for the above referenced application which was received in this office under the above date.

Also enclosed is a retyped application which we needed for a clearer copy. Please sign your name on page 3 exactly as it appears on page 1 and return it to this office for processing.

If we can be of further assistance, please do not hesitate to contact this office.

Very truly yours,

NORMAN C. YOUNG  
District Engineer

NCY:MB

Enclosures

74 7040

## CONVERSATION MEMORANDUM

DATE 1/16/74

FILE \_\_\_\_\_

NAME OF PARTY Francis Carrington Ranch - Jim Kluesener operator  
EMPLOYEE Lof 756-3957RE: Is application filed by Francis Carrington out of  
the Lemhi River.

Mr. Carrington lives in California and Jim  
Kluesener operates the place for him. Mr. Kluesener  
made out the application and sent to Mr. Carrington  
for signature

Mr. Kluesener was unavailable at time of  
call, but I gave the information to Mrs. Kluesener as  
to change that was being made on the application. She  
said she would give the information to her husband and  
if he had any questions or was not in agreement he  
would call back.

1/17/74

I called back this morning Mr. Kluesener  
said her husband had no objections to the making  
of change on application. She verified this was  
bar land that didn't have any water right.

Lof

74 7040