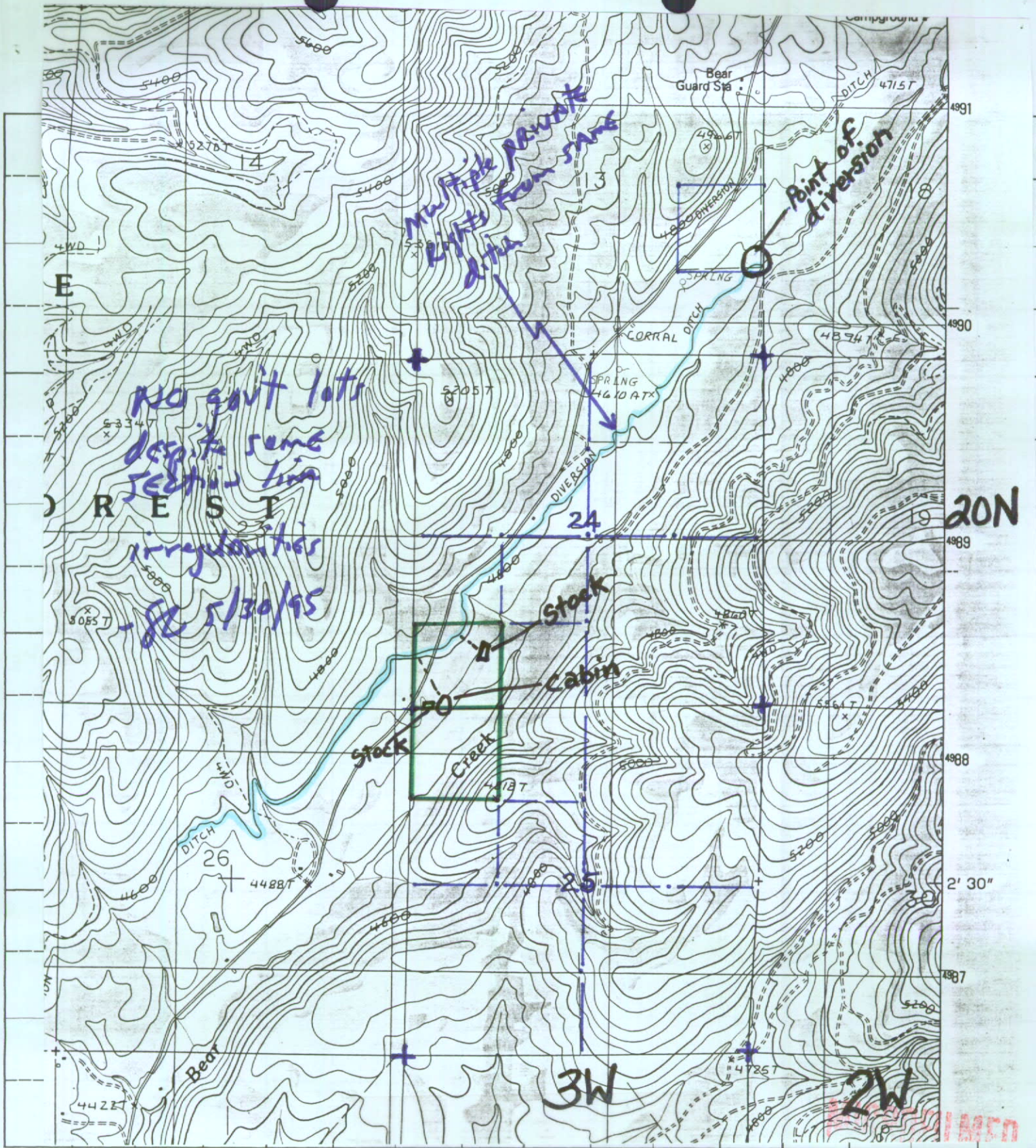




Scale: 2 inches equal 1 mile.

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.

NOV 14 1995

Paul A. Fout
(Applicant)

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

D. FLOW MEASUREMENTS

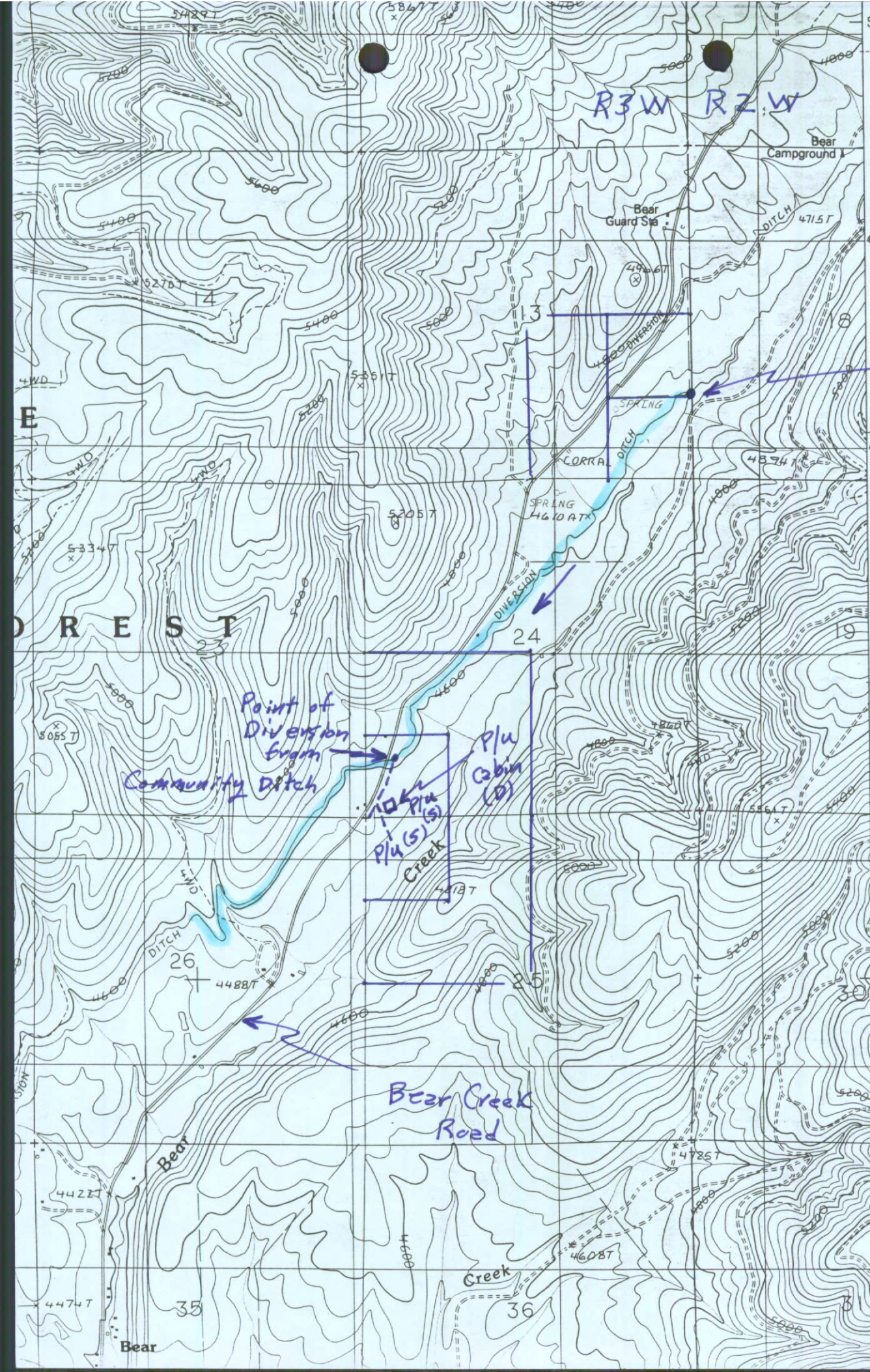
1.

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

2. Measurements: None - very small flow in ditch

MICROFILMED

SEP 3 0 10



R3W R2W

T20N
R3W

P/O
Bear Creek
Community
Ditch

No Gov. Lots

Point of
Diversion
from
Community Ditch

P/O
Cabin
(D)
P/O (S)
P/O (S)

Bear Creek
Road

69-07112

MICROFILMED

SEP 3 1969

520 000 FEET
(OREG.)

1 of 3

P/D

Diversion
Works
on
Bear Creek,
and
Bear Creek
Community
Ditch
Headworks
- pipe
Structure
on right.



View Looking
Southwest



Bear Cr. Rd. Culvert
in Background.

Point of
Diversion
on Bear
Creek
Community
Ditch for
this permit.

8" Slide
gate for
8" steel
pipe inlet
on left
side.

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SEP 30 1999

69-07112

2 of 3

8" steel
pipe from
headgate
and
beginning
of open
ditch to
owner's
property.



24" Comp
Sump and
2" screened
PVC pipe
intake
for
Domestic
water.

Ditch is
also Plu
for stock-
water



This ditch is
located adjacent to
Bear Cr. Rd.

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SEP 30 1999

69-07112

3 of 3

P/u

Domestic
Cabin
and
1" Hydrant
from 2" Pvc Line.

Hydrant
at corner
of cabin
by porch.



P/u
stockwater
Ditch by
Cabin
that
branches
from
main ditch
near
Bear Cr.
Rd.



MICROFILMED
SEP 30 1999

69-07112

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 69-07112

Priority: May 9, 1995

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that PAUL DOUGLAS FOUT

PO BOX 1948

MIDDLEBURG VA 22117-1948

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 9, 1995; and has submitted Proof of Beneficial Use on August 19, 1996. An examination indicates that the works have a diversion capacity of 0.070 cfs of water from:

BEAR CREEK

tributary to WILDHORSE 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>
STOCKWATER	01/01 to 12/31	0.03 CFS	0.6 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF
	Totals	0.07 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 13, Township 20N, Range 03W
ADAMS County

PLACE OF USE: STOCKWATER

TWN RGE SEC

20N 03W 24 SWSW
 25 NWNW

PLACE OF USE: DOMESTIC

TWN RGE SEC

20N 03W 24 SWSW

CONDITIONS OF APPROVAL AND REMARKS

1. Stockwater use is for 65 range cattle, horses and mules.
2. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 3rd day of

SEPTEMBER, 1999

MICROFILMED

SEP 30 1999


KARL J. DREHER, Director

FOR OFFICE USE ONLY

Amt. of Fee \$: 50 —

Receipt No. W021375

Receipt By: V12

Date Received: 8-19-96

RECEIVED

AUG 19 1996

**WATER RESOURCES
WESTERN REGION**

AUG 2 0 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 69-07112 Telephone No. 540/253-5389

2. Name(s) of Permit Holder(s): Paul Douglas Font

3. Mailing Address: P.O. Box 1948 HERRINGDON RD Middleburg VA 22117

4. Source of Water: Bear Creek If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____ - ____

b. **OPTIONAL:**
 Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): 65 range cattle / horse

Irrigation (No. of acres): 48.6 a. Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.07 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes or No ☒

Has the measuring device been installed?

Yes or No ✓

Flow Measurement Port: Is a flow measurement port required?

Yes or No ☒

Has the measurement port been installed?

Yes or No ✓

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Don Page Telephone Number: 208/549-8148

Address: 1420 West 5th Street Weiser ID. 83672

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

Signature of permit holder: Paul W. Hout
(include your title, if on behalf of company or organization)

OCT 10 1996

Date: 8/13/76

water right # 469-04081B

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 69-07112

Proposed Priority: May 9, 1995

Maximum Diversion Rate:

0.07 CFS

This is to certify, that PAUL DOUGLAS FOUT

PO BOX 1948

MIDDLEBURG VA 22117-1948

has applied for a permit to appropriate water from:

BEAR CREEK

tributary of WILDHORSE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.03 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.07 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENESE , Sec. 13, Township 20N, Range 03W
ADAMS County

PLACE OF USE: STOCKWATER

TWN RGE SEC

20N 03W 24 SWSW

PLACE OF USE: DOMESTIC

TWN RGE SEC

20N 03W 25 NWNW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1996.**
2. Subject to all prior water rights.
3. The issuance of this right does not grant any right-of-way or easement across the land of another.
4. Stockwater use is for 65 range cattle and horses.
5. Domestic use is for 1 home.

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

2nd day of October, 1995

Karl J. Dreher
for Karl J. Dreher, Director

NOV 14 1995

RECEIVED
SEP 25 1995

Ident. No. 69-07112

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: PAUL DOUGLAS FOUT
Address: PO BOX 1948
MIDDLEBURG VA 22117
703-253-5389
2. Source: BEAR CREEK
3. Location of Point of Diversion: SENESE Sec. 13, Township 20N, Range 03W
ADAMS County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.030		
DOMESTIC	01/01	12/31	0.040		
5. Total quantity to be appropriated is:
0.070 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
PIPELINE AND STOCK TANKS.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 85F being sought? NO
 - e. If well is already drilled, when?
Drilling Firm
Well was drilled for
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: STOCKWATER

TWN RGE SEC
20N 03W 24

SWSW

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NOV 14 1995

Place of Use: DOMESTIC

TWN RGE SEC
20N 03W 25 NWNW

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

10. Remarks:
Stockwater use is for 65 mixed stock.
Domestic use is for 1 home

11. Map of proposed point of diversion and place of use attached? []

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 25.00 Receipted by _____ #W007385 Date 1/ 4/1990

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

NOV 14 1990

RECEIVED

MAY 09 1995

Form 202
10/92WATER RESOURCES
WESTERN REGIONIdent. No. 69-7112STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- Name of applicant PAUL DOUGLAS FOUT Phone (703) 253-5389
Post office address P.O. BOX 1948, MIDDLEBURG, VA 22117
- Source of water supply BEAR CREEK which is a tributary of WILDHORSE RIVER
- Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 13 Township 20N Range 3W B.M. ADAMS County; additional
points of diversion if any: _____
- Water will be used for the following purposes:
Amount 0.004 for DOMESTIC purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.03 for STOCKWATER purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
~~* Amount 0.40 for irrigation purposes from 4/01 to 11/01 (both dates inclusive)~~
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Total quantity to be appropriated is (a) ~~0.004~~ 0.07 and/or (b) _____
cubic feet per second acre feet per annum
- Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Community ditch, pipeline to
stock tanks and cabin.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
d. Is ground water with a temperature of greater than 85°F being sought? Michael
e. If well is already drilled, when? _____; Drilling firm Nov 14 1995 _____;
Well was drilled for (well owner) _____
- Time required for the completion of the works and application of the water to be proposed beneficial use is
1 years (minimum 1 year). (System completed in July 1989.)

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

b. Stockwatering; list number and kind of livestock. 15 horses, 50 head range cattle _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 1 cabin (on line between 40 acre tracts) _____

e. Other; describe fully. _____

c. Municipal; show name of municipality.

d. Domestic; show number of households.

e. Other; describe fully.

e. Other, describe fully.

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

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

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

[illegible]

D = Domestic
S = Stock water

Total number of acres to be irrigated

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

Irrig. Water under A69-04081

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

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

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

applicant to make this filing.

12. Remarks: Stockwater use is for 65 mixed stock.

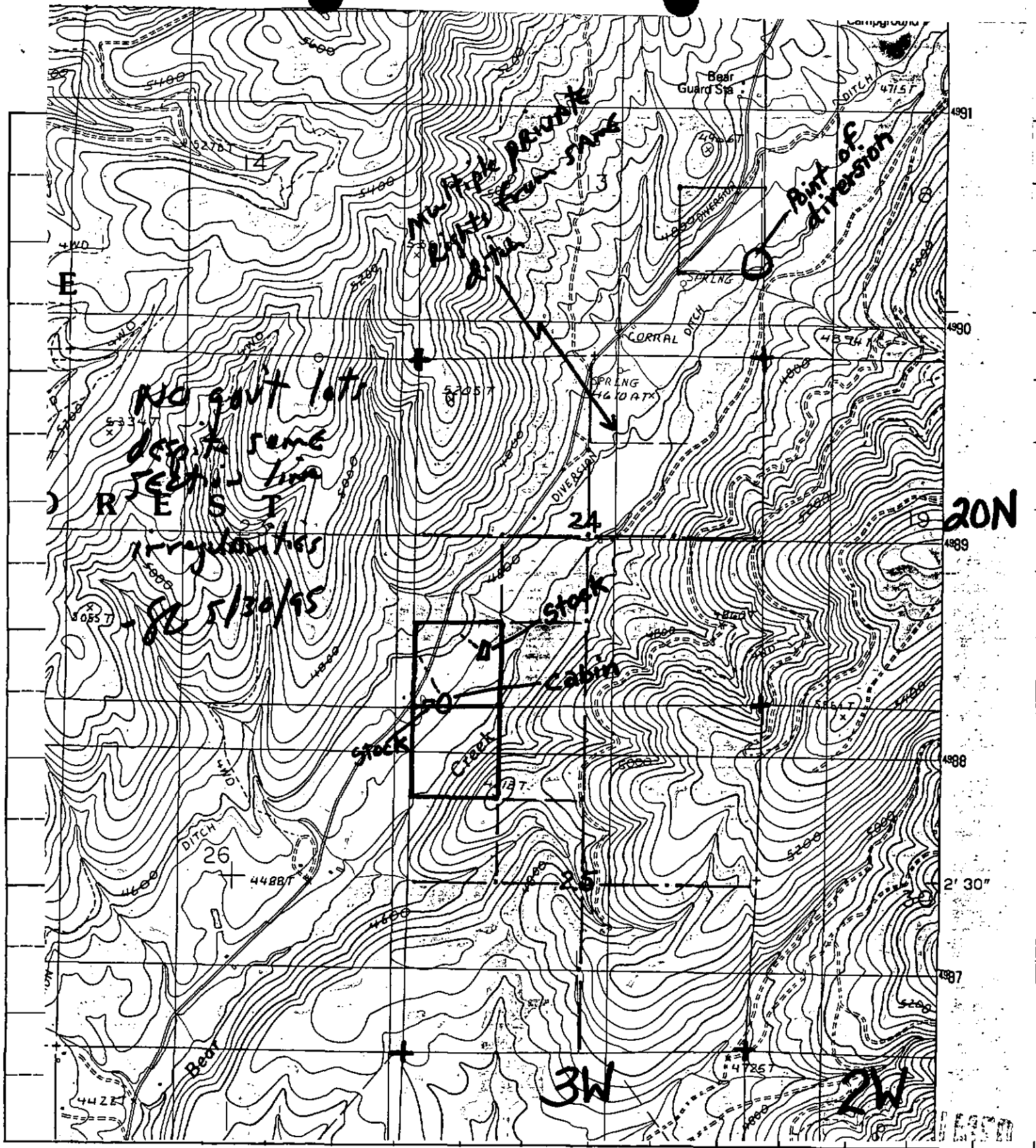
Domestic use is for 1 home located ~~on~~ on or near line

between 5.25W, 5.24 and 5.25, 7.20N, 7.03W.

* Straße + domestic
domestic

3.24
5.25

NOV 14 1995
56/08/5 - 2 - 107



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.

Paul W. Ford
(Applicant)

NOV 14 1995

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NOV 14 1995

e. Other:

permit.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

19

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

Idaho No. _____, and said application is hereby

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Publication approved by _____ Date 8-18-95

Publication prepared by _____ Date 5-31-95

Received by _____ Date 5-9-95

Time 11:45 AM
Preliminary check by _____
Date 1/4/90
W007386-25
W007385-25
Date 1/4/90

O.O.R.

MEMORANDUM

May 24, 1995

TO: DEBBIE ALLEN THROUGH DON SHAFF

FROM: KAY WALKER, WESTERN REGION *kw*

RE: TRANSFER OF FILING FEES

Please transfer adjudication filing fees, received under Receipt Nos. W007385 & W007386 (see copies attached), to Application for Permit (not numbered as of this date). The claims submitted could not be accepted due to priority dates claimed so the Mr. Fout elected to file an application for permit to record his water rights. I have attached copies of the correspondence sent to Mr. Fout in regard to his claims.

If you need any more information, please give me a call.
Thanks, Kay

Copy to attach to app. for permit.

kw
5/24/95

*fees transferred -
see receipts
below. kw
6/1/95*

RECEIVED
NOV 14 1995



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

September 7, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PAUL DOUGLAS FOUT
PO BOX 1948
MIDDLEBURG VA 22117-1948

RE: WATER RIGHT NO. 69-07112

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 described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

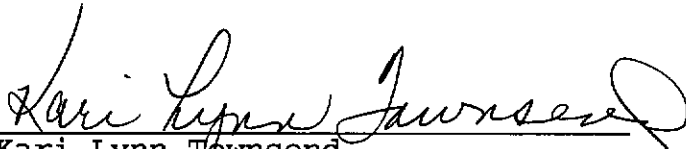
MICROFILMED
SEP 30 1999

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of **September, 1999**, 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. 69-07112

PAUL DOUGLAS FOUT
PO BOX 1948
MIDDLEBURG VA 22117-1948


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 30 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a 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.

ORAL ARGUMENT

If the Department grants a petition to review a 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.

MICROFILMED

SEP 30 1999

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a 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.

LICENSE REVIEW CHECKLIST

PERMIT NO. 69-07112 DATE 8/29/99 REVIEWER: SHARLA

NAME/Address Change/OK

SOURCE OK Does change clarify orig. intended source? If no, Void permit

POINT OF DIV OK ☐ Change (P39 /P47) ☒ Add (P45/P42) Feds - P40

W32 (multiple in $\frac{1}{4}$)
W36 (overlap)
W59 (subd. desc)

Overlaps: Right(s): _____
File reviewed _____ Profile reports printed _____

PLACE OF USE OK ☐ Change (P41/P47) ☒ Add (P41/P42) Feds - P43

W60 (subd. desc)
W27 (ppu acre limit)

all $\frac{1}{4}$'s shown for one use
or the other

Overlaps: Right(s): _____
File reviewed _____ Profile reports printed _____

PD & PU amend (P37) Feds - P48

RATE OF DIV

Permitted Rate .07 cfs

Fee limit .20 cfs \$50⁰⁰

Measured ✓ cfs

Theoretical .07 cfs

Recommended Total Div Rate .07 cfs

WATER USES

WATER USES	Change (P46)		
<u>Stock</u>	<u>.03</u> cfs	<u>.6</u> af	Irrig - overlap (R58-R61, R62-R65, R66-R69)
<u>Dom</u>	<u>.04</u> cfs	<u>.6</u> af	supp. gw (WB7/065/079)
			overlap spec. combined rts (W35)
			<1acre (W31)
			(W01/WB5/070/071/075)
			Domestic - (W42 or W43/025/027/R22 or R23)
			Power - (W42 or W43/025/027/R22 or R23)
			Fish (042) Fire (077) Wtr Quality (081/R07)
			Payette - (W22/047/27A)
TOTALS	<u>.07</u> cfs	<u>1.2</u> af	

Flow rate .07 cfs X 365 days X 1.98 = 50.6 af

REMARKS 5/65 range cattle horses & mule
1/2 cabin.

ADD'L CONDITIONS ☐ Watermaster Control WD# _____
☐ GW Measurement/Measuring Device
☐ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority ☐ yes ☒ no

SRBA Claim N/A

Adjust Memo SOURCE
Amend letters P41 P38
P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 13 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 69-07112

1. Owner: Paul Douglas Fout Phone No. (540) 253-5389

Current Address: P.O. Box 1948, Middleburg, VA 22117-1948

2. Accompanied by: Paul Fout EXAM DATE: 10-22-98

Address: (Same) Phone No. _____

Relationship to Permit Holder: (Same)

3. Source: Bear Creek tributary to Wildhorse River

B. OVERLAP REVIEW

(Paul Fout)

1. Other water rights with the same place of use: 69-07114 (Irrigation), A69-04081B

2. Other water rights with the same point of diversion: 69-07114 (Irrigation), A69-04081B

C. DIVERSION AND DELIVERY SYSTEM

others: [All other water rights on Bear Cr. Community Ditch.] [Same right, wants earlier priority]
1. Point(s) of Diversion: -02039, -02040, -04000, -04001, 04006, -04007, -04010, -04011, -04019, -04024, -04081

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NE	SE	13	20N	3W	Adams	Site Visit, Map

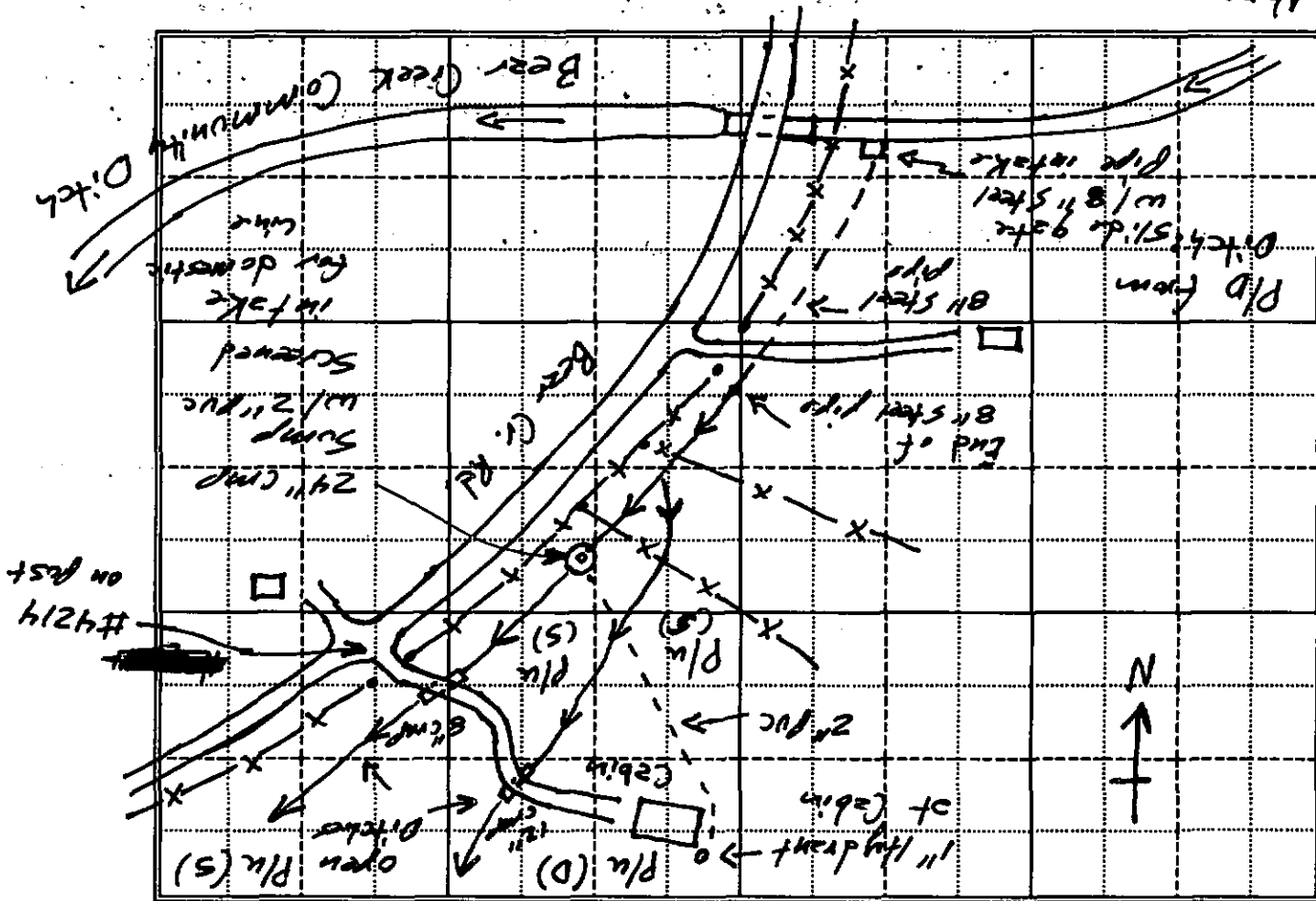
2. Place(s) of Use:

Indicate Method of Determination Site Visit, Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	3W	24																	
		25					S												

NOV 20 1998

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate well size/ditch size/pipe size/pipe l.d. as applicable.



Scale: 1" = 100'

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

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

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

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

2. Measurements:

Notes - Very small flow in ditch

MICROFILMED

SEP 3 1969

E. NARRATIVE/REMARKS/COMMENTS

1. This permit is for domestic + stockwater use from the Bear Creek Community Ditch. Water is diverted from the ~~the~~ C. ditch on the east side of ^{the} Bear Cr. Rd. culvert crossing. A steel slide gate diverts the water into a buried 8" steel pipe about 120' long. The 8" pipe empties into an open ditch constructed on the east side of the road. The ditch branches on the owner's property, and the stock - horses + mules - drink from the open ditches on the owner's property.

2. A 24" comp sump with ~~an~~ a 2" ^{pvc} screened pipe intake diverts the domestic water to a cabin through a 2" pvc buried pipe. The sump is located on the owner's ditch adjacent to the county road. The 2" pvc pipe conveys the ditch water to a 1" hydrant at the cabin. The water is boiled before being used at the cabin.

3. Although only horses + mules were using the water at the time of the exam, cattle are also grazed on the property and use the water. The normal stockwater use period would be from April 1 to Dec. 1 each year.

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

MICROFILMED
SEP 30 1999

F. FLOW CALCULATIONS

Measured Method: None: Theoretical Cal. for 8" pipe from Bear Cr.

Community 0.1 cfs:

Head	Loss	Available
12'	0.07 cfs, 32 GPM	0.01'
12'	0.22, 100 GPM	0.04'

8" steel pipe
120' long
12' Drop
 $H = 12'$
 $H_f = \text{Pipe friction}$
 $H_e = \text{minor} = 10.2 H_f$
 $H_v = \text{vel. head, } V^2/2g$
 $H = H_f + H_e + H_v$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \text{Pipe functions as an open channel}$
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \text{Conduit for the ditch + the owner's property.}$
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$

2. Volume Calculations for Other Uses:

Domestic: Interval only, allow 0.6 AF/A

Stockwater: $AF/A = (12 \text{ Gal} / \text{Day-Head}) \times (240 \text{ Day} / \text{AF}) \times (325850 \text{ Gal})$
 $= 0.57 \text{ AF/A} = 0.60 \text{ AF/A}$
 $AF/A @ \text{Div rate} = (0.63 \text{ cfs}) / (365 \text{ Days}) / (1.9835) = \text{for 12 months} = 21.7 \text{ AF/A}$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Stockwater	From 01/01 To 12/31	0.03 cfs	0.60
Domestic	01/01 12/31	0.04	0.60
Totals:		0.07	1.20

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name

Reviewer

Date 11-9-98

MACTROFILMED

SEAL

SEP 3 1999

Domestic 5 WSW, Sec. 24

NW 1/4, Sec 25

Stock 5 WSW, Sec 24

P/U

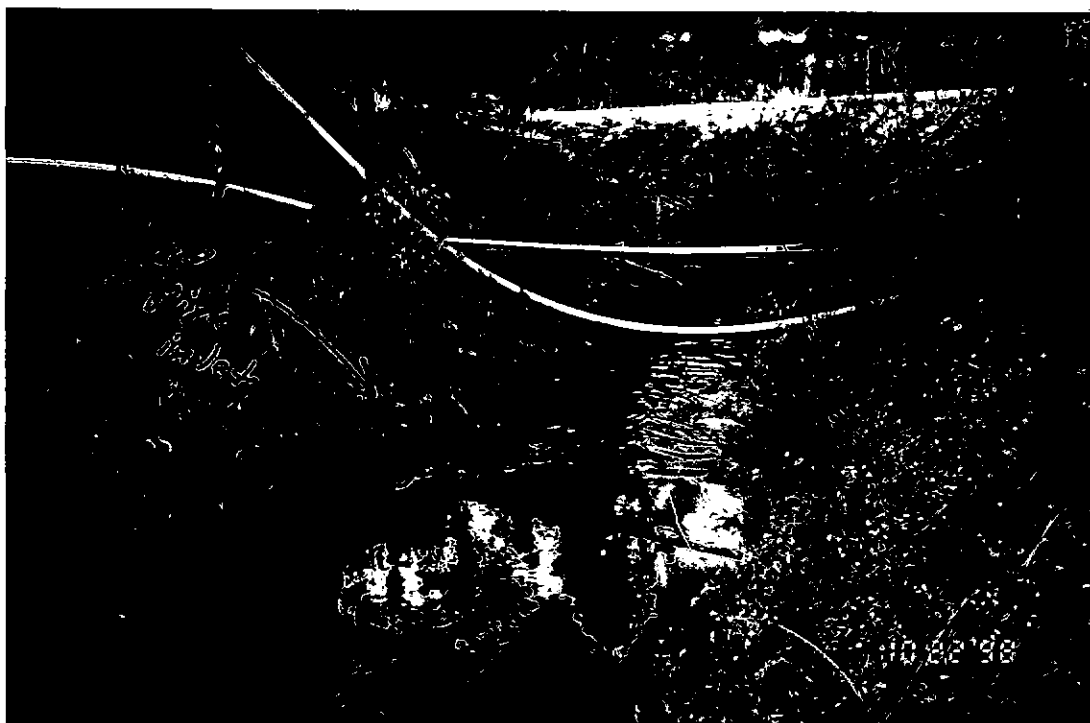
P/D

Diversion
Works
on
Bear Creek,
and
Bear Creek
Community
Ditch
Headworks
— pipe
Structure
on right.



View Looking
Southwest

Point of
Diversion
on Bear
Creek
Community
Ditch for
this permit.
8" slide
gate for
8" steel
pipe inlet
on left
side.

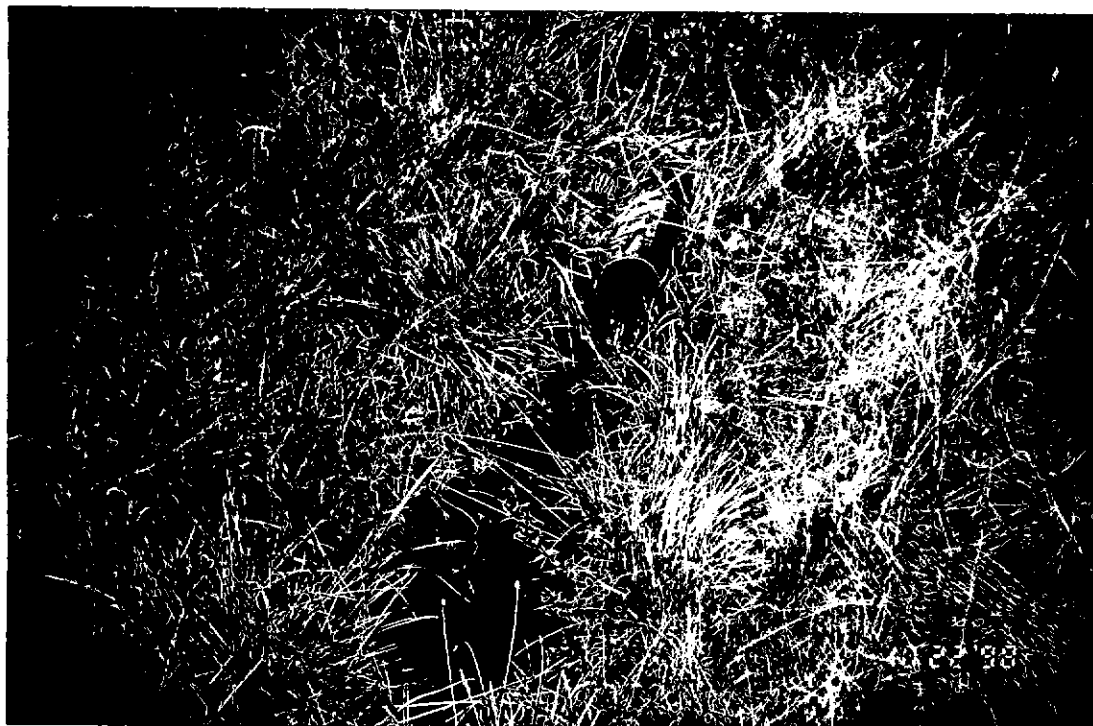


Bear Cr. Rd. Culvert
in Background.

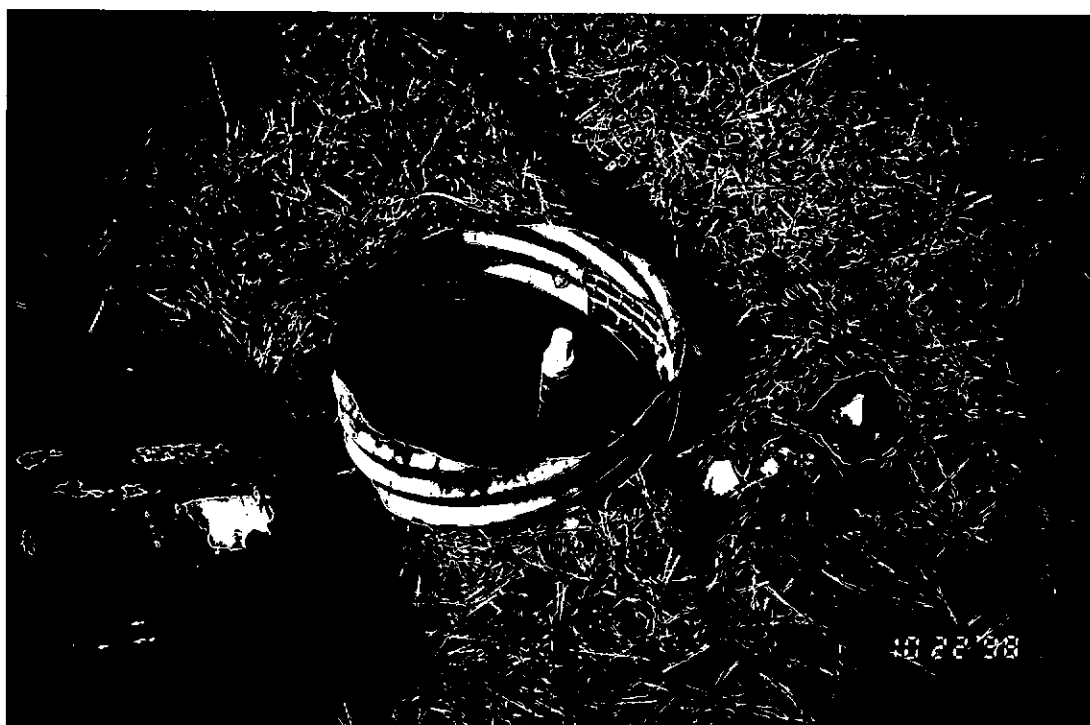
WILSON

SEP 30 1999
69-07112

2 of 3



8" steel
pipe from
headgate
and
beginning
of open
ditch to
owner's
property.



24" CMP
sump and
2" screened
PVC pipe
intake
for
domestic
water.

Ditch is
also P/U
for stock-
water

This ditch is
located adjacent to
Bear Cr. Rd.

SEP 30 1999

69-07112

3 of 3



P/u
Domestic
Cabin
and
1" Hydrant
from 2" Pvc Line
Hydrant
at corner
of Cabin
by porch.



P/u
Stockwater
Ditch by
Cabin
that
branches
from
main ditch
near
Bear Cr.
Rd.

MICRO
SEP 3 0 1993

69-07112

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 69-07112 Reviewed by Jay Date 9-4-96

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

dom, stock

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☒ Drilling permit required?

☒ Copy in the file? Drilling Permit No. _____

☒ Amount paid for permit _____ Correct?

☒ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
50 - Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
☒ Installed?
☒ Waiver requested?

PRIORITY CALCULATION

Date proof received	_____	/	_____
Date proof due	_____		_____
No. of days late	_____		= _____
Priority Date	_____		+ _____
New Priority Date	_____		_____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address X Proof Made 8-19-96

September 6, 1996

PAUL DOUGLAS FOUT
PO BOX 1948
MIDDLEBURG VA 221171948

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 69-07112

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
OCT 10 1996

July 31, 1996

PAUL DOUGLAS FOUT
PO BOX 1948
MIDDLEBURG VA 221171948

PROOF DUE NOTICE

RE: PERMIT NO. 69-07112

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

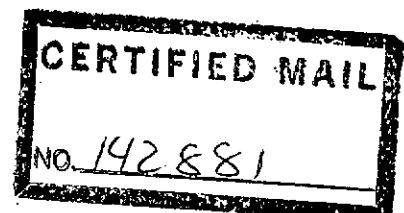
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MIDDLEBURG

OCT 1 0 1996





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 2, 1995

PAUL DOUGLAS FOUT
PO BOX 1948
MIDDLEBURG VA 22117-1948

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 69-07112

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

NOV 14 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 69-7112 Name: Fout Date: 9/28/95 Ad OK? ✓
Correct Fee? ✓ Receipt #: W00738645 Priority: 5/9/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17

GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065 (if GW use SW 1st)

Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

~~Water District (dam)~~ - ~~005~~ (req) ~~WD #~~ <SEE MAP & LISTING>
+ 0.2 cfs - 028 (may report) - 01J (meas dev) - P08
=/- 0.2 cfs - 028 (may report) - 01H (lock dev) - P01 or No MD
=/+ 5 a. irr. - 028 (may report)
In WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03) - 007-P07 (w/remark WB9), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064 (regulated uses), 047-P04 (Payette Lake), NA

USE:

Domestic (surface) - 021 (Boise R ↑ L Peak); 27A (Payette R); NA
Fish Propagation - 07A-042 (rq) - 010/06A/09E (WQ) - P10; 044 (N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E - P10
Power - 08A-17K-025-027-01M-01F (P19) - 09E (P10);
+25 cfs - P18; 17G (FERC) or 17M (FERC); 18B - P09
Storage (✓ 3 compo.) - 18A (multi MD in WD), 18B - P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CODE CHART>
Trust - 051-052-053 - P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner - 004 (PD/PU) unknown

OTHER CONDITIONS:

STANDARD REMARKS: - ① W001/1 ② W002/65

BENEFICIAL USE DUE: - 10-1-1996

COMMENTS:

RECEIVED
SEP 25 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEWER: JE DATE: 5/30/95 APPLICATION: 69-7112
Department of Water Resources
REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map: (show T, R, S, QQ &/or QQQ)
Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No ☐ In form to receipt:

Gov't. Lots:
N P/D
P/U

ADDITIONAL INFORMATION

YES NO

6 for Dam/Stroke N/A but see next ps
Overlapping place of use: (Describe source & relationship to present application on the back.)
Overlapping point of diversion:
Field check required: Field check by: _____
Field report attached:
Critical groundwater area:
Groundwater management area:
1992 moratorium:
Copy to SCA staff: (perennial stream, non-pump diversion)
Copy to Dam Safety staff: (for any storage)
Basin 63 mitigation plan: (where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge)
Send power requirement letter:
Send fish farm requirement letter:
Power residency affidavit:
Power efficiency form:
Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

Additional information on reverse side:

PROCESSING

APPLICATION

69

YES NO

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

I.D. Health and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest 6-26-95

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

See below for additional information

Recommended Date or Priority 5/9/1995

Recommended by: *One*

Date 9/20/1995

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

*Overlay N/A Small user but:**Same div. ditch as multiple private rights (none in a ditch company etc. none). Applicant uses 69-04081 for his irrig. H2O, this ditch.**Ownership & PID unknown - ok for this scenario since no delivery organization for contact.**Existing system.**D.O.B. = 5/9/95 per filing fees from SRBA claim that won't be applicable so changed to W.R. Appl. per KW's 5/24/95 memo.*

days of exciting competition.) Everything is donated except the rodeo stock. This is a unique ministry, combining rodeo skills, plus spiritual instruction.

Many of the volunteers are professional rodeo personnel who donate their time and expertise for these camps. Kids and adults come from all over the Northwest to attend. Close to 180 young people attended the camps this year and sometimes it seems there is an adult for every teenager. What started as local kids and parents having a "rodeo camp" has become a big project.

Food is donated and prepared by volunteer cooks and clean up. Each category has a special qualified instructor, plus lots of "help". The EMT's, the rodeo announcer, gate and chute men, pick-up men, score keepers, counselors and special evening entertainment is donated, so the camps are very affordable. Bill Riehle was camp Senior Director this year.

First place buckles are donated by business and caring people. I want to thank all our relatives and friends who gave generously to the Mac Gossard Rodeo Bible Camp Memorial Fund. In 1994 and again in 1995, we were able to furnish Rodeo Bible Camp T-shirts as second place awards in all categories for Senior Camp. First place Novice Awards of Bible Camp T-shirts were given for Junior Camp in all categories. We will continue to do this as long as funds are available.

A special thanks to Cheryl Zeranski, of Weiser, who manages the memorial funds and does all the appropriate things.

Ethel M. Gossard
Flying U Ranch
Council, Idaho 83612

NOTICE OF APPLICATION FOR WATER RIGHT

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

69-07112

FOUT, PAUL DOUGLAS
PO BOX 1948
MIDDLEBURG, VA 22117

Source: BEAR CREEK

Tributary: WILDHORSE RIVER

Diversion Pt: SENESE Sec 13 T 20N R 03W in ADAMS County.

use: STOCKWATER (0.030 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.070 CFS)

Date Filed: 5/ 9/1995

In: ADAMS County
T20N R03W S24 SWSW
S25 NWNW

78-07371

DREYER, RICK
3324 HWY 24
NEW MEADOWS, ID 83654

Source: GROUNDWATER

Diversion Pt: SWNW Sec 28 T 19N R 02E in ADAMS County.

Use: COMMERCIAL (0.240 CFS)
Total Diversion: (0.240 CFS)

Date Filed: 5/10/95

In: ADAMS County
T19N R02E S28 SWNW

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JUNE 26, 1995. The protestant must also send a copy of the protest to the applicant.

Director

Published: 6/ 8/1995 & 6/15/1995

NOV 14 1995
DREHER.

Connie Mocaby
P.P.F.A./C.R.C.

The Frame
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Gallery
Antiques &
Collectables

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Home - 253-4408

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P.O. Box 142
Council, ID 83612

SEVEN DEVILS CAFE

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PRIME RIB with SALAD BAR

Saturday, June 17th

Paul Phillips-Council

HAPPY FATHER'S DAY!



253-1177

Council

69-07112

FOUT, PAUL DOUGLAS
PO BOX 1948
MIDDLEBURG, VA 22117

Source: BEAR CREEK

Tributary: WILDHORSE RIVER

Diversion Pt: SENESE Sec 13 T 20N R 03W in ADAMS County.

Use: STOCKWATER	(	0.030 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.070 CFS)

Date Filed: 5/ 9/1995

In: ADAMS County	
T20N R03W S24	SWSW
S25	NWNW

RECORDED
NOV 14 1995