

16N R-014

No Gov Lts

COUNTY

II

7.5 MINUT

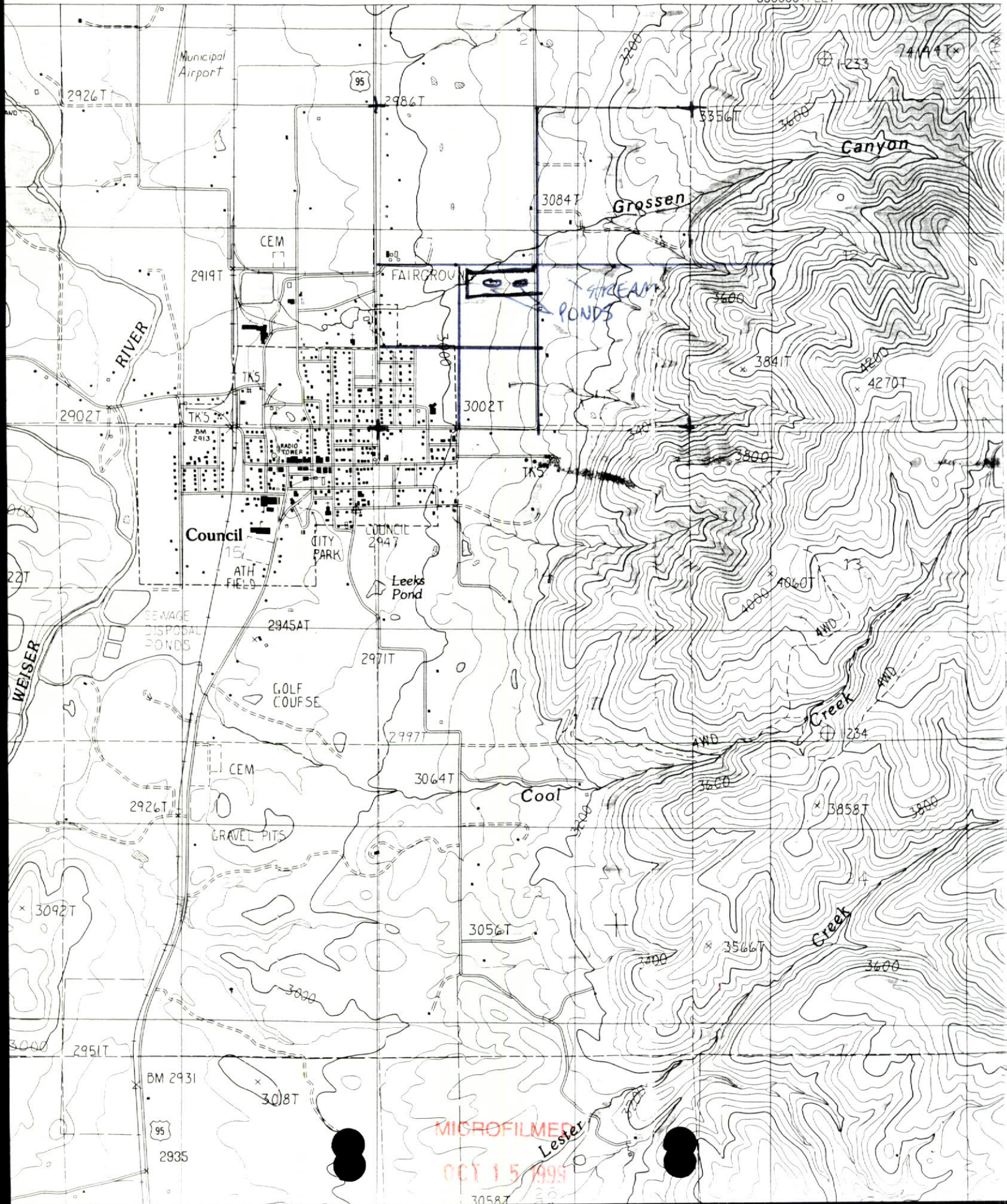
544

545

546 25'

330000 FEET

548



Sorensen Rinehart O.itch
North Lateral
South End of North Lateral

Weiser River



Fresier

16 N
West
13 N

Section 11

RECEIVED
AUG 05 1996
WATER RESOURCES
WESTERN REGION



NO. OF LINES
OCT 15 1999

LEGAL NOTICE

IRA T. BURTON
BURTON & DROLL
P. O. BOX 367
Weiser, Idaho 83672
(208) 549-1652

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADAMS

MAGISTRATE DIVISION

In the Matter of the Estate of) Case No. SP 99-00396
IDA J. GALLANT and)
GLENN H. GALLANT,) NOTICE TO CREDITORS
Deceased.)

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above-named estate. All persons having claims against the said deceased are required to present their claims with four months after the date of the first publication of this notice or said claims will be forever barred. Claims must be either presented to CARL GLARBORG, Personal Representative of the estate at the law offices of Burton & Kroll, 350 East Liberty, Weiser, Idaho, 83672, or filed with this Court.

Dated this 4th day of June, 1999.

s/Carl Glarborg
Carl Glarborg
Personal Representative

Published in The Adams County Record June 17, and 24, and July 1, 1999.

of the first publication of this notice. Claims must be presented to the undersigned by filing same with the attorney for the estate, Vern E. Herzog, Jr., 850 East Center, P. O. Box 1412, Pocatello, Idaho 83204, and with the Clerk of the Court.

Dated this 19 day of May, 1999.

s/Gloria Lorraine McAnulty
GLORIA LORRAINE McANULTY
Personal Representative

Published in The Adams County Record June 3, 10, and 17, 1999.

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

67-08035

LEONARD, ROBERT
LEONARD, SHARLETT
PO BOX 160
COUNCIL, ID 83612

Source: UNNAMED STREAM Tributary: GROSSEN CREEK

Diversion Pt: NESW Sec 11 T 16N R 01W in ADAMS County.

Use: IRRIGATION	(	0.160 CFS)	
IRRIGATION STORAGE	(		1.00 AF)
IRRIGATION FROM STORAGE	(		1.00 AF)
WILDLIFE STORAGE	(		1.00 AF)
Total Diversion:	(	0.160 CFS)	

Date Filed: 5/24/1999

In: ADAMS County
T16N R01W S11 SENW

8.0 ACRES TOTAL

Water comes from runoff and waste water from mountains and neighboring fields and enters Grossen Creek.

Permits will be subjects to all prior water rights. Protests may be submitted based on the criteria of Sec. 41-203A, 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 for each application on or before JULY 6, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Adams County Record June 17 and 24, 1999.

NEED WATER?

LICENSED AND BONDED IN IDAHO & WASHINGTON
20 YEARS EXPERIENCE

1-888-962-3438

(208)962-5110

• Fast • Dependable

JRU Well

FREE

OCT 15 1999

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. W029119
Receipt By: JF
Date Received: 5/2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY - 9 2002

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 67-08035 Telephone No. 208-253-0001

2. Name of Permit Holder(s): Robert Leonard + Sharlett Leonard

3. Mailing Address: P.O. Box 160

City Council State Idaho Zip 83612

4. Source of Water: unnamed stream If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____
tributary of Grosven Creek
Well Driller: _____ Drilling Permit Number: _____

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

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 8.0 Other: Wildlife Storage 1.0 A F

6. Total rate of diversion and/or volume for which proof is submitted: 0.16 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 X

Has the measuring device been installed?

Yes _____ or No X

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: Robert or Sharlett Leonard Telephone Number: 208-253-0001

Address: 2039 Missman Rd. Council, Idaho 83612

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

Signature of permit holder: Sharlett Leonard
(include your title, if on behalf of company or organization)

Date: 5/01/02

MICROFILMED

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 67-08035

Proposed Priority: May 24, 1999 Maximum Diversion Rate: 0.16 CFS

This is to certify, that ROBERT LEONARD
SHARLETT LEONARD
PO BOX 160
COUNCIL ID 83612

has applied for a permit to appropriate water from:
UNNAMED STREAM tributary of GROSSEN CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.16 CFS	
IRRIGATION STORAGE	01/01 to 12/31		1.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		1.0 AF
WILDLIFE STORAGE	01/01 to 12/31		1.0 AF
	Totals	0.16 CFS	

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 11, Township 16N, Range 01W
ADAMS 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>
16N	01W	11	NESW	8.0		8.0

Total number of acres irrigated: 8.0

PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 2004.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
5. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
6. No water shall be diverted under this right after June 15 of each year without prior approval of the watermaster.

MICROFILMED

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 67-08035

CONDITIONS OF APPROVAL AND REMARKS

7. Diversion of water after June 15 of each year in violation of the conditions of this water right is cause for the director to cancel or revoke this water right.
8. The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

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

23rd day of July, 1999.

Karl J. Dreher
Karl J. Dreher, Director
for

MICROFILMED

JUL 13 1999

RECEIVED

JUL 16 1999

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- Name of Applicant ROBERT S/M SHARLETT LEONARD Phone (208) 253-0001
Post Office address P.O. BOX 160 COUNCIL, ID 83612
- Source of water supply UN NAMED STREAM which is a tributary of GROSSEN CREEK
- Location of point of diversion is 1/4 of NE 1/4 of S42 1/4, Govt. Lot
Sec. 11 Township 11N Range 1W B.M. ADAMS County; additional points of
diversion if any: 2 Ponds same legal Description
- Water will be used for the following purposes:
Amount 16 cfs for IRRIGATION purposes from 4-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1 acre-ft for IRRIGATION STORAGE purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1 cfs for IRRIGATION FLOW STORAGE purposes from 4-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 1 cfs for WILDLIFE STORAGE purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Total quantity to be appropriated is (a) 16 and/or (b) 1 acre-ft
cubic feet per second acre feet per annum
- Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. EXCAVATED PONDS.
POND #1 = 35' L X 125' W X 8' D.
POND #2 = 40' L X 40' W X 4' D - PORTABLE PUMP TO IRRIGATION
b. Height of storage dam NONE feet; active reservoir capacity 1 acre-feet; total
reservoir capacity 1 acre-feet; period of year when water will be diverted to storage:
1-1 to 12-31 inclusive.
c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
d. Is ground water with a temperature of greater than 85°F being sought? N/A
e. If well is already drilled, when? N/A; Drilling firm N/A
Well was drilled for (well owner) N/A
- Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
- Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity if KW. _____
b. Stockwatering; list number and kind of livestock. WATERBURY #1 - WATER FOWL
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. WATERBURY #2 - WATER FOWL
e. Other; describe fully. UNKNOWN # OF DEER, WATER FOWL, FOXES
SKUNKS, RACOONS ECT.

MICROFILMED

OCT 15 1999

9. Description of place of use:

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

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	1W	11									8								8
											(S)								

Total number of acres to be irrigated 8

10. Describe any other water rights used for the same purposes as described above. 5 SHARES RHIALE HART
DITCH - A67-07454, A67-11232

11. a. Who owns the property at the point of diversion? APPLICANT

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

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

12. Remarks: WATER COMES FROM RUN OFF & WASTE WATER
FROM MOUNTAINS AND NEIGHBORING FIELDS AND FIELDS
CRAGGON CREEK

13. MAP OF PROPOSED PROJECT ATTACHED ☒ Show clearly the proposed point of diversion, place of use, section number, township and range number.

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

Charles H. Leonard
 (Applicant)

Received by DAV Date 5-24-99 Time 10:12 Preliminary check by ly
 Fee \$ 50.00 Receipted by DAV # W 025232 Date 5-24-99
 Publication prepared by AT Date 6-9-99 Published in the Record
 Publication approved AT Date 7-13-99 the Record 6-17-99

MICROFILMED

OCT 15 1999

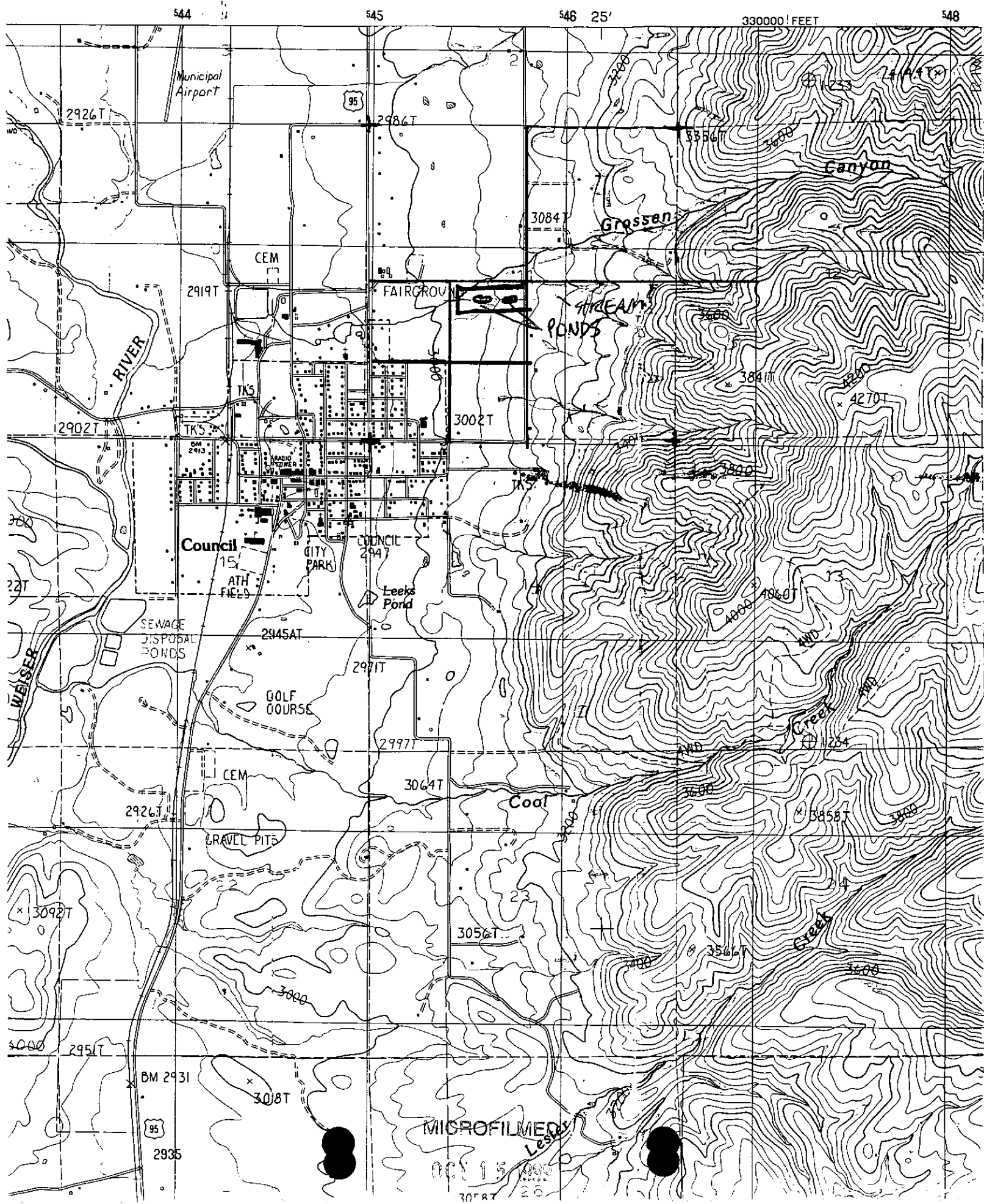
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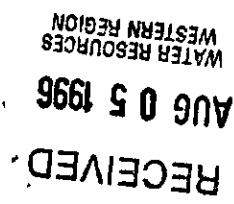
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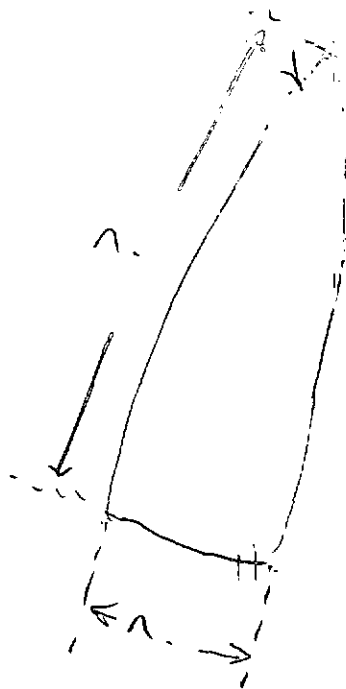
II

7.5 MINUT



Weiser
River





width
length
depth

5661 5 1 139
CENTRO



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 13, 2002

ROBERT LEONARD
SHARLETT LEONARD
PO BOX 160
COUNCIL ID 83612

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 67-08035

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.

Upon my review of your water right permit, I find that a measuring device and lockable controlling works are required according to the Conditions of Approval (conditions) on your permit. According to paragraph 5 of the conditions it states that: "Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion." Additionally, according to paragraph 8 of the conditions it states that, "The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured." I recommend that these conditions be completed prior to the field examination in order to avoid delay of the examination and licensing of this right. You may contact the watermaster for State Water District No. 67 to obtain his recommendations of these requirements. However, if you have complied with these requirements, please disregarding this mention.

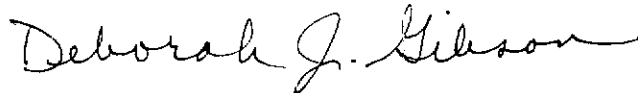
Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any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

MICROFILMED

MAY 13 2002

If you have any questions regarding this letter or the proof, you can contact me at (208) 327-7953. If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Gibson".

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

JUL 9 6 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 67-8035

Reviewed By: dgibson

Date: May 13, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		W029114	Well driller's report filed?		
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		05/02/2002
Date proof due	-	08/01/2004
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	05/24/1999
New priority date	=	05/24/1999

Deficiencies of Actions Items

Acknowledge proof, notify that measuring device and lockable controlling works must be installed according to the Conditions of Approval on the Permit.



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 23, 1999

ROBERT LEONARD
SHARLETT LEONARD
PO BOX 160
COUNCIL ID 83612

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 67-08035

Dear Permit Holder:

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

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

MICROFILMED

JUL 23 1999

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

Enclosures

MICROFILMED

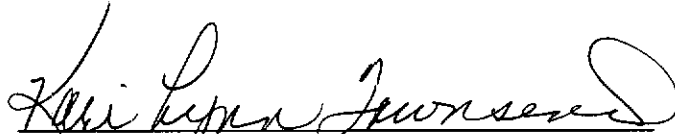
OCT 15 1999

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of July, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 67-08035

ROBERT LEONARD
SHARLETT LEONARD
PO BOX 160
COUNCIL ID 83612


Kari Lynn Townsend
Secretary

MICROFILMED

OCT 15 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

207 1 3 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.

FILED
JUL 15 1993

MEMORANDUM

To: File 67-08035

FROM: Sharla

DATE: July 20, 1999

RE: Place of Use Description

On this date I spoke with Steve Lester regarding the place of use description for this application. The written description is the NESW, S11. The ¼¼ description was entered into the computer database as the SENW, thus the advertising was also incorrect.

Steve stated that since the advertising did contain the NESW somewhere in the ad (which it did under the point of diversion description since it had been data-entered correctly), there is no need to re-advertise and processing can continue.

MICROFILMED

OCT 15 1999

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 67-08035 Name: Leonard Date: 7/20/99 Ad OK? ✓ Gvmt Lts: by SCurtis

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDQ3)

In Basin 347

Irr. within WVD

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD

Supp. irr. use only

Supp. irr. + uses

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

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

FISH & GAME CONTACTED: - YES / NO; WHEN: 6/10/99 RESPONSE: NONE

IN/ABOVE MSF (✓ MAP)

IN-STREAM DEVELOPMENT

WD (✓ MAP & LISTING)

> 0.20 cfs

≤ 0.20 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R (65)

Salmon R (70's)

Weiser R (67)

USE:

STORAGE (✓ 3 compo.)

IRR ≤ 5 acres

> 5 acres

STOCKWATER

MINING

FISH PROPAGATION

HEATING/COOLING

POWER

MUNICIPAL

In restricted area?

Irr., GW supp. to SW?

DOMESTIC

Surface water

> 1 in rest. area

FIRE PROTECTION

LOCATION:

BOISE FRONT LOGEO

MITIGATION

42-248 AREA

SWAN FALLS FLAG (✓ Code)

Trust

Non-Trust (1)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 045-P23

- 085

- P05 (new well location)

- North / East / West

- 067

- No MD

- 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)

- 100-101

- 01M (report when notified)

- No MD

- 067 or No MD (in-stream stock or power)

- No MD

- 01M or No MD (in-stream stock or power)

- No MD

- *W22 -P04, NA

- 007 (w/remark *WB9 if above Weiser), NA

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

- 029 (fish screens), NA

- 056, 087

- 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R37 (BLM/USFS); NA

- 054(req)-081-P10

- 029(70's only)-007-042(req)-081 (WQ)-P10

- R07 (injection well)

- 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use);

17G (FERC) or 17M (FERC); 18B-P09; >25 cfs-P18

- 022, 075, 004 (+memo?)

- 102

- *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA

- 071-070

- 077

- 058 (<85° GW temp only)

- 120

- P84 (in 20/30/40/50/60/70/80 (87) basin)

- 051-052-053-P74 (Consumptive Uses), NA

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

plu entered in
database incorrectly

- 067 or No MD (in-stream stock or power)

- No MD

- 01M or No MD (in-stream stock or power)

- No MD

- *W22 (regulated uses), 047-P04 (Payette Lake), NA

- 029 (fish screens), NA

- 056, 087

- 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA

- R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)

- R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)

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- 051-052-053-P74 (Consumptive Uses), NA

- 048-049 (Consumptive Uses), NA

- 004 (PD/PU)

- 3/11/2004

- See 7/20 memo re plu dese

JUL 16 1999

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

Department of Water Resources
INITIAL REVIEW BY: lg

DATE: 6/2/99 APPLICATION: 67 08035

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. $\geq$ 5 homes in non-restricted area)
- ☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Gov't. Lots:
☒ P/D
☒ P/U

ADDITIONAL INFORMATION

todo ADVERTISE REMARK(S)
(Reviewer identify which remarks)

todo T FLAG CHANGED TO P FLAG

YES NO

- ☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
- ☒ ☐ Overlapping point of diversion.
- ☐ ☒ Critical groundwater area:
- ☐ ☒ Groundwater management area:
- ☐ ☒ 1992 moratorium:
- ☒ ☐ Surface water source, IDFG letter needed.
- ☒ ☐ Bull trout impact area, IDFG letter needed
- ☒ ☐ E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
- ☒ ☐ E-mail to Dam Safety staff: (for any storage)
- ☒ ☐ Mitigation plan: Check any that apply.
☐ immediate = acceptable plan required and submitted.
☒ future = open areas, acceptance of condition of approval is in file.
- ☐ ☒ Send power requirement letter &/or fish farm requirement letter.
- ☐ ☒ Power residency affidavit:
- ☐ ☒ 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 _____ Date Response Received _____

PROCESSING

APP. NO. - 08035

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: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☒ ☐ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☒ ☐ Water Dist. # 67 - Gerald Meyers
☒ ☐ Other Corpor - Brey Martiney

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:
☐ ☒ Final date for protest 7-6-99
☐ ☒ Protests received.
☐ ☐ Recommendations attached:
☐ ☐ Measuring device required:
☐ ☒ Water delivered by water master? District # see attached memo dated 7/15/99
☐ ☐ Special conditions of approval or cover letter: 120, 086, 087, +
Standard

See below for additional information

Recommended Date or Priority 5/24/99
Recommended by: G Date: 7/15/99

ADDITIONAL INFORMATION:

P/u overlaps: 67-07120 city municipal
67-00329 separate source
+ P/D — 67-07454 Dom well

FROM *lg*
TO 67-08035

DATE 7/15/99

SUBJECT WM comments

Gerald Meyers, WM for Water Dist. # 67,
was sent a comment letter 6/11/99.
Per telecon 7/14/99, Gerald stated that
he had mailed his comments back
and that he did not have a problem
with the diversion & use. His comment
cannot be found, but based on the circum-
stances, this memo
should suffice. (Per Steve Lester
7/15/99)

Loi Grawford
SIGNATURE

LEGAL NOTICE

IRA T. BURTON
BURTON & DROLL
P. O. BOX 367
Weiser, Idaho 83672
(208) 549-1652

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADAMS

MAGISTRATE DIVISION

In the Matter of the Estate of) Case No. SP 99-00396
IDA J. GALLANT and)
GLENN H. GALLANT,) NOTICE TO CREDITORS
Deceased.)

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the above-named estate. All persons having claims against the said deceased are required to present their claims with four months after the date of the first publication of this notice or said claims will be forever barred. Claims must be either presented to CARL GLARBORG, Personal Representative of the estate at the law offices of Burton & Kroll, 350 East Liberty, Weiser, Idaho, 83672, or filed with this Court.

Dated this 4th day of June, 1999.

s/Carl Glarborg
Carl Glarborg
Personal Representative

Published in The Adams County Record June 17, and 24, and July 1, 1999.

of the first publication of this notice or said claims will be forever barred. Claims must be presented to the undersigned by filing same with the attorney for the estate, Vern E. Herzog, Jr., 850 East Center, P. O. Box 1412, Pocatello, Idaho 83204, and with the Clerk of the Court.

Dated this 19 day of May, 1999.

s/Gloria Lorraine McAnulty
GLORIA LORRAINE McANULTY
Personal Representative

Published in The Adams County Record June 3, 10, and 17, 1999.

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

67-08035

LEONARD, ROBERT
LEONARD, SHARLETT
PO BOX 160
COUNCIL, ID 83612

Source: UNNAMED STREAM Tributary: GROSSEN CREEK

Diversion Pt: NESW Sec 11 T 16N R 01W in ADAMS County.

Use: IRRIGATION	(0.160 CFS)	
IRRIGATION STORAGE		1.00 AF)
IRRIGATION FROM STORAGE		1.00 AF)
WILDLIFE STORAGE		1.00 AF)
Total Diversion:	(0.160 CFS)	

Date Filed: 5/24/1999

In: ADAMS County
T16N R01W S11 SENW

8.0 ACRES TOTAL

Water comes from runoff and waste water from mountains and neighboring fields and enters Grossen Creek.

Permits will be subjects to all prior water rights. Protests may be submitted based on the criteria of Sec. 41-203A, 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 for each application on or before JULY 6, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Adams County Record June 17 and 24, 1999.

NEED WATER?

LICENSED AND BONDED IN IDAHO & WASHINGTON
20 YEARS EXPERIENCE

1-888-962-3438

(208)962-5110

• Fast • Dependable

JRU Well

FREE



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

July 13, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD &/OR TYHEE LAINE
302 E WHITELEY
COUNCIL ID 83612

Re: Application for Permit No. 6 7-08035 in the Name of Robert &/or Sharlett Leonard

Dear Protestants:

This letter is to acknowledge the withdrawal of protest in the above-referenced matter.

The department will now continue to process the application, subject to certain conditions of approval.

If you have any questions please call this office.

Sincerely,


Gary Spackman

GS:st

CC: Applicant

MICROFILMED

OCT 17 1999

RECEIVED

JUL 08 1999

WATER RESOURCES
WESTERN REGION

7-7-99

Dear Mr. Drcher, Director

I am writing to withdraw my protest I
made on the application for water right by
Mr. Robert Leonard 67-08035 Sec. 11 T 16 N. R01 W.
Again I withdraw my protest.

Sincerely,

Richard M. Lane

Tyler S. Lane

302 E Whiteley
Council 83612

MICROFILMED

JUL 15 1999

RECEIVED

JUL 01 1999

WATER RESOURCES
WESTERN REGION

6-29-99

Dear Mr. Dreher, Director

I am writing in protest on the application that has been filed for water right by Mr. Leonard, 67-08035, Sec. 11 T 16 N. R 01 W. Adams Co. I am down stream from Mr. Leonard on Grossen Cr., and the owner of the Woods estate. The Woods for the past 50 years has been using Grossen Cr. There are existing ditches, and 1 pond, the only one left out of 4 ponds, family states Clyde had 2 shares from Eastfork ditch, but let it go back years ago, because he had enough water in grossen, which is waste water, run off. I file protest until we can find where we're at on this matter.

Thank You.

Sincerely, Richard M. Laine

Tyler S. Laine

Sec. 10 T 16 N. R. 01

MICROFILMED

OCT 15 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

June 11, 1999

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GERALD MYERS
HC 70 BOX 2010
MIDVALE ID 83645

Re: Application for Permit No. 67-08035 in the Name of Robert &/or Sharlett Leonard

Dear Mr. Myers:

Enclosed is a copy of the above-referenced application for permit within your district. Also, enclosed is a form for your recommendation concerning this application for permit.

Please review the application and submit any comments you may have within two weeks. If you have any questions or need information, feel free to contact this office.

Sincerely,


Gary Spackman

GS:st

Encl.

MICROFILMED

JUN 15 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

June 11, 1999

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GREG MARTINEZ
CORPS OF ENGINEERS
HC 33 BOX 1020
BOISE ID 83706

Re: Application for Water Right No. 67-08035 in the Name of Robert &/or Sharlett Leonard

Dear Mr. Martinez:

Enclosed is a copy of the above-referenced application for water right which may be of interest to you.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by July 6, 1999.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Gary Spackman', is written over a horizontal line.

Gary Spackman

GS:st

Encl.

MICROFILMED

OCT 14 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 10, 1999

SCOTT GRUNDER
STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Permit Nos. 63-12053 in the Name of Raymond Spurlock and 67-08035 in the Name of Robert &/or Sharlett Leonard

Dear Sir:

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. The proposed use of both applications is surface water and the proposed use of application no. 63-12053 is in the bull trout impact area. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by July 6, 1999.

If you have any questions regarding the application, please contact this office.

Sincerely,


Gary Spackman

GS:st

Encl.

MICROFILMED

JUN 15 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 9, 1999

Legal Notices Department
The Record
PO Box R
Council, ID 83612

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before JULY 6, 1999.

Yours truly,

SUE TAYLOR
Secretary/Office Coordinator

Encl.

MACROFORM

OCT 15 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILM

DEC 14 1999

67-08035

LEONARD, ROBERT
LEONARD, SHARLETT
PO BOX 160
COUNCIL, ID 83612

Source: UNNAMED STREAM

Tributary: GROSSEN CREEK

Diversion Pt: NESW Sec 11 T 16N R 01W in ADAMS County.

Use: IRRIGATION	(	0.160 CFS)		
IRRIGATION STORAGE			(	1.00 AF)
IRRIGATION FROM STORAGE			(	1.00 AF)
WILDLIFE STORAGE			(	1.00 AF)
Total Diversion:	(	0.160 CFS)		

Date Filed: 5/24/1999

In: ADAMS County
T16N R01W S11 SENW

8.0 ACRES TOTAL

Water comes from runoff and waste water from mountains and neighboring fields and enters Grossen Creek.

MICROFILMED

201 15 1999

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 for each application on or before JULY 6, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 6/17/1999 & 6/24/1999

MICROFILMED

DEC 14 1999

REQUEST TO PROCESS

COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW

Name of Applicant

Sharlett^{and} +^{or} Robert Leonard

Mailing Address

P.O. Box 160
Council, Idaho 83612

Application No.
(if known)

☐ IN LOCAL PUBLIC INTEREST

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

☐ PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

☒ WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature

Sharlett Leonard

Date

5/24/99

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

RECORDED

MAY 28 1999