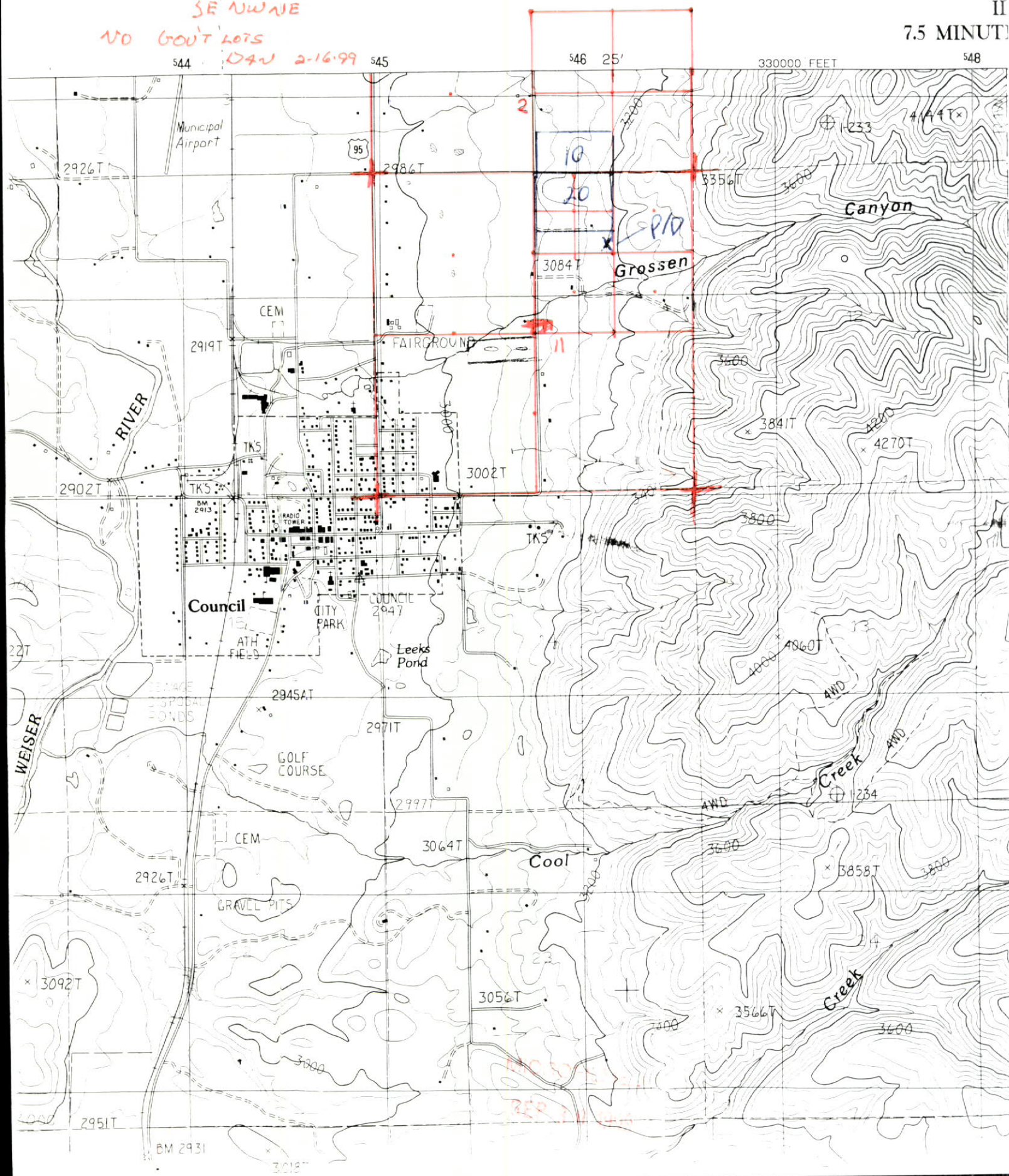


D4v 2-16-99

N

548



Website-  
www.cyberhighway  
.net/-record/

# NOTICES OF PUBLIC INFO

## 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:

67-08024

THOMPSON, CHRISTOPHER J.  
PO BOX 327  
GRENADA, CA 96038

Source: UNNAMED STREAM

Diversion Pt: SESWNW Sec. 1 T 17N R 01W in ADAMS County.

Use: WILDLIFE STORAGE  
Total Diversion

Date Filed: 6/11/1998

In: ADAMS County  
T17N R01W S01 SWNW

67-08026

JONES, HELEN M  
JONES, FRANK L  
2084 MISSMAN RD  
COUNCIL, ID 83612

Source: SPRING

Tributary: SINKS

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

Use: IRRIGATION  
Total Diversion: ( 0.600 CFS)  
( 0.600 CFS)

Date Filed: 1/21/1999

In: ADAMS County  
T16N R01W S02  
S11  
30.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed.

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 APRIL 19, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Adams County Record April 1 and April 8, 1999.

## LEGAL NOTICE

### NOTICE OF APPLICATION FOR AMENDMENT OF WATER RIGHT

Notice is given that **HOBIE ALTER, SR.**, 502 N. 3rd St., Ste 176, McCall ID 83638 has applied to the Department of Water Resources to change the Point of Diversion and Nature of Use of the following

## LEGAL N

MEADOWS VALLEY SCH  
NEW MEADOWS

POSITIONS

FULL TIME/PART TI

QUALIFICATIONS/RESPONSIBILITIES  
Operating knowledge of cleaning products, cleaning agents, waxes, stripper maintenance.

### JOB GOAL:

To maintain the physical plant and grounds in excellence.

### WAGES & BENEFITS:

- The salary shall be based on the schedule. (Three Month Probationary period)
- Full benefits available, plus workman's compensation for those that qualify.
- Hours of work to be determined. Summer hours allowable, with additional hours possible during school summer time employment.

### CLOSING DATE FOR APPLICATIONS:

- Business necessity has been declared. filled.

### SUBMIT DISTRICT APPLICATIONS. R

TO:  
Mel Wiseman, Secondary Principal/Site  
Meadows Valley School District #11  
P.O. Box Drawer F  
New Meadows, ID 83654  
347-2411

Application process - Complete application to district administration/hiring committee. Board of Trustees upon recommendation of committee. Applications are available at Miller and McLain Street.

For further information - please contact Meadows Valley School District (347-2411).

Published in The Adams County Record 1999.

## LEGAL NOT

SEP 30 1999

PUBLIC HEAR  
City Planning and Zoning

There will be a public hearing on April 1 and Zoning Commission at 7:30 P.M. input concerning a request for a Conditional Use Permit for a Mountain View RV Park to allow a Conditional Use Permit for a RV Park, at 404 N. Dartmouth (Highway 200)

Public comment may be made at the public hearing. Public comment shall present the written statement to be entered into the Public Hearing.

State of Idaho  
Department of Water Resources

# Permit To Appropriate Water

NO. 67-08026

Proposed Priority: January 21, 1999 Maximum Diversion Rate: 0.60 CFS

This is to certify, that HELEN M JONES  
FRANK L JONES  
2084 MISSMAN RD  
COUNCIL ID 83612

has applied for a permit to appropriate water from:  
SPRING tributary of SINKS

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
|-----------------------|----------------------|--------------------------|

|            |                |          |
|------------|----------------|----------|
| IRRIGATION | 04/01 to 10/31 | 0.60 CFS |
|------------|----------------|----------|

LOCATION OF POINT(S) OF DIVERSION: SENWNE , 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        | 2          | SWSE         | 10.0         |              | 10.0         |
|            |            | 11         | NWNE         | 20.0         |              | 20.0         |

Total number of acres irrigated: 30.0

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 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. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
6. 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.

APPROVED

10/10/99

State of Idaho  
Department of Water Resources**Permit To Appropriate Water**

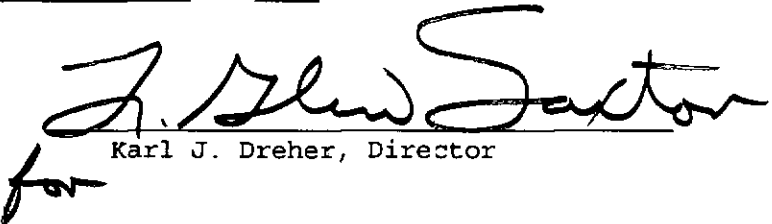
NO. 67-08026

CONDITIONS OF APPROVAL AND REMARKS

7. 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.
8. The issuance of this right does not grant any right-of-way or easement across the land of another.

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

20 <sup>th</sup> day of August, 1999.

  
for Karl J. Dreher, Director

RECEIVED

AUG 16 1999

Department of Water Resources

Ident. No. 67-08026

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: HELEN M. JONES 208-253-4476  
Address: 2084 MISSMAN RD  
COUNCIL ID 83612  
AND/OR  
Name: FRANK L. JONES 208-253-4476  
Address: 2084 MISSMAN RD  
COUNCIL ID 83612
2. Source: SPRING Trib. to: SINKS
3. Location of Point of Diversion: SENWNE Sec. 11, Township 16N, Range 01W  
ADAMS County
4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 04/01 | 10/31 | 0.600 |      |    |
5. Total quantity to be appropriated is:  
0.600 CFS (and/or) AF
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc.  
DITCH, PUMP, SPRINKLERS
  - 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 5 year(s).

RECEIVED  
AUG 17 1999

8. Place of Use: IRRIGATION

| TWN | RGE | SEC | ACRES | ACRES | ACRES | TOTAL |
|-----|-----|-----|-------|-------|-------|-------|
| 16N | 01W | 2   | SWSE  | 10    |       | 10    |
|     |     | 11  | NWNE  | 20    |       | 20    |

Total number of acres irrigated: 30

9. a. Who owns the property at the point of diversion?

CITY OF COUNCIL

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.

EASEMENT PER LICENSE 67-07239

10. Remarks: APPLICANT AGREES TO MITIGATE CONSUMPTIVE USE IN THE FUTURE AS NEEDED.

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.

James L. Jones  
Applicant

Received by Lg Date 1/21/99 Time 2 PM Preliminary check by DAN  
Fee \$ 100 Receipted by Lg # W024743 Date 1/21/99  
Publication prepared by AT Date 3-25-99 Published in the Record  
Publication approved AT Date 4-19-99 <sup>4-1-8-99</sup>

SEP 30 1999

Ident. No. 67-08026

Comments: Date: 1/21/1999 User-ID: LGRAVES

Subject: EXPLANATION

Spring located on city's 1 acre. City abandoned spring for municipal use. Applicant has previous easment to the spring via license 67-07239 for 5 acres. This application for 30 additional acres. Documentation supporting city's abandonment located in file A67-04151.

67-08026  
REP 30 1999

MAP T-7

COUNCIL

DO - T-16N, R-10W, SEC-11  
SE NW NE

NO GOVT LOTS

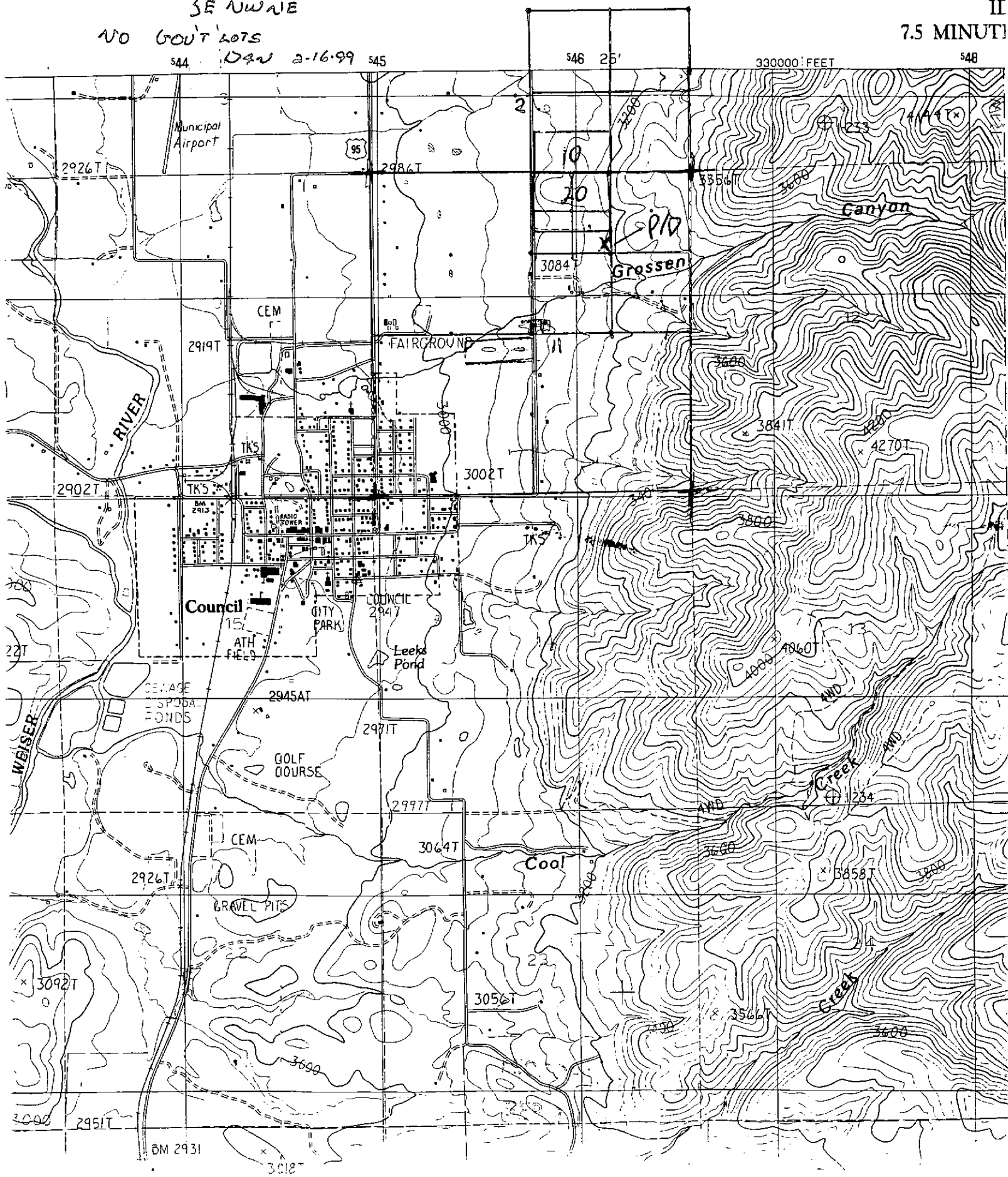
544 JAN 2-16-99 545

N

COUNTY

II

7.5 MINUTE





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

August 23, 1999

DIRK KEMPTHORNE  
GOVERNOR

HELEN M JONES  
FRANK L JONES  
2084 MISSMAN RD  
COUNCIL ID 83612

KARL J. DREHER  
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 167-08026

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.

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,

Shelley W. Keen  
Water Rights Supervisor

MAILED

SEP 30 1999

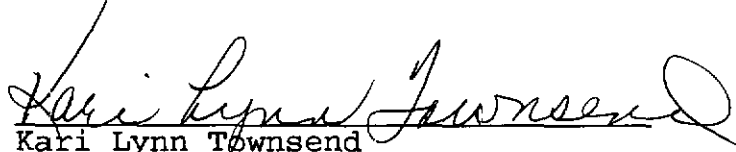
SK:klt  
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of August, 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. 67-08026

HELEN M JONES  
FRANK L JONES  
2084 MISSMAN RD  
COUNCIL ID 83612

  
Kari Lynn Townsend  
Secretary

NOTED  
SEP 1 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.

### 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.

APPLICATION FOR PERMIT  
STATE OFFICE ANALYSIS

by SCurtis

No.: 67-08026 Name: Jones Date: 8/18/99 Ad OK?        ✓ Gvmt Lts:       

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

PROTESTED: - 020 (Protest Agreement) or W49 (Order) NA - pre. was just withdrawn, no agreement

SYSTEM COMPLETED: - 26A P17  
- P16  
> 1 year  
≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDAQ3) - 046-P23  
In Basin 347 - 085  
Irr. within WD - P05 (new well location)  
WMD (✓ MAP) - North / East / West  
> 0.24 cfs/5 acres - 067  
≤ 0.24 cfs/5 acres - No MD  
WMD  
Supp. Irr. use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)  
Supp. Irr. + uses - 103-101  
> 0.24 cfs/5 acres - 01M (report when notified)  
≤ 0.24 cfs/5 acres - No MD

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

FISH & GAME CONTACTED: - YES / NO; WHEN: 5/31/99 RESPONSE: NONE

IN/ABOVE MSF (✓ MAP) - "WB9

IN-STREAM DEVELOPMENT - P62 (stream channel alteration)

WD (✓ MAP & LISTING) - R04 (WD # 67)

> 0.20 cfs - 01H-P08 (MD & LD)  
≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)

WMD (✓ MAP)  
> 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)  
≤ 0.24 cfs/5 acres - No MD

SPRINGS/SINK, INACTIVE WD & REST OF STATE  
> 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)  
≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (\*Surface water):

Snake R (01) - "W22 -P04, NA  
(02/03-irr) - 007 (w/ remark "WB9 if above Weiser), NA  
Payette R (65) - "W22 (regulated uses), 047-P04 (Payette Lake), NA  
Salmon R (70's) - 029 (fish screens), NA  
Weiser R (67) - 066, 087

USE:

STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA  
IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)  
> 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)  
STOCKWATER - R37 (BLM/USFS); NA  
MINING - 054(req) -081-P10  
FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10  
HEATING/COOLING - R07 (injection well)  
POWER - 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

MUNICIPAL

In restricted area? - 022, 075, 004 (+memo?)  
Irr., GW supp. to SW? - 102

DOMESTIC

Surface water - "WB5 (Big Wood IR or Boise R ↑ Star Bridge); 27A (Payette River); NA  
>1 in rest. area - 071-070  
FIRE PROTECTION - 077

LOCATION:

BOISE FRONT LOGEO - 058 (<85° GW temp only)  
MITIGATION - 120  
42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)  
SWAN FALLS FLAG (✓ Code)

Trust - 051-052-053-P74 (Consumptive Uses), NA  
Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU)

OTHER CONDITIONS:

- 500

STANDARD REMARKS:

BENEFICIAL USE DUE:

- 9/11/2004

COMMENTS:

IDAHO DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

AUG 16 1999

DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY: DAW DATE: 2/16/99 APPLICATION: 67-08026

**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:  
NO P/D  
NO P/U

**ADDITIONAL INFORMATION**

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

N/A 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

Request to Process Form

Date Requested 3-5-99 Date Response Received 3-11-99

## PROCESSING

APP. NO. 67-08026

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  
☒ ☐ Other city of Council

## 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 4-19-99  
☐ ☒ Protests received.  
☐ ☒ Recommendations attached:  
☐ ☒ Measuring device required:  
☒ ☒ Water delivered by water master? District #  
☒ ☐ Special conditions of approval or cover letter: 120, 004

See below for additional information

Recommended Date or Priority 1/21/99Recommended by: Bay Date: 8/13/99

## ADDITIONAL INFORMATION:

ACCORDING TO L.D. ROWES THIS ~~IS~~ APPLICATION  
 IS FOR NEW DEVELOPMENT OF NON IRRIGATED  
 LANDS. ~~THESE LARGE TRACTS MAKE THE~~ THEREFORE,  
 THE LARGE NUMBER OF ~~OF~~ OVERLAPPING WATER RIGHTS  
 FOR THE PLACE OF USE ~~ARE~~ <sup>SHOULD</sup> NOT BE SIGNIFICANT.  
 THERE ARE ALSO OVERLAPPING WATER RIGHTS FOR THE  
 P.D. THE ~~ONLY~~ SIGNIFICANT ONES SHOULD BE 67-07239 & 67-04151



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

July 1, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

GAYE CARTER  
CITY OF COUNCIL  
BOX 606  
COUNCIL ID 83612

Re: Application for Permit No. 67-08026 in the Name of the Frank &/or Helen Jones

Dear Protestant:

This letter is to acknowledge the withdrawal of protest of the above referenced application for permit.

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

If you have any questions please call this office.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman". The signature is written in dark ink and is positioned above the printed name.

Gary Spackman

GS:st

CC: Applicant

APPROVED

SEP 1 1999

**CITY OF COUNCIL  
BOX 606  
COUNCIL, IDAHO 83612  
TELEPHONE (208) 253-4201  
FAX (208) 253-6463**

**RECEIVED**

**JUN 29 1999**

**WATER RESOURCES  
WESTERN REGION**

June 28, 1999

State of Idaho Department of Water Resources  
Attn: Gary Spackman  
2735 Airport Way  
Boise, Idaho 83705-5082

Re: Application for Water Right No. 67-08026 in the Name of Helen &/ or Frank Jones

Dear Mr. Spackman;

The City of Council would like to withdraw the protest concerning the application for water rights #67-08026 by Helen &/ or Frank Jones. The City has sold the spring and has no interest in the rights to the water.

If you have any questions, please call City Hall at 208-253-4201.

Sincerely,



Gaye Carter  
City Clerk

U N I T E D  
S T A T E S  
JUN 30 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 17, 1999

**PHILIP E. BATT**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

GARY MATHEWS MAYOR  
CITY OF COUNCIL  
BOX 471  
COUNCIL ID 83612

FRANK &/OR HELEN JONES  
2084 MISSMAN RD  
COUNCIL ID 83612

Re: Application for Permit No. 67-08026

Gentlemen:

At a perhearing conference on June 1, 1999, I was informed that the City of Council had advertised a sale of city-owned property upon which the spring sought to be appropriated by application no. 67-08026 arises. I understood the opening of sealed bids for the sale was forthcoming the week following the week of June 1, 1999. I also understood that the protest by the City of Council to application no. 67-08026 might be resolved depending on who obtained ownership of the city property.

This letter is an inquiry regarding the status of the bidding process, and whether the City of Council wants to continue to protest the Jones application. Please let me know within two weeks of the date of this letter what happened with the opening of bids.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman". The signature is fluid and written in dark ink.

Gary Spackman

GS:st

RECEIVED

SEP 30 1999

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**2735 AIRPORT WAY, BOISE, IDAHO 83705**

Figure 1

**BEFORE THE DEPARTMENT OF WATER RESOURCES**  
**OF THE**  
**STATE OF IDAHO**

**IN THE MATTER OF APPLICATION )**  
**FOR PERMIT NO. 67-08026 IN THE )**  
**NAME OF FRANK &/OR HELEN )**  
**JONES. )**  
\_\_\_\_\_ )

**NOTICE OF PREHEARING**  
**CONFERENCE**

On January 29, 1999, Frank &/or Helen Jones filed with the Department of Water Resources (IDWR) an application for permit to appropriate the public waters of the State of Idaho. The application was protested by the City of Council.

IDWR has scheduled a conference for the protest to be held on Tuesday, June 1, 1999, at 1:30 p.m. at the US Forest Service, 500 E. Whitley Ave., Council, Idaho 83612. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources.

The conference will be conducted in a facility which satisfies the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the conference, please advise the IDWR within (10) days prior to the conference.

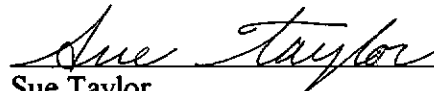
Dated this 21<sup>st</sup> day of April, 1999.

  
\_\_\_\_\_  
Gary Speckman

RECORDED  
SEP 10 1999

## CERTIFICATE OF MAILING

I hereby certify that on the 21<sup>st</sup> day of April, 1999, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

  
Sue Taylor  
Senior Secretary

FRANK &/OR HELEN JONES  
2084 MISSMAN RD  
COUNCIL ID 83612

CITY OF COUNCIL  
BOX 606  
COUNCIL ID 83612

## **CONFERENCE AND HEARING PROCEDURE**

### **APPLICATION FOR PERMIT**

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

### **BURDEN OF PROOF**

The applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

### **PROCEDURE**

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

## **CONFERENCE**

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

## **HEARING**

The department will tape record the hearing. Copies of a hearing tape are available upon written request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may, by written stipulation, waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

## **EXHIBITS**

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer prior to any scheduled hearing.

## **AMERICANS WITH DISABILITIES ACT**

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

10-3-02



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

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

FAX (208) 334-2348

April 19, 1999

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

US FOREST SERVICE  
500 E WHITELEY AVE  
COUNCIL ID 83612

Re: Conference Room Reservation

This letter is to confirm the conference room reservation made by the Department of Water Resources at the US Forest Service on Tuesday, June 3, 1999, at 9:00 a.m. until 4:00 p.m.

If you have any questions please call me at 334-2190, Western Region of the Department of Water Resources.

Sincerely,

Sue Taylor  
Senior Secretary

NOT RECORDED

SEP 21 1999

Website-  
www.cyberhighway  
.net/~record/

# NOTICES OF PUBLIC INFO

## 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:

67-08024

RECEIVED

THOMPSON, CHRISTOPHER J.  
PO BOX 327  
GRENADA, CA 96038

APR 14 1999

Source: UNNAMED STREAM

Tributary: WATER RESOURCES  
WESTERN REGION

Diversion Pt: SESWNW Sec. 1 T 17N R 01W in ADAMS County.

Use: WILDLIFE STORAGE  
Total Diversion

( 1:00 AF)  
( 1:00 AF)

Date Filed: 6/11/1998

In: ADAMS County  
T17N R01W S01 SWNW

67-08026

JONES, HELEN M  
JONES, FRANK L  
2084 MISSMAN RD  
COUNCIL, ID 83612

Source: SPRING

Tributary: SINKS

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

Use: IRRIGATION  
Total Diversion:

( 0.600 CFS)  
( 0.600 CFS)

Date Filed: 1/21/1999

In: ADAMS County  
T16N R01W S02  
S11  
30.0 ACRES TOTAL

SWSW  
NWNE

Applicant agrees to mitigate consumptive use in the future as needed.

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 APRIL 19, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published in The Adams County Record April 1 and April 8, 1999.

## LEGAL NOTICE

### NOTICE OF APPLICATION FOR AMENDMENT OF WATER RIGHT

Notice is given that **HOBBIE ALTER, SR.**, 502 N. 3rd St., Ste 176, McCall ID 83638 has applied to the Department of Water Resources for amendment of the water right of the following

## LEGAL NOTICE

MEADOWS VALLEY SCHOOL DISTRICT  
NEW MEADOWS

### POSITIONS

### FULL TIME/PART TIME

QUALIFICATIONS/RESPONSIBILITIES  
Operating knowledge of cleaning products, cleaning agents, waxes, stripper maintenance.

### JOB GOAL:

To maintain the physical plant and its excellence.

### WAGES & BENEFITS:

- The salary shall be based on the schedule. (Three Month Probationary period)
- Full benefits available, plus workman's compensation for those that qualify.
- Hours of work to be determined. Summer hours allowable, with additional hours possible during school summer time employment during school summer.

### CLOSING DATE FOR APPLICATIONS:

- Business necessity has been declared. filled.

### SUBMIT DISTRICT APPLICATIONS, R TO:

Mel Wiseman, Secondary Principal/Site  
Meadows Valley School District #11  
P.O. Box Drawer F  
New Meadows, ID 83654  
347-2411

Application process - Complete application district administration/hiring committee Board of Trustees upon recommendation committee. Applications are available at Miller and McLain Street.

For further information - please contact Valley School District (347-2411).

Published in The Adams County Record 1999.

## LEGAL NOTICE

PUBLIC HEARING  
City Planning and Zoning

There will be a public hearing on April and Zoning Commission at 7:30 P.M. input concerning a request for a Conditional Use Permit for a Mountain View RV Park to allow a Conditional Use Permit at 404 N. Dartmouth (Highway 200).

Public comment may be made at the public hearing. Public comment shall present the written statement to be entered into the Public Hearing.

STATE OF IDAHO )  
COUNTY OF ADAMS ) S.S

RECEIVED

APR 14 1999

WATER RESOURCES  
WESTERN REGION

Nancy Lakey being duly sworn, deposes and says That she is the Principle Clerk of The Record, a weekly newspaper printed and published at Council, Adams County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the advertisement, a copy of which is attached hereto; that advertisement was published in the regular edition of The Record.

for Two insertion(s) beginning with the issue of April 1, 19 98 and ending with the issue of April 8, 19 99.

Nancy Lakey

Subscribed and sworn to before me this 13th day of April, 19 99

Paul, [Signature]  
Notary Public for Idaho, Residing at Andersonville, [Signature]



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

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

April 12, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

CITY OF COUNCIL  
BOX 606  
COUNCIL ID 83705-5082

Re: Application for Permit No. 67-08026 in the Name of Frank &/or Helen Jones

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application.

The following are the criteria the department must consider in either approving or denying an application for permit (Section 42-203A, Idaho Code):

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

The department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

This office will shortly schedule a conference if the matter is not resolved informally. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

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

Sincerely,

  
Gary Spackman

GS:st

RECEIVED

SEP 30 1999



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

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

April 12, 1999

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

FRANK &/OR HELEN JONES  
2084 MISSMAN RD  
COUNCIL ID 83612

Re: Application for Permit No. 67-08026

Dear Applicant:

Enclosed is a protest filed against the issuance of a permit pursuant to the above-referenced application.

The following are the criteria the department must consider in either approving or denying an application for permit (per Section 42-203A, Idaho Code):

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

The department suggests you contact the protestant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest. Direct, sincere conversation between the parties prior to initiation of formal proceedings can often resolve a protest.

This office will shortly schedule a conference if the matter is not resolved informally. At the conference, the department will review possibilities for resolution of the protest. If the matter cannot be resolved at that time, a formal hearing will be arranged for a future date.

Please contact this office if you have questions regarding this procedure.

Sincerely,

  
Gary Spackman

GS:st

Enclosure: Copy of protest(s)

42-203A-1000  
SEP 30 1999

**CITY OF COUNCIL  
BOX 606  
COUNCIL, IDAHO 83612  
TELEPHONE (208) 253-4201  
FAX (208) 253-6463**

*W025024*

**RECEIVED**

**APR 08 1999**

**WATER RESOURCES  
WESTERN REGION**

April 7, 1999

State of Idaho Department of Water Resources  
Attn: Gary Spackman  
2735 Airport Way  
Boise, Idaho 83705-5082

Re: Application for Water Right No. 67-08026 in the Name of Helen &/ or Frank Jones

Dear Mr. Spackman;

The City of Council is protesting the application for water rights #67-08026 by Helen &/ or Frank Jones. The City owns the spring and has not abandoned the rights to the water.

Mr. & Mrs. Jones has previously used the overflow from the City spring for irrigation purposes and the City has no problem with this usage.

If you have any questions, please call City Hall at 208-253-4201.

Sincerely,

*Gaye Carter*

Gaye Carter  
City Clerk

ENCLOSURE

SEP 16 1999

**RECEIPT**  
For Monies Paid  
to the  
Idaho Department of Water Resources

Receipt No:

W025024

Date:

Time:

4/ 8/1999

10:55:09

Received

From:

CITY OF COUNCIL

Type of Payment

Program A cct

Amount

PROTEST - 67-08026

62103

229 21 1155

25.00

Total

\$

25.00

CHECK

11254

Region: WESTERN

Signature: \_\_\_\_\_

*Kathy Galt*

SEP 30 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

March 31, 1999

**KARL J. DREHER**  
DIRECTOR

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

Re: Applications for Permit Nos. 67-08026 in the Name of Helen &/or Frank Jones; 65-13833 in the Name of Kenneth &/or Marilyn Leavitt; 67-08024 in the Name of Christopher Thompson; 63-12511 in the Name of Terry M. Schreiner; and Application for Amendment of Permit No. 63-07996 in the Name of Hobie Alter, Sr.

Dear Sir:

Enclosed are copies of the above-referenced applications for permit which may be of interest to your agency. Please review the application 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 April 19, 1999.

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

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

APR 30 1999



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

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

March 30, 1999

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

GERALD MYERS  
HC 70 BOX 2010  
MIDVALE ID 83645

Re: Applications for Permit Nos. 67-08026 in the Name of Frank &/or Helen Jones, 67-08024 in the Name of Christopher Thompson and Application for Amendment of water right no. 67-07996

Dear Mr. Myers:

Enclosed are copies of the above-referenced applications for permit and application for amendment within your district. Also, enclosed are forms for your recommendation concerning these applications.

Please review the applications 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,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

67-08026



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**

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

March 31, 1999

**DIRK KEMPTHORNE**  
GOVERNOR

**KARL J. DREHER**  
DIRECTOR

CITY OF COUNCIL  
BOX 606  
COUNCIL ID 83612

Re: Application for Water Right No. 67-08026 in the Name of Helen &/or Frank Jones

Dear Interested Party:

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

Please review the application and return any comments you might have.

A protest must be received with a \$25.00 protest fee on or before April 19, 1999. If you do not wish to protest, informal comments should still be submitted by the end of the protest period.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:st

Encl.

RECEIVED

MAR 11 1999

WATER RESOURCES  
WESTERN REGION

## REQUEST TO PROCESS

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

Name of Applicant

Frank L. and Helen M. Jones

Mailing Address

2084 Mussman Rd.  
Council, Id. 83612

Application No.  
(if known)

670826

☐ 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

Frank L. Jones

Date

3-9-99 Helen M. Jones

Please return this form to:

Idaho Dept. of Water Resources  
ATTN: Daniel A. Nelson  
Western Regional Office  
2735 Airport Way  
Boise, ID 83705-5082

board member  
City (Kate Ritter)  
decided to  
abandon 1 acre lot  
and spring, which  
was part of the  
city's municipal  
system. Maintaining  
the spring was  
not cost effective  
for the city.

by 1/21/99

COPIED FROM  
~~FILE~~ AS LOCATION  
FILE A67-04151

A67-04151

## NOTICES OF PUBLIC INFORMATION

### LEGAL NOTICE

#### NOTICE

There will be a special public hearing at City Hall at 7:00 p.m. on January 5, 1999 to consider oral and written comments concerning vacating Crystal Springs.

Published in the Adams County Record December 24 and 31, 1998.

vacation in Hawaii, but took out time to appear at the party in his Hawaiian Santa suit, complete with Hawaiian shirt, red beach comb, pants, shades, Santa hat and bare feet. I'm sure the kids appreciated his taking time out from his fun in the sun to join them. After the students received their gifts from their mystery moms via Santa and his elf they enjoyed snacking on finger foods and visiting with the moms. Eight of the girls piled into Tonya Holmes pick-up and went caroling to Bonnie Warfield's house. It was cold, but fun.

The home of Cliff and Kathryn Hopper was buzzing with family for the Christmas holiday starting on Wednesday. Their daughter, Marilyn and her family from Vancouver were home along with daughter, Elaine Rogers and her family. Harry Rogers was also there to enjoy Christmas dinner with the Hoppers. On Saturday there was a second Christmas dinner for those who weren't able to be there on Christmas. Partaking in the Saturday Christmas dinner were Cliff and Kathryn's son, Stan and his family from Boise; including their son, Brian and his wife from Newburg, Oregon; daughter, Virginia and her friend, Paul Leach also of Boise; and their son, David as well

### LEGAL NOTICE

#### REQUEST FOR ADMINISTRATION

The City of Council is requesting proposals for the planning, development and construction of City street projects to be funded in part by the City's Economic Development and Development Funds.

The City of Council anticipated at to fund the project.

Proposal must include:

1. Experience of the contractor (35%)
2. Services and resources
3. Completeness of proposal
4. Qualifications of personnel project with planning, development and administration of federal funds

The relative importance of each

Proposals are due in the office p.m., January 5, 1999.

City Clerk  
City Hall  
Council, Idaho 83612

by Gary Matthews, Mayor

Published in the Adams County Record December 24 and 31, 1998.

great time playing in the snow, visiting and watching old slides.



**Happy**

zen

**Whirlpool**

**ROPER**

**KITCHEN**

**YEAR**

**Idavale News**  
by Debbie Davis

MEMORANDUM

TO: GENERAL FILE

FROM: DANIEL A. NELSON

DATE: 3/2/1999

SUBJECT: OVERLAPPING WATER RIGHTS FOR 67-08026

I spoke with Lori Graves today about the above mentioned application for permit. Ms. Graves was the IDWR agent that took this application for permit. I mentioned to her that there were approximately 15 water rights in this  $\frac{1}{4}, \frac{1}{4}$  section and if she could give me any additional information. Ms. Graves stated that the applicants were planning on putting new land under irrigation that currently is not being covered by any water rights. However, the point of diversion in question currently has 2 water rights associated with it.

The first water right (67-07239) is owned by the applicants for 5 acres of irrigation. The second water right is owned by the City of Council. The City of Council has abandoned the use of this spring and advertised this in the local news paper. Ms. Graves informed me that there was a copy of this article in the adjudication file for water right # A67-04151. I have made a copy of the news paper article with this memo.

From review I have performed and the information from Ms. Graves, it seems as though the only 2 water rights that should be significant are water rights 67-07239 and A67-04151.

67-08026

JONES, HELEN M  
JONES, FRANK L  
2084 MISSMAN RD  
COUNCIL, ID 83612

Source: SPRING

Tributary: SINKS

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

|                  |   |            |
|------------------|---|------------|
| Use: IRRIGATION  | ( | 0.600 CFS) |
| Total Diversion: | ( | 0.600 CFS) |

Date Filed: 1/21/1999

|                  |      |
|------------------|------|
| In: ADAMS County |      |
| T16N R01W S02    | SWSE |
| S11              | NWNE |

30.0 ACRES TOTAL

Applicant agrees to mitigate consumptive use in the future as needed.

30.0 ACRES