

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

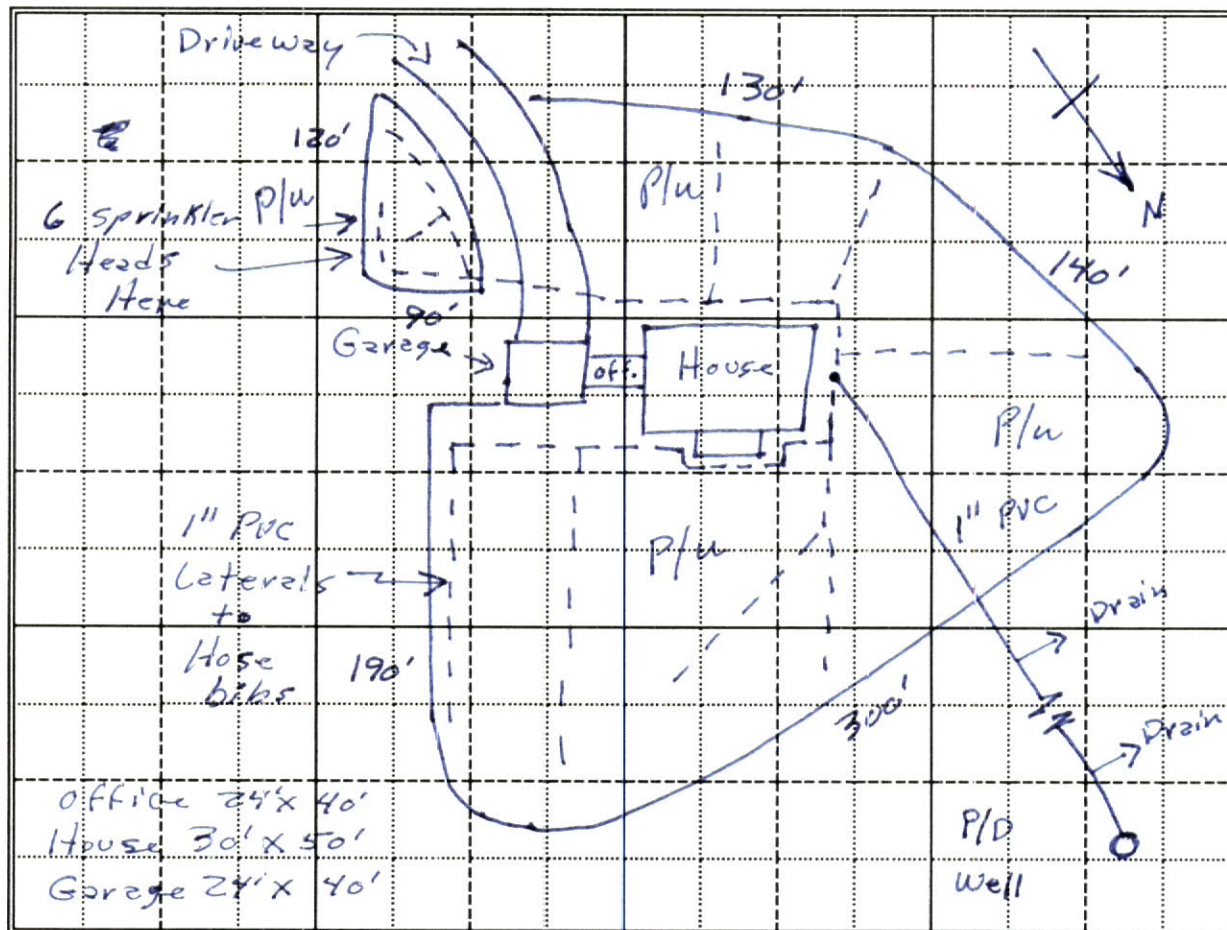
Scale: 2 inches equal 1 mile

RECEIVED
SEP 15 1995

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.

S. Roland McMillin 6/3/95
(Applicant)

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



Scale: 1" = No Scale

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	1/2		Water Ace Pump Co.	Model R3065A

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

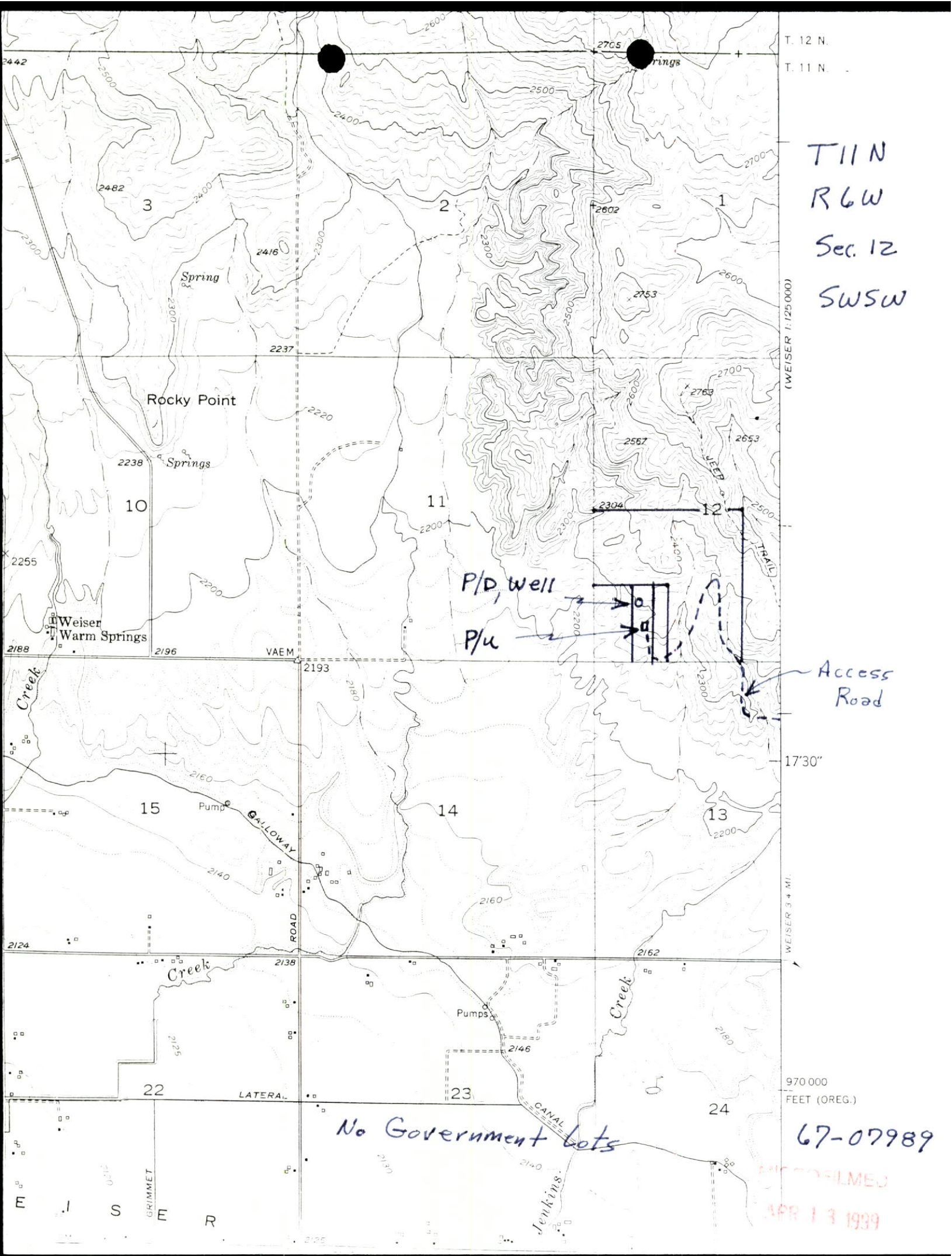
D. FLOW MEASUREMENTS

1.

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

2. Measurements: 5 Gal Bucket from hose: $Q = 5 \text{ Gal} / 45 \text{ sec.}$
 $= 6.66$
 $= 7.0 \text{ GPM}$

APR 13 1995



T. 12 N.
T. 11 N.

T11N
R6W
Sec. 12
SWSW

(WEISER 1:125 000)

WEISER 3 & 4 MI.

970 000
FEET (OREG.)

67-07989

RECORDED
APR 13 1939

No Government Lots

P/D, well

P/u

Access Road

Rocky Point

Spring

Springs

Weiser
Warm Springs

Creek

Creek

Creek

Jenkins

E I S GRIMMET E R

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

*This well is used for 5 AC. of
irrigation around the house.*

Jan Tommel Water Rights Examiner
Signature of Dept. Representative & Title

10-22-97
10-27
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



APR 13 1999

1 of 3

P/O
Well



P/O
Well

House in
background.

View
Looking
South



MICROFILMED
APR 13 1999

67-07989

$\approx$ of $\approx$



P/u

Back
Yard

Place
of
Measurement

View
Looking
Northwest



P/u

Front
Yard

View
Looking
Northwest

MICROFILMED

APR 13 1999

67-07989

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Washington }Sarah Boles, being duly sworn,

deposes and says:

That he is the clerk of
 THE WEISER SIGNAL, a weekly newspaper published at
 Weiser, in the County of Washington and State of Idaho; that
 said paper has been and is in general circulation in the
 county aforesaid, and in the vicinity of Weiser; that the ad-
 vertisement, a copy of which is attached hereto, was pub-
 lished in said newspaper once a week for two consecu-
 tive weeks in the regular and entire issue of said paper dur-
 ing the period and time of publication, and was published in
 the newspaper proper and not in a supplement; that said
 paper has been established and regularly published for more
 than seventy-eight consecutive weeks prior to the date of
 first publication of said advertisement.

Such notice was published in the issue beginning with
July 5, 1995, and ending
 with the issue of July 12, 1995.

Sarah Boles
 Fees, \$ 69.80

Subscribed and sworn to before me this 12
 day of July, 1995.

Judith A. Parsons
 Notary Public, Residing at Weiser, Idaho.

My Commission Expires 2, 1996

 No. 349
 NOTICE OF APPLICATION
 FOR WATER RIGHT

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

67-07989

MULLINIX, S. ROLAND
 MULLINIX, CYNTHIA A.
 1120 CURLEW HILLS DR.
 WEISER, ID 83672
 Source: GROUNDWATER
 Diversion Pt: SWSW Sec 12 T 11N R 06W in
 WASHINGTON County.
 Use: IRRIGATION (0.100 CFS)
 DOMESTIC (0.040 CFS)
 Total Diversion: (0.140 CFS)
 Date Filed: 6/5/1995
 In: WASHINGTON County
 T11N R06W S12 SWSW
 5.0 ACRES TOTAL

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
 JULY 24, 1995. The protestant must also send a
 copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 7/6/1995 & 7/13/1995

40-2S

RECEIVED

AUG 03 1995

WATER RESOURCES
WESTERN REGION

RECORDED

SEP 15 1995

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 67-07989

Priority: June 5, 1995

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

7.2 AF

This is to certify, that S ROLAND MULLINIX
CYNTHIA A MULLINIX

1120 CURLEW HILLS DR

WEISER ID 83672

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 5, 1995; and has submitted Proof of Beneficial Use on August 20, 1997. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.03 CFS	7.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 12, Township 11N, Range 06W
WASHINGTON County

PLACE OF USE: IRRIGATION

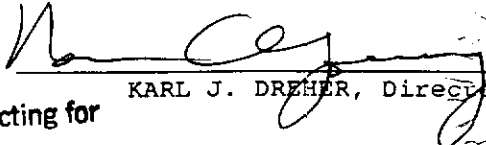
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
11N	06W	12	SWSW	1.6		1.6

Total number of acres irrigated: 1.6

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 20th day of NOVEMBER, 1998.


KARL J. DREHER, Director
Acting for

MICROFILMED

APR 13 1999

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. C039922
Receipt By: GW
Date Received: 8-20-97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 20 1997

PROOF OF BENEFICIAL USE

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

1. Permit No. 67-07989 Telephone No. 208-549-3939
2. Name(s) of Permit Holder(s): S. Roland Mullinix, Cynthia A. Mullinix
3. Mailing Address: 1120 Curlew Hills Dr., Weiser, Idaho 83672
4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 9 / yr. 95
- a. Well Driller: Haines Water Well Drilling Drilling Permit Number: 67-95-W-0061-0008
- b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: 0.10 cfs

6. Total rate of diversion and/or volume for which proof is submitted: 0.12 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 <u>X</u>
	Has the measuring device been installed?	Yes _____ or No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____ or No <u>X</u>
	Has the measurement port been installed?	Yes _____ or No <u>X</u>

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: S. Roland Mullinix Telephone Number: 208-549-2575 or 549-3939

Address: 1120 Curlew Hills Dr., Weiser, Idaho 83672

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

Signature of permit holder: [Signature] Date: 8/19/97
(include your title, if on behalf of company or organization)

02122 1037

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 67-07989

Proposed Priority: June 5, 1995

Maximum Diversion Rate:

0.12 CFS

This is to certify, that **S ROLAND MULLINIX**
CYNTHIA A MULLINIX
1120 CURLEW HILLS DR
WEISER ID 83672

has applied for a permit to appropriate water from: **GROUNDWATER**

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	03/15 to 11/15	0.10 CFS
DOMESTIC	01/01 to 12/31	0.02 CFS
	Totals	0.12 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 12, Township 11N, Range 06W
WASHINGTON 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>
11N	06W	12	SWSW	5.0		5.0

Total number of acres irrigated: 5.0

PLACE OF USE: DOMESTIC, 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 **September 1, 1997**.
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. 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.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. Construction of the well must comply with Idaho well construction standards.

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SEP 15 1995

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 67-07989

CONDITIONS OF APPROVAL AND REMARKS

8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
9. Domestic use is for 1 home.
10. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

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

31st day of August, 1995.

Karl J. Dreher
for Karl J. Dreher, Director

SEP 15 1995

Form 202
10/92

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JUN 05 1995
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 67-7989

To appropriate the public waters of the State of Idaho

1. Name of applicant St. Roland and/or Cynthia A. Mullinix Phone 208-549-3939
Post office address 1120 Curlew Hills Dr, Weiser, Idaho 83672

2. Source of water supply Groundwater which is a tributary of N/A

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 12 Township 11 N. Range 6 W. B.M. Washington County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount ~~20 cfs~~ for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

* Amount ~~20 cfs~~ for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) .14 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well with pump and pipe line.
1 to 1 1/2 HP pump depending on depth of well.

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 8 inches; proposed depth of well is 200 feet.

d. Is ground water with a temperature of greater than 85°F being sought? No

e. If well is already drilled, when? _____; Drilling firm _____

Well was drilled for (well owner) _____

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

* allowed per. been paid + IDWR standards by 6/13/95

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1
- e. Other; describe fully. _____

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11 N	6 W	12											5						5

Total number of acres to be irrigated _____

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

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 enabling the applicant to make this filing. _____

12. Remarks: Filed for water right in 1983 (67-7556) and in 1989 (A67-10857).
Something went wrong with these applications; so am trying
again. Please use \$25.00 from 1989 filing + \$25.00 enclosed
for \$50.00 Filing fee. Thanks MS

RECEIVED

15 1990

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

Sec 12, T22N,
R. 6W, 8-M.

Point of diversion
and place of use.

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SEP 15 1993

Scale: 2 inches equal 1 mile.

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

S. Roland McMillin 6/3/95
(Applicant)

Received by VR Date 6-5-95 Time 11:45am Preliminary check by W006276 (AJ claim) Transfer to WA. 8/25/95
Fee \$ 25.00 Receipted by VR # W019296 Date 6-5-95
Publication prepared by AT Date 6-28-95 Published in Weiser Signal
Publication approved AT Date 8-3-95

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that: I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

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SEP 15 1995

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JUN 05 1995

WATER RESOURCES
WESTERN REGION

REQUEST FOR WITHDRAWAL OF CLAIM

Name of Claimant:
(Please Print)

S. Roland or Cynthia Mullinix

Mailing Address:

1120 Curlew Hills Dr., Weiser

Amount:

\$ 25.00 Receipt No.: W006376

County of Water Right:

Washington

Claim No(s):

A67-10857

07556 ← updated by Regis SRBA
Staff to corrected #

I wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I previously paid a filing fee to the Idaho Department of Water Resources. I do ☒ /do not request a refund of the filing fee. If a refund is requested I have attached an explanation of the justification for granting a refund.

Refund to be applied to application for Permit filing fee.

S. Roland Mullinix
(Signature of Claimant)

6/3/95
(Date)

(Signature of Claimant)

(Date)

(Signature of Claimant)

(Date)

Return to:

Idaho Department of Water Resources
Adjudication Section
Statehouse Mail
Boise, Idaho 83720

For IDWR Use

Approval Region
Approval State Office
Data Entry
Claim File

Initials

Date

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SEP 15 1995

RECEIVED
AUG 21 1995

Ident. No. 67-07989

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: S ROLAND MULLINIX 208-549-3939
Address: 1120 CURLEW HILLS DR
WEISER ID 83672
AND/OR
Name: CYNTHIA A MULLINIX 208-549-3939
Address: 1120 CURLEW HILLS DR
WEISER ID 83672
2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SWSW Sec. 12, Township 11N, Range 06W
WASHINGTON County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.100		
DOMESTIC	01/01	12/31	0.040		
5. Total quantity to be appropriated is:
0.140 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP AND PIPELINE.
 - 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 8 inches; proposed depth of well is 200
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).

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SEP 15 1995

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
11N 06W 12	SWSW 05			5

Total number of acres irrigated: 5

Place of Use: DOMESTIC, same as IRRIGATION use

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

APPLICANT

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

APPLICANT

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

10. Remarks:

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

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

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 25.00 Receipted by _____ #W019296 Date 6/ 5/1995

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECEIVED
SEP 15 1995

Comments: Date: 6/ 27/ 1995 User-ID: STAYLOR

Subject:

APPLICATION #67-7556

FILED APPLICATION #67-7556 IN 1983 AND A67-10857 IN 1989. LAPSED
SO IS FILING AGAIN.

RECEIVED
SEP 15 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

November 30, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

S ROLAND MULLINIX
CYNTHIA A MULLINIX
1120 CURLEW HILLS DR
WEISER ID 83672

RE: WATER RIGHT NO. 67-07989

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

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

RECORDED

NOV 13 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

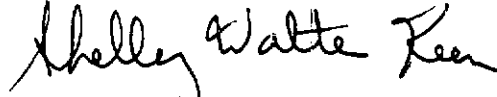
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

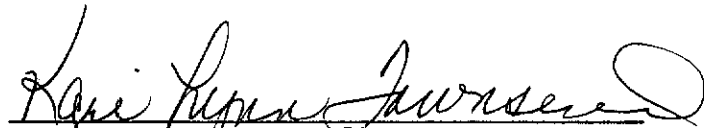
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of November, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 67-07989

S ROLAND MULLINIX
CYNTHIA A MULLINIX
1120 CURLEW HILLS DR
WEISER ID 83672


Kari Lynn Townsend
Secretary

MICROFILMED

APR 13 1999

B/U FIELD EXAM REVIEW

by *Cindy Lou*
 Permit #: 67-7989 Name: Mulliney Date: 11/3/98 ✓ Lots

NAME	Chng	Same	Or Address Change?	<u>549-2575</u>
SOURCE		✓	Clarify source	<u> </u>
			Prelim. Order to Void - Source change.	<u> </u>
P/D		✓	Amendment Needed? Addn'l 1/4? <u> </u> Legal <u> </u>	P39
			Same 1/4? <u>W32</u>	P36
			Overlap(s) <u>none</u>	
P/U		✓	Amendment Needed? <u>reduce to 1.6 ac.</u>	P41
			Overlap(s) <u> </u>	
			(Gov't use special ¶s) <u> </u>	*P/D & P/U Amend? P37
RATE		✓	Permit/proof fee limits <u>0.12</u> / <u>0.12</u>	
		✓	Measured Quantity = <u> </u> cfs	Theoretical Quantity = <u>0.03</u> cfs
			$\text{bucket } 5 \text{ gal } 45 \text{ sec } \approx 1 \text{ gpm} \approx 0.02 \text{ cfs}; 1 \text{ ac } 0.03 \text{ cfs/ac} = 0.03 \text{ cfs}$ $(\text{HP}) \frac{8.8 \times 0.70 \times 0.5}{65 + (2.31 \times 30)} = 0.02 \text{ cfs} \approx 0.03 \text{ ok.}$	
		✓	Recommended capacity <u>0.03</u> cfs	
		✓	Recommended rate <u>0.03</u> cfs	
VOLUME		✓	Season: <u>(D) 4.5</u>	$3/15 - 11/15 = 246$ days
			Calculations:	
			$1 \text{ rr} = 1.6 \text{ ac} \times 4.5 = 7.2$	
	✓		Flow limit: $0.03 \text{ cfs} \times 246 \text{ days/yr.} \times 1.9835 = 14.6$	AF
			Recommended volume <u>7.2</u>	AF
USES		✓	Same Nature of Use? <u>delete dom.</u>	P46
		—	Amendment Needed? <u> </u>	
REMARKS		—	Multiple p/d's in same 1/4? Use W32 <u> </u>	
		✓	<u>① WBS / 1</u>	
CONDITIONS		—	Measuring Device (R43) or Lockable Controlling Works (R02)	
		—	Watermaster Control (R04) - WD # <u> </u>	
		—	<u>R69</u> Irrigation rate/annual volume overlap	
		—	GW irrigation replaces surface water (050)	
		—	GW irrigation supplements surface water (065)	
		—	Water Quality <u> </u>	
		—	Other <u>0.1M, 0.05</u>	
PRIORITY	App Rcd	<u>4/5/95</u>	Due	<u>9/1/97</u>
	Receipt#	<u>6039922</u>	Fee OK?	<u>Yes</u> No <u>\$50.00</u>
	Order to Reinstate Needed?	<u>Yes</u> No <u>Done?</u>	Advanced to:	<u> </u>
	Priority	<u>6/5/95</u>	Examined	<u>10/22/97</u>

COMMENTS:

USE	CFS	VOLUME
<u>2m. : 1.6 ac</u>	<u>0.03</u>	<u>7.2</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
TOTAL	<u>0.03</u>	<u>7.2</u>

 SRBA Overlap none
 Adjustment Memo ✓
 LICENSE
 #1 AMEND: /P38
 #2 AMEND: (R)P42/(C)P47

MEMORANDUM

DATE: November 5, 1998
TO: File No. 67-07989
FROM: Cindy Lou Zimmerman *CS*
SUBJECT: Review of Beneficial Use Field Report

The following adjustments¹ were made on the field report to reflect department standards and licensing practices for uses developed under this permit:

G. Volume Calculations.

a. Irrigation.

$$V_{I.R.} = \text{acres} \times \text{AF/acre} = 1.6 \times \underline{\mathbf{4.5}} = \underline{\mathbf{7.2}} \text{ AF.}$$

$$V_{D.I.R.} = \text{rate} \times \text{days} \times 1.9835 = 0.03 \times 246 \times 1.9835 = 14.6 \text{ AF.}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.I.R.} = \underline{\mathbf{7.2}} \text{ AF.}$$

H. Recommendations.

1. Recommended amounts:

Beneficial Use	Period of Use	Rate of diversion	Annual Volume
Irrigation	3/15-11/15	0.03 cfs	<u>7.2</u> AF
	Totals:	0.03 cfs	<u>7.2</u> AF

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Examiner: Dan Tomich
Examined: October 22, 1997

¹ Adjustments are **bolded and underlined**.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 11 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-07989

1. Owner: S. Roland & Cynthia A. Mullinix Phone No. (208) 549-2575

Current Address: 1120 Curlew Hills Dr., Weiser, ID 83672

2. Accompanied by: Roland Mullinix EXAM DATE: 10-22-97

Address: (Same) Phone No. (Same)

Relationship to Permit Holder: (Same)

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SW	12	11N	6W	Wash.	Site Visit, map

2. Place(s) of Use:

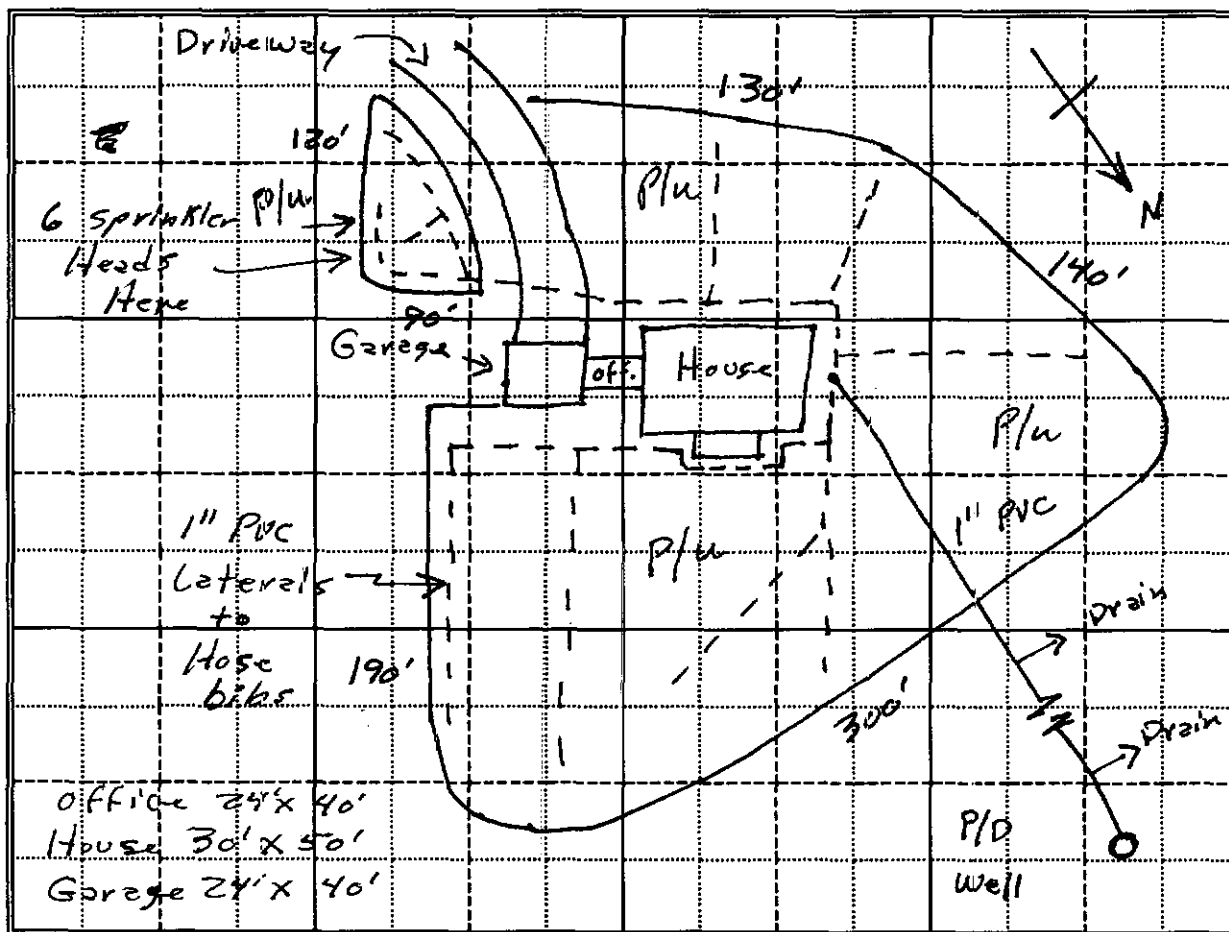
Indicate Method of Determination Site Visit, map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	6W	12											1.6						1.6

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



Scale: 1" = No Scale

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	1 1/2		Water Ace Pump Co.	Model R3065A

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: 5 Gal Bucket from hose: $Q = 5 \text{ Gal} / 45 \text{ sec.}$
 $= 6.66$
 $= 7.0 \text{ GPM}$

RECORDED

APR 13 1955

E. NARRATIVE/REMARKS/COMMENTS

1. This water system consists of a well, a 1" PVC buried pipeline to the house, a 1" PVC pipe distribution system (laterals) in the yard area, and hose bibs on the laterals. Sprinkler heads on some of the laterals, and hoses with sprinklers are used to irrigate the lawn and yard area. There is no domestic use for this system.
2. This well and pipe system is not connected into the house domestic water system. The domestic water for the house is supplied from another well, drilled in 1-11-83 to 1-13-83, by Frank Shelley (#326). This domestic well (1983) does not have a Drilling Permit Number or Water Right. The 1995 well for this permit (67-95-W-0061-000), was drilled to increase the water supply for both domestic and irrigation. The new well pumps fine sediment, and Roland Mullinix decided not to pipe it into the domestic system, and just use the water for irrigation. There is no domestic use for this permit. The old 1983 well produces about 5 GPM, and the new 1995 well produces about 7 GPM.
3. The irrigation system operates at about 30 psi.
4. The actual irrigated acres is 1.6, not 5.0 Ac.

Have conditions of permit approval been met?

yes ☐ no ☒

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1) Irrigated acres is 1.6 Ac., not 5.0.
2) No domestic

Spring and
early Summer.

(Low yield period)

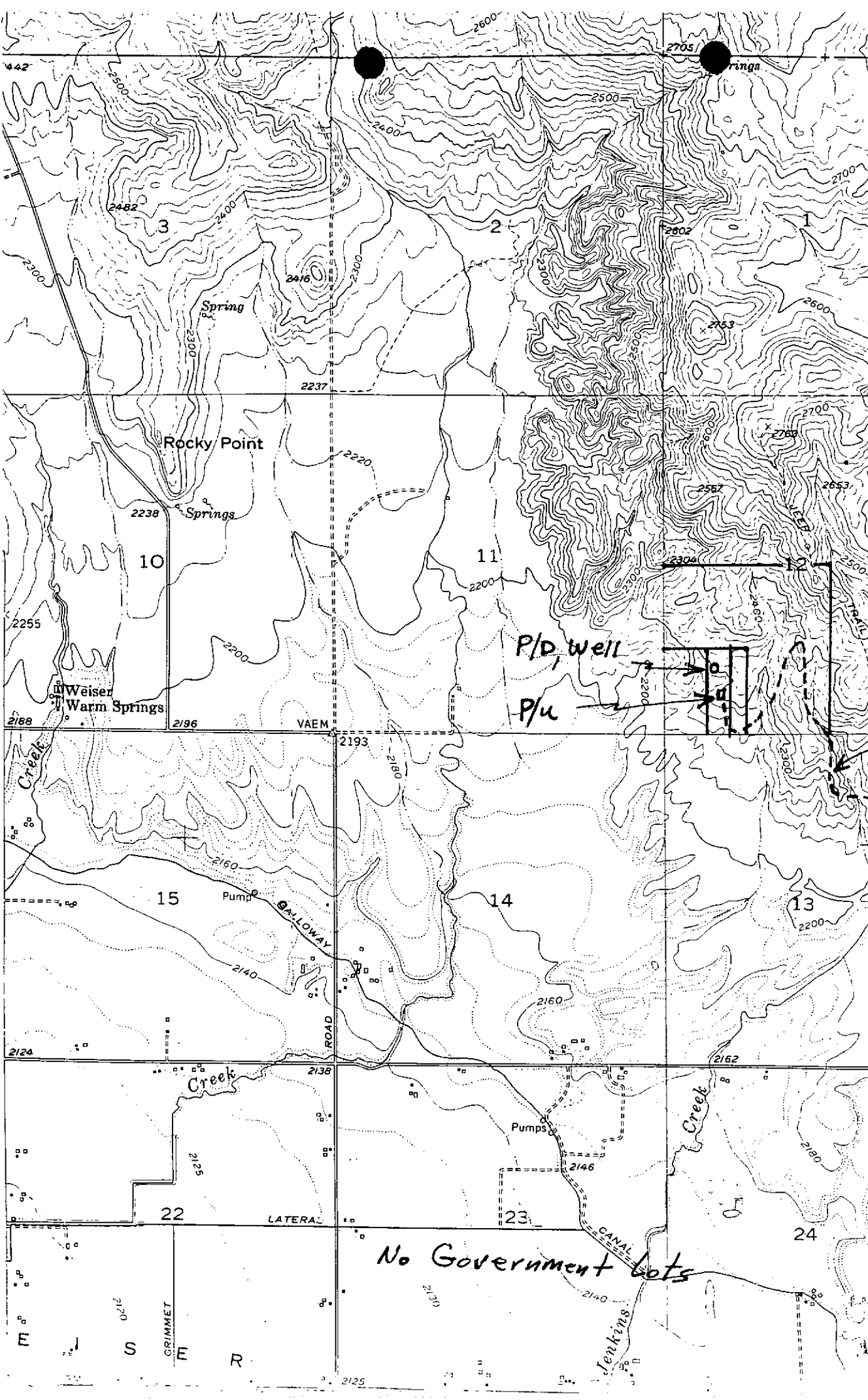
for well pump - $Q = \frac{(8.8)(1/2 \text{ HP})(70\%)}$

$$= 0.03 \text{ cfs}$$

$$Q_{\text{allowed}} = (1.6 \text{ Ac.}) \left(0.03 \frac{\text{cfs}}{\text{Ac.}} \right) = 0.05 \text{ cfs}$$

2) irrigated acres
is 1.6, not 5.0.

APR 13 1999



T. 12 N.
T. 11 N.
R. 6 W.
Sec. 12
SWSW

(WEISER 1:125000)

17'30"

WEISER 3.4 MI.

970 000
FEET (OREG.)

No Government lots

67-07989

TO FILMED

APR 13 1999

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: 67-95-W-0061-000 OTHER APPLICABLE NO: 67-07989
2. OWNER: S. Roland Mullinix Phone: (208) 549-2575
Address: 1120 Curlew Hills Dr., Weiser, ID 83672
3. WELL LOCATION: Twp 11N, Rge. 6W, Sec. 12, SW 1/4 SW 1/4
County Washington (Provide sketch map and photo on reverse.)
4. DRILLER: Haines Water Well Drilling Lic. No. 49
When Drilled? 8-5-95 to 8-28-95
5. WELL CONSTRUCTION:
Casing Diameter 6 inches Water tight cap? ☒ Yes ☐ No Access Port: ☐ Yes ☒ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 242 ft. Method Drilled Cable Tool
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving Good
Auger to a depth of _____ ft. Evidence of Annular Seal ☒ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water 55 ft. Water Temperature 65 °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☐ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

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APR 13 1996

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. REMARKS:

*This well is used for S.M.C. of
irrigation around the house.*

Jan Tommel Water Rights Examiner
Signature of Dept. Representative & Title

10-22-97
~~10-22-97~~
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:



APR 13 1999

1 of 2

P/O
Well



P/O
Well

House in
background.

View
Looking
South



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APR 13 1999

67-07989

2 of 2



P/u
Back
yard

Place
of
Measurement

View
Looking
Northwest



P/u

Front
yard

View
Looking
Northwest

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APR 13 1999

67-07989

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 67-07989 Reviewed by JY Date 8-21-97

GENERAL CONSIDERATIONS

TYPES OF USE

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

SOURCE OF WATER

 Surface water source
✓ Ground water source
yes Drilling permit required?
no Copy in the file? Drilling Permit No. 67-95-W-0061-000
35.00 Amount paid for permit no Correct?
no Well log in the file? W019702

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required? no Required?
50- Amount Submitted 1 Installed?
yes Correct? Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>
Date proof due	<u> </u>
No. of days late	<u> </u>
Priority Date	<u> </u>
New Priority Date	<u> </u>

DEFICIENCIES OR ACTION ITEMS

Request add \$165.00 drill-perm. upgrade fee
fee submitted / PROOF acceptable

DATA ENTRY

New Address X Proof Made 8-20-97



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 19, 1997

S Roland Mullinix
Cynthia A Mullinix
1120 Curlew Hills Dr
Weiser ID 83672

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 67-07989

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.

Please 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.

If you have questions concerning the field examination, please contact the department's WESTERN Regional Office in Boise at (208) 334-2190.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

C: IDWR - Regional Office

RECEIVED
OCT 22 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

August 22, 1997

PHILIP E. BATT
GOVERNOR

S Roland Mullinix
Cynthia A Mullinix
1120 Curlew Hills Dr
Weiser ID 83672

KARL J. DREHER
DIRECTOR

RE: Water Right No. 67-07989
Drilling Permit No. 67-95-W-0061-000

Dear Permit Holder:

Enclosed is a copy of the Proof of Beneficial Use form submitted in connection with the above referenced water right, along with Drilling Permit No. 95-92-N-0153-000. The proof form and your permit to appropriate water both indicate that water is being diverted for irrigation and domestic use with a total rate of diversion of 0.12 cfs. However, the drilling permit issued for this water right only authorizes a single family domestic use. Single family domestic use constitutes the diversion of 0.04 cfs or less and/or the use for one home and irrigation of up to 1/2 acre of land.

You were properly charged \$35.00 for the domestic well drilling permit, however, because of the use and amount you have indicated, the drilling permit is no longer considered domestic and must be upgraded to non-domestic status. The fee for a non-domestic drilling permit is \$200.00.

Before the Department can accept the proof of beneficial use as filed, you will need to submit the additional \$165.00 fee to upgrade the drilling permit. Please submit the fee within 60 days of receipt of this letter and address your correspondence to my attention.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosures

C: IDWR - W. Region

ENCLOSURE

OCT 22 1997

June 30, 1997

S ROLAND MULLINIX
CYNTHIA A MULLINIX
1120 CURLEW HILLS DR
WEISER ID 83672

PROOF DUE NOTICE

RE: PERMIT NO. 67-07989

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before September 1, 1997. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

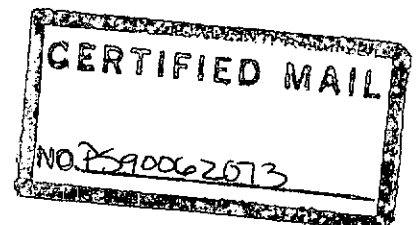
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 31, 1995

S ROLAND MULLINIX
CYNTHIA A MULLINIX
1120 CURLEW HILLS DR
WEISER ID 83672

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 67-07989

Dear Permit Holder:

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

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.

If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosures

RECEIVED

SEP 15 1995

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 67-7989 Name: Mullinix Date: 8/28/95 ^{8/30} Ad OK? ✓
Correct Fee? ✓ Receipt #: W019296 Priority: 6/5/95 ✓ Gvmt Lts: ✓

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)
SYSTEM COMPLETED:
Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A-P17
GROUNDWATER: <✓ FLO-CH>
+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)
Drilling Permit:
Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. _____, P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)
SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink in WD):
Water District(~~dem~~) - 005 (req) WD # _____ <SEE MAP & LISTING>
+ 0.2 cfs - 028(may report)-01J(meas dev)-P08
=/- 0.2 cfs - 028(may report)-01H(lock dev)-P01 or No MD
=/+ 5 a. irr. - 028(may report)
In-WD + 0.2 cfs - 01M or No MD (in-stream)
- 0.2 cfs - No MD
=/+ 5 a. irr. - 01M
RIVER BASINS (*Surface water):
Snake R ((01) - 11A-P04, NA
((02/03) - 007-P07 (w/remark WB9), NA
Boise R ((63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R ((65) - 064(consump. use), 047-P04(Payette Lake), NA
USE:
Domestic (surface) - 021(Boise R + L Peak); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
LOCATION:
Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - P52 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - B <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA
OWNERSHIP: Non-land owner - 004 (PD/PU) _____
OTHER CONDITIONS: _____
STANDARD REMARKS: - QWB5/1
BENEFICIAL USE DUE: - 9-1-1997
COMMENTS: - Reduce dom rate to 0.02 cfs for in-house use.

RECEIVED
1/95
AUG 21 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: 6

DATE: 6/13/95

APPLICATION: 67-7989

REQUIRED INFORMATION

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

Gov't. Lots:

☒ P/D

☒ P/U

ADDITIONAL INFORMATION

YES NO

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

DATE REQUESTED: _____

☒ Additional information on reverse side:

PROCESSING

APPLICATION NO.

67-

YES NO

☒ ☒
☐ ☐
☒ ☐

In form for advertising:

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

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. District Health

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest 7-24-95

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Dnr

Measuring device required:

Measuring port required:

Water delivered by water master? District # _____

Special conditions of approval or cover letter: _____

26A (Allow 2 years), 46

City: See attached memo from Steve Laster dated 8/16/95. Plz have funding for this app clarification

See below for additional information

Recommended Date or Priority 6/5/95

Recommended by: Dnr

Date 8/16/95

STATE OFFICE REVIEW

See below for additional information. By _____

Date _____

ADDITIONAL INFORMATION

overlaps: 67-07565 Dnm

MEMORANDUM

TO: DAVE TUTHILL *DT*

FROM: STEVE LESTER

DATE: AUGUST 16, 1995

RE: APPLICATION FOR PERMIT NO. 67-07989 (MULLINIX)

Mr. Mullinix called on 8-10-95 to request expedited handling of his filing. I told him that I would pull it from the large stack that was about ready to be forwarded to S.D. to move his application along.

However, upon a closer look it became apparent that the application fee payment needed additional explanation prior to approval of the permit.

First, the use in this application was covered under lapsed permit 67-07556. The new filing replaces the lapsed permit. Second, the applicant previously filed SRBA claim A67-10857 to cover the lapsed permit, which did not prove to be a viable choice. The SRBA claim was therefore withdrawn and replaced with application 67-07989.

Note the copy of 6-5-95 request for withdrawal of claim¹ filed in application folder. Per discussion with Lori Harris, when Mullinix handcopy claim was originally received, a claim number was issued just for receipting use; the number A67-10857 was used. This was subsequently changed to A67-07556 upon closer review of claim. The number A67-10857 was then re-used for another owner's claim not related to this situation.

When the current application was submitted, only \$25 of the \$50 fee was paid. The balance of the application fee was requested to be covered by "refund" of withdrawn claim fee as noted in file documentation. The actual approval of this payment change of \$25 from A67-07556 to 67-07989 has not yet occurred but undoubtedly could be approved via SRBA staff (Don Shaff?). Upon completion of this last step, payment of the application fee will be finished.

It appears that adequate information is found to support the 6-5-95 priority date for the pending application and to issue the permit with the assumption that receipt coding will follow or be done concurrently to tie up the loose ends.

c: A67-07556

SEP 15 1995

¹Original form remains at Region and has been updated to reflect withdrawal of A67-07556 instead of A67-10857.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Susan Boles, being duly sworn,

deposes and says:

That he is the clerk of THE WEISER SIGNAL, a weekly newspaper published at Weiser, in the County of Washington and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Weiser; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with July 5, 1995, and ending with the issue of July 12, 1995.
Susan Boles

Fees, \$ 69.80

Subscribed and sworn to before me this 12 day of July, 1995.

Judith Ransom
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 2, 1996

No. 349
NOTICE OF APPLICATION
FOR WATER RIGHT

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

67-07989

MULLINIX, S. ROLAND
MULLINIX, CYNTHIA A.
1120 CURLEW HILLS DR.
WEISER, ID 83672
Source: GROUNDWATER
Diversion Pt: SWSW Sec 12 T 11N R 06W in WASHINGTON County.
Use: IRRIGATION (0.100 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.140 CFS)
Date Filed: 6/5/1995
In: WASHINGTON County
T11N R06W S12 SWSW
5.0 ACRES TOTAL

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 JULY 24, 1995. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Published: 7/6/1995 & 7/13/1995

40-2S

RECEIVED

AUG 03 1995

WATER RESOURCES
WESTERN REGION

SEP 15 1995

67-07989

MULLINIX, S ROLAND
MULLINIX, CYNTHIA A
1120 CURLEW HILLS DR
WEISER, ID 83672

Source: GROUNDWATER

Diversion Pt: SWSW Sec 12 T 11N R 06W in WASHINGTON County.

Use: IRRIGATION	(	0.100 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.140 CFS)

Date Filed: 6/15/1995

In: WASHINGTON County
T11N R06W S12 SWSW

5.0 ACRES TOTAL

RECORDED

SEP 15 1995