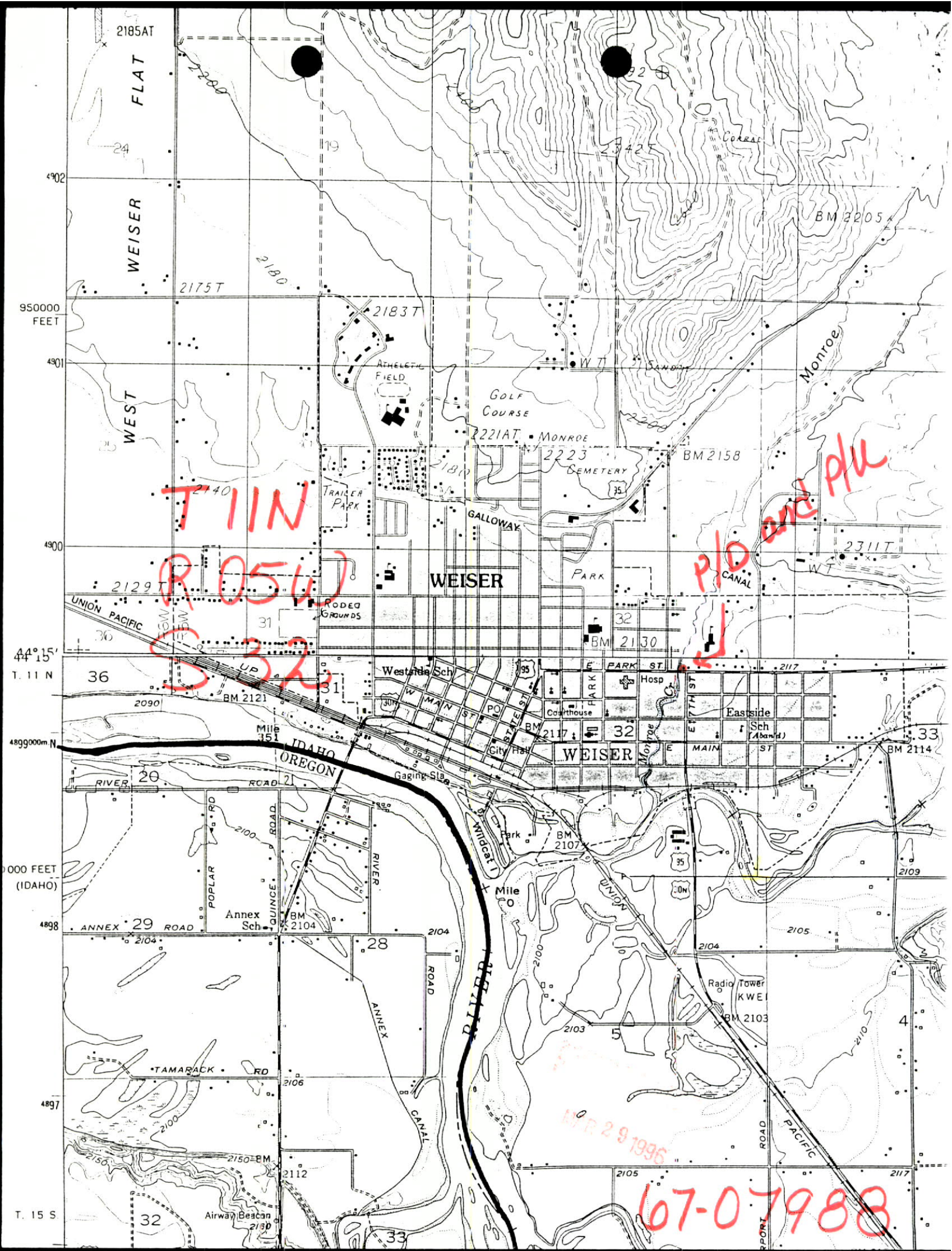
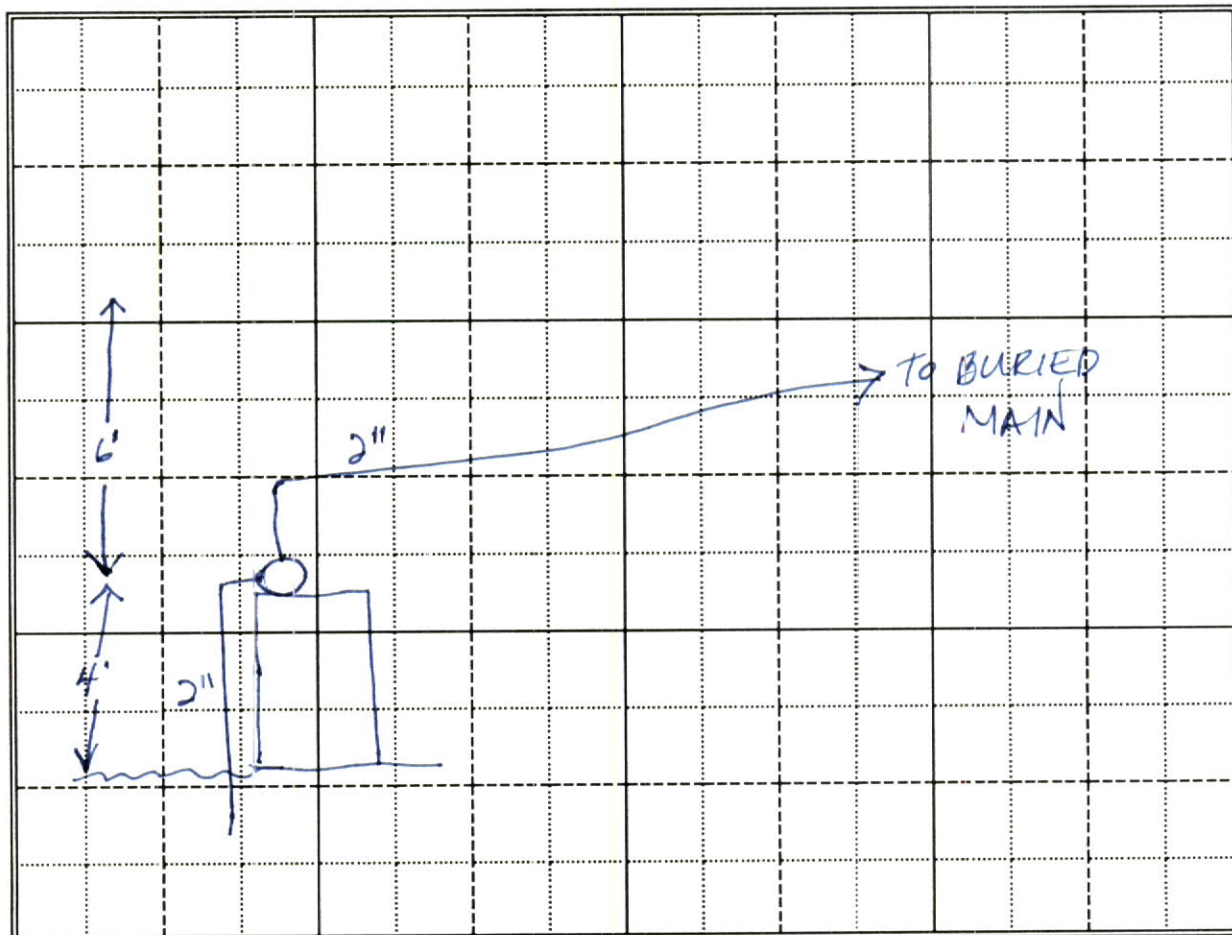




3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

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

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

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Jacuzzi	1 1/2	MODEL D56391662 662-04	Jacuzzi	50H8390 2"

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

D. FLOW MEASUREMENTS

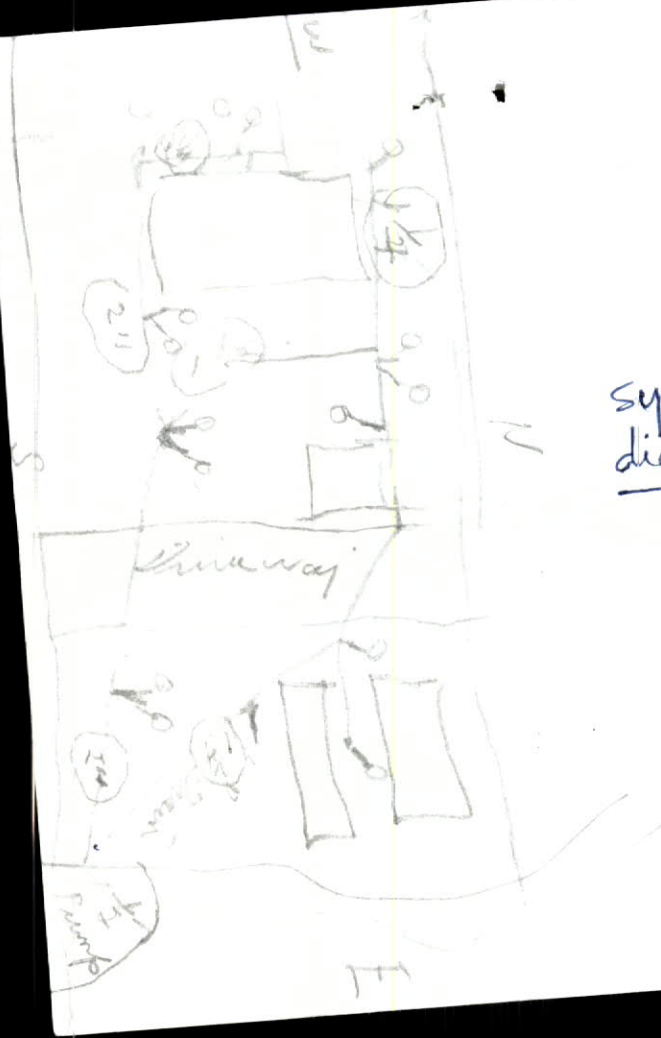
1.

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

2. Measurements: timed full: 5 gal in 53 sec, 39 sec, 43 sec, 34 sec.
Lift: water to pump 4', pump to discharge 6'

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SEP 29 1998

system
diagram





P/D
Monroe Ck.



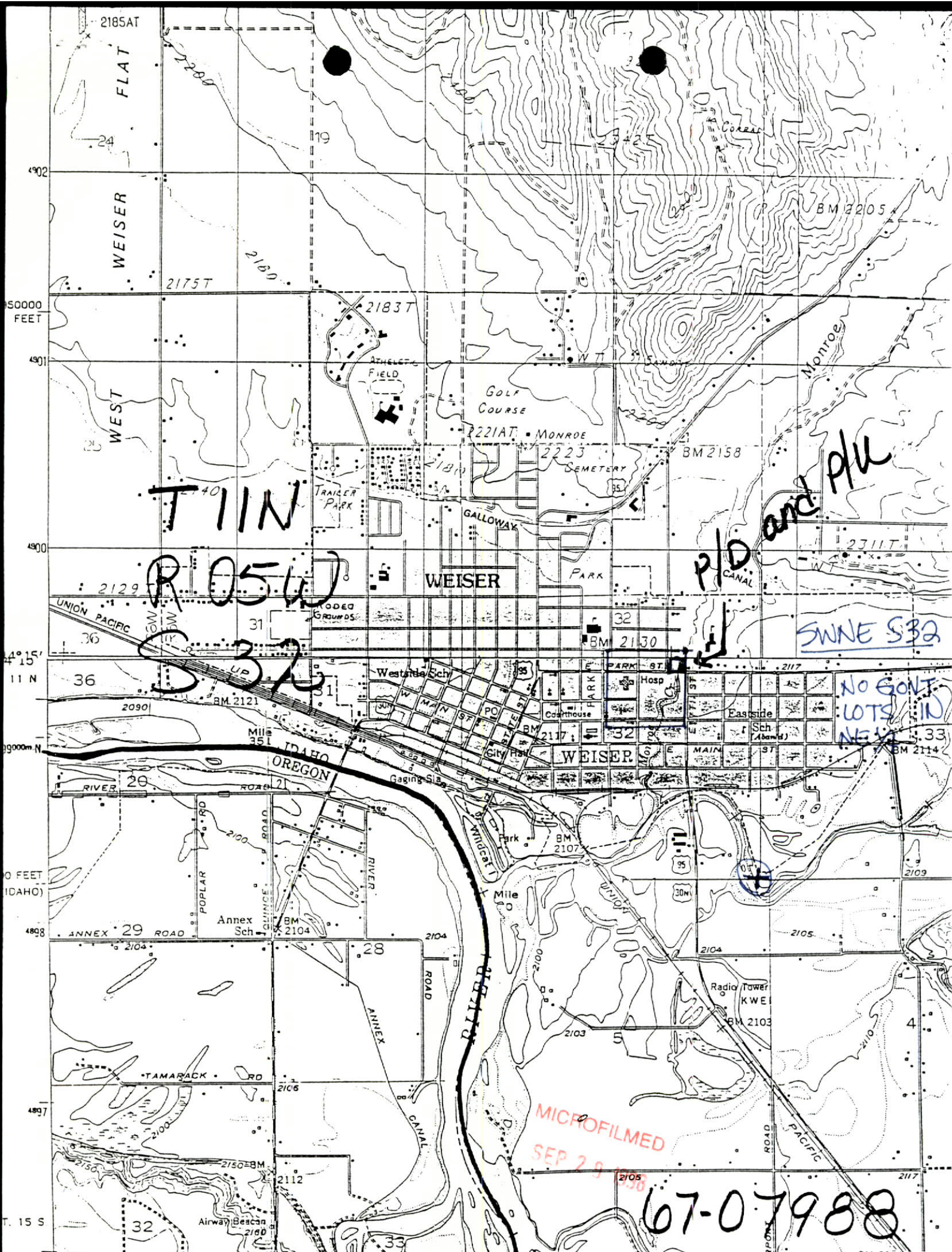
P/u
back yard



P/u
front yard
MICROFILMED

SEP 29 1998

67-7988



67-079988

PLAN IS ~~COMPLETE~~ ^{COMPLETE}

GREEK TAKES IN ~~LOT~~ ^{LOT} OR ~~MOORE~~ ^{MOORE} LOT

MONROE CREEK

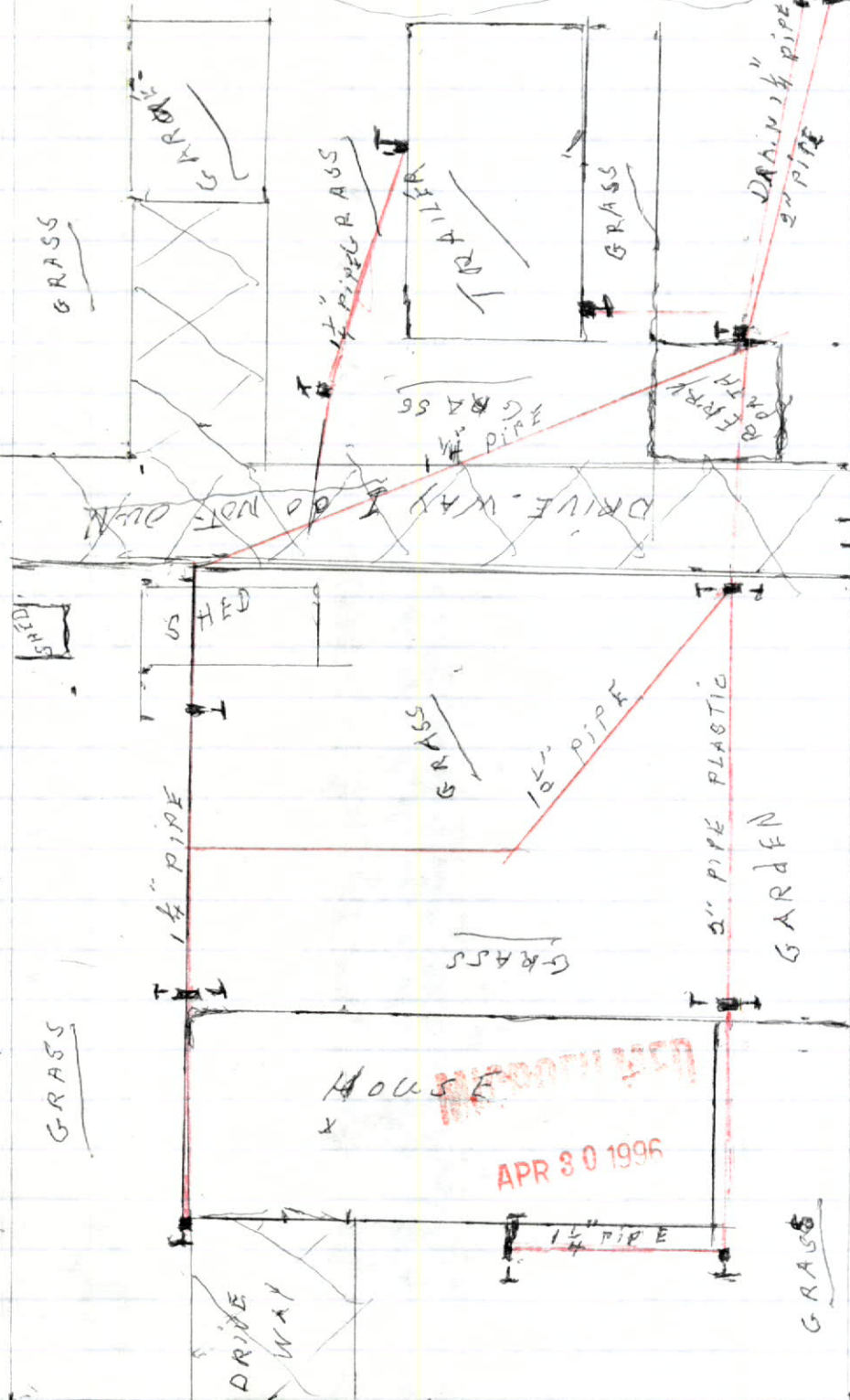
THIS IS A XASTE MEASURE BUT ~~IT~~ ^{IT} GLOSE

RECEIVED

APR 18 1996

Department of Water Resources

NORTH



SOUTH

PARK ST

235' FROM 100' LOTS

NO GREEK CHARGE W/IN
CEMENT FOR PUMP & FEW
THERE & LONG
TIME - I DID NOT HAVE RANGED

PUMP 1 1/2 H.P.

PIPE

TWO VALVES I PUT A-ON. SO YOU HAVE 16 VALVES

T VALVE

LEAST 6TH WEST

2 TWO'S

TO MAKE

17 OUTLETS

LOT'S 25' FT BY 118' FT

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Washington }

Sarah Boles

being duly sworn,

deposes and says:

That ^{she} 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

May 31

1995, and endingwith the issue of June 7, 1995by Sarah BolesFees, \$ 69.80Subscribed and sworn to before me this 7day of June, 1995Judith Parsons
Notary Public, Residing at Weiser, Idaho.My Commission Expires 2, 1996No. 345
NOTICE OF APPLICATION
FOR WATER RIGHTThe Following application(s) have been filed to
appropriate the public waters of the State of Idaho:

67-07988

SHELBY, HARLEY E.

SHELBY, HELEN E.

800 E. 6TH ST.

WEISER, ID 83672

Source: MONROE CREEK

Tributary: WEISER RIVER

Diversion Pt: SWNE Sec 32 T 11N R 05W in
WASHINGTON County.

Use: IRRIGATION (0.030 CFS)

Total Diversion: (0.030 CFS)

Date Filed: 5/15/1995

In: WASHINGTON County

T11N R05W S32 SWNE

0.5 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
JUNE 19, 1995. The protestant must also send a
copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 6/1/1995 & 6/8/1995

30-2S

RECEIVED

JUL 03 1995

WATER RESOURCES
WESTERN REGION

MAR 29 1996

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 67-07988

Priority: May 15, 1995

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

2.0 AF

This is to certify, that HARLEY E SHELBY
HELEN E SHELBY

800 E 6TH ST

WEISER ID 83672

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 15, 1995; and has submitted Proof of Beneficial Use on January 25, 1996. An examination indicates that the works have a diversion capacity of 0.240 cfs of water from:

MONROE CREEK

tributary to WEISER RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.03 CFS	2.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 32, Township 11N, Range 05W
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	05W	32	SWNE	0.5		0.5

Total number of acres irrigated: 0.5

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
6. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 2.0 afa at the field

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SEP 29 1998

State of Idaho
Department of Water Resources

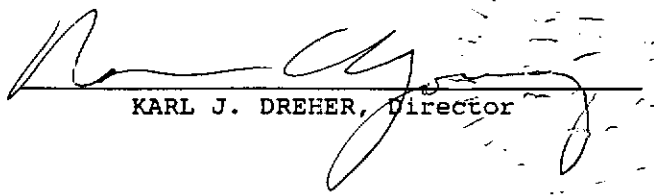
Water Right License

WATER RIGHT NO. 67-07988

CONDITIONS OF APPROVAL AND REMARKS

headgate for irrigation of the land described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22nd
day of AUGUST, 1998.


KARL J. DREHER, Director

MICROFILMED
SEP 29 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

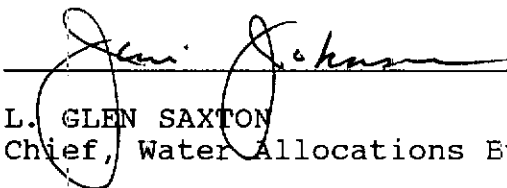
IN THE MATTER OF REMOVING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 67-07988) **ORDER**
IN THE NAME OF HARLEY AND HELEN SHELBY)

WHEREAS, Permit No. 67-07988 was issued with a condition requiring the installation of a measuring device approved by the Department and,

WHEREAS, the Department of Water Resources has determined that a measuring device is not required at this time for a determination of the quantity of water appropriated under this permit;

NOW THEREFORE, the condition of approval on Permit No. 67-07988 requiring that a measuring device be installed is hereby REMOVED.

Dated this 27TH day of FEBRUARY, 1996.

for 
L. GLEN SAXTON
Chief, Water Allocations Bureau

9-22-96 10:30 AM
FEB 29 1996

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.00
 Receipt No. C034660
 Receipt By: [Signature]
 Date Received: 1-25-96

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 67-07988 Telephone No. 549-0575

2. Name(s) of Permit Holder(s): HARLEY E/OR HELEN SHELBY

3. Mailing Address: 800 E 6TH ST WEISER, IDAHO

4. Source of Water: MONROE CR. If GROUNDWATER (well), Date Drilled: mo. / yr.

a. Well Driller: Drilling Permit Number: - -

b. **OPTIONAL:**
 Pump Horsepower: 2 1/2 hp Pressure (psi): Dynamic pumping level (ft):

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

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

Irrigation (No. of acres): 0.5 Other:

6. Total rate of diversion and/or volume for which proof is submitted: 0.03 cfs OR acre feet

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

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

Measuring Device: Is a measuring device required? Yes or No X
 Has the measuring device been installed? Yes or No X

Flow Measurement Port: Is a flow measurement port required? Yes or No X
 Has the measurement port been installed? Yes or No X

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

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

Name: Telephone Number:

Address:

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: 1-24-96
 (include your title, if on behalf of company or organization)

MAR 29 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 67-07988

Proposed Priority: May 15, 1995

Maximum Diversion Rate:

0.03 CFS

This is to certify, that **HARLEY E SHELBY**
HELEN E SHELBY
800 E 6TH ST
WEISER ID 83672

has applied for a permit to appropriate water from:
MONROE CREEK tributary of **WEISER RIVER**.

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

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

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 32, Township 11N, Range 05W
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	05W	32	SWNE	0.5		0.5

Total number of acres irrigated: 0.5

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1997.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 67.
4. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
5. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
6. 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.

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

11th day of January, 1996

MAR 29 1996

[Signature]
for Karl J. Dreher, Director

RECEIVED
JAN 03 1996

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Ident. No. 67-07988

RECEIVED

MAY 16 1995

WATER RESOURCES
WESTERN REGION

To appropriate the public waters of the State of Idaho

1. Name: HARLEY E SHELBY
Address: 800 E 6TH ST
WEISER ID 83672

208-549-0575

OR

Name: HELEN E SHELBY
Address: 800 E 6TH
WEISER ID 83672

208-549-0575

2. Source: MONROE CREEK

Trib. to: WEISER RIVER

3. Location of Point of Diversion:

SWNE Sec. 32, Township 11N, Range 05W
WASHINGTON County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	~~0.080~~		
			.03 *		

5. Total quantity to be appropriated is:

~~0.080~~ CFS (and/or) AF
0.03

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.

1 1/2 HP PUMP IN MONROE CREEK AND PIPELINE TO SPRINKLER SYSTEM.

b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.

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

d. Is groundwater with a temperature greater than 85F being sought? NO

e. If well is already drilled, when?

Drilling Firm

Well was drilled for

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

MAR 29 1996

* limited to .03 per IDWR standards for sprinkler irrigation
by 5/23/95

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
11N 05W 32	SWNE 00.5			0.5

Total number of acres irrigated: 0.5

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 Ly

Fee \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

MAR 29 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant HARLEY E. OR HELENE E. SHELBY Phone (208) 549-0575
Post office address 800 E. 10th WEISER ID 83672
2. Source of water supply MONROE CREEK which is a tributary of WEISER RIVER
3. Location of point of diversion is 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____
Sec. 32 Township 11N Range 5W B.M. WASHINGTON County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
* Amount ^{.03}~~.08~~ 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .03 .03 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 1 1/2 HP IN MONROE CREEK
PIPE TO 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 ground water with a temperature of greater than 85°F being sought? _____
 - 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
1 years (minimum 1 year).

* limited to .03 per IDWR standards for sprinkler irrig 5/23/94

MAR 29 1996

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

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

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
11N	5W	32			.5														.5

Total number of acres to be irrigated .5

10. Describe any other water rights used for the same purposes as described above. NONE

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: Applicant's system includes a 17 head sprinkler system using 2 gal/min per head. System runs simultaneously.

MAR 29 1996

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

See attached map

RECEIVED
MAR 29 1956

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.

Helen E. Shelby
(Applicant)

Received by AC Date 5-15-95 Time 11:30 AM Preliminary check by Ly
Fee \$ 50.00 I Received by JW # C032642 Date 5-15-95
Publication prepared by ST Date _____ Published in Weiser Signal
Publication approved ST Date 7-3-95

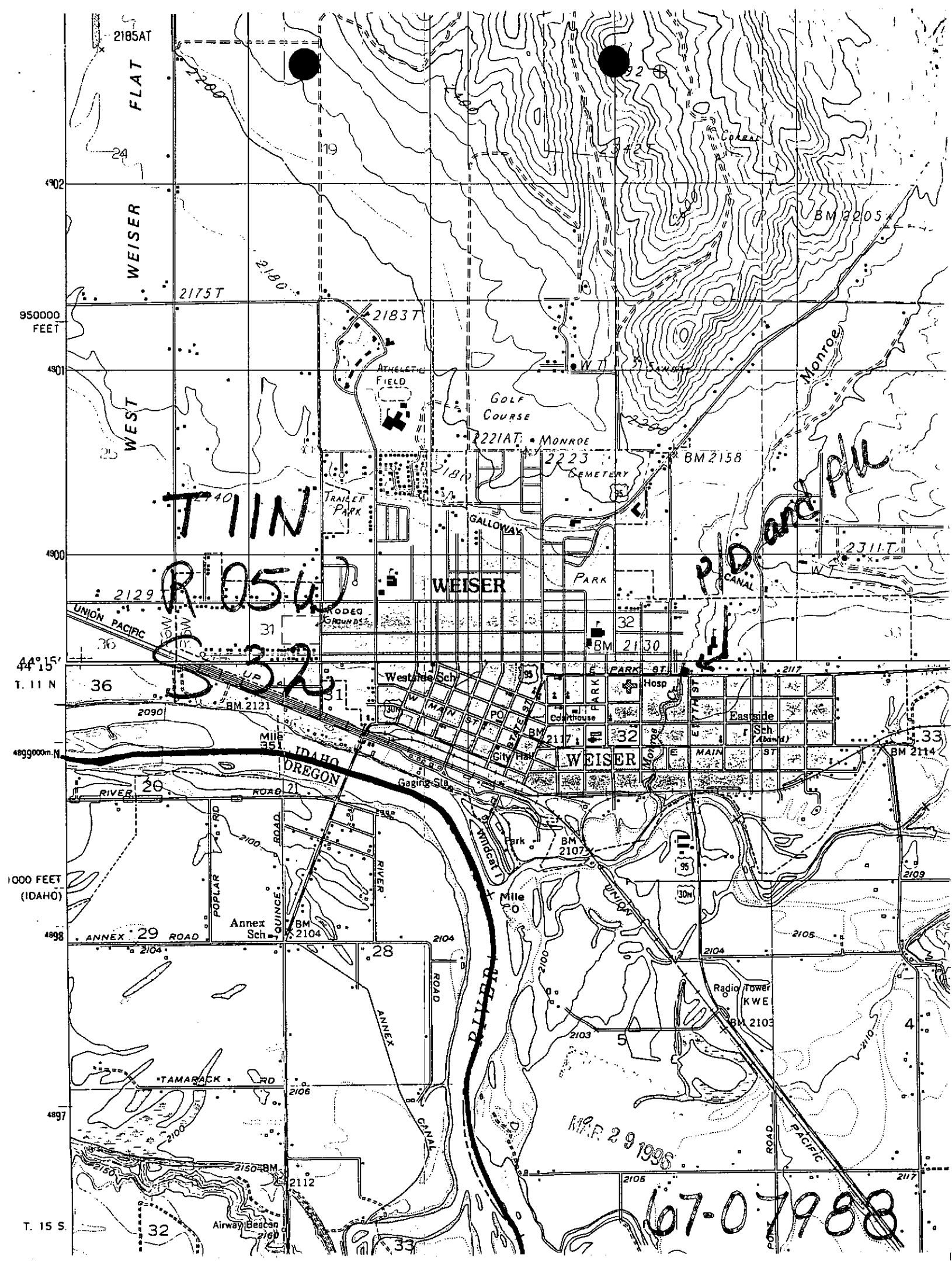
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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:

PAID
JUL 19 1996





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 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HARLEY E SHELBY
HELEN E SHELBY
800 E 6TH ST
WEISER ID 83672

RE: WATER RIGHT NO. 67-07988

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.

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SEP 29 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.

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SEP 29 1998

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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".

Shelley W. Keen
Water Rights Supervisor

SK:klt

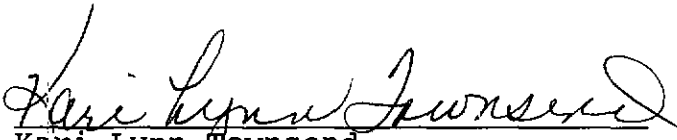
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of August, 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. 67-07988

HARLEY E SHELBY
HELEN E SHELBY
800 E 6TH ST
WEISER ID 83672


Kari Lynn Townsend
Secretary

MICROFILMED
SEP 29 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 67-07988 DATE 8/25/98 REVIEWER: SHARLA

NAME Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK Change (P39 /P47) Add (P45/P42) Feds - P40
 W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

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

PLACE OF USE OK Change (P41/P47) Add (P41/P42) Feds - P43
 W60 (subd. desc)
 W27 (ppu acre limit)

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

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate 0.03 cfs
 Fee limit 20 cfs \$5000
 Measured 24 cfs 10' lift
 Theoretical 08 cfs 25' lift and 45 psi
 Recommended Total Div Rate _____ cfs

WATER USES	Change (P46)	
<u>03</u> cfs	<u>5440</u> af	Irrig - overlap (R58-R61, R62-R65, R66-R69)
_____ cfs	_____ af	supp. gw (WB7/065/079)
_____ cfs	_____ af	overlap spec. combined rts (W35)
_____ cfs	_____ af	<1 acre (W31)
_____ cfs	_____ af	Domestic (W01/WB5/070/071/075)
TOTALS <u>03</u> cfs	<u>2.0</u> af	Power (W42 or W43/025/027/R22 or R23)
		Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate 02 cfs X 214 days X 1.98 = 8.5 af

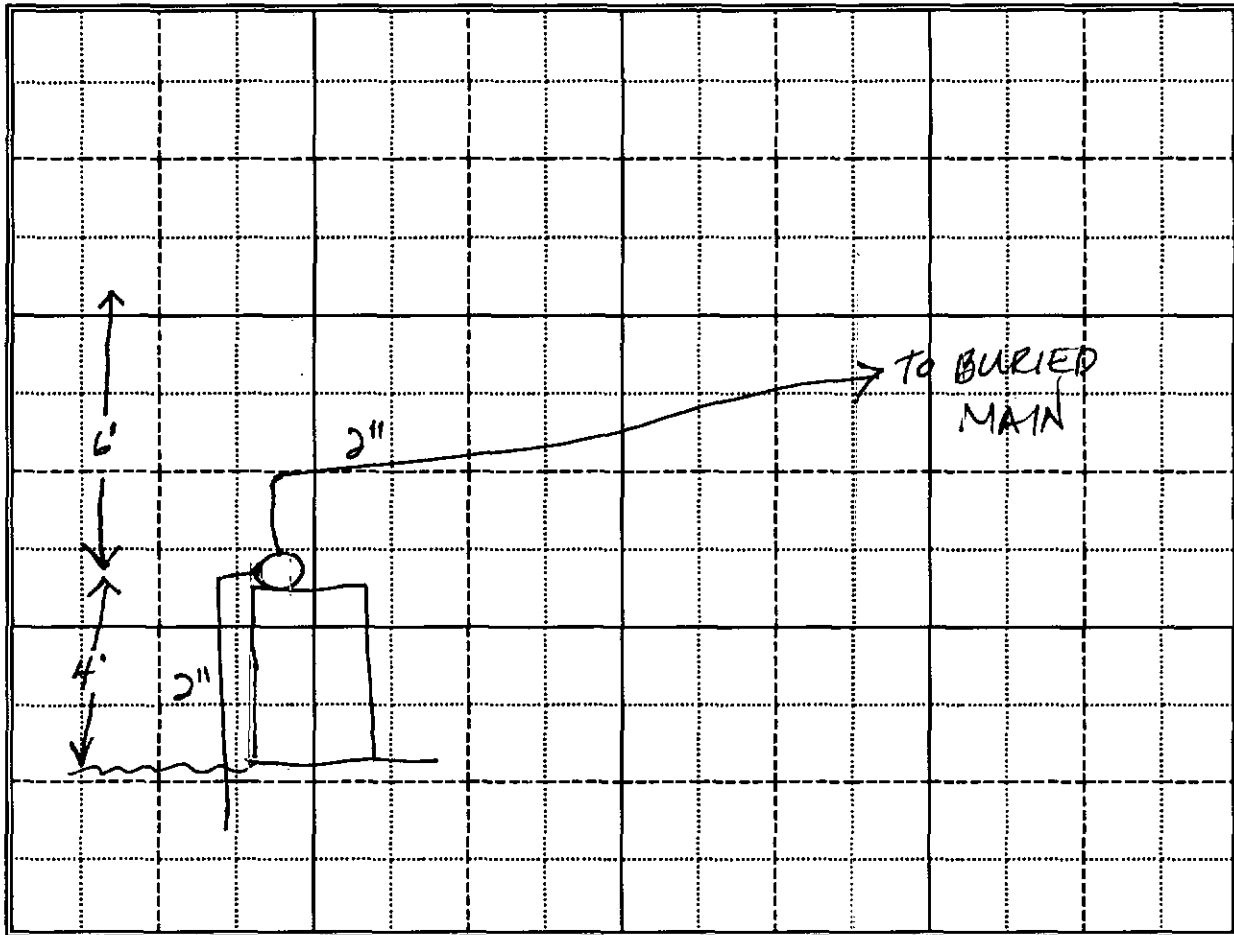
REMARKS _____

ADD'L CONDITIONS R04 Watermaster Control WD# 67
 _____ GW Measurement/Measuring Device
 _____ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority yes no SRBA Claim NA Adjust Memo NA
 Amend letters _____

SEP 29 1950

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



Scale: 1" = _____

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

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

→ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Jacuzzi	1 1/2	MODEL D5639662 662-04	Jacuzzi	50H8390 2"

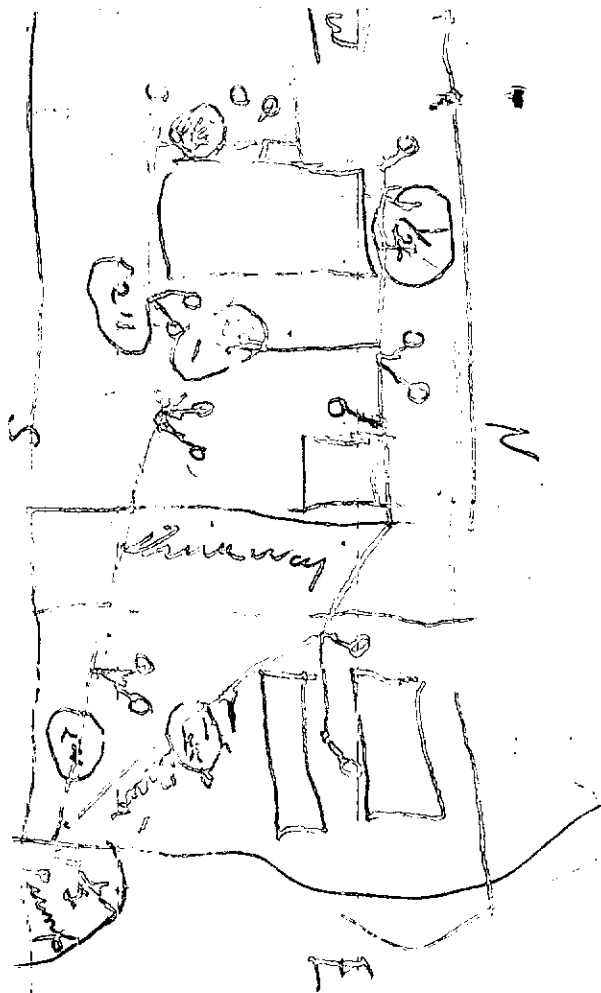
*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

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

2. Measurements: timed fill: 5 gal in 53 sec, 39 sec, 43 sec, 34 sec.
lift: water to pump 4', pump to discharge 6'
 MICROFILMED
 SEP 29 1998



system
diagram

E. NARRATIVE/REMARKS/COMMENTS

Small pump in Monroe Ck to underground system with 15 risers - sprinkled with hoses, lawn & garden. All 15 run at one time. Timed fill on 4 hoses (open) into 5 gal. bucket to obtain system capacity. All hoses & sprinklers of varying size. No other rights used.

Home is hooked to city water. w/in Weiser city limits

Standard city lot - estimated $\frac{1}{2}$ ac irrigation.

All overlapping rights not related.

meas. device requirement removed 2/2/96

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

MICROFILMED

SEP 29 1998

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

Timed fill: 5 gal, avg 42 sec

$$\frac{5 \times 60}{42} = 7.1 \text{ gpm per user}$$

$$7.1 \times 15 \text{ users} = 107 \text{ gpm}$$

G. VOLUME CALCULATIONS

allow .03 cfs for 1 ac irr

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .5 \times 4 = 2.0$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .03 \times 214 \times 1.9835 = 12.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 2$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRR	4/1	10/31	.03	2.0
Totals:			.03	2.0

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Cindy J. Hodges Date 12/31/96

Reviewer _____ Date _____

SEAL

MICROFILMED

SEP 29 1998



P/D
Monroe Ck.



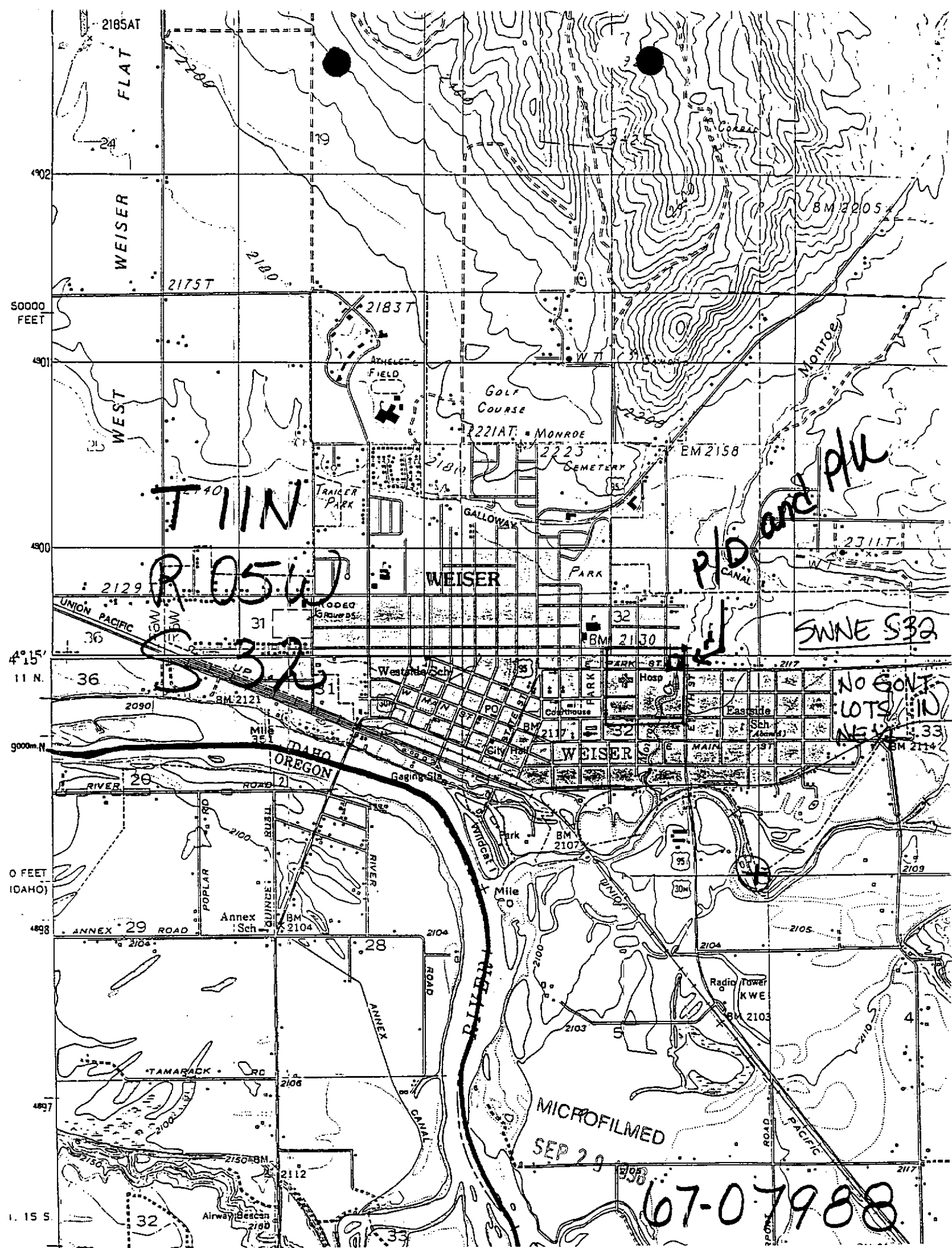
P/u
back yard



P/u
front yard
MICROFILMED

SEP 29 1998

67-7988



T11N
R05W
S32

p/d and p/u

SWNE S32

NO GOVT
LOTS IN
NEW

MICROFILMED
SEP 29

67-07988

RECEIVED

APR 18 1996

Department of Water Resources

RIGHT # 67-07988

MONRE CREEK WEISER IDAHO WATER RIGHT
HARLEY E. HELENE, SHELBY.

THE WATER IS WASTE WATER NO FARMERS BELOW
US. THERES ALSO A OVER FLOW PIPE CLOSE BY, FROM
MILE DITCH, JUST UNDER BRIDGE. SO THERES WATER AT
ALL TIMES "EVEN IN DRY YEARS."

THE CEMENT FOR PUMP WAS THERE LONG BE US.
WE NEVER DID ANYTHING TO ~~IT~~ ^{IT} ~~CRACK~~.

PUMP IS 1-1/2 HP.

THERES 15 VALVES IN ALL.

TWO VALVES I PUT ON A TREE SO THAT MAKES 17
~~PER~~ OUT LETS IN ALL.

THE RED LINES ARE WHERE PLASTIC PIPE LINE
ARE ON "MAP". & ~~IT~~ ^{IT} IS WHERE VALVES ARE.

LOTS ARE 25' BY 118'.

1/2 A LOT #6 SOME BODY ELSE OWNS

1/2 LOT #9 IS IN CREEK OR MAYBE MORE.

SO OVER ALL THERES 8 LOTS OR THERE, I CAN
USE. SO ITS ~~RECOLSE~~ 1/2 ACRE IN ALL.

1 ACRE, 43,560 SQUARE FT.

1/2 ACRE, 21,780 SQUARE FT.

APR 30 1996

SO MUCH WRITTING ON MAP, I THOUGHT THIS SHEET
WOULD MAKE IT EASIER TO MAKE OUT

6T-07988

RECEIVED

APR 18 1996

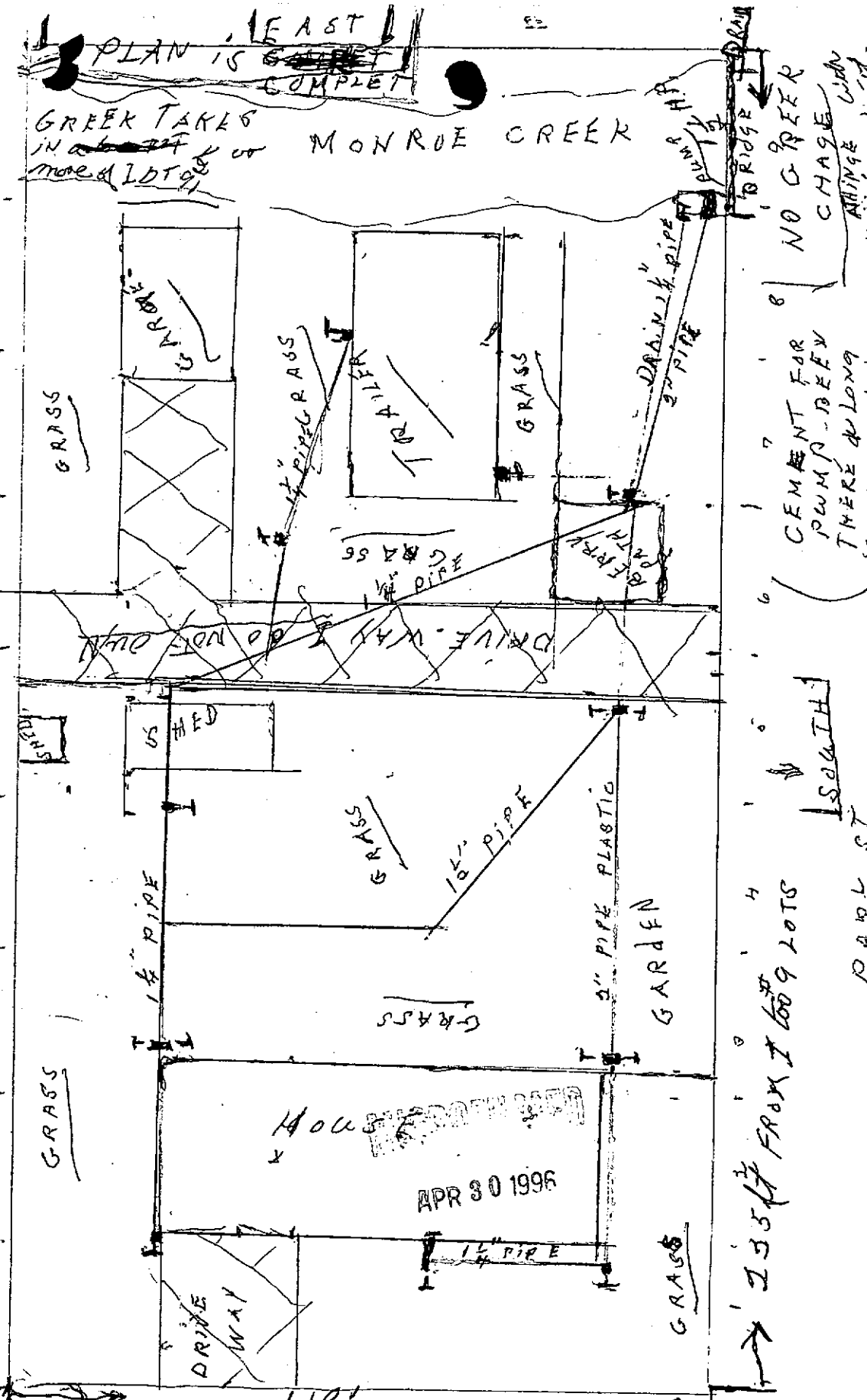
Department of Water Resources

NORTH

THIS IS NOT A TASTE MEASURE BUT

PLAN IS ~~COMPLETE~~ ^{COMPLETE}

GREEK TAKES IN ~~LOT~~ OF MONROE CREEK



NO GREEK CHASE ALONG
CEMENT FOR PUMP-BEEF THERE ALONG

ROAD CT SOUTH

235' FROM 100' LOTS

PUMP 1/2 H.P.
PIPE TWO VALVES I PUT A V ON SO YOU HAVE 15 VALVES
LEAST 6 TO WEST & TWO'S TO MAKE 17 OUTLETS
IT'S 25' BY 118'



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

February 28, 1996

HARLEY SHELBY
HELEN SHELBY
800 E 6TH ST
WEISER ID 83672

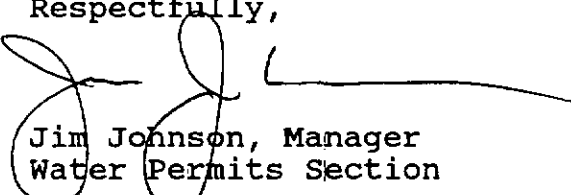
RE: WATER RIGHT NO. 67-07988

Dear Mr. and Mrs. Shelby,

In response to your correspondence of February 26, 1996, you'll find enclosed a copy of the Order removing the condition requiring the installation of a measuring device for the above referenced water right.

If you have any questions, you may contact me directly at (208) 327-7947.

Respectfully,



Jim Johnson, Manager
Water Permits Section

JJ:rl

MAR 29 1996

Dept. of Water Resources
1301 No. Orchard St.
Statehouse Mail
Boise, ID 83720-9000

Feb. 26, 1996
Boise, Idaho

RECEIVED

FEB 27 1996

Department of Water Resources

Re: Harley/Helen Shelby
Beneficial Use #67-07988

To Whom It May Concern:

I am requesting a "waiver" on condition #5 - pertaining to installing a lockable controllable device.

The pump will put out only so much water and pumps directly out of the creek and there is no diversion.

As far as I know no one else below me has water rights from creek.

Furthermore I am using only waste water for watering lawn and garden only.

There is no watermaster that is involved in checking water taken out of creek, and water isn't taken out of a diversion as I stated anyway but uses waste water in creek not used further up.

The school kids going by won't leave pump alone, so I turn pump on and off at the house when in use.

MAR 29 1996

Cont. 2 - aiver on locking device

I take the pump out and store in the shed when fall comes or when there's high water. If we put a locking device on and left pump there, the kids won't leave it all alone. We don't see where it is necessary, anyway! We pump directly from the stream and use what amounts to wastewater. It has been done this way for years, even before we bought this property; and used, as we do, for garden and yard. Thank you.

Sincerely,

Harley & Shelby

Helen Shelby

800 E. 6th St.

Heiser, ID 83672

HES/HS/hs

MA-29 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 67-07988 Reviewed by [Signature] Date 2-2-96

GENERAL CONSIDERATIONS

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

TYPES OF USE

Irr.

Correct Uses? Yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit _____ Correct?

☐ Well log in the file?

LICENSE EXAMINATION FEE

Yes Required?
50.00 Amount Submitted
Yes Correct?

MEASURING DEVICE

Yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

*Advise of lockable measuring device requirement.
Proof acceptable*

DATA ENTRY

New Address _____ Proof Made 1-25-96



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

February 20, 1996

HARLEY & HELEN SHELBY
800 E 6TH ST
WEISER ID 83672

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 67-07988

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 one of the conditions of your water right permit requires that the permit holder install and maintain a lockable controlling device (refer to condition # 5 of your permit.) This condition must be complied with before the license examination, or you can request in writing, a waiver of the condition.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR -- Region

MAR 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 11, 1996

HARLEY E SHELBY
HELEN E SHELBY
800 E 6TH ST
WEISER ID 83672

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 67-07988

Dear Permit Holder:

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

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

57-145

MAR 23 1996

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 67-7988 Name: Shelby Date: 1/8/96 Ad OK? ✓
Correct Fee? ✓ Receipt #: 0032642 Priority: 5/15/95 ✓ Gvmt Lts: ✓

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

SYSTEM COMPLETED:

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

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:

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

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

Water District(~~dem~~) - 005 (req) WD # 67 <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-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WB), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

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

LOCATION:

Boise Front LpGeo - 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:~~

BENEFICIAL USE DUE:

COMMENTS:

- 1-1-1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED
JAN 03 1996

Department of Water Resources

INITIAL REVIEW BY: g DATE: 5/23/95 APPLICATION: 67-07988

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) Gov't. Lots: ☒ P/D
- ☒ Period of use: ☒ P/U
- ☒ 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)
- ☒ Fee:
- ☒ Yes ☐ No* In form to receipt:

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:

* limited to .03 cfs. Proposed sprinkler irrigation; ditch less not an issue for excessive flow application.

PROCESSING

APPLICATION

67-07988

YES NO

☒ ☐ In form for advertising:
☒ ☐ Statewide advertising: (> 10 cfs &/or 1000 af)
☒ ☐ Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☐ ☒ I.D. Health and Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish and Game
☐ ☒ I.D. Lands
☐ ☒ Adjudication Bureau

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Svc.
☐ ☒ Water Dist. # _____
☐ ☒ Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐ Affidavit of publication received:
☒ ☐ Application published correctly: If not, record action taken.

☐ ☒ Publication dates and paper recorded on application:
☐ ☒ Protests received. Final date for protest 6-19-95
☐ ☒ Protest dates, resolution of protest recorded on application:
☐ ☒ Recommendations attached: Approve, D
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☒ ☐ Water delivered by water master? District # 67 ^{normal} Below area of WM control
☒ ☐ Special conditions of approval or cover letter:
05(67, Weiser R), 010, Diversion rate is limited to 0.03 cfs under this water right.

☒ See below for additional information

Recommended Date or Priority 5/15/1995Recommended by: Am Date 12/27/95

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

P/u
overlaps: 67-02384A Weiser River inst
PM + PD
- 04257 BW Dom
- 04307 BW Dom

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Sarah Boles

, being duly sworn,

deposes and says:

That he is the Clark 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

May 31

, 1995, and ending

with the issue of June 7, 1995

Sarah Boles

Fees, \$ 69.80

Subscribed and sworn to before me this 7

day of June, 1995

Judith Parsons
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 2, 1996

No. 345

NOTICE OF APPLICATION FOR WATER RIGHT

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

67-07988

SHELBY, HARLEY E.

SHELBY, HELEN E.

800 E. 6TH ST.

WEISER, ID 83672

Source: MONROE CREEK

Tributary: WEISER RIVER

Diversion Pt: SWNE Sec 32 T 11N R 05W in
WASHINGTON County.

Use: IRRIGATION (0.030 CFS)

Total Diversion: (0.030 CFS)

Date Filed: 5/15/1995

In: WASHINGTON County

T11N R05W S32 SWNE

0.5 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
JUNE 19, 1995. The protestant must also send a
copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 6/1/1995 & 6/8/1995

30-2S

RECEIVED

JUL 03 1995

WATER RESOURCES
WESTERN REGION

MAR 29 1996

67-07988

SHELBY, HARLEY E
SHELBY, HELEN E
800 E 6TH ST
WEISER, ID 83672

Source: MONROE CREEK

Tributary: WEISER RIVER

Diversion Pt: SWNE Sec 32 T 11N R 05W in WASHINGTON County.

Use: IRRIGATION (0.030 CFS)
Total Diversion: (0.030 CFS)

Date Filed: 5/15/1995

In: WASHINGTON County
T11N R05W S32 SWNE

0.5 ACRES TOTAL

MAR 29 1996