

- [illegible]

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.

F. Paul Sutton  
(Applicant)

27 NW corner of E $\frac{1}{2}$ NW $\frac{1}{4}$  of Sec. 32 32  
NE Corner of E $\frac{1}{2}$ NW $\frac{1}{4}$  of Sec. 32 29 28  
32 32 33

B240  
2-2

Battershell

SE corner of NE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 32

NE corner of W $\frac{1}{2}$ SE $\frac{1}{4}$  of Sec. 32

RESERVOIR 1  
Spring

RESERVOIR 2  
Spring

SW corner of E $\frac{1}{2}$  of NW $\frac{1}{4}$  of Sec. 32

B62

Center of Sec. 32  
T13NR3W

SE corner of SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Sec. 32

B114

RESERVOIR 3  
Spring

RESERVOIR 4  
Spring

RESERVOIR 5  
Spring

SE corner of W $\frac{1}{2}$ SE $\frac{1}{4}$  of Sec. 32

T13NR3W Sec. 32  
SE corner of NW $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 32

T13N  
T12N

R3W

Rock  
Pasture

RESERVOIR #7  
Spring

32 33  
5 4

RECEIVED  
FEB 10 1994

DEEP CREEK  
Spring

SE corner of NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 5

# 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  
February 16, 1994, and ending  
with the issue of February 23, 1994.  
Sarah Boles

Fees, \$ 220.46

Subscribed and sworn to before me this 23  
day of February, 1994.

Notary Public, Residing at Weiser, Idaho.

My Commission Expires MARCH 7 1999, 1999.

APR 20 1994

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

67-07946 ✓

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SENENW Sec 32 T 13N R 03W in  
WASHINGTON County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/20/1994  
In: WASHINGTON County  
T13N R03W S32 NENW

67-07947

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: SWSNW Sec 32 T 13N R 03W in  
WASHINGTON County.  
SESENW Sec 32 T 13N R 03W in WASHINGTON  
County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R03W S32 SENW

67-07948

SUTTON F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: NWNWSE Sec 32 T 13N R 03W in  
WASHINGTON County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R03W S32 NWSE

67-07949

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: SWNWSE Sec 32 T 13N R 03W in  
WASHINGTON County.  
SENWSE Sec 32 T 13N R 03W in WASHINGTON  
County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R03W S32 NWSE

67-07950

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SWNWSE Sec 32 T 13N R 03W in  
WASHINGTON County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R03W S32 NWSE

67-07951

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SESWSE Sec 32 T 13N R 03W in  
WASHINGTON County.  
Use: STOCKWATER (.020 CFS)  
Total Diversion: (.020 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R03W S32 SWSE

67-07952

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SENWSE Sec 5 T 12N R 03W in WASH-  
INGTON County.  
Use: STOCKWATER (.010 CFS)  
Total Diversion: (.010 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T12N R03W S05 NWSE

Permits will be subject to all prior water rights. Pro-  
tests may be submitted based on the criteria of Sec. 42-  
203A, Idaho Code. Protests must be filed with the  
Director, Dept. of Water Resources, Western Region,  
2735 Airport Way, Boise, Idaho 83705 on or before  
MARCH 7, 1994.

R. KEITH HIGGINSON, Director  
Published: 2/17/1994 & 2/24/1994

# Affidavit of Publication

STATE OF IDAHO }  
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for <sup>two</sup> consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began February 17, 19 94 and ended February 24, 19 94

*Stuart Dopf*

Subscribed and sworn to before me

this 25<sup>th</sup> day of

FEBRUARY, 19 94

*Edmund Flood*

Notary Public in and for the State of Idaho, residing at Cambridge, Idaho 83610.

COMMISSION EXPIRES Aug 2, 1995

## Public Notices

### NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

67-07946

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRING,  
Tributary: DEEP CREEK  
Diversion Pt: SENW Sec. 32 T 13N R 3W in WASHINGTON County.  
Use: STOCKWATER ( .030 CFS)  
Total Diversion: ( .030)  
Date Filed: 1/20/1994  
In: WASHINGTON County  
T13N R3W S32, NENW

67-07947

SUTTON, F. PAUL  
RT. 1, BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: SWSENW Sec. 32 T 13N R 3W in WASHINGTON County, SESENW Sec. 32 T 13N R 3W in WASHINGTON County.  
Use: STOCKWATER ( .030 CFS)  
Total Diversion: ( .030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County T13N R3W S32 SENW

67-07948

SUTTON, F. PAUL  
RT 1, BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: NWNWSE Sec. 32 T 13N R 3W in WASHINGTON County.  
Use: STOCKWATER ( .030 CFS)  
Total Diversion: ( .030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County, T13N R3W S32 NWSE

67-07949

SUTTON, F. PAUL  
RT. 1, BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: SWNWSE Sec. 32 T 13N R 3W in WASHINGTON County, SENWSE Sec. 32 T 13N R 3W in WASHINGTON County.  
Use: STOCKWATER ( .030 CFS)  
Total Diversion: ( .030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R3W S32 NWSE

67-07950

SUTTON, F. PAUL  
RT. 1, BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: SWNWSE Sec. 32 T 13N R 3W in WASHINGTON County.  
Use: STOCKWATER ( .030 CFS)  
Total Diversion: ( .030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County T 13N R3W S32 NWSE

67-07951

SUTTON, F. PAUL  
RT. 1, Box 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SESWSE Sec 32 T 13N R 3W in WASHINGTON County  
Use: STOCKWATER ( .020 CFS)  
Total Diversion: ( .020 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County T13N R3W S32 SWSE

67-07952

SUTTON, F. PAUL  
RT. 1, BOX 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SENWSE Sec. 5 T 12N R 3W in WASHINGTON County.  
Use: STOCKWATER ( .010 CFS)  
Total Diversion: ( .010 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County T 12N R3W S5 NWSE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MARCH 7, 1994.

R. KEITH HIGGINSON  
Director

Published: 2/17/1994 & 2/24/1994.

*RECEIVED*

APR 20 1994

## WATER RIGHT SUMMARY

| ACTION               | RIGHT NO. | NAME             | AMOUNT CFS |
|----------------------|-----------|------------------|------------|
| Original Application | 67-07946  | F. Paul Sutton   | 0.03       |
| Full Assignment      | 67-07946  | Jerrold D. Piper | 0.03       |

67-07946-1

DEC 11 1961

06/93

RECEIVED

NOV 18 1994

Department of Water Resources

State of Idaho  
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 09 1994

Department of Water Resources

ASSIGNMENT OF PERMIT

To change the ownership of a permit

I, F. Paul Sutton, hereby assign to Jerrold D. Piper  
(Permit Holder)  
of 2288 Stephen Avenue, Boise, Idaho 83706  
(Full Address)

All my right, title, and interest in and to Permit No. 67-07946  
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to  
Permit No. \_\_\_\_\_ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,  
point of diversion location, and the amount of water in cubic feet per second.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Made this 22nd day of April, 1994.

F. Paul Sutton  
Permit Holder(s)

F. Paul Sutton

State of Idaho )

County of Washington <sup>SS</sup>

On this 22nd day of April, 1994, personally appeared before me  
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Jenna L. Edwards  
Notary Public

SEAL

Jenna L. Edwards  
Signature

My commission expires: 3/27/97

DEC 06 1994

database updated 11/21/94 cz.

\$2500 filing fee  
Received 11/18/94  
Receipt #C021683

RECEIVED

STATE OF IDAHO

APR 21 1994

DEPARTMENT OF WATER RESOURCES

WATER RESOURCES  
WESTERN REGION

## PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

 1. Permit No. 67-07946 Telephone No. 208-355-2488

 2. Name(s) of Permit Holder(s): F. Paul Sutton

 3. Post Office Address: Route 1, Box 11, Midvale, ID 83645

 4. Source of Water: Deep Creek

 a. If ground water, well driller's name: NA Date drilled: \_\_\_\_\_

b. Pump horsepower: \_\_\_\_\_ Pressure (psi): \_\_\_\_\_ Dynamic pumping level (ft.): \_\_\_\_\_

5. Extent of Use:

Domestic \_\_\_\_\_ (No. of households) Irrigation \_\_\_\_\_ (No. of acres)

 Stockwater 100 Cattle (No. and type of stock) Other \_\_\_\_\_

 6. Total rate and/or volume for which proof is submitted 0.03 cfs \_\_\_\_\_ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

 Measuring device: Required? None Yes \_\_\_\_\_ No \_\_\_\_\_ Installed? None Yes \_\_\_\_\_ No \_\_\_\_\_  
 OR NA

Flow Measurement Port: Required? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Installed? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

 8. Fee Enclosed: \$ 0 (See License Examination Fee Schedule) \$50 4/21/94

9. Person to contact to accompany the Department representative during the field examination:

F. Paul Sutton 208-355-2488  
 Name Telephone No.

Route 1, Box 11, Midvale, ID 83645  
 Address

10. The above information 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.

3-24-94  
 Date

F. Paul Sutton  
 Signature (and title if on behalf of a company or organization)

AUG 10 1994

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

NO. 67-07946

Proposed Priority: January 20, 1994      Maximum Diversion Rate: 0.03 CFS

This is to certify, that **F PAUL SUTTON**

RT 1 BOX 11

MIDVALE ID 83645

has applied for a permit to appropriate water from:

**SPRING**

tributary of **DEEP CREEK**

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

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

|            |                |          |
|------------|----------------|----------|
| STOCKWATER | 01/01 to 12/31 | 0.03 CFS |
|------------|----------------|----------|

LOCATION OF POINT(S) OF DIVERSION:      SENENW , Sec. 32, Township 13N, Range 03W  
WASHINGTON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

13N 03W 32      NENW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **April 1, 1995.**
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. Stockwater use is for 100 range cattle.

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

21<sup>st</sup> day of March, 1994.

  
for R. Keith Higginson, Director

**RECEIVED**

APR 20 1994

RECEIVED  
MAR 11 1994

Ident. No. 67-07946

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: F PAUL SUTTON 208-355-2488  
Address: RT 1 BOX 11 45  
MIDVALE ID 83672
2. Source: SPRING Trib. to: DEEP CREEK
3. Location of Point of Diversion: SENENW Sec. 32, Township 13N, Range 03W  
WASHINGTON County
4. Water will be used for the following purposes:

| Purpose    | From  | To    | CFS   | (or) | AF |
|------------|-------|-------|-------|------|----|
| STOCKWATER | 01/01 | 12/31 | 0.030 |      |    |
5. Total quantity to be appropriated is:  
0.030 CFS (and/or) AF
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc.  
Existing pit-type reservoir, too small for storage.
  - b. Height of storage dam 3 feet; active reservoir capacity  
acre-feet; total reservoir capacity acre-feet; period of  
year when water will be diverted to storage: to inclusive.
  - c. Proposed well diameter is inches; proposed depth of well is  
feet.
  - d. Is groundwater with a temperature greater than 85F being sought? NO
  - e. If well is already drilled, when?  
Drilling Firm  
Well was drilled for
7. Time required for the completion of the works and application of  
the water to the proposed beneficial use is 1 year(s).
8. Place of Use: STOCKWATER

TWN RGE SEC  
13N 03W 32

NENW

RECEIVED

APR 20 1994

\* data has changed

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

10. Remarks:  
Stockwater use is for 100 range cattle.

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 \$ 45.00 Receipted by \_\_\_\_\_ #C029462 Date 1/20/1994  
Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_ Published in \_\_\_\_\_  
Publication approved \_\_\_\_\_ Date \_\_\_\_\_

APR 20 1994

Application: #1

RECEIVED

JAN 20 1994

RECEIVED

JAN 27 1994

Form 202  
10/92

Department of Water Resources

Department of Water Resources

Ident. No. 67.7946

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED  
AMENDED

APPLICATION FOR PERMIT

AMENDED

JAN 31 1994

To appropriate the public waters of the State of Idaho

WATER RESOURCES  
WESTERN REGION

1. Name of applicant F. PAUL SUTTON Phone 208/355-2488

Post office address RT 1 BOX 11 MIDVALE ID 83672

2. Source of water supply SPRING which is a tributary of Deep Creek ~~unnamed stream~~ \*

3. Location of point of diversion is SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Govt. Lot —

Sec. 32 Township 13N Range 03W B.M. WASHINGTON County; additional points of diversion if any: —

4. Water will be used for the following purposes:

Amount .03 ~~.04~~ for STOCKWATER purposes from 1/1 to 12/31 (both dates inclusive) \*

Amount — for — purposes from — to — (both dates inclusive)

Amount — for — purposes from — to — (both dates inclusive)

Amount — for — purposes from — to — (both dates inclusive) \*

5. Total quantity to be appropriated is (a) .04 ~~.03~~ cubic feet per second and/or (b) — acre feet per annum

6. Proposed diverting works:

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

Dug out earthen reservoir. See Item 6h.

*See attached calculations & storage*

3' deep by 25' in diameter

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? NO

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

Well was drilled for (well owner) —

APR 20 1994

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).

*unnamed stream N/A for trib.*

*\* per type & per max rate*

*for # stock*

*-82 2/8/94*

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. 100 RANGE CATTLE
- c. Municipal; show name of municipality. \_\_\_\_\_
- d. Domestic; show number of households. \_\_\_\_\_
- 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. | INE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|-----|-------|------|-------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|     |       |      | NE $\frac{1}{4}$  | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 13N | 03W   | 32   |                   |                  |                  |                  | S                |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|     |       |      |                   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

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? F. Paul and Marion H. Sutton

b. Who owns the land to be irrigated or place of use? ~~None Irrigated~~ Applicant

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

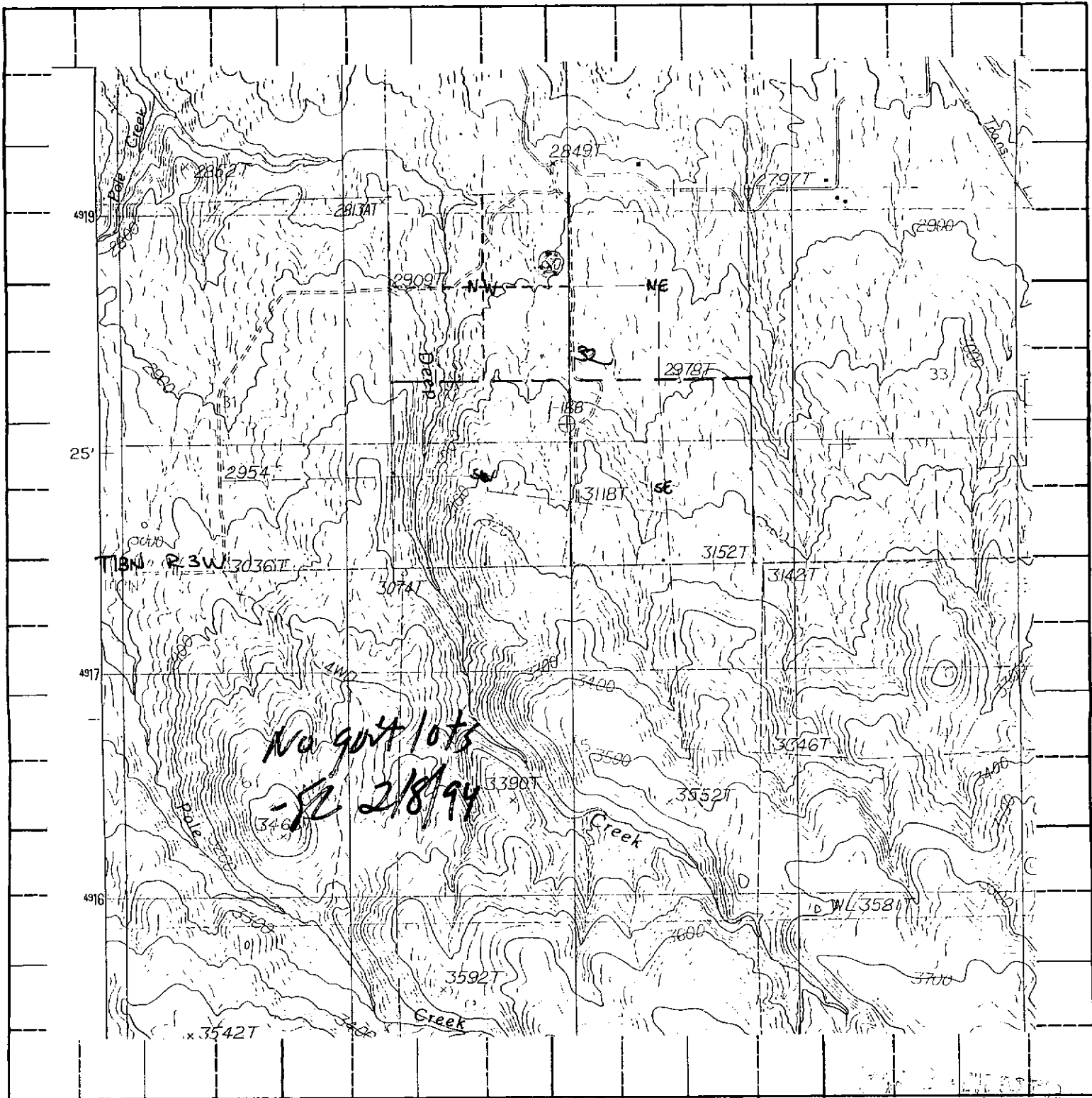
12. Remarks: \_\_\_\_\_

\* per table with F. P. Sutton 2/8/94

MADEIRA SPRING

APR 20 1994

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.

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.

*F. Paul Sutton*  
(Applicant)

APR 20 1994

Received by DW Date 1/20/94 Time 2 P.M. Preliminary check by FL  
Fee \$ 3000 Receipted by DW # C029462 Date 1/20/94  
Publication prepared by ST Date 2-9-94 Published in Upper County News  
Publication approved ST Date 3-8-94 Weiser signed

### 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:

APR 20 1994

Stuck to:

Application for Permit Jan 20, 1994

This application  
has been amended.

See amended &  
application #1

RECEIVED

JAN 31 1994

STATE OF IDAHO WATER RESOURCES  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

Ident. No. \_\_\_\_\_

RECEIVED

JAN 20 1994

Department of Water Resources

To appropriate the public waters of the State of Idaho

1. Name of applicant F. Paul Sutton Phone (208) 355-2488  
Post office address Route 1, Box 11, Midvale, ID 83672

2. Source of water supply See Addenda which is a tributary of See Addenda

3. Location of point of diversion is See Addenda 1/4 of See Addenda 1/4 of See Addenda 1/4, Govt. Lot See Addenda  
Sec. See Addenda Township See Addenda Range See Addenda B.M. See Addenda County; additional  
points of diversion if any: See Addenda

4. Water will be used for the following purposes:

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

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

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

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

5. Total quantity to be appropriated is (a) .25 c.f.s. and/or (b) See Addenda  
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Reservoirs are already in place.

b. Height of storage dam None feet; active reservoir capacity See Addenda acre-feet; total  
reservoir capacity See Addenda acre-feet; period of year when water will be diverted to storage:  
See Addenda to See Addenda inclusive.

c. Proposed well diameter is None inches; proposed depth of well is See Addenda feet.

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

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

Well was drilled for (well owner) See Addenda

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

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. Up to 100 head of livestock.
- Municipal; show name of municipality. \_\_\_\_\_
- Domestic; show number of households. None
- 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.

All for stock water. See attached Aerial Photograph for Legal Descriptions.

| TWP | RANGE | SEC. | NE¼                               |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|-----|-------|------|-----------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|     |       |      | NE¼                               | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
|     |       |      |                                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      | SEE ITEMS 2, 3, and 4 ON ADDENDA. |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|     |       |      |                                   |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

LEGAL DESCRIPTION OF SUBJECT RANCH:

Lot 2, SW¼NE¼, NW¼SE¼, Sec. 5, T12N, R3W, 116.8Ac Total number of acres to be irrigated None  
 E½NW¼, SW¼NE¼, W½SE¼, Sec. 32, T13N, R3W, 200 Ac

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? F. Paul and Marion H. Sutton

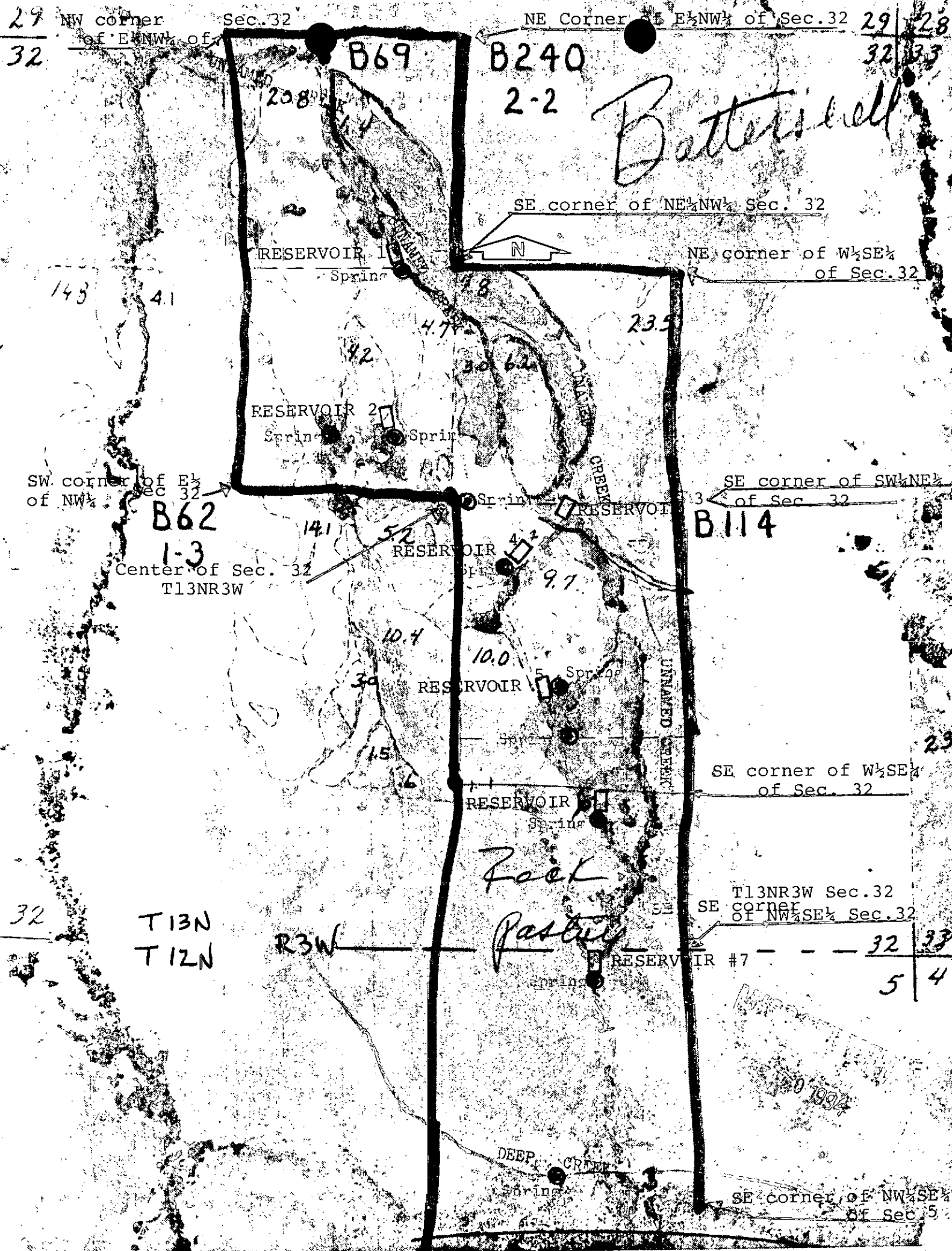
b. Who owns the land to be irrigated or place of use? None irrigated.

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: \_\_\_\_\_

RECEIVED

APR 20 1994



29 NW corner of E1/4NW1/4 of Sec. 32 29 28  
32 32 33

B240  
2-2

*Battersell*

SE corner of NE1/4NW1/4 Sec. 32



NE corner of W1/2SE1/4 of Sec. 32

RESERVOIR 1  
Spring

RESERVOIR 2  
Spring

SW corner of E1/4NW1/4 of Sec. 32

B62

Center of Sec. 32  
T13NR3W

SE corner of SW1/4NE1/4 of Sec. 32

B114

RESERVOIR 3  
Spring

RESERVOIR 4  
Spring

RESERVOIR 5  
Spring

SE corner of W1/2SE1/4 of Sec. 32

T13N  
T12N

R3W

*Rock  
Pasture*

T13NR3W Sec. 32  
SE corner of NW1/4SE1/4 Sec. 32

RESERVOIR #7  
Spring

32 33  
5 4

1992

DEEP CREEK  
Spring

SE corner of NW1/4SE1/4 of Sec. 5

ADDENDA TO FORM 202

Item 2; Source of Water Supply: See Attached Aerial Photograph:  
Reading from North to South

Spring adjacent to Reservoir #1 and Unnamed Creek

From 2 Springs near Reservoir #2 -- Ground Water

From 2 Springs near Reservoirs #3 and #4 -- Ground Water

From 2 Springs near Reservoir #5 -- Ground Water

From Spring adjacent to Reservoir #6 -- Ground Water

From Spring adjacent to Reservoir #7 -- Ground Water

From Spring adjacent to Deep Creek

Both the Unnamed Creek and Deep Creek are tributary to the Weiser River.

Item #3; Location of Point of Diversion for water from Item 2, above:

Near SE Corner of NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 32

Spring adjacent to Reservoir #1: Ground Water

2 Springs near Reservoir 2: Ground Water: Near SW Corner of E $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec. 32

2 Springs near Reservoirs 3 and 4: Ground Water: Near Center Pt. of Sec. 32

2 Springs near Reservoir 5: Ground Water: Near SE corner of W $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 32

From Spring adjacent to Reservoir 6: Ground Water: Near SE corner of W $\frac{1}{4}$ SE $\frac{1}{4}$  of  
Sec. 32

From Spring adjacent to Reservoir 7: Ground Water: Near SE corner of NW $\frac{1}{4}$ SE $\frac{1}{4}$  of  
Sec. 32

From Spring adjacent to Deep Creek: Near SE corner of NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 5

Item #4: Water to be for following purposes:

Spring adjacent to Res. #1: .04 c.f.s. for stock water from March 15 to Nov. 15

2 Springs near Res. #2 : .05 c.f.s. " " " " " " " " " "

2 Springs near Res. #3 & 4: .05 c.f.s. " " " " " " " " " "

2 Springs near Res. #5 : .04 c.f.s. " " " " " " " " " "

1 Spring adjac. to Res. #6: .03 c.f.s. " " " " " " " " " "

1 Spring adjac. to Res. #7: .02 c.f.s. " " " " " " " " " "

1 Spring adjac. to Deep Cr: .01 c.f.s. " " " " " " " " " "

Total .25 c.f.s.

APR 20 1994

[illegible]

APR 20 1994

F. Saul Sutton  
(Applicant)

F. Paul Sutton

Received by IDWR Date 1/20/94 Time \_\_\_\_\_ Preliminary check by \_\_\_\_\_  
Fee \$ 45<sup>00</sup> Received by DW # C 029462 Date 1/20/94  
Publication prepared by ST Date 2-9-94 Published in Upper City News  
Publication approved ST Date 3-8-94 Weiser Signal

### 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:

APR 20 1994



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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

November 30, 1994

JERROLD D PIPER  
2288 STEPHEN AVE  
BOISE ID 83706

Re: Permit Nos. 67-07946, 67-07947, 67-07948, 67-07949,  
67-07950, 67-07951 and 67-07952

Dear Mr. Piper:

This letter is to confirm that the assignment of ownership on the above referenced water rights is satisfactory. We have modified our computer records to reflect these changes in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON, Manager  
Water Right Permits Section

JJ:dc

DEC 06 1994

WR0749NP  
No. 67-07946

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 11/21/94  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                          | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | JERROLD D PIPER<br>2288 STEPHEN AVE<br>BOISE ID 83706<br>(208) 343-8662 | 01/20/1994       | STOCKWATER | 01-01 12-31           | 0.03 CFS          |                     |
| TOTAL DIVERSION: |                                                                         |                  |            |                       | 0.03 CFS          |                     |

Water Source: SPRING

Tributary to: DEEP CREEK

Stage: PERMIT

Point(s) of Diversion: T13N R03W S32 SENENW WASHINGTON County

Place of use Legal Description for: STOCKWATER

|     |     |    |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |   |
|-----|-----|----|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
| T   | R   | S  | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | : |
| 13N | 03W | 32 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |
|     |     |    | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |

Pou County: WASHINGTON

Conditions of Approval:

- 005 - Use of water under this right is subject to control by the
- watermaster of State Water District No. 67.

Remarks: Stockwater use is for 100 range cattle.

Dates: App. Received: 01/20/1994 Priority Date: 01/20/1994  
Proof Due Date: 04/01/1995 Proof Made Date: 04/21/1994  
Exam Made Date: 05/05/1994 Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: 67 Field Exam Fee: R (Received)

Comments: Date: 03/15/1994 User-ID: ZIMMERMA Subject: DIVERSION DESCRIPTION  
Existing 3' deep by 25' diameter earthen dug-out reservoir.

Date: 04/25/1994 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd  
Proof of Beneficial Use Rcvd

Date: 05/09/1994 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd  
Proof of Beneficial Use Rcvd

Audit: 02/09/94 TAYLOR 02/16/94 TAYLOR 03/15/94 ZIMMERMA 04/25/94 COMMENTS  
05/09/94 YARBROUG 05/09/94 COMMENTS 05/10/94 TAYLOR 11/21/94 CZIMMERM



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

November 10, 1994

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

JERROLD D PIPER  
2288 STEPHEN AVE  
BOISE ID 83706

RE: Permit No. 67-07946

Dear Mr. Piper:

I recently received an 'Assignment of Permit' form on the above referenced permit assigning the permit to you.

As of July 1, 1994, the assignment of a permit must be accompanied by a \$25.00 filing fee. Assignments of permits are not acceptable without filing fees.

I am returning the assignment to you. Please resubmit the assignment with the filing fee to my attention at the above address.

If you have any questions, please feel free to contact me directly at (208) 327-7944.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Zimmerman".

Cindy Zimmerman  
Water Resource Agent

Enclosures

NOV 14 1994

DEC 06 1994

ANALYSIS SHEET  
FOR  
PROOF OF BENEFICIAL USE

Permit No. 67-07946

Reviewed by [Signature]

Date 4-27-94

GENERAL CONSIDERATIONS

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

TYPES OF USE

stock

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source  
☐ Ground water source

☐ Drilling permit required?  
☐ Copy in the file? Drilling Permit No. \_\_\_\_\_  
☐ Amount paid for permit \_\_\_\_\_ Correct?  
☐ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?  
50.00 Amount Submitted  
yes Correct?

MEASURING DEVICE

☐ Required?  
☐ Installed?  
☐ Waiver requested?

PRIORITY CALCULATION

|                     |   |  |
|---------------------|---|--|
| Date proof received |   |  |
| Date proof due      | - |  |
| No. of days late    | = |  |
| Priority Date       | + |  |
| New Priority Date   |   |  |

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address \_\_\_\_\_

Proof Made 4-21-94

April 27, 1994

PAUL SUTTON  
ROUTE 1 BOX 11  
MIDVALE ID 83645

**PROOF ACKNOWLEDGEMENT LETTER**

**RE: PERMIT NOS. 67-07946, 67-07947, 67-07948, 67-07949,  
67-07950, 67-07951 & 67-07952**

Dear Permit Holder:

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

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

Sincerely,

JULIE L. YARBROUGH  
Senior Secretary

c: IDWR - Region

RECEIVED  
MAY 10 1994

AUG 10 1994



## SUTTON REAL ESTATE APPRAISAL



F. Paul Sutton, MAI  
Route 1, Box 11  
Midvale, Idaho 83645  
Ph: (208) 355-2488

RECEIVED  
APR 21 1994  
WATER RESOURCES  
WESTERN REGION

Craig P. Sutton  
State Licensed Appraiser  
2158 N.W. 3rd Avenue  
Ontario, Oregon 97914  
Ph: (503) 889-7559

April 20, 1994

Steve Lester  
Department of Water Resources  
2735 Airport Way  
Boise, Idaho 83705

Dear Mr. Lester:

In accordance with our telephone call of today I am enclosing copies of previous correspondence which has apparently been lost. This includes Proof of Beneficial Use forms mailed under date of March 24, 1994.

\*

Also enclosed is Personal Check for \$350 to cover license processing, etc.

Please be advised that I have recently sold this property and that after April 22, 1994 ownership will be in the name of:

Jerrold D. Piper  
2288 Stephen Avenue  
Boise, Idaho 83706

Sincerely,

*F. Paul Sutton*  
F. Paul Sutton

P.S. I received from your office today ASSIGNMENT OF PERMIT forms for these 7 permits and they will be used at the Closing on 4-22-94 to Mr. Piper.

\* NO check sent with previous (3/24/94) letter  
Mr. Sutton, telecon 4/19/94. -SL

RECEIVED  
AUG 10 1994



## SUTTON REAL ESTATE APPRAISAL



F. Paul Sutton, MAI  
Route 1, Box 11  
Midvale, Idaho 83645  
Ph: (208) 355-2488

Craig P. Sutton  
State Licensed Appraiser  
2153 N.W. 3rd Avenue  
Ontario, Oregon 97914  
Ph: (503) 889-7559

March 24, 1994

JIM JOHNSON  
WATER RIGHTS SUPERVISOR  
1301 North Orchard Street  
Statehouse Mail  
Boise, ID 83720-9000

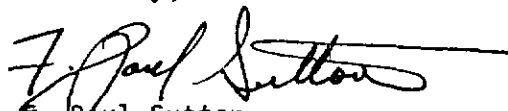
RE: "Proof of Beneficial Use" for Permit Nos. 67-07946, 67-07947,  
67-07948, 67-07949, 67-07950, 67-07951 and 67-07952

Dear Mr. Johnson:

As per the instructions in your letter dated March 21, 1994,  
I am enclosing seven completed "Proof of Beneficial Use" forms  
for the above captioned Permits.

If you have any questions regarding this matter, please do not  
hesitate to contact me.

Sincerely,

  
F. Paul Sutton

FPS/sc  
Enclosures

MAILED 1994  
AUG 10 1994



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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

March 21, 1994

F PAUL SUTTON  
RT 1 BOX 11  
MIDVALE ID 83545

PERMIT APPROVAL NOTICES

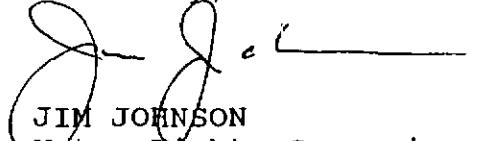
RE: PERMIT NOS. 67-07946, 67-07947, 67-07948, 67-07949, 67-07950,  
67-07951 AND 67-07952

Dear Permit Holder(s):

Enclosed are copies of your approved applications for permit.  
Please be sure to thoroughly review the "CONDITIONS/REMARKS:"  
listing on each permit.

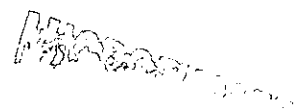
Enclosed for each approved application for permit is a form  
entitled "Instructions for Proof of Beneficial Use". Please read  
the instructions carefully since you must take further action to  
develop these permits. Also enclosed are forms entitled "Proof  
of Beneficial Use". If your projects are already completed you  
should complete and submit these forms immediately.

Sincerely,

  
JIM JOHNSON  
Water Rights Supervisor

JJ:dc

Enclosures

  
APR 20 1994

APPLICATION FOR PERMIT  
STATE OFFICE REVIEW  
by Cindy Zimmerman

Application #: 67-7946 Name: Sutton Date: 3/15/94

AREA OF CONCERN? - No/Yes \_\_\_\_\_ Mor \_\_\_\_\_ GWMA Trust/Non-trust

SYSTEM COMPLETED:

No - 26A-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <flo-ch> - T17 (new), 01K (existing), No MD

- 0.2 cfs - No MD <flow chart>

Drilling Permit:

Included w/permit - Permit No. \_\_\_\_\_, P99

Existing well - NA (pre 7/1/87)

No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <flow chart>

LOCATION:

Water District(dam) - WD No. 67

\*Surface water - 005 (req) 01J-P08 <flow chart>

(doesn't sink) or 01H-P01 <flow chart>; No MD

Groundwater - P05 (new irrigation well)

In stream channel - 030 (stream channel alteration)

Irr Dist/Canal Co. - 023 (Twin Falls area)

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (-85° Groundwater temp)

Swan Falls Flag - B <See condition code chart>

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

Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (\*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA

Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA

Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10

044 (N 1000 Spr)

Irrigation - 803(if GW use SW 1st)(+5A do POU comp), NA

Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;

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

Mining - 054 (req) & 06A/010/09E-P10

Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

Domestic (surface) - 021(Boise R + L Peak), 27A(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU) \_\_\_\_\_

PROTESTED:

Prehearing agreement- 020

OTHER CONDITIONS:

REMARKS:

DWO2(100EC)

BENEFICIAL USE DUE:

- 4-1-1995

COMMENTS:

- DWO Desc.

WR0749NP  
No. P67-07946

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 03/15/94  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | F PAUL SUTTON<br>RT 1 BOX 11<br>MIDVALE ID 83645<br>(208) 355-2488 | 01/20/1994       | STOCKWATER | 01-01 12-31           | 0.03 CFS          |                     |
| TOTAL DIVERSION: |                                                                    |                  |            |                       | 0.03 CFS          |                     |

Water Source: SPRING

Tributary to: DEEP CREEK

Stage: PERMIT

Point(s) of Diversion: T13N R03W S32 SENENW WASHINGTON County

Place of use Legal Description for: STOCKWATER

| NENE |     |    |                           | NW                        |                           |                           |                           | SW                        |                           |   |   | SE |   |   |   |
|------|-----|----|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|---|----|---|---|---|
| T    | R   | S  | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac Lt Ac |   |   |    |   |   |   |
| 13N  | 03W | 32 | :                         | S                         | :                         | :                         | :                         | :                         | :                         | : | : | :  | : | : | : |

Pou County: WASHINGTON

Conditions of Approval:

- 005 - Use of water under this right is subject to control by the watermaster of State Water District No. 67.

Remarks: Stockwater use is for 100 range cattle.

Dates: App. Received: 01/20/1994 Priority Date: 01/20/1994  
Proof Due Date: 04/01/1995 Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: 67 Field Exam Fee:

Comments: Date: 03/15/1994 User-ID: ZIMMERMA Subject: DIVERSION DESCRIPTION  
Existing 3' deep by 25' diameter earthen dug-out reservoir.

Audit: 03/15/94 ZIMMERMA

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: JE DATE: 2/8/94 APPLICATION: 67-7946

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:  
☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)  
☒ Fee:  
☒ Yes ☐ No\* In form to receipt:

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

**RECEIVED**  
MAR 11 1994

ADDITIONAL INFORMATION

YES NO

N/A Stockwater  
☒ 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):  
☒ Send dam safety information:  
☒ Send power requirement letter:  
☒ Send fish farm requirement letter:  
☒ Power residency affidavit:  
☒ Power efficiency form:  
☒ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)  
☒ 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. \_\_\_\_\_

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. Fish and Game

I.D. Lands

Adjudication Bureau

☒ YES NO

☐ ☒  
☐ ☒  
☒ ☐  
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # 67

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 3-7-94

Protest dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District # \_\_\_\_\_

Special conditions of approval or cover letter: \_\_\_\_\_

☒ See below for additional information

Recommended Date or Priority 1/20/94

Recommended by: DAK Date 3/19/94

STATE OFFICE REVIEW

See below for additional information. By \_\_\_\_\_ Date \_\_\_\_\_

ADDITIONAL INFORMATION

No storage per attached calculation sheet (< .1 Af).

This is 1 of 7 similar apps. by same owner:

1 ID 12N 3W 5.5

6 ID 13N 3W 5.32

Original info ID Appl. #1 for spring SENE NW 5.32.

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.  
County of Washington

Saman Bales, being duly sworn,  
deposes and says:

That he is the owner 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  
February 16, 1994, and ending  
with the issue of February 23, 1994  
Saman Bales

Fees, \$ 220.46

Subscribed and sworn to before me this 23  
day of February, 1994

Notary Public, Residing at Weiser, Idaho.

My Commission Expires 12/31/97, 1997

APR 20 1994

## NOTICE OF APPLICATION FOR WATER RIGHT

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

67-07946  
SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SENENW Sec 32 T 13N R 03W in  
WASHINGTON County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/20/1994  
In: WASHINGTON County  
T13N R03W S32 NENW

67-07947

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: SWSNW Sec 32 T 13N R 03W in  
WASHINGTON County.  
SESENW Sec 32 T 13N R 03W in WASHINGTON  
County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R03W S32 SENW

67-07948

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: NWNWSE Sec 32 T 13N R 03W in  
WASHINGTON County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R03W S32 NWSE

67-07949

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: SWNWSE Sec 32 T 13N R 03W in  
WASHINGTON County.  
SENWSE Sec 32 T 13N R 03W in WASHINGTON  
County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R03W S32 NWSE

67-07950

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SWNWSE Sec 32 T 13N R 03W in  
WASHINGTON County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R03W S32 NWSE

67-07951

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SESWSE Sec 32 T 13N R 03W in  
WASHINGTON County.  
Use: STOCKWATER (.020 CFS)  
Total Diversion: (.020 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R03W S32 SWSE

67-07952

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SENWSE Sec 5 T 12N R 03W in WASH-  
INGTON County.  
Use: STOCKWATER (.010 CFS)  
Total Diversion: (.010 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T12N R03W S05 NWSE

Permits will be subject to all prior water rights. Pro-  
tests may be submitted based on the criteria of Sec. 42-  
203A, Idaho Code. Protests must be filed with the  
Director, Dept. of Water Resources, Western Region,  
2735 Airport Way, Boise, Idaho 83705 on or before  
MARCH 7, 1994.

R. KEITH HIGGINSON, Director  
Published: 2/17/1994 & 2/24/1994

# Affidavit of Publication

STATE OF IDAHO  
County of Washington } ss.

Stuart Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began February 17, 19 94 and ended February 24, 19 94

*Stuart Dopf*

Subscribed and sworn to before me

this 25<sup>th</sup> day of

FEBRUARY, 19 94

*Edward Flood*

Notary Public in and for the State of Idaho, residing at Cambridge, Idaho 83610.

COMMISSION EXPIRES Aug 2, 1995

## Public Notices

### NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

67-07946

SUTTON, F. PAUL  
RT. 1 BOX 11  
MIDVALE, ID 83645  
Source: SPRING,  
Tributary: DEEP CREEK  
Diversion Pt: SENW Sec. 32 T 13N R 3W in WASHINGTON County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030)  
Date Filed: 1/20/1994  
In: WASHINGTON County  
T13N R3W S32, NENW

67-07947

SUTTON, F. PAUL  
RT. 1, BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: SWSE Sec. 32 T 13N R 3W in WASHINGTON County, SESE Sec. 32 T 13N R 3W in WASHINGTON County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County T13N R3W S32 SENW

67-07948

SUTTON, F. PAUL  
RT 1, BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: NWNW Sec. 32 T 13N R 3W in WASHINGTON County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County, T13N R3W S32 NWSE

67-07949

SUTTON, F. PAUL  
RT. 1, BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: SWNW Sec. 32 T 13N R 3W in WASHINGTON County, SENW Sec. 32 T 13N R 3W in WASHINGTON County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County  
T13N R3W S32 NWSE

67-07950

SUTTON, F. PAUL  
RT. 1, BOX 11  
MIDVALE, ID 83645  
Source: SPRINGS  
Tributary: DEEP CREEK  
Diversion Pt: SWNW Sec. 32 T 13N R 3W in WASHINGTON County.  
Use: STOCKWATER (.030 CFS)  
Total Diversion: (.030 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County T 13N R3W S32 NWSE

67-07951

SUTTON, F. PAUL  
RT. 1, Box 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SESW Sec 32 T 13N R 3W in WASHINGTON County  
Use: STOCKWATER (.020 CFS)  
Total Diversion: (.020 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County T13N R3W S32 SWSE

67-07952

SUTTON, F. PAUL  
RT. 1, BOX 11  
MIDVALE, ID 83645  
Source: SPRING  
Tributary: DEEP CREEK  
Diversion Pt: SENW Sec. 5 T 12N R 3W in WASHINGTON County.  
Use: STOCKWATER (.010 CFS)  
Total Diversion: (.010 CFS)  
Date Filed: 1/27/1994  
In: WASHINGTON County T 12N R3W S5 NWSE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before MARCH 7, 1994.

R. KEITH HIGGINSON  
Director

Published: 2/17/1994 & 2/24/1994.

APR 20 1994



State of Idaho  
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

February 11, 1994

GERALD MYERS  
HC 70 BOX 2010  
MIDVALE ID 83654

Re: Applications for Water Rights Nos. 67-7946 through 67-7952  
in the Name of F. Paul Sutton

Dear Mr. Myers:

Enclosed are a copies of the above-referenced applications for  
water rights.

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

Sincerely,

DAVID R. TUTHILL, JR., P.E.  
Manager, Western Regional Office

DRT:st

Enclosure: Copies of Applications

APR 20 1994

Sutton Appls. for Stockwater (7)

Storage needed?

Circular pits

$$A = \pi r^2$$

$h$  = depth

$V$  = volume Af

$$V = \frac{(A)(h)}{43,560} = \frac{(\pi)(r^2)(h)}{43,560}$$

SL  
2/8/99

IF: 2' deep 25' wide

$$V = \frac{(\pi)(10^2)(2)}{43,560} = .01 \text{ Af}$$

3' deep 25' wide

$$V = \frac{(\pi)(12.5^2)(3)}{43,560} = .03 \text{ Af}$$

2' deep 25' wide

$$V = \frac{(\pi)(12.5^2)(2)}{43,560} = .02 \text{ Af}$$

THEN:

Storage < .1 Af N/A,

treat as natural flow rights

APR 20 1994



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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

January 21, 1994

F PAUL SUTTON  
RT 1 BOX 11  
MIDVALE ID 83672

RE: APPLICATION FORMS

Dear Mr. Sutton:

In follow-up to our telephone conversation yesterday, I am returning to you a copy of your original application. That application is not acceptable as submitted. That application identifies seven individual reservoirs as systems.

Water Appropriation Rule 3,3,2,2. reads in part "Only one source shall be listed on an application unless the application is for a single system which will have more than one source."

I have enclosed one amended application for the first source/system, and six other applications for the other separate systems. Please complete the highlighted items, and review and correct any information on each of the applications prior to signing them.

Also enclosed is your receipt for \$45.00 for application of permit filing fees. Each of these applications has a filing fee of \$30.00. The total filing fee for the seven applications is \$210.00 of which you have paid \$45.00, leaving a balance of \$165.00.

I will hold further processing of your application for 15 days. Please return the completed forms and filing fees to me at the above address within the 15-day period.

If you have any questions or require further assistance, please feel free to contact me directly at 327-7944.

Sincerely,

CINDY ZIMMERMAN  
Water Resource Agent

Enclosures

RECEIVED  
JAN 31 1994  
WATER RESOURCES  
WESTERN REGION

RECEIVED

APR 20 1994



# SUTTON REAL ESTATE APPRAISAL

RECEIVED  
JAN 31 1994



F. Paul Sutton, MAI  
Route 1, Box 11  
Midvale, Idaho 83645  
Ph: (208) 355-2488

RECEIVED  
JAN 20 1994  
Department of Water Resources

WATER RESOURCES  
WESTERN REGION

Craig P. Sutton  
State Licensed Appraiser  
2158 N.W. 3rd Avenue  
Ontario, Oregon 97914  
Ph: (503) 889-7559

January 18, 1994

State of Idaho  
Department of Water Resources  
1301 North Orchard Street  
Statehouse ~~Mail~~ Mail  
Boise, Idaho 83720-9000

Re: Application for Water Rights  
Paul Sutton Property, Midvale  
(Batterhshell Place)

Attention: Cindy Zimmerman

Attached is the captioned application, together with the  
appropriate attachments.

Sincerely,

F. Paul Sutton  
Owner

P.S. Check for \$45 processing fee is included.

P.S. I am forwarding another copy of the application as I failed  
to sign the one mailed yesterday.

F. Paul Sutton,  
Owner

RECEIVED

APR 20 1994



## SUTTON REAL ESTATE APPRAISAL



F. Paul Sutton, MAI  
Route 1, Box 11  
Midvale, Idaho 83645  
Ph: (208) 355-2488

RECEIVED  
JAN 19 1994  
Department of Water Resources

Craig P. Sutton  
State Licensed Appraiser  
2158 N.W. 3rd Avenue  
Ontario, Oregon 97914  
Ph: (503) 889-7559

January 18, 1994

State of Idaho  
Department of Water Resources  
1301 North Orchard Street  
Statehouse Mall  
Boise, Idaho 83720-9000

Attention: Cindy Zimmerman

Re: Application for Water Rights  
Paul Sutton Property, Midvale  
(Batterhshell Place)

Attached is the captioned application, together with the  
appropriate attachments.

Sincerely,

F. Paul Sutton  
Owner

RECEIVED  
JAN 31 1994

WATER RESOURCES  
WESTERN REGION

APR 29 1994

67-07946

SUTTON, F PAUL  
RT 1 BOX 11  
MIDVALE, ID 83672

Source: SPRING

Tributary: DEEP CREEK

Diversion Pt: SENENW Sec 32 T 13N R 03W in WASHINGTON County.

Use: STOCKWATER ( .030 CFS)  
Total Diversion: ( .030 CFS)

Date Filed: 1/20/1994

In: WASHINGTON County  
T13N R03W S32 NENW

APR 20 1994