

MA PREPARED from Applicant's
Keithly info & - 82 7/1/92
IOWA
Records

T13N R4W
S. 11, 12, 13, 14, 23, 24
No govt. lots

800 Acre Plu.
boundary per Applicant's
written info & map

RESERVOIR
covered by
~~67-02340~~
67-07732

P/D in N.W. per
Applicant's
written info

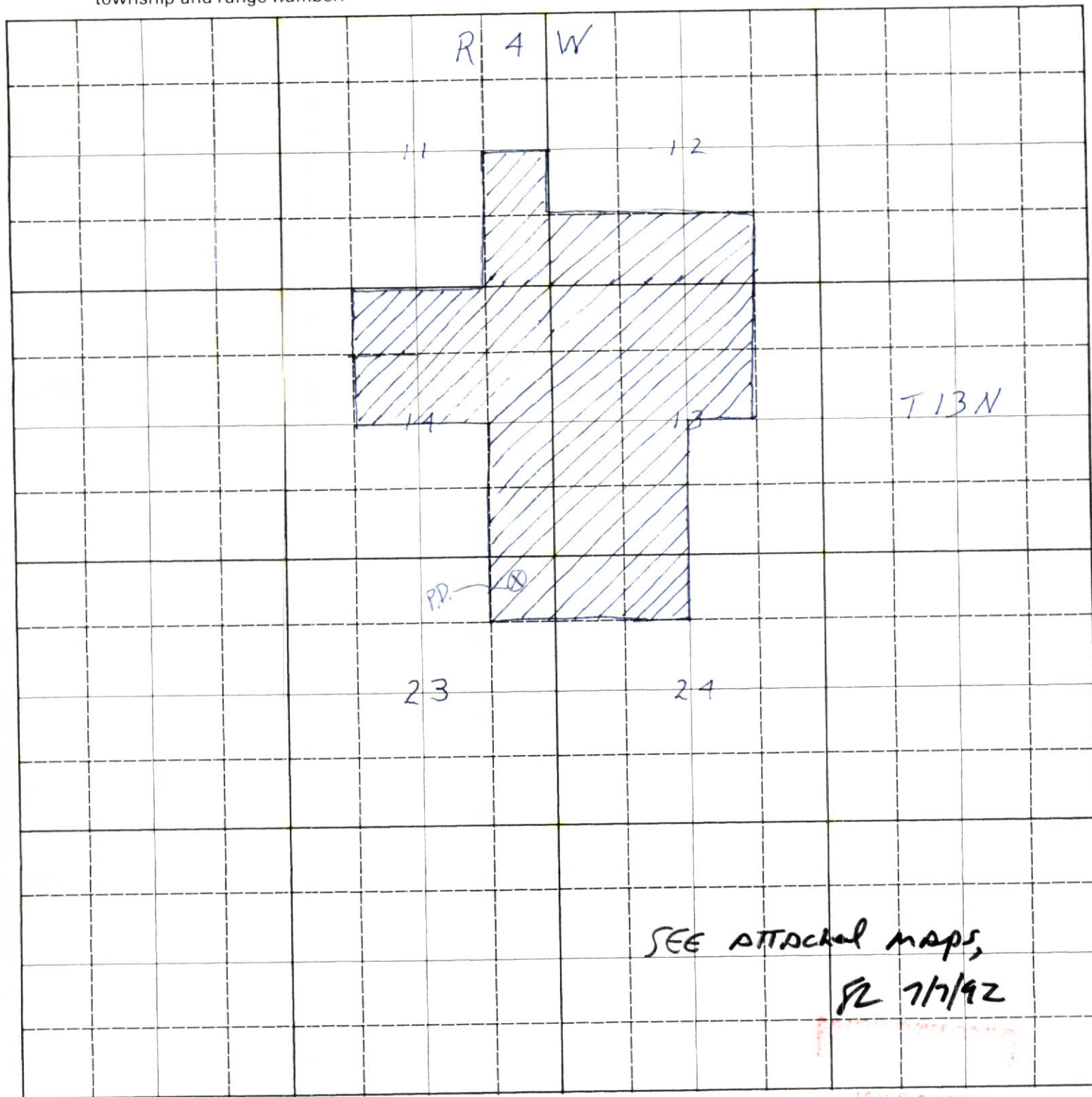
Sage
Creek

TO FAIRCHILD Reservoir,
(67-02390)

P/D in N.E. per
Applicant's map,
appears incorrect
if source is
Sage Creek,
do not use

JAN 20 1994

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

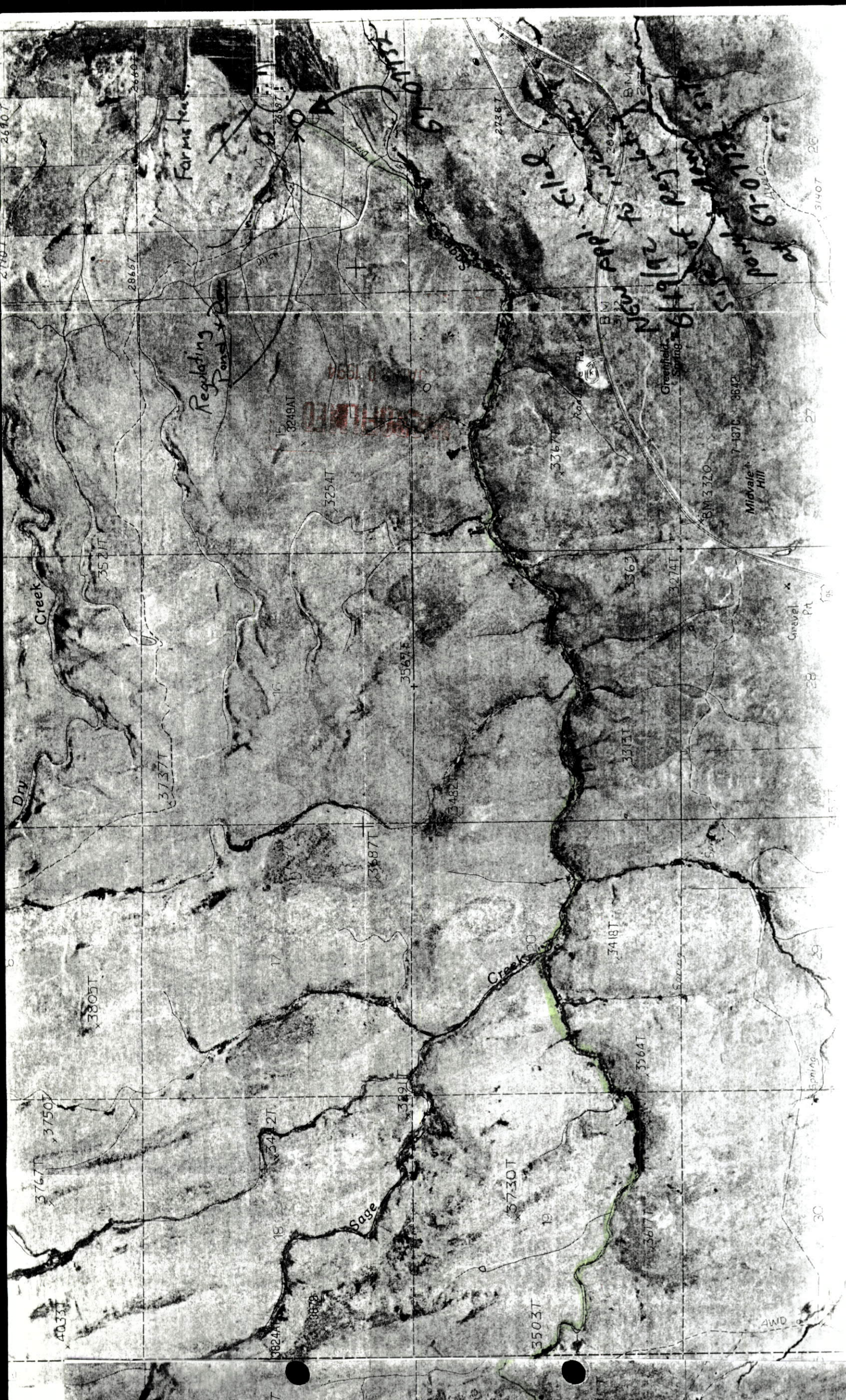


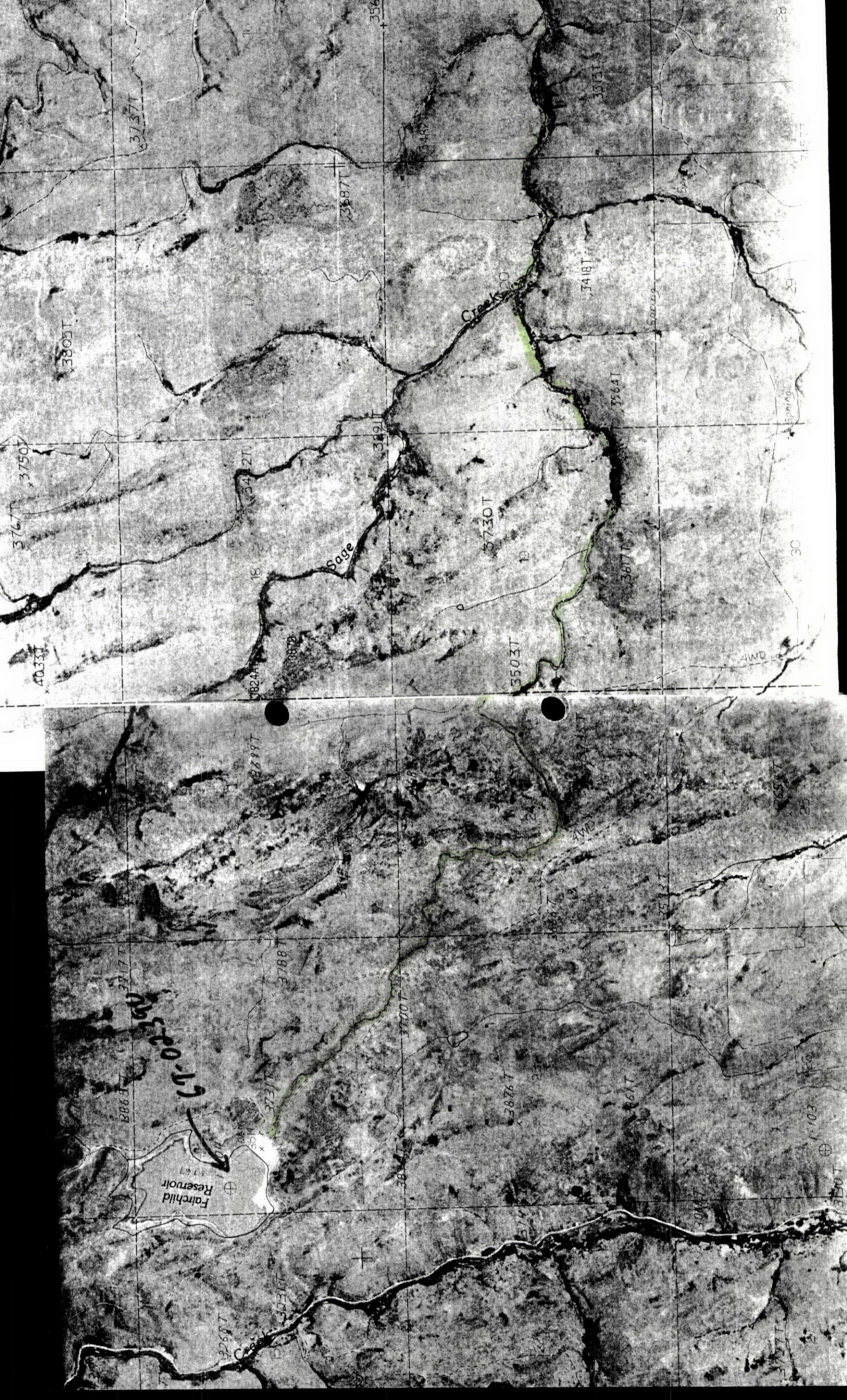
Scale: 2 inches equal 1 mile.

JAN 20 1994

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.

Arthur Q. Fairchild
(Applicant)





FOR OFFICE USE ONLY
 Amt. of Fee \$: 100.00
 Receipt No. 1043917
 Receipt By: B-G
 Date Received: 11-18-90
 RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOV 18 1998

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 67-07899 Telephone No. 208, 383-0000
2. Name(s) of Permit Holder(s): ARTHUR FAIRCHILD/CONTACT BOA - MARIANNE WILLIAMS
3. Mailing Address: 914 HOUSTON ROAD, BOISE, ID 83706
4. Source of Water: SAGE CREEK If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
- a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____
- b. **OPTIONAL:**
Pump Horsepower: _____ 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): 800 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 1.00 cfs OR 46.0 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 _____
Has the measuring device been installed? Yes _____ or No _____

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

8. Fee Enclosed: \$ 100.00 (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: MARIANNE WILLIAMS Telephone Number: 208, 383-0000
Address: 914 HOUSTON ROAD BOISE ID 83706

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: Marianna Piccini (POA) MIC Date: 11/16/98
(include your title, if on behalf of company or organization)

FEB 10 1946

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 67-07899

Proposed Priority: June 19, 1992

Maximum Diversion Rate:

1.00 CFS

Maximum Diversion Volume:

66.0 AF

This is to certify, that **ARTHUR FAIRCHILD**

RT 1 BOX 87

MIDVALE ID 83645

has applied for a permit to appropriate water from:

SAGE 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>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		66.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		66.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	1.00 CFS	
	Totals	1.00 CFS	66.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 23, Township 13N, Range 04W

NWNW , Sec. 23, Township 13N, Range 04W

WASHINGTON County

PLACE OF USE: IRRIGATION STORAGE

TWN RGE SEC

13N 04W 14 NWSE

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13N 04W 11	NESE 18	SESE 40		58
12	SWSW 21	SESW 14	SWSE 3	38
13	NWNE 38	SWNE 38	NENW 30	
	NWNW 39	SWNW 40	SENE 38	
	NESW 35	NWSW 40	SWSW 36	
	SESW 18			352
14	NENE 38	NWNE 39	SWNE 39	
	SENE 35	NENW 32	SENE 35	
	NESE 38	SESE 36		292
23	NENE 7			7
24	NENW 29	NWNW 24		53

Total number of acres irrigated: 800

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1998.**
2. Subject to all prior water rights.

RECEIVED
JAN 20 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

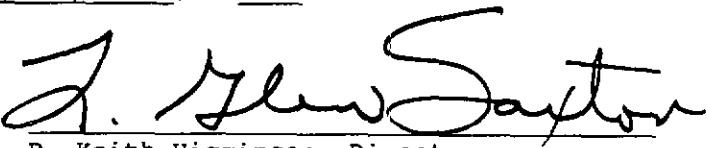
NO. 67-07899

CONDITIONS/REMARKS:

3. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 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

13th day of December, 1993.

for 
R. Keith Higginson, Director

JAN 20 1994

RECEIVED
NOV 17 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant Arthur Fairchild Phone _____

Post office address Rt. 1 Box 87, Midvale, ID. 83645

2. Source of water supply Sage Creek which is a tributary of Weiser River

3. Location of point of diversion is _____ ¼ of NE ¼ of NW ¼, Govt. Lot _____

Sec. 23 Township 13N Range 4W B.M. Washington County; additional points of diversion if any: NWNW 5.23 T13N R04W

4. Water will be used for the following purposes:

Amount 1.00 for Diversion to storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 66 for Irrigation storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 66 for Irrigation from storage purposes from 4/1 to 10/31 (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) 1.00 and/or (b) 66
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. diversion dam & ditch to
re-regulating dam (off-stream storage) for supplemental irrigation

b. Height of storage dam 25 feet; active reservoir capacity 80 acre-feet; total reservoir capacity 108 acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive. 42 a.f. per 67-07732
66 " " appropriation

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

d. Is ground water with a temperature of greater than 90°F being sought? _____

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

* Per Telecom

— REVISED APPLICATION —

JAN 20 1994

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	
13N	4W	11													18			40	58
		12											21	14			3		38
		13		38	38		30	39	40	38	35	40	36	18					352
		14	38	39	39	35	32		I.S.	35	I.S.	I.S.			38			36	292
		23	7																7
		24					29	24											53

Total number of acres to be irrigated 800

10. Describe any other water rights used for the same purposes as described above. 67-02390 (Fairchild Reservoir, upstream), 67-07732 (Current Regulating Reservoir, to be increased by this Appl.)
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: Reservoir located in NWSE, S14, T13N, R04W.

JAN 20 1994

COMMENTS: Intent is to increase size of regulating reservoir currently described in 67-07732. Regulating pond is associated with larger Fairchild Reservoir covered by 67-02390, located about 6 1/2 miles west. Water is retained from Fairchild Reservoir and injected into Sage Ck. in S14, T13N, R5W, and then diverted from Sage Ck. in S23, T13N, R4W, to regulating pond in S14. Applicant seeks increased regulating pond which conceivably could also provide additional water to system.

MA PREPARED from Applicant's

Keithly

info & - 82 7/1/92

Iowa
Records

T13N R4W
S. 11, 12, 13, 14, 23, 24
No govt lots

800 Acre Pln
boundary per applicant's
written info & map

RESERVOIR
covered by
~~67-02370~~
67-07732

PLO in NW 1/4
per applicant's
written info

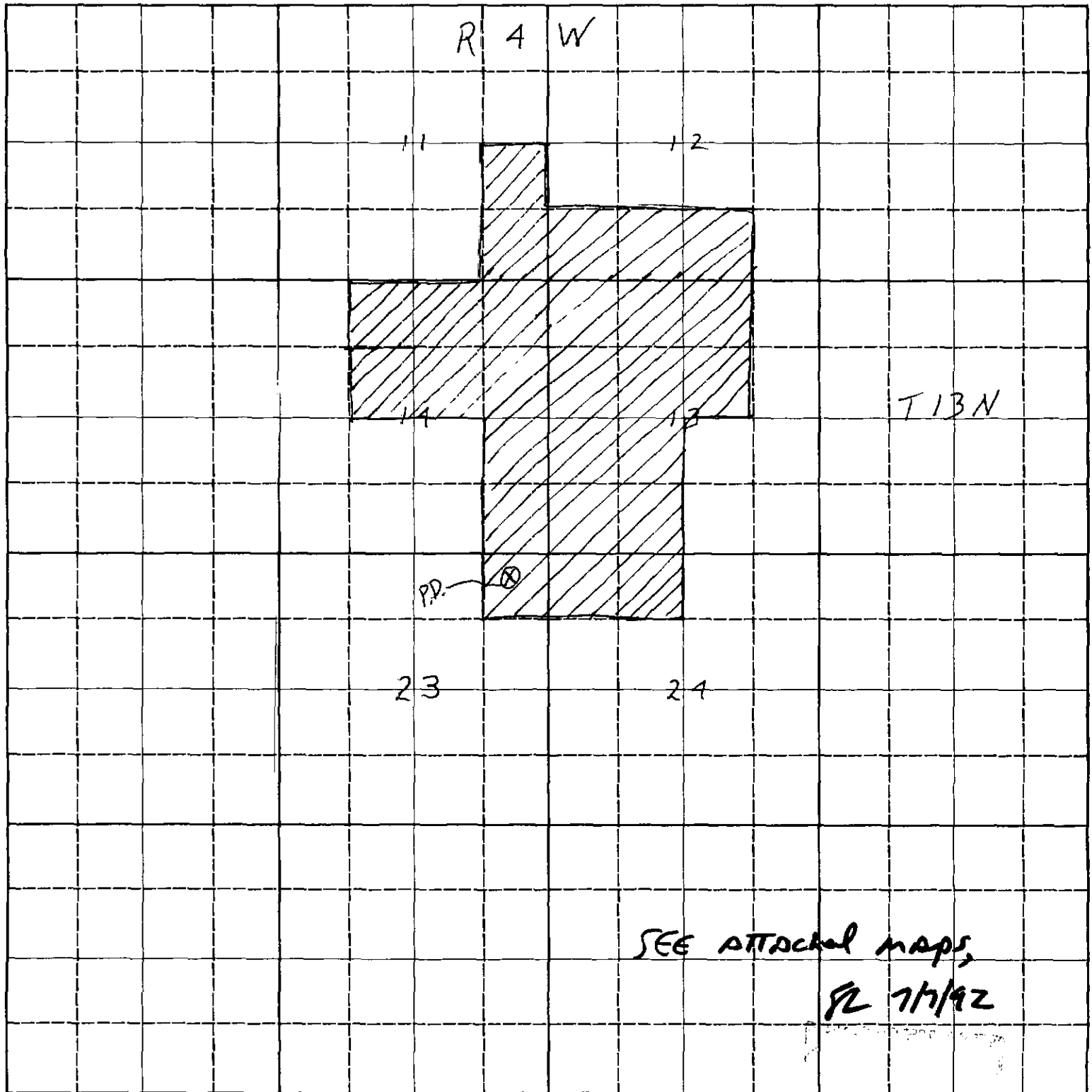
Sage
Creek

To Fairchild Reservoir,
(67-02370)

PLO in NENE 1/4
per applicant's map,
appears incorrect
if source is
Sage Creek,
do not use

JAN 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.

JAN 20 1994

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.

Arthur Q. Fairchild
(Applicant)

Received by MM DB Date 6-22-92 Time 1:55 pm Preliminary check by FE - 7/1/92
* Fee \$ 60.00 Received by WJB # CO24634 Date 6-19-92
Publication prepared by GG Date 7/8/92 Published in Weiser Signal
Publication approved ST Date 8-4-92
7/16 & 7/23/92

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:

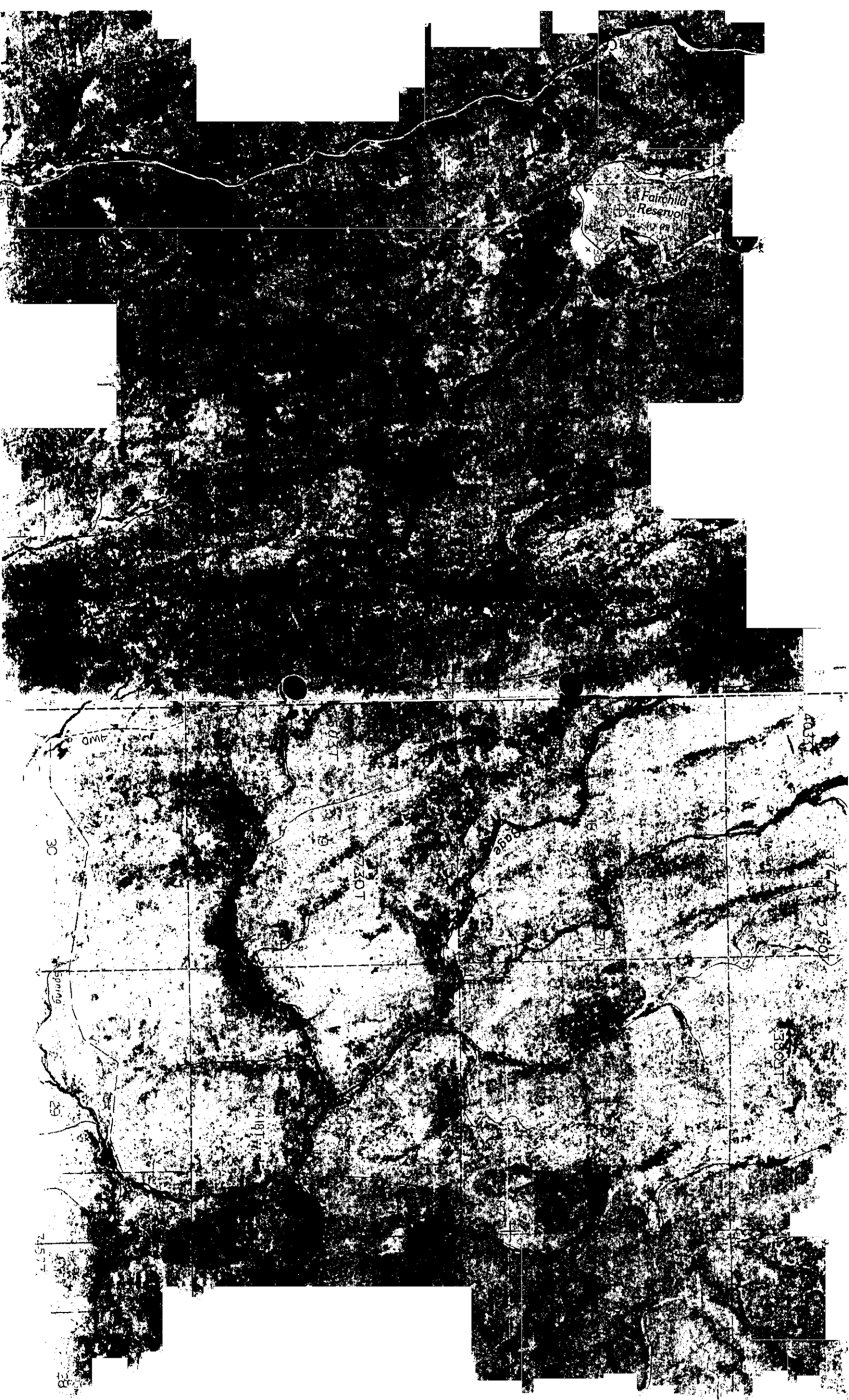
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the 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:

* \$45⁰⁰ appl fee for 1 cfs/66 a.f.

\$15 will be applied toward dam permit appl. - will need to change coding on receipt.

RECEIVED
JAN 20 1994





RECEIVED

JUN 19 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

JUN 23 1992

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Arthur Fairchild Phone _____

Post office address Rt. 1, Box 82, Midvale, ID 83645

2. Source of water supply Sage Cr. which is a tributary of Weiser R.

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

Sec. 23 Township 13 N Range 4 W B.M. Washington County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 66 AF for Irrigation purposes from 4/1 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 66 AF for Irr. Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 66 AF for Div. to Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 1 cfs for Irrigation purposes from 4/1 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 1 cubic feet per second and/or (b) 66 acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. A diversion dam on Sage Cr. diverts water through a ditch to the re-regulating reservoir that stores the water

b. Height of storage dam 25 feet; active reservoir capacity 80 acre-feet; total reservoir capacity 108 acre-feet; period of year when water will be diverted to storage:

April 1 to Oct 15 inclusive. use info in B-4 to provide more for applicant

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

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

2 years (minimum 1 year).

Original application - modified per applicant's
info & intent stated herein, plus per IDWR records (WR & Dam
info for 67-02390 & 67-07732). R 7/7/92

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	
13N	4W	11	18												18			40	58
		12											21	14			3		38
		13		38	38		30	39	40	38	35	40	36	18					352
		14	38	39	39	35	32			35					38			36	292
		23	7																7
		24					29	24											53

All of these areas are within pln of
67-02890.

Total number of acres to be irrigated 800

Some of these areas are covered by 67-07732

10. Describe any other water rights used for the same purposes as described above. A67-02390

67-07424, 67-07732, 67-02302 groundwater, irrigation

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: This is for storage in a re-regulating reservoir. An earlier filing was made for 42 A.F. This filing is for an additional 66 A.F. to match the reservoir capacity.

RECEIVED

JAN 20 1994

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 07-07899 Reviewed by JY Date 12-3-98

GENERAL CONSIDERATIONS

yes Name same as permit?
no Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Dr.

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

☐ Well log in the file?

_____ Correct?

LICENSE EXAMINATION FEE

yes Required?
100- Amount Submitted
yes Correct?

MEASURING DEVICE

no 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 914 Houston Rd. Proof Made 11-18-98
Boise 83706



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 7, 1998

Arthur Fairchild
914 Houston Rd
Boise ID 83706

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 67-07899

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.

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

JAN 3 4 1999

September 30, 1998

ARTHUR FAIRCHILD
RT 1 BOX 87
MIDVALE ID 83645

PROOF DUE NOTICE

RE: PERMIT NO. 67-07899

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1998.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

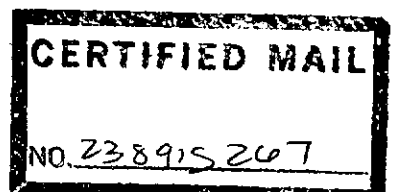
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 04 1999





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

December 15, 1993

ARTHUR FAIRCHILD
RT 1 BOX 87
MIDVALE ID 83645

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 67-07899

Dear Permit Holder:

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

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson'.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

A faint, rectangular stamp, possibly a date or processing stamp, located at the bottom right of the page.

JAN 20 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 167-7899 Date: 11/18/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes _____

SYSTEM COMPLETED:

No - 26A-~~P17~~

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <flo-ch> - 01G-P03 (new), 01C-P03 (existing), NMR

- 0.2 cfs - NMR <flow chart>

Drilling Permit:

Included w/permit - Permit No. _____, P99

Existing well - N/A (if drilled before 7/1/87)

No WD permit? - 046-46A<Irr>-46B-P23 (if drilled after 7/1/87)

SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>

LOCATION:

Water District - WD No. 67

Surface water - 005 (req) ~~01H-P08~~ <flow chart>

(doesn't sink) or 01H-P01 <flow chart>; NMR

Groundwater - P05 (if well has not been drilled)

In stream channel - 030 (stream channel alteration)

Irrigation Dist. - 023

Canal Co. Areas - 023

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (Groundwater temperature)

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 District Control Condition (005) &....

Boise (63) - 05A (req), 11E (non-domestic use), NA

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

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

USE:

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

044 (N 1000 Spr)

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

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

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

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

Storage (✓ 3 compo.) - 18A-for 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 (P/D or P/U)

PROTESTED:

Prehearing agreement - 020

OTHER CONDITIONS: - 03A

REMARKS: _____

BENEFICIAL USE DUE: - 12-1-1995

COMMENTS: - DDW Desc.

DATE: 12/06/93
PAGE: 1

Misc: Water District Number: 67 Field Exam Fee:

WR0749NP
No. P67-07899

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 12/06/93
PAGE: 2

=====

Comments: Date: 11/18/1993 User-ID: ZIMMERMA Subject: DIVERSION DESCRIPTION
Diversion dam & ditch to re-regulating dam (off-stream storage)
for supplemental irrigation. Height of dam 25'; active reservoir
capacity 80 AF; total reservoir capacity 108 AF.
Intent is to increase size of regulating reservoir currently
described in 67-27732. Regulating pond is associated with larger
Fairchild Reservoir covered by 67-02390, located about 6-1/2 mi.
west. Water is released from Fairchild Reservoir and injected in
to Sage Cr. in S14, T13N, R05W, and then diverted from Sage Cr.
in S23, T13N, R04W, to regulating pond in S14. Applicant seeks
increased regulating pond which conceivably could also provide
additional water to system.

Audit: 12/06/93 ZIMMERMA

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466	467	468	469	470	471	472	473	474	475	476	477	478	479	480	481	482	483	484	485	486	487	488	489	490	491	492	493	494	495	496	497	498	499	500	501	502	503	504	505	506	507	508	509	510	511	512	513	514	515	516	517	518	519	520	521	522	523	524	5
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[illegible]

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM								
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE		SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
6707899	T13N R04W S14	SAGE CREEK																								
	:	38	39	39	35	:	32																			
A6700639	SAGE CREEK	:	38	39	39	35	:	32																		
6700644	SAGE CREEK	:				1	:																			
6700645	SAGE CREEK	:				1	:																			
6700646	SAGE CREEK	:				1	:																			
6700647	SAGE CREEK	:				1	:																			
6700648	SAGE CREEK	:				1	:																			
6700649	SAGE CREEK	:					:																			
6700650	SAGE CREEK	:					:																			
6700652	SAGE CREEK	:					:																			
6702025	SAGE CREEK	:					:																			
6702046	SAGE CREEK	:					:																			
6702390	UNNAMED ST	:	40	40	40	40	:	40	40	40	40	:	40	40	40	40	:	40	40	40	40	:	40	40	40	
A6702390	UNNAMED ST	:	38	39	39	35	:	32																		
6707590	WEISER RIV	:	40	40	40	40	:	40																		
	C87Q-U 4	:	39	35	37	37	:	04																		
6707899	T13N R04W S23	SAGE CREEK																								
	:	07					:																			
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A6700639	SAGE CREEK	:	07				:																			
6702390	UNNAMED ST	:	40	40	40	40	:	40	40	40	40	:														
A6702390	UNNAMED ST	:	07				:																			
6707590	WEISER RIV	:	40	40	40	40	:																			
	NO MAPPING INFO AVAILABLE																									
6707899	T13N R04W S24	SAGE CREEK																								
	:						:	29	24																	
	:																									
A6700639	SAGE CREEK	:					:	29	24																	
6700652	SAGE CREEK	:				1	:																			
6700653	SAGE CREEK	:					:	1																		
6702025	SAGE CREEK	:					:	40																		
6702080	SAGE CREEK	:					:		15																	
6702384B	WEISER RIV	:					:																			
6702390	UNNAMED ST	:					:	40	40	40	40	:														
A6702390	UNNAMED ST	:					:	29	24			:														
6707590	WEISER RIV	:	40	40	40	40	:	40	40	40	40	:	40	40	40	40	:	40	40	40	40	:	40	40	40	
6707793	GROUNDWATE	:					:	07				:					:					:				
	C87Q-U 4	:					:	03	07			:					:					:				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SC DATE: 7/7/92 APPLICATION: 67-07899

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) Assume two possible pld - existing, ditel NEWW, other pld (?) NUNNW
☒ County:
☒ Quantity: (flow and/or volume) Gov't. Lots:
☒ Period of use: N P/D
☒ Nature of proposed use: (Include description of use) N P/U
☒ 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 See No* In form to receipt: 7/7/92 MEMO TO D.A. @ Receipt

ADDITIONAL INFORMATION

YES NO

☒ ☐ Overlapping place of use: (Describe source & relationship to application on the back.)
☒ ☐ Overlapping point of diversion:
☐ ☐ Field check required: Field check by: NOV 17 1993
☐ ☐ Field report attached:
☐ ☒ Critical groundwater area:
☐ ☒ Groundwater management area:
☐ ☒ 1992 moratorium
☐ ☒ Diversion within interim protected river area
☒ ☐ Send dam safety information: Copy of Appl. to JFW along with appl. for dam permit, 7/11/92
☐ ☒ 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

? N/A - Small amount of supplemental storage for 800 acres

DATE REQUESTED:

☒ Additional information on reverse side:

* OK to advertise & process this surface water, supplemental storage application. May need special conditions related to moratorium. Normally, won't be appropriating new water but regulating water covered in 67-02390. However, could obtain more water during runoff etc.

PROCESSING

APPLICATION

67-07899

YES NO

☒ ☒
☒ ☒

In form for advertising:

Statewide advertising:

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, recrd action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest August 3, 1992

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, OK

Measuring device required:

Measuring port required:

Water delivered by water master? District # 67, Weiser R.

Special conditions of approval or cover letter:

OS (67, Weiser R. # Tribes), 26 A (Allow 2 yrs), water shall not be stored under this water rights during period when downstream water rights are not satisfied. Measurement gauges shall be installed that will allow the watermaster to determine when storage is occurring under this water right.

See below for additional information

Recommended Date or Priority 6/19/1992

Recommended by:

OK

Date 11/4/1993

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

OVERLAP - COPIES INCLUDED IN FILE AS NEEDED:

P/D - 67-07732 same pld in 1 of 2 QX on application.

- 67-00638 & 67-00639 possibly same pld as above in NENW, for live flow, Sage Cr., same owner.

- Also, several other live flow diversions in NENW from Sage Cr., other owners.

P/L - OTHER FRANCHISE RIGHTS ON SOME/PART OF SOME ACRES AS APPLICATION:

67-12394 Sage Cr. - Franchise Reservoir, upstream

67-07732 " " Regulating Reservoir to be increased by application.

Storage 4000 A.F./3160 AC. + 42 A.F./480 AC. = 1.35 A.F./AC. from Sage Cr.; OK to increase A.F./AC. from this source in storage application.

- 67-00638 - 00639 as in pld.

- 67-02302 groundwater.

Withdrawn



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

November 3, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

WEISER IRRIG DIST
C/O LARY WALKER ESQ
PO BOX 828
WEISER ID 83672

Re: Application for Permit No. 67-7899 in the Name of Arthur
Fairchild

Dear Interested Parties:

This office acknowledges receipt of the Withdrawal of Protest
of the above-referenced application.

The Department now will continue to process the application,
subject to certain conditions of approval. If you have any
questions please call this office.

Sincerely,

A handwritten signature in cursive script, reading 'David R. Tuthill, Jr.'.

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

DRT:st

CC: Applicant

JAN 20 1994

RECEIVED

NOV 01 1993

WATER RESOURCES
WESTERN REGION

Lary C. Walker

LARY C. WALKER
Attorney at Law
232 East Main Street
Post Office Box 828
Weiser, Idaho 83672

Telephone
(208) 549-0390
FAX 549-0404

October 26, 1993

Mr. Dave Tuthill
STATE OF IDAHO WATER RESOURCES
Western Region Water
2735 Airport Way
Boise, ID 83705

Re: Weiser Irrigation District
Objection to Art Fairchild Water Application

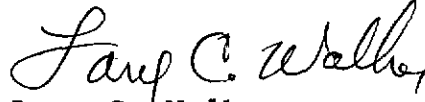
Dear Dave:

Pursuant to the hearing some time ago, with the conditions set out and the understanding that the creek involved was dry during the irrigation season as far as Weiser River was concerned, we are hereby withdrawing our protest that Weiser Irrigation District made against the Art Fairchild application.

If you need a more formal withdrawal, please advise. However, you can accept this as a withdrawal of any objection that Weiser Irrigation District had.

Sincerely,

LARY C. WALKER LAW OFFICE


Lary C. Walker

LCW:plb

JAN 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

September 29, 1993

LARY C. WALKER, ESQ
PO BOX 828
WEISER ID 83672

RE: Protested Application No. 67-7899 in the Name of Arthur
Fairchild

Dear Lary:

During our conversation on May 26, 1993, you indicated that you would be submitting a withdrawal of the protest to the above-referenced application for permit on behalf of the Weiser Irrigation District. Would you please submit this letter within the next two weeks so we can complete our action on this file?

Sincerely,

A handwritten signature in cursive script, reading "David R. Tuthill, Jr.".

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

DRT:st

RECEIVED
SEP 30 1993

SEP 30 1993

CONVERSATION MEMORANDUM

DATE 5/26/93

FILE 67-07899

NAME OF PARTY Larry Walker

EMPLOYEE Dan Turpil

RE: Withdrawal of Protest

I called Larry to determine the status of the protest. He said that he would send in a withdrawal on behalf of the Weber Terr Dist.

Dur

JAN 20 1994

RECEIVED
OCT - 8 1992

Department of Water Resources
Western Regional Office

Lary C. Walker

LARY C. WALKER
Attorney at Law
232 East Main Street
Post Office Box 828
Weiser, Idaho 83672

Telephone
(208) 549-0390
FAX 549-0404

September 21, 1991

State of Idaho Water Resources
Western Region Water
2735 Airport Way
Boise, ID 83705

Re: Fairchild Application
For Permit No. 67-7899

Dear Clerk:

Enclosed is our Notice of Appearance and Intent to Present
Evidence for the above-named matter.

Sincerely,

LARY C. WALKER LAW OFFICE

Lary C. Walker
Lary C. Walker

Enclosures

RECEIVED
JAN 20 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR PERMIT NO. 67-7899 IN THE) NOTICE OF APPEARANCE AND
NAME OF ARTHUR FAIRCHILD) INTENT TO PRESENT EVIDENCE

WEISER IRRIGATION DISTRICT, by and through their attorney,
Lary C. Walker, hereby give notice that they intend to appear and
participate in the conference and be prepared to submit testimony
and evidence relating to water rights on the Weiser River and the
effect on those water rights by this application.

It is further requested that the Lary C. Walker Law Office
be notified of all proceedings to take place on this matter in
the future.

DATED this 5th day of Oct., 1992.

Lary C. Walker
Lary C. Walker

RECEIVED
JAN 20 1994

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true, full and complete copy of the above instrument was, on the 6th day of October, 1992 served upon the following by the method indicated below:

Weiser Irrigation District
28 West Idaho Street
Weiser, Idaho 83672

☐ HAND DELIVER
☒ U.S. MAIL
☐ OVERNIGHT MAIL
☐ FAX


Larry C. Walker

IAN 20 1994

67-07899

~~Art~~ Arthur Fairchild

10/8/1992

Applicant present & represents himself.

Protestant represented by Larry Walker

Applicant has had ~~stoa~~ Sage Creek blocked off since he has been there, and his dad before him.

Some floodwater does get past the Fairchild diversion. &
As of April 1 most years, all water is used

I prepared a proposed withdrawal of protest.

Larry Walker will show it to his people (Weiser Irr Dist),
and will respond to this office re: its acceptability.

~~DR~~

RECORDED

JAN 20 1994

P 397 917 181



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
WEISER IRRIGATION CO	
Street and No.	
28 W IDAHO ST	
P.O. Box	
WEISER ID 83672	
City, State and Zip Code	
Postage	\$
Certified Fee	\$
Special Delivery Fee	\$
Restricted Delivery Fee	\$
Return Receipt Showing to Whom & Date Delivered	\$
Return Receipt Showing to Whom, Date, and Addressee's Address	\$
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, June 1991

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (on front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

105603-92-B-0226

PS Form 3800, June 1991 (Reverse)

67-7899

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

WEISER IRRIGATION
28 W IDAHO ST
WEISER ID 83672

RECEIVED

JAN 20 1994

4. Article Number

P 397 917 181

Type of Service:

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt
for Merchandise

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Addressee

X

6. Signature — Agent

X

7. Date of Delivery

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.

- Complete Items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN
TO



Print Sender's name, address, and ZIP Code in the space below.
Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES

2735 AIRPORT WAY

BOISE, IDAHO 83705

JAN 20 1994



RECEIVED
SEP 24 1992



PENALTY FOR PRIVATE
USE, \$300

IN THE MATTER OF APPLICATION)
)
FOR PERMIT NO. 67-7899 IN THE)
)
NAME OF ARTHUR FAIRCHILD)

NOTICE OF CONFERENCE

The Department has set the matter of protest for a conference to be held on Thursday, October 8, 1992, at 10:00 a.m., in the Washington County Courthouse, 256 E. Court St., Weiser, ID 83672. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 22nd day of September, 1992.

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

RECEIVED

JAN 20 1994

I hereby certify that on the 22nd day of September, 1992, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

Hand Delivered by Steve Lester on September 23, 1992

ARTHUR FAIRCHILD
RT 1 BOX 87
MIDVALE ID 83645

Certified Mail

WIESER IRRIGATION CO
28 W IDAHO ST
WEISER ID 83672

CONFERENCE AND HEARING PROCEDURE

IN THE MATTER OF A PROTESTED APPLICATION FOR PERMIT

In accordance with IDAHO CODE, Section 42-203, the following issues are involved in the consideration of the application and protest(s):

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

BURDEN OF PROOF

The Applicant has the initial burden of proof on issues 1,2,3,4,& 6 above, that is, the applicant has the burden of coming forward with evidence for evaluation of those criteria.

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

PROCEDURE

The procedure normally followed by the department in arriving at a decision on the issues which must be considered is to first hold a conference in the matter and then, if necessary, hold a hearing. If a hearing is held a written decision is issued based on the hearing record.

CONFERENCE

Preliminary to holding a hearing, a pre-hearing conference is held to to familiarize the department and the parties with the matter and to determine if a resolution of the protest(s) is possible without the need for a hearing.

RECEIVED

JAN 20 1994

At the conference the department may formulate and simplify the issues, obtain admissions of fact and of documents which will avoid unnecessary proof, arrange for the exchange of proposed exhibits or prepared expert testimony prior to the hearing, limit the number of witnesses, consolidate the examination of witnesses, and advise the parties of the procedure which will be followed at any subsequent hearing.

HEARING

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes at the expense of the requesting party. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

If the hearing is conducted by a hearing officer appointed by the Director, rather than the Director himself, a proposed decision will be issued and the parties will be afforded the opportunity to file exceptions to the proposed decision and present briefs and oral arguments to the Director prior to the issuance of a final decision by the Director. This procedure is required by IDAHO CODE, Section 42-1701A.

The parties by written stipulation, may waive their right to a proposed decision, however, the failure of either party to waive a proposed decision will not prejudice the director's review of a party's evidence and arguments. However, such a waiver will shorten the decision making process and may expedite substantially the issuance of a final decision. Whether compliance with Section 42-1701A is waived will not affect a party's right to petition for a rehearing of the final decision pursuant to rule 11 of the Department's Rules of Practice and Procedure or affect a party's right to appeal the final decision to the District Court.

Under the provisions of the IDAHO CODE, Sections 42-1701A and 67-5215, any court review of the department's decision on appeal shall be confined to the record created before the department.

EXHIBITS

If any party at a hearing intends to present an exhibit to augment the hearing record, such party shall in advance of the hearing, prepare sufficient copies of the exhibit for distribution to all parties at the hearing.

JAN 20 1994

AUG 03 1992

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.Sarah Boles, being duly sworn,
deposes and says:

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

Such notice was published in the issue beginning with
July 16, 1992, and ending
with the issue of July 23, 1992.
Sarah Boles
Fees, \$ 103.82

Subscribed and sworn to before me this 23
day of July, 1992.
[Signature]
Notary Public, Residing at Weiser, Idaho.
My Commission Expires 1-1, 1993

No. 193
NOTICE OF APPLICATION
FOR WATER RIGHTThe Following application(s) have been filed to
appropriate the public waters of the State of Idaho:

67-07898

STIRM, JUNE Y
STIRM, FRANKLIN D
1373 MANN CREEK RD
WEISER, ID 83672
Source: GROUNDWATER
Diversion Pt: NENW Sec 30 T 12N R 04W in
WASHINGTON County.
Use: IRRIGATION (.900 CFS)
Total Diversion: (.900 CFS)
Date Filed: 6/23/1992
In: WASHINGTON County
T12N R04W S30 Lot 2 (SWNW) SENW
45.0 ACRES TOTAL

67-07899 ✓

FAIRCHILD ARTHUR
RT. 1 BOX 87
MIDVALE, ID 83645
Source: SAGE CREEK
Tributary: WEISER RIVER
Diversion Pt: NENW Sec 23 T 13N R 04W in
WASHINGTON County.
NWNW Sec 23 T 13N R 04W in WASHINGTON
County.
Use: IRRIGATION STORAGE (1.000 CFS)
Total Diversion: (1.000 CFS)
Date Filed: 6/19/1992
In: WASHINGTON County
T13N R04W S11 NESE SESE
S12 SWSW SESW SWSE
S13 NWNE SWNE NENW NWNW
SWNW SENW NESW NWSW
SWSW SESW
S14 NENE NWNE SWNE SENE
NENW SENW NESE SESE
S23 NENE
S24 NENW NWNW
800.0 ACRES TOTAL

The permit(s) will be subject to all prior water
rights. Protests must be filed with the Director,
Dept. of Water Resources, Western Region, 2735
Airport Way, Boise, Idaho 83705 on or before AU-
GUST 3, 1992.

R. KEITH HIGGINSON, Director
Published: 7/16/1992 & 7/23/1992

42-2S

JAN 20 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 30, 1992

ARTHUR FAIRCHILD
RT 1 BOX 87
MIDVALE ID 83645

Re: Application for Permit No. 67-7899

Dear Applicant:

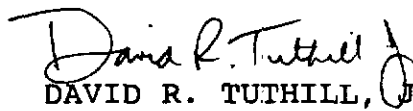
Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

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

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

Sincerely,


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

Enclosure: Copy of protest(s)

RECEIVED
JUL 31 1992

100-1000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 30, 1992

WEISER IRRIGATION CO
28 W IDAHO ST
WEIWER ID 83672

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Re: Application for Permit No. 67-7899 in the Name of Arthur Fairchild

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-203, Idaho Code):

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

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

Sincerely,

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

DRT/st

JAN 20 1994

WEISER IRRIGATION DISTRICT

ORGANIZED 1903

28 WEST IDAHO STREET

WEISER, IDAHO

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JUL 28 1992

Department of Water Resources
Western Regional Office

July 24, 1992

R. Keith Higginson, Director
Department of Water Resources, Western Region
2735 Airport Way
Boise, Idaho 83705

IN RE: Application 67-07899
Fairchild, Arthur

Dear Mr. Higginson:

At a special meeting the the Board of Directors of Weiser Irrigation District, July 22, 1992, a motion was made, seconded and unanimously carried that the District protest the above referenced application, during the statutory irrigation season of each year (April 1 through October 15), forever.

The reasons for protest are as follows:

- 1) Weiser River and its tributaries were over-appropriated by 1900.
- 2) Failure of Department of Water Resources and the Water Master of District 67 to enforce the mandates of Muir Bros. -v- Wm. Allison, Idaho, adjudication of waters of Weiser River and its tributaries.
- 3) That this application is, in fact, an addendum to the Adobe Flat Reservoir appropriation. This appropriation application is for a "secondary reservoir" in Section 23, Township 13 N, R 4 W BM.

By Order of the Board

Vincent F. Derig
Vincent F. Derig, Secretary
by fmc

VFD:FMc

RECEIVED
JAN 20 1993

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

2024838
Receipt No:

07/15/92
Date: 08:33:55
Time:

Received
From: FAIRCHILD TREE TOP RANCH

Type of Payment	Program A cct	Amount
APPLICATION FOR PERMIT	0229 21 0062103 1155	\$45.00
DAM CONSTRUCTION PERMIT	0229 21 0062120 1155	\$15.00

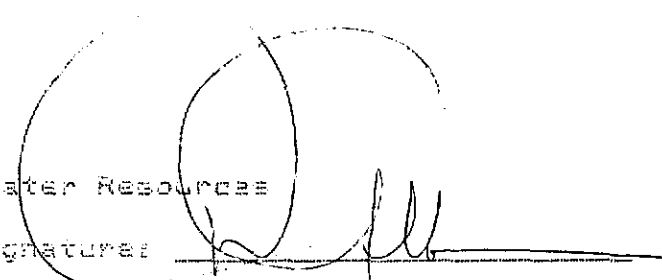
Total

\$60.00

CHECK 04495

Idaho Department of Water Resources

Region: STATE

Signature: 

RECEIVED

JAN 20 1994

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: 0024835
BACKDUT

Date: 07/16/92
Time: 08:38:55

Received

From: FAIRCHILD TREE TOP RANCH

Type of Payment	Program A cct	Amount
APPLICATION FOR PERMIT	0227 21 0056103 1.53	\$-60.00
Total		\$-60.00

CHECK 04495

Idaho Department of Water Resources

Region: STATE

Signature: _____

RECEIVED
JAN 20 1994

JAN 20 1994

TO DEPARTMENT OF WATER RESOURCES

PLY

Date 7-7-92

ALLEN

STEVE LESTER

- | | |
|---|--|
| ☒ Take Appropriate Action | ☒ For Your Information |
| ☐ Draft A Reply | ☐ For Your Approval |
| ☐ Action Required By _____ | ☐ For Your Comments |
| ☐ See Me | ☐ As You Requested |
| ☐ Call Me | ☐ Copy (____ Copies) |
| ☐ Return To Me | ☐ File |

Comments

Arthur Fairchild paid \$60 on 6/19/92 #C024635.

Should apply
 \$45 towards water right appl.
 \$15 " Open construction appl.

Please change receipt as indicated (attached).

~~Reply~~

CC: JFW, WESTERN

Thanks;

Signed

RL

Date

7/7/92

WATER RESOURCES
 DIVISION

JAN 20 1994

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No 0024635

Date: 5/19/1992
Time: 4:11:20

Received

From: FAIRCHILD TREE TOP RANCH

Type of Payment	Program Acct	Amount
APPLICATION FOR PERMIT	229 21 1155	60.00

Should be 62103
56103

Total

\$60.00

CHECK 04495

Region: STATE

Signature: D. Burdick

\$45 for water right appl. → code = 62103 0229/21 1155
Apply \$15 to dam construction permit appl. → code =
62120 0229/21 1155

JAN 20 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 16, 1992

GERALD MYERS
HC 70 PO BOX 2010
MIDVALE ID 83645

Re: Application for Water Right No. 67-7899 in name of Arthur
Fairchild

Dear Watermaster:

Enclosed is an application for water right within your water district. Also enclosed is a form for your recommendation concerning this application for permit.

Please review the application and return your recommendation within two weeks. If you have questions or need information, feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dave'.

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

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

JAN 20 1994

SPECIAL NOTE: _____

PROTEST INFORMATION SHEET

Protestant - Name(s)

~~Weiser Irrigation District~~

Withdrawn

~~Address Route 1 Box 87, Midvale, ID 83645~~

Attorney - Name & Address _____

Date Filed June 19, 1992

Protest Date August 3, 1992

Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____

RECEIVED

JAN 20 1994

Protest Information submitted in Computer (following hearing): _____

FROM J. Westra, Waterw.

DATE 6/23/92

TO WATER ALLOC.

*has increased capacity,
cover with new
Appl. filed 6/19/92
-JL*

SUBJECT Art Fairchild #2 dam # 67-7732

In a conversation with Mr Fairchild at his home, he indicated the new reservoir near his farm is for regulation of storage from his large reservoir above. No new acres had been added or changes made in the system. The reservoir gives him some flexibility, as the large reservoir is several miles away, and tough to get to. Mr. Fairchild questioned the need for a water right.

* Both reservoirs are off stream storage.

Appears already built bigger regulating reservoir i is now seeking WR + dam safety permits for accomplished deed.

JAN 20 1994

J. Westra
w/ Mike Stubblefield
SIGNATURE



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 7, 1992

Mr. Arthur Fairchild
Rt. 1, Box 87
Midvale, ID. 83645

RE: Application for Permit

Dear Mr. Fairchild:

Please disregard my letter dated 7/1/92 concerning your new water right application to store additional water in the regulating reservoir that will be increased in size. After discussing the situation with my supervisors, we determined that the application can be advertised and processed without delays related to the moratorium previously discussed.

We also discussed whether or not a new water right is necessary for the increased capacity of the regulating pond and determined that a water right is required. Therefore, this office will advertise the application as soon as possible.

John Westra will contact you if any questions occur related to the dam permit that you also submitted.

Please let me know if additional help is needed.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Sr. Water Resource Agent

RECEIVED

JAN 20 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 1, 1992

Mr. Arthur Fairchild
Rt. 1, Box 87
Midvale, ID. 83645

RE: Application for Permit

Dear Applicant:

Your recent application for permit to appropriate irrigation and irrigation storage water from Sage Creek was received on 6/19/92. Due to continued drought and the need to protect existing water rights and water supplies, the Director of this agency declared a moratorium on 5/15/92 concerning water right applications proposing new consumptive uses of public water. Your application cannot be processed for possible approval until the moratorium ends. Delays related to department decisions do not affect the date of priority or seniority of an application.

This office will hold the application pending future developments in the water supply situation and will inform you of any changes. You might be able to locate someone with a valid water right with available water to sell or lease for your needs if necessary. If so, an Application for Transfer of Water Right should be filed at this office to legally change the right(s) prior to any sale or lease.

The application for construction or alteration of a dam was given to John Westra, Dam Safety Engineer for the Western Region office. He will contact you on matters related to the construction work. However, the delay in processing the water right application may change your plans and timetable.

Please let me know if you need additional information.

Sincerely,

Steve Lester
Sr. Water Resource Agent

CC: J. Westra, Regional Office

*N/A, OK - to process
7/7/92 per
comm. with
Dave T. &
John S.*

JAN 20 1992

IDAHO DEPARTMENT OF WATER RESOURCES

MEMO-REPLY	Date <u>7-7-92</u>
------------	--------------------

To DEBBIE ALLEN

From STEVE LESTER

- | | |
|--|---|
| ☒ Take Appropriate Action
☐ Draft A Reply
☐ Action Required By _____
☐ See Me
☐ Call Me
☐ Return To Me | ☒ For Your Information
☐ For Your Approval
☐ For Your Comments
☐ As You Requested
☐ Copy (____ Copies)
☐ File |
|--|---|

Comments

Arthur Fairchild paid \$60 on 6/19/92 #C024635.

Should apply
 \$45 towards water right appl.
 \$15 " Dpm construction appl.

Please change receipt as indicated (attached).

~~Reply~~

CC: JFW, WESTERN

Thanks,

Signed

[Signature]

Date

7/7/92

RECEIVED

- file copy -

JAN 20 1994

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: 004435

Date: 07/05/1992
Time: 11:11:00

Received

From: HATCHER TREE TOP FARM

Type of Payment	Program A cct	Amount
APPLICATION FEE - PERMIT	62103	\$1.00
Total		

Should be 62103

Region: 07410

Signature: D. B. B. B.

\$45 for water right appl. → code = 62103 0329/21 1155
Apply \$15 to dam construction permit appl. → code =
62120 0329/21 1155

07/05/1992

07/05/1992

28-Mar-1990
Page 6

Page 6

Both WPS can
participate to be
examined, will
allow to examine
this season

- R 7/1/92

67-07899

FAIRCHILD, ARTHUR
RT 1 BOX 87
MIDVALE, ID 83645

Source: SAGE CREEK

Tributary: WEISER RIVER

Diversion Pt: NENW Sec 23 T 13N R 04W in WASHINGTON County.
 NWNW Sec 23 T 13N R 04W in WASHINGTON County.

Use: IRRIGATION STORAGE (1.000 CFS)
 Total Diversion: (1.000 CFS)

Date Filed: 6/19/1992

In: WASHINGTON County

T13N R04W S11	NESE	SESE		
S12	SWSW	SESW	SWSE	
S13	NWNE	SWNE	NENW	NWNW
	SWNW	SESW	NESW	NWSW
	SWSW	SESW		
S14	NENE	NWNE	SWNE	SENE
	NENW	SESW	NESE	SESE
S23	NENE			
S24	NENW	NWNW		

800.0 ACRES TOTAL

RECEIVED 1994

JAN 20 1994