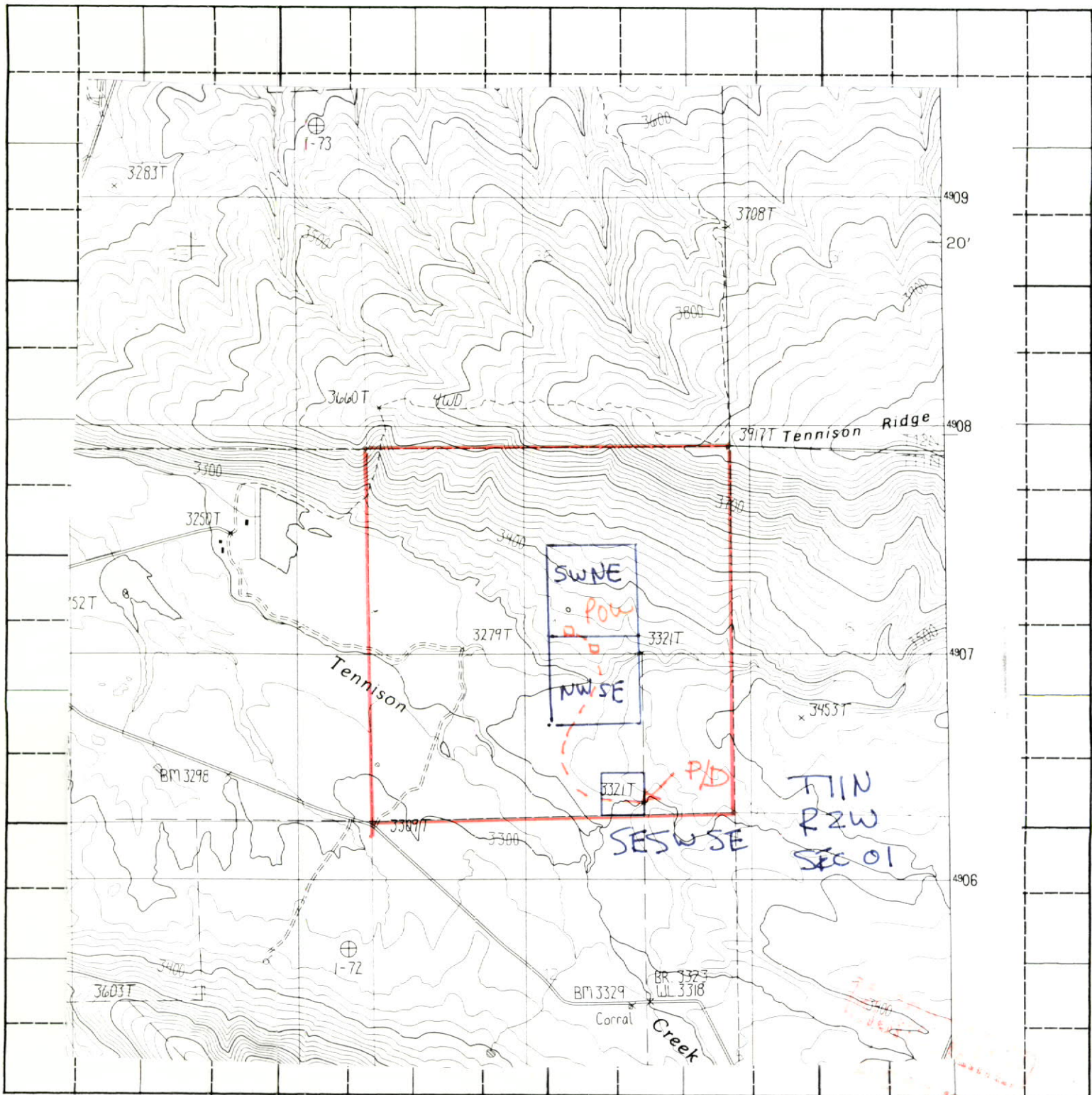


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

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.

FD Land

(Applicant)

No

183

AFFIDAVIT OF PUBLICATION - 1992

Department of Water Resources
Western Regional Office

Department of Water Resources

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
May 7, 1992, and ending
with the issue of May 14, 1992.

Fees, \$ 89.24

Subscribed and sworn to before me this 14
day of May, 1992

Notary Public, Residing at Weiser, Idaho.

My Commission Expires 1-1, 1993RECEIVED
MAY 29 1992No. 183
NOTICE OF APPLICATION
FOR WATER RIGHTThe Following application(s) have been filed to
appropriate the public waters of the State of Idaho:

67-07895 ✓
LAND, FRANKLIN D.
LAND, TREVA L.
3430 BIG FLAT RD.
MIDVALE, ID 83645
Source: UNNAMED STREAM
Tributary: TENNISON CREEK
Diversion Pt: SESWSE Sec 1 T 11N R 02W in
WASHINGTON County.
Use: STOCKWATER (.090 CFS)
Total Diversion: (.090 CFS)
Date Filed: 4/6/1992
In: WASHINGTON County
T11N R02W S01 SWNE NWSE

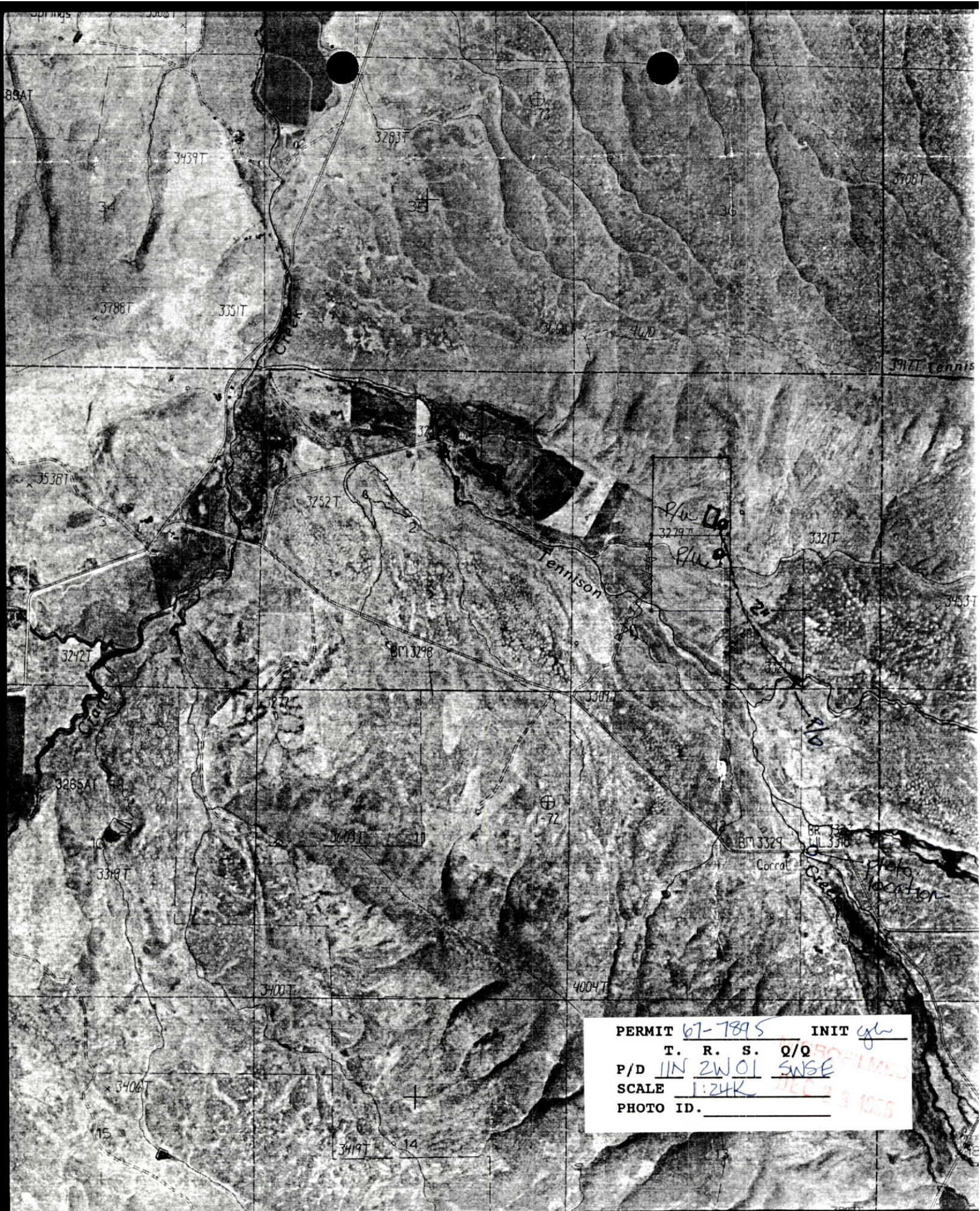
69-07103
US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706
Source: GROUNDWATER
Diversion Pt: LOT 1 (NENE) Sec 19 T 12N R 07W
in WASHINGTON County.
LOT 3 (SENE) Sec 19 T 12N R 07W in WASHING-
TON County.
Use: DOMESTIC (.110 CFS)
Total Diversion: (.110 CFS)
Date Filed: 4/13/1992
In: WASHINGTON County
T12N R07W S09 Lot 1 (NENE) Lot 3 (SENE)

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 MAY
26, 1992.

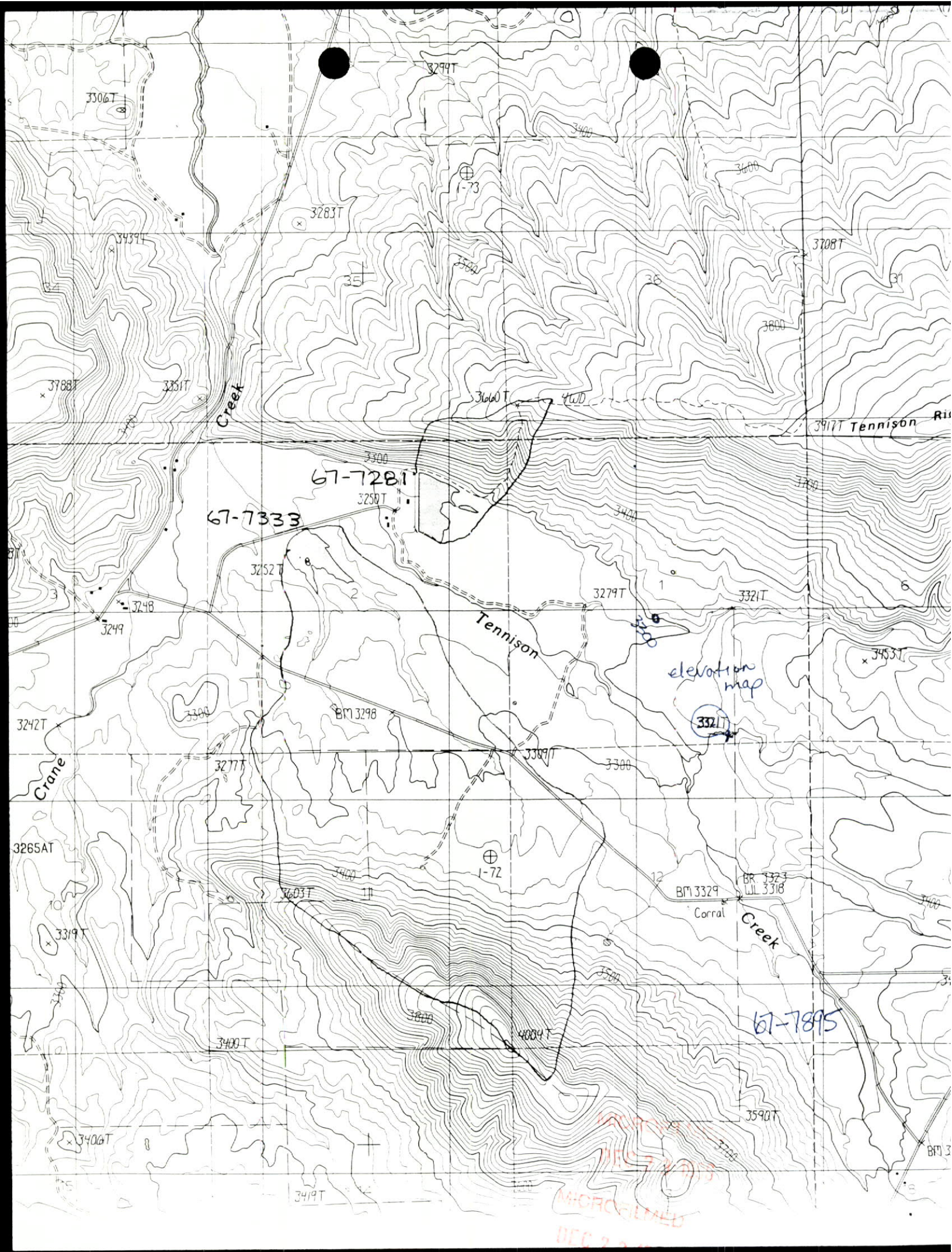
R. KEITH HIGGINSON, Director
Published: 5/7/1992 & 5/14/1992

22-2S

AUG 21 1992



PERMIT 67-7895 INIT gls
T. R. S. Q/Q
P/D 11N 2W 01 SWSE
SCALE 1:24K
PHOTO ID. DEC 2 3 1955



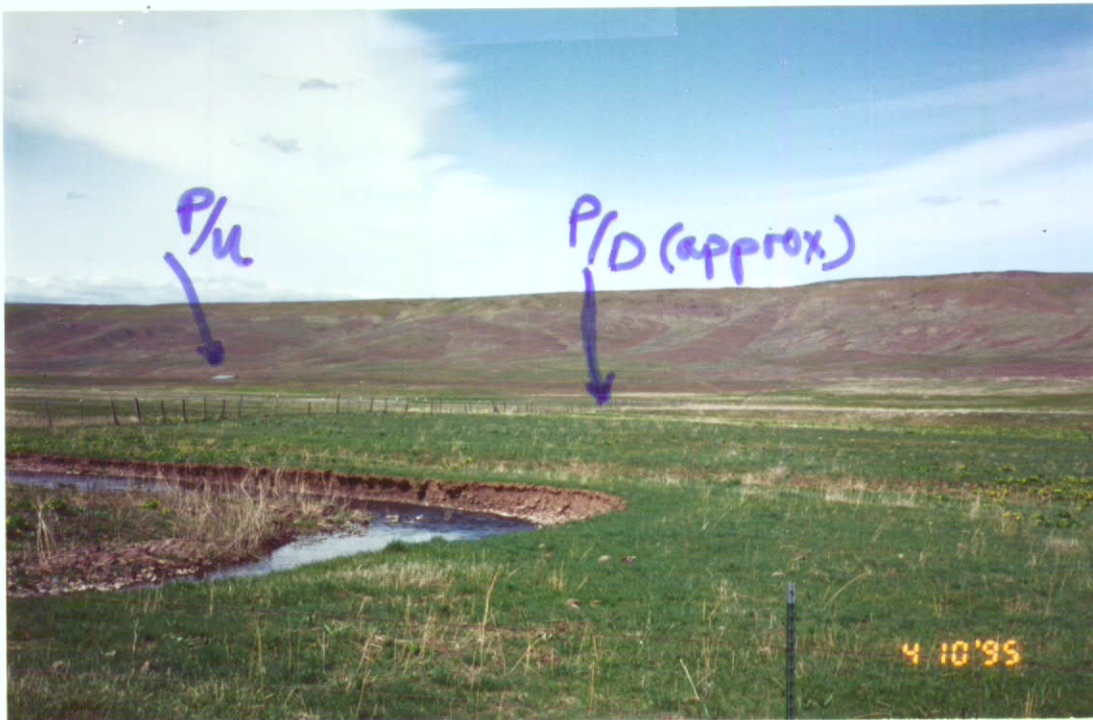


photo taken
from ~~the~~ road
looking north
(see map)



P/u, 1st
Stock tank

MICROFILMED
DEC 23 1995

67-7895

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07895

Priority: April 6, 1992

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

5.4 AF

This is to certify, that FRANKLIN D LAND
TREVA L LAND

3430 BIG FLAT RD
MIDVALE ID 83645

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 6, 1992; and has submitted Proof of Beneficial Use on May 14, 1993. An examination indicates that the works have a diversion capacity of 0.060 cfs of water from:

UNNAMED STREAM

tributary to TENNISON CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.06 CFS	5.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 1, Township 11N, Range 02W
WASHINGTON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

11N 02W 1

SENE

NESW

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.

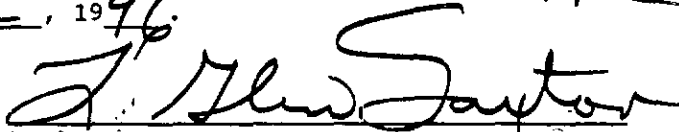
RECEIVED
JUN 11 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07895

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 19th
day of November, 1996.


Acting for KARL J. DREHER, Director

67-07895-156-10

RECEIVED

NOV 05 1996

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-07895

Date of Priority: April 6, 1992

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

5.4 AF

Comes now

FRANKLIN D LAND
TREVA L LAND

3430 BIG FLAT RD
MIDVALE ID 83645

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 67-07895, and requests that the permit be changed as follows:

Source: UNNAMED STREAM

tributary to TENNISON CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.06 CFS	5.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 1, Township 11N, Range 02W
WASHINGTON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

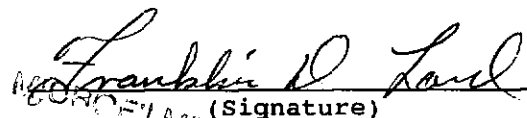
11N 02W 1

SENE

NESW

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at _____, this _____ day of 11-4-96, 19____.


(Signature)

RECORDED
INDEXED

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-07895

FOR DEPARTMENT USE ONLY

Preliminary check by KET Fee = \$50⁰⁰ Receipted by KET # 6036907 Date 11-5-96

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 67-07895 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.

Witness my hand this 19th day of November, 1996.

Karl J. Dreher
for **KARL J. DREHER, Director**

MICROFILMED
DEC 21 1996

RECEIVED

MAY 06 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.00
Date 5-7-93
Receipt No. 0027437
Receipt by BA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 67-07895 Telephone No. 208 355-2487
2. Name(s) of Permit Holder(s): FRANKLIN D. / TREVA L. LAND
3. Mailing Address: 3430 BIG FLAT RD MIDVALE ID 83645-
4. Source of Water: UNNAMED STREAM

If GROUNDWATER, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater 400 HEAD CATTLE (No. and type of stock)

Irrigation _____ (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.09 cfs OR _____ acre/feet

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

Measuring device: Required? _____ Yes X No Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes X No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

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

Frank Land 355-2487
Name Telephone No.

3430 Big Flat Rd 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.

5-4-93
Date

Frank Land
Signature (and title, if on behalf of a company or organization)

MAY 25 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 67-07895

Proposed Priority: April 6, 1992 Maximum Diversion Rate: 0.09 CFS

This is to certify, that TREVA L LAND
FRANKLIN D LAND
3430 BIG FLAT RD
MIDVALE ID 83645

has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of TENNISON 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	0.09 CFS

LOCATION OF POINT(S) OF DIVERSION: SESWSE , Sec. 1, Township 11N, Range 02W
WASHINGTON County

PLACE OF USE: STOCKWATER
TWN RGE SEC

11N 02W 1 SWNE NWSE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1993.
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. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
5. Stockwater use is for 400 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

10th day of August, 1992.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

AUG 21 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant FRANKLIN D. & TREVA L. LAND ~~LAND~~ Phone 208 355 2487

Post office address 3430 BIG FLAT RD, MIDVALE ID 83645

2. Source of water supply UNNAMED STREAM ~~SPRING & CREEK~~ ~~UNNAMED~~ which is a tributary of TENNISON CK

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

Sec. 01 Township 11 N Range 2W B.M. WASHINGTON County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.09 for STOCK WATER purposes from 01-01 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 0.09 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works: 4" PERFORATED PIPE INTO 30" COLLECTION BOX OUT OF BOX INTO
2" PVC PIPE 3500' INTO STOCK TANKS AT FEED GROUNDS

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

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 90°F being sought? _____

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

AUG 21 1992

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. 400 COWS + CALVES RANGE
- 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	
<u>11N</u>	<u>2W</u>	<u>01</u>			<u>S</u>											<u>S</u>			

Total number of acres to be irrigated NA

10. Describe any other water rights used for the same purposes as described above: ~~NONE~~ A67-02365 AND

A67-07201

11. a. Who owns the property at the point of diversion? SELF 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. _____

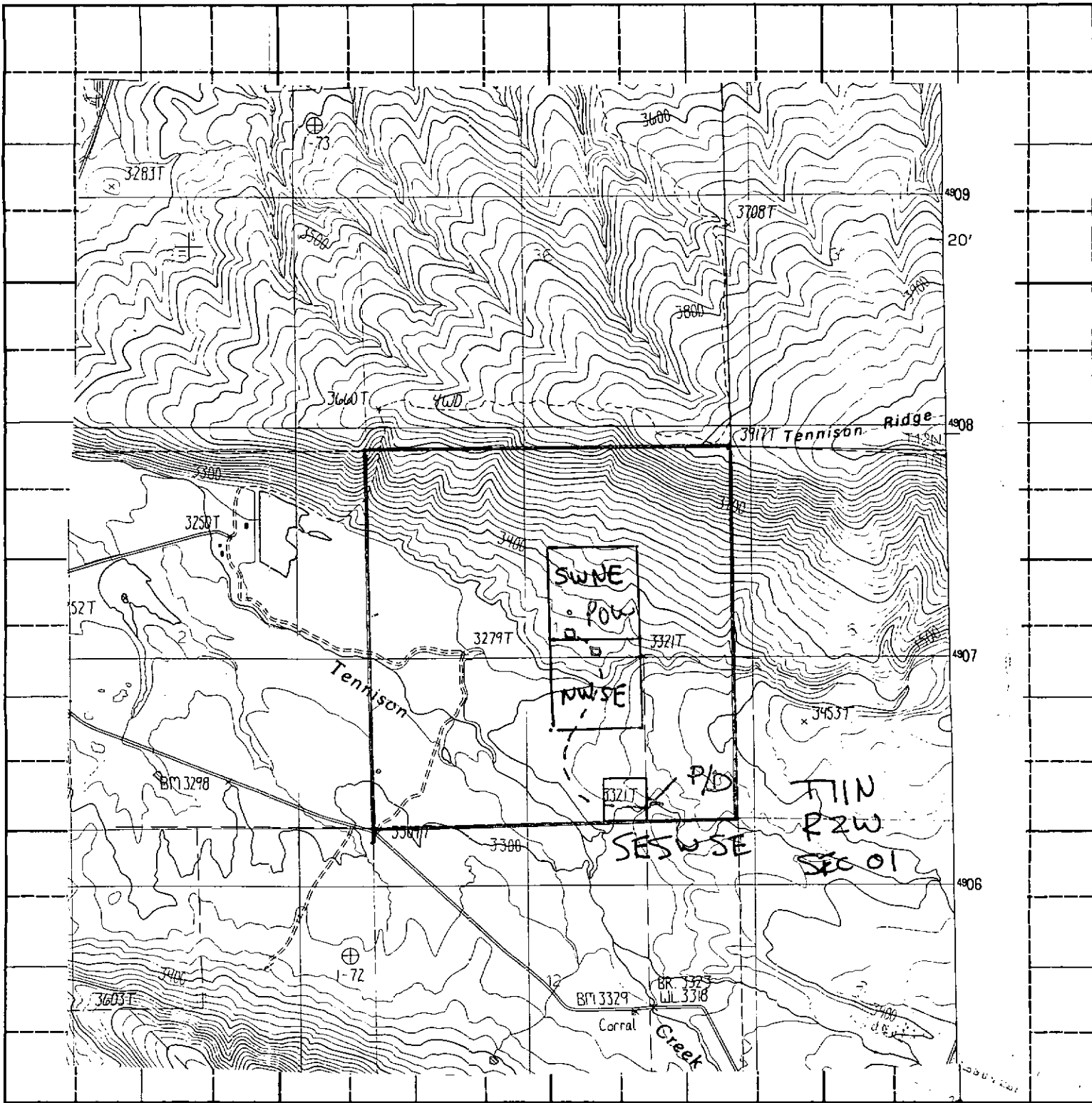
12. Remarks: _____

RECORDED

AUG 21 1992

67-7895

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 D Loe
(Applicant)

Received by Rch Date APR. 6, '92 Time 14:36 Preliminary check by But Cy
Fee \$ 30.00 Received by Rch # W014440 Date APRIL 6, '92
Publication prepared by GG Date 4-29-92 Published in Weiser Signal
Publication approved ST Date 6/10/92 5/7 & 5/14/92

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:

RECEIVED

AUG 21 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: FRANKLIN D LAND 208-355-2487
Address: 3430 BIG FLAT RD
MIDVALE ID 83645
AND/OR
Name: TIREVA L LAND 208-355-2487
Address: 3430 BIG FLAT RD
MIDVALE ID 83645
2. Source: UNNAMED STREAM Trib. to: TENNISON CREEK
3. Location of Point of Diversion: SESWSE Sec. 1, Township 11N, Range 02W
WASHINGTON County
4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
STOCKWATER	01/01	12/31	0.090		
5. Total quantity to be appropriated is:
0.090 CFS (and/or) AF
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc.
4" PERF. PIPE, TO 30" COLLECTION BOX, THEN 2" PVC INTO STOCK TKS.
 - b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - c. Proposed well diameter is inches; proposed depth of well is
feet.
 - d. Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.
8. Description of proposed uses:
STOCKWATER

10/1/72
AUG 21 1982

9. Place of Use: STOCKWATER

TWN RGE SEC

11N 02W 1

SWNE

NWSE

10. Describe any other water rights used for the same purposes.

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:

Stockwater use is for 400 range cattle.

13. 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.

SEE ORIGINAL

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ _____ Receipted by _____ # _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

RECORDED
AUG 21 1932

No

183

RECEIVED
MAY 29 1992

AFFIDAVIT OF PUBLICATION-1183

Department of Water Resources
Western Regional Office

Department of Water Resources

STATE OF IDAHO, } ss.
County of Washington }

No. 183

NOTICE OF APPLICATION
FOR WATER RIGHTSmall Boies, 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

May 7, 1992, and ending
with the issue of May 14, 1992.Small BoiesFees, \$ 89.24Subscribed and sworn to before me this 14day of May, 1992.

Notary Public, Residing at Weiser, Idaho.

My Commission Expires 1-1, 1993The Following application(s) have been filed to
appropriate the public waters of the State of Idaho:67-07895
LAND, FRANKLIN D.
LAND, TREVA L.
3430 BIG FLAT RD.
MIDVALE, ID 83645
Source: UNNAMED STREAM
Tributary: TENNISON CREEK
Diversion Pt: SESWSE Sec 1 T 11N R 02W in
WASHINGTON County.
Use: STOCKWATER (.090 CFS)
Total Diversion: (.090 CFS)
Date Filed: 4/6/1992
In: WASHINGTON County
T11N R02W S01 SWNE NWSE

69-07103

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
3380 AMERICANA TERRACE
BOISE, ID 83706
Source: GROUNDWATER
Diversion Pt: LOT 1 (NENE) Sec 19 T 12N R 07W
in WASHINGTON County.
LOT 3 (SENE) Sec 19 T 12N R 07W in WASHING-
TON County.
Use: DOMESTIC (.110 CFS)
Total Diversion: (.110 CFS)
Date Filed: 4/13/1992
In: WASHINGTON County
T12N R07W S09 Lot 1 (NENE) Lot 3 (SENE)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 MAY
26, 1992.

R. KEITH HIGGINSON, Director

Published: 5/7/1992 & 5/14/1992

22-2S

AUG 21 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 19, 1996

FRANK LAND
3430 BIG FLAT RD
MIDVALE ID 83645

RE: Water Right No. 67-07895

Dear Frank:

I have enclosed your copy of Water Right License 67-07895. If you have any questions about the license, please call me at (208) 327-7946.

Please note that the license contains a condition requiring you to maintain a lockable device on your diversion works. After I discussed this condition with you last month, we contacted the watermaster to clarify his recommendation. The watermaster feels that some kind of lockable device should be required in case it is necessary to regulate your diversion. However, he also indicated that what you have in place already is probably sufficient to meet the requirement.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to IDWR. If you have acquired a water right or changed your mailing address prior to July 1, 1996, you have until July 30, 1998, to notify IDWR. If you acquire a water right or change your mailing address after July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any IDWR office to obtain the proper reporting form.

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

Enclosure

MICROFILMED
DEC 24 1996

MEMORANDUM

DATE: November 14, 1996
TO: File No. 67-07895
FROM: Cindy Zimmerman 
RE: Telephone Conversation

Yesterday Carrie Horton, daughter of Water District No. 67 Watermaster Gerald Myers telephoned in response to my 11/7/1996 letter. Mr. Myers is out of town. Ms. Horton is receiving his mail. Ms. Horton related that she had read my letter to her father and his comment was that he can now lock the diverting works if he needs to and wants to continue to be able to lock it but he did not think Mr. Lands needed to add any special device to his diverting works. Ms. Horton was not sure whether or not her father wanted the condition on the license but would ask him and call me back.

Ms. Horton called back today and said that her father did want some condition included on the license ensuring he could lock the diversion if necessary. I agreed to write another letter to Mr. Myers which included a copy of the proposed license and licensing amendment so he can read the lockable device condition himself and request his comment on the condition.

no letter necessary. S.W. Ken 11/14/96

Ms. Horton stated her father intended to be back in town by Thanksgiving. If he will not return by then she will call me again.

MICROFILMED
DEC 29 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

November 7, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GERALD MYERS
HC 70 BOX 2010
MIDVALE ID 83645

RE: Permit 67-07895

Dear Mr. Myers;

Earlier this year, on September 26, 1996, I wrote to you regarding the above permit that is in the process of being licensed. One of the conditions of the permit requires the permit holders, Franklin D. and Treva L. Land, to install a lockable device on the diversion works. This condition generally carries over to the license and requires the right holder to maintain the lockable device.

On October 4, 1996, you telephoned me in response to my letter. I understood you to say that the diversion was equipped with a lockable device. I recommended the condition remain on the license.

On November 5, 1996, the department received correspondence from Mr. Land questioning the need for the lockable device condition.

The purpose of this letter is to confirm with you that a lockable device condition is necessary on this right for your regulation of this diversion.

I will hold processing on this license for 14 days pending your response. If you have any questions, you may contact me directly at (208) 327-7944.

Respectfully,

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

Cindy Zimmerman
Water Resource Agent

MICROFILMED
SEP 13 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 29, 1996

FRANK LAND
3430 BIG FLAT RD
MIDVALE ID 83645

RE: Water Right No. 67-07895

Dear Frank:

Thank you for calling yesterday to discuss the Application for Amendment I sent you for Water Right Permit 67-07895. As we discussed, the reason for requesting the amendment is that the field examiner reported that your places of use (the locations of your stock tanks) are in different 40-acre tracts than were specified in your permit, which was based on the application you submitted.

As you requested, I have enclosed a copy of your application and a copy of the report submitted by the field examiner. If, after reviewing this information, you believe the examiner's report is accurate, please complete the Application for Amendment and return it to me with the required filing fee of \$50.00. If you feel that the examiner's report is not accurate, please contact me right away.

We also discussed the watermaster's lockable controlling works recommendation for your diversion. I have asked one of our staff members to contact the watermaster and clarify his recommendation.

It is important to me, as I know it is to you, that your water right gets licensed accurately and expeditiously. I will look forward to hearing from you shortly. If you have any questions, please contact me at 208-327-7946.

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 22, 1996

FRANKLIN D LAND
TREVA L LAND
3430 BIG FLAT RD
MIDVALE ID 83645

RE: WATER RIGHT NO. 67-07895

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

10/27/96
10:28 AM

MEMORANDUM

DATE: October 4, 1996
TO: File No. 67-07895
FROM: Cindy Zimmerman c3.
RE: Lockable Device

Per telecon today with Gerald Myers, Watermaster of Water District No. 67, this diversion is equipped with a lockable device.



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

September 26, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GERALD MYERS
WATER DISTRICT 67
HC 70 BOX 2010
MIDVALE ID 83645

RE: Measuring and/or Lockable Devices

Dear Mr. Myers;

I am currently reviewing for license approval two permits, 67-07838 & 67-07895, which are located within your water district boundaries.

One of the conditions of Permit 67-07838 requires the permit holder, Bacon Valley Ranches Inc., to install a measuring device and lockable controlling works on the diversion works. A department field examiner found a 1.3 AF on stream stockwater storage pond collecting water from two intermittent unnamed streams tributary to Bacon Creek. The examiner did not find a measuring device or lockable controlling works installed on the pond.

One of the conditions of Permit 67-07895 requires the permit holders, Franklin D and Treva L Land, to install a lockable device on the diversion works. A department field examiner found 0.06 cfs of water diverted from an unnamed stream tributary to Tonnison Creek via buried pipeline (gravity flow) to two stock tanks. The examiner did not find a lockable device installed.

The purpose of this letter is to seek your input concerning the measuring and/or lockable device requirement on these two permits. I will hold processing of these rights for 14 days pending your response.

If you have any questions, you may contact me directly at (208) 327-7944.

Respectfully,

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

Cindy Zimmerman
Water Resource Agent

67-07838
67-07895
SEP 28 1996

WR0749NP
No. L67-07895

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/23/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FRANKLIN D LAND	04/06/1992	STOCKWATER	01/01 12/31	0.060 CFS	5.40 AFA
C	TREVA L LAND					
	3430 BIG FLAT RD			TOTAL DIVERSION:	0.060 CFS	5.40 AFA
	MIDVALE ID 83645					
	(208) 355-2487					

Water Source: UNNAMED STREAM

Tributary to: TENNISON CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.060 CFS

Point(s) of Diversion: T11N R02W S01 SWSE WASHINGTON County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
11N 02W 1	:		:		:		:		:		:		:		:	

Pou County: WASHINGTON

Other Water Rights Listing Overlapping Place(s) of use:
67-02365

Conditions of Approval:

- R02 - A lockable device subject to the approval of the Department
 - shall be maintained on the diverting works in a manner that will
 - provide the watermaster suitable control of the diversion.
- R04 - Use of water under this water right will be regulated by the
 - watermaster of State Water District No. 67.

Dates: App. Received: 04/06/1992 Priority Date: 04/06/1992
Proof Due Date: 09/01/1993 Proof Made Date: 05/14/1993
Exam Made Date: 04/10/1995 Exam Sent to S.D.: 03/28/1996
Licensed Date:

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

Audit: 09/24/96 CZIMMER 10/23/96 CZIMMER

B/U FIELD EXAM REVIEW
Cindy Zimmerman

01/96

Permit #: 67-7895 Name: Rand Date: 9/24/96 ✓ Lots ✓

NAME Chng Same ✓ Or Address Change?

SOURCE ✓ Clarify source _____
Prelim. Order to Void - Source change.

P/D ✓ Amendment Needed? SESWSE P39
Overlap(s) none

P/U ✓ Amendment Needed? Change to SENW & NESW exam omitted Twp, Reg. Sec. P41
Overlap(s) none
(Gov't special ¶'s) _____ *P/D & P/U Amend? P37

RATE ✓ Permit/fee limits 0.09 / 0.20
✓ Measured Q = 0.06 cfs/Theoretical Q = _____ cfs
5 gal in 11 sec. = 0.06 cfs
stock use = 400 RC = 0.09 cfs

_____ Recommended capacity 0.06 cfs
_____ Recommended rate 0.06 cfs

VOLUME ✓ Season: (_____ / _____) 1/1-12/31 = 365 days
Calculations:
stock = (400 wd x 12 gal/wd x 365 d/y) ÷ 325,850 gal/AF = 5.4 AF
Flow limit: 0.06 x 365 x 1.9835 = 43.4 AF
✓ Recommended volume 5.4 AF

USES ✓ Same Nature of Use? _____ P46
Amendment Needed? _____

REMARKS + Multiple p/d's in 1/1? W32 _____
+ 400 RC / 400 RC

CONDITIONS R02 Measuring (R01)/Locking (R02) Devices
R04 Watermaster Control (R04) - WD # 67
+ Irrigation rate/volume overlap
+ GW irrigation replaces surface water (050)
+ GW irrigation supplements surface water (065)
+ Water Quality
+ Other _____

PRIORITY App Rcd 4/6/92 Due 9/1/93 Rc'd 5/7/93
Receipt# 0027437 Fee OK? Yes/No
Order to Reinstate Needed? Yes/No Done? _____
If Yes, Advanced? Yes/No to: _____
Priority 4/6/92 Examined 4/10/92

COMMENTS: rate limited by capacity

USE	CFS	DIV VOL	SRBA Overlap
<u>Stock</u>	<u>0.06</u>	<u>5.4</u>	<u>none</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>Adjustment Memo</u> <u>✓</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	LICENSE LTR: <u>P49</u>
<u>_____</u>	<u>_____</u>	<u>_____</u>	#1 AMEND LTR: <u>P41/P38</u>
<u>TOTAL</u>	<u>0.06</u>	<u>5.4</u>	#2 AMEND LTR: <u>P42/P47</u>

MEMORANDUM

DATE: September 24, 1996
TO: File No. 67-07895
FROM: Cindy Zimmerman *CS*
SUBJECT: Review of Beneficial Use Field Report

~~~~~

The following adjustments<sup>1</sup> were made on the field report to provide for an omission on the exam:

- C. Diversion and Delivery System.  
2. Place of use is located within **T11N**, **R02W**, **S01**, SENW & NESW.
- G. Volume Calculations.  
Stockwater: AF = (hd x gpd x d/y)/325,850  
= (400 x 12 x 365)/325,850  
= 1,752,000/325,850  
= 5.38 ≈ **5.4** AF

---

<sup>1</sup>Adjustments made are **bolded and underlined**.

MICROFILMED  
SEP 24 1996

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
MAR 29 1996

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 67-7895

1. Owner: Franklin D & for Treva L. Land Phone No. 355-2487

Current Address: 3430 Big Flat Rd Midvale ID 83645

2. Accompanied by: owner EXAM DATE: 4/10/95

Address: \_\_\_\_\_ Phone No. \_\_\_\_\_

Relationship to Permit Holder: \_\_\_\_\_

3. Source: unnamed stream tributary to Tennison Creek

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: 67-2365, 7281, 7292

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

**C. DIVERSION AND DELIVERY SYSTEM**

**1. Point(s) of Diversion:**

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           |           | SE  | SW  | SE  | 1    | 11N  | 02W  | Wash   | Map                             |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

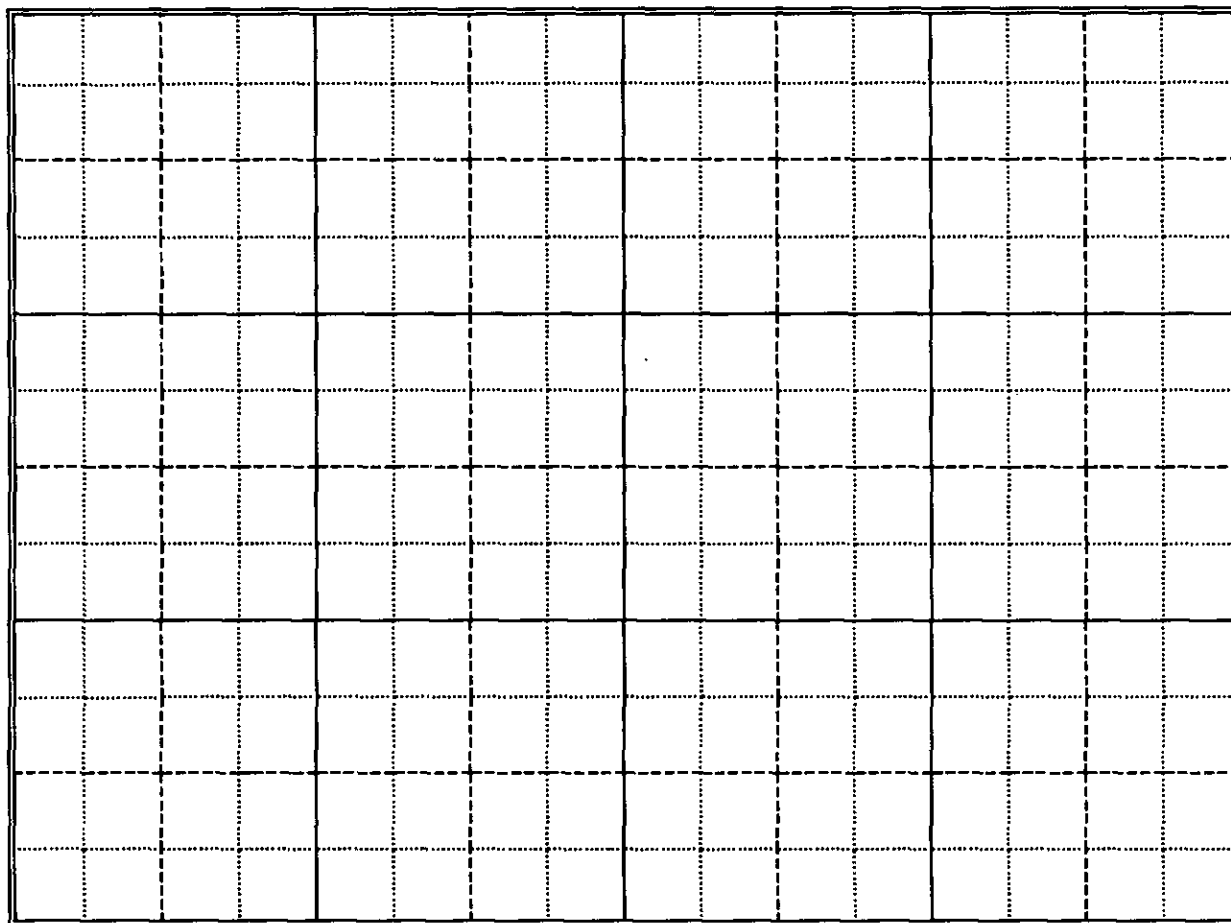
**\* 2. Place(s) of Use:**

Indicate Method of Determination

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
|     |     |     |    |    |    |    |    |    | S  |    |    | S  |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

MICROFILMED  
DEC 23 1995

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



Scale: 1" = \_\_\_\_\_

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

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

Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-----------|-----------------------------------|
| N/A                                   |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |
|                                       |            |    |                  |           |                                   |

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

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| Bucket, Stopwatch     |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements: timed fill @ 1<sup>st</sup> tank. 5 gal in 11 sec (3 trials)

→ lower PSI = 10 head. 50' - mostly flat 1"/20', 2" PVC line  
check w/ pipe law equation

E. NARRATIVE/REMARKS/COMMENTS

3500', 2" line off 30" cement collection w/ 40' perf pipe.  
From 1st tank 2" - 1½" line to 2nd tank and  
dam hydrants. Measurement conducted by disassembling  
hydrant (bubbler type) w/in trough and attaching an  
extension so that a timed bucket fill could be ~~done~~ done.

Stockwater is for 400 range cattle.

Overlaps with other surface rights for the Land  
Ranch, for irrigation from Storage & some  
Stockwater - all other sources or other tribs of  
Tennison Ck. All permits, exams done 1938-89

\* Diversion is buried. <sup>No</sup> ~~Access flows return to Tennison Creek~~  
~~is not a dam~~. There is a control valve at first tank -  
System operated manually or with a float. No lockable or  
meas device; Not likely to be required

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

UNDEVELOPED

## F. FLOW CALCULATIONS

\_\_\_\_\_ Additional Computation Sheets Attached

Measured Method:

$$\frac{5 \times 600}{11} = 27.3 \text{ gpm} = .06 \text{ cfs}$$

## G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

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

2. Volume Calculations for Other Uses:

$$400 \text{ cattle} \times .0134 = 5.36 \text{ AFA}$$

## H. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| STOCK          | 1/1           | 12/31 | .06                          | 5.36 *                   |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .06                          | 5.36 *                   |

2. Recommended Amendments

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

## I. AUTHENTICATION

Field Examiner's Name Cindy Hodges Date 3/19/96

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL

\* Adjustments made during the review of this right for license approval.  
See memo for additional information. 9/24/96

Pipeflow Computation Spreadsheet (DRT 12/31/1992)

Data Entered By: Cindy Hodges  
 12/27/93 3/19/96  
 Project: Flow Computation for Permit No. 67-07895  
 LAND  
 Given: See Data Table

Compute head losses with the Williams and Hazen Formula:  
 $f = 0.2083 * (100 / \text{roughness})^{1.85} * ((\text{cfs} * 448.8)^{1.852} / \text{ID}^4.8655 * \text{Length} / 100)$

To Find: Compute Rate of Flow

Data Table

Total Head: 50.00 feet  
 Pressure Req'd: 0.00 psi  
 Available Head: 50.00 feet  
 Pipe Roughness: 150.00 Note: pvc = 150, smooth and straight pipe = 140  
 aluminum - joint length 20' = 125, joint length  
 30' = 130, joint length 40' = 132, joint length  
 50' = 134, new riveted steel = 100  
 old riveted steel = 100, old cast iron = 95,  
 old pipes in poor condition = 60 to 80

| Inside<br>Diameter<br>in Inches | Equivalent<br>Length<br>in Feet | Unit<br>Head<br>Loss | Total<br>Head<br>Loss from Pipe Friction |
|---------------------------------|---------------------------------|----------------------|------------------------------------------|
| 1.75                            | 3500.00                         | 49.77                |                                          |
| 10.00                           | 0.00                            | 0.00                 |                                          |
| 10.00                           | 0.00                            | 0.00                 |                                          |
| 10.00                           | 0.00                            | 0.00                 | 49.77                                    |

Rate of Flow: 0.041 CFS

Solution is obtained by entering an estimated rate of flow and adjusting until Total Head Loss approximates Available Head.

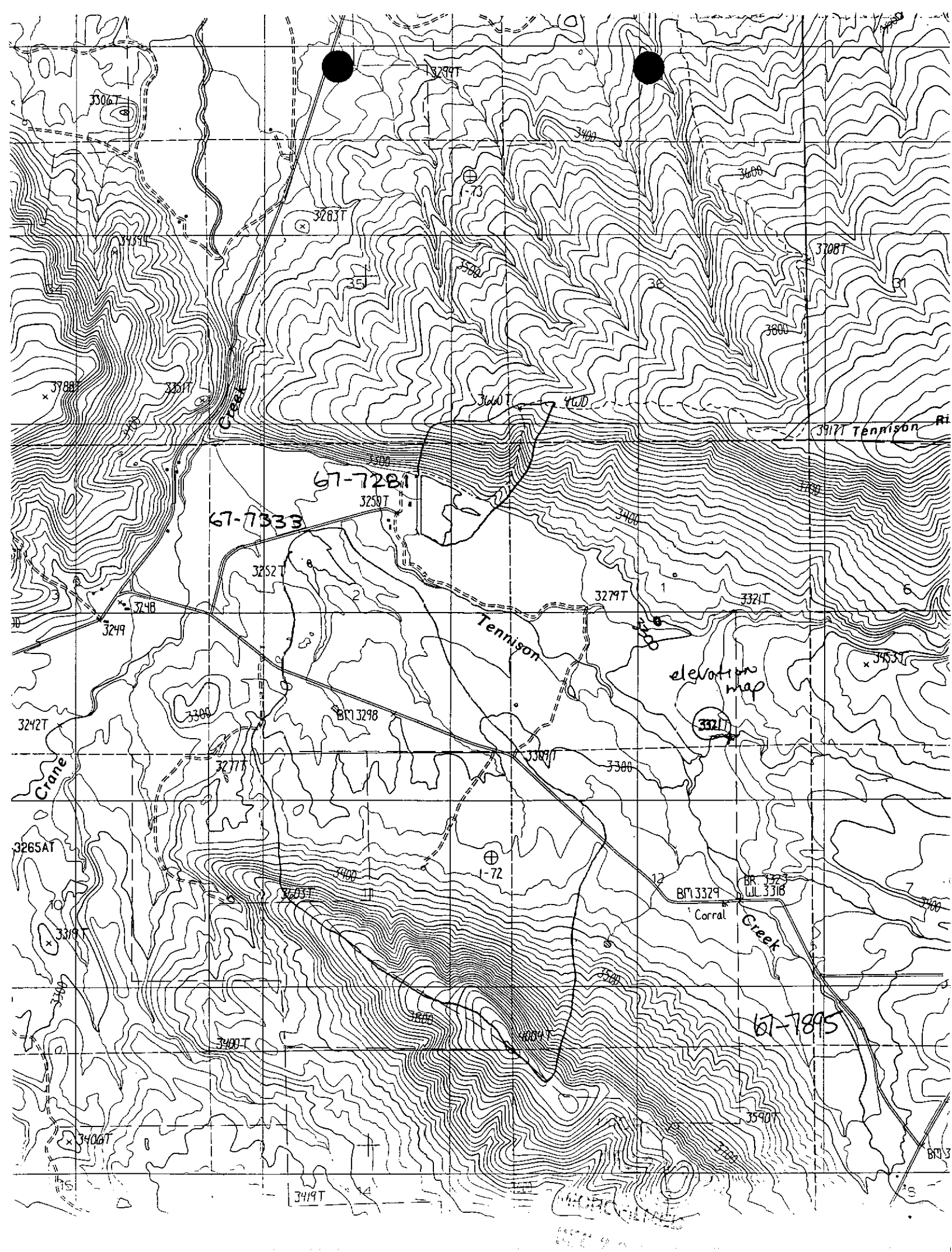
check against actual meas.

11/15/93  
 11/15/93

3439T

3357T

PERMIT 67-7895 INIT *gls*  
T. R. S. 0/000  
P/D 11N 2W 01 SWSE  
SCALE 1:24K  
PHOTO ID. \_\_\_\_\_



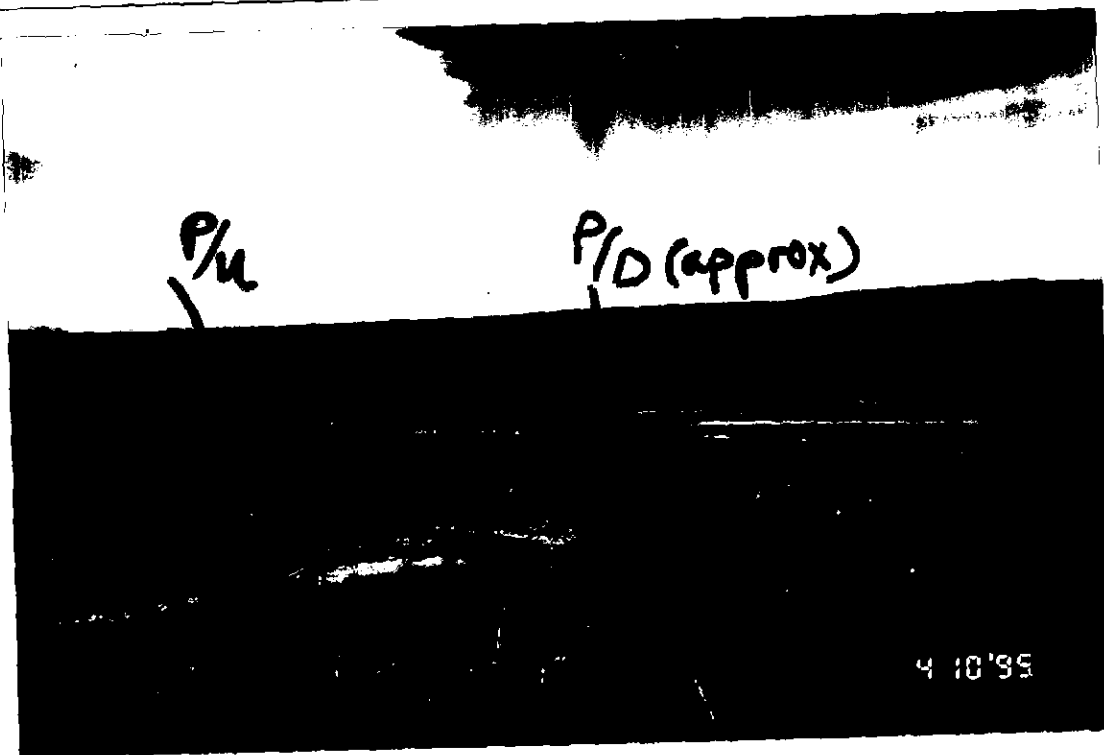


photo taken  
from ~~the~~ road  
looking north  
(see map)



P/u, 1st  
Stock tank

67-7895-10000  
10000-10000

67-7895

May 14, 1993

TREVA L LAND  
FRANKLIN D LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 67-07895

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.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

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

Sincerely,

Karen L. Gustafson  
Secretary/Records Manager

c: IDWR - Region

RECEIVED  
MAY 15 1993

MAY 25 1993



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

August 12, 1992

FRANKLIN D LAND  
TREVA L LAND  
3430 BIG FLAT RD  
MIDVALE ID 83645

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 67-07895

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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

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

Sincerely,

BRENDA L. MILLER  
Water Resource Agent

BLM:cz

Enclosures

RECEIVED  
AUG 21 1992

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Western Region  
2735 AIRPORT WAY

---

Boise, Idaho 83705  
(208) 334-2190

APRIL 29, 1992

The Weiser Signal  
P.O. Box 709  
Weiser, ID 83672

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 26, 1992.

Yours truly,

GAIL GARRETT  
Secretary

Encl.

APPROPRIATE  
AUG 21 1992

67-07895

LAND, FRANKLIN D  
LAND, TREVA L  
3430 BIG FLAT RD  
MIDVALE, ID 83645

Source: UNNAMED STREAM

Tributary: TENNISON CREEK

Diversion Pt:                SESWSE    Sec   1 T 11N R 02W in WASHINGTON County.

Use: STOCKWATER                                ( .090 CFS)  
      Total Diversion: ( .090 CFS)

Date Filed:    4/ 6/1992

In:    WASHINGTON County  
      T11N R02W S01

SWNE

NWSE

AUG 21 1992