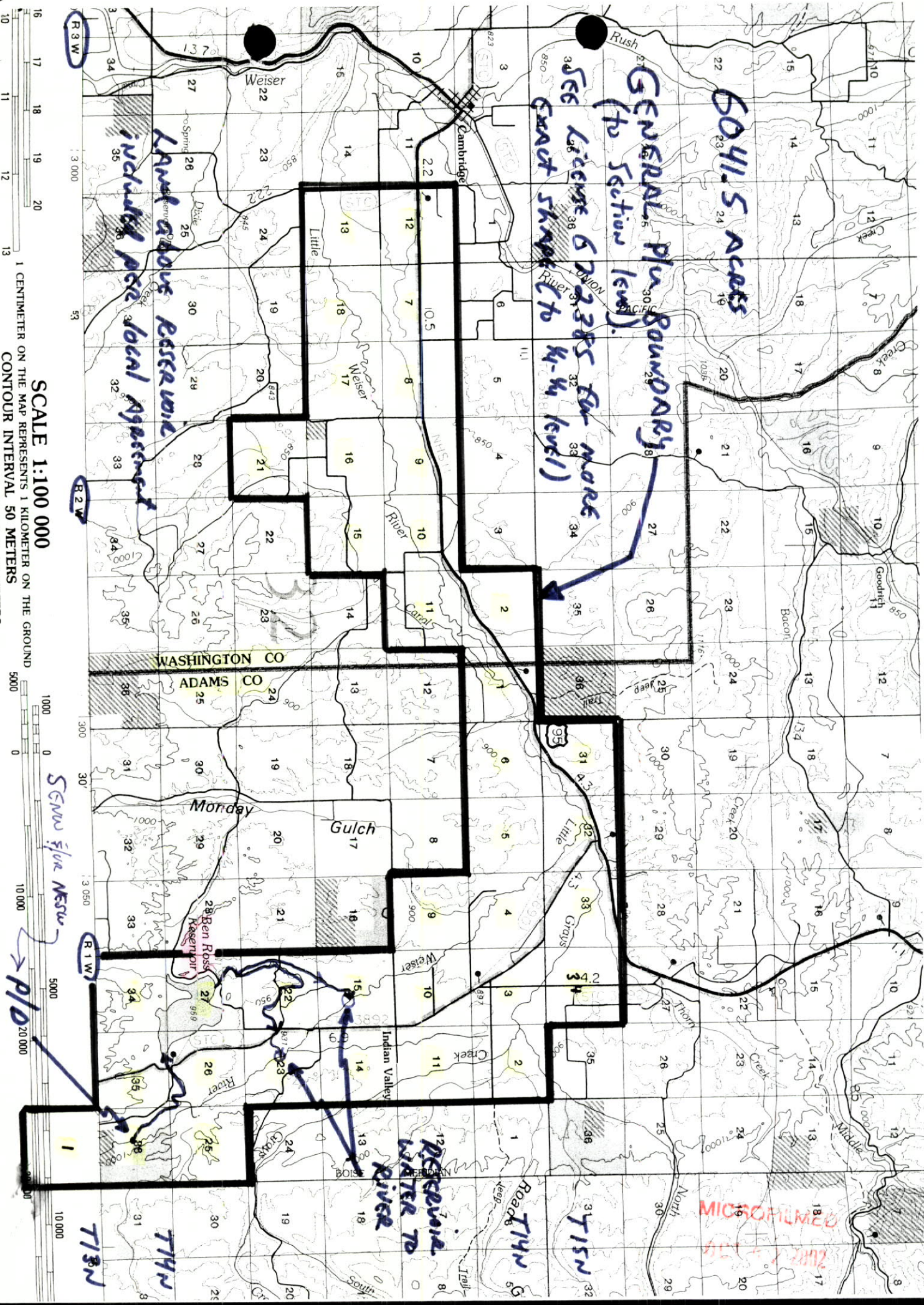
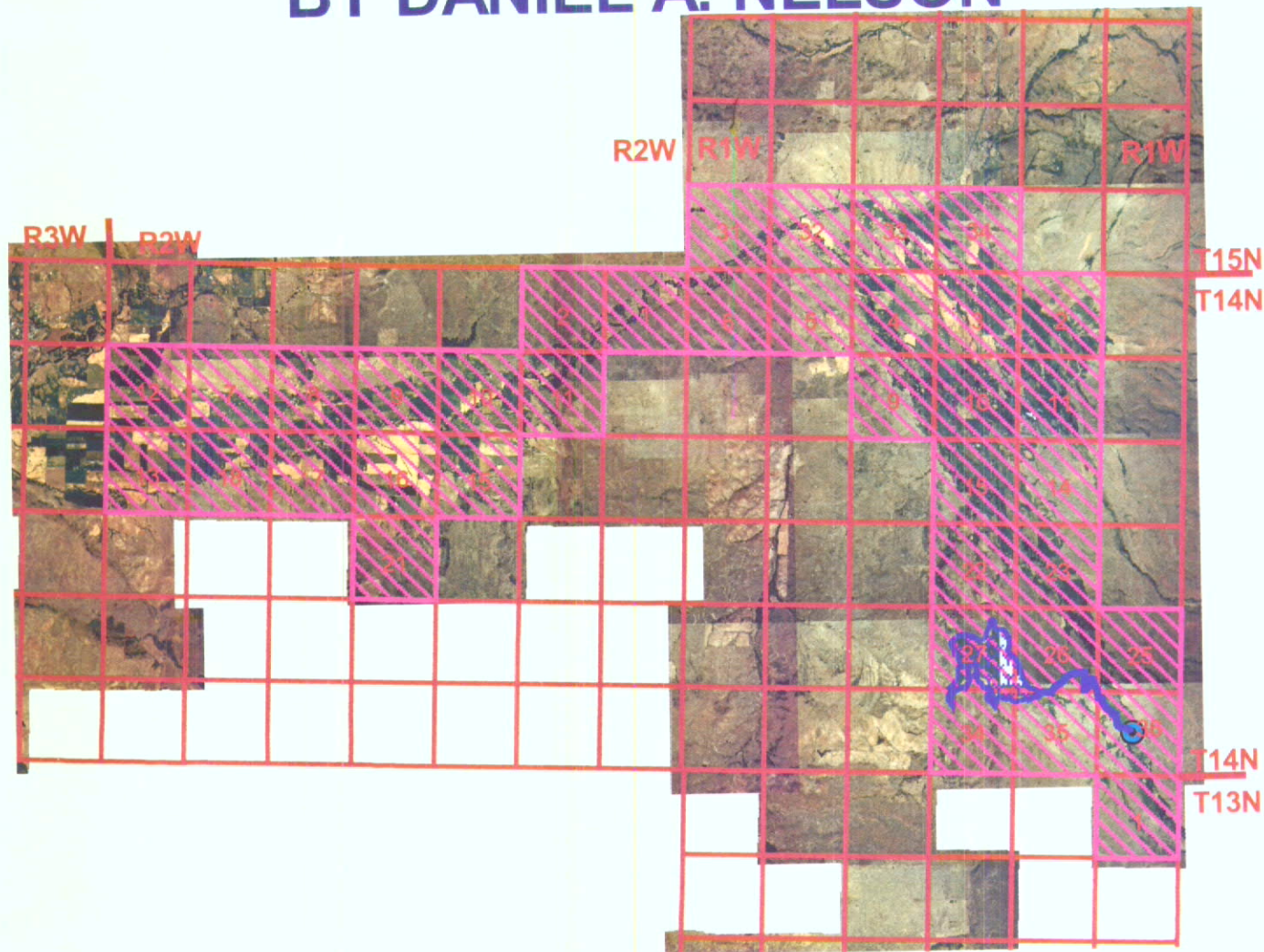




**WEISER IRRIGATION DISTRICT
BORDER MAP FOR
PERMIT 67-7878
BY DANIEL A. NELSON**



CANAL TO RESERVOIR

BEN ROSS RESERVOIR

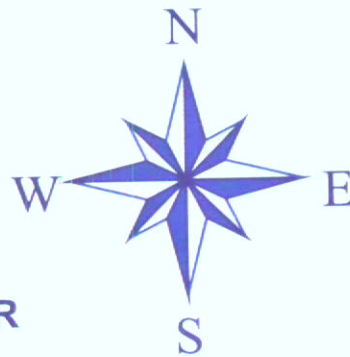


POINT OF DIVERSION

LITTLE WIESER IRRIGATION DISTRICT BORDER

SECTION

MICROFILMED
OCT 02 2002



RECEIVED
DEC 21 2001
WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
67-7878 ✓

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD

INDIAN VALLEY ID 83632

Point(s) of Diversion NESW

S36 T14N R01W

ADAMS County

Source LITTLE WEISER RIVER

Tributary To WEISER RIVER

Point(s) of Diversion SENW

S36 T14N R01W

ADAMS County

Source LITTLE WEISER RIVER

Tributary To WEISER RIVER

Use: IRRIGATION STORAGE

01/01 To 12/31

863 AFA

Use: IRRIGATION FROM
STORAGE

03/15 To 10/31

863 AFA

Use: DIVERSION TO STORAGE

05/01 To 06/1540 CFS

Total Diversion:

40 CFS

Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in The Adams County Record on December 6 and December 13, 2001

Affidavit of Publication

STATE OF IDAHO } ss
County of Washington

Norman Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began December 6, 2001 and ended December 13, 2001.

Bonnie Egan Jr
Norman Dopf

Subscribed and sworn to before me this
18 day of
December, 2001.

Debbie S Maxwell

Notary Public in and for the State of Idaho, residing at Cambridge, Idaho
Idaho 83610 83612

DEBBIE S. MAXWELL
Notary Public
State of Idaho

PUBLI NOTICE

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

67-7878

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632

Point(s) of Diversion NESW S36 T14N R01W ADAMS
County Source LITTLE WEISER RIVER Tributary To
WEISER RIVER

Point(s) of Diversion SENW S36 T14N R01W ADAMS
County Source LITTLE WEISER RIVER Tributary to
WEISER RIVER

Use: IRRIGATION STORAGE 01/01 To 12/31 863 AFA
Use: IRRIGATION FROM 03/15 To 10/31 863 AFA
STORAGE
Use: DIVERSION TO STORAGE 05/01 To 6/15 40 CFS
Total Diversion: 40 CFS
Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in Upper Country News Reporter Dec. 6 & 13, 2001

RECEIVED

DEC 20 2001

WATER RESOURCES
WESTERN REGION

MICROFILMED

OCT 02 2002

NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho: 67-7878

Little Weiser Irrigation District
c/o J Wayne Burkhardt
2410 Little Weiser Road
INDIAN VALLEY, ID 83632
Point(s) of Diversion
NESW

S36 T14N R01W ADAMS
County
Source LITTLE WEISER
RIVER

Tributary To WEISER
RIVER

Point(s) of Diversion SENW
S36 T14N R01W ADAMS
County

Source LITTLE WEISER
RIVER

Tributary To WEISER
RIVER

Use: IRRIGATION
STORAGE

01/01 To 12/31 863 AFA
Use: IRRIGATION FROM
STORAGE

03/15 To 10/31 863 AFA
Use: DIVERSION TO
STORAGE

05/01 To 06/15 40 CFS
Total Diversion: 40 CFS
Date Filed: 10/17/1991

Remark: Applicant agrees
to mitigate consumptive
use in the future as needed
for expansion of C. Ben
Ross Reservoir. Place of
use will be 6042 acres
currently served by the
applicant. The application
was advertised in error in
November 1991. The original
application was for
3900 af of supplemental
storage but was advertised
as 39 af. The amended
proposal is reduced to 863 af
of supplemental storage to
be diverted from the river
via an existing ditch during
peak runoff.

Permits will be subject to
all prior water rights. Pro-
tests may be submitted
based on the criteria of
Sec. 42-203A, Idaho Code.

Any protest against the
approval of this application
must be filed with the
Director, Dept. of Water
Resource, Western
Region, 2735 Airport Way,
Boise, ID 83705 together
with a protest fee of \$25.00
for each application on or
before 12/24/2001. The
protestant must also send
a copy of the protest to the
applicant.

KARL J. DREHER, Director

PUBLISH: December 6 and
12, 2001

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

RECEIVED

DEC 14 2001

WATER RESOURCES
WESTERN REGION

No 43472

I, Ruby Aufferheide being first duly sworn upon oath, depose
and say that I am principal clerk of the TIMES-NEWS, published daily at,
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping
attached, was published in the regular and entire issue of said newspaper, and not in any supplement
thereof, for two consecutive publications,
commencing with the issue dated December 6, 2001,
and ending with the issue dated December 12, 2001.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily
except Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and unin-
terruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to
be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 13th day of December in the year 2001, before me,

a Notary Public, personally appeared Ruby Aufferheide,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

DA CAPPS-McGUIRE
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5-19-03

OCT 02 2002

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

Date 12/13/2001INVOICE NO. 281922Account No. 964760Description 281922The following apTimes 2Lines 33

RECEIVED

Tab. Lines

DEC 17 2001

\$ 106.26WATER RESOURCES
WESTERN REGION

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

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

281922
67-7878
LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632
Point(s) of Diversion NESW S36 T14N R01W ADAMS County
Source LITTLE WEISER RIVER Tributary To WEISER RIVER
Point(s) of Diversion SENW S36 T14N R01W ADAMS County
Source LITTLE WEISER RIVER Tributary To WEISER RIVER
Use: IRRIGATION STORAGE 01/01 To 12/31 863
AFA
Use: IRRIGATION FROM STORAGE 03/15 To 10/31 863 AFA
Use: DIVERSION TO STORAGE 05/01 To 06/15 40 CFS
Total Diversion: 40 CFS

Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Cede.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published in the Lewiston Morning Tribune on December 6 and 13, 2001

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 281922The follo attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 12/06, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 12/06/2001, and the last publication thereof being on the 12/13/2001, and said 281922The follo was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

State of Idaho

S.S.

County of Nez Perce

On this 13th day of Dec in the year of 2001, before me, a Notary Public, personally appeared Karen J Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheral M Lantz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein

Commission Expires June 4, 03

MICROFILMED

OCT 02 2002



The Idaho Statesman

RECEIVED

DEC 14 2001

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

WATER RESOURCES
WESTERN REGION

Account #	a	Identification	Amount:
047628	573316	APPLICATION FOR PERMIT NO. 67-7878	\$164.87
Ordered by:	PO#	Rate	Run Dates
SUE TAYLOR		NT	DECEMBER 6, 13, 2001
DEPARTMENT OF WATER RESOURCE WESTERN REGION 2735 AIRPORT WAY BOISE, ID 83705			Number of Lines 37X3
			Affidavit 1
			Legal # 12084

LEGAL NOTICE NOTICE OF APPLICATION

67-7878

LITTLE WEISER IRRIGATION DISTRICT

C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632

Point(s) of Diversion NESW
Tributary To WEISER RIVER
Point(s) of Diversion SENW
Tributary To WEISER RIVER
Use: IRRIGATION STORAGE
Use: IRRIGATION FROM
DIVERSION TO STORAGE 05/01 To 06/15 40 CFS
Use: 40 CFS
Total Diversion:
Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. The original application was for 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original place of use will be 6042 acres currently served by the applicant. The application was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protest must also send a copy of the protest to the applicant.

KARL J DREHER,
Director

12084

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of *The Idaho Statesman*, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in *The Idaho Statesman*, in conformity with Section 60-108, Idaho Code, as amended for:

TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

beginning with the issue of: DECEMBER 6, 2001
and ending with the issue of: DECEMBER 13, 2001

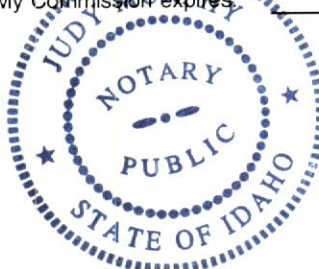
Janice Hildreth

STATE OF IDAHO)
)ss

COUNTY OF ADA

On this 13 day of DECEMBER in the year of 2001 before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the with n instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 1/6/04



MICROFILMED

OCT 02 2002

PUBLIC NOTICE

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

67-7878

LITTLE WEISER
IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632
Point(s) of Diversion NESW
S36 T14N R01W ADAMS County
Source LITTLE WEISER RIVER
Tributary to WEISER RIVER
Point(s) of Diversion SENW
S36 T14N R01W ADAMS County
Source LITTLE WEISER RIVER
Tributary to WEISER RIVER

Use: IRRIGATION STORAGE
01/01 To 12/31 863 AFA
Use: IRRIGATION FROM
STORAGE
03/15 To 10/31 863 AFA
Use: DIVERSION TO STORAGE
05/01 To 06/15 40 CFS
Total Diversion: 40 CFS
Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published: December 6, 13, 2001

DESIGN ALTERNATIVES: CONSTRUCTION

General:

Three construction alternatives for raising the dam were investigated, two of which represent applications of recent developments in water retention construction and one of which represents conventional earth-fill technology similar in methodology to the original design of the dam. The two newer technologies considered were a flexible membrane and a slurry-wall. For each alternative considered, a typical design cross-section for the maximum potential raise was prepared, required material quantities were calculated using appropriate software, and probable construction cost was evaluated. Constructibility and reliability of the alternatives were reviewed, referring to recent reports in the trade literature where pertinent and known to the reviewers. For those alternatives not shown by constructibility review to have significant flaws for this application, stability analyses were performed to compare probable performance of the designs with State of Idaho requirements.

An eleven-foot raise of the dam would be sufficient to store the additional available 3900 acre-feet of water. A storage curve was developed from contour elevations surrounding the reservoir based on topographic contours of the USGS, Indian Valley, 7 1/2-minute quadrangle. Also construction cost per dam lift height and construction cost per acre-foot of storage were calculated. These are graphically displayed in Figures 1 and 2. From these graphs it is possible to compare increases of crest height with corresponding cost of construction and gains in storage.

The additional storage curve shown in Figures 1 and 2 appears to be a straight line, although it actually has a very shallow, concave upward curve. Generally, storage curves plot with larger curvature than in this case. The reason for such a shallow curve is due to the comparatively small range of added height represented by the proposed dam lift. It delineates a flatter portion of the curve than would be displayed using the total range of the storage curve. This, in combination with the relatively steep topography occurring within the domain of increased storage, accounts for the almost constant slope of this line.

The line indicating incremental cost of raising the dam shown in Figure 1 also is straight. This is an approximation since the embankment volume required will actually increase disproportionately more, though slightly, with additional height of raise (which drives construction cost). However, this functional difference is small by comparison to other overall cost within the considered range of a dam raise. Furthermore, the maximum slope dictated by stability factors results in design slopes roughly the same as the existing embankment. Thus a dam raise within the range considered comes near to a constant proportionality relative to construction cost.



HOLLADAY

ENGINEERING CO.

C. Ben Ross Reservoir Feasibility Study

Little Weiser Irrigation District

Page 3

MICROFILMED

OCT 02 2002

Common Features of Alternatives:

Alternatives vary in the details of construction as a reflection of the differing methodologies employed to stabilize the embankment. There are several features that will be required, and will be virtually the same in all three alternatives. These include geotechnical investigation of the existing dam embankment and abutments, land acquisition for pond enlargement, crest elevation, probable saddle dike construction, spillway construction, road realignment and reconstruction, outlet gates examination with maintenance as required, and operating stem extensions.

Embankment stability analyses based on existing and extrapolated data were performed on each alternative design for raising the dam as required by IDAPA 37.03.06.050.01. The need for further geotechnical investigation and for possible abutment grouting is discussed under the sections on stability analysis and site geology.

The elevation contours shown on the USGS quadrangle map indicate that a saddle dike may be required in the cove situated northeast of the right abutment. The requirement for this saddle dike is uncertain based on the precision level of this map, but is independent of the design alternative selected. The estimated quantities of material for such a saddle dike are uncertain for the same reason, but are very small relative to the quantities for the main structure and are not shown separately. A generally representative construction detail for a saddle dike is shown, subject to the findings of more precise elevation determination prior to final design.

The design alternatives each entailed a crest width of approximately 30 feet. This width was selected to satisfy both the need for maintaining the two-way traffic along the existing county road across the dam and meeting the state required calculated minimum of 25.8 feet for a dam of this height (IDAPA 37.03.06.050.02).

The County road that crosses the dam will need to be re-routed and re-constructed to cross at an elevation 11 feet higher than current. Some relocation may also be required in the area of the probable saddle dike. Final design will determine the exact extent of required work. For this investigation the probable length of road reconstruction is taken as 2,500 feet, allowing for 500-foot transition stretches at each end of the dam and approximately 300 feet of reconstruction in the vicinity of the probable saddle dike.

The minimum required freeboard (IDAPA 37.03.06.050.06) to pass the Probable Maximum Flood (PMF) is 4.7 feet as determined by hydrograph (Alan Robertson, 1994, IDWR internal Memo to Mike Stubblefield, see Appendix). The designed freeboard of the studied lift alternatives is 5.0 feet.

The existing spillway sluice and bridge complex is sized to pass the PMF. The present structure cannot be retained because its elevation is too low for the new design water level, and also probably cannot be salvaged for re-use (except that it might be possible to salvage the precast concrete parts). The entire design would be reviewed as part of the total design



HOLLADAY

ENGINEERING CO.

C. Ben Ross Reservoir Feasibility Study

Little Weiser Irrigation District

Page 5

MICROFILM

OCT 02 2002

Weiser

BM 3089

31347

REPORTED SAND

12049502

Rock Quarry

Ts WATERMAIN Tuff
12049501

CONTACT N25W
Ben Ross

Tb
Joints
N65W 80E
to
Spillway N45W 80W

644/50
3147

12049503

Qal
N2E

Ts

fine-grained
sediments
tuff
possible fill

Ts
Tb
3248 T

sediments
Possible fill

Reservoir

W.L. 3146 T

3195 T

X SAND
Borrow Pit

③ SAMPLE LOCATIONS

Qal Quaternary alluvium
BM 3166

Ts Tertiary tuffaceous ss

Tbbx Tertiary basalt breccia

Tb Tertiary basalt

undifferentiated

3258 T

3300

BM 3334

3270 T

3200

3323 T

3326 AT

3373 T

3345 T

3345 T

3300

3397 T

3348 T

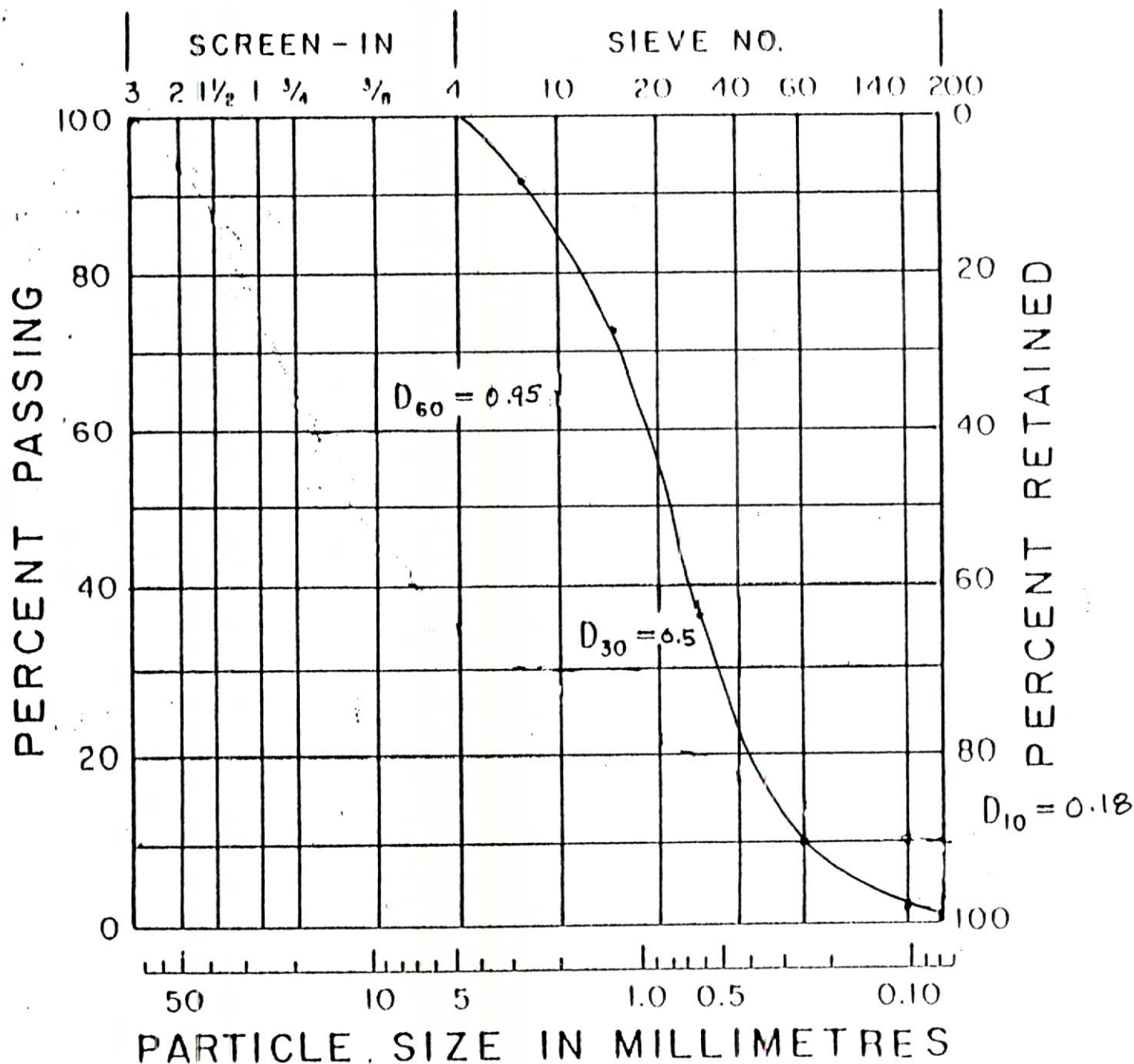
12049504
SAND PIT

3211 T

MICROFILM
UCT 0.2 11

ASTM D 2487

SIEVE ANALYSIS



$$C_u = \frac{D_{60}}{D_{10}} = \frac{0.95}{0.18} = 5.3$$

$$C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}} = \frac{(0.50)^2}{0.18 \times 0.95} = 1.5$$

MICROFILM

OCT 6 2 2012

NOTICE OF
APPLICATION FOR
WATER RIGHT

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

67-07878 ✓

LITTLE WEISER IRRIGA-
TION DISTRICT
C/O JOHN SCHWEN-
KFELDER
3323 SCHWENKFELDER
RD

CAMBRIDGE, ID 83610
Source: LITTLE WEISER
RIVER

Tributary: WEISER RIVER
Division Pt: NESW Sec
36 T 14N R 01W in AD-
AMS County.

Use: IRRIGATION STOR-
AGE (39.00 AF); IRRIGA-
TION FOR STORAGE
(39.00 AF); DIVERSION
TO STORAGE (40.000
CFS); Total Diversion
(40.000 CFS) (39.00 AF)
Date Filed: 10/17/1991

Place of Use within the
boundaries of the Little
Weiser Irrigation District.

The permit(s) will be sub-
ject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water Resources,
Western Region, 2735 Air-
port Way, Boise, Idaho
83705 on or before NO-
VEMBER 25, 1991.

R. KEITH HIGGINSON,
Director
PUBLISH: Thursday, No-
vember 7 and 14, 1991.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

I, Linda Capps McBuire being first duly sworn upon oath, depose
and say that I am Quinn Clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive weeks,
commencing with the issue dated November 7, 1991,
and ending with the issue dated November 14, 1991.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-
cept Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and
uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho,
to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 27 day of November in the year of 1991, before me,
a Notary Public, personally appeared Linda Capps McBuire,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shirley R. Feltman
Notary Public for Idaho

Residing at Twin Falls County

My commission expires: 5/19/94

Proof of Publication
The Post-Register

RECEIVED
NOV 22 1991

Department of Water Resources
Western Regional Office

State of Idaho, }
County of Bonneville } ss

I, **S. BOB BRIGHT** or **TED DELEZENE**, first being duly sworn, depose and say: That I am the **Production Supervisor or Asst. Prod. Supervisor** . . of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for **Two** consecutive weeks, first publication having been made on the 7th day of November, 19.91., last publication having been made on the 14th day of November, 19.91., and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this **20th** day of **November**, 19.91..

S. Bob Bright

Susan Thagman
Notary Public

My commission expires July 1st, 19.97..

B10

**NOTICE OF APPLICATION
FOR WATER RIGHT**
The Following application(s) have been
filed to appropriate the public waters of the
State of Idaho: 67-07878 ✓
**LITTLE WEISER
IRRIGATION DISTRICT
C/O JOHN SCHWENKFELDER
3323 SCHWENKFELDER RD
CAMBRIDGE, ID 83610
Source: LITTLE WEISER RIVER
Tributary: WEISER RIVER
Diversion Pt: NESW Sec 36 T 14N R 01W
in ADAMS County.
Use: IRRIGATION STORAGE
(39.00 AF)
IRRIGATION FROM STORAGE
(39.00 AF)
DIVERSION TO STORAGE
(40.000 CFS)
TOTAL DIVERSION: (40.000 CFS)
(39.00 AF)
Date Filed: 10/17/1991
Place of Use within the boundaries of the
Little Weiser Irrigation District.
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 NOVEMBER 25,
1991.
R. KEITH HIGGINSON, Director
Published: November 7, 14, 1991**

MICROFILMED

OCT 02 2002

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Application

Little Weiser Irrigation District

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated November 7, 1991

and the last in the issue dated November 14, 1991 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said " Notice" as aforesaid.

Subscribed and sworn to before me this 18th

day of November, 19 91

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

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

67-07878

LITTLE WEISER IRRIGATION DISTRICT

% JOHN SCHWENKFELDER
3323 SCHWENKFELDER RD

CAMBRIDGE, ID 83610

Source: LITTLE WEISER RIVER

Tributary: WEISER RIVER

Diversion Pt: NESW Sec 36

T 14N R 01W in ADAMS County.

Use:

IRRIGATION

STORAGE

(39.00 AF)

IRRIGATION

FROM

STORAGE

(39.00AF)

DIVERSION TO

STORAGE (40.000 CFS)

Total

Diversion: (40.000 CFS)

(39.00 AF)

Date Filed: 10/17/1991

Place of Use within the boundaries of the Little Weiser Irrigation District.

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 NOVEMBER 25, 1991.

R. KEITH HIGGINSON,
Director

Published 11/7/1991 &
11/14/1991

RECEIVED
NOV 19 1991

Department of Water Resources
Western Regional Office

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OCT 02 2002

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 111491 INVOICE No. L00312905

Account No. 964760 07878

Description 12905NOTIC

Times 2 Lines 35

Tab Lines

\$ 39.38

LEGAL ADVERTISING INVOICE

SOLD TO:

DEPT. OF WATER RESOURCES
2735 AIRPORT WAY
BOISE
ID 83705

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Sue Baumeister, being duly sworn,

deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 110791, or once a

WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 110791, and the last pub-
lication thereof being on the 111491, and said

NOTICE OF APPLICATION

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

Sue Baumeister

SUBSCRIBED AND SWORN BEFORE ME THIS THE 14
day of November 1991

Sheryl M. Lentz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

12905
**NOTICE OF APPLICATION
FOR WATER RIGHT**
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
67-07878
LITTLE WEISER IRRIGATION
DISTRICT
C/O JOHN SCHWENKFELDER
3323 SCHWENKFELDER RD
CAMBRIDGE, ID 83610
Source: LITTLE WEISER RIVER
Tributary: WEISER RIVER
Diversion Pt: NESW Sec 36 T 14N
R 01W in ADAMS
County.
Use: IRRIGATION STORAGE
(39.00 AF)
IRRIGATION FROM STOR-
AGE (39.00 AF)
DIVERSION TO STOR-
AGE (40.000 CFS)
Total Diversion: (40.000 CFS)
(39.00 AF)
Date Filed: 10/17/1991
Place of Use within the boundaries
of the Little Weiser Irrigation Dis-
trict.
The permit(s) will be subject to all
prior water rights. Protests must be
filled with the Director, Dept. of Wa-
ter Resources, Western Region, 2735
Airport Way, Boise, Idaho 83705 on
or before NOVEMBER 25, 1991.
R. KEITH HIGGINSON, Director

RECEIVED
NOV 18 1991

Department of Water Resources
Western Regional Office

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JUN 14 2002

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED
JUN 17 2002
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.

1. Permit No. 67-7878 Telephone No. 208-256-4437

2. Name of Permit Holder(s): Little Weiser Irrigation District

3. Mailing Address: 2410 Little Weiser Road

City Indian Valley State Id Zip 83632

4. Source of Water: Little Weiser River If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

Well Driller: _____ Drilling Permit Number: _____ - _____ - _____ - _____

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

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

Irrigation (No. of acres): 870 AF Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 40.0 cfs OR 870 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 X or No _____

Has the measuring device been installed?

Yes X or No _____

8. Fee Enclosed: \$ 300⁰⁰ (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: J. WAYNE BURKHARDT Telephone Number: 208-256-4437

Address: 2410 Little Weiser Rd, Indian Valley, Id 83632

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

Signature of permit holder:

Little Weiser Irrigation District
(include your title, if on behalf of company or organization)
J. Wayne Burkhardt Secretary

Date: 6/13/02

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JUN 17 2002

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 67-07878

Priority: 10/17/1991

Maximum Diversion Rate: 40.00 CFS

This is to certify, that LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632

has applied for a permit to appropriate water from:

Source: LITTLE WEISER RIVER Tributary: 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		870.0 AF
IRRIGATION FROM STORAGE	03/15 to 10/31		870.0 AF
DIVERSION TO STORAGE	04/15 to 05/30	40.00 CFS	

LOCATION OF POINT(S) OF DIVERSION:

LITTLE WEISER RIVER	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 36, Twp 14N, Rge 01W, B.M.	ADAMS County
LITTLE WEISER RIVER	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 36, Twp 14N, Rge 01W, B.M.	ADAMS County

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 26									X	X							
14N 01W 27	X	X	X	X			X	X	X		X	X	X	X	X	X	
14N 01W 34	X	X															
14N 01W 35					X	X											

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N 01W 1	20.0	20.0											6.0				46.0
14N 01W 2			35.0	30.0			38.0	38.0	39.0	40.0	16.0	32.0	30.0	35.0	8.0	35.0	376.0
14N 01W 3	38.0	30.0	12.0	27.0	12.0	3.0				13.0	30.0	4.0				8.0	177.0
14N 01W 4	20.0	40.0	30.0		24.0	24.0	15.0	38.0	12.0	12.0		16.0	38.0	36.0	8.0	34.0	347.0
14N 01W 5	12.0																12.0
14N 01W 6						10.0											10.0
14N 01W 9	12.0		9.0										20.0			16.0	57.0

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OCT 6 2 2002

PLACE OF USE: IRRIGATION FROM STORAGE cont'd

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N 01W 10	7.0		20.0	15.0	27.0	38.0	24.0	36.0	33.0	38.0	35.0	32.0	6.0	15.0	33.0	24.5	383.5
14N 01W 11	5.0	34.0	8.0		28.0	11.0	30.0	38.0	30.0	8.0	.5	8.0		20.0			220.5
14N 01W 14	12.5				7.0	8.0					36.0	7.0					70.5
14N 01W 15		36.0	35.0	39.0	22.0	10.0	10.0		15.0		12.0	30.0	38.0	15.0		20.0	282.0
14N 01W 22	26.0	26.0		28.0	11.0	15.0	15.0										121.0
14N 01W 23					38.0	24.0	15.0	29.0	10.0	10.0	2.0	12.0	4.0	34.0	26.0	12.0	216.0
14N 01W 25							4.0			17.0	4.0						25.0
14N 01W 26	12.0	20.0		15.0	7.0	8.0				2.0	5.0						69.0
14N 01W 27	15.0	15.0											3.0				23.0
14N 01W 34	15.0																15.0
14N 01W 35		12.0			27.0	17.0											56.0
14N 01W 36								21.0	9.0								30.0
14N 02W 1			15.0	5.0			8.0	10.0		16.0							54.0
14N 02W 2												5.0	12.0		21.0	20.0	58.0
14N 02W 7									30.0	30.0	38.0	38.0	30.0	25.0	35.0	35.0	261.0
14N 02W 8									25.0	30.0	35.0	35.0	32.0	30.0	37.0	37.0	261.0
14N 02W 9			20.0	35.0					39.0	34.0	33.0	16.0	39.0	35.0		16.0	267.0
14N 02W 10		15.0	16.0	13.0	15.0	30.0	32.0	35.0	20.0	30.0	28.0	10.0	36.0	35.0	38.0	39.0	382.0
14N 02W 11	5.0	15.0	10.0		40.0	30.0	25.0	19.0		8.0	12.0			10.0			174.0
14N 02W 15	36.0	39.0	29.0	13.0	40.0	40.0	34.0	37.0									268.0
14N 02W 16	39.0	40.0	40.0	39.0	40.0	33.0	39.0	40.0	21.0	20.0			30.0	37.0	34.0	18.0	470.0
14N 02W 17			30.0	40.0			30.0	40.0	10.0	25.0			20.0	10.0			205.0
14N 02W 18		30.0	20.0		32.0	39.0	39.0	27.0	6.0	5.0			15.0	15.0			228.0
14N 02W 21	2.0	4.0															6.0
14N 03W 12									36.0	36.0	19.0	39.0	30.0	39.0	39.0	38.0	276.0
14N 03W 13	39.0	39.0	40.0	40.0													158.0
15N 01W 31													18.0	4.0	3.0		25.0
15N 01W 32			5.0				12.0	20.0	30.0				20.0	35.0	18.0	35.0	175.0
15N 01W 33							5.0	10.0			20.0		5.0	8.0	7.0	10.0	65.0
15N 01W 34									39.0	30.0	26.0	27.0		7.0	36.0	7.0	172.0

Total Acres:

6041.5

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **March 1, 2007**.

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2007 02 2007

State of Idaho
Department of Water Resources

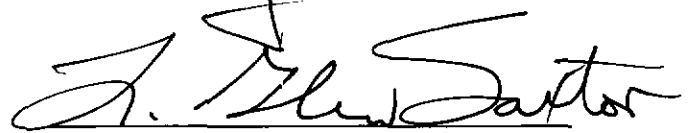
Permit to Appropriate Water

NO. 67-07878

CONDITIONS OF APPROVAL

2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. The issuance of this right does not grant any right-of-way or easement across the land of another.
5. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
6. The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
7. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
8. Use of water under this water right will be regulated by the watermaster of State Water District No. 67A.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 20th day of February, 2002


for KARL J DREHER, Director

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OCT 22 2002

RECEIVED

DEC 14 2001

FORM 202
12/99WATER RESOURCES
WESTERN REGIONIdent. No. 67-7878

RECEIVED

FEB 11 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant Little Weiser Irrigation District Phone 208-256-4437
Mailing address c/o J. Wayne Burkhardt 2410 Little Weiser Rd Indian Valley, ID 83632
2. Source of water supply Little Weiser River which is a tributary of Weiser River
3. Location of point of diversion is Township 14N Range 1W Sec. 36, in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot -, B.M., Adams County;
additional points of diversion if any: NESE S. 36 (single point on near 1/4-1/4 line)
4. Water will be used for the following purposes:

Amount <u>40</u> for <u>Diversion to Storage</u>	purposes from <u>4/15</u> to <u>5/30</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>870</u> for <u>Irrigation Storage</u>	purposes from <u>1/1</u> to <u>12/31</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>870</u> for <u>Irrigation from Storage</u>	purposes from <u>3/15</u> to <u>10/31</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>870</u> for <u>Storage</u>	purposes from <u>3/15</u> to <u>10/31</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
5. Total quantity to be appropriated is (a) 40 cubic feet per second and/or (b) 870 acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source INCREASE C. BEN ROSS dam about 2 feet, use existing diversion ditch and distribution network from reservoir
 - b. Height of storage dam 40-65 feet; active reservoir capacity 11,687 8657 acre-feet; total reservoir capacity 11,687 8657 acre-feet
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of greater than 85°F being sought? _____
 - e. If well is already drilled, when? _____; Drilling firm _____; Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW. _____
 - b. Stockwatering; list number and kind of livestock. _____
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

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APR 6 2002

AMENDED

3. 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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			SEE BELOW																

Total number of acres to be irrigated 6041.5 within service area of Little Weber Irrigation District

10. Describe any other water rights used for the same purposes as described above. 67-2385 for same 6041.5 acres

11. a. Who owns the property at the point of diversion? J. Wayne Burkhardt

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Recorded agreement for diversion d.t.h.; Applicant authorized to deliver water to users

12. Remarks: Supplemental water will be stored in C. Ben Ross Reservoir

Application is reduced from original 3900 AF of storage and Nov. 1 - March 31 period for diversion to storage.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

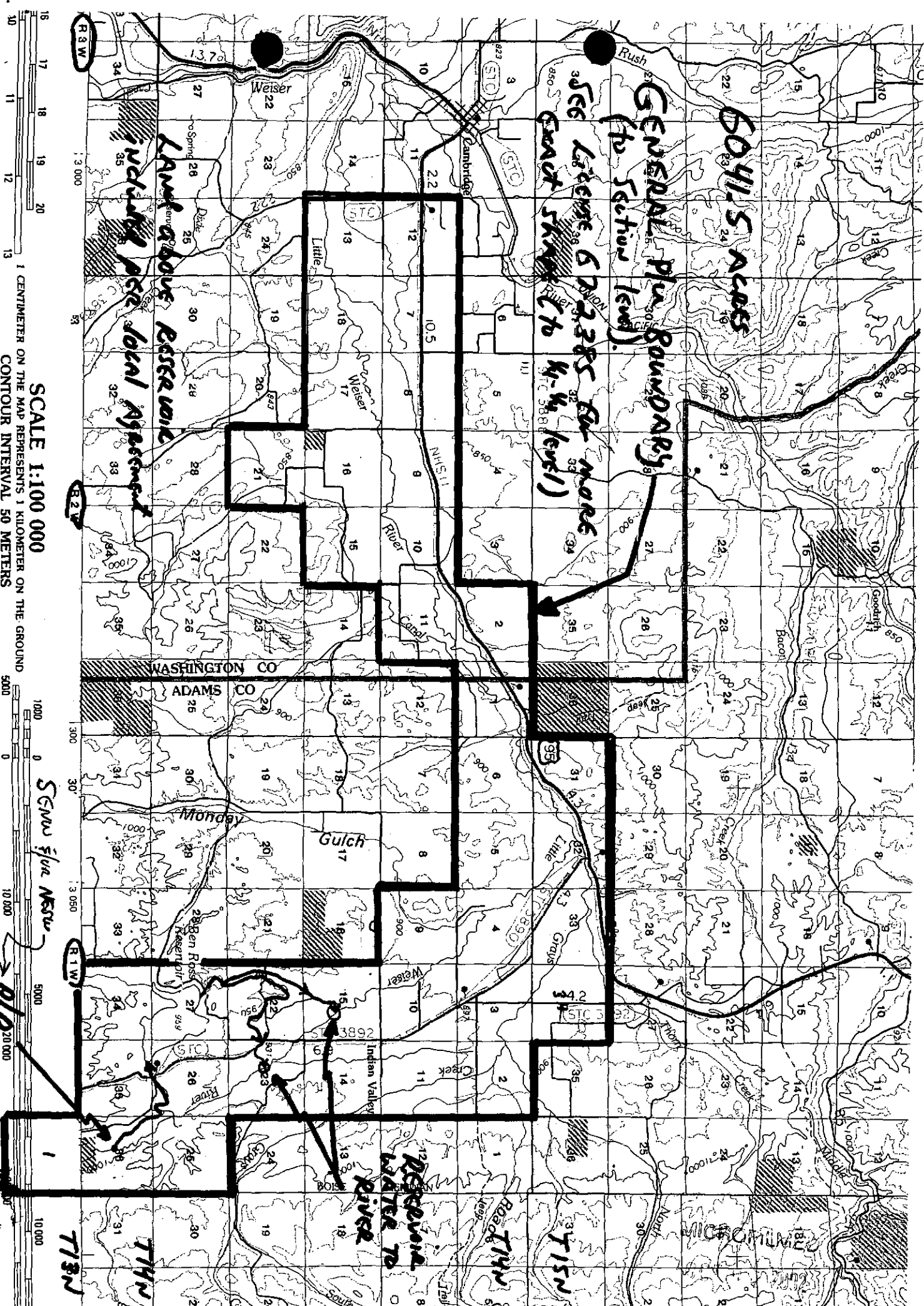
J. Wayne Burkhardt
Signature of Applicant (and title, if applicable)
Little Weber Irrigation District Director

* Received by SL Date 12/14/01 Time 11:00 Preliminary check by SL
* Fee \$ — Receipted by — # — Date —
SL for: * Publication prepared by — Date 12-6-13-01 Published in Statewide + Adams + Washington County
Publication approved ST Date 12-7-01

* SEE DATABASE comments re fees, amendment & priority. -SL

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1998 12 21



BASE MAP: IDT McCall Quad

-82 9/23/07

67-7878

RECEIVED

OCT 17 1991

Form 202
6/85

Ident. No. 67-07878

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Little Weiser Irrigated District Phone 257-3511
Post office address % John Schwenkfelder 3323 Schwenkfelder Rd. Cambridge Id. 83610
2. Source of water supply Little Weiser River which is a tributary of Weiser River
3. Location of point of diversion is — $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot —
Sec. 36 Township 14N Range 1W B.M. Adams County; additional points of diversion if any: —
4. Water will be used for the following purposes:
Amount 40 for Diversion to storage purposes from Nov. 1 to March 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 3900 for Irrigation storage purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 3900 for Irrigation from storage purposes from March 15 to Nov. 15 (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) 40 and/or (b) 3900
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. increase height of existing dam, utilize existing diversion ditch from river to C. Ben Ross Reservoir.
b. Height of storage dam 70 feet; active reservoir capacity 11,650 acre-feet; total reservoir capacity 11,687 acre-feet; period of year when water will be diverted to storage: Nov. 1 to March 31 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 5 years (minimum 1 year).

ORIGINAL

MICROFILMED

2002

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	

within the boundaries of the Little
Wesley River Irrigation District

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. 67-02385 (for existing 7787 a.c. storage)

- Who owns the property at the point of diversion? Tom Fenlon
- Who owns the land to be irrigated or place of use? waterusers of district
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Recorded easement for pld access

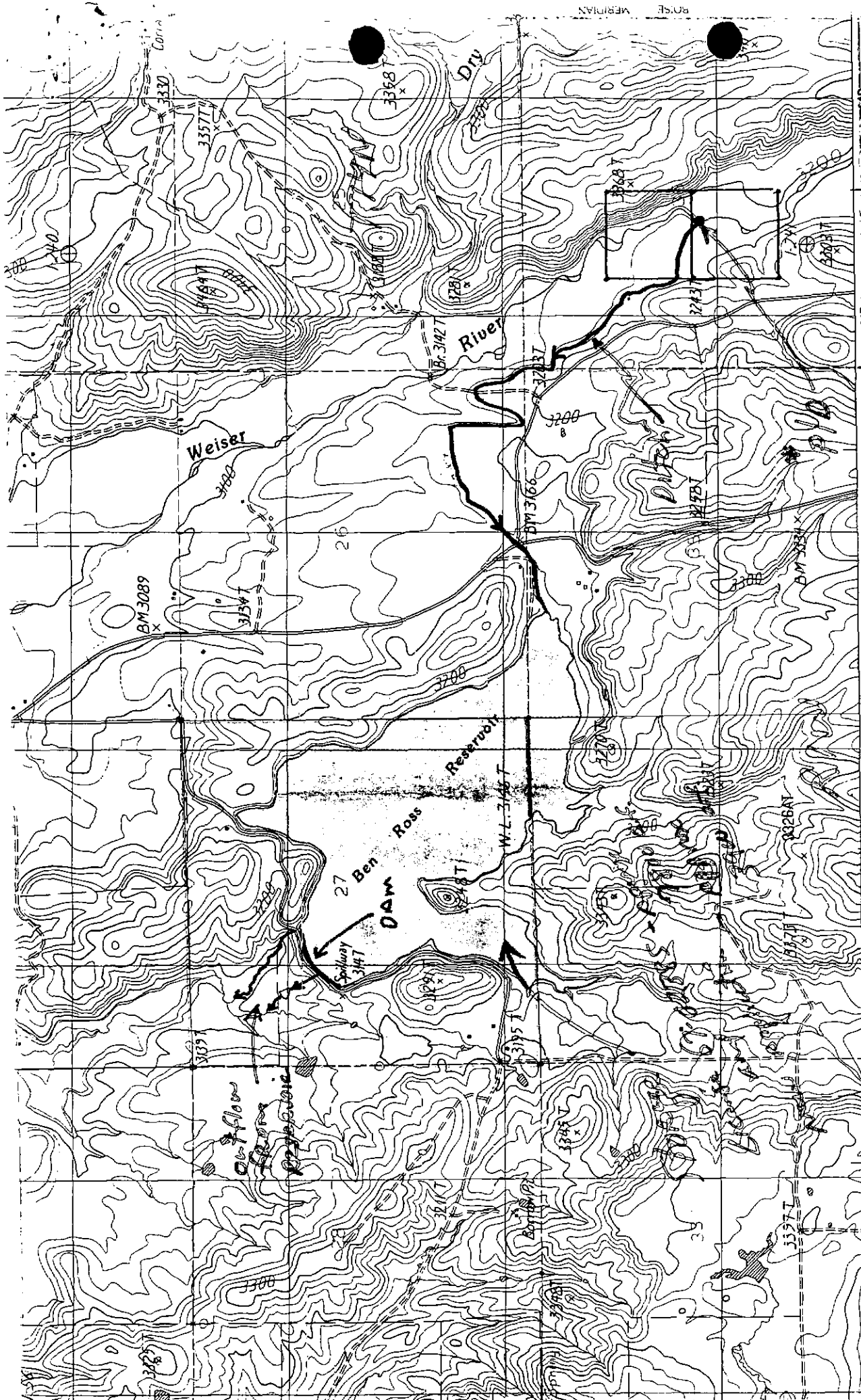
12. Remarks: Director of district : John Schwankfelder Chairman
Isaac Ward Board member
Ralph Yantis MICROFILMED

OCT 2 2002

DATEBASE
REMOVED

→ Water stored in C. Ben Ross Reservoir.

* Actual dist. here will be determined in SRBA. For now note as applied. Per conversation with Dave Tuttle 10/25/91. LW



42

27 30" 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'

SCALE 1:24 000

0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10 000

MILES

0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10 000

FEET

0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10 000

METERS

0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10 000

KILOMETERS

CONTOUR INTERVAL 20 FEET

QUADRANGLE LOCATION

1	2	3	4	5
1	2	3	4	5

1 Goodrich
2 Council
3 Council Mountains
4 East of Cambridge
5 ...

IDAHO

Improved Road
Unimproved Road
Trail
Interstate Road

PROVISIONAL MAP
Produced from original

DATE 6 2 2002

am/see line SE NW / NESW - 11/16/01 update

INVENTORY OF DAMS BY DAM NUMBER

28-Mar-1990
Page 14

DAM NUMBER	NAME OF DAM	NAME OF OWNER	COUNTY	STREAM	IDF	LOCATION
D65-9076 1088 I	BETTIS NO 3 2 3 EARTH	HARRY BETTIS 50 11.0 0.1 10	PAYETTE 1910 1300	BIG WILLOW CREEK (OS) OVFL 3.0 13	Q100 15	03-08N-02W FR 1191
D65-XX25 0 SG	SKOW 3 3 EARTH	U S BUREAU OF LAND MGMT 6 12.0 1.7 2	WASHINGTON PROP 113	HOLLAND GULCH RPCHAN 5.0 0	Q50 0	23-10N-03W UF 0
D67-2021 687 L	LITTLE CRANE CREEK 3 2 EARTH	PHIL SOULEN 500 27.0 0.8 50	WASHINGTON 1908 205	STAR BUTTE CREEK (OS) CHNAFD 7.0 3118	Q100 139	14-12N-03W GD 1189
D67-2032 587 L	BARTON 1 2 EARTH	MONROE CREEK IRRIGATION DIST 685 36.0 1.4 61	WASHINGTON 1915 700	MANN CREEK (OS) ERCHAN 4.0 0	0.5 PMF 0	03-11N-05W FR 1189
D67-2033 988 I	HORNET CREEK LOWER 3 2 EARTH	HORNET CREEK WATER STORAGE ASSN 150 20.0 0.8 16	WASHINGTON 1913 300	HORNET CREEK RPCHAN 4.0 61	Q100 52	20-17N-03W NA 0
D67-2044 788 I	MONROE 3 2 RKMAS	JENKINS CREEK RANCH 300 33.0 1.5 20	WASHINGTON 1916 274	JENKINS CREEK RKCHAN 1.5 131	Q100 138	06-12N-05W FR 1190
D67-2053 887 L	LOST VALLEY 2 1 EARTH	LOST VALLEY RESERVOIR CO 7100 24.0 29.3 633	ADAMS 1910 262	LOST CREEK RKCHAN 7.8 425	0.5 PMF 0	28-19N-01W GD 1189
D67-2097 788 L	JENKINS CREEK 3 2 EARTH	JENKINS CREEK RANCH 300 37.0 0.8 20	WASHINGTON 1915 270	JENKINS CREEK (OS) ERCHAN 4.0 29	Q100 80	19-12N-05W GD 1190
D67-2383 587 I	LITTLE 2 2 EARTH	WALTER E LITTLE 254 19.0 5.0 36	WASHINGTON 1921 486	NORTH CRANE CREEK ERCHAN 3.5 81	Q500 540	02-10N-01W FR 1189
D67-2384A1 888 LP	CRANE CREEK 1 1 EARTH	CRANE CREEK RES ADMN BOARD 56800 65.0 242.0 3270	WASHINGTON 1912 335	CRANE CREEK SCHAN 11.6 3700	PMF 32000	19-12N-02W GD 1190
D67-2384A2 688	CRANE CREEK DIKE 1 EARTH	CRANE CREEK RES ADMN BOARD AUXDAM 11.0 0.0 0	1800	CHNAFD 0.0 0	0	19-12N-02W GD 1190
D67-2385 589 L	C BEN ROSS 1 1 EARTH	LITTLE WEISER RIVER IRR DIST 7787 63.0 5.7 353	ADAMS 1937 1300	LITTLE WEISER RIVER (OS) CNCHAN 5.0 84	PMF 6150	27-14N-01W GD 1191
D67-2386 988 I	MANN CREEK (SPANGLER) 1 1 EARTH	U S BUREAU OF RECLAMATION 12950 124.0 56.0 283	WASHINGTON 1967 1176	MANN CREEK GLHOLE 14.0 3885	PMF 51600	11-12N-05W GD 1190
D67-2387 587 SG	CRAIG 3 3 EARTH	U S BUREAU OF LAND MGMT 13 12.0 0.4 2	WASHINGTON 1963 385	TR-TENNISON CREEK RKCHAN 4.0 72	Q50 43	29-11N-01W GD 1189
D67-2388 687 S	US BLM (UHRIG) 3 3 EARTH	U S BUREAU OF LAND MGMT 25 20.0 0.4 3	ADAMS 1965 476	TR-NORTH CRANE CREEK RKCHAN 4.5 153	Q50 50	07-13N-01E GD 1192

OCT 02 2002

RECEIVED

License
67-02585
7870 a.k.
but inventory shows
capacity = 7787
is in SEBA,
probably will read
7787, less " of
13 a.f.

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

See attached map

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Scale: 2 inches equal 1 mile.

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DEC 17 2002

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.

John D. Schwendfeldt
Chairman

John D. Schwendfeldt Chairman
(Applicant)
(f. He)

Received by MM Date 10-17-91 Time 10:56am Preliminary check-by W
Fee \$ 1015⁰⁰ Received by Jed # W014023 Date 11/17/92 (810)
Publication prepared by GG Date 10-30-1991 Published in Adams County Leader
Publication approved st Date 12-3-91 11/16 & 11/13/91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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OCT 22 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 9, 2002

J WAYNE BURKHARDT
LITTLE WEISER IRRIGATION DISTRICT
2410 LITTLE WEISER ROAD
INDIAN VALLEY ID 83632

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 67-07878

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights 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, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

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OCT 2 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 29, 2002

J. Wayne Burkhardt, Secretary
Little Weiser Irrigation District
2410 Little Weiser Road
Indian Valley, ID 83632

RE: C Ben Ross Dam
Temporary Surcharge Storage

D67-2385

Dear Mr. Burkhardt:

The Department received and has reviewed your request to install flashboards in the spillway approach at C Ben Ross Dam. Your request to temporarily increase the reservoir operating level 2.0 feet is hereby approved, subject to the following conditions:

- The flashboards shall be installed for no more than 60 days beginning on May 15, 2002.
- The flashboards shall be operated so that the maximum reservoir elevation does not exceed gauge height 57.0 ft or 2.0 feet above the spillway crest.
- The flashboards shall be secured to prevent unauthorized removal.
- While the flashboards are in place and the reservoir is above gauge height 55.0 ft, the dam embankment shall be examined thoroughly (daily) to ascertain whether there are seepage problems; erosion along the upstream slope (due to wave action). The Little Weiser Irrigation District shall stockpile material convenient to the dam to repair any eroded area(s) apparent, and shall immediately notify IDWR of any problems noted.
- Diversion of water to elevate the operating level shall not interfere with natural flow rights, or otherwise impair the water rights of others.
- The flashboards shall be completely removed once the reservoir level recedes, or is drawn down below the spillway crest, gauge height 55.0 ft. The reservoir shall be drawn down below gauge height 55.0 ft and the flashboards completely removed from the spillway channel on or before July 15, 2002.

Although this authorization to temporarily increase the reservoir operating level is in accordance with the condition on the present storage certificate and the approved operation plan, it should not be construed as a precedent. The Little Weiser Irrigation District accepts full responsibility for the flashboard installation, its effect and control of the operating level, and its impact on the shoreline around the reservoir.

MAY 03 2002

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MAY 07 2002

J. Wayne Burkhardt
RE: D67-2385
Page 2

Also, please find enclosed a Proof of Beneficial Use form that must be completed and returned along with the examination fee of \$300, in order to finalize the water right so that a license can be issued.

Should you have any questions, please contact John Westra, phone 334-2190 in our Western Regional Office, or contact Mike Stubblefield, phone 327-7952, in the State Office, Dam Safety Section.

Sincerely,



Bobby D. Fleenor, Chief
Resource Protection Bureau

cc: IDWR - Western Region

MICROFILMED
MAY 03 2002
MAY 02 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 3, 2002

LITTLE WEISER IRRIGATION DISTRICT
2410 LITTLE WEISER ROAD
INDIAN VALLEY ID 83632

RE: PERMIT NO. 67-07878

Dear Permit Holder:

Enclosed is a copy of the Proof of Beneficial Use statement you submitted in connection with the above referenced water right permit, received on June 14, 2002. I cannot accept your proof since it must be submitted with the appropriate examination fee of \$600.00 in order to be complete. You have paid \$300, therefore you will only need to pay the remaining \$300.00. I am enclosing a copy of the proof instructions and license exam fee schedule for your information. Please return the copy of the proof statement along with the license examination fee to my attention.

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

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR- Region

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077 3 2 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 67-7878

Reviewed By: dgibson

Date: July 2, 2002

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?		X	Drilling permit upgrade needed?		
Receipt No.:	W013806, W029323		Well driller's report filed?		X
Additional Amount Due:	\$300.00		Measuring device required?	X	
Name and address same as permit?	X		Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	06/14/2002
Date proof due	- 03/01/2007
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 10/17/1991
New priority date	= 10/17/1991

Deficiencies of Actions Items

Acknowledge proof and request additional \$300 fee.

*7/8/02- Rec'd response to letter requesting additional fee. They are filing proof on the 870 AF which is \$300. Send acknowledgement letter - dg
See 4/29/02 letter from Dam Safety.*



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 21, 2002

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632

RE: Permit No. 67-7878

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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

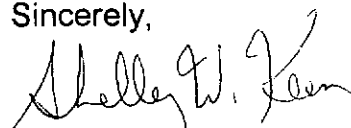
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APR 2 2002

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

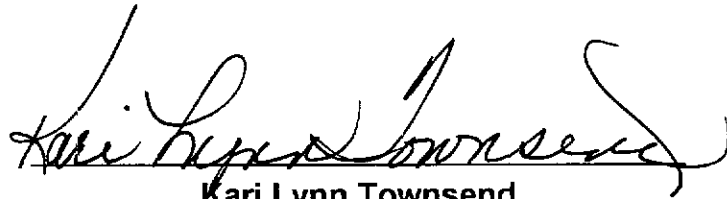
SEP 7 2 2002

CERTIFICATE OF MAILING

I hereby certify that on February 21, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 67-7878

**LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

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OCT 02 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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OCT 2 2002

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Reviewed by Sharla Curtis on 2/12/02

GROUNDWATER: ($\checkmark$ Flow Chart)

All wells	- 046
Basin 34	- 084 (if necessary)
WMD	- North/East/West
≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 067
~~WMD~~	
Supp irr (irr = only use)	- 065-104
Supp irr (+ other uses)	- 100-105
≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 01M

Boise Front LoGeo	- 058 (<85 GW)	Paye
Mitigation	- 121	Salm
Trust	- 051(consumptive uses)	Went
Non-Trust	- 048 (consumptive uses or non-cons. > 1.0 cfs)	

STORAGE - 18C/11H-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
 > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/FS)-111 (instream stock)
MINING - 054-106
HEAT/COOL - R07 (injection well)
FIRE PROT - 077
COMMERCIAL/
 INDUSTRIAL - 106-R07
DAIRY - 082-WD8
POWER - 17H or 17K (+uses)-17G (under FERC)
 or 17M (not FERC regulated)
 025-027-R22-08A

F&G contacted - Yes/No Response
In/Above MSF - WB9
PLANNING REVIEW/RESPONSE
WD - R04 (WD# 105A)
≤ 0.20 cfs/others - 01H, 01P or No MD
> 0.20 cfs - 01J

≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 01M or No MD

Snake R (01) - W23, N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - W23, 047 (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

MUNICIPAL	
Restricted area	- 022,075
Irr., GW supp to SW	- 102
Future needs	- 007,109
FISH PROP	- 029 (70's only)-007-042-106
DOMESTIC	
Surface water	- WB5 (Big Wood/Boise above Star Bridge)
	- 27A (Payette R)
>1 in restricted area	- 070-071-075(no parks/common areas)
Irr/separate or none allowed	- WB5
GW w/irrigation from SW evident	- 065-104
Moratorium approvable	- W03 (2500 gpd – meets domestic def i.e. D/convenience store)

Protested	- 020-W19
Development Period	
> 1 yr	- 26A
Ownership	- 004
Non-consumptive	- 027
Water Quality	- 106-R07

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 075

IRR VOLUME/ACRE NA

large div. info waived see regions checklist for this purpose.

STATEWIDE & LOCAL PAPERS
IHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SL DATE: 11/27/01 APPLICATION: 67-7878

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.) BOARD of Directors - SEE letter received 12/7/01
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County: RECEIVED
Quantity: (flow and/or volume)
Period of use: FEB 1 2002 Gov't. Lots: NO P/D
Nature of proposed use: (Include description of use) — P/U
Description of diverting works: Department of Water Resources
Time required for beneficial use of water:
Place of use or acres irrigated: ? TOTAL ACRES + MAP OK. Importing plu data
Map: (show T, R, S, QQ &/or QQQ) } from A67-2385 to this Appl is in process
Subdivision plat: (for > 1 home in restricted area. ≥ 5 homes in non-restricted area)
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required) done ✓
Correct fee paid yes

ADDITIONAL INFORMATION

yes ADVERTISE REMARK(S)

(Reviewer identify which remarks)

Amendment F06 N/A ... SEE 11/27/01 d'base comments.

YES NO

✓ — Overlapping place of use: (Describe source & relationship to present application on next page.) } Expands primary storage system in 67-2385
✓ — Overlapping point of diversion.
— ✓ Critical groundwater area:
— ✓ Groundwater management area:
— ✓ 1992 moratorium:
✓ — Surface water source, IDFG letter needed.
— ✓ Protected river or minimum flow reach, notify water planning bureau.
✓ — E-mail to SCA staff: (perennial stream, non-pump diversion &/or any mining).
✓ — E-mail to Dam Safety staff: (for any storage)
✓ — Mitigation plan: Check any that apply.
RECEIVED 12/7/01 ✓ N/A immediate = acceptable plan required and submitted.
✓ — future = open areas, acceptance of condition of approval is in file.
— ✓ Send power requirement letter &/or fish farm requirement letter.
— ✓ Power residency affidavit:
✓ — 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

} probably not necessary per ongoing work but emailed anyway - NO replies made

Date Requested 2001 Date Response Received RE-PROCESSING of AMENDED APPL.

NORM is interested
in getting this one
issued ASAP.

-82

PROCESSING

APP. NO.

67-7878

YES NO

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

SEND COPIES TO: NOTE IF E-MAIL COMMENT LETTER USED.

YES NO

- ☒ I.D. Health & Welfare
☒ I.D. District Health
☒ I.D. Fish & Game
☒ I.D. Lands

YES NO

- ☐ U.S. BLM
☒ U.S. Forest Service
☒ Water Dist. # 67A
☒ Water Planning Bureau
☒ Other

FINAL REGIONAL PROCESSING REVIEW:

YES NO

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

- ☒ Publication dates and paper recorded on application:

Final date for protest 12-24-01

- ☒ Protests received.

- ☒ Recommendations attached:

- ☒ Measuring device required:

Water delivered by water master? District # 67A FAVORABLE RESPONSE RECEIVED 1/7/02

Special conditions of approval or cover letter: See Steve Lester's memo dated 2/5/02 (available electronically if helpful).

- ☒ See below for additional information

Recommended Date or Priority

10-17-1991

Recommended by: Dwyer

Date:

2/8/02

amendment.

ADDITIONAL INFORMATION:

EXPANDS RESERVOIR c 2' AT dam to capture 870 MORE af.

Expansion of 67-2385 system for supplemental water in irrig. district. Much of same P/L also covered

w/ natural flow rights from L.W. River & other sources.

2/5/02

SEE ATTACHED INFORMATION. SEE 12/31/01 MEMO & attachments

Form No.
7/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

67-7878

CHECKLIST OF REQUIREMENTS
LARGE DIVERSION SUPPLEMENTARY
ANALYSIS SHEET*

* EFFECT ON EXISTING RIGHTS

- ☐ Yes ☐ No Springs/surface streams with 5 or less existing users
☐ Identify number of impacted rights
☐ Name and address of users
☐ Location of points of diversion
☐ Nature of use of the existing rights
☐ Yes ☐ No Groundwater
☐ Plat showing proposed well and any other wells &/or springs within $\frac{1}{4}$ mile radius
☐ Yes ☐ No Statement of design construction, or operation techniques which will be used to reduce impact on existing rights

* SUFFICIENCY OF WATER SUPPLY

← Div. to storage & peak runoff assumed OK

- Water Requirements of Proposed Project
☐ Required diversion rate during peak use (Maximum rate)
☐ Required diversion rate during average use period
☐ Annual volume
☐ Season of use
☐ Volume to be consumptively used/year
Quantity of Water Available from Source
☐ Flow rates for surface water sources available during peak and average water demand period
☐ Properties of aquifers
☐ Other sources available for supplementation

* GOOD FAITH, DELAY OR SPECULATION

- ☐ Copies of deeds, leases, easements, and right-of-ways from _____
☐ Power applications affidavit form 205/206 is required
☐ Yes ☐ No Other needed permits, licenses, or approvals required. If yes, _____

* FINANCIAL RESOURCES

- ☐ Current certified financial statement
☐ Financial commitment letter/financial statement from committed party
☐ Project design/plans along with cost estimation to complete project

*For applications of more than 5 cfs. or more than 500 AF.

* WAIVER... Supplemental storage. Also, Dam Safety Section has already approved construction plans so Engineering etc details already reviewed by IDWR.

LOCAL PUBLIC INTEREST

Comments received from:

- | | | |
|--|--|--|
| ☐ City | ☒ Idaho Fish & Game | ☐ Irrigation District |
| ☒ County | ☒ Idaho Health & Welfare | ☐ Canal Company |
| ☐ Reservations | Division of Environment | ☐ Other _____ |

(IOEQ)
Project impacts/implications report

COMMENTS

County }

IDFG }

IOEQ }

See pg 2, item 3, in 2/5/02 REVIEW memo

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report 67-7878

Comments:

1. slester 11/27/2001 Legal Notice Remarks

Comment: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

2. slester 11/27/2001 Comment/Analysis

Comment: P/U land list and shape file will match adjudication claim 67-2385 but has not been data entered in the application yet (pending possible copy function from aj to wr). Amended application can be processed with a generally described P/U per approval by IDWR administrator. The application was amended per telephone and fax contacts resulting in 11/26/01 version for which processing has resumed. An amendment fee is not needed since original data entry error by IDWR resulted in an incorrect legal notice in 1991. Republication is required from that IDWR error and negates the need for the applicant to pay an amendment fee. The priority date should be 10-17-1991 because IDWR error resulted in \$10 underpayment by applicant. The \$10 was paid in early 1992 (receipt W014023). IDWR recently approved construction plans to raise the reservoir about 2 feet.

3. slester 12/10/2001 Comment/Analysis

Comment: Further amended per 12/4/01 information to 870 af with slightly different period for diversion to storage. This still represents less volume and a more limited fill period than the original so is not a change sufficient to advance the priority.

4. slester 12/21/2001 Comment/Analysis

Comment: P/U has been copied from adjudication claim 67-2385 by S.O. programming function and application data has been updated.

Dates and Other Information:

Application Received Date: 10/17/1991

Application Denied Date:

Last Date of Beneficial Use:

Extension End Date:

Protest Deadline Date: 12/24/2001

Number of Protests: 0

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number: 67A

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Application Type: New Appropriation

Applicant Remarks: Place of use is 6041.5 acres within the Little Weiser Irrigation District.

A single point of diversion is located on or near the line between SENW and NESW Section 36.

Supplemental water will be stored in C. Ben Ross Reservoir.

Other Water Rights: 67-2385

Time to Complete Works: 5

Transfer Affected Description:

Transfer Affected Contracts:

Old Transfer Number:

Transfer Reason:

Transfer Return Flows:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number

Mitigation Plan: False

MICROFILMED

12/21/2001

MEMORANDUM

TO: File

FROM: Steve Lester 

DATE: February 5, 2002

RE: Application No. 67-7878

The application has a long and somewhat confusing history. This memo summarizes file details. Also see the proof report included with the staff analysis sheets.

Originally filed in 1991 to expand C. Ben Ross Reservoir by 3900 af, the application languished as the applicant worked on additional information to enlarge the dam. The applicant was slow to respond but finally submitted the necessary information to the Dam Safety Section by late 2001. The State Office recently approved construction plans for the project, and the applicant hopes to receive an approved water permit as soon as possible. Based on applicant and State Office requests, the Regional Office recently expedited the application as conditions allowed, resulting in some confusion over the final amended version.

The 1991 statewide legal notice was incorrect due to IDWR error (39 instead of 3900 af). Re-advertising was required. The application was revised and re-advertised per applicant's 11/26/01 telephone call to meet an advertising deadline. The application was further revised per applicant's 12/4/01 fax in which the storage amount and diversion to storage period were slightly different than the 11/26 data. Legal notices with the 11/26 data were already being published by 12/4, unfortunately. But no harm was done overall: the 12/14/01 amended version (agrees with 12/4 fax) included far less storage than the original application, and a shorter fill period for the reservoir was requested.¹ The recent legal notice adequately described the original and present plans. Protest did not occur.

The bottom line of the application revision gyrations included two signed versions of the proposal: the 10/17/91 original and the 12/14/01 amended application. The 11/26/01 and 12/4/01 draft versions attached to this memo should not be viewed as yet another set of amended applications.

The following items are noteworthy in considering the application.

¹ Section 42-203A does not specifically require the period of use in a legal notice. The requested fill period of 4/15 to 5/30 could be expected to be less worrisome to other diverters than the current legal notices showing 5/1 to 6/15. This should be considered a "non-fatal error" not requiring re-advertising.

MICAC:llm...

FEB 02 2002

1) Fees – see database comments regarding filing fees and proposed priority.

2) Priority – I suppose we could take a hard line and advance the priority to late 2001 due to the applicant's tardiness in providing necessary information, but we probably have not done that too often. Potential injury to other water users during the reservoir fill period is offset by the fact that most if not all users also receive storage water from the irrigation district. It is hard to imagine additional reservoir filling in the peak runoff period would cause injury. Maintain the original 1991 priority.

3) Large diversion information (Rule 40) was reduced to local public interest, specifically possible comments from several entities. The county commissioners spoke favorably of the original project in their 6/14/94 letter. I assume the commissioners would support a reduced version of the application. IDFG and IDEQ were invited to comment in recent letters from Western Region (substitutes for applicant seeking comments) but did not reply. The watermaster did not oppose the application in his 1/7/02 reply. Rule 40 was adequately addressed for this supplemental irrigation project.

4) Administration approved processing this application without a defined place of use beyond the database remark originally authored in 1991 (11/7/01 conversation memo). Re-advertising was able to proceed without additional delay. But the applicant agreed to match the proposed P/U with the P/U in SRBA Claim 67-2335. So we had the best of both worlds: process without delay and fill in the P/U field later. The P/U data entry complication was avoided by copying the P/U table from the claim to the application. See the attached 12/27/01 information for more information about the P/U and an expected shape file normally produced within Workflow ... does not look feasible in this case.

5) Can more storage from the river be approved for the P/U already covered by A67-2385? Yes – I. C. § 42-202 allows up to 5 afa/acre from the same source in a storage scenario. The claim and application amounts would not exceed this limit:

$$(7800 \text{ afa} + 870 \text{ afa}) / 6042 \text{ acres} = 1.4 \text{ afa/acre.}$$

6) Standard conditions of approval should apply. Conditions for possible future mitigation and compliance with safety of dams practices should be added. This application is for supplemental use within the service area of the Little Weiser Irrigation District (can use the remark already included in the database about the P/U).

MICROFILMED

APR 2 2002

Ident. No. 67-7878

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Little Weiser Irrigation District Phone 208-256-4437
Mailing address C/O J. WAYNE BURKHARDT 2410 Little Weiser Rd INDIAN VALLEY, ID 83632
2. Source of water supply Little Weiser River which is a tributary of Weiser River
3. Location of point of diversion is Township 14N Range 1W Sec. 36 in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot -, B.M., Adams County;
additional points of diversion if any: NESW S. 36 (single point on/near 1/4-1/4 line)
4. Water will be used for the following purposes:
Amount 40 for Diversion to Storage purposes from 4/15 to 5/30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount - for - purposes from - to - (both dates inclusive)
(cfs or acre-feet per annum)
Amount 870 for Irrigation Storage purposes from 1/1 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 870 for Irrigation from Storage purposes from 3/15 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) 40 and/or (b) 870
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source INCREASE C. BEN ROSS Dam about 2 feet, use existing diversion ditch and distribution network from Reservoir
 - b. Height of storage dam 70 feet; active reservoir capacity 11,650 acre-feet; total reservoir capacity 11,650 acre-feet
 - c. Proposed well diameter is - inches; proposed depth of well is - feet
 - d. Is ground water with a temperature of greater than 85°F being sought? -
 - e. If well is already drilled, when? -; Drilling firm -;
Well was drilled for (well owner) -; Drilling Permit No. -
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW. -
 - b. Stockwatering; list number and kind of livestock. -
 - c. Municipal; show name of municipality. -
 - d. Domestic; show number of households. -
 - e. Other; describe fully. -

cc of 12/4/01 version
per Applicant's fax
into.

Original signed, returned
& received 12/14/01...
is amended version under
consideration on left
side of the file.

-82

MICROFILMED

OCT 6 2 2002

AMENDED

3. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated 6041.5 within service area of Little Weber Irrigation District

10. Describe any other water rights used for the same purposes as described above. 67-2385 for same
6041.5 ACRES

11. a. Who owns the property at the point of diversion? J. Wayne Burkhardt

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Recorded agreement for diversion d.t.h.; Applicant authorized to deliver water to users

12. Remarks: Supplemental water will be stored in C. Ben Ross Reservoir

Application is reduced from original 3900 AF of storage and Nov. 1 - March 31 period for diversion to storage.

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Signature of Applicant (and title, if applicable)

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Received by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

MICHAEL M. M. M.

APR 2 2002

Original of 11/26/01
Version per Applicant's
tel. call. Sent cc to
Applicant to review & sign.
Used this info to 12/01
legal notices.

Applicant NEVER returned
Signed version. Instead,
provided 12/4/01 info
slightly different than 11/26
info. -SE

Ident. No. 67-7878

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Little Weiser Irrigation District Phone 208-256-4437
Mailing address c/o J. Wayne Burkhardt 2410 Little Weiser Rd. Indian Valley, ID. 83632
2. Source of water supply Little Weiser River which is a tributary of Weiser River
3. Location of point of diversion is Township 14N Range 1W Sec. 36 in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot -, B.M., Adams County;
additional points of diversion if any: NESW 1/4 Sec 36 (single point on NEAR 1/4-1/4 line)
4. Water will be used for the following purposes:
Amount 40 for Diversions to Storage purposes from 5/1 to 6/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 863 for Irrigation Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 863 for Irrigation from Storage purposes from 3/15 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 40 for Storage purposes from 5/1 to 6/15 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 40 cubic feet per second and/or (b) 863 acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source increase C Ben Ross dam about 2 feet, use existing diversion ditch and distribution network from Reservoir
b. Height of storage dam 70 feet; active reservoir capacity 11,650 acre-feet; total reservoir capacity 11,687 acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____; Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is: 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. _____

} NEED
CORRECTION
65'
8657 AF
total

amended per tel call from Wayne Burkhardt, LWID Secretary.
-gr 11/26/07

MICROFILMED

OCT 6 2 2002

AMENDED

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

[illegible]

10. Describe any other water rights used for the same purposes as described above. 67-2885 for
existing 6041.5 Acre in district

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

12. Remarks: Supplemental water will be stored in Carbon Pass Reservoir.

Application is heavily reduced from 3900 to 863 AT and
conversion to storage period is reduced from 11/1-3/31 to
5/1-6/15 for "Hazardous."

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

Signature of Applicant (and title, if applicable) *Original signature Andrew - OK per 11/26/01*
for call

Received by _____ Date _____ Time _____ Preliminary check by _____
Fee \$ _____ Received by _____ # _____ Date _____
Publication prepared by _____ Date 12-6-13-01 Published in Statewide & Adams Co.
Publication approved [Signature] Date _____

OK 11/20/07 per file history, original appl. for 3900 AF filed 10/17/1991.

MICROFILM

100-2292

APPLICATION NO. 67-7878

SHAPE FILE & P/U

Steve Lester 

December 27, 2001

Dan made these attached shape files independent of Workflow but saved them for future use if needed. It was not practical to make the shape files in Workflow due to excessive data entry modifications that would ensue with Workflow ArcView (shape changes data table, requires update to table ... the data entry work we hoped to avoid in the first place by having S.O. copy the P/U from SRBA data to Application data).

Application processing generally requires a P/U to the ¼ ¼ level together with a matching map. File notes indicate administration's waiver of this requirement in this case. Applicant wanted P/U to match A67-2385, making it convenient for staff to fill in the P/U with the "copy" technique not readily available in our system. *now available through workflow enhancement? 1/22/02*

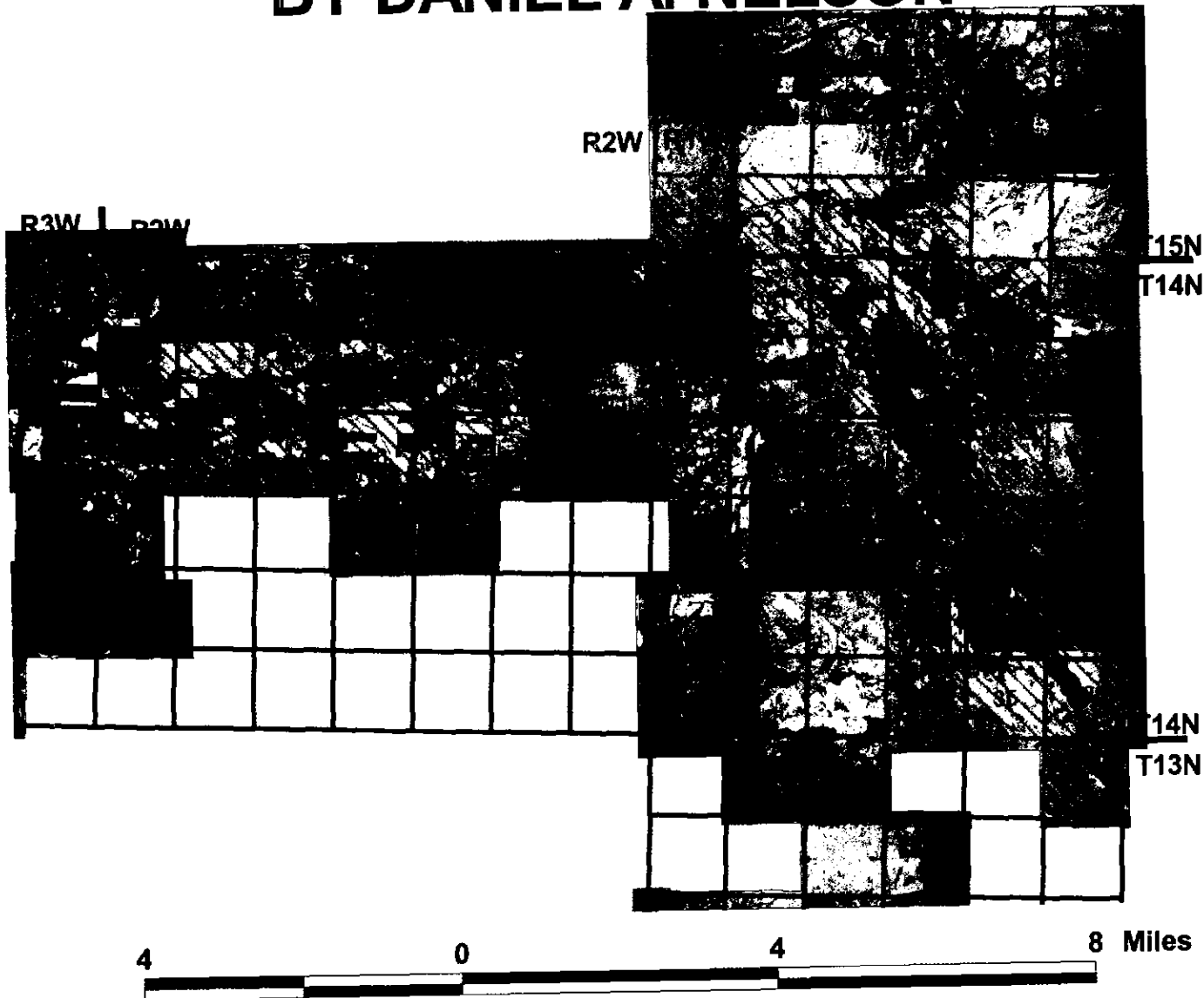
Everything has worked out okay except generating a shape in Workflow for the reason already mentioned. Eventually, the new filing can be licensed for up to 6042 acres within a generally recognized boundary pursuant to I. C. § 42-219.

Contact Dan if you need to import the shape for 67-7878.

MICROFILMED

OCT 02 2002

LITTLE WIESSER IRRIGATION DISTRICT BORDER MAP FOR PERMIT 67-7878 BY DANIEL A. NELSON



MICROFILMED

1987

67-7878
SHAPE FILE

Attachment e 2-5-02 memo

State of Idaho
Department of Water Resources

RECEIVED

JAN 07 2002

WATER RESOURCES
WESTERN REGION

RECOMMENDATION OF WATERMASTER

Application Number: 67-7878Applicant's Name: LITTLE WEISER IRRIGATION DISTRICT

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:

- c) ☐ I oppose approval of this application for the following reasons:

- d) Additional Comments:

Dated this 03 day of JAN 2002Water District Number: 67-A Watermaster's Signature Mike Bishop

MICROFILMED

RECEIVED

DEC 21 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO)
COUNTY OF ADAMS) S.S.

Nancy Lakey being duly sworn, deposes and says That she is the Principle Clerk of The Adams County Record, a weekly newspaper printed and published at Council, Adams County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the advertisement, a copy of which is attached hereto; that advertisement was published in the regular edition of The Adams County Record.

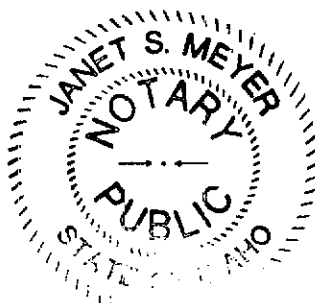
for Two insertion(s) beginning with the issue of December 6, 2001 and ending with the issue of December 13, 2001.

Nancy Lakey

Subscribed and sworn to before me this 17th day of December, 2001

Janet S. Meyer

Notary Public for Idaho, Residing at Council



MICROFILMED
DEC 12 2002

RECEIVED
DEC 21 2001
WATER RESOURCES
WESTERN REGION

LEGAL NOTICE

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

67-7878

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD

INDIAN VALLEY ID 83632

Point(s) of Diversion NESW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Point(s) of Diversion SENW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Use: IRRIGATION STORAGE 01/01 To 12/31 863 AFA
Use: IRRIGATION FROM 03/15 To 10/31 863 AFA
STORAGE

Use: DIVERSION TO STORAGE 05/01 To 06/15 40 CFS
Total Diversion: 40 CFS

Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir.

Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in The Adams County Record on December 6 and December 13, 2001

Affidavit of Publication

STATE OF IDAHO }
County of Washington } ss

Norman Dopf, being duly sworn deposes and says he is the publisher of the Upper Country News-Reporter, a weekly newspaper published at Cambridge, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the annexed, a printed copy of which is attached hereto and made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began December 6, 2001 and ended December 13, 2001.

Bonnie Egan Jr
Norman Dopf

Subscribed and sworn to before me this
18 day of
December, 2001.

Debbie S Maxwell

Notary Public in and for the State of Idaho, residing at Cambridge, Council
Idaho 83610 83612

DEBBIE S. MAXWELL
Notary Public
State of Idaho

PUBLIC NOTICE

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

67-7878

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632

Point(s) of Diversion NESW S36 T14N R01W ADAMS
County Source LITTLE WEISER RIVER Tributary To
WEISER RIVER

Point(s) of Diversion SENW S36 T14N R01W ADAMS
County Source LITTLE WEISER RIVER Tributary to
WEISER RIVER

Use: IRRIGATION STORAGE 01/01 To 12/31 863 AFA
Use: IRRIGATION FROM 03/15 To 10/31 863 AFA
STORAGE
Use: DIVERSION TO STORAGE 05/01 To 6/15 40 CFS
Total Diversion: 40 CFS
Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 36 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
Published in Upper Country News Reporter Dec. 6 & 13, 2001

RECEIVED

DEC 20 2001

WATER RESOURCES
WESTERN REGION

MICROFILMED
OCT 9 2002

NOTICE

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

67-7878
Little Weiser Irrigation District
c/o J Wayne Burkhardt
2410 Little Weiser Road
INDIAN VALLEY, ID 83632
Point(s) of Diversion
NESW
S36 T14N R01W ADAMS
County
Source LITTLE WEISER
RIVER
Tributary To WEISER
RIVER
Point(s) of Diversion SEW
S36 T14N R01W ADAMS
County
Source LITTLE WEISER
RIVER
Tributary To WEISER
RIVER
Use: IRRIGATION
STORAGE
01/01 To 12/31 863 AFA
Use: IRRIGATION FROM
STORAGE
03/15 To 10/31 863 AFA
Use: DIVERSION TO
STORAGE
05/01 To 06/15 40 CFS
Total Diversion: 40 CFS
Date Filed: 10/17/1991
Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.
Perr will be subject to

Affidavit of Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

RECEIVED

DEC 14 2001

WATER RESOURCES
WESTERN REGION

No 43472

I, Ruby Anderson being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive publications, commencing with the issue dated December 6, 2001, and ending with the issue dated December 12, 2001.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho to be issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 13th day of December in the year 2001, before me,

a Notary Public, personally appeared Ruby Anderson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

DA CAPPS-McGUIRE
NOTARY PUBLIC
STATE OF IDAHO

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5-19-03

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 12/13/2001

INVOICE NO. 281922

Account No. 964760

Description 281922The following ap

Times 2

Lines 33

**LEGAL ADVERTISING
INVOICE**

RECEIVED

Tab. Lines

SOLD TO: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

DEC 17 2001

WATER RESOURCES
WESTERN REGION

\$ 106.26

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

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

281922
67-7878
LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632
Point(s) of Diversion NESW S36 T14N R01W ADAMS County
Source LITTLE WEISER RIVER Tributary To WEISER RIVER
Point(s) of Diversion SENW S36 T14N R01W ADAMS County
Source LITTLE WEISER RIVER Tributary To WEISER RIVER
Use: IRRIGATION STORAGE 01/01 To 12/31 863
AFA
Use: IRRIGATION FROM STORAGE 03/15 To 10/31 863 AFA
Use: DIVERSION TO STORAGE 05/01 To 06/15 40 CFS
Total Diversion: 40 CFS

Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Cede.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published in the Lewiston Morning Tribune on December 6 and 13, 2001.

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 281922The follo attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 12/06, or once a WEEK for 2 consecutive WEEK the first publication thereof being on the 12/06/2001 and the last publication thereof being on the 12/13/2001 and said 281922The follo was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

State of Idaho

S.S.

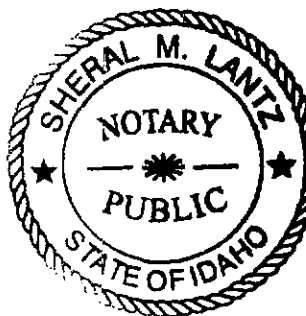
County of Nez Perce

On this 13th day of Dec in the year of 2001, before me, a Notary Public, personally appeared Karen J. Lewis, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheral M. Lantz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires June 4, 03

MICROFILMED

OCT 16 2002



The Idaho Statesman

RECEIVED

DEC 14 2001

P.O. Box 40, Boise, Idaho 83707-0040

LEGAL ADVERTISING PROOF OF PUBLICATION

WATER RESOURCES
WESTERN REGION

Account #	a	Identification	Amount:
047628	573316	APPLICATION FOR PERMIT NO. 67-7878	\$164.87
Ordered by:	PO#	Rate	Run Dates
SUE TAYLOR		NT	DECEMBER 6, 13, 2001
DEPARTMENT OF WATER RESOURCE WESTERN REGION 2735 AIRPORT WAY BOISE, ID 83705			Number of Lines 37X3
			Affidavit 1
			Legal # 12084

LEGAL NOTICE NOTICE OF APPLICATION

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
67-7878

LITTLE WEISER IRRIGATION DISTRICT

C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632

Points of Diversion Tributary To WEISER RIVER	S36	T14N R01W	ADAMS County	Source LITTLE WEISER RIVER
Points of Diversion Tributary To WEISER RIVER	S36	T14N R01W	ADAMS County	Source LITTLE WEISER RIVER
Use: IRRIGATION STORAGE	01/01 To 12/31 863 AFA			
Use: IRRIGATION FROM	03/15 To 10/31 863 AFA			
Use: STORAGE	DIVERSION TO STORAGE	05/01 To 06/15 40 CFS		
Use: Total Diversion:	40 CFS			
Date Filed:	10/17/1991			

Revised. Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 ac of supplemental storage but was amended as 39 ac. The amended proposal is reduced to 863 ac of supplemental storage to be diverted from the river via an existing ditch during peak runoff. Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.
KARL J DREHER,
Director

12084

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended for:

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip
insertion(s)

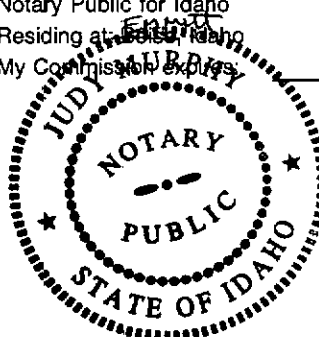
beginning with the issue of: DECEMBER 6, 2001
and ending with the issue of: DECEMBER 13, 2001

STATE OF IDAHO

COUNTY OF ADA

On this 13 day of DECEMBER in the year of 2001
before me, a Notary Public, personally appeared before me Janice Hildreth known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho
Residing at: Boise, Idaho
My Commission Expires: 1/6/04



MICROFILMED

OCT 6 2 2002

RECEIVED

JAN 04 2002

WATER RESOURCES
WESTERN REGION

Proof of Publication

The Post Register

RECEIVED

DEC 24 2001

Department of Water Resources
Eastern Region

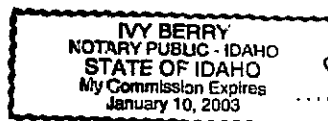
State of Idaho
County of Bonneville

I, ~~Dan Jacobsen~~ or Robert Park, first being duly sworn, depose and say: That I am the ~~Production Supervisor~~ or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 6TH day of DECEMBER, 2001, last publication having been made on the 13TH day of DECEMBER 2001 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Robert Park

Subscribed and sworn to before me, this 19TH day of DECEMBER 2001



Ivy Berry
Notary Public

My commission expires January 10, 2003

MICROFILMED

JAN 02 2002

PUBLIC NOTICE

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
67-7878

LITTLE WEISER
IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632
Point(s) of Diversion NESW
S36 T14N R01W ADAMS County
Source LITTLE WEISER RIVER
Tributary to WEISER RIVER
Point(s) of Diversion SENW
S36 T14N R01W ADAMS County
Source LITTLE WEISER RIVER
Tributary to WEISER RIVER
Use: IRRIGATION STORAGE
01/01 To 12/31 863 AFA
Use: IRRIGATION FROM
STORAGE
03/15 To 10/31 863 AFA
Use: DIVERSION TO STORAGE
05/01 To 06/15 40 CFS
Total Diversion: 40 CFS
Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
Published: December 6, 13, 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 10, 2001

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD
INDIAN VALLEY ID 83632

Re: Amended Application for Permit No. 67-7878

Dear Mr. Burkhardt:

Enclosed is an original form reflecting the most recent version of the above referenced application for expansion of C. Ben Ross Reservoir. This latest version includes 870 acre feet (af) with a diversion to storage period of April 15 through May 30 each year.

The enclosed version is slightly different than the one described in our November 26, 2001, telephone conversation. The November information indicated 863 af of storage with a May 1 through June 15 period for diversion to storage. The legal notices being published in the first half of this month include the November data instead of the most current information. This should not be a problem.

One signature and title is required at the end of the application. The application map is already on file with this office. Please return this signed original to me as soon as possible to avoid complications in processing your application. Thanks for your prompt attention to the application details, and please let me know if you need any assistance in this matter or with other water right issues.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

MICROFILMED

OCT 9 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 10, 2001

MIKE BISHOP
WATER DISTRICT NO. 65A
PO BOX 34
INDIAN VALLEY ID 83632

Re: Application for Water Right No. 67-7878 in the Name of Little Weiser Irrigation District

Dear Watermaster:

Enclosed is a copy of the above-referenced application for permit. Also enclosed is a form for your recommendation concerning this application.

Please review the application. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

Gary Spackman

GS:st

Encl: Copy of Application

MICROFILMED

OCT 02 2002

LITTLE WEISER IRRIGATION DISTRICT
C/O J. WAYNE BURKHARDT
2410 LITTLE WEISER RD.
INDIAN VALLEY, ID 83632

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

RECEIVED

DEC 07 2001

WATER RESOURCES
WESTERN REGION

December 4, 2001

Dear Steve;

The Board of Directors for the Little Weiser Irrigation District wish to amend the existing application for water right permit #67-7878 with regard to the requested volume of water diversion and storage, and the season of diversion. Please amend application # 67-7878 as follows:

Amount of water diverted from the Little Weiser to be 870 acre feet per annum and said diversion to occur between April 15th and May 30th each year. Said diversion to storage in C. Ben Ross Reservoir for subsequent irrigation of benefited lands.

The amendment of the original application for permit is to make the application correspond with the planned modification of the C. Ben Ross spillway. If further information is needed, please inform the Board as soon as possible. Your attention to this matter is appreciated.

Sincerely,

Board of Directors
Jerry Leger
Elaine M. Leger
J. Wayne Burkhardt

MICROFILMED

DEC 12 2002

RECEIVED

DEC 07 2001

WATER RESOURCES
WESTERN REGION**REQUEST TO PROCESS****COMPLETE REQUEST IF YOU WANT YOUR APPLICATION TO BE PROCESSED USING ONE OF THE
THREE ALTERNATIVES BELOW**

Name of Applicant _____

Mailing Address _____
_____Application No.
(if known) _____**IN LOCAL PUBLIC INTEREST**

Yes, I want my application processed and before it is advertised, I will amend my application to demonstrate that the proposed appropriation is in the local public interest including the need to preserve flows in the Snake River during the migration periods of anadromous fish.

PROPOSE MITIGATION NOW

Yes, I want my application processed and before it is advertised, I will amend my application to include proposed mitigation to offset anticipated depletions in the Snake River during periods of anadromous fish migration.

X WILL AGREE TO MITIGATION IN THE FUTURE IF NECESSARY

Yes, I want my application processed at this time, and I will accept a condition of approval that will require mitigation should the Director of the Idaho Department of Water Resources determine that mitigation is necessary to offset depletions from this appropriation to flows in the Snake River during periods of anadromous fish migration. I understand that mitigation is not required now but may be needed in the future. I also understand that the Director will not require mitigation until I have an opportunity to review the process by which the need for mitigation is established and the amount of water required is quantified.

Signature _____

Date _____

Larry J. Jager, Director
Wayne Buschardt 12/4/01

Please return this form to:

Idaho Dept. of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

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DEC 13 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 30, 2001

DIV OF ENV QUALITY
BOISE REGIONAL OFFICE
PO BOX 83720
BOISE ID 83706

Re: Application for Water Right No. 67-7878 in the Name of Little Weiser Irrigation District.
Application for Water Right No. 63-31326 in the Name of Boise Housing Corp.

Dear Sir:

Enclosed are copies of the above-referenced applications, which may be of interest to your agency. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by December 24, 2001.

If you have any questions regarding the applications, please contact this office.

Sincerely,

A handwritten signature in black ink that reads "Gary Spackman".

Gary Spackman

GS:lm

Encl.

MICROFILMED

DEC 12 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 30, 2001

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Application for Extension of Time to Avoid Forfeiture of Water Right No. 63-2586 and 63-2587 in the Name of Charles Mann.
Application for Water Right No. 57-11597 in the Name of John &/or Catherine Romero.
Application for Water Right No. 57-11598 in the Name of John &/or Catherine Romero.
Application for Water Right No. 57-11599 in the Name of John &/or Catherine Romero.
Application for Water Right No. 67-14277 in the Name of Clayton &.or Catherine Wilson.
Application for Water Right No. 67-14278 in the Name of Clayton &.or Catherine Wilson.
Application for Water Right No. 63-31329 in the Name of Ronald W. Bubb.
Application for Water Right No. 63-31350 in the Name of Steven &/or Chris Stout.
Application for Water Right No. 65-13963 in the Name of Tina Marie Hoven.
Application for Water Right No. 67-7878 in the Name of Little Weiser Irrigation District.
Application for Water Right No. 63-31326 in the Name of Boise Housing Corp.

Dear Sir:

Enclosed are copies of the above-referenced applications that the proposed use is from surface water. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by December 24, 2001.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:lm
Encl.

MICROFILMED

OCT 3 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX NUMBER (208) 334-2348

DATE: 11/16/07

TO: Wayne Bruckhardt

FROM: Steve Lester

fax 208-256-4437

DOCUMENT DESCRIPTION/NOTES: Appl. 67-7878 c C. Ben Ross

Hope this covers everything for your board meeting.

Note c large div. info - I will now handle letters w/
IDFG & IDGR so you don't need to do that.

TOTAL PAGES SENT: 15 + COVER SHEET

CONTACT: _____

MICROFILMED

OCT 12 2002

J. Wayne Burkhardt, Sec.

Little Weiser Irrigation Dist.

2410 Little Weiser Rd

Indion Valley ID 83632

MICROFILMED

SEP 16 1982

208-256-4437 tel + fax

APPLICATION 67-7878

COMPLETING THE APPLICATION PROCESS

Prepared for Wayne Burkhardt

November 16, 2001

Re-advertising needed due to data error in original 1991 legal notice (showed 39 instead of 3900 acre feet).

Can re-advertise first two weeks of December with a December 24, 2001 protest deadline.

Assuming no protests, IDWR will expedite as much as possible.

Information needed to re-advertise the application

- 11/26/01 call*
- ✓ • Application item #1 - update address
 - ✓ • Application Item #3 - clarify point of diversion on/near ¼ ¼ line
 - ✓ • Application Item #11 - current landowner at point of diversion
 - Application Item #13 - current officers of the district
 - Complete "request to process" form.
- in process {*

ok to proceed w/ legal notice

-se

reduced to 863 ac : 5/1-6/15 div. to storage period

Additional information needed while advertising occurs

- Application item #9 - clarify the place of use – suggest match existing land described by older right 67-2385
- "Large diversion information" required by statute mostly waived or completed – remaining items are comment letters by IDFG & IDEQ. These letters will be solicited by IDWR in re-advertising process so applicant does not have to do anything more for large diversion requirement.

MICROFILMED

OCT 02 2002

Included with this fax

- Copy of original application.
- Suggested amended application based on our telephone conversation today.
- Proposed map for place of use – based on land list in adjudication claim 67-2385.
- Request to Process form with a generic letter of explanation – most applicants choose the last option since it is easiest.
- Copy of adjudication claim 67-2385 with suggested corrections can follow up with that later since will not influence the application process.

I will wait to hear from you after your board meeting. Will mail the suggested amended application (with any additional changes you want) for signature after hearing from you. We can re-advertise the application based on verbal confirmation of amended version and paperwork can follow if we get into a time crunch. Should not be a problem to meet the early December advertising time frame.

Please let me know if you need anything else.



Steve Lester

Tel. 208-334-2190

Fax 208-334-2348

Email slester@idwr.state.id.us

MICROFILMED

OCT 12 2002

SL
10/18/91

Fee

Applicants came in several weeks ago; I prepared appl. for them to take to board meeting.
Told them fee would be \$615 for 40 cfs;
3900 a.f.

However - made a mistake. Here's fee outline

Cfs = 40

\$425 for first 20 cfs = \$425

\$10 for each 1.0 cfs > 20

(10)(40-20)

= 200

\$625

rec \$10
1/17/92
lw

a.f. = 3900

\$425 for first 2000 a.f. = \$425

\$10 for each 100 a.f. > 2000

(10)($\frac{3900-2000}{100}$)

= 190

\$615

MICROFILMED

DATE: 7, 2002

Compare cfs & a.f. fees, Appl. fee = whichever greater.
RESULT FEE = \$625

can approve 39 cfs & 3900 a.f. for \$615 or
they can pay \$10 more with no loss in
priority date due to my mistake.

CONVERSATION MEMORANDUM

DATE 11/26/01

FILE 67-7878

NAME OF PARTY Wayne Benkhoff

EMPLOYEE JL

RE: Amendol Appl.

Results of Resource board meeting:

1) Reduce storage to 803 AF (= 2' increase in dam height ... probably won't do additional phase after that to get to original 3900 AF increase)

2) Reduce diversion to storage period to 5/1-6/15.

3) Will accept future mitigation condition of approval.

4) Will mail request amendol version asap.

5) Request to expedite.

OK to process in the meantime.

MICROFILMED

OCT 6 2 2002

CONVERSATION MEMORANDUM

DATE 11/7/01

FILE *

NAME OF PARTY Norm Young

EMPLOYEE JL

RE: Advertising/Data standards for Large P/L

Both applications include thousands of acres for irrigation. Water Approp. Rules require a Q&Q land list & matching map.

However, admin. District said it is acceptable in these cases to generally describe the P/L w/o Q&Q land list.

OK to proceed as is.

* ① 67-7878

C. Ben Ross Reserve for Little Weiser
Irrig. District

② BOR appl. for Black Canyon Storage for P/L
in Payette Division of Boise Project.

MICROFILMED

OCT 02 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR CONSTRUCTION OR ALTERATION
of

____ Intermediate Dam - more than 20 feet, but less than 40 feet in height, or will store 100 acre-feet or more but less than 4,000 acre-feet.

X Large Dam - 40 feet or more in height, or will store 4,000 acre-feet or more.

1. Little Weiser Irrigation District hereby makes application for approval of plans
(dam owner)

and specifications for ALTERATION of BEN ROSS Spillway Dam.
(construction, alteration) (name of dam)

2. Owner's address 2410 Little Weiser River Road Phone 208-256-4437
Indian Valley Idaho 83632
post office state zip

3. WAYNE BURKHARDT is acting for the owner as member of the Board
(owner's representative) (agent, lessee, trustee)

To represent the owner, written authorization is required.

4. Engineering Consultant DON WATTS A+B ENGINEERING 208-342-7751
Firm Name, or Engineer Phone Number

Post Office Address 836 LA CASSIA, Boise, Idaho 83705

Idaho P.E. Registration _____

5. Dam under (construction, reconstruction, alteration) also under Federal jurisdiction

(Contact) (Federal Agency) (Address)

6. Source of water supply Little Weiser River (tributary to) WEISER RIVER

7. Reservoir is: ☐ onstream ☒ offstream and will be used for (irrigation, hydropower, recreation, other, specify purpose) IRRIGATION

8. Reservoir: Capacity _____ acre-feet Enlargement, storage _____ acre-feet
Surface Area _____ acres Increase in Surface Area _____ acres

MICROFILMED

DEC 9 1982

copy for file 67-7878

9. Dam Location SW 1/4, NW 1/4, Section 27 Township 14N Range 1W B.M.
in ADAMS County.

DETAILS OF DAM AND APPURTENANT STRUCTURES

Description and dimensions of proposed dam (if altering existing dam, describe):

- a. Type of dam (earthfill, zoned, etc.) _____
- b. Amount of material in dam _____ cubic yards.
- c. Dam (hydraulic) height (streambed to maximum water storage elevation) _____ feet.
- d. Dam to be raised 2 feet; water storage elevation increased 2 feet.
- e. Crest elevation _____ feet above Mean Sea Level (if known).
- f. Crest width (at top of dam) _____ feet; Length of Crest _____ feet.
- g. Freeboard (during inflow design flood) _____ feet.

Additional Information for earth/rockfill dams:

- h. Upstream slope _____ to _____
- i. Downstream slope _____ to _____
- j. Upstream embankment protection (rock riprap, concrete, etc.) _____
10. Outlet description _____, _____ Maximum release _____ cfs.
(dimension, diameter) (type) (under full reservoir head)
1. Spillway description _____, _____ Maximum capacity _____ cfs.
(dimensions) (type)
2. An Operation Plan (as required) including Emergency Procedures (Emergency Action Plan)
_____ accompanies this application.
_____ will be submitted _____ 19 _____
3. The plans, drawings, specifications and \$ 870⁰⁰ fee accompanying the application
are a part thereof.

8/8/01

Date

Wayne Burhardt
Applicant's signature
Little Water Irrigation Dist.

FOR DEPARTMENT USE ONLY

ate application received 8/13/01 By Kh Fee \$ 870⁰⁰
ate receipted WQ28177 Received by Kh

MICROFILMED

OCT 22 2002

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

In accordance with the provisions of Title 42, Chapter 17, Idaho Code and the Department's Rules and Regulations for Safety of Dams, this application, including the plans and specifications for _____ Dam, are hereby approved subject to the following conditions:

1. This action does not constitute the required authority to appropriate water under Idaho Water Law.
2. The applicant shall notify the Department at the following times and at such other times deemed necessary, so that inspections can be conducted:
 - a. After clearing and excavation of the foundation area, and prior to placing fill material.
 - b. After installation of the outlet conduit, and before placing any backfill material around the outlet.
 - c. After construction is completed and before any water is stored in the reservoir.
3. Approval of the application for construction of the dam shall not be construed to grant applicant other authorization required to proceed. It is the responsibility of the applicant (dam owner) to secure all lands, easements, and rights-of-way; water rights; or the approval of other regulatory agencies, prior to commencing to construct the dam, or store water in the reservoir.
4. In the event the owner fails to pursue actual construction and maintain reasonable progress during construction of the dam, in conformance with the plans, drawings and specifications approved by the Department, this approval may be voided by the Director, one year after such approval, pursuant to Section 42-1712, Idaho Code.

Additional Conditions:

Witness my hand this _____ day of _____, 19____.

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AUG 13 2001

WATER RESOURCES
WESTERN REGION

Ranges West

Range and Ranch Consulting

P.O. Box 74
Indian Valley, ID 83632
Phone/Fax: (208) 256-4437

8/8/01

John:

As per our discussions I am forwarding the construction application for phase 1 modification to the Ben Ross Reservoir. The Board is prepared to arrange for construction as soon as your Department gives us the go-ahead.

There were several items of information regarding features of the Ben Ross Dam that I do not have access to. I hope you can provide that information.

The Board appreciates your help & interest in this matter. Thanks

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OCT 02 2002

Little River Irrigation Dist
Wayne Burthardt

W. Reg



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 24, 2001

RECEIVED

APR 25 2001

WATER RESOURCES
WESTERN REGION

J. Wayne Burkhardt, Secretary
Little Weiser Irrigation District
2410 Little Weiser Road
Indian Valley, ID 83632

RE: C Ben Ross Dam
Proposed Spillway Flashboard Structure

D67-2385

Dear Mr. Burkhardt:

The Department recently received a plan from your engineer, Don Watts, for construction of a permanent flashboard structure in the spillway at C Ben Ross Dam. Enclosed is an Application for Construction/Alteration of a Large Dam, which must be completed and returned, along with the application fee of \$370. The fee is based on the increase in storage from 7787 ac-ft to 8650 ac-ft, at \$10 for each 10 ac-ft or part thereof. Further review of the plans will not proceed until the application and fee are received.

In reviewing the water rights, Little Weiser Irrigation District has a license for 7800 ac-ft of storage and an active application for 3900 ac-ft, which was filed in 1991 for raising the dam for an additional 10 feet of storage. Installing a permanent flashboard structure will require you to either file a new water right for the additional storage that is planned, or utilize the existing application. In either case, a water right permit will need to be issued before construction of the flashboard structure can commence. You will need to contact our Western Regional Office, phone (208) 334-2190 in Boise to set up an appointment to discuss this in more detail.

A cursory review of the flashboard structure plan indicates the concept is satisfactory. The structure should not infringe on spillway flows; however, it appears that either the outer sidewalls of the structure need to be skewed slightly to match the existing spillway apron, or the existing spillway apron will need to be modified to prevent erosion around the sides of the apron. Also, specifications need to be submitted for concrete strengths, preparation, placement, foundation preparation, etc.

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J. Wayne Burkhardt
RE: D67-2385
Page 2

Should you have any questions, please let me know.

Very truly yours,,

David H. Hollingshead

David H. Hollingshead, Mgr.
Safety of Dams Section

Cc: ✓ IDWR - Western Region
Don Watts, A & B Engineering

100-16-2003

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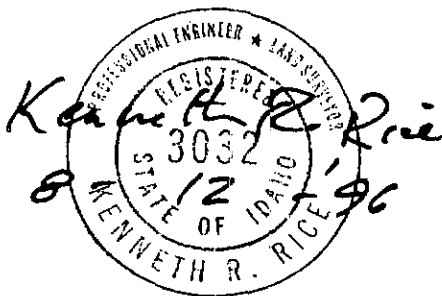
OCT 02 2002

FEASIBILITY STUDY

C. BEN ROSS RESERVOIR INCREASED STORAGE CAPACITY

LITTLE WEISER IRRIGATION DISTRICT

August, 1996



Prepared by Kenneth R. Rice, PE and William B. Strowd, PG MICROFILMED

HOLLADAY ENGINEERING COMPANY
Project Number 020695

REC'd 6/22/97
pgs note in file

July 15, 1997

MEMORANDUM

TO: File

SUBJECT: C. Ben Ross Dam/Reservoir
Increased Storage, Feasibility Study

D67-2385

BY: D. Hollingshead

Isaac Ward, L.Weiser Irrigation District, sent a copy of the subject study, dated August 1996, that was compiled by Kenneth Rice, PE and Wm Strowd, PG. Apparently, the author's objective....feasibility of raising the embankment at C.Ben Ross Dam to store an additional 3900 ac-ft of flood waters (attributed to IDWR).

As noted, three basic design alternatives for raising the embankment (11ft) were studied, utilizing available data and various references (listed) including DWR's Phase I Inspection Report (1980) and NTL's Geotechnical Evaluation (1980). NTL's evaluation was primarily to determine dam stability and seepage conditions in the embankment (in 1980) and develop remedial alternatives to lower the phreatic level. L.Weiser Irrigation District had the work (geotextile wrapped gravel drain blanket/counter berm) done in 1981, as recommended.

Construction is discussed by Holladay Engineering Company, including the Common Features of Alternatives, and each Alternative A, B and C (which was the least cost of those reviewed, \$1.895m) but none, including C are considered feasible, as indicated by the authors. The modeled stability of the design alternatives (except A, synthetic liner) are described, but the parameters are not indicated. Site Geology is presented, as noted....the size and extent of some larger (breccia) fractures indicate that drilling and pressure grouting may be needed to prevent excessive seepage through the right abutment, during high pool. Apparently the author was onsite (June 1996) and observed a moist area, on the d/s side of the right abutment. A more complete inspection....should be conducted during stripping of overburden, or during investigation of the right abutment, is indicated, by the authors (if the dam is raised).

Holladay Engineering Company's Feasibility Study of Increased Storage, at C.Ben Ross Dam, also evaluated native material sources of possible construction value, but did not attempt to delineate, excavate, test, or characterize material suitability for specific engineering purposes. Nor did they core drill either abutment, or

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the embankment/foundation of the existing dam. The authors of the feasibility study did indicate...the maximum slope dictated by stability factors results in design slopes roughly the same as the existing embankment.

As noted (Existing Structure: Stability Analysis) the materials internal friction coefficients (ϕ) cohesive strength, unit weight (indicated in table) acquired from NTL's measured values....were also estimated (values not indicated by Holladay) derived from similar materials defined by Hunt (1984) based on Unified Soils Classification. Then stability analyses utilizing UTEXAS-2, and arc slip failures, utilizing simplified Bishop's Method and results occasionally cross-checked for comparison with independent software. The authors note....cross checks matched within 5 percent for factors of safety; however, the parameters substituted in the analytical routines are not indicated; the FOS computed are not, although the text refers to sheet 3 it's not included in the copy of the Report.

The authors indicate....Analysis on the d/s slope, incorporating the current toe stabilization berm under static conditions indicate possible modes of circular slip at full pool with a 1.26 FOS, but do not identify the weak zone or its location. This seems to imply doubts about the structural stability of the existing embankment, drain/stabilization berm, that has substantially improved the dam.

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C. Ben Ross Reservoir Feasibility Study

Little Weiser Irrigation District

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INTRODUCTION

General:

C. Ben Ross Reservoir is an irrigation reservoir situated in the southwestern part of Adams County, Idaho about three miles south of the community of Indian Valley and about 15 miles south of Council, the county seat of Adams County. It is an off-stream reservoir filled by diversion from the Little Weiser River. Water is impounded by a 68-foot high earth-fill dam constructed in 1937. Reservoir surface area is approximately 354 acres and reservoir available capacity is reported to be 7,787 acre-feet. The Little Weiser Irrigation District is the owner and operator of the dam and reservoir.

Objective of Feasibility Study:

The Idaho Department of Water Resources (IDWR) has identified an additional 3900 acre-feet of flood waters available for diversion from the Little Weiser River. The objective of this study is to determine the feasibility of raising the dam to store this amount of additional water storage in C. Ben Ross Reservoir.

Scope of Feasibility Study:

The study was limited in scope to cost and design issues directly related to the dam and pond area using information from existing engineering and geotechnical reports. Water distribution, identification and character of available irrigable land, and probable crop response to additional water were not included in the scope of this study. For that reason, overall cost-benefit ratios were not calculated.

Contributing Investigators:

Besides the authors, Mr. Joe Jordan, P.E., contributed design and cost information and constructive review during the course of this study. Mr. Mike Davis, E.I.T., performed computer modeling analysis of embankment stability. Mr. Jack Biddle, P.G., assisted in all phases of work with critical review and project administration.

Kenneth R. Rice (formerly, Blakely Engineers, Inc.)
that did spillway/bridge of C. Ben Ross Dam in 1981



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C. Ben Ross Reservoir Feasibility Study

Little Weiser Irrigation District

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SUMMARY AND RECOMMENDATIONS

A topographic map of the existing dam site was generated for purposes of design, a land ownership map constructed to identify required acreage on which property costs and acquisition can be based, and a storage curve was calculated for increased reservoir capacity. Discrepancies found in legal descriptions of property boundaries need to be reconciled prior to acquisition.

Three basic design alternatives for raising the dam were studied. The alternatives varied in the type of construction technology used, and were essentially alike in height and external dimensions. The alternative that would fulfill the owner's requirements and meet State of Idaho safety criteria at the lowest cost is Alternative C (Conventional Construction).

Stability analysis of the existing dam and proposed alternatives using existing data indicates that added geotechnical investigation should be performed prior to raising the dam to more precisely define the internal structure and condition of the dam, and particularly the actual phreatic surface and the trend of change, if any, of the phreatic surface elevation.

Additional geotechnical evaluation for the possibility of excessive seepage in the area of the right abutment above the existing crest is recommended prior to increasing the pool elevation. However, no surficially evident geologic features are present that preclude raising the dam.

Past erosion of the downstream spillway points to a need for shaping and armoring (lining with rock or other erosion-preventive material) of the downstream spillway channel. Protecting the spillway from further erosion is recommended.

Surface reconnaissance indicates that rock, sand and soils are present within reasonable distances of the dam which may meet construction requirements. Defining their material properties for meeting design specifications will be necessary prior to construction.

Consideration of the probable costs of favored Alternative C indicate that its implementation is prohibitive at this time. Factors which may change this in the near-term (5-10 years) include increased electrical rates resulting from deregulation of electrical utilities, Snake River Basin water rights adjudication, continued availability of additional water for storage, regulatory enforcement of existing water rights diversion rates, expansion of arable acreage, increased demand for irrigated pasture to offset federal range restrictions, and renewed drought conditions. Feasibility should be reviewed if any of these factors change favorably.

It is recommended that IDWR be requested to maintain the water storage right application using this report as the required plan.



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C. Ben Ross Reservoir Feasibility Study

Little Weiser Irrigation District

Page 2

DESIGN ALTERNATIVES: CONSTRUCTION

General:

Three construction alternatives for raising the dam were investigated, two of which represent applications of recent developments in water retention construction and one of which represents conventional earth-fill technology similar in methodology to the original design of the dam. The two newer technologies considered were a flexible membrane and a slurry-wall. For each alternative considered, a typical design cross-section for the maximum potential raise was prepared, required material quantities were calculated using appropriate software, and probable construction cost was evaluated. Constructibility and reliability of the alternatives were reviewed, referring to recent reports in the trade literature where pertinent and known to the reviewers. For those alternatives not shown by constructibility review to have significant flaws for this application, stability analyses were performed to compare probable performance of the designs with State of Idaho requirements.

An eleven-foot raise of the dam would be sufficient to store the additional available 3900 acre-feet of water. A storage curve was developed from contour elevations surrounding the reservoir based on topographic contours of the USGS, Indian Valley, 7 1/2-minute quadrangle. Also construction cost per dam lift height and construction cost per acre-foot of storage were calculated. These are graphically displayed in Figures 1 and 2. From these graphs it is possible to compare increases of crest height with corresponding cost of construction and gains in storage.

The additional storage curve shown in Figures 1 and 2 appears to be a straight line, although it actually has a very shallow, concave upward curve. Generally, storage curves plot with larger curvature than in this case. The reason for such a shallow curve is due to the comparatively small range of added height represented by the proposed dam lift. It delineates a flatter portion of the curve than would be displayed using the total range of the storage curve. This, in combination with the relatively steep topography occurring within the domain of increased storage, accounts for the almost constant slope of this line.

The line indicating incremental cost of raising the dam shown in Figure 1 also is straight. This is an approximation since the embankment volume required will actually increase disproportionately more, though slightly, with additional height of raise (which drives construction cost). However, this functional difference is small by comparison to other overall cost within the considered range of a dam raise. Furthermore, the maximum slope dictated by stability factors results in design slopes roughly the same as the existing embankment. Thus a dam raise within the range considered comes near to a constant proportionality relative to construction cost.

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Little Weiser Irrigation District

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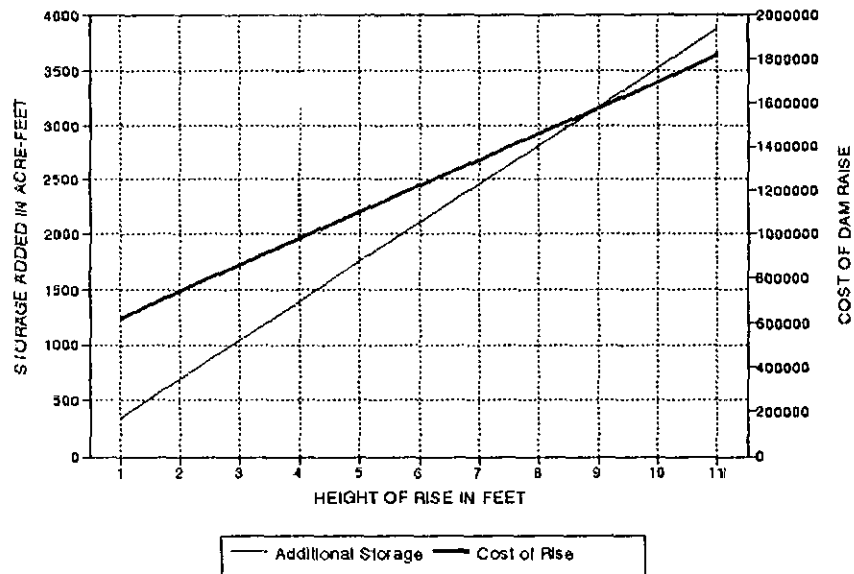


Figure 1: Construction cost and storage capacity per foot of dam rise.

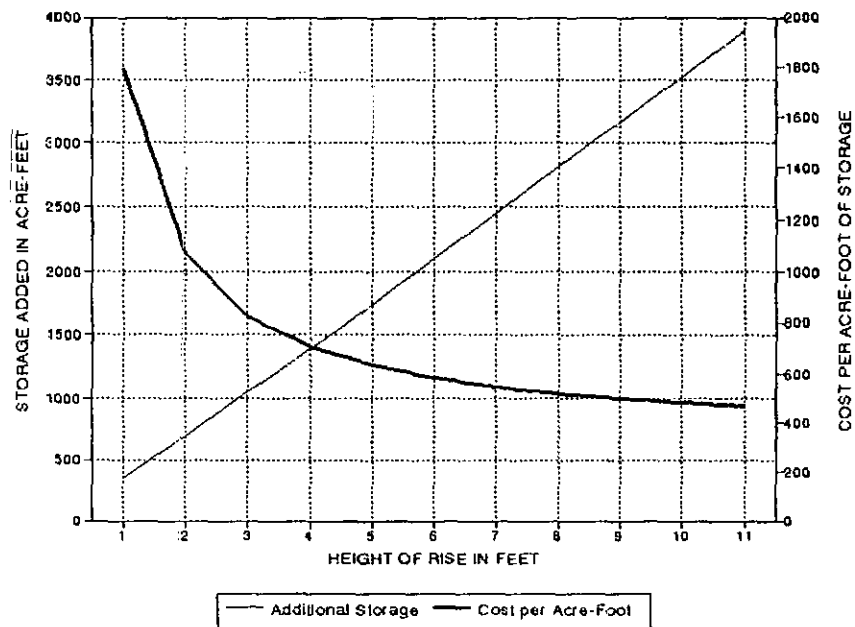


Figure 2: Construction cost per acre-foot of increased storage capacity.



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Common Features of Alternatives:

Alternatives vary in the details of construction as a reflection of the differing methodologies employed to stabilize the embankment. There are several features that will be required, and will be virtually the same in all three alternatives. These include geotechnical investigation of the existing dam embankment and abutments, land acquisition for pond enlargement, crest elevation, probable saddle dike construction, spillway construction, road realignment and reconstruction, outlet gates examination with maintenance as required, and operating stem extensions.

Embankment stability analyses based on existing and extrapolated data were performed on each alternative design for raising the dam as required by IDAPA 37.03.06.050.01. The need for further geotechnical investigation and for possible abutment grouting is discussed under the sections on stability analysis and site geology.

The elevation contours shown on the USGS quadrangle map indicate that a saddle dike may be required in the cove situated northeast of the right abutment. The requirement for this saddle dike is uncertain based on the precision level of this map, but is independent of the design alternative selected. The estimated quantities of material for such a saddle dike are uncertain for the same reason, but are very small relative to the quantities for the main structure and are not shown separately. A generally representative construction detail for a saddle dike is shown, subject to the findings of more precise elevation determination prior to final design.

The design alternatives each entailed a crest width of approximately 30 feet. This width was selected to satisfy both the need for maintaining the two-way traffic along the existing county road across the dam and meeting the state required calculated minimum of 25.8 feet for a dam of this height (IDAPA 37.03.06.050.02).

The County road that crosses the dam will need to be re-routed and re-constructed to cross at an elevation 11 feet higher than current. Some relocation may also be required in the area of the probable saddle dike. Final design will determine the exact extent of required work. For this investigation the probable length of road reconstruction is taken as 2,500 feet, allowing for 500-foot transition stretches at each end of the dam and approximately 300 feet of reconstruction in the vicinity of the probable saddle dike.

The minimum required freeboard (IDAPA 37.03.06.050.06) to pass the Probable Maximum Flood (PMF) is 4.7 feet as determined by hydrograph (Alan Robertson, 1994, IDWR internal Memo to Mike Stubblefield, see Appendix). The designed freeboard of the studied lift alternatives is 5.0 feet.

The existing spillway sluice and bridge complex is sized to pass the PMF. The present structure cannot be retained because its elevation is too low for the new design water level, and also probably cannot be salvaged for re-use (except that it might be possible to salvage the precast concrete parts). The entire design would be reviewed as part of the total design



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Little Weiser Irrigation District

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effort prior to construction, but for purposes of this study it appears that a new sluice and bridge complex constructed as a replica of the existing one, but at the new design crest level, will be an adequate design. Probable costs stated herein are based on the assumption that such replica construction will occur.

The existing downstream spillway channel is unimproved and is incurring undue erosion from slight overflows that occur with annual fillings. If this spillway channel were required to conduct a flood of a magnitude anything like that of the PMF, the erosion experienced during the single flood event could be severe enough to endanger the dam. This channel should be shaped and armored to conduct the flows predicted by a routing of the hydrograph of the PMF. Shaping and armoring is recommended whether or not other construction is done. Armoring should be continued to the intercepting natural drainage course located approximately 400 feet north of the dam. The cross-section detail included in the attached drawings (see Sheet 5) and employed in determining probable cost for spillway channel construction and armoring is a preliminary design subject to review at final design, which has design flow capacity ample for the flows of the Probable Maximum Flood. For purposes of this report, probable armored spillway channel length, including dam slope, energy dissipator section and stilling basin section, is taken as 400 feet.

The existing outlet gates, tunnel and reinforced concrete tunnel extension conduit would be retained with the necessary modifications. The condition of the gates would be determined by inspection and necessary repairs made, the operating stems would be lengthened to reach above the new high-water line, and the construction required to carry the outlet through the modified embankment would be done. For Alternative A, retaining walls in the new fill on the upstream face would be required to maintain a waterway to the outlet gates. For Alternatives B and C, the reinforced concrete outlet tunnel extension would be extended by construction of more conduit of like dimensions. The itemized probable costs for the alternatives show quantities and costs for these tasks.

Alternative A (Flexible Membrane Liner):

Flexible waterproof synthetic materials have been developed and applied to many water storage and related applications, mostly since 1950 and most particularly since 1970. In the context of irrigation facilities design, in view of the great longevity needed in irrigation facility structures, this is a very new technology. There are installations on the order of 30 years old that have been studied to determine the expected longevity of the materials and how their longevity is affected by their conditions of installation. Predictions of the performance of these materials for periods longer than about 30 years are necessarily based on extrapolation, but this does not disqualify them for long-term applications. Extrapolation based on well-determined rates of chemical change in controlled conditions can be reliable even though the time-span of prediction is much longer than the time-span of observation.



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The particular flexible membrane material that has demonstrated properties that can reliably be extrapolated to predict nearly unlimited longevity in service is high-density polyethylene (HDPE) in buried applications. Polyethylene is vulnerable to the ultraviolet rays in sunlight and to fire, but it is extremely resistant to chemical or biochemical attack. The principal limitation of HDPE is its relatively low coefficient of friction: it cannot successfully be installed on slopes steeper than 3 horizontal to 1 vertical.

The use of an impervious flexible membrane at the upstream face of an earth-fill dam could essentially eliminate all seepage through the dam. The amount of water lost by seepage from conventional earth-fill dams is typically insignificant in relation to the total storage and to the evaporation loss, but the effect of seepage on the stability of the dam is the primary consideration of dam design: most failures of earth-fill dams have occurred because of the effects of seepage, either through the dam itself, through the foundation material or through an abutment. Thus, the apparent advantage available by using a flexible membrane is reduction of seepage-related effects.

Use of HDPE as a protective membrane would require burial of the membrane under a layer of fine-grained blanket material on the upstream face, so that the membrane would be protected from sunlight, fire, weather and vandalism. Rip rap would be needed above the blanket material, to protect the blanket material from erosion by wave action. The blanket thickness would have to be sufficient to protect the membrane from puncture by the rip rap. To protect the membrane from puncture during spreading, the existing rip rap would need to be either removed or covered with a thick layer of fine-grained material to provide a smooth surface with firm support. Because compacting a fine-grained material overlaid on the existing rip rap to assure firm support of the membrane would be excessively difficult, removal of the existing rip rap would be the only approach offering a reliable design. To limit seepage at the edges of the membrane, it would be keyed into trenches that would probably be closed with a low-permeability fill. Placement of the cover blanket and rip rap material would be subject to careful control in order to prevent local over-stressing of the membrane or formation, through the action of kneading processes, of any slickened interface between the membrane and either the supporting or overlying fine-grained materials.

For the purpose of determining probable costs for this evaluation, preliminary design was based on adding fill to the upstream face for this alternative. It was assumed that existing rip rap would not be salvageable due to the friability of the rock and the weathering it has undergone since construction of the dam, and that new material would be required for the rip rap that would be placed on the new fill. Fill material for this alternative would be subject to less design constraint than for the other alternatives because of the protective effect of the flexible membrane.

Stability analysis of this alternative was not performed, because internal constructibility review brought the investigators to agreement that procedures required to protect the film-soil interface during covering of the film could not be adequately controlled to assure

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against failure by sliding. Published reports of failures of the same type and causation as considered in that review process, which had in fact recently occurred in some large FML installations, confirmed the conclusion of investigators. The probable cost had already been determined at the time that the conclusion to eliminate this alternative was reached, and is included for informational purposes. The probable cost of this alternative is also higher than the probable cost of the others, due mostly to the many construction procedure constraints imposed by the puncturability of the FML material.

Alternative B (Slurry Wall):

Another technology developed mostly within the last thirty years for controlling seepage through soils is drill-placed slurry-wall installation. This technology is now being widely employed in rehabilitating existing earth-fill dams and dikes. The method of structure improvement involves boring relatively large-diameter vertical holes in an overlapping pattern and filling them with a slurry composed of the drill cuttings mixed with a combination of bentonite to impart water-tightness and Portland cement to impart stiffness. A dam or dike so treated will be stronger than the original construction and almost completely watertight down to the bottom of the slurry wall.

For Alternative B, it was assumed that a slurry wall would be built from the raised crest down to the foundation. Exploration borings during the design phase might show that depth of slurry-wall construction could be reduced from this tentative quantity, but if this were true it would not result in a proportionate reduction in cost. The equipment involved in boring the large-diameter holes is so expensive to move that the charges for mobilization amount to a very large part of the total probable cost of the slurry wall and the total cost would not vary greatly with a variation in the depth of slurry-wall construction.

New construction would not include a clay core as the slurry wall in the new fill would extend water-tightness to the new design water level. Use of a slurry wall in raising the dam presents a choice between adding fill upstream, downstream, or partly on both faces. Required slopes for the new fill are governed by slope stability criteria generally expressed as a required factor of safety (FOS) against sliding failures of the fill. There are two general classes of failure by sliding that are considered: shallow sloughing involving only near-surface material and deep arc or wedge-shaped sliding involving substantial embankment material. Shallow sloughing, which is a nuisance and costly, requiring prompt repair to prevent further possible damage to the dam, is controlled by embankment slope angle. Deep-seated sliding, which can cause immediate and total dam failure, is controlled by seepage control as well as slope angle. While the stabilizing effect of a slurry wall affords excellent protection against deep-seated sliding by reducing seepage effects, the slurry wall does not change the conditions impelling shallow sliding.

For the feasibility analysis new construction under Alternative B consists of adding fill primarily to the upstream face of the dam. Both slopes for the new fill was modeled for stability at 2:1 slopes (Sheet 3, Alternative B). The upstream side at this slope angle fails



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to meet State of Idaho required FOS for shallow sloughing under rapid drawdown conditions, for full and one-third pool conditions, and for steady state conditions. Moving the dam raise to the downstream side at a 2:1 slope also fails stability requirements at a 1.36 FOS (1.5 required for steady state conditions) on the downstream side within the new fill (as analogously indicated under Alternative C, Sheet 4).

Was this due to elevate
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X-section
AA

Stability analysis for Alternative B with slurry wall showed that the required downstream slope for resisting shallow sliding is 2.5:1, which is the same as the required downstream slope for Alternative C (Conventional Fill) without the slurry wall. At this downstream slope, both the slurry wall and conventional fill alternatives have safety factors against deep-seated and shallow failures greater than the state required value. While the safety factor of Alternative B against deep-seated sliding is higher than that of Alternative C, such added protection is not required. Since the resistance to shallow sliding governs downstream slope design in both cases, the fill quantity for this dam is the same whether the slurry wall is used or not.

In final form, the preliminary design for this alternative differs from that for Alternative C (Conventional Construction) mostly in that it incorporates the slurry wall. The probable construction cost of this alternative at the 2:1 slope is considerably more than the probable construction cost of Alternative C, due principally to the relatively high unit cost of slurry-wall construction for a project of this size and location. Because of the relatively high probable construction cost of this alternative and marginal, upstream, near-surface stability, it is not recommended for further consideration.

Alternative C (Conventional Construction):

This alternative involves adding fill material using long-proven embankment construction methods: selecting natural material for suitable properties, placing it in successive lifts and compacting by methods that control moisture content and compactive effort to produce a dense, stable embankment. Suitably sited and properly done, this approach can produce dams that will be virtually unlimited in lifetime of service and require only minor expenditure for maintenance. Analytical methods for checking slope stability and other design concerns for dams of this type have been developed by widespread study and are expressed in accepted computer modeling systems. Conventional earth-fill construction is a well-developed mature technology.

Fill volume required for Alternative C is approximately 142,500 cubic yards at the preliminary design downstream slope of 2.5:1. This slope was determined by slope stability requirements (see sections under Stability Analysis). These calculations are representative only, and must be superseded at final design by similar calculations employing soil properties of actual proposed borrow source materials. If the required downstream slope determined at final design is different than 2.5:1, the design fill volume will vary accordingly.

Don't determine with
soil parameters
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Note



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The construction features that are distinctive to Alternative C are engineered placement of added fill on the downstream face of the dam and reliance on the properties of naturally occurring materials for stability and durability of the dam. Of all the alternatives studied, Alternative C is most dependent on correct selection of fill material and correct spreading and compacting procedure to produce a successful result. Spreading and compacting has as its goal the achievement of the maximum density practically obtainable with modern heavy equipment, since stability of the fill is directly related to the density achieved. The equipment (scrapers and rollers) used for construction by earth-fill is widely available and experienced earth-moving operators are readily available for hire. The critical requirement is quality assurance, and especially assurance of adequate compaction. *Technical but not a condition*

Operationally, the critical element in assuring compaction is control of moisture content at the time of compacting. For proof of quality, the critical test is measurement of in-place dry density. The basis for acceptability for both of these critical measurements is determined by compaction tests on representative material samples in a soils laboratory. Real-time testing for operational control is expeditiously performed in modern practice by using a nuclear densometer, which is a portable unit that measures both dry density and moisture content directly when placed in contact with the soil surface.

Satisfactory dam embankments can utilize a wide range of soil materials, provided that the embankment construction procedure is appropriate to the soils at hand. In general expansive clays highly weathered rock, and soluble materials should be avoided in dam embankments. IDWR rules (IDAPA 37.03.06.050.04) require that material placed in the core of an earth-fill dam shall not contain rocks larger than 4 inches, frozen material, organic material nor other extraneous material.

Soils laboratory and field inspection practice, and particularly the capabilities of the nuclear densometer, are now well enough standardized to enable operators to obtain critical measurements soon enough to make necessary operating decisions (in particular, whether to add water in any specific instance) based on data rather than on estimation. Thus, the requirement for specific experience and supervisory skills that was in the past a critical feature of earth-fill dam construction has been to a large degree transformed into a requirement for specific testing procedures and test frequency.

This is not meant to imply that the required procedures is something that can be done by anyone, but rather that the necessary knowledge for many aspects of field inspection has been converted into well-defined, reproducible, technical procedures. Earthfill dam design and construction remains a special field within civil engineering and the work must be overseen by qualified technical people and the procedures employed must be far more exacting than are required in the other types of earthwork. Earthfill dam design and construction methodology is distinct from the methods applied in the apparently similar parts of road building and land leveling. It is possible to build successfully while employing machine operators whose prior experience is in road building or land leveling, but only if overseen by qualified technical people. If unit costs from road fills or land leveling are

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used to attempt to determine the probable cost of earthfill dam construction, the result will be unrealistically low.

Alternative C, the design alternative developed for this study representing conventional earth-fill construction, meets State of Idaho slope stability criteria at the least cost of the alternatives reviewed. It also is the alternative that is least subject to constructibility constraints. However, this alternative does require greater constraints on embankment material properties and placement than the others. Based on these findings, this is the design alternative recommended for further study and consideration for construction.



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DESIGN ALTERNATIVES: PROBABLE COSTS

Probable costs are itemized and compared in Table 1 on the following page. Fill material quantities were determined from design cross-sections using Softdesk Civil/Survey software (1992) and are as precise as the topographic data from which they were calculated. The information used, for purposes of this study, was derived from existing plans of C. Ben Ross Dam, a topographic survey of the dam and adjacent features, and the Indian Valley, Idaho, USGS, 7 1/2-minute quadrangle, topographic map.

Material quantities for items common to all alternatives were determined by approximating procedures with the intention of being only generally representative. Inaccuracies in these values would not affect the selection of one alternative over another and the total amount of expenditures involved in them is small relative to the overall cost of modifying the dam.

Unit costs used in the probable cost reflect opinions of the investigators based on the best available current information on the cost of similar work at the time of the study, as probably affected by the job-specific conditions of project scale and job location. Costs shown are based on the assumption that the work would be performed by a public-works contracting firm fully qualified and experienced and regularly engaged in earth-fill dam construction, under a competitively bid unit price contract, with quality control testing by an independent laboratory and construction-period engineering services by a consulting engineering firm separate from the construction contractor.



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TABLE 1 - PROBABLE COST COMPARISON

Item Description	ALTERNATIVE - A Synthetic Membrane placed on 3:1 upstream face with 2.5:1 downstream fill			ALTERNATIVE - B Slurry cutoff wall installed through center of dam after 2:1 upstream fill construction			ALTERNATIVE - C Conventional downstream fill with 2.5:1 slope		
	Quantity	Rate	Total	Quantity	Rate	Total	Quantity	Rate	Total
New Fill (includes ex, haul and place)	142500 cy	7.50	1068800.00	112000 cy	7.50	840000.00	142500 cy	7.50	1068800.00
Riprap Removal	15400 cy	2.50	38500.00	13600 cy	2.50	34000.00	0 cy	2.50	0.00
New Riprap (includes ex, haul and place)	17000 cy	12.00	204000.00	15000 cy	12.00	180000.00	1600 cy	12.00	19200.00
Synthetic Membrane and Mattress	153000 sf	1.00	153000.00	0 sf	1.00	0.00	0 sf	1.00	0.00
Bentonite Slurry Cutoff Wall	0 sf	9.00	0.00	64000 sf	9.00	576000.00	0 sf	9.00	0.00
Extend Existing Blanket drain (similar to existing)	0 cy	12.00	0.00	0 cy	12.00	0.00	3500 cy	12.00	42000.00
Pressure Grout East Abutment	1 ea	27000.00	27000.00	1 ea	27000.00	27000.00	1 ea	27000.00	27000.00
Control Structures (refurbish and extend)	1 ea	10000.00	10000.00	1 ea	10000.00	10000.00	1 ea	10000.00	10000.00
Extend Outlet Tunnel	75 ft	100.00	7500.00	75 ft	100.00	7500.00	75 ft	100.00	7500.00
Retaining wall at Inlet	0 ea	15000	0.00	1 ea	15000	15000.00	0 ea	15000	0.00
Spillway Armored Channel	1 ea	30000.00	30000.00	1 ea	30000.00	30000.00	1 ea	30000.00	30000.00
Spillway Sluice	1 ea	11200.00	11200.00	1 ea	11200.00	11200.00	1 ea	11200.00	11200.00
Box Culvert	1 ea	6400.00	6400.00	1 ea	6400.00	6400.00	1 ea	6400.00	6400.00
Guardrail and wing riprap	1 ea	3500.00	3500.00	1 ea	3500.00	3500.00	1 ea	3500.00	3500.00
Road Relocation	2500 ft	12.00	30000.00	2500 ft	12.00	30000.00	2500 ft	12.00	30000.00
	Subtotal		1589900.00	Subtotal		1770600.00			1255600.00
Geotechnical Investigations (base & abut.)	1	75000	75000.00	1	75000	75000.00	1	75000	75000.00
Engineering Design	%	12	190800.00	%	12	212500.00	%	12	150700.00
Quality Assurance/ Quality Control	%	12	190800.00	%	12	212500.00	%	12	150700.00
Contingency	%	15	238500.00	%	15	265600.00	%	15	188300.00
	TOTAL		2285000.00	TOTAL		2536200.00	TOTAL		1820300.00
Land purchase	88 ac	850	74800.00	88 ac	850	74800.00	88 ac	850	74800.00
TOTAL PROBABLE PROJECT COST			2359800.00			2611000.00			1895100.00

This alternative not modeled due to high probable costs, long term integrity concerns with oscillating water levels and redistribution of soil materials on FML interface, and recent reports of FML failures.

This alternative fails the stability analysis.

This alternative meets stability analysis criteria and is the recommended alternative to raise the dam subsequent to further geotechnical investigation and final design.

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EXISTING STRUCTURE: STABILITY ANALYSIS

Procedures:

Idaho Department of Water Resources rules regarding dam safety (IDAPA 37, Title 03, Chapter 06) classifies C. Ben Ross Dam as a large dam (40 feet high or more) and in a high risk category (permanent downstream dwelling potentially subjected to damage or human injury) in a seismic risk zone of 2 (7.3 magnitude maximum credible earthquake).

An embankment geotechnical investigation was conducted by Northern Testing Laboratories, Inc. of Boise (NTL, 1980) in response to recommendations made within a IDWR 1980 inspection report. The resulting NTL study encompassed six boreholes with the collection of subsurface samples and geotechnical information. Piezometers were constructed from several of the holes to establish phreatic conditions within the dam. Triaxial and direct shear tests were performed on two samples as well as determining insitu moisture contents, unit dry weight, standard penetration tests during drilling, and lithologic logging. Dam stability was evaluated but no seismic loading assessment was conducted since it was not a requirement at the time. The NTL study recommended installation of a drainage blanket to control downstream embankment erosion and a downstream toe stabilization berm to increase the FOS for embankment stability. The recommended stabilization berm and drainage blanket were designed and constructed under the supervision of J.U.B. Engineers, Inc. with design review by the IDWR.

State regulations now require analyses of dams of this category to their response under horizontal dynamic loading. The location of C. Ben Ross Dam requires loads of 0.15 times the acceleration of gravity (g). This study included stability analyses on the existing embankment with stabilization berm and drainage blanket installed using data from the previously noted geotechnical study. Sectional diagrams of the dam model and resultant stability analyses are depicted on the accompanying sheets 3 and 4. Model inputs used in the analyses are listed in Table 3. The material's internal frictional coefficients, cohesive strengths and unit weights shown in the table were acquired from measured values from the previous geotechnical study of the dam and were also estimated where information was lacking using values derived from similar materials defined by Hunt (1984) based on the Unified Soils Classification. The stability analyses employed UTEXAS-2 software, which IDWR also employs for embankment analysis. Circular slip failures were investigated utilizing Simplified Bishop's Method and results occasionally cross-checked for comparison with independent software (G-Slope) using Janbu methodology. Cross checks matched within 5% for FOS. where not included OK

Alternative dam raise designs all assumed new embankment material to be homogeneous and impervious. The design alternatives were evaluated under varying conditions of static and pseudo-dynamic (seismic) loads, at maximum pool, one-third pool, and static rapid drawdown. The results of the analyses are listed in the tables which accompany Sheets 3 and 4. The FML liner alternative was not evaluated for embankment stability because it was rejected on other grounds.



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The potential for the reservoir sustaining rapid drawdown at the outlet works was evaluated. At full pool the reservoir could be drained under maximum discharge in approximately six days and that the increased storage of 3900 acre-feet would add about three more days.

Unit	Material Description	Unit Weight	phi	c
1	Sandy Gravel w/ Clay	124	32	100
2	Loose to Stiff Clayey Sand	128	28	50
3	Med. Dense Sandy Clay w/ Gravel	123	16	512
4	Med. Dense Clayey Sand	127	30	200
5	Loose Rock Fill	138	36	0
6-Fdn A	Stiff Sandy Silt	120	26	512
7	Gravelly Sand	130	38	0
8-Fdn B	Highly Fractured, Slaggy, Vesicular Basalt	157	42	1024
9	Native Material Over Drainage Blanket	120	30	20
10	New Lift Material	120	32	25

Table 3 - Model Inputs of Material Properties (based on NTL, 1980, data and assigned values).

Foundation:

Three drill borings through the dam and foundation and three borings within the drainage immediately downstream of the dam were performed in 1980 and evaluated by NTL. Hole depths ranged from 25 to 97.8 feet. Standard penetration tests, lithologic logging, and core samples were collected for laboratory testing.

The logs of the holes through the dam indicate the foundation stratigraphy below the fill is not continuous. In one hole penetrating the embankment the native foundation material consists of two feet of firm sandy silt, three feet of stiff silty clay, eight feet of sandstone, four feet of hard siltstone, 14 feet of sandstone, and this underlain by at least 14 feet of fractured vesicular basalt (the basalt thickness is unknown). The two other borings penetrating the dam indicate fill directly on top of the basalt unit, but placed below original grade due to stripping of the overlying sediments prior to initial fill placement. The original design called for, and the geotechnical borings tend to confirm, that most undesirable native materials below the dam's base were stripped prior to construction. The boreholes located immediately downstream of the dam indicate that sandy gravels occur on top of the sandstone which were removed prior to placement of fill.



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The model projected the lowest fill, found below original grade, throughout the base (unit 6) and discounted as foundation the stable hard sandstone since it was not found everywhere beneath the dam. The sandy gravels (unit 7), which were stripped at the base and replaced by unit 6, are modeled external of the dam's footprint.

The stability evaluation allowed circular slip failures to penetrate basal fill unit 6 but not penetrate the native underlying basalt. Therefore by default, true base failure was disallowed. The reason for this is that the basalt, despite its local friable and fractured condition, would likely possess much higher resisting internal friction and cohesive strength than that of the sediments. Failure involving unit 6 was not indicated by program analysis with any of the design alternatives. Hence intrinsic material strength at and near the base does not appear to pose a concern employing current information.

The potential for liquefaction within either the foundation sediments or the dam embankment was not evaluated in this feasibility-level study. The general stiffness and density of the materials recorded in the boring logs (NTL, 1980, Drawing No. 80-1375-2), especially lower in the dam, do not support the probability of this form of instability. However, it has not been ruled out and is an element that should be addressed pending any future geotechnical investigation acquiring new sample data from and beneath the dam.

Existing Embankment:

Results of analyses on the existing eastern ^{right} portion of the dam embankment of maximum cross sectional height indicates the upstream face meets stability requirements under conditions of rapid drawdown, full-pool, 1/3 pool, and 0.15 g pseudo-static loads.

Analysis on the downstream slope incorporating the current toe stabilization berm under static conditions indicate possible modes of circular slip at full pool with a 1.26 FOS (see ^{Not included} Sheet 3). This zone also exhibits a FOS of less than one under pseudo-static seismic loads of 0.15 g or greater with the reservoir at maximum pool.

The downstream value of 1.26 determined for static full-pool conditions varies from the value of 1.49 previously found by the NTL study. In an effort to account for the difference between this value and the earlier study, the degree of sensitivity of the result to changes in the basic calculation parameters used in the computer input was studied. This analysis indicates that the dam's stability is most sensitive to the height of the phreatic surface within the fill. The phreatic surface used in the prior NTL study appears to be derived from straight-line connection of the full-pool elevation to the downstream toe. This method results in a lower saturated surface within the fill than the surface represented by the highest piezometer water levels in conjunction with observed downstream seep locations as used in this analysis. For comparison, a 1.56 FOS was calculated for the downstream slope when using the lower phreatic surface employed in the earlier study.

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Purpose 2 was to Phreatic level

Description of the process of installation of the drainage blanket and overlying fill does not indicate any action was taken that would have led to the lowering of the phreatic surface in the original fill material. NTL (1980) suggested that the highest measured water levels may be perched zones above less permeable layers. While there is subsurface evidence to support this contention, sandy layers in the dam's upper section, prudence dictates the highest recorded water levels represent the appropriate surface for modeling. It is the more conservative approach while using the most direct information. A further consideration in selecting the highest recorded water levels as the phreatic surface, rather than a possible compromise assumption based on possible perching, is that any such perching would not be a stable condition even if it existed, but would disappear with the passage of time as water from the sandy stratum high in the dam continues to percolate slowly downward through the clayey materials below the sandy stratum. The time required to complete the saturating of the lower materials is a calculable value, but cannot be calculated without determining representative hydraulic conductivities of the clayey materials. Based on the known range of values of the hydraulic conductivity of clays, it might be as little as a few decades or as long as several centuries. Downstream seepage at high storage levels, noted by IDWR dam safety inspection (IDWR, 1980), has reportedly been occurring since construction.

Based on these findings raising the dam should incorporate an improvement in current embankment stability and design safety, or at a minimum include further geotechnical investigation of the existing structure, most particularly in regards to establishing actual phreatic conditions within the dam.

Authors comment, that elevated phreatic surface prevails,
that drainage blanket has not changed the 1980 condition



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DESIGN ALTERNATIVES: STABILITY ANALYSIS

General:

The most economically feasible dam raise design meeting IDWR stability requirements (minimum factors of safety of 1.2 during rapid drawdown, 1.5 under steady state maximum pool and 1/3 pool, and 1.0 under dynamic loads with maximum pool) was developed. Design optimization assessed both upstream and downstream lifts with and without slurry walls. The modeled stability of the various design alternatives are thus described.

Alternative A: Synthetic Liner:

Alternative A entails placing a flexible membrane liner on top of an upstream raise while maintaining the existing 3:1 slope. The purpose of the synthetic liner is to de-water the dam as a method of increasing the dam's stability. A stability analysis was not performed because the liner system was rejected as a practical alternative because of additional construction cost and some recently reported problems with FMLs on comparable slopes.

Alternative B: Slurry Cutoff Wall:

Alternative B utilizes an upstream lift at a 2:1 slope with a slurry wall to de-water the downstream side (see Plate 3). Although the dam's downstream side meets state requirements with this alternative, the upstream slope fails to meet the state criteria for safety factors under conditions of rapid drawdown ($0.60 < 1.2$), or for static conditions either at full or one-third pool (1.44 and $1.35 < 1.5$), nor for pseudo-static loads of 0.15 g horizontal ground acceleration at one-third pool ($0.96 < 1.0$). These results illustrate that while the slurry wall improves the stability of the dam's downstream side it does nothing to enhance the stability of its upstream side.

The results above indicate that Alternative B shows a degree of vulnerability to a shallow slide on the upstream face under a seismic event with 0.15 g lateral acceleration. The slide indicated is superficial and would not pose a threat of breaching the dam. The indicated safety factor is 0.961 , where 1.0 is required under Idaho regulations for seismic conditions. In addition, the new upstream fill is shown by to be vulnerable to a slide failure under "rapid drawdown" conditions. For this possible slide, the safety factor is only 0.6 , whereas 1.2 is the State of Idaho's required safety factor for this condition. A safety factor as much less than unity as this indicates that the failure described would likely occur if such severe rapid drawdown could be imposed on the dam. This also would be a shallow slide that would not pose a threat of breaching the dam. However, even a shallow slide would require costly repairs (especially if it were an upstream slide, which would involve a large displacement of the rip rap), so the saving from using steeper slopes than the present ones must be compared to the risked expenditure for future repairs, even though there is little apparent risk to public safety due to these possible slides.

The seismic failure condition is easily understandable: a major earthquake. The "rapid drawdown" condition, in contrast, has a technical meaning that may seem different than its apparent meaning: drawdown that occurs at a rate considerably faster than the rate of free-



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water drainage from the saturated zone of the dam. Depending on the hydraulic conductivity of the fill material, "rapid" in this context might mean as short a time as a few days or as long a time as several months. It is also possible that the "rapid drawdown" condition's basic assumption of a saturated zone existing at the beginning of drawdown might be inapplicable to the facts of the fill-and-draw cycle used in operating this dam. Stability analysis software uses instantaneous drawdown for purposes of calculation. Because of the vagueness of the operational meaning and of the applicability of the "rapid drawdown" criterion, the analytical result showing a safety factor less than unity for this criterion is a strong indication, but not conclusive proof, that the design is untenable. If this alternative should be selected for final design, wetting-front behavior in the affected area should be extensively modelled and slope stability calculations be altered to reflect realistic conditions of saturation and actual rates of drawdown in order to refine the assessment of safety under the rapid-drawdown condition. If this more extensive analysis also indicates that the upstream face is not safe at a slope of 2:1, the slope must be increased, drainage provided or the alternative abandoned. Increasing this slope would require larger quantities both of fill and of rip rap than are listed in Table 1, and hence would increase construction cost.

Alternative C: Conventional Fill:

Alternative C originally consisted of a downstream raise of conventional earth fill with a design slope of 2:1 (see Plate 4). The 2:1 slope proved too steep with a FOS of 1.36 on the downstream side under steady state full pool conditions; the failure circle being totally confined to the new material within the raise. These results forced a redesigned slope of 2.5:1 which resulted in acceptable FOS under all trial conditions for both upstream and downstream sides. Hence, this design is the alternative recommended in the feasibility study as the most cost effective while complying with state recommended safety factors.

Results
not included

Conclusions:

The optimal design (Alternative C), based on existing data, employs an eleven-foot raise of the dam crest with new fill placed on the downstream side at a slope of 2.5:1. Non-circular slip failure modes, also known as sliding failures or infinite slope failures, indicate a minimum FOS greater than 1.5 (1.68) for this design. Whereas a slurry wall would increase the current design stability to meet existing standards, feasibility-level designs of incorporating increased dam height indicate constructing downstream slopes to a minimum of 2.5:1. A grout curtain or slurry wall without diminishing the downstream fill slope affords little appreciable gain in stability with a proposed increase in dam elevation. An upstream raise is not feasible at comparable fill volumes and FOS with a downstream raise.

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SITE GEOLOGY

A brief examination of surficial geologic conditions was made along the areas adjacent to the dam to determine whether obvious surface features precluded raising the dam or whether a geotechnical evaluation is warranted. The map in the appendix indicates relevant features discussed in this section of the report.

The lithology adjacent to the right abutment consists of a black and reddish brown basaltic tuffaceous breccia. This is mapped as an undifferentiated member of the Weiser embayment of the Columbia River Basalt Group (Mitchell and Bennett, 1979) of Miocene age. The basalt breccia consist of basalt and other lithic fragments within moderately indurated fine-grained, palagonitic matrix. The texture of this material can be susceptible to rubbly spalling and granular disintegration after exposure to weathering processes.

Permeabilities of the breccia would likely be relatively low (10^{-5} to 10^{-6} cm/sec range) except for prevalent fractures and cooling joints within the immediate area of the eastern abutment. Prominent joints in the breccia range from N65°W 80°E to N45°W 80°W. A moist area, possibly representing a slow seep, was observed on the downstream side of the right abutment hillside during high pool (June, 1996). The size and extent of some larger fractures indicate that drilling and pressure grouting may be needed to prevent excessive seepage through this area with the proposed increased head. A geotechnical evaluation of this abutment area is also recommended since the dimensional thickness of the fractured basalt becomes more limited as the hilltop is approached with an increase of crest elevation. Hence a geotechnical evaluation and a grout placement program in the raised right abutment area are included in the projected costs of the feasibility analysis.

Bedrock is less exposed along the left abutment. A more complete inspection of this abutment area should be conducted during stripping of the overburden or during the right abutment investigation. Bedrock exposed in the banks below the overflow spillway consists of tan to light brown, weakly consolidated, fine-grained, tuffaceous, lacustrine sediments. Most samples were low to moderately consolidated, could be broken by hand, and appear to have low permeability where accompanied by low fracture density. Limited exposures suggests that fracturing is not significant and bedding planes are generally tight. Measured bedding attitude at this locality strikes north 12° east and dips 50° east; favorably close to normal to the expected impoundment's subsurface hydraulic gradient.

No recent faults were observed in the immediate area of the dam, although displacement of an unknown quantity and age may have occurred along a basalt-sediment contact approximately 1,000 feet west of the right abutment. No exposed geologic structures or other natural features were observed which would negate consideration of raising the dam crest as proposed.

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NATIVE MATERIAL SOURCES

For purposes of the feasibility study, known or observed deposits of native materials with possible construction value occurring near the dam site are noted. The study did not attempt to delineate, excavate, test, or characterize material suitability for specific engineering purposes. Depending on the application, such definition may be required after final design. The noted materials may also require modification, such as blending, wetting, drying, crushing or supplemented by alternate sources should they prove deficient in volume or required properties. Such borrow adjustments could increase actual construction cost.

Earthen Fill:

Moderate to low permeability embankment material, consisting principally of tuffaceous lacustrine clays, may occur in the reservoir basin. Although largely depleted as the embankment source during original construction, the site may contain additional reserves with further exploration. The area may require stripping any overlying reservoir sediments consisting of unsuitable organic silts or clays. Similar fine-grained tuffaceous sediments were observed in the most easterly portion of the hill at the right (eastern) abutment, also within the hill at the left abutment, and additional amounts may be located in the northernmost portion of the peninsula projecting into the reservoir southeast of the dam (SE 1/4 SW 1/4 Section 27, T14N, R1W)). These localities are depicted in the topographic map within the appendix. Test pits and shallow boring in these areas should be performed to define material characteristics and available volumes.

Rock Source:

The nearest and potentially lowest cost rock source for the dam occurs as a small quarry approximately 400 feet to the north of the right abutment (see map in appendix). The local watermaster and landowner reported that it was the prior source of rip rap for the dam. This is supported by the fact that the quarry lithology is the same as that occurring on the face of the dam. The owner indicated the material is available and it is located at the dam site which represents the shortest possible haul. However, an alternate source may be preferable since this material's performance on the dam has been marginal and requires long term replacement.

This local source consists of a dark brown, basaltic tuff or flow breccia which is punky, friable, but has reasonably high density. Due to primary palagonitic alteration and secondary weathering the material can be readily broken with a small hammer and in zones of advanced weathering it can be crushed by hand. Material competence may only marginally improve below surface with excavation. The rock degrades with weathering as indicated by the condition of the rip rap on the dam. Weathering is manifested by progressive, granular disintegration, hence the material's useful life should increase proportionally with the initial size of the broken material. Larger size rock would prove more durable, plus two feet for instance could retard rip rap maintenance on the face of the



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dam, however rock in excess of 1000 pounds (>2.5 feet) is to be rejected. Slabby flat rock and weak decomposed rock should be avoided for rip rap. The basaltic breccia could adequately serve as additional toe berm stabilization on the downstream slope if needed.

The preferred method of excavation will reflect the material's behavior on mining. Only moderate drilling and blasting should be required and sorting or splitting oversize may be minimal with this material due to its low competence.

An alternative source of rock, a basaltic lava with higher strength than the breccia at the dam site, is located on the north side of Highway 95 less than a mile south of the Indian Valley exit. This quarry would entail a haul of approximately 7.5 miles. More distant basalt sources also occur along Highway 95 south of Council which have been developed for road maintenance.

Gravel Source:

Developed gravel sources have not been identified in the immediate area but recent alluvial deposits are known to occur in unknown quantities along the Little Weiser River to the immediate north of the reservoir. A developed gravel pit is located approximately six miles south of the reservoir (11 miles by dirt road) in section 33, T13, R1W. Local gravels generally tend to be sand deficient and have excess fines (>10%) for good drainage and may require classification and amendment upon extraction. Alternative sources could also be imported at additional costs.

Sand Source:

Several borrow sources of fine to medium, silica-rich, arkosic sands occur on privately-owned lands within several miles of the dam site (see map for locations). These sands are mapped as upper Miocene age sedimentary units (Mitchell, V. E. and E. H. Bennett, 1979), possibly representing an interbed associated with the local basalts of the Columbia River Basalt Group. This relationship would place the sediments as a member of the Payette Formation. However, the sediments are described by Idaho Department of Water Resources (IDWR, 1980, Append. VI) as overlying the basalt at C. Ben Ross Dam and, therefore, belong to the younger Miocene Idaho Group.

A particle size analysis of sand (in appendix) collected from an existing private borrow pit located within two miles of the dam (sample #12049504 at NE 1/4 SW 1/4 Section 28, T14N, R1W) indicated the presence of clean, poorly graded, fine to medium sand (SP). Although unobserved, coarse sand may occur within the deposit. The total available supply of this material is unknown but appears to be large and probably adequate for purposes required in raising the dam. The sand may be suitable for drain filter, amendment for select fill requiring more pervious or less cohesive materials, and possibly for bedding material for rip rap or impermeable membrane, and perhaps for concrete sand if washed or otherwise classified. Haul distance is approximately 1 3/4 miles on improved dirt road.



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OCT 02 2002

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STORAGE INDICATION TABLE

ELEV	STORAGE	S/DELTA + OUTFLOW	OUTFLOW
3146.00	7787.0	94222.7	0.0
3146.50	7960.0	96332.5	33.0
3147.00	8135.0	98483.0	99.0
3147.50	8315.0	100706.0	189.0
3148.00	8500.0	103002.0	304.0
3148.50	8690.0	105363.5	429.0
3149.00	8883.0	107768.8	569.0
3149.50	9078.0	110205.8	724.0
3150.00	9275.0	112674.0	893.0
3150.50	9475.0	115184.5	1074.0
3151.00	9678.0	117737.8	1268.0
TOP OF DAM - 3151.50	9883.0	120324.3	1480.0
3152.00	10093.0	122973.8	1697.0
3152.50	10305.0	125656.0	1931.0
3153.00	10519.0	128367.9	2176.0
3153.50	10735.0	131110.5	2434.0
3154.00	10955.0	133907.5	2704.0

TIME (HRS)	INFLOW (CFS)	ROUTING TABLE		ELEVATION (FT)
		OUTFLOW (CFS)	STORAGE (AC FT)	
1.0	0.0	0.0	7787.0	3146.00
2.0	0.0	0.0	7787.0	3146.00
3.0	30.0	0.2	7788.2	3146.00
4.0	360.0	3.3	7804.2	3146.05
5.0	1621.0	18.7	7885.2	3146.28
6.0	5010.0	108.5	8153.9	3147.05
7.0	6100.0	365.5	8593.4	3148.25
8.0	5120.0	673.2	9014.1	3149.34
9.0	3950.0	935.9	9322.4	3150.12
10.0	3095.0	1125.0	9528.4	3150.63
11.0	2495.0	1251.9	9661.2	3150.96
12.0	1970.0	1331.0	9738.9	3151.15
13.0	1590.0	1367.8	9774.5	3151.24
14.0	1110.0	1366.3	9773.1	3151.23
15.0	800.0	1332.6	9740.5	3151.15
16.0	520.0	1277.5	9687.2	3151.02
17.0	320.0	1211.7	9619.0	3150.85
18.0	210.0	1139.7	9543.8	3150.67
19.0	110.0	1065.7	9465.9	3150.48
20.0	20.0	993.6	9386.1	3150.28
21.0	10.0	923.0	9303.2	3150.08
22.0	5.0	858.8	9235.2	3149.90
23.0	2.0	800.3	9165.9	3149.73
24.0	1.0	745.6	9103.1	3149.56
25.0	1.0	696.7	9043.6	3149.41
26.0	1.0	652.4	8988.0	3149.27
27.0	1.0	611.0	8935.8	3149.14
28.0	1.0	572.2	8887.0	3149.01
29.0	1.0	538.7	8841.2	3148.89
30.0	1.0	507.4	8798.1	3148.78
31.0	1.0	477.9	8757.4	3148.67
32.0	1.0	450.2	8719.2	3148.58
33.0	1.0	424.5	8683.1	3148.48
34.0	1.0	402.1	8649.0	3148.39
35.0	1.0	380.8	8616.8	3148.31
36.0	1.0	360.7	8586.2	3148.23

SPILLWAY WILL PASS PMF WITH ± 0.3 FT. FB.
THEREFORE, SPILLWAY IS ADEQUATE.

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OCT 17 1987

STORAGE INDICATION TABLE

ELEV	STORAGE	S/DELTA T + OUTFLOW	OUTFLOW
3146.00	7787.0	7851.9	0.0
3146.50	7960.0	8042.8	33.0
3147.00	8135.0	8252.3	99.0
3147.50	8315.0	8478.8	189.0
3148.00	8500.0	8722.8	304.0
3148.50	8690.0	8976.9	429.0
3149.00	8883.0	9241.5	569.0
3149.50	9078.0	9515.7	724.0
3150.00	9275.0	9798.8	893.0
3150.50	9475.0	10091.0	1074.0
3151.00	9678.0	10392.7	1268.0
TOP OF DAM → 3151.50	9883.0	10705.4	1480.0
3152.00	10093.0	11025.6	1697.0
3152.50	10305.0	11356.4	1931.0
3153.00	10519.0	11694.7	2176.0
3153.50	10735.0	12041.5	2434.0
3154.00	10955.0	12398.3	2704.0

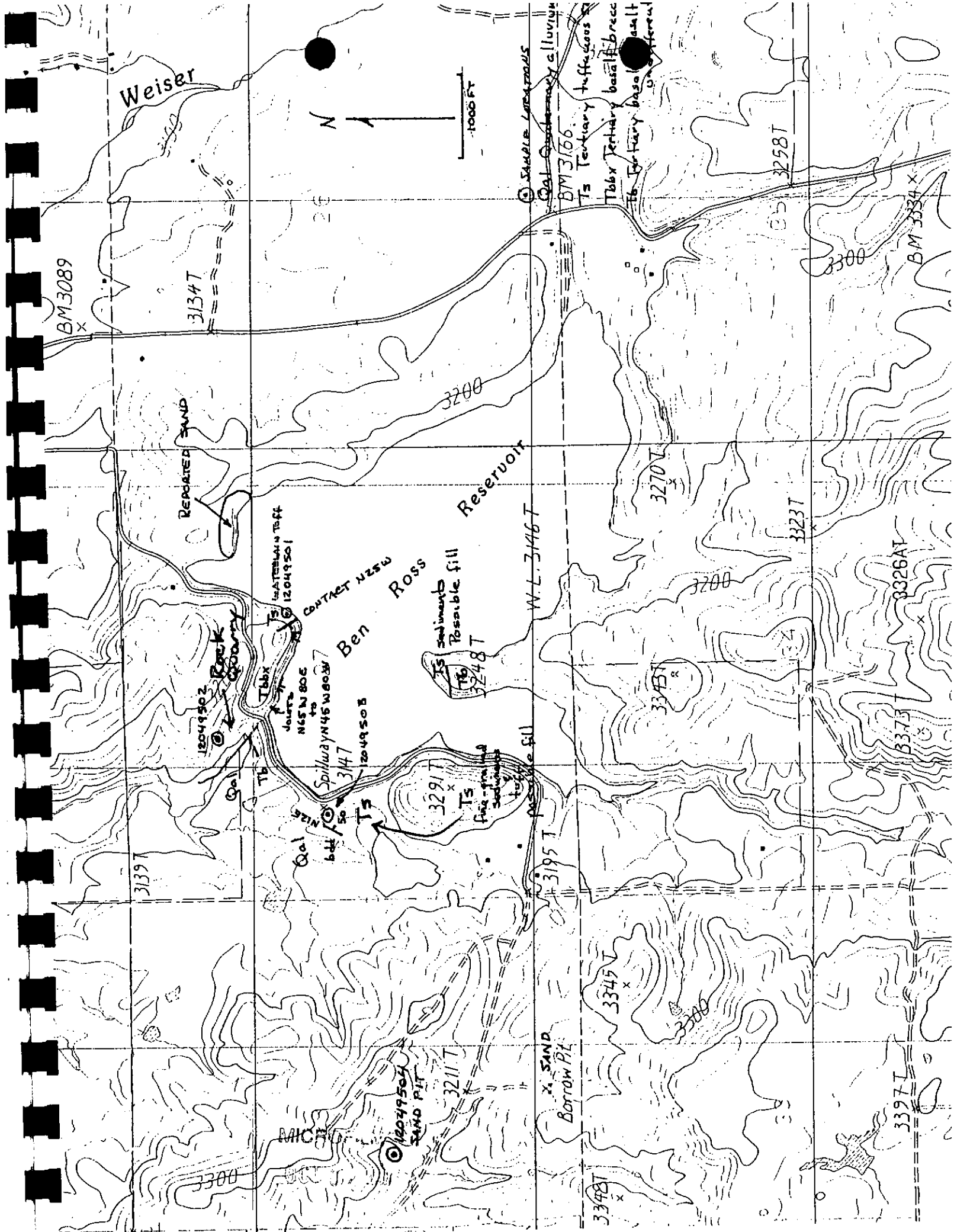
ROUTING TABLE

TIME (HRS)	INFLOW (CFS)	OUTFLOW (CFS)	STORAGE (AC FT)	ELEVATION (FT)
12.0	200.0	0.0	7787.0	3146.00
24.0	293.7	50.6	8006.7	3146.63
36.0	326.3	141.1	8219.1	3147.23
48.0	358.9	227.1	8376.3	3147.67
60.0	391.6	296.9	8488.6	3147.97
72.0	424.2	351.2	8571.8	3148.19
84.0	630.9	438.6	8703.3	3148.53
96.0	446.0	491.4	8776.1	3148.72
108.0	391.6	453.0	8723.1	3148.59
120.0	337.2	407.7	8657.7	3148.42
132.0	293.7	362.3	8588.7	3148.23

SPILLWAY WILL PASS WINTER PMF (RAIN ON SNOW)
WITH 2.8 FT FB. SPIWAY IS ADEQUATE.

MICRO

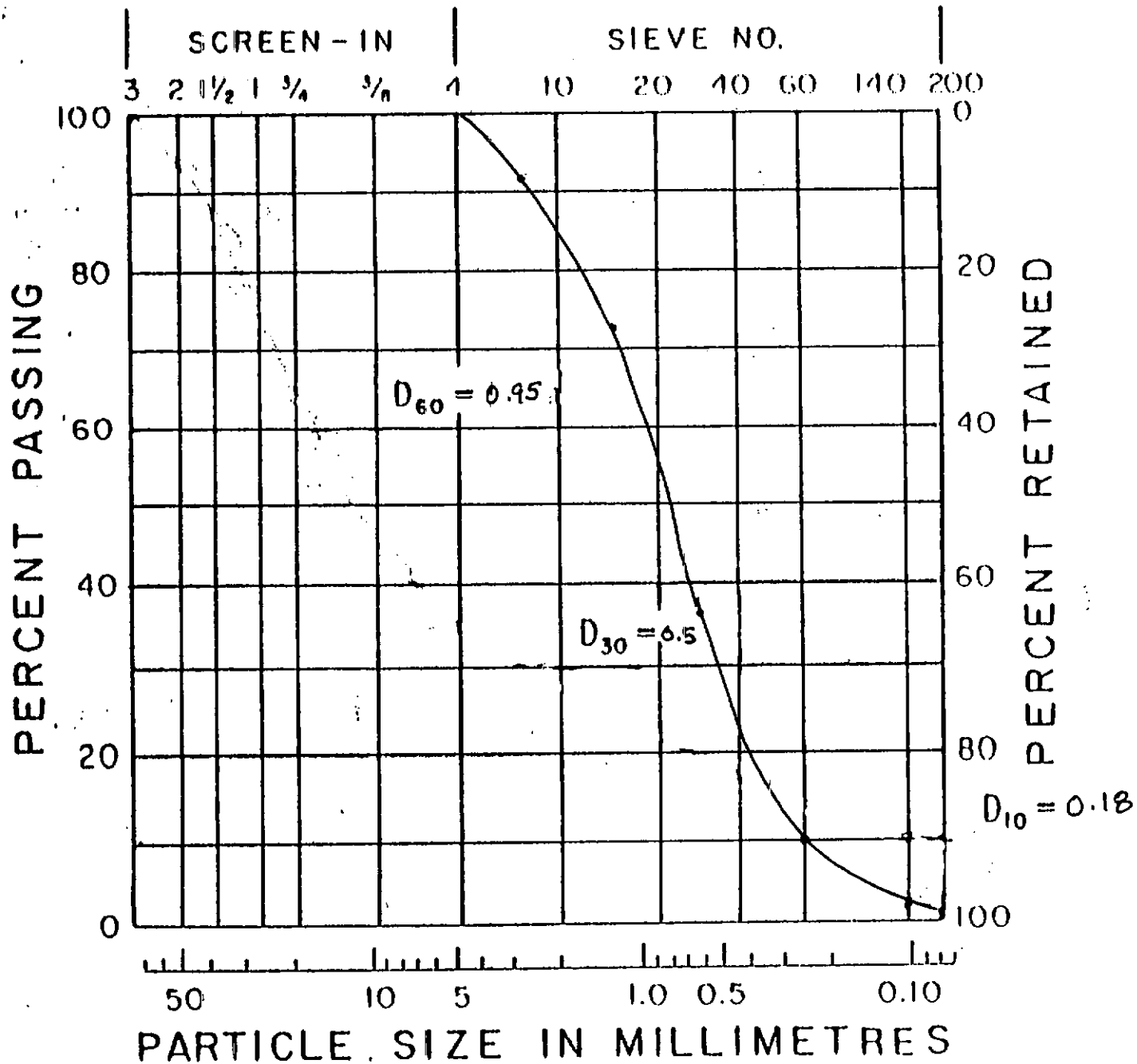
OCT 02 2002





D 2487

SIEVE ANALYSIS



$$C_u = \frac{D_{60}}{D_{10}} = \frac{0.95}{0.18} = 5.3$$

$$C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}} = \frac{(0.50)^2}{0.18 \times 0.95} = 1.5$$

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OCT 6 1987

Board of Adams County Commissioners



Ed Kesler, Chairman
Walt Francis, Commissioner
Ray Bennett, Commissioner

Michael Fisk
Clerk of the Board
Ph. 253-4561

P.O. Box 48
Council, ID 83612

RECEIVED

JUN 25 1997

WATER RESOURCES
WESTERN REGION

June 14, 1994

Isaac Ward
Little Weiser Irrigation District
852 Indian Valley Road
Indian Valley, ID 83632

RE: C. Ben Ross

Dear Mr. Ward,

This is to inform you that at their meeting on June 13, 1994, the Board of Adams County Commissioners went on record as being in favor of the plan to enlarge C. Ben Ross reservoir.

The Commissioners feel that the project will increase irrigation, improve recreation, and help control flooding, all of which is a benefit to the County.

Respectfully,

Michael Fisk
Michael Fisk
Clerk of the Board
Adams County Commissioners

MICROFILMED

JUN 27 1997

Commissioners:
MILDRED M. HORTON
DON STEPHENS
RONALD L. POUND

WASHINGTON COUNTY
STATE OF IDAHO

OFFICE OF
THE BOARD OF COUNTY COMMISSIONERS

P.O. BOX 670
256 EAST COURT STREET
WEISER, IDAHO 83672

RECEIVED
JUN 25 1997

WATER RESOURCES
WESTERN REGION

June 6, 1994

Mr. Isaac Ward
3453 Highway 95
Cambridge, Idaho 83610

Dear Mr. Ward,

Washington County Commissioners support the proposed enlargement of the C. Ben Ross Reservoir. This proposal will increase the water storage for irrigation. It will also assist in flood control, which is greatly needed, and enhance the fishery at the reservoir.

BOARD OF WASHINGTON COUNTY COMMISSIONERS

Don Stephens
Chairman

Mildred M. Horton
Commissioner

Ronald L. Pound
Commissioner

BWCC:avd

MICROFILMED

OCT 11 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 7, 1997

Issac Ward, President
Little Weiser Irrigation District
HC 68, Box 2180
Cambridge, ID 83610

RE: WR Storage Application #67-07878
Feasibility Study to raise C. Ben Ross Reservoir

Dear Mr. Ward:

In reference to our telephone conversation earlier, the Department has not yet received a complete copy of the feasibility study by Holiday Engineering for raising the reservoir. A copy of the study is needed for the Department to continue processing the storage application. The Dam Safety Section also would like to review the construction alternatives, analysis, and recommendations presented in the study summary.

So processing can continue, we would appreciate your cooperation in forwarding a copy of the study to the Department as soon as possible.

Feel free to contact me at the Western Regional Office should you have any questions, phone 334-2190.

Sincerely,

John Westra
Western Region

cc:IDWR State Office

MICROFILMED

APR 14 1997

Notes
CONVERSATION MEMORANDUM

Date: 2/13/97

Employee Initials: JFW.

File #: 67-07878

Name of Party: Issac Word, Pres.

Discussed with Mr Word the Dept 1/4/97 letter that reviewed remaining information required for the application. Also, we discussed the feasibility study related to Dam Safety. Dam Safety would like to review recommendations and stability analysis in the study. Mr. Word expressed disappointment Holiday Eng. had not contact the Dept. for background/information to develop the study.

- Discussed comment letters sent earlier to Joe Jordan.
- Mr. Word agreed to forward a complete copy of the feasibility study and also the information requested in the 1/7/97 Dept. letter

* Forwarded disussion to Mike Stubblefield, SO. (2/14/97 office visit.)

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OCT 8 2 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 9, 1997

Issac Ward, Chairman
Little Weiser Irrigation District
HC 68, Box 2180
Cambridge, ID 83610

RE: C. Ben Ross Storage Application (1991) Status

#67-07878

Dear Mr. Ward:

The status of the application to increase reservoir storage has not changed since the last Department letter of 3/21/94, attached. The additional information requested in the letter for large diversions has not been received to date. The following information remains to be submitted to continue processing the application:

1. A copy of the feasibility study for the project
2. Comment letters from affected government agencies
(I believe Joe Jordan may have these)
3. Brief answer statements that address the remaining highlighted paragraphs in the large diversion criteria attached

As you are aware, when the final project plans are completed, the plans and an Application for Dam Construction must be submitted to the Department for approval. Prior to that time, no action/information is required by the Dam Safety Section.,

Feel free to contact me at the Western Regional Office should you have any questions, Phone 334-2190.

Sincerely,

John Westra
Western Region

Enclosure

MICROFILMED

SEP 2 2002

CONVERSATION MEMORANDUM

DATE 12/23/46
FILE 67-07878NAME OF PARTY Isaac Ward L.W.R. Inv DistEMPLOYEE Steve LesterRE: Appl. status

Called to check on status of Appl. to
increase storage capacity at C. BW Ross Res.
Said completed feasibility study - what's next?

Told him I'd check with dam safety file
& let him know soonest.

WR fth - still need abbreviated response &
large div. suppl. info analysis per dept.
letters sent 3/21/44 (JFW) & 10/25/41 (LW=Lg).

If call Isaac - best @ 7:30 A.M. or noon.
Otherwise - send letter.

Recommend letter to move this process along.

Response → W.R. - large div. info
→ dam safety - ?

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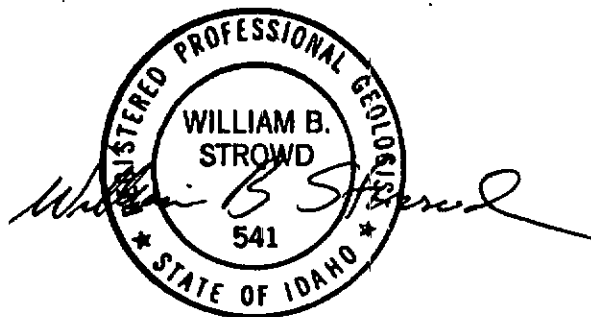
OCT 6 2 2002

FEASIBILITY STUDY
C. BEN ROSS RESERVOIR INCREASED STORAGE
CAPACITY

LITTLE WEISER IRRIGATION DISTRICT

August, 1996

*Dam Satety has Study Copy
6/26/97 JFW Western Reg.*



Prepared by Kenneth R. Rice, PE and William B. Strowd, PG

HOLLADAY ENGINEERING COMPANY
Project Number 020695

MICROFILMED

SEP 12 1997

Telephone
CONVERSATION MEMORANDUM

DATE 1/13/95

FILE 67-07878
Application

NAME OF PARTY Joe Jordan - Engineer

EMPLOYEE J Westra - Western Reg.

RE: Little Weiser Irrigation Dist. Application For Permit.

Discussed with Mr Jordan that nothing had been submitted for
the large diversion requirements. Referenced 3/21/94 letter from me
concerning what is needed. Mr. Jordan indicated, that comment letters
had been received from the agencies involved, and he would be sending
them down. They would continue to work on preliminary plans and
costs.

MICROFILMED

67-07878-2002



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

March 21, 1994

Mr. Issac Ward, Chairman
Little Weiser Irrigation District
HC 68, Box 218C
Cambridge, ID 83610

RE: C. Ben Ross Storage Application (1991)

67-07878

Dear Mr. Ward:

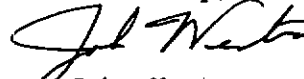
Recently, I discussed with Joe Jordon the status of the District's storage application, and would also like to update you. As you are aware, the application was advertised state wide for protests in November of 1991; no protests were received. Because the application exceeds a 5 cfs diversion, 500 acre-feet of storage, and 200 acres of irrigation, the project falls under Water Appropriation Rules 4,5,3 through 4,5,3,6,7, and requires additional information. The rules cover the following items:

- A) Effect on existing water rights
- B) Sufficiency of water supply
- C) Good faith, delay or speculative purposes
- D) Financial resources
- E) Local public interest

For the Department to continue to process the application, this information is needed. I have high-lited the rules that apply on the attached copies of the Water Appropriation Rules. You may want to expand on Mr. Schwenkfelder's letter of 1991 also attached. Please address each high-lited rule specifically, and return the information to the Department for continued processing.

Please contact Steve Lester or me at our Western Regional Office, if we can be of assistance.

Sincerely,


John Westra

Enclosures
cc: Joe Jordon

MICROFILMED
MAY 1 1994

to submit the information upon request by the applicant and upon a showing of good cause.

Failure to submit the required information within the time period allowed will be cause for the director to void an application or to advance the priority of a permit being reprocessed by the number of days that the information submitted is late. The director will provide opportunity for hearing as provided in Section 42-1701A, Idaho Code.

4,5,2.

For protested applications or protested permits being reprocessed, the information required by Rule 4,5,3. may be requested by the director to be submitted within 30 days after notification by the director, may be made a part of the record of the hearing held to consider the protest, or may be made available in accordance with any pre-hearing discovery procedures.

Failure to submit the required information within the time period allowed will be cause for the director to void an application or to advance the priority of a permit being reprocessed by the number of days that the information submitted is late.

4,5,3.

Information to be submitted

The following information shall be submitted for applications to appropriate unappropriated water or trust water and for permits being reprocessed for trust water. The additional information submitted requirements of this rule are waived for filings which seek to appropriate five (5) cfs or less or for storage of five hundred acre-feet (500 A-F) or less and for filings seeking reallocation of trust water which the director determines will reduce the flow of the Snake River measured at Murphy Gauge by not more than two (2) acre-feet per day. For filings proposing irrigation as a purpose of use, the additional information is required if more than 200 acres will be irrigated. However, the director may specifically request submission of any of the following information for any filing, as he determines necessary.

* 4,5,3,1.

Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:

4,5,3,1,1.

For applications appropriating springs or surface streams with 5 or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.

4,5,3,1,2.

For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing

600 9 2 2002

Schwartzfeld
Letter OK

wells and springs and permitted wells within a one-half mile radius of the proposed well.

4,5,3,1,3. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.

4,5,3,2. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:

4,5,3,2,1. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

4,5,3,2,2. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for ground-water sources, and information on other sources of supply that may be used to supplement the applied for water source.

4,5,3,3. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:

4,5,3,3,1. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.

4,5,3,3,2. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

4,5,3,4. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:

4,5,3,4,1. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the

Preliminary Plans - Cost Est.

4,5,3,4,2. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.

4,5,3,5. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows:

Comment letters -
County Commissioners
Fish & Game.
Water Resource Board.
DEQ
SCS
etc.

See address sheet.

4,5,3,5,1. The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.

4,5,3,6. The following information relative to the Public Interest Criteria of Section 42-203C(2), Idaho Code, shall be submitted by an applicant seeking reallocation of trust water for a project which the director determines will reduce the flow of the Snake River by more than two (2) acre-feet per day. For filings proposing irrigation as a purpose of use, the additional information is required if more than 200 acres will be irrigated. The director may request any or all of the following information for any filing seeking the reallocation of trust water.

4,5,3,6,1. A project design and estimate of cost of development shall be submitted. For applications appropriating more than 25 cfs, or 10,000 AF of storage, or generating more than 5 megawatts, the information shall be prepared and submitted by a qualified engineer licensed under the provisions of Chapter 12, Title 54, Idaho Code, unless waived by the director. The design shall be definite enough to reflect the project's impacts and implications as required in subsequent rules.

Briefly discuss crop rotation - 4,5,3,6,2. If the project proposes development for irrigation purposes, information shall be submitted on crop rotation, including acreages, for lands when newly developed.

Brief statement - 4,5,3,6,3. Information shall be submitted concerning the number and kinds of jobs that will be created or eliminated as a direct result of project development including both the construction and operating phases of the project. If jobs are seasonal, the estimated number of months per year of employment shall be submitted.

4,5,3,6,4. For applications or permits being reprocessed for more than 25 cfs, or more than 10,000 AF of storage, or more than 5

Spring runoff flows are diverted from the Little Bear River, stored - and waste water returned to the river

A brief statement saying the project falls within the Irrigation District boundaries - Shareholders etc.

megawatts, information shall be submitted concerning the changes to community services that will be required during the construction and operation phases of the project including, but not limited to, changes to schools, roads housing, public utilities and public health and safety facilities, if any.

4,5,3,6,5. Information shall be submitted concerning the source of energy for diverting and using water for the project, the estimated instantaneous demand and total amount of energy that will be used, the efficiency of use, and energy conservation methods.

4,5,3,6,6. Information shall be submitted concerning the location, amount, and quality of return flow water, and any water conservation features of the proposed project.

4,5,3,6,7. If the project proposes irrigation as a use, information shall be submitted concerning the kinship, if any, of the operator of the land to be irrigated by the project to the applicant, the location and acreage of other irrigated lands owned, leased, or rented by the applicant, the names, addresses and number of shares held by each shareholder if the applicant is a corporation, evidence of tax-exempt status if a corporation is so claiming, a soil survey prepared in accordance with the U.S. Soil Conservation Service Irrigable land classification system, and a schedule for bringing into production the project lands.

RULE 5.

EVALUATION CRITERIA

5,1. CRITERIA FOR EVALUATING ALL APPLICATIONS TO APPROPRIATE WATER - The director will use the following criteria in evaluating whether an application to appropriate unappropriated water or trust water should be approved, denied, approved for a smaller amount of water or approved with conditions.

5,1,1. CRITERIA FOR DETERMINING WHETHER THE PROPOSED USE WILL REDUCE THE QUANTITY OF WATER UNDER EXISTING WATER RIGHTS. Proposed use will be determined to reduce the quantity of water under an existing water right (i.e., injure another water right) if:

5,1,1,1. The amount of water available under an existing water right will be reduced below the amount recorded by permit, license, decree or valid claim or the historical amount beneficially used by the water right holder under such recorded rights, whichever is less.

5,1,1,2. The holder of an existing water right will be forced to an unreasonable effort or expense to divert his existing water right. Protection of existing groundwater rights are subject to reasonable pumping level provisions of Section 42-226, Idaho Code; or

Addresses for comment letters.

SCS

Thomas Christensen

Assistant Conservationist

3244 ELDER ST.

Boise ID 83705

Fish + Game

Tracey Trent, Regional Supervisor

3101 S. Powerline

Nampa ID 83686.

Division of Environmental Quality

1445 N. Orchard

Boise 83706-2239

ATTN: Joy Palmer

MICROFILM

1977 12 2002



Don
File

J-U-B ENGINEERS, Inc.
ENGINEERS • SURVEYORS • PLANNERS

250 S. Beechwood Avenue, Suite 201
Boise, ID 83709-0944

208/376-7330
FAX: 208/323-9336

June 29, 1992

*Hold pending
receipt of add'l
info.*

Mr. Isaac Ward, Chairman
Little Weiser Irrigation District
HC 68 Box 2180
Cambridge, ID 83610

Re: C. Ben Ross Dam
Pipe Increase

Dear Isaac:

Please excuse my tardiness in responding to your inquiry, but it has taken a significant amount of time to find out what the needs of Mr. Tuthill are, and also upgrading of the cost associated with the project. I hope the enclosed information is satisfactory for your consideration.

Mr. Tuthill indicates that in order to appropriate the water right, we need to comply with the Water Appropriation Rules and Regulations. Under the appropriate sections of those rules and regulations, it is a requirement that plans, specifications, and costs for the project work need to be developed. It is our interpretation of those regulations that we will need to do the complete design of the dam, spillway, and outlet works as required for the increased height in order to accommodate the regulations. The intent is to provide enough detail to determine the feasibility, project impacts, and implementation and costs associated with the project.

We have reviewed our cost estimate done in 1989 which, at that time, totaled a construction cost of \$773,470.00. In looking through the construction cost indexes from the Engineering News Record, we find the construction cost index in 1989 was 4615. The June 1992 index is 4972, indicating an increase in costs for construction of 7.7%. Using this construction cost index to develop a new cost for the proposed construction, as it was originally anticipated, we would estimate the construction cost is now closer to \$833,303.00.

We have asked Chen-Northern, who the geotechnical engineer was used on previous work, to modify their cost, and they anticipate their services will range from \$14,000-\$16,000 for the entire project.

We have reviewed our manpower requirements to comply with the rules and regulations and provide a complete set of plans, specifications, and cost estimates at \$64,164.00.

MICROFILMED

907 3 / 200





Engineers Surveyors Planners

Mr. Isaac Ward, Chairman
June 29, 1992
Page 2

As we have discussed in the past, it will make some significant difference on the cost as to the procedures used to construct the project. Those procedures can be determined only after the source of funding for the construction project is developed. If Federal funds are used, normally, the Davis-Bacon wages are required, which will put the costs in the range of the \$833,000 figure. If in-kind services or local irrigators and farmers' equipment are used, the costs could be substantially less. It will take, however, considerable quality control during the construction, should volunteer labor be used on the project.

We are enclosing an Agreement for Professional Services, short-form contract, for your review and approval, including the costs discussed above. If we can attend your meeting and discuss our proposal in detail, we would be more than glad to do so.

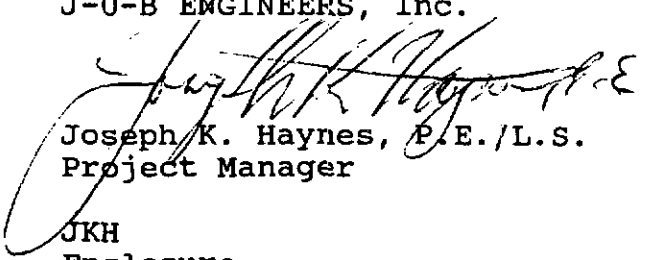
You may be interested to know that we have obtained the services of Mr. Joe Jordan, now living in Fruitvale, to be our local contact and project engineer. We believe, with Mr. Jordan's local accessibility to the site and background with Morrison-Knudsen, he will be able to assist the project development and, if necessary, expedite the project.

Our design schedule will show that it will take approximately six months to complete the design. We will be able to begin the project within 10 days of the time we receive our signed agreement from you.

Again, if I can be of assistance in discussing this project with your Board, please do not hesitate to contact me. My home phone is 345-9465, should evening hours be appropriate. We look forward to working with you on this project once again.

Sincerely,

J-U-B ENGINEERS, Inc.



Joseph K. Haynes, P.E./L.S.
Project Manager

JKH

Enclosure

cc: Joseph L. Jordan, P.E.
George L. Wagner, P.E.

MICROFILMED

RC 62 2892

CONVERSATION MEMORANDUM

DATE 4/2/92FILE 67-07878NAME OF PARTY Jerry Flatz 376-7330EMPLOYEE D. TurnillRE: Status of Project

I inquired about the status of engineering drawings, etc.

I had been told by Isaac Ward et al that SUB is doing the engineering work on this project. Joe said that based on this call, he would proceed with the project.

Per conv w/ Isaac Ward on 6/3/92, he has requested LBR Eng to prepare some preliminary cost estimates for developing preliminary plans for the reservoir.

Dr

MICROFILMED

APR 17 2002

NOTICE OF
APPLICATION FOR
WATER RIGHT

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

67-07878 ✓

LITTLE WEISER IRRIGA-
TION DISTRICT
C/O JOHN SCHWEN-
KFELDER

3323 SCHWENKFELDER
RD

CAMBRIDGE, ID 83610

Source: LITTLE WEISER
RIVER

Tributary: WEISER RIVER
Diversion Pt: NESW Sec

36 T 14N R 01W in AD-
AMS County.

Use: IRRIGATION STOR-
AGE (39.00 AF); IRRIGA-
TION FOR STORAGE

(39.00 AF); DIVERSION
TO STORAGE (40.000

CFS); Total Diversion
(40.000 CFS) (39.00 AF)

Date Filed: 10/17/1991

Place of Use within the
boundaries of the Little
Weiser Irrigation District.

The permit(s) will be sub-
ject to all prior water
rights. Protests must be
filed with the Director,
Dept. of Water Resources,
Western Region, 2735 Air-
port Way, Boise, Idaho
83705 on or before NO-
VEMBER 25, 1991.

R. KEITH HIGGINSON,
Director

PUBLISH: Thursday, No-
vember 7 and 14, 1991.

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS

SS.

I, Linda Capps McQuise being first duly sworn upon oath, depose
and say that I am Quise Clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive weeks,
commencing with the issue dated November 7, 1991,
and ending with the issue dated November 14, 1991.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-
cept Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and
uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho,
to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 27 day of November in the year of 1991, before me,
a Notary Public, personally appeared Linda Capps McQuise,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shirley R. Feltman
Notary Public for Idaho

Residing at Twin Falls County

My commission expires: 5/19/99

Proof of Publication
The Post-Register

NOV 22 1991

Department of Water Resources
Western Regional Office

State of Idaho, }
County of Bonneville } ss

I, **S. BOB BRIGHT** or **TED DELEZENE**....., first being duly sworn, depose and say: That I am the **Production Supervisor or Asst. Prod. Supervisor**... of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for **Two**..... consecutive weeks, first publication having been made on the **7th**..... day of **November**....., 19**91**.., last publication having been made on the **14th**..... day of **November**....., 19**91**.., and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this .. **20th**.. day of .. **November**....., 19**91**..

..... **S. Bob Bright**.....

..... **Susan Thompson**.....
Notary Public

My commission expires **July 1st**....., 19**97**..

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

67-07878 ✓

**LITTLE WEISER
IRRIGATION DISTRICT
C/O JOHN SCHWENKFELDER
3323 SCHWENKFELDER RD
CAMBRIDGE, ID 83610
Source: LITTLE WEISER RIVER
Tributary: WEISER RIVER
Diversion Pt: NESW Sec 36 T 14N R 01W
in ADAMS County.
Use: IRRIGATION STORAGE
(39.00 AF)
IRRIGATION FROM STORAGE
(39.00 AF)
DIVERSION TO STORAGE
(40.000 CFS)
TOTAL DIVERSION: (40.000 CFS)
(39.00 AF)**

Date Filed: 10/17/1991
Place of Use within the boundaries of the
Little Weiser Irrigation District.

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 **NOVEMBER 25,**
1991.

R. KEITH HIGGINSON, Director
Published: November 7, 14, 1991

B10

MICROFILMED

NOV 22 1991

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the " Notice of Application

Little Weiser Irrigation District

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2)

consecutive weeks, the first publication of the

same being made in the issue dated November 7.1991

and the last in the issue dated November 14.1991 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said " Notice"

as aforesaid.

Subscribed and sworn to before me this 18th

day of November . 19 91

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

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

67-07878

LITTLE WEISER IRRIGATION DISTRICT

% JOHN SCHWENKFELDER
3323 SCHWENKFELDER RD
CAMBRIDGE, ID 83610

Source: LITTLE WEISER RIVER

Tributary: WEISER RIVER

Diversion Pt: NESW Sec 36

T 14N R 01W in ADAMS County.

Use:

IRRIGATION

STORAGE

(39.00 AF)

IRRIGATION

FROM

STORAGE

(39.00AF)

DIVERSION TO

STORAGE (40.000 CFS)

Total

Diversion: (40.000 CFS)

(39.00 AF)

Date Filed: 10/17/1991

Place of Use within the boundaries of the Little Weiser Irrigation District.

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 NOVEMBER 25, 1991.

R. KEITH HIGGINSON,
Director

Published 11/7/1991 &
11/14/1991

RECEIVED
NOV 19 1991

Department of Water Resources
Western Regional Office

MICROFILMED

OCT 22 2002

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date 111491 INVOICE No. 00312905Account No. 964760 07978Description 12905NOTICTimes 2 Lines 35

Tab Lines _____

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

DEPT. OF WATER RESOURCES
2735 AIRPORT WAY
BOISE
ID 83705\$ 39.38NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.**AFFIDAVIT OF PUBLICATION**STATE OF IDAHO, ss.
County of Nez Perce**NOTICE OF APPLICATION
FOR WATER RIGHT**The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho: 12905
67-07878 12LITTLE WEISER IRRIGATION
DISTRICT
C/O JOHN SCHWENKFELDER
3323 SCHWENKFELDER RD
CAMBRIDGE, ID 83610
Source: LITTLE WEISER RIVERTributary: WEISER RIVER
Diversion Pt: NESW Sec 36 T 14N
R 01W in ADAMS
County.Use: IRRIGATION STORAGE (39.00 AF)
IRRIGATION FROM STORAGE (39.00 AF)
DIVERSION TO STORAGE (40.000 CFS)
Total Diversion: (40.000 CFS)
(39.00 AF)

Date Filed: 10/17/1991

Place of Use within the boundaries
of the Little Weiser Irrigation Dis-
trict.The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Wa-
ter Resources, Western Region, 2735
Airport Way, Boise, Idaho 83705 on
or before NOVEMBER 25, 1991.

R. KEITH HIGGINSON, Director

Sue Baumeister, being duly sworn,deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the**NOTICE OF APPLICATION**attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 110791WEEK for 2 consecutive WEEKS, or once a
publication thereof being on the 110791, and the last pub-
lication thereof being on the 111491, and said**NOTICE OF APPLICATION**was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.SUBSCRIBED AND SWORN BEFORE ME THIS THE 14day of November 1991MICROFILMED Sherel M. Lentz

OCT 9 2 2002

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.**RECEIVED**
NOV 18 1991Department of Water Resources
Western Regional Office

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

NOV 15 1991

LEGAL ADVERTISING INVOICE

Amount Due

Department of Water Resources

Account Number 47628		Identification NOTICE OF APPLICATION FOR WATER RIGHT	
Ordered By Gail Garrett	P.O. Number	Rate NT	Run Dates November 7, 14, 1991
State of Idaho Department of Water Resources Western Region 2735 Airport Way Boise, Idaho 83705		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 9779

NOTICE OF APPLICATION FOR WATER RIGHT

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

63-11602
THORNTON, LAVAR K
THORNTON, WILMA
3224 SWAN FALLS RD
KUNA, ID 83634
Source: GROUNDWATER
Diversión Pt: NESE
Sec 34 T 02N R 01W in ADA County.
Use: IRRIGATION (.300 CFS)
Total Diversión: (.300 CFS)
Date Filed: 10/10/1991
T02N R01W S34 SENW
15.0 ACRES TOTAL

63-11604
JOHNSON, CHARLES W
JOHNSON, SARAH K
3655 W LAKE HAZEL RD
MERIDIAN, ID 83642
Source: UNNAMED DRAIN
Tributary: SINKS
Diversión Pt: NENWSW
Sec 34 T 03N R 01W in ADA County.
Use: IRRIGATION STORAGE
(1.40 AF)
IRRIGATION FROM STORAGE
(1.40 AF)
IRRIGATION (.940 CFS)
Total Diversión (.940 CFS)
Date Filed: 10/11/1991
T03N R01W S34
NESW NWSW SWSW
47.0 ACRES TOTAL

63-11606
LOWE, THOMAS A
LOWE, REGINA A
12160 W NEW HOPE RD
STAR, ID 83669
Source: WASTE WATER
Tributary: BOISE RIVER
Source: GROUNDWATER
Tributary:
Diversión Pt: Lot 3 (NENENW)
Sec 6 T 04N R 01W in ADA County
Use: IRRIGATION (.040 CFS)
IRRIGATION STORAGE (.30 AF)
IRRIGATION FROM STORAGE
(.30 AF)
AESTHETIC (.020 CFS)
DIVERSION TO STORAGE
(.040 CFS)
Total Diversión: (.060 CFS)
(.30 AF)
Date Filed: 10/17/1991
T04N R01W S06 Lot 3 (NENW)

63-11608
DURRANT, DAVID
7590 S 10 MILE RD
MERIDIAN, ID 83642
Source: WASTEWATER
Tributary: MASON CREEK
Diversión Pt: NESW
Sec 1 T 02N R 01W in ADA County.
Use: IRRIGATION STORAGE
(2.000 CFS)
IRRIGATION FROM STORAGE
(2.000 CFS)
DIVERSION TO STORAGE
(1.000 CFS)
Total Diversión: (1.000 CFS)
Date Filed: 10/24/1991
T02N R01W S01
SWNW NESW NWSW SESW
78.0 ACRES TOTAL

67-07878
LITTLE WEISER IRRIGATION
DISTRICT
C/O JOHN SCHWENKFELDER
3323 SCHWENKFELDER RD
CAMBRIDGE, ID 83610
Source: LITTLE WEISER RIVER
Tributary: WEISER RIVER
Diversión Pt: NESW
Sec 36 T 14N R 01W in ADAMS
County.
Use: IRRIGATION STORAGE
(39.00 AF)
IRRIGATION FROM STORAGE
(39.00 AF)
DIVERSION TO STORAGE
(40.000 CFS)
Total Diversión: (40.000 CFS)
(39.00 AF)
Date Filed: 10/17/1991
Place of Use within the boundaries
of the Little Weiser Irrigation
District.

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before NOVEMBER 25, 1991.

R. Keith Higginson, Director
Pub. November 14, 1991 9779

being duly says: That she is the Principal Clerk of The daily newspaper printed and published at Boise, of Idaho, and having a general circulation therein spaper has been continuously and uninterruptedly county during a period of twelve consecutive first publication of the notice, a copy of which is at said notice was published in The Idaho rmity with Section 60-108, Idaho Code as

ly ☐ consecutive daily ☐ single ☐ odd skip

ing with the issue of November 7, 1991

a issue of November 14, 1991

ss.

th day of November in the year of before me, a Notary Public, personally appeared of the Little Weiser Irrigation known or identified to whose name subscribed to the within instrument, first duly sworn, declared that the statements therein wledged to me that she executed the same.

Notary Public for Idaho
Residing at Boise, ID

My commission expires: 11-27-93

NOV 12 1991

Little Weiser Irrigation District

P.O. Box 2 / Indian Valley, Idaho 83632

November 16, 1991

RECEIVED
NOV 22 1991

State of Idaho
Dept. of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Department of Water Resources
Western Regional Office

Subject: Reference attached letter from you dated October 25

To whom it may concern,

The following is information you requested for our water application permit:

A. Effect on Existing Water Rights - This application would have no effect on existing rights as all we would be doing is storing additional winter run-off water.

B. Sufficiency of Water Supply - The water supply is normally far more than adequate to cover demand at this time of year.

C. Good Faith, Delay or Speculative Purposes - We have applied for this water right so that when we raise the Dam on the C. Ben Ross Reservoir there will be a right to the additional water needed to fill the larger requirement.

D. Financial Resources - The project is through the Little Weiser Irrigation District and has the potential financial support of the entire Irrigation District through bonding and annual levies.

E. Local Public Interest - The C. Ben Ross Reservoir has been receiving increasing use for fishing, boating, wildlife habitation and various other recreational pursuits in addition to the obvious benefits for irrigation purposes. This year the reservoir went dry on September 12th. This additional water could have been a considerable benefit to the Irrigation District in addition to providing a prolonged recreational season. We know of no conflicting interest opposing this project.

If we can be of any further assistance, please contact me.

Sincerely,


John Schwenkfelder
Chairman

MICROFILMED

NOV 22 1991

Form No. 202a.
10/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

*Statewide
Advertising*

INITIAL REVIEW BY: lw DATE: 10/25/91 APPLICATION: 67-07878

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
☒ Address:
☒ Source: (See USGS Quad for names of water sources)
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
☒ County:
☒ Quantity: (flow and/or volume)
☒ Period of use: Gov't. Lots: ☒ P/D
☒ Nature of proposed use: (Include description of use) ☒ 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 ☐ No* In form to receipt:

ADDITIONAL INFORMATION

- | YES | NO | |
|-------------------------------------|-------------------------------------|---|
| ☒ | ☐ | Overlapping place of use: (Describe source & relationship to present application on the back.) |
| ☐ | ☒ | Overlapping point of diversion: |
| ☐ | ☐ | Field check required: Field check by: _____ |
| ☐ | ☒ | Field report attached: |
| ☐ | ☒ | Critical groundwater area: |
| ☐ | ☒ | Groundwater management area: |
| ☐ | ☒ | Diversion within interim protected river area |
| ☐ | ☒ | Send dam safety information: |
| ☐ | ☒ | Send power requirement letter: |
| ☐ | ☒ | Send fish farm requirement letter: |
| ☐ | ☒ | Power residency affidavit: |
| ☐ | ☒ | Power efficiency form: |
| ☐ | ☒ | Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.) |
| ☒ | ☐ | Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.) |
| ☒ | ☐ | *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT |
| | | <u>no</u> <u>10 remaining fee due</u> |
| | | DATE REQUESTED: <u>10/25/91</u> <u>tel conv +</u> |
| ☒ | ☐ | Additional information on reverse side: <u>letter lw</u> |

Blue = update notes re 8/20/07

PROCESSING

APPLICATION NO. 69-07878

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. # _____

☒

Other _____

Need Wm letter

FINAL REGIONAL PROCESSING REVIEW

YES/ NO

☒

Affidavit of publication received:

☒

Application published correctly: If not, record action taken.

☒

Publication dates and paper recorded on application:

☐

Protests received. Final date for protest November 25, 1991

☐

Protest dates, resolution of protest recorded on application:

☐

Recommendations attached:

☐

Measuring device required:

☐

Measuring port required:

☐

Water delivered by water master? District # _____

☐

Special conditions of approval or cover letter: _____

See below for additional information

*Recommended Date or Priority _____

Recommended by: _____

Date _____

STATE OFFICE REVIEW

See below for additional information. By _____

Date _____

ADDITIONAL INFORMATION

1/17/92 - received additional \$10 necessary
for CFS amount

* Allow original filing date 10-17-1991. Applicant paid fee on that date as advised by me but I made an error. Should have paid \$10 more, which occurred on 1-17-1992. Dept. error in fee information should not result in advancement of priority. - 82 8/20/07



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

OCTOBER 25, 1991

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

LITTLE WEISER IRRIGATION DISTRICT
% JOHN SCHWENKFELDER
3323 SCHWENKFELDER RD.
CAMBRIDGE, ID 83610

DEAR JOHN:

YOUR RECENT APPLICATION FOR PERMIT FOR A NEW WATER RIGHT WILL BE ADVERTISED AND PROCESSED BUT CANNOT BE APPROVED UNTIL ADDITIONAL INFORMATION IS SUBMITTED.

BASED ON IDAHO CODE 42-203A(5) (A-E), ADDITIONAL INFORMATION IS NEEDED FOR APPLICATIONS FOR PERMIT INVOLVING IRRIGATION OF MORE THAN 200 ACRES AND/OR DIVERSIONS EXCEEDING 500 ACRE-FEET OF STORAGE. YOUR APPLICATION TRIGGERS THE REQUIREMENT IN 42-203(5) (A-E). PLEASE PROVIDE INFORMATION RELATING TO THE PROPOSED WATER RIGHT AS OUTLINED IN THE ATTACHED COPY OF WATER APPROPRIATION RULES 4,5,3,1 THROUGH 4,5,3,5,1. THIS COVERS THE FOLLOWING ITEMS:

- A) EFFECT ON EXISTING WATER RIGHTS,
- B) SUFFICIENCY OF WATER SUPPLY,
- C) GOOD FAITH, DELAY, OR SPECULATIVE PURPOSES,
- D) FINANCIAL RESOURCES,
- E) LOCAL PUBLIC INTEREST.

YOU MAY SUMMARIZE ANY OF THE ANSWERS WITH A BRIEF STATEMENT WHERE APPROPRIATE.

PLEASE LET ME KNOW IF I CAN DO ANYTHING FOR YOU IN THIS REGARD. A RESPONSE WITHIN 30 DAYS WOULD BE APPRECIATED.

SINCERELY,

Lori White

LORI A. WHITE
SR. WATER RESOURCE AGENT

ENCL: LARGE DIVERSION INFORMATION REQUIREMENT

MICROFILMED

OCT 27 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX NUMBER (208) 334-2348

DATE: 12-3-01

TO: Upper Cty News Rep. FROM: Aue

DOCUMENT DESCRIPTION/NOTES: Legal Ad

I mailed to PO Box 98 and it was returned.
Please let me know your correct address or how
you would prefer I send the legal ads.
Thank you,
Aue

TOTAL PAGES SENT: 2 + COVER SHEET

CONTACT: Aue

MICROFILMED

SEP 12 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 28, 2001

Legal Notice Department

Upper County News Reporter

PO Box 98

Cambridge ID 83601

RE: Application for Permit No. 67-7878

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 12/24/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

NOV 29 2002

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

67-7878

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD

INDIAN VALLEY ID 83632

Point(s) of Diversion NESW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Point(s) of Diversion SENW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Use: IRRIGATION STORAGE 01/01 To 12/31 863 AFA

Use: IRRIGATION FROM 03/15 To 10/31 863 AFA
STORAGE

Use: DIVERSION TO STORAGE 05/01 To 06/15 40 CFS

Total Diversion: 40 CFS

Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Upper County News Reporter on December 6 and 13, 2001

MICROFILMED

OCT 02 2002

November 28, 2001

Legal Notice Department

Record

PO Box R

Council ID 83612

RE: Application for Permit No. 67-7878

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 12/24/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

SEP 9 2 2002

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

67-7878

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD

INDIAN VALLEY ID 83632

Point(s) of Diversion NESW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Point(s) of Diversion SENW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Use: IRRIGATION STORAGE 01/01 To 12/31 863 AFA

Use: IRRIGATION FROM STORAGE 03/15 To 10/31 863 AFA

Use: DIVERSION TO STORAGE 05/01 To 06/15 40 CFS

Total Diversion: 40 CFS

Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Een Ross Reservoir.
Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in
November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af.
The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an
existing ditch during peak runoff.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region,
2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The
protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Record on December 6 and 13, 2001.

MICROFILMED

OCT 02 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 28, 2001

Legal Notice Department
Upper County News Reporter
PO Box 98
Cambridge ID 83601

RE: Application for Permit No. 67-7878

Dear **LEGAL NOTICE DEPARTMENT:**

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 12/24/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

SEP 3 2 2002

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

67-7878

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD

INDIAN VALLEY ID 83632

Point(s) of Diversion: NESW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Point(s) of Diversion: SENW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Use: IRRIGATION STORAGE 01/01 To 12/31 863 AFA

Use: IRRIGATION FROM 03/15 To 10/31 863 AFA
STORAGE

Use: DIVERSION TO STORAGE 05/01 To 06/15 40 CFS

Total Diversion: 40 CFS

Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Upper County News Reporter on December 6 and 13, 2001

MICROFILMED

DEC 13 2001

November 28, 2001

Legal Notice Department
IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

RE: Application for Permit No. 67-7878, 63-31329, 63-31354, 63-31326, 63-31324, and 63-31323
Application for Transfer No. 69547

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 12/24/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

OCT 02 2002

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

67-7878

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD

INDIAN VALLEY ID 83632

Point(s) of Diversion NESW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Point(s) of Diversion SENW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Use: IRRIGATION STORAGE 01/01 To 12/31 863 AFA

Use: IRRIGATION FROM 03/15 To 10/31 863 AFA
STORAGE

Use: DIVERSION TO STORAGE 05/01 To 06/15 40 CFS

Total Diversion: 40 CFS

Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 3042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published in the Idaho Statesman on December 6 and 13, 2001.

MICROFILMED

OCT 9 2 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 28, 2001

Legal Notice Department

TIMES NEWS

PO BOX 548

TWIN FALLS ID 83303

RE: Application for Permit No. 67-7878

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 12/24/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

DEC 3 2002

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

67-7878

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD

INDIAN VALLEY ID 83632

Point(s) of Diversion NESW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Point(s) of Diversion SENW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Use: IRRIGATION STORAGE 01/01 To 12/31 863 AFA

Use: IRRIGATION FROM STORAGE 03/15 To 10/31 863 AFA

Use: DIVERSION TO STORAGE 05/01 To 06/15 40 CFS

Total Diversion: 40 CFS

Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

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Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Time News on December 6 and 12, 2001.

MICROFILMED

SEP 9 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 28, 2001

Legal Notice Department
LEWISTON MORNING TRIBUNE
505 C ST PO BOX 957
LEWISTON ID 83501

RE: Application for Permit No. 67-7878

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 12/24/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

OCT 02 2002

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

67-7878

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD

INDIAN VALLEY ID 83632

Point(s) of Diversion NESW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Point(s) of Diversion SENW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Use: IRRIGATION STORAGE 01/01 To 12/31 863 AFA

Use: IRRIGATION FROM 03/15 To 10/31 863 AFA
STORAGE

Use: DIVERSION TO STORAGE 05/01 To 06/15 40 CFS

Total Diversion: 40 CFS

Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

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KARL J DREHER, Director

Published in the Lewiston Morning Tribune on December 6 and 13,

2001

MICROFILMED

SEP 3 2 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 28, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Legal Notice Department
POST-REGISTER
PO BOX 1800
IDAHO FALLS ID 83402

RE: Application for Permit No. 67-7878

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 12/24/2001. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

OCT 30 2002

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

67-7878

LITTLE WEISER IRRIGATION DISTRICT
C/O J WAYNE BURKHARDT
2410 LITTLE WEISER RD

INDIAN VALLEY ID 83632

Point(s) of Diversion NESW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Point(s) of Diversion SENW S36 T14N R01W ADAMS County Source LITTLE WEISER RIVER
Tributary To WEISER RIVER

Use: IRRIGATION STORAGE 01/01 To 12/31 863 AFA

Use: IRRIGATION FROM 03/15 To 10/31 863 AFA
STORAGE

Use: DIVERSION TO STORAGE 05/01 To 06/15 40 CFS

Total Diversion: 40 CFS

Date Filed: 10/17/1991

Remark: Applicant agrees to mitigate consumptive use in the future as needed for expansion of C. Ben Ross Reservoir. Place of use will be 6042 acres currently served by the applicant. The application was advertised in error in November 1991. The original application was for 3900 af of supplemental storage but was advertised as 39 af. The amended proposal is reduced to 863 af of supplemental storage to be diverted from the river via an existing ditch during peak runoff.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/24/2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published in the Post Register on December 6 and 12, 2001.

MICROFILMED

JUN 12 2002

!p

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

Boise, Idaho 83705
(208) 334-2190

OCTOBER 30, 1991

Adams County Leader
P.O. Box 23
Council, ID 83612

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 NOVEMBER 25, 1991.

Yours truly,

GAIL GARRETT
Secretary

Encl.

MICROFILMED

OCT 31 1992

67-07878

LITTLE WEISER IRRIGATION DISTRICT
C/O JOHN SCHWENKFELDER
3323 SCHWENKFELDER RD
CAMBRIDGE, ID 83610

Source: LITTLE WEISER RIVER

Tributary: WEISER RIVER

Diversion Pt: NESW Sec 36 T 14N R 01W in ADAMS County.

Use: IRRIGATION STORAGE	(39.00 AF)
IRRIGATION FROM STORAGE	(39.00 AF)
DIVERSION TO STORAGE	(40.000 CFS)
Total Diversion:	(40.000 CFS) (39.00 AF)

Date Filed: 10/17/1991

Place of use within the boundaries of the Little Weiser Irrigation District.

MICROFILMED

DEC 9 2 2002