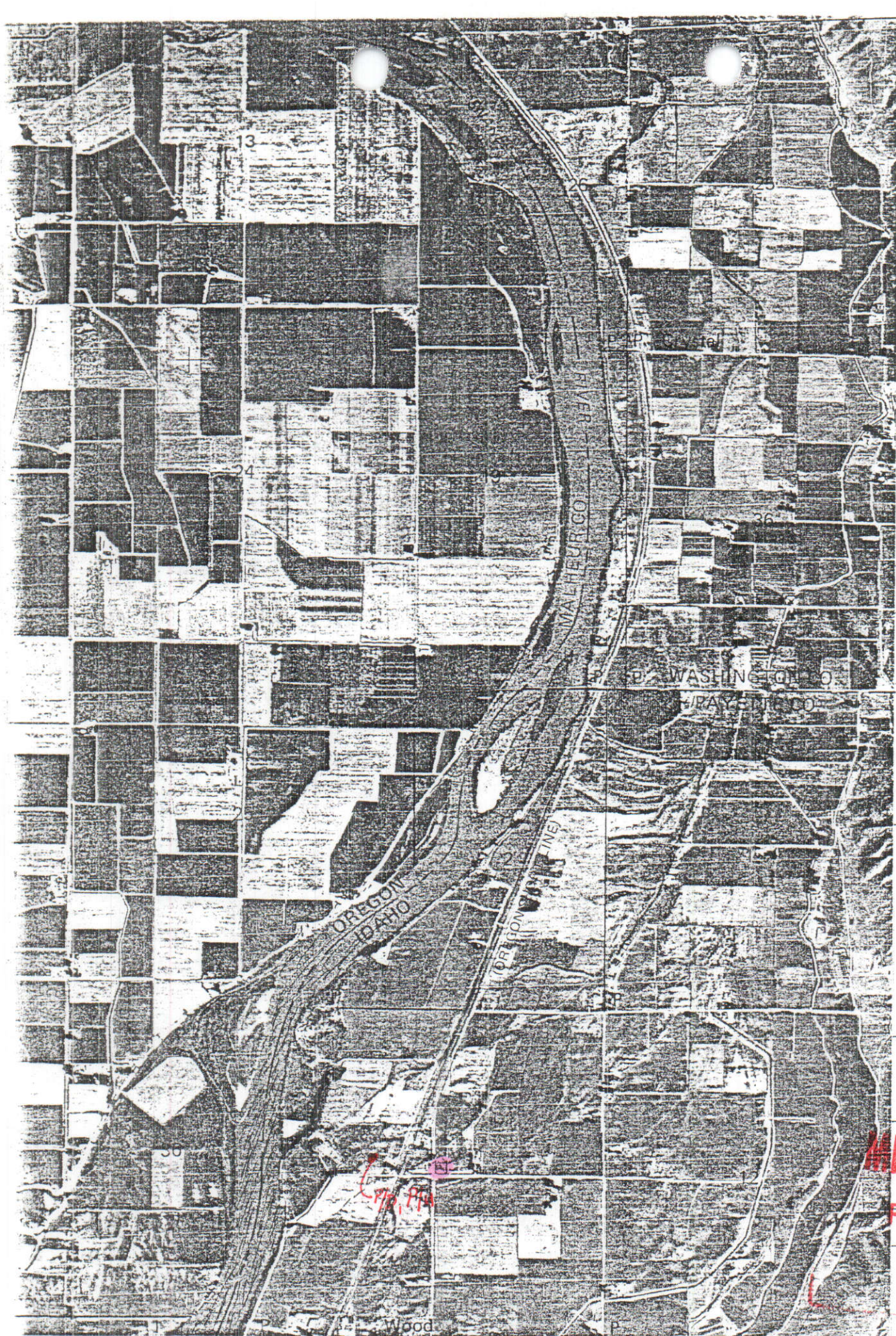




10'

T10
T9N

T. 9N
R. 5W
S. 11
SE⁴ NW⁴

MICROFILMED

FEB 28 1990

55'

200,000 Feet (Idaho)

44°07'30"
116°52'30"

1 MILE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 24 1990

Department of Water Resources

A. GENERAL INFORMATION

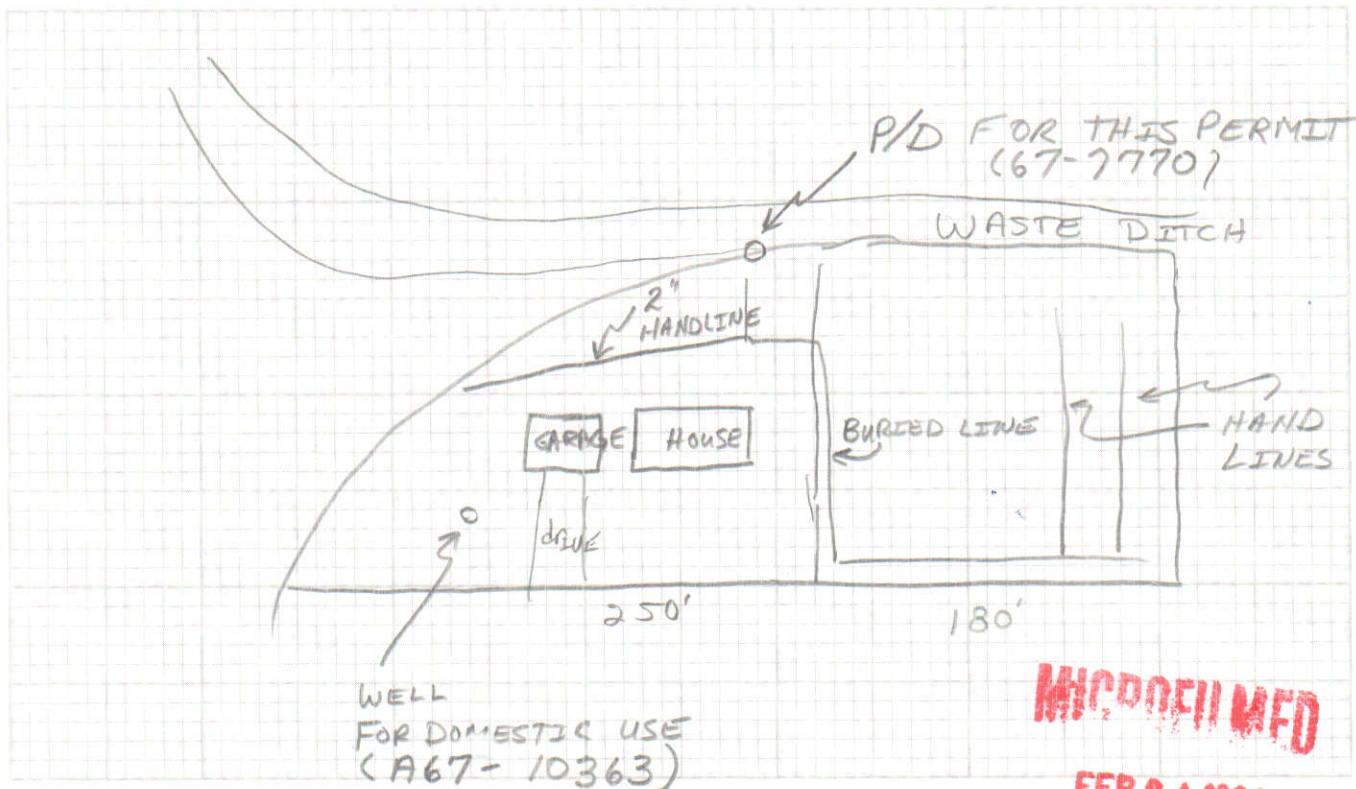
1. Owner: LYDIA HOPERICH Permit No. 67-7770
Current Address: 11602 N. RIVER RD PAYETTE, ID 83661 Phone No. 642-4904
2. Accompanied by: LYDIA HOPERICH EXAM. DATE: 6-18-90
Address: _____ Phone No. _____
Relationship to Permit Holder: OWNER
3. Source: UNNAMED DRAIN tributary to PAYETTE Snake River BC

B. OVERLAP REVIEW

1. Other water rights with same place of use: A67-10363 (Well for domestic use, 1/2 acre overlap) ☐ Copies Attached
2. Other water rights with same point of diversion: NONE A67 10363 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

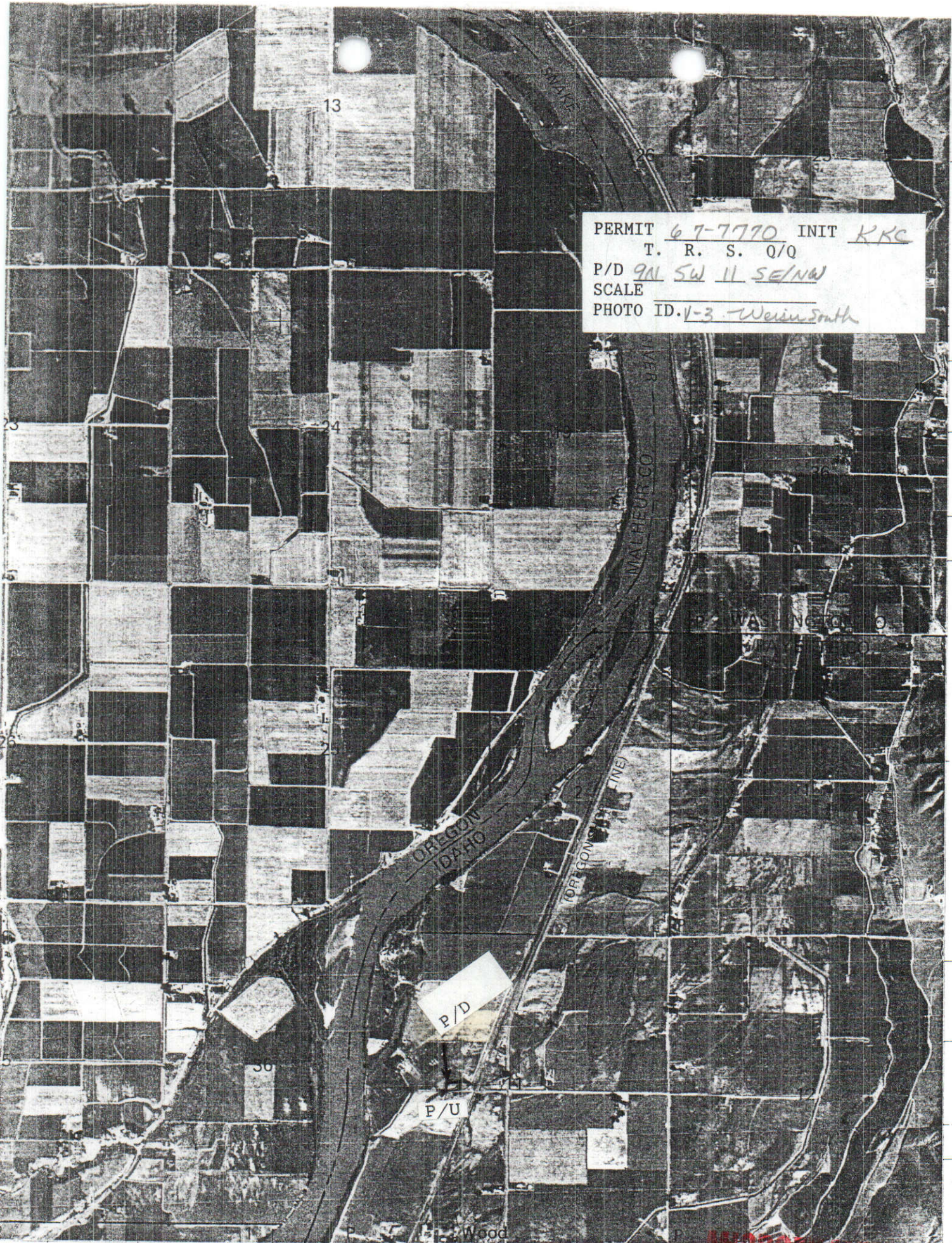
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
- ☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

MICROFILMED
FEB 24 1994



PERMIT 67-7770 INIT KKC
T. R. S. Q/Q
P/D 9N SW 11 SE/NW
SCALE _____
PHOTO ID. V-3 Weir South

10'

P/D

P/U

WILSON

44°07'30"
116°52'30"

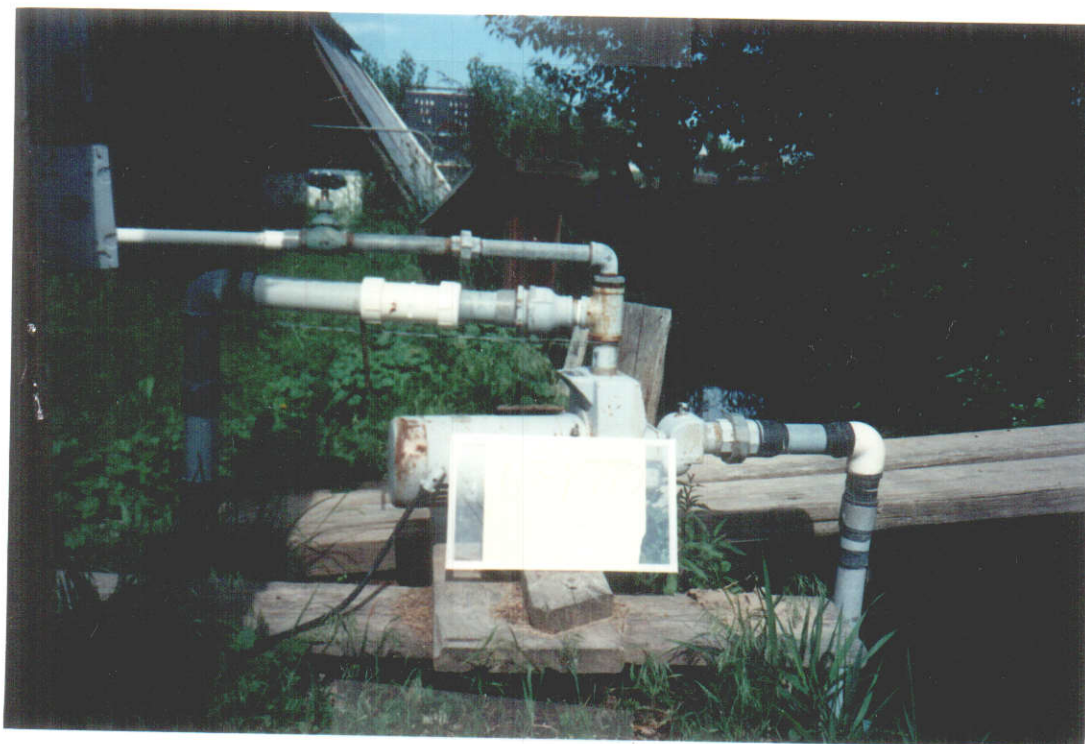
55'
200,000 Feet (Idaho)
1 MILE
0 5000 6000 7000 FEET

FEB 24 1994

[illegible][illegible][illegible][illegible][illegible]

PICTURE # 1

This picture shows the pump and the ditch that carries the water. The picture is looking west. Note the power pole on the side of this picture.



PICTURE # 2

This picture shows the lawn and the sprinkler line used to water it. The pasture irrigated is on the other side of the house. The P/D is located near the power pole. This picture is looking east.

POWER POLE



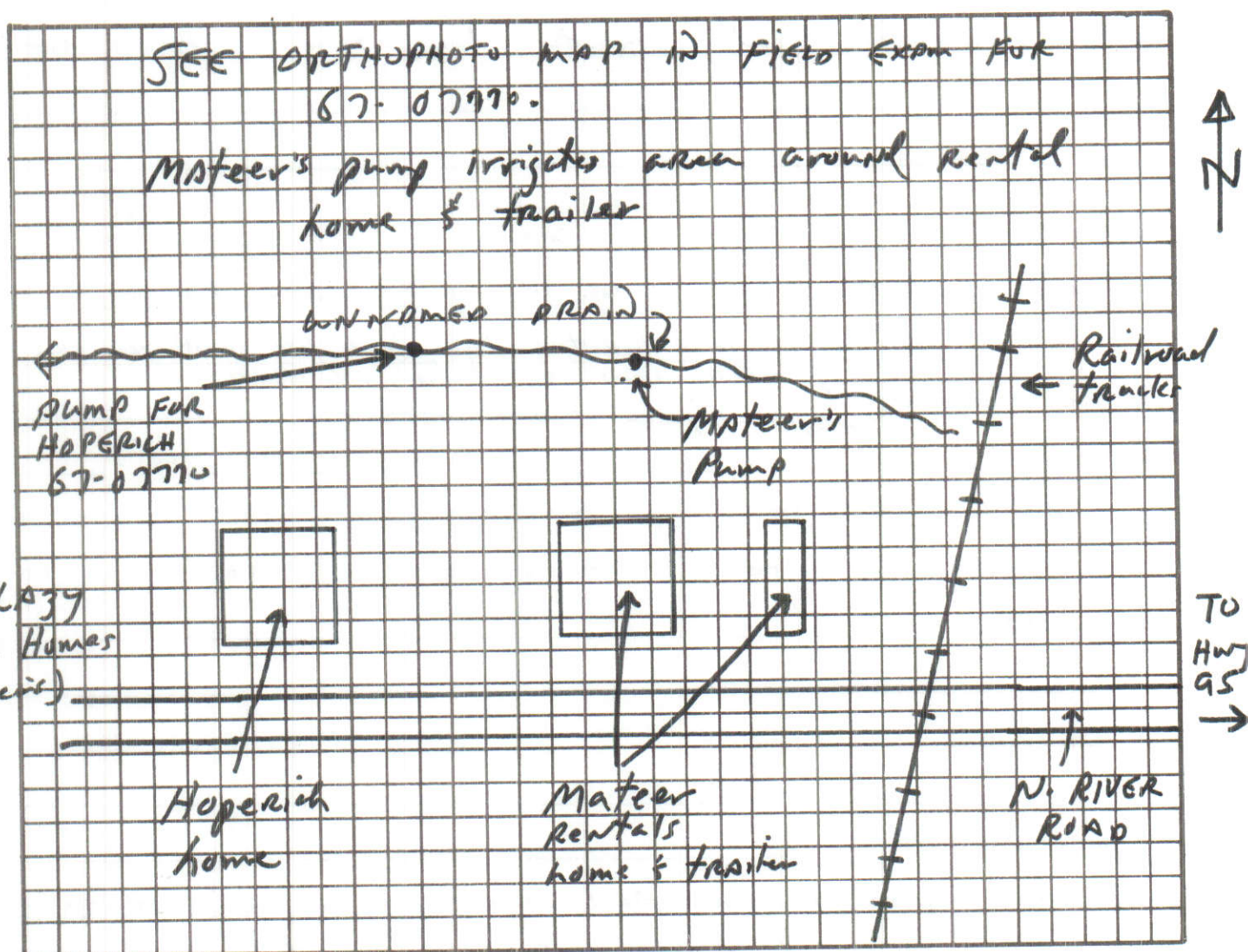
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FEB 24 1994

16. Remarks Mateer indicated that he may not use the drain
water again but may instead rely on ground water (67-07849).
We discussed the statutory requirements etc. & partially prepared an
appl. for permit that he might mail to IOWA. Also discussed the
possible "grandfather" right if use occurred $\leq$ 5/71. Probably not according to
Mateer.

17. Followup Necessary: Yes ☒ No Describe: ↑

I discussed the issue of injury due to water uses with both
parties. That is essentially a civil matter although complicated by
illegal use of water (res: 42-351).

18. Sketch: include direction, important dimensions, photo locations, landmark or reference point



19. Action taken at time of inspection: _____

- Located Mateer pump & place of use.
- Discussed necessary water right coverage with Mateer.
- Discussed secondary issues with Hoperich & Mateer.

20. Signed: John M. Lester

21. Follow up action: Date: _____

Additional Memo Prepared: Yes ☒ No ☐

Describe: _____

FEB 24 1994

22. Signed: _____

NOTE: FIELD EXAM 67-07770 conducted 6-18-90 & still needs to be reviewed before forwarded to S.O.

82

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Water Right Application
TITLE OF PUBLICATION

(Hoperich)

SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Dorthy Mason, being
duly sworn, deposes and says:

That she is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with
Sept. 20, 1989, and ending with the issue
of Sept. 27, 1989.

Subscribed and sworn to before me this 28th day
of Sept., 1989.

Marilyn J. Shinkhart
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-28, 1992.

Copy of Notice

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to
appropriate the public waters of the State of Idaho:
67-07770 ✓ ST

HOPERICH, LYDIA
11602 N. RIVER RD.
PAYETTE, ID 83661

Source: UNNAMED DRAIN TRIBUTARY: Snake
River

Diversion Pt: SENW

Sec 11 T 09N R 05W

Use: IRRIGATION

(.060 CFS)

Date Filed: 8/17/1989

In: T09N R05W S11

SENW

2.0 ACRES TOTAL

The permit(s) will be subject to all prior water
rights. Protests must be filed with the Director,
Dept. of Water Resources, Western Region, 2735
Airport Way, Boise, Idaho 83705 on or before
OCTOBER 10, 1989.

R. KEITH HIGGINSON, Director

No. 1278

Sept. 20, 27

RECEIVED

OCT 06 1989

Department of Water Resources
Western Regional Office

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 20

Number of Insertions two

20 Lines @ .81 ... \$ 16.20

20 Lines @ .72 ... \$ 14.40

TOTAL COST
WILL BE \$ 30.60

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FEB 28 1990

N^o 1278

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07770

Priority: August 17, 1989

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

8.1 AF

This is to certify, that LYDIA HOPERICH
11602 N RIVER RD
PAYETTE ID 83661

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated August 17, 1989; and
has submitted Proof of Beneficial Use on January 2, 1990. An examination indicates
that the works have a diversion capacity of .090 cfs of water from:

UNNAMED DRAIN

tributary to SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.04 CFS	8.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 11, Township 09N, Range 05W
PAYETTE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09N	05W	11	SENW	1.8		1.8

Total number of acres irrigated: 1.8

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

RECORDED

FEB 24 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07770

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22ND
day of FEBRUARY, 1994.

Acting for *Norman C. Young*
R. Keith Higginson, Director

RECORDED
FEB 24 1994

RECEIVED

JAN 2 1990

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Amt. of Fee \$ Not Rqd.
Date 12-29-89
Receipt No. _____
Received by EW
215-24-90

Department of Water Resources PROOF OF BENEFICIAL USE

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

Permit No. 67-07770 Telephone No. 642-4904

Name(s) of Permit Holder(s): Lydia Hoperich

Post Office Address: 11602 N. River Rd Payette 83661

Source of Water: Unnamed Drain

If ground water, well driller's name: N/A Date drilled: N/A

Extent of Use:
Domestic _____ (No. of households) Irrigation x 2 (No. of acres)
Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted .04 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 8/17/1989

One of the following may be a condition of approval of your permit:

Measuring device: Required? ___Yes xNo Installed? ___Yes xNo

OR

Flow Measurement Port: Required? ___Yes xNo Installed? ___Yes xNo

Fee Enclosed: \$ Not Rqd. (See License Examination Fee Schedule)

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

Lydia Hoperich 642-4904
Name Telephone No.

Same as above
Address

The above information is my true statement of the extent to which the above numbered permit has been completed and I relinquish any undeveloped portion of the permit to the state of Idaho.

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FEB 28 1990

12/29/89 x Lydia Hoperich
Date Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 67-07770

Proposed Priority: August 17, 1989

Maximum Diversion Rate:

0.06 CFS

This is to certify, that **LYDIA HOPERICH**
11602 N. RIVER RD.
PAYETTE, ID 83661

has applied for a permit to appropriate water from:

UNNAMED DRAIN

tributary of **SNAKE RIVER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/15 to 11/15

0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

SENW Sec. 11, Township 09N, Range 05W
PAYETTE County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

09N 05W 11

SENW 2

2

Total number of acres irrigated:

2

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1991**.
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.

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

7th day of December, 19 89

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

FEB 28 1990

Ident. No. 67-07770

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: LYDIA HOPERICH 208-642-4904
Address: 11602 N. RIVER RD.
PAYETTE, ID 83661
2. Source: UNNAMED DRAIN Trib. to: SNAKE RIVER (Per map)
3. Location of Point of Diversion: SENW Sec. 11, Township 09N, Range 5W
PAYETTE County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|------------|-------|-------|-------|------|----|
| IRRIGATION | 04/15 | 11/15 | 0.060 | | |
5. Total quantity appropriated is:
0.060 CFS (and/or) AF
6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
PUMP IN DITCH W/SPRINKLERS.
 - Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
 - Proposed well diameter is inches; proposed depth of well is
feet.
 - Is groundwater with a temperature greater than 90F being sought? NO
7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.
8. Description of proposed uses:
IRRIGATION OF APPX. 2AC.
9. Place of Use: IRRIGATION
- | TWN | RGE | SEC | ACRES | ACRES | ACRES | TOI |
|----------------------------------|-----|-----|--------|-------|-------|-----|
| 09N | 05W | 11 | SENW 2 | | | 2 |
| Total number of acres irrigated: | | | | | | 2 |
10. Describe any other water rights used for the same purposes.
NONE

MICROFILMED

FEB 28 1990

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

12. Remarks:

13. Map of proposed point of diversion and place of use attached? ☒

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

Lylea Hoperich
Applicant

Received by RW Date 6/17/89 Time 3:00pm Preliminary check by GF

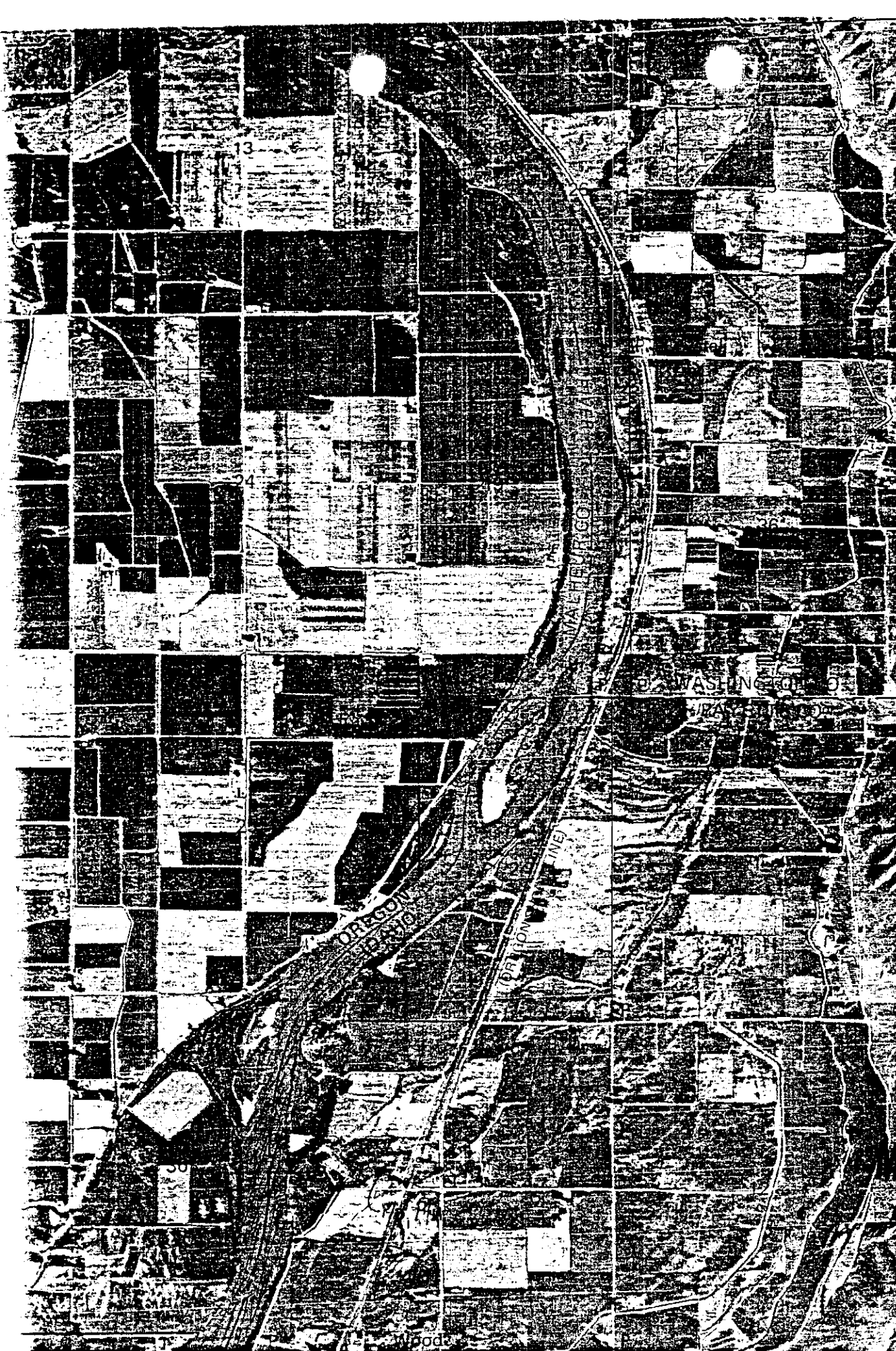
Fee \$ 30⁰⁰ Receipted by RW # W004609 Date 8-17-89

Publication prepared by GG Date 9-13-89 Published in Independent Enterprise

Publication approved _____ Date 9/21 & 9/28/89

MICROFILMED

FEB 28 1990



10'

TIC
T9M

T. 9N
R. 5W
S. 11
SE⁴ NW⁴

MICROFILMED

FEB 28 1990

55'

200,000 Feet (Idaho)

44°07'30"
116°52'30"

1 MILE



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

September 22, 1994

JOHN KLEVE
PO BOX 921
PAYETTE ID 83661-0921

RE: Water Right No. 67-07770

Dear Mr. Kleve:

I recently received a 'New Property Owner Notice of Change of Water Right Ownership' form on the above referenced licensed water right.

In Idaho, licensed water rights are considered real property; therefore, proof of owning the land is proof of owning the water right unless extenuating circumstances exist. Water right statute does not provide a means for changing owner of record for licensed water rights; although, I have placed your correspondence in the water right file.

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

Sincerely,

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

Cindy Zimmerman
Water Resource Agent

Water right NO. 67-07770
License Filed Feb. 22, 1994
By Lydia Hoperich.

I, John Kleve am now
The New owner of property.

Do I need to transfer
water right to my name?

John Kleve
P.O. Box 921
Payette ID. 83661

RECEIVED

SEP 22 1994

Department of Water Resources

RECEIVED

SEP 19 1994

WATER RESOURCES
WESTERN REGION



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

No AJ Claim
Filed Not Rqd.

DATE OF CLOSING: _____

RECEIVED

SEP 19 1994

WATER RESOURCES
WESTERN REGION

LEGAL DESCRIPTION OF PROPERTY: Township 9N Range 5W
Section 11, 1/4 of SE 1/4 of NW 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: 67 07770 A67-10363

☒ Name and Address of Former Owner/Claimant(s)(Seller): Lydia Haperich
11602 N. River Rd
Payette Idaho 83661

☒ New Owner/Claimant (Purchaser): John Kleve

☒ New Mailing Address: P.O. Box 921
Payette ID 83661

☒ New Telephone Number: () _____

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) John Kleve Date 7-16-94

Date

☒ Signature of Former Owner/Claimant(s) Lydia Haperich Date 10/20/93

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 9-20-94 By: JD

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 9-20-94 By: JD

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 22, 1994

LYDIA HOPERICH
11602 N RIVER RD
PAYETTE ID 83661

RE: WATER RIGHT NO. 67-07770

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

FEB 24 1994

WR0749NP
No. L67-07770

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/10/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LYDIA HOPERICH 11602 N RIVER RD PAYETTE ID 83661 (208) 642-4904	08/17/1989	IRRIGATION	03-15 11-15	0.04 CFS	8.10 AFA
TOTAL DIVERSION:					0.04 CFS	8.10 AFA

Water Source: UNNAMED DRAIN

Tributary to: SNAKE RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 0.09 CFS

Point(s) of Diversion: T09N R05W S11 SENW PAYETTE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
09N	05W	11	:					:				:				: 1.8
TOTAL ACRES																1.8

Pou County: PAYETTE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion and Source:
67-07770

Other Water Rights Listing Overlapping Place(s) of use:
67-07770

Conditions of Approval:

- R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for the
- lands above.

Dates: App. Received: 08/17/1989 Priority Date: 08/17/1989
Proof Due Date: 01/01/1991 Proof Made Date: 01/02/1990
Exam Made Date: 06/18/1990 Exam Sent to S.O.: 12/23/1990
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 03/06/92 SKAGGS

LICENSE REVIEW CHECKLIST

Permit # 107-7770 Date 2-10-94 Brenda Chapman

NAME Yes No ☒ Or Address Change?

PRIORITY DATE ☒ Advance? ☒ Advanced to: ☒ Order to Reinstate Needed? ☒ Incorrect Fee for rate recommended? NO FEE PAID

SOURCE ☒ Changes? Clarification of **Originally Intended** source ☒ Notice of Intent to Void - Source change.

P/D ☒ Amendment Needed? ☒ Overlap(s)

P/U ☒ Amendment Needed? ☒ Overlap(s)

TOTAL CFS ☒ Measurement ☒ Theoretical only 1.8 GPM X .03 = .05 CFS
21 sprinklers @ 2 gpm = 42 gpm or .09 CFS
 Allowable Amount: .04 per B/L form
 Capacity of System: .09

TOTAL VOLUME Season of Use: D/4.5 (3-15 to 11-15)

☒ Calculations: 1.8 x 4.5 = 8.1
 Flow limit: .04 x 246 x 1.9835 = 19.51

USES ☒ Change(s) in Nature of Use? ☒ Amendment Needed?

REMARKS ☒ Multiple P/Ds in 1/4 1/4? ☒ Special Overlap

CONDITIONS ☒ Measuring/Locking Devices ☒ W/Master Control - District R32 ☒ Irrigation Overlap ☒ Water Quality ☒ Other

COMMENTS: Reduce rate & acreage to 1.8; Submitted
Blu form for .04 CFS with no fee paid.

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Irrigation</u>	<u>.04</u>	<u>8.1</u>	☒
_____	_____	_____	1ST AMEND LETTER
_____	_____	_____	2ND AMEND LETTER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Put in
67-7770
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
☒ Copy of Permit
☒ Copies of any Amendments/Orders with conditions of approval

NO Well Inspection Form Needed

- ☒ Copy of U.S.G.S. Quad

None Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index 6-11-90 KKC (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index 6-11-90 KKC (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
☒ Photographs of Point of Diversion and Place of Use

C. Review and Processing:

Exam Completed 7-27-90 Kelly K Christensen (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent GH 12-18-90 (Initial and date)

Exam Reviewed by Manager of Regional Office Daw 12/19/90 (Initial and date)

Exam Date Entered in Computer ✓ st (Initial and date)

Exam sent to State Office 12-19-90 st (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
DEC 24 1990

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-7770

Phone No. 642-4984

1. Owner: LYDIA HOPERICH

Current Address: 11602 N. RIVER RD PAYETTE, ID 83661

2. Accompanied by: LYDIA HOPERICH

EXAM. DATE: 6-18-90

Address: _____

Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: UNNAMED DRAIN tributary to PAYETTE Snake River (BC)

B. OVERLAP REVIEW

1. Other water rights with same place of use: A67-10363 (well for domestic use, 1/2 acre overlap) ☐ Copies Attached

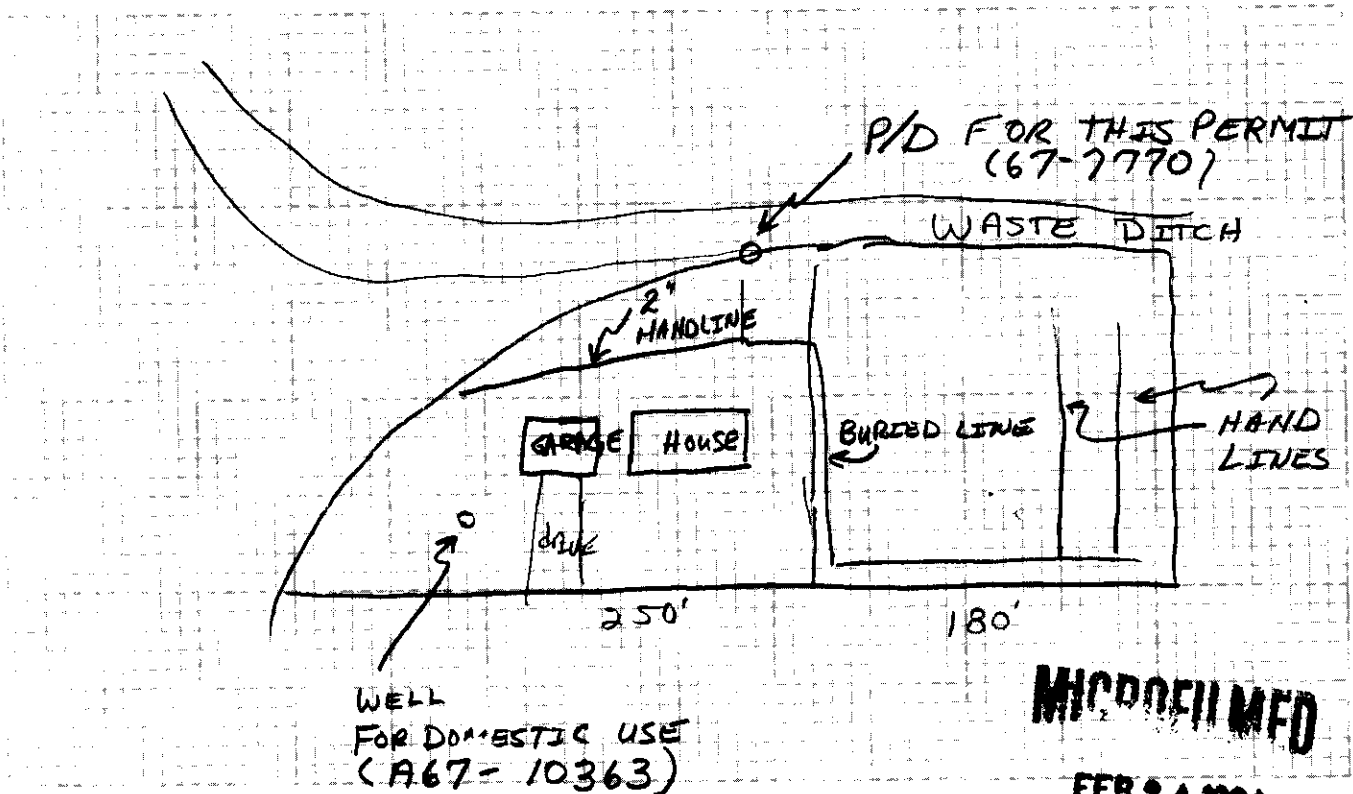
2. Other water rights with same point of diversion: NONE A67 10363

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

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System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

THE SYSTEM IS A CENTRIFUGAL PUMP LIFTING WATER FROM THE DITCH & DELIVERING WATER TO THE P/U VIA A BURIED WATER LINE & A 2" HANDLINE DURING THE EXAM 21 HEADS WERE OPERATING AT 12 to 14 PSI. HEAD TIPS WERE ASSORTED 1/8; 9/16; 4GPM FLOW CONTROL; ETC. (MOSTLY 9/16)

PROPERTY PER TAX RECORDS = 2A LESS AREA COVERED VIA HOUSE & GARAGE 78' x 24' = 1872' AND STORAGE AREA 15' x 25' = 375'; ROAD 430' x 15' = 6450' TOTAL = 8697/4350 = 0.199A.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	MDC Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		2	C56N2EA11A2	SEARS	1 1/2"

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NW	11	9N	SW	PAYETTE	ORTHO PHOTO

6. Place(s) of Use:

Indicate Method of Determination PROP TAX RECORDS LESS

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				BLDG'S & ROAD Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9N	SW	11								1.8									1.8

Do not use this space

MISSOURI

FEB 24 1994

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

21 RAINBIRD MDL 30 @ 30 PSI TIPS = 1/8" THRU 9/64" (MOSTLY 9/64")
 OPERATING PRESSURE = 14 PSI
 MDL 30WH @ 30 PSI @ 1/8" TIPS = 2.47 GPM } FROM RAINBIRD CHART
 MDL 20BADS @ 20 PSI @ 1/8" TIPS = 2.00 GPM }
 " " " @ 9/64" " = 2.5 GPM }

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

- Measured Method: PRESSURE (14 PSI) IS BELOW OPERATING CHARACTERISTICS FOR MDL 30'S ESTIMATING OUTPUT @ 2.0 GPM ea. as 20BADS @ 20 PSI = 2 GPM
 For 1/8" TIP; found mostly 9/64" tips 2 GPM x 21 = 42 GPM / 448 = 0.09 CFS
- Alternate Method for Checking Purposes:

$$\frac{2 \times 8.8 \times .7}{3' + (14 \times 2.3)} = 0.35 \text{ CFS}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
 Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
 Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
 Meter Input HP: (6) x 1.34 = _____ (7)
 Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)
 Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.8 \times 4.5 = 8.1$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.04 \times 214 \times 1.9835 = 16.98$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 8.1$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

NO P/D OVERLAP FOUND. P/U OVERLAP FOUND WITH ADJUDICATION CLAIM A67-10363 (A DOMESTIC CLAIM WITH 1/2 ACRE YARD, ITS SOURCE IS GROUNDWATER) OVERLAP = APPROX .5 ACRE

PERMIT IS FOR 0.04 CFS
FOUND 0.093 CFS (ESTIMATED VIA SPRINKLER HEADS)
FEES PAID (NA) 0.04 CFS
LEGAL LIMIT $1.8 \times .03 = 0.054 \text{ CFS}$

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4-15	11-15	0.04	8.1
Totals:			0.04	8.1 AFA

2. Recommended Amendments

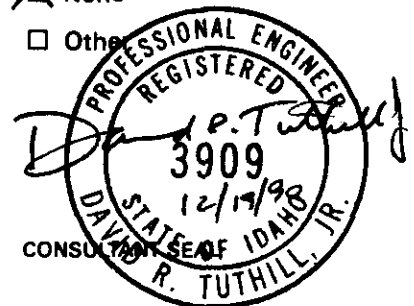
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None

☐ Other

J. AUTHENTICATION

Field Examiner's Name KELLY K. CHRISTENSEN
Signature Kelly K. Christensen
Certification Date _____
Field Report Preparation Date 7-27-90



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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13

PERMIT 67-7770 INIT 1
T. R. S. Q/Q
P/D 9A SW 11 SE/NW
SCALE
PHOTO ID. V-3 Weismann

10'

P/D

P/U

44°07'30"

116°52'30"

200,000 Feet (Idaho)

55'

FEB 24 1994

1 MILE

0 5000 6000 7000 FEET

T92
R52
S.11

40.00
NORTH

FEB 24 1994

N 89° 47' W
80.28

C.10

Sec. 11

Sec. 12

577.47

640

N 89° 53' W.
39.27

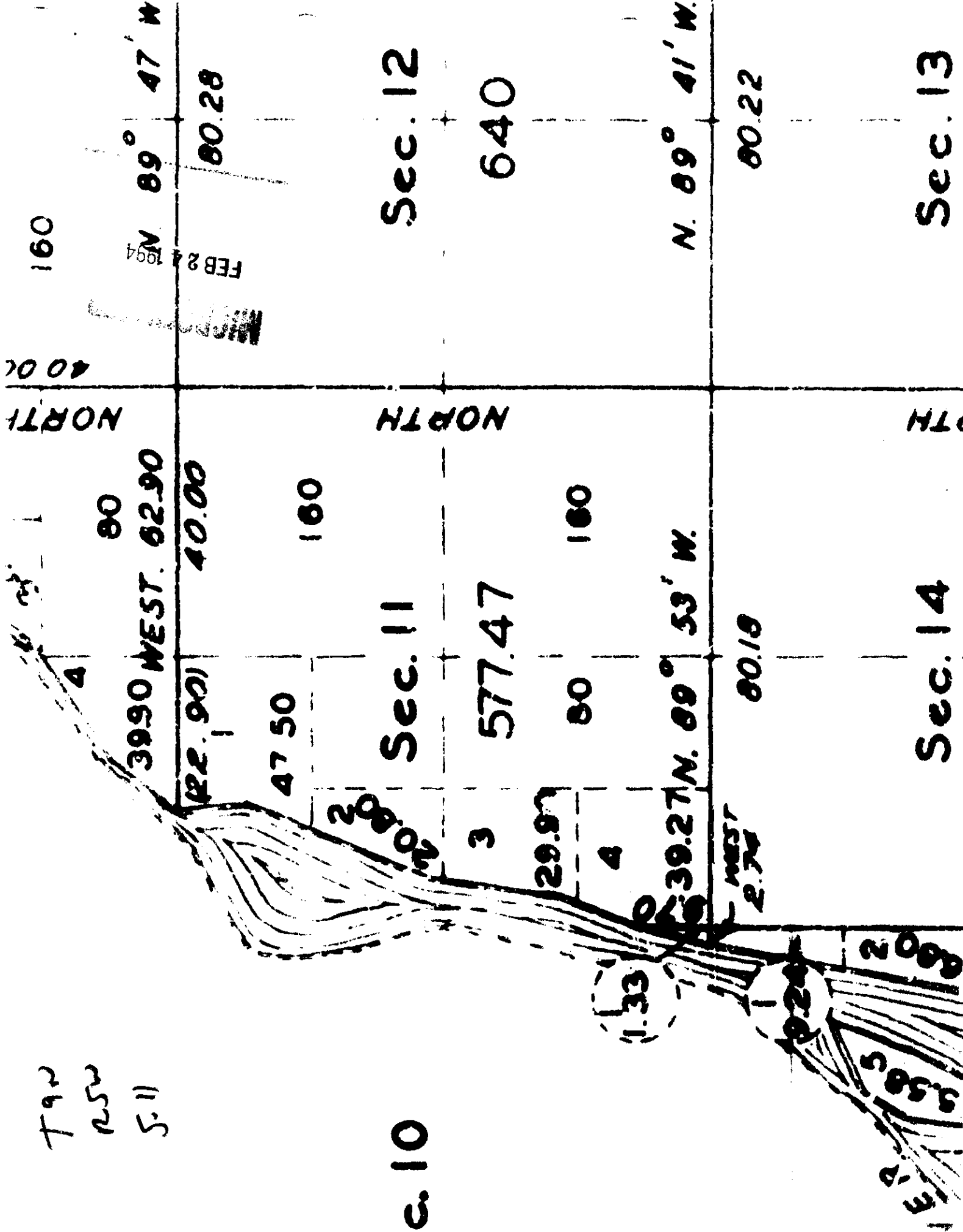
N 89° 41' W.

80.19

80.22

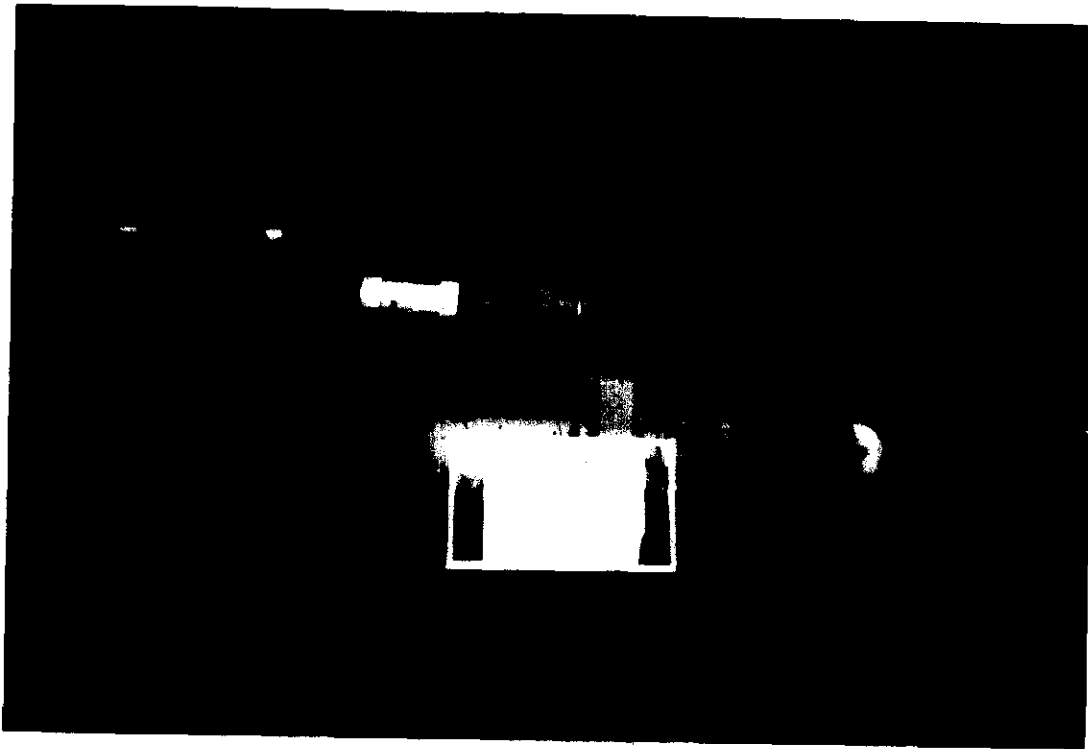
Sec. 14

Sec. 13



PICTURE # 1

This picture shows the pump and the ditch that carries the water. The picture is looking west. Note the power pole on the side of this picture.



PICTURE # 2

This picture shows the lawn and the sprinkler line used to water it. The pasture irrigated is on the other side of the house. The P/D is located near the power pole. This picture is looking east.

POWER POLE



RECEIVED
FEB 24 1994

Original: vault file
copy : western file

File No. 67-07770

STATE OF IDAHO
Department of Water Resources

FIELD INSPECTION REPORT

1. Date: 10/12/90 Time: 9:30 Photos: ~~XXXX~~ Yes ☒ No
2. Inspection involves: ☒ Water Rights ☐ Dam Safety ☐ Well Construction or Driller
☐ Waste Well ☐ Stream Channel Alteration ☐ Water Distribution
☐ Other _____
- * 3. Reason for inspection: Complaint by Lydia Hogenrich about alleged use of
unnamed drain by Don Mateer. No waste water/drain water rights found for
Mateer in WR & SRGA data bases.
4. Stream name: unnamed drain
5. Stream characteristics: typical wastewater drain. Ties to Payette River.
6. Stream width: _____ Depth: _____ Gradient: _____ Q: _____ est. _____
meas. _____
7. Location: SE 1/4 NW 1/4, Sec. 11, Twp. 9N, Rge. 5W, County Payette
Landmark: just N. of New Homestead Logs, turn left (west) from Hwy 95 at
Log's mobile homes sign, cross R.R. tracks.
8. Person(s) contacted: Lydia Hogenrich & Don Mateer
9. Dam name: _____ Spilling: _____ No _____ Yes ☐ Q _____
Outlet open: _____ No _____ Yes ☐ Q _____ Spillway open: _____ Yes _____ Fibrd _____ Gate open
Freeboard: Spillway _____ Crest _____ Res. stage: _____ Rising _____ Falling _____ Rate
10. Area characteristics: _____
11. Weather conditions: _____
12. Describe activity/conditions inspected: Found Mateer's pump at drain just east of
Hogenrich pump & west of R.R. tracks. Found PVC lines going to yard area
around home & trailer. While inspecting pump, Don Mateer stopped & we
discussed this matter.
13. Are all requirements being met? ☒ Yes
If not, check type violated: ☒ Statutory _____ Rules & Regs _____ Permit
14. Describe impact on others: Use of the unnamed drain without a water right
possibly interferes with approved right 67-07770. Hogenrich complaint appears
to focus on alleged flooding of her pasture by unauthorized irrigation
by Mateer.
15. Describe alternatives: If Mateer wants to keep using the water, he
should file an appl. for permit.

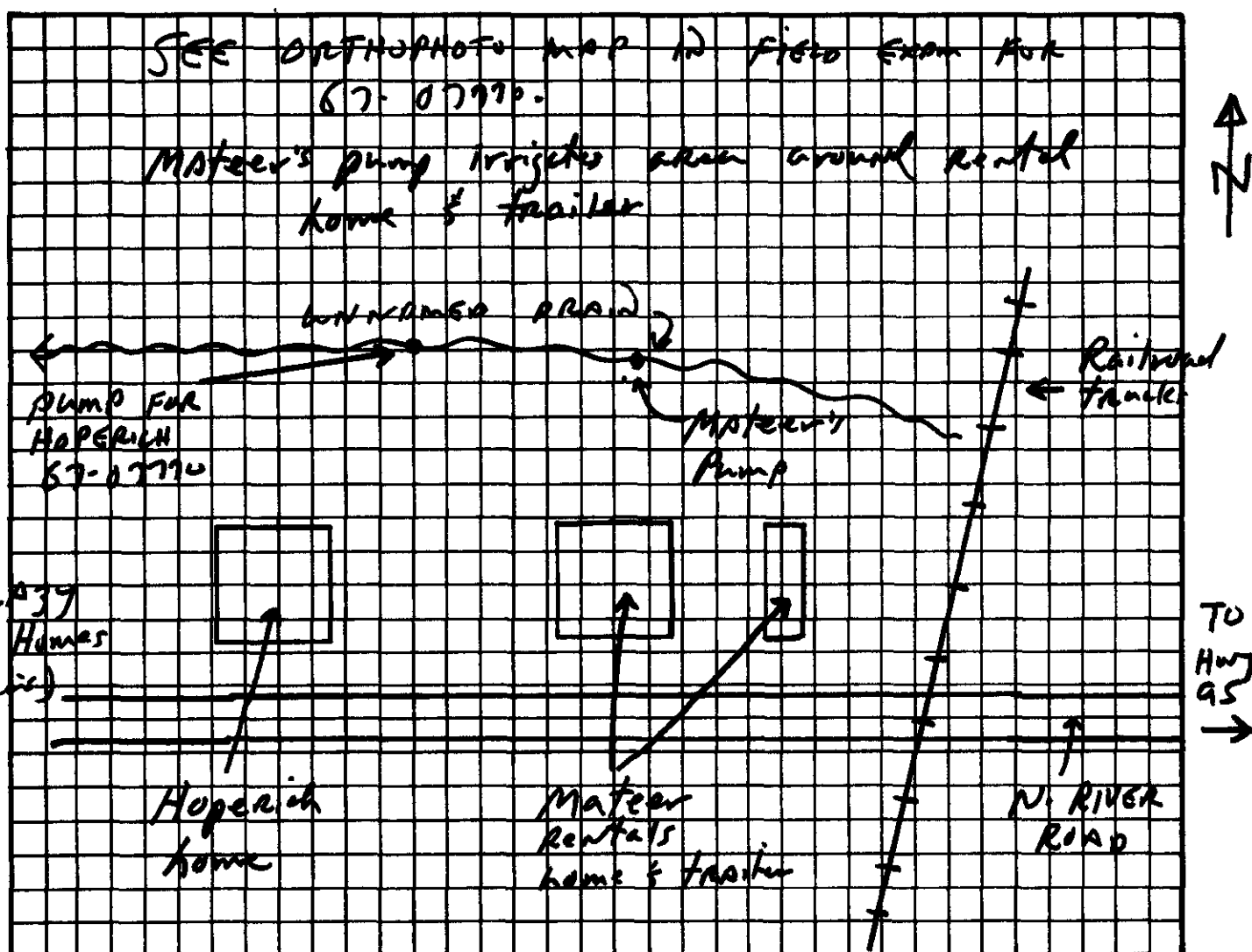
RECORDED

FEB 24 1991

* L. Hogenrich 10/3/90 office visit to complain. Complaint is a follow up
to DRT's 7/5/90 letter.

I discussed the issue of injury due to water uses with both parties. That is essentially a civil matter although complicated by illegal use of water (re: 42-351).

18. Sketch: Include direction, important dimensions, photo locations, landmark or reference point



a) Local water pump & place of use

b) Discussed necessary water right coverage with Mateen

c) Discussed secondary issues with Hyperid's mother.

21. Follow up action: Date:

Additional Memo Prepared: ☒ Yes ☐ No

Describe:

FEB 24 1994

22. Signed: _____

NOTE FIELD Exam 67-07770 completed 6-18-90 &
still needs to be reviewed before forwarded
to S.O.

CONVERSATION MEMORANDUM

DATE 10/10/90

FILE 67-07770

NAME OF PARTY Lydia Hopewell 642-4904

EMPLOYEE Steve Laster

RE: Complaint c Mateen waste water use

Site Inspection Friday 0900 10/12/90

N. of Payette on Hwy 95 past New Homestead Lys.
will see Lazy Mobile Homes sign, go left here,
X tracks, white house with chain link fence
is Hopewell place.

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INTER-DEPARTMENT MEMO — 1

FROM Dave T

DATE 10/4/90

TO Steve

SUBJECT Attached

At this point, because we have already mailed a letter and a follow-up visit was made by the complainant, a site visit seems appropriate. Plz conduct if you have a chance. If not, let's discuss.

Dave

SIGNATURE

TER-DEPARTMENT MEMO — 1

FROM

Steve

DATE

10/3/90

TO

Dave

SUBJECT

Water Use Complaint

Lydia Hegerich* visited office today & complained about continued waste water use by Don & Gayle Mateer (see copy of your 7/5/90 letter). No appl. for permit has been received from Mateers except 65-13220 for a well. Appears that use w/o a water right occurs. I told Lydia that we will pursue this matter. Do you think a site visit is in order or would another letter do any good?

* 67-07770

SIGNATURE

JL



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 5, 1990

Donald Mateer
11606 N. River Rd.
Payette, ID 83661

RE: Allegation of Use of Wastewater Without Permit

Dear Mr. Mateer:

This office has received a complaint that you are presently using water from a waste drain for irrigation purposes without a water right. If this is the case, please cease using the water, and you may apply for a permit using the enclosed form.

If this is not the case, would you please contact this office to describe the source of water for your irrigation?

Thank you for your attention to this matter.

Sincerely,

David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

Enclosure: Application of Permit with instructions

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FEB 24 1994

February 12, 1990

LYDIA HOPERICH
11602 N. RIVER RD.
PAYETTE, ID 83661

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 67-07770

Dear Permit Holder:

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

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

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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FEB 28 1990

1/00

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 67-7770

Date: 2-9-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change _____ if yes, prepare a data entry
☒ Proof received timely
_____ Reinstated

Source of Water:

- ☒ Surface water
_____ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
_____ is rate or volume and fee appropriate?
_____ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
_____ Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

Priority Calculation:

Date proof received	<u>NA</u>	
Date proof due		
No. of days late		
Priority date		
NEW PRIORITY DATE		

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 327-7900
December 8, 1989

LYDIA HOPERICH
11602 N. RIVER RD.
PAYETTE, ID 83661

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P67-07770

Dear Permit Holder:

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

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECORDED

FEB 28 1990

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Copy of Notice

Water Right Application
TITLE OF PUBLICATION

(Hoperich)
SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Dorthy Mason, being
duly sworn, deposes and says:

That ~~she~~ he is the principal Clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with
Sept. 20, 1989, and ending with the issue
of Sept. 27, 1989.

Subscribed and sworn to before me this 28th day
of Sept., 1989.

Marilyn Shindhart
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-28, 1992.

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 20

Number of Insertions two

20 Lines @ \$.71 ... \$ 14.20

20 Lines @ \$.72 ... \$ 14.40

TOTAL COST
WILL BE \$ 30.60

RECEIVED

OCT 06 1989

Department of Water Resources
Western Regional Office

MICROFILMED

FEB 28 1990

Nº 1278

S T A T E O F I D A H O
PARTMENT OF WATER RESOURC
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

SEPTEMBER 13, 1989

Independent Enterprise
P.O. Box 520
Payette, ID 83661

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 OCTOBER 10, 1989.

Yours truly,

GAIL GARRETT
Secretary

Encl.

RECORDED
FEB 28 1990

67-07770

HOPERICH, LYDIA
11602 N. RIVER RD.
PAYETTE, ID 83661

Source: UNNAMED DRAIN

TRIBURATRY: SNAKE RIVER

Diversion Pt: SENW Sec 11 T 09N R 05W

Use: IRRIGATION (.060 CFS)

Date Filed: 8/17/1989

In: T09N R05W S11 SENW

2.0 ACRES TOTAL

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FEB 28 1990