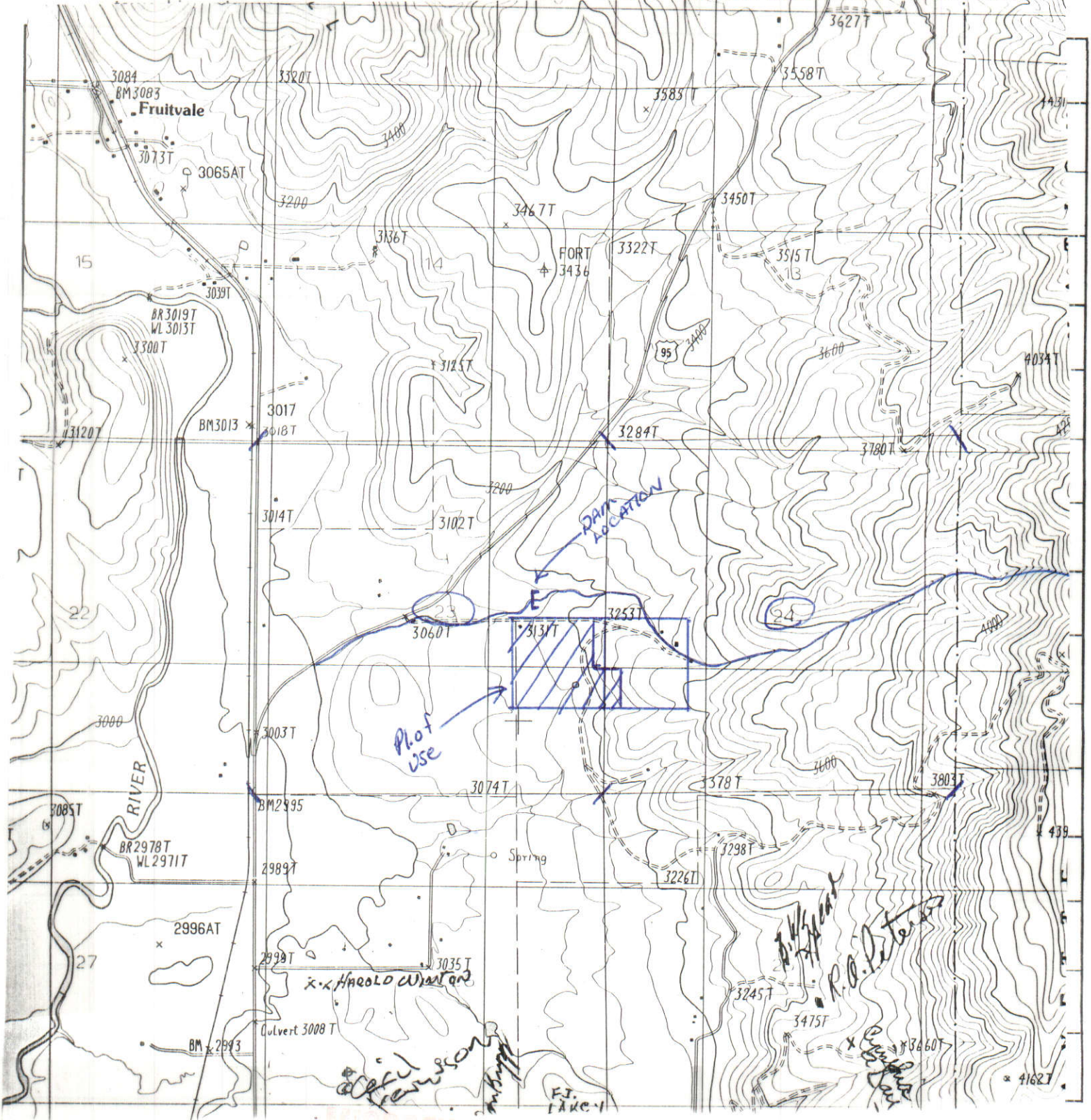


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number



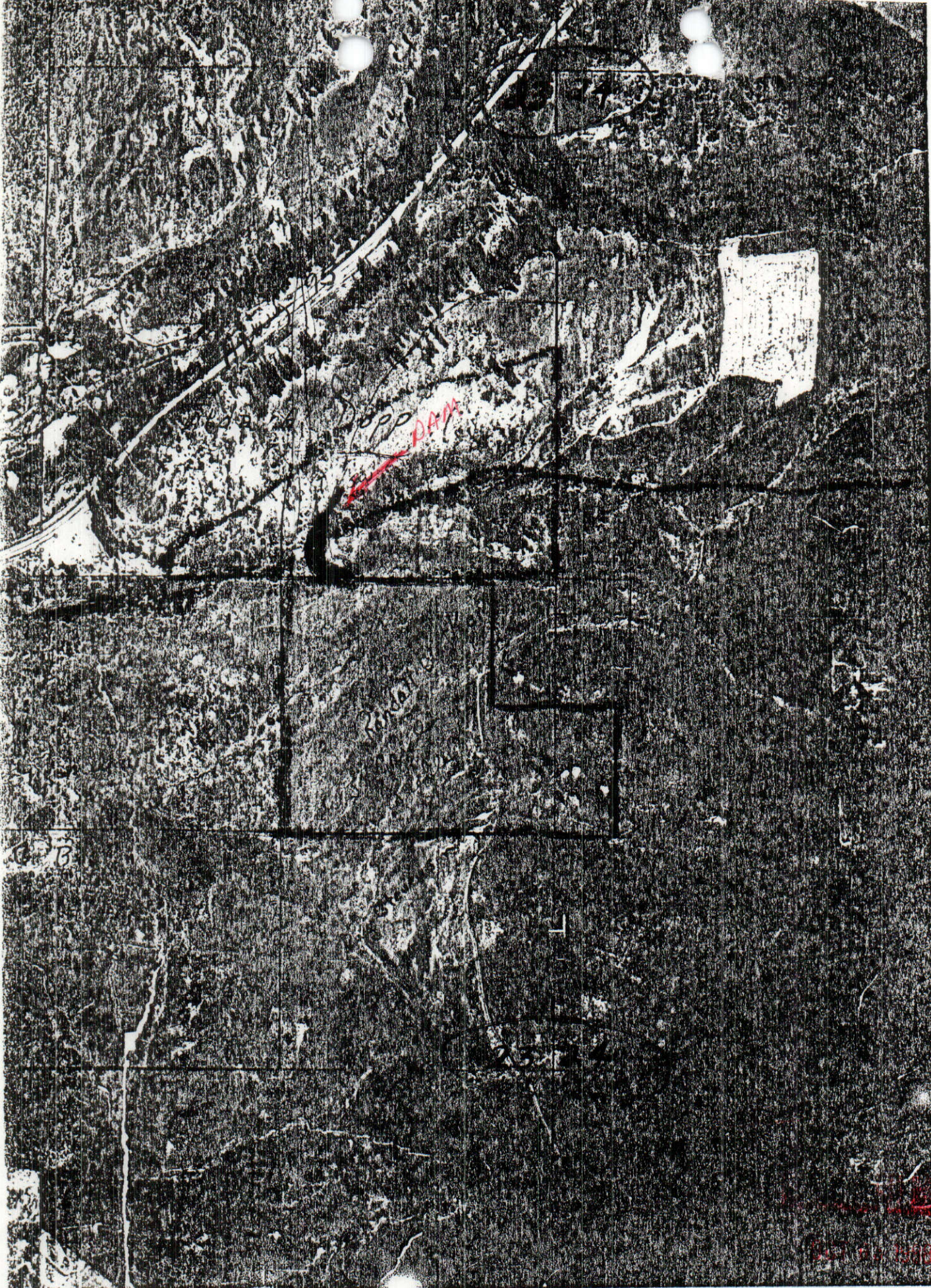
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

OCT 05 1988

Barbara Little
(Applicant)



DAM SITE
S 1/4
of SE 1/4
or NE 1/4



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 for Water Right "

67-7728-67-7728

as per clipping
herein 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 April 7, 1988

and the last in the issue dated April 14, 1988
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 uninterrupted-
ly published in said county during a period of more than sev-
enty-eight consecutive weeks prior to the first publication of

" Notice "
said as aforesaid.

Subscribed and sworn to before me this 15th

day of April, 1988

Notary Public for Idaho,
Residing at Council, Idaho

1-25-94

NOTICE OF APPLICATION FOR WATER RIGHT

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

67-7728

RIEHLE, BILL &/or CAROL
LITTLE, BARBARA
BOX 476, COUNCIL, ID 83612
Source: UNNAMED STREAM
trib. to WEISER RIVER
Diversion Pt: SWSENE Sec 23 T
17N R 01W

Use: IRRIGATION STORAGE
(120.0 AF)
IRRIGATION FROM STOR-
AGE (120.0 AF)

Date Filed: 03/09/1988

In: NESE Sec 23 T 17N R 01W
NWSW Sec 24 T 17N R 01W for
40 Acres

67-7729

RIEHLE, BILL &/or CAROL
BOX 476, COUNCIL, ID 83612
Source: SPRING trib. to WEIS-
ER RIVER
Diversion Pt: SWNWSW Sec 24
T 17N R 01W

Use: IRRIGATION (0.120 CFS)
STOCKWATER (0.020 CFS)

Date Filed: 03/24/1988

In: NESE Sec 23 T 17N R 01W
FOR 4 ACRES

The permit(s) will be subject
to all prior water rights. Pro-
tests must be filed with the Di-
rector, Dept. of Water Resources,
Western Region, 2735 Airport
Way, Boise, Idaho 83705 on or
before April 25, 1988.

R. KEITH HIGGINSON, Dir.

MICROFILMED

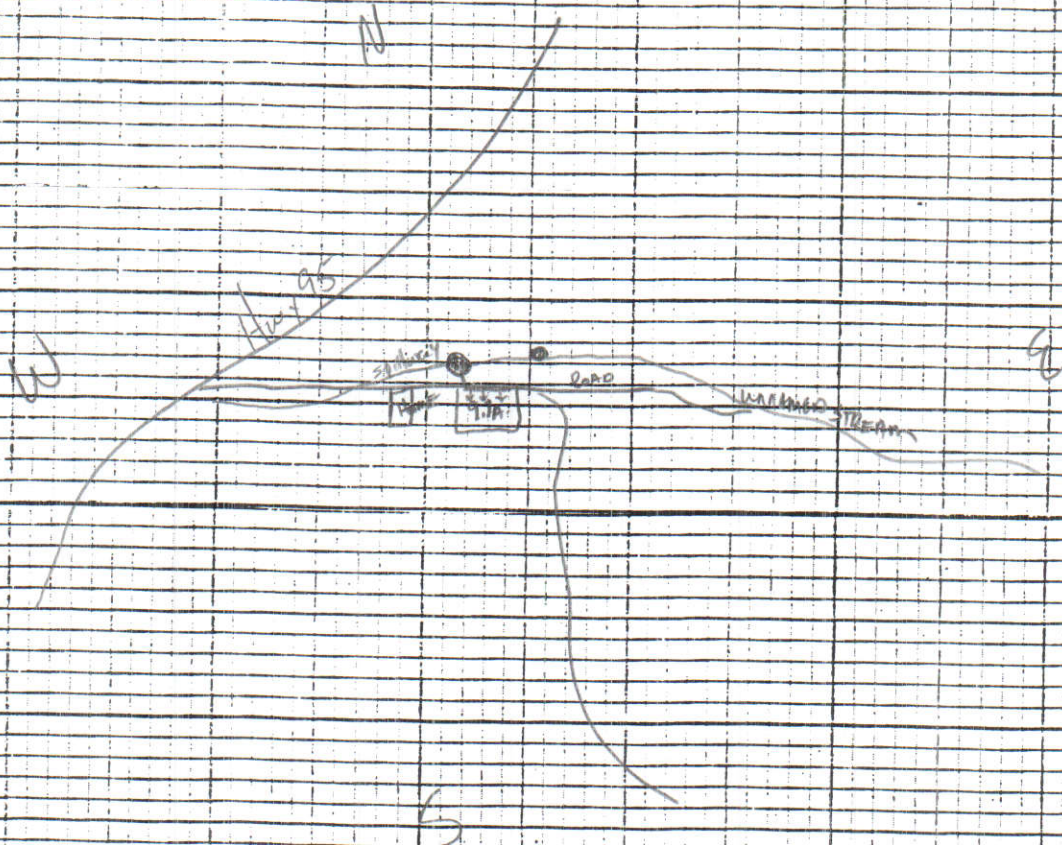
OCT 03 1988

RECEIVED

APR 18 1988

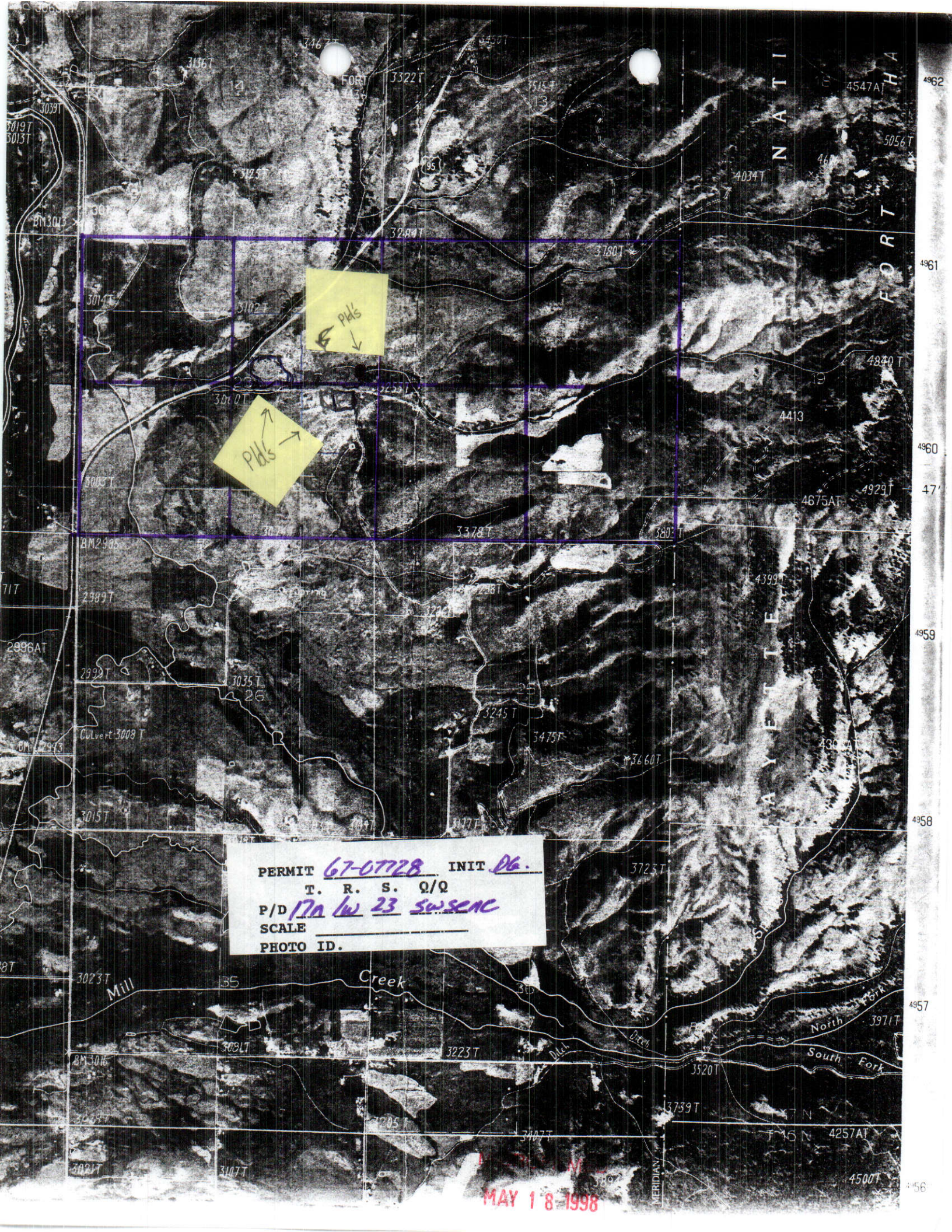
Department of Water Resources
Western Regional Office

SYSTEM DESCRIPTION
ATTACHMENT TO FIELD EXAM FORM



MICROFILMED

MAY 18 1998



PERMIT 67-07128 INIT DG.
T. R. S. Q/Q
P/D 17a lw 23 SWSENC
SCALE _____
PHOTO ID. _____

MAY 18 1998

03



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MAY 18 1998

Pond #1



INFLOW FROM
UNNAMED
STREAM
←

VIEW OF UPPER POND. THE
CREEK RUNS INTO THE POND
ON IT'S EAST SIDE THEN
CONTINUES DOWN HILL TO
POND #2. WATER IS
RUN-OFF : SEELED FROM
ONE POND TO ANOTHER.

PHOTO ONE-



Field irrigated
from Pond #2
← ↓ ↓

Pond #2

From Pond #2 water
is diverted with a
pump to the field to
the south. The runoff
from this point
continues down hill
to stock irrigate a
portion of the property.

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PHOTO TWO-



Overflow from Pond #2
continues downhill to
irrigate pasture land.
Natural spillway.

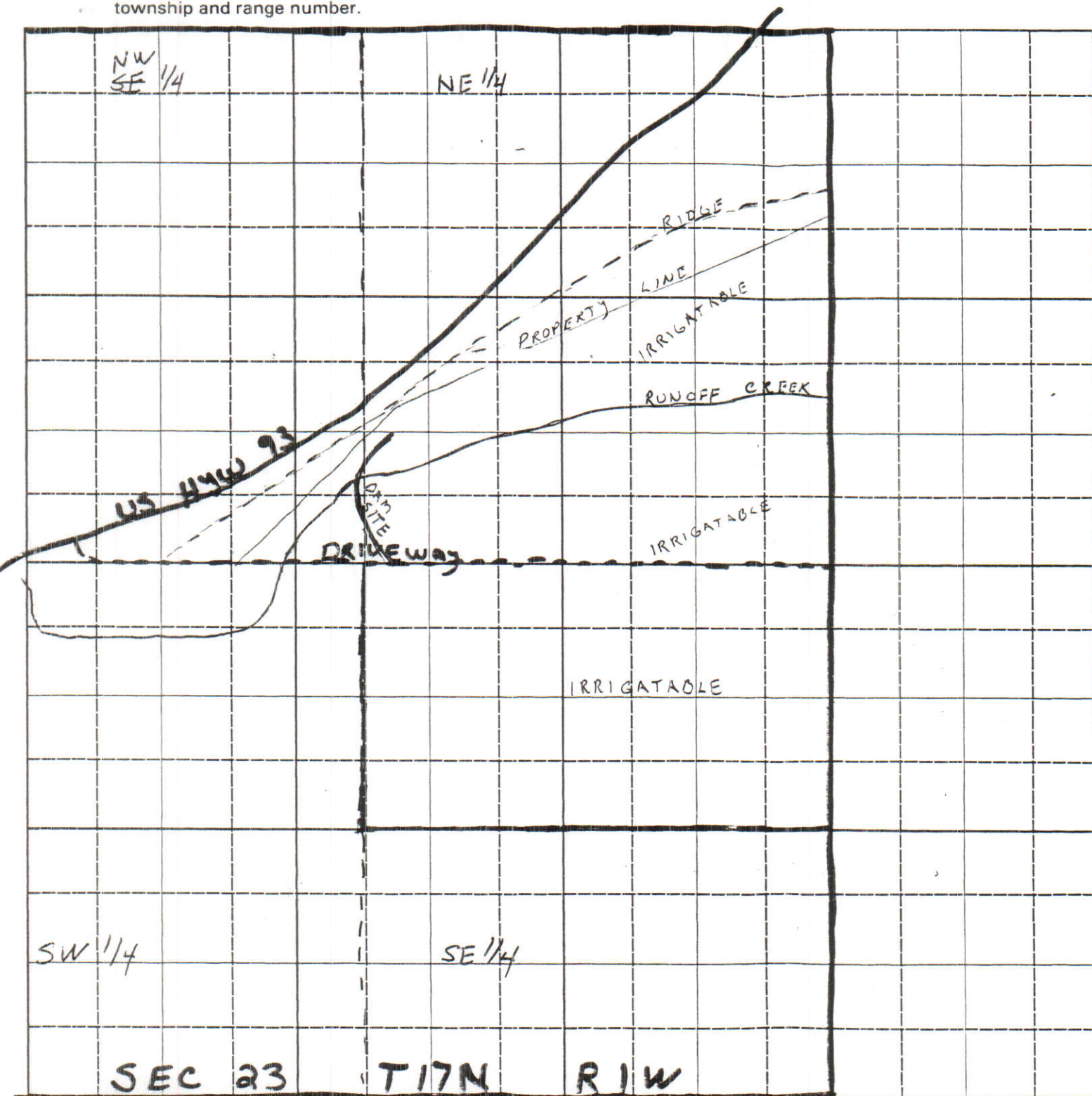
PHOTO THREE-

>

MICROFILMED
MAY 18 1998

PHOTO FOUR-

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



Scale: 2 inches equal 1 mile.

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

set forth.

OCT 03 1988

Carol Riehl
(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07728

Priority: March 9, 1988

Maximum Storage Volume:

10.5 AF

This is to certify, that CAROL RIEHLE
BARBARA LITTLE
BILL RIEHLE

PO BOX 476

COUNCIL ID 83612

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 9, 1988; and has submitted Proof of Beneficial Use on June 11, 1991. An examination indicates that the works have a storage capacity of 10.500 af of water from:

UNNAMED STREAM

tributary to WEISER 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 STORAGE	01/01 to 12/31		10.5 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		10.5 AF
	Totals		10.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 23, Township 17N, Range 01W
ADAMS County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
17N	01W	23	NESE	10		10

Total number of acres irrigated: 10

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.

MICROFILMED

MAY 18 1998

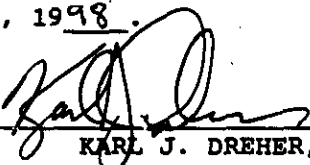
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 67-07728

CONDITIONS OF APPROVAL AND REMARKS

5. Two points of diversion are located within the SENE, S23,
T17N, R1W.

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 25th
day of March, 1998.



KARL J. DREHER, Director

MICROFILMED
MAY 18 1998

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MAR 23 1998

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-07728

Date of Priority: March 9, 1988

Maximum Storage Volume: 10.5 AF

Comes now

CAROL RIEHLE
BARBARA LITTLE
BILL RIEHLE

PO BOX 476
COUNCIL ID 83612

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 67-07728, and requests that the permit be changed as follows:

Source: UNNAMED STREAM tributary to WEISER RIVER

<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		10.5 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		10.5 AF
	Totals		10.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 23, Township 17N, Range 01W
ADAMS County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
17N 01W 23	NESE 10			10

Total number of acres irrigated: 10

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

Signed at William J. Riehl, this 10th day of March, 1998.
Council 14

Bill Riehl

(Signature)

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MAY 18 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-07728

FOR DEPARTMENT USE ONLY

Preliminary check by SW Fee = 50.00 Receipted by RG # CD41807 Date 3/23/98

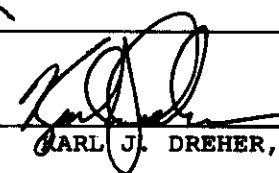
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 67-07728 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
5. Two points of diversion are located within SENE, S23, T17N, R01W.

Witness my hand this 25th day of March, 1998.



KARL J. DREHER, Director

MICROFILMED
MAY 18 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07728

Priority: March 9, 1988

Maximum Storage Volume:

8.0 AF

This is to certify, that CAROL RIEHLE
BARBARA LITTLE
BILL RIEHLE

SUPERSEDED

PO BOX 476

COUNCIL ID 83612

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 9, 1988; and has submitted Proof of Beneficial Use on June 11, 1991. An examination indicates that the works have a storage capacity of 10.500 af of water from:

UNNAMED STREAM

tributary to WEISER 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 STORAGE	01/01 to 12/31		8.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		8.0 AF
	Totals		8.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 23, Township 17N, Range 01W
ADAMS County

PLACE OF USE: IRRIGATION FROM STORAGE

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
17N	01W	23	NESE	10		10

Total number of acres irrigated: 10

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.

SUPERSEDED

MICROFILMED

MAY 18 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07728

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 27th
day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

SUPERSEDED

MICROFILMED

MAY 18 1998

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
NO. 67-07728 IN THE NAME)
OF BILL &/OR CAROL RIEHLE &/OR)
BARBARA LITTLE)
_____)

ORDER REMOVING
CONDITION OF APPROVAL

WHEREAS, on March 9, 1988, Bill and/or Carol Riehle and/or Barbara Little applied to the Department of Water Resources (Department) for a permit to appropriate water from an unnamed stream tributary to the Weiser River for irrigation storage and irrigation from storage uses; and,

WHEREAS, the Department approved Permit No. 67-07728 with the following condition:

Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

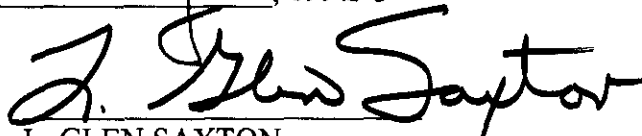
and,

WHEREAS, the watermaster of Water District No. 67 has informed the department that measuring devices are not necessary for regulation of this water right; and,

WHEREAS, there appears to be reasonable cause to remove the condition,

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval requiring the installation of permanent measuring devices for Permit No. 67-07728 is REMOVED provided that the Director retains jurisdiction to reinstate the condition in the future if determined by the Director to be necessary.

Dated this 9th day of January, 1998.


L. GLEN SAXTON
Chief, Water Allocation Bureau

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MAY 18 1998

RECEIVED

JUN 11 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

For Office Use Only

Amt. of Fee \$ 50.00Date 6/11/91Receipt No. 0020724Received by J. J. J. J.

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

1. Permit No. 67-07728 Telephone No. 253-4766
2. Name(s) of Permit Holder(s): WILLIAM & CAROL RIEHLE, BARBARA LITTLE
3. Post Office Address: Box 476 Council IDAHO
4. Source of Water: UNNAMED STREAM (~~STREAM~~)

a. If ground water, well driller's name: _____ Date drilled: _____

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

5. Extent of Use:

Domestic _____ (No. of households)

Irrigation 740 (No. of acres)Stockwater 20 (No. and type of stock)
Cows - calves

Other _____

6. Total rate and/or volume for which proof is submitted .09 .10 cfs 10 acre/feet

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

Measuring device: Required? ☒ Yes ___ No Installed? ☒ Yes ___ No

OR

Flow Measurement Port: Required? ___ Yes ___ No Installed? ☒ Yes ___ No

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

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

BILL OR CAROL RIEHLE
Name

253 4766
Telephone No.

Box 476 Council IDAHO
Address

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

Date

6-10-91

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

Carol Riehl

JUL 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Billy &/or CAROL RIEHLE &/or BARBARA LITTLE Phone 208-253-4766
Post office address Box 476, COUNCIL, ID 83612
2. Source of water supply UNN. STREAM which is a tributary of WEISER R.
3. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 23 Township 17N Range 1W B.M. ADAMS County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 120 for STORAGE FOR IRRIGATION purposes from 11/1 to 4/30 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 120 for FROM STORAGE purposes from 5/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) 120
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. EARTH FILLED DAM IN
STREAM WITH CONCRETE SPIRWAY. A CULVERT WILL BE
BURIED AT THE BOTTOM OF THE DAM WITH A SCREW TYPE SEAL,
DIESEL PUMP INTO 4-6" MAINLINE FOR SPRINKLER IRRIGATION.
 - b. Height of storage dam 20 feet; active reservoir capacity 120 acre-feet; total
reservoir capacity 120 acre-feet; period of year when water will be diverted to storage:
11/1 to 4/30 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
3 years (minimum 1 year).

OCT 03 1988

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	
17N	16W	23													35				35
		24										5							5

Total number of acres to be irrigated 40

10. Describe any other water rights used for the same purposes as described above. WEISER RIVER
DECREEED RIGHTS

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

12. Remarks: _____

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OCT 03 1988

[illegible]

Barbara Little
(Applicant)

Proposed Priority 3/9/88
Received by [Signature] Date 3/9/88 Time 1:00 Preliminary check by _____
Fee \$ 65.00 Receipted by [Signature] # W000026 Date 3/9/88
Publication prepared by _____ GG _____ Date 3-30-88 Published in Adams County Leader
Publication approved 50 Date 4/9/88 4/6 & 4/13/88

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. 67-7728, and said application is hereby APPROVED.

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 July 1, 19 91.

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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Permanent measuring devices must be installed in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.

The storage of water under this permit is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.

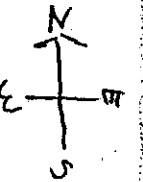
Use of water under this permit is subject to control by the watermaster of State Water District No. 67, Weiser River.

Witness my hand this 28 day of JUNE, 1988.

[Signature]
Director

RECEIVED

OCT 03 1988



DAM SITE
SP 1/4
W 1/4 of SE 1/4
T 1 N 1 E 1



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 for Water Right"

67-7728-97-7728

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 April 7, 1988

and the last in the issue dated April 14, 1988
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 sev-
enty-eight consecutive weeks prior to the first publication of

said

as aforesaid.

Subscribed and sworn to before me this 15th

day of April, 1988

Notary Public for Idaho,
Residing at Council, Idaho

1-25 44

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OCT 03 1988

RECEIVED

APR 13 1988

Department of Water Resources
Western Regional Office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CAROL RIEHLE
BARBARA LITTLE
BILL RIEHLE
PO BOX 476
COUNCIL ID 83612

RE: Water Right 67-07728

Dear Water Right Holders:

The accompanying Water Right License is a "Final Order" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code. The final order, which supersedes the license issued as a preliminary order on February 27, 1998, reflects approval of your application for amendment of permit.

Section 67-5246 provides as follows:

- (1) If the presiding officer is the agency head, the presiding officer shall issue a final order.
- (2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.
- (3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.
- (4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the issuance of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.
- (5) 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:

MICROFILMED
MAY 18 1998

- (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.

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

(7) A non-party shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order 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(4) Idaho Code.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter 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 a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

MAY 18 1998

Riehle & Little
March 25, 1998
Page 3

I have also enclosed a copy of your application for amendment of permit. If you have any questions, please contact me at 208-327-7946.

Respectfully,

A handwritten signature in cursive script that reads "Shelley Walter Keen".

Shelley Walter Keen
Water Rights Supervisor

Enclosures

MICROFILMED

MAY 18 1998

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MAY 18 1998

MEMORANDUM

DATE: March 25, 1998

TO: Water Right File 67-07728

FROM: Shelley W. Keen *SJK*

RE: License issued as a final order

The holders of permit 67-07728 were notified on January 12, 1998, and February 2, 1998, that their permit must be amended in order for their license, when issued, to include their second point of diversion. The permit holders had not responded to IDWR's notices by February 27, 1998, so on that date Water Right License 67-07728 was issued as a preliminary order without recognizing the second point of diversion. No party filed a petition for reconsideration, exception, or brief with IDWR, and the license became final on March 20, 1998. On March 23, 1998, IDWR received the application for amendment of permit to add the second point of diversion. Under Rule 760 of the Rules of Procedure of the Department of Water Resources the agency head may "modify or amend a final order of the agency . . . at any time before notice of appeal to District Court has been filed or the expiration of the time for appeal to District Court." The time to appeal to the District Court will expire on April 17, 1998, and no appeal has been filed. Therefore, today Water Right License 67-07728 was modified to include the second point of diversion and re-issued as a final order by the director.

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K:\WRMEMOS\6707728.doc

MAY 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CAROL RIEHLE
BARBARA LITTLE
BILL RIEHLE
PO BOX 476
COUNCIL ID 83612

RE: WATER RIGHT NO. 67-07728

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

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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.

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

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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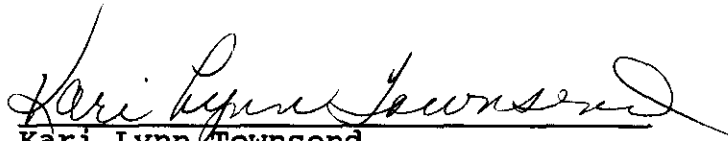
MAY 18 1998

CERTIFICATE OF MAILING

I hereby certify that on the 27th day of **February, 1998**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 67-07728

CAROL RIEHLE
BARBARA LITTLE
BILL RIEHLE
PO BOX 476
COUNCIL ID 83612


Kari Lynn Townsend
Secretary

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MAY 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CAROL RIEHLE
BARBARA LITTLE
BILL RIEHLE
PO BOX 476
COUNCIL ID 83612

RE: WATER RIGHT NO. 67-07728

Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has actually been developed.

As of this date, I have not received this amendment. If I do not receive the amendment within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment form I sent you has been misplaced, a new one is enclosed. Please note that the filing fee for this amendment is \$50.00.

If you have any questions, please call me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

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MAY 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 12, 1998

PHILIP E. BATT
GOVERNOR

CAROL RIEHLE
BARBARA LITTLE
BILL RIEHLE
PO BOX 476
COUNCIL ID 83612

KARL J. DREHER
DIRECTOR

RE: WATER RIGHT NO. 67-07728

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit referenced above prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that you developed more points of diversion than were described on your permit. Therefore, before a license can be issued, your permit must be amended to include the additional point(s) of diversion.

The enclosed Application for Amendment form describes the additional point(s) of diversion and other information that will be included on the license when it is issued. In some cases, the reference to multiple points of diversion is contained in the list of conditions of approval and remarks on the last page of the amendment form. Please review the amendment carefully. If you concur with the information presented, please sign the form and return it with the \$50.00 filing fee within 14 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

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

In addition, a copy of the order removing the measuring device requirement on your water use is enclosed for your information.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosure

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MAY 18 1998

WR0749NP
No. L67-07728

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/08/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CAROL RIEHLE PO BOX 476 COUNCIL ID 836120000	03/09/1988	IRRIGATION STORAGE IRRIGATION FROM STORAGE	01/01 12/31 04/01 10/31		10.50 AFA 10.50 AFA
TOTAL DIVERSION:						10.50 AFA
C	BARBARA LITTLE PO BOX 476 COUNCIL ID 836120000 (208) 253-4766					
C	BILL RIEHLE PO BOX 476 COUNCIL ID 836120000					

Water Source: UNNAMED STREAM

Tributary to: WEISER RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 10.50 AFA

Point(s) of Diversion: T17N R01W S23 SENE ADAMS County

Place of use Legal Description for: IRRIGATION FROM STORAGE

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
17N 01W 23	:		:		:		:		:		:		:		:	
													10	:	10.0	
													TOTAL ACRES	:	10.0	

Pou County: ADAMS

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

67-00121 67-04114 67-07426 67-07729

Conditions of Approval:

R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 67.

Remarks: GEN Two points of diversion are located within SENE, S23,
T17N, R01W.

Dates: App. Received: 03/09/1988 Priority Date: 03/09/1988
Proof Due Date: 07/01/1991 Proof Made Date: 06/11/1991
Exam Made Date: 06/29/1993 Exam Sent to S.O.: 11/18/1993
Licensed Date:

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

Audit: 07/25/97 SCURTIS 07/28/97 SCURTIS

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[illegible]

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE								NW								SW								SE								SUM
		NE		NW		SW		SE		NE		NW		SW		SE		NE		NW		SW		SE										
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac									
6707842	SPRING	:						08	:																	8								
A6710136	FORT HALL	:							:						06	:										6								
~~A6704012~~	~~WEISER RIV~~	:							:	12	14	40	36	:	03	30	22	:	11					11		179								
~~A6704013~~	~~WEISER RIV~~	:							:	12	14	40	36	:	03	30	22	:	11					11		179								
A6711304A	FORT HALL	:							:			21	07	:				:								28								
A6711305	WEISER RIV	:			0		04	:		14	34	30	24	:	02			:								108								
A6711417	WEISER RIV	:							:					:			01	23	:							24								
A6712319	LOST CREEK	:			0		04	:		14	34	37	24	:	02			:								115								
T6712319	LOST CREEK	:			0		04	:		14	34	37	24	:	02			:								115								
--86 MAP--	C3Q-S 57	:					05	:		03	04	15	22	:	02	27	22	:								100								

MEMORANDUM

TO: File 67-07728

FROM: Sharla

DATE: January 8, 1998

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 67-07728 are based on the following:

H. RECOMMENDATIONS

Irrigation Storage	1/1 - 12/31	10.5 afa
Irrigation from Storage	4/1 - 10/31	10.5 afa

Storage is on-stream; no diversion to storage takes place. The standard irrigation season for this area is 4/1 - 10/31.

Examiner: Dave Grey
Exam Date: June 29, 1993

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MAY 18 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 67-07728

DATE 7/25/97

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE Change OK

Is change clarification of originally intended source? NO

POINT OF DIV Valid OK

If not, prepare Notice of Intent to Void NO

PLACE OF USE Change OK

Amendment required YES

Amendment required NO

Does map agree with written description? YES NO

OVERLAPS NO P/D NO P/U

RATE OF DIV

Permitted Rate 120 cfs
Fee limit 200 cfs
Measured 10.5 cfs
Theoretical 10.5 cfs

Recommended Total Div Rate 10.5 cfs

ANNUAL VOLUME/
NATURE OF USES NO

Use 10.5 cfs

Volume Calculation

10.5 af
10.5 af
10.5 af
10.5 af
SUBTOTAL 10.5 af

Flow rate 10.5 cfs X 1 days X 1.9835 = 20.7 af

Total volume recommended 10.5 af
(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

2 pld in stone, 523

CONDITIONS RO4 Watermaster Control WD# 67

NO GW Measurement/Measuring Device
NO Overlap
NO Use-specific conditions

Advancement of Priority Date Required NO yes NO

SRBA Claim Filed NO

1st Amend Letter 145 B8

Adjustment Memo no direct flow on stream

2nd Amend Letter 142

Season



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 23, 1997

Gerald Meyer
HC 70 Box 2010
Midvale, ID 83645

RE: Water Right 67-07728

Dear Gerald,

We are in the process of reviewing permit number 67-7728 for licensing. In September of this year I sent you a profile report describing this permit. During the field examination in July of 1993, our examiner found no measuring devices installed. One of the conditions of the permits required that permanent measuring devices be installed in such a manner that the amount of water entering the reservoirs and the amount of water released from the reservoirs could be measured.

Are measuring devices necessary for regulation of these rights? If so, we will hold licensing the rights until the condition is complied with and will retain the condition when the licenses are issued. If it is not necessary, we will simply remove the condition.

I appreciate your help in this matter. If you have any additional questions, please feel free to contact me at (208) 327-5452.

Sincerely;

Sharla Curtis
/Sharla Curtis
Water Resource Agent

SC:cb

*per telecon on 12/29, Mr. Meyer told Cindy Zimmerman
that measuring devices ~~was~~ are not req'd for this Rt.*

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SC

MAY 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 19, 1997

Gerald Myers
HC 70, Box 2010
Midvale, ID 83645

RE: Permit No. 67-07728

Dear Mr. Myers:

We are in the process of reviewing the above referenced permit for licensing. Enclosed is a profile report describing the permit. Note that one of the conditions of the permit required the installation of measuring devices to measure the amount of water entering the reservoir and the amount released from the reservoir.

When the right holders filed the proof of beneficial use form, they indicated that a measuring device(s) had been installed. The department's field examiner made no indication on the examination report that such devices were in place.

Are measuring devices necessary for regulation of this right by the watermaster? If they are, we will withhold licensing until the condition is met. If you respond and tell us that inflow and outflow measuring devices are not necessary, we will take action to remove the condition as a requirement of the permit.

I look forward to hearing from you on this matter.

Sincerely,

A handwritten signature in cursive script that reads "Sharla Curtis".

SHARLA CURTIS
Water Resource Agent

Enclosure

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MAY 18 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 22 1993

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-7728

1. Owner: Bill: Jon Paul Rennie: Jon Thomas Little

Phone No. 253-4766

Current Address: Box 476 Council Id 83612

2. Accompanied by: Bill Little

EXAM DATE: 6-29-93

Address: SAME

Phone No. SAME

Relationship to Permit Holder: SAME

3. Source: Unnamed Stream

tributary to WEISER RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 67-57729, 67-07426, 67-04114, 67-00121

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	NE	23	17n	1w	Adams	Guaps - Owner Id - ARIEL
		SE	SE	NE	23	17n	1w	Adams	Guaps - Owner Id - ARIEL

2. Place(s) of Use:

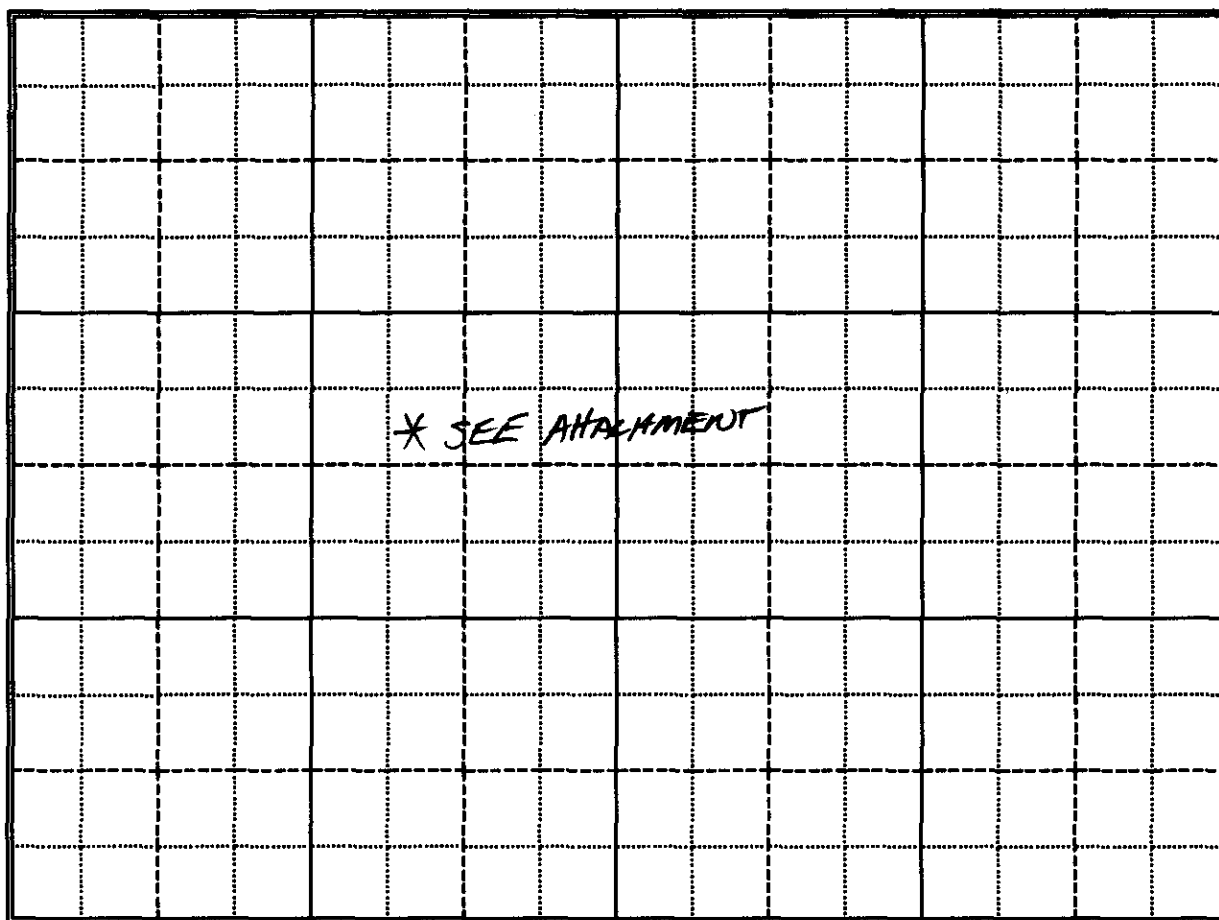
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17n	1w	23																9.7	9.7

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



Scale: 1" = _____

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
PTO - Diesel Tractor	FARMALL	50		Parkley	MAX BHP 55

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: Truckhead = 50 hp, 100' lift, c 65 psi
Sprinkler Head 20 heads c 3/4" c 65 psi

MICROFILMED

4-7-8-83

E. NARRATIVE/REMARKS/COMMENTS

This system uses two collection ponds: a PTO pump to irrigate a 10 acre field. The unnamed stream is channeled into a small pond, from this point the water seeps through fissures: a run off or seeped into Pond #2. The PTO system is set-up next to the pond: pumps the water out of Pond #2 from a 50 hp motor 100' up a hill to a head line system that irrigates a 10 acre field.

* Other WR's do not overlap this property or are from this same point of discussion.

* COMMENTS - THE MEASUREMENTS FROM THE PTO TOWNE MUST NOT BE RELIABLE WHEN COMPARED TO THE SPRINKLER HEAD MEASUREMENT. ALL FLOW DATA SHOULD BE RELATED TO SPRINKLER HEAD TEST.

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

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F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$PTO_{THEORETICAL} = \frac{50 \times 8.8 \times .70}{100 + (2.3 \times 55)} = \frac{308}{249.5} = 1.2 \text{ cfs}$$

$$\text{need} = 10 \times .02 = .2 \text{ cfs}$$

$$\text{SPRINKLER HEAD} = 20 \text{ HEADS @ } 65 \text{ psi} = \text{Exhibit 9} = 20 \text{ heads} \times 8.45 = \frac{169 \text{ gpm}}{448} = .4 \text{ cfs}$$

* SEE COMMENTS.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 10 \times 4.0 = 40 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .2 \times 183 \times 1.9835 = 7.8 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 40 \text{ AFA}$$

2. Volume Calculations for Other Uses:

$$\text{POND \#1} = 92' \times 230' \text{ Rect. 5' Flat Bottom} = \frac{230 \times 92}{43650} = \frac{\text{Surface Area}}{\text{depth}} = .5 \text{ AFA} \times 5 = 2.5 \text{ AF}$$

$$\text{CAPACITY} = 10.5 \text{ AF}$$

$$\text{POND \#2} = \frac{1}{5} \times 150' \times 300' \text{ Rect 8' Flat Bottom} = \frac{150 \times 300}{43650} = \frac{\text{Surface Area}}{\text{depth}} = 1.0 \text{ AFA} \times 8 = 8.0 \text{ AF}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION FROM STORAGE	5-1	10-31	.2 cfs	10.5 AFA
STORAGE FOR IRRIGATION	11-1	4-30	—	10.5 AFA
Totals:			.2 cfs	10.5 AFA

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name Dave Gray Date 7-13-93

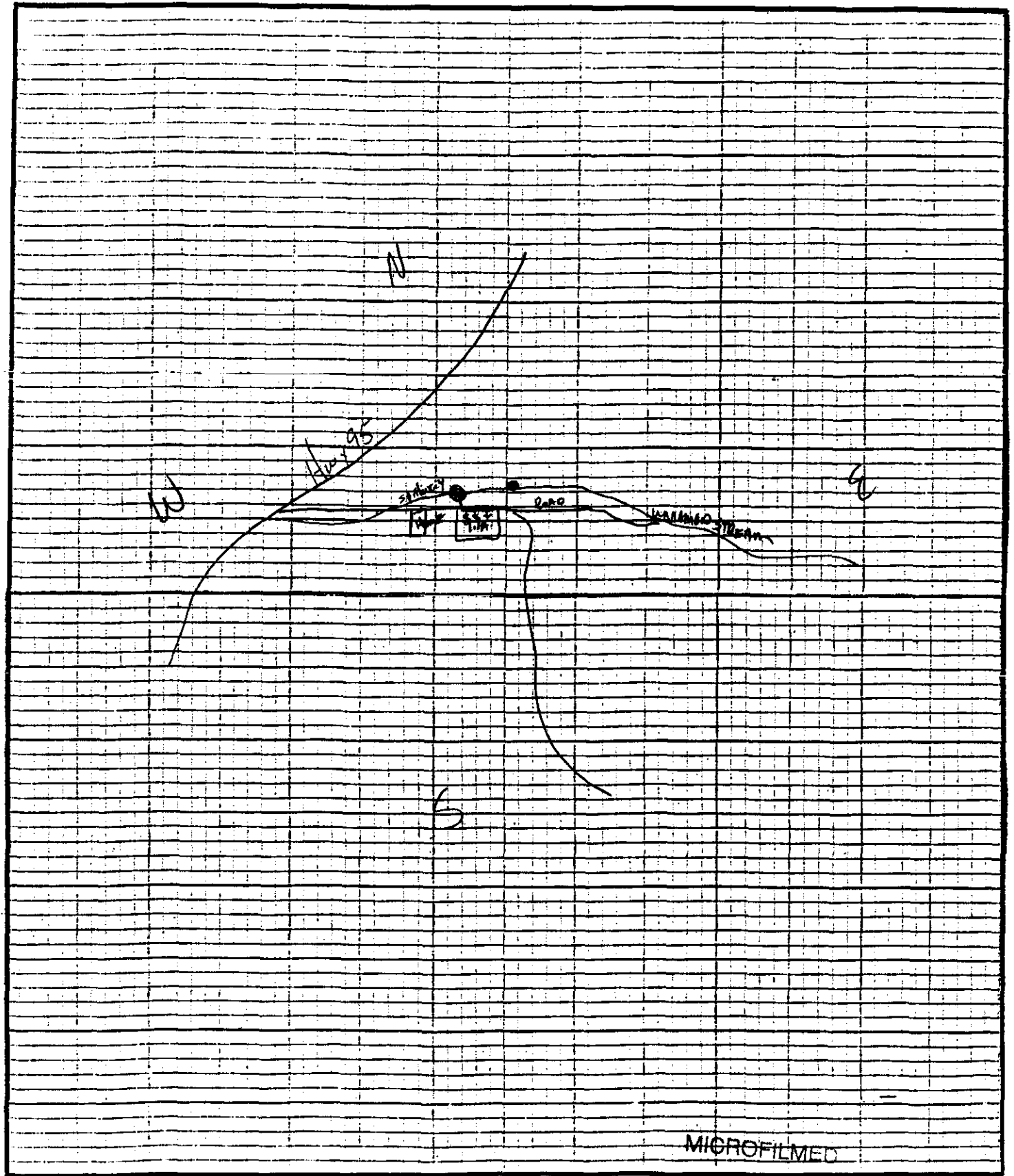
Reviewer _____ Date _____

SEAL

MICROFILMED

MAY 18 1998

STEM DESCRIPTION
ATTACHMENT TO FIELD EXAM FORM

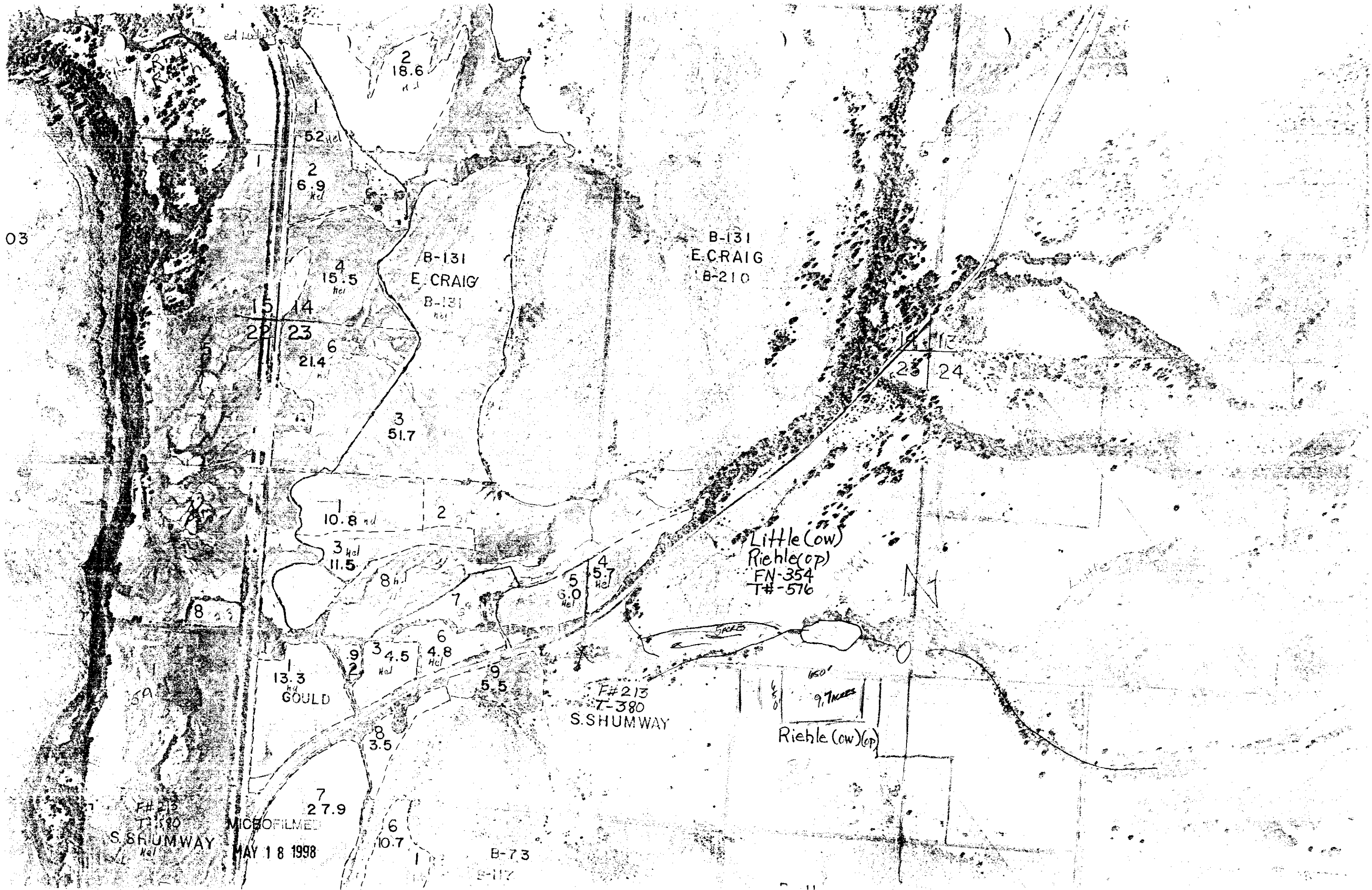


MICROFILMED

MAY 18 1998

MAY 18 1998

03



Pond #



INFLOW FROM
UNPAVED
STREET
←

VIEW OF UPPER POND, THE
CREEK RUNS INTO THE POND
ON IT'S EAST SIDE THEN
CONTINUES DOWN HILL TO
POND #2. WATER IS
RAW-OFF : SEEIED FROM
ONE POND TO ANOTHER.

PHOTO ONE-



Pond #2

From Pond #2 water
is diverted with a
pump to the field to
the south. The runoff
from this pond
continues down hill
to flood irrigation
portion of the property.

MICROFILMED

MAY 18 1998



Overflow from Pond #2
continues downhill to
irrigate pasture land.
Not a spillway.

PHOTO THREE-

>

MICROFILMED
MAY 18 1998

PHOTO FOUR-

June 13, 1991

BARBARA LITTLE
BILL RIEHLE
CAROL RIEHLE
P.O. BOX 476
COUNCIL, ID 836120000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 67-07728

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

MICROFILMED

JUL 15 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 67-7728

Date 6-12-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
☒ Address same as permit? If no, indicate below.
☐ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☒ Surface water source
☐ Ground water source
☒ Drill permit req'd?
☐ Copy in file? Drill permit no. _____
☐ Amt paid for drilling permit? _____ Correct?
☐ Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?
☒ Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- ☒ Measuring device or access port required?
☒ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

Date proof received NA
Date proof due 7 -
No. of days late 7 =
Priority date 7 +
NEW PRIORITY DATE 7 =

JB

138502
April 30, 1991

BARBARA LITTLE
BILL RIEHLE
CAROL RIEHLE
P.O. BOX 476
COUNCIL, ID 836120000

PROOF DUE NOTICE

RE: PERMIT NO. 67-07728

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MAIL ROOM

JUL 15 1991

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) 334-7900
June 29, 1988

BARBARA LITTLE
BILL RIEHLE
CAROL RIEHLE
BOX 476
COUNCIL, ID 836120000

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

RE: PERMIT NO. 67-07728

Dear Permit Holder:

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

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

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

FILED

OCT 03 1988

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

Gary Spackman
Supervisor, Water Allocation Section

GS: SC
Enclosures

RECEIVED

DEC 1 1964

P.D. 17N 1W S.23 SWSENE
17N 1W S.23 NESE
S.24 NWSW

Form No. 202a
/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY AD DATE 3/28/88 APPLICATION NUMBER 67-7728
67-

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☒ Overlapping place of use (Describe source & relationship to present application on the back.) *see back ; no rts. w/ same source*
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☒ Yes ☐ No Send dam safety information
- ☐ Yes ☐ No Send power requirement letter
- ☐ Yes ☐ No Send fish farm requirement letter
- ☐ Yes ☐ No Power residency affidavit
- ☐ Yes ☐ No Power efficiency form
- ☐ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested MAY 23 1988

RECEIVED

Department of Water Resources

P.v. Overlap

67-7426 (Riehle) - NESE S. 23 - g.w. source

67-0121 (Spofford) - " - E. Fk. Weiser R.

67-4114 (Robenston) - " - Weiser R.

- no rts. w/ unnamed stream source

→ per conversation w/ Jan Shurte, gw rt.

has been developed only for dom. & stock. use

PROCESSING

☒ Yes ☐ No I form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 4/25/88
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☒ Yes ☐ No Recommendations attached
☒ Yes ☒ No Measuring device required
☒ Yes ☒ No Access port required
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 67 (Weiser R.)
☐ Yes ☒ No Special conditions of approval or cover letter below.

Recommend that 3 years be allowed for completion of this project.
18A, 18B, 05 (Weiser R. (67)) ☐ See below for additional information

By DM Date 5/10/88

STATE OFFICE REVIEW

PO9, P17 26 05 (67) 18A 18B
By KW Date 6/13/88 ☐ See below for additional information

ADDITIONAL INFORMATION

N/A - no diversion allowed this time under of year under this right.

★ No water shall be diverted under this permit after June 15 of each year without prior approval of the watermaster.

Ray
I have discussed small dam
(application filing) with Carol
Riehle, several times, they
are aware of Safety of Dams
requirements (Rules also sent)

DM



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

12 May 1988

Bill &/or Carol Reihle &/or Barbara Little
P. O. Box 476
Council, ID 83612

RE: 67-7728

Dear Applicant:

The Department recently received an application for a water right permit, no. 67-7728. The application specifies a storage dam may be constructed which will come under the jurisdiction of the State of Idaho, Dam Safety Program. Dams which are 10 feet or more in height or store 50 acre-feet or more are large enough to come under the jurisdiction of the Department of Water Resources. Dams which are more than 20 feet in height or store 100 acre-feet or more require submittal of plans and specifications, prepared by a professional engineer, to the Department for review and approval prior to start of construction.

Enclosed is a copy of the Rules and Regulations for Safety of Dams for your information. Also find enclosed an application to construct the dam. The application must be filled out completely and returned along with the appropriate fee. The fee is based on the storage capacity of the reservoir and is explained on page 22 of the Rules and Regulations. Construction of the dam shall not proceed until the application is submitted to and approved by the Department.

Please contact me, phone 334-2190 if you have any questions.

Sincerely,

A. MICHAEL STUBBLEFIELD. P.E.
Water Resource Engineer

RECEIVED

OCT 05 1988

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

TWNSHP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER CODE	STAGE	PRIORITY DATE	SOURCE OF WATER
17N	01W	23	SUNE		01		67-0374	HARP	C	D	05-01-1882	FORT HALL CREEK
			SUNE		01		67-0375	HARP	C	D	06-01-1911	FORT HALL CREEK
			SENE		01		67-0374	HARP	C	D	05-01-1882	FORT HALL CREEK
			SENE		01		67-0375	HARP	C	D	06-01-1911	FORT HALL CREEK
			MENH		01		67-0065	SPOFFORD	C	D	04-25-1901	WEISER RIVER
			MENH	12	01		67-4114	ROBERTSON SEAVEY D	C	S	05-01-1901	WEISER RIVER
			MENH		01		67-0065	SPOFFORD	C	D	04-25-1901	WEISER RIVER
			MENH	14	01		67-4114	ROBERTSON SEAVEY D	C	S	05-01-1901	WEISER RIVER
			MENH	02	01.43		67-4304	PARKER	C	S	01-01-1948	GROUNDWATER
								PARKER	C			
			SUNH		01		67-0073	HAMILL	C	D	05-01-1906	WEISER RIVER
			SUNH		01		67-0074	HAMILL	C	D	05-01-1916	WEISER RIVER
			SUNH		01		67-0372	HAMILL	C	D	05-01-1882	FORT HALL CREEK
			SUNH		01		67-0373	HAMILL	C	D	05-01-1889	FORT HALL CREEK
			SUNH	40	01		67-4114	ROBERTSON SEAVEY D	C	S	05-01-1901	WEISER RIVER
			SENH		01		67-0073	HAMILL	C	D	05-01-1906	WEISER RIVER
			SENH		01		67-0074	HAMILL	C	D	05-01-1916	WEISER RIVER
			SENH		01		67-0372	HAMILL	C	D	05-01-1882	FORT HALL CREEK
			SENH		01		67-0373	HAMILL	C	D	05-01-1889	FORT HALL CREEK
			SENH	36	01		67-4114	ROBERTSON SEAVEY D	C	S	05-01-1901	WEISER RIVER
			NESH		01		67-0376	FREEMAFER	C	D	07-19-1893	FORT HALL CREEK
			NESH	03	01		67-4114	ROBERTSON SEAVEY D	C	S	05-01-1901	WEISER RIVER
			NASH		01		67-0070	FREEMAFER	C	D	06-01-1902	WEISER RIVER
			NASH		02.03		67-0071	PIKE FREEMAFER PIKE	C C D	D	05-27-1910	LOST VALLEY RESERVOIR
			NASH		01		67-0072	GOSHERT	C	D	05-01-1906	WEISER RIVER
			NASH		01.02.03		67-0082	FREEMAFER	C	D	05-27-1910	LOST VALLEY RESERVOIR
			NASH		01		67-0376	FREEMAFER	C	D	07-19-1893	FORT HALL CREEK
			NASH	30	01		67-4114	ROBERTSON SEAVEY D	C	S	05-01-1901	WEISER RIVER
			NASH		01		67-4116	FARMERS CANAL WATE	C	S	06-01-1891	WEISER RIVER
			NASH	01	01		67-4413	GOULD	C	S	01-01-1930	FORT HALL CREEK
			SWSH		01		57-0070	GOULD FREEMAFER	C C	D	06-01-1902	WEISER RIVER
			SWSH		02.03		67-0071	PIKE FREEMAFER PIKE	C C D	D	05-27-1910	LOST VALLEY RESERVOIR
			SWSH		01		67-0072	GOSHERT	C	D	05-01-1906	WEISER RIVER
			SWSH		01.02.03		67-0082	FREEMAFER	C	D	05-27-1910	LOST VALLEY RESERVOIR
			SWSH		01		67-0376	FREEMAFER	C	D	07-19-1893	FORT HALL CREEK
			SWSH	22	01		67-4114	ROBERTSON SEAVEY D	C	S	05-01-1901	WEISER RIVER
			SWSH		01		67-4116	FARMERS CANAL WATE	C	S	06-01-1891	WEISER RIVER
			SESH		01		67-0376	FREEMAFER	C	D	07-19-1893	FORT HALL CREEK
			NESE		01		67-0121	PIKE	C	D	07-01-1905	WEISER RIVER, EAST FORK
			NESE	11	01		67-4114	ROBERTSON SEAVEY D	C	S	05-01-1901	WEISER RIVER
			NESE	40	01.43.04		67-7426	RIENLE	C	P	01-26-1979	GROUNDWATER
								RIENLE	C			

67-7728

RIEHLE, BILL &/or CAROL
LITTLE, BARBARA

BOX 476, COUNCIL, ID 83612

Source: UNNAMED STREAM trib. to WEISER RIVER

Diversion Pt: SWSENE Sec 23 T 17N R 01W

Use: IRRIGATION STORAGE (120.0 AF)
IRRIGATION FROM STORAGE (120.0 AF)

Date Filed: 03/09/1988

In: NESE Sec 23 T 17N R 01W NSW Sec 24 T 17N R 01W for 40 Acres

RECEIVED

OCT 03 1988

INTER-DEPARTMENT MEMO — 1

FROM

Jan Thune

DATE

3/2/88

TO

file for Riehl app.

MICROFILMED

SUBJECT

OCT 03 1988

Mrs. Barbara Little phoned this date
+ stated that she ~~was~~ is the mother
of the Riehls + wondered what had
happened to their app. I informed
her + sent copies of my correspondence.
She will get back to me. JS

SIGNATURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region

CECIL D. ANDRUS
Governor

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

R. KEITH HIGGINSON
Director

December 9, 1987

Bill or Carol Riehle
Box 476
Council, ID 83612

Dear Mr. & Mrs. Riehle:

On September 14, 1987, a letter concerning the application for permit filed for spring runoff, tributary to the Weiser River was sent to you. This letter requested more information and a filing fee for the application. As of this date, we have not received any correspondence concerning this letter from you.

However, in looking through the file, I found that the original application for permit had not been sent with my last correspondence. Therefore, I am enclosing the application at this time along with a copy of my letter of September 14, 1987.

If you have any questions concerning completion of the application, based on the letter of September 14, 1987, feel free to contact this office.

Sincerely,

JAN SHURTE
Sr. Water Resource Agent

JS:j
Encl *BARBARA LITTLE*

1980 MYERS

BOISE, ID 83706

RECEIVED

OCT 05 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 14, 1987

Bill or Carol Riehle
Box 476
Council, ID 83612

Dear Mr. & Mrs. Riehle:

We have received the application for permit filed for water from spring run-off tributary to the Weiser River. However, before we can accept the application more information and a filing fee are required.

Under Item No. 3, Source, you have listed the source as spring run-off, tributary to the Weiser River. Enclosed is a copy of the topographic map of this area for your review. Normally, a creek that does not show a name on the map such as this one, the Department designates as an unnamed stream. Your term of spring run-off aptly describes the actual source, however, since the period of use for storage is Nov. 1 to April 30, the idea of storing flood waters or spring run-off should be apparent.

Under Item No. 4 the uses for water to be stored should be listed as follows: Storage for Irrigation from Nov. 1 to April 30 and Irrigation from Storage from May 1 to Sept. 30. If you are an off-stream storage pond then another use should be added called Diversion to Storage which is listed in cfs (cubic feet per second). If your pond is on-stream, then the use is not needed. You have listed under Item No. 6b that storage will take place Nov 1 to July 1 rather than to April 30. If this is the actual storage time then Item No. 3 should be changed to show to July 1.

In Item No. 9 you have listed 45 acres of irrigation. These acres also need to be shown on the map under Item No. 13. I have marked in each quarter-quarter on the topographic map to help you in clarifying which quarter-quarters will be irrigated. This map can then be submitted as the map under Item 13. I have taken the liberty of re-typing a new application based

MICROFILMED

OCT 05 1988

page 2

Bill or Carol Riehle

on some of the information given. Please correct any items necessary, sign the application and return it to this office. There is a filing fee that must be submitted with this application. It is based on how much water you are applying for. A set of instructions, with the fee schedule on page four is enclosed. Please note the fee for 65 acre feet is \$45.00.

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

Sincerely,

Jan Shurte
Sr. Water Resource Agent

JS:jp

OCT 05 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant BILL OR CAROL RIEHLE Phone 253-4766
Post office address Box 476 COUNCIL ID 83612
2. Source of water supply SPRING RUN OFF which is a tributary of WEISER RIVER
3. Location of point of diversion is SW 1/4 SE 1/4 NE 1/4 of NE 1/4, Govt. Lot -
Sec. 23 Township 17 N Range 1 W B.M. ADAMS County; additional
points of diversion if any: NONE
4. Water will be used for the following purposes:
- Amount _____ for STORAGE purposes from NOV 1 to APRIL 30 (both dates inclusive)
(cfs or acre-feet per annum) IRRIGATION (STREAM DRIES UP IN JULY)
- Amount _____ for MAY 1 purposes from MAY 1 to SEPT 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 _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. A LARGE POND WILL BE CONSTRUCTED AND WATER WILL BE PUMPED FOR SPRINKLER IRRIGATION
- b. Height of storage dam app 20 feet; active reservoir capacity 65 acre-feet; total reservoir capacity 85 acre-feet; period of year when water will be diverted to storage:
Nov 1 to July 1 inclusive.
- c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
- d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

RECEIVED
OCT 05 1988

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	
T17N	R1W	23	15			30													45

Total number of acres to be irrigated 45

10. Describe any other water rights used for the same purposes as described above. NONE

- Who owns the property at the point of diversion? WILLIAM J AND CAROL L RIEHLE
- Who owns the land to be irrigated or place of use? SAME AS ABOVE
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. —

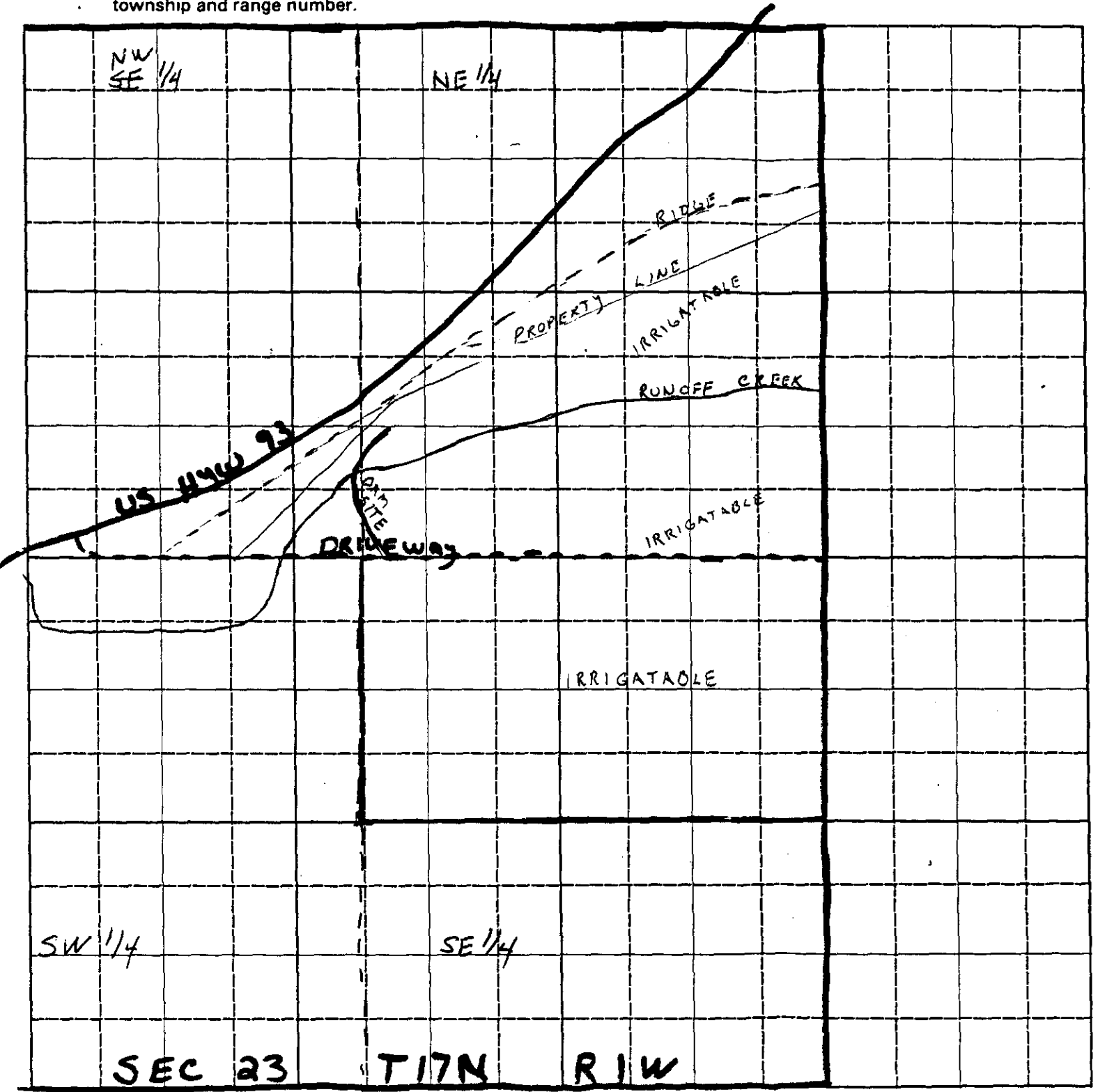
12. Remarks: —

MICROFILMED

OCT 03 1958

N

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



Scale: 2 inches equal 1 mile.

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

RECEIVED

OCT 03 1988

Carol Riehl
(Applicant)

Received by nl Date 9-8-87 Time 8:30 A.M. Preliminary check by _____
Fee \$ _____ Received by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

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 03 1988

WATER RIGHT
DATA ENTRY LOG

[illegible]