

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 Appl

67-7714

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 June 4, 1987

and the last in the issue dated June 11, 1987 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 18th

June 87
day of , 19

Karen Poulson

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

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

67-7714

KENNEDY, CARLTON W. &/or
BARBARA A.
P.O. BOX 121, COUNCIL, ID
83612

Source: GROUNDWATER
Diversion Pt: NWSW Sec 26 T
17N R 01W

Use: IRRIGATION (0.2 CFS)
DOMESTIC (0.020 CFS)

Date Filed: 05/13/1987

In: NWSW Sec 26 T 17N R
01W FOR 10 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before JUNE 22, 1987.

KEN DUNN, Dir.

Published 06/04 & 06/11/87

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JUN 30 1987

Department of Water Resources
Western Regional Office

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OCT 03 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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APR 15 1992
Department of Water Resources

A. GENERAL INFORMATION

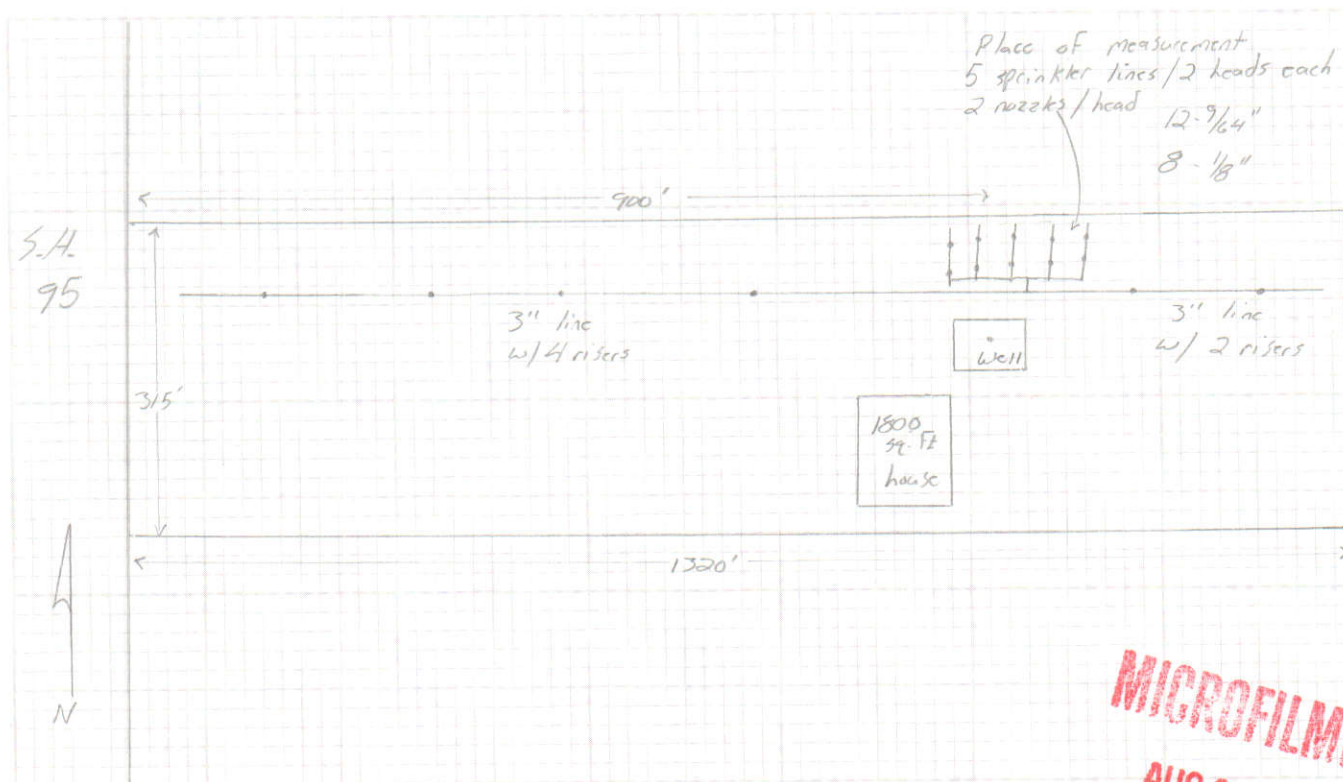
Permit No. 67-07714
Phone No. 253-4703
1. Owner: Carlton W & Barbara A. Kennedy
Current Address: P.O. Box 121, Council ID 83612
2. Accompanied by: Carlton Kennedy EXAM. DATE: 6-21-91
Address: Same Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 67-00075, 67-00076, 67-07739
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: 67-07739
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

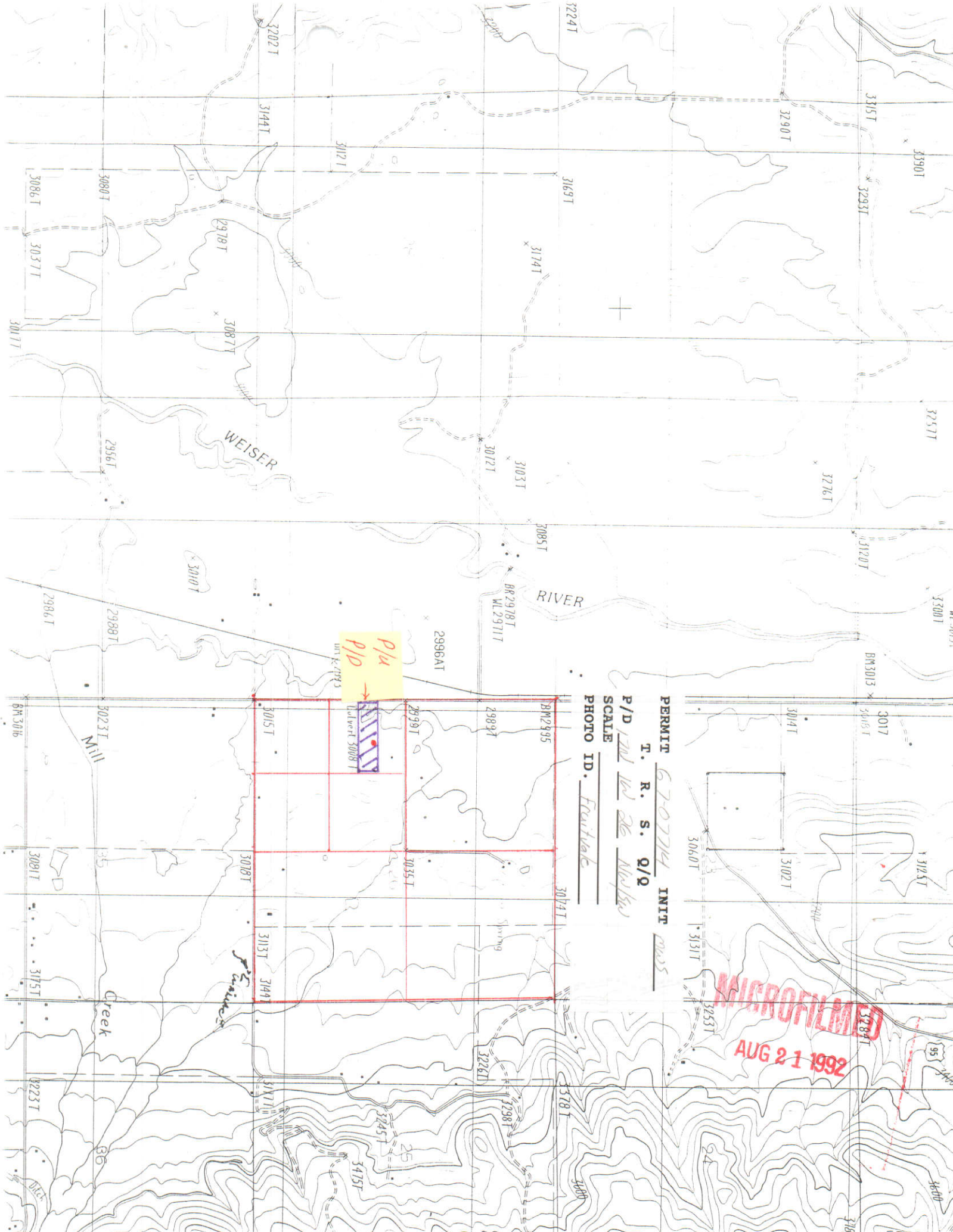
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 200'

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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).



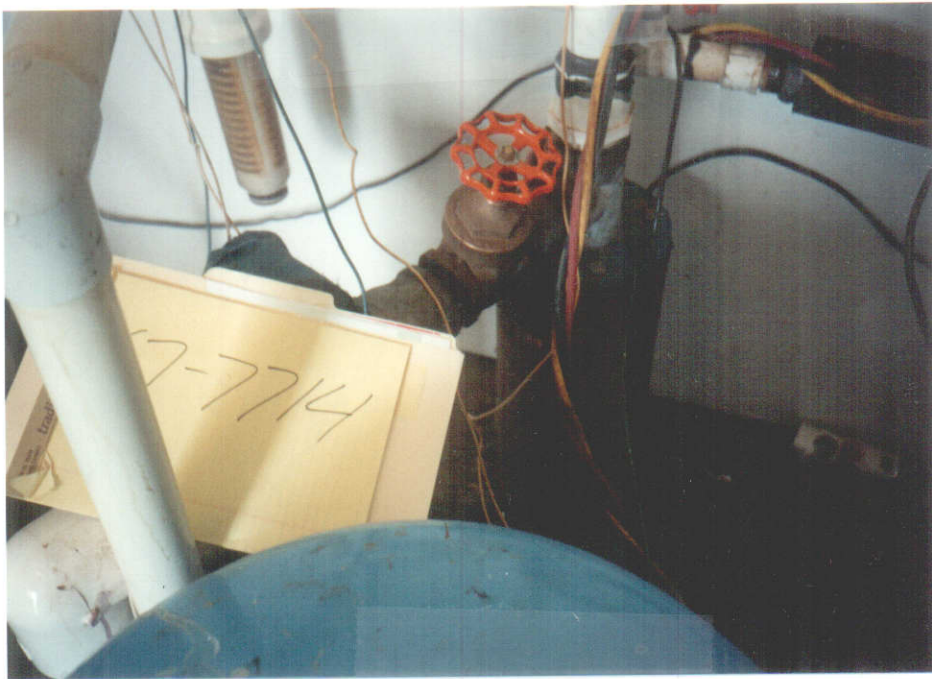
PERMIT 67-07714 INIT mas
T. R. S. Q/Q
P/D 1201 121 26 1201
SCALE
PHOTO ID. Fruitvale

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AUG 21 1992

P/L
P/D

Invert 3006.1

6.7-7714



#1. Point of diversion.
Well located inside
shed.



#2. Place of use,
Facing east.

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#67-7714



#3

Place of use,
Facing west.



#4

Place of use,
Facing east. House
in background.

UNRECORDED

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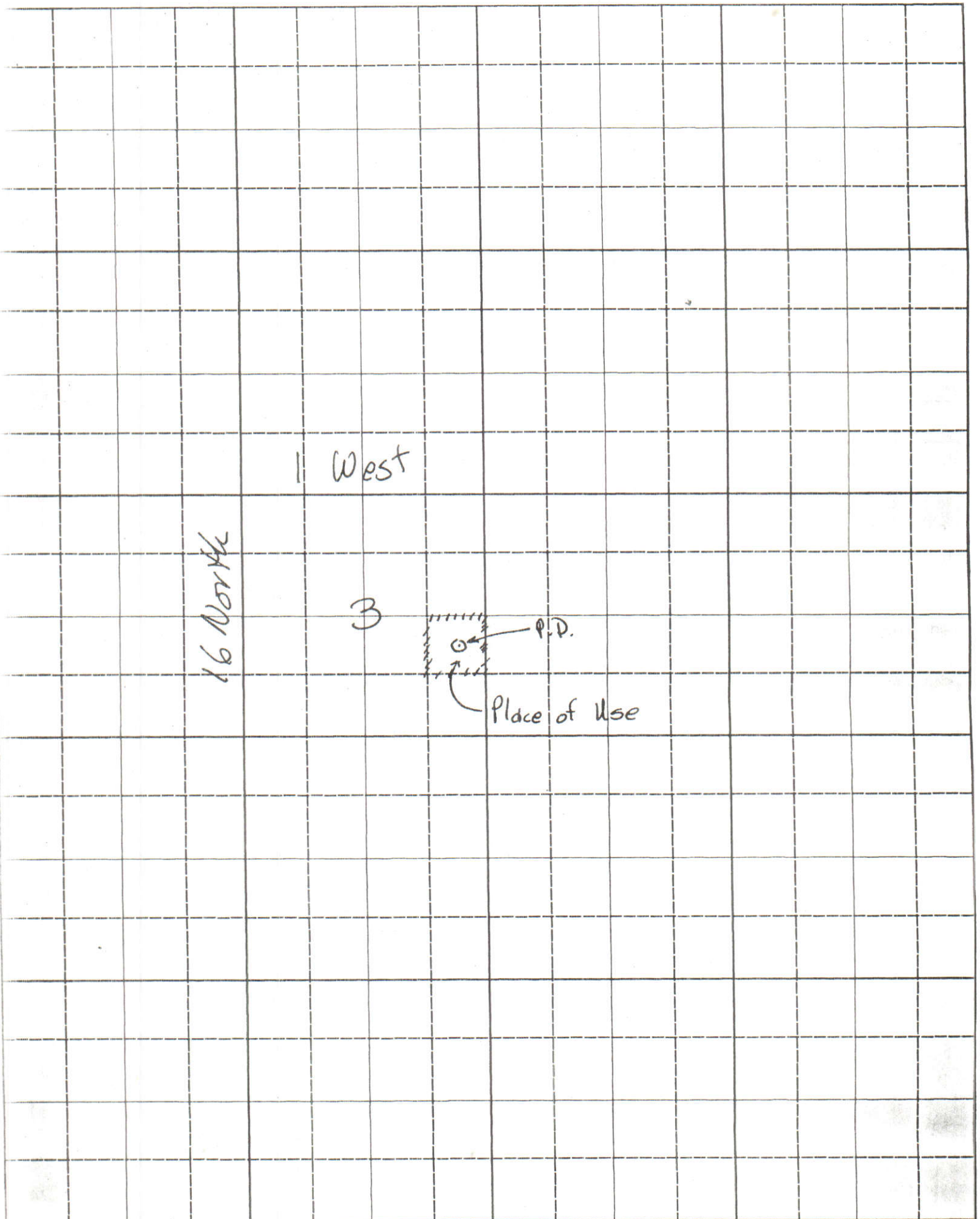
#5

Place of use,
Facing north from
well.

Place of measurement.
5 sprinkler lines with
2 heads each & 2
nozzles/head.

UNRECORDED
AUG 21 1992

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



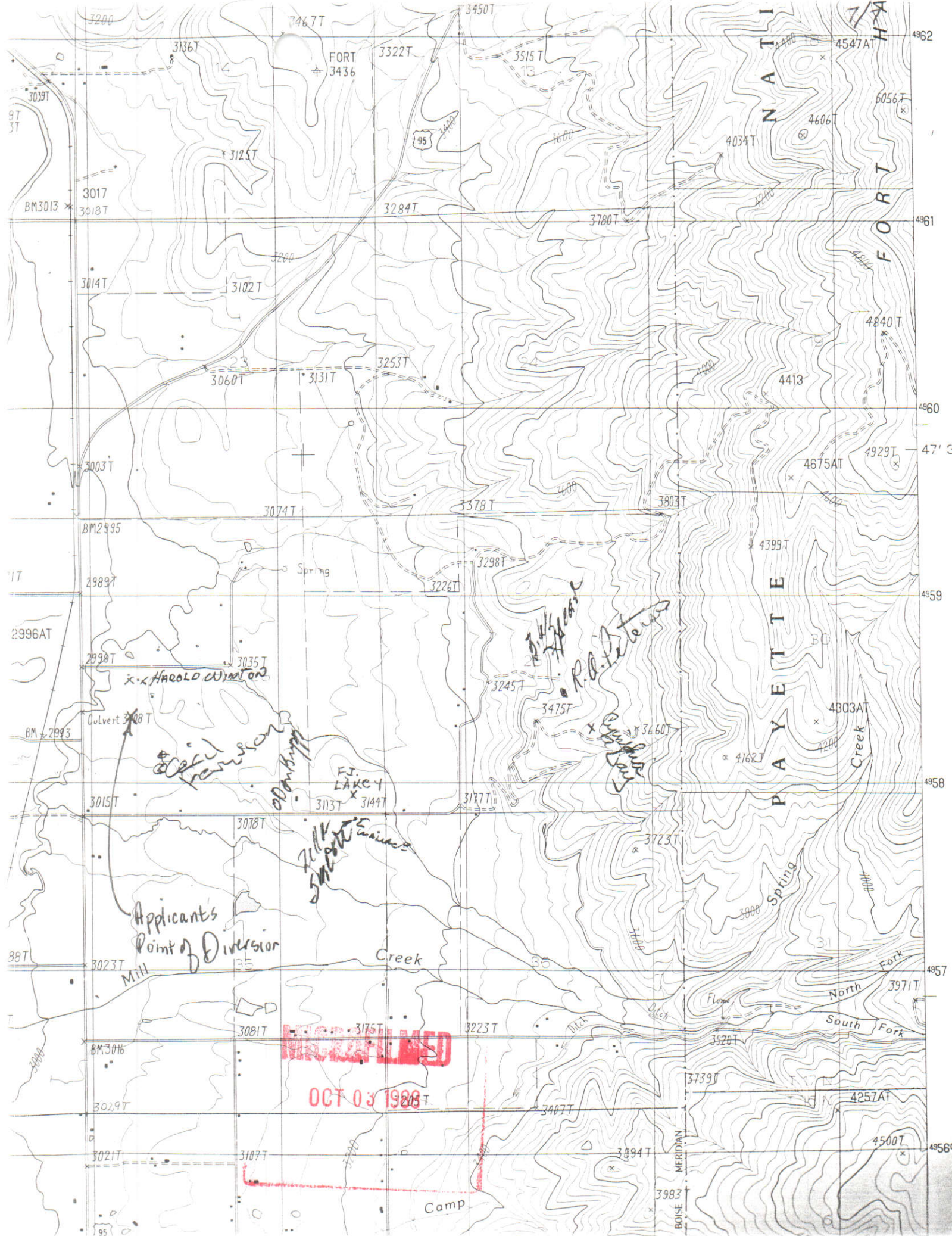
Scale: 2 inches equal 1 mile.

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.

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Ema Elmacost
(Applicant)
Mrs. Richard Elmacost



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Applicant's
Point of Diversion

Harold Winton

Cecil Thompson

F.J. Lakey

R.D. Peterson

Camp

PAYETTE
FORT

Creek

Spring

North Fork
South Fork

BOISE
MERIDIAN

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07714

Priority: May 13, 1987

Maximum Diversion Rate: 0.18 CFS
Maximum Diversion Volume: 38.6 AF

This is to certify, that BARBARA A KENNEDY
CARLTON W KENNEDY

PO BOX 121

COUNCIL ID 836120000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 13, 1987; and has submitted Proof of Beneficial Use on July 3, 1990. An examination indicates that the works have a diversion capacity of .180 cfs of water from a GROUNDWATER 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	04/15 to 10/15	0.18 CFS	38.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.18 CFS	38.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 26, Township 17N, Range 01W
ADAMS 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>
17N	01W	26	NWSW	9.5		9.5

Total number of acres irrigated: 9.5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

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 limited to the amount that can actually be beneficially use 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.

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AUG 21 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07714

CONDITIONS/REMARKS:

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Domestic use is for 1 home.

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 10TH day of AUGUST, 1992.

Acting for  Director

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✓ Doc
File _____

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 67-7714 IN THE NAME OF)
CARLTON W. &/OR BARBARA A. KENNEDY)

ORDER ADOPTING
PROPOSED MEMORANDUM
DECISION AND ORDER

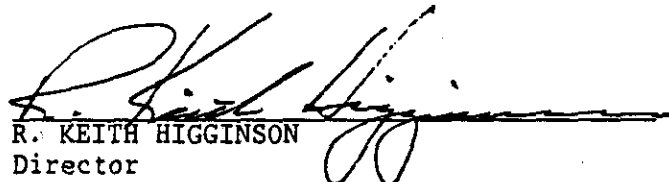
WHEREAS, R. Keith Higginson, Director of the Department of Water Resources having issued and served a copy on the parties on July 18, 1988, a Proposed Memorandum Decision and Order in the above-captioned matter, pursuant to Section 67-5211, Idaho Code; and,

WHEREAS, more than fifteen days have passed since the service of the Proposed Memorandum Decision and Order; and,

WHEREAS, no exception to that Proposed Memorandum Decision and Order has been received;

IT IS, THEREFORE, HEREBY ORDERED that said Proposed Memorandum Decision and Order be adopted and issued as the Final Decision and Order and proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1990.

Dated this 5 day of August, 1988.


R. KEITH HIGGINSON
Director

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Department of Water Resources
Western Regional Office

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR
PERMIT NO. 67-7714

SOURCE: Ground Water

Carlton W. and/or Barbara A. Kennedy

Applicants,

COUNTY: Adams

Robert W. and/or Marjorie J. Spear,
R.A. and/or Anna Petersen,
Cecil and/or Heidi Ferguson,
Bernard Baldwin,
Cynthia A. Day,
Dan Krupp,
Mervyle and/or Austin N. Martes,
Zella M. Smith,
Gayle A. Wallace,
John N. and/or Rosemary Kelly,
Yvonne Warner,
Troy and/or Helen Clelland, and
Ellis Wallace

Protestants.

PROPOSED MEMORANDUM DECISION AND ORDER
APPROVING APPLICATION FOR PERMIT NO. 67-7114

BY HEARING OFFICER BOBBY D. FLEENOR.

Carlton W. and/or Barbara A. Kennedy having filed with the Department of Water Resources Application for Permit No. 67-7714 to appropriate unappropriated water; protests having been received; and a hearing having been held, the department finds, concludes and orders as follows:

FINDINGS OF FACT

The Application

1. On May 13, 1987, Carlton W. and/or Barbara A. Kennedy (hereinafter applicants) applied to the Department of Water Resources for a permit to

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appropriate 0.02 cubic feet per second (cfs) of water from ground water to be used for domestic purposes year around, and 0.20 cfs to be used for irrigation purposes during the period from April 15 through October 15 each year, for a total of 0.20 cfs. The proposed point of diversion is an existing well located within the NE1/4NW1/4SW1/4, Sec. 26, Twp. 17 N., Rge. 1 W., B.M., Adams County, and the location of the proposed place of use is 10 acres within the NW1/4SW1/4, Sec. 26, Twp. 17 N., Rge. 1 W., B.M.

2. Notice of the application was published in the Adams County Leader on June 4 and 11, 1987.

Protest and Hearing

3. A protest against approval of the application containing the signatures of the protestants was received on June 19, 1987. The protestants are: Robert W. and/or Marjorie J. Spear, R. A. and/or Anna Petersen, Cecil and/or Heidi Ferguson, Bernard Baldwin, Cynthia A. Day, Dan Krupp, Mervyle and/or Austin N. Martes, Zella M. Smith, Gayle A. Wallace, John N. and/or Rosemary Kelly, Yvonne Warner, Troy and/or Helen Clelland, and Ellis Wallace.

4. Attempts to reach a settlement were unsuccessful, and on October 21, 1987, a hearing was held regarding the protested application. The applicants were present and represented themselves, and a majority of the protestants were either present or represented by other parties.

5. The protestants raised objections to the proposed project by alleging that the proposed use is such that:

- (a) it will reduce the quantity of water under existing water rights, and
- (b) the water supply is insufficient for the proposed use.

Nature of the Proposal

6. The applicants indicated that the well described in the application was drilled in March of 1983, and a copy of a well log, ~~prepared~~ **RECORDED** the well by

OCT 03 1988

Goodrich Drilling is a part of the record. The well is eight (8) inches in diameter and 192 feet deep, and the applicants stated that the capacity of the well with an existing five (5) horsepower pump exceeds the requirements of their single household. Therefore, the applicant has applied for purpose the irrigation of up to ten (10) acres of land associated with the household. The applicants have specifically indicated that they do not intend to drill another well or to increase the horsepower of the pump if the water right is granted.

Existing Water Rights

7. In the vicinity of the well described in the application, there are several other wells for which the typical use is domestic and/or stockwatering purposes. Within Sec. 26, Twp. 17 N., Rge. 1 W., and the neighboring sections on each side, there also are seven (7) recorded water rights from ground water for irrigation purposes, as follows:

<u>Rt. No.</u>	<u>Last Name</u>	<u>Priority Date</u>	<u>Type of Right</u>	<u>Acres Irrigated</u>
67-4043	Smith	12/17/1960	Statutory Claim	Not Shown
67-4304	Parker	01/01/1948	Statutory Claim	2
67-7060	Hale	08/03/1971	License	10
67-7310	Rogers	05/19/1977	License	6
67-7426	Riehle	01/26/1979	Permit	40
67-7491	Rice	03/18/1980	Permit	20
67-7604	RRC Brethn	01/24/1983	Permit	1

8. The dates of priority of neighboring domestic and/or stockwatering wells are both before and after March 29, 1978.

Availability of Water

9. According to testimony provided at the hearing, some of the wells in the vicinity of the applicant's well provide ample supplies of household water and some of the wells provide barely enough for household use via careful stewardship of the water.

10. Due to the limited amount of hydrogeologic data provided at the

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hearing, the department prepared an analysis of the available information after the hearing. The result of this analysis was a memorandum from Steve Baker of the department dated November 12, 1987. A copy of this memorandum was mailed to the applicants and to each of the protestants, in conjunction with a Notice of Opportunity to Contest Matters Officially Noticed. The department received no objection to the inclusion of this information in the record.

11. The memorandum indicates that some of the wells in the vicinity of the applicant's well have been poorly constructed, which may contribute to difficulty in obtaining adequate amounts of water. Also, some of the wells may have been constructed in finer materials which can result in poor yield.

Impact on Existing Water Rights

12. The protestants have expressed a concern that if this application is approved, other irrigation uses may be initiated from ground water, which eventually could cause a lowering of the water table that is injurious to existing water rights.

13. The protestants do not object to the existing domestic and garden watering uses of the applicant. They do object to the initiation of irrigation of pasture lands from ground water.

14. The memorandum indicates that most of the monitoring wells in the vicinity of the proposed diversion have not shown significant declines over the past 12 years. Based on the data that was gathered, the conclusion is drawn that the applicant's proposed withdrawal does not exceed the amount of recharge that occurs in the area.

CONCLUSIONS OF LAW

Applicable Legal Principles

1. Idaho Code, Sec.42-203A(5) (Supp. 1987) states in part as follows:

The director of the department of water resources shall find and determine from the evidence presented to what use or uses

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the water sought to be appropriated can be and are intended to be applied. In all applications whether protested or not protested, where the proposed use is such (a) that it will reduce the quantity of water under existing water rights, or (b) that the water supply itself is insufficient for the purpose for which it is sought to be appropriated, or (c) where it appears to the satisfaction of the department that such application is not made in good faith, is made for delay or speculative purposes, or (d) that the applicant has not sufficient financial resources with which to complete the work involved therein, or (e) that it will conflict with the local public interest, where the local public interest is defined as the affairs of the people directly affected by the proposed use; the director of the department of water resources may reject such application and refuse issuance of a permit therefor, or may partially approve and grant a permit for a smaller quantity of water than applied for, or may grant a permit upon conditions.

2. Idaho Code, Sec. 42-226 (Supp. 1987) states in part as follows:

The traditional policy of the State of Idaho, requiring the water resources of this state to be devoted to beneficial use in reasonable amounts through appropriation, is affirmed with respect to the ground water resources of this state as said term is hereinafter defined and, while the doctrine of "first in time is first in right" is recognized, a reasonable exercise of this right shall not block full economic development of the underground water resources.

3. Domestic wells drilled prior to [March 29,] 1978, are exempt from the provisions of Idaho Code, Sec. 42-226. Parker v. Wallentine, 103 Idaho 506, 510 (1982).

4. Article XV, Sec. 3 of the Constitution of the State of Idaho states in part as follows:

Priority of appropriation shall give the better right as between those using the water; but when the waters of any natural stream are not sufficient for those desiring the use of the same, those using the water for domestic purposes shall (subject to such limitations as may be prescribed by law) have the preference over those claiming for any other purpose... But the usage by such subsequent appropriators shall be subject to such provisions of law regulating the taking of private property for public and private use, as referred to in section 14 of article I of this Constitution.

Application of Legal Principles

Availability of Water

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5. There appears to be sufficient water available in the ground water aquifer to satisfy the use proposed under this application.

Impact on Existing Water Rights

6. Diversion of this water right as proposed will likely lower the water level in neighboring wells. However, the projected declines are not predicted to be excessive, and resulting depths to water are predicted to remain at reasonable levels.

7. Domestic wells drilled prior to March 29, 1978 are not subject to the reasonable ground water pumping level requirement, and are not allowed to be adversely impacted by a new appropriator without compensation. None of the domestic wells are expected to be adversely affected since the recharge still will exceed the amount withdrawn.

Analysis

A principle concern expressed by the protestants is that approval of this application could lead to the development of additional irrigation systems using the ground water source. They have indicated that there is a potential of injury to the existing water rights if such development occurs.

This potential for injury is true of every ground water aquifer in the state that has more than one water user. The potential exists for one well to cause sufficient depletion of the aquifer to cause injury to another water right. The existing water rights are entitled to protection from injury by junior diversions according to the doctrine of "first in time is first in right". However, that doctrine of "first in time is first in right" must be reasonably exercised to not block full economic development of the underground water resources.

In this case, the determination of availability of water represents a balancing of the data regarding existing water uses, and the estimated potential

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for development of the resource. The Department concludes that additional portions of the ground water resource are available for diversion, and exercise of this use is not predicted to excessively deplete water supplies available for neighboring wells.

ORDER

IT IS, THEREFORE, HEREBY ORDERED that Application for Permit No. 67-7714 is APPROVED subject to the following conditions:

1. This water right is subject to all prior water rights.
2. The permit holder is responsible to insure that pumpage under this water right does not cause the water level to significantly decline in any domestic well drilled and in use prior to March 29, 1978 or to cause the water level in any other well to exceed a reasonable pumping level, unless in either instance, the holder of the prior water right receives reasonable compensation or mitigation for the reduced water levels caused directly or indirectly by withdrawal of water under this permit.
3. Proof of construction of works and application of water to beneficial use shall be submitted on or before the date indicated on the final order.
4. Protestants who did not attend the hearing are considered to be bound by this decision to the same extent as those that did attend the hearing in this matter.

Dated this 15th day of July, 1988.


BOBBY D. FLEENOR,
HEARING OFFICER


OCT 03 1988

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this the 5th day of August, 1988, a true and correct copy of the foregoing ORDER ADOPTING PROPOSED DECISION AND ORDER, were mailed postage prepaid to:

Carlton W. &/or Barbara A. Kennedy
P. O. Box 121
Council, ID 83612

Cynthia A. Day
HC 62 Box 1402
Council, ID 83612

Robert W. and Marjorie J. Spear
Lappin Lane
Council, ID 83612

Dan Krupp
Box 622
Council, ID 83612

R. A. Peterson
P. O. Box G
Council, ID 83612

Mervyle &/or Austin N. Martes
HC 62
Council, ID 83612

Cecil &/or Heidi Ferguson
P. O. Box L
Council, ID 83612

Zella M. Smith
Box 177
Council, ID 83612

Bernard Baldwin
P. O. Box 493
Council, ID 83612

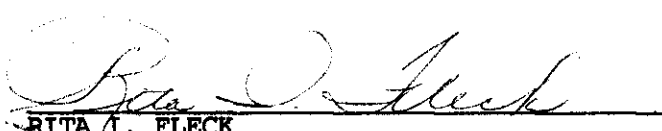
Gayle A. Wallace
Box 525
Council, ID 83612

John N. &/or Rosemary Kelley
HC 62 Box 1415
Council, ID 83612

Yvonne Warner
Box 515
Council, ID 83612

Troy &/or Helen Clelland
Council, ID 83612

Ellis Wallace
P. O. Box 525
Council, ID 83612


RITA I. FLECK
Secretary/Records Manager

MAILED

OCT 03 1988

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
PERMIT NO. 67-7714 IN THE NAME OF)
CARLTON W. &/OR BARBARA A. KENNEDY)
_____)

ORDER ISSUING
PROPOSED MEMORANDUM
DECISION

R. Keith Higginson, Director of the Department of Water Resources, having reviewed the attached proposed decision prepared by his appointee, Bobby D. Fleenor, who conducted the hearing or who has read the record in the this case, hereby approves the same as a proposed decision pursuant to Idaho Code, Sec. 67-5211.

Each party to these proceedings who appeared at the hearing is given the opportunity, pursuant to Idaho Code, Sec. 42-1701A and 67-5211, to file exceptions to the proposed decision and to present briefs and oral arguments. If no timely and proper exceptions are received, an order by the Director will be entered adopting the proposed decision as his final decision.

I.
EXCEPTIONS

A. To be considered by the Director, exceptions must:

1. be received by the Director on or before the 15th day following the day of service of this Order and the proposed decision,
2. specifically identify the portions of the proposed decision to which exceptions are made and specifically state the grounds for those exceptions, and
3. be sent to each of the parties who appeared or their attorneys.

II.
BRIEFS

A. Any briefs in support of exceptions to the proposed decision shall be filed with the Director at the same time that party's exceptions are filed with the Director.

B. All response briefs to the exceptions must be filed with the Director within 15 days after the exceptions were served upon the responding party.

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III.

A. No oral arguments before the Director on the proposed decision will be held unless specifically requested by a party filing exceptions to the proposed decision and unless that request is filed with the Director concurrently with the filing of that party's exception.

B. If oral arguments have been properly requested by a party filing exceptions, any other party, upon reasonable notice to the Director, shall have the right to present oral argument in response to the exceptions filed.

C. Oral arguments before the Director on exceptions to the proposed decision shall be heard at the discretion of the Director, pursuant to Idaho Code, Sec. 42-1701A. If oral arguments are to be heard, the Director will, within a reasonable time, notify each party of the place, date and hour the oral arguments will take place and of the period of time allocated for the arguments of this case. Unless the Director orders otherwise, all oral arguments shall be heard in Boise, Idaho.

IV.

CERTIFICATE OF SERVICE

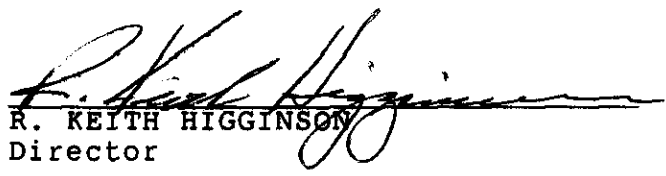
All exceptions, briefs, requests oral arguments and other matters filed with the Director in connection with the proposed decision shall be served on all other parties to these proceedings in accordance with Rule 7.2.

V.

FINAL DECISION

Following the submission of all exceptions, briefs and oral arguments, if they are heard, the Director shall issue a final decision adopting, modifying or rejecting and replacing the proposed decision. Copies of the decision and order shall be served on all parties.

Dated this 15th day of July, 19 88.


R. KEITH HIGGINSON
Director

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OCT 05 1988

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this the 18th day of July, 1988, true and correct copies of the foregoing ORDER ISSUING PROPOSED DECISION and PROPOSED MEMORANDUM DECISION AND ORDER, were mailed postage prepaid to:

Carlton W. &/or Barbara A. Kennedy
P. O. Box 121
Council, ID 83612

Cynthia A. Day
HC 62 Box 1402
Council, ID 83612

Robert W. and Marjorie J. Spear
Lappin Lane
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Dan Krupp
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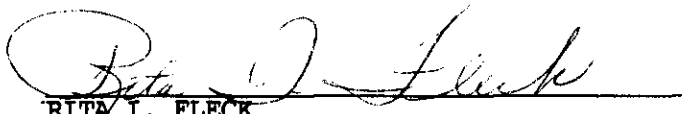
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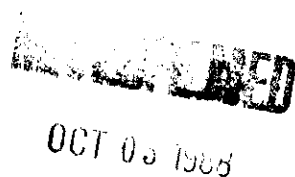
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Yvonne Warner
Box 515
Council, ID 83612

Troy &/or Helen Clelland
Council, ID 83612

Ellis Wallace
P. O. Box 525
Council, ID 83612


RITA I. FLECK
Secretary/Records Manager


OCT 05 1988

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 Carlton W. &/or Barbara A. Kennedy Phone 253-4703
Post office address P.O. Box 121, Council, ID 83612

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is _____ 1/4 of NW 1/4 of SW 1/4, Govt. Lot _____
Sec. 26 Township 17 N Range 1W B.M. Adams County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .20 for irrigation purposes from 4/15 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated is (a) .20 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. sprinklers, 5 HP pump

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

c. Proposed well diameter is 8 inches; proposed depth of well is 192 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
4 years (minimum 1 year).

OCT 03 1988

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for *Domestic*) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
17N	1W	26										10							10

Total number of acres to be irrigated 10

10. Describe any other water rights used for the same purposes as described above. _____

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: _____

OCT 03 1988

Topographic map showing a section of the Weiser River and surrounding area. The map includes a grid and various elevation points. Key features include:

- Water Bodies:** Weiser River, Creek.
- Grid and Elevation:** Grid lines are present. Elevation points are marked with numbers and letters (e.g., 3257T, 3276T, 3000, 3014T, 3017, 3018T, 3019T, 3012ST, 3284T, 3014T, 3102T, 3200, 3060T, 3131T, 3253T, 3074T, 3378T, 3298T, 3226T, 3035T, 3015T, 3113T, 3144T, 3177T, 3078T, 2988T, 2956T, 3040T, 2996AT, 2999T, 303T, 3072T, 3085T, 3103T, 3003T, 3017, 3018T, 3019T, 3012ST, 3284T, 3014T, 3102T, 3200, 3060T, 3131T, 3253T, 3074T, 3378T, 3298T, 3226T, 3035T, 3015T, 3113T, 3144T, 3177T, 3078T, 2988T, 2956T, 3040T, 2996AT, 2999T, 303T, 3072T, 3085T, 3103T, 3003T).
- Infrastructure:** A road labeled "95" is visible in the upper right. A "Spring" is marked near the center right.
- Handwritten Notes:** "T. 17N R. 1W" is written in the lower left. "P.D. P.V." is written near the center. "Gulvert 3008T" is written near the center.
- Other Labels:** "BR 2978T WL 2971T", "BM 2993", "BM 2995", "BM 3013", "WL 3013T", "3120T", "3276T", "3257T", "3000", "3014T", "3017", "3018T", "3019T", "3012ST", "3284T", "3014T", "3102T", "3200", "3060T", "3131T", "3253T", "3074T", "3378T", "3298T", "3226T", "3035T", "3015T", "3113T", "3144T", "3177T", "3078T", "2988T", "2956T", "3040T", "2996AT", "2999T", "303T", "3072T", "3085T", "3103T", "3003T".

Carlton D. Ruff
(Applicant)

Priority date: May 13, 1987

Received by BD Date 5/13/87 Time 11:15 AM Preliminary check by [Signature]
Fee \$ 30.00 Receipted by BD # 44832 Date 5/13/87
Publication prepared by [Signature] Date 5-27-87 Published in Adams County Leader
6/4 + 6/11/87
Publication approved AS Date 7/7/87

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. 67-7714, 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 August 1, 19 90.
- 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: PURSUANT TO PROPOSED MEMORANDUM DECISION AND ORDER and ORDER ADOPTING PROPOSED MEMORANDUM DECISION AND ORDER.

Dated this 5 day of August, 1988.

[Signature]
R. KEITH HIGGINSON, Director

RECORDED

OCT 05 1988

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, do-
pose and say that I am the publisher of The Adams County
Leader, a newspaper; that a copy of the " Notice of Appl
67-7714 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 June 4, 1987

and the last in the issue dated June 11, 1987
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

said " Notice " as aforesaid.

Subscribed and sworn to before me this 18th

June 87
day of 19

Brian Paulson

Notary Public for Idaho,
Residing at Council, Idaho

THE FOLLOWING APPLICATION(S)
HAVE BEEN MADE TO ASSOCIATE
THE PUBLIC WATER RIGHT STATE
OF IDAHO

KENNEDY, CARLTON W. &/or
BARBARA A.
P.O. BOX 121, COUNCIL, ID
83612

Source: GROUNDWATER
Divergence Pt: NWSW Sec 26 T
17N R 01W

Use: IRRIGATION (0.2 CFS)
DOMESTIC (0.020 CFS)

Date Filed: 06/11/1987
Ltr: NWSW Sec 26 T 17N R
01W FOR 10 ACRES

The permit(s) will be subject
to all prior water rights. Pro-
jects must be filed with the
Director, Dept of Water Re-
sources, Western Region, State-
house, Boise, Idaho 83720 on or
before JUNE 22, 1987.

KIM DUNN, Dir.
Published 06/03/1987

RECEIVED

JUN 30 1987

Department of Water Resources
Western Regional Office

MICROFILMED

OCT 05 1988

August 13, 1992

BARBARA A KENNEDY
CARLTON W KENNEDY
PO BOX 121
COUNCIL ID 836120000

RE: WATER RIGHT NO. 67-07714

Dear Water Right Holder(s):

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

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

MICROFILMED
AUG 21 1992

July 1, 1992

BARBARA A KENNEDY
CARLTON W KENNEDY
PO BOX 121
COUNCIL ID 836120000

RE: WATER RIGHT NO. 67-07714

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

RECEIVED
AUG 21 1992

LICENSE REVIEW CHECKLIST

Permit # 67-7714

Date 6-22-92
es

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance? _____
	☐	☒	Memo to Advance
	☐	☒	Order to Reinstate Needed?
TOTAL CFS	☐	☒	Incorrect Fee for rate recommended?
	☐	☒	Disagree with Actual Measurement?
	☒	☐	<u>9.5 x .02 = .19 / Allow .18 cfs (IRR) .02 cfs (DOM)</u>
	☒	☐	Disagree with Theoretical? <u>5 x 8 x .7 = .216</u>
	☒	☐	Limited by Capacity? <u>.18 cfs 50' x (2.31 x 40)</u> (Measured)
TOTAL VOLUME			Rate/ac <u>4.0</u> AFA Irr. Season <u>C</u>
			<u>4-1 to 10-31</u> Standard Irr. Season
	☒	☐	<u>4-15 to 10-15</u> Per Permit Season Recommended
	☐	☒	Disagree with Examiner's Calculations?
			<u>9.5 x 4 = 38 afa (IRR) .60 afa (DOM)</u>
		☒	Limited by Flow? <u>.18 x 183 x 1.9835 = 65.3738</u>
SOURCE	☐	☒	Changes? Clarification of <u>Originally</u>
	☐	☒	<u>Intended</u> source
	☐	☒	Notice of Intent to Void.
P/D			Verify with Map
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration?
P/U			Verify with Map
	☐	☒	Amendment Needed? _____
	☐	☒	Is Overlap Analysis a Consideration?
USES	☐	☒	Change(s) in Nature of Use? _____
	☐	☒	Amendment Needed? _____
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? _____
	☒	☐	Non-Irr. Uses <u>DOM / Home</u>
	☐	☒	Special Overlap Condition
	☒	☐	Other Condition <u>per M.D. + 0</u>
CONDITIONS	☐	☒	Measuring Device
	☐	☒	W/Master Control
	<u>R31</u>	☐	Overlap
	☐	☒	Water Quality
			DATES/MISC
		☒	Water Dist.
		☒	App Rec'd
		☒	Exam Made

COMMENTS/MEMOS NEEDED: Reduced Acce, Rate
Static level 15' per well log/20' to 30' other W.L.
in same 1/4 / Used 50' as dynamic level estimate
40 psi low end DOM estimate / Theoretical supports measurement

License ☐ 10-Day ☒ 15-Day ☐ Special Correspondence _____

de J

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

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM				
		NE		NW		SW		SE		NE		NW		SW		SE						
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac					
L6707714	T17N R01W S26	GROUNDWATER																	9			
	:																		:			
																			09	:	:	9
6700072	WEISER RIV :																		:	:	:	
6700075	WEISER RIV :			I	I			I	I	:	I	I	I			:	:	:				
6700076	WEISER RIV :			I	I			I	I	:	I	I	I			:	:	:				
6700077	WEISER RIV :																		:	:	:	
6700078	WEISER RIV :																		:	:	:	
A6700081V	LOST CREEK :																		:	:	:	60
6700121	WEISER RIV :	I																		:	:	:
6700126	WEISER RIV :																		:	:	:	
6700362	MILL CREEK :																		:	:	:	
A6700376	FORT HALL :																		:	:	:	65
6704116	WEISER RIV :																		:	:	:	
6704260	UNNAMED ST :																		:	:	:	
6704261	WEISER RIV :																		:	:	:	
6704263	MILL CREEK :																		:	:	:	
6707059	WASTE WATE :																		:	:	:	
6707060	GROUNDWATE :																		:	:	:	
A6707060	GROUNDWATE :																		:	:	:	
6707310	GROUNDWATE :																		:	:	:	
6707495	WASTE WATE :					20													:	:	:	20
A6707495	WASTEWATER :					20													:	:	:	20
6707604	GROUNDWATE :																		:	:	:	
6707714	GROUNDWATE :																		:	:	:	
6707822	GROUNDWATE :																		:	:	:	
6707843	SPRING CRE :																		:	:	:	
A6711417	WEISER RIV :					25	40											:	:	:	65	
--86 MAP--	C3Q-S 57 :					10	29	05	06									:	:	:	79	

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BARBARA A KENNEDY	05/13/1987	IRRIGATION	04-15 10-15	0.18 CFS	38.0 AFA
C	CARLTON W KENNEDY		DOMESTIC	01-01 12-31	0.02 CFS	0.6 AFA
	PO BOX 121					
	COUNCIL ID 836120000			TOTAL DIVERSION:	0.18 CFS	38.6 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.18 CFS

Point(s) of Diversion: T17N R01W S26 NW SW

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
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 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 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
17N	01W	26	:	:	:	:	:	09	:	:	:	:	:	:	:	9.5
TOTAL ACRES																9.5

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: ADAMS

Other Water Rights with Same Point(s) of Diversion and Source:
67-07714

Other Water Rights Listing Overlapping Place(s) of use:
67-00075 67-00076 67-07714

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Remarks: The permit holder is responsible to insure that pumpage under this water right does not cause the water level to significantly decline in any domestic well drilled and in use prior to 03/29/78 or to cause the water level in any other well to exceed a reasonable pumping level, unless in either instance, the holder of the prior water right receives reasonable compensation or mitigation for the reduced water levels caused directly or indirectly by withdrawal of water under this permit. Protestants who did not attend the hearing are considered to be bound by this decision to the same extent as those that did attend the hearing in this matter. Domestic use is for 1 home.

WR0749NP
No. L67-07714

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

DATE: 06/22/92
PAGE: 2

=====

Dates:	App. Received:	05/13/1987	Priority Date:	05/13/1987
	Proof Due Date:	08/01/1990	Proof Made Date:	07/03/1990
	Exam Made Date:	06/21/1991	Exam Sent to S.O.:	04/10/1992
	Licensed Date:			

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

Audit: 06/22/92 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
APR 15 1992
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-07714
1. Owner: Carlton W. & Barbara A. Kennedy Phone No. 293-4703
Current Address: P.O. Box 131, Council, ID 83612
2. Accompanied by: Carlton Kennedy EXAM. DATE: 6-21-91
Address: Same Phone No. _____
Relationship to Permit Holder: _____

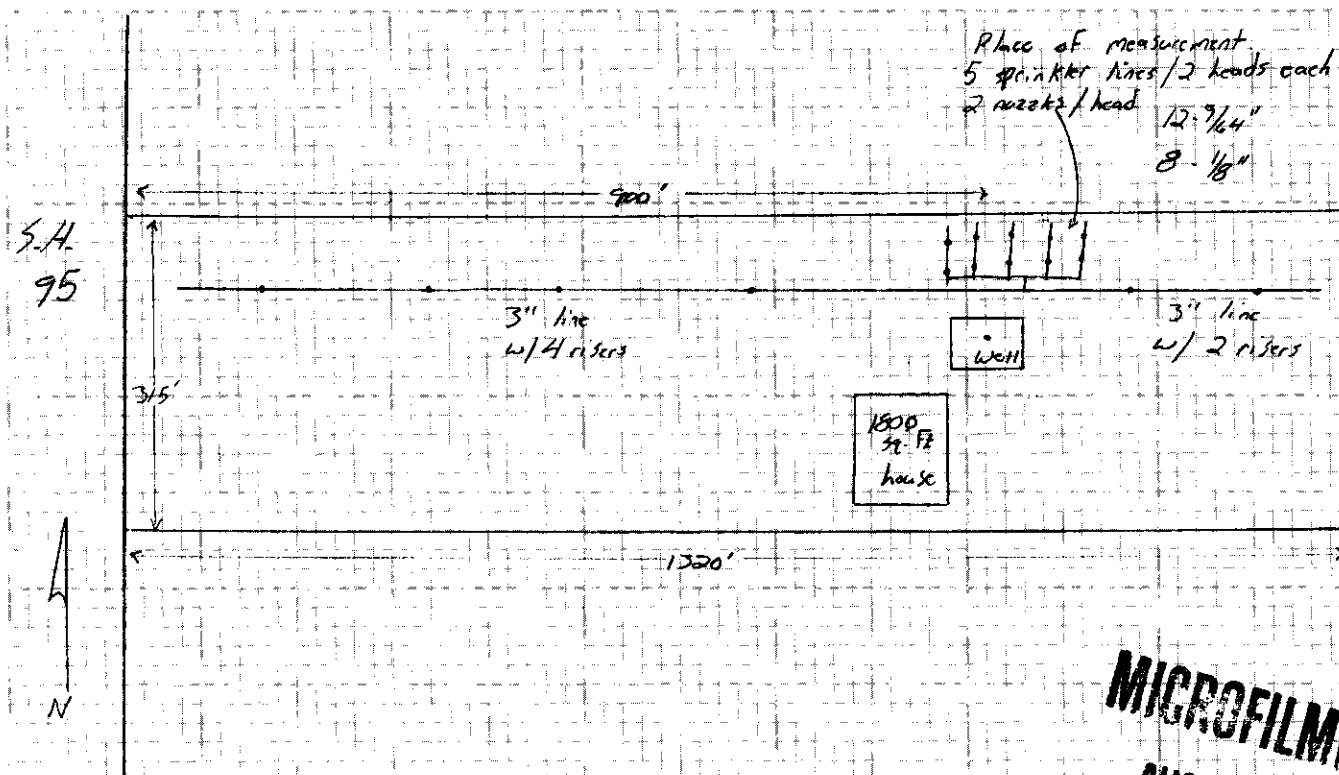
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 67-00075, 67-00076, 67-07739 ☐ Copies Attached
2. Other water rights with same point of diversion: 67-07739 ☐ 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



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Scale: 1" = 200'

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).

System Description (continued)

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

An 8" dia well with a 5hp pump supplied water to approx. 10 acres, via sprinklers, and to the house. A 3" line running east to west had 6 risers for sprinkler attachments, and a permanent line to the garden area. Measurements were made in the garden area while all other water uses were shut off. Five lines with 2 heads/line supplied the water. Each head had two nozzles. Eight nozzles were 1/8" and 12 were 3/16". All nozzles measured between 57.5-59 psi.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	No tags	5		No tags	

*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
			NW	SW	26	17N	1W	Adams	USGS Quad/Owner's Confirmation

6. **Place(s) of Use:**

Indicate Method of Determination USGS Quad

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
17N	1W	26										0/9.5							9.5

RECORDED

AUG 21 1992

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sprinkler Pressure						
Gage						

2. Measurements:

12 - 9/16" sprinklers @ 58 psi
8 - 1/8" sprinklers @ 58 psi
5 hp pump, 150 dynamic head - cst. From well h₂ is area, 20 psi cst. for domestic

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

.18 cfs ✓

2. Alternate Method for Checking Purposes:

$$5 \text{ HP} \times 70\% \times 8.8 / (2.31 \times 20 + 150') = .16 \text{ cfs} -$$

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 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 9.5 \times 3.0 = 28.5 \text{ aF} -$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .18 \times 183 \times 1.9835 = 65.3 \text{ aF} -$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 28.5 \text{ aF} -$$

2. Volume Calculations for Other Uses:

.6 aF for domestic, no loss

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AUG 21 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Total acreage - $1320' \times 315' - 1800 \text{ sq ft} / 43560 = 9.5 \text{ acres}$ -

No other water rights affect this permit

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	1/1	12/31	.02	.6
Irrigation	4/15	10/15	.18	28.5
Totals:			.18	29.1

2. Recommended Amendments

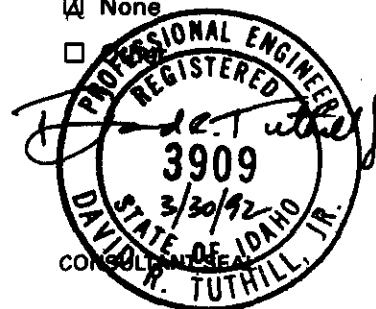
- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above

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

☒ None

J. AUTHENTICATION

Field Examiner's Name Mack Senior
Signature Mack Senior
Certification Date 3/9/92
Field Report Preparation Date 6-24-91



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

APPROVED

AUG 21 1992

Sprinkler Flow

$$\frac{1}{8}" @ 58 \text{ psi} \quad 3.46 \text{ GPM} @ 55 \text{ psi} \quad 3.62 \text{ GPM} @ 60 \text{ psi}$$

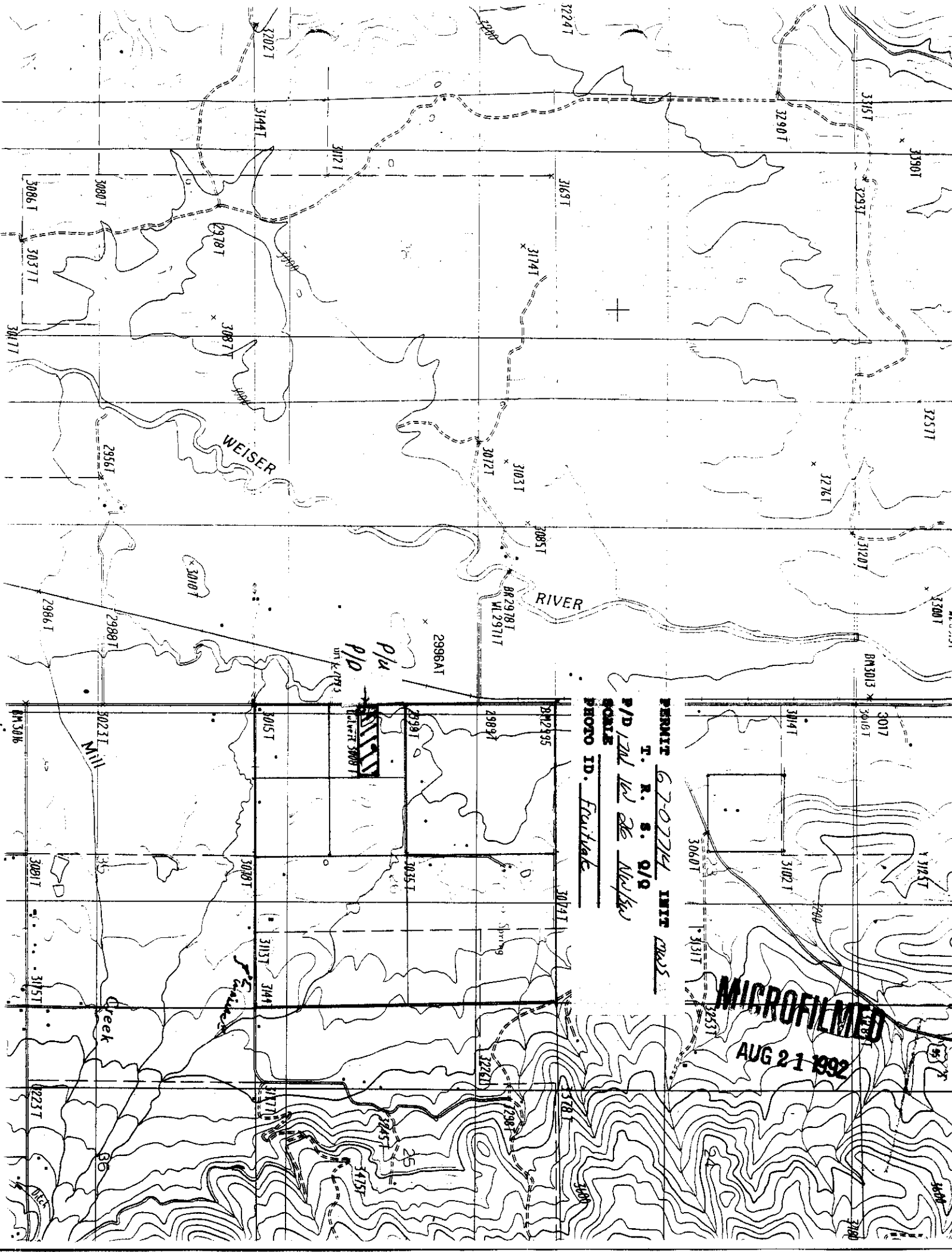
$$- \left(\frac{60 \text{ psi} - 58 \text{ psi}}{60 \text{ psi} - 55 \text{ psi}} \right) \times (3.62 \text{ GPM} - 3.46 \text{ GPM}) + 3.62 \text{ GPM} = \underline{3.59 \text{ GPM}}$$

$$\frac{3}{4}" @ 58 \text{ psi} \quad 4.37 \text{ GPM} @ 55 \text{ psi} \quad 4.56 \text{ GPM} @ 60 \text{ psi}$$

$$- \left(\frac{60 \text{ psi} - 58 \text{ psi}}{60 \text{ psi} - 55 \text{ psi}} \right) \times (4.56 \text{ GPM} - 4.37 \text{ GPM}) + 4.56 \text{ GPM} = \underline{4.45 \text{ GPM}}$$

$$4.45 \text{ GPM} \times 12 + 3.59 \text{ GPM} \times 8 = 82.12 \text{ GPM} / 4418.8 = \underline{.18 \text{ cfs}}$$

MICROFILMED
AUG 21 1992



PERMIT 67-0774 UNIT 225

E. R. S. 9/9

P/D 12nd 1st 2d 3d 4th

SCHE

PHOTO ID. Franchise

MICROFILMED
AUG 21 1992

Department of Water Resources

WELL INSPECTION FORM

If well is associated with water right, provide WR# 67-7714

Otherwise provide legal description and a sketch map and/or address so that the well can be located easily.

1. Legal Description: TWP 17N, Rge 1W, Sec. 26, NW 1/4 SW 1/4 or Lot _____.

2. Owner: Carlton & Barbara Kennedy

Address P.O. Box 121, City Council, St IO

3. Casing $\geq$ 12 inches above ground: Yes ☒ No ☐ 83612

4. Access Port:	Yes ☒ No ☐	Static Water Level:	<u>15'</u>
Pressure Gauge:	Yes ☐ No ☒	Casing Diameter:	<u>8"</u>
Flowing:	Yes ☒ No ☐	Temperature:	_____

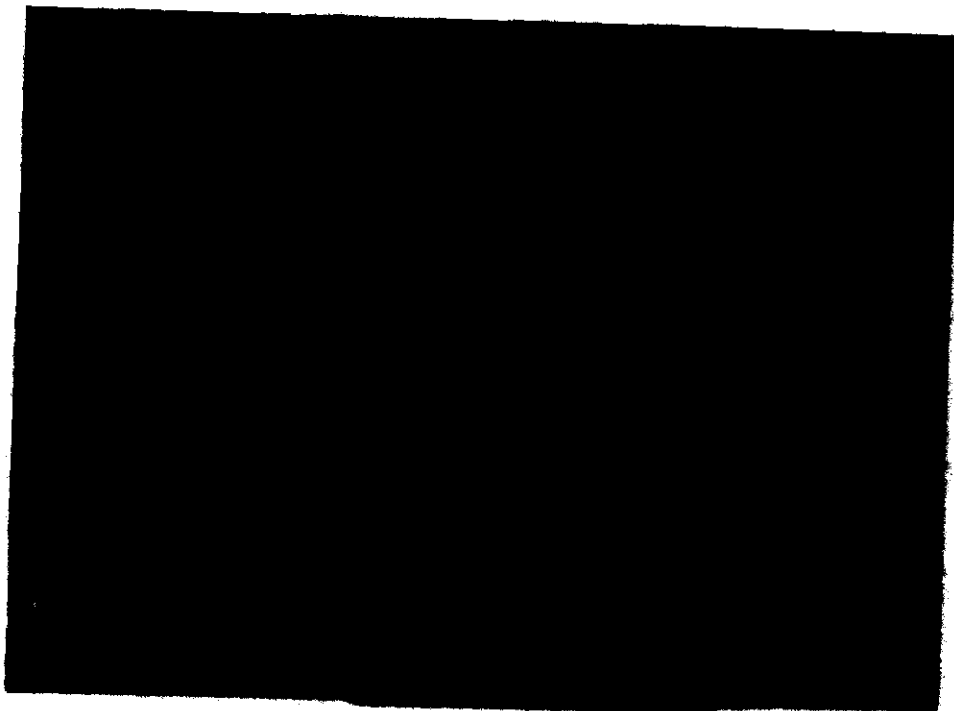
5. Are there any obvious construction problems that may be a source for contamination or waste of water: Yes ☐ No ☒

If answer to Item 5 is Yes, describe in remarks and attach photo.

Remarks: _____

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AUG 21 1992

6.7-7714



#1. Point of diversion.
Well located inside
shed.



#2. Place of use,
Facing east.

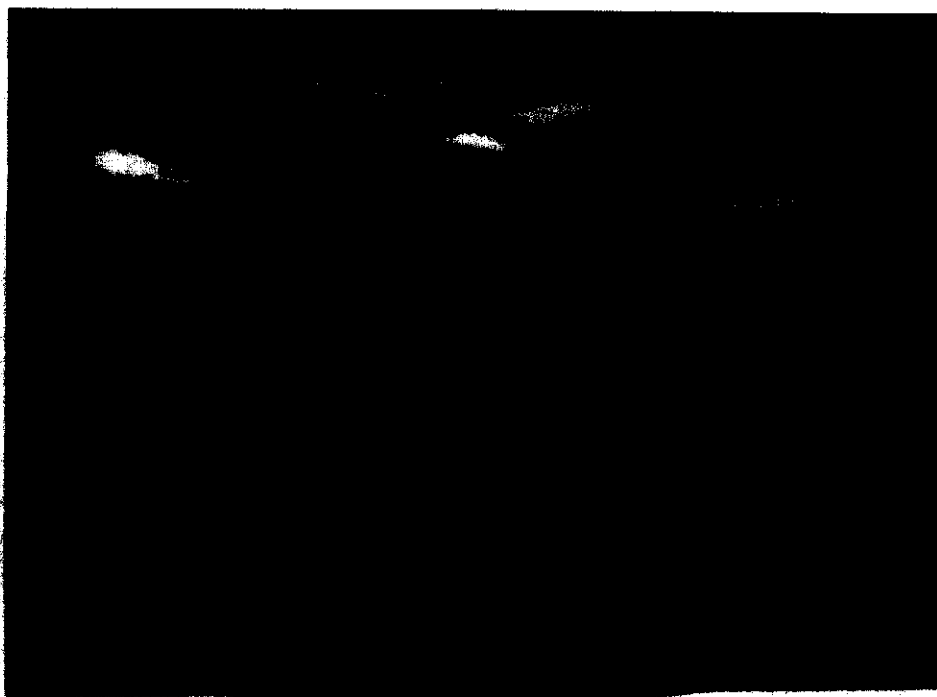
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AUG 21 1992

#67-7714



#3

Place of use,
Facing west.



#4

Place of use,
Facing east. House
in background.

RECEIVED

AUG 21 1992



#5

Place of use,
Facing north from
well.

Place of measurement.
5 sprinkler lines with
2 heads each & 2
nozzles/head.

MICROFILMED
AUG 21 1992

November 15, 1990

BARBARA A. KENNEDY
CARLTON W. KENNEDY
P.O. BOX 121
COUNCIL, ID 836120000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 67-07714

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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DEC 18 1990

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JUL 3 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

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. 67-07714 Telephone No. 253-4703

Name(s) of Permit Holder(s): Barbara A. Kennedy, Carlton W. Kennedy

Post Office Address: PO Box 121 Council ID 83612

Source of Water: Well

If ground water, well driller's name: Good Rich Drilling Date drilled: Mar 14-83

Extent of Use:
Domestic 1 (No. of households) Irrigation 9.8 (No. of acres)
Stockwater 10 (No. and type of stock) Cattle Other _____

Total rate and/or volume for which proof is submitted 120 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 550.

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

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

Fee Enclosed: \$ 50. (See License Examination Fee Schedule)

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

Carlton Kennedy 208-253 4703
Name Telephone No.

2338 North Hwy 95 Council ID
Address

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.

MICROFILMED
DEC 18 1991

7-2-90 Carlton W. Kennedy owner
Date Signature (and title if on behalf of a company or organization)

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 67-7714

Date: 11-7-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
 1. well log in file 1983
 NA 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

Date proof due

No. of days late

Priority date

NEW PRIORITY DATE

<u>NA</u>	
	-
	=
	+
	=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138848

May 31, 1990

BARBARA A. KENNEDY
CARLTON W. KENNEDY
P.O. BOX 121
COUNCIL, ID 836120000

PROOF DUE NOTICE

RE: PERMIT NO. 67-07714

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 August 1, 1990. (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

MICROFILMED

DEC 18 1990

August 5, 1988

Carlton W. &/or Barbara A. Kennedy
P. O. Box 121
Council, ID 83612

Dear Mr. and Mrs. Kennedy:

Re: Application for Permit No. 67-7714

Enclosed is a copy of the above-referenced application along with a copy of the Order Adopting Proposed Memorandum Decision and Order and a copy of the Proposed Memorandum Decision and Order. Note the conditions of approval as set forth in the proposed order.

Any person who does not agree with the decision of the Department may request a rehearing before the Director within 20 day or may appeal to the district court within 30 days of the date the decision is mailed.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Regional Offices Bureau

Enclosures

c w/order: Robert and Marjorie Spear
R. A. Peterson
Cecil and Heidi Ferguson
Bernard Baldwin
John and Rosemary Kelley
Troy and Helen Clelland
Ellis Wallace

Cynthia A. Day
Dan Krupp
Mervyle and August in N. Martes
Zella M. Smith
Gayle A. Wallace
Yvonne Warner

REC-1
OCT 05 1988

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Shurt

APPLICATION NUMBER: 67-7714

CHECK:

- ☒ Source.
☒ Point of diversion. NO NOTES
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated. NO NOTES
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☒ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☒ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. DISCARD RTS. FROM WENNER R. -67-0025
TOO TO COVER THIS 1/4. NONE FOR G.W.
☒ Yes ☐ No* In form for advertising.
Final date for protests: 6/23/87
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 30 / 44832 6/4 + 6/11/87
☒ Publication dates and paper, recorded on application. Adams County Leader
☒ Protests, dates, withdrawal, etc., recorded on application.
☐ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 67
5-13-1987 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: _____ Date: _____

STATE OFFICE REVIEW:

P05

- ☐ See attached sheet for more information.

By: _____ Date: _____

RECEIVED

JUN 20 1988

Department of Water Resources

see proposed
mem. dec.
& order

P05

bw
6/21/88

bill copy
discarded

Sent Carlton W. &/or Barbara A. Kennedy
and John N. &/or Rosemary Kelly
copies on 1/6/88

Robert and Marjorie J. Spear
Lappin
Council, ID 83612

R. A. Peterson
P.O. Box G
Council, ID 83612

Cecil &/or Heidi Ferguson
P.O. Box L
Council, ID 83612

Bernard Baldwin
P. O. Box 493
Council, ID 83612

Cynthia A. Day
HC62 Box 1402
Council, ID 83612

Dan Krupp
Box 622
Council, ID 83612

Mervyle &/or Austin N. Martes
HC62
Council, ID 83612

Zella M. Smith
Box 177
Council, ID 83612

Gayle A. Wallace
Box 525
Council, ID 83612

Yvonne Warner
Box 515
Council, ID 83612

Troy &/or Helen Clelland
Council, ID 83612

Ellis Wallace
P. O. Box 525
Council, ID 83612

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OCT 03 1988



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

January 6, 1988

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Re: Memorandum by Steve Baker dated November 12, 1987

Dear Interested Party:

Recently you received a Notice of Opportunity to Contest Matters Officially Noticed. I am forwarding to you the Memorandum by Steve Baker.

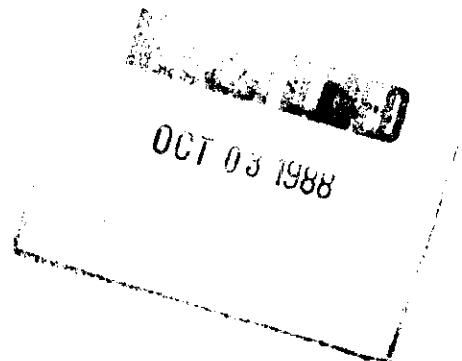
I am sorry if this being omitted has caused you any inconvenience.

Sincerely,

Judy Pense
Secretary

jp

Enclosure:



BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
)
PERMIT NO. 67-7714 IN THE NAME OF) CERTIFICATE OF MAILING
)
CARLTON W. &/OR BARBARA KENNEDY)

I HEREBY CERTIFY that on this the 21st day of December, 1987, true and correct copies of the foregoing Notice of Opportunity to Contest Matters Officially Noticed was mailed, postage paid, to:

Carlton W. &/or Barbara A. Kennedy
P.O. Box 121
Council, ID 83612

Robert W. and Marjorie J. Spear
Lappin Ln.
Council, ID 83612

R. A. Peterson
P.O. Box G
Council, ID 83612

Cecil &/or Heidi Ferguson
P.O. Box L
Council, ID 83612

Bernard Baldwin
P.O. Box 493
Council, ID 83612

Cynthia A. Day
HC62 Box 1402
Council, ID 83612

Dan Krupp
Box 622
Council, ID 83612

Mervyle &/or Austin N. Martes
HC62
Council, ID 83612

Zella M. Smith
Box 177
Council, ID 83612

MAILED

OCT 05 1988

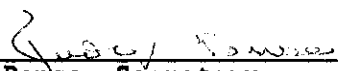
Gayle A. Wallace
Box 525
Council, ID 83612

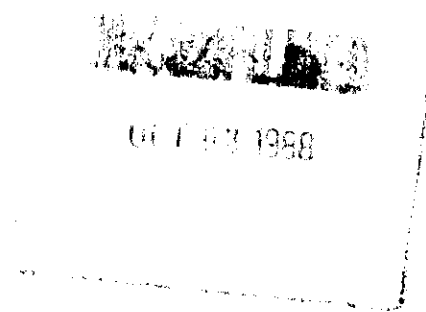
John N. /or Rosemary Kelly
HC62 Box 1415
Council, ID 83612

Yvonne Warner
Box 515
Council, ID 83612

Troy &/or Helen Clelland
Council, ID 83612

Ellis Wallace
P.O. Box 525
Council, ID 83612


Judy Pense, Secretary



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)	NOTICE OF OPPORTUNITY
PERMIT NO. 67-7714 IN THE NAME OF)	TO CONTEST MATTERS
<u>CARLTON W. &/OR BARBARA A. KENNEDY</u>)	OFFICIALLY NOTICED

Pursuant to Section 67-5210(4), Idaho Code, and Rule 9, 16 of the Practice and Procedure Rules and Regulations of the Department, notice is hereby given to all parties of the opportunity to contest the inclusion in the record of the following document relating to this water right proceeding:

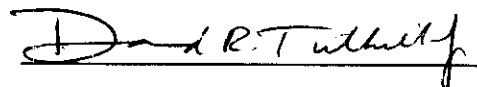
"Ground-Water Conditions in the Vicinity of the Protested Application for Permit No. 67-7714", a memorandum prepared by Steve Baker of the Department dated November 12, 1987.

A copy of the document is attached. Any party desiring to contest the inclusion in the record of the above referenced document must so in writing on before January 15, 1988. Any written objection submitted shall indicate whether or not a hearing is requested on the matter.

Dated this 17th day of December, 1987.

RECEIVED

OCT 05 1988



DAVID R. TUTHILL, JR., P.E.

Manager, Western Regional Office



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

RECEIVED
NOV 18 1967

**Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440**

Department of Water Resources
Western Regional Office

MEMORANDUM

TO: Dave Tuthill *DT* DATE: November 12, 1987

THRU: Norm Young and Bob Fleenor

FROM: Steve Baker *SB*

SUBJECT: Ground-Water Conditions in the Vicinity of the
Protested Application for Permit No. 67-7714

Due to the lack of hydrogeologic data, only qualitative conclusions could be drawn regarding the availability of ground water in the area of concern. The primary sources of data used in this assessment include information from "Well Driller's Reports," published data in Water Information Bulletin No. 44 entitled "Water Resources of the Weiser River Basin, West-Central Idaho" and data acquired during a field visit to the area on November 4.

Most of the water that enters the local ground-water system originates in the Mill Creek drainage basin to the east. The mean annual flow of Mill Creek was estimated by the U.S. Geological Survey (USGS) to be 11,000 acre-feet near the mouth of its canyon. Surface water outflow from the basin also occurs at Spring Creek, whose mean annual discharge is unknown. The total water yield of the drainage basin is undoubtedly larger than what is conveyed in these two streams. Some water is transmitted through fractures and joints in the exposed basalts and intergranular openings in the overlying coarse talus that are present.

At the foot of the highlands, a portion of the ground-water flow re-emerges as springs and seeps in the surface drainage system. This relationship between the surface and ground waters provides the base flow for the perennial flowing Mill and Spring creeks along with intermittent flows in many of the smaller streams. At the lower reaches of these streams, above their ultimate discharge into the Weiser River, they lose water and provide an additional source of recharge to the ground-water system.

the ground-water

OCT 03 1988

November 12, 1987

The ground water that remains is transmitted through fractured basalt and overlying sediments present in lower elevations. Most wells in the vicinity of the protested application are completed in the sediments which have an aggregate thickness of over 200 feet. Due to the predominance of fine silts and clays in this area, it appears that they accumulated in a shallow lake environment. Towards the east, these sediments intertongue with sands and gravels that were presumably deposited by tributary streams along the margins of the lake. The slope of the water table immediately above the applicant's property is about 120 feet per mile and reflects the poor water-transmitting properties of this fine-grained material.

The net change in water levels over the past twelve years have been obtained in wells surrounding the applicant's property. Five of the wells that I measured depth to water in on November 4, 1987, the USGS also measured in September 1975. Only one of the wells has experienced a noticeable decline for the period. The well is located a little over a quarter of a mile to the east (up-gradient) of the applicant's well and indicated a decline of about 15 feet. This local decline in the water table is probably not attributed to increased withdrawal, since the applicant began irrigating only about a tenth of his proposed acreage this past summer and only domestic wells occur in the immediate area. A reduction in the amount of recharge is more likely, possibly from upstream diversions of Spring Creek which undoubtedly provides local recharge to the area.

A ground-water irrigation right about a quarter of a mile south of the applicant's well (Water Right No. 67-7060) was licensed for 0.14 cfs (63 gpm). A well about half a mile to the west (down-gradient) of this irrigation well shows only about a foot of decline over that period from 1975 to 1987. This information suggests that the present withdrawal of ground water is in apparent equilibrium with the amount that is recharged (excluding the above mentioned well that showed a decline). This, however, does not provide support whether the area can sustain additional withdrawals of ground water for irrigation without associated declines in the water table.

A computer program that utilizes the Theis equation (including its broad assumptions) was used to estimate the cone of depression produced by the applicant's well if it was put in full production. With a proposed pumping rate of 0.20 cfs (90 gpm), computed drawdowns at the end of the irrigation season ranged from about 10 feet a quarter of a mile away to about 5 feet at a distance of a mile. This analysis assumes the well is pumped continuously throughout the irrigation season.

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OCT 03 1988

November 12, 1987

Well construction practices in the area may be responsible for water level declines that have been reported in some wells. According to the "Well Driller's Reports, wells that have been drilled in unconsolidated sediment were commonly completed open hole with as much as 125 feet of uncased section. If these wells are excessively pumped, sluffing in or caving in of the hole can occur and cause sealing of primary water contributing zones. As the problem worsens, the same quantity of water pumped requires an increasing amount of drawdown to occur. This could be alleviated by casing the hole its entire depth and perforating or screening selected intervals.

In summary, it is believed that the magnitude of the applicant's proposed withdrawal probably does not exceed the amount of recharge that occurs in the area. However, due to the inability to quantify the amount of ground water available locally, it may be wise to monitor water levels in the area. Wells surrounding the applicant's well could be measured at the end of each irrigation season for a period of a few years to determine what effect the applicant's withdrawal has on the local ground-water system.

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OCT 03 1988

DATE 10/22/87

FROM Dave Tuthill

Thru Bob Fleenor

TO Norm Young

SUBJECT Study Request for Protested App for Permit No. 67-7714

I have discussed the attached request with Alan Robertson.

He feels that his staff has sufficient resources to comply with the request, but a time delay for completion may be required.

I have forwarded the file to Alan.



SIGNATURE

STUDY/PROJECT REQUEST

TO: Resources Analysis Div Date Initiated 10/22/1987FROM: Resources Admin Div Requested Completion Date 11/13/1987TITLE: Investigation of Availability of Ground Water in
the Weiser River Basin North of CouncilPROBLEM AND/OR PURPOSE: Determine availability of ground water in the
vicinity of the SW 1/4 Sec 26 T17N R1W, B.M.SCOPE (level or extent of detail): Geo-Hydrologic Review of existing
available data.

DESCRIPTIONS OF WORK REQUESTED:

1. Review well logs, published geologic data, published water level
data, and data from the hearing record for Protested App 67-7714
(two tapes totalling 1 hour - must be reviewed on 4 channel recorder).
2. Prepare memorandum which predicts the availability of ground
water in the area of concern (Sec's 25 & 26), and which explains
the difference in productivity between wells as little as 300' apart.

REQUEST ORIGINATOR: Dave Tuttle thru Bob Fleener & Norm YoungTYPE OF REPORT: Intraoffice Memorandum capable of being distributed to
the parties in this dispute and being formally added to the record.DISPLAY TABLES: YES NO ANTICIPATED MAN-DAY EFFORT: If necessary

APPROVED BY _____

ASSIGNED TO: _____

DATE: _____

ACTUAL MAN-DAYS: _____

OCT 05 1988

INTER-DEPARTMENT MEMO — 1

FROM Dave Tuthill

DATE 10/22/87

TO File 67-7714

SUBJECT

Attached are pertinent copies of this approved permit, which is located to the south of the protested application for permit no. 67-7714. Note that 67-7714 was protested, but the protest was withdrawn prior to a hearing being held.

OCT 03 1988

DRT

SIGNATURE

Ref.: Application 67-7386

August 21, 1978

Mr. David B. Shaw
Department of Water Resources
92 So. Cole Road
Boise, Idaho 83705

Dear Mr. Shaw,

The latter part of July, Mr. Richard Armacost contacted Mr. Rodman N. Barker, one of the signers of the irrigation water protest which Mr. Armacost had applied for. Mr. Armacost asked Mr. Barker if he would agree to permitting him to pump for irrigation water using a sprinkling system if he would agree to stop sprinkling when any one of the protest signers experienced any loss of water. Mr. Barker stated he personally thought this might be worked out. Mr. Armacost then stated he was having a lawyer draw up such an agreement, but the lawyer had not accomplished it to date.

Mr. Barker felt that the signers of the protest should meet, since the offer from Mr. Armacost had been made. The meeting was held early in August, 1978. All the signers were informed of the meeting, and a majority of them attended the meeting. We all agreed that our original intent of the protest was to protect our previous water rights. We still feel that these rights are of the utmost importance. We expect Mr. Armacost to respect these rights, and to immediately stop sprinkling when any one of our pumps is unable to pump an adequate water supply for our usage - due to a drop in the water table.

Mr. George Robinson, one of the signers, volunteered to contact Mr. Armacost in reference to the meeting. They met within a couple of days, and all parties appear satisfied with the arrangement. We therefore withdraw our protest - under the condition that Mr. Armacost holds up his side of the agreement. We wish to leave the protest on file, for our protection, but under the above stated conditions we do agree to let Mr. Armacost have his sprinkling system water.

Sincerely,

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OCT 03 1988

Richard N. Barker Merle Det.
Heen Simpson
Jim Casner
Ed Allen
L. A. Pearson
E. M. Upah
Steve Shultz
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035

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MAY 26 1978

Department of Water Resources
Western Regional Office

May 19, 1978

C. Stephen Allred, Director
Idaho Department of Water Resources
92 S. Cole Road
Boise, Idaho 83705

Dear Mr. Allred,

We the undersigned do not protest the application (67-7386) Richard E. &/or Erma E. Armacost, Box 61, Council, Idaho for domestic and livestock water.

We do protest the use of this water for irrigation of 35 acres of land. Our reason for protesting is that past history has shown that large pumps used to pump a large amount of water from an underground supply lowers the water table. We all live near the said well, and do not wish to have our water table lowered. This would mean having to drill our existing wells deeper, or perhaps even drill new wells - - at great expense.

If we had a guarantee that, without further drilling, we would have all of the domestic and livestock water we now have, without interruption, we would not protest. However, we're sure that no guarantee of this kind can be made.

MICROFILMED

OCT 03 1988

Steve Schwalling

Star Route

Council Idaho 253-606

1. ~~Edmund Z. Baker~~

Box 129

Council Ida 253-60

2. George W. Robinson

Box 403

COUNCIL ID, 253-433

3. Helen Lemmon

Box 517

Council Idaho

253-4800

4. Gary Cabner

Council Star Rt Idaho

253-436

5. Chester A. Allen

Council Idaho

252 4342

6. Earl M. Zupak

Council Idaho

253-4457

7. Lynn A. Pearson

Council Idaho

253-4378

8. Shannon DeHazz

Council Idaho

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LIST OF PROTESTANTS

1. Steve Schwilling
Star Route
Council, ID 83612
2. Rodman Barker
Box 129
Council, ID 83612
3. George Robinson
Box 403
Council, ID 83612
4. Helen Simpson
Box 527
Council, ID 83612
5. Jim Casner
Star Route
Council, ID 83612
6. Chester A. Allen
Orchard Rd
Council, ID 83612
7. Earl M. Upah
Orchard Rd
Council, ID 83612
8. Lynn A. Pearson
Orchard Rd
Council, ID 83612
9. Shannon DeHaas
Council
Idaho 83612

OCT 03 1988

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant RICHARD E. &/or ERMA E. ARMACOST Phone 253-4827

Post office address Box 61, Council, ID 83612

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 16N

Range 1W B.M. Adams County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.70 for irrigation purposes from Apr 1 to Oct 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.07 for livestock purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

5. Total quantity to be appropriated:

a. 0.81 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well and pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 12 inches; proposed depth of well is 120 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 3 Township 16N

Range 1W B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 32 horses & 5 head of cattle

(4) Name of municipality to be served _____ or number of families to be supplied with domestic water 1.

(5) If water is to be used for other purposes describe: OCT 03 1988

RECORDED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SE¼	SW¼	
16N	1W	3													35				35
Total number of acres to be irrigated																			35

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

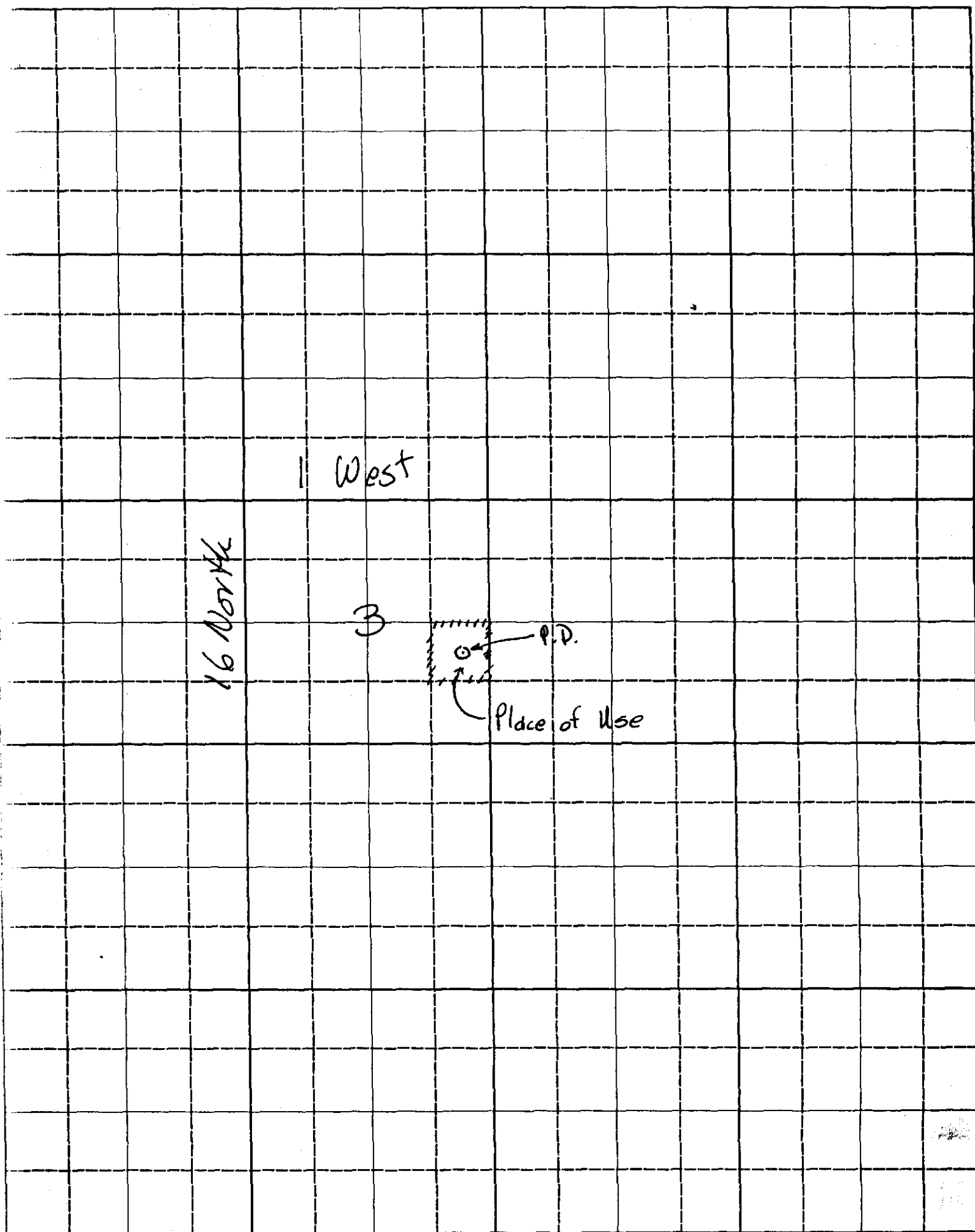
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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11. 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.

OCT 03 1988

Emma E. Elmer
(Applicant)
Mrs. Richard E. Elmer

Proposed Priority 5/05/78
Received by Y Date 5-5-78 Time 11:10
Preliminary check by WKM Fee \$ 25.00
Receipted by Y Date 5-5-78 # 11067
Publication prepared by Y Date May 11, 1978
Published in Adams County Reader
Publication dates May 18 & 25, 1978
Publication approved DEB Date 4-2-78
Protests filed by: see attached sheet
withdrawn 8/24/78 DBS
Copies of protests forwarded by also 5-31-78
Hearing held by _____ Date _____
Recommended for approval denial by DBS js

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. 67-7386, 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 September 1, 19 83.
- 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. Other: _____

Witness my hand this 5th day of September, 19 78.

L. Glen Saxton
Chief, Operations Bureau

RECORDED

OCT 03 1988

App No. 67-7714

Conf/Hearing in Council 10:00 am Oct 21, 1987

Kennedy App (Carlton & Barbara)

Conf/Hearing Held by Bob Fleener & Dave Tutthill. Notes by D. Tutthill

Applicants present & represented themselves

Well driller Don Rich drilled these wells - hearsay says that he does not feel that the local wells will support irrigation diversions

Protestants shown on sign in street, as follows:

Represented by	
Robert W. Spear & Marjorie	Bob Spear & Marjorie
R. A. Peterson & Anna	R. A. Peterson & Anna
✓ Cecil & Heidi Ferguson	Cecil Ferguson
Bernard Baldwin	Self
✓ Cynthia A. Day	Self
Dan Krupp	Self
✓ Merwyl & Austin Nartes	T. J. Lakey & Edna
✓ Zella M. Smith	- Not represented
Gayle A. Wallace & Ellis	Ellis Wallace
John N. & Rosemary Kelley	" "
Yvonne Warner	" "
Troy & Helen Clelland	" "
Ellis Wallace	
Also here: Howard & Harriet Tate	
Harold Winton	
} Not Protestants	

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OCT 03 1988

Applicants - water at $\pm 50'$ depth

Pump Curve - 5 hp pump now installed

190' head 50 gpm

110' head 100 gpm

Sprinklers used to date - for irr of up to 1 acre
10 sprinklers now run in the field

Protestants:

1. No objection to domestic use
2. Objection to irrigation of more than garden use

Issues:

1. Injury to existing water rights
2. Limited amount of water

→ Note: Armacost well ordered to stop pumping? (Sec 3 Twp 16N Rge 1W)

- At one time water rights have been on the property from surface sources, but ^{these} have been sold off

OCT 05 1988

- Percolation tests indicate that there is no percolation through the soil from the surface water system down to the water table.

Bernard Baldwin - Had to leave early - lives in the SWSWSW Sec 26

Began current continuous use in 1978. 125' deep well, static water level at 50' in 1978. (67-7604 - Red Rose Chapel Brethren)

Hearing Record

Starting at 12:00 pm 21 Oct 87.

Applicant: Clayton Kennedy

Well is cased 172', drilled 192', 5 hp

Currently resides on property shown on app.

Does not intend to increase HP in pump

Has not noticed change in water level - has not measured it but has noticed little pressure difference.

Neighboring wells: to south 200' if Mr. Ferguson's well
To develop well, ran a 4" line for 4 hours with no perceptible drawdown.

* exam

Q: Cynthia Day: How many cows? A: about 3

Q: Do you know costs? A: No

Mr. Winton (Howard)

Well is 600 to 700 feet away 8" well, 1972

Has had no problems with well even when the Kennedy well is pumping
110 feet deep well - depth to water unknown

Well located in NW SW Sec 26. See mark on map

RECORDED

Protestants:

Robert Speer

OCT 03 1988

Domestic well cavitated this year

Concerned that Kennedy well will be pumped often & eventually cause water table drawdown

Robert Spear (cont.)

Located in Sec 25

Well is 240' deep, with pump at about 200'

Use is domestic, stockwater & lawn watering

1 1/2 HP Pump, 8" well

Well drilled 1982. Moved in & began use the last of 1983.

R. A. Peterson.

Concerned that the amt of water in the valley is not enough for ag purposes.

200' well, pump about 10' off bottom

deepened another 160' - got no add'l water

Lives at end of Lapin Lane along foothills

Well is used for domestic purposes. Irrigates with water from a spring & from Irr ditch.

Drilled in Aug, 1977, beneficially used.

Initially used about March, 1978.

Cecil Ferguson

Primary concern is availability of gw in area.

Has monitored the well - has noticed that the static water table has varied by 35 to 40 feet & feels that

the aquifer will not support irrigation uses. Is looking down the road & is concerned. Mr. Armacost drilled large well, pumped 35 minutes and well went dry. Wants to limit

Drilled a second well to insure an available supply. ^{OCT 10 1988}

Domestic use - ok. Non-domestic use not ok. Feels that there is a lack of water for existing wells.

Ferguson, Cont.

Well was drilled in 1982 - 150' - pump at 130'

Static level at 34' - varies down to about 84' in summer

Static level of new well at 32' cased down to 250', with perforations up to 170' (this well was just drilled recently)

The amount of water diverted currently is not objectionable

Drilled second well as backup

Heidi - Cecil's wife - not here

Bernard Baldwin - not present for hearing - did provide input at conference indicating that he has a general concern about irrigation diversions.

Cynthia Day

400' deep well

Pump at about 280'

Marked location of well on map

~~Don~~

Don Krupp

Nothing to add, but agrees with Mr. Ferguson

Never had a problem with his well - located well on map.

Austin Martes - Represented by F.J. Lakey

In full agreement with other protestants.

Does not have information regarding the well.

Uses well water for irr of fruit trees

Well drilled in 1982

Zella Smith - Not present

Gail Wallace - Not present

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OCT 03 1988

- Yvonne - Warner Not present
 Troy & Helen Clelland - " "
- Ellis Wallace - Agrees with other protestants
 Sees in the future complete use by domestic house wells.
 Pumping 30-40 minutes will cause the well to run out
 of water
 House use - water well was drilled in ^{Spring or Summer} 1976 (6" well)
 Stated later
 - Marjorie Speer
 Dry Farming should remain the system in the area.
 Raises 4 head of cattle on dry land.

for Applicant

Howard Hale.

Helped drill the Kennedy well.

5 hp pump is capable of furnishing sprinklers.

Don Rich is a well driller that he has assisted. Mr. Hale
 is a mechanic

Mr. Ferguson - question (^{answered} covered off the record)

Zella Smith - Statement via Bob Speer

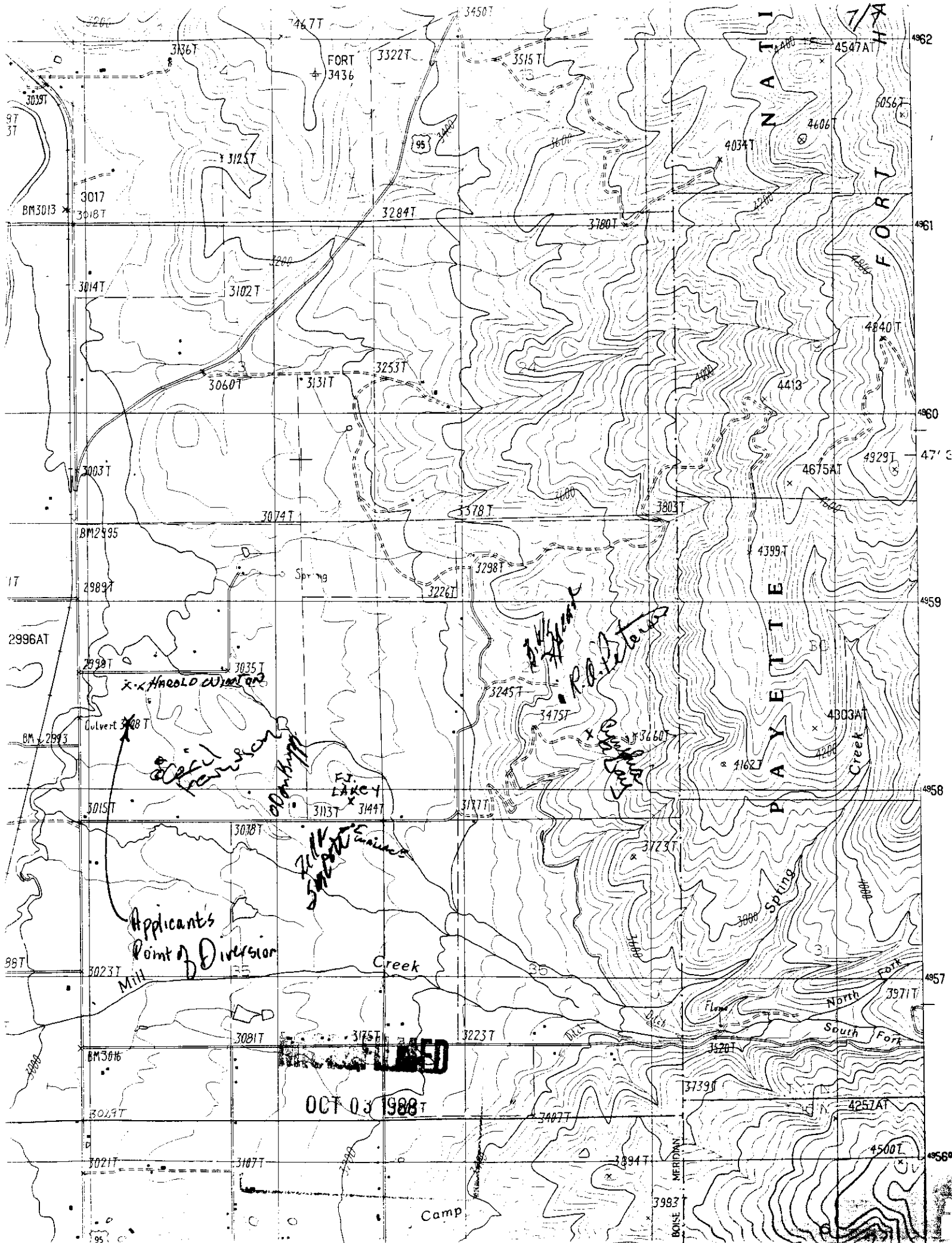
Her well may have declined.

We will take notice of well log records

Record concluded

RECORDED

OCT 20 1966



10-21-87

Catton & Barbara Kennedy

67-7714

Well drilled about 5 years ago -
Well will pump 10 sprinklers -
Irrigating about 1 acre now -

Bob Armacost → ^{Sec 3 -} Check the past records - of the Armacost permit

→
Water source begins at ^{about} 50 feet - Water is mainly between 50 to 100 ft
W/L is 15 feet -

Don Rich - Well drillers - claim - shouldn't

- Drilled a second well → 250 feet deep →

- Uses the pump 1 hr per day three times per week -
- 10 sprinklers will run at 45 psi -

Issue > injury - to existing water rights -
- Concerned about precedence

→ Hearing

Owns 10 acres -

~~Mr. Ferguson~~ -

Witness Harold Winton

600 feet south ——— Depth - 110 ft - No effect on water -

RECORDED

OCT 23 1988

Protestant

Robert Spear -

Well cavitated this year -

Concerned about precedence -

200 feet pump - 240 feet well

drilled 1982 used 1983 -

Bob Peterson

Concerned about precedence

Well 200 feet deep drilled 160 feet deep

Domestic →

Irr ditch -

Can pump it dry normally but this year is

Cecil Ferguson

- Water table has changed this year

- Water table varies from 35 to 45 feet below the surface

- Concerned about precedence -

- Suggest limiting use to domestic -

- Drilled second well -

- No objection to domestic -

-

-

Cynthia Day

Dan Krupp

Lakey - Purchased Martes -

Ellis Wallace

Concerned about precedence -

6 in drilled 1976

They

Marjorie Spear >
Domestic Use -

Howard Hake

P.O. Box 563 -

Drilled (assisted) Mr Kennedy's well -

Water level fluctuates due to the precipitation -

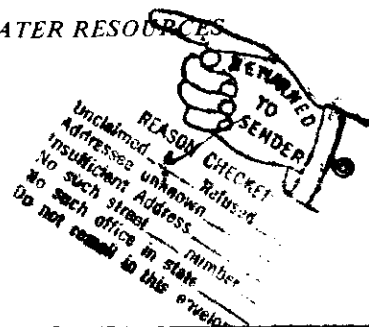
Robert Spear in behalf of Mrs Smith

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MAY 1962

1962 4 1962

Hearing conducted by: Bob Fleenor & Dave Iutbill

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
5 Airport Way
Boise, Idaho 83705



CERTIFIED
P 300 228 063
MAIL

CLAIM CHECK
NO.
120392

☐ HOLD

DATE

Oct

1ST NOTICE

2ND NOTICE

RETURN

Detached from
PS Form 3849-A
Oct. 1980



CLAIM CHECK
NO.

234622

☐ HOLD

DATE

1ST NOTICE

2ND NOTICE

RETURN

Detached from
PS Form 3849-A
Oct. 1980

Yvonne Warner
Box 515
Council, ID 83612

001 00 100

PS Form 3811, Dec. 1980

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TOTAL \$

3. **ARTICLE ADDRESSED TO:**

Yvonne Warner
Box 515
Columbia ID 83612

4. **TYPE OF SERVICE:**

- ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

R300
228 063

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SIGNATURE ☐ Addressee ☐ Authorized agent

5. **DATE OF DELIVERY**

POSTMARK

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER** & **EMPLOYEE'S INITIALS**

OCT 03 1988

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

h11-19

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO.)
67-7714 IN THE NAME OF CARLTON W. AND/OR)
BARBARA A. KENNEDY)

NOTICE OF HEARING
AND/OR CONFERENCE

On May 13, 1987, Carlton W. and/or Barbara A. Kennedy filed with the Department of Water Resources the above application to appropriate the public waters of the State of Idaho. On June 19, 1987, the Department received protests against approval of the said application from Robert W. Spear, R. A. Peterson, Cecil and/or Heidi Ferguson, Bernard Baldwin, Cynthia A. Day, Dan Krupp, Mervyle and/or Austin N. Martes, Zella M. Smith, Gayle A. Wallace, John N. and/or Rosemary Kelley, Yvonne Warner, Troy and/or Helen Clelland, Ellis Wallace, and Marjorie J. Spear.

The Department has set the matter of protests for hearing for Wednesday, October 21, 1987, at 10:00 a.m., in the Court Room of the Adams County Courthouse, Michigan Street, Council, ID 83612. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

Dated this 28th day of September, 1987


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

CONFERENCE AND HEARING INFORMATION
IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

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

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

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

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

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

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

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

311, Dec. 1980

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3. **ARTICLE ADDRESSED TO:**

Mercy & Austin Martes
MC 62
Council ID 23612

4. **TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED

☒ CERTIFIED ☐ COD

☐ EXPRESS MAIL

ARTICLE NUMBER

9300

228 059

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SIGNATURE ☐ Addressee ☐ Authorized agent

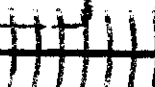
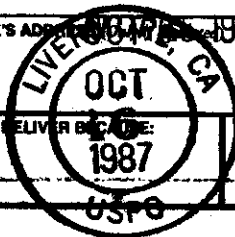
[Signature]

5. **DATE OF DELIVERY** **POSTMARK**

6. **ADDRESSEE'S ADDRESS**

7. **UNABLE TO DELIVER BECAUSE:**

8. **EMPLOYEE'S INITIALS**



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PENALTY FOR PRIVATE
USE TO MAIL PAYMENT
PAGE, \$300



OCT 03 1968

**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)

Idaho Department of Water Resources
Western Region

(Street or P.O. Box)

Boise, Idaho

(City, State, and ZIP Code)

Department of Water Resources
Western Regional Office

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2. ☐ **RESTRICTED DELIVERY** —¢

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3. **ARTICLE ADDRESSED TO:**

Cynthia A Day
HC 62, Box 1402
Council ID 23612

4. **TYPE OF SERVICE:**

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☒ CERTIFIED ☐ COD

☐ EXPRESS MAIL

ARTICLE NUMBER

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X Cynthia A Day

5. **DATE OF DELIVERY**

OCT 03 1988

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

SH

31, Dec. 1980

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PENALTY FOR PRIVATE
USE TO AIR MAIL PERMIT
DEPT. OF WATER RESOURCES
BOISE, IDAHO 83705



Department of Water Resources
Western Regional Office

RETURN
TO

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)
Idaho Department of Water Resources
Western Region

(Street or P.O. Box)
Boise, Idaho

(City, State, and ZIP Code)

PS. **SENDER:** Complete items 1, 2, 3, and 4.
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311 Dec 1960

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2. ☐ **RESTRICTED DELIVERY** —¢
(The restricted delivery fee is charged in addition to
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TOTAL \$ _____

3. ARTICLE ADDRESSED TO:

Bernard Baldwin
PO BOX 493
Council Bluffs 51502

4. TYPE OF SERVICE:

- ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

R300
228 056

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SIGNATURE ☐ Addressee ☐ Authorized agent

Bernard Baldwin

5. DATE OF DELIVERY

DEC 10 1960

POSTMARK

DEC 10 1960
COUNCIL BLUFFS

6. ADDRESS

7. UNABLE TO DELIVER BECAUSE:

**7a. EMPLOYEE'S
INITIALS**

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51502

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OFFICIAL BUSINESS

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**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300**



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**2735 AIRPORT WAY
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(Name of Sender)

OCT 05 1987

**Idaho Department of Water Resources
Western Region**

(Street or P.O. Box)

**Department of Water Resources
Boise, Idaho**

(City, State, and ZIP Code)

3811, Dec. 1980

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TOTAL \$	
3. ARTICLE ADDRESSED TO: Zelda M. Smith Box 177 Council ID 83612	
4. TYPE OF SERVICE: ☐ REGISTERED ☐ INSURED ☒ CERTIFIED ☐ COD ☐ EXPRESS MAIL	ARTICLE NUMBER 9390 228 060
(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent Zelda M. Smith	
5. DATE OF DELIVERY 10-7-87	POSTMARK OCT 7 1987
6. ADDRESSEE'S ADDRESS [REDACTED]	
7. UNABLE TO DELIVER BECAUSE: [REDACTED]	7A. EMPLOYEE'S INITIALS [REDACTED]

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PERMIT TO PRIVATE
USE OF PAYMENT
POSTAGE, \$3.00



OCT 03 1988

RETURN

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2735 AIRPORT WAY
BOISE, IDAHO 83705

OCT 05 1987

Idaho Department of Water Resources
Western Region

(Street or P.O. Box)

Boise, Idaho

Department of Water Resources

(City, State, and ZIP Code)

3811, Dec. 1980

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OCT 05 1980 TOTAL \$

3. ARTICLE ADDRESSED TO:

Carol for Maude Ferguson
 P O Box 1
 Council ID 83612

4. TYPE OF SERVICE:

- ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

R300

228055

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X Rich Ferguson

5. DATE OF DELIVERY

10-1-87

6. ADDRESSEE'S ADDRESS (Only if requested)



7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

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NECESSARY
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UNITED STATES

Department of Water Resources
Western Regional Office

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(Name of Sender)
Department of Water Resources
Western Region

OCT 05 1987

(Street or P.O. Box)
Boise, Idaho

Department of Water Resources

(City, State, and ZIP Code)

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2. ☐ **RESTRICTED DELIVERY** \$

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TOTAL \$

3. **ARTICLE ADDRESSED TO** OCT 05 1988

DAN KRUPP
BOX 622
COUNCIL BLVD 83612

4. **TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED

☒ CERTIFIED ☐ COD

☐ EXPRESS MAIL

ARTICLE NUMBER

7300

228 058

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I have received the article described above.

SIGNATURE

☒ Addressee

☐ Authorized agent

Dan Krupp
5. **DATE OF DELIVERY**
10-5-87

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

AF



73811, Dec. 1980

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OFFICIAL BUSINESS

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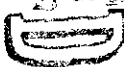
**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300**



Department of Water Resources
Western Regional Office

RETURN
TO

OCT 6 1987



DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)

Idaho Department of Water Resources
Western Region

Statehouse (Street or P.O. Box)

Boise, Idaho 83700

(City, State, and ZIP Code)

7 3811, Dec. 1980

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1. The following service is requested (check one).
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 - 2. ☐ **RESTRICTED DELIVERY** —¢
(The restricted delivery service is available only to the return receiver.)
- TOTAL \$** _____

3. **ARTICLE ADDRESSED TO:** *Troy E. Hall* *1988*
Council RR 87612

4. TYPE OF SERVICE: ☐ REGISTERED ☐ INSURED ☒ CERTIFIED ☐ COD ☐ EXPRESS MAIL	ARTICLE NUMBER <i>R300</i> <i>228 964</i>
---	--

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☒ Addressee ☐ Authorized agent

5. *Troy E. Hall*
DATE OF DELIVERY **POSTMARK**
10-5-87 *1861 87 130*

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. UNABLE TO DELIVER BECAUSE:	7a. EMPLOYEE'S INITIALS <i>AF</i>
--------------------------------------	---

4177-1-86

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

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

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300**



Department of Water Resources
Western Regional Office

**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)

Idaho Department of Water Resources
Western Region

(Street or P.O. Box)

Boise, Idaho

(City, State, and ZIP Code)

PS

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered —c
☐ Show to whom, date, and address of delivery .. —c
2. ☐ **RESTRICTED MAIL** —c
(The restricted mail service is subject to special conditions in addition to the return receipt.)

TOTAL \$

3. ARTICLE ADDRESSED TO
 R. A. Peterson
 P.O. Box 6
 Council ID 83613

4. TYPE OF SERVICE: ARTICLE NUMBER
☐ REGISTERED ☐ INSURED P300
☒ CERTIFIED ☐ COD 228 054
☐ EXPRESS MAIL

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

5. *Mr. R. A. Peterson*
 DATE OF DELIVERY
 10-2-87

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS
 M

111, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

POSTMARK
 156
 1987

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

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

Penalty for Private
Use to Avoid Payment
of Postage, \$300



RECEIVED

RECEIVED
OCT 5 1987

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES
2736 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)

**Idaho Department of Water Resources
Western Region**

(Street or P.O. Box)

Boise, Idaho

(City, State, and ZIP Code)

PS Form 3811, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

• **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered —¢
☐ Show to whom and date of delivery —¢
 2. ☐ **RESTRICTED DELIVERY** —¢
 (The restricted delivery fee is charged in addition to the return receipt fee.)

OCT 06 1980

TOTAL \$

3. **ARTICLE ADDRESSED TO:**

John N. Von Rosemary Kelley
 HC 62 Box 1415
 Council ID 23612

4. **TYPE OF SERVICE:**

- ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

R

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Rosemary Kelley

5. **DATE OF DELIVERY**

10-2-80

POSTMARK

6. **ADDRESSEE'S ADDRESS** (Only if required)

7. **UNABLE TO DELIVER BECAUSE:**

8. **EMPLOYEE'S INITIALS**

M

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

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

PENALTY FOR POSTAGE
DEFICIENCY
\$3.00



OCT 03 1988

**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)

Idaho Department of Water Resources
Western Region

(Street or P.O. Box)

Boise, Idaho

(City, State, and ZIP Code)

Department of Water Resources
Western Regional Office

3011, Dec. 1980

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

- ☒ Show to whom and date delivered.....
☐ Show to whom, date and address of delivery.....

2. ☐ **RESTRICTED DELIVERY**.....
(The restricted delivery fee is charged in addition to the return receipt fee.)

OCT 03 1988

TOTAL \$

3. **ARTICLE ADDRESSED TO:**

Carrollton Post Barbara Kennedy
 PO Box 121
 Council ID 22612

4. **TYPE OF SERVICE:**

- ☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

1300

228065

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

X Barbara Kennedy

5. **DATE OF DELIVERY**

10-2-87

POSTMARK

OCT 2 1987

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

AF

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

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

MAILED
OCT 02 1988
FIRST CLASS PERMIT NO. 1000 BOISE IDAHO
POSTAGE WILL BE PAID BY ADDRESSEE
POSTAGE, \$3.00



RETURN TO



DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

(Name of Sender)
Idaho Department of Water Resources
Western Region

~~██████████~~ (Street or P.O. Box)
Boise, Idaho ~~██████~~

(City, State, and ZIP Code)

DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO 83705

RECEIVED
OCT 02 1988
DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO 83705

P 300 228 053

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		Robert W. Spear	
STREET AND NO.		Lexington	
P.O., STATE AND ZIP CODE		Council Bluffs, IA 52802	
POSTAGE			
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	1.00
		SPECIAL DELIVERY	1.00
	RESTRICTED DELIVERY	1.00	
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

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

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

P 300-228 054

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		R. A. Peterson	
STREET AND NO.		PO Box 6	
P.O., STATE AND ZIP CODE		Council Bluffs 51501	
POSTAGE		[Stamp]	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	[Stamp]	
	SPECIAL DELIVERY	[Stamp]	
	RESTRICTED DELIVERY	[Stamp]	
	SHOW TO WHOM AND DATE DELIVERED	[Stamp]	
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	[Stamp]	
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	[Stamp]	
OPTIONAL SERVICES	RETURN RECEIPT SERVICE	[Stamp]	
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	[Stamp]	
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

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

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4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for services requested in the appropriate spaces on the front of this receipt. If return receipt is required, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

P 300 228 055

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO		C. G. Forger ~	
STREET AND NO.		P.O. Box 1	
P.O., STATE AND ZIP CODE		Commercial 2D 00612	
POSTAGE			
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	c
		SPECIAL DELIVERY	c
		RESTRICTED DELIVERY	c
		SHOW TO WHOM AND DATE DELIVERED	c
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	c
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	c
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	c
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

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

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

GPO: 1980 331-003

P 300-228 056

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		Bernard Baldwin	
STREET AND NO.		PO Box 493	
P.O., STATE AND ZIP CODE		Council Bluffs 52802	
POSTAGE			
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	00
		SPECIAL DELIVERY	00
		RESTRICTED DELIVERY	00
		SHOW TO WHOM AND DATE DELIVERED	00
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	00
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	00
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	00
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

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

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

GPO: 1980 331-003

P 300 228 057

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		Carmichael A. Dore	
STREET AND NO.		HC 62 Box 1402	
P.O., STATE AND ZIP CODE		Campbell ID 82412	
POSTAGE		\$ 0.00	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	\$ 0.00	
	SPECIAL DELIVERY	\$ 0.00	
	RESTRICTED DELIVERY	\$ 0.00	
	OPTIONAL SERVICES		
	RETURN RECEIPT SERVICE		
	SHOW TO WHOM AND DATE DELIVERED		
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		
TOTAL POSTAGE AND FEES		\$ 0.00	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

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

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

GPO: 1980 331-003

P 300-228 058

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		
DAN KRUPP		
STREET AND NO.		
Box 622		
P.O., STATE AND ZIP CODE		
Cincinnati OH 452612		
POSTAGE		
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	c
	SPECIAL DELIVERY	c
	RESTRICTED DELIVERY	c
	SHOW TO WHOM AND DATE DELIVERED	c
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	c
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	c
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	c
TOTAL POSTAGE AND FEES		\$
POSTMARK OR DATE		

PS Form 3800, Apr. 1976

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

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

☆GPO: 1980 331-003

P 300 228 059

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		Morse & Morse	
STREET AND NO.		H.C. 62	
P.O., STATE AND ZIP CODE		Cincinnati, OH	
POSTAGE			
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE		
	SPECIAL DELIVERY		
	RESTRICTED DELIVERY		
	SHOW TO WHOM AND DATE DELIVERED		
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		
OPTIONAL SERVICES	RETURN RECEIPT SERVICE		
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

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

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

P 300-228 060

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		
Zella M. Smith		
STREET AND NO.		
Box 1077		
P.O., STATE AND ZIP CODE		
Council Bluffs 52812		
POSTAGE		\$
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	c
	SPECIAL DELIVERY	c
	RESTRICTED DELIVERY	c
	OPTIONAL SERVICES	
	RETURN RECEIPT SERVICE	
	SHOW TO WHOM AND DATE DELIVERED	
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		
TOTAL POSTAGE AND FEES		\$
POSTMARK OR DATE		

PS Form 3800, Apr. 1976

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

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

P 300 228 061

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		George A. Wadsworth	
STREET AND NO.		Box 525	
P.O., STATE AND ZIP CODE		Council ID 83612	
POSTAGE			
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	
		SPECIAL DELIVERY	
		RESTRICTED DELIVERY	
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY			
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

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

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

☆GPO: 1980 331-003

P 300-228 062

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO		✓ Roremway	
STREET AND NO.		Kellery	
P.O., STATE AND ZIP CODE		Hc 62 Box 1415	
COUNCIL ID		23612	
POSTAGE			
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	0.10
		SPECIAL DELIVERY	0.10
	RETURN RECEIPT SERVICE	RESTRICTED DELIVERY	0.10
		SHOW TO WHOM AND DATE DELIVERED	0.10
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	0.10
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	0.10
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	0.10
TOTAL POSTAGE AND FEES		\$ 0.50	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

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

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6. Save this receipt and present it if you make inquiry

P 300 228 063

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		Horne Warner	
STREET AND NO.		206 S 15	
P.O., STATE AND ZIP CODE		Council Bluffs 82301-2	
POSTAGE			
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	00
		SPECIAL DELIVERY	00
		RESTRICTED DELIVERY	00
	RETURN RECEIPT SERVICE	SHOW TO WHOM AND DATE DELIVERED	00
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	00
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	00
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	00
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

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

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* GPO: 1980 331-003

P 300-228 064

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		Tracy on Helen Chelmond	
STREET AND NO.			
P.O., STATE AND ZIP CODE		Carmel CA 93612	
POSTAGE			
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	1.00	
	SPECIAL DELIVERY	0.50	
	RESTRICTED DELIVERY	c	
	OPTIONAL SERVICES		
	RETURN RECEIPT SERVICE	1.00	
	SHOW TO WHOM AND DATE DELIVERED	c	
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	c	
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	c	
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	c	
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
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P 300 228 065

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		Barbara A. Carter	
STREET AND NO.		Carter W. & Kennedy	
P.O. BOX		Box 121	
P.O. STATE AND ZIP CODE		Cincinnati 45236-12	
POSTAGE			
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	0.00
		SPECIAL DELIVERY	0.00
		RESTRICTED DELIVERY	0.00
		SHOW TO WHOM AND DATE DELIVERED	0.00
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	0.00
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	0.00
RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	0.00	
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

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CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

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6. Save this receipt and present it if you make inquiry.

P 300-228 066

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		
Ellis Wallace		
STREET AND NO.		
P.O. Box 525		
P.O., STATE AND ZIP CODE		
Council ID 92612		
POSTAGE		
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	¢
	SPECIAL DELIVERY	¢
	RESTRICTED DELIVERY	¢
	SHOW TO WHOM AND DATE DELIVERED	¢
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	¢
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES \$		
POSTMARK OR DATE		

PS Form 3800, Apr. 1976

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GPO: 1980 331-003

P 300 228 067

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO		MARJORIE J. SPAN	
STREET AND NO.		LANSING 1027	
P.O., STATE AND ZIP CODE		LANSING MI 48203-3612	
POSTAGE			
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE	0.51
		SPECIAL DELIVERY	0.88
	RETURN RECEIPT SERVICE	RESTRICTED DELIVERY	0.00
		SHOW TO WHOM AND DATE DELIVERED	0.00
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	0.00
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	0.00
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	0.00
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE			

PS Form 3800, Apr. 1976

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CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

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GPO: 1980 331-003

DEPARTMENT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, IDAHO 83705

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO.)
67-7714 IN THE NAME OF CARLTON W. AND/OR)
BARBARA A. KENNEDY)

NOTICE OF HEARING
AND/OR CONFERENCE

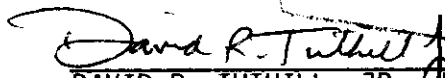
On May 13, 1987, Carlton W. and/or Barbara A. Kennedy filed with the Department of Water Resources the above application to appropriate the public waters of the State of Idaho. On June 19, 1987, the Department received protests against approval of the said application from Robert W. Spear, R. A. Peterson, Cecil and/or Heidi Ferguson, Bernard Baldwin, Cynthia A. Day, Dan Krupp, Mervyle and/or Austin N. Martes, Zella M. Smith, Gayle A. Wallace, John N. and/or Rosemary Kelley, Yvonne Warner, Troy and/or Helen Clelland, Ellis Wallace, and Marjorie J. Spear.

The Department has set the matter of protests for hearing for Wednesday, October 21, 1987, at 10:00 a.m., in the Court Room of the Adams County Courthouse, Michigan Street, Council, ID 83612. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources Resources, and Rules 4 and 5 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

Dated this 28th day of September, 1987

MACROFILMED

OCT 03 1988


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

INFLUENCE AND HEARING INFORMATION
IN THE MATTER OF APPROVAL OF AN APPLICATION FOR PERMIT

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

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

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

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

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

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

Failure to appear at the time and place set for hearing by the applicant or protestant(s) may allow the Department to dismiss without prejudice the protest(s) or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

APR 03 1992



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 10, 1987

Robert W. Spear
Lappin Ln.
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

Dear Protestant:

Because the protest that you filed on the above-referenced water right application has been not yet been resolved, a hearing for this matter has tentatively been scheduled for: Tuesday, October 20, 1987, at 1:30 p.m., in Weiser.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Friday, September 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

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

DRT:jp

RECEIVED

SEP 15 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 10, 1987

R. A. Peterson
P.O. Box G
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

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Sincerely,

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

DRT:jp

OCT 06 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

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

September 10, 1987

Cecil &/or Heidi Ferguson
P.O. Box L
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

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Sincerely,

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

DRT:jp

OCT 03 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 10, 1987

Bernard Baldwin
P.O. Box 493
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

Dear Protestant:

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Sincerely,

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

DRT:jp

OCT 03 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 10, 1987

Cynthia A. Day
HC 62 Box 1402
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

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Sincerely,

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

DRT:jp



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 10, 1987

Dan Krupp
Box 622
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

Dear Protestant:

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Sincerely,

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

DRT:jp



OCT 16 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 10, 1987

Mervyle &/or Austin N. Martes
HC62
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

Dear Protestant:

Because the protest that you filed on the above-referenced water right application has been not yet been resolved, a hearing for this matter has tentatively been scheduled for: Tuesday, October 20, 1987, at 1:30 p.m., in Weiser.

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Sincerely,

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

DRT:jp

OCT 03 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 10, 1987

Zella M. Smith
Box 177
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

Dear Protestant:

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Sincerely,

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

DRT:jp

MAILED

OCT 06 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 10, 1987

Gayle A. Wallace
Box 525
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

Dear Protestant:

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Sincerely,

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

DRT:jp

MAILED

OCT 03 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 10, 1987

John N. &/or Rosemary Kelley
HC62, Box 1415
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

Dear Protestant:

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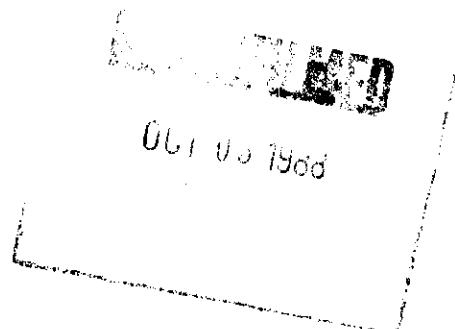
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Sincerely,

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

DRT:jp





Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 10, 1987

Yvonne Warner
Box 515
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

Dear Protestant:

Because the protest that you filed on the above-referenced water right application has been not yet been resolved, a hearing for this matter has tentatively been scheduled for: Tuesday, October 20, 1987, at 1:30 p.m., in Weiser.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Friday, September 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

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

DRT:jp

RECEIVED
OCT 20 1987



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 10, 1987

Troy &/or Helen Clelland
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

Dear Protestant:

Because the protest that you filed on the above-referenced water right application has been not yet been resolved, a hearing for this matter has tentatively been scheduled for: Tuesday, October 20, 1987, at 1:30 p.m., in Weiser.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Friday, September 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

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

DRT:jp

OCT 03 1987



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

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

September 10, 1987

Ellis Wallace
P.O. Box 525
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

Dear Protestant:

Because the protest that you filed on the above-referenced water right application has been not yet been resolved, a hearing for this matter has tentatively been scheduled for: Tuesday, October 20, 1987, at 1:30 p.m., in Weiser.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Friday, September 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

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

DRT:jp

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 10, 1987

Marjorie J. Spear
Lappin Ln.
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the Name
of Carlton W. &/or Barbara A. Kennedy

Dear Protestant:

Because the protest that you filed on the above-referenced water right application has been not yet been resolved, a hearing for this matter has tentatively been scheduled for: Tuesday, October 20, 1987, at 1:30 p.m., in Weiser.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Friday, September 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

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

DRT:jp

OCT 05 1987



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

September 9, 1987

Carlton W. &/or Barbara A. Kennedy
P.O. Box 121
Council, ID 83612

Re: Application for Permit No. 67-7714, Source of Groundwater, in the
name of Carlton W. &/or Barbara A. Kennedy

Dear Water Right Applicant:

As you have previously been notified, the above-referenced water right application has been protested. A hearing for this matter has been tentatively scheduled for: Tuesday, October 20, 1987, at 1:30 p.m., in Weiser.

The purpose of this letter is to advise you of this schedule and to provide you with an opportunity to notify this office if the scheduled time is not acceptable or if there is another reason the hearing should not be held at this time. Similar letters are being sent to other parties interested in this water right.

Please telephone this office no later than Friday, September 18, 1987, at (208) 334-2190 if you desire to make a change to the schedule. If the hearing is to proceed as scheduled, we will prepare final arrangements the following week, and you will be notified accordingly.

Sincerely,

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

DRT:jp

MICROFILMED

SEP 16 1988

SPECIAL NOTE: _____

_____PROTEST INFORMATION SHEET

Protestant - Name(s)

- (1) Robert W. Spear, Lappin Ln., Council, ID 83612
- (2) R. A. Peterson, P.O. Box G, Council, ID 83612
- (3) Cecil &/or Heidi Ferguson, P.O. Box L, Council, ID 83612
- (4) Bernard Baldwin, P.O. Box 493, Council, ID 83612
- (5) Cynthia A. Day, HC62 Box 1402, Council, ID 83612
- (6) Dan Krupp, Box 622, Council, ID 83612
- (7) Mervyle &/or Austin N. Martes, HC62, Council, ID 83612
- (8) Zella M. Smith, Box 177, Council, ID 83612
- (9) Gayle A. Wallace, Box 525, Council, ID 83612
- (10) John N. &/or Rosemary Kelley, HC62, Box 1415, Council, ID 83612
- (11) Yvonne Warner, Box 515, Council, ID 83612
- (12) Troy &/or Helen Clelland, Council, ID 83612
- (13) Ellis Wallace, P.O. Box 525, Council, ID 83612
- Attorney - Name & Address _____
- (14) Marjorie J. Spear, Lappin Ln., Council, ID 83612

Date Filed 6/19/87 Protest Date 6/22/87

 Issues _____

Applicant - Attorney - Name & Address _____

Dates: _____

Acknowledgement letters: _____

Hearing Notice: _____

Hearing Date: _____

Other: _____



OCT 05 1988

Protest Information submitted in Computer (following hearing): _____

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

[illegible]



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Carlton W. &/or Barbara A. Kennedy
P.O. Box 121
Council, ID 83612

Dear Mr. and Mrs. Kennedy:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 67-7714. The Department suggests you contact the protestant(s) directly in an effort to resolve the protest(s) and to attempt to resolve the protest(s).

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

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

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

Yours truly,

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

RECORDED

DRT:jp

Enclosure:

OCT 03 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Anna Peterson
P.O. Box G
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Ms. Peterson:

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

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

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

Yours truly,

David R. Tuthill

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

RECEIVED

OCT 10 1988

DRT:jp



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Robert W. Spear
Lappin Ln.
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Mr. Spear:

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

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

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Yours truly,

David R. Tuthill

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

DRT:jp

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

July 7, 1987

R. A. Peterson
P.O. Box "G"
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Mr. Peterson:

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

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

Yours truly,

David R. Tuthill

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

OCT 03 1988

DRT:jp



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Cecil &/or Heidi Ferguson
P.O. Box L
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Mr. &/or Mrs. Ferguson:

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

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

Yours truly,

David R. Tuthill, Jr.

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

RECORDED

OCT 03 1988

DRT:jp



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Bernard Baldwin
P.O. Box 493
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Mr. Baldwin:

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

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

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

Yours truly,

David R. Tuthill, Jr.

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office
JUL 13 1987

DRT:jp



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Cynthia A. Day
HC 62 Box 1402
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Ms. Day:

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

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

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

Yours truly,

David R. Tuthill

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

MAILED

OCT 03 1988

DRT:jp



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Dan Krupp
P.O. Box 622
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Mr. Krupp:

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

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

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

Yours truly,

David R. Tutthill, Jr.

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

DRT:jp

OCT 03 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Mervyle M. &/or Austin N. Martes
HC 62 Box 1420
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Interested Parties:

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

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

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

Yours truly,

David R. Tuthill

DAVID R. TUTHILL,
Manager, Western Regional Office

RECEIVED

DRT:jp

OCT 03 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Zella M. Smith
Box 177
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Ms. Smith:

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

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

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

Yours truly,

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

DRT:jp

RECEIVED
OCT 03 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Gayle A. Wallace
Box 525
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Ms. Wallace:

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

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

Yours truly,

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

DRT:jp

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Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

John N. &/or Rosemary Kelley
HC 62 Box 1415
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Mr. & Mrs. Kelley:

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

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

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

Yours truly,

David R. Tuthill

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

DRT:jp

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OCT 06 1988



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Yvonne Warner
Box 515
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Ms. Warner:

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

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

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

Yours truly,

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

DRT:jp

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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

July 7, 1987

Troy &/or Helen Clelland
Council
IDAHO 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Mr. and Mrs. Clelland:

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

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

Yours truly,

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

RECEIVED

DRT:jp

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

July 7, 1987

Ellis E. Wallace
P.O. Box 525
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Mr. Wallace:

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

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

Yours truly,

David R. Tuthill, Jr.

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

RECEIVED

DRT:jp

JUL 10 1987



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

July 7, 1987

Marjorie J. Spear
Lappin Ln.
Council, ID 83612

Re: No. 67-7714 in the Name of Carlton W. &/or Barbara Kennedy

Dear Ms. Spear:

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

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

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

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

Yours truly,

David R. Tuthill

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

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JUN 19 1987

June 18, 1987

RECEIVED
JUN 22 1987

Ken Dunn, Director
Idaho Water Resources
450 State St.
Boise, Idaho 83705

Department of Water Resources

Department of Water Resources
Western Regional Office

Dear Mr. Dunn,

We the undersign do hereby file protest to the application (67-7714) Carlton W. & or Barbara A. Kennedy, P.O. 121, Council, Idaho 83612, for domestic and irrigation.

We are protesting this application based on useage of water for irrigation of 10 acres of land from a domestic well. Our primary concern is directly related to a personal injury caused by removing this amount of water from a domestic well. Past history has proven that removing large amounts of water will and has lowered the water table. Such pumping could create a negative effect on the water table that could lead to the need to deepen our wells or perhaps even drilling new ones---- of which would lead to a great expense of which should not be necessary.

If we could be assured or guaranteed this would not happen we would not deem this protest necessary. We are not staging this protest on the normal amount allocated for domestic purposes.

1. *Don H. Spear* happy hk Council, Id 83612
2. *R. A. Peters* P.O. Box "B" Council, Id. 83612
3. *Carl Ferguson* P.O. Box "L" Council, Id. 83612-253-4880
4. *Bernard Belfiori* PO Box 493 Council Id 83612
5. *Cynthia A Day* HC 62 Box 1402 Council, Id 83612
6. *Don Kump* Box 622 Council Id 83612
7. *Mervyn M Martes* HC 62 Box 1420 Council Id 83612
8. *Amster N Martes* HC 62 Box 1415 Council Id 83612
9. *Fella M Smith* Box 177 " "
10. *Wayne H Wallogg* Box 525 Council, Id. 83612
11. *John M. Kelley* HC 62 Box 1415 Council Idaho
12. *Rosemary Kelley*
13. *Joanne Warner* Box 515 - Council Idaho
14. *Stacy Clibbard* Council Idaho
15. *Alan Clibbard* Council Idaho 83612
16. *Maynard J. Spear* happy hk Council Id. 83612
17. *Anna Petersen* P.O. Box 8 Council, Ida 83612

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13. Ellis & Wallace
14. Heidi Ferguson

P.O. Box 525
P.O. Box 1

Caremail Idex 83612
Council 93612

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OCT 10 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

MAY 27, 1987

Adams County Leader
Box 23
Council, ID 83612

Gentlemen:

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 JUNE 22, 1987.

Yours truly,

JUDY PENSE
Secretary

Encl.

601 6-1986

NOTICE OF APPLICATION FOR WATER RIGHT

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

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before JUNE 22, 1987.

KEN DUNN, Dir.

Published 06/04 & 06/11/87.

67-7714

KENNEDY, CARLTON W. &/or BARBARA A.

P.O. BOX 121, COUNCIL, ID 83612

Source: GROUNDWATER

Diversion Pt: NSW Sec 26 T 17N R 01W

Use: IRRIGATION	(0.2 CFS)
DOMESTIC	(0.020 CFS)

Date Filed: 05/13/1987

In: NSW Sec 26 T 17N R 01W FOR 10 ACRES

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U.S. DEPT. OF AGRICULTURE