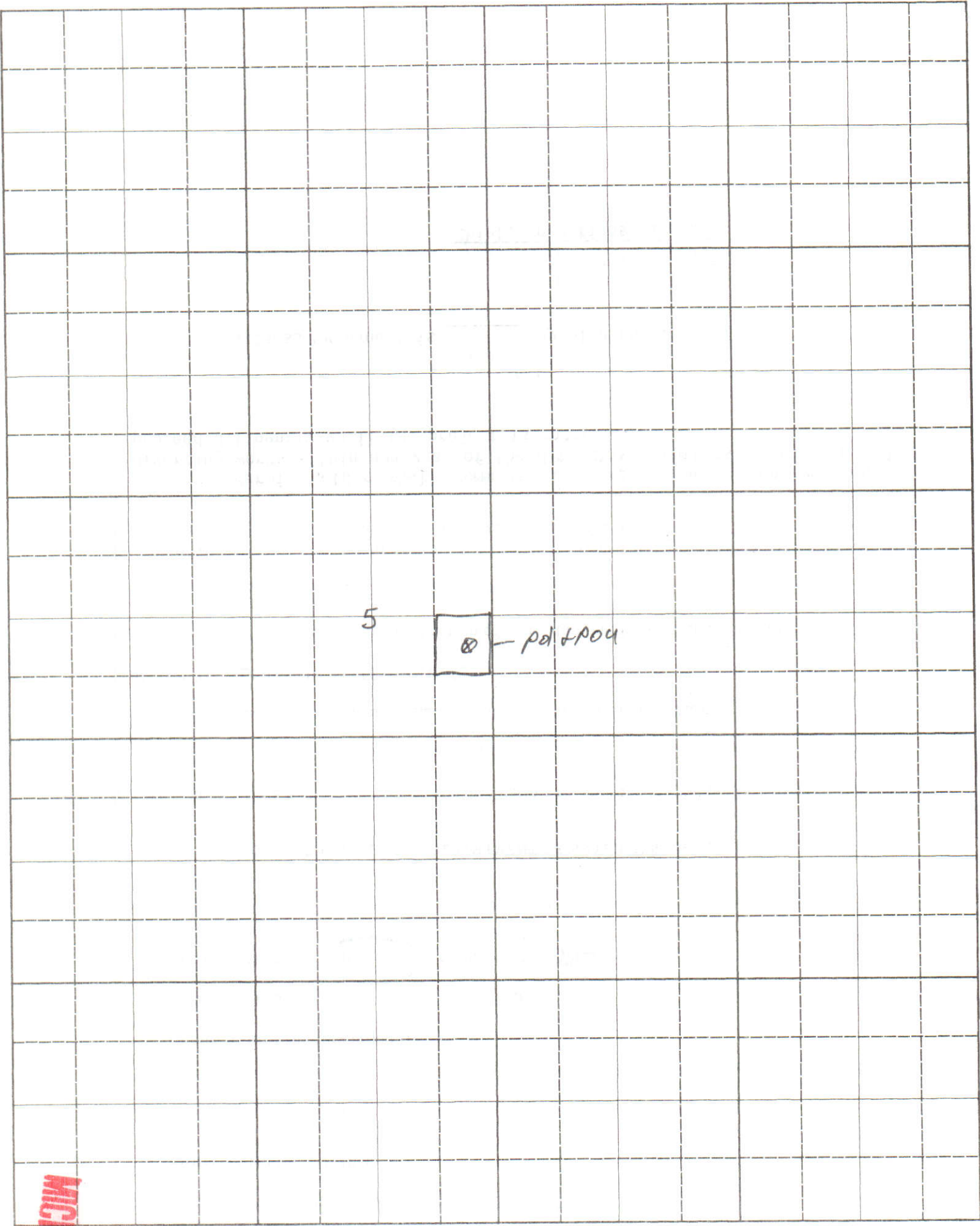


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Marcus R McKenny
(Applicant)

Dorothy McKenny

Affidavit of Publication

State of Idaho, (County of Adams, ss:

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

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

for Water Right ".....

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 July 14, 1983

July 21, 1983

and the last in the issue dated 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 21st

day of July, 1983

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:

67-7633

MC KENNY, MARCUS R. &/or DOROTHY
HC 62 BOX 1790, COUNCIL, ID 83612

Source: GROUNDWATER

Date Filed: 06/20/1983

Diversion Pt: NESE Sec 05 T 15N R 01W

Use: IRRIGATION (0.03 CFS)

In: NESE Sec 05 T 15N R 01W
FOR 1 ACRES

78-7244

WALKER, PETER J. &/or NORMA L.

P.O. BOX 307, NEW MEADOWS, ID 83654

Source: SPRING trib. to LITTLE SALMON RIVER

Date Filed: 06/21/1983

Diversion Pt: SESE Sec 06 T 19N R 02E

Use: IRRIGATION (0.02 CFS)

In: SESE Sec 06 T 19N R 02E
FOR 5 ACRES

78-7245

WARD, OWEN LONNIE &/or ELEANOR L.

STAR RT., POLLOCK, ID 83547

Source: GROUNDWATER

Date Filed: 06/27/1983

Diversion Pt: NWSW Sec 15 T 22N R 01E

Use: IRRIGATION (0.06 CFS)

DOMESTIC (0.08 CFS)

In: NWSW Sec 15 T 22N R 01E
FOR 2 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 AUGUST 1, 1983.

KEN DUNN, Dir.

Published 07/14 & 07/21/83.

RECEIVED
JUL 22 1983

Department of Water Resources
Western Regional Office

MICROFILMED

RECEIVED

FEB - 5 2001

Department of Water Resources



UNDELIVERABLE AS ADDRESSED
FORWARDING ORDER EXPIRED

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St.

P.O. Box 83720

Boise, ID 83720-0098

(208) 327-7900

TO

MARCUS R MC KENNY

DOROTHY MC KENNY

HC 62 BOX 1790

COUNCIL ID 83612

3.1.01 -

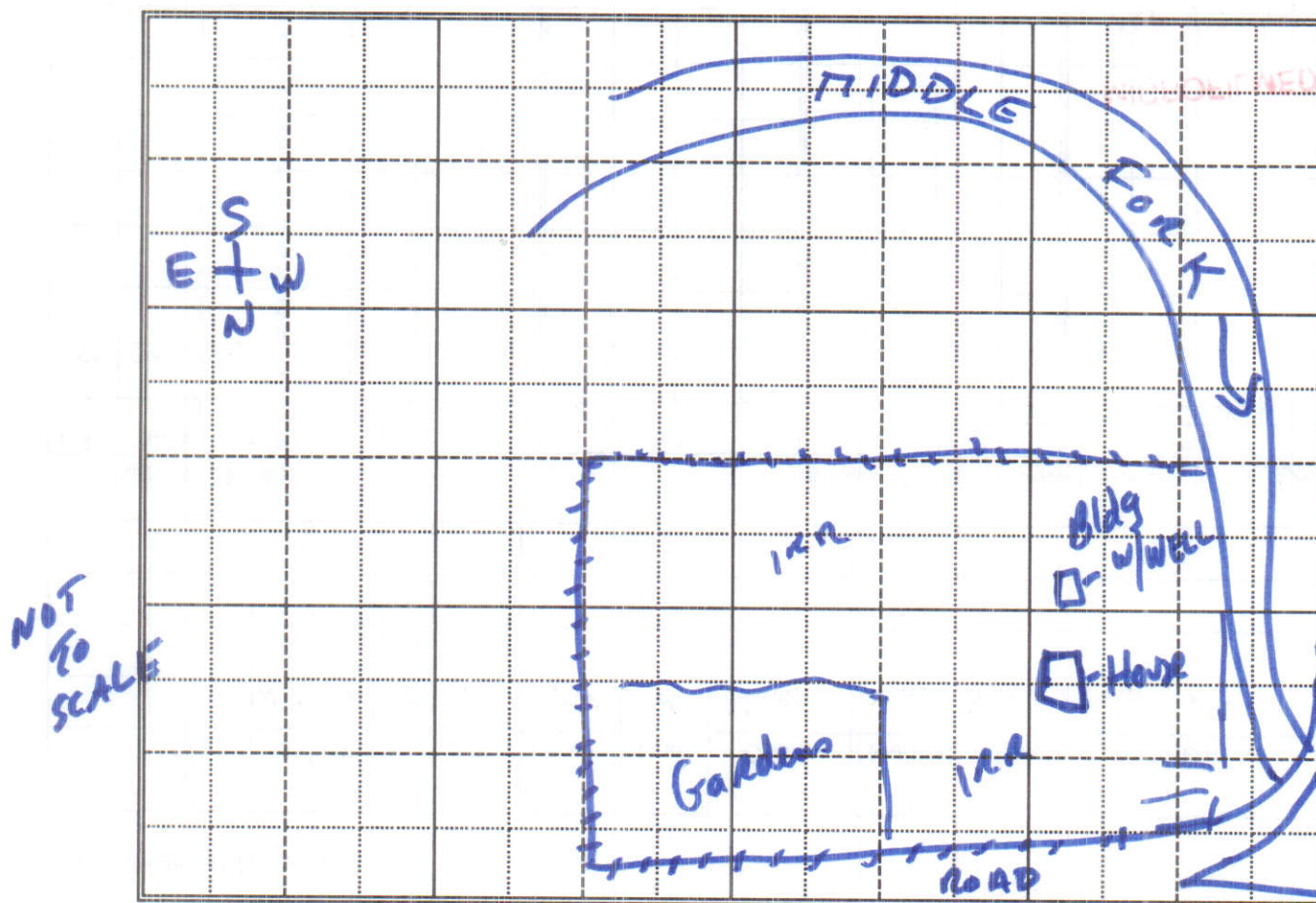
Jack Wassard phoned
to get some clarification
on the form + also stated
he has no chain of title
McKenny to Sheets.

Kari Lepen

2.7.01 Phone Conversation w/ Jack Wassard - explained
that we need correct form + filing fee. Mailed change of
ownership form + Proof report today.
Kari Lepen L.

Wassard phone 1-208-253-4724

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



Scale: 1" = 100'

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Leeson	1	A4634DC21D	Jacuzzi	1RM2-5

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: No measurement taken. Underground system not in operation at time of exam.

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JAN 31 2001

67-7633

T15N

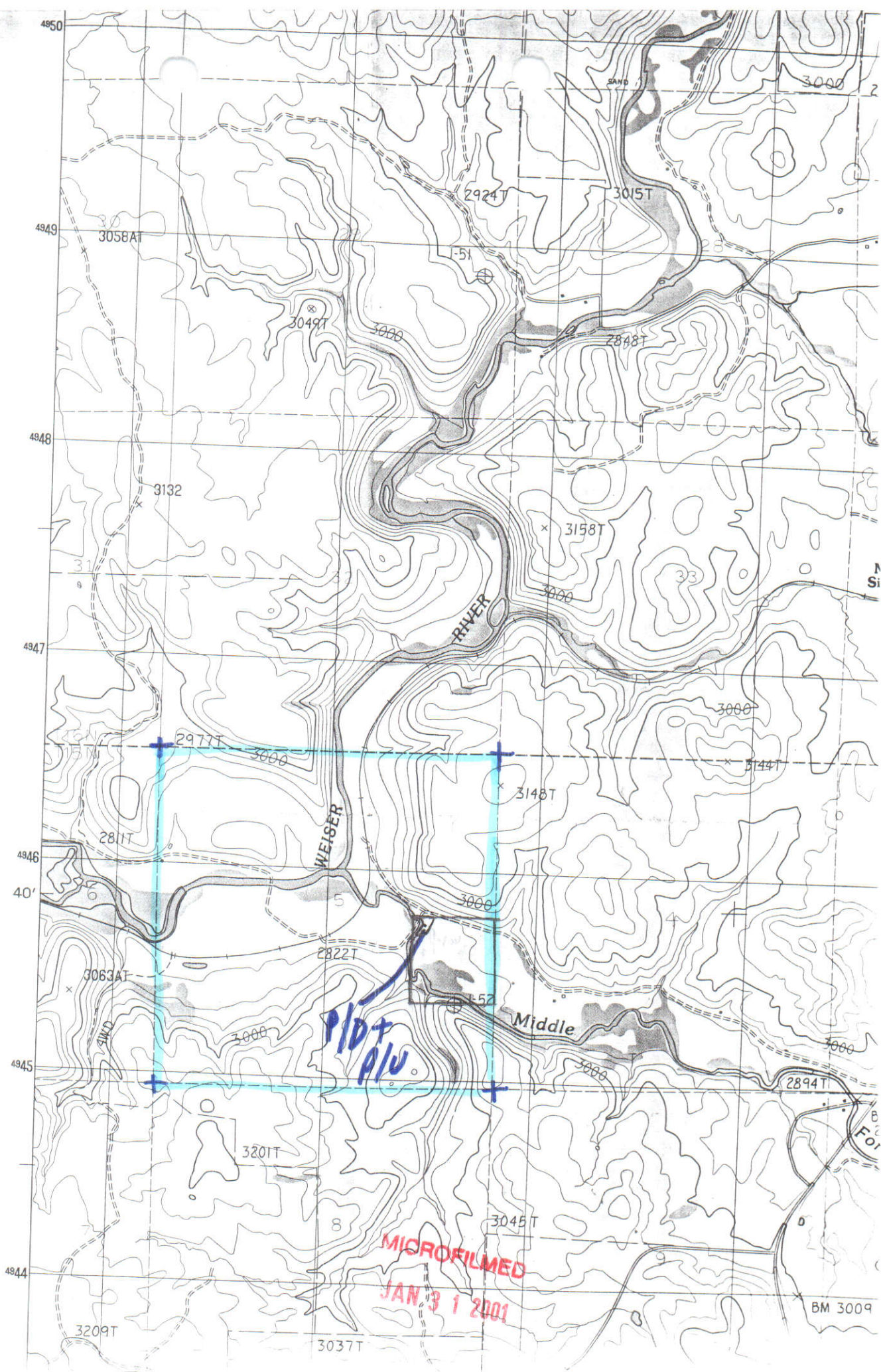
R01W

S05

NESE

NO GOVT LOTS

TTT 10/28/1997



3060x100
702A m. 0001

NE

T15N R1W
Sec. 5

67-07633

Adams County
PLAT

SENE
40 ac

Country Road

RIPPA

589°53'30"W 113417'

E
4
4

4
3
4
3

Beginning at
OS Junction - Sec
3 & 4, Thence NW
5220'

175.12
7500
1656
175.12
N 89°53'30"E

W 355.47
83547

NWSE

NESE
40 ac

SHEETZ, Revoc Trust
Carl P & Madonna L
32M390 TRUSTEC 5-1-78
89045 4-17-76

SE

0001

17270

MICROFILMED
JAN 3 2001

Rec'd from Adams
County Assessor
11/7/1997

SWSE
40 ac

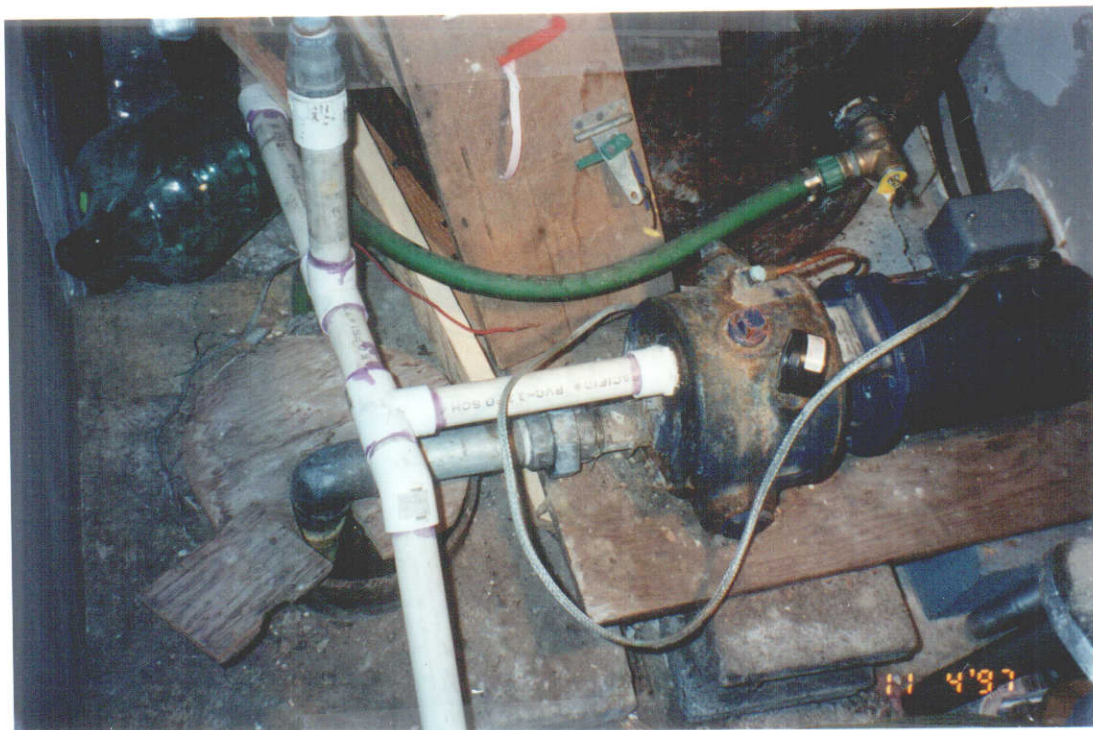
W2SESE
20 ac

E2SESE
20 ac



PHOTOGRAPHER AND DATE OF PHOTOS T. T. WICUCCI 11/04/1997

FILE NO. AND LEGAL DESCR. 67-07633 T15N R1W S.5 NWNESE



Point of diversion.
Well is located in
outbuilding on the
south side of
the house.
Well supplies house,
and yard
irrigation



Place of use.
Photo is taken
from northeast
corner of the
property.

MICROFILMED

JAN 31 2001

RECEIVED

REPORT OF WELL DRILLER State of Idaho

AUG 26 1968

State law requires that this report shall be filed with the State Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name M. E. Kinn
Address Council Bluffs, Idaho

Owner's Permit No. _____

NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Domestic

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other _____

(explain) _____

CASING SCHEDULE: Threaded _____ Welded _____

2" Diam. from 1 ft. to 34 ft.

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

"Diam. from _____ ft. to _____ ft.

Thickness of casing: 1/2" Material: _____

Steel ☒ concrete ☐ wood ☐ other ☐

(explain) _____
PERFORATED? Yes ☐ No ☒ Type of perforator used: _____

Size of perforations: _____ " by _____ "

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

perforations from _____ ft. to _____ ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

Manufacturer's name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐

No. ☒ size of gravel _____ Gravel

placed from _____ ft. to _____ ft. Surface seal

provided? Yes ☐ No ☐ To what depth?

ft. Material used in seal: _____

Did any strata contain unusable water? Yes ☒

No. ☐ Type of water: hard brown

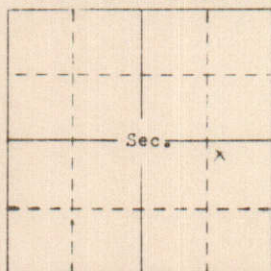
Depth of strata 32 ft. Method of sealing

strata off: steel casing

Surface casing used? Yes ☒ No ☐

Cemented in place? Yes ☒ No ☐

Locate well in section



LOCATION OF WELL: County Adams
NE ☒ SE ☒ Sec. 5 T. 15 N. R. 1 W

Use other side for additional remarks

Size of drilled hole: 8" Total
depth of well: 40 Standing water
level below ground: 1' Temp. _____
Fahr. _____ Test delivery: 50 gpm
or _____ cfs Pump? ☐ Bail ☒
Size of pump and motor used to make test: _____

Length of time of test: _____ Hrs. _____ Min.

Drawdown: 10 ft. Artesian pressure: ft. _____

above land surface _____ Give flow _____ cfs

or _____ gpm. Shutoff pressure: _____

Controlled by: Valve ☐ Cap ☒ Plug ☐

No control ☐ Does well leak around casing?

Yes ☐ No ☒

DEPTH MATERIAL WATER

FROM TO YES OR NO

FEET FEET

0 4 7' 2" Seal Yes

4 16 Boulder Gravel No

16 34 Conglomerate No

34 32 Brown Shale Yes

32 50 Bay Salt (Basalt) No

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-07633

Priority: June 20, 1983

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 4.0 AF

It is hereby certified that MARCUS R And DOROTHY MC KENNY
HC 62 BOX 1790
COUNCIL ID 83612 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 20, 1983; and have
submitted Proof of Beneficial Use on July 28, 1988. An examination indicates that the works have a
diversion capacity of 0.05 cfs of water from:

SOURCE

Source: GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	03/15 to 10/31	0.03 CFS	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5, Twp 15N, Rge 01W, B.M., ADAMS County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N 01W 5													1.0				1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26TH day of JANUARY, 2001

MICROFILMED
JAN 31 2001

Acting for

KARL J. DREHER, Director

Form 217
03/85

JUL 28 1988
no \$1 encl. 40
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Received by _____
Reviewed by JS
Sent to region _____

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 67-7633

Name(s) of Permit Holder: Marcus R. & Dorothy McKenny

Post Office Address: HC 62 - Box 1790 Council Idaho 83612

Telephone No. 253-4563

Source of Water: Well

Extent of Use:

Domestic 1 (number of households) Stockwater yes - 1 meat steer (number and type of stock)
Irrigation 1-17.0 (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted artesian well with overflow cfs we can run 4 sprinklers all day acre-feet
.03

Show the date water was first diverted and beneficially used under this permit: End of July 1968 + aug.

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No

Fee enclosed \$ no permit - we have
(See License Examination Fee Schedule) paid 13.00
at a later date than
68

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

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

Marcus or Dorothy McKenny 253-4563
(Name) (Telephone Number)

HC 62 - Box 1790 Council Idaho 83612
(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.

OCT 05 1988

7/27/88
Date

Marcus R McKenny co. owner
Signature of Permit Holder (and title, if appropriate)

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 MARCUS R. McKenny + Dorothy Phone 253-4563
Post office address Hc. 62-Box 1790 Council Idaho 83612
2. Source of water supply private well which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5 Township 15N
Range 1W B.M. Adams County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .03 for Irrigation purposes from 7/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .03 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

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

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 _____ inches; proposed depth of well is _____ 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: T15N R1W Sec. 5 - Pt Nese Township _____
Range _____ B.M. Council

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

(3) List number of each kind of livestock to be watered _____

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

(5) If water is to be used for other purposes describe: _____

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

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TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
15N	1W	5													1				1

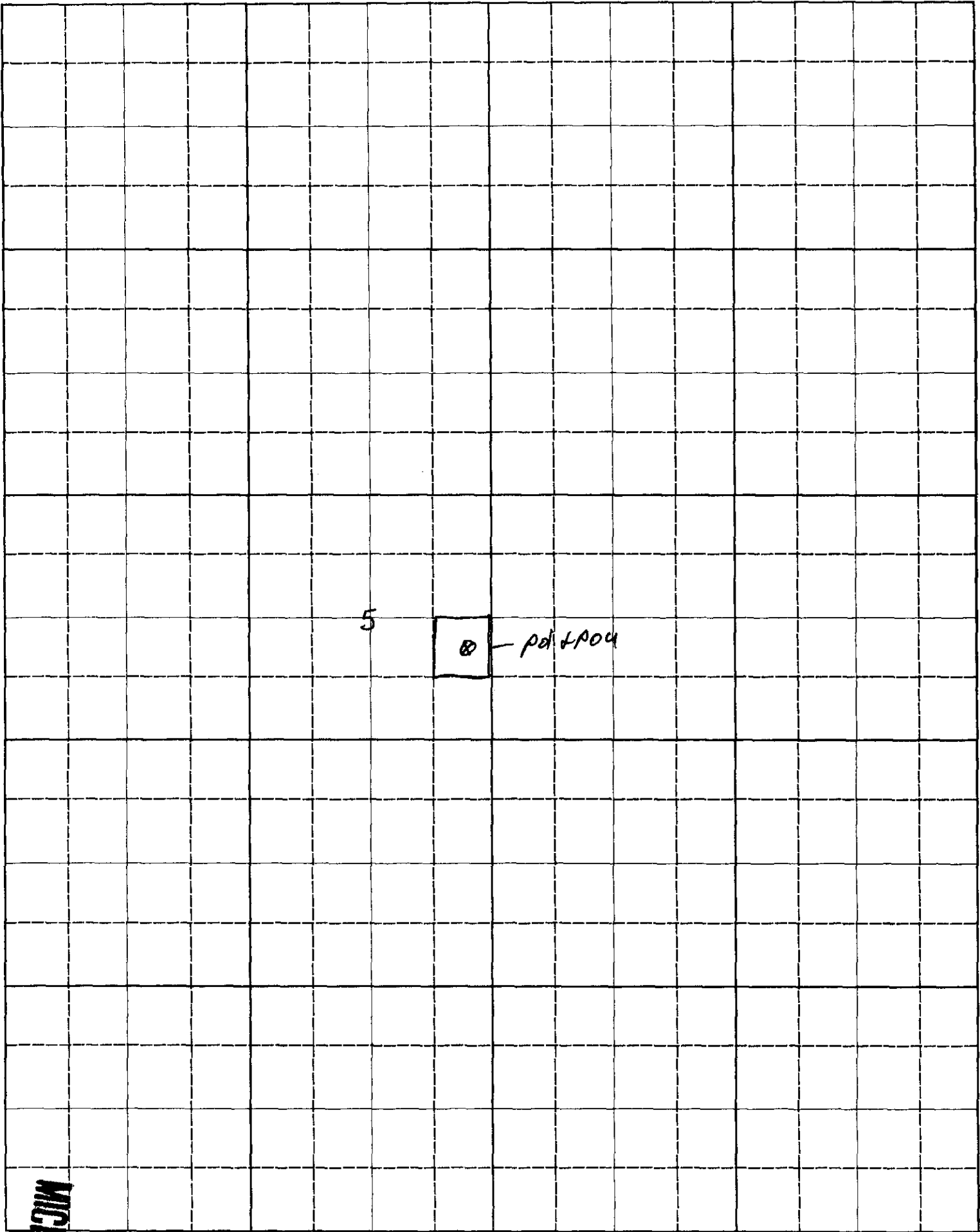
We own ~~4.2 acres~~ 1.2 acres which includes house - carport - storage barn
c. Describe any other water rights used for the same purposes as described above. & pasture + lawn and garden -

Total number of acres to be irrigated 1

- 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

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.

Marcus R McKenny
(Applicant)
Dorothy McKenny

MICROFILMED

Proposed Priority 6/20/1983

MICROFILMED

Received by nn Date 6-20-83 Time 9:00 am

Preliminary check by ELS Fee \$ 30.00

Receipted by JP Date 6/20/83 # 31072

Publication prepared by JP Date 7-7-83

Published in Adams County Leader

Publication dates 7/14 + 7/21/83

Publication approved ma Date 7-27-83

Protests filed by: one

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS RC

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. 67-7633, 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 88.
- 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: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 18th day of August, 1983.

J. Glen Saxton
Chief, Operations Bureau

Affidavit of Publication

State of Idaho, County of Adams, ss:

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

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

for water right" 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 July 14, 1983

and the last in the issue dated July 21, 1983 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 July 14, 1983

day of July, 1983

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:

78-7244
MC KENNY, R. &/or DOROTHY
HC 62 BOX 1790, COUNCIL, ID 83612
Source: GROUNDWATER
Date Filed: 06/20/1983
Diversion Pt: NESE Sec 05 T 15N R 01W
Use: IRRIGATION (0.03 CFS)
In: NESE Sec 05 T 15N R 01W
FOR 1 ACRES

78-7244
WALKER, PRUE J. &/or NOR-MA L.
P.O. BOX 307, NEW MEADOWS, ID 83654
Source: SPRING trib. to LITTLE SALMON RIVER
Date Filed: 06/21/1983
Diversion Pt: SESE Sec 06 T 19N R 02E
Use: IRRIGATION (0.02 CFS)
In: SESE Sec 06 T 19N R 02E
FOR 5 ACRES

78-7245
WARD, OWEN LONNIE &/or ELEANOR L.
STAR #10, HOLLOCK, ID 83647
Source: GROUNDWATER
Date Filed: 06/27/1983
Diversion Pt: NWSW Sec 15 T 22N R 01E
Use: IRRIGATION (0.06 CFS)
DOMESTIC (0.08 CFS)
In: NWSW Sec 15 T 22N R 01E
FOR 2 ACRES

The permit(s) will be subject to all prior water rights. Pro- tests must be filed with the Di- rector, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before AUGUST 1, 1983.

KEN DUNN, Dir.
Published 07/14 & 07/21/83.

RECEIVED

JUL 22 1983

Department of Water Resources
Western Regional Office

MICROFILMED

RECEIVED

FEB - 5 2001

Department of Water Resources

UNDELIVERABLE
FOR RETURN TO SENDER

IDAHO DEPARTMENT OF WATER RESOURCES

1301 North Orchard St.

P.O. Box 83720

Boise, ID 83720-0098

(208) 327-7900

NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD
RETURN TO
SENDER
LL

TO

MARCUS R MC KENNY

DOROTHY MC KENNY

HC 62 BOX 1790

COUNCIL ID 83612

2.7.01 Phone Conversation
that we need correct
addressing form & P.O. Box

3.1.01
Jodi A. Mendenhall
to get some clarification
on do them + also stated
he had no idea of title
Mendenhall to sheet.
Kari Kuper

Washed P.O.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

January 30, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARCUS R MC KENNY
DOROTHY MC KENNY
HC 62 BOX 1790
COUNCIL ID 83612

RE: License No. 67-7633 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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

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

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

Sincerely,

A handwritten signature in cursive script that reads 'Shelley Keen'.

Shelley W. Keen

Water Rights Supervisor

SWK:klt

MICROFILMED
JAN 31 2001

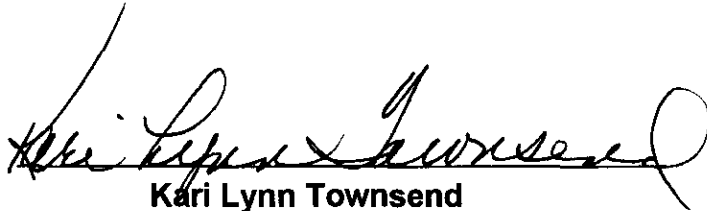
Enclosure(s)

CERTIFICATE OF MAILING

I hereby certify that on January 30, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 67-7633

**MARCUS R MC KENNY
DOROTHY MC KENNY
HC 62 BOX 1790
COUNCIL ID 83612**



**Kari Lynn Townsend
Secretary**

**MICROFILMED
JAN 31 2001**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

LICENSE REVIEW CHECKLIST

Permit No. 67-7633 Date: 1-17-2001 Reviewer: Kay Walker

Change/OK

Name/Address

Source

Point of Diversion:

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

Place of Use

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 0.03 cfs

Fee Limit none cfs

Measured none cfs

Theoretical none cfs

Recommended Total Diversion Rate 0.03

Water Uses

OK Change (P46)

Season of Use per new Standards

3/15 - 10/31

Irrigation 0.03 cfs 4.0 af

Stockwater none cfs none af

Domestic none cfs none af

none cfs none af

none cfs none af

Total 0.03 cfs 4.0 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

>1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (081/R07)

Payette - (W22/047/27A)

Stockwater for US (R37)

Volume Determination

0.03 cfs x 1.9835 x 231 days = 13.7 af (vs) 1 acres x 4.0 (FHR) = 4.0 af
3.0 (con)

Remarks:

Additional Conditions

Watermaster Control
GW Measurement/Measuring Device
Other
Trust (052/R55 - remove 051)
Non-Trust (048/049)

GW Dist? none
Water Msmt. Dist? none
Crit. GWMA? none
GWMA? none
Government Lots? NO

Advance Priority? yes If yes, explain why below.
no

SRBA Claim?

NO (per AJS 1/17/2001) - not reg'd.

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

S06

new owners of property have been given assignment form / told to submit warranty deed / chain of title - see correspondence flagged below - issue to permit holder - copy to new lic owners

Idaho Department of Water Resources

Place of Use 1/4 1/4 Comparison Report

T15N R01W S5			NE				NW				SW				SE				Total
Type	WR- Number	Source	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Right	67-85	Middle Fork Weiser River																	0
Right	67-86	//							//										0
Right	67-91	//							//										0
Permit	67-7633	GROUND WATER												1					1

diff. source
no prob

WR5810NP
(OD-12)

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 01/22/01
PAGE: 1

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

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
6707633	T15N R01W S 5 GROUNDWATER															01		1
6700085	WEISER RIV :															1		
A6700085A	WEISER RIV :															05		5
A6700085B	WEISER RIV :															10		10
6700086	WEISER RIV :															1		
A6700086	WEISER RIV :															05		5
6700091	WEISER RIV :											I	I				I	
6707913	WEISER RIV :							25	15		20	20						80

*diff
source*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 16 2000
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-7633

1. Owner: Jack + Francis Wassard Phone No. 253-4724

Current Address: 2079 Middle Fork Road, Council 83612

2. Accompanied by: T.R. Wassard EXAM DATE: 11/04/1997

Address: Same Phone No. _____

Relationship to Permit Holder: Successor in Interest

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

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

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NE	SE	5	15N	1W	Adams	USGS TOPO, COUNTY PLAT

2. Place(s) of Use:

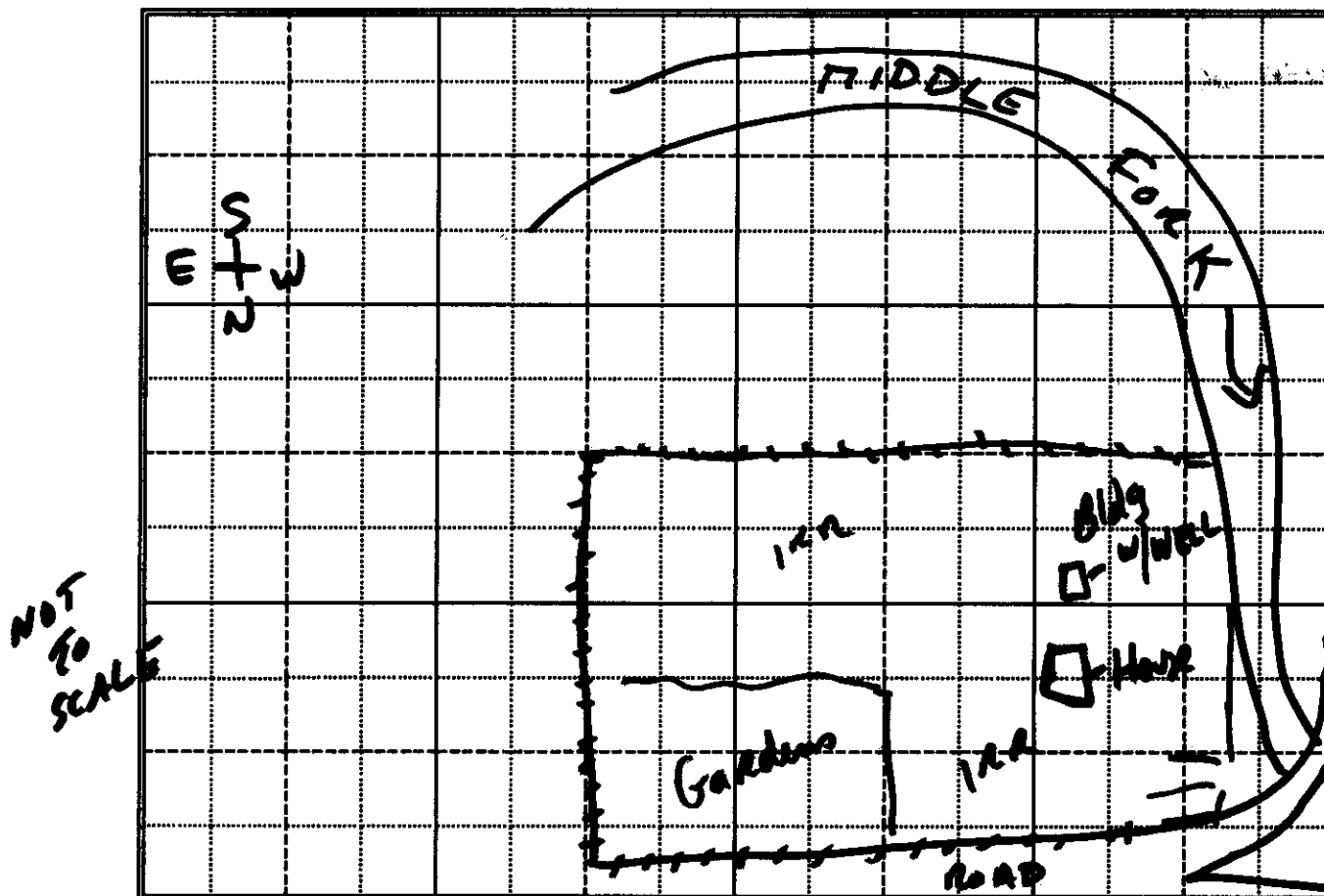
Indicate Method of Determination USGS TOPO, COUNTY PLAT

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15N	1W	5													1				1

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JAN 31 2001

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



Scale: 1" = 100'

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

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

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Leeson	1	A4634DC21D	Jacuzzi	1RM2-S

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: No measurement taken. Underground system not in operation at time of exam.

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2003 5 1 2003

E. NARRATIVE/REMARKS/COMMENTS

Property is located where Middle Fork Road turns south to cross the river. All of property is located east of river.

Well is located in an outbuilding to the south of the house. Well is artesian in winter - casing cut off at ground level. 2 inch intake to 1 inch discharge to house and underground pipe sprinklers. Most of the system is buried pipe but they do use hoses to reach some spots of the yard. Entire property is irrigated except for buildings + driveway.

Current owner indicated ~~the~~ change of ownership on the license was sufficient - permit holders not available to assign permit. No SRBA required.

Lot size is $175.12' \times 300' = 1.21$ acres.

Deduct house, outbuilding, and driveway - 1 acre of irrigation including lawns and gardens.

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

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F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$\frac{(8.8)(1.0)(.70)}{10 + (48 \times 2.31)} = .05 \text{ CFS}$$

48 psi: operating pressure

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 4.0 = 4.0 \text{ AF}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .03 \times 214 \times 1.9835 = 12.73 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.0 \text{ AF}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	.03	4.0
Totals:			.03	4.0

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ____ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATION

Field Examiner's Name

[Signature]

Date 12/15/1997

Reviewer

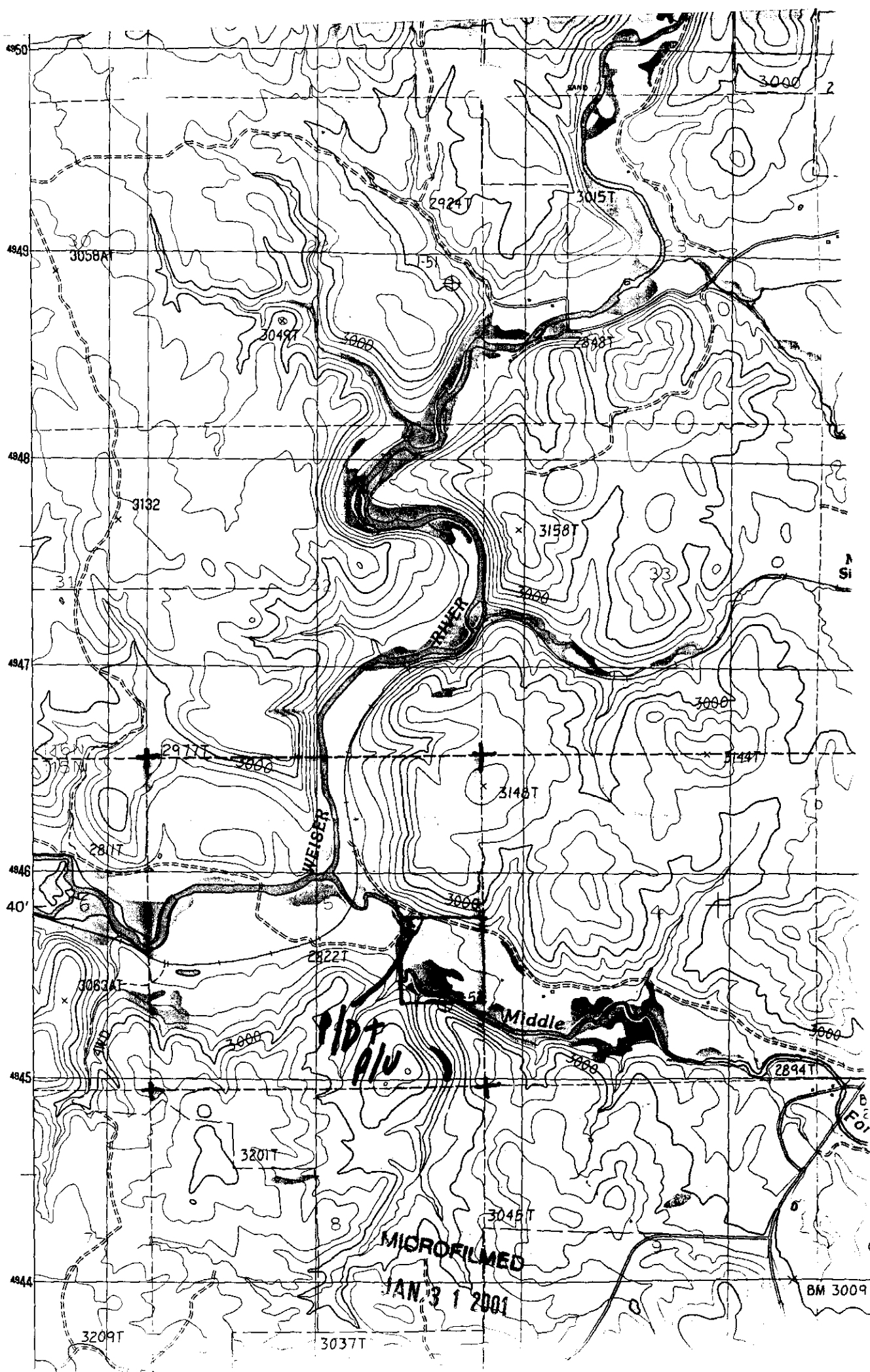
Date

SEAL

MICROFILMED
JUN 3 1 2001

T15N
R01W
S05
NESE

NO GOST LOTS
TTT 10/28/1997



3060x100
7.02A m. sec.

NE

T15N R1W
Sec. 5

67-07633

Adams County
PLAT

SENE
40 ac

County Road
R.P.P.

S89°53'30"W 11347'

4 3
4 3

Beginning at
OS junction to Sec 2
3 1/4, Thence NW
5280'

0001

7500
175.12
1656
N89°53'30"E

WASSON
83547

NWSE

NESE
40 ac

SHEETZ, Revoc trust
Carl P & Madonna L
32M390 TRUSTEC
87045 5-1-78
4-17-76

SE

0001

MICROFILMED
JAN 3 2001

SWSE
40 ac

W2SESE
20 ac

E2SESE
20 ac

Rec'd from Adams
County Assessor
11/7/1997

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 67-07633
2. OWNER: Wassard, Jack + Francis Phone: 253 4724
Address: 2079 Middle Fork Rd Council 83612
3. WELL LOCATION: Twp 15N, Rge. 01W, Sec. 5, NE 1/4 SE 1/4
County Adams (Provide sketch map and photo on reverse.)
4. DRILLER: Donald Rich Lic. No. 96?
When Drilled? Aug 1968
5. WELL CONSTRUCTION:
Casing Diameter 8 inches Water tight cap? ☐ Yes ☒ No Access Port: ☐ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☐ Yes ☒ No - Describe $\approx$ 6" above ground
Depth of Casing 34 ft. Method Drilled Cable
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe _____
Control Valve? ☒ Yes ☐ No Pressure Gauge: ☒ Yes ☐ No
Condition of Piping and Valving Good
Auger to a depth of _____ ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☒ Yes ☐ No (Describe in Remarks and Attach Photo - On Reverse)
6. HYDROLOGIC INFORMATION:
Depth to Static Water 2 ft. Water Temperature _____ °F
Winter Flowing Artesian ☒ Yes ☐ No Pressure: 48 (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose _____
Water Quality Measurements/Observations (Describe) _____
7. WELL USE:
☒ Domestic ☒ Irrigation ☐ Stock
☐ Test ☐ Municipal ☐ Industrial
☐ Abandoned ☐ Waste Disposal/Injection ☐ Not Used
☐ Other: _____

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JAN 31 2001

8. POSSIBLE CONTAMINATION SOURCES:

Is there evidence of Chemigation? ☐ Yes ☒ No

If yes, is there a check-valve present? ☐ Yes ☐ No

Is there a possible source of contamination nearby? ☒ Yes ☐ No

If yes, what Type? Petroleum products, misc chemicals

How far away from the well is this source? Same building

9. REMARKS: Well is located in closet in small barn on south side of
home. Piece of wood over the top of casing. Well is located $\approx$ 150'
from Middle Fork of Weiser and will overflow top of casing in
winter. Owner may extend casing.

[Signature] SR WATER AGENT
Signature of Dept. Representative & Title

11/4/1997
Inspection Date

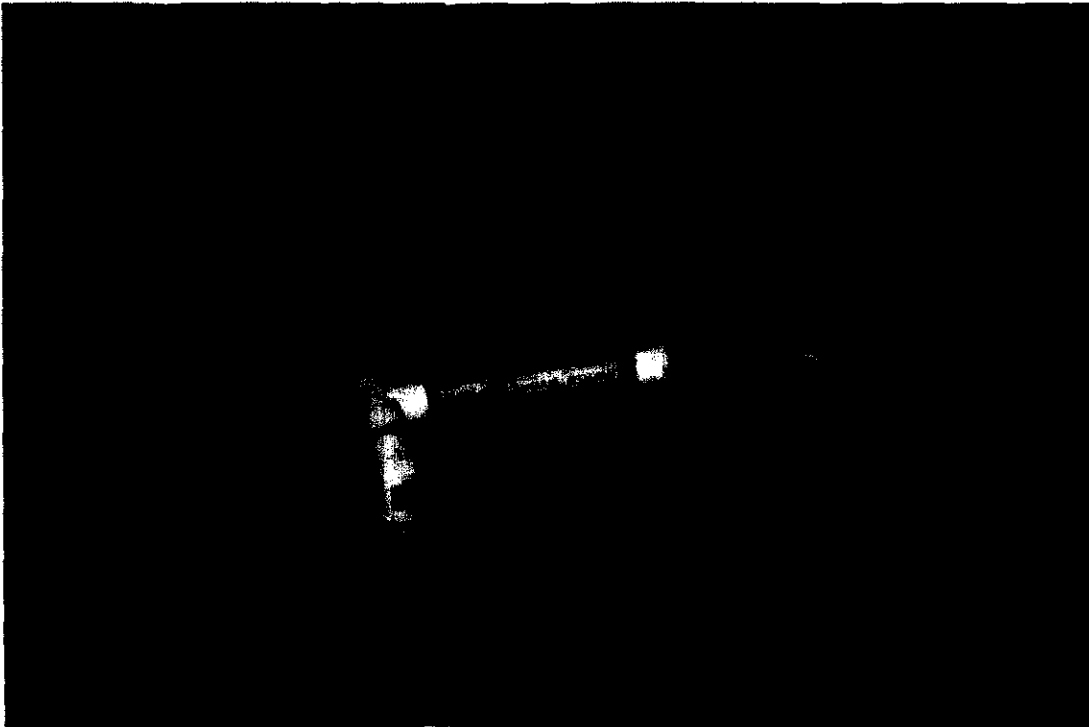
PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

MICROFILMED
JAN 31 2001

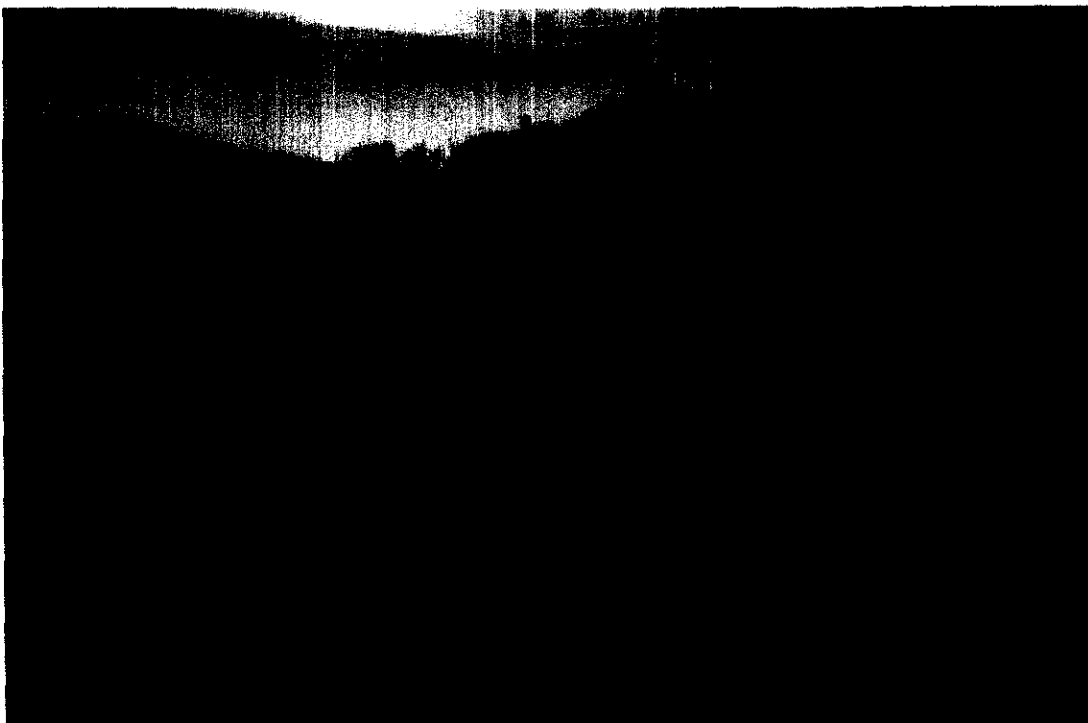


PHOTOGRAPHER AND DATE OF PHOTOS T. Minicucci 11/04/1997

FILE NO. AND LEGAL DESCR. 67-07633 T15N R1W S.5 NWNESE



Point of diversion.
Well is located in
outbuilding on the
south side of
the house.
Well supplies house,
and yard
irrigation



Place of use.
Photo is taken
from northeast
corner of the
property.

MICROFILMED

3 1 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 30, 1998

JACK WASSARD
FRANCEE WASSARD
PO BOX 466
COUNCIL ID 83612

RE: Change of Ownership for Water Right 67-07633

Dear Mr. & Mrs. Wassard

This letter is to follow-up with the telephone conversation that I had with Mrs. Wassard on September 23, 1998.

During this conversation, I explained that this water right is still in the permit stage and ownership change for a permit is accomplished by filing an Assignment of Permit form.

We are returning the change of ownership request, warranty deed and map for your records as they are unnecessary for assignment of permit requests. An Assignment of Permit form is enclosed for your convenience.

We will be happy to finalize the processing of your change of ownership request upon receipt of the completed Assignment of Permit form and the required \$25.00 filing fee.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

/k

Enclosures

New Owners

MICROFILMED

JAN 31 2001

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

NOV - 6 1997

WATER RESOURCES
WESTERN REGION

RECEIVED

DEC 18 1997

DEPARTMENT OF WATER RESOURCES

1. Water Right No(s): 67-07633Adjudication Claim No(s): ~~163-07633~~

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former
Owner/ClaimantMarcus & Dorothy McKenny
HC 62 Box 1790, Council, Id, 83612

4. New Owner/Claimant(s)

Jack & Frances Wassard
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 466

City, State and ZIP Code

Council, Idaho, 83612

New Telephone Number

(208) 253-4724

5. Date you acquired the property

Feb, 1992

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner
or Claimant(s)

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED

JAN 31 2001

M E M O R A N D U M

DATE: September 23, 1998

TO: File 67-07633

FROM: Kari Lynn Townsend

RE: Telephone Conversation

=====

I telephoned Francee Wassard on Tuesday, September 22nd and learned that McKinneys are deceased. She will attempt to get a copy of the warranty deed from McKinney to Sheetz. I told her I would send an Assignment of Permit form to her and explained about having the permit holders signature notarized and the \$25.00 filing fee. She said she would get the assignment form completed and return it to us ASAP.

Assignment of Permit form mailed today.

MICROFILMED

JAN 31 2001

New Owners

67-07633

GOOD

Mari

Spoke to Frances Warrard
& learned that McKinney
are deceased. She will
attempt to get copy of
Warranty Deed from
McKinney to Sheets. I
told her I would send
an Assignment of Permit
form to her - explained
about Notarized Signature
& \$2500 filing fee. She
will get form completed
and returned to us

MICROFILMED

JAN 31 2001

Phyllis
9.22.98



CECIL D. ANDRUS
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 2735 Airport Way, Boise, Idaho 83705 • (208) 334-2190

R. KEITH HIGGINSON
Director

October 10, 1988

67-7633
Marcus McKenny
HC62 Box 1790
Council, ID 83612

Dear Applicant(s):

We acknowledge receipt of your statement submitted as proof as beneficial use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. A field examiner will contact you to arrange to examine your system.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Judy", is positioned above the typed name of the secretary.

Judy Pense
Secretary

/jp

MICROFILMED

JAN 31 2001

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 67-7433

Date: 7/26/88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely _____
_____ Reinstated

Source of Water:

Y Surface water
Y Groundwater
_____ 1. well log in file
N/A 2. drilling permit
_____ A. amount of drilling fees paid for proposed uses

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

Proof acceptable

N/A Priority Calculation:

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

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

To: File ~~9/20/88~~ 67- 7633

From: Groundwater Protection

Date: 9/20/88

Drilling Permit: ☒ Not Applicable
☐ Found and in file
☐ Not Found

Well Drillers Report:

☐ Not found, due to reported age of well
probably not available
☒ Found and is in file
☐ Not found

Follow-up

☐ Request from permit holder the well
drillers report and/or the name of the
well driller.
☐ Ask permit holder when well was drilled
and notify holder of drilling permit
requirement if after July 01, 1987.

OK

RECEIVED

OCT 05 1988

RECEIVED

REPORT OF WELL DRILLER
State of Idaho

AUG 26 1988

State law requires that this report shall be filed with the State Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:
Name Mrs. K. H. H. H.
Address 1000 E. 1st St. Idaho

Owner's Permit No. _____
NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Domestic

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other _____

(explain)
CASING SCHEDULE: Threaded _____ Welded _____
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.
"Diam. from _____ ft. to _____ ft.
Thickness of casing: _____ Material: _____
Steel ☒ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☐ No ☒ Type of
perforator used: _____

Size of perforations: _____ " by _____ "
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒
Manufacturer's name _____
Type _____ Model No. _____

Diam. Slot size Set from _____ ft. to _____ ft.
Diam. Slot size Set from _____ ft. to _____ ft.

CONSTRUCTION: Well gravel packed? Yes ☐
No ☒ size of gravel _____ Gravel
placed from _____ ft. to _____ ft. Surface seal
provided? Yes ☐ No ☐ To what depth?
_____ ft. Material used in seal: _____

Did any strata contain unusable water? Yes ☒
No ☐ Type of water: _____
Depth of strata _____ ft. Method of sealing
strata off: _____

Surface casing used? Yes ☒ No ☐
Cemented in place? Yes ☒ No ☐

Locate well in section

LOCATION OF WELL: County Adams
NE 1/4 SE 1/4 Sec. 5 T. 15 N. R. 1 E. W

Use other side for additional remarks

Size of drilled hole: 7" Total
depth of well: 40 Standing water
level below ground: _____ Temp. _____
Fahr. _____ Test delivery: 60 gpm
or _____ cfs Pump? ☐ Bail ☒
Size of pump and motor used to make test: _____

Length of time of test: _____ Hrs. _____ Min.
Drawdown: 10 ft. Artesian pressure: ft.
above land surface Give flow _____ cfs
or _____ gpm. Shutoff pressure: _____
Controlled by: Valve ☐ Cap ☒ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☒

DEPTH		MATERIAL	WATER YES OR NO
FROM	TO		
FEET FEET			
0	4	7" x 7" S. S. C.	Yes
4	16	Barite Gravel	Yes
16	34	Gravel	Yes
34	32	Barite Gravel	Yes
32	50	Barite Gravel (Burr)	Yes

Work started: Aug 5
Work finished: Aug 9
Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.
Name: Donald E. H. H.
Address: Council Bluffs, Iowa
Signed: Donald E. H. H.
License No. 225 Date: Aug 9

OCT 05 1988

138769
CERTIFIED MAIL
May 31, 1988

MC KENNY, MARCUS R. & DOROTHY
HC 62 BOX 1790
COUNCIL, ID 83612

PROOF DUE NOTICE

RE: Permit No. 67-7633

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, 1988. (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 completed 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, or the permit will no longer be of any force nor effect.

Sincerely,

RITA FLECK
Secretary/Records Manager

Enclosures

RECORDED

OCT 03 1988

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

MC KENNY, MARCUS R. & DOROTHY
HC 62 BOX 1790
COUNCIL, ID 83612

AUGUST 30, 1983

RE: PERMIT NO. 67-7633

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: GLS

APPLICATION NUMBER: 67 ~~65~~ 71633

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ 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.
☒ 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. None
☒ Yes ☐ No* In form for advertising.
☐ Yes ☒ No Final date for protests: August 1, 1983 ✓
☐ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: July 22, 1983 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application. 30' 31072
☒ Publication dates and paper, recorded on application. Adams County Leader
☒ Protests, dates, withdrawal, etc., recorded on application. 7/4 + 7/21
☒ 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? _____
☒ 6/20/83 Date of priority recommended.
☒ 26 Special conditions of approval or cover letter. I.P. GW letter

By: DBS

Date: 8/2/83

STATE OFFICE REVIEW:

SW/L17

return receipt

- ☐ See attached sheet for more information.

By: keep

Date: 8/17/83

RECEIVED
AUG 16 1983

Department of Water Resources

MICROFILMED

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX						

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

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IDAHO STREAM CODE INDEX						

6Z-2633-

MC KENNY, MARCUS R. &/or DOROTHY

HC 62 BOX 1790, COUNCIL, ID 83612

Source: GROUNDWATER

Date Filed: 06/20/1983

Diversion Pt: NESE Sec 05 T 15N R 01W

Use: IRRIGATION (0.03 CFS)

In: NESE Sec 05 T 15N R 01W FOR 1 ACRES

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