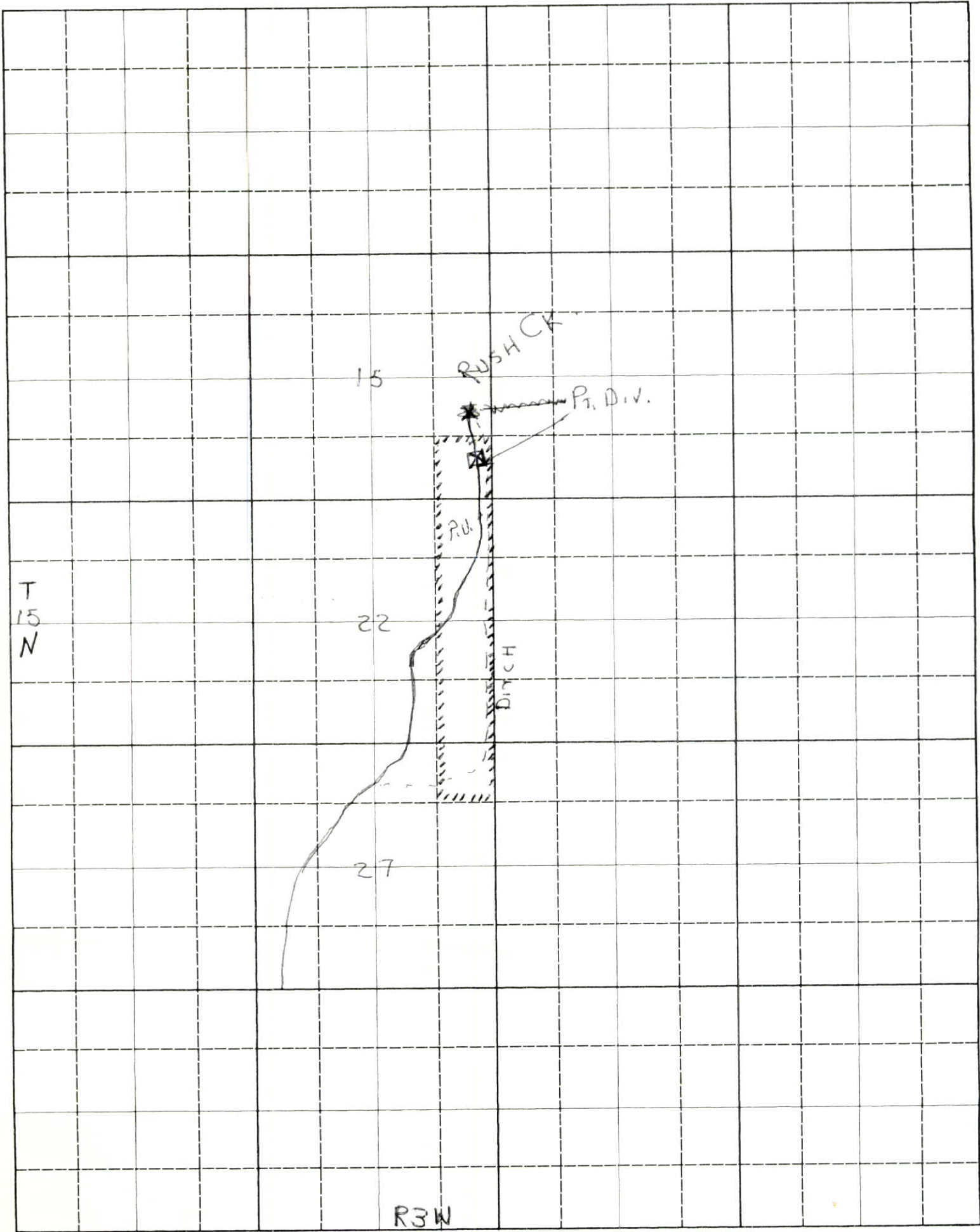


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Conrad P. King
(Applicant)

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Washington)

ss.

Alan V. Dopf, being first duly sworn, deposes and says: That he is the editor and publisher of The Upper Country News-Reporter, a weekly newspaper published at Cambridge, Idaho, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for TWO consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began May 22, _____, 19 80, and ended May 29, _____, 19 80.

Stephen Allred

Subscribed and sworn to before me, a Notary Public in and for the County of Washington, and the State of Idaho, this 29th day of May, 19 80.
John C. Hume Notary Public
My commission expires 11-18-83, 19 _____.

Public Notices

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

No. 67-7498

KEMP, CARROLL P.
BOX 111, CAMBRIDGE, ID 83610

Source: RUSH CREEK tributary to WEISER RIVER

Date Filed: 5/5/1980

Amount: 4.80 CFS 4.51

Diversion Point: SESE Sec. 15 T 15N R 3W, WASHINGTON Co.

Use: IRRIGATION (4.80 CFS) from 4/1 to 7/1 and STOCKWATER (0.03 CFS) from 4/1 to 7/1.

Place of Use: SESE Sec 15 T 15N R 3W NENE SENE NESE SESE Sec. 22T 15N R 3W NENE Sec. 27 T 15N R 3W FOR 240 ACRES.

Diversion Means: DAM, HEADGATE AND DITCH.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before JUNE 9, 1980.

C. STEPHEN ALLRED
Director

much less chipping of nail

RECEIVED

MAY 30 1980

Department of Water Resources
Western Regional Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 12 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-7498

1. Owner: CARROLL P. KEMP Phone No. 257-3885

Current Address: Box III Cambridge ID. 83610

2. Accompanied by: SAME EXAM. DATE: 7/20/88

Address: _____ Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: RUSH CREEK tributary to WEISER RIVER

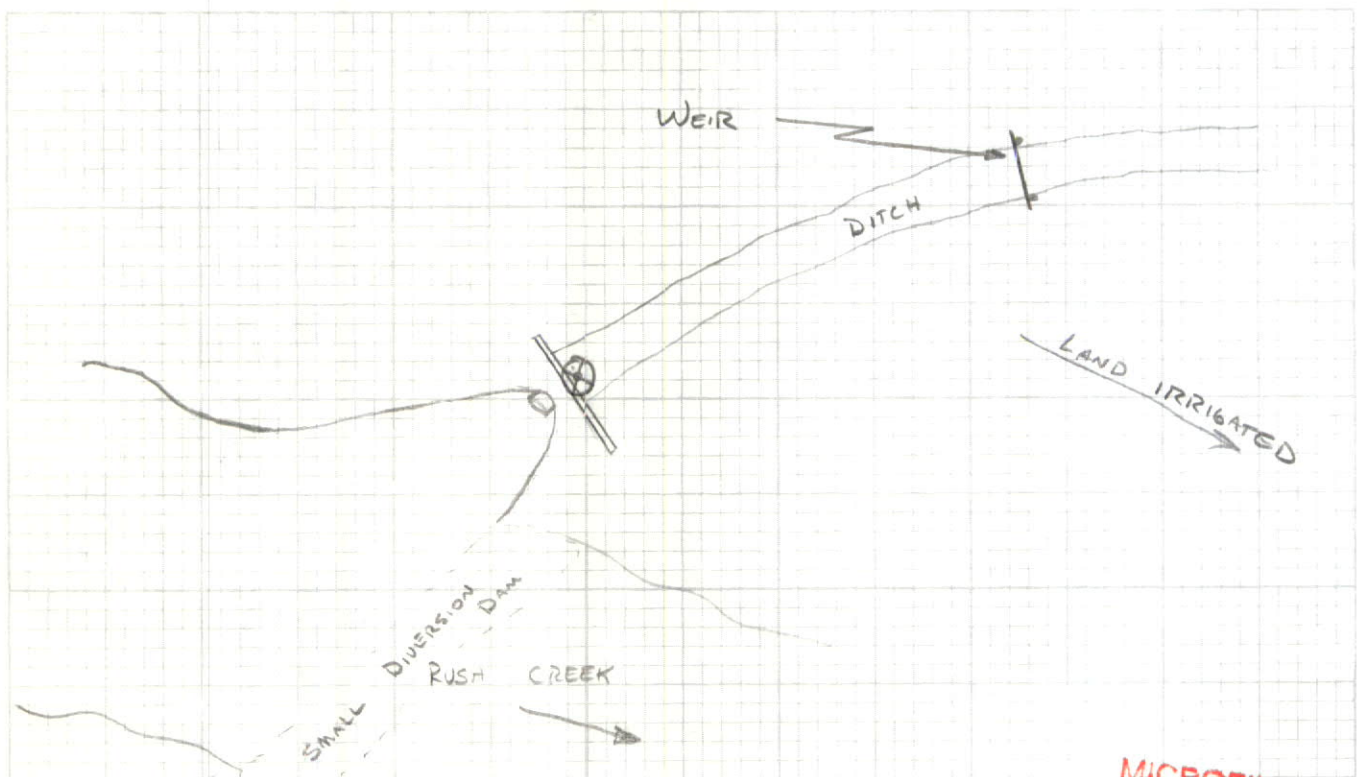
B. OVERLAP REVIEW

1. Other water rights with same place of use: 67-7389 (IRRIGATION FROM SMALL POND)
67-0299 DECEDED RIGHTS FROM RUSH CREEK. ☒ Copies Attached

2. Other water rights with same point of diversion: 67-0299 USES SAME P.D.
☐ 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



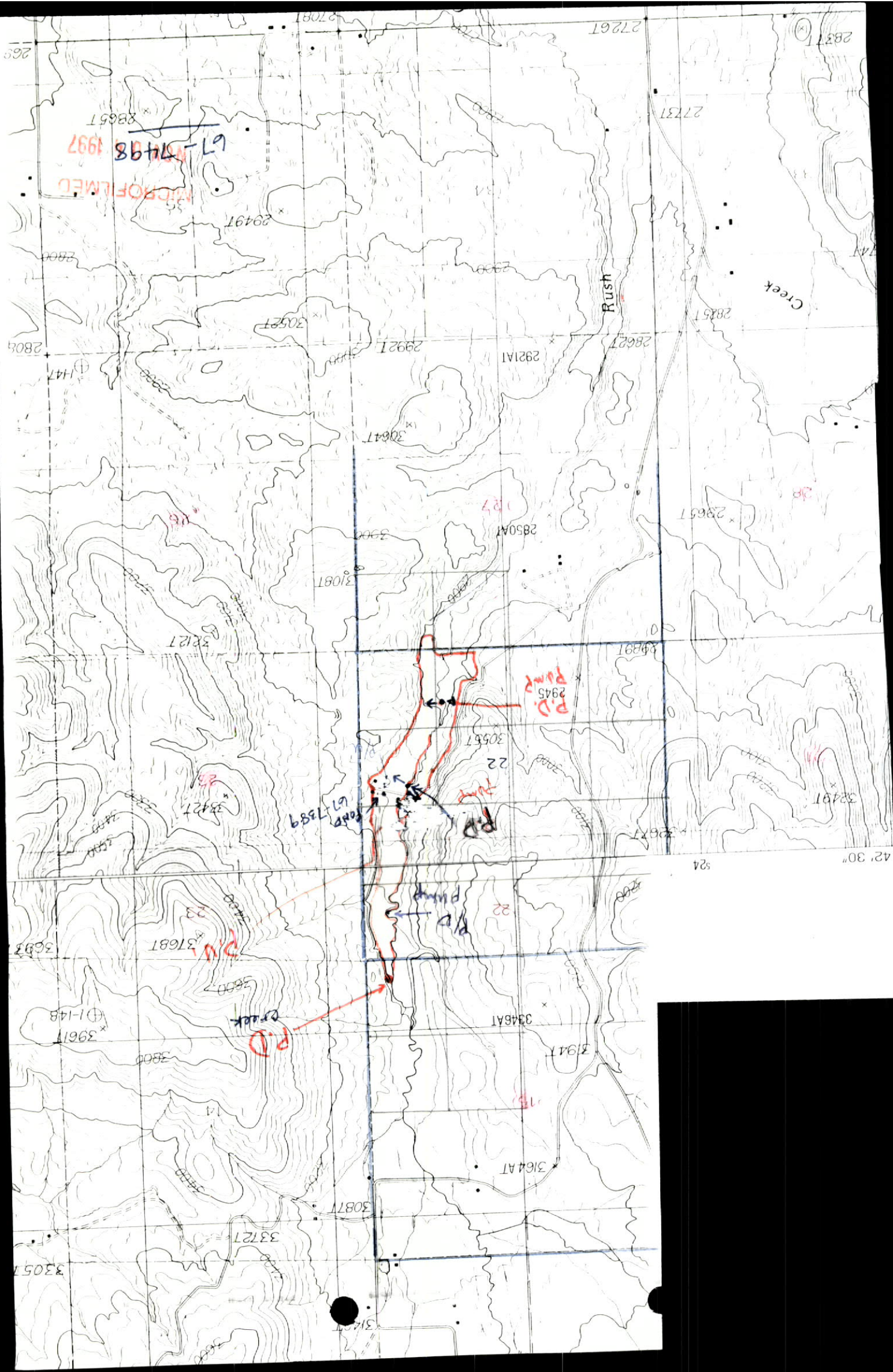
Scale: 1" = NO SCALE

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.
(GET PICTURE OF PUMP

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

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67-7498

U.S.

A-224
T13m

15 14
22 23

DITCH

9ac

16ac

17ac

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NOV 04 1997

6ac

22 23
27 26

1ac

P.U.

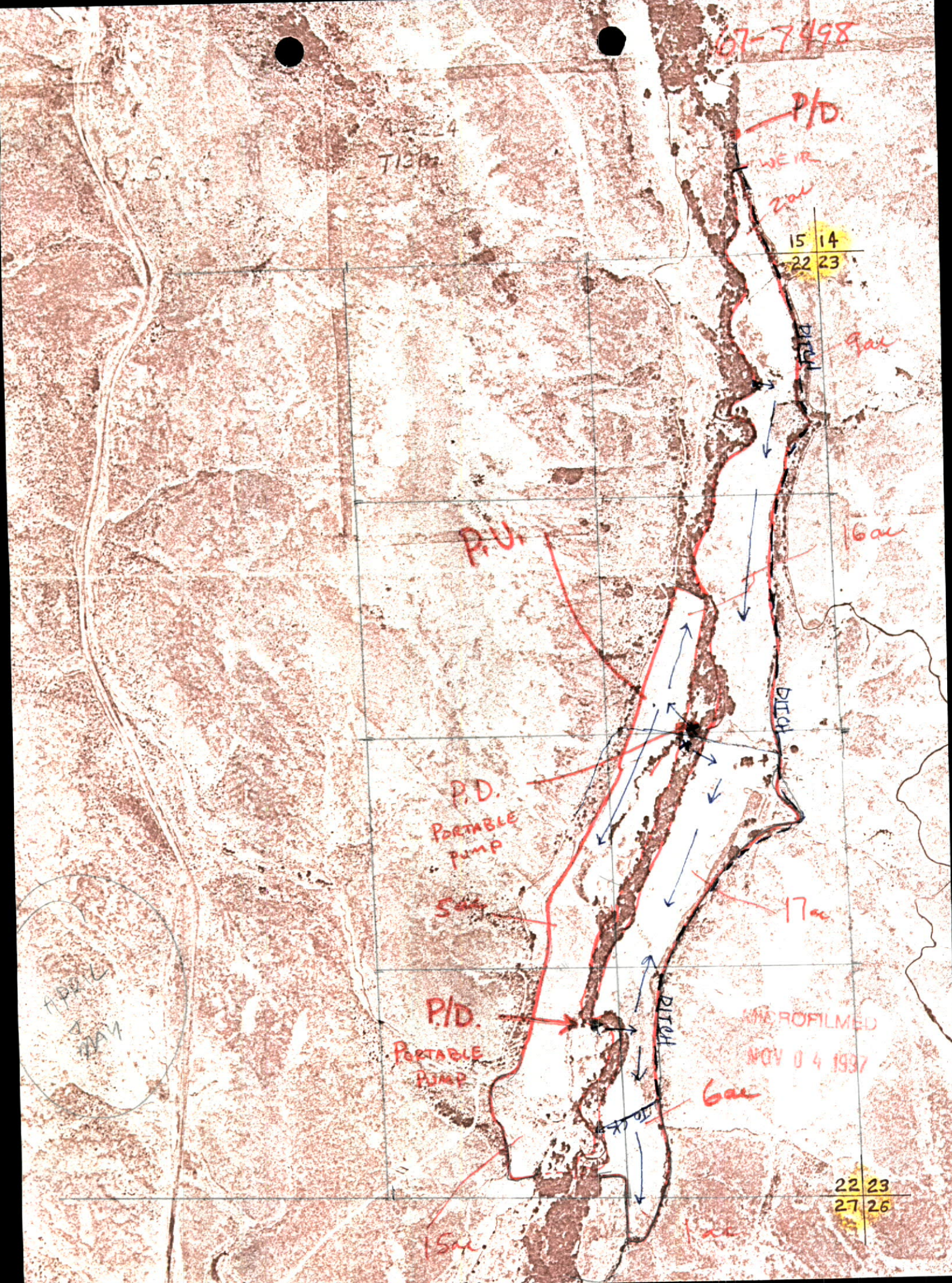
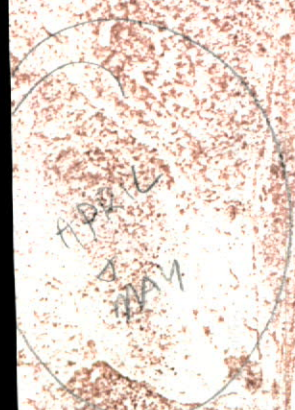
P.D.
PORTABLE
PUMP

5ac

P.D.
PORTABLE
PUMP

15ac

APRIL
1947





67-7498

P.D

LOOKING
SOUTH EAST



WEIR

LOOKING
NORTH



P.U.

LOOKING
SOUTH
FROM WEIR

MICROFILMED
NOV 04 1937

photos from
re-exam
cjl

P/D



Meas. device
permanent
installation



portable
pump

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NOV 04 1997

67-7498

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07498

Priority: June 15, 1980

Maximum Diversion Rate: 1.00 CFS
Maximum Diversion Volume: 183.2 AF

This is to certify, that CARROLL P KEMP
PO BOX 111
CAMBRIDGE ID 83610

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated May 5, 1980; and
has submitted Proof of Beneficial Use on June 25, 1985. An examination indicates
that the works have a diversion capacity of 1.100 cfs of water from:

RUSH CREEK tributary to WEISER RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 07/01	1.00 CFS	182.2 AF
STOCKWATER	04/01 to 07/01	0.03 CFS	1.0 AF
	Totals	1.00 CFS	183.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 15, Township 15N, Range 03W
NENE , Sec. 22, Township 15N, Range 03W
NESE , Sec. 22, Township 15N, Range 03W
SWSE , Sec. 22, Township 15N, Range 03W
WASHINGTON 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>
15N	03W	15	SESE 2			2
		22	NENE 9	SENE 16	NESE 17	
			NWSE 5	SWSE 15	SESE 6	68
		27	NENE 1			1

Total number of acres irrigated: 71

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

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NOV 04 1987

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07498

CONDITIONS OF APPROVAL AND REMARKS

2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
7. 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 irrigation of the lands above.

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 17th
day of OCTOBER, 1992.

Acting for

KARL J. DREHER, Director

MICROFILMED

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OCT 02 1997

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-07498

Department of Water Resources

Date of Priority: June 15, 1980

Maximum Diversion Rate: 1.00 CFS
Maximum Diversion Volume: 183.2 AF

Comes now
PO BOX 111
CAMBRIDGE ID 83610

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 67-07498, and requests that the permit be changed as follows:

Source: RUSH CREEK

tributary to WEISER RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 07/01	1.00 CFS	182.2 AF
STOCKWATER	04/01 to 07/01	0.03 CFS	1.0 AF
Totals		1.00 CFS	183.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SESE , Sec. 15, Township 15N, Range 03W
NENE , Sec. 22, Township 15N, Range 03W
NESE , Sec. 22, Township 15N, Range 03W
SWSE , Sec. 22, Township 15N, Range 03W
WASHINGTON 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>
15N	03W	15	SESE 2			2
		22	NENE 9	SENE 16	NESE 17	
			NWSE 5	SWSE 15	SESE 6	68
		27	NENE 1			1

Total number of acres irrigated: 71

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

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

Signed at CAMBRIDGE ID, this 1 day of OCT, 1997.

MICROFILMED
NOV 04 1997

Carroll P Kemp
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-07498

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Received by LB #C44079 Date 10/2/97

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 67-07498 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
7. 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.

Witness my hand this 17th day of OCTOBER, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED
NOV 04 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
NO. 67-07498 IN THE NAME OF	)	ORDER ADVANCING
CARROLL P. KEMP	)	DATE OF PRIORITY
_____	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 67-07498 for issuance of a license, the Department finds, concludes and orders:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 67-07498 to appropriate the public waters of the State of Idaho with a proposed priority of May 5, 1980.
2. On July 18, 1985, the priority was advanced to May 29, 1980 for failure to submit proof of beneficial use in a timely manner.
3. On April 10, 1987 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on June 9, 1987.
4. The license examination fee was received on July 26, 1987, 17 day(s) late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.
2. The date of priority of Permit No. 67-07498 should be advanced 17 day(s).

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 67-07498 is advanced to June 15, 1980.

Dated this 27th day of August, 1997.


Chief, Water Allocation Bureau

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NOV 04 1997

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 67-7498 IN THE
NAME OF CARROLL P. KEMP

)
) ORDER OF REINSTATEMENT
)

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before June 1, 1985; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on June 25, 1985;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 67-7498 be REINSTATED and the priority advanced to May 29, 1980.

Dated this 18 day of July, 1985.

MICROFILMED

NOV 04 1996

Betty D. Hansen for
GLEN SAXTON
Chief, Operations Bureau

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 CARROLL P. KEMP Phone 257-3885

Post office address Box 111, Cambridge, ID 83610

2. Source of water supply Rush Creek which is a tributary of Weiser River

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 15 Township 15N

Range 3W B.M. Washington County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Allow 4.51 CWB 5/22/80
Amount ~~4.51~~ cfs for irrigation purposes from 4/1 to 7/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .03 for stockwater purposes from 4/1 to 7/1 (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)

5. Total quantity to be appropriated:

Allow CWB 5/22/80
a. ~~4.51~~ cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Diversion dam with headgate
and gravity ditch to place of use

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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 50-75 head range cattle

(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: _____

APPROVED

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	SW¼	SE¼	
15N	3W	15																40	40
		22	40			* 40									* 40			40	160
		27	40																40

Total number of acres to be irrigated 240

c. Describe any other water rights used for the same purposes as described above. Decreed right

67-0299; 67-7389.

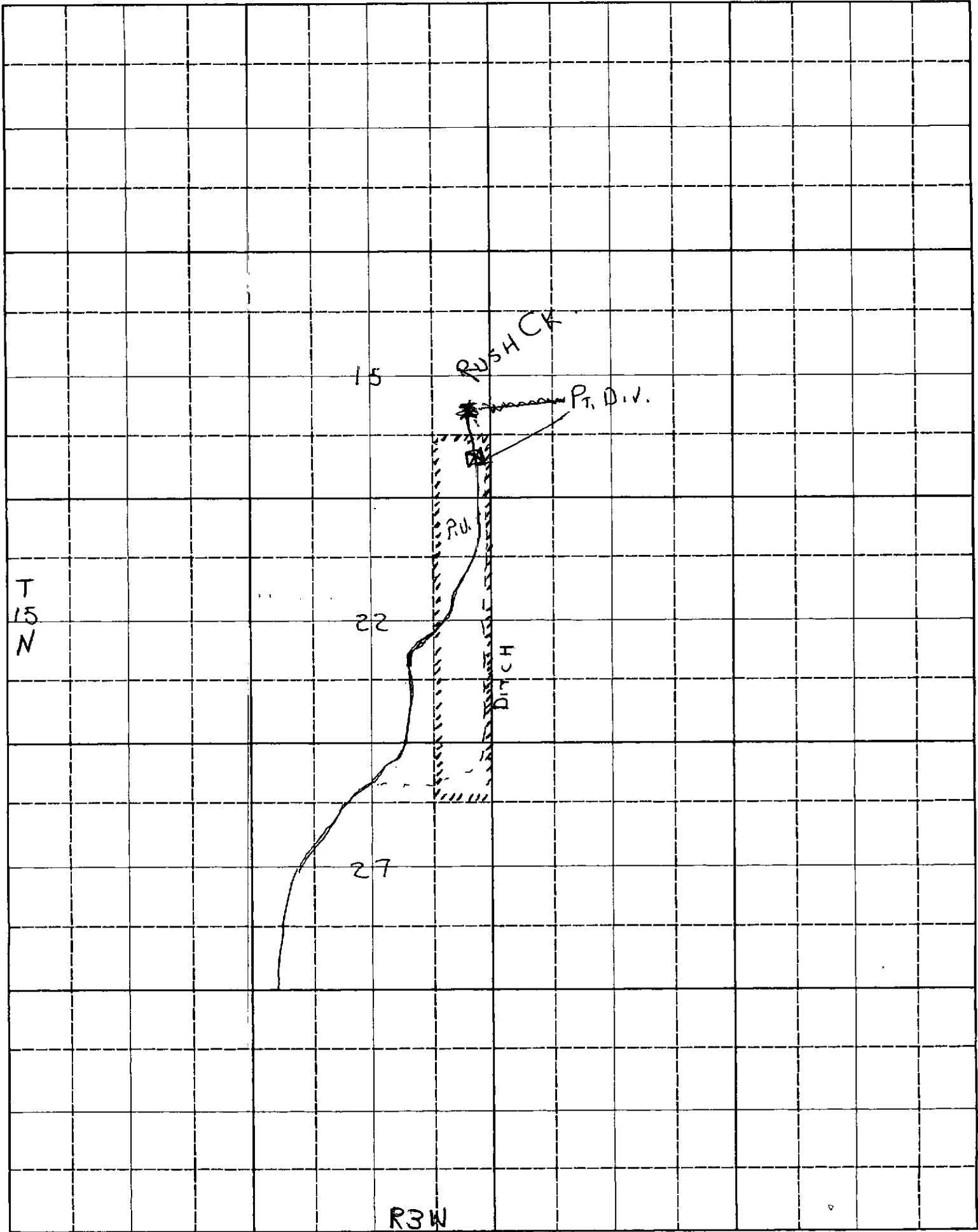
9. a. Who owns the property at the point of diversion Applicant

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 This application is for flood waters only.

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.

Conrad P. King
(Applicant)

Proposed Priority 5/5/80

Received by RR Date May 5, 1980 Time 11:45 AM

Preliminary check by CWB Fee \$ 75⁰⁰/₁₀₀

Receipted by RR Date May 5, 1980 # 16286

Publication prepared by YHJ Date 5/15/80

Published in Upper Co. News Rptr

Publication dates 5-22/29-80

Publication approved HLH Date 6/9/80

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS Jim

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. 67-7498, 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 June 1, 19 85.
- 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: (1) Use of water under this permit is subject to control by the water-master of State Water District # 67, Weiser River. (2) A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. (3) Maximum rate of diversion allowed under this permit shall not exceed 4.51 cfs. (4) Diversion of water under this permit shall end on or before July 1 of each year.

Witness my hand this 12th day of June, 1980.

A. Glen Saxton
Chief, Dept. _____

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Washington)

ss.

Alan V. Dopf, being first duly sworn, deposes and says: That he is the editor and publisher of The Upper Country News-Reporter, a weekly newspaper published at Cambridge, Idaho, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for TWO consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began May 22, 19 80, and ended May 29, 19 80.

Alan V. Dopf

Subscribed and sworn to before me, a Notary Public in and for the County of Washington, and the State of Idaho, this 29th day of May, 19 80.

John C. Hennessey Notary Public

My commission expires 11-18-83, 19 83.

Public Notices

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

No. 67-7498

KEMP, CARROLL P.
BOX 111, CAMBRIDGE, ID 83610

Source: RUSH CREEK tributary to WEISER RIVER

Date Filed: 5/5/1980

Amount: 4.80 CFS 4.51

Diversion Point: SESE Sec. 15 T 15N R 3W, WASHINGTON Co.

Use: IRRIGATION (4.80 CFS) from 4/1 to 7/1 and STOCKWATER (0.03 CFS) from 4/1 to 7/1.

Place of Use: SESE Sec 15 T 15N R 3W NENE SENE NESE SESE Sec. 22T 15N R 3W NENE Sec. 27 T 15N R 3W FOR 240 ACRES.

Diversion Means: DAM, HEADGATE AND DITCH.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before JUNE 9, 1980.

C. STEPHEN ALLRED

Director
much less shipping of mail

RECEIVED

MAY 30 1980

Department of Water Resources
Western Regional Office

RECEIVED



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

October 20, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CARROLL P KEMP
PO BOX 111
CAMBRIDGE ID 83610

RE: WATER RIGHT NO. 67-07498

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

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OCT 24 1997

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 87-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Sincerely,

A handwritten signature in cursive script, reading "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

3

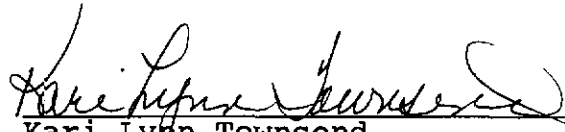
NOV 04 1997

CERTIFICATE OF MAILING

I hereby certify that on the 20th day of October, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 67-07498

CARROLL P KEMP
PO BOX 111
CAMBRIDGE ID 83610



Kari Lynn Townsend
Secretary

MICROFILMED

NOV 04 1997



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

September 17, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CARROLL P KEMP
PO BOX 111
CAMBRIDGE ID 83610

RE: WATER RIGHT NO. 67-07498

Dear Permit Holder(s):

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

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

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

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

NOV 04 1997



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

August 28, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CARROLL P KEMP
PO BOX 111
CAMBRIDGE ID 83610

RE: WATER RIGHT NO. 67-07498

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. The enclosed Order Advancing Date of Priority was generated as part of the licensing review process. Also as part of the review process, it was determined that before your right can be licensed, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description. Please review carefully and if you concur, sign the amendment and return it with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of Conditions of Approval and Remarks proposed for the license when it is issued. These conditions of approval and remarks may be modified upon further administrative review.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure

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NOV 04 1997

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 67-07498

FROM: SHARLA CURTIS

RE: PRIORITY ADVANCE REVIEW

DATE: 25-JUL-1997

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	DATE	JULIAN
PERMIT		
Permit priority Date:	MAY 29 1980	149
EXAM FEE NOTICE		
Exam Fee Notice Date:	APRIL 10 1987	100
Exam Fee/Info Sheet Received Date:	JUNE 26 1987	177
Exam Fee or Info Due Date:	JUNE 09 1987	160
Days Late:	17 DAY(S)	
NEW PRIORITY DATE		
Original Priority Date:	MAY 29 1980	149
Total Days Late:	17 DAY(S)	
New Priority Date:	JUNE 15 1980	166

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MEMORANDUM

TO: File 67-07498

FROM: Sharla Curtis

DATE: August 18, 1997

RE: Recommendation Adjustment(s)

The final license recommendations for Permit No. 67-07498 are based on the following:

H. RECOMMENDATIONS

Irrigation	4/1 - 7/1	1.00 cfs	182.2 afa
Stockwater	4/1 - 7/1	0.03 cfs	1.0 afa
	TOTALS	1.00 cfs	183.2 afa

The rate of diversion is limited by the examination fee paid, in this case to 1.0 cfs.

Examiner: Quentin Nesbitt
Exam Date: July 20, 1988

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LICENSE REVIEW CHECKLIST

PERMIT NO. 67-07498

DATE 7/24/97

REVIEWER: SHARLA

NAME Change OK Address Change No
 SOURCE Change OK Is change clarification of originally intended source? Yes
 POINT OF DIV Change OK If not, prepare Notice of Intent to Void Yes
 PLACE OF USE Change OK Amendment required Yes
 Does map agree with written description? Yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate 4.51 cfs
 Fee limit 1.0 cfs \$10000
 Measured 1.1 cfs
 Theoretical cfs

Recommended Total Div Rate 1.0 cfs

ANNUAL VOLUME/
 NATURE OF USES

Use Dr.
Stock

Volume Calculation

71 X 4.0 = 284.0 af

75 X 0.134 = 10.05 af

 af

 af

 af

SUBTOTAL 285.0 af

Flow rate 1.0 cfs X 92 days X 1.983% = 182.2 af
 Total volume recommended 182.2 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS 204 Watermaster Control WD# 67
201 GW Measurement/Measuring Device
231 Overlap

 Use-specific conditions 6/15/80
 Advancement of Priority Date Required Yes no

SRBA Claim Filed Yes
 Adjustment Memo Aate lta.
big fee

1st Amend Letter P37, P38
 2nd Amend Letter P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUN 12 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-7498

1. Owner: CARROLL P. KEMP Phone No. 257-3885

Current Address: Box 111 Cambridge ID. 83610

2. Accompanied by: SAME EXAM. DATE: 7/20/88

Address: _____ Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: RUSH CREEK tributary to WEISER RIVER

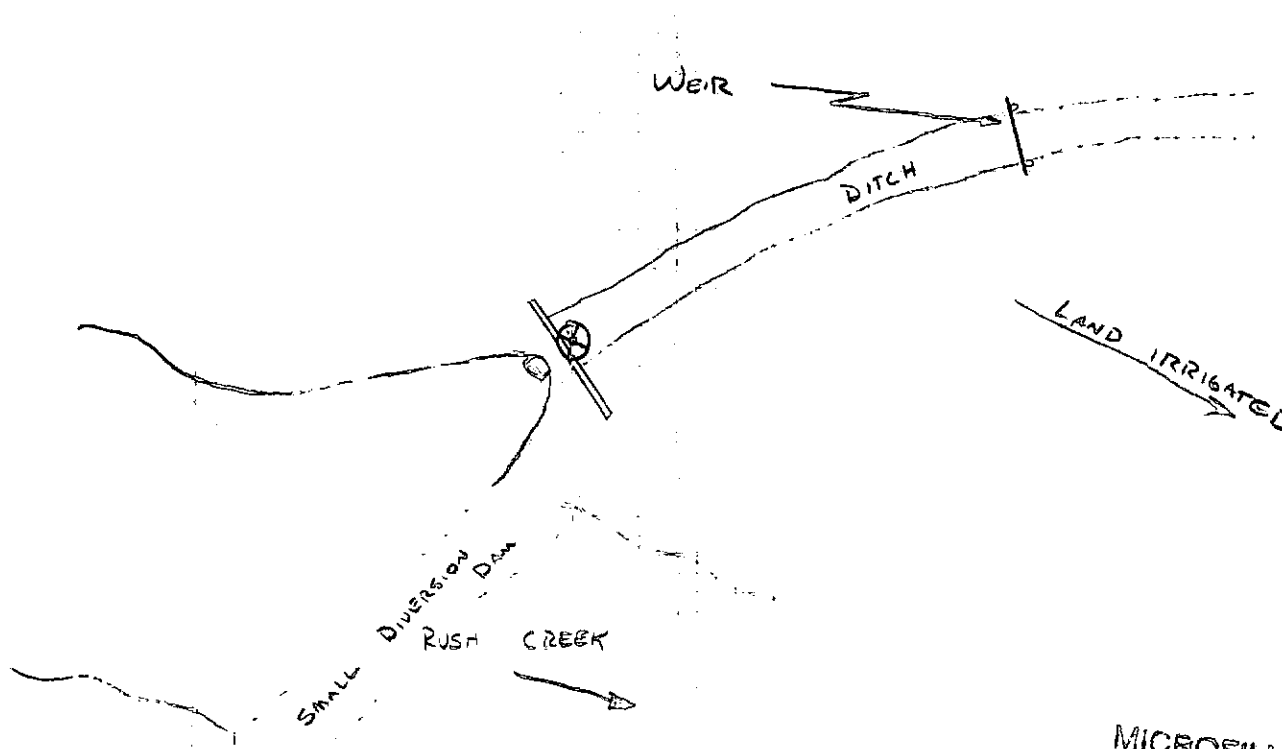
B. OVERLAP REVIEW

1. Other water rights with same place of use: 67-7389 (IRRIGATION FROM SMALL POND)
67-0299 DECREED RIGHTS FROM RUSH CREEK. ☒ Copies Attached

2. Other water rights with same point of diversion: 67-0299 USE SAME P.D.
☐ 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" = NO SCALE

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.)

(GET PICTURE OF PUMP)

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

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System Description (continued)

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

SYSTEM CONSISTS OF SMALL GRAVEL DAM IN RUBIN CREEK WITH A LOCKABLE HEADGATE INTO DIRT DITCH. A WEIR IS IN THE DITCH ABOUT 100 FT FROM THE HEADGATE. PROPERTY IS MOSTLY FLOODED IRRIGATED, BUT MR. KEMP ALSO HAS A PORTABLE PTO PUMP THAT HE PUMPS DIRECTLY FROM THE CREEK IN TWO DIFFERENT SPOTS. HE USES A PORTABLE HANDLINE SPRINKLER SYSTEM WHEN USING THE PUMP.

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
PORTABLE PTO PUMP	JOHN DEERE 2040 TRACTOR DIESEL	50HP	UNKNOWN	CORNELL MOD. 32 LHPG	3506 FULL

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	15	15N	3W	WASHINGTON	AERIAL PHOTO & USGS QUAD
SEE USGS QUAD			NE	SE	22	15N	3W	WASHINGTON	(2 pts) " USGS QUAD
			SW	SE	22	15N	3W	WASHINGTON	"
			NE	NE	22	"	"	"	"

6. Place(s) of Use:

Indicate Method of Determination AERIAL PHOTO

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	
15N	3W	15																2	2 ac
		22	9			16								17	5	15	6		68 ac
		27	1																1 ac
																			271 ac

Do not use this space

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NOV 04 1997

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: *current meter 1.1 cfs*
weir .898 cfs

2. Alternate Method for Checking Purposes:

theoretical on portable pump

F. PUMP EFFICIENCY DATA (Optional)

N/A

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{71 \text{ ac}} \times \underline{4.0 \text{ afa/ac}} = \underline{284 \text{ afa}}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\text{cfs}} \times \underline{92 \text{ days}} \times \underline{1.98} = \underline{\hspace{2cm}}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$

2. Volume Calculations for Other Uses:

STOCK WATER:

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75 HEAD x .0134 = 1.0

.03 cfs x 1.98 x 92 days = 5.5 afa

NOV 20 4 1997

H. REMARKS AND OVERLAP REVIEW ANALYSIS

- THIS PERMIT IS USED TO IRRIGATE 71 ac,
AND PERMIT # 67-7387 IS USED FOR 15 ac
BUT THAT 15 ac IS ALSO IRRIGATED UNDER THIS
PERMIT. 67-7384 IS SUPPLEMENTAL TO THIS PERMIT.
NOTE THAT THIS PERMIT IS ONLY FOR FLOOD WATER.
MR. KEMP ALSO HAS DECREED RIGHT # 67-0299,
THAT IS USED ON SOME OF THE SAME LAND.

- I RECOMMEND THAT AN AMENDMENT BE MADE TO
COVER THE P.U. NOT MENTIONED IN THE PERMIT.

I. RECOMMENDATIONS

AND ALSO TO ADD THE P.D.'S FROM THE CREEK
USED BY THE PORTABLE PUMP,

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	7/1		
STOCKWATER	4/1	7/1	.03 cfs	1.0 afa
Totals:				

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

J. AUTHENTICATION

Field Examiner's Name QUENTIN NESBITT

Signature Quentin Nesbitt

Certification Date _____

Field Report Preparation Date 8-17-88

CONSULTANT SEAL

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

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NOV 04 1987



MEMORANDUM

June 7, 1996

TO: 67-07498

FROM: Cindy Hodges

RE: Re-examination

Quentin Nesbitt conducted a field exam for this permit in 1988 but did not obtain a flow measurement. The weir then washed out in 1991 and was replaced. I conducted a follow-up exam on May 10, 1996.

My findings concur with Mr. Nesbitt's, with one exception. Permit holder identified to me 4 different locations for the placement of the portable pump, whereas Mr. Nesbitt had identified only two. These P/D's are not used simultaneously, as there is only a single pump. I don't see a real problem with including them. According to the permit holder, most of the floodwater diversions under this permit occur from the ditch, but they are occasionally pumped. Nearly all of the decreed right is pumped, as the creek falls so low that diversion to the ditch is not possible.

The weir installed by Mr. Kemp was operating slightly submerged so I took an open channel measurement. Mr. Kemp will modify the weir by either raising it slightly or removing material from the downstream side so that it operates accurately. The open channel measurement was 1.1 cfs. Proof was filed for only 1.0 cfs. A measurement on the portable pump is not really required for purposes of recommending the 1.0 cfs, unless Mr. Kemp would like to file additional fees to increase the recommended rate to 1.42 cfs.

An estimate of the capacity of the portable pump is as follows:

Handlines from the portable can operate 28 to 30 sprinkler heads, depending on lift, which varies by only a few feet. Operating pressure at the pump is about 40 psi, and 30-35 psi at discharge. All nozzles are 11/64 or 5/32. Under these conditions, average discharge is about 4.5 gpm per nozzle, or 135 gpm for 30 nozzles.

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NOV 9 4 1997

Water Right No.
(if applicable)

Open Channel Discharge Measurement Notes

A. GENERAL INFORMATION

1. Name of stream or ditch: Kemp diversion ditch
2. Location: 20' downstream fr. headgate
3. Person conducting measurement: gsl
4. Date and time of measurement: 5/10/96 10:15
5. Accompanied by: _____
6. Measuring device size and ID no.: _____
7. Spin test before measurement OK? ✓ after measurement OK? _____
8. Purpose of measurement: Blu exam

B. MEASUREMENT DATA

[illegible]

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NOV 04 1937

67-7498

224
7/30

P/D

15 14
22 23

P/D

P/D
PORTABLE
PUMP

P/D

PORTABLE
PUMP

17

REPROFILMED

NOV 04 1992

600

22 23
27 26

5/10/96 recheck & measurement.

Cornell centrifugal pump #3RLHF6 6" intake
4" outlet to 4" main to 3" laterals - hardlines
to ~28-30 heads each set. Runs 40 psi @
pump. HP unknown. Fairbird #30 head
(1800 rpm)
1 1/64 nozzle, 5/32

photos 1-3

ditch - all flood flows (primarily)
Sometimes pumps too during floodwater periods.
Decreed rights nearly always must be pumped
as creek falls too low to direct into ditch.

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DELAY 1989

THIS EXAM STILL NEEDS
A MEASUREMENT, AT THE TIME
OF THE EXAM THERE WAS NO
FLOOD WATER SO MR. KEMP
WAS JUST RUNNING DECREEED WATER
AND DID NOT HAVE HIS PORTABLE
HOOKED UP AT ALL. DO IN MAY
IF POSSIBLE

ON 7-20-88

ASSUMING THAT THE DECREEED RIGHT WILL
EXPAND 67-00299 to 79 ACRES UNDER THE
PRESUMPTION CLAUSE, THIS RIGHT COULD
BE LICENSED FOR:

$.02 \times 714 = 1.42 \text{ CFS}$ LEGAL LIMIT

67-00299 - DECREEED 0.1875 CFS

BALANCE ALLOWABLE = 1.2325 CFS

FEES PAID FOR = 1.00 CFS

PERMIT FOR = 4.51 CFS

MEASUREMENT = ?

water decree
 $\frac{.0125}{.45} = .0278$
 $\frac{.1875}{.0278} = 6.74$

LIMITING FACTOR WILL BE EITHER
THE MEASUREMENT OR THE 1.00 CFS (PER
FEES PAID)

KKC.

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NOV 04 1997

467-00299 claims
60 ac -
Decree implies
15 acres
Where does 79
Come from?
QX found 71
System acres...
See memo



67-7498

PD

SEAL
SOUTH EAST



WEIR

LOOKING

N



P. U.

LOOKING
SOUTH
FROM WEIR

MICROFILMED
NOV 04 1937



photos from
re-exam
cjl

P/D



Meas. device
permanent
installation



portable
pump

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NOV 04 1997

67-7498

KEYPUNCHED

SCHEDULE INSPECTION FOR
4/86 SPRING OF 1988.
AND

For Office Use Only
Fee Received \$100.00
Date 6/26/87
Receipt # 44971
Receipt by AND
Sent to S.O. 8/7/2/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

RECEIVED

JUL 09 1987

1. Permit No. 67-7498

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: CARROLL P. KEMP

3. Post Office Address: Box 111 CAMBRIDGE, ID 83610

Telephone No. 257-3885

4. Source of Water: RUSH CREEK

5. Extent of Use:

Domestic _____ (No. of households) Stockwater 50-75 (No. and type of stock)

Irrigation 50 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 1.0 cfs _____ acre-feet

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

1980

8. Person to contact to accompany the department representative during the field examination:

PERMIT HOLDER

(Name)

(Address)

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

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6/26/87

Date

Carroll Kemp
Signature of Permit Holder (and title, if appropriate)

NOV 04 1997

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

67-7498
KEMP, CARROLL P.
P.O. BOX 111
CAMBRIDGE, ID 83610

138281

April 10, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

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NOV 04 1997

^ALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 67-7498

DATE: 7/18/5

Date proof received

176

6/25/5

Proof due

-152

6/1/5

Number of day proof late

24

Priority date

+125

5/5/80

New priority date

149

5/29/80

Remarks:

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NOV 04 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed development under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below:

Permit No. 67-7498

Name(s) of Permit Holder: CARROLL P. KEMP ✓

Post Office Address: Box 111 CAMBRIDGE 83610 ✓

Telephone No. 257-3885

Source of Water: RUSH CREEK, TRIB & WEISER RIVER ✓

Extent of Use:

Domestic _____ (number of households)

Stockwater 103 cts 50-75 RANGE CATTLE (number and type of stock)

Irrigation 240 (acres)

Other/Remarks _____

Indicate the date water was first diverted and beneficially used under this permit: _____

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

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

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

CARROLL KEMP
(Name)

Box 111, CAMBRIDGE 83610 257-3885
(Address) (Telephone Number)

The above information is a true statement of the extent to which the above numbered permit has been developed.

25 JUN 85
Date

CARROLL KEMP
Signature of Permit Holder (and Title, if appropriate)

NOV 04 1987

✓
Jui

Place
Stamp
Here

Idaho Department of Water Resources
Statehouse Mail
Boise, ID 83720

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KEMP, CARROLL P.
P.O. BOX 111
CAMBRIDGE, ID 83610

LAPSE NOTICE

JUNE 04, 1985

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 67-7498 HAS LAPSED. THIS OFFICE DID NOT RECEIVE EITHER AN ACCEPTABLE NOTICE THAT YOU HAVE COMPLETED THE PROJECT (PROOF OF BENEFICIAL USE) BY THE DATE REQUIRED ON YOUR PERMIT OR AN ACCEPTABLE REQUEST FOR AN EXTENSION OF TIME. YOU WERE PROVIDED THE PROPER FORMS IN OUR PROOF DUE NOTICE TO YOU DATED MARCH 31, 1985.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE FORM OR SUBMIT AN EXTENSION OF TIME REQUEST SHOWING REASONABLE CAUSE FOR DELAY. EITHER THE COMPLETED FORM OR THE EXTENSION REQUEST MUST BE RECEIVED BY THIS OFFICE WITHIN SIXTY DAYS OF THE DATE OF THIS LAPSE NOTICE OR THE PERMIT WILL NO LONGER BE OF ANY FORCE OR EFFECT.

A STATEMENT OF BENEFICIAL USE FORM AND A REQUEST FOR EXTENSION OF TIME FORM ARE AGAIN ENCLOSED FOR YOUR USE. PLEASE NOTE THAT A FEE OF \$15.00 MUST ACCOMPANY AN EXTENSION OF TIME REQUEST AND THAT ONLY ONE EXTENSION OF TIME CAN BE GRANTED UNLESS THE PROJECT HAS NOT BEEN COMPLETED BECAUSE OF LACK OF A NECESSARY APPROVAL BY A GOVERNMENTAL AGENCY OR BY LITIGATION.

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

ENCLOSURES

LGS:RF

Hereby certified true and correct
6-25-1985
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

MICROFILMED

NOV 04 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138870

KEMP, CARROLL P.
P.O. BOX 111
CAMBRIDGE, ID 83610

PROOF DUE NOTICE

MARCH 31, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 67-7498 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE FORM OR A 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

NOV 04 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KEMP, CARROLL P.
P.O. BOX 111
CAMBRIDGE, ID 83610

JULY 10, 1980

RE: PERMIT NO. 67-7498

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.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL AND MAINTAIN A MEASURING DEVICE AT YOUR POINT OF DIVERSION. WE HAVE ENCLOSED A DESCRIPTION OF THE DIFFERENT TYPES OF MEASURING DEVICES ACCEPTED BY THIS OFFICE.

PLEASE BE ADVISED THAT THERE IS INSUFFICIENT NATURAL FLOW AVAILABLE IN THE RUSH CREEK AND TRIBUTARIES TO PROVIDE WATER FOR A NEW APPROPRIATION THROUGHOUT THE ENTIRE SEASON OF USE. DURING THE SPRING RUN-OFF EACH YEAR, THERE MAY BE A PERIOD OF TIME IN WHICH THE PRIOR RIGHTS TO THE USE OF THE NATURAL FLOW AND STORAGE ARE FILLED LEAVING WATER AVAILABLE FOR YOUR PERMIT. AS THE NATURAL FLOW DIMINISHES, HOWEVER, THERE MAY BE NO WATER AVAILABLE FOR YOUR RIGHT UNLESS YOU ARRANGE FOR AN ADDITIONAL SOURCE OF WATER AS A SUPPLEMENTAL SUPPLY.

WE HAVE ENCLOSED A FORM 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

RECEIVED
JUL 11 1980

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: CW Bryan

APPLICATION NUMBER: 67-7498
KEMP

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 WMA 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. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☒ Yes ☐ No Other rights on same place of use. 67-7389: RUNOFF TRIA. TO RUSH
C.R. ; 67-0299: DEWEY @ .0012 cfs/acre FOR 80 acres = 0.096 cfs
☒ Yes ☐ No* In form for advertising. 67-0299 @ .0024 cfs/acre FOR 80 acres = 0.192 cfs
Final date for protests: 6/9/80 0.288
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 5/30/80
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☐ 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
5/5/80 Date of priority recommended.
Special conditions of approval or cover letter. I.P. letter
W.M. Condition

THIS APP. IS
REDUCED
ACCORDINGLY.
CW

By: DJS Date: 6/9/80

STATE OFFICE REVIEW:

- OS (67 Weiser River) 01 CORRECT ITEMS 4 & 5
L04, L02 MAXIMUM Rate of Diversion Allowed under this permit
shall not exceed 4.51 cfs
☐ See attached sheet for more information.
By: Jen Date: 6/13/80
USE these conditions

Diversion of water under this permit shall end on or before

Department of Water Resources
MICHAEL J. HARRIS

Dave,

THIS APP. HAS BEEN REDUCED
ACCORDINGLY. THERE IS A
TRANSFER BEING SUBMITTED FOR
67-0279 AND THE CORRECTIONS ON
THIS APP. ALREADY REFLECT THE
CORRECT AMOUNT IF THE TRANSFER
IS APPROVED (AS IT SHOULD SINCE
IT IS SIMPLY A CORRECTION)

Charlie

DATE 5/21/80

FROM Charles Bryan, Western Region

TO *DECREE*
Application No. 67-0279

SUBJECT

Ferrest Luthy and I walked Section 2, T 15N, R 3W and found no evidence of ditches or irrigated land ever developed. The legal description fits Section 22 historically and it would be impracticable if not impossible to irrigate Section 2 with water from Rush Creek while Section 22 has Rush Creek running through the middle of it. The decree probably has a typographical error in 67-0279 and should read Section 22, T 15N, R 3W instead of Section 2.

Charles W. Bryan
SIGNATURE

62-7498

KEMP, CARROLL P.

BOX 111, CAMBRIDGE, ID 83610

Source: RUSH CREEK tributary to WEISER RIVER

Date Filed: 05/05/1980

Amount: 4.80 CFS

Diversion Point: SESE Sec 15 T 15N R 03W, WASHINGTON Co.

Use: IRRIGATION	(4.80 CFS)	from 04/01 to 07/01
STOCKWATER	(0.03 CFS)	from 04/01 to 07/01

Place of Use: SESE Sec 15 T 15N R 03W NENE SENE NESE SESE Sec 22 T 15N R 03W
NENE Sec 27 T 15N R 03W FOR 240 ACRES

Diversion Means: DAM, HEADGATE AND DITCH.

RECORDED
05/15/80

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

MAY 15, 1980

Upper County News Reporter
Box 98
Cambridge, ID 83610

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 9, 1980.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

67-7498
ENCLOSURE

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before JUNE 9, 1980.

C. STEPHEN ALLRED

Director

Published 5/22 & 5/29/80.

1980 MAY 29 10 11 AM