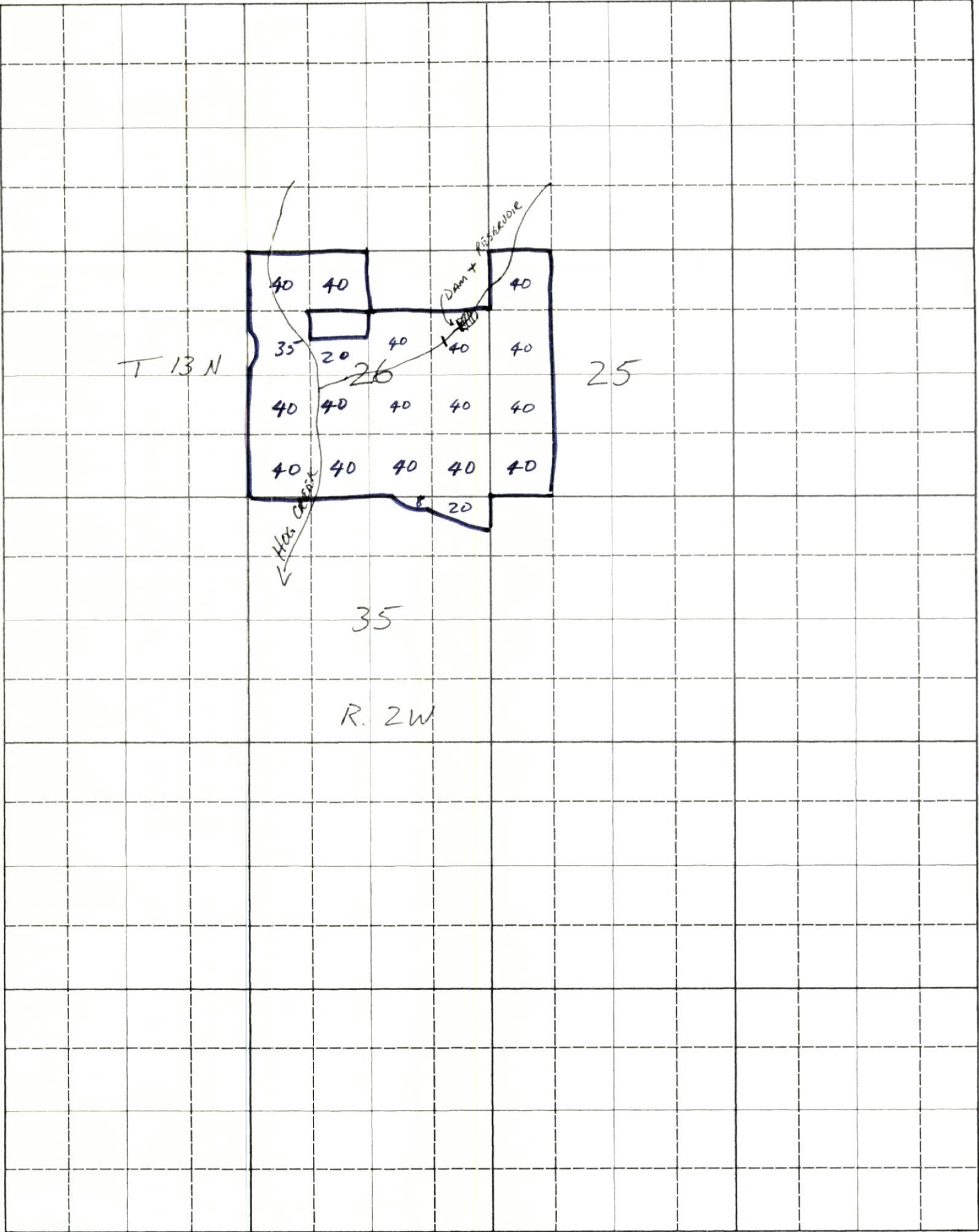


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

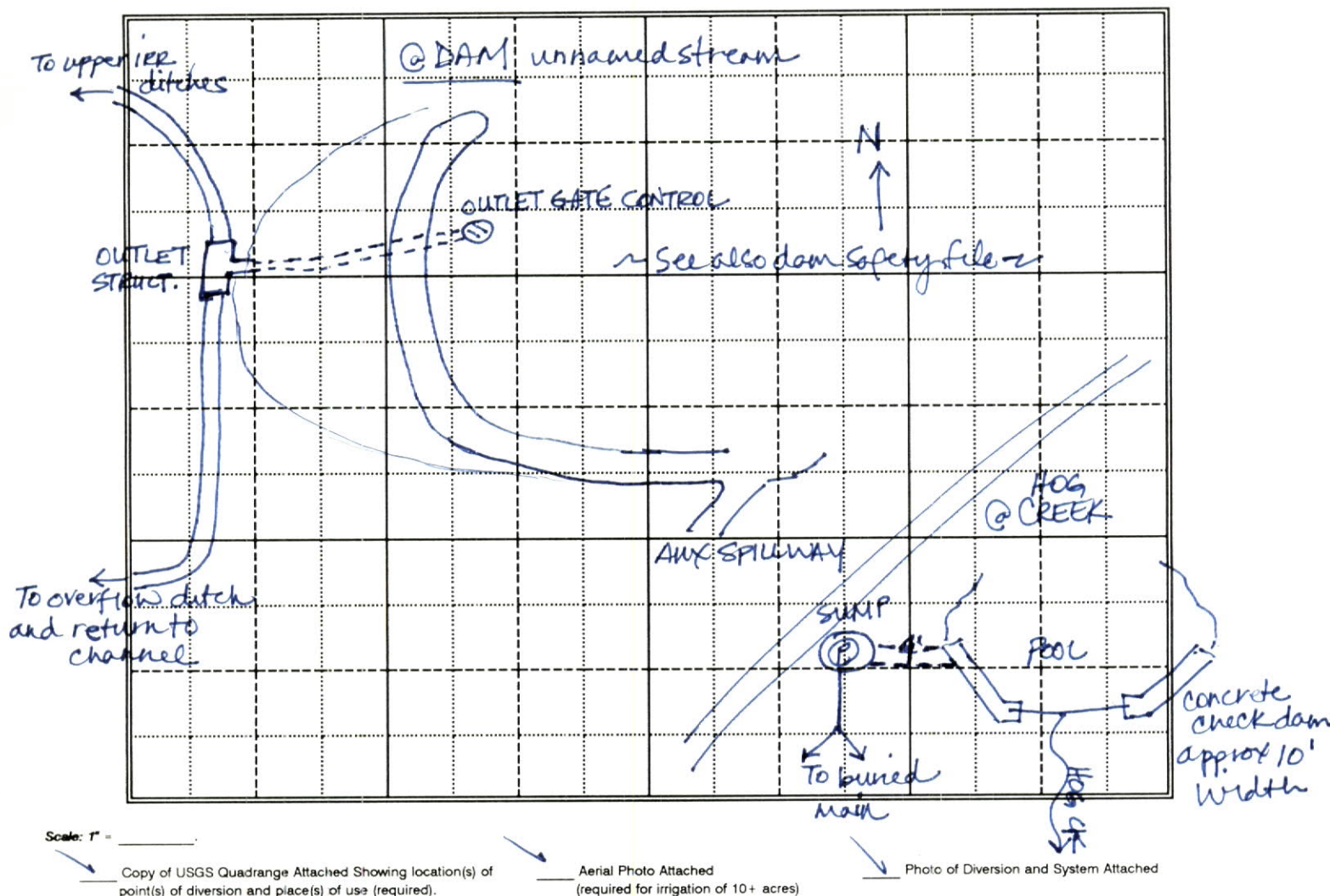


Scale: 2 inches equal 1 mile.

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.

James L. Brown
(Applicant)

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



4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Hog Ck. Pump.	GE	75	GNJ727331	Johnston	6"

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

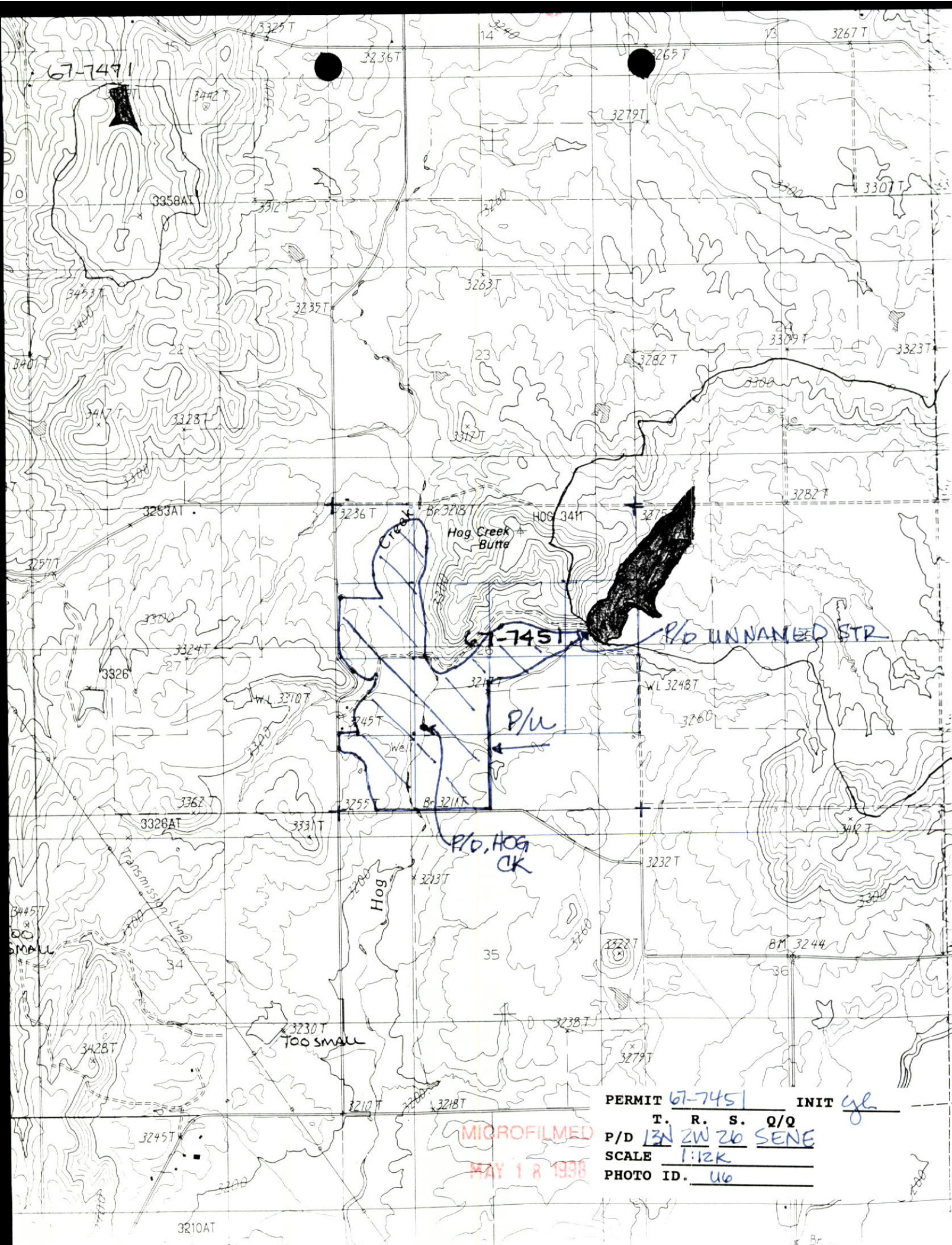
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
In-line meter	prop	Micrometer			6"	?

2. Measurements: 4' lift to discharge, ~~the~~ manifold press 90 psi
meter = 450 gpm. Not operating at capacity.

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MAY 18 1958



Total Acres Irrigated = 198
 Surface Mains 5-6" (3 buried)
 Fields Marked "D" Indicate Dryland.
 67-7451



GENERAL CONDITION AND DESCRIPTION OF DAM: Good, the facility is well maintained.

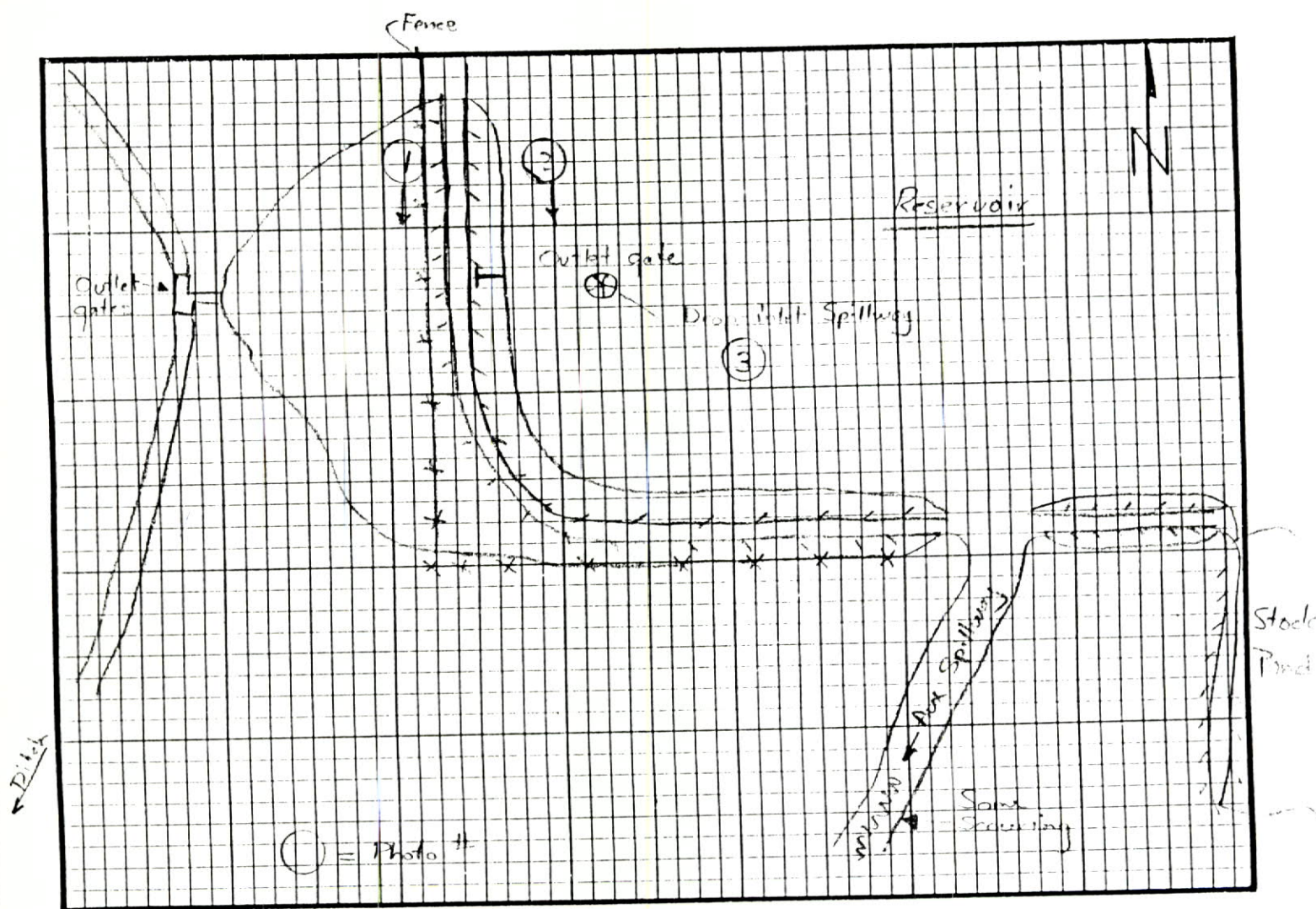
The dam crest was raised late last fall. Rodents and woody growth are being
controlled by the owner. Some wear action visible on the upstream slope
of the dike area (down side).

No problems were noted.

INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.)

The crest was surveyed during the inspection.

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: Issue a storage certificate for a 2 year period.

Recommendations:

1. Continue to control woody growth on the embankment.

2. Continue to control rodents/foxes and cats.

3. Monitor closely wear action visible on the upstream slope of the dike (down side) repair as needed.

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MAY 18 1998

Date: 5/20, 19 96

Inspected by

J. White, Watson Bay
Mike Stubbinsfield S.O.



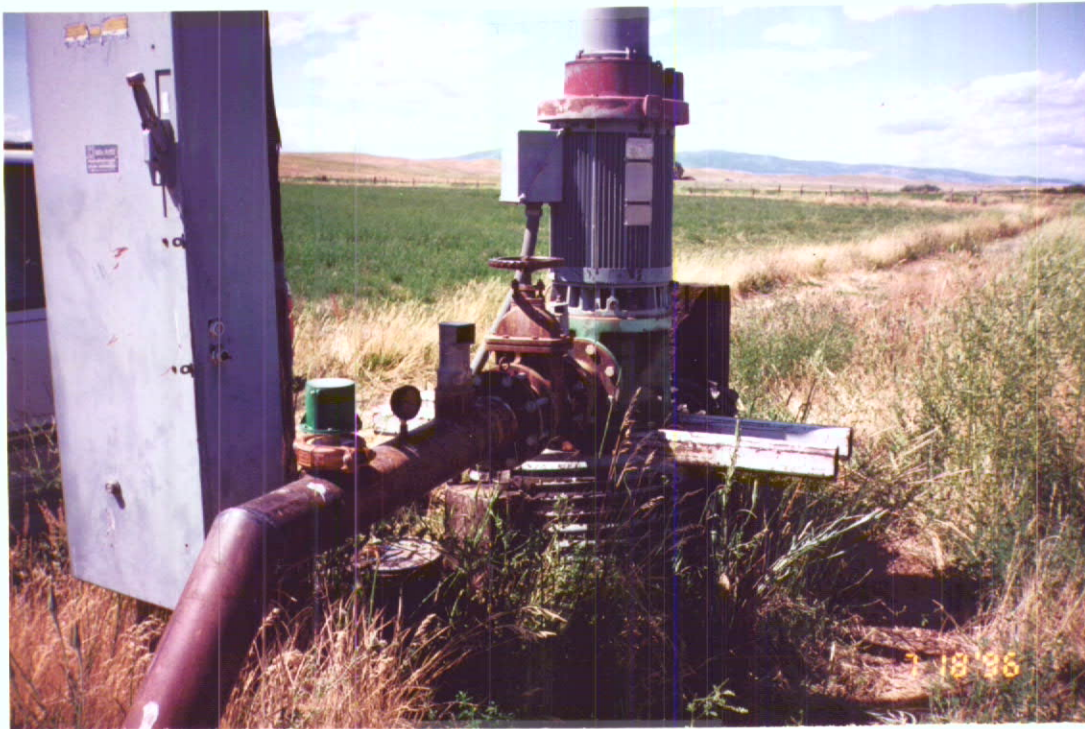
Dam
SENE Sec 26
view to North



Reservoir pool
view to NE
across aux
Spillways

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MAY 18 1998

67-7451
ajh



P/O in
Hog Creek



Check dam &
pool in Hog
Creek.

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MAY 18 1998

67-7451
cyl



P/a looking
west from dam.
Res. outlet is
submerged in
pool below.
Ditch to right
serves upper
fields



P/a looking
SW from dam
Sprinklers
operated from
Hogk pump.

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MAY 18 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07451

Priority: July 18, 1979

Maximum Diversion Rate: 3.00 CFS
Maximum Diversion Volume: 1074.7 AF

This is to certify, that LAURENCE BRUCE
MOLLY BRUCE

1928 HOG CREEK RD
MIDVALE ID 83645

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 18, 1979; and has submitted Proof of Beneficial Use on January 1, 1900. An examination indicates that the works have a diversion capacity of 3.000 cfs of water from:

UNNAMED STREAM
HOG CREEK

tributary to HOG CREEK
tributary to CRANE CREEK

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 10/31	3.00 CFS	792.0 AF
IRRIGATION STORAGE	01/01 to 12/31		280.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		280.0 AF
STOCKWATER	01/01 to 12/31	0.05 CFS	2.7 AF
Totals		3.00 CFS	1074.7 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 26, Township 13N, Range 02W
NESW , Sec. 26, Township 13N, Range 02W
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>
13N	02W	26	SWNE 13	SENE 5	NENW 3	
			NWNW 5	SWNW 34	SENW 8	
			NESW 32	NWSW 28	SWSW 27	
			SESW 35	NWSE 8		198

Total number of acres irrigated: 198

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

MICROFILMED

MAY 1 8 1988

State of Idaho
Department of Water Resources

PAGE 2

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07451

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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
6. This right when combined with all other rights shall provide no more than 0.02 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. Witness the seal and signature of the Director, affixed at Boise, this 25th day of FEBRUARY, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

MAY 18 1998

State of Idaho
Department of Water Resources

RECEIVED

FEB 18 1997

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-07451

Date of Priority: July 18, 1979

Maximum Diversion Rate: 3.00 CFS

Maximum Diversion Volume: 1074.7 AF

Comes now LAURENCE BRUCE
MOLLY BRUCE

1928 HOG CREEK RD
MIDVALE ID 83645

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. 67-07451, and requests that the permit be changed as follows:

Source: UNNAMED STREAM
Source: HOG CREEK

tributary to HOG CREEK
tributary to CRANE CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	3.00 CFS	792.0 AF
IRRIGATION STORAGE	01/01 to 12/31		280.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		280.0 AF
STOCKWATER	01/01 to 12/31	0.05 CFS	2.7 AF
	Totals	3.00 CFS	1074.7 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 26, Township 13N, Range 02W
NESW , Sec. 26, Township 13N, Range 02W
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>
13N	02W	26	SWNE 13	SENE 5	NENW 3	
			NWNW 5	SWNW 34	SENE 8	
			NESW 32	NWSW 28	SWSW 27	
			SESW 35	NWSE 8		198

Total number of acres irrigated: 198

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

MICROFILMED
MAY 18 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 67-07451

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 Meridian, this 7th day of 2-17, 1998.

Lance A. B. [Signature]
(Signature)

MICROFILMED

MAY 18 1998

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 67-07451

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Received by LS # CO41482 Date 2/18/98

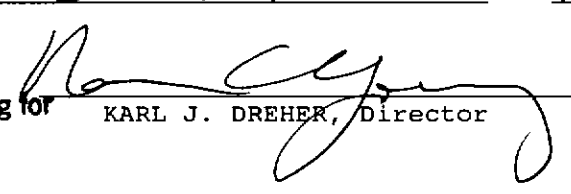
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 67-07451 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 shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

Witness my hand this 25TH day of FEBRUARY, 1998.

Acting for  KARL J. DREHER, Director

MICROFILMED
MAY 16 1998

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 Laurence &/or Molly Bruce Phone 355-2428

Post office address Midvale, ID 83645

2. Source of water supply unnamed stream which is a tributary of Hog Creek

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 Township 13N

Range 2W B.M. Washington County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 500 AF for storage for purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) irrigation

Amount 500 AF for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum) from storage

Amount 5.0 CFS for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .05 cfs for stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 5.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam 20 feet, active reservoir capacity 500 acre-feet; total reservoir capacity 500 acre-feet, materials used in storage dam: earth from reservoir

Period of year when water will be diverted to storage 11/15 to 3/15 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: SEE 11.b. Same as irrigated land description

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 200 beef 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: _____

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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	
13N	2W	25						40	40			40	40						160
		26			40	40	40	40	35	20	40	40	40	40	40	40	40	40	535
		35	20	8															28

Total number of acres to be irrigated 723

c. Describe any other water rights used for the same purposes as described above. 67-7171

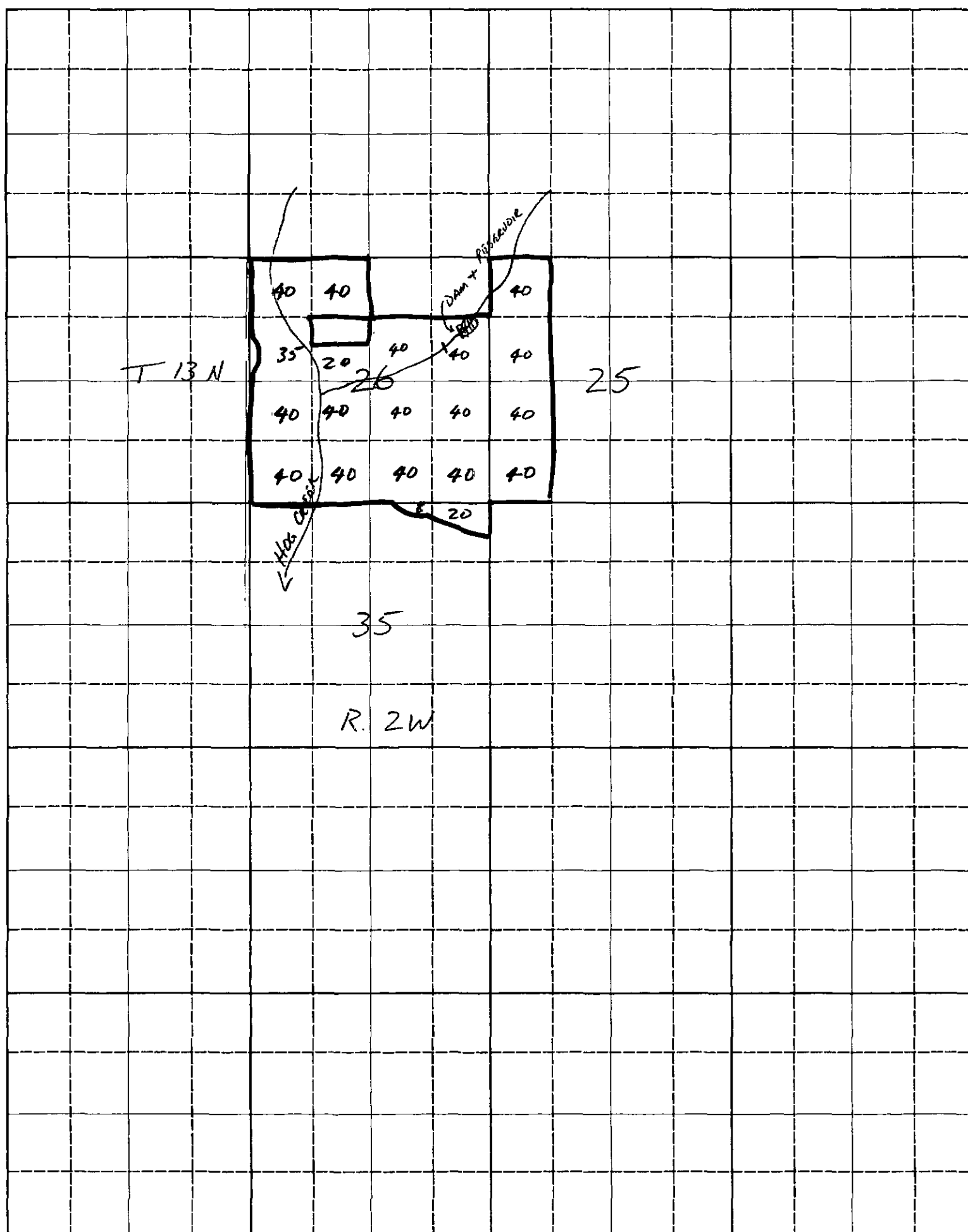
9. a. Who owns the property at the point of diversion Applicant

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

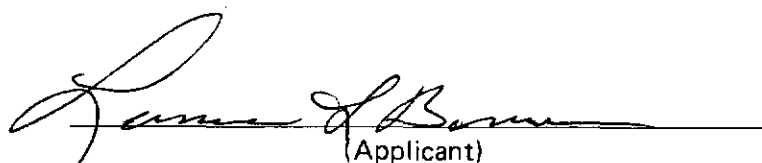
10. Remarks

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.


(Applicant)

Proposed Priority 7/18/79

Received by CRB Date 7/18/79 Time 12:00

Preliminary check by 6LS Fee \$ 75.00

Receipted by kw Date 7/18/79 #14458

Publication prepared by AK Date 7/19/79

Published in Signal American

Publication dates 7/26 + 8/2/79

Publication approved AK Date 9/4/79

Protests filed by: _____

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. 67-7451, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 84.
- 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) The storage of water is contingent upon certification by the Department of Water Resources, of the applicant's dam under the dam safety provisions of the Idaho Code, authorizing storage.

Witness my hand this 10th day of September, 1979

A. Glen Saxton
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Dorothy A. Booth, being duly sworn,
deposes and says:

That ⁵he is the Clerk of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was pub-
lished in said newspaper once a week for 2 consecu-
tive weeks in the regular and entire issue of said paper dur-
ing the period and time of publication, and was published in
the newspaper proper and not in a supplement; that said
paper has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
first publication of said advertisement.

Such notice was published in the issue beginning with
July 26, 1979, and ending
with the issue of Aug 2, 1979
Dorothy A. Booth
Fees, \$ 30.20

Subscribed and sworn to before me this 2
day of August, 1979
[Signature]
Notary Public, Residing at Weiser, Idaho.
My Commission Expires 5-1, 1981.

No. 378
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:

67-7450

DRIESSEN, JOHN
ROUTE #2, BOX 156, WEISER, ID 83672
Source: MONROE CREEK tributary to WEISER RIVER
Date Filed: 07/13/1979
Amount: 1.40 CFS
Diversion Point: SWNE Sec 15 T 12N R 05W,
WASHINGTON Co.
Use: IRRIGATION (1.40 CFS) from 03/15 to 11/15
Place of Use: NESW SESW NWSE SWSE Sec 15 T 12N
R 05W NENW Sec 22 T 12N R 05W FOR 70 ACRES
Diversion Means: INFILTRATION GALLERY, PENSTOCK,
PUMP, & PIPELINE

67-7451

BRUCE, LAURENCE &/or MOLLY
MIDVALE, ID 83645
Source: UNNAMED STREAM tributary to HOG CREEK
Date Filed: 07/18/1979
Amount: 5.00 CFS
Diversion Point: SENE Sec 26 T 13N R 02W,
WASHINGTON Co.

Use: IRRIGATION STORAGE (500.0 AC-FT) from 01/01
to 12/31
IRRIGATION FROM STORAGE (500.0 AC-FT) from
03/15 to 11/15
IRRIGATION (5.00 CFS) from 03/15 to 11/15
STOCKWATER (0.05 CFS) from 01/01 to 12/31
Place of Use: NWNW SWNW NWSW SWSW Sec 25 T 13N R
02W SWNE SENE NENW NWNW SWNW SENW
NESW NWSW SWSW SESW NESE NWSE SWSE
SESE Sec 26 T 13N R 02W NENE NWNE Sec 35 T 13N
R 02W FOR 723 ACRES

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
AUGUST 13, 1979.

C. STEPHEN ALLRED
Director

Notarized 7/24 & 8/1/79

SEP 4 1979

Department of Water Resources
Western Regional Office

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LAURENCE BRUCE
MOLLY BRUCE
1928 HOG CREEK RD
MIDVALE ID 83645

RE: WATER RIGHT NO. 67-07451

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.

MICROFILMED

MAY 1 8 1998

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 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.

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

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

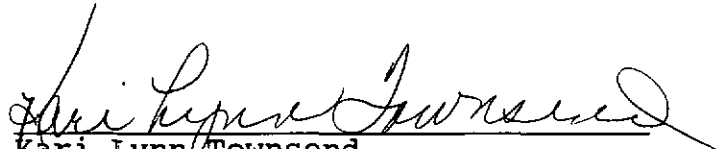
MAY 18 1998

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of February, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 67-07451

LAURENCE BRUCE
MOLLY BRUCE
1928 HOG CREEK RD
MIDVALE ID 83645


Kari Lynn Townsend
Secretary

MICROFILMED
MAY 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

LAURENCE BRUCE
MOLLY BRUCE
1928 HOG CREEK RD
MIDVALE ID 83645

RE: WATER RIGHT NO. 67-07451

Dear Permit Holder(s):

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

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

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

MAY 18 1998

SD-0602-2		Source: HOG CREEK		Basin: 67		STATE	
S	E	L	S	T	G	# Records:	4
Water	Current Owner	Priority	Total	Use			
Right No.	Last, First	Date	Diversion	Code	Desc		
67-02146	EASTHAM, WALTER L	05/15/1927	0.240	01	IRR		
67-04594	CRANE CREEK RESER	04/09/1920	34100.00	43	DOMEST		
67-07007	MC MULLEN, ROY	03/14/1968	0.400	01	IRR		
67-07137	COURTRIGHT, LEO	04/27/1973	0.600	01	IRR		

(Enter=Continue) (GOLD 7=This Query) (Menu _____)

Natural 2.1/7V OVR Help available LIB=PRODLIBS Last key was ENTR

MEMORANDUM

TO: File 67-07451

FROM: Sharla

DATE: February 4, 1998

RE: Licensing Recommendation Adjustments

The adjustments to licensing recommendations for Permit No. 67-07451 are as follows:

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

T13N, R2W, S26 - SENE, NESW

Hog Creek is being added to the license as a second source; the p/d descriptions have been changed accordingly. Attached is a printout of all rights showing Hog Creek as the source; adding this source to this right will not injure other users with their earlier priorities.

The irrigation, storage and stockwater volumes are additive.

Examiner: Cindy Hodges
Exam Date: July 18, 1996

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MAY 18 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 67-07451

DATE 2/3/98

REVIEWER: SHARLA

NAME Change OK

Address Change NO

SOURCE add on

Is change clarification of originally intended source? NO

POINT OF DIV add NE3W

If not, prepare Notice of Intent to Void NO

Amendment required YES

PLACE OF USE Change OK

Amendment required NO

Does map agree with written description? yes no

OVERLAPS NO P/D NO P/U

Overlap file pulled & reviewed NO

RATE OF DIV

Permitted Rate 5.0 cfs

Fee limit: 3.0 cfs \$15000

Measured 1.07 cfs

Theoretical 2.18 cfs @ 4' lift and 90 psi

3.24 @ 60 psi Recommended Total Div Rate 3.0 cfs

ANNUAL VOLUME/ NATURE OF USES

Use ir 3.0 cfs

Volume Calc 198 X 4 = 792.0 af

" stor 280.0 af

" for stor " af

" stock 0.5 af

SUBTOTAL 3.0 792.0 af

1074.7

Flow rate 3.0 cfs X 214 days X 1.98 = 1271.2 af

Total volume recommended 792.0 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

CONDITIONS R04 Watermaster Control WD# 67

R04 GW Measurement/Measuring Device

R04 Overlap

NO Use-specific conditions

Advancement of Priority Date Required NO yes NO

SRBA Claim Filed YES

1st Amend Letter P45 P38

Adjustment Memo add source
NE3W pld

2nd Amend Letter P42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

FEB 04 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-7451

1. Owner: Lawrence Bruce (Molly is deceased) Phone No. _____

Current Address: 1928 Hog Ck Rd Midvale ID 83645

2. Accompanied by: R.C. Bruce EXAM DATE: 7/18/96

Address: above Phone No. 355-2428

Relationship to Permit Holder: SON

3. Source: UNNAMED STREAM tributary to HOG CREEK
HOG CREEK CRANE CREEK

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
			SE	NE	26	13N	2W	Wash.	Site Visit

2. Place(s) of Use:

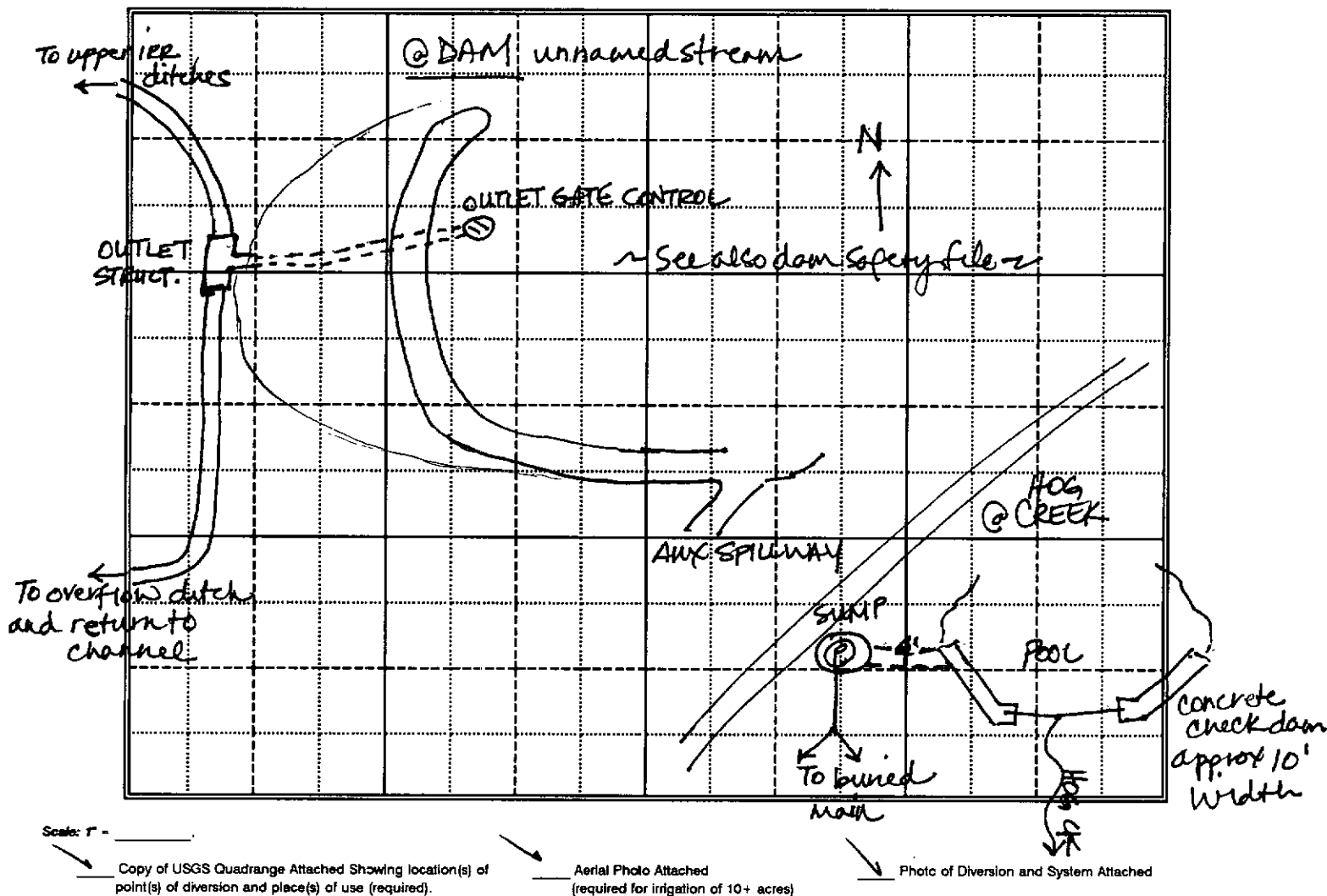
Indicate Method of Determination Above, Photos

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	2W	26			13	5	3	5	34	8	32	28	27	35		8			198
																			2

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



4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Hog Cr. Pump.	GE	75	6N5727331	Johnston	6"

*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
In-line meter	prop	Micrometer			6"	?

2. Measurements: 4' lift to discharge, air manifold press 90 psi
meter = 450 gpm. Not operating at capacity.

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E. NARRATIVE/REMARKS/COMMENTS

280 AF Reservoir on unnamed drainage and pump Station in Hog Creek used to irrigate 198 acres, primarily pasture and alfalfa. Uppermost fields irrigated by gravity diversion from reservoir. A check dam positioned in the Hog Creek channel captures flows for a pump Station used to sprinkle lower fields. Primary source of flows for pump station are return irrigation flows from upper fields, as both Hog Creek and the unnamed drainage commonly cease flowing soon after spring runoff. However, as the flows enter the channel before being redirected, this site needs to be recognized as a Second P/B.

No other water rights used.

Stockwater for 200 range cattle.

Rate of diversion for irrigation from natural flow can be derived in part from capacity of pump station, ~~but not mostly~~ ~~from~~ Rated discharge of reservoir outlet exceeds permit limit therefore total natural flow may be diverted when available. Rated outlet discharge = 17 cfs per dam safety file

Reservoir capacity 280 AF from dam inspection records.

Meas. device requirement: A flowmeter is installed on the Hog/Ck pump. There is no device at the reservoir and one is not really needed as most years there is no need to bypass flows because drainage does not flow during irrigation season.

Have conditions of permit approval been met? ☐ yes ☐ no See remarks.

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F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

Hog CK Pump: See attached

allow 3.0 cfs per proof limit

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 198 \times 4 = 792$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.0 \times 214 \times 1.9835 = 1273$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 792$$

2. Volume Calculations for Other Uses:

Stock/Zoo range 2.7 AF per tables

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRR	4/1	10/31	3.0	792
IRR STORAGE	1/1	12/31		280
IRR FR STORAGE	4/1	10/31		280
STOCKWATER	1/1	12/31	.05	2.7
Totals:			3.0	794.5

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 ADD SOURCE

I. AUTHENTICATION

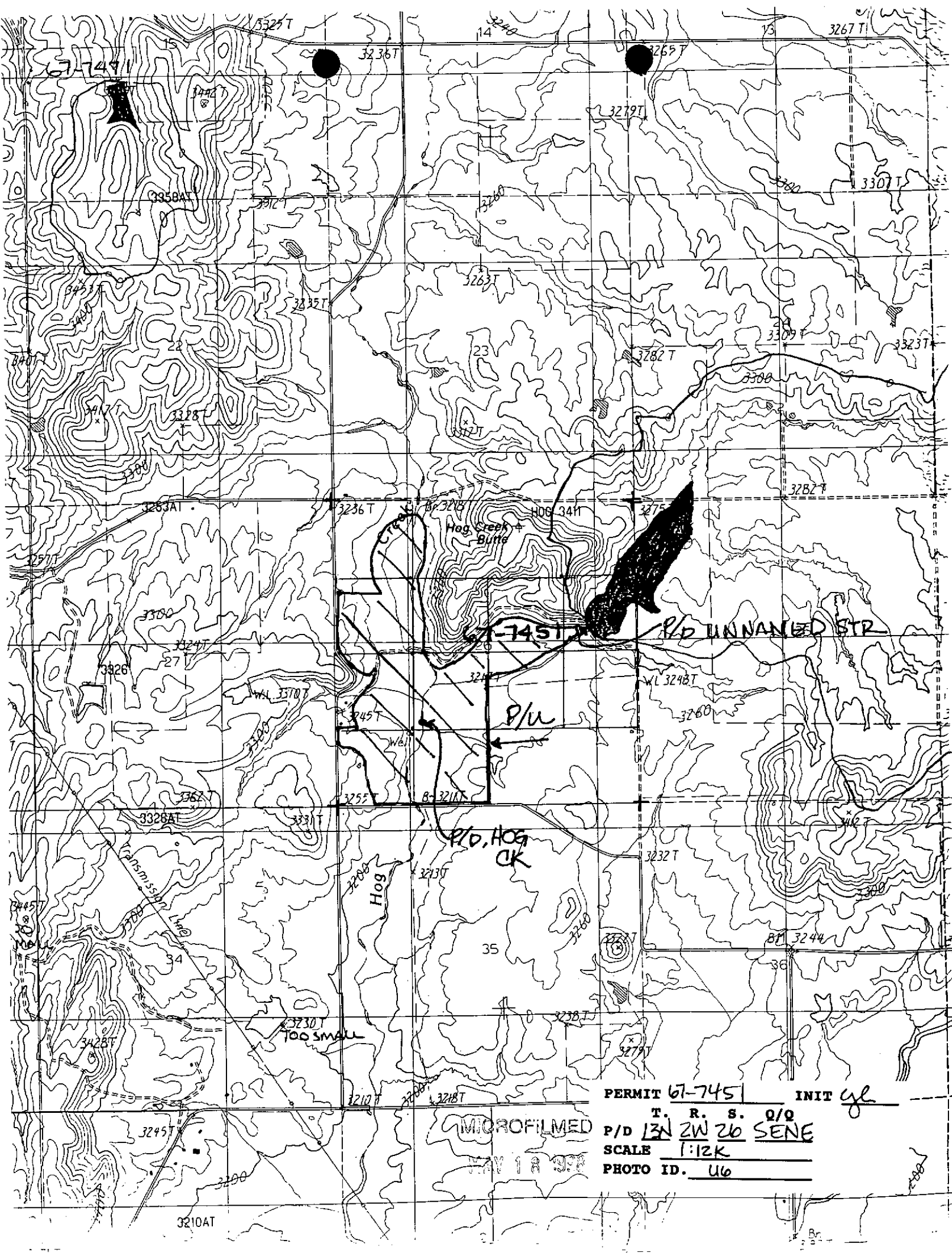
Field Examiner's Name Cindy Hodges Date 1/22/97

Reviewer _____ Date _____

SEAL

MICROFILMED

MAY 18 1998



PERMIT 67-745 INIT yl

T. R. S. Q/Q
P/D 13N 2W 20 SENE
SCALE 1:12K
PHOTO ID. U6

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MAY 18 1958

67-7451 Bruce Field Notes cjl 7/18/96

Stock - 45 pr @ exam permit = 200 - OK

Today ~ 85 heads operating, 450 gpm, 90 psi @ pump

Normal ~ 110 "

1100 gpm stays @ 90 psi

Nozzle size ~ 5/32

Disch ps ~~at~~ closest to pump = 70 psi
end of line ~ 50 psi

Relief @ Creek - P/O or relief ? / pump back ?

↓
add Hog Creek as source for IRR.

Hog Creek Pump

Theo. HP = $2.16^{cfs} (6' \text{ lift} + 90 \text{ psi @ pump})$

~~1100~~ Meter @ 1100 = 2.45 cfs

85 heads @ 60 psi (5/32), 5.65 gpm = 480 gpm 1.07 cfs

Checks out w/ meter reading @ exam.

extrapolate 110 heads @ 60 psi, 5.65 gpm = 621 gpm 1.38 cfs

Req'd for found acres $198 \times .02 = 3.96$

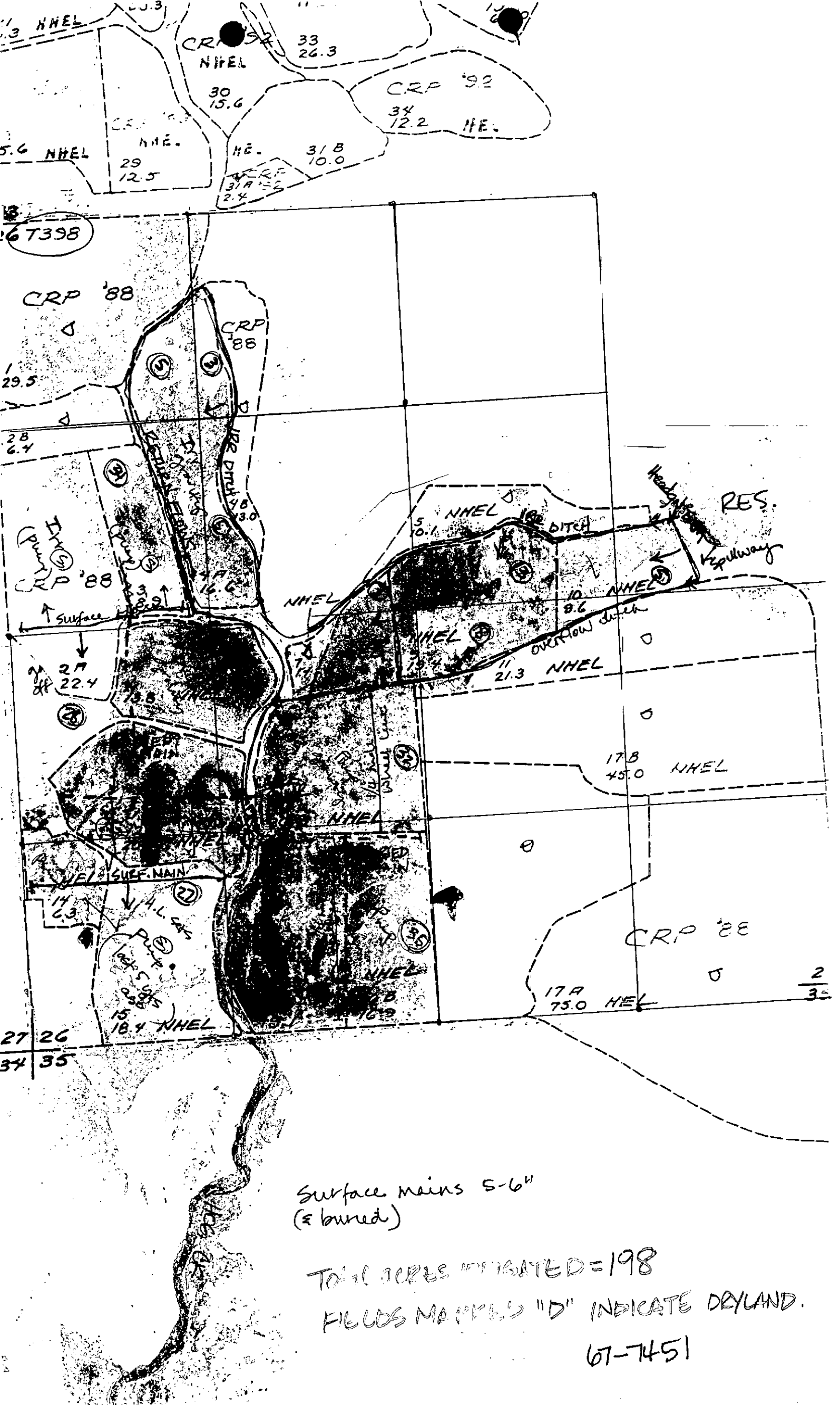
Make up balance w/ outlet discharge - outlet rated 17 cfs
per dam file

Permit limits 5.0 cfs 500 AF

Proof limits 3.0 cfs 280 AF

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SEP 18 1996



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECORD OF INSPECTION OF DAM

Name of dam: Bruce Stream: TA-400 Creek ☐ Offstream
Name of owner: L Bruce Location: 26-13N-2W
Individuals accompanying inspector: No one
Reservoir characteristics: Dam height 201 Ft Surface area 52 ac. Storage capacity 280 ac-Ft
Hazard class: significant Photographs: yes

CONDITION OF EMBANKMENT OR STRUCTURE: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Type: ☒ Earth ☐ Rockfill ☐ Conc. arch ☐ Conc. gravity ☐ Timber crib ☐ Other _____

	UPSTREAM SLOPE	CREST	DOWNSTREAM SLOPE	TOE AREA
Surface cover material	Rock riprap	Angular rock	Earth	Earth.
Growth	A few weeds	Pasture	Pasture	Pasture
Settlement or cracks	None	None	None	None
Surface erosion	Dike area shows wave erosion (scuff)	None	None	None
Debris	None	None	None	None
Animal burrows	None	None	None noted	None
Crest width and slope measurements	3:1	± 20 Ft	2:1	

CONDITION OF OUTLET WORKS: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☐ Left side ☐ Center ☒ Right side ☐ Other _____

Description and condition: 18" CMP encased in concrete

Gate hoist: ☒ Manual ☐ Electric ☐ Other _____

Stem: ☒ Inclined from entrance to crest ☐ Vertical on tower at entrance

☐ Vertical through dam from crest ☐ Downstream valve

Entrance: Submerged Outlet: OK

CONDITION OF SPILLWAY: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☒ Left abutment ☐ Right abutment ☐ Away from dam ☐ Other _____

Drop Drop inlet
Aux. Base width 10 Ft Freeboard at crest 4.0 Sideslope 19.5:1 Channel slope Mild Fetch 1/4 mi.

Overflow channel: ☒ Well defined ☒ Flow directed away from toe ☐ Flow could reach toe

Erosion control present: Aux. Rock crest Erosion present: scouring in lower channel

Maintenance condition: Debris None Growth Pasture

SEEPAGE:

Reservoir level during inspection: 5-2 inches below the drop-inlet.

	TOE AREA	DOWNSTREAM SLOPE	ABUTMENTS	OTHER
Piping of material evident (Est. G.P.M.)	<u>None</u>	<u>None</u>	<u>None</u>	
Flowing water (Est. G.P.M.)	<u>None</u>	<u>None</u>	<u>None</u>	
Marshy or standing water	<u>None</u>	<u>None</u>	<u>None</u>	
Damp	<u>None</u>	<u>None</u>	<u>None</u>	
Evident from	<u>None</u>	<u>None</u>	<u>None</u>	

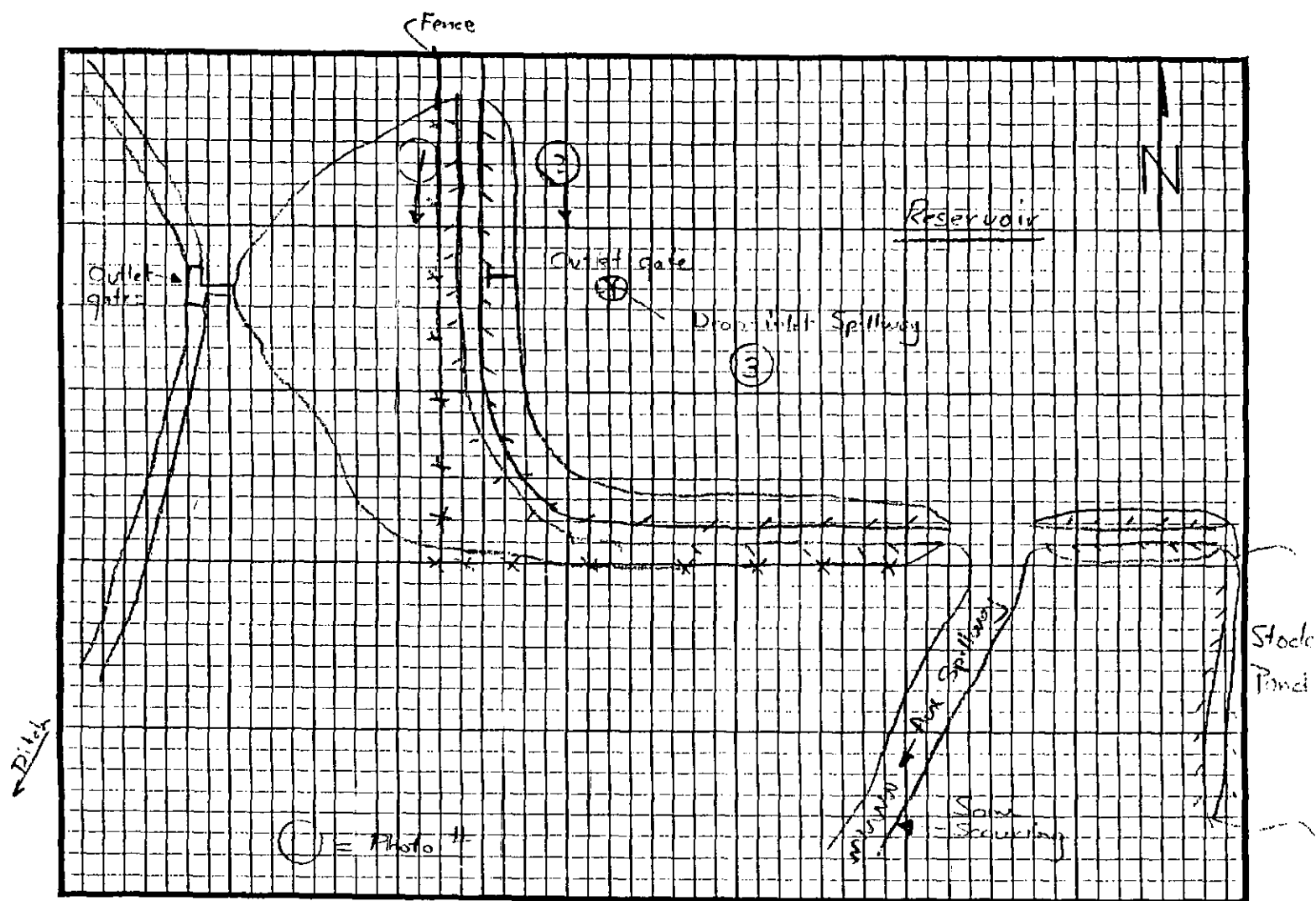
GENERAL CONDITION AND DESCRIPTION OF DAM: Good, the facility is well maintained.
The dam crest was raised late last fall. Rodents and woody growth are being
controlled by the owner. Some wave action erosion on the upstream slope
of the dike area (South side).

No problems were noted.

INSTRUMENTATION READINGS (Piezometer, Seepage measurement, Alignment, Elevation, etc.) _____

The Crest Was Surveyed during the inspection

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: Issue a storage certificate for a 2 year period.

Recommendations:

1. Continue to control woody growth on the embankment
2. Continue to control rodents / burrowing animals
3. Monitor closely wave action erosion on the upstream slope of the dike (South) repair as needed.

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MAY 18 1996

Date: 5/22, 19 96

Inspected by J. Nantz, Wabash Co.
Mike Stubbinsfield S.O.



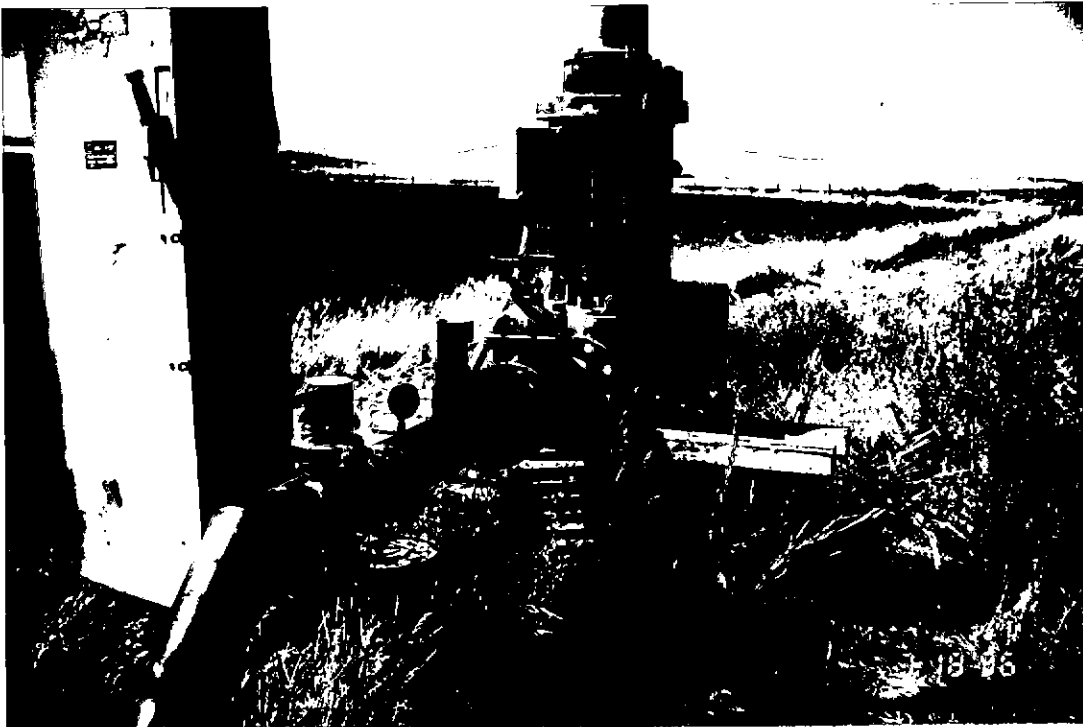
Dam
SENE Sec 26
view to North



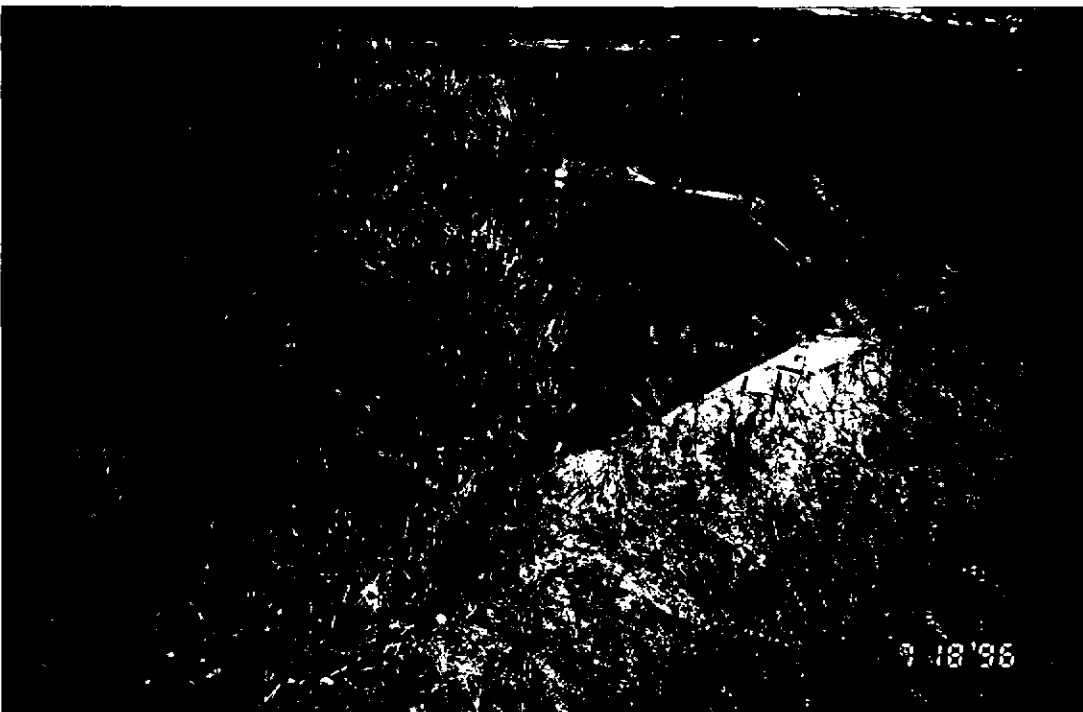
Reservoir pool
view to NE
across aux
Spillways

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MAY 18 1998

67-7451
ajh



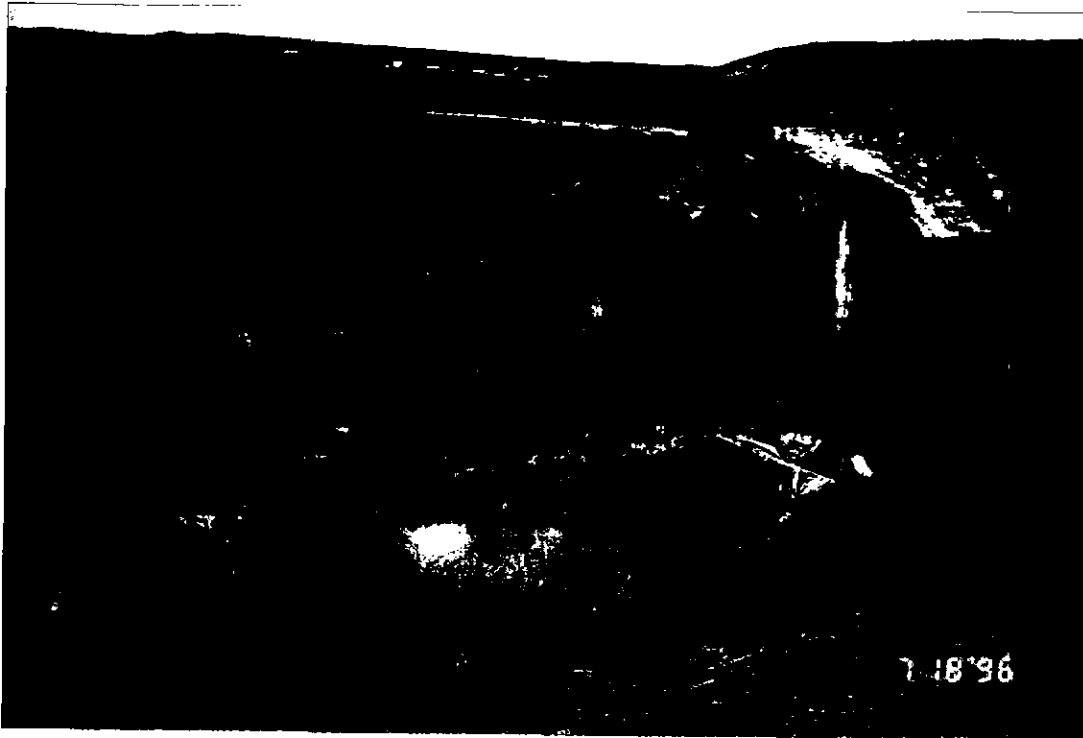
P/O in
Hog Creek



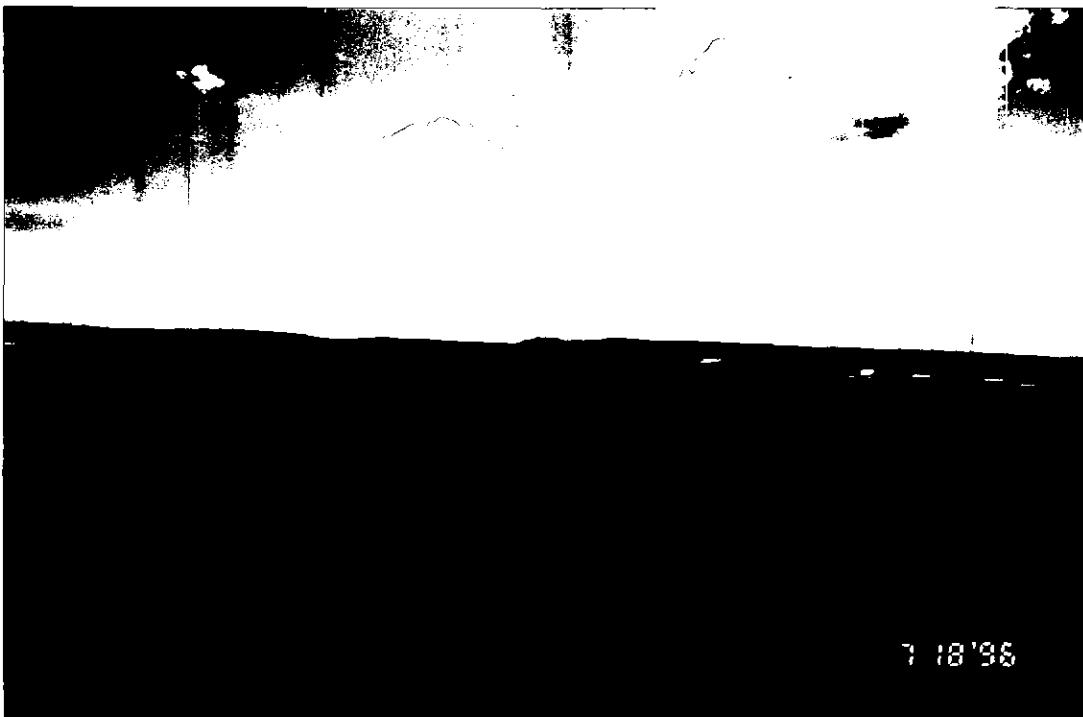
Check dam &
pool in Hog
Creek.

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MAY 18 1998

67-7451
cyl



P/u looking
west from dam.
Res. outlet is
submerged in
pool below.
Ditch to right
serves upper
fields



P/u looking
SW from dam
Sprinklers
operated from
Hog Creek pump.

MAY 18 1996

RECEIVED
AUG 13 1987

CALCULATION OF NEW PRIORITY DATES
LATE EXAM FEES

Department of Water Resources

FOR PERMIT NO. 67-7451
BY: Jan Shute

	<u>DATE</u>	<u>NUMBER OF DAYS</u> <u>(From Table of Days</u> <u>Between Two Dates)</u>
A. EXAMINATION FEE NOTICE SENT	<u>4/10/87</u>	<u>100</u>
B. DATE FEE DUE (60 days)	<u>6/9/87</u>	<u>160</u>
C. DATE FEE RECEIVED	<u>2/14/87</u>	<u>195</u>
D. NUMBER OF DAYS LATE (C - B)		<u>35</u>
E. ORIGINAL PRIORITY DATE (Check Reinstatement, etc.)	<u>2/18/79</u>	<u>199</u>
F. NEW PRIORITY DATE (D + E)	<u>8/22/79</u>	<u>234</u>

REMARKS:

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MAR 13 1988

KEYPUNCH

4/86
RECEIVED
 JUL 11 1987

Department of Water Resources
 Western Regional Office

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 EXAMINATION FEE INFORMATION

For Office Use Only *ok*
 Fee Received 150
 Date 4/22/87
 Receipt # 43826
 Receipt by AA
 Sent to S.O. 7/27/87

RECEIVED

JUL 28 1987

1. Permit No. 67-7451

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE: Department of Water Resources

☒ 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: Laurence L. Bruce3. Post Office Address: HC 70 Box 2400, Midvale, Id. 83625Telephone No. 208 355-24284. Source of Water: unknown stream

5. Extent of Use:

Domestic _____ (No. of households) Stockwater 100 cows (No. and type of stock)Irrigation 250 (acres) Other/Remark _____6. Total rate &/or volume for which proof is submitted 3.0 cfs 280 acre-feet

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

Spring run off-1981 - Irrigation season 1981

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

Laurence or Molly Bruce
(Name)1928 Hog Creek Rd. Midvale, Id.
(Address)355-2428
(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.)

Date

MAY 18 1990

Signature of Permit Holder (and title, if appropriate)

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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.



State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

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

67-7451
BRUCE, LAURENCE
BRUCE, MOLLY
HC 70 BOX 2400
MIDVALE, ID 83645

138261

~~138260~~

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.

MAY 18 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. D 67-7451
Name(s) of Permit Holder(s): Laurence &/or Molly Bruce
Post Office Address: Midvale, Idaho 83645
Tel. No. 208 355-2428

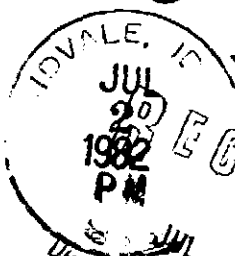
- ☐ I hereby certify that construction of diversion works for the above referenced permit began on Completed (date) 10/22/81. I understand that I must continue to develop the water system with due diligence to maintain a valid permit. Certificate of approval issued
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is
not an acceptable reason.

7/12/82
Date

Molly Bruce
Signature of Permit Holder

Laurence & Molly Bruce
Star Route
Midvale, Idaho 83645



RECEIVED

JUL 6 1982
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MAY 18 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

APRIL 25, 1984

LAURENCE BRUCE
HC 70 BOX 2400
MIDVALE

ID 83645

RE: Permit No. 67-7451

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of 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 condition of approval of your original permit required the installation of a measuring device which, according to the proof card submitted by you, has not been installed. A measuring device must be installed and operating at the time the field examination is made. If a measuring device is not installed your permit may be subject to cancellation.

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 by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

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MAY 14 1984

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card statement that the permit holder(s) has completed development to the extent shown below Permit No. 67-7451.

Name(s) of Permit Holder: Laurence & Molly Bruce

Post Office Address: HC 70 Box 2400

Midvale, Id. 83645

Tel. No. 208-355-2428

Source of Water: unnamed stream

Extent of Use: ☐ Domestic

(number of households)

☒ Stockwater 200 beef

(number and type of stock)

☒ Irrigation 700

(acres)

☐ Other

Measuring Device: Required? ☒ Yes ☐ No

Installed? ☐ Yes ☒ No

Access Port: Required? ☐ Yes ☐ No

Installed? ☐ Yes ☐ No

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

10/31/83
Date

Laurence Bruce
Signature of Permit Holder

Laurence & Molly Bruce

HC 70 ~~Star-Route~~ Box 2400

Midvale, Idaho 83645



NOV 1 1983

Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

October 12, 1983

Laurence & Molly Bruce
Midvale, ID 83645

RE: Permit No. 67-7451

Dear Mr. and Mrs. Bruce:

We are in receipt of your letter dated September 27, 1983, in which you requested a waiver of the requirement to install a weir on the inlet of your dam.

Condition of approval No. 2 on your permit states that "A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works". Please note that this condition of approval does not specifically require that you install a weir on the inlet of your dam. The condition can be met by the installation of the staff gauge, to which you referred in your letter, and a rating of discharge at the outlet works. This rating can be in the form of a series of measurements which identify a specific rate of flow for a specific discharge level.

The practicability of establishing a measuring system at the dam site is largely a function of the type of dam and the water delivery system. Therefore, it is difficult to say exactly what type of system you could establish without actually viewing the plans. However, I would ask that you please give this some thought, and if the condition of approval still poses a problem, please feel free to contact me and we will attempt to make the condition of approval workable and practical for your situation.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

RECEIVED

HC 70 Box 2400 SEP 28 1983

Midvale, Id. 83645
Department of Water Resources
Sept. 27, 1983

State of Idaho
Department of Water Resources
Supervisor, Water Allocations Section
State House
Boise, Id. 83720

Dear Mr. Tuthill,

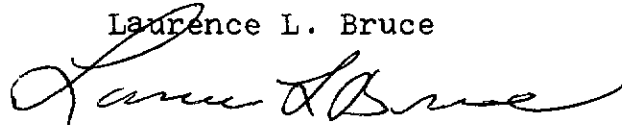
RE: Permit No. 67-7451
Measuring Device

Request the department to waive the installation of a weir on the inlet of the dam. The water collected is "run-off" and there is no one site to set one on. It is not on a running stream of water.

We are awaiting weather conditions to permit the installation of a "staff gauge" on the water side of the dam. It will be completed as soon as possible.

Sincerely yours,

Laurence L. Bruce



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

WATER RIGHT
DATA ENTRY LOG

[illegible]

September 10, 1979

Laurence & Molly Bruce
Midvale, Idaho 83645

Dear Mr. & Mrs. Bruce,

RE: Permit No. 67-7451

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power. While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

Please be advised also that there is insufficient natural flow available in the Weiser River 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 later-in-time permit. As the natural flow diminishes, however, there would be no water available for your right unless you had arranged for an additional source of water as a supplemental supply.

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Page 2

RE: Permit No. 67-7451

This information is provided so that you will not be misled into thinking that this permit will provide sufficient water through the entire season of use. If you have any questions regarding these matters, please feel free to contact this office.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:mr

Enclosure

67-745

STAFF REVIEW - STATE OFFICE

1. ☒ Name vs. Signature
2. stream Source
3. ☒ Point of Diversion
4. ☒ Amnt. & Period of Use
5. ☒ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. ☒ Place of Use for other than irrig.
8. 723 Place of Use for irrigation (add acres)
9. A. Property Owner at Pt. of Div. & Pl. of Use
10. ☒ Map
11. 75 Fee & Rec't. No.

Copies Sent To:

☒ Idaho Health Department	☒ U.S.F.S.
☒ Idaho Fish & Game Dept.	☒ Dept. of Lands
☒ Bureau of Land Management	☒ Other

Dam Safety Information Yes (Goes to Permit Section)Check:Critical G.W. Area yes X noOther rights on same land No other surface water rights plotted67-7177-GrandwaterWithdrawals of all protests received N/A yes noConditions:ID Power Co. Letter - Snake R. NOID Power Co. Letter - G.W. & Tribs. YesSnake River Condition NOPayette River Letter NO yesWeiser River Letter yes
Priority Date 7/18/79Water Quality #16 NOWater Quality #10 intrastate interstateMeas. Dev. or Sc. Meas. NOTotalizing meter NOSupplemental NORight-of-Way Cond. NOWatermaster Cond. Yes --05
Wtr. Dist No. 67-Weiser RiverMeas. Dev. Cond. for apps within
a Water Dist. Yes 0118

Water short - letter
w/Idaho Power Paragraph
w/measuring device condition

Jim
9/2/79
Reviewer
Date

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 67-7451

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) GLS 7/19/79

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) _____

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. 67

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use 67-7171
Groundwater for 8 cfs

(10) _____

Comments: _____

(11) KK OK

Affidavit of Publication received (date) 9/4/79

(12) _____

Final date for protests 9/4/79

Protests received: yes _____ no X

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

7-18-79 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

No special conditions for approval

(15) District W

By DJS

Date 9/4/79

I.P. letter
Weiser River letter
W.M. - Condition
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Department of Water Resources

MICROFILMED

67-7451

BRUCE, LAURENCE &/or MOLLY

MIDVALE, ID 83645

Source: UNNAMED STREAM tributary to HOG CREEK

Date Filed: 07/18/1979

Amount: 5.00 CFS

Diversion Point: SENE Sec 26 T 13N R 02W, WASHINGTON Co.

Use: IRRIGATION STORAGE	(500.0 AC-FT)	from 01/01 to 12/31
IRRIGATION FROM STORAGE	(500.0 AC-FT)	from 03/15 to 11/15
IRRIGATION	(5.00 CFS)	from 03/15 to 11/15
STOCKWATER	(0.05 CFS)	from 01/01 to 12/31

Place of Use: NWNW SWNW NWSW SWSW Sec 25 T 13N R 02W SWNE SENE NENW NWNW SWNW
SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 26 T 13N R 02W
NENE NWNE Sec 35 T 13N R 02W FOR 723 ACRES

RECEIVED
JUL 22 1979
WATER RESOURCES DIVISION
IDAHO DEPARTMENT OF AGRICULTURE