Nº 298

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

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

That he 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 advertisement, a copy of which is attached hereto, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of said paper during 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 Oct. 12, 19 78, and ending with the issue of Oct. 19, 19 78

Dorothy A Booth

Fees, $ 16.32

Subscribed and sworn to before me this 19 day of Oct, 19 78

Notary Public, Residing at Weiser, Idaho.

My Commission Expires 5-1, 19 81

No. 298

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:

67-7416
Name: IDAHO DEPT. OF LANDS
Address: STATEHOUSE. BOISE. ID 83720
Source: UNNAMED SPRING
Date Filed: 09/28/1978
County: WASHINGTON
Amount: 0.0550 CFS
Point of Diversion: NWNE 536 T14N R05W

Use: STOCKWATER from 01/01 to 12/31
Place of Use: NWNE 536 T14N R05W
Means: PIPELINE

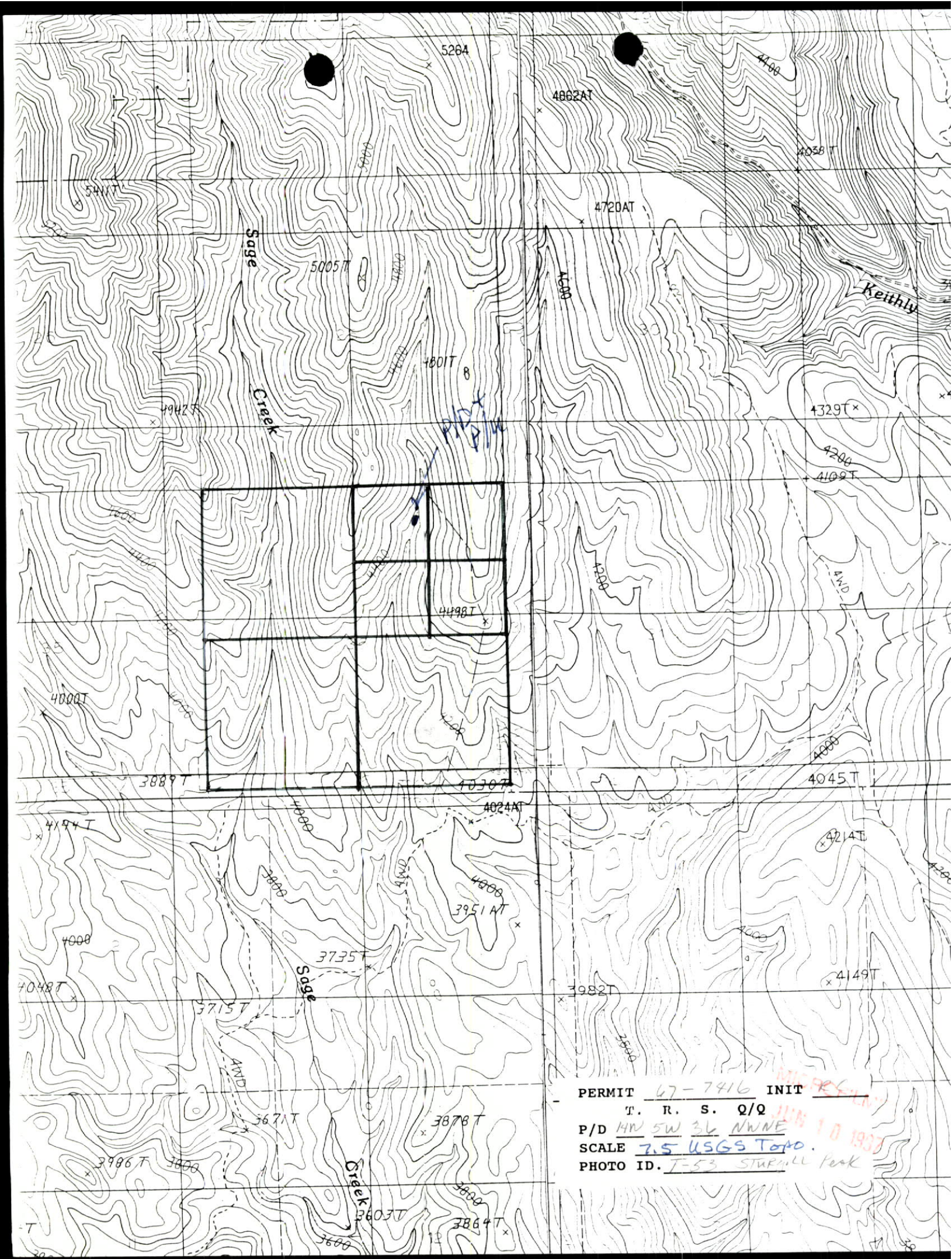
If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before OCTOBER 30, 1978.

C. STEPHEN ALLRED
Director

Published in the the Signal American on OCTOBER 12, 1978 and OCTOBER 19, 1978.

62-2S

MICROFILMED



PERMIT 67-7416 INIT

T. R. S. Q/Q

P/D 14N 5W 36 NWNE

SCALE 7.5 USGS Topo.

PHOTO ID. I-53 STURGILL Peak

RECEIVED
JUN 10 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07416

Priority: September 28, 1978 Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 3.4 AF

This is to certify, that STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 83720 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 28, 1979; and has submitted Proof of Beneficial Use on January 9, 1980. An examination indicates that the works have a diversion capacity of 0.000 cfs of water from:

SPRING tributary to SAGE CREEK

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
STOCKWATER	01/01 to 12/31	0.04 CFS	3.4 AF

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 36, Township 14N, Range 05W
WASHINGTON County

PLACE OF USE: STOCKWATER

TWN	RGE	SEC	
14N	05W	36	NWNE

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

PROOF USED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07416

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 27TH day of MAY, 1997.

Acting for KARL J. DREHER, Director

Identification No 67-7416

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APPROVED
SEP 28 1978
Department of Water Resources

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant State of Idaho Department of Lands Phone: 384-3280

   post office address Statehouse, Boise, Idaho 83720

2. Source of water supply Unnamed spring which is a tributary of Snake or.

3. a. Location of point of diversion is NW ¼ of NE ¼ of Section 36 Township 14N

   Range 5W B.M. Washington County; additional points of diversion if any: _____

   b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼

   of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

   Amount .055 cfs. for 250 livestock purpose from January 1st to Dec. 31st (both dates inclusive)
   (cfs or acre-feet per annum)

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

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

5. Total quantity to be appropriated:

   a. .055 cubic feet per second and/or

   b. _____ acre feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Water is collected in 40' of 4" perforated pipe and then delivered to a trough with 80' of 1½" plastic pipe.

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

   Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.

   b. Estimated construction cost is $ 500.00 .

8. Description of proposed uses:

   a. If water is **not** for irrigation:

      (1) Give the place of use of water: NW ¼ of NE ¼ of Section 36 Township 14N

      Range 5W B.M.

      (2) Amount of power to be generated: N/A hp under _____ feet of head.

      (3) List number of each kind of livestock to be watered 250 cattle

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

      (5) If water is to be used for other purposes describe: N/A

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	

Total number of acres to be irrigated _____

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

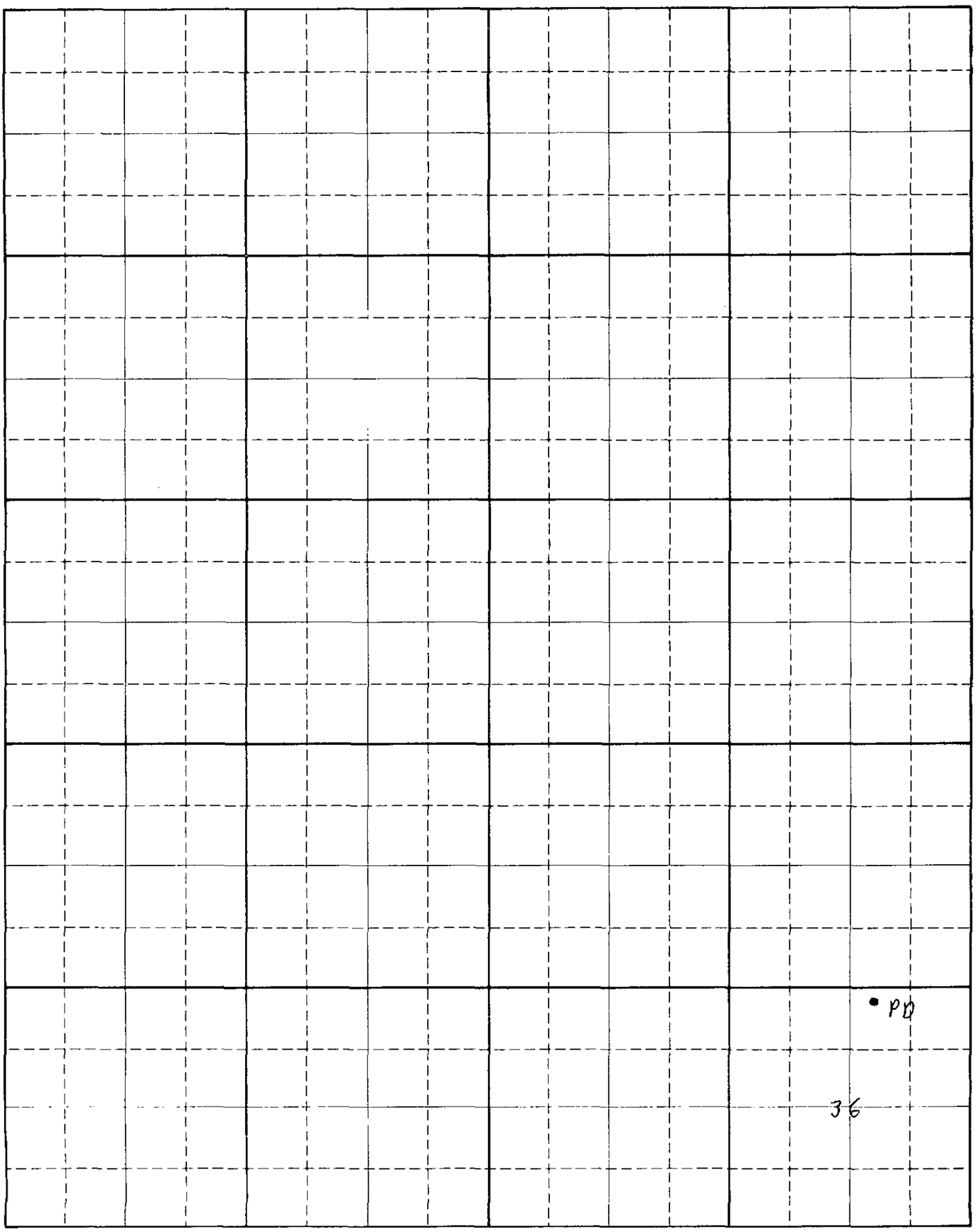
9. a. Who owns the property at the point of diversion State of Idaho, Department of Lands

b. Who owns the land to be irrigated or place of use State of Idaho, Department of Lands

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 NWNE, Section 36, Township 14N, Range 5West

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)

Administrator

Proposed Priority 9-28-78

Received by BK Date 9-28-78 Time 8:45 Am #20.00 #12462

Preliminary check by _____ Fee $ 2 more to come

Receipted by _____ Date 10-18-78

Publication prepared by _____ Date 10-4-78

Published in Digital American

Publication dates 10/12/78 & 10/19/78 re-ad Dec 21 & 28

Publication approved KK Date 2/5/79

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by DBS J.S.

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. 67-7416, 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 March 1, 1980.

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

2. Denial of said application is for the following reasons: _____

Witness my hand this 12th day of February 1979.

L. Glen Saxton

Chief, Operations Bureau

No. 320

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, County of Washington } ss.

Cathy A. Beath, being duly sworn, deposes and says:

That he 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 advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of said paper during 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 Dec. 28, 1978, and ending with the issue of Jan. 4, 1979

Cathy A. Beath

Subscribed and sworn to before me this 4 day of January, 1979

Notary Public, Residing at Weiser, Idaho.

My Commission Expires 1-2, 1983

No. 320

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:

67-7424

FAIRCHILD, ARTHUR A.
ROUTE 1 MIDVALE, ID 83645
Source: DRY CREEK tributary to WEISER RIVER
Date Filed: 12/07/1978
Amount: 0.07 CFS
Diversion Point: NWSW Sec 11 T 13N R 04W, WASHINGTON Co.
Use: STOCKWATER (0.07 CFS) from 01/01 to 12/31
Place of Use: NWSW SWNW NWNW Sec 14 T 13N R 04W SWSW Sec 11 T 13N R 04W
Diversion Means: DIVERSION DAM AND DITCH

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit No. 67-7416 in the name of the Idaho Dept. of Lands, Statehouse Mail, Boise, Idaho was published in error on October 12 and 19, 1978.

The point of diversion and place of use were advertised as being withing the NWNE S36 T14N R05W. WHEREAS, the actual point of diversion and place of use are within the NWNE S36 T14N R05W.

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit No. 67-7415 in the name of PARSONS PACKING INC., Box 588, Weiser, Idaho.

The point of diversion was advertised as being within the SWNW 519 T11N R05W and the place of use was advertised as being within the SWNW NWSW 519 T11N, R05W. WHEREAS, the actual point of diversion is within the SWNW 519 T11N R05W, and the place of use is within the SWNW NWSW 519 T11N R05W.

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, 07 S. Cole Road, Boise, Idaho 83705 on or before JANUARY 15, 1979.

C. STEPHEN ALLRED
Director

Published 12/28 & 1/4/79.

84-2S

№ 298

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Washington } ss.

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

That he 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 advertisement, a copy of which is attached hereto, was published in said newspaper once a week for Two consecutive weeks in the regular and entire issue of said paper during 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 Oct. 12, 1978, and ending with the issue of Oct. 19, 1978.

Dorothy A. Booth

Fees, $16.32

Subscribed and sworn to before me this 19 day of Oct., 1978

Notary Public, Residing at Weiser, Idaho.

My Commission Expires 5-1, 1981.

No. 298

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:

67-7416
Name: IDAHO DEPT. OF LANDS
Address: STATEHOUSE, BOISE, ID 83720
Source: UNNAMED SPRING
Date Filed: 09/28/1978
County: WASHINGTON
Amount: 0.0550 CFS
Point of Diversion: NWNE 536 T14N R05W

Use: STOCKWATER from 01/01 to 12/31
Place of Use: NWNE 536 T14N R05W
Means: PIPELINE

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 83705 on or before OCTOBER 30, 1978.

C. STEPHEN ALLRED
Director

Published in the the Signal American on OCTOBER 12, 1978 and OCTOBER 19, 1978.

62-2S

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

May 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 83720

RE: WATER RIGHT NO. 67-07416

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.

FILED

JUN 10 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 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.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the **30th** day of **May, 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. 67-07416

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 83720

Kari Lynn Townsend
Secretary

01/97

B/U FIELD EXAM REVIEW

Cindy Zimmerman

Permit #: 67-7416 Name: Id Dept of Lands Date: 5/22/07 ✓Lots ✓

	Chng	Same	
NAME	___	✓	Or Address Change?
SOURCE	___	✓	Clarify source Spring (missing from exam)
	___		Prelim. Order to Void - Source change.
P/D	___	✓	Amendment Needed? ___ **P39**
			Overlap(s) ___
P/U	___	✓	Amendment Needed? ___ **P41**
			Overlap(s) ___
			(Gov't use special ¶'s) *P/D & P/U Amend? **P37**
RATE	___	✓	Permit/proof fee limits 0.05 / 0.04
	___	___	Measured Quantity = — cfs Theoretical Quantity = — cfs
			allow 0.04
	___	✓	Recommended capacity 0.04 cfs
	___	✓	Recommended rate 0.04 cfs
VOLUME	___	✓	Season: (/) 1/1 - 12/31 = 365 days
			Calculations:
			(250 RE x 12 gpd x 365 d/y) ÷ 325,850 = 3.4
			Flow limit: 0.04 cfs x 365 days/yr. x 1.9835 = 29.0 AF
	___	✓	Recommended volume 3.4 AF
USES	___	✓	Same Nature of Use? ___ **P46**
	___	___	Amendment Needed? ___
REMARKS	___		Multiple p/d's in same ¼¼? Use W32 ___
	✓		W01250
CONDITIONS	___		Measuring Device *(R43) or* Lockable Controlling Works *(R02)*
	___		Watermaster Control *(R04)* - WD #___
	___		Irrigation rate/annual volume overlap
	___		GW irrigation replaces surface water *(050)*
	___		GW irrigation suppliments surface water *(065)*
	___		Water Quality
	___		Other ___

PRIORITY App Rcd 9/28/79 Due 3/1/80 Rc'd 1/9/80
Receipt# NA Fee OK? (Yes) No
Order to Reinstate Needed? Yes (No) Done? ___ Advanced to: ___
Priority 9/28/79 Examined 9/26/88

COMMENTS: ___

USE	CFS	VOLUME
Stock	0.04	3.4
TOTAL	0.04	3.4

SRBA Overlap ___
Adjustment Memo ___
LICENSE LTR: **P49**
#1 AMEND LTR: ___/**P38**
#2 AMEND LTR: **P42/P47**

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 0 1 1996
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 67-7416

1. Owner: State of Idaho/Dept. of Lands Phone No. (208) 334-3488
Current Address: Statehouse, Boise, Id 83720
2. Accompanied by: Bob Snapp/interoffice exam EXAM DATE: 9/26/94
Address: 3948 Development Ave, Boise Id or Statehouse, Boise, Id 83720 Phone No. (208) 334-3488
Relationship to Permit Holder: Contact person/employee for Dept. of Lands

* 3. Source: _____ tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None
2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

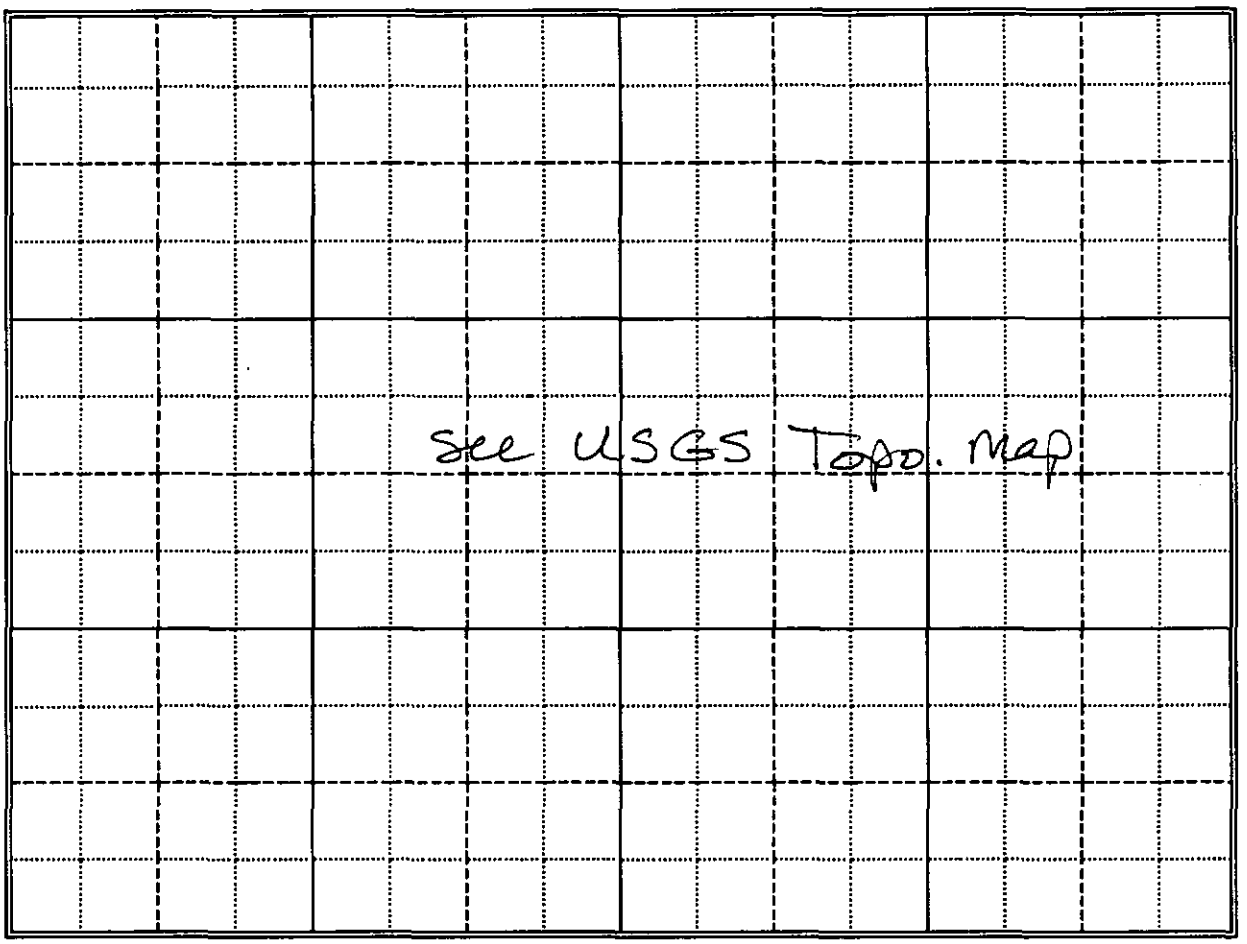
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NE	36	14N	5W	Wash.	USGS Topo., & interoffice exam

2. **Place(s) of Use:** Indicate Method of Determination USGS Topo. & interoffice exam

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	5W	36		S															

RECEIVED
1997

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



Scale: 1" = _____.

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

N/A Aerial Photo Attached (required for irrigation of 10+ acres)

N/A Photo of Diversion and System Attached

interoffice exam

4.

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

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

N/A

D. FLOW MEASUREMENTS

1.

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

N/A

2. **Measurements:** _____

MICROFILMED

E. NARRATIVE/REMARKS/COMMENTS

- Other WR A67-07416 (Same P/D + P/U).
- No court. Lots found.
- No other water sources available.
- The system consists of an unnamed spring, water collected in 40' of 4" perforated pipe, & then delivered to a trough with 80' of 1½" ABS pipe.
- Use is stockwater for 250 cattle. Other uses: wildlife.

Have conditions of permit approval been met? ✓ yes ___ no

MICROFILMED
JUN 16 1997

F. FLOW CALCULATIONS ✓ Additional Computation Sheets Attached

Measured Method:

Permit: stockwater 1/1-12/31 .05 cfs
B/U fee pd 7/29/80 [0-.04 cfs]
Table 1, Recommended Diversion Rates for Stockwater
201-300 = .07 cfs
Allow [.04 cfs] for stockwater.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = _____

$V_{D.R}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

V = Smaller of $V_{I.R}$ and $V_{D.R}$ = _____

2. Volume Calculations for Other Uses:

$V_{I.R}$ = (250 cattle x 12 gpd x 365 days) / 325,850 = 3.36 = 3.4

$V_{D.R}$ = .04 cfs x 365 x 1.9835 = 28.95 = 29.0

V = [3.4 Afa]

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Stockwater	1/1	12/31	.04	3.4
		Totals:	.04	3.4

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ✓ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Sonya Hemenway Date 6/1/96

Reviewer _____ Date _____ SEAL

MICROFILMED

67 - 7416

(1) Permit: Stockwater 1/1 - 12/31 .05 cfs

(2) B/U fee: pd. ~~0~~ 2/29/80 | 0 - .04 cfs |

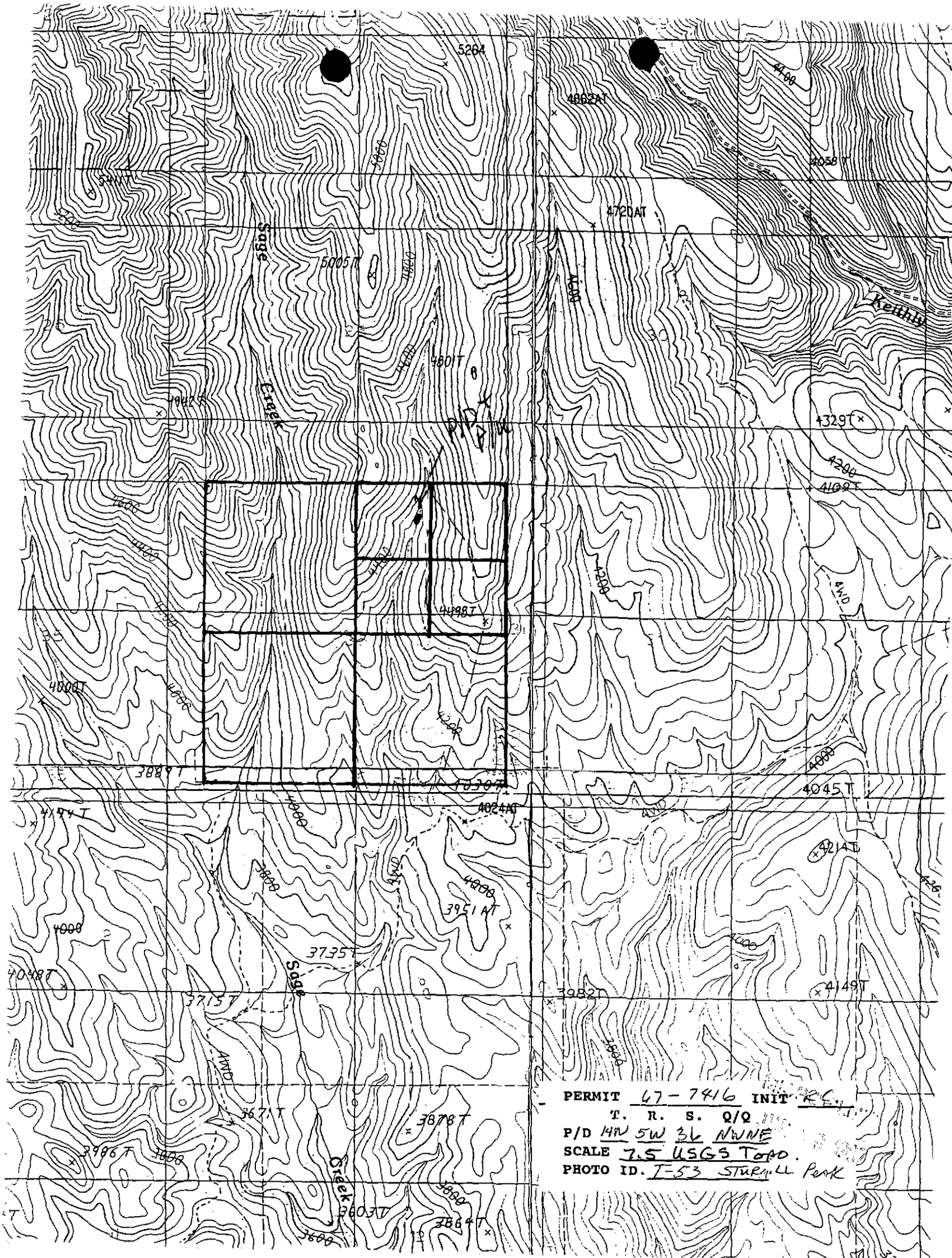
(3) Measurement:

250 Cattle

Table 1, Recommended Diversion Rates for Stockwater (Exh. 15A)

201 - 300 = .07 cfs

RECEIVED
AUG 10 1987


5264
4882AT
4058T
4720AT
5005T
Sage
Creek
Keithly
4801T
4329T
4109T
4498T
4000T
3889T
4030T
4045T
4024AT
4214T
4194T
3951AT
3735T
4048T
3715T
3982T
4149T
3671T
3878T
3996T
Creek
3603T
3864T
PERMIT 47-7416 INIT KC
T. R. S. Q/Q
P/D 14N 5W 3L NWNE
SCALE 7.5 USGS Topo.
PHOTO ID. I-53 STURGILL Peak

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 67-7416

Name(s) of Permit Holder: State of Idaho, Department of Lands

Post Office Address: Statehouse, Boise, ID 83720

Tel. No. 334-3280

Source of Water: Unnamed spring

Extent of Use:
- ☐ Domestic _____ (number of households)
- ☒ Stockwater 250 cows (number and type of stock)
- ☐ Irrigation _____ (acres)
- ☐ Other _____

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

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

MICROFILMED

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

Area Supervisor, Payette Lakes

January 1980
Date

William Dalton
Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF LANDS
Payette Lakes Area
Box AS
McCall, Idaho 83638

BOISE, ID

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

IDAHO DEPT. OF LANDS
STATEHOUSE
BOISE, ID 83720

101677

DECEMBER 31, 1979

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 67-7416 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECIEVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

UNSIGNED

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

February 12, 1979

Re: Permit No. 67-7416

State of Idaho, Dept. of Lands
Statehouse
Boise, Idaho 83720

Gentlemen:

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

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.

If you have any questions, please let us know.

Sincerely,

David R. Tuthill Jr.

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

DRT:lr

Enclosure

MICROFILMED

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature — Admin per phone call
2. Spr Source
3. ✓ Point of Diversion
4. .055 ✓ Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 1 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. N/A Place of Use for irrigation (add acres)
9. A. Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map
11. 20 Fee & Rec't. No.

Copies Sent To:

NO Idaho Health Department
Idaho Fish & Game Dept.
Bureau of Land Management
NO U.S.F.S.
Dept. of Lands
Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area ____ yes ✓ no

Other rights on same land N/A

Withdrawals of all protests received N/A yes ____ no

Conditions:

ID Power Co. Letter - Snake R. No
ID Power Co. Letter - G.W. & Tribs. Yes
Snake River Condition No
Payette River Letter No
Priority Date 9/28/78
Water Quality #16 NO
Water Quality #10 ____
intrastate ___ interstate ___

Meas. Dev. or Sc. Meas. No
Totalizing meter No
Supplemental No
Right-of-Way Cond. No
Watermaster Cond. Yes
Wtr. Dist No. 67
Meas. Dev. Cond. for apps within a Water Dist. No

Jmc
Reviewer

2/8/79
Date

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item	Initial	Date	
			Application No. 67-7416
			✓ 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)	CLS	10/2/78	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)	CLS	10/2/78	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
(10)			Comments:
(11)	KK	OK	Affidavit of Publication received (date) 2/5/79
(12)			Final date for protests 1-15-79
			Protests received: yes no ✓
(13)			All requested information received from agencies or applicant: yes no
(14)		I.P. letter River letter	Action recommended:
			✓ Approve Deny
			9-28-78 Proposed Priority
			Reason for Reduction
			NJ Measuring device required
			See attached sheet for other conditions of approval
			No special conditions for approval
(15)	District W		By Date 2-5-79

Reduced due to amount

RECEIVED
FEB 07 1979
Department of Water Resources

Jan 4, 1979 DBS

Mr. C. Stephen Allred
Director of Idaho Dept. of Water Resources
12 South Cole Road
Boise, Idaho 83705

This is a correction to my protest of the diversion dam and ditch in my letter dated Dec 29, 78. The application number should read 67-7424 and is in the name of Arthur A Fairchild. This is in instead of permit number 67-7416 which was in error.

Thank You
Wendell L. Alder

RECEIVED
JAN 8 1979
Department of Water Resources
Western Regional Office

Dec. 29, 1978

To Mr. C. Stephen Allred
Director of Idaho Dept of Water Resources
92 South Cole Road
Boise, Idaho 83705

We are giving protest to application for permit No. 67-7416 in the name of the Idaho Dept. of lands, Statehouse Mails, Boise, Idaho of the diversion dam and ditch on Dry Creek, tributary to Weiser River. We are doing this on the grounds that this puts the water normally going down Dry Creek into Sage Creek causing a higher spring run off flow. This was done approximately one year ago. During the spring run off of 1978 it allowed an excessive amount of water to run down Sage Creek and it caused us considerable washing of farm land along the banks. It also did wash around the only county bridge on Sage Creek and also came over the top of the bridge. It has never done this

RECEIVED
JAN 2 1979
Department of Water Resources
Western Regional Office

in the 33 years that my dad Grant Ader, deceased Dec. 16, 1978, has owned this property. Also we feel that the State Highway Bridge on Sage Creek and U.S. 95 will see damage within the next few years. We would appreciate it if you would take a visual look at the damage as I'm sure you have once before.

Thank You
Wendell L. Ader
Mackay, Idaho 83645

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

DECEMBER 14, 1978

The Signal American
Box 709
Weiser, ID 83672

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 JANUARY 8, 1979.

Yours truly,

Sally Trinkaus
Secretary

Encl.

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit No. 67-7416 in the name of the Idaho Dept. of Lands, Statehouse Mail, Boise, Idaho was published in error on October 12 and 19, 1978.

The point of diversion and place of use were advertised as being within the NWNE 536 T14N R05W. WHEREAS, the actual point of diversion and place of use are within the NWNE S36 T14N R05W.

Signal American, Dec. 21 & 28, 1978

FORM DA–8 Rev. 7-1-77
WHITE — State Auditor
BLUE — Purchasing Copy
YELLOW — Remittance Advice
PINK — State Auditor then Agency
GOLDENROD — Agency Copy

EXPENDITURE VOUCHER

STATE OF IDAHO
Office of State Auditor

AUDITOR USE

Document No. 038276	
Pre–Audit	Date SEP 29 1978
Warrant No. 1098143	

AGENCY USE

2232

Date: 9-26-78

Code: [illegible]

AGENCY NAME: Lands, Department of

PAY TO: Department of Water Resources
Statehouse Mail

CHECK ONE:

(x) MISCELLANEOUS EXPENDITURE
( ) STATE CONTRACT
( ) PURCHASE ORDER
( ) MISCELLANEOUS ENCUMBRANCE REQUISITION

Encumbrance Reference No.

PAYMENT: ( ) PARTIAL ( ) FINAL

LINE No.	PROGRAM Maj	PROGRAM Min	PROGRAM Ele	ACCT.	CLASS Maj	CLASS Min	DESCRIPTION (Include Quantity)	%	LINE AMOUNT	AGENCY USE
2	30	02	002	1101	~~30~~ 8111	~~02~~	Filing fee for application for permit to appropriate water on NW Sec 36, T. 24 N., R. 8 W., Washington County		20.00	

NOTE: Final payment must be accompanied by a receiving copy

TOTAL 100%= 20.00

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

9-22-78 [signature]
Date Head of Agency or Institution

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

State Auditor

STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS
JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
WAYNE L. KIDWELL
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
ROY TRUBY
SUP'T OF PUBLIC INSTRUCTION

September 26, 1978

RECEIVED
SEP 28 1978
Department of Water Resources

Mr. C. Stephen Allred
Director
Department of Water Resources
Building Mail

Dear Mr. Allred:

Enclosed is an application to appropriate water from an unnamed spring in the SW¼NE¼ Section 36, Township 14 N., Range 5 W., Washington County, for livestock.

We are forwarding a DA-8 through the State Auditor's office in the amount of $20.00 for the application fee. The warrant should reach your office in a few days.

Sincerely,

Donald E. Hobbs

DONALD E. HOBBS, Chief
Bureau of Range Management

DEH:vp

cc: Area Supervisor, Payette Lakes

EQUAL OPPORTUNITY EMPLOYER

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

OCTOBER 4, 1978

The Signal American
Box 709
Weiser, ID 83672

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. IN ORDER TO RECEIVE PAYMENT, THE FOLLOWING CERTIFICATION MUST APPEAR ON THE BILL:

> "I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."
>
> _____
> (Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before OCTOBER 30, 1978.

Yours truly,

Sally Trinkaus
Secretary

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:

62-2416

Name: IDAHO DEPT. OF LANDS

Address: STATEHOUSE, BOISE, ID 83720

Source: UNNAMED SPRING

Date Filed: 09/28/1978

County: WASHINGTON

Amount: 0.0550 CFS

Point of Diversion: NWNE S36 T14N R05W

Use: STOCKWATER from 01/01 to 12/31

Place of Use: NWNE S36 T14N R05W

Means: PIPELINE

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 83705 on or before OCTOBER 30, 1978.

C. STEPHEN ALLRED

Director

Published in the The Signal American

on OCTOBER 12, 1978 and OCTOBER 19, 1978.