

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

Section 34
TWP 12N R5W

Section 35

Use area
Spring

Section 3

Section 2

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.

Claud Lann

Evelyn J Gann
(Applicant)

(Applicant)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Dorothy A. Barth, 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 ad-
vertisement, a copy of which is attached hereto, was pub-
lished in said newspaper once a week for Two 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

Dec 22, 1977, and ending

with the issue of Dec 29, 1977.

Dorothy A. Barth

Fees, \$ 13.60

Subscribed and sworn to before me this 29

day of December, 1977.

[Signature]
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 1-2, 1979.

No. 192

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that CLAUD & EVELYN J. GANN
Route 2, Box 148, Weiser, ID has on December 14, 1977
submitted Application No. 67-7368 for a permit to
appropriate 0.10 cubic feet per second of water from a spring
by means of pump, holding pond within the NE 1/4 SE 1/4 Sec
34 T12N-R5W B.M., Washington County to be used from Jan
1 to Dec 31 for domestic and stockwater and from Mar 1 to
Nov 1 for irrigation of 5 acres within the N 1/4 SE 1/4 Sec 34
T12N-R5W B.M.

If issued, this permit will be subject to all prior water
rights. Protests against the granting of the permit must be
filed with the Director of the Idaho Department of Water
Resources, 92 South Cole Road, Boise, Idaho 83705 on or
before January 9, 1978.

C. STEPHEN ALLRED

Director

Published in the Signal American, Weiser, Idaho on
December 22, 1977 and December 29, 1977.

82-2s

OK
1-5-78
H

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

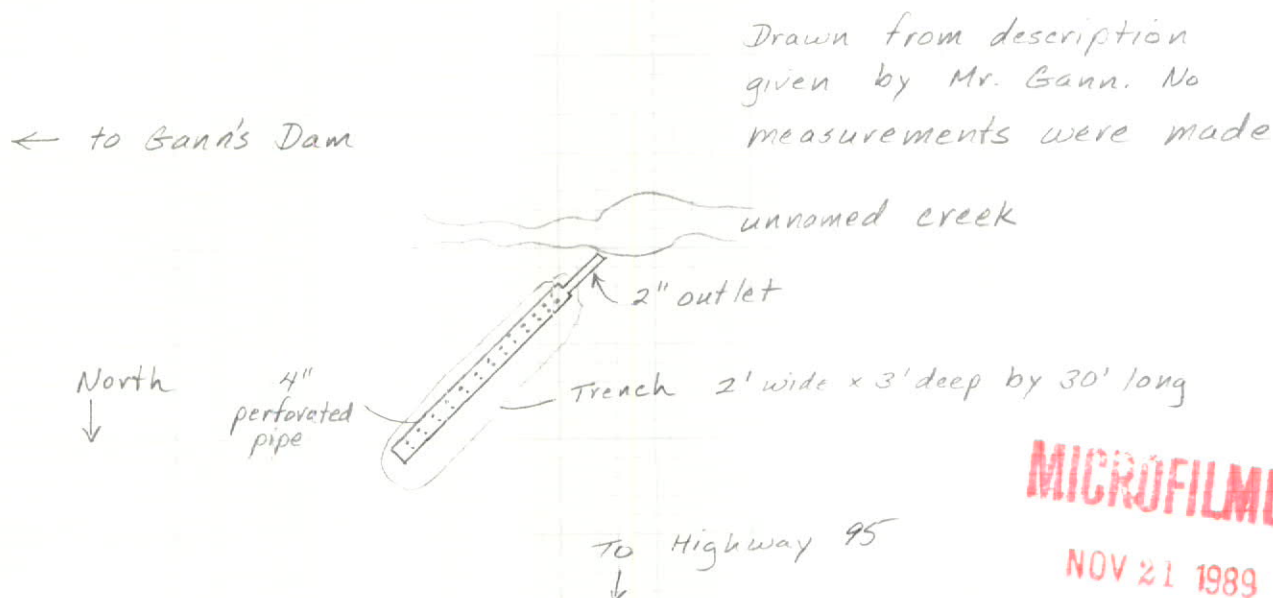
Permit No. 67-7368
1. Owner: Claud and Evelyn J. Gann Phone No. 549-1582
Current Address: Rt 2, Box 148, Weiser, ID 83672
2. Accompanied by: Claud Gann EXAM. DATE: 10-1-87
Address: same as above Phone No. 549-1582
Relationship to Permit Holder: owner
3. Source: Spring tributary to unnamed creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: 67-0722 67-7277 ☒ Copies Attached
2. Other water rights with same point of diversion: 67-7277 ☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



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NOV 21 1989

Scale: 1" = No Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

67-7368



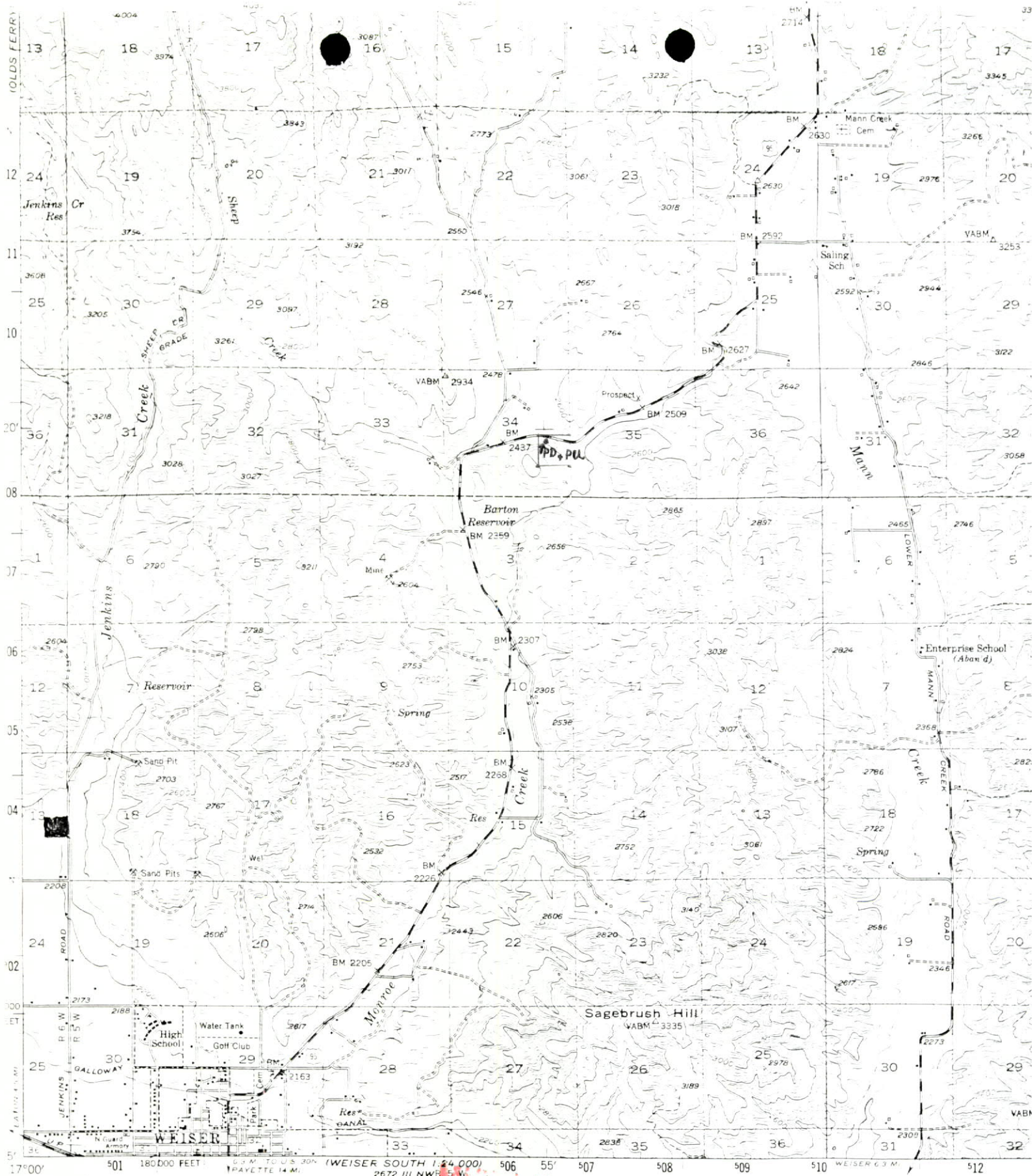
P.D. Looking
Northeast
The outlet
pipe is
overgrown
and not
visible.



P.U. Looking
Southeast
A pool of
water is
below the
tree limb.

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Mapped, edited and published by the Geological Survey

Control by USGS and USC&GS

Topography from aerial photographs by multiplex methods

Aerial photographs taken 1951. Field check 1953

Polyconic projection 1927 North American datum

10,000-foot grid based on Idaho coordinate system, west zone

Red tint indicates areas in which only landmark buildings are shown

Dashed land lines indicate approximate locations

1000-meter Universal Transverse Mercator grid ticks,

zone 11, shown in blue

Microfilm

NOV 21 1989

GN

0° 20' 356 MILES

SCALE 1:62,500

CONTOUR INTERVAL 40 FEET
NATIONAL GEOLOGIC VERTICAL DATUM OF 1929

UTM GRID AND 1953 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED
SEP 17 1990

Department of Water Resources

I, Claud &/or Evelyn Gann, hereby assign to JACKALIN Floyd &/or Jacklin Hinton
of 1240 U.S. Hwy. 95 No. Weiser, ID 83672
Address

All my right, title, and interest in and to Permit No. 67-7277
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. 67-7277 to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

I assign to Floyd &/or Jackalin Hinton all the water rights Claud
&/or Evelyn Gann have in Idaho. Identification numbers, A67-07277, A67-00722,
A67-07362, A67-10870, A67-07368, A67-10868, A67-10869, A67-07367

Made this 31 day of August, 19 90.

Claud Gann
Permit Holder

Evelyn Gann
IS DECEASED
Spouse of Permit Holder

State of ~~Idaho~~ Washington)
County of Okanogan) ss

_____ day of August, 19 90, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.



Jack W. Miller

Notary Public residing at

Cluck, WA

MICROFILMED

NOV 02 1990

My commission expires:

8/31/90

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07368

Priority: December 16, 1977

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:¹

0.4 AF

This is to certify, that CLAUD GANN
EVELYN J. GANN

RT. 2 BOX 148
WEISER, ID 83672

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 14, 1977; and has submitted Proof of Beneficial Use on April 1, 1983. An examination indicates that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to MONROE 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>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNESE , Sec. 34, Township 12N, Range 05W
WASHINGTON County

PLACE OF USE: STOCKWATER

TWN RGE SEC

12N 05W 34

NESE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery 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.

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 26TH day of September, 1989.

MICROFILMED

NOV 21 1989

Noting for R. Keith Higginson, Director

[Signature]

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT)
NO. 67-7368 IN THE NAME OF)
CLAUD & EVELYN GANN)

ORDER ADVANCING
DATE OF PRIORITY

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 67-7368 for issuance of a license, the Department finds, concludes and orders:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 67-7368 to appropriate the public waters of the State of Idaho with a proposed priority of DECEMBER 14, 1987.
2. On APRIL 10, 1987 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on JUNE 09, 1987.
3. The license examination fee was received on JUNE 11, 1987, 2 day(s) late.

MICROFILMED

NOV 21 1989

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 67-7368 should be advanced 2 day(s).

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 67-7368 is advanced to DECEMBER 16, 1987.

Dated this 14th day of August, 1989.

J. Glen Saxton
Chief, Water Allocation Bureau

RECORDED

NOV 21 1989

Identification No. _____

Application No. 67-7368

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

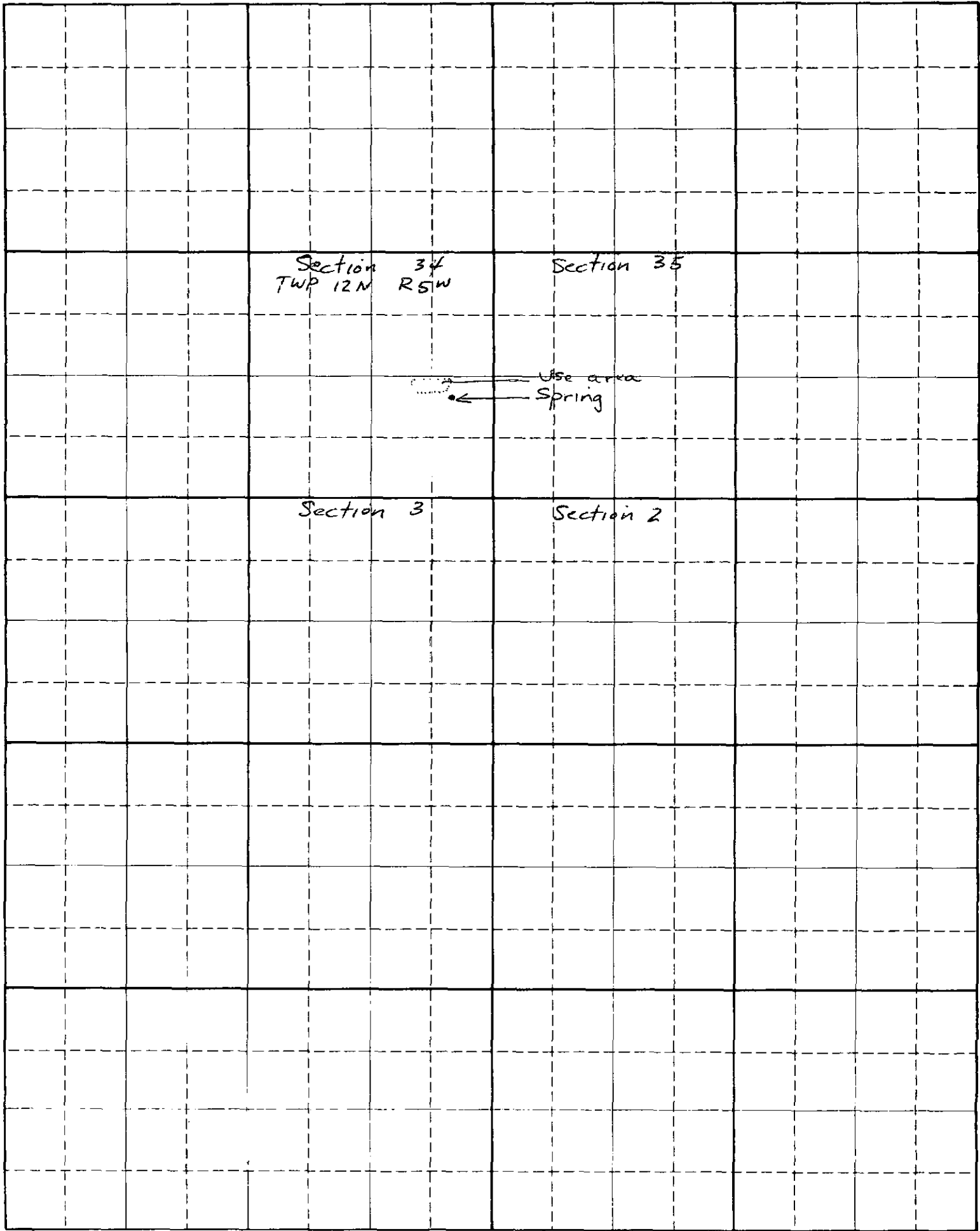
To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Claud and Evelyn J. Gann Phone: 549-1582
post office address Route # 2, Box 148, Weiser, Idaho 83672
2. Source of water supply Spring which is a tributary of Nonso Creek
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34 Township 12
Range 5 W. B.M. Washington County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into unnamed creek at a point in NE $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 34 Township 12 Range 5W B.M. _____
4. Water will be used for the following purposes:
Amount 0.10 cfs for irrigation purpose from March 1 to November 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for stock water purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.10 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pumped from a holding pond below grade.
The pump shall be a 5 horse or 50 gallon per minute

b. Height of storage dam _____ feet, active pond capacity 2 acre feet, below grade total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
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 5 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: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34 Township 12N
Range 5 W. B.M. Domestic, stock and irrigation only.
(2) Amount of power to be generated: none hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 20 cows and or 20 horses. Cows and
calves. Mares, colts and geldings.
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1.
(5) If water is to be used for other purposes describe: _____

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.

Claude Gann
Evelyn J. Gann
(Applicant)

Proposed Priority 12/14/77

Received by WMM Date 12-14-77 Time 9:30

Preliminary check by WMM Fee \$ 10.00

Received by J Date 12-14-77 # 9710

Publication prepared by J Date 12-15-77

Published in Signal American

Publication dates Dec 22 + 29

Publication approved J Date 1-3-78

Priority reduced to _____ Reason _____

Protests filed by: Michael B. Sweet on behalf
of Joseph W. Sumrall, Sr.

withdrawn 3/2/78 WMM

Copies of protests forwarded by rf

Hearing held by _____ Date _____

Recommended for approval denial by JJS JG
WMM

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. 67-7368, 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 April 1 ⁸³, 1983.

c. Other: The holding pond described in this application shall be constructed such that the only source of water that flows into the pond shall be the spring described in this application.

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

Witness my hand this 26TH day of April, 1978.

Norman C Young
Administrator

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Dorothy A. Barth, 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 ad-
vertisement, a copy of which is attached hereto, was pub-
lished in said newspaper once a week for Two 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
Dec 22, 1977, and ending
with the issue of Dec 29, 1977
Dorothy A. Barth
Fees, \$ 13.60

Subscribed and sworn to before me this 29
day of December, 1977
[Signature]
Notary Public Residing at Weiser, Idaho.
My Commission Expires 1-2, 1979

No. 192
NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that CLAUD & EVELYN J. GANN
Route 2, Box 148, Weiser, ID has on December 14, 1977
submitted Application No. 67-7368 for a permit to
appropriate 0.10 cubic feet per second of water from a spring
by means of pump, holding pond within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec
34 T12N-R5W B.M., Washington County to be used from Jan
1 to Dec 31 for domestic and stockwater and from Mar 1 to
Nov 1 for irrigation of 5 acres within the N $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 34
T12N-R5W B.M.

If issued, this permit will be subject to all prior water
rights. Protests against the granting of the permit must be
filed with the Director of the Idaho Department of Water
Resources, 92 South Cole Road, Boise, Idaho 83705 on or
before January 9, 1978.

C. STEPHEN ALLRED
Director

Published in the Signal American, Weiser, Idaho on
December 22, 1977 and December 29, 1977.

82-2s

OK
1-5-78
[Signature]

INTER-DEPARTMENT MEMO--1

DATE October 23, 1990

FROM Brenda Miller

TO File (s) 67-7367/7368/7369

SUBJECT Assignment

Please refer to file 67-7277 for letter acknowledging assignment of all rights.

A handwritten signature in cursive script, appearing to read "Brenda Miller", is written over a horizontal line.

Signature

RECEIVED
NOV 02 1990

CLAUD GANN
EVELYN J. GANN
RT. 2 BOX 148
WEISER, ID 83672

NOV 21 1929

August 29, 1989

CLAUD GANN
EVELYN J. GANN
RT. 2 BOX 148
WEISER, ID 83672

RE: PERMIT NO. 67-07368

Dear Permit Holder(s):

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

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

Also enclosed is an order advancing the date of priority of this right due to late submittal of the examination fee.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

NOT RECORDED

NOV 21 1989

J

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 67-7368

FROM: ROXANNE MC CARTHY

RE: PRIORITY ADVANCE REVIEW

DATE: 3-APR-1989

=====

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

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	DECEMBER 14 1977	348
EXAM FEE NOTICE		
Exam Fee Notice Date:	APRIL 10 1987	100
Exam Fee/Info Sheet Received Date:	JUNE 11 1987	162
Exam Fee or Info Due Date:	JUNE 09 1987	160
Days Late:		2 DAY(S)
NEW PRIORITY DATE		
Original Priority Date:	DECEMBER 14 1977	348
Total Days Late:		2 DAY(S)
New Priority Date:	DECEMBER 16 1977	350

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NOV 21 1989

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT			LT	#SOURCE	#NAME
				1\4	1\4	1\4			
6707368 6707277	12N	05W	34		NE	SE		SPRING UNNAMED STREAM	GANN, CLAUD GANN, CLAUD

MISSOURI DEPT OF REVENUE

NOV 21 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

67-7368

Permit No.

NE SE 34 12N 5W

RECEIVED

MAR 29 1988

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index CA 9-28-87 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☒ Other: stockwater use

Check of P/U index CA 9-28-87 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☒ Other: stockwater use

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? CA 9-21-87 (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Carter Fitchell 10-1-87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent JWS/10/88 (Initial and date)

Exam Reviewed by Manager of Regional Office DM 2/29/88 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office LJA 3/6/88 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

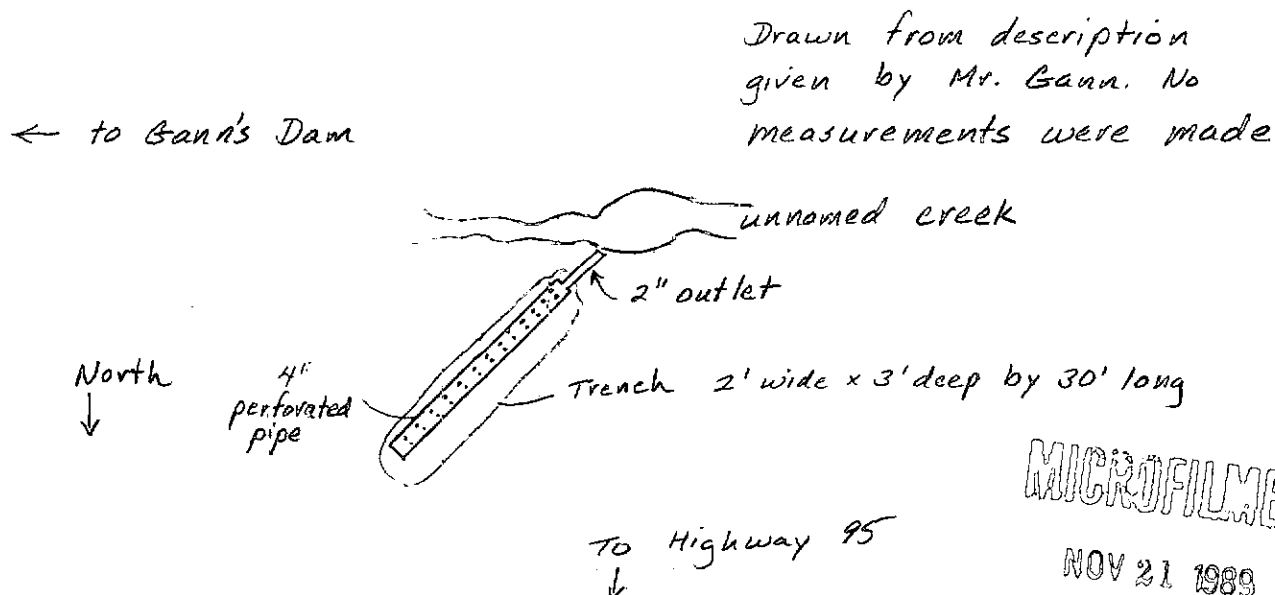
Permit No. 67-7368
1. Owner: Claud and Evelyn J. Gann Phone No. 549-1582
Current Address: Rt 2, Box 148, Weiser, ID 83672
2. Accompanied by: Claud Gann EXAM. DATE: 10-1-87
Address: same as above Phone No. 549-1582
Relationship to Permit Holder: OWNER
3. Source: Spring tributary to unnamed creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: 67-0722 67-7277
☒ Copies Attached
2. Other water rights with same point of diversion: 67-7277
☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



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NOV 21 1989

Scale: 1" = No Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

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

The system has a spring developed by digging a trench 30' long by 3' deep and placing 4" perforated pipe in the trench and back filling it with gravel. A 2" outlet pipe runs from the 4" perforated pipe to an unnamed intermittent creek where up to 15 head of cattle and/or horses are watered. A pond has not been

☐ See Remarks on page 4 for continuation

4.

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

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NE	SE	34	12N	5W	Washington	Topographic Map

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

Indicate Method of Determination Topographic Map

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12N	5W	34													X				

MICROFILMED

NOV 21 1989

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

No measurements were possible

Allow 0.02 cfs for 15 head of cattle and/or horses

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.18 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

15 head of cattle and/or horses allow 0.4 afa

$0.02 \times 365 \times 1.98 = 14.5 \text{ afa}$

$0.4 < 14.5$

MICROFILMED

NOV 21 1989

H. REMARKS AND OVERLAP REVIEW ANALYSIS

constructed and none of the water is used for irrigation or domestic purposes. 67-7277 is for the pond to the East of this spring. 67-0722 is for Monroe Creek irrigation water used on the pasture area around the spring.

I. RECOMMENDATIONS

1. Recommended Amounts

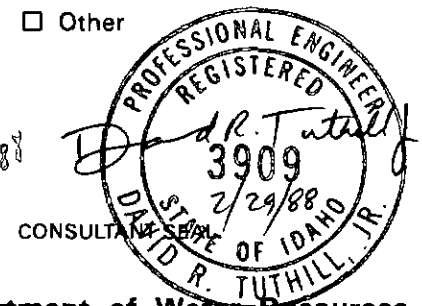
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
stockwater	1-1	12-31	0.02	0.4
Totals:			0.02	0.4

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

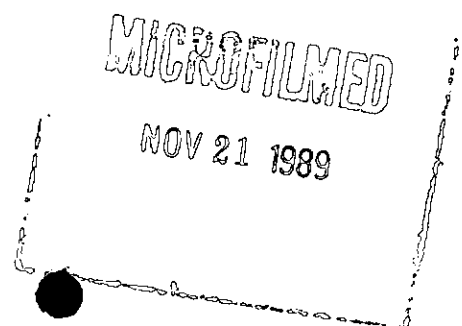
J. AUTHENTICATION

Field Examiner's Name Carter Fritschle
 Signature Carter Fritschle
 Certification Date _____
 Field Report Preparation Date 10-1-87



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

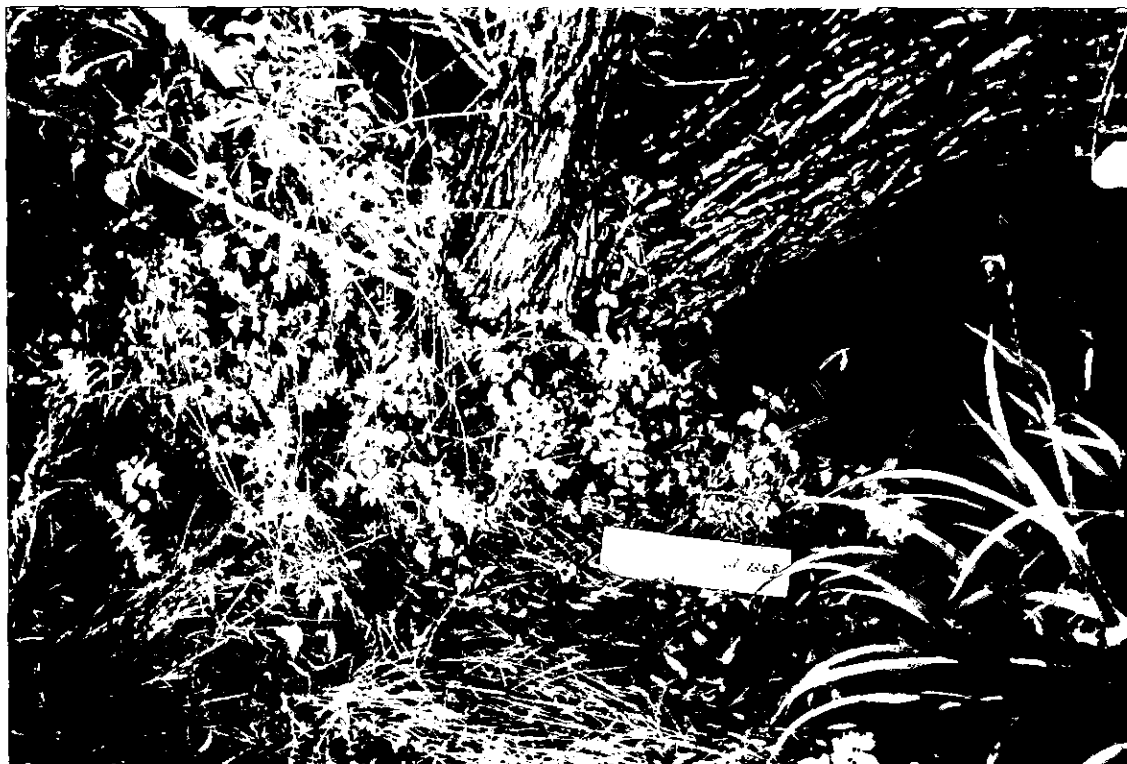
Ryanne McLothy 4/3/89



67-7368

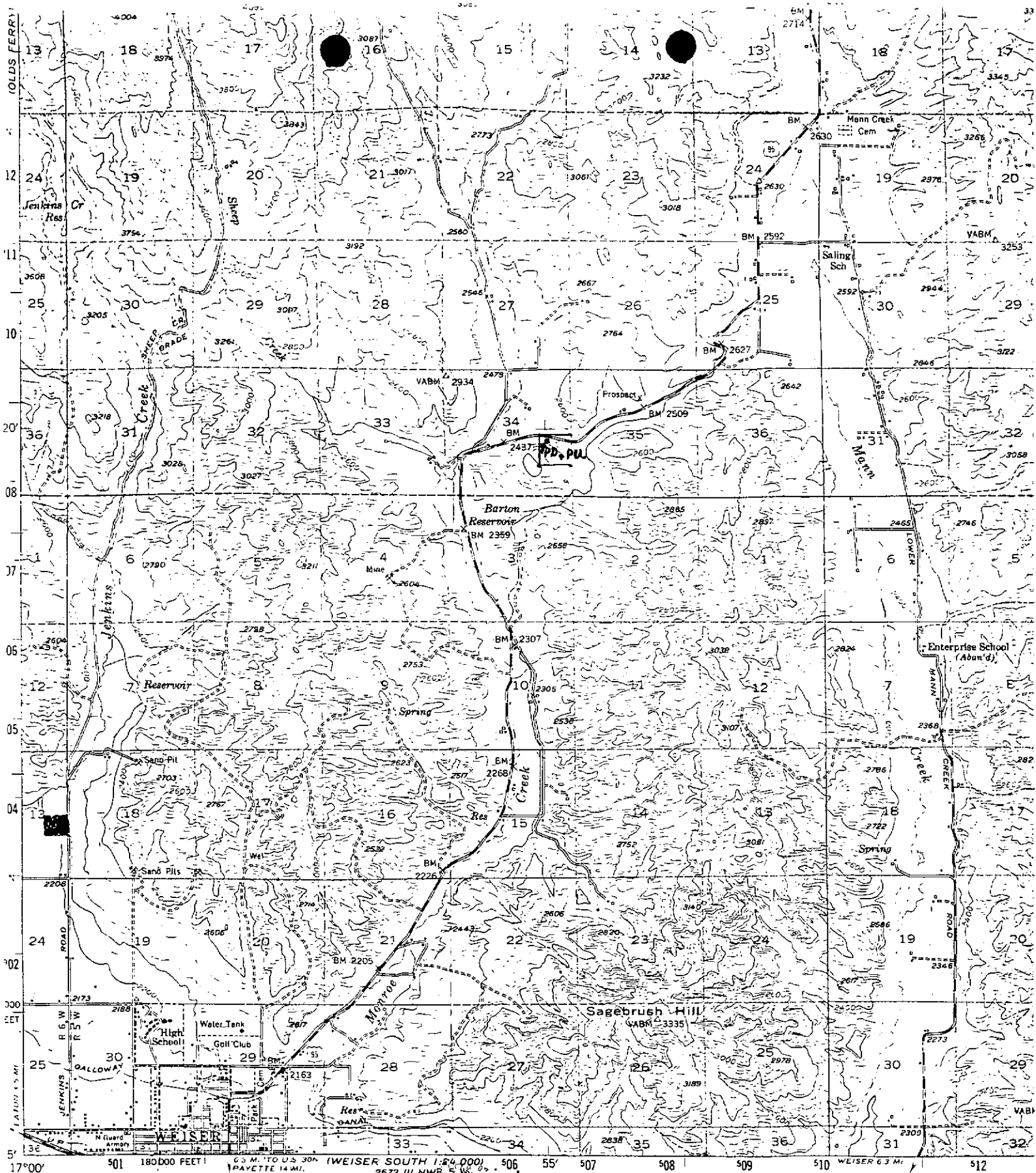


P.D. Looking
Northeast
The outlet
pipe is
overgrown
and not
visible.



P.U. Looking
Southeast
A pool of
water is
below the
tree limb.

NOV 21 1989
MICROFILMED



Mapped, edited and published by the Geological Survey

Control by USGS and USC&GS

Topography from aerial photographs by multiplex methods

Aerial photographs taken 1951. Field check 1953

Polyconic projection. 1927 North American datum

10,000-foot grid based on Idaho coordinate system, west zone

Red tint indicates areas in which only landmark buildings are shown

Dashed land lines indicate approximate locations

1000-meter Universal Transverse Mercator grid ticks,

zone 11, shown in blue

UTM GRID AND 1953 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

NOV 21 1989

SCALE 1:62,500

CONTOUR INTERVAL 40 FEET
NATIONAL GEOLOGIC VERTICAL DATUM OF 1929

IDRADO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY PLACE OF USE

PAGE 3684
06/19/1987

06/19/1987

WATER RIGHTS BY PLACE OF USE

TOWNSHIP	RANGE	SECTION	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER STAGE	PRIORITY DATE	SOURCE OF WATER
(POU CONTINUED FROM PREVIOUS PAGE)											
12N	05W	34			01.04		67-0704	HARP	D	04-01-1888	MONROE CREEK
					01.04		67-0720	SUMRALL, SR.	C	04-01-1888	MONROE CREEK
					01.04		67-0721	SUMRALL, SR.	C	04-01-1888	MONROE CREEK
					01		67-0719	SAYLOR	C	04-01-1888	MONROE CREEK
					01.04			HARP	D	04-01-1888	MONROE CREEK
					01.04		67-0720	SUMRALL, SR.	C	04-01-1888	MONROE CREEK
					01.04		67-0721	SUMRALL, SR.	C	04-01-1888	MONROE CREEK
					01.04		67-0721	SUMRALL, SR.	C	04-01-1888	MONROE CREEK
					03.02.05.06		67-7361	SUMRALL, SR.	C	10-17-1977	UNNAMED STREAM
					01		67-0701	CHANDLER	C	04-01-1888	MONROE CREEK
					01		67-0703	CHANDLER	C	04-01-1888	MONROE CREEK
					01		67-0701	CHANDLER	C	04-01-1888	MONROE CREEK
					06		67-0703	CHANDLER	C	04-01-1888	MONROE CREEK
					01		67-0722	GANN	C	03-24-1888	MONROE CREEK
					08		67-7277	GANN	C	06-03-1976	UNNAMED STREAM
					02		67-7277	GANN	C	06-03-1976	UNNAMED STREAM
					03	01.04.43	67-7369	GANN	C	12-14-1977	SPRING
					01		67-7277	GANN	C	06-03-1976	UNNAMED STREAM
					04.43		67-7367	GANN	C	12-14-1977	GROUNDWATER
					02	01.04.43	67-7368	GANN	C	12-14-1977	SPRING
					01		67-0722	GANN	C	03-24-1888	MONROE CREEK
					04		67-0705	NEWARK	C	04-01-1938	SPRING
					02	03.02	67-7266	NEWARK	C	02-27-1976	UNNAMED STREAM
					02	03.02	67-7266	NEWARK	C	02-27-1976	UNNAMED STREAM
					15	01	67-0722	GANN	C	03-24-1888	MONROE CREEK
					10	01	67-7277	GANN	C	06-03-1976	UNNAMED STREAM
					21	01	67-0722	GANN	C	03-24-1888	MONROE CREEK
					37	01.02	67-2386	U.S. DEPT. OF INTE	C	12-14-1940	MANNS CREEK
					36	01	67-4253	MC QUEEN	C	03-15-1968	MANNS CREEK
					08	01.02	67-2386	MC QUEEN	C	12-14-1940	MANNS CREEK
					16	01	67-4253	MC QUEEN	C	03-15-1968	MANNS CREEK
					05.06.17.18		67-7638	U.S. DEPT. OF INTE	C	07-08-1983	UNNAMED STREAM
					04		67-4478	BROOKE	C	01-01-1950	SPRINGS
								LOVELAND	D		SPRINGS
					05	01.04.46.47	67-7597	BURKHARDT	C	09-07-1982	SPRINGS
					14	01.43	67-2111	BURKHARDT	C	03-05-1917	SCOTT'S CREEK
								WIL DROP	C		

(POU CONTINUED FROM PREVIOUS PAGE)

MAILED
NOV 21 1969

33	SWAN	01	67-0700	06-20-1979	SHEEP CREEK	CHANDLER	C
	NESE	01	67-2357	04-01-1890	SHEEP CREEK	CHANDLER	C
	NESE	01	67-0702	10-09-1964	GROUNDWATER	CHANDLER	C
	NESE	01	67-0702	04-01-1957	MONROE CREEK	CHANDLER	C
34	NESE	01	67-0702	04-01-1957	MONROE CREEK	CHANDLER	C
	NESE	02.03.05.06	67-7361	10-17-1977	UNNAMED STREAM	SOMBALL SR.	C
	NESE	01	67-0701	04-01-1880	MONROE CREEK	CHANDLER	C
	NESE	01	67-0703	04-01-1888	MONROE CREEK	CHANDLER	C

NO

IDAHO DEPARTMENT OF WATER RESOURCES WATER RIGHTS BY POINT OF DIVERSION											PAGE 1464 06/28/1987	
TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE	PRIORITY	RELG	SOURCE OF WATER	LAST NAME	OWNER CODE
12N	05W	34	NESE	01.02	01.02	67-7277		P		06-03-1976 UNNAMED STREAM	GANN	C
			NESE	01.04.43	01.04.43	67-7368		P		12-14-1977 SPRING	GANN	C
			NESE	04.43	04.43	67-7367		P		12-14-1977 GROUNDWATER	GANN	C
		35	SWNE	04	04	67-0705		D		04-01-1938 SPRING	NEKIRK	C
			NESE	02.03	02.03	67-7266		L		02-27-1976 UNNAMED STREAM	NEKIRK	C
12N	06W	03	SWNW	05.06.17.18	05.06.17.18	67-7638		P		07-08-1983 UNNAMED STREAM	U.S. DEPT. OF INTERIOR	C
		14	SWSE	04	04	67-4470		S		01-01-1950 SPRINGS	BROOKE	C
										SPRINGS	LOUELAND	D
										SPRINGS		D
		19	SESW	01.04.46.47	01.04.46.47	67-7597		P		09-07-1982 SPRINGS	BURKHART	C
		23	NESE	01.43	01.43	67-2111		L		03-05-1917 SCOTT'S CREEK	WALDROP	C
		24	NESE	01.02.03.55	01.02.03.55	67-2097A		L		06-29-1914 JENKINS CREEK	IDAHO INDUSTRIAL INSTITUTE	C

4/86

RECEIVED

JUN 11 1987

Department of Water Resources
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION JUL 28 1987

KEYED OK 100

For Office Use Only

Fee Received 0

Date

Receipt #

Received by

Sent to S.O.

1. Permit No. 67-736 8

Department of Water Resources

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

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

2. Permit Holder: Claud and Evelyn J. Gann

3. Post Office Address: Rt. 2, Box 148, Weiser, ID 83672

Telephone No. 549-1582

4. Source of Water: Spring

5. Extent of Use:

Domestic _____ (No. of households) Stockwater 20 _____ (No. and type of stock)
Cattle & Horses

Irrigation _____ (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted .02 cfs _____ acre-feet

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

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

Claud Gann

(Name)

Rt. 2, Box 148, Weiser, ID 83672

(Address)

MICROFILMED

NOV 21 1988

549-1582

(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.)

6/9/87

Date

Claud Gann

Signature of Permit Holder (and title, if appropriate)

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

67-7368
GANN, CLAUD
GANN, EVELYN J.
ROUTE 2 BOX 148
WEISER, ID 83672

138242

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.

MICROFILMED

NOV 21 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

APRIL 29, 1983

CLAUD GANN
RT. 2 BOX 148
WEISER

ID 83672

RE: Permit No. 67-7368

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 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

MICROFILMED

NOV 21 1989

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below Permit No. 67-7368.

Name(s) of Permit Holder: Claud & Evelyn J. Gann

Post Office Address: Rt. 2, Box 148
Weiser, Id 83672 Tel. No. 549-1082

Source of Water: Spring

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 20 cows & 2 horses (number and type of stock)
☐ Irrigation (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.

3/31/83
Date

Evelyn J. Gann
Claud Gann
Signature of Permit Holder

Claud G. ...
Rt. 2 Box 148
Weiser, Id. 83672

PLACE
CENT
STAMP
HERE

RECEIVED

APR 1 1983



Idaho Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MAIL ROOM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138240

GANN, CLAUD & EVELYN J.
ROUTE 2 BOX 148
WEISER, ID 83672

PROOF DUE NOTICE

JANUARY 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 67-7368 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE APRIL 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

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

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES



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

May 2, 1978

Re: Permit No. 67-7368

Claud and Evelyn J. Gann
Route #2, Box 148
Weiser, ID 83672

Dear Mr. and Mrs. Gann:

Your approved copy of Application for Permit No. 67-7368 is enclosed and 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.

RECEIVED
MAY 10 1978
CLERK OF DISTRICT COURT
ADA COUNTY, IDAHO

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,

A handwritten signature in cursive script, reading "L. Glen Saxton".

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

RECEIVED
JUN 10 1964
FBI - DENVER

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 67-7368

☒ 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) WLM 12-14-77

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

(4) WLM 12-14-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels: N/A

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: none kw

(11) y OK

Affidavit of Publication received(date) 1-3-78

(12) _____

Final date for protests 1-9-78

Protests received: yes ☒ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

12-14-77 Proposed Priority

_____ Reason for Reduction _____

NO Measuring device required

☒ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W

By WLM

Date 1-9-78

2-3-78

Application for Permits 67-7367, 67-7368, 67-7369

I hereby withdraw my protests of applications 67-7367, 67-7368 and 67-7369 in the names of Claud and Evelyn J. Gamon as they are now filed after the changes made at Weiser, Idaho on March 2, 1978 and with the further understanding that the only source of water used to fill the holding pond described in application 67-7368 will be the spring described in that application.

Joseph W. Samrall, Sr.
Joseph W. Samrall, Sr.

3/2/78
Date

FILED
MAR 14 1978
IDAHO DEPT. OF LAND
WEISER, IDAHO

Ryan & Sweet

ATTORNEYS AND COUNSELORS AT LAW

P.O. BOX 587

WEISER, IDAHO 83672

TELEPHONE
549-2651
AREA CODE 208

FRANK D. RYAN - 1956
HAROLD L. RYAN
NICK G. SPEROPULOS - 1967
MICHAEL B. SWEET

January 5, 1978

IDAHO DEPARTMENT OF WATER RESOURCES
Western Region Office
92 South Cole Road
Boise, Idaho 83705

Department of Water Resources
Western Regional Office

Re: NOTICE OF PROTEST
Application Nos. 67-7367, 67-7368, and 67-7369

Gentlemen:

This Protest of Application Numbers 67-7367, 67-7368, and 67-7369 is filed by and on behalf of Joseph W. Sumrall, Sr., Route #2, Box 149, Weiser, Idaho 83672. Such Protest is filed pursuant to Idaho Code Section 42-203.

Mr. Sumrall protests the above Applications on the basis that the Applications will, if granted, materially reduce the quantity of water under existing rights and prior Applications filed by and on behalf of Mr. Sumrall, namely Application No. 67-7361. It is further the opinion of Mr. Sumrall that the Applications are not made in good faith and are only for the purpose of delaying a final determination of his rights under his prior Application.

A Hearing on the matter is requested as soon as possible, and it is respectfully suggested that such Hearing be held in connection with a previously scheduled Hearing on the protest of the Application of 67-7361.

Very truly yours,

RYAN & SWEET

Michael B. Sweet
Michael B. Sweet

MBS/lk

cc: Mr. Steven K. Ricks
Mr. Joseph Sumrall

NAME AND ADDRESS OF SENDER		NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS		Indicate type of mail ☐ REGISTERED ☐ COD ☐ INSURED ☒ CERTIFIED		Attach stamp here if issued as certificate of mailing or for additional copies of this bill. POSTMARK AND DATE OF RECEIPT		R. R. FEE		S. D. FEE		S. H. FEE		REST. DEL. FEE	
NUMBER OF ARTICLE				POSTAGE	FEE	Handling Charge	Actual Value (if Registered)	DUE SENDER IF C.O.D.							REMARKS
1	139449	Maud's Embroidery Shop	Route 2, Box 148, Lincoln, NE												67-7367
2															67-7368
3															67-7369
4	139450	Mr. Michael B. Sweet	Route 2, Box 527, Lincoln, NE 68502												67-7361
5															
6															
7															
8	139451	Joseph W. Lunnell, Jr.	Route 2, Box 149, Lincoln, NE												
9															
10															
11	139452	Steven K. Dickel	Macana & Macana												
12															
13															
14															
15															
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		Declaration of value is required on international registered mail. Special-handling charges apply only to third- and fourth-class parcels. Special-delivery service also includes special-handling service.									

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U. S. GOVERNMENT PRINTING OFFICE: 1975 O - 572-715

RECEIVED

Joseph W. Sumrall, Sn- 67-7361

CLAUD & EVELYN J. GANN - 67-7367, 67-7368 & 67-7369

District Courtroom, Washington County Courthouse, Weiser, Idaho

Thursday, March 2, 1978 - 10:30 p.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Mike Sweet	Box 587, Weiser ID	Joe Sumrall, Jr
Joseph W. Sumrall, Jr.	83672 Rt 2 Box 149 Weiser, Id.	
Steven K. Ricks	737 N. 7th St. Boise, Id.	Mr. & Mrs. Claud & Evelyn J. Gann
Evelyn J. Gann	Rt 2, Box 148, Weiser, Id.	
Claud Gann	Rt 2, Box 148 Weiser Id.	

17 MAR 1978
CLERK OF DISTRICT COURT
IDAHO



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

February 3, 1978

Washington County Clerk
County Courthouse
Weiser, ID 83672

Dear Clerk:

This is to confirm the use of the district courtroom for a conference and/or hearing to be held by this office on Thursday, March 2, 1978 at 10:30 a.m.

Thak you for your cooperation in this matter.

Sincerely,

RITA FLECK
Secretary

RECEIVED
FEB 10 1978
CLERK

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

IN THE MATTER OF PROTEST AGAINST APPROVAL OF
APPLICATIONS FOR PERMIT NOS. 67-7367, 67-7368
& 67-7369 IN THE NAME OF CLAUD & EVELYN J. GANN

NOTICE OF CONFERENCE
AND/OR HEARING

On December 14, 1977, Claud and Evelyn J. Gann filed with the Department of Water Resources three applications to appropriate the public waters of the State of Idaho. On January 9, 1978, the Department received a protest against approval of said applications from Michael B. Sweet on behalf of Joseph W. Sumrall, Sr.

The Department has set the matter of protest for conference and/or hearing for Thursday, March 2, 1978, at 10:30 a.m. in the district courtroom of the Washington County Courthouse, Weiser, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

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

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

Dated this 3rd day of February, 1978.


L. GLEN SAXTON, P.E.

Western Regional Supervisor

January 11, 1978

Re: Applications for Permit Nos. 67-7367, 67-7368 & 67-7369
Claud & Evelyn J. Gann

Mr. Michael B. Sweet
RYAN & SWEET
P. O. Box 587
Weiser, ID 83672

Dear Mr. Sweet:

This office acknowledges receipt of your protest on behalf of Joseph W. Sumrall, Sr. to the issuance of a permit pursuant to the above referenced applications. The Department suggests you contact the applicants directly in an effort to determine what is proposed by the applications and to attempt to resolve the protest.

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

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

At such a conference and/or hearing, the Department will hear the protest against Mr. Sumrall's Application for Permit No. 67-7361 at the same time. The Department will schedule this sometime in February, 1978.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

cc Joseph W. Sumrall, Sr.

January 11, 1978

Re: Applications for Permit NOs. 67-7367, 67-7368 & 67-7369.

Mr. & Mrs. Claud Gann
Route 2, Box 148
Weiser, ID 83672

Dear Mr. Gann:

Enclosed is a copy of a protest filed against the issuance of the above referenced permits. The Department suggests you contact the protestant directly in an effort to determine the nature of the protests and to attempt to resolve them.

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

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

At such a conference and/or hearing, the Department will hear the protest against Mr. Sumrall's Application for Permit No. 67-7361 at the same time. The Department will schedule this sometime in February, 1978.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

cc. Steven K. Ricks



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

December 19, 1977

Mr. & Mrs. Claud Gann
Route 2, Box 148
Weiser, ID 83672

Dear Mr. & Mrs. Gann:

Enclosed is your Receipt No. 9710 in the amount of \$ 30.00
for three applications for permit which was received in
this office on December 14, 1977.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure

613-1-1000000



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

December 15, 1977

Re: Notice of Claim to a Water Right No. 67-4242 -- Amanda E. Hopper
67-4243 -- John Wendell Dille
Notice of Application for Water Permit No. 67-7367, 67-7368 & 67-7369
Claud & Evelyn J. Gann

The Signal American
P. O. 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 January 9, 1978.

Sincerely,

RITA FLECK
Secretary

Bill submitted
1-3-78
J

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that CLAUD & EVELYN J. GANN
Route 2, Box 148, Weiser, ID
has on December 14, 1977 submitted Application No. 67-7368
for a permit to appropriate 0.10 cubic feet per second ~~XXXXXXXXXX~~
~~XXXXXXXXXX~~ per annum of water from a spring
by means of pump, holding pond
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 34 T12N-R5W B.M., Washington County
to be used from Jan 1 to Dec 31
for domestic and stockwater and from Mar 1 to Nov 1
for irrigation of 5 acres
within the N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 34 T12N-R5W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before January 9, 1978.

C. STEPHEN ALLRED

Director

Published in the Signal American, Weiser, Idaho
on December 22, 1977 and December 29, 1977.