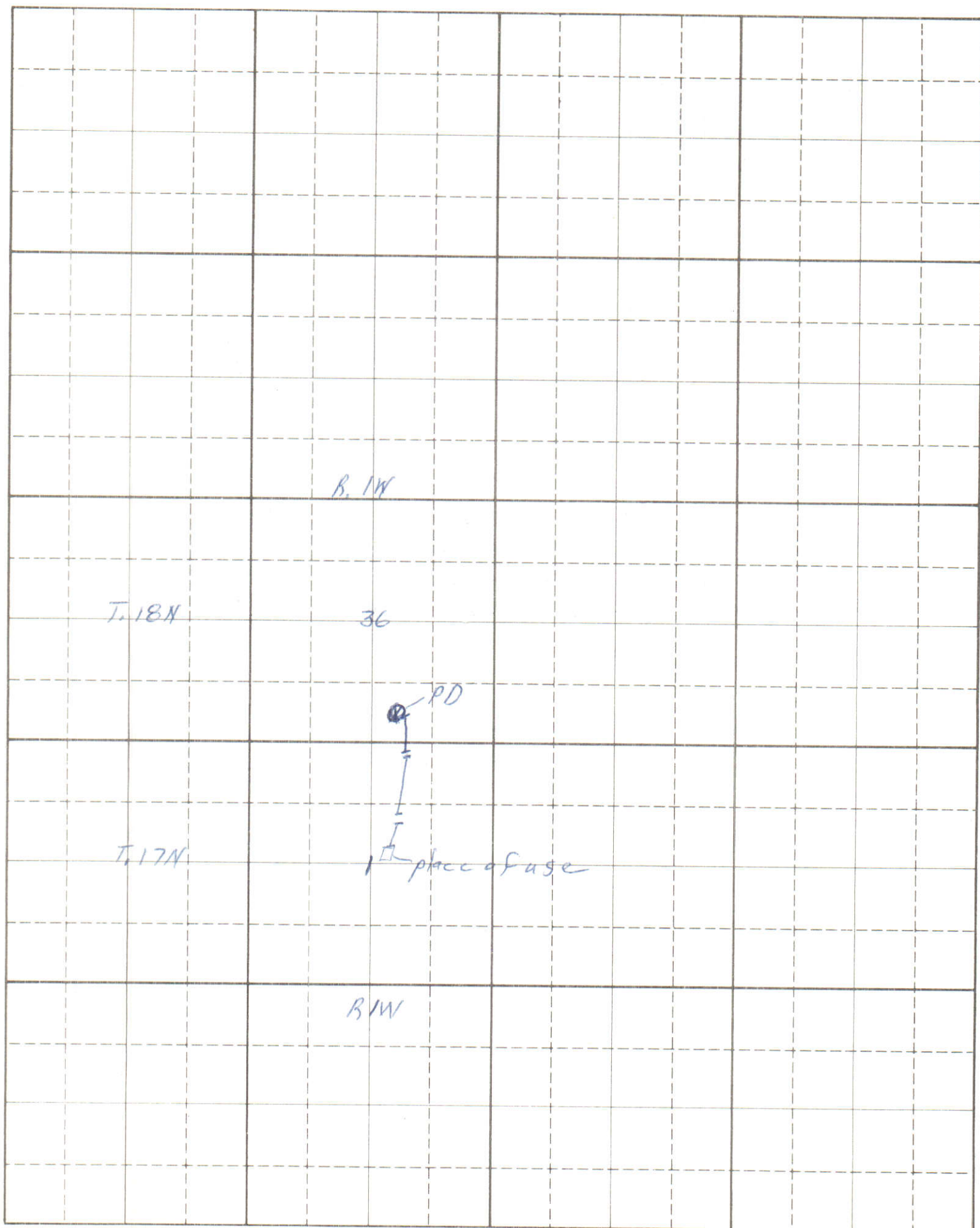


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Kevin M. Gray
(Applicant)

Affidavit of Publication

State of Idaho, County of Adams, ss:

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

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

No. 67-7289 Kevin M Gray

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated October 21, 1976

and the last in the issue dated October 28, 1976 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this

day of

OCT 29 1976

. 19

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that KEVIN M. GRAY Fruitvale, ID has on October 12, 1976 submitted Application No. 67-7289 for a permit to appropriate 0.02 cubic feet per second of water from Trail Creek Trib. Weiser River by means of small diversion in creek and pipe within the SW 1/4 - SE 1/4 Sec 36 18N-R1W B.M., Adams County to be used from Jan 1 to Dec 31 for domestic purposes within the SW 1/4 NE 1/4 Sec 1 T17N-R1W 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 Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before November 8, 1976.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID on October 21, 1976 and October 28, 1976.

RECEIVED
NOV 1 1976

Department of Water Resources
Western Regional Office

OK.
11-2-76
es

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 67-7289

1. Owner: Kevin M. Gray Phone No. _____

Current Address: Box 34, Fruitvale, ID 83620

2. Accompanied by: Kevin Gray EXAM. DATE: 10-15-87

Address: same as above Phone No. _____

Relationship to Permit Holder: owner

3. Source: Trail Creek tributary to Weiser River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 67-4163 67-7273 67-7425

☒ Copies Attached

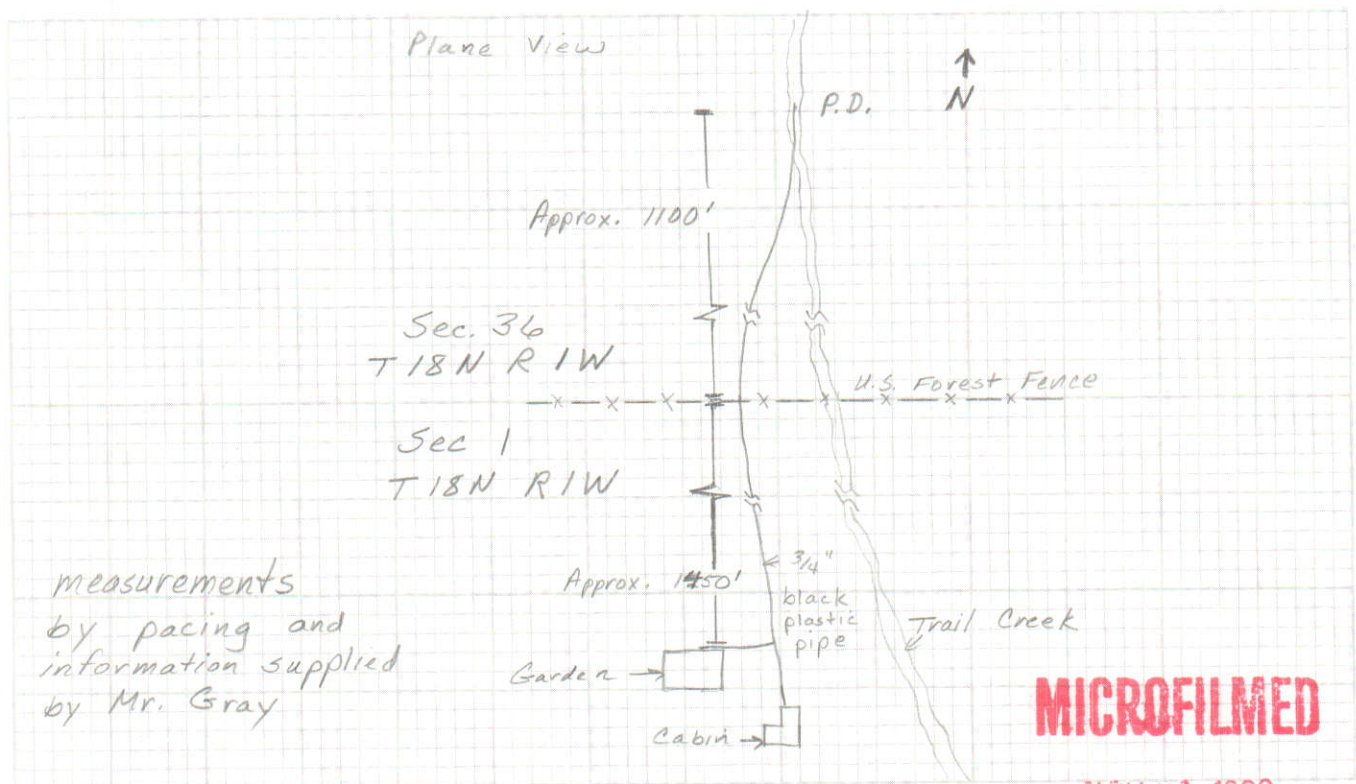
2. Other water rights with same point of diversion: none

☐ 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



MICROFILMED

NOV 21 1989

Scale: 1" = Not to 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).

67-7289



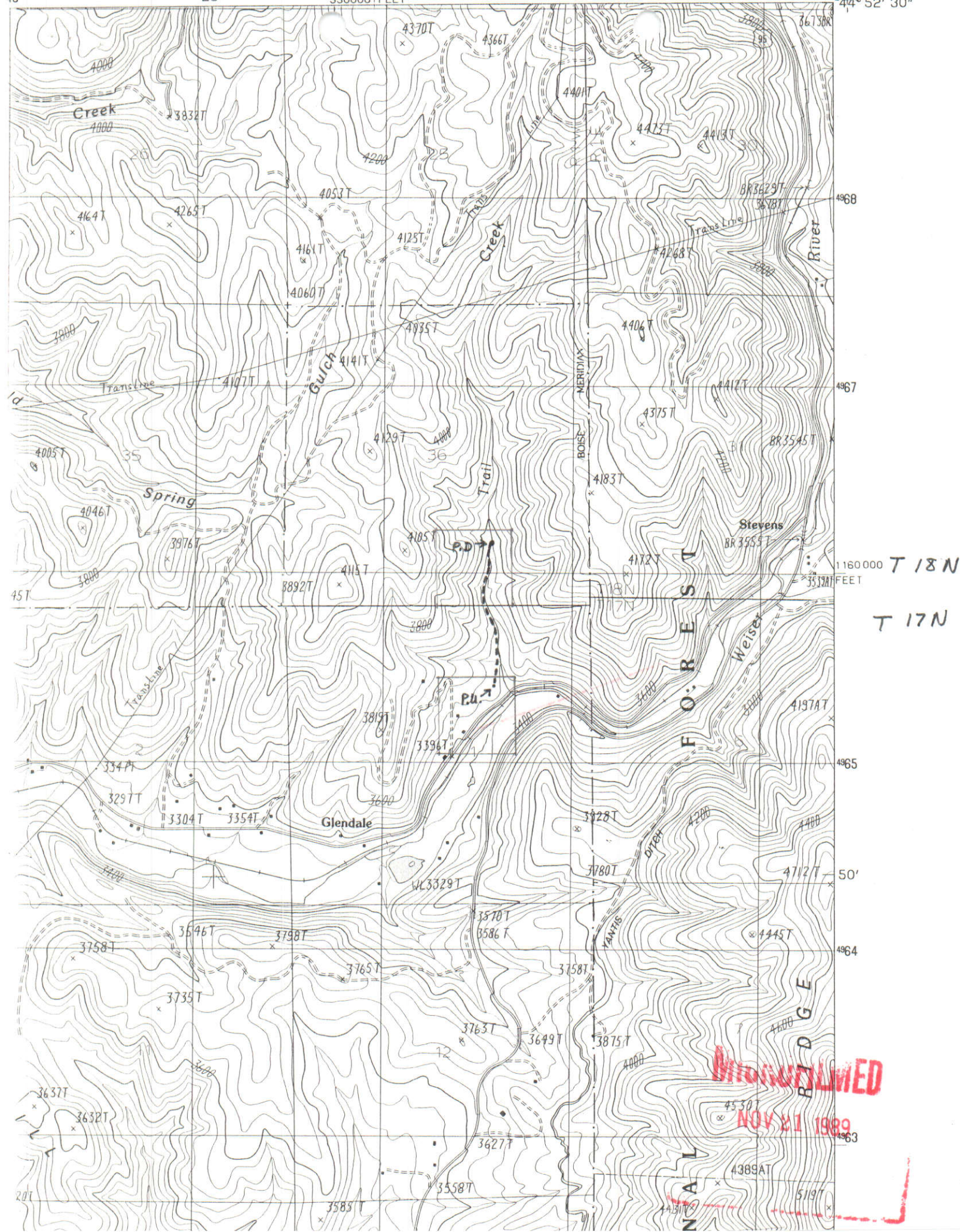
pipe
P.D. then in
the bottom of
Trail Creek
collects water
from the
pool in the
center of the
photo. Looking
North.
The pipe to the
right is not
connected to
the system.



P.U. looking
East at garden
and cabin
(upper left)

ACCEPTE

NOV 21 1989



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07289

Priority: October 12, 1976

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:¹

1.2 AF

This is to certify, that KEVIN M. GRAY

P.O. BOX 34

FRUITVALE, ID 83620

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 12, 1976; and has submitted Proof of Beneficial Use on June 12, 1980. An examination indicates that the works have a diversion capacity of .020 cfs of water from:

TRAIL CREEK

tributary to WEISER RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 36, Township 18N, Range 01W
ADAMS County

PLACE OF USE: DOMESTIC

TWN RGE SEC

17N 01W 1 SWNE

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.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 67
6. Domestic use is for 1 home.

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NOV 21 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07289

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 29th
day of September, 1989.

Acting for


R. Keith Higginson, Director

MICROFILMED

NOV 21 1989

Identification No. _____

Application No. 67-7289

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR PERMIT

RECEIVED

OCT 12 1976

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

Department of Water Resources
Western Regional Office

1. Name of applicant Kevin M. Gray Phone: _____
post office address Box 34, Fruitvale, ID

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

3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36 Township 18N
Range 1W B.M. Adams County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 0.02 for Domestic purpose from Jan 1 to Dec 31 (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. 0.02 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. small diversion in creek with 3/4" plastic pipe.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; 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 \$ 100.00.

8. Description of proposed uses:

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

(1) Give the place of use of water: SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 1 Township 17N
Range 1W B.M.

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

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

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.

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

RECEIVED

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

TWP.	RANGE	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	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. 67-7273

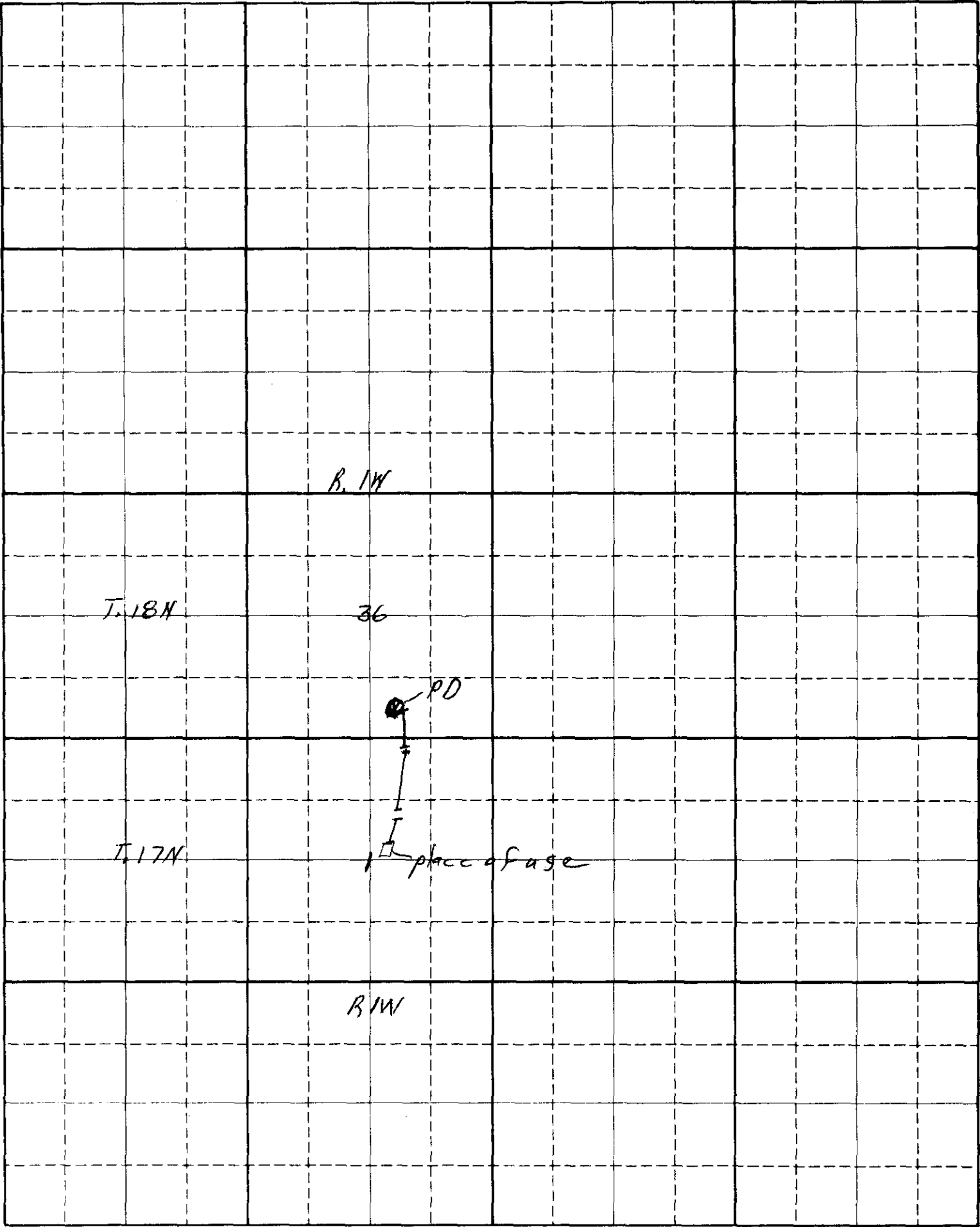
9. a. Who owns the property at the point of diversion State Of Idaho

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

1 Kevin M. Gray
(Applicant)

Proposed Priority 10-12-76

Received by GLS Date 10/12/76 Time 09:30 AM
Preliminary check by GLS Fee \$ 10.00 No. 5185
Receipted by GLS Date 10/12/76
Publication prepared by if Date 10-14-76
Published in Adams County Leader
Publication dates Oct 21 + 28
Publication approved CS Date November 2, 1976
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by 1/18/77

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

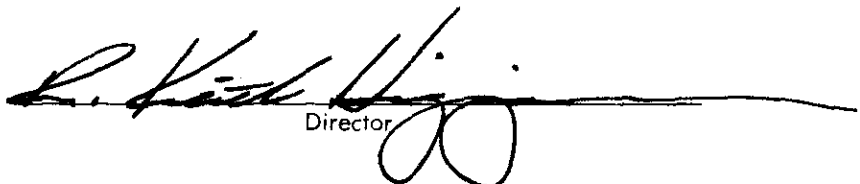
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 67-7289, and said application is hereby APPROVED.

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 November 1, 19 81.
- c. Other: 1. Use of water under this permit is subject to control by the watermaster of State Water District No. 67, Weiser River.
2. The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

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

Witness my hand this 16 day of November 19 76.


Director

Affidavit of Publication

State of Idaho, County of Adams, ss:

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

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

No. 67-7289 Kevin M Gray as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two (2) consecutive weeks, the first publication of the

same being made in the issue dated October 21.1976

and the last in the issue dated October 28.1976 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Subscribed and sworn to before me this

day of 1976

Notary Public for Idaho,
Residing at Council, Idaho

Department of Water Resources
Western Regional Office

OK.
11-2-76
es

October 2, 1989

KEVIN M. GRAY
P.O. BOX 34
FRUITVALE, ID 83620

RE: PERMIT NO. 67-07289

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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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			
6707289	18N	01W	36	SW	SE			TRAIL CREX	GRAY, KEVIN M.

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NOV 21 1989

STATE OF IDAHO
MAR 29 1988 DEPARTMENT OF WATER RESOURCES

67-7289
Permit No.

Staff Analysis Sheet
Department of Water Resources for
Beneficial Use Field Report

pt. SWSE 36 18N 1W
p.u. SWNE 1 17N 1W

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 10-13-87 (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: _____

Check of P/U index CA 10-13-87 (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: _____

Aerial Photo

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

Scheduling Letter sent? CA 10-5-87 (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 Fitchable 10-15-87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent DR 2/1/88 (Initial and date)

Exam Reviewed by Manager of Regional Office DR 2/21/87 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office 3/8/88 JZ (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. 67-7289

1. Owner: Kevin M. Gray Phone No. _____

Current Address: Box 34, Fruitvale, ID 83620

2. Accompanied by: Kevin Gray EXAM. DATE: 10-15-87

Address: same as above Phone No. _____

Relationship to Permit Holder: owner

3. Source: Trail Creek tributary to Weiser River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 67-4163 67-7273 67-7425

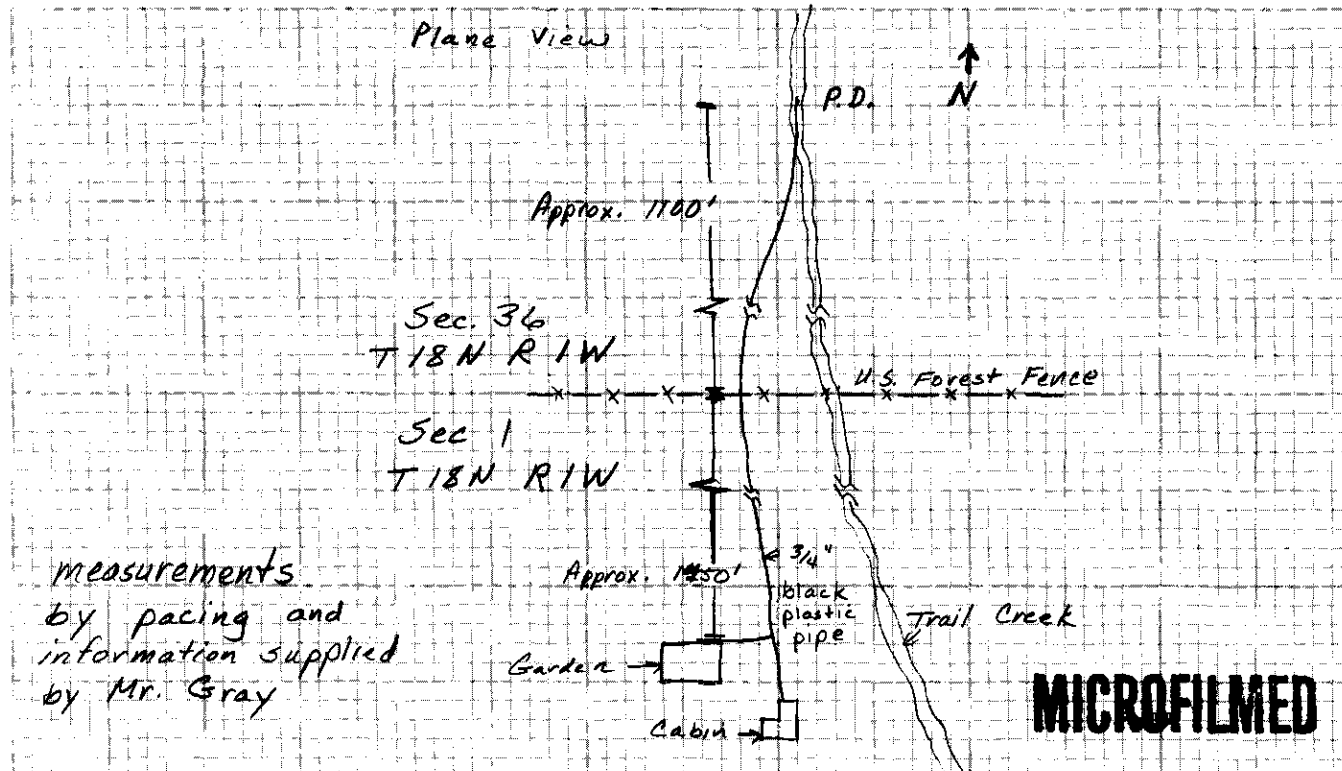
☒ Copies Attached

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

☐ 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" = Not to scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

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

System Description (continued)

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

The system diverts water from Trail Creek by collecting water in a 3/4" black PVC pipe submerged in a small pool in the creek. The pipe runs approximately 3000' along the ~~west~~ side of the creek to the house and garden. Water Right No. 67-7273 is used as a backup for this system. Water Right

☒ 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
					SWSE 36	18N	1W	Adams	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	
17N	1W	1			X														

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Do not use this space

NOV 21 1989

Do not use this space

NOV 21 1988

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

No measurements were possible

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

None

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) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

Allow 1.2 afa for 1 domestic w/ lawn
 $0.02 \times 365 \times 1.9835 = 14.5 \text{ afa}$
 $1.2 < 14.5$

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NOV 21 1988

H. REMARKS AND OVERLAP REVIEW ANALYSIS

No.'s 67-4163 and 67-7425 are used on nearby lands.

NOV 31 1988

MICROFILMED

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic w/ lawn	1-1	12-31	0.02	1.2 afa
Totals:			0.02	1.2

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

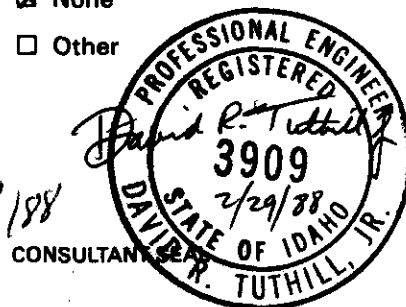
J. AUTHENTICATION

Field Examiner's Name Carter Fritschle

Signature Carter Fritschle

Certification Date 2/1/88

Field Report Preparation Date 10-15-87

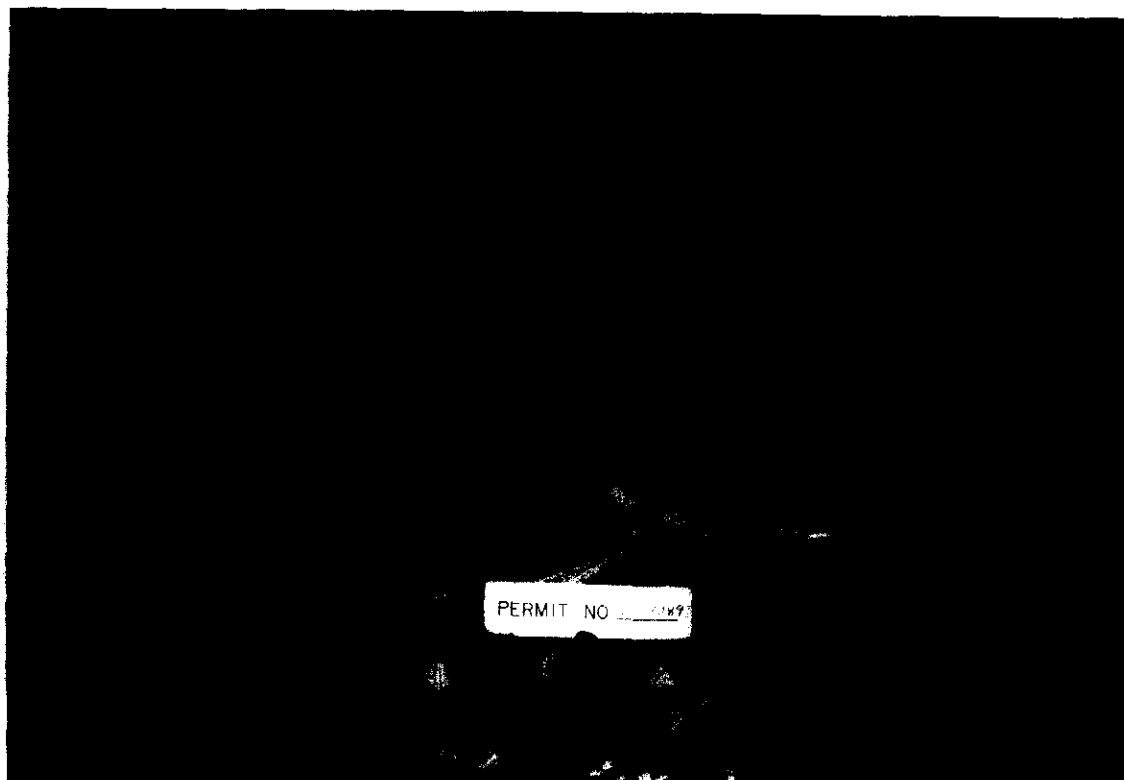


K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

JDM 8/24/89

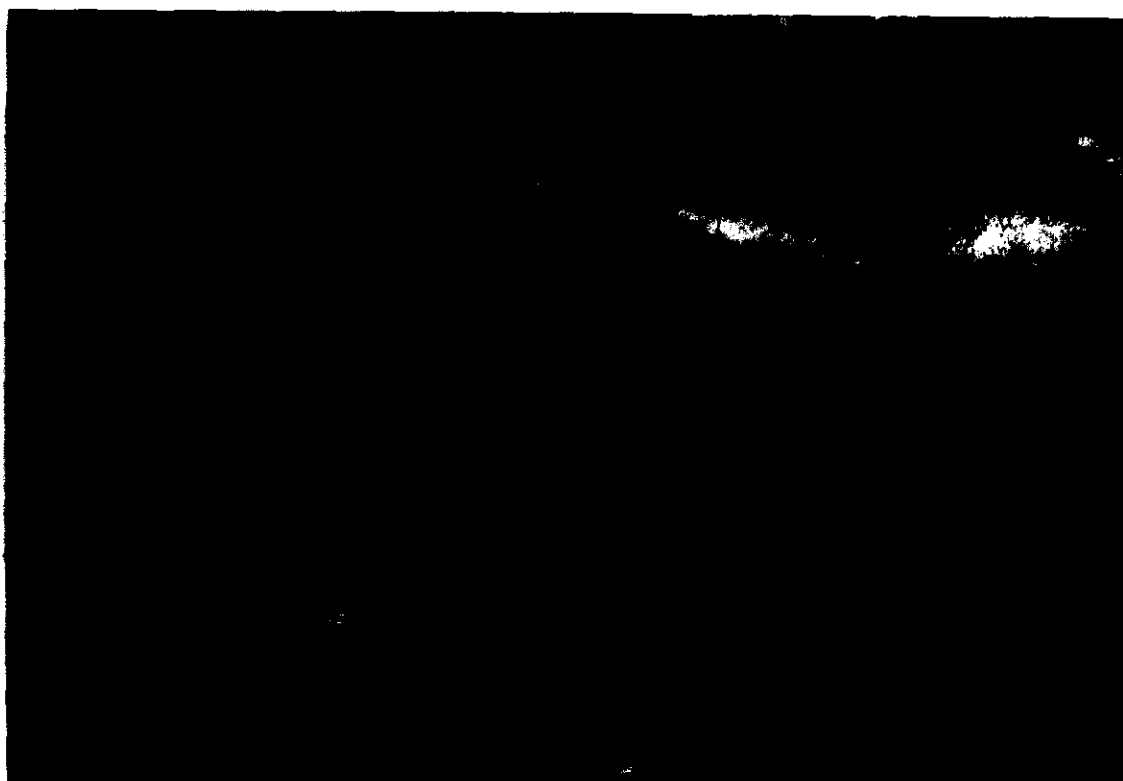
MICROFILMED

NOV 21 1989



pipe
P.D. the, in
the bottom of
Trail Creek
collects water
from the
pool in the
center of the
photo. Looking
North.

The pipe to the
right is not
connected to
the system.



P.U. looking
East at garden
and cabin
(upper left)

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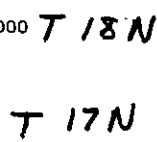
NOV 21 1989

WATER RIGHTS BY PLACE OF USE

06/28/1987

TWNSHP	RNG	SEC	TRACT	LOT	ACRES	USES	WATER RIGHT NUMBER	LAST NAME	OWNER CODE	STAGE	PRIORITY DATE	SOURCE OF WATER
(POU CONTINUED FROM PREVIOUS PAGE)												
17N	27E	35	SENN	06	01		74-2214	POWERS	C			
			NWSH	01	01		74-2214	POWERS	C	D	07-22-1916	CRUIKSHANK CREEK
17N	01W	01	SHNE	03	01		67-4163	PROBST	C	S	06-01-1890	WEISER RIVER
			SHNE		43		67-7273	GRAY	C	L	05-28-1976	TRAIL CREEK
			SHNE		43		67-7289	GRAY	C	P	10-12-1976	UNNAMED STREAM
			SHNE	05	01.43		67-7425	BEARDSLEY	C	P	12-28-1978	TRAIL CREEK
			SENE		43		67-4140	MOXLEY	C	S	04-01-1971	GROUNDWATER
			SESH		01		67-0079	MOXLEY	C			
			JESH		01		67-0079	BIGGERSTAFF	C	D	06-01-1890	WEISER RIVER
			SESH		43		67-7282	BIGGERSTAFF	C	D	06-01-1890	WEISER RIVER
			SESH		43		67-7287	FISHER	C	L	08-03-1976	GROUNDWATER
			NWSE	17	01		67-4141	FISHER	C	L	06-28-1976	GROUNDWATER
			NWSE	11	01		67-4163	OLSON	C	S	06-01-1933	WEISER RIVER
			NWSE		43		67-7061	MOXLEY	C			
			NWSE	03	01		67-7294	PROBST	C	S	06-01-1890	WEISER RIVER
			NWSE		43		67-7061	PROBST	C	L	08-23-1971	SPRINGS
			NWSE		01		67-7294	PROBST	C	L	12-02-1976	SPRINGS
			NWSE		43		67-7590	PROBST	C			
02			SHNN	07	01.04		67-4433	FRANCIS	C	P	03-27-1984	SPRING
			NESH		01.04		67-4433	WILLIAMS	C	S	06-01-1950	UNNAMED STREAMS
			NWSH	18	01.04		67-4433	WILLIAMS	C	S	06-01-1950	SPRINGS
			NWSH	10	01.04.43		67-7589	WILLIAMS	C	P	07-15-1982	UNNAMED STREAMS
			NESE		43		67-7235	WILLIAMS	C	S	06-01-1950	SPRINGS
			NESE	07	01.43		67-7519	HALBESLEBEN	C	P	07-15-1982	GROUNDWATER
			NWSE		43		67-7259	HALBESLEBEN	C	L	01-02-1975	GROUNDWATER
			NWSE		43		67-7514	KREIDER	C	P	11-25-1980	GROUNDWATER
			NWSE		43		67-7514	BURCH	C	L	10-17-1975	GROUNDWATER
			NWSE		43		67-7514	BURCH	C	P	09-26-1980	GROUNDWATER
			NWSE		43		67-7514	BOLES	C			
			NWSE		43		67-7514	BOLES	C			
			NWSE		43		67-7514	SALL	C			
			NWSE	03	01.43		67-7519	KREIDER	C	P	11-25-1980	GROUNDWATER
			SWSE		01		67-0079	BIGGERSTAFF	C	D	06-01-1890	WEISER RIVER
			SWSE		43		67-7264	GOEDARE	C	L	01-06-1976	GROUNDWATER
			SWSE		43		67-7288	MOHS	C	L	09-27-1976	GROUNDWATER
			SESE		01		67-0079	BIGGERSTAFF	C	D	06-01-1890	WEISER RIVER
03			NWSE	05	01		67-4114	ROBERTSON	C	S	05-01-1901	WEISER RIVER
04			NENE	10	01		67-7472	SCISH	C	P	11-02-1979	SPRINGS
			NENE		04		67-7472	SCISH	C	P	11-02-1979	SPRINGS
			NWNE	10	01		67-7472	SCISH	C	P	11-02-1979	SPRINGS

680 21 NOV 1989
 11-02-1979





State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 9, 1983

Kevin Gray
Box 34
Fruitvale, ID 83620

RE: Permit No. 67-7289 and License No. 67-7273

Dear Mr. Gray,

Thank you for your letter of June 2, 1983. In reviewing the files on the above referenced water rights, I find that a license on 67-7273 was issued July 31, 1980. However, on 67-7289 a license has not been issued, due to the fact that a field exam is pending in our regional office. Once this exam is completed, we will be in a position to issue a license.

In your letter you also mentioned the June 30, 1983 deadline for filing claims. This does not effect you since your water rights are recorded by the permit and license. This program is for those waterusers who have historcially used water and have never filed with our office.

If you have any further questions, please contact me at 334-4123.

Sincerely,

ROBYN CARLSON
Technical Records Specialist

RC:jvv

MICROFILMED

NOV 21 1983

RECEIVED

JUN 6 1983

U.S. DEPARTMENT OF THE INTERIOR

June 2, 1983

Idaho Dept. of Water Resources
Statehouse
Boise, Idaho 83720

67-7273
67-7289

I have two permits to use water ^{out} of ~~out~~ Trail Creek + related springs, tributary to Weiser River, numbers 67-7273, + 67-7289. Permit No. 67-7273 was checked, + a license issued Aug. 6, 1980. My understanding was that permit no. 67-7289 was checked at the same time (I believe the check took place in the fall of 1979) + a license would soon follow, but I have never received it. Would you check into this for me please. I was reminded of this situation by the recent notices to record all water rights by June 30. While it appears to me that my claims are indeed safely filed, I'd like to be sure about the status of permit 67-7289. Both permits are used, though at alternating times of the year. I have temporary permits for right-of-way for my pipe line from both the State of Idaho, + the BLM.

Thank you for your help.

Kevin Gray
Box 34

Fruitvale, Idaho 83620

MICROFILMED

NOV 21 1989

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. 67-17289.

Name(s) of Permit Holder: Kevin M. GRAY

Post Office Address: Box 34, Fruitvale, Idaho 83620

Source of Water: TRAIL CREEK, tributary of Weiser River

Extent of Use: ☒ Domestic 1 (number of households)
☐ Stockwater _____ (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.

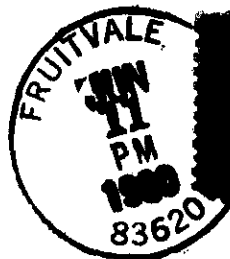
June 5, 1980
Date

Kevin M. Gray
Signature of Permit Holder

Kevin M. Gray

Box 34

Fruitvale, Idaho 83620



RECEIVED

JUN 12 1980

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

July 22, 1980

Kevin M. Gray
Box 34
Fruitvale, Idaho 83620

RE: Permit #67-7289

Dear Mr. Gray:

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 examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

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

Sincerely,

Kay Walker
Secretary

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

STATE BOARD OF LAND COMMISSIONERS

CECIL D. ANDRUS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
WAYNE L. KIDWELL
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
ROY TRUBY
SUPT OF PUBLIC INSTRUCTION

November 16, 1976

REC-11
NOV 17 1976

Department of Water Resources
Western Regional Office

L. Glen Saxton, P.E.
Western Region Supervisor
92 South Cole Road
Boise, ID 83705

Dear Glen:

This letter is in reply to your letter of November 10, 1976 regarding application for permit No. 67-7289.

As of this date Mr. Gray does not have an easement or permit for the pipeline across State land in Section 36, Township 18 North, Range 1 West. He has made an application for a permit through our McCall office, however, they have been unable to make a field inspection as of this date. They plan to accomplish such an inspection within the next two weeks.

We will advise you whether or not the permit is to be approved and issued. Until such permit is issued, we request that you not take final action on the application.

Very truly yours,

DIVISION OF LANDS

W. J. Mitchell

W. J. Mitchell, Chief
Bureau of Lands

WJM/bv

November 22, 1976

Re: Permit No. 67-7289

Kevin M. Gray
Box 34
Fruitvale, ID 83620

Dear Mr. Gray:

Enclosed herewith is a copy of your approved Application for Permit No. 67-7289. We direct your attention to the conditions of approval as listed on the fourth page.

Please be advised that the Idaho Supreme Court has ruled that a water right initiated and/or put to beneficial use by aid of trespass on private property is invalid.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enc.

RECOMMENDED

CONDITIONS OF APPROVAL

NO ☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☒ Use of water under this permit is subject to control by the watermaster of State Water District No. 67, WEISER River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☒ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ 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

____ Pre-permit exam
____ Adjudication Claim
____ Dam Construction
____ Papers Sent

(1) 10-12-76 R.W.H.

In form to receipt

(2) _____

Send Copies to:

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

(3) _____

☒ Dept of Lands - Scrivener
____ Request Special Use Permit from U.S.F.S.
____ Request Easement from B.L.M.
____ Request Information from Applicant

(4) 10-12-76 R.W.H.

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(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) RS 11-2-76

Affidavit of Publication received(date) Nov 1, 1976

(12) _____

Final date for protests Nov 8, 1976
Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

____ 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 FZA Date 11-9-76

November 10, 1976

RE: 67-7289

Mr. William Scribner
Department of Lands
STATEHOUSE MAIL

Dear Mr. Scribner:

We are enclosing a copy of the above referenced application for permit which may be of interest to your agency. Please review the application and if you have any comments, please submit them to our department as soon as possible.

We normally complete the processing of an application within a six week period and we are required to take final action shortly thereafter.

If we may be of any assistance to you in the meantime, please do not hesitate to contact this department.

Sincerely,

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

LGS:cs

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

October 15, 1976

RE: Notice of Application for Water Permit No. 67-7289 - Kevin M. Gray

Adams County Leader
Council, ID 83612

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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 in 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."

Sincerely,

(Signature of Claimant)

Bill Submitts

11-2-76

es

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that KEVIN M. GRAY
Fruitvale, ID
has on October 12, 1976 submitted Application No. 67-7289
for a permit to appropriate 0.02 cubic feet per second ~~XXXXXXX~~
~~XXXXXXX~~ of water from Trail Creek Trib. Weiser River
by means of small diversion in creek and pipe
within the SW 1/4 Sec 36 18N-R1W B.M., Adams County

to be used from Jan 1 to Dec 31
for domestic purposes
within the SW 1/4 Sec 1 T17N-R1W B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before
November 8, 1976.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID
on October 21, 1976 and October 28, 1976.