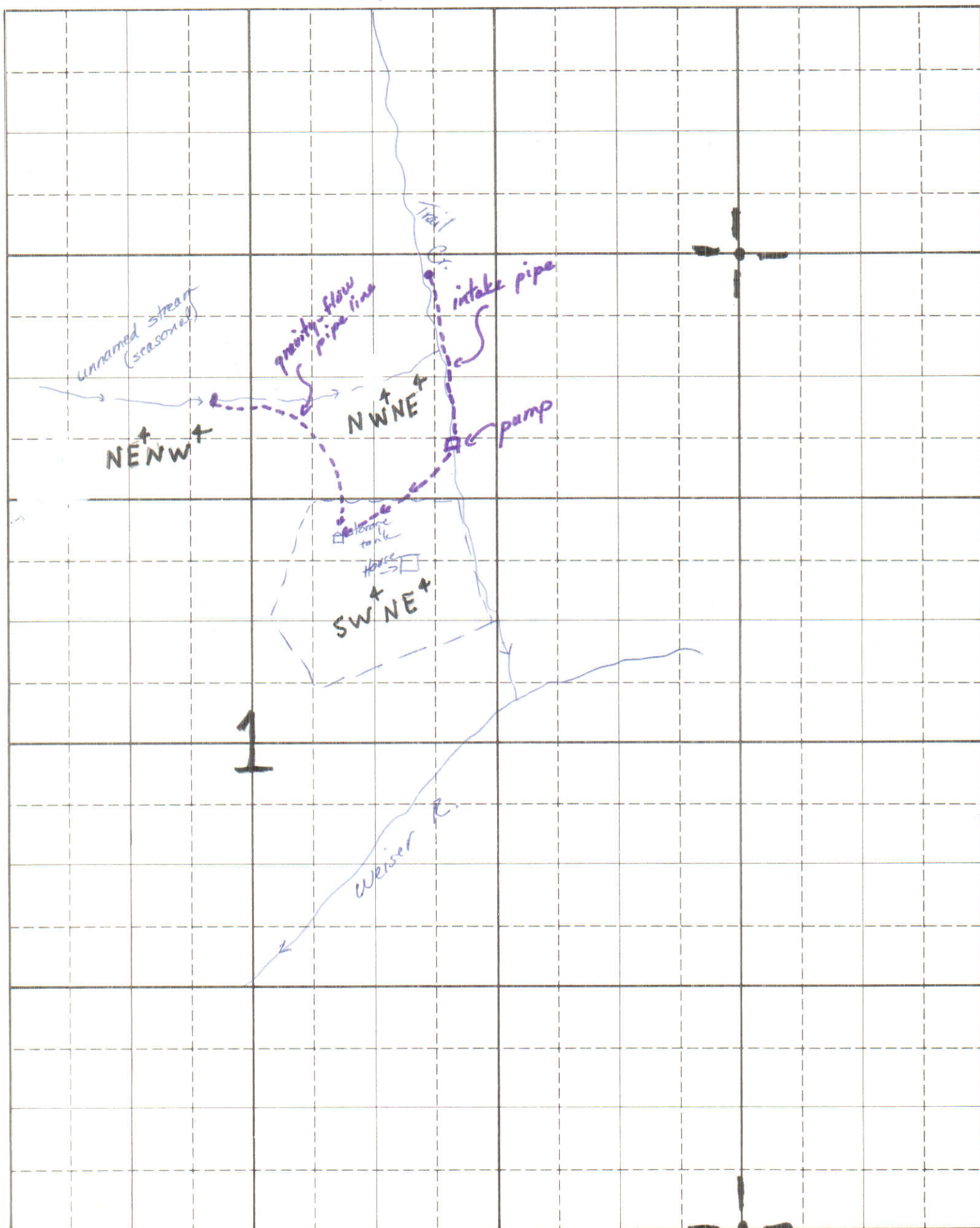


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

NE 1/4 S1 T17N R1W



Scale: 2 inches equal 1 mile

2" = 1/4 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 Correct

No. 67-7273 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 July 1, 1976

and the last in the issue dated July 8, 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 12th

day of July, 1976

Notary Public for Idaho,
Residing at Council, Idaho

TICE OF CORRECTION

Notice is hereby given that notice of Application for Permit NO. 67-7273 in the name of KEVIN M. GRAY was published in error on June 3 and June 10, 1976.

Only one point of diversion was advertised as being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 1 T17N-R1W B.M., Adams County. WHEREAS, an additional point of diversion is within the NE $\frac{1}{4}$ -NW $\frac{1}{4}$ Sec 1 T17N-R1W B.M.

Any protest against approval of this application must be filed with the Idaho Department of Water Resources, Statehouse, Boise, ID 83720 on or before July 19, 1976.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID on July 1 and July 8, 1976.

OK
7-14-76
RB

JUL 14 1976

RECORDED

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. 67-7273 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

June 3, 1976

and the last in the issue dated June 10, 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.

Bert J. Rogers

Subscribed and sworn to before me this

10th

day of

June

1976

Alvin Brown

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 May 26, 1976 submitted Application No. 67-7273 for a permit to appropriate 0.02 cubic feet per second of water from Trail Creek & unnamed stream trib. Weiser River by means of pump and storage tank with the NW 1/4-NE 1/4 Sec 1 T17N-R1W B.M., Adams County to be used from Jan 1 to Dec 31 for domestic purposes within the SW 1/4NE 1/4 Sec 1 T17 N-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 June 21, 1976.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID on June 3, 1976 and June 10, 1976.

OK
6-14-76
RB

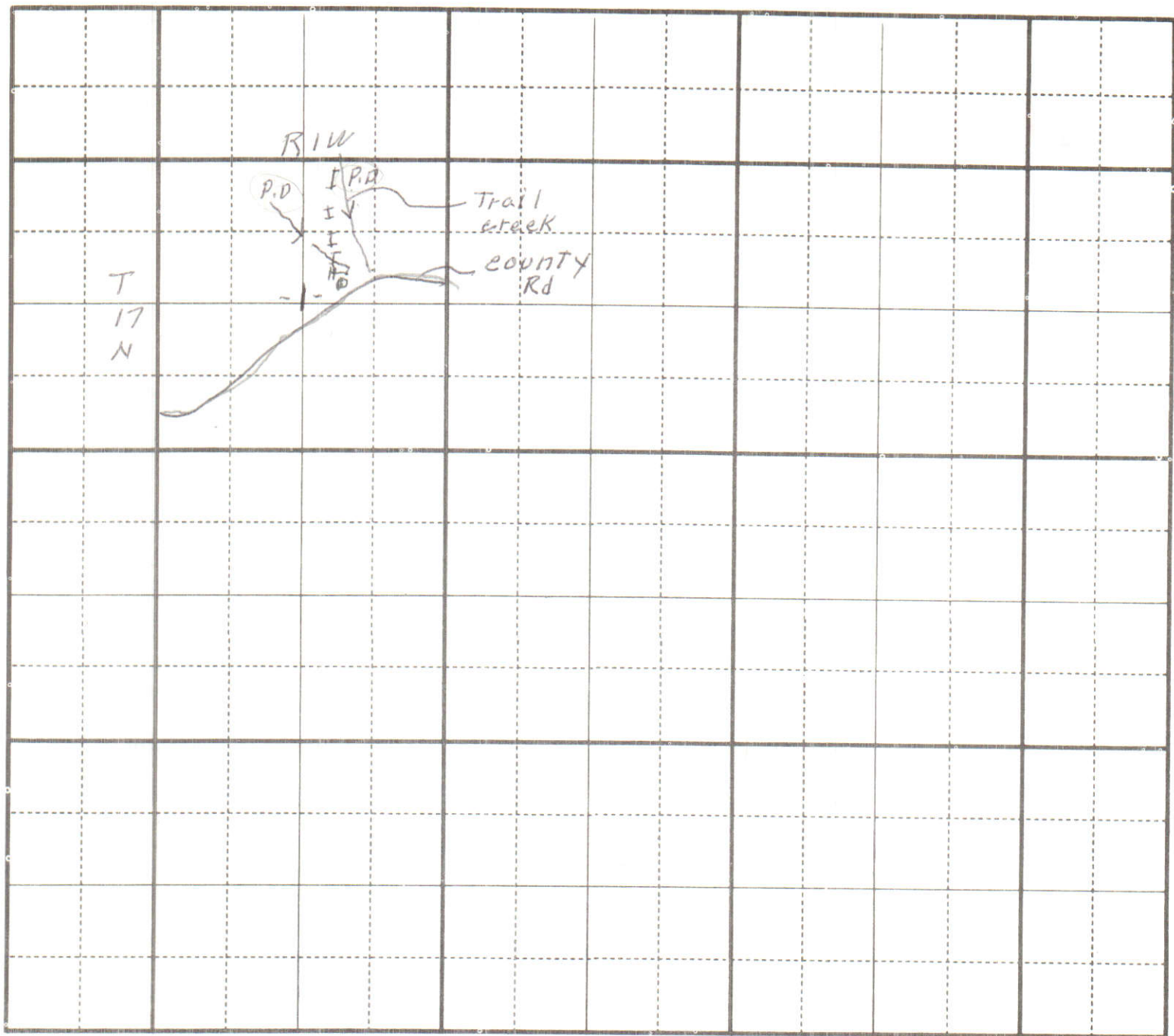
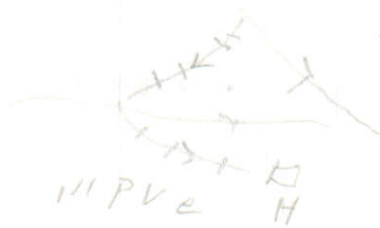


Diagram of System

5/20/80 J.K.R.



Borden

Sources unnamed stream & trail creek. Sources are not too productive as they dry up in late summer. With these two sources & another (PD) source in trail creek he has a limited supply for his use.

Note: Sent proof card 5/23/80 for 67-7289 as he has completed construction & is using this source occasionally.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7273 Priority May 26, 1976 Amount .02 cfs

THIS IS TO CERTIFY, that KEVIN M. GRAY
of Fruitvale, Idaho, has complied with the terms and conditions of Permit
No. 67-7273 issued pursuant to Application for Permit dated May 26, 1976,
and has submitted proof to the Department of Water Resources on July 24, 1978,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .02 cfs of water from Trail Creek & unnamed stream
tributary to Weiser River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>January 1</u> to <u>December 31</u> at	<u>.02</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____ at _____ cfs and		
	from _____ to _____ at _____ cfs and		
	(both dates inclusive)		

Subject, however, to the condition that no more than .02 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1,
Twp. 17N, Rge. 1W, B.M. in the County of Adams

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
17N	1W	1													

Total number of acres irrigated _____

Sources are Trail Creek, Trib. Weiser River; unnamed stream, Trib. Weiser River.

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
July, 19 80.

Director

MICROFILMED

Identification No. _____

Application No. 67-7273

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 KEVIN M. GRAY Phone: —
post office address Box 34 Fruitvale, Idaho 83620
2. Source of water supply Trail Creek & unnamed stream which is a tributary of Weiser River
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 1 Township 17N
Range 1W B.M. ADAMS County; additional points of diversion if any: _____
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 1 T17N-R1W B.M.
- 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 1-1 to 12-31 (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. pump and storage tank

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 2 years.
b. Estimated construction cost is \$ 100.
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: _____

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. None

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

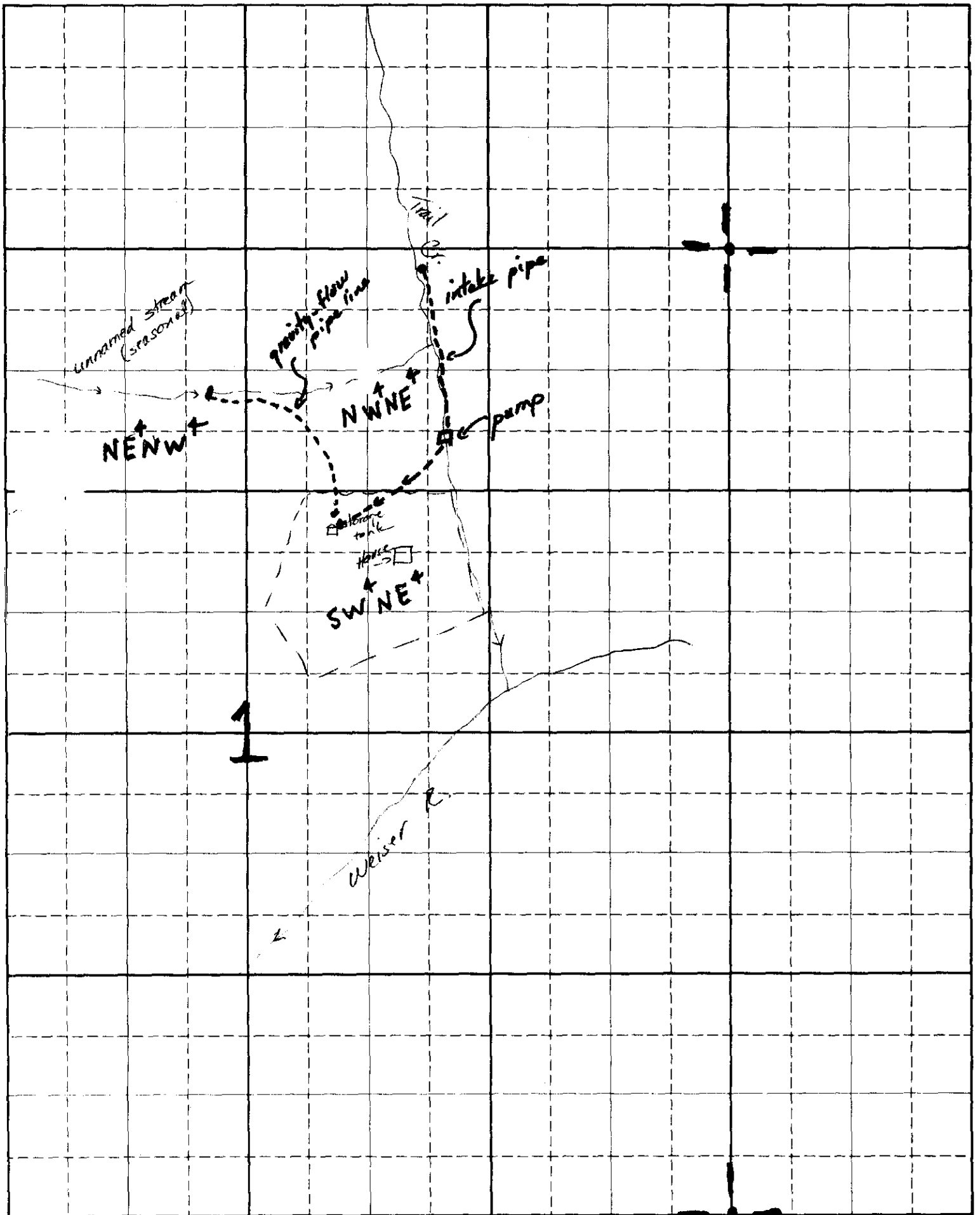
b. Who owns the land to be irrigated or place of use applicant

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.

NE 4 S1 T17N R1W



Scale: 2 inches equal 1 mile

2" = 1/4 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)

Proposed Priority 5-26-76

Received by DLB Date 5-26-76 Time 8:30am

Preliminary check by PJC Fee \$1000.00

Received by RB Date 5-26-76 # 5007

Publication prepared by RB Date 5-27-76

Published in Adams County Leader

Publication dates June 3 & 10 re-ad - July 1 & 8

Publication approved RB Date 6-14-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JH DRT

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

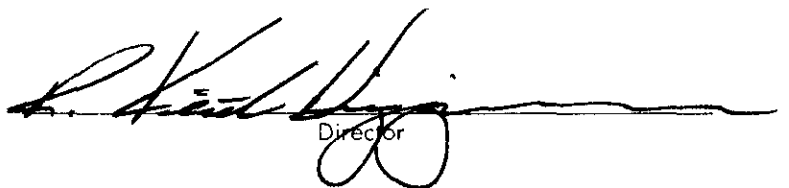
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 67-7273, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1978.
- Other: 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 23 day of July, 1976.


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 Correct

No. 87-7273 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 July 1, 1976

and the last in the issue dated July 8, 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 12th

day of

July 1976

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit NO. 87-7273 in the name of KEVIN M. GRAY was published in error on June 3 and June 10, 1976.

Only one point of diversion was advertised as being within the NW 1/4 NE 1/4 T17N R1W B.M., Adams County. WHEREAS, an additional point of diversion is within the NE 1/4 NW 1/4 Sec 1 T17N R1W B.M.

Any protest against approval of this application must be filed with the Idaho Department of Water Resources, Statehouse, Boise, ID 83726 on or before July 19, 1976.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID on July 1 and July 8, 1976.

OK
7-14-76
RB

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. 67-7273 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 June 3, 1976

and the last in the issue dated June 10, 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 uninterrupted-
ly published in said county during a period of more than sev-
enty-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 10th

day of

June, 1976

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that KEVIN M. GRAY, Council, ID has on May 28, 1976, submitted Application No. 67-7273 for a permit to appropriate 0.02 cubic feet per second of water from Trail Creek & unnamed stream trib., Weber River by means of pump and storage tank with the NW 1/4-NE 1/4 Sec 1 T17N-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 June 21, 1976.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID on June 3, 1976 and June 10, 1976.

OK
6-14-76
RB

WATER RIGHT NUMBER 67-7273

OWNER LAST NAME - GRAY FIRST NAME - KEVIN M. ORIG OWNER -
ADDRESS LINE 1 - BOX 34 ADDRESS LINE 2 -
ADDRESS LINE 3 - CITY - FRUITVALE STATE - ID ZIP CODE - 83620
SOURCE - TRAIL CREEK TRIBUTARY OF - WEISER RIVER
SOURCE - UNNAMED STREAM TRIBUTARY OF - TRAIL CREEK
STAGE - LICENSE STATUS - PRIORITY - 05-26-1976 COUNTY - ADAMS TCTAL DIV. RATE - .0200 -CFS
TOTAL DIV. VOLUME - 1.20 AFA TRFR/AMEND - WATER DIST. - 67 DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NWNE 01 17N 01W LOT REDIV - 272.0 288.0 41.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.2
NEW 01 17N 01W LOT REDIV - 272.0 288.0 41.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.4
FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0200 CFS USE DIV. VOLUME - 1.20 AFA
USE - DOMESTIC PLACE OF USE - TWN 17N RNG 01W SEC 01 TRACT SWNE LOT AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - 08-01-1978 PERMIT/DENIED - 07-23-1976 PROTESTED - HEARING - OLD NO. -
PROOF MADE - P FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS - PUMP & STORAGE TANK.



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

RECEIVED

JUN 6 1983

Department of Water Resources

June 2, 1983

Idaho Dept. of Water Resources
Statehouse
Boise, Idaho 83720

I have two permits to use water ^{out} of ~~our~~ 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

Box 54
Fruitvale, Id.
83620



IDAHO DEPT. of WATER Resources
Statehouse
Boise, Idaho
83720

ACT

ION

C STAGE - LICENSE

C TOTAL DIV. VOLUME - 1.20 AFA

C FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE -

.0200CFS

USE DIV. VOLUME -

1.20 AFA

WATER RIGHT NUMBER 67-7273

OWNER LAST NAME - GRAY ✓

FIRST NAME - KEVIN M. ✓

ORIG OWNER -

ADDRESS LINE 1 - BOX 34 ✓

ADDRESS LINE 2 - ✓

ADDRESS LINE 3 -

CITY - FRUITVALE ✓

STATE - ID ✓ ZIP CODE - 83620 ✓

SOURCE - TRAIL CREEK ✓

TRIBUTARY OF - WEISER RIVER ✓

SOURCE - UNNAMED STREAM ✓

TRIBUTARY OF - WEISER RIVER ✓

STAGE - PERMIT *License* ✓

STATUS -

PRIORITY - 05-26-1976 ✓

COUNTY - ADAMS ✓

TOTAL DIV. RATE -

.0200 - CFS ✓

TOTAL DIV. VOLUME -

.00 AFA ✓

IRFR/AMEND -

WATER DIST. - 67 ✓

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWNE 01 17N 01W LOT ✓

KEDIV -

NEW 01 17N 01W LOT ✓

KEDIV -

FROM - 01-01 TO - 12-31 ✓

USE - DOMESTIC ✓

USE DIV. RATE -

.0200 CFS ✓

USE DIV. VOLUME -

.00 AFA ✓

USE - DOMESTIC

PLACE OF USE - TWN 17N RNG 01W SEC 01 TRACT SWNE LOT ✓ AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 08-01-1978 PERMIT/DENIED - 07-23-1976 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - COND. OF APPROVAL - 04 05 16

DIVERSION MEANS - PUMP & STORAGE TANK.

ACT
ION

N OWNER LAST NAME - GRAY

FIRST NAME - KEVIN M.

N ADDRESS LINE 1 - BOX 34

N

CITY - FRUITVALE

STATE - ID ZIP CODE - 83620

N SOURCE - TRAIL CREEK

TRIBUTARY OF - WEISER RIVER

N SOURCE - UNNAMED STREAM

TRIBUTARY OF - WEISER RIVER

N STAGE - PERMIT

PRIORITY - 05-26-1976 COUNTY - ADAMS

TOTAL DIV. RATE - .0200CFS

WATER DIST. - 67

N DIVERSION POINT - NWNE 01 17N 01W

NENW 01 17N 01W

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0200CFS

N USE - DOMESTIC

PLACE OF USE - TWN 17N RNG 01W SEC 01 TRACT SWNE

N PROOF DUE - 08-01-1978 PERMIT/DENIED (- 07-23-1976

PROOF MADE - P

COND. OF APPRVL - 04

N DIVERSION MEANS - PUMP & STORAGE TANK.

IDENT. : 67-7273

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

August 6, 1980

Kevin M. Gray
Box 34
Bruitvale, Idaho 83620

Dear Mr. Gray,

RE: License No. 67-7273

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:mr
Enclosure

MICROFILMED

P

TOTAL ACREAGE _____

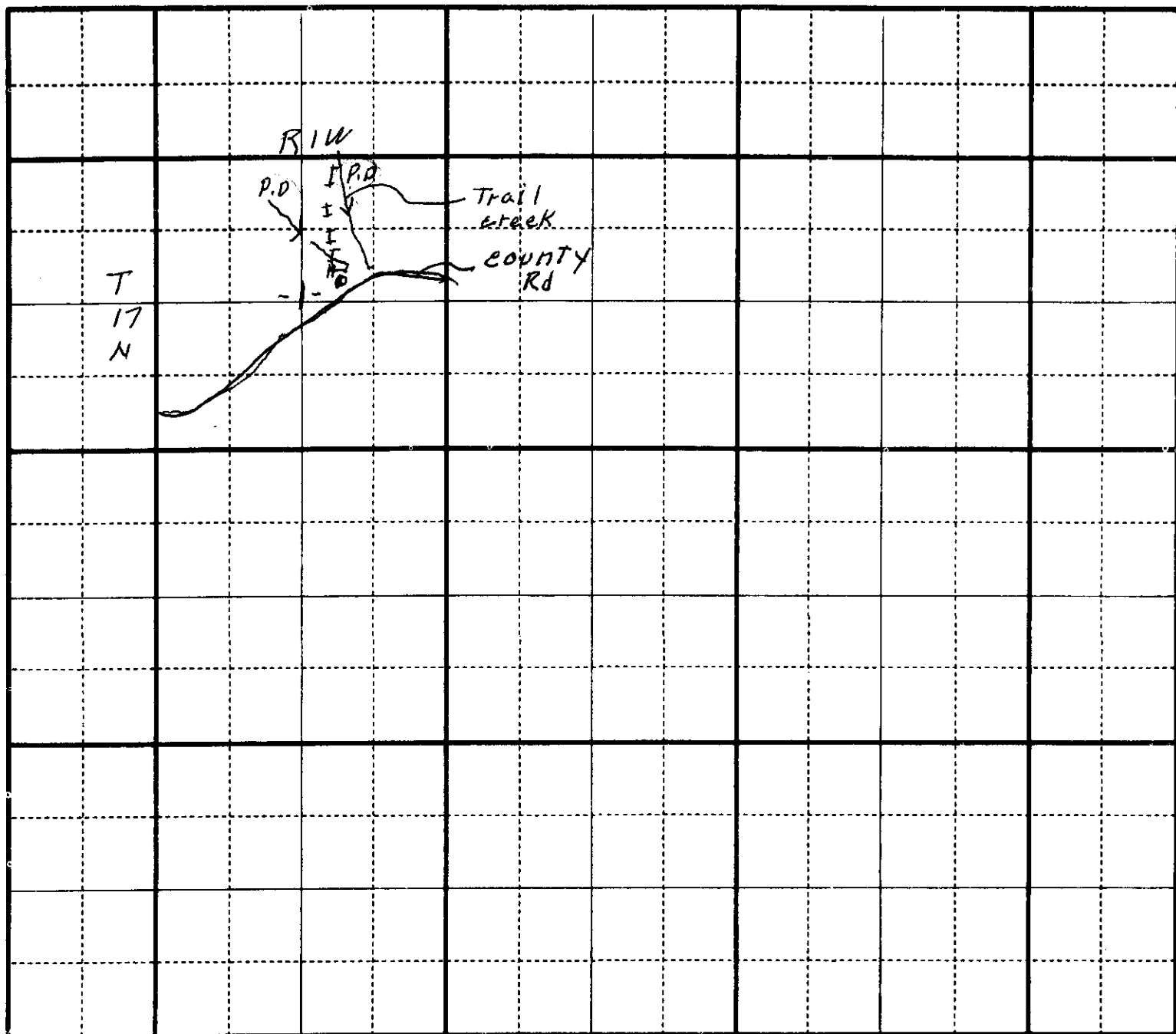


Diagram of System

DATE OF EXAM 5/21/80

ACREAGE
Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= .05 c.f.s. V= 1.2 AF/Ann. from 1/1 to 12/31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured .02 .05 Method of measurement calc. est.

Total Q recommended .03 .05 Meter No. _____ Type _____ Condition _____

Total V recommended 1.2

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:

calc. estimate of system

SYSTEM DESCRIPTION:

one inch PVC line from point of diversion to place of use.

REMARKS:

Examiner's Signature John K. Meyer Date 5/23/80

Checked by DBS Date 6/13/80

Approved by RL Date 7/10/80

RECEIVED

JUL 24 1978

July 20, 1978

Department of Water Resources

State of Idaho
Dept. of Water Resources
Statehouse
Boise, Idaho

Dear Sirs:

I would like to clarify the circumstances under which I have developed Permit No. 67-7273. In attempting to develop this water source two years ago, I found that my needs were more adequately met by another spring (further upstream but also in Trail Creek), from which I can pipe .01 cfs to my house and garden under gravity pressure. The ~~location~~ of this upper spring being in a different section, I was obliged to make application for another permit, No. 67-7289 on Oct. 12, 1976. This latter system is presently in use. However, it is subject to winter freezing, and I have found that the original system, contained in Permit No. 67-7273, can sometimes function as a back-up water source during periods when my main line is not working. This was the case this past winter, when I used sources named in Permit No. 67-7273 from about Dec 10, 1977 to May 20, 1978. I would like to retain the use of Permit No. 67-7273, even though it is not in use at the present time. It provides me with a very necessary reserve water source; since these springs are closer to my house I can even haul water in jugs when I have to.

I hope this will give you a more complete idea of how I use Permit No. 67-7273.

Kevin M. Gray

114 PVE
K
H

Sources unnamed stream & Trail
creek. Sources are not too productive
as they dry up in late summer.
With these two sources & another
(PD) source in Trail creek he has a limited
supply for his use.

Note: Sent proof card 5/23/80 for
GT-7289 as he has completed
construction & is using this
source occasionally.

RECEIVED

JUL 24 1978

July 20, 1978

Department of Water Resources

State of Idaho
Dept. of Water Resources
Statehouse
Boise, Idaho

Dear Sirs:

I would like to clarify the circumstances under which I have developed Permit No. 67-7273. In attempting to develop this water source two years ago, I found that my needs were more adequately met by another spring (further upstream but also in Trail Creek), from which I can pipe .01 cfs to my house and garden under gravity pressure. The ~~location~~ of this upper spring being in a different section, I was obliged to make application for another permit, No. 67-7289 on Oct. 12, 1976. This latter system is presently in use. However, it is subject to winter freezing; and I have found that the original system, contained in Permit No. 67-7273, can sometimes function as a back-up water source during periods when my main line is not working. This was the case this past winter, when I used sources named in Permit No. 67-7273 from about Dec 10, 1977 to May 20, 1978. I would like to retain the use of Permit No. 67-7273, even though it is not in use at the present time. It provides me with a very necessary reserve water source; since these springs are closer to my house I can even haul water in jugs when I have to.

I hope this will give you a more complete idea of how I use Permit No. 67-7273.

MICROFILMED

Kevin M. Gray



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

September 20, 1978

Kevin M. Gray
Box 34
Fruitvale, ID 83620

Dear Mr. Gray:

Re: Permit No. 67-7273

We acknowledge receipt of the affidavit 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. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Boise.

Sincerely,

RITA FLECK
Water Rights

MICROFILMED

Identification No. _____

Permit No. 67-7273

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

JUL 24 1978

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder KEVIN M. GRAY
b) Post Office Address Box 34, FRUITVALE, IDAHO 83620
2. Permit Number 67-7273
3. Date of Priority that you are prepared to establish 1976 - May 26
4. a) Source from which water was appropriated Trail Cr. + unnamed seasonal stream, trib. of Weiser River
b) Location of the point of diversion: NW 1/4 NE 1/4, Section 1
Township 17 N, Range 1 W, Boise Meridian, Other points of diversion:
NE 1/4 NW 1/4 Sec 1 T17N R1W B.M.
5. a) The amount of water and use to which the water has been applied:
Amount .01 cfs for domestic purposes from Nov. 1 to May 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .01 cfs cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: I have measured the amount of water flowing from 3/4" pipe into gallon jugs - flow is less than 5 gallons per minute.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 3/4" plastic pipeline - from small spring in creek bed to the home.

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

c) Give well driller's name and address and the date the well was completed: _____

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
The water is for domestic use: in my home + to water a small garden.

MICROFILMED

Exam typed 9/5/78 by Y



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 31, 1978

CERTIFIED MAIL

138833

Re: Permit No. 67-7273

Kewin M. Gray
Box 34
Fruitvale, Idaho 83620

Dear Mr. Gray:

One of the conditions of approval of the above referenced water right permit was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before August 1, 1978. The enclosed affidavit form is the document you must complete and submit as the proof of application of water to 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 affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

Janice Renk

JANICE RENK
Water Right
MP

Encl: Proof affidavit



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

July 26, 1976

Re: Permit No. 67-7273

Kevin M. Gray
Box 34
Fruitvale, ID 83620

Dear Mr. Gray:

Enclosed is a copy of your approved Application for Permit No. 67-7273. 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,

DAVID R. TUTHILL, JR.
Water Resource Analyst

DRT:mef

Enc.

RECOMMENDED

CONDITIONS OF APPROVAL

- ☐ 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. _____, _____ 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. 67-7273

☒ 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) PJC 5-26-76

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) PJC 5-26-76

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: _____

(11) KB OK

Affidavit of Publication received(date) 7-14-76
6-14-76

(12) _____

Final date for protests 7-19-76
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 WJS Date 7-19-76



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

June 23, 1976

Re: Notice of Correction on Application for Permit No. 67-7273 - Kevin M. Gray

Adams County Leader
Council,
Idaho 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."

(Signature of Claimant)

Sincerely,

Bill submitted
7-14-76
RB

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for Permit NO. 67-7273 in the name of KEVIN M. GRAY was published in error on June 3 and June 10, 1976.

Only one point of diversion was advertised as being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 1 T17N-R1W B.M., Adams County. WHEREAS, an additional point of diversion is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 1 T17N-R1W B.M.

Any protest against approval of this application must be filed with the Idaho Department of Water Resources, Statehouse, Boise, ID 83720 on or before July 19, 1976.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID on July 1 and July 8, 1976.



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

May 26, 1976

Kevin M. Gray
Box 34
Fruitvale, ID 83620

Dear Mr. Gray:

Enclosed is your Receipt No. 5007 in the amount of \$ 10.00
for Application for Permit No. 67 7273 which was received in this
office on May 26, 1976.

Sincerely,

RITA BENDELE
Senior Clerk

RB

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

May 27, 1976

Re: Notice of Application for Permit No. 67-7273 - Kevin M. Grey

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."

(Signature of Claimant)

Sincerely,

Bill submitted
6-14-76
RB

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that KEVIN M. GRAY
Fruitvale, ID
has on May 26, 1976 submitted Application No. 67-7273
for a permit to appropriate 0.02 cubic feet per second ~~xxxxxx feet~~
~~per second~~ of water from Trail Creek & unnamed stream trib. Weiser River
by means of pump and storage tank
within the ~~SW 1/4~~ Sec 1 T17N-R1W E.M., Adams County

to be used from Jan 1 to Dec 31
for domestic purposes
within the ~~SW 1/4~~ Sec 1 T17N-R1W E.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
June 21, 1976.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader
on June 3, 1976 and June 10, 1976.