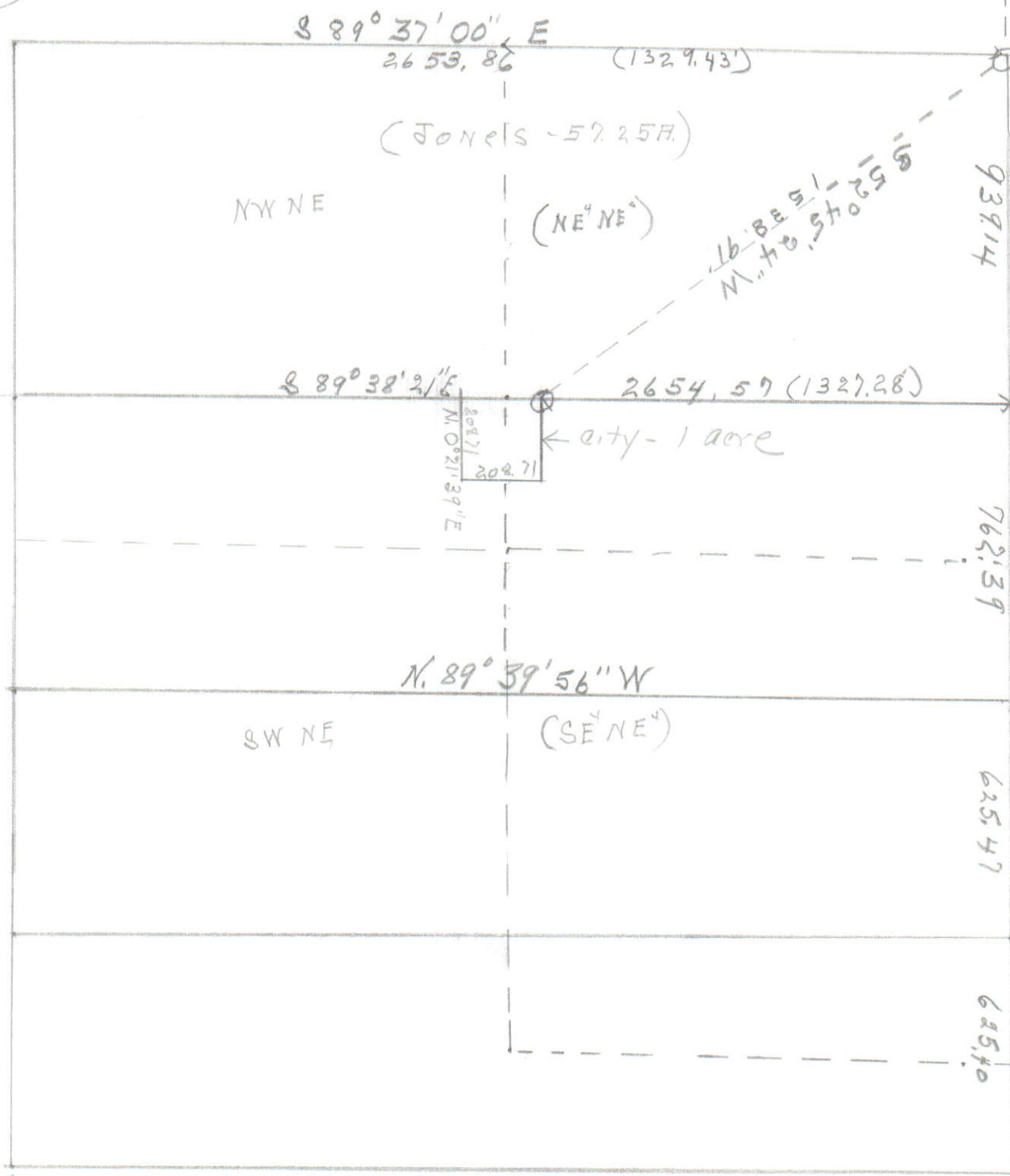
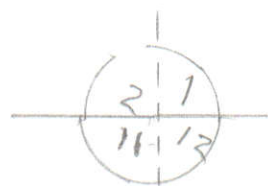
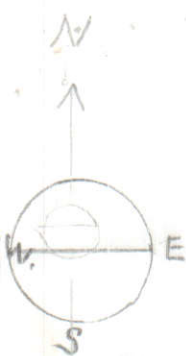




N 60° 15' 31" E

NW NE

(NE NE)

S 89° 38' 21" E

2654.59 (1327.28)

← city - 1 acre

N 89° 39' 56" W

SW NE

(SE NE)

S 0° 26' 16" E

762.39

625.47

625.40

MO 21' 39" E

202.71

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. 67-7239

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 May 15, 1975

and the last in the issue dated May 22, 1975 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 23rd

day of May 1975

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that FRANK L. AND HELEN M. JONES Star Rt., Council, ID has on 5/2/75 submitted Application No. 67-7239 for a permit to appropriate 0.12 cubic feet per second of water from Overflow from Rinehart Spring by means of ditch pump and sprinkler lines within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 16 N, R. 1 W, B.M. Adams County to be used from May 1 to Oct. 1 for Irrigation of 8 acres and from Jan. to Dec. 31 for livestock within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 16 N, R. 1 W, 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 2, 1975.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID on May 15, 1975 and May 22, 1975.

MICROFILMED

T
16
N

P.D
5A *

11

Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7239 Priority May 2, 1975 Amount .12 cfs

THIS IS TO CERTIFY, that FRANK L. JONES & HELEN M. JONES
of Council, Idaho, has complied with the terms and conditions of Permit
No. 67-7239 issued pursuant to Application for Permit dated May 2, 1975,
and has submitted proof to the Department of Water Resources on June 22, 1977,
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 .12 cfs of water from Rinehart Spring (Local name),
tributary to N/A, 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
Stockwater	from January 1 to December 31	at .01 cfs and	.7 acre feet
Irrigation	from May 1 to October 31	at .11 cfs and	15.0 acre feet
	from _____ at _____ cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than .12 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
15.7 acre feet per year, said waters to be diverted within the NW 1/4, Sec. 11, Twp. 16N,
Rge. 1W, B.M. in the County of Adams

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	1W	11																	5

Total number of acres irrigated 5

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. 57-1239

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant FRANK L. JONES and HELEN M. JONES
post office address Star Route, Council, Idaho 83612
2. Source of water supply Overflow from Rinehart Spring which is a tributary of not tributary
3. a. Location of point of diversion is NW $\frac{1}{4}$ $\frac{1}{4}$ of NE $\frac{1}{4}$ $\frac{1}{4}$ of Section 11 Township 16 N.
Range 1 W. B.M. Adams County; additional points of diversion if any: No other points of diversion

- b. If water is not consumed, it will be discharged into natural swale at a point in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 11 Township 16N. Range 1W. B.M. Adams County

4. Water will be used for the following purposes:

GPM Amount 45.11 for irrigation purpose from May 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)

GPM Amount 5.01 for livestock 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)

See Remarks, 10

5. Total quantity to be appropriated:

- a. 0.1115 cubic feet per second and/or 50 Gals. Per Minute
b. _____ acre feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. about 100', small, open ditch from below City spring boxes, West to applicants' land, and electric pump and sprinkler lines to irrigate about 8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, S. 11, T. 16 N. R. 1 W B M
- 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 Two years.

- b. Estimated construction cost is \$ 750.00.

8. Description of proposed uses:

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

- (1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
- (2) Amount of power to be generated: _____ hp under _____ feet of head.
- (3) List number of each kind of livestock to be watered 10 head of cattle and horses
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
- (5) If water is to be used for other purposes describe: _____

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	
16N	1W	11		8															m 8

Total number of acres to be irrigated 8

c. Describe any other water rights used for the same purposes as described above. No other rights

9. a. Who owns the property at the point of diversion City of Council, Idaho

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

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 This application is for appropriation of water, released, discharged or wasted from collection boxes at site of "Rinehart" Spring, owned by City of Council, Idaho, in NE¼NE¼ and NW¼NE¼, Sec. 11, Twp. 16N.

R. L. W. B. M. Point of diversion is from swale or natural "draw" about 75 feet Westerly from lower collection box on spring site and upon land owned by city of Council. City also owns all water from Rinehart Spring, but at times, does not use full flow (50 GPM) of said spring but permits at various times and in varying amounts, water to overflow, escape from or be wasted from spring flow and it is this presently unused spring water which applicants seek to appropriate. City of Councilm by written instrument (a copy of which is hereto attached) has granted Applicants permission to divert this presently unusued (wasted) spring water by small ditch leading from City' Spring Site below most westerly collection box, and running North and Westerly to Applicant's land. This water will be used to irrigate Applicant's yard and garden--sprinkler irrigate about 8 acres and for stock water for about 10 head of horses and cattle.

CONSENT TO DIVERSION

WHEREAS, The City of Council, in Adams County, Idaho, (hereinafter referred to as the "City") is record owner of a One (1) spring site tract of land, now fully enclosed by fence, situated in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, Township 16 North, Range 1 West, B. M., in Adams County, Idaho, upon which tract of land there is situate the Rinehart Spring, (sometimes in instruments of public record, called or named "Crystal Spring") and both said tract of land and the Rinehart spring having been conveyed to the now City about 1915. Two (2) permanent Spring, or collection, boxes are situated upon said One (1) acre tract, and a 4" metal pipe line, established pursuant to written Easements of public record, leads from said Spring site and runs in a Southwesterly direction to a County Road and thence southerly to the City's storage tanks, directly East of the City: and

WHEREAS, At certain times the City does not convey the full flow of said Rinehart Spring, or approximately 50 gallons per minute, through its pipe lines but permits portions of the flow of said Spring, amounting at various times and for varying periods of time, to 50 gallons per minute (but either more or less) to be released, discharged or wasted into a natural swale on the westerly side of the lower, or most westerly of said spring boxes and at a point where such water is no longer available for any City use: and

WHEREAS, FRANK L. JONES and HELEN M. JONES, husband and wife, are owners of land lying immediately North and westerly of the City's spring site, which land is improved with their personal residence and which land is capable of being irrigated by use of the Rinehart spring water, released, discharged or wasted into the swale before described, and they desire to make an appropriation of all spring water discharged or released, or wasted by the City into such natural swale and to construct a small ditch from a point in said Spring Site approximately 75 feet westerly of the lower, or most westerly, of the City's spring boxes, and running thence northerly, or northerly and westerly, to their lands lying North and West of said Spring site: and

WHEREAS, The City does not use and makes no claim or right to water of said Rinehart spring not actually used by the City and conducted by its pipe line from said Spring and said spring boxes, and the City will not sustain any loss or incur any foreseeable damage by diversion of overflow, escaping or wasted water from said Rinehart Spring:

Now, Therefore, The City hereby Grants Permission to the said Frank L. Jones and Helen M. Jones, to construct a small, open ditch from a Point approximately 75 feet below, or westerly of, the lower of the City's said spring boxes and leading northerly, or northerly and westerly, across the westerly portion of the City's spring site, and to divert and apply to beneficial use any overflow, escaping or wasted water from the City's Spring, but all subject to the following conditions and reservations, to-wit:

(1). The City, at no time, shall be obligated to permit any of the Spring water before referred to to escape or overflow from, or to be wasted from, its said Spring and spring boxes:

(2). The City does not Warrant or Covenant to or with the said Frank L. Jones and Helen M. Jones that spring water which, at any time, may overflow, escape from or be wasted from

its said Rinehart Spring, is subject to appropriation, or that such water has not heretofore been appropriated by actual diversion at a point, or points below, or westerly of the City's spring site, and applied to beneficial use by persons owning adjoining or adjacent lands lying westerly or southerly of the City' spring site:

(3). The City reserves the right, at any time after date, to Revoke the permissive right of diversion, hereby conferred, if in the Judgment of the City's Mayor and Members of the City Council, it shall be determined that the diversion, from or upon the City's Spring Site, of any overflowing, escaping or wasted spring water, is detrimental to said Spring Site, or endangers or is likely to endanger or impair any right of the City to the use of all of the water flowing from said Rinehart Spring, or that the permission hereby granted is in excess of the authority of the governing officers of the City, or is in violation of any law, or of any properly issued directive or regulation respecting the use of said Spring Water, Spring Site, or other property or property rights of the City.

(4) The said Frank L. Jones and Helen M. Jones, by the acceptance of this instrument and by the making the same a part of any formal application to appropriate the water hereinbefore referred to or described, agree to all the terms and conditions hereinbefore set forth.

Dated April 30, 1975.

Attest:

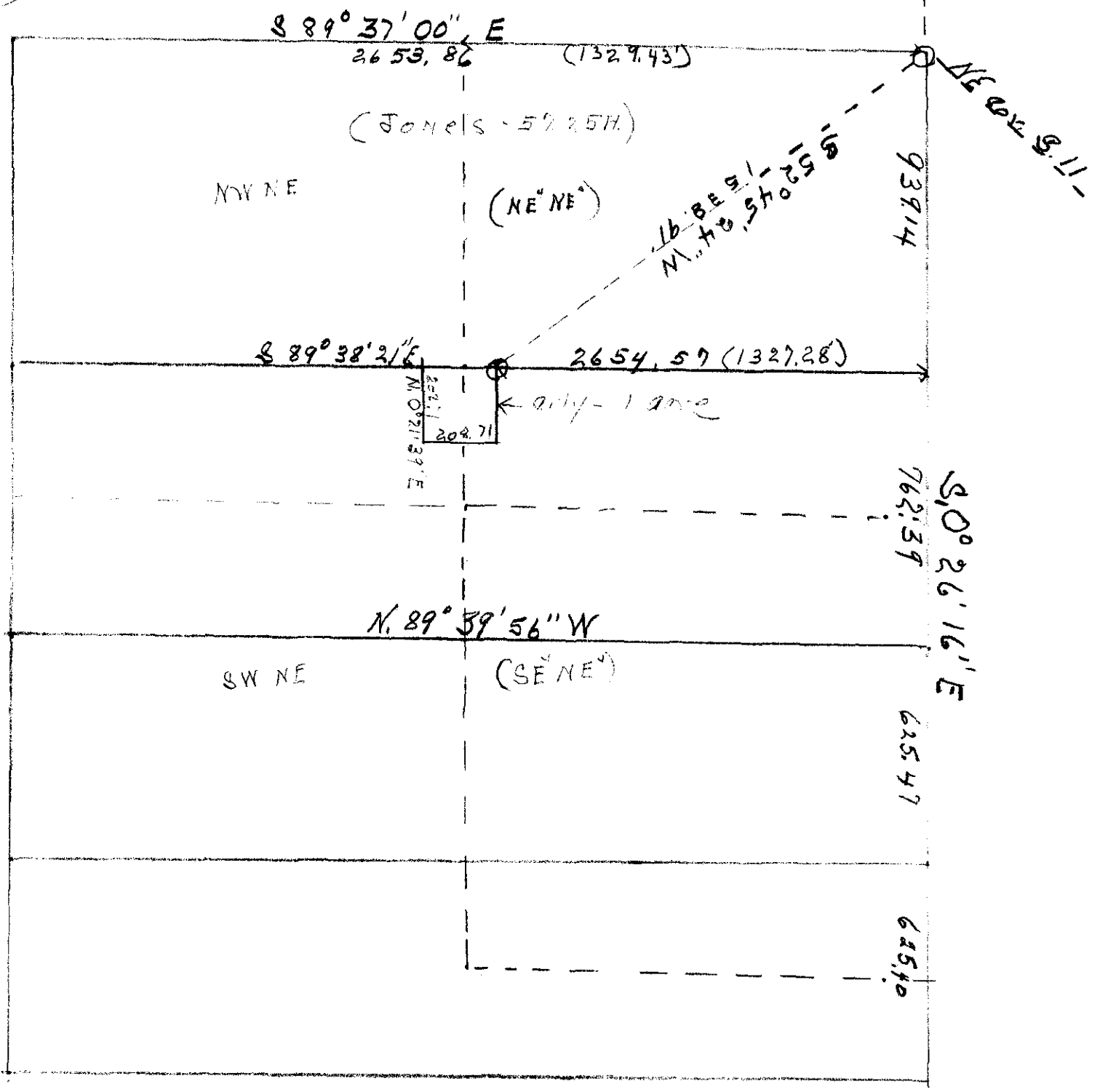
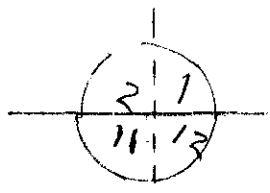
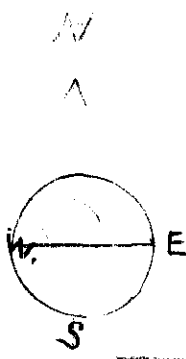
Maria McFadden
City Clerk

THE CITY OF COUNCIL, IDAHO

By Coxhill
Its Mayor

Frank L. Jones
(Frank L. Jones)

Helen M. Jones
(Helen M. Jones)



11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. **Sec. 11, T. 16 N. R. 1 W. B. M.**

[illegible]

Scale: 2 inches equal 1 mile

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

(Applicant)

5-02-1975

Received by ij Date 5/02/75 Time 8:00 A
Preliminary check by RWH Fee \$ 10.00
Receipted by Ca Date 5/2/75 # 519
Publication prepared by ja Date 5-8-75
Published in Adams County Times
Publication dates May 15 & 22
Publication approved ja Date 6-4-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by EDB MS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 67-7239, 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 July 1, 1977.
- Other: _____

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

Witness my hand this 12th day of June 19 75.

[Signature]
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 Application

No. 67-7239 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 May 15, 1975

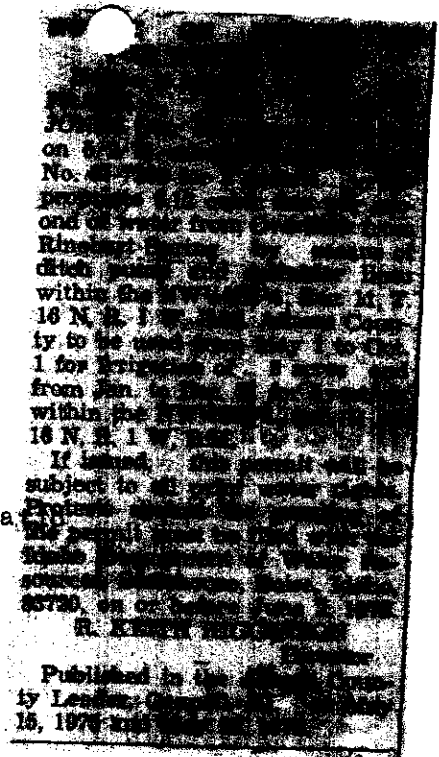
and the last in the issue dated May 22, 1975 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 23rd

day of May 1975

Paul Braun
Notary Public for Idaho,
Residing at Council, Idaho



MICROFILMED

CONVERSATION MEMORANDUM

DATE 10/27/86FILE 67-4151 & 67-7239NAME OF PARTY Helen JonesEMPLOYEE Jan Thuite

RE:

Mrs. Jones phoned this date concerning her water right no. 67-7239 which is for a spring locally known as Pinehart spring. She stated that the City of Council has not used the spring since at least 1978 (8 yrs). Then this summer they repaired the old diversion works at began using the spring again for municipal use. At that time Mrs. Jones' water dried up. She has a pipeline from the overflow of water from this spring. The City of Council does have a water right in Claim No. 67-4151 for 52 cfs dating back to 10/25/1915. There is also a Consent to Diversion agreement in File No. 67-7239. This states that "The City at no time, shall be obligated to permit any of the Spring water before referred to as escape or overflow from, or to be wasted from, its said Spring & spring boxes." This statement means that the City can use the water & not waste any of Mrs. Jones' right. However, I did tell Mrs. Jones that

NIFR

if she could take the City to court and
prove they had not used the water for
8 years she might have a chance. I
did say it might be a tough job. I also
told her she could have a measurement
taken of the rate of diversion that the City
is presently using and if it was over
52 cfs she would have a right to the
excess over that amount. She said
she would think over her possibilities.

VERIFIED DL
6-6-85

WATER RIGHT NUMBER 67-7239

OWNER LAST NAME - JONES

FIRST NAME - FRANK L.

ORIG OWNER -

OWNER LAST NAME - JONES

FIRST NAME - HELEN M.

ORIG OWNER -

ADDRESS LINE 1 - STAR ROUTE

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - COUNCIL

STATE - ID ZIP CODE - 83612

SOURCE - RINEHART SPRING

TRIBUTARY OF - WEISER RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 05-02-1975 COUNTY - ADAMS

TOTAL DIV. RATE - .1200 -CFS

TOTAL DIV. VOLUME - 15.70 AFA TRFR/AMEND -

WATER DIST. -

OLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWNE 11 16N 01W LOT REDIV -

272.0 289.0 36.0

0.0 0.0 0.0

0.0 0.0 0.0 0.0 0.0 2.7

FROM - 05-01 TO - 10-01 USE - IRRIGATION

USE DIV. RATE -

.1100 CFS

USE DIV. VOLUME -

15.00 AFA

FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. RATE -

.0100 CFS

USE DIV. VOLUME -

.70 AFA

USE - IRRIGATION

PLACE OF USE - TWN 16N RNE 01W SEC 11 TRACT NWNE LOT AC 05

DECREE NAME -

DATE -

TOTAL ACRES

5

REMARKS -

NON IRRIG USE - 10/HEAD LIVESTOCK.

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 07-01-1977 PERMIT/DENIED - 06-12-1975 PROTESTED -

HEARING -

OLC NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS - DITCH, PUMP & SPRINKLERS.

9/78

IDENT. NO. 67-7239

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

WATER RIGHT
DATA ENTRY LOG

[illegible]



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

Frank & Helen Jones
Star Rt.
Council, Idaho 83612

Dear Mr. & Mrs. Jones,

RE: License No. 67-7239

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:mr
Enclosure

MICROFILMED



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

July 14, 1980

Frank & Helen Jones
Star Rt.
Council, Idaho 83612

Dear Mr. & Mrs. Jones,

A representative of this Department has made an examination of the works covered by your Permit No. 67-7239, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .12 cfs Source: Rinehart Spring

The maximum quantity diverted shall not exceed 15.73 acre feet
per year.

Point(s) of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, Twp. 16N, Rge. 1W, B.M.

Beneficial use: Irrigation of 5 acres and livestock use within the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 11, Twp. 16N, Rge. 1W.

Priority date established: May 2, 1975.

Conditions (if any):

If you do not concur with these findings please contact us within 10 days,
otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Frank L. Jones & Helen M. Jones
Post office address star Rt., Council, ID 83612 Phone _____
Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☐ Surface water ☒ crystal spring
Rinehart Sp. overflow
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.11 c.f.s. for Irrigation
_____ AF/Annum (nature of use)
Period of Use: from May 1 to Oct. 1
(mo.-day) inclusive (mo.-day)
Amount 0.01 c.f.s. for Livestock (10 head cattle & horses)
_____ AF/Annum (nature of use)
Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)
Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)
Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)
Other uses: _____

Permit No. 67-7239
Examination for _____ b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.12 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 16N N/S, Range 1W E/W, B.M., Section 11, Subdivision NW 1/4 NE 1/4, Adams
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____
County
Other Points of Diversions: _____

Description of diverting works: open ditch from collection box on spring site and land owned
by city to land owned by applicant

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
16n	1W	11		8															8

TOTAL ACREAGE 8

[illegible]

Diagram of System

DATE OF EXAM 6/6/80

ACREAGE
Found 5
Recommended 5

Irrigation Requirement 3 Ac Ft/Ac

USE
Irrigation Q = .11 c.f.s. V = 15.0 AF/Ann. from 5/1 to 10/1
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = .01 c.f.s. V = .73 AF/Ann. from 1/1 to 1

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 1.12 Method of measurement calc est.

Total Q recommended Meter No. Type Condition

Total V recommended 15.73

Recommended Amendments:

P.D.
Place of Use
Other
None

MEASUREMENT CALCULATION:

Except Q as there is variable flow from spring -
depending on amount city is using.
8 sheep 60 x 2 = 120
V - Livestock Dairy cows 38 x 15 = 525
chickens 5 (80) = 5
650 x .00118 = .73 AF

SYSTEM DESCRIPTION:

Overflow water from city collection boxes runs down
a draw to small storage pond on applicants land.
Surface irrigation is used.

REMARKS:

Source called Birchard or crystal springs

Examiner's Signature John X nops Date 6/10/80

Checked by DBS Date 6/13/80

Approved by RH Date 7/10/80

6/6/80 JKN

5 gal/hr

60 hd sheep - 15 cows - 80 chickens -
5 acres. Spring runs in ^{to a} pond - redirected to
place of use - 50 GPM surface irrigation

~~Good application forms~~

agreement & easement with city has been executed.
a applicant agreed with acreage & etc.

60 sheep x 26 Pda x 365 = 43800 GPM/yr

Source called - crystal or Hinchot spring

June 24, 1977

Re: Permit No. 67-7239

Frank L. Jones & Helen M. Jones
Star Route
Council, ID 83612

Dear Mr. & Mrs. Jones:

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,

JANICE RENK
Water Rights

Identification No. _____

Permit No. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 22 1971

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder FRANK L. JONES & HELEN M. JONES.
b) Post Office Address STAR RT. COUNCIL, IDAHO 83612
2. Permit Number 67-7239
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated OVERFLOW FROM PINCHART SPRING
b) Location of the point of diversion: NW 1/4 1/4 NE 1/4 1/4, Section 11
Township 16N., Range 1W., Boise Meridian, Other points of diversion: NO OTHER POINTS OF DIVERSION
5. a) The amount of water and use to which the water has been applied:
Amount .150 CFS. for STOCK WATER purposes from JAN. 1 to DEC. 31. incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount .150 CFS. for IRRIGATION purposes from MAY 1. to SEPT. 30. 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 .150 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: MEASURED BY WEIR AND CONVERTED TO CFS BY COUNTY EXTENSION AGENT, ADAMS COUNTY
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: ABOUT 100' SMALL OPEN DITCH FROM BELOW COUNCIL CITY SPRING BOXES, WEST TO APPLICANTS LAND TO IRRIGATE PARTS OF 8 ACRES
b) Describe the agreement or understanding by which you take water from the works: AN AGREEMENT WITH CITY OF COUNCIL, ADAMS COUNTY IDAHO, SIGNED BY CITY OFFICIALS AND RECORDED AT CITY HALL.
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) SMALL OPEN DITCH FROM COLLECTION BOX ON SPRING SITE AND LAND OWNED BY CITY, TO LAND OWNED BY APPLICANT.
b) Describe the type and size of measuring device which you have installed at your point of diversion: MEASURED BY A 12" WEIR.
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: FOR USE TO IRRIGATE YARD, GARDEN, AND PORTIONS OF 8 ACRES THAT CAN BE FLOOD IRRIGATED. ALSO FOR STOCK WATERING PURPOSES.

6/23/71

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	1W	11	APPROX. 8 ACRES																8 A.

Total number of acres irrigated 8 A.

10. Remarks: _____

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

June 21, 1977
(Date)

Mark L. Jones
(Signature)

State of Idaho)
) ss.
County of Adams)

On this 21st day of June, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ornel Looney
Notary Public residing at
Indian Valley, Idaho 83632

My commission expires 6-2-79

April 29, 1977

CERTIFIED MAIL

138440

Re: Permit No. 67-7239

Frank L. & Helen M. Jones
Star Route
Council, Idaho 83612

Dear Mr. & Mrs. Jones:

One of the conditions of approval of your water Permit No. 67-7239 (see last page of your approved 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 July 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use 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.


C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

June 16, 1975

Re: Permit No. 67-7239

Frank L. & Helen M. Jones
Star Route
Council, ID 83612

Dear Mr. & Mrs. Jones:

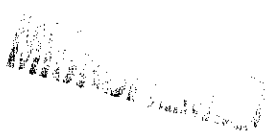
Enclosed is a copy of your approved Application for Permit No. 67-7239. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure



DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 67-7239

☒ 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) CS 5-7-75

In form to receipt

(2) NA

Send Copies to:

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

(3) NA

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) CS 5-7-75

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) OK

Affidavit of Publication received(date) 6-4-75

(12) 4 June 75

Final date for protests 2 June 75
Protests received: yes _____ no ☒

(13) _____

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

(14) 4 June 75

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 Western By Erwin Ballan Date 4 June 75

RECEIVED
JUN 10 1975
DEPARTMENT OF WATER RESOURCES
MICROFILMED



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 9, 1975

Adams County Leader
Council, ID
83612

Re: Notice of Application for Water Permit No. 67-7239, Frank L. & Helen M. Jones
78-7070, ~~Harmer~~ W. and Ida M. Colson

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 submitted

ok - jg - 6-4-75

RECEIVED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that FRANK L. AND HELEN M. JONES
Star Rt., Council, ID
has on 5/2/75 submitted Application No. 67-7239
for a permit to appropriate 0.12 cubic feet per second ~~XXXXXX~~
~~XXXXXX~~ of water from Overflow from Rinehart Spring
by means of ditch pump and sprinkler lines
within the NW 1/4, Sec. 11, T. 16 N, R. 1 W, B.M. Adams County

to be used from May 1 to Oct. 1 for Irrigation of 8 acres
XXXX and from Jan. to Dec. 31 for livestock

within the NW 1/4, Sec. 11, T. 16 N, R. 1 W, B.M.

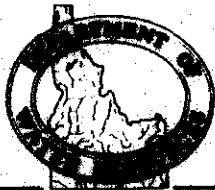
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before June 2, 1975.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council
on May 15, 1975 and May 22, 1975.

7/1/75



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 7, 1975

Frank L. Jones
Star Route
Council, ID 83612

Re: Application for Permit No. 67-7239

Dear Mr. Jones:

Enclosed is your Receipt No. 519 in the amount of \$0.00 for
1 application for permit which was received in this office
on May 2, 1975.

Sincerely,

Jane Gridley
JANE GRIDLEY
Stenographer

JG:jg

Enclosure

MICROFILMED