

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**  
WATER RIGHT NO. 67-07226

Priority: November 5, 1974

Maximum Storage Volume:

267.0 AF

This is to certify, that SOULEN LIVESTOCK CO.

WEISER, ID 83672 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 11, 1974; and has submitted Proof of Beneficial Use on November 26, 1980. An examination indicates that the works have a storage capacity of 267.000 af of water from:

COVE CREEK  
UNNAMED STREAM

tributary to WEISER RIVER  
tributary to COVE CREEK

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

| <u>BENEFICIAL USE</u>   | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-------------------------|----------------------|--------------------------|----------------------|
| IRRIGATION STORAGE      | 01/01 to 12/31       |                          | 267.0 AF             |
| IRRIGATION FROM STORAGE | 03/15 to 11/15       |                          | 267.0 AF             |
| STOCKWATER STORAGE      | 01/01 to 12/31       |                          | 4.1 AF               |
| STOCKWATER FROM STORAGE | 01/01 to 12/31       |                          | 4.1 AF               |
| Totals                  |                      |                          | 267.0 AF             |

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 23, Township 11N, Range 03W  
SWSW , Sec. 26, Township 11N, Range 03W  
WASHINGTON County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 11N        | 03W        | 22         | SESE 21      |              |              | 21           |
|            |            | 23         | SWSW 2       |              |              | 2            |
|            |            | 27         | NENE 6       | NWNE 12      | SWNE 15      |              |
|            |            |            | NESW 23      | SWSW 18      | SESW 30      |              |
|            |            |            | NESE 8       | NWSE 26      | SWSE 4       |              |
|            |            |            | SESE 8       |              |              | 150          |
|            |            | 28         | SESE 7       |              |              | 7            |
|            |            | 33         | NENE 20      |              |              | 20           |
|            |            | 34         | NWNW 17      |              |              | 17           |

Total number of acres irrigated: 217

PLACE OF USE: IRRIGATION STORAGE, same as IRRIGATION use  
PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use  
PLACE OF USE: STOCKWATER STORAGE, same as IRRIGATION use  
PLACE OF USE: STOCKWATER FROM STORAGE, same as IRRIGATION use

**MICROFILMED**

SEP 19 1990

State of Idaho  
Department of Water Resources

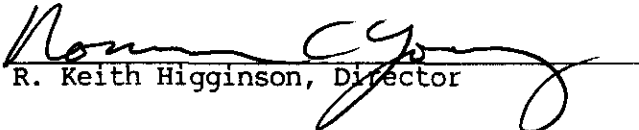
# WATER RIGHT LICENSE

WATER RIGHT NO. 67-07226

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right is subject to control by the watermaster of State Water District No. 67
5. Stockwater use is for 250 head.

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 23<sup>RD</sup> day of AUGUST, 1990.

  
R. Keith Higginson, Director

MICROFILMED

SEP 16 1990

RECEIVED  
AUG 14 1990

State of Idaho  
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 67-07226

APPROVED

Date of Priority: November 5, 1974

Maximum Storage Volume: 267.0 AF

Comes now SOULEN LIVESTOCK CO.  
WEISER, ID 83672 and represents to the Director of the  
Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the  
State of Idaho No. 67-07226, and requests that the permit be changed as follows:

Source: COVE CREEK tributary to WEISER RIVER  
Source: UNNAMED STREAM tributary to COVE CREEK

| <u>BENEFICIAL USE</u>   | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-------------------------|----------------------|--------------------------|----------------------|
| IRRIGATION STORAGE      | 01/01 to 12/31       |                          | 267.0 AF             |
| IRRIGATION FROM STORAGE | 03/15 to 11/15       |                          | 267.0 AF             |
| STOCKWATER STORAGE      | 01/01 to 12/31       |                          | 4.1 AF               |
| STOCKWATER FROM STORAGE | 01/01 to 12/31       |                          | 4.1 AF               |
|                         | Totals               |                          | 267.0 AF             |

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 23, Township 11N, Range 03W  
SWSW , Sec. 26, Township 11N, Range 03W  
WASHINGTON County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|--------------|
| 11N        | 03W        | 22         | SESE 21      |              |              |              | 21           |
|            |            | 23         | SWSW 2       |              |              |              | 2            |
|            |            | 27         | NENE 6       | NWNE 12      |              | SWNE 15      |              |
|            |            |            | NESW 23      | SWSW 18      |              | SESW 30      |              |
|            |            |            | NESE 8       | NWSE 26      |              | SWSE 4       |              |
|            |            |            | SESE 8       |              |              |              | 150          |
|            | 28         |            | SESE 7       |              |              |              | 7            |
|            | 33         |            | NENE 20      |              |              |              | 20           |

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SEP 18 1990

PLACE OF USE: IRRIGATION

| <u>TWN</u> <u>RGE</u> <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|--------------|--------------|--------------|--------------|
| 13N 03W 5                        | NWNW 17      |              |              | 17           |

Total number of acres irrigated: 217

PLACE OF USE: IRRIGATION STORAGE, same as IRRIGATION use  
PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use  
PLACE OF USE: STOCKWATER STORAGE, same as IRRIGATION use  
PLACE OF USE: STOCKWATER FROM STORAGE, same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Weiser, Idaho, this 12<sup>th</sup> day of August, 19 90.

**MICROFILMED**

SEP 15 1990

Loren Lurstock Co, Inc by  
(Signature)

Margaret Lurck Campbell, secret.

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 67-07226

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

# C018007

Preliminary check by SL Fee = \$20.00

Received by J. D. Date 8/14/90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 67-07226 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Use of water under this water right is subject to control by the watermaster of State Water District No. 67
5. Stockwater use is for 250 head.

Witness my hand this 23<sup>RD</sup> day of August, 1990.

R. Keith Higginson  
Acting for R. Keith Higginson, Director

RECEIVED

SEP 15 1990

## WATER RIGHT SPLIT

## SUMMARY

| ACTION          | RIGHT NO. | NAME                 | AMOUNT C.F.S. |
|-----------------|-----------|----------------------|---------------|
| Orginial Permit | 67-7226   | Robert O. Swain      | 1000.0 AF     |
| Full Assignment | 67-7226   | Soulen Livestock Co. | 1000.0 AF     |

*Copy*

**Federal Land Bank Association of Ontario**

P.O. Box 279  
188 S.W. First Avenue  
Ontario, Oregon 97914  
Telephone: 889-6462

Dan. E. Roberts, Manager

RECEIVED



November 12, 1982

193689-1 - Soulen Livestock Co.

Department of Water Resources  
State Capitol  
Boise, Idaho 83720

Gentlemen:

Please find enclosed the Assignment of Permit between Robert O. Swain and Soulen Livestock Company, transferring their interest in Permit No. 67-7226, to Soulen.

Would you please make the necessary transfer on your records to accomplish this?

Thank you for your assistance.

Sincerely,

John R. Hall  
Ass't Manager

b1  
encl.



State of Idaho  
Department of Water Resources  
ASSIGNMENT OF PERMIT

OK to proceed  
RC 11/22/82

I, Robert O. Swain, hereby assign to SOULEN LIVESTOCK COMPANY  
of Weiser, Idaho  
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 67-7226  
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit  
No. \_\_\_\_\_ to appropriate the public waters of the State of Idaho.

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

Made this 16 th day of October, 19 82.

Robert O. Swain  
Permit Holder

Donna Swain  
Spouse of Permit Holder

State of ~~Idaho~~ Utah )  
County of Duchesne ) ss.

On this 16 day of October, 19 82, personally  
appeared before me the signer(s) of the above instrument, who duly acknowledged to me  
that he (she) (they) executed the same.

seal

Lionel C Jensen  
Notary Public residing at  
Neola Utah

My commission expires:  
8/28/86

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING  
DEVICE REQUIREMENT FOR PERMIT NO. 67-7226  
IN THE NAME OF ROBERT O. SWAIN

ORDER

WHEREAS, on October 11, 1974, Robert O. Swain applied to the Department of Water Resources for a permit to appropriate 1,000 acre feet per annum of water from an unnamed stream tributary to Cove Creek to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 23, Twp. 11N, Rge. 3W B.M., and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 26, Twp. 11N, Rge. 3W, B.M., Washington County, to be used for storage for irrigation and storage for stockwater; and,

WHEREAS, on November 25, 1975, the Department approved said application and issued Permit No. 67-7226 with the condition that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1980, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works at the inlet and outlet of the reservoirs; and,

WHEREAS, it has been determined by the Department that measuring devices are not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that measuring devices of a type approved by the Director be permanently installed and maintained as part of the diverting works at the inlet and outlet of the reservoirs, be and is, REMOVED from Permit No. 67-7226.

Dated this 24<sup>th</sup> day of February, 1981.

  
L. GLEN SAXTON  
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 67-7226 )  
IN THE NAME OF ROBERT O. SWAIN )  
\_\_\_\_\_ )

ORDER OF REINSTATEMENT

WHEREAS, on October 11, 1974, Robert O. Swain applied to the Department of Water Resources for a permit to appropriate 1,000 acre feet per annum of water from an unnamed stream tributary to Cove Creek to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 23, Twp. 11N, Rge. 3W B.M. and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 26, Twp. 11N, Rge. 3W B.M., Washington County, to be used for storage for irrigation and storage for stockwater; and,

WHEREAS, on November 25, 1975, the Department approved said application and issued Permit No. 67-7226 with the condition that proof of construction or works and application of water to beneficial use be submitted on or before November 1, 1980; and,

WHEREAS, on August 31, 1980, the Department notified the permit holder by certified mail that proof of construction of works and application of water to beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on November 13, 1980, the Department notified the permit holder that Permit No. 67-7226 had lapsed for failure of the permit holder to submit proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days from the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on November 26, 1980;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 67-7226 be REINSTATED and the priority advanced to November 5, 1974.

Dated this 28<sup>th</sup> day of January, 1981.

  
L. GLEN SAXTON

Chief, Operations Bureau

Identification No. \_\_\_\_\_

Application No. 67-7226

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

**APPROVED**

**APPLICATION FOR PERMIT**

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

1. Name of applicant Robert O. Swain Phone: 549-2874  
post office address Rt. 2, Box 90, Weiser, Id. 83672
2. Source of water supply Unnamed Stream <sup>Cove Cr.</sup> which is a tributary of Cove Creek <sup>weiser R.</sup>
3. a. Location of point of diversion is NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 23 Township 11N  
Range 3W B.M. Washington County; additional points of diversion if any: \*2-SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sect 26, T11N, R3W
- 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 200 ac.ft. <sup>Storage for</sup> Irrigation purpose from Apr. 1 to Oct. 15 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 200 ac.ft. <sup>Storage for</sup> Stock water 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)
5. Total quantity to be appropriated:  
a. 6 cubic feet per second and/or  
b. 1000 ac.ft. acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. 2 reservoirs, each with 12"  
outlet pipes.
- b. Height of storage dam <sup>\*130 ft</sup> 210 ft. feet, active reservoir capacity 800 <sup>800</sup> acre feet; total reservoir capacity 1000 acre feet, materials used in storage dam: Earth fill  
Period of year during which storage will occur Jan. 1 to Dec. 31 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 \$ 50,000.
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 SW  $\frac{1}{4}$  of Section 26 Township 11N  
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 250 head of cattle
- (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: \_\_\_\_\_

**MICROFILMED**

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 |          |
| 11   | 3     | 22   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | ✓      | 22.0 ac. |
| 11   | 3     | 27   |        | ✓      | ✓      |        |        |        |        |        |        |        |        |        |        |        |        |        | 30.0 ac. |
| 11   | 3     | 27   |        |        |        |        |        |        |        |        |        |        |        | ✓      | ✓      |        |        |        | 36.0 ac. |
| 11   | 3     | 27   |        |        |        |        |        |        |        |        |        |        |        |        |        |        | ✓      | ✓      | 40.0 ac. |
| 11   | 3     | 34   | ✓      | ✓      |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 50.0 ac. |
| 11   | 3     | 28   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | ✓      | 9.4 ac.  |
| 11   | 3     | 34   |        |        |        | ✓      |        |        |        |        |        |        |        |        |        |        |        |        | 22.0 ac. |
| 11   | 3     | 33   | ✓      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 14.0 ac. |
| 11   | 3     | 35   |        |        |        |        |        | ✓      | ✓      |        |        |        |        |        |        |        |        |        | 13.5 ac. |
| 11   | 3     | 27   |        |        |        |        |        |        |        |        | ✓      |        | ✓      | ✓      |        |        |        |        | 89.0 ac. |
| 11   | 3     | 34   |        |        |        |        | ✓      | ✓      |        |        |        |        |        |        |        |        |        |        | 40.0 ac. |

Total number of acres to be irrigated 359.9

c. Describe any other water rights used for the same purposes as described above. None

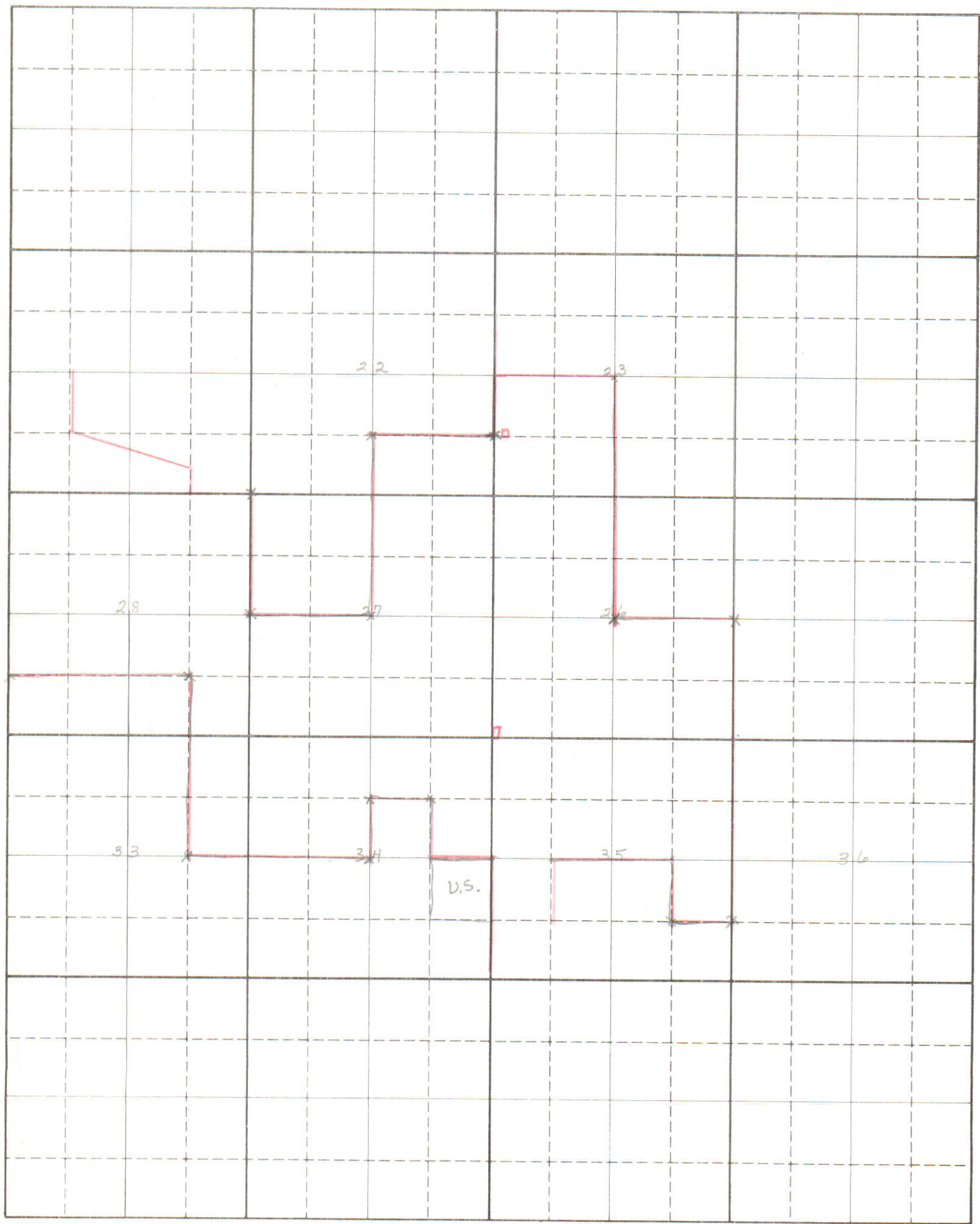
9. a. Who owns the property at the point of diversion Applicant

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.

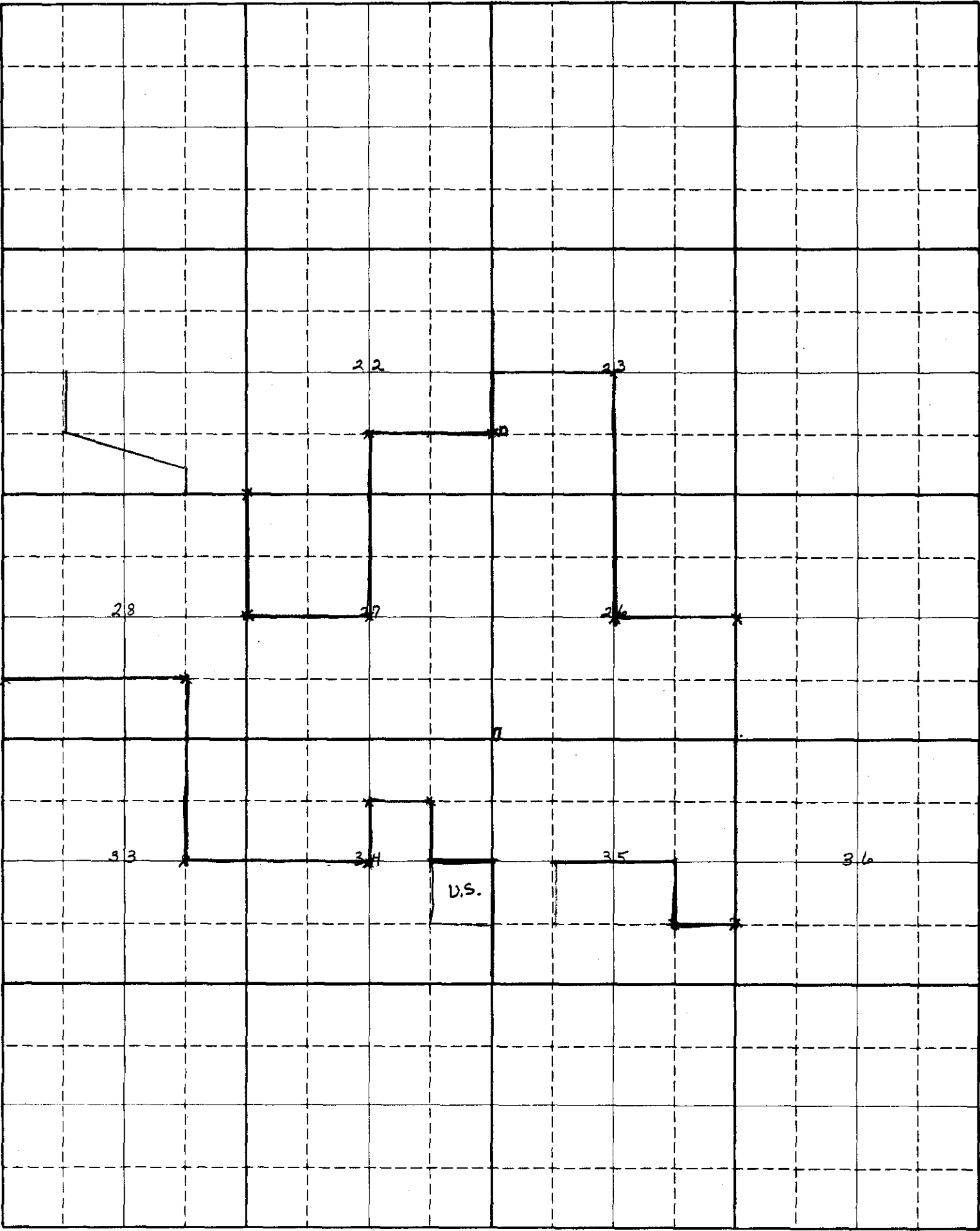


Scale: 2 inches equal 1 mile

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.

*Robert C. Swain*  
(Applicant)

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.

*Robert A. Swain*  
(Applicant)

Proposed Priority 10-11-1974

Received by Ca Date 10-11-74 Time 11:45A  
Received by not Date 10-7-74 Time 11:30A  
Preliminary check by RWH Fee \$ 115.00  
Received by SW Date 10-7-74 # 15270  
Publication prepared by Ca Date 10-18-74  
Published in Weiser Signal  
Publication dates Oct. 24 & Oct. 31  
Publication approved Ca Date 11-4-74  
Priority reduced to \_\_\_\_\_ Reason \_\_\_\_\_

Protests filed by: Mooney & Son's Inc.  
Richard Mooney, Pres. Weiser, Id. 11-7-74  
Claim Kirk - by Michael Sweet his attorney 11-12-74  
Copies of protests forwarded by Ca 11-12-74 Ca 11-13-74  
Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
Recommended for approval denial by JJS

#### 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. 67-7226, 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 November 1, 19 80.
- Other: Measuring devices of a type approved by the Director shall be permanently installed and maintained as part of the diverting works at the inlet and outlets of the reservoirs.

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

Witness my hand this 25 day of November, 19 75.

R. Kent H.  
Director

No 918

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }  
County of Washington } ss.

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

That he is the owner of  
THE WEISER SIGNAL, a weekly newspaper published at  
Weiser, in the County of Washington and State of Idaho; that  
said paper has been and is in general circulation in the  
county aforesaid, and in the vicinity of Weiser; that the ad-  
vertisement, a copy of which is attached hereto, was pub-  
lished in said newspaper once a week for 2 consecu-  
tive weeks in the regular and entire issue of said paper dur-  
ing the period and time of publication, and was published in  
the newspaper proper and not in a supplement; that said  
paper has been established and regularly published for more  
than seventy-eight consecutive weeks prior to the date of  
first publication of said advertisement.

Such notice was published in the issue beginning with  
10-24, 1974, and ending  
with the issue of 10-31, 1974

Fees, \$ 14.96

Subscribed and sworn to before me this 1  
day of Nov., 1974

Notary Public  
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 5-1, 1977

No. 918  
NOTICE OF APPLICATION  
FOR WATER PERMIT

Notice is hereby given that  
Robert O. Swain, Rt. 2, Box  
90, Weiser, Idaho has on Oct.  
11, 1974 submitted Applica-  
tion No. 67-7226 for a permit  
to appropriate 6 cubic feet  
per second 1,000 acre feet  
per annum of water from un-  
named stream, trib. to Cove  
Creek by means of reser-  
voirs and pipelines within the  
NW1/4SW1/4, Sec. 23, SW1/4  
SW1/4, Sec. 26, T. 11 N, R.  
3 W, B.M. Washington Coun-  
ty to be used from Jan 1 to  
Dec. 31 for stockwater use  
and from April 1 to Oct.  
15 for irrigation of 360 acres  
within the SE1/4SE1/4, Sec.  
22, W1/2NE1/4, Sec. 27, SE  
1/4, Sec. 27, N1/2NE1/4,  
Sec. 34, SE1/4SE1/4, Sec.  
28, SE1/4NE1/4, N1/2NW  
1/4, Sec. 34, NE1/4NE1/4,  
Sec. 33, W1/2NW1/4, Sec.  
35, NE1/4SW1/4, S1/2SW  
1/4, Sec. 27, T. 11 N, R. 3 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 De-  
partment of Water Resour-  
ces, Statehouse, Boise, Id-  
aho, 83720, on or before Nov.  
12, 1974.

R. Keith Higginson  
Director

Published in The Weiser  
Signal, Weiser, Idaho on Oct.  
24, 1974 and Oct. 31, 1974.  
64-2S.

NOV 4 1974

Ok  
11-4-74  
Cu

August 24, 1990

SOULEN LIVESTOCK CO.  
WEISER, ID 83672

RE: PERMIT NO. 67-07226

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

INDEXED

SEP 19 1990

July 19, 1990

SOULEN LIVESTOCK CO.  
WEISER, ID 83672

RE: PERMIT NO. 67-07226

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:sc

Enclosure

MicroFILMED

SEP 17 1990

| WR-NUMBER               | NAME                  | STG | SOURCE           | T   | R   | S   | NE | NW | SW | SE | NE | NW | SW | SE | SUM |
|-------------------------|-----------------------|-----|------------------|-----|-----|-----|----|----|----|----|----|----|----|----|-----|
| 6707226                 | SOULEN LIVESTOCK CO.  | P   | COVE CREEK       | 11N | 03W | 22  | :  | :  | :  | :  | :  | :  | :  | :  | 22  |
| L6707226                | SOULEN LIVESTOCK CO.  | L   | COVE CREEK       | 11N | 03W | 22  | :  | :  | :  | :  | :  | :  | :  | :  | 22  |
|                         | 1986 MAPPING DATA --- | -   | COUNTY 87 QUAD U | 55  | 11N | 03W | 22 | :  | :  | :  | :  | :  | :  | :  | 26  |
| NO RIGHTS WITH THIS POU |                       |     |                  |     |     |     |    |    |    |    |    |    |    |    |     |
|                         | 1986 MAPPING DATA --- | -   | COUNTY 87 QUAD U | 55  | 11N | 03W | 23 | :  | :  | :  | :  | :  | :  | :  |     |
| 6707226                 | SOULEN LIVESTOCK CO.  | P   | COVE CREEK       | 11N | 03W | 27  | 15 | 15 | :  | :  | 30 | 30 | 29 | 15 | 15  |
| L6707226                | SOULEN LIVESTOCK CO.  | L   | COVE CREEK       | 11N | 03W | 27  | 15 | 15 | :  | :  | 30 | 30 | 29 | 15 | 15  |
|                         | 1986 MAPPING DATA --- | -   | COUNTY 87 QUAD U | 55  | 11N | 03W | 27 | 2  | 16 | 19 | :  | 1  | :  | 22 | 9   |
| 6707590                 | STATE OF IDAHO        | A   | WEISER RIVER     | 11N | 03W | 28  | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40  |
| L6707226                | SOULEN LIVESTOCK CO.  | L   | COVE CREEK       | 11N | 03W | 28  | :  | :  | :  | :  | :  | :  | :  | :  | 9   |
|                         | 1986 MAPPING DATA --- | -   | COUNTY 87 QUAD U | 55  | 11N | 03W | 28 | :  | :  | :  | :  | :  | :  | :  |     |
| 6707590                 | STATE OF IDAHO        | A   | WEISER RIVER     | 11N | 03W | 33  | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40  |
| L6707226                | SOULEN LIVESTOCK CO.  | L   | COVE CREEK       | 11N | 03W | 33  | 14 | :  | :  | :  | :  | :  | :  | :  | 14  |
|                         | 1986 MAPPING DATA --- | -   | COUNTY 87 QUAD U | 55  | 11N | 03W | 33 | :  | :  | :  | :  | :  | :  | :  |     |
| 6707226                 | SOULEN LIVESTOCK CO.  | P   | COVE CREEK       | 11N | 03W | 34  | 25 | 25 | 22 | 20 | 20 | :  | :  | :  | 112 |
| L6707226                | SOULEN LIVESTOCK CO.  | L   | COVE CREEK       | 11N | 03W | 34  | 25 | 25 | 22 | 20 | 20 | :  | :  | :  | 112 |
|                         | 1986 MAPPING DATA --- | -   | COUNTY 87 QUAD U | 55  | 11N | 03W | 34 | :  | :  | :  | :  | :  | :  | :  |     |

REPROFILMED  
SEP 19 1990

04/04/90

POINT OF DIVERSION 1/4 1/4 T-R-S REPORT

| WR-NUMBER | NAME                 | STG | SOURCE     | T   | R   | S  | NE |    |    | NW |    |    | SW |    |    | SE |    |    |
|-----------|----------------------|-----|------------|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|           |                      |     |            |     |     |    | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| 6707226   | SOULEN LIVESTOCK CO. | P   | COVE CREEK | 11N | 03W | 23 | :  | :  | :  | :  | :  | :  | X  | :  | :  | :  | :  | :  |
| L6707226  | SOULEN LIVESTOCK CO. | L   | COVE CREEK | 11N | 03W | 23 | :  | :  | :  | :  | :  | :  | X  | :  | :  | :  | :  | :  |
| 6707226   | SOULEN LIVESTOCK CO. | P   | COVE CREEK | 11N | 03W | 26 | :  | :  | :  | :  | :  | :  | X  | :  | :  | :  | :  | :  |
| L6707226  | SOULEN LIVESTOCK CO. | L   | COVE CREEK | 11N | 03W | 26 | :  | :  | :  | :  | :  | :  | X  | :  | :  | :  | :  | :  |

REPRODUCTION

SEP 19 1990

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
MAR - 1 1988

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

67-7226  
Permit No.

NWSW 23 11N 3E

P.U. all set 27,33,35  
34  
28  
ESE 22

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 DN 7-27-87 (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 \_\_\_\_\_ (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? DN 7-23-87 (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 Chamberlain Mottill 8-19-87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent SD 8/11/87 (Initial and date)

Exam Reviewed by Manager of Regional Office DN 2/21/88 (Initial and date)

Exam Date Entered in Computer \_\_\_\_\_ (Initial and date)

Exam sent to State Office DN 2/29/88 (Initial and date)

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

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

**A. GENERAL INFORMATION**

Permit No. 67-7226

1. Owner: SOULEN LIVESTOCK CO.

Phone No. 208-549-1878

Current Address: WEISER, ID. 83672

2. Accompanied by: VERNE ANDERSON

EXAM. DATE: \_\_\_\_\_

Address: RT 2 BOX 180 WEISER

Phone No. 544-2523

Relationship to Permit Holder: PUT IN SYSTEM

3. Source: UNNAMED STREAMS tributary to COVE CREEK

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: 67-7590 IS A APPLICATION FROM THE STATE TO PUT IN A BIG RESERVOIR WHICH WOULD COVER SOME ☐ Copies Attached OF THE LAND IN SECT. 33, 25,

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

\* AERIAL PHOTO SHOWS BEST

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Scale: 1" = \_\_\_\_\_

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.)

#1 EARTH + ROCK DAM SET IN MIDDLE OF DRAW WITH A 12" DISCHARGE PIPE GOING TO PTO DRIVEN BOOSTER PUMP THEN 9" PIPE MAINLINE GOES TO P.U.

#2 EARTH + ROCK DAM SET IN A DRAW WITH A 12" SPRINKLER MAINLINE GOING TO P.U. ENOUGH

PRESSURE IS BUILT UP SO THEY DONT HAVE TO HAVE A PUMP,

☐ See Remarks on page 4 for continuation

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make         | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|----|------------------|-------------------|-----------------------------------|
|                                       | FARMALL M  | ?  |                  | CORNELL           | 10274                             |
|                                       | TRACTOR    |    |                  | PORTABLE PTO PUMP |                                   |
|                                       |            |    |                  |                   |                                   |
|                                       |            |    |                  |                   |                                   |

\*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 |
|------------|------------|-----|-----|-----|------|------|------|------------|---------------------------------|
| #1         |            |     | NW  | SW  | 23   | 11N  | 3W   | WASHINGTON | AERIAL PHOTO + USES (JND)       |
| #2         |            |     |     |     | 26   | 11N  | 3W   | WASHINGTON | V                               |
|            |            |     |     |     |      |      |      |            |                                 |
|            |            |     |     |     |      |      |      |            |                                 |

6. Place(s) of Use:

Indicate Method of Determination

| 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 |        |
| 11N  | 3W   | 23   |        |        |        |        |        |        |        |        |        |        | 2      |        |        |        |        |        | 2      |
|      |      | 22   |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 21     |        | 21     |
|      |      | 27   | 6      | 12     | 15     |        |        |        |        | 23     |        | 18     | 30     | 8      | 26     | 4      | 8      |        | 150    |
|      |      | 34   |        |        |        |        | 17     |        |        |        |        |        |        |        |        |        |        |        | 17     |
|      |      | 33   | 20     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 20     |
|      |      | 28   |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 7      |        | 7      |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 217    |

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Do not use this space

SEP 19 1990

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
| NONE                  |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

FROM DAM SAFETY FILES

#1 67-7226A - CAPACITY 94 ac-FT

#2 67-7226B - CAPACITY 173 ac-FT

#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

#### F. PUMP EFFICIENCY DATA (Optional)

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

Total Head: (1) + (2) = \_\_\_\_\_ (3)

Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 217 \times 4.5 = 976.5 \text{ ac-ft}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \text{N/A} \rightarrow \text{CAPACITY } 267 \text{ ac-ft}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 267 \text{ ac-ft}$

2. Volume Calculations for Other Uses:

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## H. REMARKS AND OVERLAP REVIEW ANALYSIS

\* NOTE SOME OF P.U. IS NOT LISTED ON PERMIT

\* ALSO THERE WERE NO MEASUREMENT DEVICES GOING IN AND OUT OF THE RESERVOIRS. - ALTHOUGH THERE WAS NO WATER COMING IN THE RESERVOIR, THE ONLY WATER GOING OUT, WAS WHAT THEY USE WHEN THEY SPRINKLE.

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use          | Period of Use |                | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-------------------------|---------------|----------------|------------------------------|--------------------------|
|                         | From          | To             |                              |                          |
| STORAGE FOR IRRIGATION  | 4-1           | 12/31<br>10-15 |                              | 267 afa                  |
| STORAGE FOR STOCKWATER  | 1-1           | 12-31          |                              | 267 afa                  |
| Irrigation From Storage | 4-1           | 10-15          |                              | 267 af                   |
| Totals:                 |               |                |                              | 267 afa                  |

### 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

QUENTIN NESBITT

Signature

Quentin Nesbitt

Certification Date

Field Report Preparation Date

8-18-87

CONSULTANT SEAL

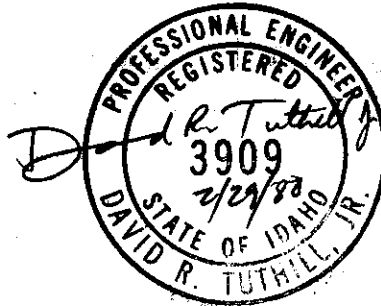
SD

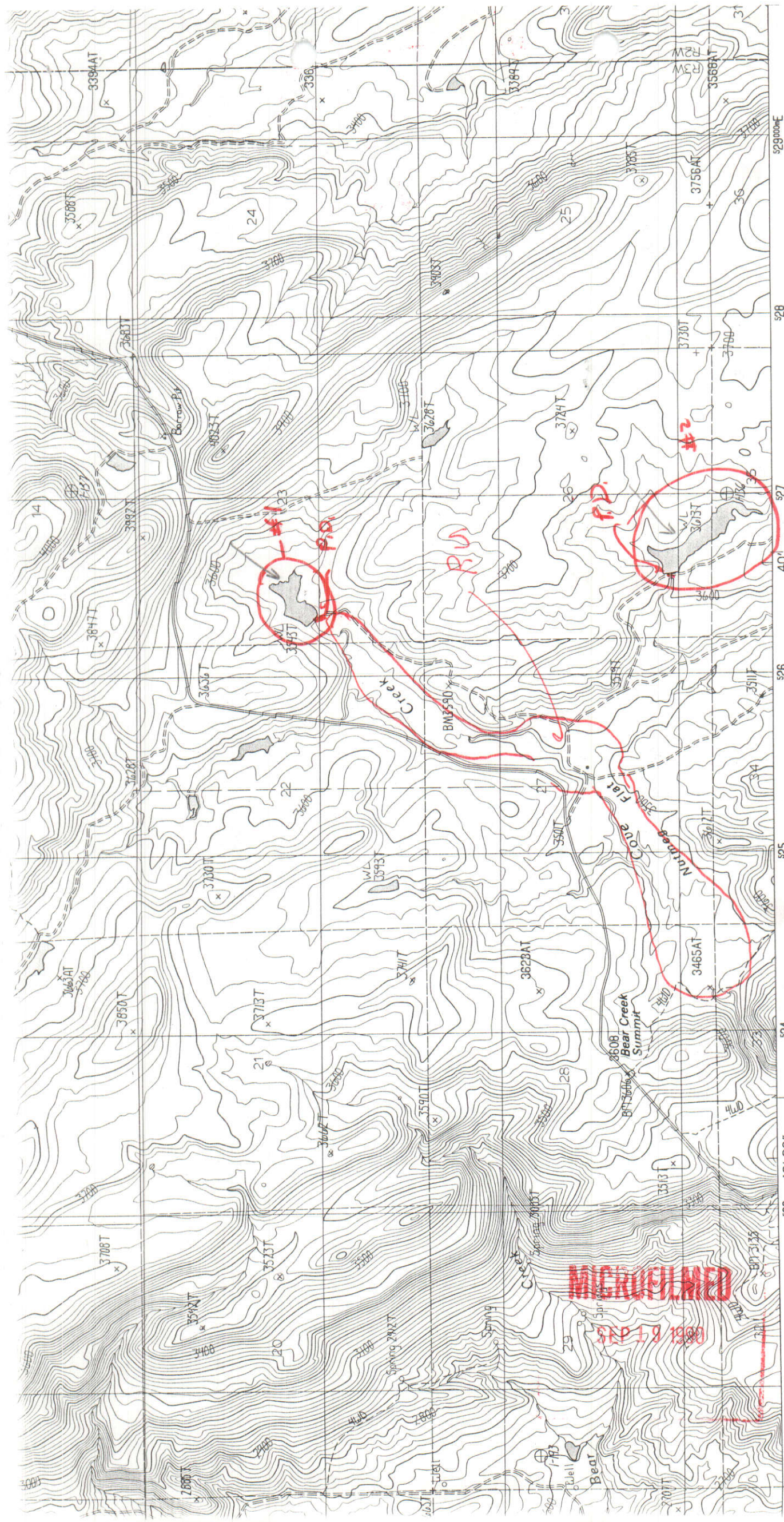
8/19/87

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

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SEP 19 1990





U.S. GEOLOGICAL SURVEY  
U.S.S. NOS/NOAA  
KEN  
EDITED  
TRANSVERSE MERCATOR  
ZONE II  
IDAHO, WEST ZONE  
0°13' EAST  
17°30' EAST  
NORTH AMERICAN DATUM OF 1929

SCALE 1:24 000

MILES  
0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10 000

FEET  
0 1000 2000

METERS  
0 1000 2000

CONTOUR INTERVAL 20 FEET

ROAD LEGEND

Improved Road .....  
Unimproved Road .....  
Trail .....

Interstate Route U.S. Route State

QUADRANGLE LOCATION

1 2 3 1 Midvale Hill

IDAHO

INTERIOR-GEOLOGICAL SURVEY, RESTON, VIRGINIA-1988



67- 7226

Soulen Livestock Co.



Photos of

P.D. #1



**MICROFILMED**  
SEP 19 1990



67-7226

Soulen Livestock Co.



Photos of  
P.D. # 2



MICROFILMED

SEP 19 1980

3555  
1987

WRR156

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHTS BY PLACE OF USEPAGE  
61/02

| THNSHP | RNG | SEC | TRACT | LOT | ACRES       | USES    | WATER RIGHT<br>NUMBER | LAST NAME | OWNER STAGE<br>CODE | PRIORITY<br>DATE | SOURCE OF WATER |
|--------|-----|-----|-------|-----|-------------|---------|-----------------------|-----------|---------------------|------------------|-----------------|
| T1N    | 03W | 32  | NESE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | NWSE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | SWSE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | SESE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     | 33  | NENE  | 14  | 01.02.03.06 | 67-7226 | SWAIN                 | O         | P                   | 11-05-1974       | COVE CREEK      |
|        |     |     |       |     |             |         | SOULEN LIVESTOCK C    | C         |                     |                  |                 |
|        |     |     | NENE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | NWNE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | SWNE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | SENE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     | 34  | NENN  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | NWNN  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | SWNN  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | SENN  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | NESW  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | NWSW  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | SWSW  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | SESW  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | NESE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | NWSE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | SWSE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | SESE  | 40  | 02.03.20.21 | 67-7590 | STATE OF IDAHO        | C         | A                   | 07-09-1982       | WEISER RIVER    |
|        |     |     | NENE  | 25  | 01.02.03.06 | 67-7226 | SWAIN                 | O         | P                   | 11-05-1974       | COVE CREEK      |
|        |     |     |       |     |             |         | SOULEN LIVESTOCK C    | C         |                     |                  |                 |
|        |     |     | NENE  | 25  | 01.02.03.06 | 67-7226 | SWAIN                 | O         | P                   | 11-05-1974       | COVE CREEK      |
|        |     |     |       |     |             |         | SOULEN LIVESTOCK C    | C         |                     |                  |                 |
|        |     |     | SENE  | 22  | 01.02.03.06 | 67-7226 | SWAIN                 | O         | P                   | 11-05-1974       | COVE CREEK      |
|        |     |     |       |     |             |         | SOULEN LIVESTOCK C    | C         |                     |                  |                 |
|        |     |     | NENN  | 20  | 01.02.03.06 | 67-7226 | SWAIN                 | O         | P                   | 11-05-1974       | COVE CREEK      |
|        |     |     |       |     |             |         | SOULEN LIVESTOCK C    | C         |                     |                  |                 |
|        |     |     | NWNN  | 20  | 01.02.03.06 | 67-7226 | SWAIN                 | O         | P                   | 11-05-1974       | COVE CREEK      |
|        |     |     |       |     |             |         | SOULEN LIVESTOCK C    | C         |                     |                  |                 |
|        |     | 35  | NWNN  | 07  | 01.02.03.06 | 67-7226 | SWAIN                 | O         | P                   | 11-05-1974       | COVE CREEK      |
|        |     |     |       |     |             |         | SOULEN LIVESTOCK C    | C         |                     |                  |                 |
|        |     |     | SWNN  | 07  | 01.02.03.06 | 67-7226 | SWAIN                 | O         | P                   | 11-05-1974       | COVE CREEK      |
|        |     |     |       |     |             |         | SOULEN LIVESTOCK C    | C         |                     |                  |                 |
| T1N    | 04W | 03  | SESE  | 35  | 01          | 67-4467 | TALLEN                | C         | S                   | 04-01-1971       | CRANE CREEK     |
|        |     |     |       |     |             |         | TALLEN                | C         |                     |                  |                 |
|        |     | 05  | NENN  |     | 01          | 67-0532 | WISHART               | C         | D                   | 06-01-1981       | MANN'S CREEK    |
|        |     |     |       |     |             |         | WISHART               | C         |                     |                  |                 |
|        |     | 06  | SENN  |     | 01          | 67-0532 | WISHART               | C         | D                   | 06-01-1981       | MANN'S CREEK    |
|        |     |     |       |     |             |         | WISHART               | C         |                     |                  |                 |
|        |     | 06  | NENE  | 02  | 01.02       | 67-2386 | U.S. DEPT. OF INTE    | C         | L                   | 12-14-1940       | MANN'S CREEK    |
|        |     |     | NENE  | 01  | 01          | 67-0532 | WISHART               | C         | D                   | 06-01-1981       | MANN'S CREEK    |
|        |     |     |       |     |             |         | WISHART               | C         |                     |                  |                 |
|        |     |     | NENE  | 36  | 01.02       | 67-2386 | U.S. DEPT. OF INTE    | C         | L                   | 12-14-1940       | MANN'S CREEK    |
| T1N    | 04W | 06  | NENE  | 01  | 01          | 67-7049 | DOAK                  | C         | L                   | 05-10-1970       | GROUNDWATER     |
|        |     |     | NENE  | 02  | 01          | 67-0534 | ROGERS                | C         | D                   | 06-01-1981       | MANN'S CREEK    |
|        |     |     |       |     |             |         | ROGERS                | C         |                     |                  |                 |
|        |     | 06  | SWNE  |     | 01          | 67-0532 | WISHART               | C         | D                   | 06-01-1981       | MANN'S CREEK    |
|        |     |     |       |     |             |         | WISHART               | C         |                     |                  |                 |

SEP 19 1990

MICROFILMED

D-151  
D-151  
T611

C-105  
C-114

C-105  
E-78  
D-78  
T490

P.D. #1  
DAM SAFETY  
FILE  
67-72264

\* ALL FIELDS  
NOT MARKED  
AT ALCALFA

- MARKS  
PIPELINE

SEP 2 1990  
MICROFILMED

P.D. #2  
DAM SAFETY  
FILE 67-72265

21 22  
28 27

22 23  
21 26

28 27  
33 34

27 26  
34 35

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4/8  
**RECEIVED**

APR 16 1987

Department of Water Resources  
Western Regional Office

**RECEIVED** **EXPUNCHED**

MAY 06 1987

STATE OF IDAHO  
Department of Water Resources  
DEPARTMENT OF WATER RESOURCES

For Office Use Only  
Fee Received \$150  
Date 4/22/87  
Receipt # 42352  
Receipt by  
Sent to S.O. *JS*

EXAMINATION FEE INFORMATION

1. Permit No. 67-7226

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

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

2. Permit Holder: SOULEN LIVESTOCK CO.

3. Post Office Address: 1760 FAIRMONT DR. WEISER, IDAHO 83672

Telephone No. 208-549-1878

4. Source of Water: RUN OFF

5. Extent of Use:

Domestic \_\_\_\_\_ (No. of households) Stockwater \_\_\_\_\_ (No. and type of stock)

Irrigation \_\_\_\_\_ (acres) Other/Remark \_\_\_\_\_

6. Total rate &/or volume for which proof is submitted \_\_\_\_\_ cfs 267 acre-feet

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

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

HARRY SOULEN - 208-549-1415 - WEISER

VERNE ANDERSON (Name) 549-2523 - WEISER

PHIL SOULEN 549-1878 - WEISER

(Address) \_\_\_\_\_ (Telephone Number)

**MICROFILMED**

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date

4/14/87

Phil Soulen PRESIDENT  
Signature of Permit Holder (and title, if appropriate)

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second  
AF = acre feet)

| cfs          | AF          | Fee      |
|--------------|-------------|----------|
| 0 - 0.04     | 0 - 4       | \$ 0     |
| .05 - 0.20   | 5 - 20      | 50.00    |
| .21 - 1.0    | 21 - 100    | 100.00   |
| 1.01 - 2.0   | 101 - 200   | 125.00   |
| 2.01 - 3.0   | 201 - 300   | 150.00 ✓ |
| 3.01 - 4.0   | 301 - 400   | 175.00   |
| 4.01 - 5.0   | 401 - 500   | 200.00   |
| 5.01 - 6.0   | 501 - 600   | 225.00   |
| 6.01 - 7.0   | 601 - 700   | 250.00   |
| 7.01 - 8.0   | 701 - 800   | 275.00   |
| 8.01 - 9.0   | 801 - 900   | 300.00   |
| 9.01 - 10.0  | 901 - 1000  | 325.00   |
| 10.01 - 11.0 | 1001 - 1100 | 350.00   |
| 11.01 - 12.0 | 1101 - 1200 | 375.00   |
| 12.01 - 13.0 | 1201 - 1300 | 400.00   |
| 13.01 - 14.0 | 1301 - 1400 | 425.00   |
| 14.01 - 15.0 | 1401 - 1500 | 450.00   |
| 15.01 - 16.0 | 1501 - 1600 | 475.00   |
| 16.01 - 17.0 | 1601 - 1700 | 500.00   |
| 17.01 - 18.0 | 1701 - 1800 | 525.00   |
| 18.01 - 19.0 | 1801 - 1900 | 550.00   |
| 19.01 - 20.0 | 1901 - 2000 | 575.00   |
| 20.01 & over | 2001 & over | 600.00   |

Checks should be made payable to the  
Department of Water Resources

No fee is required for single family  
domestic use or stockwater use.



Cecil D. Andrus  
Governor

State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
Western Region

2735 Airport Way  
Boise, Idaho 83705  
(208) 334-2190

67-7226  
SOULEN LIVESTOCK CO.  
WEISER, ID 83672

138213

April 10, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

**MICROFILMED**

SEP 19 1990

November 23, 1982

RE: Permit No. 67-7226

Soulen Livestock Company  
Weiser,  
Idaho 83672

Gentlemen:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

ROBYN CARLSON  
Chief Clerk

RC:kw  
Enclosures

**September 3, 1982**

**Mr. John Hall  
Federal Land Bank of Ontario  
P. O. Box 279  
Ontario, OR 97914**

**Dear Mr. Hall:**

**Re: Permit No. 67-7226**

**As requested per our telephone conversation today, proof of beneficial use for Permit No. 67-7226, due November 1, 1980, was submitted on November 26, 1980. The permit was reinstated by "Order of Reinstatement" January 28, 1981, and the priority advanced to November 3, 1974.**

**If you have any questions or need further assistance, please do not hesitate to contact us.**

**Sincerely,**

**Roberta Garrett  
Records Supervisor**

February 24, 1981

Mr. Robert O. Swain  
Box 242  
Neola, UT 84053

Dear Mr. Swain:

Re: Permit No. 67-7226

Enclosed is a copy of the order which removes the measuring device requirement from the inlet and outlet works of the reservoirs.

If you have any questions, please feel free to contact this office.

Sincerely,

RITA I. FLECK  
Sr. Secretary

Enclosure

CONVERSATION MEMORANDUM

DATE 2/11/80

FILE 67-7226

NAME OF PARTY Dave Shaw

EMPLOYEE Dave Tuthill

RE: Measuring Devices

Based on recent inspections of the dams identified  
in this water right, Dave Shaw recommends the  
waiver of measuring device requirements

Jan 28 1981  
RECEIVED

JAN 30 1981

Dept of Water Resources,  
Statehouse,  
Boise, Idaho 83720

Department of Water Resources  
Re: Permit # 67-7226

Gentlemen:

This is to acknowledge your letter of Jan 20, 1981. I do not know where the word unnamed stream comes from. It is in error, as there is no natural flow.

The dam is located in a draw that has no water in it other than flood water that has come and gone before irrigation starts and the water we store would be otherwise wasted.

Our reservoir not only puts this water to good use but prevents a good deal of erosion in the area.

The only Senior right in Cone Creek was owned by Mr Richard Mooney, and we now own this property.

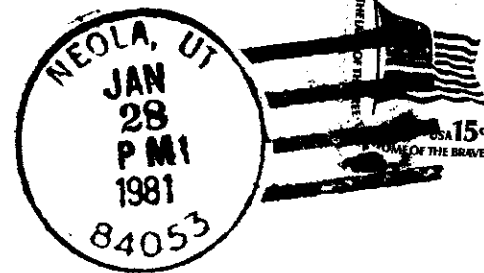
However, the water we capture has no effect on this filing and to put a measuring device in the outlet would serve no purpose whatsoever.

We would be most happy to meet with you at the site and confirm these facts.

Respectfully,  
Robert O Swann  
Box 242,  
Neala, Utah

MICROFILMED

Robert C Swann,  
Box 242,  
Neola, Utah  
)



State of Idaho,  
Dept. of Water Resources  
State Office, 450 W. State St.,  
Borise, Idaho, 83720

att: David R. Duthill

January 23, 1981

Mr. Robert O. Swain  
Box 242  
Neola, Utah 84053

RE: Waiver of Measuring Device Requirement for Permit No. 67-7226.

Dear Mr. Swain:

We are in receipt of your statement of Beneficial Use card and your letter dated November 24, 1980 in which you requested a measuring device waiver for the above referenced permit.

Pursuant to a review of water rights in the vicinity of your permit, we have found that there is much use of water from Cove Creek downstream from your point of diversion. The fact that your original application was protested is an indication that existing water supplies are sometimes inadequate to satisfy senior water rights on Cove Creek.

Since the unnamed stream that you have appropriated is tributary to Cove Creek we must insure that no water is diverted into your irrigation system that is needed to satisfy downstream senior water rights. Therefore, any natural flows in the unnamed stream must be allowed to pass through your reservoirs when they are required to help satisfy the senior rights.

One method of distinguishing the natural flows from your storage water is to install measuring devices at the inlets and outlets of the reservoirs. This is the reason that the requirement was added to the permit. If you can provide additional information, Mr. Swain, to show that (1) the natural flow can be monitored in some other way or (2) there is never any natural flow in the stream when downstream senior rights need additional water, then we can further review your waiver request.

If you still feel that your system does not require measuring devices for proper control, please provide more information by February 28, 1981.

Mr. Robert O. Swain  
January 23, 1981  
Page 2

Otherwise we will assume that you will install the devices this spring.

If you have further question or would like to discuss this, please contact me at 334-4104

Sincerely,

DAVID R. TUTHILL JR., P. E.  
Supervisor, Water Allocation Section

DRT:jg

7<sup>th</sup> Floor, Utah  
Nov. 24, 1980

RECEIVED

Department of Water Resources NOV 26 1980  
Statehouse,  
Boise, Idaho

Department of Water Resources

Reg. Permit. # 67-7226

Gentlemen:

Two reservoirs were built under this permit. One which holds 100 acre feet and another 200 acre feet.

Due to the fact that the water which services these reservoirs comes from flood water, it is impossible to measure it.

I therefore, request a waiver of the measuring device.

Approximately 200 acres of land is being irrigated under this permit, and further development is being considered.

Your careful consideration will be appreciated.

Respectfully,  
Robert O. Swann

NOV 27 1980

# DEPARTMENT OF WATER RESOURCES

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. 67-7226

Name(s) of Permit Holder:

Robert O. Swann

Post Office Address:

Box 242,

Heala, Utah 84053

Tel. No.

353-4444

Source of Water:

Flour Water

Extent of Use:

☐ Domestic

(number of households)

☒ Stockwater

200 Cows

(number and type of stock)

☒ Irrigation

200

(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.

Nov 24, 1980

Date

Robert O. Swann

Signature of Permit Holder

PLACE  
TEN CENT  
STAMP  
HERE



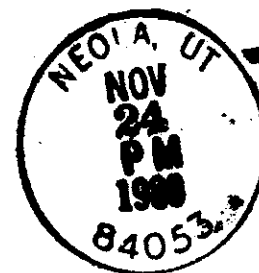
IDAHO DEPARTMENT OF WATER RESOURCES  
STATE HOUSE  
BOISE, IDAHO 83720

RECEIVED

NOV 26 1980

Department of Water Resources

Robert O Duane,  
Box 242,  
Keala, Utah  
84053



Dept. of Water Resources,  
Statehouse.  
Boise, Idaho  
83720

MICROFILMED

Form No. 6 NAME OF APP

NAME OF APPLICANT

Wagon River

R 4 W → R 3 W

lic 67-2273  
Clair D. Kirk  
0.52 cfs  
5-27-59

lic 67-2221  
Joe Magee  
62 cfs  
10-29-52  
(Richard Mooney)

30 30  
SKow app  
67-7202  
2.67  
4-15-74

SKow Permit  
67-7150  
7-9-73

30 30

app 35  
67-7201  
Joni  
Hideman  
4-1-74

MICROFILMED

↑  
10  
N  
↓

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

28

Creek  
Cove

33

34

22

23

26

27

app 67-7226  
5 wain  
6 cfs  
1000 AF storage  
10-11-74

For  
Hearing 5  
67-7201  
67-7202  
67-7226

INTER-DEPARTMENT MEMO — 1

FROM

Pete Fleck

DATE 11-24-1980

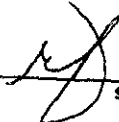
TO

File 67-7226

SUBJECT

Conversation with permit holder.

Mr. Swain contacted me today concerning his permit. He will be submitting the statement of beneficial use postcard along with a request to remove the measuring device requirement.

  
SIGNATURE

# WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

S T A T E   O F   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

-----

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

SWAIN, ROBERT O.  
RT. 2 BOX 90  
WEISER, ID 83672

NOVEMBER 05, 1980

DEAR PERMIT HOLDER:

YOU ARE HEREBY NOTIFIED THAT UNDER THE PROVISIONS OF SECTION 42-218A OF THE IDAHO CODE, PERMIT NO. 67-7226 HAS LAPSED SINCE YOU HAVE NOT NOTIFIED US THAT YOU HAVE COMPLETED THE PROJECT BY THE DATE REQUIRED ON YOUR PERMIT. YOU WERE PROVIDED FORMS FOR THAT PURPOSE IN OUR NOTICE TO YOU DATED AUGUST 31, 1980.

YOUR PERMIT CANNOT BE REINSTATED UNLESS YOU SUBMIT THE STATEMENT OF BENEFICIAL USE POSTCARD, ENCLOSED, OR SHOW OTHER REASONABLE CAUSE WHY THE PERMIT SHOULD BE REINSTATED WITHIN 60 DAYS FROM THE DATE OF THIS LAPSE NOTICE.

C. STEPHEN ALLRED  
DIRECTOR

ENCLOSURE

**CERTIFICATION OF MAILING**

I hereby certify that on 11-13-1980  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

*Rita Fleck*

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

---

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

SWAIN, ROBERT O.  
RT. 2 BOX 90  
WEISER, ID 83672

138472

AUGUST 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 67-7226 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK  
SR. SECRETARY

ENCLOSURES

Identification No. 67-7226  
old no. new no.

Record

1, 2 & 3 Original Owner: Swain, Robert O.  
Address: Rt. 2, Box 90, Weiser, Id  
Present Owner: —  
Address: —

4. A. Source of Water: Unnamed Stream  
B. Tributary of: Weiser R

5. A. Stage (A,P,L,D,S,J): P  
B. Status (D,L,R,C,A,I,F - leave blank if valid): —  
C. Priority Date: 10-11-1974  
D. County: Washington  
E. Total Diversion Rate: —  
F. Total Diversion Volume: 1000 AF  
G. Transfer/Amendment (P,T of A or blank): —  
H. Water District:  
I. DLE/Carey Act (D,C or blank): —  
J. Right Basis (for adjudication claims A.B.C only):

|                          | tract       | sec.      | twp.       | rge.      | Gov't. lot | Rediv. |
|--------------------------|-------------|-----------|------------|-----------|------------|--------|
| 6. A. Point of Diversion | <u>NWSW</u> | <u>23</u> | <u>11N</u> | <u>3W</u> |            |        |
|                          | <u>SWSW</u> | <u>26</u> | <u>11N</u> | <u>3W</u> |            |        |
|                          |             |           |            |           |            |        |
|                          |             |           |            |           |            |        |

B. Rediversion Indicator (R or blank): —

7. Period of Use, Use, Diversion Rate/Volume:  
from 1-1 to 12-31 for Div to storage purposes. Amount 6. cfs  
(cfs ~~per~~ at 11/yr)  
from 1-1 to 12-31 for stor for irrig purposes. Amount 800 AF  
from 1-1 to 12-31 for stor for stock purposes. Amount 200 AF  
from 4-1 to 10-15 for irrig purposes. Amount 800 AF  
1-1 to 12-31 stockwater 200 AF

8. A. Use Code:

|                    | tlwp. | rge. | sec.          | tract.          | Gov't lot | acres |
|--------------------|-------|------|---------------|-----------------|-----------|-------|
| B. Place of Use:   | 11N   | 3W   | 22            | SESE            |           | 22 ✓  |
|                    |       |      | 27            | NWNE            |           | 15 ✓  |
|                    |       |      | <del>28</del> | SWNE            |           | 15 ✓  |
|                    |       |      |               | NESE            |           | 15 ✓  |
|                    |       |      |               | NWSE            |           | 15 ✓  |
|                    |       |      |               | NESW            |           | 30 ✓  |
|                    |       |      |               | SWSW            |           | 30    |
|                    |       |      |               | SESW            |           | 29    |
| 9. A. Decree Name: |       |      |               | SWSE            |           | 20    |
| B. Decree Date:    |       |      |               | SESE            |           | 20    |
|                    |       |      | 28            | <del>SESE</del> |           | 9     |
| 10. Remarks:       |       |      | 33            | NENE            |           | 14    |
|                    |       |      | 34            | NENE            |           | 25    |
|                    |       |      |               | NWNE            |           | 25    |
|                    |       |      |               | SENE            |           | 22    |
|                    |       |      |               | NENW            |           | 20    |
|                    |       |      |               | NWNW            |           | 20    |
| 11. Other Uses     |       |      | 35            | NWNW            |           | 7     |
|                    |       |      |               | SWNW            |           | 7     |

12. Other Right:

13. A. Proof Date:

1980

B. Date Permit Approved or Denied:

11-25-75

C. Protested Date: 11-12-74

D. Hearing Date: 11-18-75

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: meas devices at reservoir inlet & outlet.

14. Diversion Means (brief narrative):

Two reservoirs.

8. A. Use Code

[illegible]

10. Remarks: \_\_\_\_\_

11. Other Uses (non-irrigation explanatory information):

Stockwater - 250 head cattle

12. Other Rights for Same Use: \_\_\_\_\_

13. A. Proof Due Date: 11-1-~~1980~~ 1980

B. Date Permit Approved or Denied: 11-25-75

C. Protested Date: ~~11~~ 11-12-74

D. Hearing Date: — 11-18-75

E. Old Number:                     

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):           

H. Conditions of Approval: *meas devices at reservoir inlet & outlet.* - 16 -

14. Diversion Means (brief narrative):

Two reservoirs.

December 28, 1978

Re: Permit No. 67-7226

Robert O. Swain  
Rt. 2, Box 90  
Weiser, Idaho 83672

Dear Mr. Swain:

Enclosed is a corrected copy of the back page of your Permit No. 67-7226. The proof due date has been corrected to read November 1, 1980, instead of the November 1, 1976, date previously shown.

We regret any inconvenience this error may have caused you.

Sincerely yours,

LOIS M. RIVERS

lr

Enclosure

November 26, 1975

Re: Permit No. 67-7226

Robert O. Swain  
Route 2, Box 90  
Weiser, ID 83672

Dear Mr. Swain:

Enclosed is a copy of your approved Application for Permit No. 67-7226 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:jfr

Enclosures

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. 67-7226

☒ 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) RB 10-15-79

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) RB 10-15-79

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 no storage etc

(10) \_\_\_\_\_

Comments: \_\_\_\_\_

(11) Cu 11-4-74

Affidavit of Publication received(date) Oh

(12) \_\_\_\_\_

Final date for protests \_\_\_\_\_

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

☒ Measuring device required @ inflow & outflow to on-stream res

See attached sheet for other conditions of approval

- Dam constr must conform to the Safety Act & rules & reg of Dept regarding Safety of Dams.

No special conditions for approval

District W

By JZ Date 11-20-75

*check indicate storage on app?*

RECEIVED  
(15)

We the undersigned agree to withdraw our protest against application for permit no 67-7226 in the name of Robert O. Swain if it is conditioned so that the applicant must conform to the Dam Safety Act of the State of Idaho and comply with the rules and regulations of the Department regarding the safety of Dams.

Signed at Weiser this 18<sup>th</sup> Day of November 1975

Clair Kirk

Richard Mooney

Carl Swain



67-7226  
Robert O. Swain  
(Dan Swain) 549-2879

NWSW - Sec 23, T11N, R3W  
SWSW - Sec 26, T11N, R3W

800 AF Dr  
200 AF Stockwater

---

Leaving 1:30 P.M.

- No objection to granting of the permit itself.
- Concerned about safety of dam itself.
- Safety of Dams specs ~~reqd~~  
    ← Send Rules & Reg
- Withdraw protest
- ? of liability on dam wash failing.
- (

RECEIVED

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).  
☐ Show to whom and date delivered..... 15¢  
☐ Show to whom, date, & address of delivery.. 35¢  
☐ RESTRICTED DELIVERY.  
 Show to whom and date delivered..... 65¢  
☐ RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | 1398 | |

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE ☒ Addressee ☐ Authorized agent

4. DATE OF DELIVERY  
 10-29-75

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS  
 [Signature]

MICROFILMED



C/S

**UNITED STATES POSTAL SERVICE**  
**OFFICIAL BUSINESS**

**SENDER INSTRUCTIONS**

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



**RETURN  
TO**



IDAHO DEPARTMENT OF WATER RESOURCES  
WESTERN DISTRICT OFFICE  
STATEHOUSE  
BOISE, IDAHO 83720

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ RESTRICTED DELIVERY.  
Show to whom and date delivered..... 65¢
- ☐ RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO. IDENTIFIED NO. INSURED NO.

(Always obtain signature of addressee or agent)

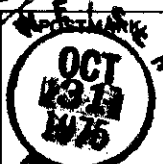
I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:



**UNITED STATES POSTAL SERVICE**  
**OFFICIAL BUSINESS**

**SENDER INSTRUCTIONS**

Print your name, address, and ZIP Code in the space below.

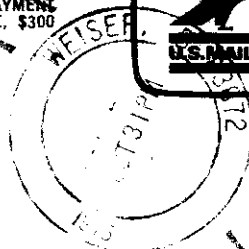
- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN  
TO**



LAND USE DIVISION OF WATER RESOURCES  
WESTERN DISTRICT OFFICE  
STATEHOUSE  
BOISE, IDAHO 83720

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



NFM 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

Add your address in the "RETURN TO" space on the reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢  
☐ Show to whom, date, & address of delivery.. 35¢  
☐ RESTRICTED DELIVERY.  
 Show to whom and date delivered..... 65¢  
☐ RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

*Clair Kerk*

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

*139046*

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

*Mrs. Clair Kerk*

4.

DATE OF DELIVERY

POSTMARK

*10-29-75*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

*JK*

*C/S*

UNITED STATES POSTAL SERVICE  
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN  
TO



IDAHO DEPARTMENT OF WATER RESOURCES  
WESTERN DISTRICT OFFICE  
STATEHOUSE  
BOISE, IDAHO 83720

POSTAGE  
PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

- **SENDER:** Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

## 1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢  
☐ Show to whom, date, & address of delivery.. 35¢  
☐ RESTRICTED DELIVERY.  
 Show to whom and date delivered..... 65¢  
☐ RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery 85¢

## 2. ARTICLE ADDRESSED TO:

*H Robert O. Seaman*

## 3. ARTICLE DESCRIPTION:

REGISTERED CERTIFIED NO. INSURED NO.

*139015*

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY

*10-29-75*

POSTMARK

## 5. ADDRESS (Complete only if requested)

## 6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

UNITED STATES POSTAL SERVICE  
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE \$300



RETURN  
TO



IDAHO DEPARTMENT OF WATER RESOURCES  
WESTERN DISTRICT OFFICE  
STATEHOUSE  
BOISE, IDAHO 83720

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

In the Matter of Protests Against Approval )  
of the Application for Permit No. 67-7226 )  
in the name of ROBERT O. SWAIN. )

NOTICE OF CONFERENCE

AND/OR HEARING

On October 11, 1974, Robert O. Swain filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On November 7, 1974 and November 12, 1974, the Department received two protests against approval of said application from Richard Mooney and Michael B. Sweet, attorney for Clair Kirk.

The Department has set the matter of protest for conference and/or hearing for Tuesday, November 18, 1975, at 3:30 p.m., in the Washington County Courthouse, Weiser, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

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

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

Dated this 24<sup>th</sup> day of Oct., 1975.

L. Glen Saxton  
L. GLEN SAXTON, P.E.  
Western District Engineer

67-7226 - Robert O. Swain

Washington County Courthouse, Council, Idaho

November 18, 1975 - 3:30 p.m.

ROSTER OF ATTENDANCE

| Name                  | Address              | presenting     |
|-----------------------|----------------------|----------------|
| <i>Jan Swain</i>      | <i>Weiser Idaho</i>  |                |
| <i>Mike Sweet</i>     | <i>Weiser, Idaho</i> | <i>Mr. Kuk</i> |
| <i>Clair Kirk</i>     | <i>Weiser</i>        |                |
| <i>Richard Mooney</i> | <i>Weiser</i>        |                |
| <i>Leroy Frei</i>     | <i>Weiser</i>        |                |

AGREEMENT

(I) (We), the undersigned, hereby agree to allow the Director of the Department of Water Resources to reach a decision with regard to protested Application No. \_\_\_\_\_, in the name of \_\_\_\_\_.

Said decision to be based upon information in the official records of the Department, the Director's understanding of the law, and evidence &/or information presented at the conference held this date.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1975, at

\_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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RECEIVED  
MAY 1 1975



# STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

October 27, 1975

Washington County Courthouse  
Weiser, ID 83672

Dear Sir:

This is to confirm the use of the Washington County Courthouse for conference and/or hearing to be held by this office on Tuesday and Wednesday, November 18 and 19, 1975, both days all day.

Thank you for your cooperation in this matter.

Very truly yours,

*Cathy L. Shaw*

CATHY L. SHAW  
Senior Clerk

CLS:cs

NOV 2 1975  
ED

November 13, 1974

Re: Application for Permit No. 67-7226

Robert O. Swain  
Rt. 2, Box 90  
Weiser, ID 83672

Dear Mr. Swain:

Enclosed is a protest received by our department on November 12, 1974 from Mr. Clair Kirk. The conditions as stated in our letter of November 12, 1974, will also apply to this protest.

If you have any further questions, please do not hesitate to contact this department.

Sincerely,

KENNETH H. FOIT, P.E.  
Western District Engineer

KHF:cla

Enclosure

MICROFILMED

November 13, 1974

Re: Application for Permit No.67-7226 - Robert O. Swain

Michael B. Sweet  
Attorney at Law  
P.O. Box 587  
Weiser, ID 83672

Dear Mr. Sweet:

This is to acknowledge receipt of your protest submitted in behalf of Mr. Clair Kirk to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

KENNETH H. FOIT, P.E.  
Western District Engineer

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

**Ryan & Sweet**  
ATTORNEYS AND COUNSELORS AT LAW  
P.O. BOX 587  
WEISER, IDAHO 83672

RECEIVED  
NOV 12 1974  
TELEPHONE  
549-2651  
Department of Water Resources  
CODE 208

November 8, 1974

Idaho Department of Water Resources  
Western District Office  
Statehouse - Annex 3  
Boise, Idaho 83720

Re: Application for Water Permit  
Robert O. Swayne - Appli. No. 67-7226

Gentlemen:

Enclosed is protest in the above matter which is submitted by Mr. Clair Kirk.

Very truly yours,

RYAN & SWEET

*Michael B. Sweet*  
Michael B. Sweet

MBS:fs  
Encls.

RECEIVED  
NOV 12 1974  
Department of Water Resources

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BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

In the Matter of Application for )  
Water Permit by Robert O. Swayne,) PROTEST  
Application No. 67-7226 )

STATE OF IDAHO )  
County of Washington ) ss

CLAIR KIRK, being first duly sworn on oath, deposes and  
says:

That he is the holder of a Permit to appropriate waters  
on Cove Creek pursuant to Permit No. 27951/67-2273.

That pursuant to application No.67-7226, Robert O. Swayne,  
Route 2, Box 90, Weiser, Idaho, has submitted an application for  
permit to appropriate six (6) cu. ft. per second of water from  
Cove Creek.

That such action seriously and materially affect the rights  
of your affiant herein as a holder of a Permit on Cove Creek, and  
on that basis he submits this protest of the application for a  
water permit submitted on behalf of Robert O. Swayne.

WHEREFORE, Your affiant prays that the application for a  
permit submitted by Robert O. Swayne be denied.

DATED this 8th day of November, 1974.  
Clair Kirk  
Clair Kirk

SUBSCRIBED AND SWORN to before me this 8th day of November, 1974.  
Freida Strong  
Notary Public for Idaho  
Residing at Weiser, Idaho

November 12, 1974

Robert O. Swain  
Rt. 2, Box 90  
Weiser, ID 83672

Re: Application for Permit No. 67-7226

Dear Mr. Swain:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 67-7226. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the applicant through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf. If we may be of any assistance, please contact us.

Very truly yours,

KENNETH H. FOIT, P.E.  
Western District Engineer

KHF:cla

Enclosure

November 12, 1974

Re: Application No. 67-7226 - Robert O. Swain

Mooney & Son's Inc.  
Richard Mooney, Pres  
Weiser, ID 83672

Dear Mr. Mooney:

This is to acknowledge receipt of your protest submitted in behalf of Mooney & Son's Inc. to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

KENNETH H. FOIT, P.E.  
Western District Engineer

KHF:cla

Weiser, Idaho 83672  
Nov. 6, 1974

Idaho Department of  
Water Resources  
State House  
Boise, Idaho  
83720

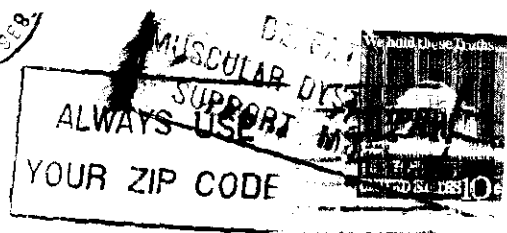
~~NOV 6 1974~~  
NOV 7 1974

Dear Sirs,

We are writing in protest  
to Notice of Application for water  
permit no. 918 by Robert O. Swain,  
Rt. #2 Bx 90, Weiser, Idaho 83672.  
We protest this Application  
due to lack of water.

Sincerely Yours,  
Mooney & Son's Inc.  
Richard Mooney  
Pres.

MOONEY & SONS, INC.  
ROUTE 2, WINNER  
IDAHO 83612  
BX 74



State of Idaho  
Department of Water Resources  
Western District  
Statehouse  
Boise, Idaho  
83720

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NOV 6 1974

Richard Mooney

Cove Creek

Rt #2 Weiser, Box 74

Peratest R. Swain

Cove Creek

67-7226

FILED

**STATE OF IDAHO**  
**DEPARTMENT OF WATER ADMINISTRATION**

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Statehouse - Annex 2  
Boise, Idaho 83707  
(208) 384-2215  
Western District Office



Water Rights Administration  
Water Resource Investigation  
Dam and Reservoir Safety  
Water Well Drilling  
Waste Disposal Wells  
Stream Channel Protection

October 18, 1974

The Weiser Signal  
P.O. Box 709  
Weiser, ID 83672

Re: Application for Permit No. 67-7226 - Robert O. Swain

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 on the bill:

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

-----  
(signature of claimant)

Sincerely,

Bill Submitted  
11-4-74  
CR

MICROFILMED

No. 918  
NOTICE OF APPLICATION  
FOR WATER PERMIT

Notice is hereby given that Robert O. Swain, Rt. 2, Box 90, Weiser, Idaho has on Oct. 11, 1974 submitted Application No. 67-7226 for a permit to appropriate 6 cubic feet per second 1,000 acre feet per annum of water from unnamed stream, trib. to Cove Creek by means of reservoirs and pipelines within the NW1/4SW1/4, Sec. 23, SW1/4 SW1/4, Sec. 26, T. 11 N. R. 3 W, B.M. Washington County to be used from Jan 1 to Dec. 31 for stockwater use and from April 1 to Oct. 15 for irrigation of 360 acres within the SE1/4SE1/4, Sec. 22, W1/2NE1/4, Sec. 27, SE 1/4, Sec. 27, N1/2NE1/4, Sec. 34, SE1/4SE1/4, Sec. 28, SE1/4NE1/4, N1/2NW 1/4, Sec. 34, NE1/4NE1/4, Sec. 33, W1/2NW1/4, Sec. 35, NE1/4SW1/4, S1/2SW 1/4, Sec. 27, T. 11 N, R. 3 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 Nov. 12, 1974.

R. Keith Higginson  
Director

Published in The Weiser  
Signal, Weiser, Idaho on Oct.  
24, 1974 and Oct. 31, 1974.  
64-25.

OK  
10-25-74  
CR

CL

Box 100  
Weiser 83454

MICROFILMED

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STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
BOISE, IDAHO

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~ROBERT O. SWAIN~~

~~Rt. 2, Box 90, Weiser, ID~~  
has on ~~Oct. 11, 1974~~ submitted Application No. ~~67-7226~~  
for a permit to appropriate ~~6~~ cubic feet per second ~~1,000~~ acre feet  
per annum of water from ~~unnamed stream, trib. to Cove Creek~~  
by means of ~~reservoirs and pipelines~~  
within the ~~NW $\frac{1}{4}$ , Sec. 23, SW $\frac{1}{4}$ , Sec. 26, T. 11 N, R. 3 W, B.M.~~  
~~Washington County~~

to be used from ~~Jan. 1 to Dec. 31 for stockwater use and from April 1 to~~  
~~XXXX Oct. 15 for irrigation of 360 acres~~

within the ~~SE $\frac{1}{4}$ , Sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$ , Sec. 27, SE $\frac{1}{4}$ , Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$ , Sec. 34,  
SE $\frac{1}{4}$ , Sec. 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ W $\frac{1}{4}$ , Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 33, W $\frac{1}{2}$ NE $\frac{1}{4}$ , Sec. 35,  
NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 27, T. 11 N, R. 3 W, 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

~~Nov. 11, 1974~~

R. KEITH HIGGINSON

Director

Published in the ~~The Weiser Signal, Weiser, ID~~

On ~~Oct. 24, 1974~~ and ~~Oct. 31, 1974~~

October 8, 1974

Re: Application for Permit

Mr. Robert O. Swain  
Rt. 2, Box 90  
Weiser, ID 83672

Dear Mr. Swain:

We are returning your application for permit as you have failed to sign it.

Will you please answer answer 8a(1) and advise us where the stock water will be used?

Sincerely,

ROBERT W. HAMILTON  
Supervisor of Water Distribution

RWH:cla

Enclosure

**STATE OF IDAHO**  
**DEPARTMENT OF WATER ADMINISTRATION**  
**WESTERN DISTRICT OFFICE**



Cecil D. Andrus  
*Governor*  
R. Keith Higginson  
*Director*

614 State Street  
Statehouse -- Annex 2  
Boise, Idaho 83707  
(208) 384-2190

Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Waste Disposal Wells  
Stream Channel Protection  
Geothermal Resources

October 8, 1974

Mr. Robert O. Swain  
Rt. 2, Box 90  
Weiser, ID 83672

Dear Mr. Swain:

Enclosed is your Receipt No. 15270 in the amount of \$ 115.00 for  
Application for Permit No. 67-7226 which was received in this office  
on October 7, 1974.

Sincerely,

CATHY L. ATKINSON  
Stenographer

CLA:c

Enclosure