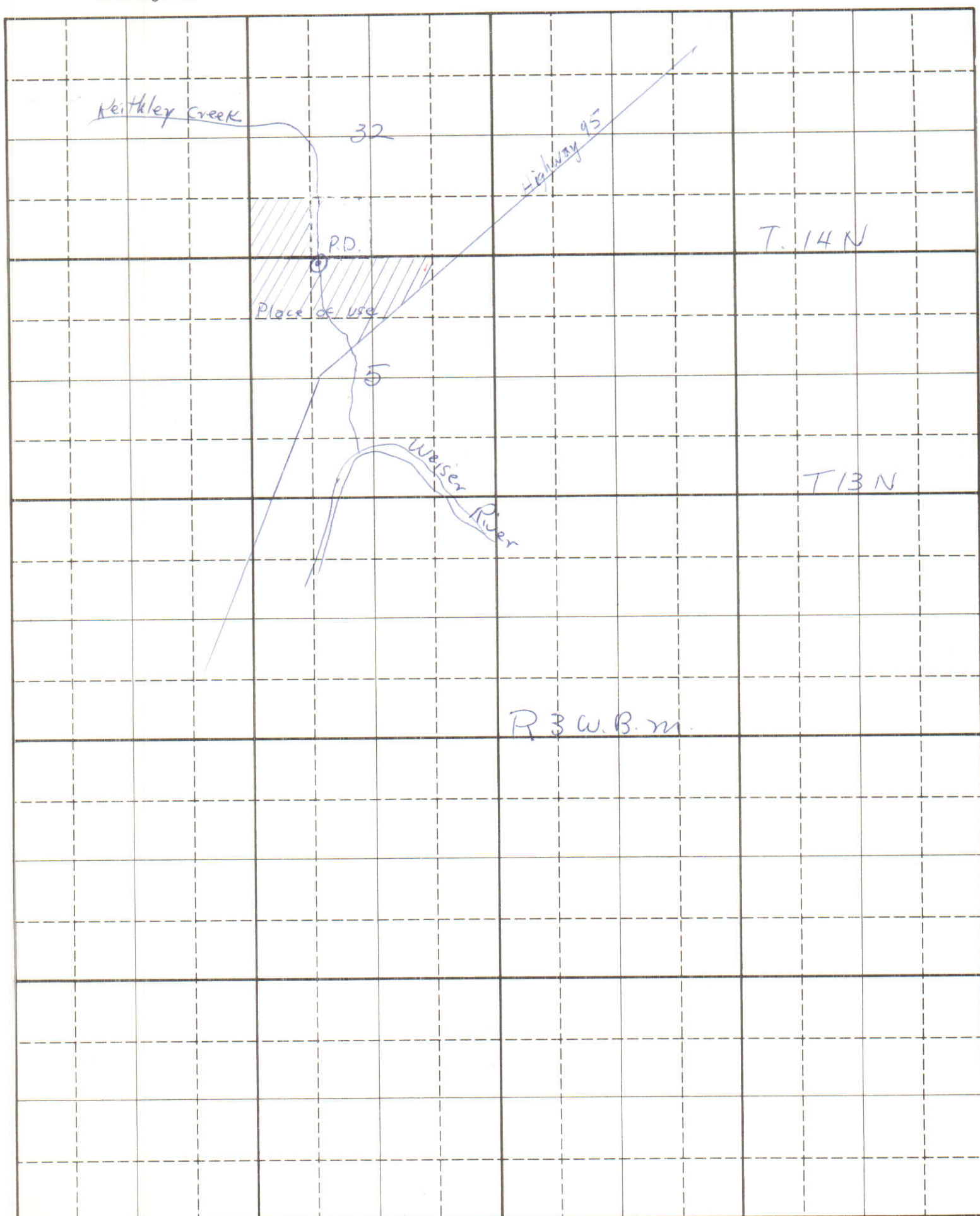


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Ellis E. Pearson
(Applicant)

Public Notices

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ELLIS E. &/OR SANDRA L. PEARSON, Midvale, ID., have on August 1, 1974, submitted Application No. 67-7217 for a permit to appropriate 1.88 cubic feet per second of water from Keithley Creek, trib. to Weiser River by means of pump and sprinkler system within the NE¼NW¼, Sec. 5, T. 13 N, R. 3 W, B.M., Washington County to be used from May 1 to Oct. 31 for irrigation of 94 acres within Lot 2, 3, NW¼NW¼, Sec. 5, T. 13 N, R. 3 W, SW¼SW¼, Sec. 32, T. 14 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 September 3, 1974.

R. KEITH HIGGINSON
Director

Published in the Upper Country News-Reporter, Cambridge, ID., on August 15, 1974 and August 22, 1974.

AFFIDAVIT OF PUBLICATION

State of Idaho }
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of Aug. 15, 1974, and ended with the issue of Aug. 22, 1974.

Stuart Dopf

Subscribed and sworn to before me this

23rd day of August, 1974.

May Collins

Notary Public for Idaho, residing at
Cambridge, Idaho

RECEIVED

AUG 26 1974

Department of Water Resources

MICROFILMED

OK
8-26-74
CW

30 29
31 32

29
32

B-6
B-3

B-224
B-227

B-12
B-28
B-10

A 2.2
B-197
B-197

B 4.6

A 19.8

B 9.5

A 7.9

C 25.0

37.1

B-14
B-24

D 9.3

C 27.3

D 26.5

C 13.2

E 12.7

B-154
B-130

C 17.0

B-27
B-27

A 20.0

B 35.5

B-31
B-31

A 15.6

B 14.7

38 AC IRRIGATED
ALLOW 30 AC
IN
IN
5000

K 10.0

J 3.1

10 AC

C 7.8

3 AC

D 27.9

E 19.9

L 12.6

K 10.9

B 31.2

F 11.1

E 8.9

L 9.6

M 27.7

I 6.8

26

OUT

9.7 AC

6.8 AC

4 AC

ALLOW 28 AC

2.2

OUT

B-19
B-19

A 37

B 6.5

D 12.7

E 12.7

C 10.8

M-15

MICROFILMED

NOT TO SCALE

Township No 13 North Range No.



Notice is hereby given that ELLIS E. &/OR SANDRA L. PEARSON, Midvale, ID., have on August 1, 1974, submitted Application No. 67-7217 for a permit to appropriate 1.88 cubic feet per second of water from Keithley Creek, trib. to Weiser River by means of pump and sprinkler system within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13 N, R. 3 W, B.M., Washington County to be used from May 1 to Oct. 31 for irrigation of 94 acres within Lot 2, 3, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13 N, R. 3 W, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 14 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 September 3, 1974.

R. KEITH HIGGINSON
Director

Published in the Upper Country News-Reporter, Cambridge, ID., on August 15, 1974 and August 22, 1974.

OK 8-12-74 OK

ACROFTIME

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
(Late Proof)

License of Water Right No. 67-7217 Priority August 18, 1974 Amount 1.54 cfs

THIS IS TO CERTIFY, that Jerry N. Lunsford & Georgine Lunsford
of Midvale, Idaho, has complied with the terms and conditions of Permit
No. 67-7217 issued pursuant to Application for Permit dated August 1, 1974,
and has submitted proof to the Department of Water Resources on November 18, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.54 cfs of water from Keithly Creek,
tributary to Weiser River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u> from <u>May 1</u> to <u>August 31</u> at <u>1.54</u> cfs and <u>375.7</u> acre feet			
from _____ to _____ at _____ cfs and _____			
from _____ to _____ at _____ cfs and _____			

(both dates inclusive)

Subject, however, to the condition that no more than 1.54 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
375.7 acre feet per year, said waters to be diverted within the NE1/4 Section 5,
Twp 13N, Rge 3W in the County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
13N	3W	5		28			26	10											64
14N	3W	32											30						30

Total number of acres irrigated 94

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

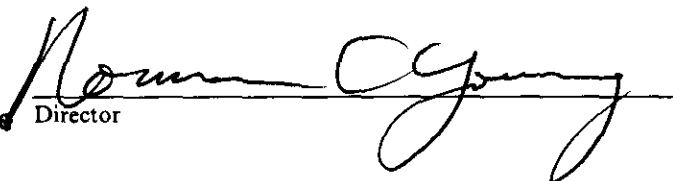
- a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

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

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12TH day of NOVEMBER, 19 85.

Acting for the Director



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 67-7217

IN THE NAME OF JERRY AND GEORGINE LUNSFORD

ORDER OF REINSTATEMENT

WHEREAS, on August 1, 1974, Ellis E. and Sandra J. Pearson filed with the Department of Water Resources for a permit to appropriate 1.88 cubic feet per second of water from Keithly Creek tributary of the Weiser River to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, Twp. 13N, Rge. 3W B.M. to be used for irrigation purposes; and,

WHEREAS, on November 25, 1975, the Department approved said application and issued Permit No. 67-7217 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,

WHEREAS, on January 12, 1976, the permit holders assigned all right, title, and interest in and to Permit No. 67-7217 to Jerry and George Lunsford; and,

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

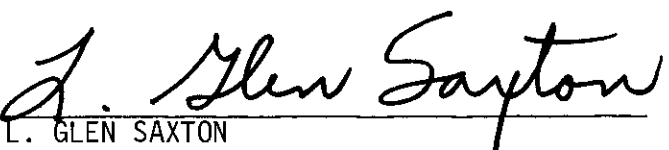
WHEREAS, on November 13, 1980, the Department notified the permit holders that Permit No. 67-7217 had lapsed for failure to submit proof of beneficial use of water; and,

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 holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on November 18, 1980;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 67-7217 be REINSTATED and the priority date advanced to August 18, 1974.

Dated this 14th day of January, 1981.


L. GLEN SAXTON

Chief, Operations Bureau

MICROFILMED

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

WARRANTY DEED

ELLIS E. PEARSON and SANDRA J. PEARSON, husband and wife, of Washington County, Idaho, hereinafter called Grantors, for and in consideration of the sum of EIGHTY-SEVEN THOUSAND FIVE HUNDRED AND NO/100's DOLLARS (\$87,500.00) HEREBY GRANT, CONVEY, and WARRANT to JERRY N. LUNSFORD and GEORGINE LUNSFORD, husband and wife, of Midvale, Idaho 83645, the Grantees, as a community property estate, the following described premises situated in Washington County, Idaho:

IN TOWNSHIP 13 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN:

Section 5: Lots 3 and 4, and all that part of Lots 1 and 2 lying northwesterly of the right of way of the State Highway;

Section 6: Lot 1;

IN TOWNSHIP 14 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN:

Section 31: E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 32: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Together with all water, water rights, ditches and ditch rights used thereon or appurtenant thereto; including but not limited to water rights under State of Idaho, Department of Water Resources Application for Permit No. 67-7217 for 1.88 cfs irrigation water from Keithly Creek between May 1 and August 31, inclusive, of each and every year.

And together with 1 panel complete and switch, 1 pump, (intake and discharge pipe and primer pump,) 25 HP, Model No. 3W-25-2, Serial No. 7412-A; 1,320 feet 6" mainline w/valves and fittings; 1,320 feet 4" mainline w/valves and fittings, and 2640 feet of sprinkler line; and one 2-wheel pipe trailer.

SUBJECT to exceptions and reservations contained in patents from the United States.

SUBJECT to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

SUBJECT to Stipulation contained in Right of Way Deed, dated June 22, 1938, granted by Alliance Trust Company, Limited, a corporation, in favor of the State of Idaho, recorded in Book 58 Deeds, page 291, Records of Washington County, Idaho. "...There is also granted...an easement adjacent to the above described highway right of way for relocation of all irrigation ditches and drainage ditches and structures...as may be necessary to the proper construction of the highway..."

SUBJECT to Power Line Easement, dated September 18, 1956, granted by Ray Widner et ux in favor of Idaho Power Company, recorded in Book 77 Deeds, page 98, Records of Washington County, Idaho. ...over, on and across Lot 4, Sec. 5, Twp 13 N, R 3 W BM.

1 GIVEN SUBJECT TO a certain real estate mortgage in the
2 amount of \$45,000.00 dated August 10, 1971, executed and
3 delivered by Ellis E. Pearson and Sandra J. Pearson,
4 his wife, Mortgagors in favor of the United States of
5 America, acting through the Farmers Home Administration,
6 United States Department of Agriculture, Mortgagee; recorded
7 in Book 57 of Mortgages, page 224 in the office of the
8 County Recorder of Washington County, Idaho, on the 10th
9 day of August, 1971, as Instrument No. 96194.

10 TO HAVE AND TO HOLD the said premises, with their appurtenances,
11 unto the said Grantees and to the Grantees' heirs and assigns
12 forever. And the Grantors do hereby covenant to and with the
13 Grantees that they are lawfully seized in fee simple of said
14 premises; and that they are free from all encumbrances except as
15 above described; and that the Grantors will warranty and forever
16 defend the title thereto against all lawful claims and demands
17 whatsoever.

18 DATED this the 8th day of January, 1976.

19 Ellis E. Pearson
20 ELLIS E. PEARSON
21 Sandra J. Pearson
22 SANDRA J. PEARSON

23 STATE OF IDAHO)
24 : ss
25 County of Washington)

26 On this the 8th day of January, 1976, before me, the undersigned,
27 a notary public in and for said County and State, personally appeared
28 ELLIS E. PEARSON and SANDRA J. PEARSON, husband and wife, known to
29 me to be the persons whose names are subscribed to the above and
30 foregoing Warranty Deed and acknowledged to me that they executed the
31 same as Grantors therein.

32 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal on the day and year in this certificate first above
written.

33 Harold L. Ryan
34 Notary Public, State of Idaho
35 Residing at Weiser, Idaho
36 My commission expires: 5-17-78

ASSIGNED TO: JERRY & GEORGINE LUNSFORD
1 -12-1976 MIDVALE, ID 83645

Identification No. _____
Application No. 67-7217

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Ellis E. &/or Sandra J. Pearson
post office address Midvale, Idaho Phone: 355-2476
2. Source of water supply Keithly Creek which is a tributary of Weiser River
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5 Township 13 N
Range 3 W B.M. Washington County; additional points of diversion if any: _____

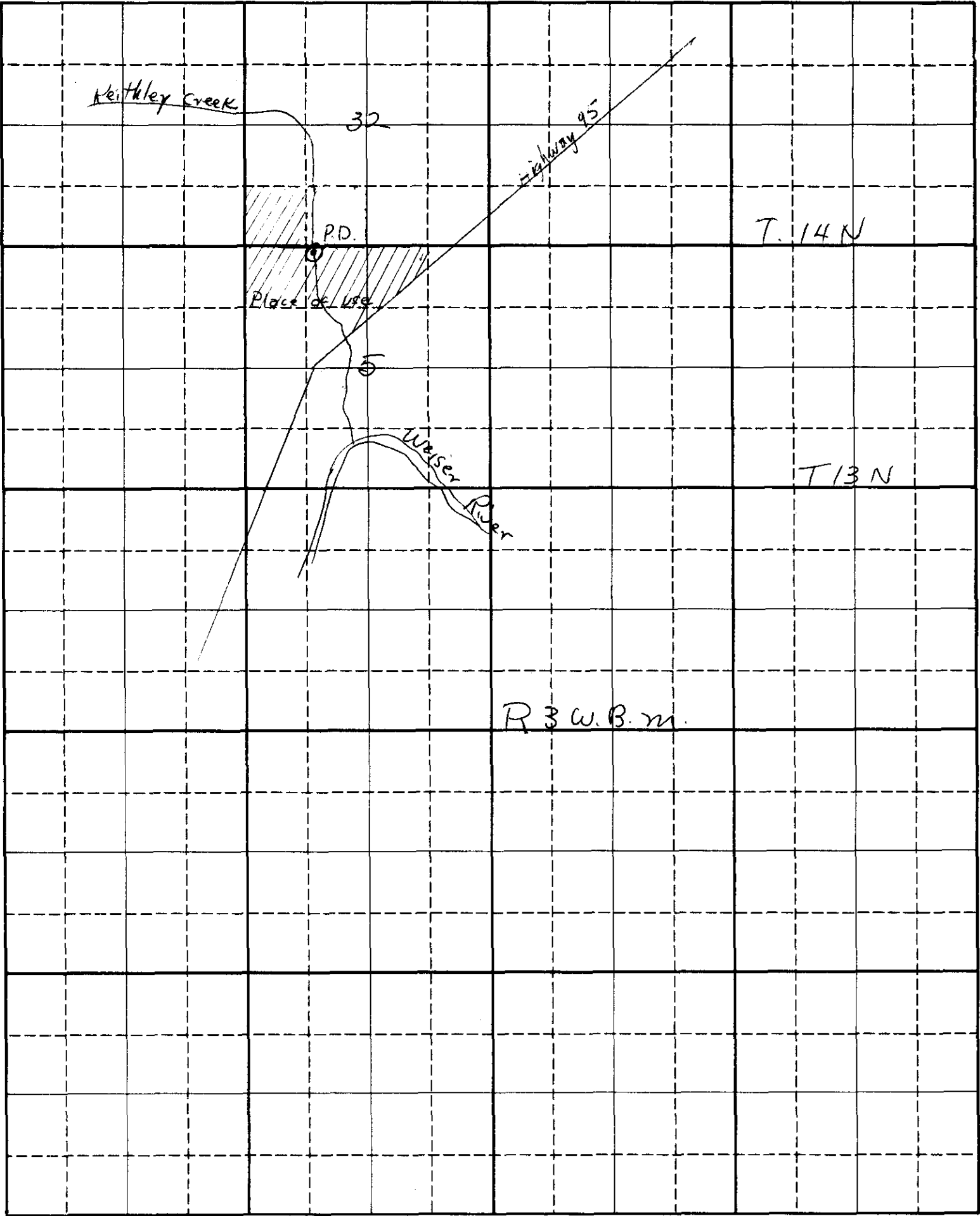
b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.88 for Irrigation purpose from May 1 to August 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.88 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump and sprinkler system

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ Installed.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(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

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.

Ellis E. Pearson
(Applicant)

Proposed Priority 8-01-1974

Received by RWH Date 8-1-1974 Time 3:10 P.m
Preliminary check by RWH Fee \$ 35.00
Receipted by leg Date 8-01-74 Permit #15924
Publication prepared by Ca Date 8-8-74
Published in Upper Country News Reporter
Publication dates Aug. 15 & Aug. 22
Publication approved Ca Date 8-26-74
Priority reduced to _____ Reason _____

Protests filed by: Rex L. Hiddleston 8/27/74

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by WJH DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 67-7217, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 80.
- c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 25 day of November 1975.

R. Karl Higin
Director

AFFIDAVIT OF PUBLICATION

State of Idaho }
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of Aug. 15, 1974, and ended with the issue of Aug. 22, 1974.

*OK
8-26-74
Cm*

Stuart Dopf

Subscribed and sworn to before me this

23rd day of August, 1974.

May Collins

Notary Public for Idaho, residing at
Cambridge, Idaho

MICROFILMED

RECEIVED

AUG 26 1974

Department of Water Resources

November 12, 1985

RE: Permit No. 67-7217

Jerry & Georgine Lunsford
Rt. 1, Box 77
Midvale, ID 83645

Dear Mr. and Mrs. Lunsford:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

October 7, 1985

RE: Permit No. 67-7217

Jerry N. & Georgine Lunsford
Rt. 1, Box 77
Midvale, ID 83645

Dear Permit Holder(s):

A representative of this Department made an examination of the works covered by your Permit No. 67-7217 and has found the following:

Amount of water that can be recognized as beneficially used
under Idaho law: 1.54 cfs Source: Keithly Creek trib to
Weiser River

The maximum quantity diverted shall not exceed 375.7 acre feet
per year.

Point(s) of diversion: NENW, Sec. 5, Twp 13N, Rge 3W

Beneficial Use: Irrigation of 64 acres within NWNE, N1/2NW1/4,
Sec. 5, Twp 13N, Rge 3W and 30 acres within SWSW, Sec. 32, Twp
14N, Rge 3W

Priority date established: August 18, 1974 (Late Proof)

Conditions (if any): Use of water under this license is subject
to control by the watermaster of State Water District No. 67,
Weiser River. A measuring device of a type approved by this
Department shall be maintained as a part of the diverting works.

MICROFILMED

Permit No. 67-7217
Page 2

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

Department of Water Resources

67-7217

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	1/26/81	hll	none made
☐ Telephone call made (List Telephone No. used)	6/6/83	JL	MR. LUNSFORD'S FATHER-IN-LAW PHONED TO SET DATE.
☐ Appointment scheduled for: (Date, time, location)	6/7/83	JL	KEITHLY CR. RD - 11:00

EXAMINATION

Date 6/7/83 Accompanied by TERRY LUNSFORD Total Q measured 1.54 cfs ✓
Source KEITHLY CR. Tributary to WEISER R. ✓ Supp. annubar measurement sheet used? NO

If source is surface water, estimate total flow of source

Methods of measurement PRESSURE GAUGE ✓ Meets permit requirements? NOZZLE SIZE

Measurement calculations: 33 - 1/4" 4TH HEADS ; 33 - 9/16" 15' x 104 - 5/32" NOZ AVERAGE PSI WAS 25.
MEASURED ENDS, MIDPOINT OF MIDDLE TENDS & MIDDLE OF EACH HANDLINE - ALL SPRINKLER
LINES WERE RUNNING. APPROX. 36 NOZZLES PER LINE.
1/4" 4TH AT 25 PSI IS 4.17 GPM EA X 33 = 137.61 ✓ 690.68 ÷ 448.8 = 1.54 CFS ✓
1 1/2" 15' AT 25 PSI IS 5.95 GPM EA X 33 = 196.35 ✓ 94 AC X 4.0 AF/AC = 376 AF/ANN > 1.98 X 123 DAYS X 1.54 CFS =
5/32" NOZ AT 25 PSI IS 3.43 GPM EA X 104 = 356.72 ✓ 690.68 ✓ 1.9835 X 1.54 CFS X 123 = 375.7 AF
375 AF/ANN

WELL/DIV. NO.*	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
	25	G.E.	00J216262	RAINFLOW	7412	NONE		

System Description 8" INTAKE W/SCREEN IN CREEK TO PUMP & MOTOR W/8" MAINLINE TO
HANDLINES. ALL HANDLINES WERE OPERATING.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement = <u>4.0</u> ✓ AFA/Acre		FROM	TO
	Q (cfs)	V (afa)		
<u>IRRIGATION</u>	<u>1.54 cfs</u> ✓	<u>375 AF</u>	<u>5/1</u> ✓	<u>8/31</u> ✓
		<u>375.7</u>	<u>dates left as shown on permit - to be appeal, to be a stipulation of protest withdrawn.</u>	
		<u>375.7</u>		
Total	<u>1.54</u> ✓	<u>375 AF</u>		

Remarks THIS PERMIT ORIGINALLY HAD 26 ACRES APPLIED FOR IN LOT 2 & 28 ACRES
IN LOT 3. HOWEVER, THE ACTUAL GROUND BEING IRRIGATED IS JUST THE OPPOSITE. ✓

p/d is located in water district 67 - MICROFILMED

MACROFILMED

[illegible]

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE 1/4 NW 1/4, SEC. 5, TWP. 13N, RGE. 3W.

Place(s) of Use ☒ no gov't lots in Sec. 32-

[illegible]☐ Other

Date _____

Jan Prover
628
ay. Walker

37 29
37 12

F-224
B-225

B-28
B-19

371

B-18
B-19

A22
B-191
B-197

B 4.6

C 250

D 9.3

C 273

D 28.5

B-11
B-130

B-21
B-27

A 29

A 20.0

B 15.8

F-31
B-31

A 15.6

B 14.7

F 10.4

G 7.3

B 31.2

K 10.0

D 27.0

E 18.5

L 12.6

K 10.9

F 11.1

E 8.8

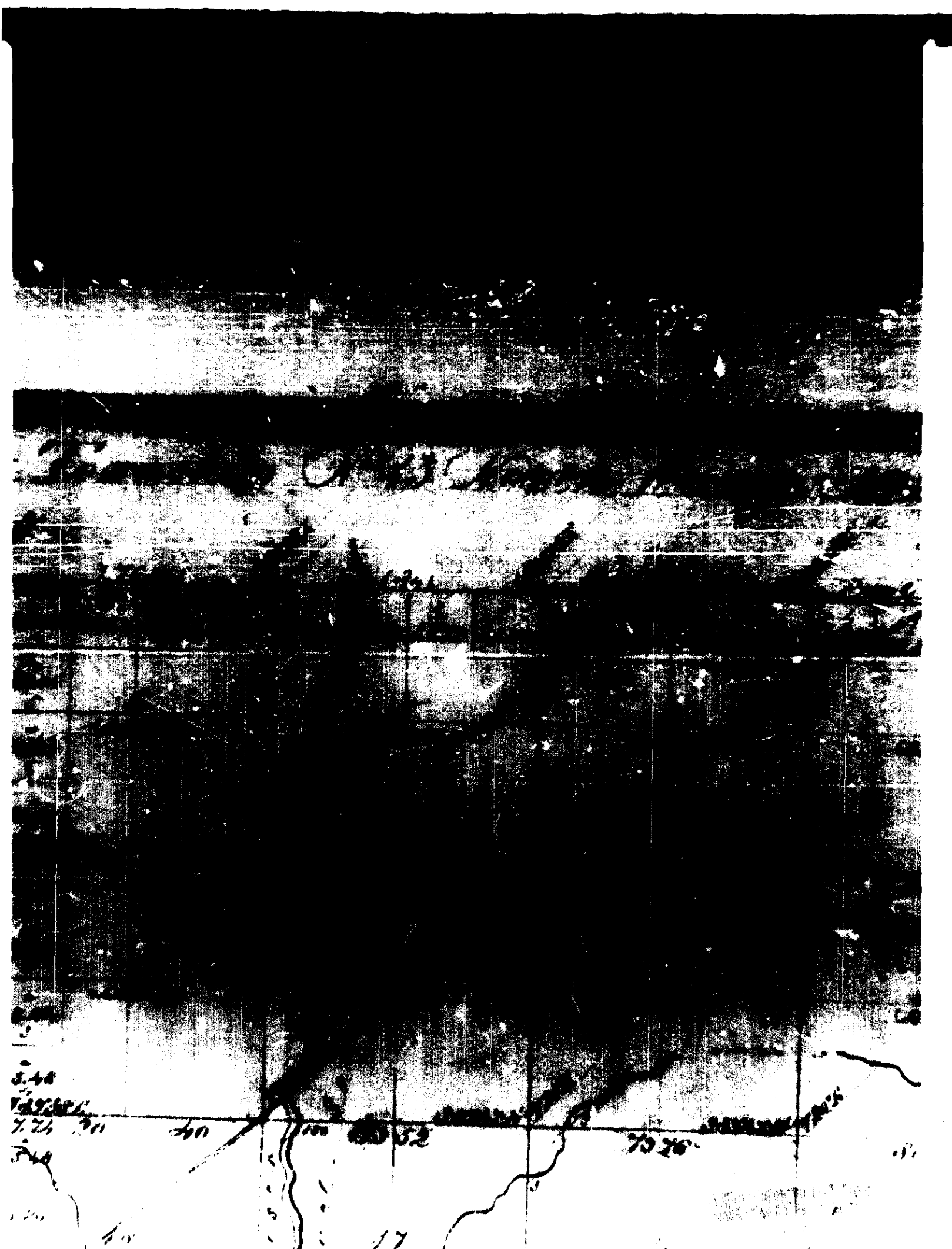
L 9.6

M 21.7

LOW
28 AC

M-15

NOT TO SCALE



Overlap Review - Permit 67-7217

per micro-fische 10/3/85:

p/d - none

plu - 67-7206

67-7280

67-7280 - Lic., different p/d - no plu
overlap per aerial photos on
field exams.

67-7206 - Permit, no exam in file -
no overlap.

kw

MICROFILMED

IDENT. . . 67-7217

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

January 26, 1981

Jerry Lunsford
Rt. 1 Box 77
Midvale, Idaho 83645

RE: **Permit No. 67-7217**

Dear **Mr. Lunsford:**

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

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

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

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

Sincerely,

Kay Walker
Secretary

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 88-7217

Name(s) of Permit Holder:

Jerry Lunsford

Post Office Address:

Rt 1 Box 77

Midvale

ID

Tel. No.

355-2494

Source of Water:

Healy Creek

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(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 developed.

11-16-80

Date

Jerry Lunsford
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Jerry Mansford
Rt 1 Box 77
MIDVALE ID
83645



IDAHO Dept of water Re

STATE HOUSE

BOISE IDAHO

83720

MICROFILMED

Dear Sirs:

Upon arrival of your notice on Aug 13th
I ordered a permanent water measuring
device. It should have been here
long before now, but was not.

When it arrives I will ~~put~~ incorporate
it into my irrigation system and
will have it functional by the irrigating
season of 1981.

What ever forms are necessary to
take care of this problem may be
sent to my home.

Sincerely,
Jerry Longford
Rt. 1, Box 77
Mickala ID
83645-

RECEIVED

NOV 18 1980

Department of Water Resources

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

November 13, 1980

Jerry and Georgine Lunsford
Midvale, ID 83645

Dear Mr. and Mrs. Lunsford:

Re: Permit No. 67-7217

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permit has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided a form for that purpose in our notice to you dated August 31, 1980.

Your permit cannot be reinstated unless you submit the proof 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

CSA:rf

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.

Lita Fleck

MICROFILMED

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

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

LUNSFORD, JERRY & GEORGINE
MIDVALE, ID 83645

138471

AUGUST 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 67-7217 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

MICROFILMED

January 12, 1976

C
Re: Permit No. 67-7217

O
Jerry N. Lunsford & Georgine Lunsford
Midvale,
Idaho 83645

Dear Mr. & Mrs. Lunsford:

P
We acknowledge receipt of the assignment issued on the above referenced permit conveying the permit to you.

The assignment has been recorded and the Department's records have been changed.

Sincerely,

Y
BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR



RECEIVED

JAN 12 1975

Department of Water Resources
HAROLD L. RYAN
NICK G. SPEROPULOS - 1987
MICHAEL B. SWEET

Ryan & Sweet

ATTORNEYS AND COUNSELORS AT LAW
P. O. BOX 587
WEISER, IDAHO 83672

TELEPHONE
549-2651
AREA CODE 208

January 8, 1975

Mr. Bobby D. Fleenor
Chief, Water Rights
State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Permit No. 67-7217
Issued to Ellis E. and/or Sandra J. Pearson

Dear Mr. Fleenor:

Enclosed herewith is a photocopy of a ~~signed~~ warranty deed wherein Ellis E. Pearson and Sandra J. Pearson have deeded the real estate involved in the above numbered permit to Jerry N. Lunsford and Georgine Lunsford in a Farmers Home Administration loan closing of this date.

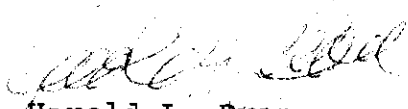
It is our understanding that this notification is all that is necessary to transfer the water rights under the above permit.

If there are any other steps we must take, please advise this office.

Thank you for your assistance.

Very truly yours,

RYAN & SWEET


Harold L. Ryan

HLR/pb
cc: Farmers Home Administration
292 East Commercial
Weiser, Idaho 83672

November 26, 1975

Re: Permit No. 67-7217

Ellis E. &/or Sandra J. Pearson
Midvale,
Idaho 83645

Dear Mr. & Mrs. Ellis:

Enclosed is a copy of your approved Application for Permit No. 67-7217. 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 ADMINISTRATION
- STAFF ANALYSIS -

Item Initial Date

- (1) RWH 8-2-74 Application No. 67-7217
- (2) ☒ 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
- (3) RWH 8-2-74 In form to receipt
 NA Send Copies to:
 Idaho State Health Department
 Idaho Fish and Game Department
 Bureau of Land Management
- (4) NA Request Special Use Permit from U.S.F.S.
 Request Easement from B.L.M.
 Request Information from Applicant
- (5) RWH 8-2-74 In form for advertising
- (6) RWH 8-2-74 Located within Water District No. 67
- (7) NA Critical groundwater area: yes no
- (8) NA Groundwater levels:
 Decline (comment)
 Stable (comment)
 Increasing (comment)
- (9) Comments:
- (10) Ca 8-26-74 Affidavit of Publication received (date) OK
- (11) Final date for protests
Protests received: yes ☒ no
- (12) Date and Place of hearing
Decision reached at hearing protest withdrawn
- (13) All requested information received from agencies or applicant
yes no
- (14) Action recommended:
☒ Approve Priority
 Deny Reason for Reduction
☒ Measuring device required
 See attached sheet for additional conditions of approval
 No additional conditions for approval
- (15) District W By JH Date 11-20-75

I, hereby agree to withdraw
my protest against the approval
of application for permit No.
67-7217 in the name of Ellis E.
&/or Sandra J. Pearson based on
the facts & information
presented at the conference
held Nov. 19, 1975 @ Weiser
Idaho

Signed at the Washington
County Courthouse, Nov 19,
1975

Rui L. Riddison
Nov 19 - 1975

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, 3, 4, 5. 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: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>139022</td> <td></td> </tr> </table> (Always obtain signature of addressee or agent)			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		139022	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
	139022							
I have received the article described above. SIGNATURE ☐ Addressee ☒ Authorized agent								
4. DATE OF DELIVERY OCT 30 1975		POSTMARK						
5. ADDRESS (Complete only if requested)								
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS						

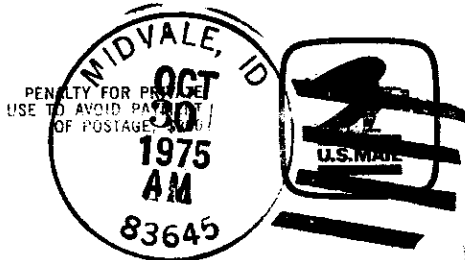
C/S

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 NATURAL RESOURCES
425 N. GASTAVILLE BLVD.
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: <table border="1"> <tr> <td>REGISTERED NO.</td> <td>CERTIFIED NO.</td> <td>INSURED NO.</td> </tr> <tr> <td></td> <td>139021</td> <td></td> </tr> </table> (Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent			REGISTERED NO.	CERTIFIED NO.	INSURED NO.		139021	
REGISTERED NO.	CERTIFIED NO.	INSURED NO.						
	139021							
4. DATE OF DELIVERY OCT 29 1975		POSTMARK						
5. ADDRESS (Complete only if requested)								
6. UNABLE TO DELIVER BECAUSE:		CLERK'S INITIALS						

C/S

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

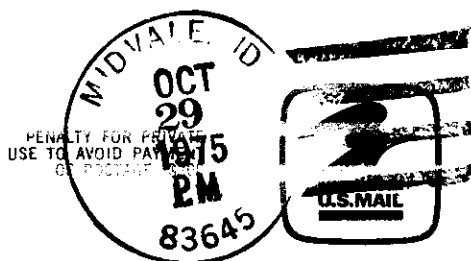
Print your name, address, and ZIP Code in the space below.

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

RETURN
TO



U.S. GOVERNMENT PRINTING OFFICE
16-70000-1
WASHINGTON, D.C. 20540
BOISE, IDAHO 83720



OF THE
STATE OF IDAHO

In the Matter of Protest Against Approval)
of the Application for Permit No. 67-7217)
in the name of Ellis E. &/or Sandra J.)
Pearson.)

NOTICE OF CONFERENCE
AND/OR HEARING

On August 1, 1974, Ellis E. &/or Sandra J. Pearson filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On August 27, 1974, the Department received a protest against approval of said application from Rex L. Hiddleston.

The Department has set the matter of protest for conference and/or hearing for Wednesday, November 19, 1975, at 1:30 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 protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 27th day of October, 1975.

L. Glen Saxton

L. GLEN SXTON, P.E.
Western District Engineer

SECRET

67-7217 - Ellis E. &/or Sandra J. Pearson

Washington County Courthouse, Weiser, Idaho

November 19, 1975 - 1:30 p.m.

ROSTER OF ATTENDANCE

<u>Name</u>	<u>Address</u>	<u>Representing</u>
Ellis Pearson	Midvale, Idaho	applicant
Rev L. Hallock	Midvale, Idaho	applicant

RECORDED

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

_____.

MICROFILMED



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 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

MICROFILMED

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NO.)
67-7217 in the name of ELLIS E. &/OR SANDRA J.)
PEARSON)
_____)

ORDER TO SHOW CAUSE

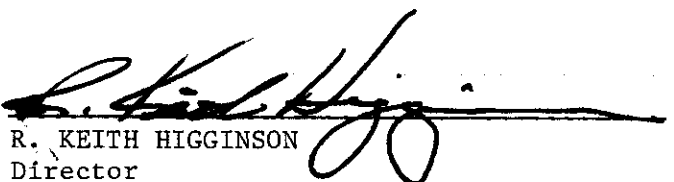
WHEREAS, on August 1, 1974, Ellis E. &/or Sandra J. Pearson applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 1.88 cubic feet per second of water from Keithly Creek, tributary to the Weiser River, with the point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13 N, R. 3 W, B.M., Washington County to be used for irrigation purposes; and,

WHEREAS, on August 15 and August 22, 1974, notice of this proposed appropriation was published in the Upper Country News Reporter, a weekly newspaper published in Cambridge, Washington County, Idaho; and,

WHEREAS, on August 27, 1974, the Department received a protest against the approval of said application from Rex L. Hiddleson. A hearing concerning this matter was held October 21, 1974, at Weiser, Idaho, at which the applicant failed to appear;

It is, THEREFORE, HEREBY ORDERED that the applicant show cause on or before November 19, 1974, why Application for Permit No. 67-7217 should not be voided for failure of applicant to appear at the hearing.

Dated this 29 day of OCTOBER, 1974.


R. KEITH HIGGINSON
Director

MICROFILMED

Nov. 6, 1974

Water Resources Board

RECEIVED

NOV 12 1974

Department of Water Resources

NOV 12 1974

Sir:

On Oct. 21, 1974 you held a hearing in Weiser, Idaho on application for permit no. 67-7217. I was unable to attend that meeting because I did not know about it. We had been to Canada on a little trip and did not get our mail to know about the hearing until the 22 day of Oct., 1974. That is why I was not there.

Thank you

Ellis E. Pearson

RECEIVED

NAME AND
ADDRESS
OF SENDER

Indicate type of mail

☐ INSURED ☐ C. O. D.
☐ CERTIFIEDAffix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUPLICATE IF C. O. D.	ENDORSE- MENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE
									Remarks
1 44119	Harold Gibson, Cambridge, Md 83610								67-7197
2 44120	Leslie B. Hall, Cambridge, Md 83610								67-7197
3 44121	Mrs. L. Bull, Cambridge, Md 83610								67-7197
4 44122	Bill E. Neal, Cambridge, Md 83610								67-7197
5 44123	Randy E. Neal, Cambridge, Md 83610								67-7197
6 44124	Earl W. Maccost, Cambridge, Md 83610								67-7197
7 44125	Muriel M. Winder, Cambridge, Md 83610								67-7197
8 44126	Elmer C. Edwards, Cambridge, Md 83610								67-7197
9 44127	Frank Smith, Cambridge, Md 83610								67-7197
10 44128	Edna Howard, Cambridge, Md 83610								67-7197
11 44129	Norman Hansen, Cambridge, Md 83610								67-7197
12 44130	Henry Hansen, Cambridge, Md 83610								67-7197
13 44131	Mr. John E. Pearson, Middleville, Md								67-7217
14 44132	Rev. L. Hiddleston, Middleville, Md								67-7217
15									
16									
17									
18	Sent 10-1-74 CM								
19									
20									
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid—This Side Up." ² Special-handling charges apply only to third- and fourth-class parcels. Special-delivery service also includes special-handling service.			

PS Form 3877-A—Feb. 1972

U. S. GOVERNMENT PRINTING OFFICE

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

In the Matter of Protest Against Approval)
of Application for Permit No. 67-7217)
in the name of ELLIS E. &/OR SANDRA J.)
PEARSON)

NOTICE OF CONFERENCE

AND/OR HEARING

On August 1, 1974, Ellis E. &/or Sandra J. Pearson filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On August 27, 1974, the Department received a protest against approval of said application from Rex L. Hiddleston.

The Department has set the matter of protest for conference and/or hearing for Monday, October 21, 1974, at 1:30 p.m., in the Courtroom of the Washington County Courthouse, Weiser, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

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

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

Dated this 9th day of October, 19 74.

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

RECEIVED

67-7217 - Ellis E. &/or Sandra J. Pearson

Courtroom, Washington County Courthouse, Weiser, Idaho

October 21, 1974 - 1:30 pm

ROSTER OF ATTENDANCE

NAME

ADDRESS

REPRESENTING

Ray L. Harrison

Michael C. Idaho

RECEIVED

PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2.
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¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢
- ☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Ellis E. Pearson

3. ARTICLE DESCRIPTION:

STERED NO. | CERTIFIED NO. | INSURED NO.

44169

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

Signature above

4.

DATE OF DELIVERY
OCT 30 1974

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS



Alb

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

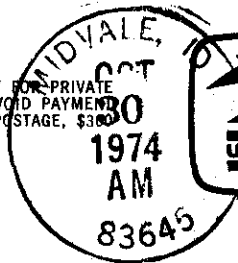
Print your name, address, and ZIP Code in the space below.

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

**RETURN
TO**



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



NAME AND
ADDRESS
OF SENDER

Indicate type of mail

☐ INSURED ☐ C. O. D.
☐ CERTIFIED

Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

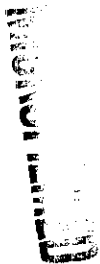
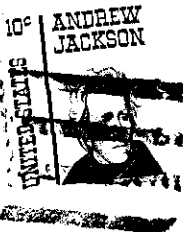
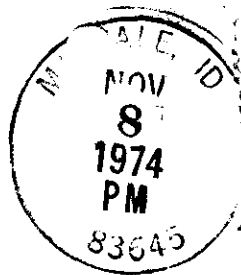
NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	DUE SENDER IF C. O. D.	ENDORSE- MENT ¹	R. R. FEE	S. D. FEE	S. H. FEE ²	RESTRICTED DELIVERY FEE Remarks
1	44168 Richard D. Woodbridge								63-8001
2	2300 Milwaukee								
3	Bone Id								
4	44169 Eggle & Pearson								67-7217
5	Midvale, Id								
6									
7									
8									
9	Sent Oct 29, 1974								
10									
11	Ala								
12									
13									
14									
15									
16									
17									
18									
19									
20									
TOTAL NUMBER OF PIECES LISTED BY SENDER		TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE		POSTMASTER, PER (Name of receiving employee)		¹ Mark "F" if "Fragile," "P" if "Perishable," "E" if "Eggs," "EH" if "Eggs for Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid—This Side Up." ² Special-handling charges apply only to third- and fourth-class parcels. Special-delivery service also includes special-handling service.			

PS Form 3877-A—Feb. 1972

U.S. GOVERNMENT PRINTING OFFICE

MICROFILMED

Ellis E. Pearson
Mishawaka, Idaho
83645



State of Idaho
Department of Water Administration
Western District Office
614 State Street
State House - Annex 2
Boise, Idaho 83707

RECEIVED
AUG 27 1974
Department of Water Resources

August 27, 1974

I, Rex Hiddleston, protest the water right application
No. 67-7217 filed by Ellis Pearson as written.

The reason is that during low water season there is
no water to be filed on.

I now hold the following water rights on Keithly Creek:

Priority				Purpose
May 12, 1947	License	No. 19635	1.4 cfs	Irrig. & Domestic
Approx. 1886	Muir Vs. Allison Decree		.12 cfs	Stockwater

Sincerely,

Rex L. Hiddleston

Rex L. Hiddleston
Midvale, Idaho
ph. 355-2210

In Ref Widdleron ~~state~~ Protest
~~that~~ the water right application #67-72
filed by ^{Ellis} Pearson ~~should not~~
~~be allowed~~ as written.

The Reason is that during low
water season, there is no water
to be filed on.

I now hold the following
water rights on Keithley Creek

Priority

Purpose.

12 May 1947	License	# 19635	1.4 cfs	Drinking & Domestic
Approx. 1886	D	Muir Vs. Allison Decree	0.12 cfs	Stockwater

Sines

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM MCB

DATE 10-22-74

TO Ken

4:45 PM

SUBJECT Call from Mr. Pearson.

Mr. Pearson called & said he had been out of town.

He received notice of a certified letter being held for
 him at the post office ^{Friday 10-18-74} but he was unable to pick
 it up until today. I told him that you would contact
 him later concerning the hearing.

MCB

SIGNATURE



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

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

October 11, 1974

Washington County Courthouse
Clerk of the District Court
Weiser, ID 83672

Dear Sir:

This is to confirm the use of the Courtroom for conference and/or hearing to be held by this office on Monday and Friday, October 21 and 25, 1974, for all day both days.

Thank you for your cooperation in this matter.

Very truly yours,

Kenneth H. Foit

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

KHF:clā

NOT FILMED

September 3, 1974

Mr. Ellis E. Pearson
Midvale, ID 83645

Re: Application for Permit No. 67-7217

Dear Mr. Pearson:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your application No. 67-7217. 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 acrefeet 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

September 3, 1974

Mr. Rex L. Hiddleston
Midvale, ID 83645

Re: Application No. 67-7217 - Ellis E. and/or Sandra J. Pearson

Dear Mr. Hiddleston:

This is to acknowledge receipt of your protest 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

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

August 9, 1974

Upper Country News Reporter
Box 98
Cambridge, ID 83610

Re: Application for Permit No. 67-7217 - Ellis E. &/or Sandra J. Pearson

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
8-26-74
Cm

RECEIVED

NOTICE OF APPLICATION

FOR WATER PERMIT

Notice is hereby given that **ELLIS E. &/OR SANDRA L. PEARSON**, Midvale, ID., have on August 1, 1974, submitted Application No. 67-7217 for a permit to appropriate 1.88 cubic feet per second of water from Keithley Creek, trib. to Weiser River by means of pump and sprinkler system within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13 N, R. 3 W, B.M., Washington County to be used from May 1 to Oct. 31 for irrigation of 94 acres within Lot 2, 3, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 5, T. 13 N, R. 3 W, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 14 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 September 3, 1974.

R. KEITH HIGGINSON
Director

Published in the Upper Coun-
try News-Reporter, Cambridge,
ID., on August 15, 1974 and Aug-
ust 22, 1974.

OK 8-12-74 CW

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~ELLIS E. &/OR SANDRA J. PEARSON~~

~~Midvale, ID~~

has on ~~August 1, 1974~~ submitted Application No. ~~67-7217~~

for a permit to appropriate ~~1.88~~ cubic feet per second ~~XXXXXXX~~ acre feet

~~XXXXXXX~~ per annum of water from ~~Keithly Creek, trib. to Weiser River~~

by means of ~~pump and sprinkler system~~

within the ~~NE 1/4, Sec. 5, T. 13 N, R. 3 W, B.M. Washington County~~

to be used from ~~May 1 to Oct. 31~~

for ~~irrigation of 94 acres~~

within the ~~XXXX Lot 2, 3, NW 1/4, Sec. 5, T. 13 N, R. 3 W, SW 1/4, Sec. 32, T. 14 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 ~~September 3, 1974~~.

R. KEITH HIGGINSON

Director

Published in the ~~Upper County News Reporter, Cambridge, ID~~
on ~~August 15, 1974~~ and ~~August 22, 1974~~