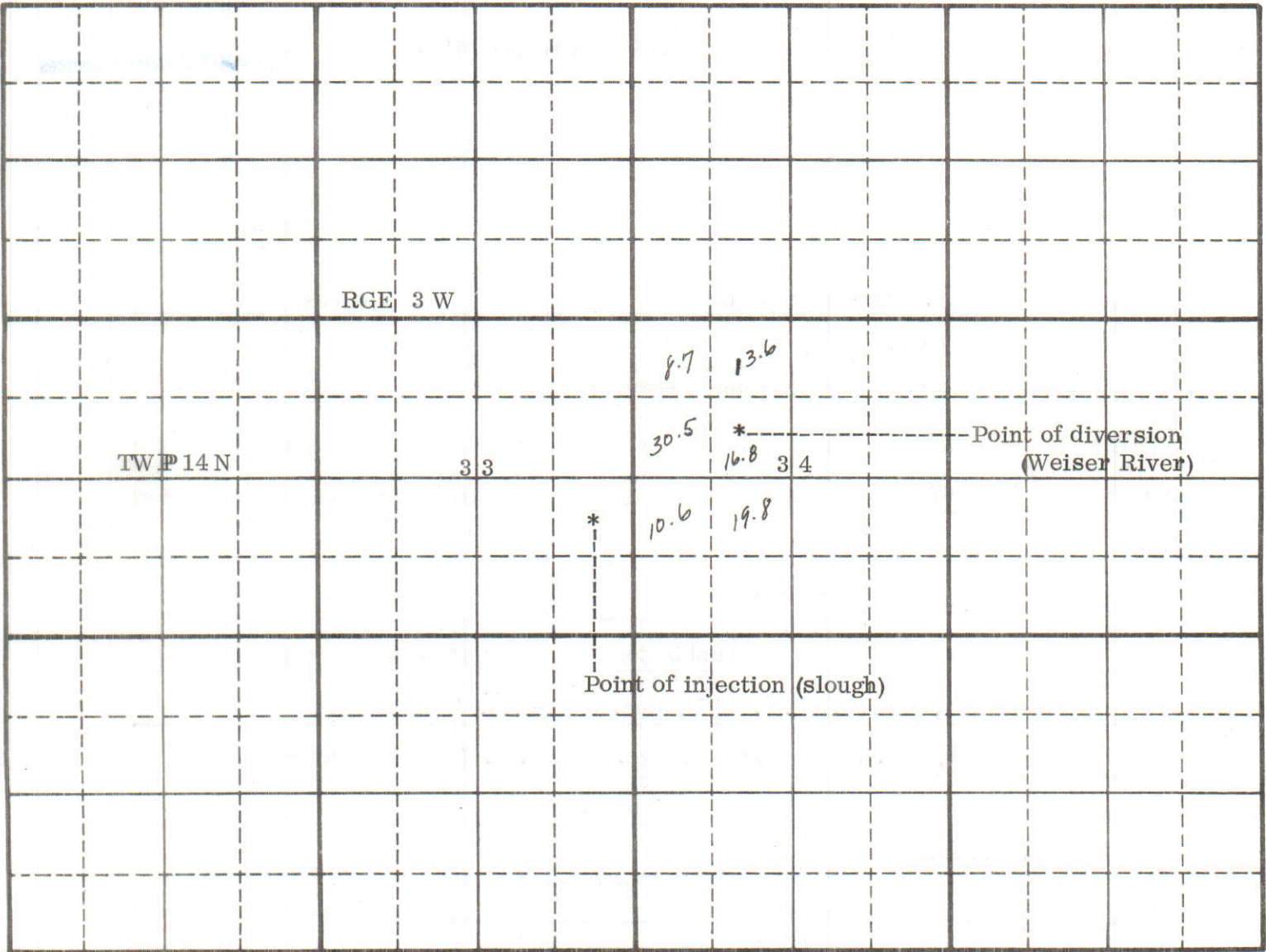


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Malwa, Idaho, this 30 day of October, 19 76
[Signature]
 (signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

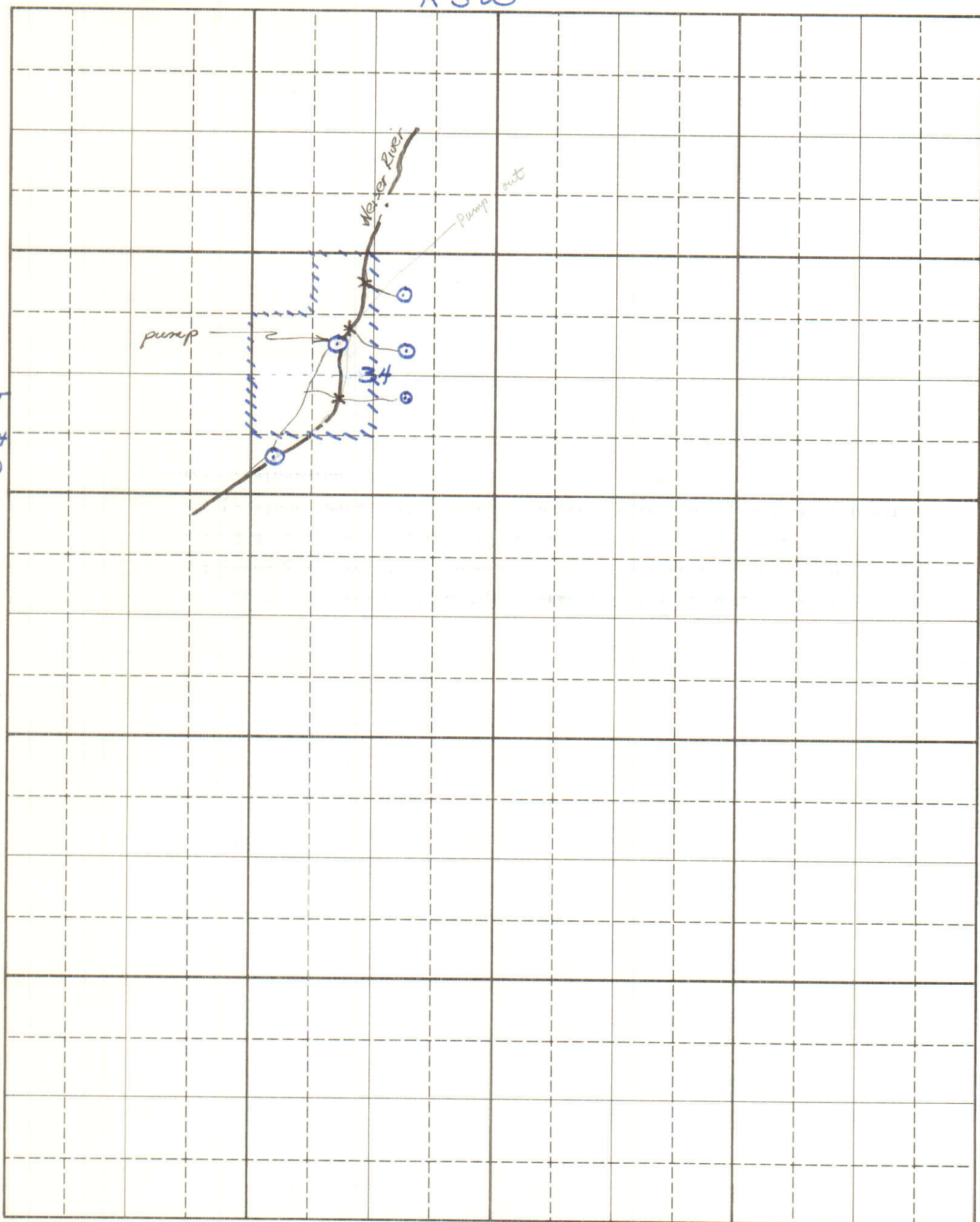
I, R. KEITH HIGGINSON, Director of the Department of Water Resources
 hereby approve the above application for amendment for Permit No. 67-7167.

Witness my hand this 15 day of November, 19 76

[Signature]
 Director

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

R3W



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.

Q. Dawson Gachner
(Applicant)

67 7157

**NOTICE OF APPLICATION FOR
PERMIT AND EXCHANGE
OF WATER**

Notice is hereby given that A. DAWSON GAERTNER, Midvale, Idaho, has on August 24, 1973, submitted Application No. 67-7167 for a permit to appropriate 2.0 cubic feet per second of water from 2 unnamed sloughs at points within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M., Washington County, and Weiser River, tributary to Snake River, within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M., Washington County, by means of pipeline, pump and sprinkler system. Water from sloughs will be injected into Weiser River in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M. and will be diverted from Weiser River from a point within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M.

Water will be used from May 15 to Nov. 15 for the irrigation of 100 acres within the NE $\frac{1}{4}$ -NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, 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 Administration, Statehouse, Boise, Idaho, 83707, on or before November 5, 1973.

R. KEITH HIGGINSON
Director

Published in the Upper County News-Reporter, Box 98, Cambridge, Idaho on October 18, 1973 and October 25, 1973.

OK
sw
10-29-73

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 Oct. 18, 1973, and ended with the issue of Oct. 25, 1973.

Stuart Dopf

Subscribed and sworn to before me this

26th day of October, 1973.

Mary Collins

Notary Public for Idaho, residing at
Cambridge, Idaho

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

old williamson
919 8945

1. Name of permit holder A. Dawson Gaertner
Post office address Midvale, Idaho 83645 Phone 355 2398
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Weiser River & 2 unnamed sloughs
(name spring, stream, etc.)
Tributary to Snake River

3. Water will be used for the following purposes:

Amount 2.0 c.f.s. for irrigation
_____ AF/Annum (nature of use)

Period of Use: from May 15 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 67-7167
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 2.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Pump Township 14N N/S, Range 3W E/W, B.M., Section 34, Subdivision SE SW $\frac{1}{4}$ NW $\frac{1}{4}$, Washington County
Waste from Middle Valley Lumber Co. Township 14N N/S, Range 3W E/W, B.M., Section 34, Subdivision NW $\frac{1}{4}$ NE $\frac{1}{4}$, Washington County
(Weiser) Main Township 14N N/S, Range 3W E/W, B.M., Section 34, Subdivision SW $\frac{1}{4}$ NE $\frac{1}{4}$, Washington County
NE SE Sec 33

Other Points of Diversions: NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, Twp. 14N, Rge. 3W, B.M.

Description of diverting works: Water from sloughs measured into Weiser River then pumped out upstream into sprinkler system. Meter in pump line. (exchange of water with Weiser River) 15 hp motor & pump from river. 50 hp motor & booster pump.

Measuring device required: yes ☒ no ☐ (At both pt. of water into & pts. of diversion of water from the Weiser River)

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14N	3W	34					25		18	20	32	5							100
<i>Actual use</i> { 14N 3W 34							23		27	23	28	9							110-

TOTAL ACREAGE 100

T
14
N

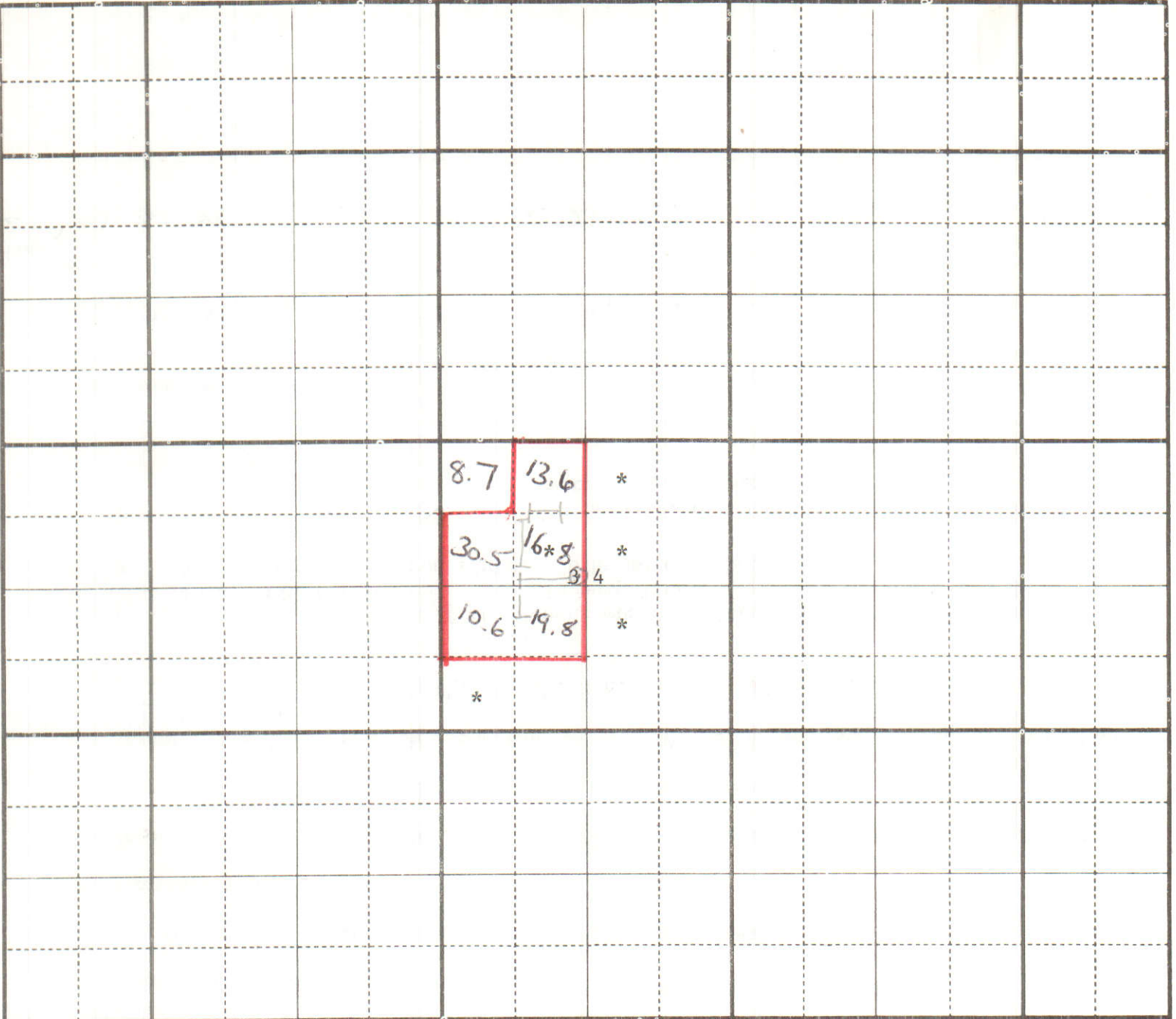


Diagram of System



243

B249

(B165)

28

133

32.6

48

73

28 27

33 34

28.5

2.6

6.7

25.6

6.0

16.2

4.5

17.3

4.6

10.6

233

26.4

20.2

11.9

13.5

25.6

NE NW

15.6

-3

12.6

13.6

3.0

9.0

16.2

5.2

11.0

SW NW 6.0

B251

(B251)

4.6

4.5

B-170

(B170)

18.5

3.5

12.4

2.5

NW SW

NE SW

11.3

4.6

Point of
Injection
w/ weir

NE

58

3.5

5.3

B251

(B173)

13.5

4.3

12.4

4.9

10.9

2.1

"NOT TO SCALE"

282
3334

B251
(B251)

B216
(B260)

B167

B251
(B251)

PD Point of exchange 65

8.5

11.3

19.8

3.2

5.3

7.8

5.0

6.0

4.1

2.1

4.8

2.9

10.8

3334
5.0

9.7

9.0

2.5

2.9

18.4

9.0

B252

2.7

6.0

9.4

20.0

9.4

8.5

15.5

8.6

"NOT TO SCALE"

*Notice of Application for
Permit and Exchange of Water*

no heading on this??

Notice is hereby given that A. DAWSON GAERTNER, Midvale, Idaho, has on August 24, 1973, submitted Application No. 67-7167 for a permit to appropriate 2.0 cubic feet per second of water from 2 unnamed sloughs at points within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M., Washington County, and Weiser River, tributary to Snake River, within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M., Washington County, by means of pipeline, pump and sprinkler system. Water from sloughs will be injected into Weiser River in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M. and will be rediverted from Weiser River from a point within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M.

Water will be used from May 15 to Nov. 15 for the irrigation of 100 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, 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 Administration, Statehouse, Boise, Idaho, 83707, on or before November 5, 1973.

R. KEITH HIGGINSON
Director

Published in the Upper Country News-Reporter, Box 98, Cambridge, Idaho on October 18, 1973 and October 25, 1973.

OK
SW
10-16-73

67

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7167 Priority August 24, 1973 Amount 1.45 cfs

THIS IS TO CERTIFY, that A. DAWSON GAERTNER
of Midvale, Idaho, has complied with the terms and conditions of Permit
No. 67-7167 issued pursuant to Application for Permit dated August 24, 1973,
and has submitted proof to the Department of Water Resources on November 27, 1974,
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 1.45 cfs of water from the Weiser River and an
tributary to the Snake River unnamed slough, 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 15</u> to <u>Nov. 15</u>	at <u>1.45</u> cfs and	<u>400 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 1.45 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
400 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34 (Weiser
River) and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33 (unnamed slough); Twp. 14 N, Rge. 3 W, B.M. in the
County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 N	3 W	34					13.6	8.7	30.5	16.8	19.8	10.6							100

Total number of acres irrigated 100

The water diverted from the slough as described above will be exchanged for
Weiser River water to be diverted at a point within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, Twp.
14 N, Rge. 3 W, B.M.

Measuring devices of a type approved by this Department shall be permanently
maintained at the points of injection and point of diversion from the Weiser River.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15 day of
November, 19 76.

Director

RECEIVED

NOV 4 1963

Department of Water Resources

Permit No. 67-7167

Comes now **A. Dawson Gaertner** of (address)

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 67-7167, and requests that the permit and permit map be changed as follows:

1. Point of diversion: See Below $\frac{1}{4}$ $\frac{1}{4}$, Sec. Twp.

Rge. _____, B.M., County of Washington. Other points of diversion:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, Twp. 14 N, Rge. 3 W, B.M. (Weiser River)

NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, Twp. 14 N, Rge. 3 W, B. M. (unnamed slough)

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

NO CHANGE

~~NO CHANGE~~

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)

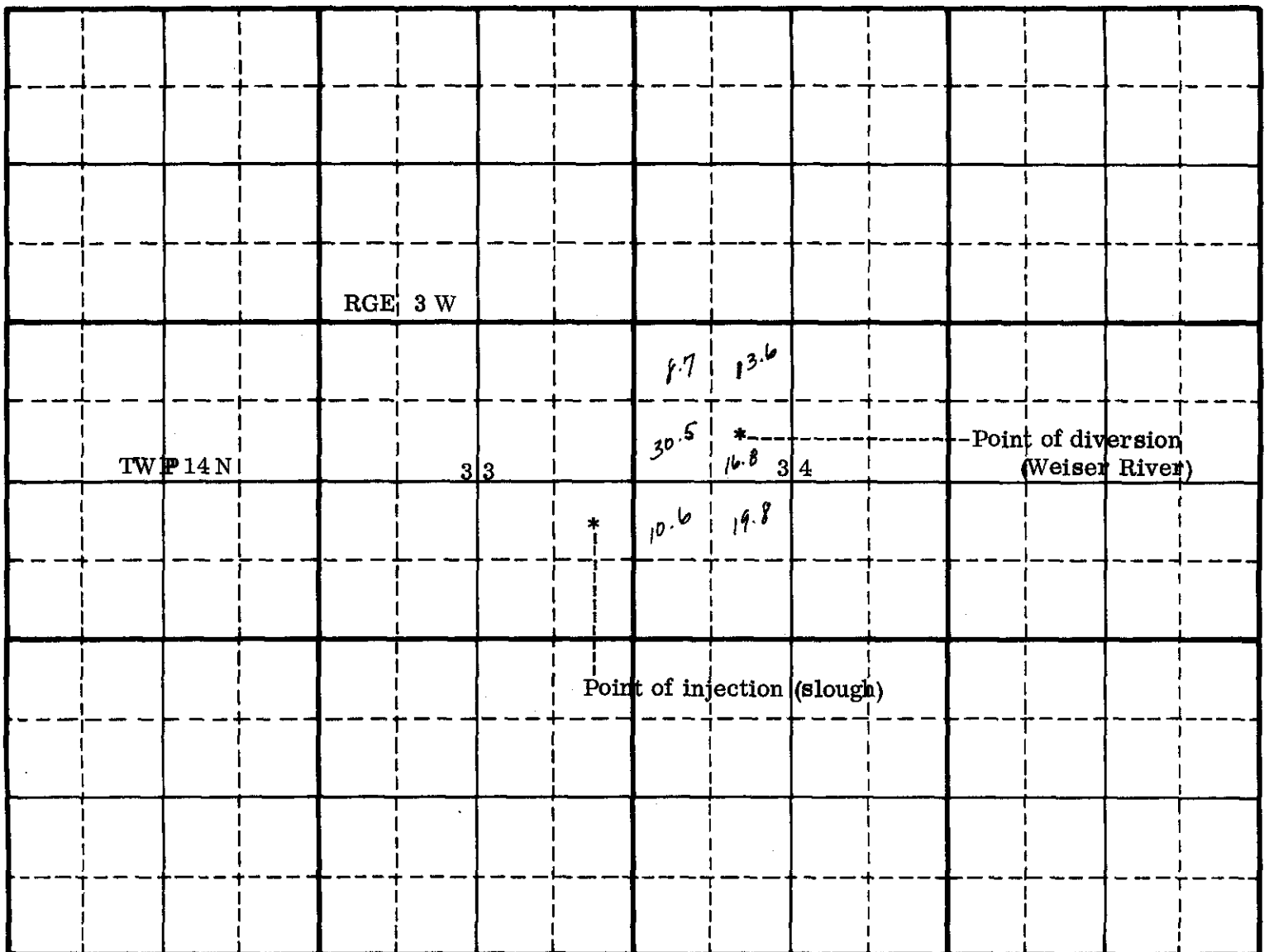
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated	100
---------------------------------------	-----

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Medway Idaho, this 30 day of October, 19 76

[Signature]
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, Director of the Department of Water Resources hereby approve the above application for amendment for Permit No. 67-7167.

Witness my hand this 15 day of November, 19 76

[Signature]
Director

Identification No. _____

Application No. 67-7167

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 A DAWSON GAERTNER
post office address Midvale, Idaho
2. Source of water supply Weiser River & 2 unnamed sloughs which is a tributary of Snake River
(Weiser River)
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34 Township 14 N
Range 3 W B.M. Washington County; additional points of diversion if any: _____
(sloughs) NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N., R. 3 W., B.M.
(see remarks) _____
- 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 2.0 for irrigation purpose from May 15 to Nov. 15 (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. 2.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Sump connected by pipe to Weiser
River, thence lifted by a 15 hp pump to a screening table, thence to a 50 hp
pump to sprinkler lines

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 \$ 25,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(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: _____

67 7167

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

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	
14 N	3 W	34					25		18	20	32	5							100

Total number of acres to be irrigated 100

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

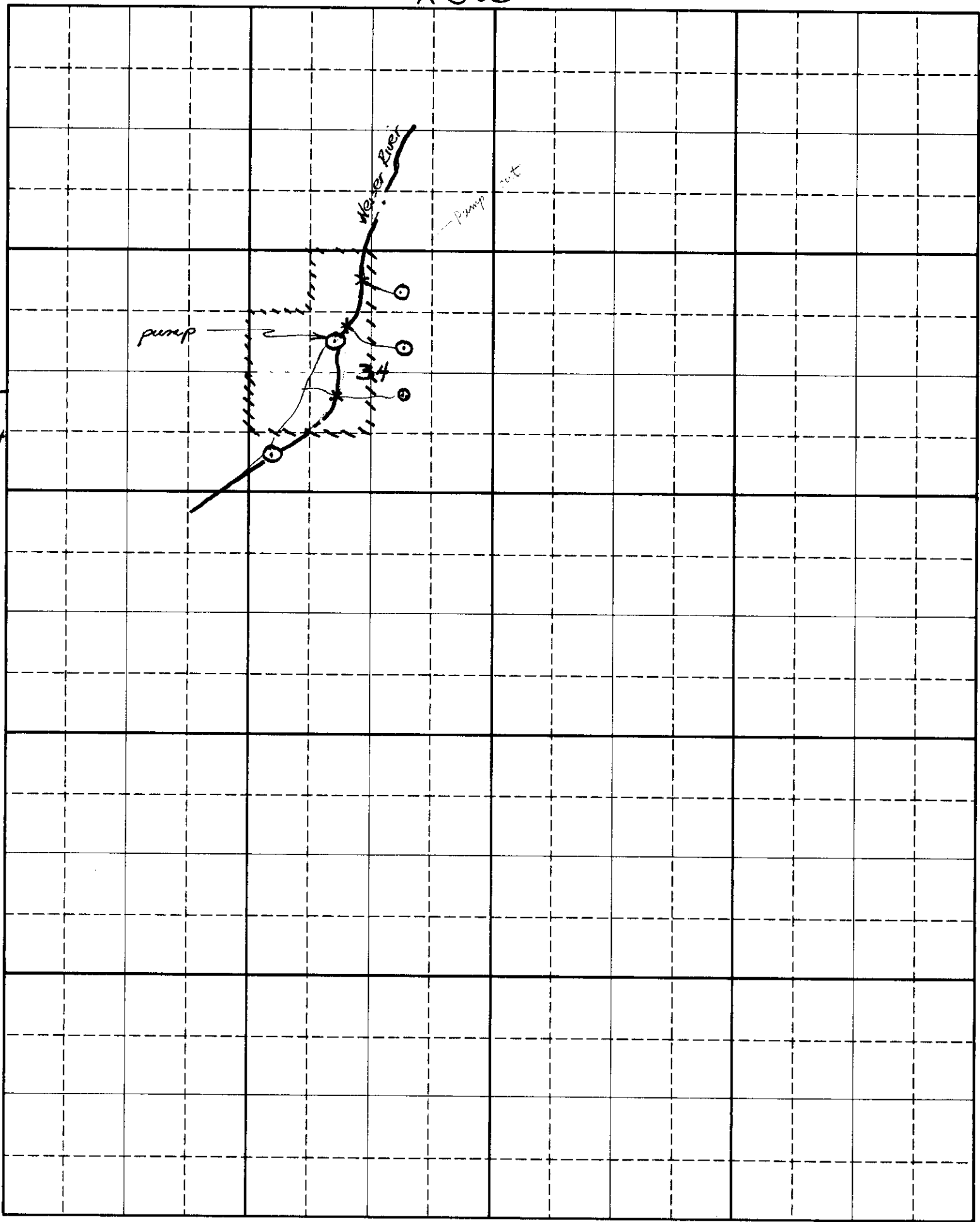
9. a. Who owns the property at the point of diversion Applicant
- b. Who owns the land to be irrigated or place of use Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks The Weiser River water will be flood water and will be under control of the Weiser River Watermaster. The Slough water is waste water from the Middle Valley Ditch Corporation system. Some of the slough water will be exchanged for Weiser River water. The slough water will enter the river downstream approximately 1/2 mile from the point of diversion.

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

R 3 W

T
14
2



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.

A. Dawson Galtner
(Applicant)

67 7137

67 7167

Proposed Priority 8-24-1973

Received by FER Date 24 Aug 72 Time 3:30 pm
 Preliminary check by FER Fee \$ 35.00
 Receipted by WV Date 8-24-73 # 11582
 Publication prepared by SW Date 10-12-72
 Published in Upper Country News Reporter
 Publication dates 10-18, 10-25-73
 Publication approved SW Date 10-24-73
 Priority reduced to _____ Reason _____

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval by BDF

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. 67-7167, 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 March 1, 19 79.
- c. Other: Measuring devices of a type approved by this department shall be permanently installed and maintained at the points of injection of water into and points of diversion of water from the Weiser River.
Use of water under this permit is subject to control by the watermaster of State Water District No. 67, Weiser River.

Witness my hand this 24 day of March, 19 74.


 Director

**NOTICE OF APPLICATION FOR
PERMIT AND EXCHANGE
OF WATER**

Notice is hereby given that A. DAWSON GAERTNER, Midvale, Idaho, has on August 24, 1973, submitted Application No. 67-7187 for a permit to appropriate 2.0 cubic feet per second of water from 2 unnamed sloughs at points within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M., Washington County, and Weiser River, tributary to Snake River, within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M., Washington County, by means of pipeline, pump and sprinkler system. Water from sloughs will be injected into Weiser River in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M. and will be redirected from Weiser River from a point within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M.

Water will be used from May 15 to Nov. 15 for the irrigation of 100 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, 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 Administration, Statehouse, Boise, Idaho, 83707, on or before November 5, 1973.

R. KEITH HIGGINSON
Director

Published in the Upper County News-Reporter, Box 98, Cambridge, Idaho on October 18, 1973 and October 25, 1973.

OK
suo
10-29-73

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 Oct. 18, 1973, and ended with the issue of Oct. 25, 1973...

Stuart Dopf

Subscribed and sworn to before me this

26th day of October, 1973.

Mary Collins

Notary Public for Idaho, residing at
Cambridge, Idaho

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>ESP</u>	<u>30 Aug 73</u>	Application No. <u>67 7167</u> Name <u>A D Gaertner</u>
(2)	<u>ESP</u>	<u>11</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/R ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>W/A</u>		Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>W/A</u>		☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>ESP</u>	<u>30 Aug 73</u>	In form for advertising <u>NO HOLD for INFO ok to advertise</u> <u>Request Exchange see Remarks</u> <u>KEEP 120073 OK</u>
(6)	<u>SW</u>	<u>10-29</u>	Affidavit of Publication received <u>OK</u>
(7)	<u>R.W.H.</u>	<u>11-6-73</u>	Final date for protests <u>11-5-1973</u> Protests received: yes <u>no</u> <u>✓</u>
(8)	<u>NA</u>		Date and Place of hearing _____ Decision reached at hearing _____
(9)	<u>NA</u>		Located within Water District No. _____
(10)	<u>NA</u>		Critical groundwater area: yes _____ no _____
(11)	<u>NA</u>		Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)	<u>R.W.H.</u>	<u>11-6-73</u>	Action recommended: ☒ Approve Priority <u>8-24-1973</u> ☐ Deny Reason for Reduction _____ <u>R.W.H. 11-6-73</u> See attached sheet for conditions of approval No conditions for approval
(14)	<u>R.W.H.</u>	<u>11-6-73</u>	District <u>Western</u> By <u>Robert W Hamilton</u> Date <u>11-6-1973</u> Title _____

RECOMMENDED

CONDITIONS OF APPROVAL

☒ Measuring devices of a type approved by this Department shall be permanently installed and maintained ~~as part of the diverting works.~~ ^{at the points of injection of water into and ^{points of} diversion} of water from the Weiser River.

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

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

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

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

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

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

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

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

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

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

☐ Other Water from slough measured into River & measured out at P.D. Slough. Water also subject to control of Watermaster.

1. pt. of diversion from slough
2. pts. of injection into Weir K.
3. pts. of redirection into Weir L.

47-7167

VERIFIED DJ
3-29-85

WATER RIGHT NUMBER 67-7167

OWNER LAST NAME - GAERTNER
ADDRESS LINE 1 - P.O. BOX 46
ADDRESS LINE 3 -FIRST NAME - A. DAWSON
ADDRESS LINE 2 -
CITY - MIDVALE

ORIG OWNER -

STATE - ID ZIP CODE - 83645

SOURCE - UNNAMED SLOUGH
SOURCE - WEISER RIVERTRIBUTARY OF - SNAKE RIVER
TRIBUTARY OF - SNAKE RIVER

STAGE - LICENSE STATUS - PRIORITY - 08-24-1973 COUNTY - WASHINGTON TOTAL DIV. RATE - 1.4500 -CFS

TOTAL DIV. VOLUME - 400.00 AFA TRFR/AMEND - WATER DIST. - GLE/CAREY ACT - RIGHT BASIS -

DIVERSION POINT - SENW 34 14N 03W LOT REDIV - 272.0 288.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 41.3

NESE 33 14N 03W LOT REDIV - 272.0 288.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 39.8

FROM - 05-15 TO - 11-15 USE - IRRIGATION USE DIV. RATE - 1.4500 CFS USE DIV. VOLUME - 400.00 AFA

USE - IRRIGATION PLACE OF USE - TWN 14N RNG 03W SEC 34 TRACT NENW LOT AC 14 TRACT NWNW LOT AC 09

TRACT SWNW LOT AC 31 TRACT SENW LOT AC 17

TRACT NESW LOT AC 20 TRACT NWSW LOT AC 11

DATE - TOTAL ACRES 102

DECREE NAME -

REMARKS - AC. IRR. = 100.

WATER FROM SLOUGH EXCHANGED FOR WATER FROM WEISER RIVER.

SOURCES ARE UNNAMED SLOUGH & WEISER R., TRIB. SNAKE P.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - COND. OF APPROVAL - R01

DIVERSION MEANS -

9/78

IDENT. No. 67-7147

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

Re: 67-7167

May 14, 1979

Mr. A. Dawson Gaertner
Box 46
Midvale, ID 83645

Dear Mr. Gaertner:

As requested in a phone call to this office, enclosed is a copy of your
Water Right License No. 67-7167.

If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

Roberta Garrett
Records Supervisor

Enclosure

November 16, 1976

Re: Permit No. 67-7167

A. Dawson Gaertner
Midvale,
Idaho 83645

Dear Mr. Gaertner:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Also enclosed is a copy of the approved application for amendment along with receipt no. 5939 in the amount of \$10.00.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

October 14, 1976

Mr. A. Dawson Gaertner
Midvale,
Idaho 83645

Dear Mr. Gaertner:

A representative of this Department has made an examination of the works covered by your Permit No. 67-7167 and has found the following:

Quantity of water diverted: 1.45 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1/45 cfs

Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34 (Weiser River) and NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33 (unnamed slough); Twp. 14 N, Rge. 3 W, B. M.

Beneficial use: Irrigation of 100 acres within the NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, Twp. 14 N, Rge. 3 W, B. M.

The maximum quantity diverted shall not exceed 400 acre feet, or 4.0 af per acre, per year.

Priority date established: August 24, 1973

(The water diverted from the slough as described above will be exchanged for Weiser River water to be diverted at a point within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, Twp. 14 N, Rge. 3 W, B. M.)

Our examiner's report indicates that the location of the points of diversion and place of use is different from that described under the permit. Therefore, it will be necessary to amend the permit before a water license is issued. Enclosed is a partially completed application for amendment for your use in this matter.

Please sign the application and return it to this office along with a \$10.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder A. Dawson Gaertner
Post office address Midvale, Idaho 83645 Phone 355 2398
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Weiser River & 2 unnamed sloughs
(name spring, stream, etc.)
Tributary to Snake River

3. Water will be used for the following purposes:

Amount 2.0 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from May 15 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 2.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location (City) of Diversion:

Forming ~~34~~ N/S, Range 3W E/W, B.M., Section 34, Subdivision ^{SE}~~34~~ $\frac{1}{4}$ ~~34~~ $\frac{1}{4}$, Washington
County

Township 34 N/S, Range 35 E/W, B.M., Section 34, Subdivision 157 $\frac{1}{4}$ 35 $\frac{1}{4}$ Washington
 Washington County

Township 14N N/S, Range 32 E/W, B.M., Section 34, Subdivision SW $\frac{1}{4}$ NE $\frac{1}{4}$ Washington
NEE SW 33 County

Other Points of Diversions: ~~W4-57k, 58k-59k, Sec. 34, Twp. 14N, Rge. 3W, A.M.~~

Description of diverting works: Water from sloughs measured into Weiser River then pumped out
upstream into sprinkler system. Water in pump line. (exchange of water with Weiser
River) 15 hp motor & pump from river. 50 hp motor & booster pump.

Measuring device required: yes ☒ no ☐ (At both pt. of water into & pts. of diversion of water from the Weiser River)

6. **Lands to be irrigated or place of use.**

[illegible]**TOTAL ACREAGE**

100

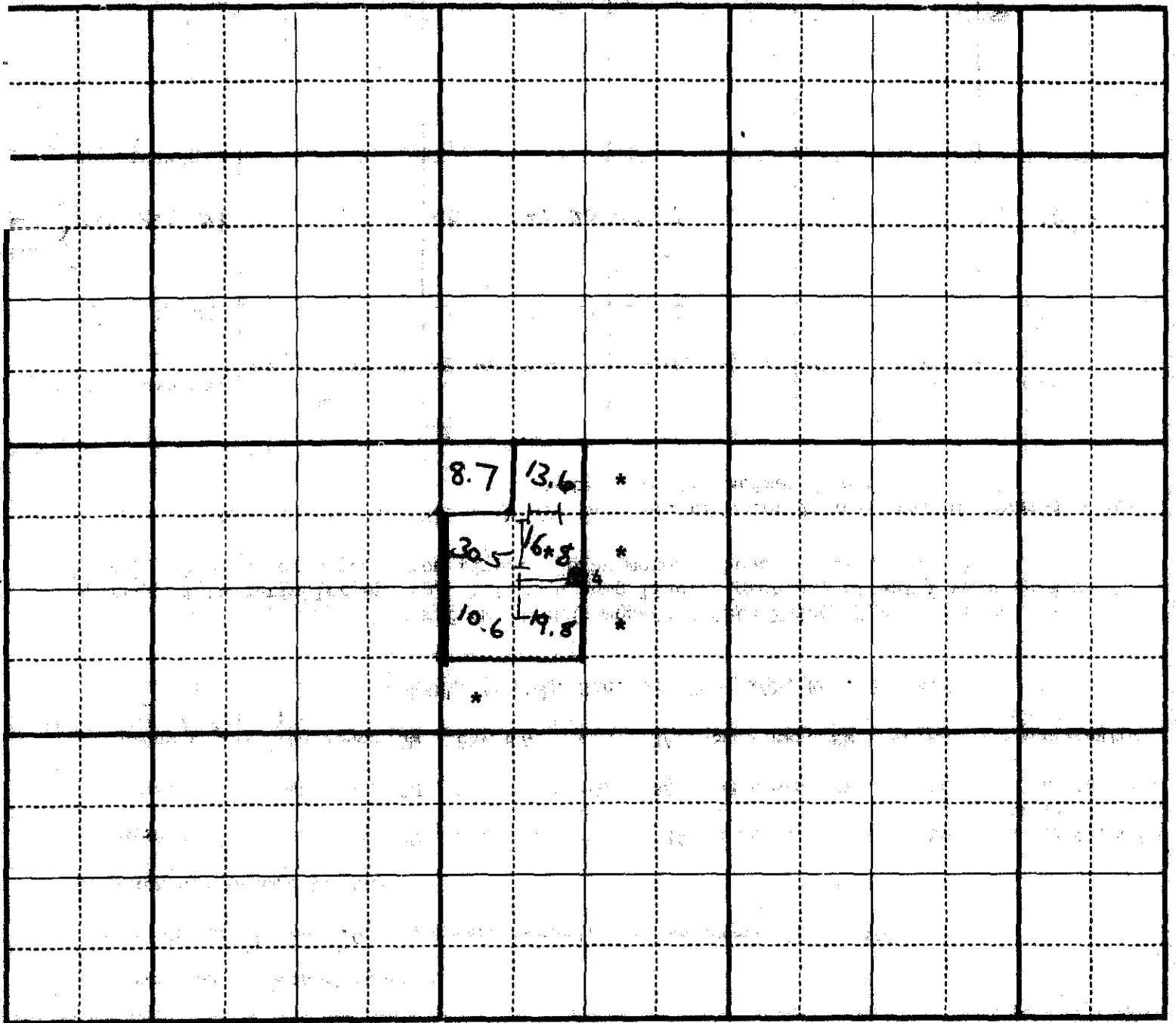


Diagram of System



"NOT TO SCALE"



"NOT TO SCALE"

DATE OF EXAM 7-28-76

ACREAGE
Found 106
Recommended 100

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 1.45 c.f.s. V = 400.0 AF/Ann. from May 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes ☒ no _____

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

Point of injection: unnamed slough - measured with 4' rec. weir - with 0.35" of water
twp. 14 N/S, Rge 3 E/W, B.M., Sec. 33, Sub. NE 1/4 SE 1/4 Wash. going over
County = 2.76 cfs

Point of exchange: same as PD from Weiser River - 1.44 cfs
twp. 14 N/S, Rge 3 E/W, B.M., Sec. 34, Sub. SE 1/4 NW 1/4 Wash.
County _____

Total Q measured 1.95 cfs. Method of measurement 8" flowmeter

Total Q recommended 1.45 cfs. Meter No. M0541589 Type Bedger Condition New

Total V recommended 400.0 AF/Ann.

Recommended Amendments:

P.D. SE 1/4 NW 1/4 Sec 34, T14N, R3W
Place of Use see rough draft
Other _____
None _____

MEASUREMENT CALCULATION:

650 gpm ÷ 448.8 = 1.448 cfs

Total V = 1.45 X 1.98 X 184 day season = 528.264 AF
100 acres X 4.0 AF = 400 AF

SYSTEM DESCRIPTION:

diverting from Weiser River with 10 HP General Electric motor
model # 05K215AN214 with open discharge into holding tank
return water from tank with 50 HP General Electric motor model #
5K324YK140 and Cornel pump serial # 14195 - 8" mainline
into sprinkler system

REMARKS: some of water is waste water
water seeps from ditch - exchange water is measured with 4'
weir 0.35" over weir = 2.76 cfs

Examiner's Signature Peter Chamberlin Date 7-28-76

Checked by JH Date 8-2-76

Approved by _____ Date _____

November 27, 1974

Re: Permit No. 67-7167

Mr. A. Dawson Gaertner
Midvale,
Idaho 83645

Dear Mr. Gaertner:

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

Before a water license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field exam, please contact our Western District Office at Boise (Phone: 384-2190).

Sincerely,

D. Darlene Reich
Water Rights Supervisor

MICROFILMED

Identification No. 67-7167

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOV 21 1974

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder A. Dawson Gaertner
b) Post Office Address Midvale, Idaho
2. Permit Number 67-7167
3. Date of Priority that you are prepared to establish August 24, 1973
4. a) Source from which water was appropriated Weiser River and 2 unnamed sloughs
b) Location of the point of diversion: SE 1/4 NW 1/4, Section 34
Township 14 N, Range 3 W, Boise Meridian, Other points of diversion:
Sloughs - NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, SW 1/4 SW 1/4, Sec. 34, T. 14N, R. 3W.
5. a) The amount of water and use to which the water has been applied:
Amount 2.0 for Irrigation purposes from May 15 to Nov. 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 2.0 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Weiser River watermaster over Cippoletti weir
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

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

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Water from sloughs measured into Weiser River then pumped out upstream into sprinkler system. Meter in pump line. (Exchange of water with Weiser River). 15 HP motor and pump from river. 50 HP motor and booster pump.
b) Describe the type and size of measuring device which you have installed at your point of diversion: 8" meter in main line.

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

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

MICROFILMED

Exam typed 12/3/74 by fg

March 28, 1974

Re: Permit No. 67-7167

A. Dawson Gaertner
Midvale,
Idaho 83645

Dear Mr. Gaertner:

Enclosed is a copy of your approved Application for Permit No. 67-7167. 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
Assistant Director

BDF/bjg

Enclosures

67 7167

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 Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

October 12, 1973

Unner Country News Reporter
Box 93
Cambridge, Idaho 83610

Re: Application for Permit No. 67-7167 -- A. Dawson Gaertner
67-7180 -- Arthur C. Anderson

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
10-29-73
Dw*

67 7167

*Notice of Application for
Permit and Exchange of water*

no heading on this??

Notice is hereby given that A. DAWSON GAERTNER, Midvale, Idaho, has on August 24, 1973, submitted Application No. 67-7167 for a permit to appropriate 2.0 cubic feet per second of water from 2 unnamed sloughs at points within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M., Washington County, and Weiser River, tributary to Snake River, within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M., Washington County, by means of pipeline, pump and sprinkler system. Water from sloughs will be injected into Weiser River in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M. and will be rediverted from Weiser River from a point within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M.

Water will be used from May 15 to Nov. 15 for the irrigation of 100 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 34, 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 Administration, Statehouse, Boise, Idaho, 83707, on or before November 5, 1973.

R. KEITH HIGGINS
Director

Published in the Upper County News-Reporter, Box 98, Cambridge, Idaho on October 18, 1973 and October 25, 1973.

OK
SW
10-16-73

Notice is hereby given that A. DAWSON GAERTNER, Midvale, Idaho, has on August 24, 1973, submitted Application No. 67-7167 for a permit to appropriate 2.0 cubic feet per second of water from 2 unnamed sloughs at points within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M., Washington County, and Weiser River, tributary to Snake River, within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M., Washington County, by means of pipeline, pump and sprinkler system. Water from sloughs will be injected into Weiser River in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M. and will be rediverted from Weiser River from a point within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W, B.M.

Water will be used from May 15 to Nov. 15 for the irrigation of 100 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, 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 Administration, Statehouse, Boise, Idaho, 83707, on or before November 5, 1973.

R. KEITH HIGGINSON

Director

Published in the Upper Country News Reporter, Box 98, Cambridge, Idaho on October 18, 1973 and October 25, 1973.

67-7167

To: Files 67-7167

From: A. Dawson Gaertner

Date: Oct. 3, 1973

Subject: Requested information

In answer to your letter dated August 30, 1973, I plan to pump water from the Weiser River at a point located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W.

Points of injection into the Weiser River will be located as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 14 N, R. 3 W

SE $\frac{1}{4}$ NW $\frac{1}{4}$ " " "

NE $\frac{1}{4}$ SW $\frac{1}{4}$ " " "

SW $\frac{1}{4}$ SW $\frac{1}{4}$ " " "

The points as listed in paragraph 3(a) of the application are places where water is taken under control, i.e., pumping from the River and points of diversion in anticipation of release into the River.

A. Dawson Gaertner

10-3-73

67 7167

August 30, 1973

A. Dawson Gaertner
Midvale
Idaho 83645

Dear Mr. Gaertner:

In reviewing your application, we find you wish to exchange water from a slough for Weiser River water.

Before we continue processing your application, we will need the point of injection of the slough water into the Weiser River and which of the points of diversion listed that the exchange will be taken from the river.

Upon receipt of this information, it will be added to your application which will be advertised with this information included.

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

Very truly yours,

ERVIN E. BALLOU
W. R. Technician II

EEB:def

67 7167