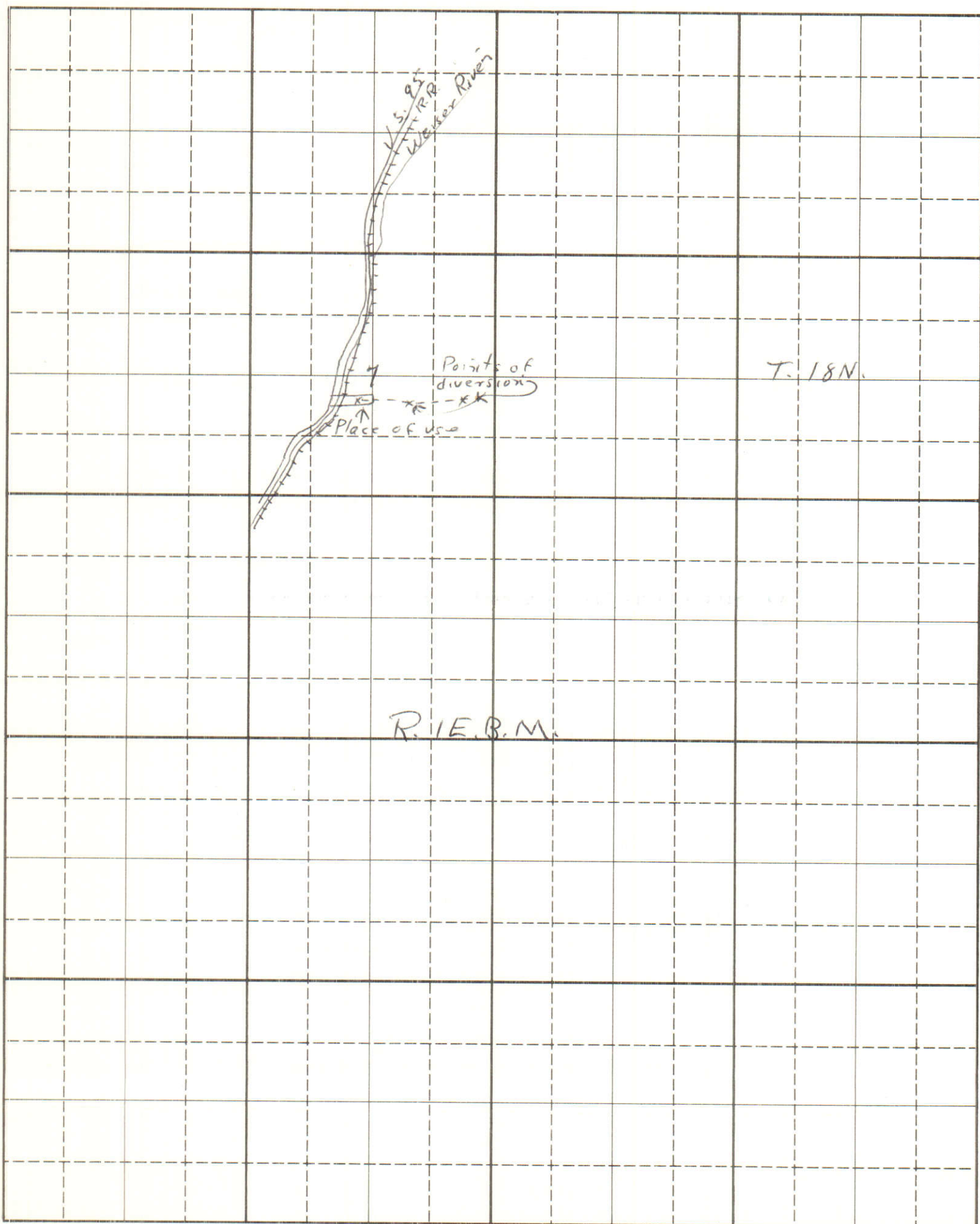


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Wm. L. Van Keeth
(Applicant)

RECEIVED

JUL 30 1973

Department of Water Administration

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Application

for Water Permit."

as per clipping

hereto attached, was published in the regular and entire issue

of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated July 19, 1973

and the last in the issue dated July 26, 1973 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said

"Notice"

as aforesaid.

Subscribed and sworn to before me this

day of

JUL 27 1973

, 19

Edwin D. Lester

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that WILLIAM L. &/or JOYCE E. VAN WERTH, Payette, Idaho has on July 6, 1973 submitted Application No. 67-7148 for a permit to appropriate .04 cubic feet per second / 1.2 acre feet per annum of water from springs, trib to Weiser River by means of collection box & plastic pipeline within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7, T. 18 N., R. 1 E., B.M., Adams County to be used from Jan. 1 to Dec. 31 for domestic use within the NE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 7, T. 18 N., R. 1 E., 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 August 6, 1973.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, Idaho on July 19, 1973 and July 26, 1973.

OK df
7-30-73

67 7148

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 67-7148 Priority July 6, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that William L. &/or Joyce E. Van Verth
of Payette, Idaho, has complied with the terms and conditions of Permit
No. 67-7148 issued pursuant to Application for Permit dated July 6, 1973,
and has submitted proof to the Department of Water Resources on May 16, 1975,
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 0.04 cfs of water from unnamed springs,
tributary to the Weiser River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from Jan. 1 to Dec. 31	at 0.04 cfs and	1.2 acre feet
	from to at cfs and		
	from to at cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 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
1.2 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ -and- NW $\frac{1}{4}$ SE $\frac{1}{4}$ of
Sec. 7, Twp. 18 N, Rge. 1 E, B. M. in the County of Adams

Description and location of place of use:

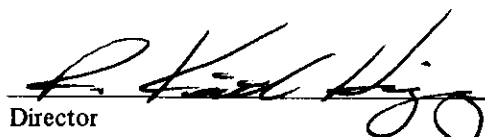
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
18 N	1 E	7									X								

Total number of acres irrigated _____

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 19 day of
September, 19 75.


Director

Identification No. _____

Application No. 67-7148

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

LICENSE ISSUED FOR 104 SEC. FT. To Appropriate the Public Waters of the State of Idaho
LICENSE PAG. NO. (TYPE OR PRINT IN INK)

1. Name of applicant WILLIAM L. &/or JOYCE E. VAN VERTH
post office address Payette, Idaho 83661
2. Source of water supply springs NE which is a tributary of Weiser River
SE
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 18N
Range 1E B.M. Adams County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into Weiser River at a point in NE $\frac{1}{4}$
of SW $\frac{1}{4}$ of Section 7 Township 18 N Range 1 E B.M. _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purpose from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.04 cubic feet per second and/or
b. 1.2 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Collection box and plastic pipeline
to place of use

- 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 Five years.
~~two~~
b. Estimated construction cost is \$ 400.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7 Township 18N
Range 1E 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 6 to 8 head of horses or cows

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: Some pasture irrigation as
previously used by original owner of land covering approximately
1 acre of bottom pasture land

67 7148

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
18 N	1 E	7			<i>2</i>						<i>P.W.H.</i> <i>X 8-28-73</i>								<i>1</i>

Total number of acres to be irrigated App. 1

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

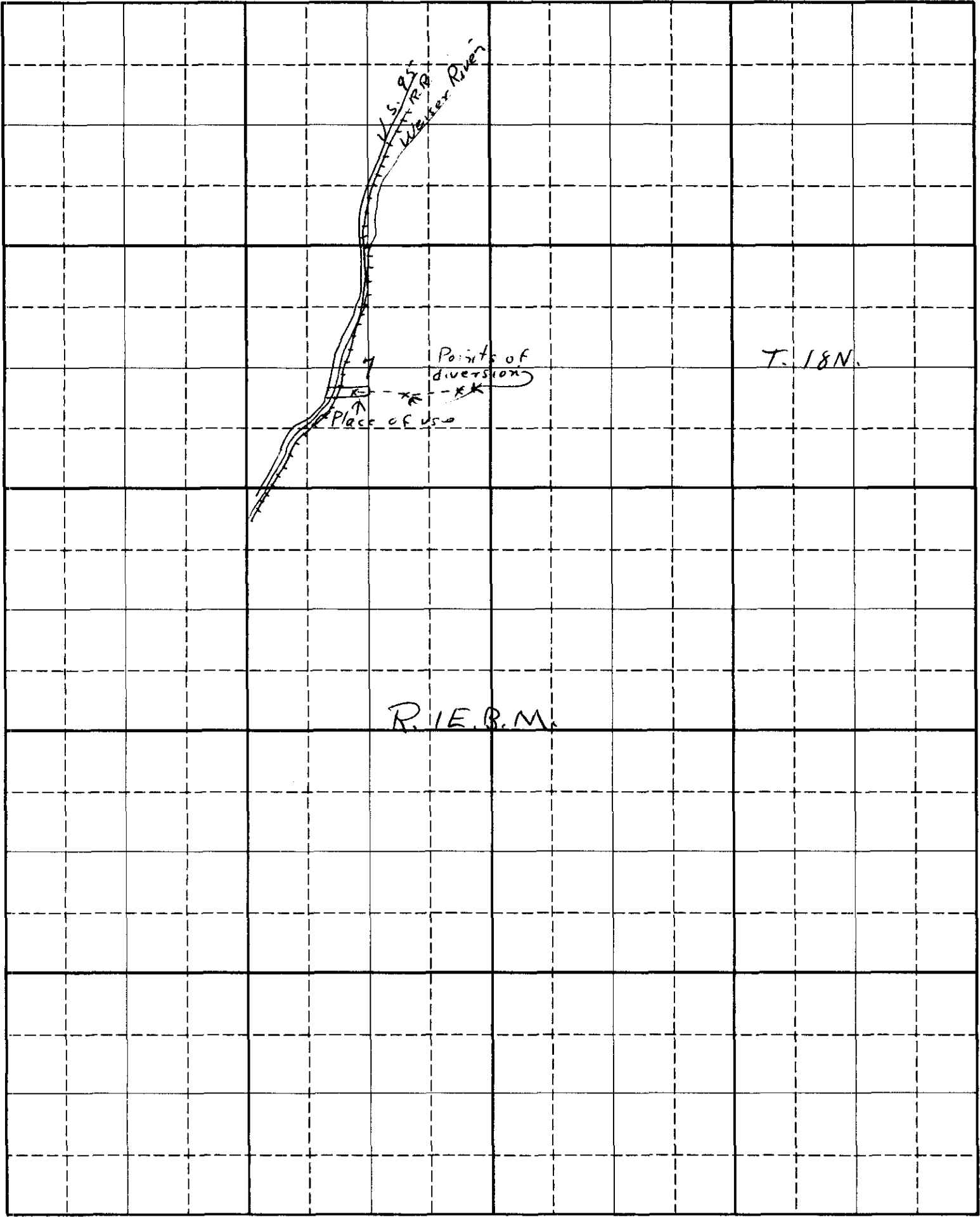
9. a. Who owns the property at the point of diversion U. S. FOREST SERVICE

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 FOREST SERVICE EASEMENT.

10. Remarks This water has been used many years for irrigation of this property.

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.

Wm. L. VanVleet
(Applicant)

7-6-1973

67 7148

Received by ef Date 7-6-73 Time 8:00 A
Preliminary check by PW Fee \$ 10.00
Receipted by ef Date 7-6-73 Rec'd # 11282
Publication prepared by ef Date 7-12-73
Published in Classen County Reader
Publication dates 6-19 & 6-26-73
Publication approved ef Date 7-30-73
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by KMP CCB 11 June 74
JSJ

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. 67-7148, 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 June 1, 19 79.
- c. Other: _____

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

Witness my hand this 17 day of _____ June 19 74.

L. Keith Higin
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	LEB	7/10/73	Application No. <u>67-7148</u> Name <u>W. Werth</u>
(2)	LEB	7/10/73	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/U ☒ Place of Use ☒ Map ☒ Fee
(3)	LEB	7/10/73	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	LEB	7/10/73	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	LEB	7/10/73	In form for advertising <u>yes</u>
(6)	df	7-31-73	Affidavit of Publication received <u>OK</u>
(7)	LEB	14 Aug 73	Final date for protests Protests received: yes <u>no</u> ☒
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)	CEB	11	Located within Water District No. <u>67</u>
(10)			Critical groundwater area: yes <u>no</u>
(11)			Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)	CEB	14 Aug	Action recommended: ☒ Approve ☐ Deny Priority <u>7-6-73</u> Reason for Reduction <u>RECEIVED</u>
	CEB	14 Aug	See attached sheet for conditions of approval
	CEB	14 Aug	No conditions for approval
(14)	CEB	14 Aug	District <u>Western</u> By <u>Ernie B. B. B.</u> Date <u>14 August, 1973</u> Title <u>WR</u> <u>RECEIVED</u>

USFS comment rec 11 June 1974
Granted to J.A.H. edges (67-7146) same
diversion works for both letters 8 March 74 H. M. Bolt

AUG 15 1973
67 7148

JUL 30 1973

Department of Water Administration

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Application

for Water Permit".....

as per clipping

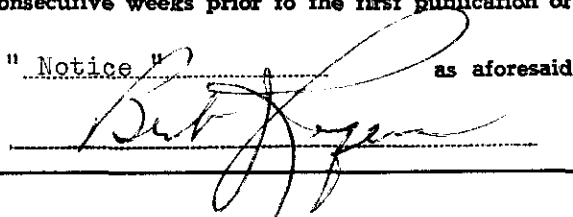
hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated July 19, 1973

and the last in the issue dated July 26, 1973 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.



Subscribed and sworn to before me this

JUL 27 1973

day of , 19



Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that WILLIAM L. &/or ROYCE E. VAN WAGEN, Payette, Idaho has on July 9, 1973 submitted Application No. 87707 for a permit to appropriate 44 cubic feet per second / 1.2 acre feet per annum of water from springs, trib. to Weiser River by means of collection box & plastic pipeline within the N4SW4, Sec. 7, T. 18 N., R. 1 E., B.M. Adams County to be used from Jan. 1 to Dec. 31 for domestic use within the N4SW4, Sec. 7, T. 18 N., R. 1 E., 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 August 6, 1973.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, Idaho on July 19, 1973 and July 26, 1973.

OK df
7-30-73

67 7148

WATER RIGHT NUMBER 67-7148

OWNER LAST NAME - VAN VERTH

FIRST NAME - WILLIAM L.

ORIG OWNER -

OWNER LAST NAME - VAN VERTH

FIRST NAME - JOYCE E.

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - PAYETTE

STATE - ID ZIP CODE -

SOURCE - SPRINGS

TRIBUTARY OF - WEISER RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 07-06-1973 COUNTY - ADAMS

TOTAL DIV. RATE - .0400 -CFS

TOTAL DIV. VOLUME -

1.20 AFA TRFR/AMEND -

WATER DIST. - 67 DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NESE 07 18N 01E LOT REDIV -

272.0 288.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 90.7

NWSE 07 18N 01E LOT REDIV -

272.0 288.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 90.5

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

USE DIV. RATE - .0400 CFS USE DIV. VOLUME - 1.20 AFA

USE - DOMESTIC

PLACE OF USE - TWN 18N RNG 01E SEC 07 TRACT NESW LOT AC

DECREE NAME -

DATE -

TOTAL ACRES 0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

9/78

IDENT. NO. 67-2148

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]

September 19, 1975

Re: Permit No. 67-7148

William L. &/or Joyce Van Verth
Payette,
Idaho 83661

Dear Mr. & Mrs. Van Verth:

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder William L. &/or Joyce Van Verth
Post office address Payette, ID 83661 Phone _____
Person to contact _____ Phone _____

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

3. Water will be used for the following purposes:

Amount 0.04 c.f.s. for Domestic (one household with animals)
_____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

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

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

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

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

Other uses: _____

Permit No. 67-7148
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 18N N/S, Range 1E E/W, B.M., Section 7, Subdivision NW $\frac{1}{4}$ SE $\frac{1}{4}$, Adams

Township 18N N/S, Range 1E E/W, B.M., Section 7, Subdivision NE $\frac{1}{4}$ SE $\frac{1}{4}$, Adams

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____

Other Points of Diversions: _____

Description of diverting works: Collection box and plastic pipeline to place of use.

Measuring device required: yes ☐ no ☒

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 $\frac{1}{4}$	
18N	1E	7									X								

TOTAL ACREAGE _____

DATE OF EXAM Aug. 26, 1975

ACREAGE
Found _____
Recommended NA

Irrigation Requirement NA Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.09 c.f.s. V= 1.2 AF/Ann. from Jan. 1 to Dec. 31
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured _____ Method of measurement estimate

Total Q recommended 0.09 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 A.F./Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:

perforated pipe w/ collection & 300 gal. storage tanks, 1 1/2" plastic line to cabin sites. This system serves 5 cabin sites, four of which are covered by other permits.

REMARKS:

Domestic use for one summer home including lawn irrigation & limited stock watering.

Examiner's Signature M. Clayton Benson Date Aug 26, 1975

Checked by _____ Date _____

Approved by _____ Date _____

May 21, 1975

Re: Permit No. 67-7148

William L. &/or Joyce E. Van Verth
Payette,
Idaho 83661

Dear Mr. & Mrs. Van Verth:

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

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

If you have any questions regarding the field examination, please contact our District Office in **Boise**.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED
MAY 23 1975
WATER RIGHTS DIVISION

Identification No. _____

Permit No. 67-7148

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder William L. &/or Joyce E. Van Verth
b) Post Office Address Payette, Idaho 83661
2. Permit Number 67-7148
3. Date of Priority that you are prepared to establish July 6, 1973
4. a) Source from which water was appropriated springs, trib. to Weiser River
b) Location of the point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7
NW SE
Township 18N, Range 1E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.04 for domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.04 cfs cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Estimated by applicant
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) Collection box and plastic pipeline to place of use.
b) Describe the type and size of measuring device which you have installed at your point of diversion: N/A
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: Domestic use for one house, water 6 to 8 hd. horses or cows.

Exam typed 5-22-75 By js

MICROFILMED

June 14, 1974

Re: Permit No. 67-7148

Mr. & Mrs. William Van Verth
Payette,
Idaho 83661

Dear Mr. & Mrs. Van Verth:

Enclosed is a copy of your approved Application for Permit No. 67-7148 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

Enclosure

67 7148
~~67 7148~~

RECEIVED

JUN 11 1974

Department of Water Administration

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Payette National Forest
McCall, Idaho 83638

67 7148

2720

March 8, 1974



Mr. James C. Hedges, Sr.
Route #2
Parma, ID 83660

Dear Mr. Hedges:

Thank you for your letter of February 14 pertaining to joint use of a pipeline.

We are unable to issue the permit jointly unless you file incorporation papers.

Further, putting two names on a permit would put the U. S. Government at a disadvantage, especially if it were necessary to enforce any part of the permit.

We will be happy to write to the State of Idaho, Department of Water Administration on your behalf to explain that we have no objections to them issuing a joint permit.

Sincerely,

Harold M. Bolt

HAROLD M. BOLT
Branch Chief, Recreation & Lands

67 7148

RECEIVED

JUN 11 1974

Department of Water Administration

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Payette National Forest
McCall, Idaho 83638

2720

October 24, 1973



James C. Hedges Sr.
Rt. #2
Parma, Idaho 83660

L

Dear Mr. Hedges:

Your Special Use Permit for a culinary water system and fence
has been approved and is attached.

Sincerely,

Harold M. Bolt

HAROLD M. BOLT
Branch Chief, Recreation & Lands

Enclosure

*Mrs. Hedges:
This should have
been returned with
me 3/8/74 JTTW.*

*Sincerely
Donna Adams
Assistant Chief*

67 7148

SPECIAL USE PERMIT

Act of June 4, 1897
This permit is revocable and nontransferable
(Ref. FSM 2710)

a. Record no. (1-2) <u>70</u>	b. Region (3-4) <u>04</u>	c. Forest (5-6) <u>12</u>
d. District (7-8) <u>01</u>	e. User number (9-12) <u>2720</u>	f. Kind of use (13-15) <u>916</u> <u>222</u>
g. State (16-17) <u>16</u>	h. County (18-20) <u>003</u>	k. Card no. (21) <u>1</u>

Permission is hereby granted to James C. Hedges Sr.

of Rt. #2, Parma, Idaho 83660

hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements: NE $\frac{1}{2}$ SE $\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{2}$, Section 7, T. 18 N., R. 1 E., B.M., Adams County.

This permit covers ~~more than 1 mile~~ less than 1 mile and is issued for the purpose of:

developing a culinary water supply system for a private dwelling. The pipeline will be buried in an old logging road, the fence will be constructed to protect the storage tank.

1. Construction or occupancy and use under this permit shall begin within 2 months, and construction, if any, shall be completed within 18 months, from the date of the permit. This use shall be actually exercised at least 365 days each year, unless otherwise authorized in writing.

2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of Eighteen & 75/100 Dollars (\$ 18.75) for the period from October 1, 19 73, to December 31, 19 74, and thereafter annually on January 1st

Fifteen & 00/100 Dollars (\$ 15.00) :
Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.

3. This permit is accepted subject to the conditions set forth herein, and to conditions 18 to 28 attached hereto and made a part of this permit.

PERMITTEE	NAME OF PERMITTEE <u>James C. Hedges Sr.</u>	SIGNATURE OF AUTHORIZED OFFICER <u>for W.B. SENDT</u>	DATE <u>Oct 1-73</u>
ISSUING OFFICER	NAME AND SIGNATURE <u>Nicola M. Bell</u>	TITLE <u>Forest Supervisor</u>	DATE <u>Oct 23 1973</u>

18. (A-13) A service charge in addition to the regular fees shall be made for failure to meet the fee payment due date or any of the dates specified for submission of statements required for fee calculation. The service charge shall be one (1.0) percent per month of the fee from the date statement and fees were due or \$15, whichever is greater. If a due date falls on a nonworkday, the service charge will not apply until the end of the next workday.

19. (B-2) During the performance of this permit, the permittee agrees: In connection with the performance of work under this permit, including construction, maintenance, and operation of the facility, the permittee shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.

The permittee and his employees shall not discriminate by segregation or otherwise against any person on the basis of race, color, religion, sex, or national origin by curtailing or refusing to furnish accommodations, facilities, services, or use privileges offered to the public generally.

The permittee shall include and require compliance with the above nondiscrimination provisions in any subcontract made with respect to the operations under this permit.

Signs setting forth this policy of nondiscrimination to be furnished by the Forest Service will be conspicuously displayed at the public entrance to the premises, and at other exterior or interior locations as directed by the Forest Service.

20. (B-8) The permittee shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of National Forest lands under this permit.

21. (B-31) Avalanches, rising waters, high winds, falling limbs or trees, and other hazards are natural phenomena in the forest that present risks which the permittee assumes. The permittee has the responsibility of inspecting his site, lot, right-of-way, and immediate adjoining area for dangerous trees, hanging limbs, and other evidence of hazardous conditions and, after securing permission from the Forest Service, of removing such hazards.

22. (D-7) The permittee shall be responsible for the prevention and control of soil erosion and gulying on the area covered by this permit and lands adjacent thereto, and shall provide preventive measures as required by specifications attached to and made a part of this permit.

23. (D-9) All earth cut or fill slopes favorable to revegetation or other areas on which ground cover is destroyed in the course of construction, will be revegetated to grasses or other suitable vegetation as required by the Forest Supervisor.

24. (E-4) Unless sooner terminated or revoked by the Regional Forester, in accordance with the provisions of the permit, this permit shall expire and become void on 10/1/78, but a new permit to occupy and use the same National Forest land may be granted provided the permittee will comply with the then existing laws and regulations governing the occupancy and use of National Forest lands and shall have notified the Regional Forester not less than 6 months prior to said date that such new permit is desired.
25. (X-19) The permittee agrees to permit the free and unrestricted access to and upon the premises at all times for all lawful and proper purposes not inconsistent with the intent of the permit or with the reasonable exercise and enjoyment by the permittee of the privileges thereof.
26. (X-33) This permit is granted with the express understanding that should future location of Government improvements or road rights-of-way require the relocation of the permittee's improvements, such relocation will be done by the permittee at his expense within sixty (60) days following request to relocate.
27. (X-81) This permit confers no right to the use of water by the permittee.
28. The permittee shall furnish signs showing the location of the pipeline, which will be approved by the District Ranger.

4. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; *provided* that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

5. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

6. This permit is subject to all valid claims.

7. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

8. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

9. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the National Forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

10. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

11. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

12. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

13. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

14. In case of change of address, the permittee shall immediately notify the forest supervisor.

15. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

16. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

17. In the event of any conflict between any of the preceding printed clauses or any provisions thereof and

February 5, 1974

State Of Idaho
Department of Water Administration
James E. Booker, Technician II
Boise, Idaho 83707

Re: Application for Permit No. 67 7146 for James C. Hedges
and Permit No. 67 7148 for William L. Van Verth

Dear Mr. Booker:

We are in receipt of your inquiry concerning the above listed Application Permits. We are in the process of trying to get the permit that was issued from the Forest Service cleared up to include both parties as our properties adjoin and we both use from the same water source.

Will keep you informed concerning this matter and hope you will bear with us till we get this matter cleared up.

Thank you.

Sincerely,

James C. Hedges
William L. Van Verth
James C. Hedges Jv.
William L. Van Verth

(jv)

67 7148

January 22, 1974

William L. Van Verth
Payette, Idaho 83661

Re: Application for Permit No. 67-7148 - William L. &/or Joyce E. Van Verth

Dear Mr. Van Verth:

We have been holding the above referenced application for final approval pending your submitting the necessary information to complete the application.

We are enclosing a copy of our July 16, 1973 letter. Please return the requested information as soon as possible or notify this office as to your future plans concerning this application.

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

Sincerely,

JAMES E. BOOKER
W. R. Technician II

JEB:def

Enclosure

67-7148

July 16, 1973

Re: Application for Permit No. 67-7148

William L. Van Werth
Payette, Idaho 83661

Dear Mr. Van Werth:

During the processing of your Application for Permit, we have noted that your point of diversion is located on U. S. Forest Service land.

Before we can make the final approval of your application, it will be necessary for you to supply this department with a copy of your special use permit granted by the U. S. Forest Service.

If we can be of any further assistance in this matter, please feel free to contact this department.

Sincerely,

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

KHF:def

67-7148

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

July 12, 1973

Re: Application for Permit No. 67-7148 William L. &/or Joyce E. Van Werth

**Adams County Leader
Council, Idaho 83612**

Ge

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,

67-7148

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that WILLIAM L. & for JOYCE E. VAN WERTH,
Payette, Idaho

has on July 6, 1973 submitted Application No. 67-7148
for a permit to appropriate .04 cubic feet per second / 1.2 acre feet
per annum of water from springs, trib. to Weiser River
by means of collection box & plastic pipeline
within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 7, T. 18 N., R. 1 E., B.M., Adams County

to be used from Jan. 1 to Dec. 31
for domestic use
within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, T. 18 N., R. 1E., 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 August 6, 1973.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, Ida.
on July 19, 1973 and July 26, 1973.

67 7148

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

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

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

July 10, 1973

Re: Application for Permit No. 67-7148

William L. Van Werth
Payette, Idaho 83661

Dear Mr. Van Werth:

Attached herewith is your Receipt No. 11282 in the amount of \$ 10.00
for Application for Permit No. 67-7148

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

67 7148

7-3-73

Enclosed please find check in the amount of \$10.00 covering the fee for Application for Permit to use public waters of the State Of Idaho.

This application is in conjunction with the one filed by James C. Hedges, Sr.,. We are presently in the process of getting the U.S. Forest Service approval.

Thank you,

Mrs. William L. Smith

67 7148